

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-4169

Applicant: Kelly Kufner, on behalf of The Basilica of Saint Mary

Address of Property: 88 17th Street North

Contact Person and Phone: Kelly Kufner, (612) 278-7734

Planning Staff and Phone: Brian Schaffer, (612) 673-2670

Date Application Deemed Complete: August 11, 2008

Publication of Staff Report: September 12, 2008

Public Hearing: September 18, 2008

Appeal Period Expiration: September 29, 2008

End of 60 Day Decision Period: October 10, 2008

Ward: 7 **Neighborhood Organization:** Citizens for a Loring Park Community
Adjacent to: Lowry Hill Residents, Inc.

Existing Zoning: OR3 Institutional Office Residence District, DP Downtown Parking Overlay District and the SH Shoreland Overlay District.

Proposed Use: A freestanding ground sign

Proposed Variance: A variance to increase the size of a freestanding sign from 32 square feet to 51 square feet and a variance to increase the number of freestanding signs from 2 to 3 signs to allow for a new freestanding sign at 88 17th Street North.

Zoning code section authorizing the requested variance: 525.520 (21)

Background: The subject site, 88 17th Street North, is the Basilica of Saint Mary. The site is approximately 142,867 square feet and contains four buildings: the Basilica, the Sacristy, the Rectory and the Cowley Center. The site has approximately 350 feet of frontage along Hennepin Avenue. The site currently has three freestanding signs: one in front of the Cowley Center along 17th Street North, the second is along the western corner of the property by the drop-off circle and a third sign in the front lawn of the Basilica along Hennepin Avenue.

The applicant is proposing to remove the existing freestanding ground sign along Hennepin Avenue. The existing sign is 56 square feet and is constructed of wood. The existing sign is illuminated by an exterior ground light. The applicant is proposing to construct a new ground sign that is approximately 20 feet southeast of the sign to be removed. The proposed sign will have a granite base, cap and face with metal lettering. The sign will also include a 3 feet 8 inches by 5 feet backlit display area with a Duratrans film insert. The applicant has provided a picture of a sample of the backlit portion of the sign, which closely resembles indoor advertisements that can be found in downtown skyways. The total size of the sign is 51 square feet. The sign will also be illuminated with two ground lights.

The maximum size of a freestanding sign in the OR3 Institutional Office Residence District is 32 square feet. The Zoning Ordinance also limits the number of freestanding signs on a zoning lot to one. There are currently three freestanding signs on the zoning lot. The proposed freestanding sign will replace an existing freestanding sign and since the location of the sign is changing a variance is required to allow for the three freestanding signs. Variances are required to increase the size of the freestanding sign and the number of freestanding signs.

The subject site is a locally designated landmark and changes are subject to review by the Heritage Preservation Commission (HPC). On August 26, 2008 the HPC voted to approve the size of the sign with the condition that the backlit portion of the sign not be allowed as the HPC sign guidelines do not allow backlit signs. The HPC action does not prevent the applicant from applying for the variances to increase the size of the sign or the number of signs.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicant has requested two variances to allow for the proposed freestanding ground sign. The proposed sign is replacing an existing freestanding sign that is 56 square feet. The proposed sign is five square feet smaller than the sign it replaces and the number of signs on the zoning lot does not increase. Staff does not believe there is undue hardship caused by the Zoning Ordinance. However, Staff believes that it is reasonable to replace the existing sign with the proposed sign that is smaller and more in keeping with the design of the Basilica than the current freestanding sign.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The conditions upon which the variances are sought are unique to the property. The subject property is approximately three and half acres, has 350 feet of frontage along Hennepin Avenue, and contains four buildings. The existing freestanding signs denote two buildings and the start of a private road. Staff believes the size of the site and the numerous buildings on the site are unique circumstances that justify the variances.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The proposed sign is in keeping with the spirit and intent of the ordinance. The size of the proposed sign is in keeping with the scale and massing of Basilica and the other structures on the site. The two additional freestanding signs are not visible from Hennepin Avenue, where the subject sign is proposed. The subject site is adjacent to a parking ramp and Interstate 94. Across Hennepin Avenue are commercial businesses.

The size of the proposed sign and the number of signs will not alter the essential character of the locality. The proposed sign will contain a portion that is backlit with changeable Duratrans inserts, which is allowed by the Zoning Ordinance. The proposed backlit portion of the sign will be more visible than the existing sign and impact the locality differently than the externally illuminated sign it replaces.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Granting the variances would not likely increase congestion in the area or increase the danger of fire safety. The proposed variances will not be detrimental to public welfare or public safety.

Findings Required by the Minneapolis Zoning Code for a sign adjustment:

- 1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

The subject variances are to allow for a 51 square foot freestanding sign which will result in three freestanding signs on the zoning lot. The subject sign replaces a larger freestanding sign. The proposed sign will not lead to sign clutter as the site is over three acres and the proposed sign will be the only visible sign on the site.

- 2. The sign adjustment will allow a sign of exceptional design or style that will enhance the area or that is more consistent with the architecture and design of the site.**

The proposed granite sign replaces a larger wooden freestanding sign. The granite materials of the sign are in keeping with the materials and design of the Basilica of Saint Mary and the location will be consistent with the design of the site.

CPED Planning Division Report
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Recommendation of the Department of Community Planning and Economic Development - Planning Division:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** a variance to increase the size of a freestanding sign from 32 square feet to 51 square feet and **approve** a variance to increase the number of freestanding signs from 2 to 3 signs to allow for a new freestanding sign at 88 17th Street North in the OR3 Institutional Office Residence District, DP Downtown Parking Overlay District and the SH Shoreland Overlay District.

Attachments

1. Applicant's statement
2. Map of the area
3. Site Plan and Plans for the Sign