

**Department of Community Planning and Economic Development – Planning Division Report**

Variance Request  
BZZ-2283

**Date:** May 19, 2005

**Applicant:** Bill Simpson

**Address of Property:** 921 Washington Avenue South

**Date Application Deemed Complete:** April 14, 2005

**End of 60 Day Decision Period:** June 13, 2005

**Appeal Period Expiration:** May 31, 2005

**Contact Person and Phone:** Bill Simpson, 612-399-0610

**Planning Staff and Phone:** Molly McCartney, 612-673-5811

**Ward: 2      Neighborhood Organization:** Downtown

**Existing Zoning:** I2, Medium Industrial District

**Proposed Use:** Installation of a new sign.

**Proposed Variance:** A variance to increase the maximum size allocation for signage from 252.5 sq. ft. to 1,920 sq. ft., a variance to increase the maximum area per size from 180 sq. ft. to 1,920 sq. ft., and variance to increase the maximum height of a sign from 24 ft. to 43 ft. on a property located at 921 Washington Avenue South in the I1, Light Industrial District.

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

**Background:** The subject site is located at 921 Washington Avenue South in the I1, Light Industrial District. This site is located a few blocks from Downtown Zoning Districts. The building on the site holds the applicant's business, Periscope, an advertising firm and other offices. The applicant is proposing to install a wall sign that measures 1,920 sq. ft. (30 ft. by 64 ft.) and is 43 ft. from the ground at the top of the sign. The proposed sign would be located on an accessory building wall that faces a surface parking lot. There are four existing signs that measure 4 sq. ft. (1 ft. by 4 ft.) Based on the size of the primary building walls, the total amount of signage allowed for this building is 268.5 sq ft. In the I1 District, the maximum size for wall signs is 180 sq. ft. per sign and the maximum height off the ground for a sign is 24 ft.

The proposed wall sign will be painted on the wall and will show 15 panels that show images from previous work done by Periscope. The proposed sign will have no text or commercial language. The

images will show close up views of larger images. The sign is not considered a mural because it is showing images that were produced by the applicant's advertising firm. Murals are defined in the Zoning Code as "a work of graphic art painted on a building wall, which contains no commercial advertising or logos, and which does not serve to advertise or promote any business, product, activity, service, interest or entertainment" and are not regulated by the Zoning Code (520.160). While the subject sign will not expressly advertise for Periscope, the sign would promote the business's products, advertising campaigns. The wall with the proposed sign faces two parking lots and the east side of the Metrodome. There are no buildings that face directly to the proposed sign location.

**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.**

**Maximum size allocation for total signage:** The maximum amount of total signage allowed for this site is 268.5 sq. ft. There are four existing signs for Periscope located on awning around the building that measures a total of 16 sq. ft. This leaves 252.5 sq. ft. of allocated signage to use in other signs. The applicant is proposing to add a 1,920 sq. ft. sign to the site. The applicant states the proposed sign will cover a portion of the building that once was adjacent to another structure. That adjacent structure has been torn down which left a rough, concrete block wall exposed. The applicant states that the proposed sign will cover the wall to cover this problem area. Staff believes that a sign that meets the building allocation of 252.5 sq. ft. would be a reasonable use of the property.

**Maximum size for a wall sign:** The maximum size of a wall sign is 180 sq. ft. in the I1 District. The total size allowed for the building, after subtracting current signs is 252.5 sq. ft. The proposed sign will measure 1,920 sq. ft., which is almost 10 times the size of sign allowed. The applicant states that the poor condition of the wall requires the proposed sign size. The applicant also states that an alternative to the sign would be to cover this portion of the building with stucco or brick, which would be more expensive than the size. Staff believes that a sign that meets the building allocation of 252.5 sq. ft. would be a reasonable use of the property.

**Maximum height off the ground:** The maximum height wall sign is 24 ft. from the ground in the I1 District. The proposed sign will be 43 ft. from the ground. The applicant states that the wall to be covered by the proposed sign is damaged and the proposed sign is more cost effective solution to the damage wall. Staff believes that a sign that meets the height off the ground of 24 ft. would be a reasonable use of the property.

- 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.**

**Maximum size allocation for total signage:** The circumstances are unique to the parcel of land and have not been created by the applicant. The applicant is proposing a sign large enough to cover a large wall that is in disrepair that is as result of the demolition of an adjacent structure. However, this condition has existed for some time and the applicant has stated that the proposed sign would be more cost effective than repairing the wall. Staff does not deem economic considerations as an undue hardship.

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**Maximum height off the ground:** The circumstances are unique to the parcel of land and have not been created by the applicant. The applicant is proposing a sign tall enough to cover a large wall that is in disrepair that is as result of the demolition of an adjacent structure. However, this condition has existed for some time and the applicant has stated that the propose sign would be more cost effective than repairing the wall. Staff does not deem economic considerations as an undue hardship.

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.**

**Maximum size allocation for total signage:** Staff believes that granting will variance will not be keeping with the spirit of the ordinance and will alter the character of the area. A variance is granted for the property indefinitely and does transfer through changes in ownership. With the variance, the proposed sign does not have to remain the current sign and can be changed. The proposed size is similar to the size of a billboard which could replace the proposed sign at some time in the future. This site is close to the Metrodome and Interstate 35W, and there are a number of billboards, large signs and murals in the surrounding area.

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- 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.**

**Maximum size allocation for total signage:** Granting the variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed structure be detrimental to the public welfare or endanger the public safety.

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**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.**

**Maximum size allocation for total signage:** The surrounding area of the subject does have many billboards and large signs. There are many large signs and billboards in the surrounding area which is close to the Metrodome and Interstate 35W. The proposed sign is even larger than the maximum size allowed for a billboard sign of 672 sq. ft and taller from the ground than the maximum height of 35 ft. off the ground or off a roof top. The site is also located a few blocks to Downtown Zoning District, which allow for more total size allocation based on the primary building wall, but would permit for only 447.5 sq. ft. The proposed sign is much larger than what would be permitted for a billboard or a sign in the Downtown Districts. Due to the number of existing large signs and billboards in the area, staff is concerned that the proposed sign could result in sign clutter in the area.

**Maximum size for a wall sign:** The surrounding area of the subject does have many billboards and large signs. There are many signs similar to the proposed sign close to the Metrodome and Interstate 35W. The site is also located a few blocks to Downtown Zoning District, which allow for more total size allocation based on the primary building wall, but limits the size of individual signs to 120 sq ft. The proposed sign is inconsistent with the three sign regulations that included in this application.

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- 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.**

**Maximum size allocation for total signage:** The proposed sign is unique and visually interesting. The proposed sign will have 15 panels that exhibit images from the applicant's advertising business. There are examples of similar signs and murals in the surrounding area, such as the Valspar building and the Liquor Depot mural. However, the proposed sign that will cover the entire wall is not more consistent with the structure or the area. Additionally, once the variance is granted, the City can not regulate the content of future signs.

**Maximum size for a wall sign:** The proposed sign is unique and interesting and can enhance the surrounding area. The proposed sign will have 15 panels that exhibit images from the applicant's advertising business. There are examples of similar signs and murals in the surrounding area, such as the Valspar building and the Liquor Depot mural. However, the proposed sign that will cover the entire wall is not more consistent with the structure or the area. Additionally, once the variance is granted, the City can not regulate the content of future signs.

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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 **deny** the variance to increase the maximum size allocation for signage from 252.5 sq. ft. to 1,920 sq. ft., to **approve** a variance to increase the maximum area per sign from 180 sq. ft. to **252.5 sq. ft.**, to **deny** and variance to increase the maximum height of a sign from 24 ft. to 43 ft. on a property located at 921 Washington Avenue South in the I1, Light Industrial District.