

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-5576

Date: June 11, 2012

Applicant: Walgreens

Addresses of Property: 2643 Central Avenue Northeast

Project Name: Walgreens dynamic sign

Contact Person and Phone: Scott Palmateer (651) 645-0223

Planning Staff and Phone: Brad Ellis 612-673-3239

Date Application Deemed Complete: May 11, 2012

End of 60-Day Decision Period: July 10, 2012

Ward: 01 **Neighborhood Organization:** Audubon Park, adjacent to Holland and Columbia Park

Existing Zoning: C2 Neighborhood Corridor Commercial District

Zoning Plate Number: 10

Legal Description: Not applicable for this application

Proposed Use: A dynamic sign on a monument sign accessory to an existing drugstore

Concurrent Review: A conditional use permit to allow a 23.1 square foot dynamic sign on a new monument sign

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

Background: Walgreens proposes to add a 23.1 square foot dynamic sign to a new monument sign at 2643 Central Avenue Northeast. The dynamic sign would be placed on a new base, replacing an existing pole sign, and would be part of a larger 47.7 square foot sign. The dynamic portion is proposed to go above a Walgreens identification sign. The overall sign height will be eight (8) feet. The sign height and size meets the requirements for a monument sign in the C2 Neighborhood Corridor Commercial District.

A text amendment was adopted by the City Council in February of 2011 that changed the code requirements for dynamic signs. The zoning code defines a dynamic sign as “*a sign, or any element of a sign, which provides the ability to change text or images, or exhibits changing effects in order to provide*

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intermittent illumination or the illusion of such illumination, or any series of imagery or display which may appear to move or change, including changes produced by any electronic method. A dynamic sign is not a dynamic changeable copy sign.” In the C2 District, dynamic signs are allowed by conditional use permit on primary building walls or on freestanding monument signs. Accordingly, the applicant has applied for a conditional use permit.

As of the writing of this report staff has not received comments, although the applicant submitted an e-mail from the Audubon Neighborhood Association indicating approval of the new sign. Any additional comments, if received, will be forwarded to the Commission.

CONDITIONAL USE PERMIT: (to allow a dynamic sign in the C2 District)

Findings as required by the Minneapolis Zoning Code: The Department of 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.**

The proposed dynamic sign should not be detrimental to public health, safety, comfort or general welfare. The applicant is proposing to add a dynamic sign to a new monument sign on the northwest corner of the property. The sign meets the specific standards for dynamic signs. The sign is not in the site triangle.

- 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 adjacent area is mostly developed and surrounded by commercial uses on Central Avenue Northeast, with residential uses to the east. The proposed sign would be perpendicular to the residential uses, and should not be directly visible from the residential properties. The addition of a dynamic sign that meets all zoning code standards should have no 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 facilities are existing and adequate and should not be impacted by the proposed sign.

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

The addition of a dynamic sign should not have an impact on traffic congestion 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.

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 dynamic sign would be located on a new monument sign that is replacing an existing pole sign. Pole signs are not an allowed sign type in the C2 Neighborhood Corridor Commercial District, so a new monument sign will bring the sign on the site into conformity. Although the monument sign is intended to be viewed primarily by automobile traffic, it is at a pedestrian scale.

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The proposed sign meets the location, height, and specific standards for a dynamic sign.

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 sign would conform to the applicable district regulations. The minimum lot size for a dynamic sign is 12,000 square feet and the subject site is 28,557 square feet. One dynamic sign is allowed and one is proposed. The sign is required to be a minimum of 100 feet from the nearest residence or office residence district and part of a lot that has 660 feet of contiguous commercial, downtown or industrial zoning on the same side of the street. Both of these requirements have been satisfied. The following additional provisions apply:

- *Height.* Notwithstanding Table 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.

Staff comment: The sign would not be attached to a building wall and as proposed would be eight feet to the top of the dynamic portion of the sign. The maximum height for monument sign in the C2 Neighborhood Corridor Commercial District is eight feet to the top of the sign; the height of the proposed sign is eight feet.

- *Size.* Dynamic signs shall not exceed thirty-two (32) square feet. Dynamic signs shall be included in the calculation of the total permitted sign area.

Staff comment: The proposed dynamic sign would be 23.1 square feet in area. Overall, the site is allowed one freestanding sign, a maximum of 80 square feet in area. Including the dynamic sign, the applicant is proposing a total of 47.7 square feet on the monument sign.

- *Duration of message.* The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects.

Staff comment: The message will remain static for a minimum of 60 seconds and will transition with no special effects. Staff is proposing to make this a condition of approval to ensure continued compliance.

- *Image characteristics and transition.* Dynamic signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.

Staff comment: The sign will have a pixel spacing of 19 mm and no special effects. Staff is proposing to make this a condition of approval to ensure compliance.

- *Luminance.* Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to

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comply with this requirement. Except for Institutional and Public Uses, the dynamic sign shall not display messages or be illuminated when the use is closed.

Staff comment: The sign will have a maximum luminance of 5,000 nits between sunrise and sunset and 500 nits at all other times. The sign will be equipped with a light sensor and automatic dimmer control to comply with this requirement. Staff is proposing to make this a condition of approval to ensure compliance.

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:

- 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 addition of this sign will not lead to sign clutter as the applicant is proposing essentially the same amount of signage that exists currently, and is eliminating an existing pole sign, creating a new sign that meets existing regulations.

- 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. The sign is a metal cabinet with internally illuminated copy face. The sign is not out of scale with the size or design of the building or the site.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for a conditional use permit for a dynamic sign:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to allow a 23.1 square foot dynamic sign on the property located at 2643 Central Avenue Northeast subject to the following conditions:

- 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 message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects.**

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3. The dynamic sign shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.
4. Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. The sign shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement.

Attachments:

1. Statements from the applicant
2. Public comment
3. Zoning map
4. Site plan
5. Sign elevation
6. Photos