

**Department of Community Planning and Economic Development – Planning Division**  
Two Variances  
BZZ-2452

**Date:** August 1, 2005

**Applicant:** Scott Bader with Steven Scott Development

**Address of Property:** 317 Groveland Avenue

**Project Name:** The Groveland

**Contact Person and Phone:** Link Wilson with Miller Hanson Partners, (612) 332-5420

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

**Date Application Deemed Complete:** July 6, 2005

**End of 60-Day Decision Period:** September 4, 2005

**End of 120-Day Decision Period:** Not applicable

**Ward: 7      Neighborhood Organization:** Citizens for a Loring Park Community

**Existing Zoning:** OR3, Institutional Office Residence District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 18

**Legal Description:** Not applicable for this application

**Proposed Use:** 135-unit condominium development

**Concurrent Review:**

**Variance:** to increase the size of the three real estate signs from the permitted 32 square feet to 160, 252 and 315 square feet

**Variance:** to increase the height of three real estate signs from the permitted 14 feet to 14.5 feet, 16.5 feet and 24.5 feet

**Applicable zoning code provisions:** Chapter 525, Article IX, Variances, specifically Section 525.520(21) “to vary 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, pursuant to Chapter 543, On-Premise Signs”.

**Background:** A 135-unit condominium building is currently under construction on the site located at 317 Groveland Avenue. There are currently three real estate signs located on the building that exceed the zoning code requirements. One is a free-standing sign located on the corner of Groveland Avenue and Dell Place and the other two signs are wall signs and are located on the side of the building facing I-94. All three signs exceed the maximum size and height allowed for real estate signs in the zoning code. The applicant is requesting two variances to allow the existing signs to remain on the site during construction.

**VARIANCE** - to increase the size of the three real estate signs from the permitted 32 square feet to 160, 252 and 315 square feet

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**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.**

**Increased size of the three real estate signs:** The applicant is seeking a variance to increase the size of the three real estate signs from the permitted 32 square feet to 160, 252 and 315 square feet. The applicant has indicated that the building occupies an entire city block, is seven stories tall and is approximately 300,000 square feet in size. The applicant believes that 32 square foot real estate signs would not be seen given the building's size and scale.

**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.**

**Increased size of the three real estate signs:** The fact that the development occupies an entire city block is a unique circumstance.

**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.**

**Increased size of the three real estate signs:** The granting of the variance will not significantly affect the essential character of the area. The three real estate signs are temporary in nature and will be removed once construction is complete.

**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.**

**Increased size of the three real estate signs:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the size of the three signs be detrimental to welfare or public safety.

**VARIANCE** - to increase the height of three real estate signs from the permitted 14 feet to 14.5 feet, 16.5 feet and 24.5 feet

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**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.**

**Increased height of the three real estate signs:** The applicant is seeking a variance to increase the height of three real estate signs from the permitted 14 feet to 14.5 feet, 16.5 feet and 24.5 feet. The applicant has indicated that the building occupies an entire city block, is seven stories tall and is approximately 300,000 square feet in size. The applicant believes that if the three real estate signs were kept below a height of 14 feet that they would not be seen given the building's size and scale. In addition, the site sits much higher than I-94 as the interstate is in a trench in this location.

**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.**

**Increased height of the three real estate signs:** The fact that the development occupies an entire city block and the location of the site adjacent to the interstate are unique circumstances.

**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.**

**Increased height of the three real estate signs:** The granting of the variance will not significantly affect the essential character of the area. The three real estate signs are temporary in nature and will be removed once construction is complete.

**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.**

**Increased height of the three real estate signs:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the height of the three signs be detrimental to welfare or public safety.

**SIGN ADJUSTMENT**

**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.**

It is in the Planning Division's opinion that the proposed sign package is consistent with the purpose of the zoning district and does not lead to sign clutter. The free-standing sign is located on the opposite side of the development site than the two wall signs.

- 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.**

The free-standing sign has a graphic depiction of what the building will look like once it is constructed. This sign is made out of wood. The wall signs are simple signs. They both have black backgrounds with white lettering on them. One sign says the name of the development on it and the other lists the phone number. All of the signs are temporary and will be removed once construction is complete.

## **RECOMMENDATIONS**

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the size of the three real estate signs from the permitted 32 square feet to 160, 252 and 315 square feet for the property located at 317 Groveland Avenue.

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the height of three real estate signs from the permitted 14 feet to 14.5 feet, 16.5 feet and 24.5 feet for the property located at 317 Groveland Avenue.

### **Attachments:**

1. Statement of proposed use and description of the project
2. Variance findings and aerial photo
3. Zoning Map

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4. Comments from surrounding property owners
5. Location map and photographs of the signs