

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2422****Date:** August 4, 2005**Applicant:** Minneapolis Parking and Transportation**Address of Property:** 1111 Marquette Avenue South**Contact Person and Phone:** William Prince, (612) 673-3901**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887**Date Application Deemed Complete:** June 15, 2005**End of 60 Day Decision Period:** August 14, 2005**Ward: 7 Neighborhood Organization:** Downtown Minneapolis Neighborhood Association**Existing Zoning:** B4S-2 Downtown Service district, DP Downtown Parking district**Proposed Use:** A backlit projecting sign.**Proposed Variance:** A variance to allow a projecting sign that extends 6 ft from the building façade and a variance to allow three new backlit projecting signs at the entrances of the Orchestra Hall Municipal Ramp in the B4S-2 District located at 1111 Marquette Avenue South.**Zoning code section authorizing the requested variance:** 525.520 (21)**Background:** The subject site consists of an existing parking garage. The parking facility structure occupies three-quarters of the block bounded by Marquette Avenue, 11th Street South, 2nd Avenue South, and 10th Street South. The applicant is proposing three new backlit projecting signs to replace three existing projecting signs. All of the proposed projecting signs measure 4 ft. by 6 ft. and will allow for a variable message.

Backlit signs are not allowed in the downtown zoning districts, the applicant needs to obtain a variance to allow this type of sign in the downtown district. A maximum permitted area of a projecting sign is 48 sq. ft., the applicant is proposing 4.3 ft. by 5.5 ft. (24 sq. ft.) per sign. The total area of the existing signage is 200 sq. ft. The total signage for the property with the new signs would be 186 sq. ft. The maximum permitted height of a projecting sign is 24 ft. from grade.

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.**

Sign type: The applicant is seeking a variance to allow three new backlit projecting signs at the entrances of the Orchestra Hall Municipal Ramp in the B4S-2 district. The applicant has stated that visibility is needed and that the new signs will be more informative than the existing signs. Without the lighting, the signs will lose the ability to communicate different messages. Strict adherence to the regulations does not allow for the proposed backlit projecting signs. The location is reasonable for the property and is allowed by code. Although the property can be put to a of the sign is reasonable use without the variance. Due to the distance the sign is setback from the right-of-way, a backlit sign is a reasonable use for the subject property.

Sign projection: The applicant is seeking a variance to increase the maximum permitted projection of a sign from 4 ft. to 6 ft. The applicant has stated that visibility is needed and that the new signs will be more informative than the existing signs. Strict adherence to the regulations does not allow for the proposed backlit projecting sign on the building. Staff does not believe the additional 2 ft. projection is reasonable for their signage on the property. The location is reasonable for the property and is allowed by code. The applicant has stated that the increased projection of the sign is appropriate in order to be visible from the street.

- 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.**

Sign type and projection: The circumstances upon which the variance is requested are unique to the parcel due to the location of the structure. The property has three existing projecting signs that the applicant is proposing to replace with three new similar sized signs. The height of the sign on the building and the area of the sign are allowed by code. It is the type of illumination and the projection from the building that requires the variance. Staff feels the increased projection of 2 ft. of the proposed sign is not an appropriate location for the proposed sign. It is the desire of the applicant to have a sign with a variable message that requires the variance. It is also the desire of the applicant to communicate with the public, which is a reasonable request.

- 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.**

Sign type: Granting the sign type variance will not alter the essential character of the surrounding area and will not be injurious to the use or enjoyment of other property in the

vicinity. Staff believes that the subject sign is in scale with the existing structure and will not significantly impact the character of the area. The subject property is surrounded by a number of structures that have illuminated signs. The applicant would not be able to have an internally illuminated channel letter sign or a neon sign and accomplish the variable message portion of the sign. The applicant has proposed to construct the sign within the height and area requirements for the B4S-2 district. Staff recommends that the Public Parking signs are removed from the public right of way within 50 ft. of the proposed signs, because if the new signs were installed adjacent to existing signs that would otherwise lead to sign clutter in the area and would be inconsistent with the vicinity.

Sign Projection: Granting the sign projection variance could alter the essential character of the surrounding area and could be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the existing sign is in scale with the existing building, however the proposed projection could significantly impact the character of the area. The applicant has proposed to construct the sign within the height and area requirements for the B4S-2 district. It is only the distance projecting from the building that staff has concerns about. Staff recommends that the Public Parking signs are removed from the public right of way within 50 ft. of the proposed signs, because if the new signs were installed adjacent to existing signs that would otherwise lead to sign clutter in the area and would be inconsistent with the vicinity.

- 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.**

Sign type and projection: Granting the sign variances would likely have no impact on the congestion of area streets or fire safety, nor would the increased projection be detrimental to the public welfare or endanger the public safety.

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.**

Sign type and projection: Staff believes that the proposed signs are in scale with the building, as the signs are constructed within the size allowed by code. The sign will be illuminated like other signs in the area and will be constructed within the height and size requirements of the district. Staff does not believe that the backlit sign will lead to sign clutter, as the subject sign is relatively small, in comparison to the amount of signage that is allowed for a structure of this size. Additionally, if the Public Parking signs are removed from the public right of way within 50 ft. of the proposed sign, there will be no sign clutter, because they will be removing signs that would otherwise lead to sign clutter.

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.**

Sign type and projection: Staff believes that the proposed sign is in character and scale with the building and the area. The sign is designed within the sign area and height requirements. The sign will be illuminated like other signs in the area. The design is exceptional in that it will provide more information than the existing signs and more information than a neon or internally illuminated sign can provide real-time information to customers. Additionally, the signs are unique because they provide a way to distinguish municipal parking ramps from other public parking ramps.

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 three new backlit projecting signs and **approve a variance to allow a projecting sign that extends 5 ft. from the building façade** at the entrances of the Orchestra Hall Municipal Ramp in the B4S-2 district subject to the following conditions:

1. That the applicant obtain a sign permit.
2. That the sign is designed to project no more than 5 ft. from the building.
3. That no Public Parking signs in the public right of way are located within 50 ft. of the new signs.