

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-5085

Date: March 7, 2011

Applicant: Kaplan University

Address of Property: 33 6th Street South and 30 7th Street South

Project Name: Kaplan University

Contact Person and Phone: Mary Ferraro with Spectrum Sign Systems, Inc., (651) 429-6100

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: February 14, 2011

End of 60-Day Decision Period: April 15, 2011

End of 120-Day Decision Period: Not applicable for this application

Ward: 7 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B4-2, Downtown Business District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 19

Legal Description: Not applicable for this application

Proposed Use: School, vocational or business

Concurrent Review:

Conditional use permit: to allow one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts located at 33 6th Street South and 30 7th Street South. The wall sign will measure approximately 116 square feet and will be installed at a height approximately 53 feet above grade.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits.

Background: Kaplan University is currently in the process of building out a tenant space within the existing City Center building located at 33 6th Street South and 30 7th Street South. Kaplan University will be occupying space on the second floor of the building. The use is classified as a vocational or business school, which is permitted in the B4-2 zoning district.

The applicant is requesting a conditional use permit to install one identification wall sign located on the 7th Street South side of the building. The sign will be located near the intersection of 7th Street South and Nicollet Mall above the skyway that connects the City Center building to Macy’s Department Store. The sign will read “Kaplan University” and will also incorporate the school’s logo. The sign will be made up of individual internally illuminated letters. The wall sign will measure approximately 116 square feet and will be installed at a height approximately 53 feet above grade. In the B4-2 zoning district the maximum height for a wall sign is 28 feet. Given the proposed height of the sign a conditional use permit is being applied for to allow the sign to be located higher than what is allowed. The conditional use permit is specifically authorized by section 543.470(b) of the zoning code.

CONDITIONAL USE PERMIT - to allow one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts located at 33 6th Street South and 30 7th Street South. The wall sign will measure approximately 116 square feet and will be installed at a height approximately 53 feet above grade.

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that allowing the installation of one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts would be detrimental to or endanger the public health, safety, comfort or general welfare. The wall sign will measure approximately 116 square feet and will be installed at a height approximately 53 feet above grade. The applicant has indicated that the sign is being proposed to be located at an overall height of 53 feet for visibility purposes; both vehicular and pedestrian.

2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division does not believe that allowing the installation of one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts would be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.. The location of wall signs on buildings downtown varies widely. Some signs are located towards the top of the building to which they are attached which helps to identify the use from a distance.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

Adding signage to the building will not impact utilities, roads or drainage.

4. Adequate measures have been or will be taken to minimize traffic congestion in the public streets.

Adding signage to the building will not impact traffic congestion in the public streets.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

City Center is located between Nicollet Mall and Hennepin Avenue and 6th Street South and 7th Street South in downtown Minneapolis. Downtown Minneapolis is a designated Growth Center, Nicollet Mall is a designated Commercial Corridor and the building is located in a designated Major Retail Center according to *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates this site as Commercial. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage (Urban Design Policy 10.20).
- Master sign plans shall be submitted for multi-tenant buildings to ensure a complementary relationship between signage and the architecture of a building (Implementation Step for Urban Design Policy 10.20).
- Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood (Urban Design Policy 10.21).

The Planning Division believes that the proposed sign is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*. The new sign would be made up of individual letters and would be internally illuminated.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permit the development will meet the applicable regulations of the zoning district.

543.510. Approval criteria. Adjustment to the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district may be approved if the following criteria are met:

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 Planning Division does not believe that the installation of one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts would lead to sign clutter. In the B4-2 zoning district there can be two-and-a-half square feet of signage for every one foot of primary building wall. The 7th Street South side of the City Center building is 600 feet in length which allows 1,500 square feet of signage. According to the materials submitted by the applicant there is approximately 560 square feet of signage on the building wall facing 7th Street South. The proposed sign is 116 square feet which would bring the total amount of signage on the 7th Street South side of the building to approximately 676 square feet. The Planning Division does not believe that the proposed sign will 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.

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.

The uses within the City Center building include retail uses, restaurants, office uses and now a university. The exterior material of the building wall where the sign is proposed to be located is concrete. The sign will be made of individual, aluminum letters that are internally illuminated. The Planning Division believes that the proposed sign relates to the function and architectural character of the building.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow one wall sign notwithstanding the height limitations of Table 543-3, Specific Standards for Signs in the Downtown Districts located at 33 6th Street South and 30 7th Street South. The wall sign will measure approximately 116 square feet and will be installed at a height approximately 53 feet above grade located at 33 6th Street South and 30 7th Street South subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. Approval of the final sign plans by the Department of Community Planning and Economic Development – Planning Division

Attachments:

1. Statement of proposed use
2. Conditional use permit findings

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3. February 8, 2011, letter to Council Member Gordon and the Downtown Minneapolis Neighborhood Group
4. Zoning Map
5. Sign plans/details
6. Photo simulation of the building showing the location of the proposed sign
7. Photos of the building and the existing signage