

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2481****Date:** August 4, 2005**Applicant:** Inter-district Downtown School**Address of Property:** 10 10th Street South**Contact Person and Phone:** Chris Leaf, Archetype Signs, (651) 994-9363**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887**Date Application Deemed Complete:** July 12, 2005**End of 60 Day Decision Period:** August 11, 2005**Appeal Period Expiration:** August 15, 2005**Ward: 7 Neighborhood Organization:** Downtown Minneapolis Neighborhood Association**Existing Zoning:** B4S-2 Downtown Service district**Proposed Use:** A new wall sign.**Proposed Variance:** A variance to increase the maximum permitted height of a non-illuminated wall sign from 16 ft. to 63 ft. in the B4S-2 Downtown Service district for a school.**Zoning code section authorizing the requested variance:** 525.520 (21)**Background:** The subject site is located along 10th Street South between Hennepin Avenue and LaSalle Avenue. The site consists of the Inter-district Downtown School and a University of St. Thomas building. The proposed sign would be a 5 ft. 10 in. by 22 ft. (128.3 sq. ft.) non-illuminated wall sign that would be 63 ft. above the ground. The sign text would define the use in the building. The maximum permitted height of a wall sign is 16 ft. in the B4S-2 district. The applicant is proposing a variance to increase the maximum permitted height of a wall sign from 16 ft. to 63 ft. to allow increased visibility along a one-way street. The sign will be individual painted letters.

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 height: The applicant is seeking a variance to increase the maximum permitted height of a wall sign from 16 ft. to 63 ft. The applicant has stated that visibility is to aid parents in locating the school and believes that the unique school should receive the same recognition as other buildings in the area. Strict adherence to the regulations does not allow for the proposed 63 ft. high non-illuminated wall sign on the building. The property can be put to reasonable use without the variance, as the sign can be located at a lower elevation. This lowering would make the sign less visible from Hennepin Avenue.

- 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 height: The circumstances of the height variance is are not unique to the parcel. The applicant states the increased height of the proposed sign is due to the one-way traffic. The proposed sign would be located at a height of 63 ft. from grade, which is inconsistent with the intent of the code and is a circumstance created by the applicant. The location of the sign on the building is limited due to the architecture of the façade of the building, but does allow for the sign to be located within the regulations. The area and type of sign is allowed by ordinance.

- 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 height: Granting the sign height variance will likely alter the essential character of the surrounding neighborhood, but will not be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the subject sign is not in scale with the existing building and could significantly impact the character of the area. There are other signs that exceed 16 ft. in height, but the majority comply with the regulations. Staff does recognize that there is some difficulty with visibility of signs along one-way streets.

- 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 height: Granting the sign variances would likely have no impact on the congestion of area streets or fire safety, nor would the increased height 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 height: Staff believes that the proposed sign is out of scale with the building and the area. The sign will be inconsistent with the purpose of the B4S-2 zoning district and with surrounding properties. The applicant states that the sign is consistent with the zoning district for which it is located. The applicant also states the sign is not an illuminated sign, therefore not leading to sign clutter. The proposed sign will be within the size and type requirements of the code however, is inconsistent with signs in the vicinity. Staff does not believe that the increased height will lead to sign clutter, as it will be one sign and not adding multiple signs to 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.**

Sign height: Staff believes that the proposed sign is not in scale with the building and matches the architecture, however could be located in compliance with the sign regulations. The sign is designed within the sign area and type requirements. The sign would be consistent with the purpose of the B4S-2 zoning district, by meeting all other sign requirements except the height.- The sign is exceptional in design and will enhance the structure, but could have a negative impact on the area due to its height.

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 **deny** the variance to increase the maximum permitted height of a non-illuminated wall sign from 16 ft. to 63 ft. in the B4S-2 Downtown Service district for a school located at 10 10th Street South.