

Department of Community Planning and Economic Development – Planning Division
Variances and Site Plan Review
BZZ-3740

Date: September 17, 2007

Applicant: Urban Ventures Youth Leadership Foundation and Twin Cities Jesuit High School

Address of Property: 2924 4th Avenue South

Project Name: Colin Powell Youth Leadership Center and Cristo Rey Jesuit High School

Contact Person and Phone: Andy Harklau, Ryan Companies: (612) 492-4305

Planning Staff and Phone: Robert Clarksen, (612) 673-5877

Date Application Deemed Complete: August 17, 2007

End of 60-Day Decision Period: October 15, 2007

End of 120-Day Decision Period: Not applicable

Ward: 6 **Neighborhood Organization:** Phillips West

Existing Zoning: I1, Light Industrial

Proposed Zoning: Not applicable

Zoning Plate Number: 25

Legal Description: Lots 1-12, Block 4, Duensing's Addition to Minneapolis and Lots 1-3 and 10-12, Block 1, F.A. Parkers Addition to Minneapolis

Proposed Use: Sign for existing Community Center and School, K-12

Variance: An application to increase the maximum permitted height of on premise signage on East elevation from 24 feet to a maximum of 30 feet; and an application to increase the maximum permitted height of on premise signage on the South elevation from 24 feet to a maximum of 28 feet at 2924 4th Avenue South in the I1 zoning district.

Applicable zoning code provisions: Chapter 525, Article IX, Variances, specifically Section 525.520 (21) "to vary the number, type, height, area of location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs"

Background: The subject property consists of a newly constructed 3 story building built in 2006 as a dual use facility which houses a “Community Center” (Colin Powell Youth Leadership Center) and a “K-12 School” (Cristo Rey Jesuit High School). In 2004, the City Planning Commission approved several land use applications (BZZ 393) to permit the construction of the building which is located at 2924 4th Avenue South. The project was brought back before the City Planning Commission again in 2006 to consider several land use applications (BZZ 2869) including a rezoning of 2 parcels from R2B to I1 for a future community center, a variance to reduce setbacks in the I1 district when adjacent to residential zoning, a variance to the parking requirement for a community center, and major site plan review for the assembled development site.

In its review of the original land use applications for permission to construct the facility, the Planning Division determined the proposed signage met the standards for administrative approval and no further land use review regarding signage was required at the time. The applicant proposes to install on premise signage in two locations on the building that exceed the maximum permitted height in the I1 zoning district.

The subject site is improved with an “L” shaped building adjacent to both Clinton Avenue and 29th Street on the westerly and northerly sides of the property and separated from 4th Avenue on the East side by a storm water retention pond and the accessory surface parking lot that serves the facility. The applicant proposes a wall sign intended to identify the “Cristo Rey Jesuit High School” a maximum of 32 feet high on the East (4th Avenue side) elevation. A second wall sign to identify the “Colin Powell Youth Leadership Center” would be installed a maximum of 30 feet high on the South (parking lot) elevation. Each of the proposed signs will consist of individual mounted fabricated metal letters lit by external flood lights mounted on canopies and directed to shine against the signage. The signs are each different shapes, but both comply with the area allotment for the building, and the applicant indicates no other signs will be constructed on the building.

Signs are subject to the regulations of Chapter 543 of the Zoning Code. The I2 district allows one square foot of signage for every linear foot of wall on the zoning lot (except 1.5 square feet is permitted if there is not a freestanding sign) subject to 180 square feet maximum area and 24 feet maximum height.

Findings as Required by the Minneapolis Zoning Code for the Variance:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Permitted height of signage on East and South building elevations: The applicant is seeking a variance to increase the maximum permitted height of two signs to be installed on the existing building in excess of the 24 foot requirement per the I1 zoning district. Plans submitted to staff show both the proposed location of the desired signs as well as the signs that would be permitted as of right in the I1 zoning district. The applicant stated a desire to “draw interest of local youth in the Phillips West neighborhood” as well as visibility of the signage from Lake Street and 4th Avenue among reasons for the request. Staff review of the plans included consideration for the location of the building on the

property, the location of accessory parking, and the required landscaping on site, as well as lines of visibility to the building from these locations.

The proposed signage and the permitted signage are compatible with the building façade. However, the issue is in regards to height rather than overall size, number, or relative clutter of the proposed signs. Planning Staff believes adherence to the regulations of the zoning ordinance will allow for the applicant to reasonably identify the use with signage that meets the ordinance. It is possible that any wall sign placed on the building would not be visible from Lake Street. The applicant has the option of constructing a monument sign compliant with chapter 543 near the southerly corner of the parking lot.

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.

Permitted height of signage on East and South building elevations: The Planning Division believes that reasonable use of the property exists for this request. Further, the circumstances identified by the applicant do not appear to be unique to the parcel. The elevation plans submitted by the applicant include canopy signage (14 feet to grade) which meets the height requirement. Staff believes the permitted signage will identify the nature of the uses on site in a manner which affords the visibility the applicant desires while complying with chapter 543. The design of the building and the incorporation of a glass façade with windows that make it impractical to place signage in a location that is higher on the building but still complies with the 24 foot height requirement are significant issues, but other alternatives exist for signage that provide the visibility desired by the applicant. It is possible that any wall sign placed on the building would not be visible from Lake Street. The applicant has the option of constructing a monument sign compliant with chapter 543 near the southerly corner of the parking lot.

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.

Permitted height of signage on East and South building elevations: The proposed signage is proportionate to the building elevations for the subject property. However, the Planning Division is concerned there may be reasonable alternatives to the signage proposed by the applicant, and the granting of the variance may not be consistent with the the purpose of the sign regulations of the zoning code, which are intended to ensure signage is limited to a height reflective of the pedestrian character of the area.

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.

Permitted height of signage on East and South building elevations: The Planning Division believes that the granting the variance will have a negligible effect on the congestion of area streets. Denial of the

variance may lead to an alternative proposal that results in better visibility than what could be provided by wall signs which could decrease any potential effects on congestion and public safety.

SIGN ADJUSTMENT - 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 may be approved if the following criteria are met:

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 code in which the property is located.

The proposed signage will not result in significant sign clutter. The applicant is seeking a variance to increase the maximum permitted height of signs from 24 feet to a maximum of 32 feet in the I1 zoning district. The elevations submitted by the applicant include canopy signs (14 feet to grade) which meet the height requirement.

The design of the building may render installation of permitted signage higher on the East elevation impractical, but other alternatives for signage exist that may provide visibility from Lake Street and 4th Avenue. For instance, the applicant has the option of constructing a monument sign near the southerly corner of the parking lot. Additionally, it would be possible to lower the proposed signage on the south elevation. If the variance is approved, sign clutter could result from future installation of other signs that comply with chapter 543.

2. The sign adjustment will allow a sign of exceptional design or style that will enhance the area that is more consistent with the architecture and design of the site.

The proposed signs consist of externally illuminated individually mounted metal letters. The proposed signs are consistent with the architecture of the building, and reflect the design of the site. The applicant has applied for a variance to increase the height of two wall signs citing issues of visibility from Lake Street and 4th Avenue.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application to increase the maximum permitted height of on premise signage on East elevation 24 feet to a maximum of 30 feet at 2924 4th Avenue South in the I1 zoning district.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

Department of Community Planning and Economic Development – Planning Division
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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application to increase the maximum permitted height of on premise signage on the South elevation from 24 feet to a maximum of 28 feet at 2924 4th Avenue South in the I1 zoning district.

Attachments:

1. Description of project
2. Variance findings (see attachment #1)
3. August 13, 2007 messages to Council Member Lilligren and Crystal Trutnau at Phillips West
4. Zoning Map
7. Aerial Photo
8. Site Plan
9. Elevation Plan
10. Sign Plan
11. Photographs of the site and surrounding area