City of Bloomington, Minnesota
DEPARTMENT OF COMMUNITY DEVELOPMENT

CASE:	PL2016-170
APPLICANT:	CBRE Asset Services
LOCATION:	1701 American Blvd E
REQUEST:	Variance to reduce the setback from the planned widened right-of-way from 20 feet to 10 feet for a freestanding sign

FINDINGS

A) That the variance is in harmony with the general purposes and intent of the ordinance;

* The City Code recommends appropriate setbacks for the orderly and safe development along streets. Signs are intended to efficiently identify uses thereby minimizing potential public confusion. With the planned widened right-of-way, the proposed locations have the least possible impact on the future right-of-way while providing identification along American Boulevard East.

B) That the variance is consistent with the comprehensive plan;

* Granting the requested variance for the proposed sign is consistent with the comprehensive plan as freestanding signs are customarily incidental structures permitted in the Office Designation.

C) When the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

* Without a variance, there are no reasonable Code compliant locations for freestanding signs along American Boulevard with adequate visibility. The additional right of way needs along American Boulevard make it difficult to place a sign along the street.

Practical difficulties as used in connection with the granting of the variance, means that:

(i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

* The proposed sign is typical for similar uses to provide identification along a street. The location of the sign is reasonable given the speed limit and high traffic volume on American Boulevard East as well as the parking arrangement and topography of the property.

(ii) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

* The larger than typical boulevard created by the future right-of-way is not the result of landowner actions. The inability to locate the sign in a Code complying location with adequate visibility is not created by the landowner.

(iii) The variance if granted will not alter the essential character of the locality.

* The variance is not anticipated to alter the essential character of the area. The proposed sign is not located in close proximity to the adjoining properties.

RECOMMENDATION

In Case PL2016-170, having been able to make the required findings, I move to adopt a resolution approving a variance to reduce the setback from the planned widened right-of-way from 20 feet to 10 feet for a freestanding sign at 1701 American Blvd E, subject to following conditions:

1.	Ongoing	The sign location must be as shown on plans in Case PL2016-99.
2.	Ongoing	The sign must comply with all other requirements of Chapter 19, Article X of the City Code.
3.	Ongoing	It is advised the applicant keep a limited cover when constructing the footings for the sign.
4.	Prior to Permit	A sign permit and an amendment to the Uniform Sign Design (USD) must be applied for prior to the installation of the sign.

Hearing Examiner
October 18, 2016