

Department of Community Planning and Economic Development - Planning Division Report

Variance Request
BZZ-2451

Date: July 21, 2005

Applicant: Opus Properties LLC

Address of Property: 707 2nd Avenue South

Contact Person and Phone: Tom Sopoci – RSP Architects 612-677-7100

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: June 22, 2005

End of 60 Day Decision Period: August 21, 2005

Appeal Period Expiration: August 1, 2005

Ward: 7 **Neighborhood Organization:** Downtown

Existing Zoning: B4-2 Downtown Business District

Proposed Use: Two freestanding signs.

Proposed Variance: Variance to allow two freestanding signs; variance to increase the maximum allowable area of each sign from 32 square feet to 54 square feet; and variance to increase the maximum allowable height of each sign from eight feet to nine feet.

Zoning code section authorizing the requested variance: 525.520 (21)

Background: Ameriprise Financial is proposing the installation of two freestanding signs at its corporate headquarters at 707 Second Avenue South. The site is zoned B4-2 Downtown Business District. The zoning code limits freestanding signs to a maximum area of 32 square feet and a maximum height of eight feet. In addition, the code only allows one freestanding sign per zoning lot in the B4-2 District. The applicant proposes two freestanding signs, one at the corner of 2nd Avenue South and 7th Street South and the other at the corner of 3rd Avenue South and 7th Street South. Both signs will be 54 Square and a height of nine feet.

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Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicant proposes to integrate the freestanding signs with the landscaping planters in front of the building and wants the name and logo to be visible from the street while still providing a sign that is attractive and matches the character of the building. The applicant does not have significant identification signage on the building. Limiting the identification signage to one sign and requiring the size and height to be reduced could be a hardship, because it would not allow the applicant to provide reasonable identification signage for their corporate center. If the site had significant identification signage on the building staff would not think that a hardship exists at the site.

- 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.**

The site does not have any significant identification signage on the building and has large landscaping planters at the front of the building. This makes it more necessary to have an additional sign that is larger than the height and area requirements of the code. These conditions are not generally applicable to other properties in the downtown.

- 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.**

The intent of the ordinance is to allow effective signage appropriate to the character of each zoning district, to promote an attractive environment by limiting visual clutter and confusion, and to minimize effects on nearby properties. The building has no signage except for small identification signs above the main doors, so the only significant signage will be the two freestanding signs at the corners. This should not lead to clutter and should not be out of character for the downtown where most buildings have some type of identification signage. The Accenture building across 3rd Avenue South to the east also has two freestanding signs in front of the building at the corners. Therefore, granting the variance should not circumvent the intent of the ordinance.

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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.**

Granting the variances would have no impact on the congestion of area streets or fire safety, nor would the variance be detrimental to the public welfare or endanger the public safety.

In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances:

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 sign will not lead to clutter. The building has no signage except for small identification signs above the main doors, so the only significant signage will be the two freestanding signs at the corners. This should not be out of character for the downtown where most buildings have some type of identification signage. The Accenture building across 3rd Avenue South to the east also has two freestanding signs in front of the building at the corners.

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 sign will be professionally constructed and installed. The sign will have metal letters on a stone background that will match the material of the main building. This will be a sign of exceptional design and style that is compatible with the architecture and design of the site.

Recommendation of the Department of Community Planning and Economic Development:

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 two freestanding signs, **approve** the variance to increase the maximum allowable area from 32 square feet to 54 square feet for each sign, and **approve** the variance to increase the maximum allowable height from eight feet to nine feet for each sign in the B4-2 Downtown Business District for property located at 707 2nd Avenue South subject to the following conditions:

- 1) Review and approval of the final sign plans by Planning staff before permits may be issued.
- 2) The base of the signs shall be landscaped as required by Section 543.240(d) of the zoning code.