

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-2276

Date: April 21, 2005

Applicant: 15 Glenwood, LLC (The Seville Club)

Address of Property: 15 Glenwood Avenue

Contact Person and Phone: Rick Ballantyn, Schad Tracy Signs, (952) 894-2421

Planning Staff and Phone: Tanya Holmgren, (612) 673-5887

Date Application Deemed Complete: March 28, 2005

End of 60 Day Decision Period: May 27, 2005

Ward: 5 **Neighborhood Organization:** Downtown Neighborhood Association

Existing Zoning: B4C-2, Downtown Commercial District

Proposed Use: A projecting sign.

Proposed Variance: A variance to increase the maximum permitted height of a projecting sign from 24 ft. to 28 ft. and a variance to increase the maximum permitted projection of a sign from 4 ft. to 4.5 ft. in the B4C-2 District.

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

Background: The subject site is located on the corner of Glenwood Avenue and Ninth Street North. The site consists of the Seville Club with a surface parking lot located behind it. A sign company that is no longer in business installed a sign on the façade of the building that fronts on Glenwood Avenue. Schad Tracy signs is applying for the variance on behalf of the Seville in order to remedy the sign height and projection. The subject sign is 4 ft. by 11 ft. 10 in. (47.3 sq. ft.) two-sided, projecting, neon sign that extends 4.5 ft. from the building and is 28 ft. above the ground.

A maximum permitted area of a projecting sign is 48 sq. ft. The area of the subject sign is 47.3 sq. ft. The maximum outward extension from the building allowed of a projecting sign is 4 ft. The sign is 4 ft. wide and has a 6 in. bracket to support the sign. The maximum permitted height of a projecting sign is 24 ft. The applicant is proposing a variance to increase the maximum permitted height of a projecting sign from 24 ft. to 28 ft. and to increase the maximum permitted projection of a sign from 4 ft. to 4.5 ft.

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.**

Sign height and projection: The applicant is seeking a variance to increase the maximum permitted height of a projecting sign from 24 ft. to 28 ft. and a variance to increase the maximum permitted projection of a projecting sign from 4 ft. to 4.5 ft. The applicant has stated that visibility is needed from First Avenue North and the increased height and projection aid in the visibility. Strict adherence to the regulations does not allow for the existing 28 ft. high projecting sign on the building, which is a reasonable location for their signage, nor does it allow for the 4.5 ft. projection, which is also reasonable for the property. The property cannot easily locate the sign at 24 ft. due to the design of the façade of the building. Additionally, the increased projection of the building is appropriate to appear separate from the portion of the building that projects from the majority of the front façade.

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.**

Sign height: The circumstances upon which the variance is requested are unique to the parcel due to the location of the business. The existing projecting sign is located at a height of 28 ft. from grade. The location of the sign on the building is limited due to the architectural detail of the front façade of the building. There is a portion of the building that extends outward from the façade; this projection would not allow the sign to be attached at the permitted elevation. The area of the existing sign is allowed by ordinance. Staff feels the increased height of 4 ft. and the increased projection of 6 in. of the subject sign is an appropriate location and projection for the sign.

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.**

Sign height: Granting the sign height variance will not alter the essential character of the surrounding neighborhood and will not be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the subject sign is in scale with the existing building and will not significantly impact the character of the area. There are other signs that exceed 24 ft. in height within the immediate area, including: Block E and Target Center.

Sign Projection: Granting the sign projection variance will not alter the essential character of the surrounding neighborhood and will not be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the existing sign is in scale with the existing building and will not significantly impact the character of the area.

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.**

Sign height and projection: Granting the sign variances would likely have no impact on the congestion of area streets or fire safety, nor would the increased height or projection be detrimental to the public welfare or endanger the 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.**

Sign height and projection: Staff believes that the subject projecting sign is in scale with the building and the area. The sign will be consistent with the purpose of the B4C-2 zoning district and with surrounding properties. The sign projects only 6 in. further from the building than the code allows and the increased height is appropriate for the entertainment district and is consistent with signs in the vicinity. Staff does not believe that the increased height or projection of the sign will lead to sign clutter, as the subject sign is relatively small, in comparison to other signs in the area.

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.**

Sign height and projection: Staff believes that the existing projecting sign is in scale with the building and the area. The sign is designed within the sign area requirement. The sign will be consistent with the purpose of the B4C-2 zoning district. The sign is similar to the sign that was originally constructed on the building. The historic value of design of the sign makes it an exceptional design for the building. The sign is exceptional in comparison with flat wall mounted sign options.

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the variance to increase the maximum permitted height of a projecting sign from 24 ft. to 28 ft. and **approve** the variance to increase the maximum permitted projection of a sign from 4 ft. to 4.5 ft. in the B4C-2 District subject to the following conditions:

1. That the applicant obtain a sign permit for the existing sign and not relocate it.