

**Department of Community Planning and Economic Development – Planning Division**  
Variances  
BZZ-4656

**Date:** February 25, 2010

**Applicant:** Install This

**Addresses of Property:** 3011-3031 Nicollet Avenue/1 East Lake Street

**Project Name:** Little Caesar's and Cost Cutters Signage

**Contact Person and Phone:** Paul Miller, (612) 588-8466

**Planning Staff and Phone:** Shanna Sether, (612) 673-2307

**Date Application Deemed Complete:** February 1, 2010

**End of 60-Day Decision Period:** April 2, 2010

**Ward:** 10      **Neighborhood Organization:** Lyndale Neighborhood Association

**Existing Zoning:** C2 Neighborhood Corridor Commercial District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 25

**Legal Description:** Not applicable for this application.

**Proposed Use:** Shopping center signage on an existing pole sign

**Concurrent Review:**

- **Variance** of sign type to allow two additional signs to be placed on the existing freestanding pole sign.
- **Variance** to increase the size of the freestanding pole sign from the maximum of 80 square feet to 269 square feet (the sign is currently 189 square feet).

**Applicable zoning code provisions:** Chapter 525, Article IX, Variances, specifically Section 525.520(25) "to vary the number, type, height, area of location of allowed signs on property locate in an OR2 or OR3 District, or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs".

**Background:** The subject property is approximately 1.6 acres and is an existing shopping center located on the southeast corner of East Lake Street and Nicollet Avenue. The applicant is proposing to add two

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signs to an existing freestanding sign on the northwest corner of the parcel. As part of the recent text amendment related to Chapter 543, On-Premise Signs, freestanding pole signs are no longer allowed in any zoning district without a variance. Although there is an existing freestanding pole sign on the site a variance is required to add additional signage to it. The area of the existing freestanding sign is 189 square feet. The maximum area of the freestanding pole sign is 80 sq. ft. The applicant is proposing to install approximately 80 sq. ft. of additional sign area to the existing freestanding pole sign. Therefore, a variance is required to increase the maximum area of the existing freestanding pole sign from 80 sq. ft. to 269 sq. ft.

Recent approvals for the property (BZZ 4518) included a conditional use permit to extend the hours open to the public in order to operate the Best Wash Laundromat 24 hours a day, 7 days a week and two variances of sign type to allow an additional sign to be placed on the existing freestanding pole sign for the Laundromat.

As of writing this staff report, staff has not received any correspondence from the Lyndale Neighborhood Association. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

**VARIANCE:** of sign type to allow a two additional signs to be placed on the existing freestanding pole sign and to increase the size of the freestanding pole sign from the maximum of 80 square feet to 269 square feet (the sign is currently 189 square feet).

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

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

**Sign type:** The applicant is seeking a variance of sign type to allow an additional sign to be placed on the existing freestanding pole sign. The applicant has indicated that the freestanding pole sign exists and that adding an additional sign to it will provide the necessary exposure for the businesses similar to all of the other businesses within the shopping center. The Planning Division believes that not allowing a new tenant in the building to attach a sign to the existing freestanding pole sign would be a hardship.

**Sign area:** The applicant is seeking a variance to increase the size of the freestanding pole sign from the maximum of 80 square feet to 269 square feet (the sign is currently 189 square feet). The applicant has indicated that the size of the freestanding pole sign already exceeds what is allowed and that adding an additional sign to it will provide the necessary exposure for the business similar to all of the other businesses within the shopping center. The Planning Division believes that not allowing a new tenant in the building to attach a sign to the existing freestanding pole sign would be a hardship.

**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 type:** The applicant has indicated that the freestanding pole sign exists and that adding an additional sign to it will provide the necessary exposure for the businesses similar to all of the other

businesses within the shopping center. The Planning Division believes that the circumstances are unique to warrant the granting of the variance.

**Sign area:** The applicant has indicated that the size of the freestanding pole sign already exceeds what is allowed and that adding an additional sign to it will provide the necessary exposure for the business similar to all of the other businesses within the shopping center. freestanding pole sign would be a hardship. The Planning Division believes that the circumstances are unique to warrant the granting of the variance.

- 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 type:** The intent of the ordinance is to prevent new freestanding pole signs from being erected throughout the City of Minneapolis. The Planning Division believes that since the freestanding sign exists that allowing an additional sign to be placed on it would be in keeping with the spirit and intent of the ordinance.

**Sign area:** The intent of the ordinance is to limit the size of freestanding signs in order to prevent sign clutter. The applicant has indicated that the size of the existing freestanding pole sign exceeds the 80 square foot limitation by 109 square feet already and a recent variance was granted to allow for additional signage to the pole sign. The Planning Division believes that adding an additional 80 square feet of signage to the existing freestanding sign would be in keeping with the spirit and intent of the ordinance.

- 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.**

**Both variances:** The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

#### **Findings Required by the Minneapolis Zoning Code for the Proposed 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 type:** The Planning Division does not believe that allowing an additional sign to be placed on the existing freestanding pole sign would lead to sign clutter. The Planning Division believes that erecting a second freestanding sign on the site would lead to sign clutter.

**Sign area:** The Planning Division does not believe that increasing the size of the freestanding pole sign from 189 square feet to 269 square feet would lead to sign clutter.

- 2. The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

**Both variances:** The proposed signs will each be two feet tall by 20 feet wide which is similar in size to the other signs that are located on the freestanding pole sign. The sign frame will be made out of aluminum and the sign itself will be made out of plastic. These materials are similar to the other signs located on the existing freestanding pole sign.

**RECOMMENDATIONS:**

**Recommendation of the Community Planning and Economic Development Department - Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance of sign type to allow two additional signs to be placed on the existing freestanding pole sign for the property located at 3011-3031 Nicollet Avenue and 1 East Lake Street in the C2 Neighborhood Corridor Commercial District, subject to the following condition of approval:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the sign plan and permit.

**Recommendation of the Community Planning and Economic Development Department - Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance to increase the size of the freestanding pole sign from the maximum of 80 square feet to 269 square feet (the sign is currently 189 square feet) for the property located at 3011-3031 Nicollet Avenue and 1 East Lake Street in the C2 Neighborhood Corridor Commercial District, subject to the following condition of approval:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the sign plan and permit.

**Attachments:**

- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of letters sent to the Lyndale Neighborhood Association and CM Remington
- 3) Zoning map
- 4) Site plan
- 5) Sign plan
- 6) Previous sign photograph
- 7) Photographs