

LAND USE APPLICATION SUMMARY

Property Location: 815 6th Street South
Project Name: Variance for the relocation of off-premise advertising
Prepared By: Andrew Liska, City Planner, 612.673.2264
Applicant: Stadium Partners LLC – Jon Bruntjen
Project Contact: Clear Channel Outdoor, Inc - Matt Weiland
Request: To relocate an existing non-conforming billboard.
Required Applications:

Variance	To vary the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow the relocation of an existing off-premise advertising sign of the same or less square footage, where removal of the sign is necessary to allow a development that includes not less than thirty (30) housing units that meet the definition of affordable housing, or to allow a mixed-income development of not less than thirty (30) housing units that receives city financial assistance, or to allow a capital improvement project of a governmental agency.
-----------------	--

SITE DATA

Existing Zoning	B4N, DP
Lot Area	9,049 square feet
Ward(s)	13
Neighborhood(s)	Elliot
Designated Future Land Use	Public/Institutional
Land Use Features	NA
Small Area Plan(s)	Elliot Park Neighborhood Master Plan; Downtown East/North Loop Neighborhood Master Plan

Date Application Deemed Complete	July 19, 2016	Date Extension Letter Sent	NA
End of 60-Day Decision Period	September 17, 2016	End of 120-Day Decision Period	NA

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is a flat surface parking lot. It is approximately 79 feet by 114 feet totaling 9,049 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. On this block of 6th Street South, Hubert's occupies the northwest corner, First Covenant Church occupies the southwest corner, and the remainder of the site is surface parking. Two billboards exist along 6th Street South, one billboard projects over Hubert's and is oriented towards Chicago Avenue and the second billboard is on the northeast corner parcel oriented towards 6th Street South. The existing billboards are 10.5 feet by 36 feet are 40 feet tall and are both double faced.

US Bank Stadium is located across the street and the Viking ship video board is also in close proximity.

PROJECT DESCRIPTION. Stadium Partners, LLC, owns the two corner parcels on 6th Street South and one billboard is located on each parcel. As a part of a parcel assembly needed for an affordable housing development¹, Stadium Partners LLC and First Covenant Church have agreed to a land swap. Stadium Partners LLC would transfer the corner parcel to First Covenant Church and in return, would receive a newly created parcel adjacent to Hubert's. As a part of this land swap, Stadium Partners LLC is seeking to relocate the billboard on the corner parcel to the parcel adjacent to Hubert's, a distance of approximately 128 feet. The proposed billboard location is oriented towards 6th Street South. While this area is within the Downtown Opportunity Billboard District, the proposed relocation of the billboard requires a variance as free standing billboards are not permitted, the spacing requirement is not met, and the overall size of the billboard exceeds the maximums permitted by Code.

The proposed billboard relocation would be the same height and the same size, however; would be a single faced sign. In the Downtown Opportunity Billboard District, the spacing requirement calls for 1,000 feet between off-premise signs on the same side of the roadway and any off-premise sign exceeding 300 square feet must have street frontage of at least 100 feet.

The proposed relocated billboard would be approximately 50 feet from the billboard that projects over Hubert's and the width of street frontage for this parcel is just less than 80 feet. The proposed relocation requires the variance to both of these standards.

PUBLIC COMMENTS. As of writing this staff report, staff has not received any correspondence from the Elliot Park Neighborhood Association.

ANALYSIS

¹ The proposed housing meets the criteria as required in the enumerated variance that allows this variance request.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of Chapter 525, Article IX Variances, specifically Section 525.520(27) “To vary the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow the relocation of an existing off-premise advertising sign of the same or less square footage, where removal of the sign is necessary to allow a development that includes not less than thirty (30) housing units that meet the definition of affordable housing, or to allow a mixed-income development of not less than thirty (30) housing units that receives city financial assistance, or to allow a capital improvement project of a governmental agency, 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.*

The circumstance upon which the variance is requested is unique to the parcel of land due to the existing, legal non-conforming billboard combined with the proposed land swap agreement associated with the proposed affordable housing development.

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.*

The applicant is proposing to use the property in a reasonable matter. The intent of the ordinance authorizing this variance is to encourage affordable housing development by allowing non-conforming signage to be altered and relocated through the variance process. The intent is to not take away any non-conforming rights but rather, to authorize the elimination of a particular barrier to the development of affordable housing.

This proposal seeks to relocate the billboard to a location that works for both parties. Without this variance, land swap may seem less appealing and could result in an odd development built around an existing, legal non-conforming billboard. Such a development would not be the intent of the Code.

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.*

The proposed relocation of the billboard will be in the same view shed as the exiting billboard and thus, will not alter the essential character of the area. The billboard will have some impact on views to and from the proposed affordable housing development; however, the Zoning Code does not protect these views. There would be no detrimental impact to health, safety, or welfare of the general public with the proposed variance. The applicant has stated that they are willing to work with the development in terms of the back of the sign that some of the affordable housing units would be able to see. This has been added as a condition of approval.

FINDINGS REQUIRED BY THE MINNEAPOLIS CODE FOR SIGN VARIANCES

In addition, the Zoning Board of Adjustment shall consider, but not limited to the following factors when considering a sign variance request:

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 existing billboards are already in the same view shed. Relocating this billboard 128 feet would not significantly increase or lead to sign clutter. The existing billboard over Hubert's is oriented towards Chicago Avenue and the proposed relocated billboard is oriented towards 6th Street South. As proposed, the relocation of the billboard to this parcel is consistent with the zoning 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.*

The sign adjustment will relate to the character of the area. Across the street from the proposed relocation of the billboard is US Bank Stadium. The stadium site has lighting on the structure itself as well as large video boards present both on the structure and free standing on the Viking ship sail.

The proposed relocation of the sign 128 feet will relate to the character and function of the property.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Matt Weiland with Clear Channel Outdoor, Inc for the property located at 815 6th Street South:

- A. Variance to the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow a development that includes not less than thirty (30) housing units of affordable housing.**

Recommended motion: **Approve** the application, subject to the following conditions:

1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by August 25, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The applicant shall work with staff and the developer of the affordable housing project in minimizing the negative impacts of the sign on the structure.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Survey
4. Site plan
5. Aerial photo location map
6. Block redevelopment site plan
7. Streetscape demonstration
8. Billboard construction plans
9. Photos
10. Correspondence

Clearchannel Outdoor

6th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS
815 6th St S

FILE NUMBER
BZZ-7822

Stadium Partners LLC and First Covenant Church Mpls worked very cooperatively to execute a land swap agreement that will allow a major redevelopment of the block by both parties. This is a key block located across from the new US Bank Stadium. The variance to relocate the billboard is a major part of the overall block redevelopment plan and will not alter the essential character of the locality.

Variance Statements:

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.

Practical difficulties exist in complying with the ordinance because of the billboard is non-conforming and cannot be relocated to the adjoining parcel without a variance. The required land swap on the property does create unique circumstances to the property.

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.

The relocation of the billboard is a reasonable use for the property. Off Premise advertising billboards are a permitted use on this property.

2. 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.

The relocated billboard will be in the same approximate view shed as the existing billboard, so it will not alter the essential character of the locality. The relocated billboard will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Additional Standards for a Sign Variance

In addition, In addition, the following findings must be addressed if applying for a 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.

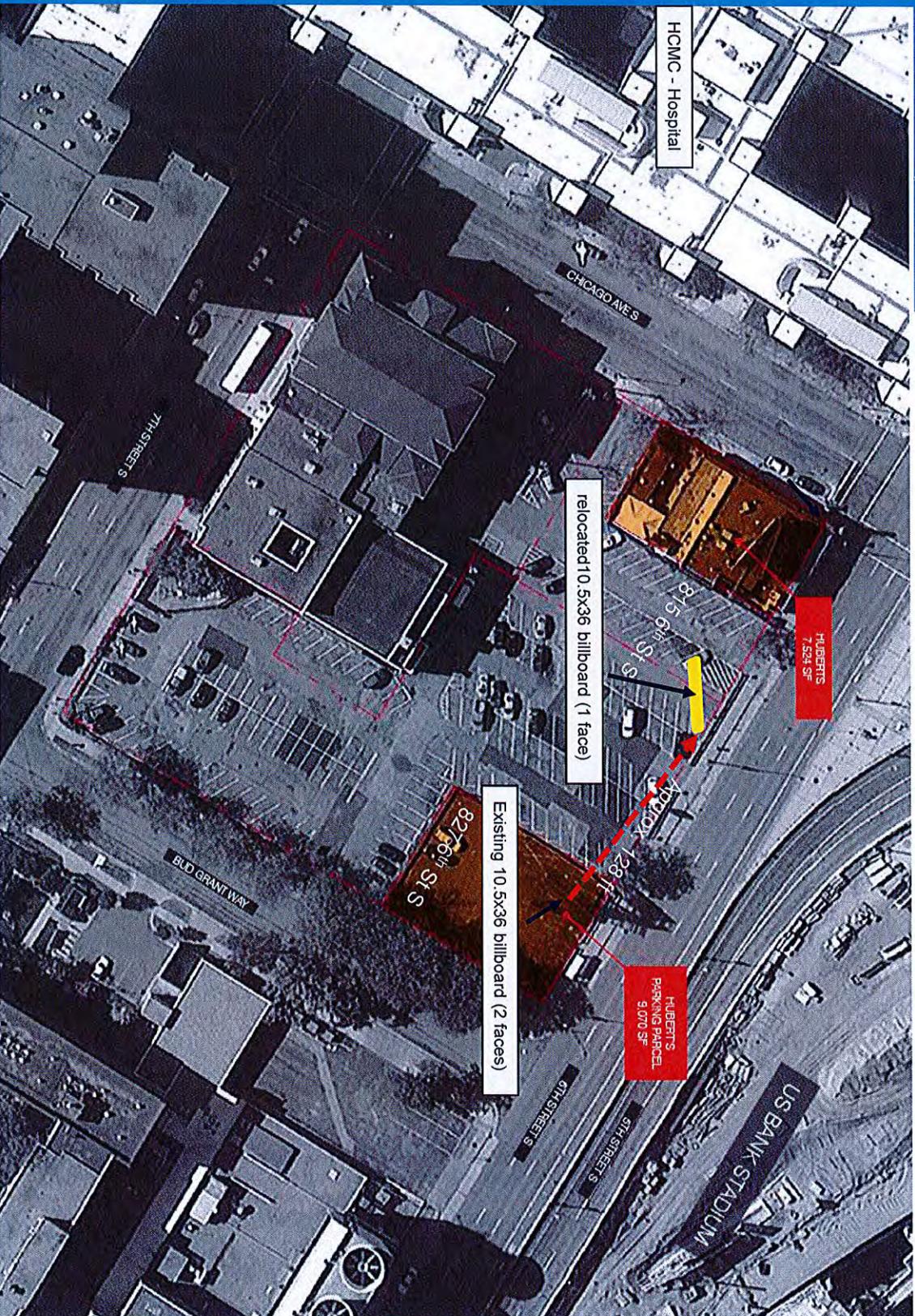
The relocated billboard will be in the same approximate view shed as the existing billboard. Off premise billboards are a permitted use in this zoning district. The relocated billboard is being rebuilt at less total sq. footage than the existing billboard, so

granting the variance would not lead to sign clutter in the area or result in a sign that is inconsistent with the district.

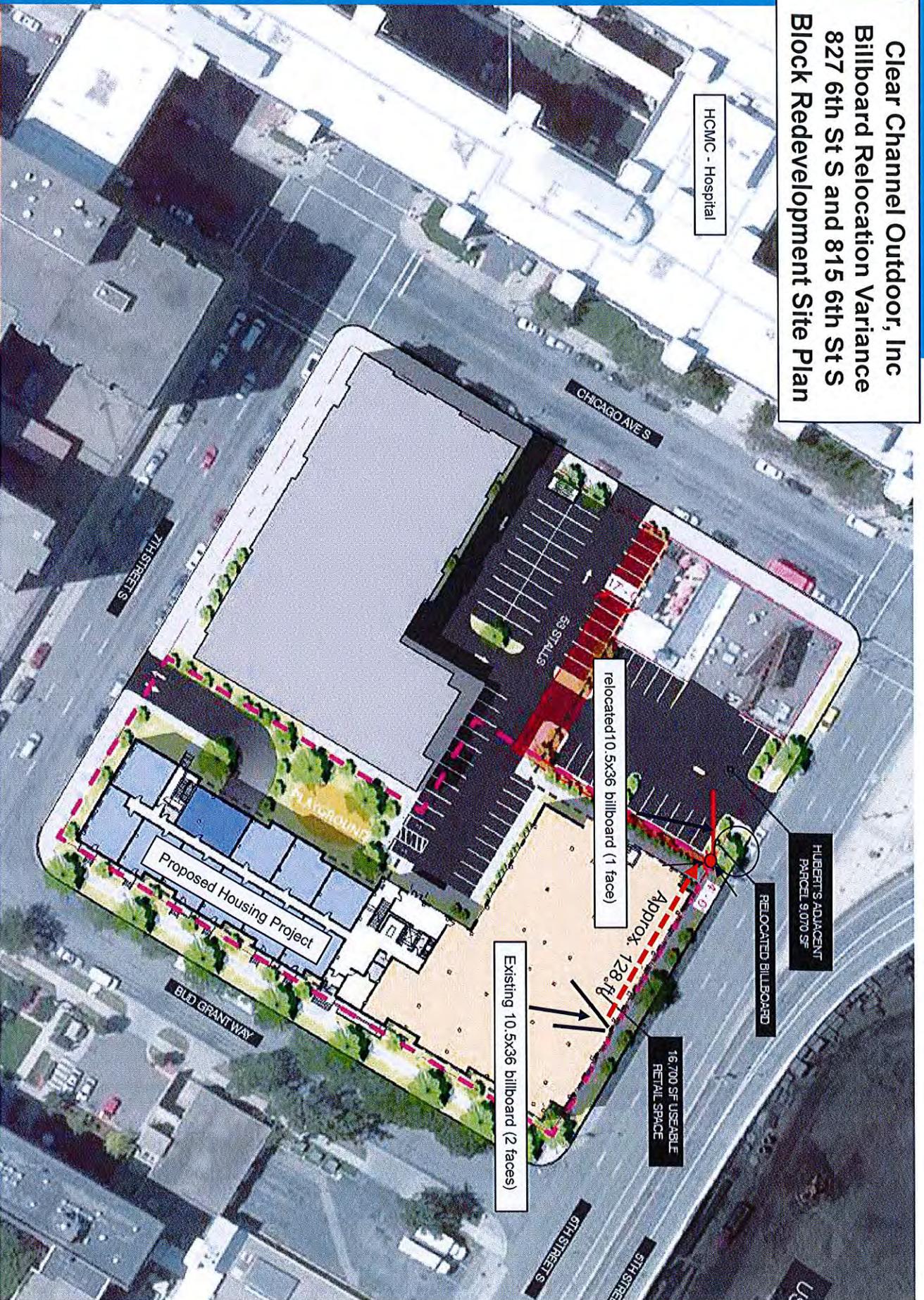
2. The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.

The relocated billboard will complement the new buildings on the block and add creativity and vibrancy to the block.

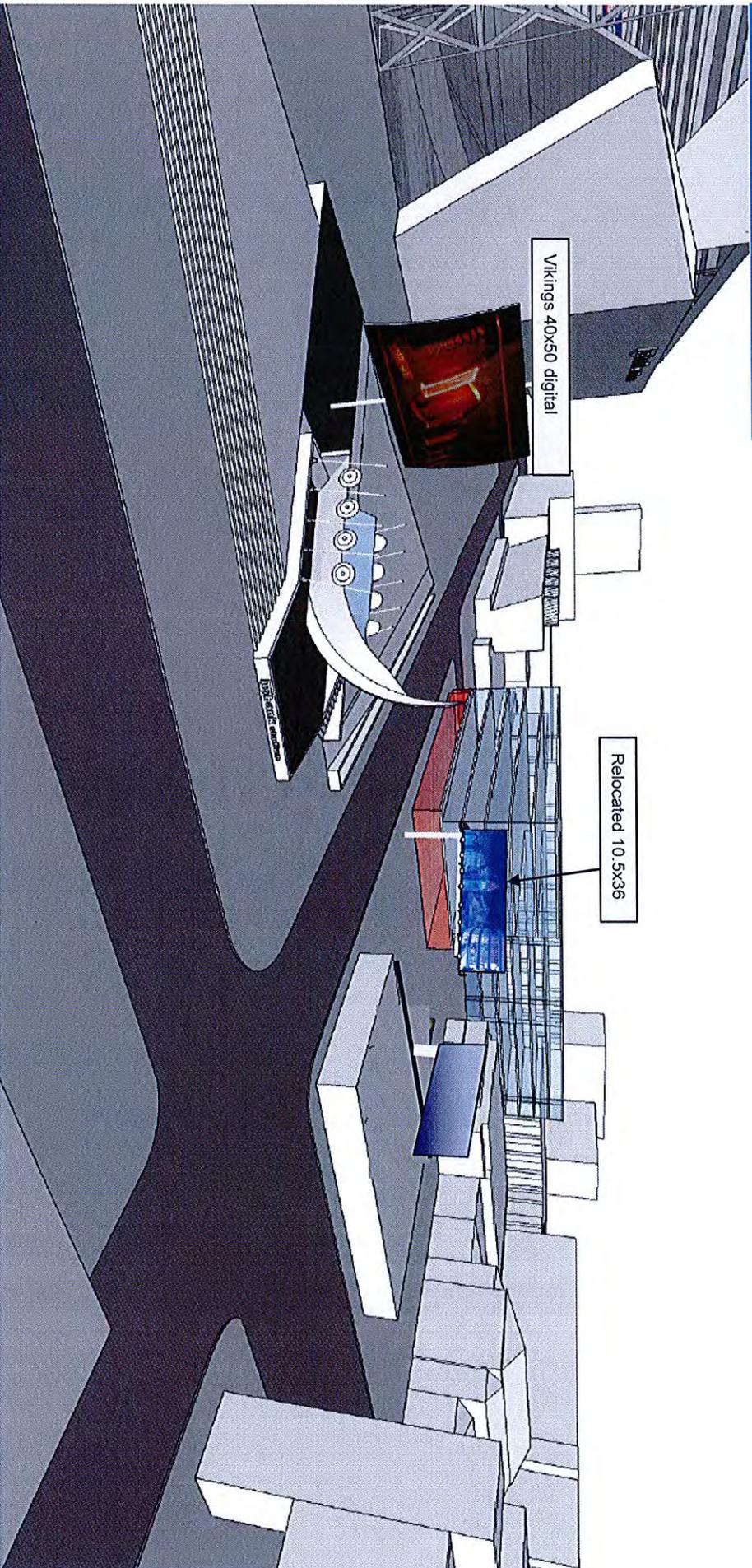
Clear Channel Outdoor, Inc
Billboard Relocation Variance
827 6th St S and 815 6th St S
Location Map



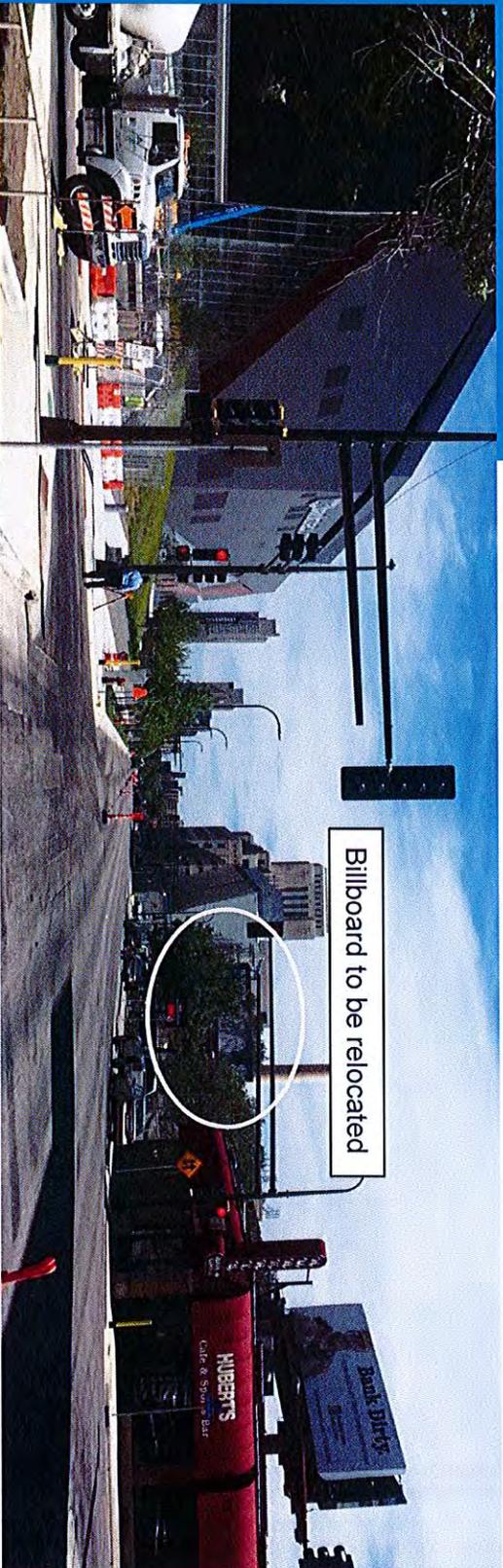
Clear Channel Outdoor, Inc
Billboard Relocation Variance
827 6th St S and 815 6th St S
Block Redevelopment Site Plan



Clear Channel Outdoor, Inc
Billboard Relocation Variance
827 6th St S and 815 6th St S
Site Plan

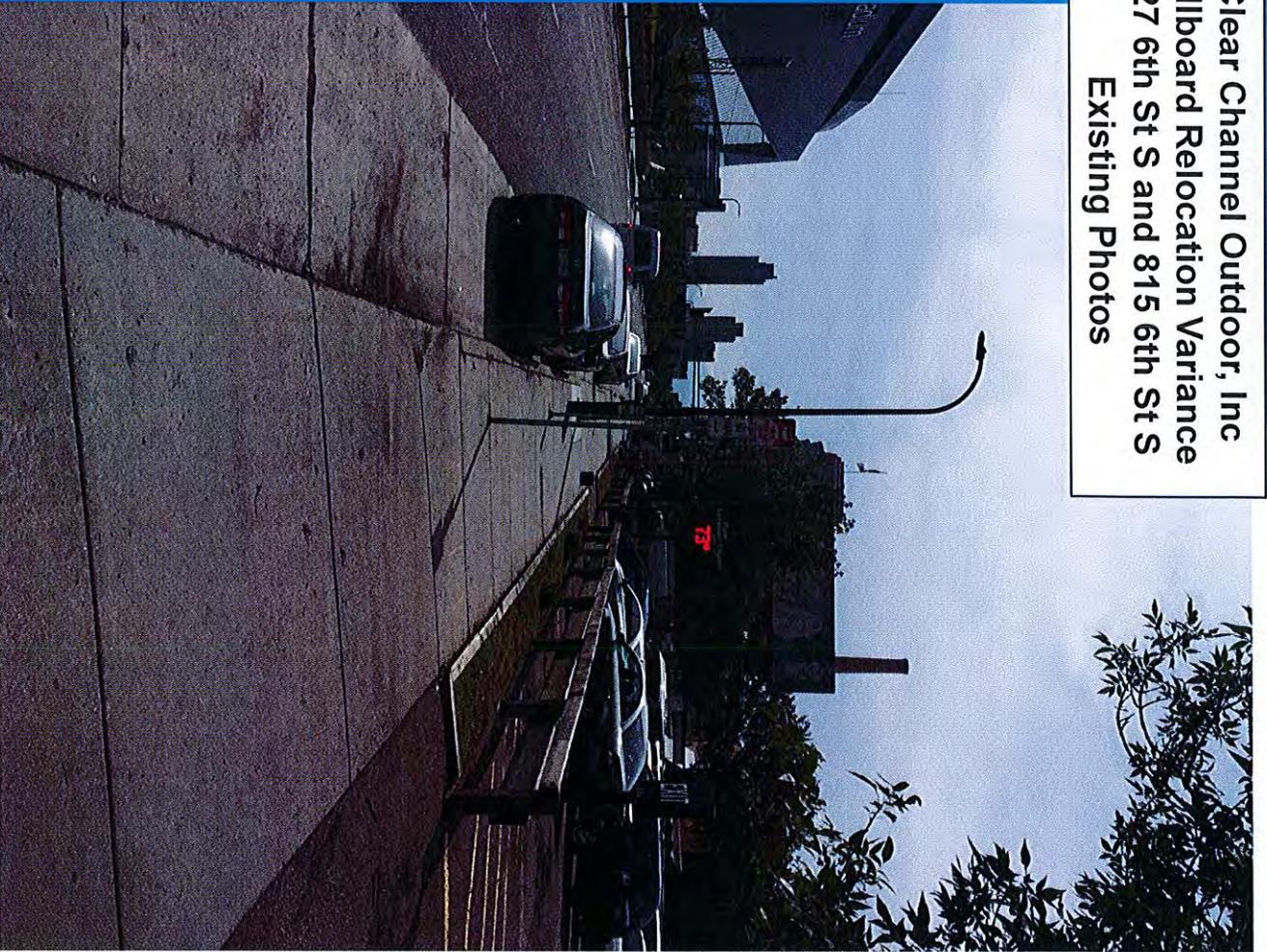


Clear Channel Outdoor, Inc
Billboard Relocation Variance
827 6th St S and 815 6th St S
Existing Photos



1.
VIEW FROM NORTHEAST

Clear Channel Outdoor, Inc
Billboard Relocation Variance
827 6th St S and 815 6th St S
Existing Photos





Wednesday, August 10, 2016

Andrew Liska
City Planner – Zoning Administration
Minneapolis Community Planning and Economic Development
250 South Fourth Street, Room 300
Minneapolis, MN 55415

Dear Andrew,

Clear Channel Outdoor and Stadium Partners, LLC have made several sign relocation proposal presentations to the development leadership team for the First Covenant Church site that includes Community Housing Development Corporation, Ryan Construction Companies, and First Covenant Church. The purpose of their proposals was to facilitate relocating an advertising sign that was impacted by a land swap executed between Stadium Partners, LLC and First Covenant Church in order to better mass the site for building the proposed affordable housing project.

The purpose of this letter is to support the signage relocation plan as presented by Clear Channel Outdoor to the City of Minneapolis that requests a relocation variance. We support this request for two reasons. First, because the new block massing and layout is a vast improvement of aesthetics and proportionality. Second, because of the City of Minneapolis Variance Code 525.520-Authorized Variances, number (27) which states:

525.520. - Authorized variances.

Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment, city planning commission, or city council only in accordance with the requirements of section 525.500, and may be granted only in the following instances, and in no others:

- (27) To vary the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow the relocation of an existing off-premise advertising sign of the same or less square footage, where removal of the sign is necessary to allow a development that includes not less than thirty (30) housing units that meet the definition of affordable housing, or to allow a mixed-income development of not less than thirty (30) housing units that receives city financial assistance, or to allow a capital improvement project

of a governmental agency. An existing off-premise advertising sign shall include but not be limited to a sign existing on June 17, 2002.

Thank you for consideration of our request that seeks to create a cohesive plan the entire block.

Sincerely,



Elizabeth Flannery
President
CHDC



Dan Collison
Pastor
First Covenant Church



Tony Barranco
Vice President of Development
Ryan Companies

CC: 6th Ward Council Member Abdi Warsame
Lynn Regnier, Executive Director, EPNI