

Department of Community Planning and Economic Development – Planning Division
Variance
BZZ-2174

Date: March 7, 2005

Applicant: 3100 50th Street Developers

Address of Property: 3100 West 50th Street

Project Name: Fulton Lofts

Contact Person and Phone: Patricia Fitzgerald with Master Development Group, (612) 236-1626

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

Date Application Deemed Complete: February 3, 2005

End of 60-Day Decision Period: April 4, 2005

End of 120-Day Decision Period: Not applicable

Ward: 13 **Neighborhood Organization:** Fulton Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 36

Legal Description: Not applicable for this application.

Proposed Use: Mixed-use development

Concurrent Review:

Variance: to increase the height of four wall signs from the permitted 14 feet to a height ranging between 14.5 feet and 17.5 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 the OR2 or OR3 District, or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs”.

Background: In October of 2002, the City Planning Commission approved a conditional use permit, 2 setback variances and a site plan review application to allow a mixed-use development containing 9 dwelling units and 2 retail tenant spaces on the property located at 3100 West 50th Street. The

development is now built and is almost all occupied. One major change that has occurred since the development was approved is that the applicant divided the retail level of the building into four tenant spaces instead of two. Increasing the number of retail tenant spaces in the building changes the parking requirement.

With 9 dwelling units and 2 retail tenants the parking requirement was 17 parking spaces. To meet this parking requirement the applicant incorporated a bus shelter into the design of the building and installed a bicycle rack on the site. Doing these two things allowed the applicant to reduce the parking requirement by 3 spaces. With 9 dwelling units and 4 retail tenants the parking requirement is 25 parking spaces. The bus shelter and the bicycle rack reduce the parking requirement by 4 spaces for a total parking requirement of 21 spaces. There are a total of 16 parking spaces on site. To make up for the difference in the number of parking spaces required and what is actually provided, the applicant is going to install three more bicycle racks in the building and lease two parking spaces from the adjacent property owner to the north.

VARIANCE – to increase the height of four wall signs from the permitted 14 feet to a height ranging between 14.5 feet and 17.5 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.

Height of four wall signs: The applicant is seeking a variance to increase the height of four wall signs from the permitted 14 feet to a height ranging between 14.5 feet and 17.5 feet. The applicant has indicated that the site slopes approximately 3.5 feet from east to west. In order to place the signs in the designed sign band and to keep the signs at the same height they need to be located higher than the permitted 14 feet.

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.

Height of four wall signs: The site's slope is a unique circumstance of this parcel of land.

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.

Height of four wall signs: The granting of the variance should not alter the essential character of the neighborhood given that the signs do not face the residential properties in the area. In addition, all of the signs are of the same design and they are not illuminated so glare will not be an issue.

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.

Height of four wall signs: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the height of the four wall 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.

The Planning Division believes that the proposed sign package will not lead to sign clutter nor is it inconsistent with the purpose of the C1 zoning district. The amount of total signage proposed (100 square feet) is allowed in the C1 zoning district and besides these 4 signs there are no other signs on the building.

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 Planning Division believes that the proposed signs are of an exceptional design and/or style that will enhance the area. The signs are made of anodized aluminum. The signs will be similar to one another in that the retail tenant's name is in the foreground located over a wine colored background. The contrast in colors used in the signs gives a 3-dimensional appearance to them. None of the signs are illuminated.

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 above findings and **approve** the variance application and the sign adjustment to increase the height of four wall signs from the permitted 14 feet to a height ranging between 14.5 feet and 17.5 feet located at 3100 West 50th Street.

Attachments:

1. Statement of proposed use
2. Variance findings
3. E-mail sent to Council Member Lane and the Fulton Neighborhood Association
4. Letter of support from the Fulton Lofts Condominium Association
5. Zoning Map
6. Site plan/first floor plan
7. Elevations
8. Photos of the building
9. Photo simulations showing the signs on the building in the proposed location
10. Parking information