

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit  
BZZ-2560

**Date:** September 19, 2005

**Applicant:** Ryan Companies US, Inc.

**Address of Property:** 826 East Lake Street, 1010 East Lake Street, 2935 10<sup>th</sup> Avenue South and 2843 Elliot Avenue South

**Project Name:** Midtown Exchange

**Contact Person and Phone:** Mike Ernst, (612) 492-4256

**Planning Staff and Phone:** Hilary Watson (612) 673-2639

**Date Application Deemed Complete:** August 16, 2005

**End of 60 Day Decision Period:** October 15, 2005

**End of 120 Day Decision Period:** Not applicable

**Ward: 8 Neighborhood Organizations:** Central Neighborhood Improvement Association, Midtown Phillips, Powderhorn Park Neighborhood Association, Phillips West Neighborhood

**Existing Zoning:** C3A, Community Activity Center District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 26

**Legal Description:** Not applicable for this application

**Proposed Use:** Planned Commercial Development, specifically adding signage to the development

**Concurrent Review:**

**Modification to the previously approved conditional use permit:** for a Planned Commercial Development to add signage to the building and the site

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits.

**Background:** In May of 2005, the City Planning Commission approved a number of land use applications associated with the Midtown Exchange development. Those applications included approvals for the 1928 building and the associated parking ramp and surface parking lots, the hotel development and the PPL housing development. Since the approvals, the applicant has developed a

master sign plan. The applicant is proposing to install four freestanding signs on the site, canopy and/or awning signs, projecting signs and several wall signs. The number and amount of signage exceeds what is allowed by the zoning code. As part of a Planned Commercial Development, master sign plans may be reviewed and approved by the City Planning Commission.

Please note that the rooftop mounted signs shown on the plans are not part of the master sign plan that is being considered as part of this application. The zoning code prohibits roof mounted signs and therefore cannot be approved as part of this application. In order to install the roof mounted signs the applicant needs to obtain a historic variance from the Heritage Preservation Commission to allow rooftop mounted signs and to allow the additional amount of signage on the building. In order to do this the building first needs to be locally designated, which the applicant is in the process of applying for.

**CONDITIONAL USE PERMIT** - modification to the previously approved conditional use permit for a Planned Commercial Development to add signage to the building and the site

**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 above 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 Planning Division does not believe that the proposed master sign plan for the planned commercial development will be detrimental to or endanger the public health, safety or general welfare. The site is over eight acres in size and the building is over one million square feet. This development can support the amount of signage that is proposed.

**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 Planning Division does not believe that the proposed master sign plan for the planned commercial development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. Again, the size of the size and the building can support the amount of signage that is proposed.

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

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

Adding signage to the building should have no impact on the amount of traffic coming to and from the site.

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

According to the *Minneapolis Plan*, East Lake Street is a designated Commercial Corridor and Chicago Avenue South is a designated Community Corridor. This site is also located in a designated Major Housing Site. According to the Principles and Policies outlined in the *Minneapolis Plan*, the following apply to this proposal:

- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment (Policy 9.6).
- Protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses (Policy 9.14)
- Use the site plan review process to ensure that lighting and signage associated with non-residential uses do not create negative impacts for residentially zoned property (Implementation Step for Policy 9.14).

The Planning Division believes that the proposed master sign plan is in compliance with the above policies of the *Minneapolis Plan*. Given the size of the site and the scale of the building the amount of signage that is proposed is appropriate.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

**Exceptions to Zoning Ordinance Standards:** Chapter 527, Planned Unit Development authorizes the City Planning Commission to approve exceptions to the zoning regulations that are applicable to the zoning district in which the development is located. This may be done only upon finding that the Planned Unit Development includes adequate site amenities to address any adverse effects of the exception.

**Placement of Structures:** No change as a result of this application.

**Bulk Regulations:**

**Floor Area:** No change as a result of this application.

**Building Height:** No change as a result of this application.

**Lot Requirements:**

**Generally:** No change as a result of this application.

**Density Bonus:** No change as a result of this application.

**Yards:** No change as a result of this application.

**On-Premise Signs:** In the C3A District one can have one-and-a-half square feet of signage for every one foot of primary building wall unless there is a freestanding sign on the zoning lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size, except wall signs for retail sales and services uses are limited to 45 square feet in size. Projecting signs are limited to 45 square feet in size. There is no height limitation for either wall signs or projecting signs. Freestanding signs are limited to 80 square feet and can be no taller than 25 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one.

For purposes of this application the site is being divided into two zoning lots. The 1928 building and the transit stations are located on one zoning lot and the parking ramp and Family Dollar Store are located on another zoning lot.

- 1928 building: On the 1928 lot there are two freestanding signs on the site where only one is allowed by the zoning code. An exception is needed to allow two freestanding signs on the lot. The 1928 building has three primary building walls; the west, south and east. Because there are two freestanding signs on the site only one square foot of signage is allowed for every one foot of primary building wall. The west building wall is 710 feet long. The applicant is proposing to have 405.3 square feet of signage. The south building wall is 125 feet long. The applicant is proposing to have 146.6 square feet of signage. The east building wall is 695 feet long. The applicant is proposing to have 133.9 square feet of signage. An exception is needed to allow 21.6 square feet more signage on the south building wall.
- Transit stations: The transit stations are located on the same zoning lot as the 1928 building. Therefore, because there are two freestanding signs on the site only one square foot of signage is allowed for every one foot of primary building wall. There are two transit stations located on the site. Both are located along Chicago Avenue South. One is located on the south side of the entrance drive and one is located on the north side of the entrance drive. They are exactly the same size as one another. The south and north walls are both 73 feet in length and on both walls of both transit shelters the applicant is proposing to have 85 square feet of signage. An exception is needed to allow 12 square feet more signage on both the south and north building walls of both shelters.
- Parking ramp and Family Dollar Store: On the parking ramp and Family Dollar Store lot there are two freestanding signs on the site where only one is allowed by the zoning code. An exception is needed to allow two freestanding signs on the lot. The parking ramp and Family Dollar Store have three primary building walls; the west, south and east. Because there are two freestanding signs on the site only one square foot of signage is allowed for every one foot of primary building wall. The west building wall is 522 feet long. The applicant is proposing to have 46.9 square feet of signage. The south building wall is 266 feet long. The applicant is proposing to have 71.1 square feet of signage. The east building wall is 169 feet long. The applicant is proposing to have 47.8 square feet of signage. Please note that in this case the length of the primary building wall is calculated using the length of the parking ramp and the Family Dollar Store building combined.

**Off-Street Parking and Loading:** No change as a result of this application.

## **RECOMMENDATIONS**

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the modification to the previously approved conditional use permit for a Planned Commercial Development to add signage to the building and the site located at 826 East Lake Street, 1010 East Lake Street, 2935 10<sup>th</sup> Avenue South and 2843 Elliot Avenue South.

### **Attachments:**

1. Conditional use permit findings
2. Master sign plan information
3. August 10, 2005, letter to Council Member Lilligren
4. August 10, 2005, letter to the Central Neighborhood Improvement Association, Midtown Phillips, Powderhorn Park Neighborhood Association and the Phillips West Neighborhood
5. Zoning Map
6. Photos of the site