

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits
BZZ-5233

Date: August 15, 2011

Applicant: Jay Nelson

Addresses of Property: 1350 Nicollet Mall

Project Name: Volunteers of America Signage

Contact Person and Phone: Jay Nelson (612) 812-4628

Planning Staff and Phone: Shanna Sether (612) 673-2307

Date Application Deemed Complete: July 19, 2011

End of 60-Day Decision Period: September 16, 2011

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

Existing Zoning: B4S-1 Downtown Service District

Zoning Plate Number: 20

Legal Description: Not applicable for this application

Proposed Use: Two wall signs

Conditional use permit: To increase the height of two proposed wall signs.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 543, On-Premise Signs

Background: The subject property is approximately 2.4 acres and comprises a city block bound by Nicollet Mall, 14th Street West, LaSalle Avenue and Grant Street West. The structure was built in 1978. The use of the property is 306 affordable residential housing units. The subject property is going through a major rehabilitation project that will include new windows, exterior materials, and updates to the existing plaza and unit improvements. In addition, Volunteers of America, the sponsor and building owner is proposing to increase the identity of the building and improve way-finding through the addition of two new wall signs. One sign will be located over the main entrance of the building along Nicollet Mall. The sign copy will include the logo and “Volunteers of America”. The sign is approximately 63 square feet in area and located approximately 36 ft. 4 ½ in. from grade to the top of the sign and will be internally illuminated channel letters, permanently affixed to the building wall. The second sign is just the logo and it will be located on the West Tower, approximately 84 square feet in size and 178 ft. above

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grade. The second sign was originally proposed to be back-lit, which is not allowed in the B4S-1 District. Instead, the applicant is now proposing the sign to be non-illuminated. The maximum height for wall signage is 28 feet in the B4S-1 Downtown Service District. Both signs exceed the maximum height for signage permitted in the B4S-1 District. The zoning code authorizes a conditional use permit to increase the maximum height for structures exceeding 6 stories or 84 feet, subject to section 543.470(b) which states:

- 543.470. Wall signs.** (a) *In general.* A wall sign shall not extend outward more than twenty-four (24) inches from the structure, except a flat wall sign shall not extend outward more than six (6) inches from the structure. A wall sign shall not extend above the top of the wall or parapet line or, in the case of a mansard roof, beyond the deck line, nor shall a wall sign extend beyond the corner of the building.
1. *Exception.* Recognizing that certain buildings or uses may have unique identification needs, notwithstanding the height and area limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, a conditional use permit may be applied for, as provided in Chapter 525, Administration and Enforcement, to allow not more than two (2) additional wall signs identifying the name or logo of a building or use in a building that exceeds six (6) stories or eighty-four (84) feet in height, subject to the following:
 - (1) Signs shall be limited to individual letters or elements permanently affixed to the building wall.
 - (2) Signs shall not exceed three (3) square feet of sign area for each one (1) foot of building wall to which such sign is attached or three hundred (300) square feet, whichever is less.
 - (3) Not more than one (1) sign shall be located on a building wall.
 - (4) The vertical dimension of such sign shall not exceed fourteen (14) feet.

As of writing this staff report, staff has not received correspondence from the Citizens for a Loring Park Community. Staff will forward comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT: (to allow two wall signs)

Findings as required by the Minneapolis Zoning Code: The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

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Section 543.470 of the zoning code allows buildings that exceed six (6) stories, or eighty-four (84) feet to have two wall identification signs that exceed the normal height limitations of the district in which they are located, subject to standards. The proposed signs meet the location, area and individual lettering standards per Section 543.470. There are no other signs on the property. The wall signs are proposed to be installed at approximately 36 feet and 178 feet above grade. Staff believes that the proposed signs are not detrimental to or endanger the public health, safety, comfort or general welfare. The signage will not have moving or flashing components that would be particularly distracting to drivers or adjacent properties.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The surrounding area is located in the downtown core and consists of office, industrial, residential and commercial uses. The building has not had any wall identification signs. Staff believes that the proposed signage is in scale with the building and surrounding development. The proposed signage should not have negative impacts on surrounding properties.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The utilities, access, drainage, and other measures are existing and adequate. The addition of two wall signs will have no impact on these items.

- 4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The site has adequate existing parking. The addition of two wall signs will have no impact on traffic in the public streets.

- 5. Is consistent with the applicable policies of the comprehensive plan.**

The Minneapolis Plan for Sustainable Growth states the following about signs. “Sign design needs to balance the desire to convey information with a need to maintain visual aesthetics so signage is not intrusive. The scale of signage should be geared toward the pedestrian and less to the automobile. Unique signage that incorporates unusual materials or designs is encouraged.”

The Minneapolis Plan for Sustainable Growth has the following policies for signs:

Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

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10.20.2 Master sign plans shall be submitted for multi-tenant buildings to ensure a complementary relationship between signage and the architecture of a building.

10.20.3 Develop incentives for exceptional sign design and style, including a special review process to ensure appropriate location, size, height and compatible design to the architecture of the building and other signage.

10.20.4 Develop a consistent, city-wide wayfinding signage design and maintenance plan for neighborhoods, trails, etc.

Policy 10.21: Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.

10.21.1 Supporting the regional draw of Downtown entertainment areas, larger scale signage shall be allowed in appropriate places (such as the Hennepin Avenue Downtown Entertainment Area and Nicollet Mall Overlay District).

10.21.2 To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form.

10.21.3 Encourage effective signage that is appropriate to the character of the city's historic districts and landmarks, and preserves the integrity of historic structures.

The proposed signs meet the location, type, area and the specific standards for wall identification signs on buildings over six stories or 84 feet in height. The overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The sign is not out of scale with the building, site, or area. The proposed sign is in conformance with these policies of the comprehensive plan.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this conditional use permit.

With the approval of the conditional use permit, the proposed signs will conform to the applicable district regulations. The signs meet all of the standards for wall identifications signs for buildings over six stories or 84 feet listed in Section 543.470(b) of the zoning code.

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 or conditional use permits:

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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 proposed signage meets the location, area, height, and the specific standards for wall identification signs on buildings that exceed six stories or 84 feet. The overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The addition of this sign will not lead to sign clutter or be inconsistent with taller buildings located in an industrial district.

2. **The sign adjustment will allow a sign that relates in size shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The sign will be professionally constructed and installed. One of the signs will be constructed of individual internally illuminated channel letters. The taller of the two signs faces residential and will not be illuminated. The signage is not out of scale with the size or design of the building, site, or surrounding area.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department - Planning Division for conditional use permit:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to increase the maximum height of a wall sign from 28 ft. to approximately 36.5 ft. for property located at 1350 Nicollet Mall in the B4S-1 Downtown Service District, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

Recommendation of the Community Planning and Economic Development Department - Planning Division for conditional use permit:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to increase the maximum height of a wall sign from 28 ft. to approximately 178 ft. for property located at 1350 Nicollet Mall in the B4S-1 Downtown Service District, subject to the following conditions:

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1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. The sign shall be non-illuminated.

Attachments:

1. Written descriptions and finding submitted by applicant
2. Copies of letter sent to Citizens for a Loring Park Community and CM Goodman
3. Zoning map
4. Site plans
5. Sign plans
6. Photographs