

**LAND USE APPLICATION SUMMARY**

*Property Location:* 38 27<sup>th</sup> Avenue NE  
*Project Name:* NE-Art Custom, Inc  
*Prepared By:* Kimberly Holien, Senior Planner, (612) 673-2402  
*Applicant:* Brian Crawford, NE-Art Custom, Inc.  
*Project Contact:* Rachel Meyers  
*Request:* To allow for an illuminated projecting sign on a non-conforming building.  
*Required Applications:*

<b>Expansion of a Legal Nonconforming Use</b>	To allow for an illuminated projecting sign.
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**SITE DATA**

<b>Existing Zoning</b>	R2B, Two-family District
<b>Lot Area</b>	4,491 square feet / 0.10 acres
<b>Ward(s)</b>	I
<b>Neighborhood(s)</b>	Marshall Terrace
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	None
<b>Small Area Plan(s)</b>	<u>N/A</u>

<b>Date Application Deemed Complete</b>	April 14, 2015	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	June 12, 2015	<b>End of 120-Day Decision Period</b>	N/A

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The subject site contains a single-story building that houses NE-Art Custom, Inc. The use falls under general light industrial uses in the zoning code for the production and repair of neon signs and lighting. The site has a non-conforming parking area on the east side of the building that relies on maneuvering in the alley. The property is zoned R2B and the existing use is legally non-conforming. Zoning Enforcement staff has also noted a cherry-picker parked in front of the property when not in use. The parking of commercial vehicles is prohibited in residential districts and this will be addressed as a condition of approval.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding area is predominantly single-family residential with the subject building being the lone exception on the block. All of the surrounding properties are zoned R2B. There is one R3 parcel at the corner of 27<sup>th</sup> Avenue NE and Grand Street NE that contains a duplex.

**PROJECT DESCRIPTION.** The building has a projecting, neon sign on the front elevation that is approximately 13 square feet in area. Non-conforming uses in the Residence and ORI Districts are limited to one non-illuminated, flat wall identification sign, not to exceed 16 square feet in area and 14 feet in height. The applicant has applied for an expansion of non-conforming use to allow the illuminated projecting sign. The property has been cited by Zoning Enforcement staff for installing the subject sign without proper approvals.

**PUBLIC COMMENTS.** Staff received a letter from Concerned Citizens of Marshall Terrace dated October 23, 2014, in support of the application. Said letter has been attached for reference. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### EXPANSION OF A NONCONFORMING USE

The Department of Community Planning and Economic Development has analyzed the application to allow an illuminated projecting sign on a non-conforming building based on the following findings:

1. *A rezoning of the property would be inappropriate.*

As noted above, the surrounding area primarily consists of single-family homes with R2B zoning. There is one building at the corner of 27<sup>th</sup> Avenue NE and Grand Street NE that is zoned R3 and contains a duplex. The closest non-residential use is approximately two blocks west of the site at 27<sup>th</sup> Avenue NE and Marshall Street NE. The subject site and surrounding area are designated as Urban Neighborhood on the future land use map in the *Minneapolis Plan for Sustainable Growth*. The subject use is considered a light industrial use and would require I1, Light Industrial zoning to become a permitted use. There are no land use features nearby that would support rezoning the site to light industrial. As such, a rezoning of the property would be inappropriate.

2. *The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.*

A projecting neon sign that is approximately 13 square feet in area would be compatible with the adjacent properties and the neighborhood. The sign is tastefully designed and smaller than the maximum size allowed for non-conforming uses. The building has contained non-residential uses

since its construction in 1952. In 1952 it was built as a grocery store and city permit records show that a neon sign was installed on the building with the original use.

3. *The enlargement, expansion, relocation, structural alteration or intensification will not result in significant increases of adverse, off-site impacts such as traffic, noise, dust, odors, and parking congestion.*

A projecting neon sign that is approximately 13 square feet in area would not result in any adverse impacts related to traffic, noise, dust, odors or parking congestion. The illuminated sign is not expected to produce any glare that would impact adjacent properties. In the statement prepared by the applicant they note that the sign does not have significant lighting impacts beyond the radius of the business entrance and building. According to this statement, the neon lighting has an output of 85 lumens. For comparison, the 75 watt security lights on the building have an output of 1000 lumens.

4. *The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.*

The subject sign is tastefully designed and sized appropriately for the building. As such, it enhances the appearance of the building and will contribute to the stability of the neighborhood. However, staff observed additional neon display signs in the window of the building. These signs are considered signage due to the fact that this is a neon sign fabrication business. As a condition of approval, all signage shall be removed from the windows. They may be displayed elsewhere in the building.

5. *In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units on the subject property than is allowed by the regulations of the district in which the property is located.*

No residential units are proposed.

6. *The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.*

The property is not in a Floodway district.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by Brian Crawford of NE-Art Custom, Inc for the property located at 38 27<sup>th</sup> Avenue NE:

### A. Expansion of a Nonconforming Use.

Recommended motion: **Approve** the application for an expansion of non-conforming use to allow an illuminated, projecting sign that is approximately 13 square feet in area subject to the following conditions:

1. All neon signs in the window of the building shall be removed from the window area.
2. No commercial vehicles shall be parked on the property or in the right-of-way immediately adjacent to the property, in compliance with section 546.80 of the zoning code.

## ATTACHMENTS

1. Written description and findings submitted by applicant

2. Zoning map
3. Site plan
4. Photos
5. Oblique aerials (optional)
6. Correspondence

Ne-Art Custom Neon Inc, located at 38 NE 27th Ave in Minneapolis is applying for an Expansion or Alteration of Nonconforming Use for the illuminated, projecting sign at their location.

1. A rezoning of the property would be inappropriate because we are located in a residential neighborhood.
2. Although we are located in a residential neighborhood, the sign is compatible with adjacent property and the neighborhood. Our building was originally a neighborhood grocery store. Nowadays supporting local businesses has become a trend - we feel that we are not only a local business, but a neighbor. The addition of the sign has not resulted in significant increases of adverse off-site impacts. The illuminated sign does not have significant light impact beyond the radius of the business entrance and building. The light pool on the sidewalk to the entrance to the building which is shown in the attached night photos is primarily caused by the motion activated 75 W flood lights which have an output of 1000 lumens. In contrast the 12mm BL 51 Rich Blue neon on the sign has an output of only 85 lumens.

[http://www.nofs.navy.mil/about\\_NOFS/darksky/neon.html](http://www.nofs.navy.mil/about_NOFS/darksky/neon.html)

3. Traffic on 27th Ave has not increased; our customer base is predominantly existing customers who make scheduled visits. We have a small parking lot at the side of the building to prevent parking congestion.

4. "Will improve the appearance or stability of the neighborhood"

Ne-Art has been at its current location for 20 years and we have good relationships with all of our immediate neighbors. During this application process we have spoken at the CCMT (Concerned Citizens of Marshall Terrace) monthly meeting and received only positive feedback regarding the sign and its appearance / design.

Additionally when we first contacted our City Council Member, Kevin Reich, he also stated that he felt the sign was attractive and fit well with the neighborhood; and that he would support us in this application process.

Artistically, the design and fabrication of the sign represents the skilled craft of neon glass bending - which first appeared in the United States in 1923. Some of the glass that we have incorporated in our sign is "Classic Glass" : handmade stained glass that we bend to our patterns.

Ne-Art Custom Neon is a member of the NE Minneapolis Arts Association (NEMAA) and has participated in Art-A-Whirl for the past 5 years. During that weekend we have an open studio with glass bending demonstrations. NEMAA felt that our business was unique enough to expand their Art-A-Whirl map when we began participating so that we would be officially within the A-A-W boundaries. Since we are at the outskirts of the boundaries, our sign helps direct patrons who are specifically looking for us.

Stability of the neighborhood:

In addition to the fact that we are friends with our immediate neighbors, we often have residents stop by on their way home from the bus stop, or who are revisiting the neighborhood that they grew up in.

The fact that there is a lighted business has on several occasions given adults and children who are lost a place to stop and ask for assistance. When the street light on the alley corner closest to us was not functioning we had bus riders comment that our business felt like a safe haven.

We are a part of the neighborhood, not just a business within the neighborhood.

Rachel A Meyers

612-782-1060

Ne-Art Custom Neon and Electrical Sign Service

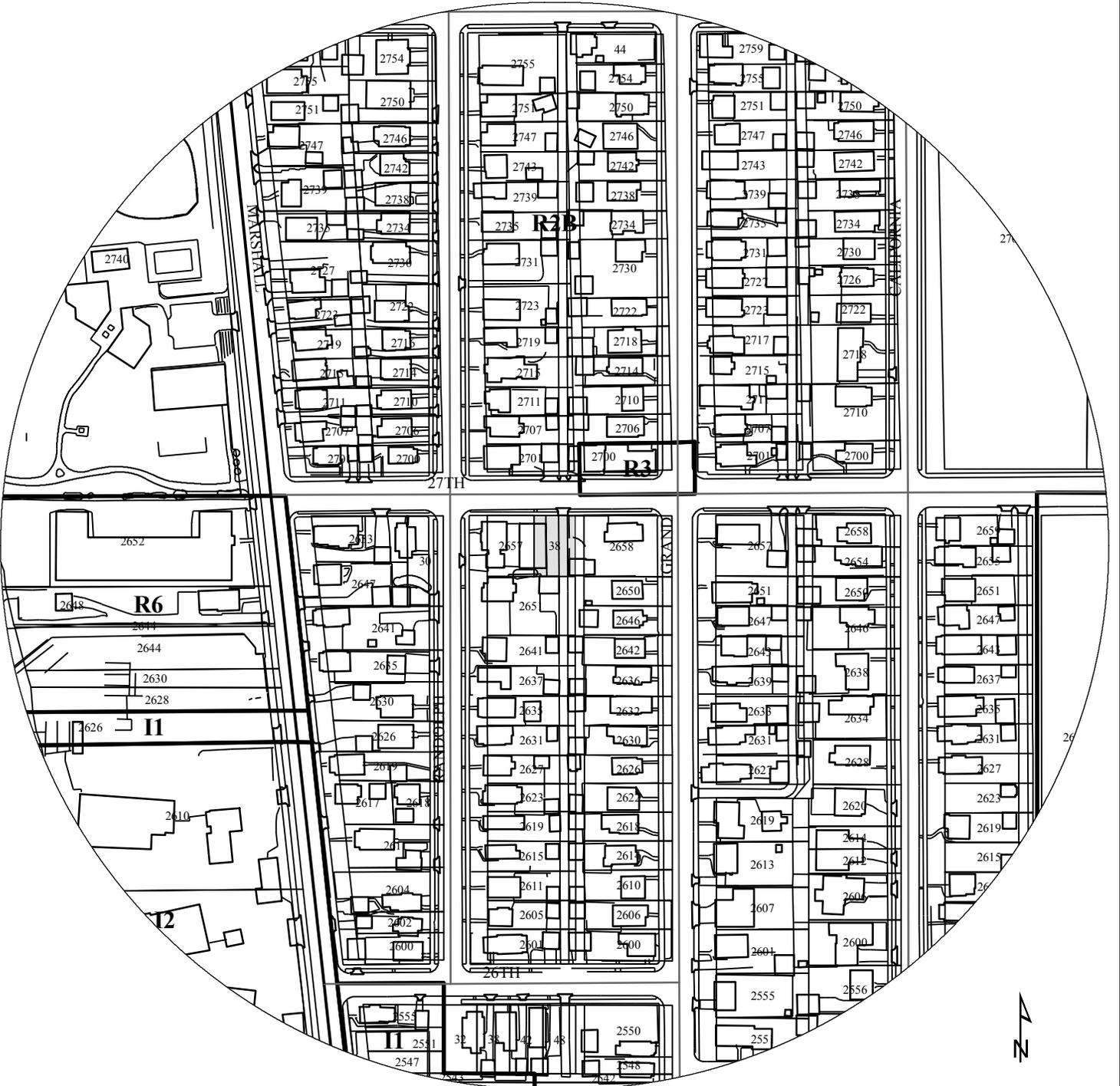
[www.ne-art.com](http://www.ne-art.com)

NE-Art Custom, Inc

1st

NAME OF APPLICANT

WARD



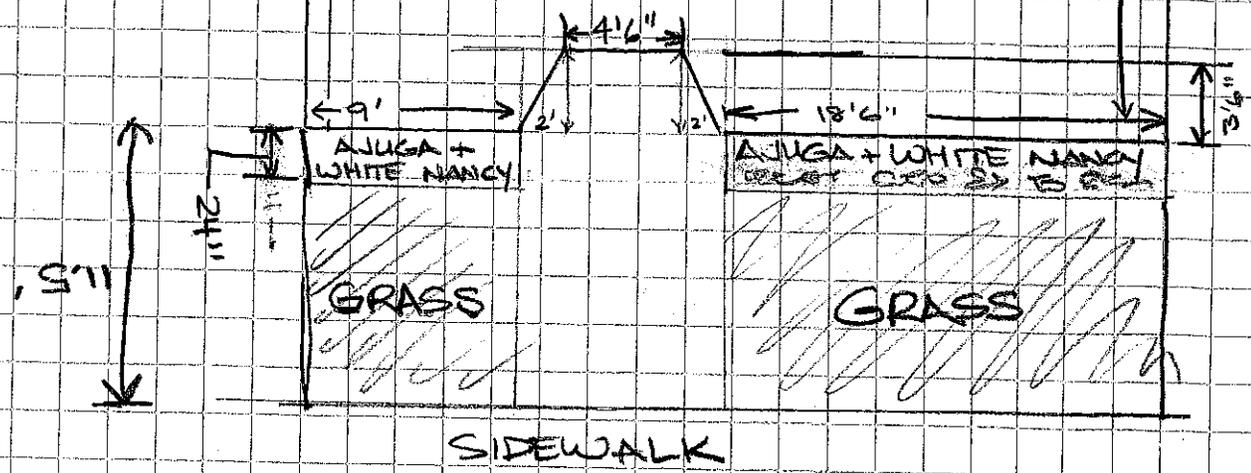
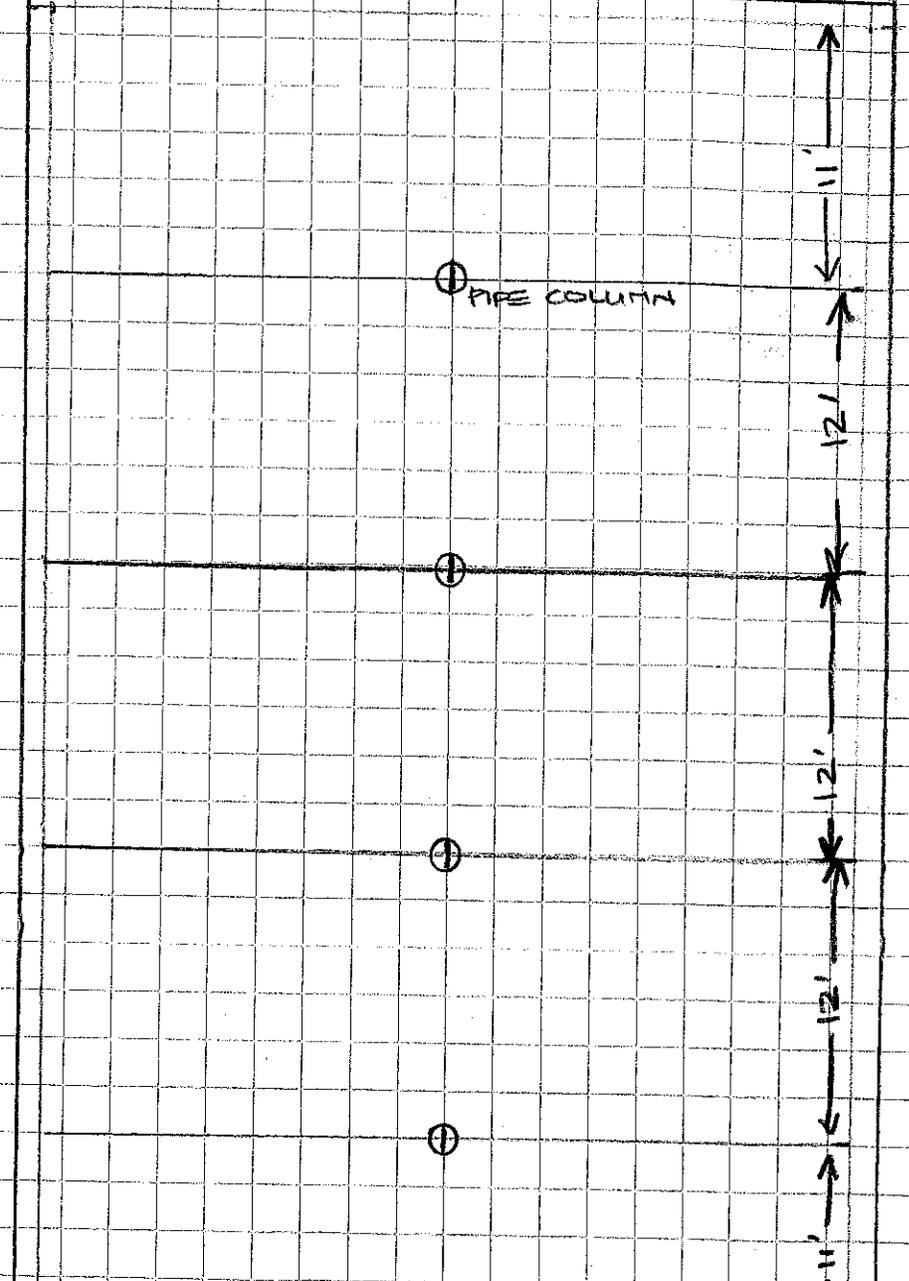
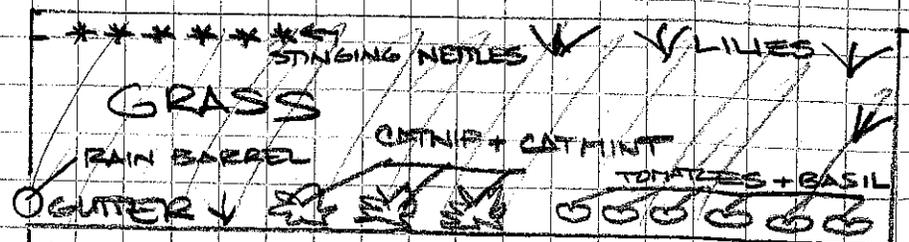
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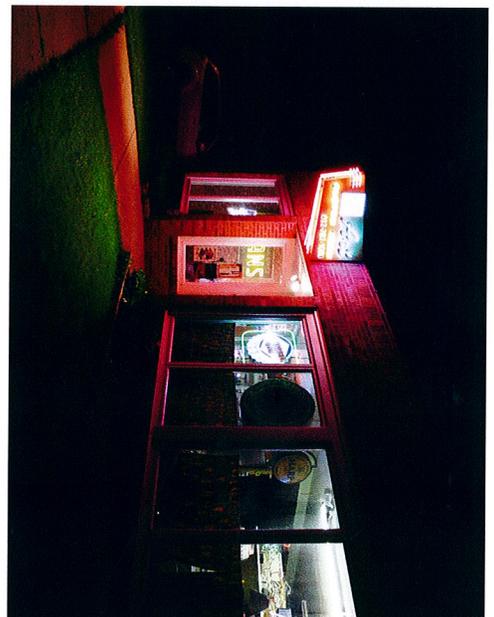
PROPERTY ADDRESS

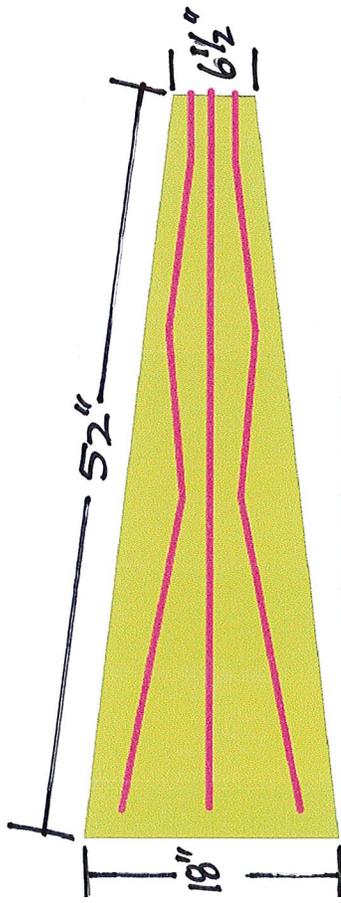
38 27th Avenue NE

FILE NUMBER

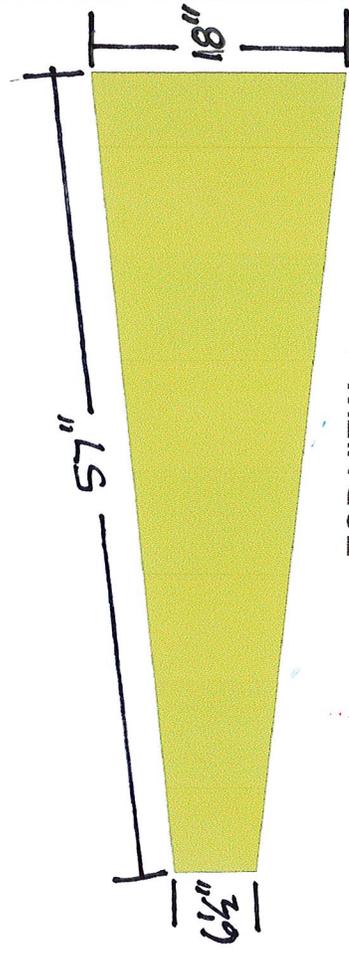
BZZ-7132







BOTTOM VIEW



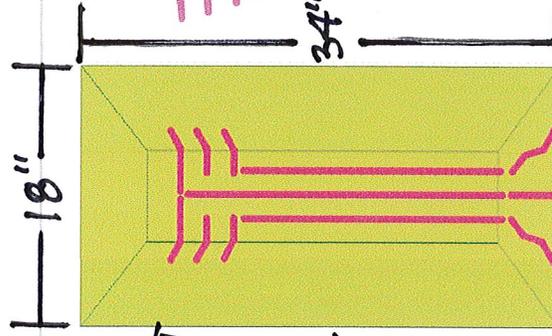
TOP VIEW

15" x 15" LED LITEBOX  
w/ VINYL GRAPHIC LOGOS



EAST ELEVATION

EXPOSED NEON  
OVER VINYL GRAPHICS



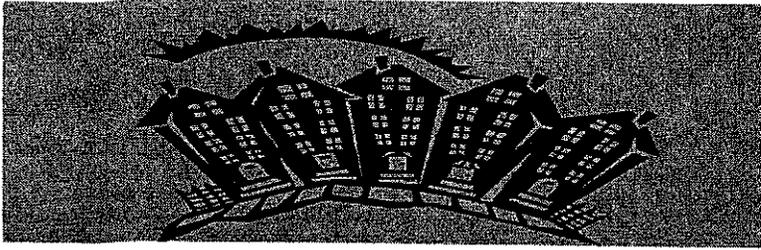
FRONT ELEVATION



WEST ELEVATION

EXPOSED NEON  
BORDER TUBES

PROPERTY ADDRESS: 38-27TH AVE. NE, MPLS, MN. 55418



**CONCERNED CITIZENS OF**  
**MARSHALL TERRACE**

P.O. Box 18180

MINNEAPOLIS, MN 55418

(CCMT)

Phone-612-568-7422, Email-[CCMT568@msn.com](mailto:CCMT568@msn.com), Website-[www.marshallterrace.org](http://www.marshallterrace.org)

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October 23, 2014

To whom it may concern:

The Marshall Terrace neighborhood group, The Concerned Citizens of Marshall Terrace (CCMT), wholly support the double-sided building sign outside the Ne-Art Custom Neon shop located at 38 27<sup>th</sup> Ave. NE.

As one of the neighborhoods included in the Minneapolis Arts District, we feel the sign is not only visually and aesthetically attractive, but that it's fully aligned with CCMT's vision of touting Marshall Terrace as a neighborhood in which artists of all kinds can live, work, and thrive.

We are happy and proud to have Ne-Art Custom Neon in our neighborhood, and their new sign only adds to the visual appeal of our neighborhood.

Please don't hesitate to contact us with any questions.

Sincerely,

Don Waalen-Radzevicius, CCMT Chair

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THE STRENGTH OF THE PEOPLE IS IN THEIR NEIGHBORHOOD.  
THE STRENGTH OF THE NEIGHBORHOOD IS IN ITS PEOPLE.