

**Department of Community Planning and Economic Development - Planning Division Report**  
Variance  
BZZ-5287

**Date:** October 6, 2011

**Applicant:** AECOM

**Address of Property:** 333 7<sup>th</sup> Street South

**Project Name:** Accenture Tower Plaza Renovation

**Contact Person:** Robert Rothman, (612) 376-2042

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

**Date Application Deemed Complete:** August 25, 2011

**End of 60-Day Decision Period:** October 23, 2011

**Ward:** 7      **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

**Existing Zoning:** B4-2 Downtown Business District

**Zoning Plate Number:** 19

**Legal Description:** Not applicable

**Proposed Use:** One new monument sign

**Concurrent Review:**

- Variance to allow for a 3rd freestanding sign
- Variance to increase the maximum area of the freestanding sign
- Variance to increase the maximum height of a the freestanding sign

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

**Background:** The site consists of four parcels, approximately 15 acres in area and encompasses the block bound by 7<sup>th</sup> Street south, 4<sup>th</sup> Avenue South, 6<sup>th</sup> Street South and 3<sup>rd</sup> Avenue South. The subject property is the site of Accenture Tower. The building owner is currently renovating the Gateway Plaza seating area on Seventh Street South, across the street from the Hennepin County Government Center. The applicant is proposing to install a new monument sign, identifying the building address and name along 7<sup>th</sup> Street

South. The property owner would like to have the option of adding tenant names to the sign at a later date. There are two existing monument signs on the property; one is located at the north corner of the block at 7<sup>th</sup> Street South and 3<sup>rd</sup> Avenue South and the other is located at the west corner of the block at 8<sup>th</sup> Street South and 3<sup>rd</sup> Avenue South. The proposed sign will be a new monument sign, which will internally illuminate the numbers of the address, “333” and be 15 ft. in height and 102 sq. ft. in area. The maximum number of freestanding signs allowed by the zoning code for this type of lot is two. The maximum height and area of a freestanding sign in the B4-2 District is 8 ft and 32 sq. ft. Therefore, the applicant has requested three variances to allow for the new sign: (1) variance to allow for a 3rd freestanding sign, (2) variance to increase the maximum area of the freestanding sign from 32 sq. ft. to 102 sq. ft. and (3) variance to increase the maximum height of the freestanding sign from 8 ft. to 15 ft.

Staff has received a letter of support for the proposed monument sign from the Downtown Minneapolis Neighborhood Association; a copy is attached to the staff report. Staff will forward additional comments, if any are received, at the Board of Adjustment meeting.

### **Findings Required by the Minneapolis Zoning Code:**

**VARIANCES:** to allow a third freestanding sign

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The circumstances for which the variance is sought to have a third freestanding sign are unique to the property and have created a practical difficulty in complying with the ordinance. The B4-2 District allows one freestanding sign per zoning lot; however, in this case the subject property is 1.5 acres and encompasses an entire city block. Three of the four city streets that surround the subject property are one-way streets. Original plans for the site included two towers, one of which was never constructed. Instead, a plaza was built in its place. The applicant states the additional sign is necessary to increase visibility of the building to pedestrians and motorists possibly looking for on-street parking along 7<sup>th</sup> Street South. Staff believes that the size of the parcel and the traffic patterns in and around the site are circumstances not created by the applicant.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The applicant is seeking a variance to increase the number of freestanding signs on the subject property. The applicant states the additional sign is necessary to increase visibility of the building to pedestrians and motorists possibly looking for on-street parking along 7<sup>th</sup> Street South. 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. There are two existing monument signs on the property that the applicant believes are ineffective in identifying the property. Staff believes that a third monument sign on the subject property will allow for effective signage that, because of the distance between the signs, will not compromise the character of the district or add to visual clutter or confusion and will instead increase wayfinding for pedestrians and motorists.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The proposed signage will not alter the essential character or be injurious to the use or enjoyment of property in the vicinity. The proposed signage will be internally illuminated for only the address “333” and it would not front directly onto any property that would find the proposed sign overly imposing or intrusive. Granting the sign variance would not be detrimental to health, safety or welfare of the general public.

**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.**

The proposed monument signage is located along 7<sup>th</sup> Street South. There are two existing monument signs on the property that the applicant believes are ineffective in identifying the property. Staff believes that a third monument sign on the subject property will allow for effective signage that, because of the distance between the signs, will not compromise the character of the district or add to visual clutter or confusion and will instead increase wayfinding for pedestrians and motorists. The subject property is zoned B4-2 Downtown Business District. Staff believes that the proposed sign would be in keeping with the purpose of the zoning district.

- 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.**

It is staff’s opinion that the signs will relate in size, shape, material, color, illumination and character of the building on the property. The signs will be professionally installed with quality materials. The signage is proposed to be stainless steel with a stone base and a glass face with internally illuminated numbers “333” identifying the building address.

**VARIANCES** to increase the maximum permitted height and area for a new monument sign

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

**Both variances:** The circumstances of the height and area variances are not unique to the parcel and have been created by the applicant. The applicant states the increased height and area of the proposed sign is due to the scale of the building and the adjacent structures, Hennepin County Government Center and Ameriprise Tower and the properties entrance being located on a 7<sup>th</sup> Street South, a one-way street. The applicant intends on adding all of the tenant names to the proposed sign and is therefore requesting a taller and larger sign to accommodate their identification. Staff recognizes the need to increase visibility and identification of the structure and is recommending approval of a third freestanding sign for the property. Staff believes that the third

sign that meets the maximum height and area requirements set forth in the zoning code will not create a practical difficulty.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

**Both variances:** The applicant is seeking a variance to increase the maximum permitted height 8 ft. to 15 ft. and area from 32 sq. ft. to 102 sq. ft. for a proposed monument sign. The applicant states the increased height and area of the proposed sign is due to the scale of the building and the adjacent structures, Hennepin County Government Center and Ameriprise Tower and the properties entrance being located on a 7<sup>th</sup> Street South, a one-way street. The applicant intends to add all of the tenant names to the proposed sign and is therefore requesting a taller and larger sign to accommodate their identification.

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. Staff believes that the proposed monument sign, 15 ft. in height and 102 sq. ft. in area will diminish the pedestrian experience in the area by increasing visual clutter. The subject property allows for freestanding signs to be 8 ft. in height and 32 sq. ft. in area, which staff believes is a reasonably sized sign to allow for effective identification.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

**Both variances:** The proposed signage may alter the essential character and be injurious to the use or enjoyment of property in the vicinity. Staff believes that the proposed monument sign, 15 ft. in height and 102 sq. ft. in area will diminish the pedestrian experience in the area by increasing visual clutter. Granting the sign variance would not likely be detrimental to health, safety or welfare of the general public.

#### **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.**

**Both variances:** The proposed monument signage is located along 7<sup>th</sup> Street South. There are two existing monument signs on the property that the applicant believes are ineffective in identifying the property. 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 B4-2 Downtown Business District. Staff believes that the applicant is seeking a larger and taller sign to accommodate the tenant names to the sign, which lead to sign clutter. Staff believes that the

proposed sign would be in keeping with the purpose of the zoning district at a height of 8 feet or less and 32 sq. ft. in area or less.

- 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:** It is staff’s opinion that the signs will relate in size, shape, material, color, illumination and character of the building on the property. The signs will be professionally installed with quality materials. The signage is proposed to be stainless steel with a stone base and a glass face with internally illuminated numbers “333” identifying the building address.

**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 allow for a third freestanding sign located at 333 7<sup>th</sup> Street South in the B4-2 Downtown Service District.

**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 **deny** the variance to increase the maximum area of freestanding sign from 32 sq. ft. to 102 sq. ft. located at 333 7<sup>th</sup> Street South in the B4-2 Downtown Service District.

**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 **deny** the variance to increase the maximum height of freestanding sign from 8 ft. to 15 ft. located at 333 7<sup>th</sup> Street South in the B4-2 Downtown Service District.

**Attachments:**

- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of letters sent to the Downtown Minneapolis Neighborhood Association and CM Goodman
- 3) Letter from DMNA supporting the proposed application
- 4) Zoning map
- 5) Site plan
- 6) Sign plan
- 7) Photographs