

**Department of Community Planning and Economic Development**  
Conditional Use Permit and Variances  
BZZ-6168

**Date:** August 26, 2013

**Applicant:** Nordquist Signs

**Address of Property:** 19 8<sup>th</sup> Street South

**Project Name:** Fox Sports North Dynamic Sign

**Contact Person and Phone:** Chuck Hesse, (612) 823-7291

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

**Date Application Deemed Complete:** August 2, 2012

**End of 60-Day Decision Period:** October 1, 2012

**Ward:** 7      **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

**Existing Zoning:** B4-2 Downtown Business District

**Existing Overlay District:** DP Downtown Parking Overlay District

**Zoning Plate Number:** 19

**Proposed Use:** New dynamic sign

**Concurrent Review:**

- Conditional use permit to allow for a dynamic sign.
- Variance to increase the maximum height of a dynamic sign from 14 feet to 25 feet.
- Variance to increase the maximum area of a dynamic sign from 32 square feet to 105 square feet.

**Applicable Code Provisions:** Chapter 525

**Continuance:** The subject property is LaSalle Plaza, which is an irregular shaped zoning lot with frontage along Hennepin Avenue, 8<sup>th</sup> Street South, LaSalle Avenue and 9<sup>th</sup> Street South. The subject property is located in the B4-2 Downtown Business District. Fox Sports North, a radio or television station is located on the second floor of LaSalle Plaza. They have proposed to add a new dynamic sign on the second floor of the existing building at the corner of 8<sup>th</sup> Street South and Hennepin Avenue. A dynamic sign is defined 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 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.

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A dynamic, on-premise sign in the B4-2 Downtown Service District requires a conditional use. The zoning code allows a dynamic sign in the Downtown Entertainment Area. The Downtown Entertainment Area sign regulations shall govern all uses that have their main public entrance facing Hennepin Avenue within the following locations: (a) The north side of Hennepin Avenue between Tenth Street and Fifth Street, and (b) The south side of Hennepin Avenue between Ninth Street and Sixth Street. LaSalle Plaza has a main entrance from Hennepin Avenue between 8<sup>th</sup> and 9<sup>th</sup> Street; however, the proposed sign will be located on the corner of Hennepin Avenue and 8<sup>th</sup> Street South. Therefore, the proposed dynamic sign requires a conditional use permit.

Dynamic signs are governed per section 543.340 of the zoning code:

543.340. Dynamic signs.

- (a) *In general.* Except where allowed as-of-right in the Downtown Entertainment Area, dynamic signs may be allowed as a conditional use, subject to the provisions of Chapter 525, Administration and Enforcement, and the following:
- (b) *Number of signs.* There shall not be more than one (1) dynamic sign located on a zoning lot.
- (c) *Location.* Dynamic signs shall be subject to the following location restrictions:
  - (1) The dynamic sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic sign is part of a freestanding sign, the dynamic portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic sign shall not be part of a projecting sign. Dynamic signs shall be prohibited in IL Industrial Living Overlay District.
  - (2) The dynamic sign shall be located on a lot of not less than twelve thousand (12,000) square feet.
  - (3) The dynamic sign shall be no closer than one hundred (100) feet from the nearest residence district or office residence district property line.
  - (4) The dynamic sign shall be located on a lot that is part of an area of at least six hundred sixty (660) feet of continuous commercial, downtown, or industrial zoning fronting along the same side of the street as the lot, without interruption by a residence or office residence district.
- (d) *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.
- (e) *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.
- (f) *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.
- (g) *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.
- (h) *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

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sign's brightness to 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.

The proposed dynamic sign would be 105 square feet in area and 25 feet above grade, measured to the top of the sign. The maximum height shall not exceed 14 feet and the maximum area of a dynamic sign shall not exceed 32 square feet. Therefore, the applicant has requested two variances to allow for the proposed height and area of the dynamic sign.

Staff is currently reviewing updated material provided by the applicant, including proposed images of the dynamic sign. In light of the new information, staff is reviewing the proposed signs to determine whether or not they meet the definition of an on-premise sign. Therefore, staff is requesting a continuance to the September 16, 2013, planning commission public hearing.

**RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the application for a conditional use permit to allow for a new dynamic wall sign for LaSalle Plaza at 19 8<sup>th</sup> Street South in the B4-2 Downtown Business District and DP Downtown Parking Overlay District, one-cycle to the September 16, 2013, city planning commission meeting.

**Recommendation of the Department of Community Planning and Economic Development:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the application for a to increase the maximum height of a new dynamic sign from 14 feet to 25 feet for LaSalle Plaza at 19 8<sup>th</sup> Street South in the B4-2 Downtown Business District and DP Downtown Parking Overlay District, one-cycle to the September 16, 2013, city planning commission meeting.

**Recommendation of the Department of Community Planning and Economic Development:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the application for a to increase the maximum area of a new dynamic sign from 32 feet to 105 square feet for LaSalle Plaza at 19 8<sup>th</sup> Street South in the B4-2 Downtown Business District and DP Downtown Parking Overlay District, one-cycle to the September 16, 2013, city planning commission meeting.

**Attachments:**

- 1) Zoning map

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