

LAND USE APPLICATION SUMMARY

Property Location: 33 South 6th Street
Project Name: Sak's 5th Ave Off 5th Signage
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Sak's 5th Ave Off 5th
Project Contact: Steve Lawrance, SML Electrical, Inc.
Request: To allow signage for a retail use.
Required Applications:

Variance	To increase the maximum height of two wall signs from 28 feet to 41 feet.
Variance	To increase the maximum area of two projecting signs from 12 square feet to 48 square feet.

SITE DATA

Existing Zoning	B4-2 Business District NM Nicollet Mall Overlay District DP Downtown Parking Overlay District
Lot Area	207,468 square feet
Ward(s)	3; adjacent to 7
Neighborhood(s)	Downtown Minneapolis Neighborhood Association
Designated Future Land Use	Commercial
Land Use Features	Commercial Corridor (Nicollet Mall) Growth Center (Downtown) Major Retail Center (Nicollet Mall)
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	February 22, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	April 22, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. A mixed use building, City Center, is located on the subject site in the downtown core. The site occupies an entire City block and has frontage on Nicollet Mall, 6th Street, Hennepin Avenue, and 7th Street. Sak’s 5th Ave Off 5th will be located at the corner of Nicollet Mall and 6th Street South and will occupy multiple levels of the building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties are also located within the downtown core where there is a high-density mix of uses, including office, residential and retail.

PROJECT DESCRIPTION. Sak’s 5th Ave Off 5th is proposing to install signage on the building for their new retail tenant space located in the City Center at 33 South 6th Street. The attached rendering shows the complete tenant sign plan, which includes wall, projecting, and awning signs. The two walls signs would exceed the maximum height allowed and the two projecting signs would exceed the maximum area allowed. All other proposed signage complies with the sign requirements of Chapter 543 On-Premise Signs and the NM Nicollet Mall Overlay District standards for signage.

The aluminum faced wall signs would each be 120 square feet in area and internally illuminated. The maximum allowed sign height in the B4-2 and NM Overlay Districts is 28 feet. Height is measured from grade to the top of the sign. In the NM Overlay District, the provisions of Chapter 543 for increasing the height of wall signs by conditional use permit do not apply, per [section 551.950\(2\)](#). Therefore, a variance is required to increase the maximum height to 41 feet.

The projecting signs would each be 48 square feet in area and non-illuminated. They would also project less than 4 feet from the building and would be located at 28 feet above grade. The signs would consist of aluminum faces. Notwithstanding the B4 district allowance of up to 48 square feet of area for projecting signs, the NM Overlay District limits the area of projecting signs to 12 square feet, per [section 551.950\(1\)](#). Therefore, a variance is required to increase the maximum area from 12 square feet to 48 square feet.

RELATED APPROVALS.

Planning Case #	Application	Description	Action
BZZ-7095	Variances for height and area	Signage	Approved at 4/23/15 meeting of the BOA

PUBLIC COMMENTS. As of writing this report, no correspondence from the neighborhood group has been received. A letter from the Minneapolis Downtown Improvement District was received and is attached to this report. Any additional correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for 1) a variance to increase the maximum height of two wall signs from 28 feet to 41 feet and 2) a variance to increase the maximum area of two projecting signs from 12 square feet to 48 square feet based on the following findings:

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

Both variances: Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. Sak's 5th Ave Off 5th will be an anchor tenant in City Center and will occupy multiple levels. The main entrance will face the corner of Nicollet Mall and 6th Street. The proposed signs comply with all other applicable requirements. The proposed amount of signage is far less than what could be installed on each wall facing a street. The NM overlay district allows more building signage than any other district (3.5 square feet of signage for every one foot of primary building wall), but does not allow signage to be located more than 28 feet above the adjacent grade. Although a large amount of signage is allowed, there are limited options where signage can be located. To prevent covering up existing windows (ground floor windows are also required in the NM overlay district), some signs will be located on the second and third levels. The wall signs would align with the corner entrance location in a space that will not block any windows. The projecting signs are consistent with the size and location of other projecting blade signs that were previously approved for Sports Authority, Marshalls and Brooks Brothers. The size, height and orientation of the wall signs mirrors those that were installed for Sports Authority, the other ground floor anchor retail tenant, at the corner of Nicollet Mall and 7th Street. Without the variances, a unified master sign plan could not be implemented for the building.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

Both variances: Regulations governing on-premise signs are established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property, and to protect the public health, safety and welfare. The B4 Downtown Business District is established to provide an environment for retail and office activities of citywide and regional significance. The district also allows entertainment, residential and public uses which complete the mixed use character of the area. The B4 District allows the highest density office development within the downtown area. The NM Nicollet Mall Overlay District is established to preserve and encourage the pedestrian character of the Nicollet Mall area and to promote street level activity by creating a pleasant and unique pedestrian environment.

Sak's 5th Ave Off 5th will be an anchor tenant in City Center and will occupy multiple levels of the building. The main entrance will face the corner of Nicollet Mall and 6th Street. Although some variances to the sign regulations are requested, the total amount of signage proposed would be well below what is allowed. The projecting signs are consistent with the size and location of other projecting blade signs that were previously approved. The wall signs would also align with the corner entrance location in a space that will not block any windows. The signs would comply with all other applicable requirements. The request is reasonable and in keeping with the spirit and intent of the ordinance and comprehensive plan.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

Both variances: Granting the variances would have little effect on the surrounding area and would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The site is surrounded by a mix of high density uses in the downtown core. Although the wall signs are taller than encouraged for a pedestrian area, they are not the only taller signage in the immediate area. Placing the wall signs at the third floor would not

block ground floor windows, which are also important to the pedestrian environment. The projecting signs are consistent with the size and location of other projecting blade signs that were previously approved. Staff is not aware of any adverse impacts of these existing signs.

Additional Standards for Sign Adjustments

In addition, the Planning Commission shall consider, but not be limited to, the following factors when considering an adjustment to the number, type, height, area, or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown, or industrial district:

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.*

Both variances: The B4 Downtown Business District is established to provide an environment for retail and office activities of citywide and regional significance. The district also allows entertainment, residential and public uses which complete the mixed use character of the area. The B4 District allows the highest density office development within the downtown area. The NM Nicollet Mall Overlay District is established to preserve and encourage the pedestrian character of the Nicollet Mall area and to promote street level activity by creating a pleasant and unique pedestrian environment.

The total amount of signage proposed is well below what is allowed. Although the wall signs are taller than encouraged for a pedestrian area, they are not the only taller signage in the immediate area. Placing the wall signs at the third floor would not block ground floor windows, which are also important to the pedestrian environment. The projecting signs are consistent with the size and location of other projecting blade signs that were previously approved. Staff is not aware of any adverse impacts of these existing signs. Provided the master sign plan is implemented as proposed, granting the variances for a anchor tenant would not lead to sign clutter in the area or result in a sign that is inconsistent with the B4 district or the NM overlay 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.*

Both variances: The signs will relate in size, shape, material, color, illumination and character of the building and the property. Each sign would be made of aluminum. Only the wall signs would be illuminated. The primary exterior materials of the building are concrete and glass.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Sak’s 5th Ave Off 5th for the property located at 33 South 6th Street:

A. Variance to increase the maximum height of wall signs.

Recommended motion: **Approve** the variance to increase the maximum height of two wall signs from 28 feet to 41 feet, subject to the following conditions:

1. Approval of the sign permit by the Department of Community Planning and Economic Development.

B. Variance to increase the maximum area of projecting signs.

Recommended motion: **Approve** the variance to increase the maximum area of two projecting signs from 12 square feet to 48 square feet, subject to the following conditions:

1. Approval of the sign permit by the Department of Community Planning and Economic Development.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Site plan
4. Rendering
5. Sign plans
6. Photos (Please note that some of the photos of signs provided by the applicant are located in the Hennepin Entertainment District, where sign regulations are less restrictive.)
7. DID letter

Sak's 5th Ave Off 5th

3rd

NAME OF APPLICANT

WARD



PROPERTY ADDRESS
33 South 6th Street

FILE NUMBER
BZZ-7596

S.M.L. ELECTRICAL, INC.

Sign Maintenance Lighting & Electrical, Inc.
700 Tower Drive, Medina, MN 55340

February 22, 2016

Ms. Joan Bennet
Downtown Minneapolis Neighborhood Association
318 Third Street South
Minneapolis MN 55402

RE: Sak's 5th Ave (33 South Sixth Street Minneapolis MN)

Dear Ms. Joan Bennet,

This letter is to inform you that Sign Maintenance Lighting & Electrical, Inc. is seeking two variances for the signs as the new Sak's 5th Ave. on the corner of Sixth Street South and Nicollet Mall.

The variances requested are as follows:

- A) The two 7'8" x 15'4" signs to increase maximum height to 41' from the 28' allowed above grade.
- B) The two 3'2" x 15' sign to increase the square footage from 12 square feet to 48 square feet.

These four signs, including the colors, are the standard registered Sak's 5th Ave logo nationally as well as worldwide.

The two large logos are illuminated and the two blade signs are non-illuminated.

Should you have any questions or concerns feel free to contact me.

Respectfully,

Steven M. Lawrance
Sign Maintenance Lighting & Electrical, Inc.
700 Tower Dr.
Medina, MN 55340
Direct phone: 612-290-8550
Email: steve@smloutdoor.com

Variance Request for Sak's 5th Ave – Nicollet Mall

Justifications:

- 1) Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The relief that is requested in this variance application is subject to the location of the Sak's 5th Ave tenant space. The reason for this variance request is to allow the two signs to be raised to 41' above grade. This will allow traffic to safely see the signs while traveling south on Sixth Street and to make safe decisions. The signage will increase visibility for both motorist and pedestrian traffic to the presence of Sak's 5th Ave.

In addition the two projecting signs also work to serve the purpose of wayfinding for this location. The blade signs requested will be of similar material and dimensions to the signs that are currently installed for the neighboring tenants (Sports Authority, Marshalls, and Brooks Brothers) at this site. These signs highlight the character of the surrounding area and are inline to create a visual interest above the first level of windows.

- 2) The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with spirit and intent of the ordinance and the comprehensive plan.**

The use of this property will not be affected in any way by the approval of these variances.

- 3) The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

These two variance requests will not be detrimental to the general health or safety of the public. The physical character of the proposed signage will enhance the commercial viability of this area and will support the zoning classification that have been assigned to this property. The elements that are requested in this application are not out of the norm for the area and will be in-line with what others have been allowed to place on their buildings. This is a unique corner of the property where signage is warranted and will aid those seeking to visit this facility. The sign code limits the ability to properly identify this tenant.

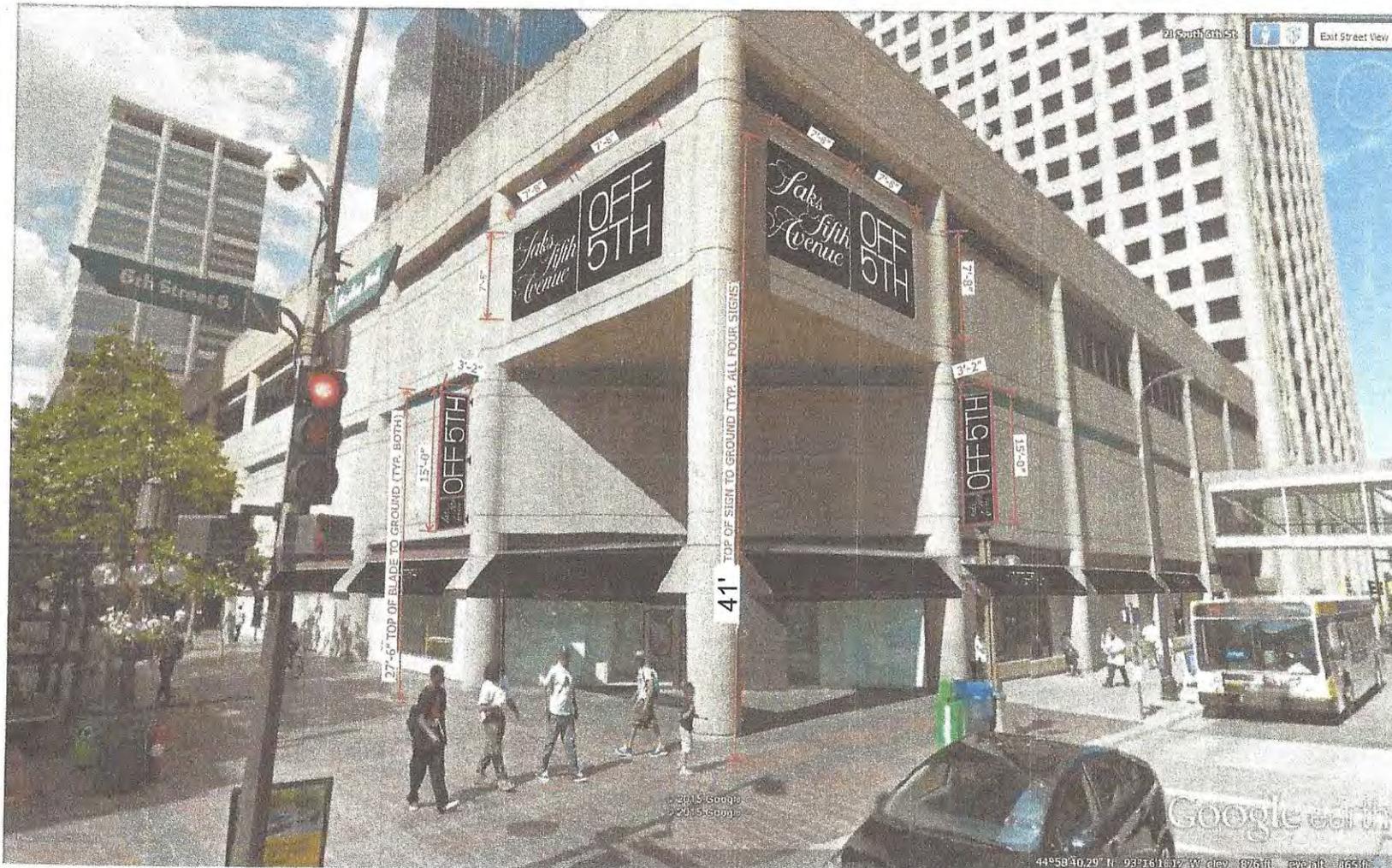
SIGN VARIANCE:

- 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 signage that is requested in the application will not project the appearance of sign clutter. The signs have been designed to create a clean, clear and concise identification of this space. The tenant space is part of the Nicollet Mall facility and Sak's 5th Ave is looking to be a strong anchor tenant for years to come. The signage package that is proposed, with the variances included, will allow for this vision to occur.

- 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 variances that are requested will allow for the proposed signage to harmonize with the character already set forth. The illumination and colors in the proposed signage are Sak's 5th Ave official corporate design and Registered Trademark worldwide. As a tenant, Sak's 5th Ave has enormous curb appeal and will draw traffic as an anchor store in the Nicollet Mall and the proposed signage, including the variances, will allow that to come to fruition.



ELEVATION PHOTO SCALE: NTS

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 818 WALCOTT COURT COLUMBUS, OH 43218
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OFF 5TH

33 6th ST SOUTH
 MINNEAPOLIS, MN 55402

CONSULTANT:
N. WASSERSTROM
 PROJECT MANAGER:
JERRY HELSEL
 DESIGNER:
DANIELLE ANGLIN

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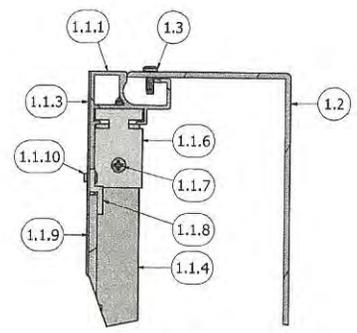
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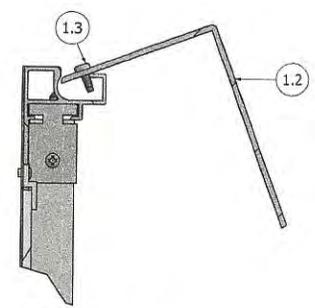


ILLUMINATED WALL SIGN **SCALE: 1/2" = 1'-0"**
 (2) TWO REQUIRED
 58.78 SQ FT

NOTE: SEAMS WILL BE REQUIRED IN FACE



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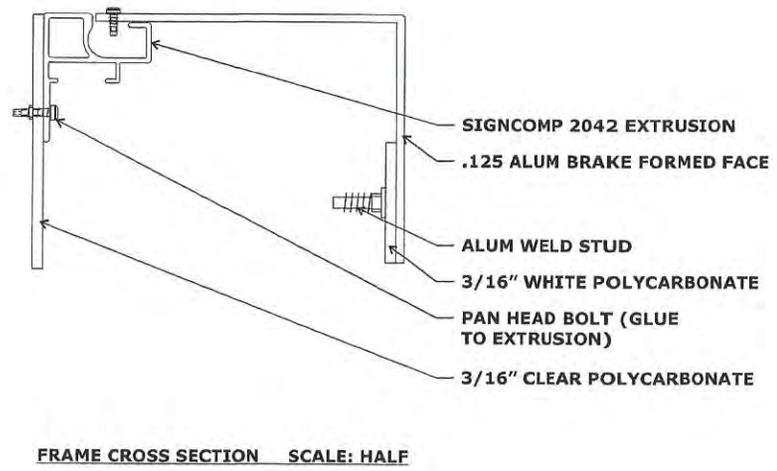
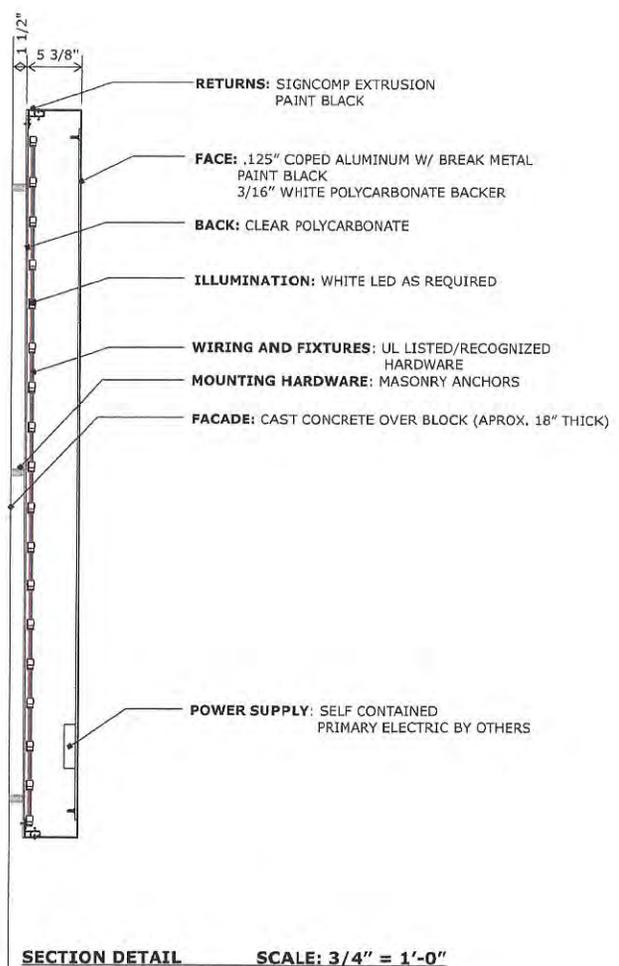
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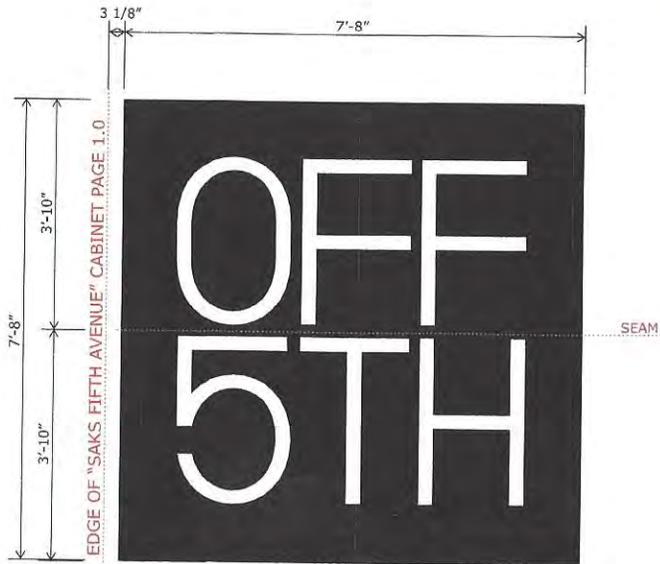
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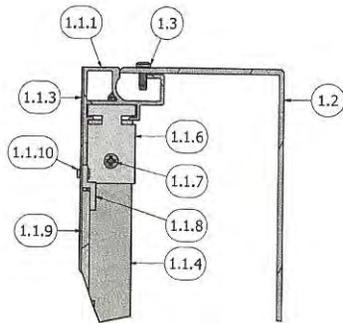


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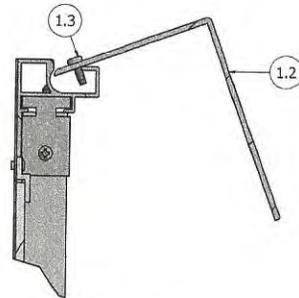
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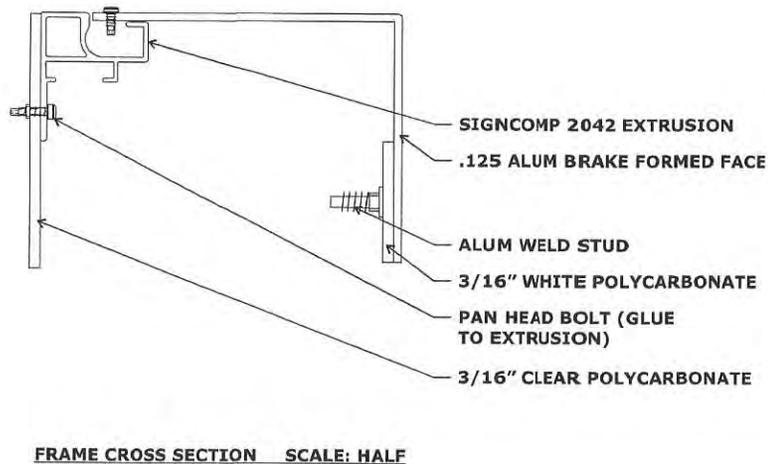
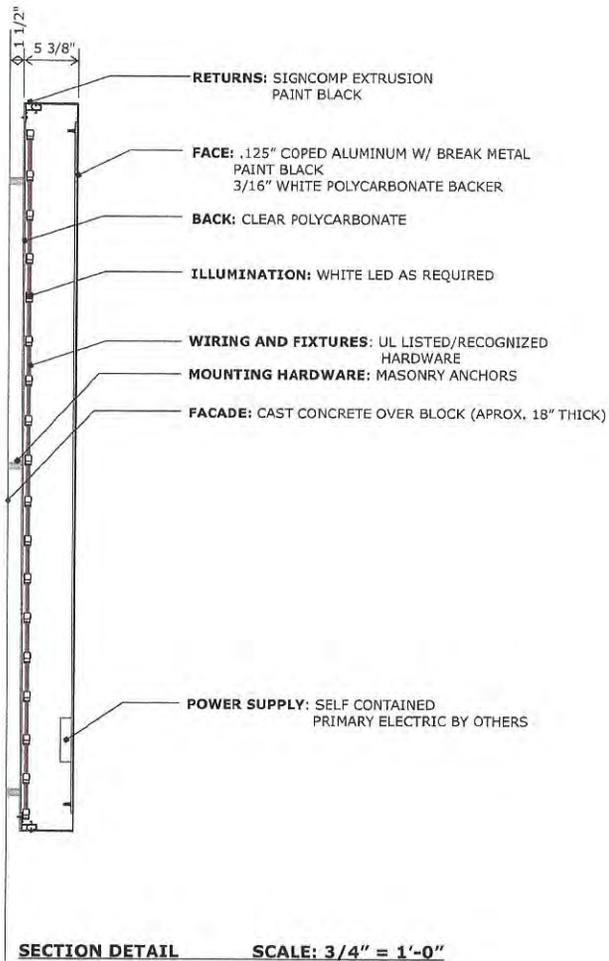
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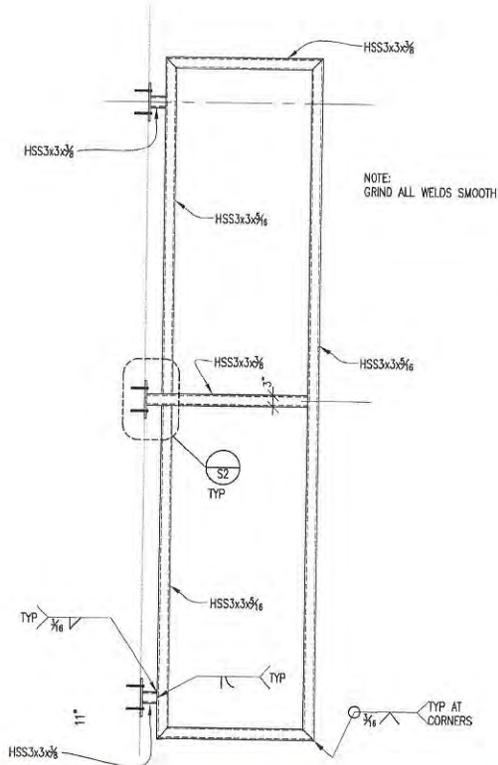
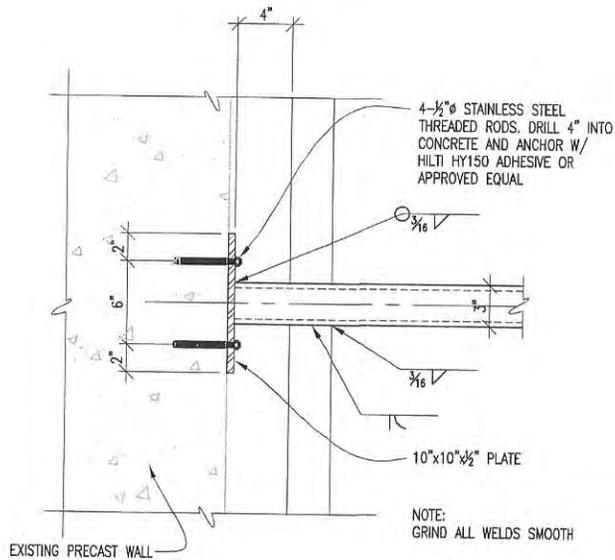
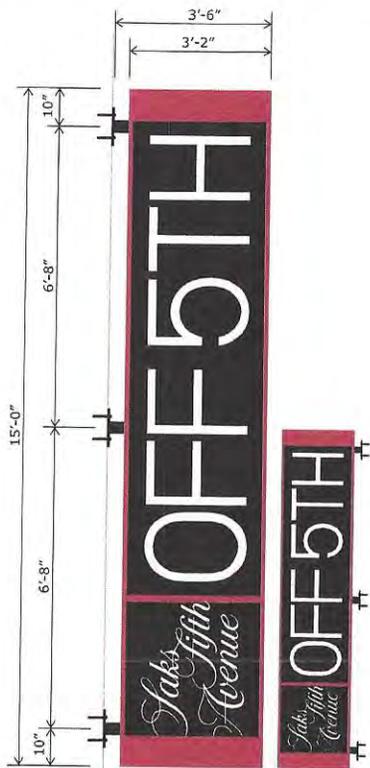
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DF NON ILLUMINATED BLADE SIGN
 (2) TWO REQUIRED
 47.50 SQ FT

SCALE: 3/8" = 1'-0"

3" SQ TUBE FRAME CONSTRUCTION W/
 .90" ALUMINUM FACES
 PAINT PMS RUBIN RED
 7725-12 BLACK PSV FIRST SURFACE
 7725-10 WHITE PSV FIRST SURFACE

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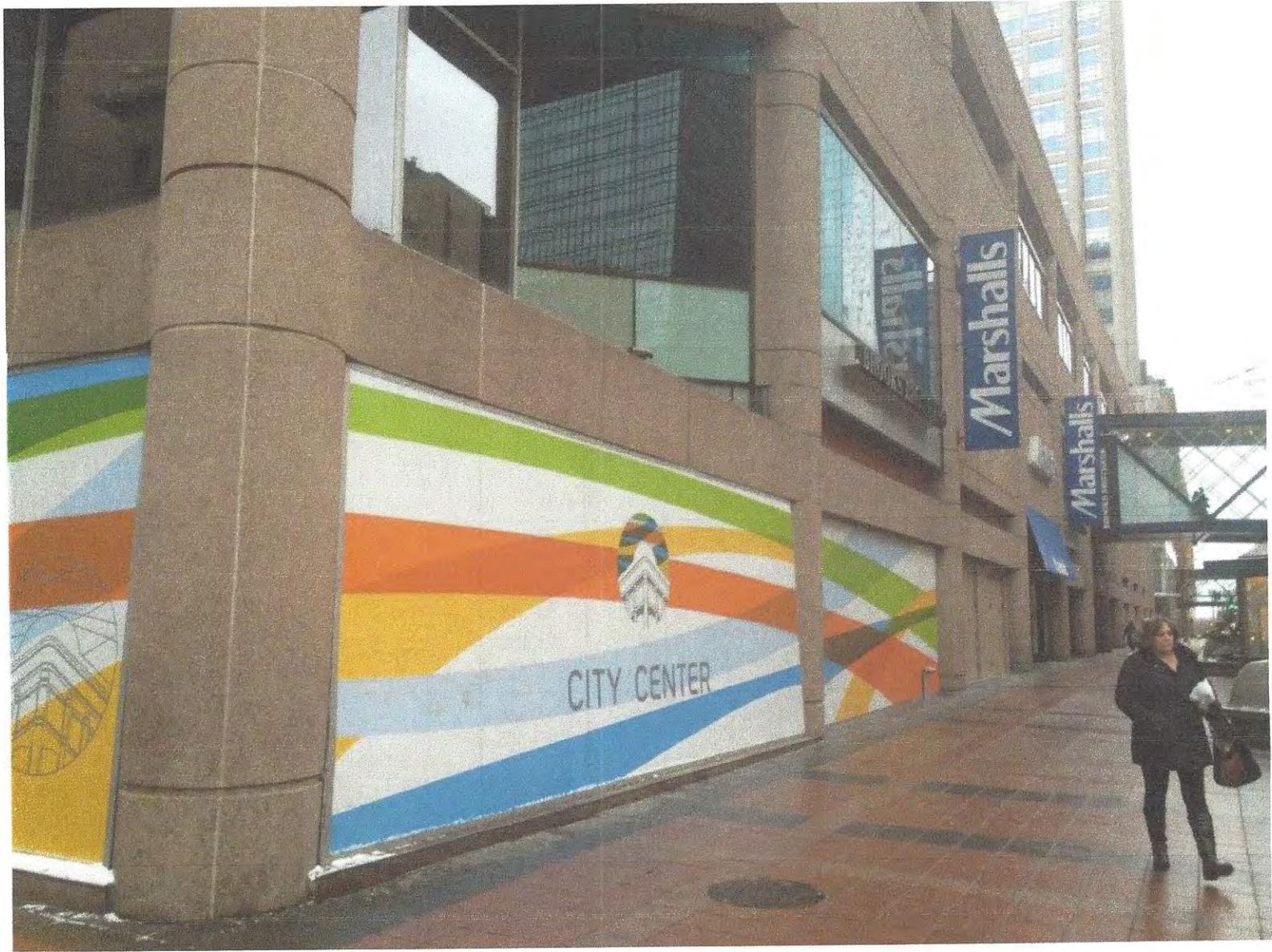
THIS DRAWING SUPERCEDES ALL OTHER DOCUMENTS PROVIDED BY OTHERS CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN. A SIGNATURE ANYWHERE ON THE DRAWING WILL BE TAKEN AS CONSENT TO PROCEED WITH FABRICATION.

CLIENT APPROVED SIGNATURE:

DATE _____

DATE: 2/11/16	DRAWING # 022052
REVISION # 8	3.0

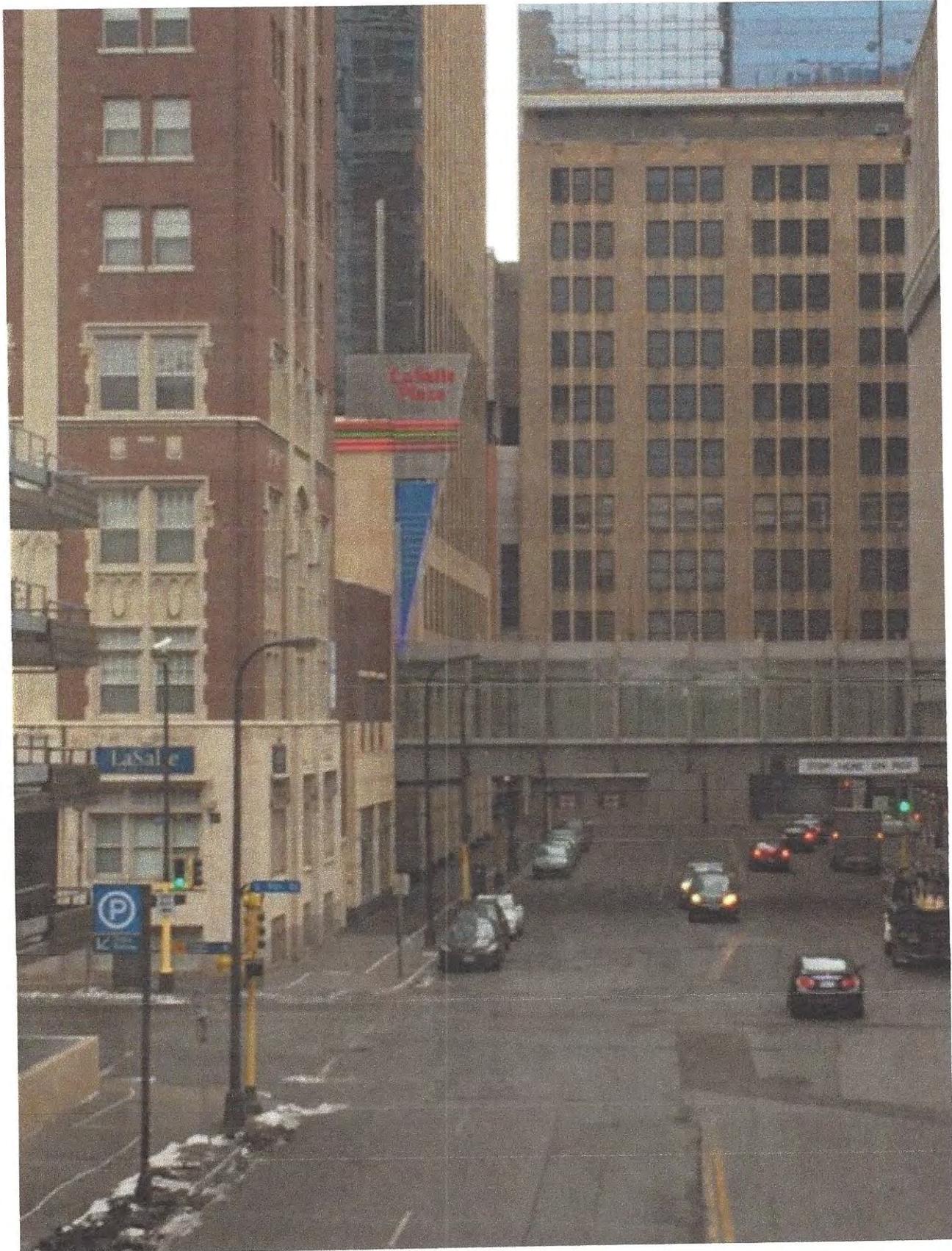




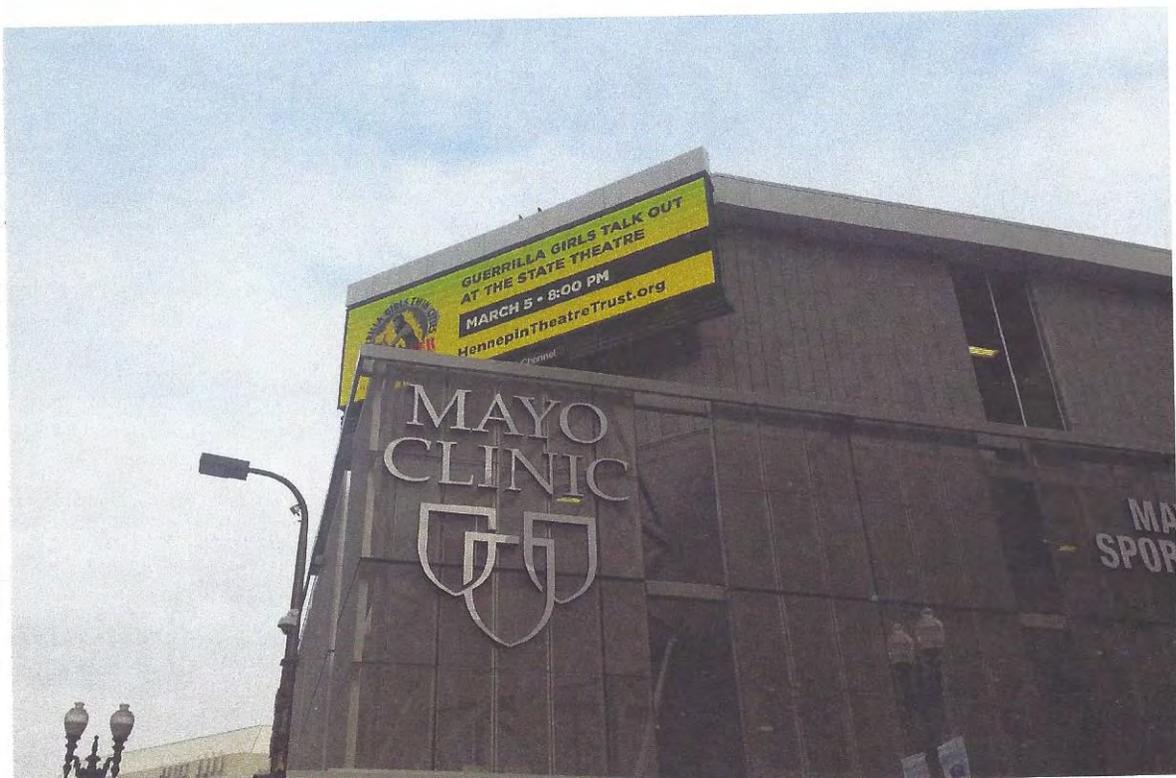














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Minneapolis Downtown Improvement District

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MinneapolisDID.com

81 South 9th Street
Suite 260
Minneapolis, MN 55402

Approval Date: December 23, 2015
REVISED: January 28, 2016

Tim Schenk
Elder-Jones Building Permit Service, Inc.
1120 E. 80th Street, Suite 211
Bloomington, MN 55420

RE: Saks OFF 5th – City Center Signage & Facade

Dear Mr. Schenk

The Minneapolis Downtown Improvement District (MDID), serving in its capacity as the Nicollet Mall Advisory Board (NMAB), has reviewed the proposed signage plans for the Saks Off 5th – City Center store and offers the following comments:

1. In general, MDID is supportive of the proposed changes to the façade including the additional transparency and the utilization of signage to create an attractive street-level entrance to the retail space. The proposed façade modifications adhere to the guidelines for the Nicollet Mall overlay district and are thus approved.
2. The proposed signage plans dated 12/22/2015 (enclosed) adhere to the guidelines for the Nicollet Mall overlay district and are thus approved as follows:
 - a. Illuminated Wall Signs: Four (4) signs; 58.78 SQ FT (7' 8" x 7' 8") each
 - b. Projecting (Blade) Signs: Two (2) signs; 47.5 SQ FT (3' 2" x 15' 0") each
 - c. Closed End Awnings: Seven (7) awnings; 20' 5" x 3' 0" each.
3. MDID is also supportive the addition of greenery near the exterior entrance but offered the following notes for consideration:
 - a. Please maintain a minimum of 4 ft. clear walkway between each planter to allow for ADA access and proper pedestrian flow.
 - b. Please consider both the pedestrian and customer experience when finalizing the placement of these planters as to not obstruct the flow of foot traffic to and from the store entrance. The 48" Madison planters may be better suited along the building wall where they will be less likely to obstruct sightlines for pedestrians and security cameras.
 - c. The planters will need to be shifted closer to the entrance during the 2016-2017 Nicollet Mall construction so they do not create obstructions or become damaged by equipment.

NMAB approvals are contingent upon the applicant securing all necessary permits and approvals from the City of Minneapolis. If you have any questions or require further action on the behalf of the Nicollet Mall Advisory Board please feel free to contact me directly at (612) 338.3807.

Best Regards,

Kathryn Reali
Chief Operating Officer, Minneapolis Downtown Improvement District

Cc: Michael Wee & Jerry Helsel