

Department of Community Planning and Economic Development
Variance
BZZ 5987

Date: April 18, 2013

Applicant: First & First

Address of Property: 945 Broadway Street NE, 1121 Central Avenue NE and 1120 Tyler Street NE

Contact Person and Phone: Melissa Gorman, (612) 581-7852

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

Date Application Deemed Complete: March 19, 2013

End of 60-Day Decision Period: May 18, 2013

Ward: 1 Neighborhood Organization: Northeast Park Neighborhood Association, adjacent to Logan Park, Beltrami and St. Anthony East

Existing Zoning: I2 Medium Industrial District

Existing Overlay District: IL Industrial Living Overlay District

Zoning Plate Number: 10

Proposed Use: New wall identification sign

Variance: to increase the maximum height of a wall sign from 28 feet to approximately 35 feet to allow for a new wall sign facing Central Avenue NE located on an existing building

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 on a property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, One-Premise Signs".

Background: The subject property is approximately 1.64 acres and includes an existing 2-story building located at 945 Broadway Street NE with accessory parking located at 1121 Central Avenue NE and 1120 Tyler Street NE. The applicant recently rezoned the property to add the Industrial Living Overlay District to the properties located at 945 Broadway Street NE, 1120 Tyler Street NE, and 1121 Central Avenue NE. The applicants are in the process of renovating the existing building, the accessory parking area and making exterior repairs and improvements. The changes to the accessory parking area will bring the lot into compliance with landscaping and screening requirements.

The applicant is proposing to install one wall sign on the existing south building wall, facing Central Avenue NE. The proposed sign will be an LED illuminated building identification sign with the copy reading "The Broadway" and will be approximately 5 feet 5 inches wide by 13 feet 9 inches long (72.9 square feet). The proposed sign would be located near the intersection at Broadway Street NE and Central Avenue NE. At this intersection, the public street and sidewalk are elevated approximately 20 feet over the existing railroad tracks below. The building is constructed at grade and is approximately 35 feet in height. The applicant is proposing to install the sign at the southwest corner of the building, 35 feet in height, measured from the adjacent grade. The maximum height of wall signage in the I2 Light Industrial District is 28 feet; therefore, the applicant has requested a variance to increase the proposed height of the new wall sign.

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

Findings Required by the Minneapolis Zoning Code:

VARIANCES to increase the maximum permitted height of one wall sign from 28 feet to approximately 35 feet

- 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 of the height variance are unique to the parcel based on the location of the public sidewalk and street and the location of windows on the structure. The applicant states the increased height of the proposed sign is to allow effective signage, visible to the public. A sign that was 28 feet in height would most likely be located behind the solid guardrail adjacent to the public sidewalk and would not be visible. Further, the number of locations on the building where signage could be placed is limited due to the architecture of the building and the number of windows on the building. These circumstances have not been 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 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 I2 Medium Industrial District. The proposed signage would be in keeping with the spirit and intent of the ordinance by appearing to be 15 feet in height, measured from the adjacent public sidewalk. Additionally, the size and type of sign proposed meet the requirements in the ordinance. The applicant states that the increased height is required due to the elevated public sidewalk and street and architectural features, including windows, of the building and to ensure effective identification of the building to customers and those visiting the site. The proposed sign, 35 feet in height measured from the grade adjacent to the

railroad, will be visible from traffic Central Avenue NE. The proposed height of 35 feet will allow for effective signage and a reasonable use of the property.

- 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 sign will appear to 15 feet in height measured from the adjacent sidewalk. Further, the proposed sign will be internally illuminated with LED and the sign copy will be “The Broadway” to identify the multi-tenant building. The proposed sign does not project directly onto any property and would be located approximately 20 feet, measured perpendicularly, to the public sidewalk adjacent to Central Avenue NE. 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 sign would be the only sign along the west building wall, facing Central Avenue NE. One additional identification sign would be located on the south wall, facing Broadway Street NE and this sign complies with all of the sign regulations. Staff finds that the proposed wall identification signs will not 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.**

The proposed 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 include the logo and letters fabricated from aluminum and are internally illuminated with LED. The two proposed signs will match each other in size, shape, material, color and illumination.

Recommendation of the Department of Community Planning and Economic Development:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt staff findings and **approve** the variance to increase the maximum height of a wall sign

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from 28 feet to approximately 35 feet to allow for a new wall sign facing Central Avenue NE located on an existing building located at 945 Broadway Street NE in the I2 Medium Industrial District and IL Industrial Living Overlay District, subject to the following conditions of approval:

1. Approval of the sign plans by the Department of Community Planning and Economic Development.
2. Approval of the sign permit must be given by April 18, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Written descriptions and findings submitted by the applicant
2. Letters to Council Member Reich and neighborhood associations
3. Zoning map
4. Site Plan
5. Building elevations
6. Sign plan
7. Photos