



PLANNING COMMISSION STAFF REPORT

Originator Joyce Repya Senior Planner	Meeting Date February 13, 2013	Agenda # VI.B.
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INFORMATION/BACKGROUND

Project Description

Marketplace Home Mortgage, 7380 France Avenue is requesting a variance to allow a 36 square foot wall sign on the south elevation of the building that does not face a street. Sign ordinance No. 460.05 Subd. 5, allows properties zoned Planned Office District to display one wall sign and one monument sign on street facing facades only.

(See applicant narrative and plans on pages A 2- 4); Edina Sign Ordinance No. 460.05, Subd. 5, on page A - 1; property survey on pages A 5 – 6, Exhibit A; and zoning and location maps on page A – 8, Exhibit C.

The applicant recently purchased the subject office building which formerly housed multiple tenants, and is undertaking a considerable renovation project. Included in the renovation work is an improved sign plan. The applicant is in agreement with the size criteria set out for signs in the Planned Office District, however believes that the restriction of only allowing the signs to face a street frontage impedes the ability to identify his building to the same extent that surrounding properties are allowed.

Since the subject building's only street frontage is on France Avenue to the east, the property owner may display a wall sign and a monument sign, 50 square feet and 36 square feet in area, totaling 86 square feet in area abutting France Avenue. The subject request entails installation of a 50 square foot wall sign on the France Avenue elevation which is allowed; and removing the existing monument sign on France, to be replaced by a 36 square foot wall sign on the south elevation of the building, lacking street frontage, thus subject to the variance request.

SUPPORTING INFORMATION

Surrounding Land Uses

Northerly: 7300 France Avenue – Office Building
 Easterly: Centennial Shops - Retail
 Southerly: 7390 France Avenue – Office Building
 Westerly: 7333 Gallagher Drive – Cedars of Edina Apartments

Existing Site Features

The subject property is 84,349 square feet in area (1.9 acres). The existing building built in 1972 is one story on the east and north elevations and a partial walk-out on the south and west elevations.

Planning

Guide Plan designation: Office
 Zoning: POD-1 Planned Office District

Compliance Table

POD-1 Maximum Sign Area	Proposed	Variance requested
One wall sign per building frontage and one freestanding sign per frontage 86 sq. ft. total between the 2 signs with no individual sign being greater than 50 square feet	*1 wall sign – 36 sq. ft. in area on the south elevation of the building; and 1 wall sign 50 sq. ft. on the east elevation (meets code) No freestanding signs	36 square foot wall sign on south elevation of the building which does not have street frontage

*** Variance Required**

Primary Issue

Is the proposed variance justified?

Yes. Per the Zoning Ordinance, a variance should not be granted unless it is found that the enforcement of the ordinance would cause practical difficulties in complying with the zoning ordinance and that the use is reasonable. As demonstrated below, staff believes the proposal does meet the variance standards, when applying the three conditions:

Section 850.04.Subd.2.F., requires the following findings for approval of a variance:

Minnesota Statutes and Edina Ordinances require that the following conditions must be satisfied affirmatively. The Proposed Variance will:

1) *Relieve practical difficulties that prevent a reasonable use from complying with ordinance requirements.*

Reasonable use does not mean that the applicant must show the land cannot be put to any reasonable use without the variance. Rather, the applicant must show that there are practical difficulties in complying with the code and that the proposed use is reasonable. "Practical difficulties" may include functional and aesthetic concerns.

Staff believes the proposed sign is reasonable. The applicant is agreeable to removing the 36 square foot monument sign on the east elevation, and is requesting that signage allowance be permitted on the south elevation (lacking street frontage) instead. The resulting two permitted signs would not exceed what the sign ordinance allows per the single street frontage.

2) *There are circumstances that are unique to the property, not common to every similarly zoned property, and that are not self-created?*

Yes. The unique circumstance is the location of this property. There are 14 properties zoned POD Planned Office District on the east side of France Avenue from the Crosstown Highway south to Minnesota Drive; of those properties, only 3 do not abut at least one side street frontage, and are thus subject to no signage allowed on the north or south elevations.

The City has approved a relatively similar sign to be built at the Fidelity building at 7700 France. They were approved for a wall sign to face a non-street frontage area as part of the final development plan process. Said north elevation abuts an interior lot line, not street frontage.

Furthermore, the commercial properties directly across the street are allowed to display much larger signs on all building elevations.

3) *Will the variance alter the essential character of the neighborhood?*

No. The proposed signage will not alter the essential character of the neighborhood. The character of this neighborhood is commercial to the east where much larger signs are allowed on all building elevations.

Staff Recommendation

Approve the requested variance based on the following findings:

1. The proposal meets the required standards for a variance, because:
 - a) The practical difficulty is being only one of the three office zoned properties of 14 on the east side of France Avenue from the Crosstown Highway south to Minnesota Drive lacking side street frontage, thus unable to sign the north or south face of the building.
 - b) The City has approved a relatively similar sign to be built at the Fidelity building at 7700 France. Fidelity was approved for a wall sign to face a non-street frontage area as part of the final development plan process. Said north elevation abuts an interior lot line, not street frontage.
 - c) The request is reasonable in that the applicant is removing the allowed free standing sign on the site. Therefore, overall square footage of signage allowed in this zoning district (86 square feet) is what is being requested.

Approval of the variance is subject to the following conditions:

1. The wall sign on the south elevation is limited to 36 square feet in area; and is subject to review and approval of a Sign Permit by the Planning Division.
2. Only one sign is allowed on the east elevation not to exceed 50 square feet in area. For a total signage allowed for the building of 86 square feet in area.

Deadline for a city decision: March 18, 2013



VARIANCE APPLICATION

CASE NUMBER B-13-04 DATE 1/23/2013
FEE PAID

City of Edina Planning Department * www.cityofedina.com
4801 West Fiftieth Street * Edina, MN 55424 * (952) 826-0369 * fax (952) 826-0389

FEE: RES - \$350.00 NON-RES - \$600.00

APPLICANT:

NAME: GREGORY A. Kolles *gmk Visual Communications, Inc* (Signature required on back page)

ADDRESS: 7600 WEST 27th ST Suite 210 PHONE: 651-245-5977
St Louis Park, MN 55426

EMAIL: greg@gmkvisuals.com

PROPERTY OWNER:

NAME: Kristh White *marketplace Home Mortgage* (Signature required on back page)

ADDRESS: 7380 France Ave S PHONE: 612-209-3832

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

OSCAR Roberts 1st Addition LOT: 003 BLOCK: 003 5284 FT EX ROAD

**You must provide a full legal description. If more space is needed, please use a separate sheet.

Note: The County may not accept the resolution approving your project if the legal description does not match their records. This may delay your project.

PROPERTY ADDRESS: 7380 FRANCE AVE S. Edina, MN 55435

PRESENT ZONING: _____ P.I.D.# 31-028-24-14-0021

EXPLANATION OF REQUEST:

Place a 36sf sign on south frontage of Building that does not front a road

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: Lundin Architects LLC PHONE: 612-616-7015

EMAIL: LundinArchitects@comcast.net

SURVEYOR: NAME: Sundeland Surveyors PHONE: 612-881-2455
EMAIL: _____

JAN 21 2012

CITY OF EDINA

Minnesota Statutes and Edina Ordinances require that the following conditions must be satisfied affirmatively. Please fully explain your answers using additional sheets of paper as necessary.

The Proposed Variance will:

YES

NO

Relieve practical difficulties in complying with the zoning ordinance and that the use is reasonable

Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district

Be in harmony with the general purposes and intent of the zoning ordinance

Not alter the essential Character of a neighborhood



7380 France Avenue
Marketplace Home Mortgage

Subd. 5 **Regional Medical and Planned Office District.**

<u>Use</u>	<u>Maximum Number Of Building Identification Signs</u>	<u>Maximum Area For Building Identification Signs</u>	<u>Maximum Height</u>
Buildings four stories or less	One wall sign per building frontage and one freestanding sign per frontage	86 sq. ft. total between the two signs, with no individual sign being greater than 50 sq. ft.	8 ft.
Building more than four stories	One wall sign per building per frontage and one freestanding sign per frontage	120 sq. ft total between the two signs, with no individual sign being greater than 80 sq. ft.	8 ft.



January 29, 2013

Dear Board Members,

Over the past few decades, more recently developed properties along the France Avenue corridor from Minnesota Dr. to Crosstown, have been zoned to allow larger signs placed on any frontage while only two of the “land locked” properties along the west side of France Ave, specifically 7380 France Ave., continue to be limited by the ordinances that were drafted decades ago.

The current ordinance does not allow a business zoned POD-1, without a road frontage, to place a sign on that frontage. Please refer to Exhibit B, which illustrates 10 businesses in a 3 block radius of 7380 that are allowed to place signage on a frontage that does not abutt a road. Except for Fidelity Financial which is also POD-1, these businesses are zoned differently than Marketplace Home Mortgage’s POD-1 distinction. In fact, there are 9 different zoning clasifications along France Ave. and of the approximate 75 different retail businesses that have signage along France Ave, only 2 buildings now fall under this particular sign restriction.

Our request is to allow Marketplace Home Mortgage to place a 35 square foot sign on their southern frontage rather than a 35 square foot monument sign next to France Ave. While this building is zoned POD-1, it’s use is now exclusively Retail Financial Services that will most certainly benefit from signage that compliments its new exterior design. Exhibit C illustrates how the property is at a disadvantage outlined in Section 460.05 Subd. 5 allowing other businesses near the property (across the street) to place signage on frontages not abutting a road and sizes much larger than anything we are proposing. In fact, the size we’re requesting is within code, it’s the unfortunate “land locked” location of this and one other building that limits our sign placement. Marketplace Home Mortgage’s customer base is derived from various sources and the physical location of this building was one of the reasons Mr. White (owner of MarketPlace) purchased and invested hundreds of thousands of dollars in improvements to the building. Marketplace certainly has a right to market itself in an area with a high density of signage.

Our position is that no businesses or residents will be at a disadvantage by allowing Marketplace to place the sign on their south frontage rather than next to it. The sign will offer better visibility, be more effective and professional in appearance based on the building’s updated architecture. We ask that you support this variance not only on its own merit, but that your Senior City Planner supports our proposal.

Sincerely,

Gregory A. Kolles
gak Visual Communications, Inc.

Kieth White
Marketplace Home Mortgage

7600 West 27th St Suite 210 St Louis Park, Minnesota 55426 . 651.245.5977

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