

**Community Planning and Economic Development Planning Division Report
Zoning Code Text Amendment**

Date: January 20, 2009

Initiator of Amendment: Council Member Lisa Goodman

Date of Introduction at City Council: August 8, 2008

Specific Site: The Hubert H. Humphrey Metrodome and surrounding rear (an area bounded by Chicago Avenue and Sixth Street South, land that is north of Sixth Street South between Chicago Avenue and Eleventh Avenue, west of Eleventh Avenue between Sixth Street South and Fourth Street South, south of Fourth Street South between Eleventh Avenue and Chicago Avenue, and east of Chicago Avenue (aka Kirby Puckett Place) between Fourth Street South and Sixth Street South).

Ward: 7th **Neighborhood Organization:** Downtown East

Planning Staff and Phone: Steve Poor (612) 673-5837

Intent of the Ordinance: The intent of the proposed amendment to Ch. 543 On-Premise Signs and Ch. 544 Off-Premise Advertising Signs and Billboards is to allow additional signage to the Hubert H. Humphrey Metrodome.

Affected Section(s) of the Zoning Code:

Chapter 543, On-premise Signs

Chapter 544, Off-Premise Advertising Signs and Billboards

NOTE: There are no proposed amendments to Chapter 520, Introductory Provisions

Background: Chapter 544 Off-Premise Advertising Signs and Billboards was adopted in 1999 as part of the City's comprehensive revision of the zoning code. It was essentially a re-codification of the previously existing off-premise advertising regulations enumerated in Chapter 539. The current ordinances were established to regulate advertising signs and billboards so as to minimize their visual blighting effects by regulating their location, size height and spacing and to encourage their removal from locations that are nonconforming to Chapter 544.

In 2006 Chapter 544 was amended to create the Downtown Entertainment Billboard District ("DEBD") which allowed for an increase in the allowable amount of off-premise advertising that could be placed on Target Center. That amendment did not extend the DEBD to include the Metrodome. The proposed amendment would expand the DEBD to include the site of the Metrodome. The proposed amendments are also intended to allow for certain types of roof signs mounted on regional sports arenas. On-premise roof signs are currently prohibited, while off-premise advertising roof signs are currently allowed.

Purpose For The Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The proposed amendments are intended to allow both existing and future regional sports facilities located within the city to be regulated under the same on-premise sign ordinance. The proposed changes to the off-premise advertising sign and billboard ordinance will only capture regional sports facilities located in the DEBD. The previous amendment to Chapter 544 – Off-Premise Advertising Signs and Billboards that created the DEBD allowed for an increase in the amount of advertising signs that could be placed on the Target Center. The proposed amendment would expand that district to include the site of the Metrodome. However, the expanded DEBD would not include the site of the new ballpark (Target Field). Currently under Ch. 544 the Metrodome is allotted virtually no additional off-premise advertising to be added to the facility. By expanding the boundaries of the DEBD, the Metrodome will be allowed to have additional off-premise advertising.

The proposed amendments to Chapter 543 On-Premise Signs are also intended to allow for certain types of roof signs mounted on regional sports arenas. On-premise roof signs are currently prohibited, while off-premise advertising roof signs are currently allowed. Both amendments are intended to allow the type of larger signage that will encourage the visual enlivenment and enhancement of the Metrodome and surrounding plaza area.

This amendment is intended to allow the Metrodome to add additional signage that will better identify the main entrances of facility for patrons, while improving the outward appearance of the facility. The additional signage will also enliven the surrounding plaza. The proposed amendment will also allow the Metrodome to place a sign on the dome of the facility, which is becoming more prevalent amongst regional sports facilities across the country.

The amendment will allow for the possible enhancement of the Downtown entertainment area around The Hubert H. Humphrey Metrodome (Regional Sports Facility).

Previous concerns that the Downtown Entertainment Billboard District could undermine the City's system of encouraging the removal of nonconforming billboards have not occurred. In order to erect an off-premise advertising signs in Downtown, but located outside of the DBED requires a company to utilize nonconforming sign credits, which are established by removing existing nonconforming signs from other areas of the City. The expansion of the DEBD to include the Metrodome and surrounding area is not expected to undermine the

effectiveness of existing system of encouraging the removal of nonconforming off-premise advertising signs and billboards in the city.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The proposed changes stems from a recognition that the two regional sports facilities located in the city have substantially different regulations governing signage. The Target Center currently has approximately 14,000 square feet of off-premise advertising signage, as compared to the Metrodome, which currently is limited to the existing freestanding off-premise advertising sign located at 5th Street South and Chicago Avenue.

The Downtown Entertainment Billboard District is a unique district within the existing Downtown Opportunity District and is not generally found in surrounding communities. It is intended to promote the entertainment uses that are unique to Minneapolis.

If the amendment is denied, the Metrodome in particular would be limited to the amount of off-premise advertising currently existing on the plaza, which is not consistent with the regulations governing advertising signage on the other regional sports facility located in the city (Target Center) and the goals of the City's 2010 Plan which are intended to support entertainment uses Downtown.

A. AMENDMENTS TO CH. 543 ON-PREMISE SIGNS

I. Amendment of Ch. 543, Roof Mounted On-Premise Signs

On-premise signs on regional sports arenas are regulated by the sign standards for the Downtown Entertainment Area ("DEA"). These regulations pose the following barriers with respect to the proposed perpendicular and flat roof on-premise signs:

- They would require substantial variances to exceed the 300 square foot area limit per sign in the DEA.
- Signs mounted above the wall line or on the parapet (perpendicular) have been considered to be a type of roof sign. Roof signs are currently not allowed in the DEA.

The amendments to Ch. 543 are intended to address these issues. The 20-foot limit for height of signs above roof-level was selected to allow the proposed 15-foot high perpendicular signs, allowing for some additional flexibility.

II. Amendment to Remove Restrictions on Location of On-Premise Advertising Signs

The on-premise sign regulations of Chapter 543 do not allow sign area based upon one primary building wall to be placed on another primary building wall unless a variance is obtained. The proposed perpendicular signs, may not be distributed based on the area of the primary building wall on which they are located (the curbed building wall complicates this analysis) and current regulations do not allow placement of signage on the roof because it is not a “primary building wall.” (The off-premise DEBD regulations do not include this limitation, so the placement of the gate signs is not a concern.) The following amendment to Section 543.170 is proposed to remove limitations on the placement of on-premise signs on regional sports arenas based on primary building wall and is in addition to the other amendments to 543.170.

III. Amendments to Address Expansion of Freestanding Signs

There is an existing free-standing sign (referred to as the “marquee” sign in the proposed signage plan) for the Metrodome at the intersection of Chicago Avenue and 6th Street South. The free-standing sign currently includes both on- and off-premise advertising. If naming rights for the Metrodome field are sold, it is proposed that the existing freestanding sign be expanded to add identification of the naming rights sponsor. Planning staff considers this type of signage to be “on-premise” advertising. Signs accessory to regional sports arenas are regulated by the on-premise sign standards for the Downtown Entertainment Area (“DEA”).

Off-premise freestanding signs are not allowed by the DEBD regulations. To the extent that the existing sign would be converted or modified to include off-premise advertising, it would not be allowed in the DEBD. Staff believes it is preferable to amend the DEBD regulations to allow freestanding off-premise advertising signs for regional sports arenas located in the DEBD. Amendments are proposed below to both Chapter 543 and Chapter 544 to allow for the proposed expansion of the freestanding signs under either classification.

IV. Amendment of Ch. 543. On-Premise Signs

Freestanding on-premise signs are allowed by the regulations of the Downtown Entertainment Area (DEA), provided that the signs are attached to the building and do not exceed 8 square feet of signage for each 1 foot of primary building wall. Only on-premise signage is included in this calculation, therefore a freestanding sign will continue to be

permitted on the Metrodome zoning lot because the total proposed on-premise signage will be within the size allocation allowed in the DEA.

Any proposed expansion of the existing freestanding sign would require a variance to the 25-foot height limit and 32 square-foot area limits for freestanding on-premise signs in the DEA. Staff believes this is inadequate for regulating freestanding signs for a very large entertainment use, such as the Metrodome.

B. AMENDMENT OF CHAPTER 544, OFF-PREMISE SIGNS

The purpose of the proposed amendment is intended to allow off-premise advertising to be placed on the Metrodome and the surrounding plaza area and to be consistent with the amount of off-premise advertising that is allowed at the other regional sports arena (Target Center) located within the City. In addition, the amendments would allow off-premise advertising roof signs mounted on regional sports arenas exceeding four (4) stories in height, or 56 feet above grade.

I. Amendment to Ch. 544.90. Downtown Entertainment Billboard District.

The purpose of the proposed amendment is intended to allow off-premise advertising to be placed on the Metrodome and the surrounding plaza area and to be consistent with the amount of off-premise advertising that is allowed at the other regional sports arena (Target Center) located within the City. In addition, the amendments would allow off-premise advertising roof signs mounted on regional sports arenas exceeding four (4) stories in height, or 56 feet above grade.

Comprehensive Plan:

How will this amendment implement the Minneapolis (Comprehensive) Plan?

The Comprehensive Plan has various policies regarding the strengthening and enhancement of Downtown as a prosperous urban center of arts, entertainment and culture, as well as the convention and trade shows market. One economic development policy of The Minneapolis Plan identifies the Downtown East area as a Growth Center. That policy is aimed at creating lively entertainment places with unique identities. The Downtown 2010 Plan has policies aimed at strengthening and enhancing downtown's Entertainment District. The proposed amendment may allow for the possible furthering of these policy goals by adding to the color, light and visual excitement to the Metrodome and surrounding plaza. The amendment is not inconsistent with the Comprehensive Plan policies on signage.

The Minneapolis Plan has the following relevant policies:

3.2 Minneapolis has adopted Downtown 2010 plan as a component of the City's Comprehensive Plan and envisions downtown Minneapolis in the year 2010 as one of the nation's finest urban centers; a place of prosperity, civilization and civic pride, that will serve as the center for the metropolitan area, the state and surrounding area.

Implementation Steps

Enhance downtown as a special place that offers the finest qualities and experiences association with cities.

Maintain downtown as the economic center for the Twin Cities' metropolitan area and Upper Midwest.

Strengthen Downtown's role as the region's center of arts, entertainment and culture.

Maintain and strengthen Minneapolis' position in the national and international convention and trade show market

3.5 Minneapolis will establish priorities in the designation of future Growth Centers from the list of Potential Growth Centers in order to guide changes in the land use and development.

Implementation Steps

Provide for the flexibility to designate these Growth Centers within the City's Ordinances.

Design development of a form and intensity which utilizes land efficiently and maximizes the advantages of a mixed land uses that incorporate the character of the surrounding area.

Recognize the importance of place-making in creating identifiable places with well-used attractive amenities such as open space, natural features, entertainment, public institutions, and successful identities.

Policy 4.12 Downtown will continue to be the economic engine of the Upper Midwest region by strengthening its employment core.

Implementation Steps

4.12.5 Support the continued strength and growth of the Downtown convention and hospitality industry.

Enhance downtown as a special place that offers the finest qualities and experiences associated with cities.

Maintain downtown as the economic center for the Twin Cities' metropolitan area and Upper Midwest.

Strengthen downtown's role as the region's center of arts, entertainment and culture.

Maintain and strengthen Minneapolis's position in the national and international convention and trade show market

Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by the proliferation of signage.

Implementation Steps

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

Provide for the flexibility to designate these Growth Centers within the City's ordinances.

Design development of a form and intensity which utilizes land efficiently and maximizes the advantages of a mixed land uses that incorporate the character of the surrounding area.

Recognize the importance of place-making in creating identifiable places with well-used attractive amenities such as open space, natural features, entertainment, public institutions, and successful identities.

Downtown 2010 Plan:

How will this amendment implement the Downtown 2010 Plan?

Downtown 2010 Entertainment Policy

- 1. Designate the area Hennepin Avenue between 5th and 10th Streets and the Warehouse District as downtown's Entertainment District. Entertainment and specialty uses should be the primary uses at street level and skyway levels. This is especially true for uses unique to downtown and the region. Above the streets and skyways, encourage office and hotels uses.**
- 2. Maintain downtown as the location for the region's professional sports teams, and ensure that future sports facilities are located where they can complement the existing**

retail and entertainment districts, take advantage of existing parking and transit facilities and maximize direct economic benefits to downtown.

- 3. Create street level excitement in the Entertainment District. A successful urban entertainment district requires a street level environment that is visually exciting and that encourages pedestrian flow between various attractions. To this end, it is vital that two things occur. First, all new development should provide uses that contribute to the visual excitement of the area. Second, the pedestrian environment along Hennepin Avenue and First Avenue North should be improved by providing streetscape enhancements such as street trees, new lighting substantially wider sidewalks where needed and more sidewalk cafes.**

Implementation Steps

Ensure that the City's zoning code amendment corresponds adequately to policies outlined in The Downtown 2010 Plan.

Recommendation of the CPED Planning Division:

The Community Planning and Economic Development Division recommend that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment. Staff further recommends that Chapter 520 be returned to author.

