

Department of Community Planning and Economic Development - Planning Division Report
Variance
BZZ-4582

Date: October 29, 2009

Applicant: Sign Source

Address of Property: 3052-3056 Excelsior Boulevard

Project Name: 3052-3056 Excelsior Boulevard Signage

Contact Person: Jim Abrahamson, (952) 908-9106

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

Date Application Deemed Complete: October 5, 2009

End of 60-Day Decision Period: December 4, 2009

Ward: 13 **Neighborhood Organization:** West Calhoun, adjacent to CIDNA

Existing Zoning: C3S Community Shopping Center District and PO Pedestrian Oriented Overlay District

Zoning Plate Number: 21

Legal Description: Not applicable

Proposed Use: A new wall sign

Variance: to locate a proposed wall sign on non-primary building wall

Zoning code section authorizing the requested variance: Chapter 525, Article IX Variances, specifically Section 525.520(21) “to vary the number, type, height, area or location of allowed signs...”

Background: The subject property is on irregularly shaped parcel, approximately 17,600 sq. ft. in area and is surrounded by an existing shopping center with three structures on three sides. The structure has four commercial tenant spaces. The property has frontage along Excelsior Boulevard; however it is visible from West Lake Street and 31st Avenue South. Previous approvals for the property include a conditional use permit to allow for a secondhand goods store, which was approved by the City Council in 1988.

There are 4 existing wall signs on the property. Two are internally illuminated for The Vitamin Shoppe; one faces Excelsior Boulevard and the other faces the on-site parking lot to the southwest. The other two existing wall signs are non-illuminated for the Wood Carver, Store and School; one faces Excelsior Boulevard and the other faces the north. The applicant is proposing add a tenant directory sign along south elevation, in order to increase exposure to West Lake Street. The proposed wall sign is

approximately 13 above grade and 73.5 square feet in area and is externally illuminated. Wall signs may only be placed on a primary building wall, which is defined as:

Primary building wall. An exterior building wall that faces a street or that faces an accessory parking area and contains a public entrance. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented.

The south elevation does not face a public street or an accessory parking area with a public entrance; therefore the proposed sign location is not permitted. The applicant has applied for a variance to locate the sign on a non-primary building wall.

As of writing this staff report, staff has not received any correspondence from the West Calhoun Neighborhood Association or Cedar-Isles-Dean Neighborhood Association. Staff will forward comments, if any are received, at the Board of Adjustment meeting.

Findings Required by the Minneapolis Zoning Code:

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.

The applicant is seeking a variance to allow for a tenant directory wall sign to be located on a non-primary building wall. The applicant states that the proposed location is required due to allow for increased visibility of the uses in the building from West Lake Street. The proposed location of the sign is oriented towards West Lake Street. Staff has observed that it is very difficult to see the business from West Lake Street without the use of signage. Strict adherence to the regulations to the zoning ordinance would prohibit reasonable use of the property and cause undue hardship due to the lack of visibility of the use.

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 variance is requested are unique to the parcel and have not created by the applicant. The proposed sign will face a parking lot that serves the adjacent shopping center. Staff believes that the only appropriate location of the sign to ensure visibility is in the proposed location.

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 regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. The subject property is zoned C3S Community Shopping Center District and the proposed sign meets the required sign provisions regarding height, illumination and size. Staff believes that the granting of the variance would be in keeping with the spirit and intent of the ordinance by allowing the proposed sign along the south wall, if

the existing and proposed signs were more visually consistent. In addition, the sign would not front directly onto any property that would find the proposed sign overly imposing or intrusive.

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 variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed signs be detrimental to the public welfare or endanger the public safety. The sign will not have moving or flashing components that would be particularly distracting to drivers or nearby properties.

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.

The proposed sign is located on an existing building, approximately 73.5 square feet in area. This is the only sign located on this wall. The addition of this identification sign does not cause unnecessary sign clutter to the façade of the building and meets the required sign provisions regarding height, illumination and size.

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.

It is staff's opinion that the proposed sign is constructed professionally out of quality materials and will be visually consistent with the existing wall signs. The proposed sign will be an externally illuminated black sign cabinet with individual signs attached to the panels with the logos of the tenants.

Recommendation of the Department of Community Planning and Economic Development - Variance:

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 locate a wall sign on non-primary building wall for an existing retail building within a shopping center located at 3052-3056 Excelsior Boulevard in the C3S Community Shopping Center District and PO Pedestrian Oriented Overlay District, subject to the following conditions of approval:

1. CPED-Planning staff review and approval of the final sign plan and permits.

Attachments:

Department of Community Planning and Economic Development – Planning Division
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- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of e-mails sent to the West Calhoun and CM Hodges
- 3) Zoning map
- 4) Site plan
- 5) Sign plan
- 6) Photographs