

MINUTES OF THE MEETING OF THE BOARD OF ZONING APPEALS
CITY COUNCIL CHAMBERS, 330 CITY HALL
ST PAUL, MINNESOTA, APRIL 10, 2017

Continued from February 13 & March 27, 2017

PRESENT: Mmes. Bogen, Maddox and Trout-Oertel; Messrs. Saylor of the Board of Zoning Appeals; Mr. Warner, City Attorney; Mr. Benner II, Ms. Lane and Ms. Crippen of the Department of Safety and Inspections.

ABSENT: Kara Younkin Viswanathan*, Katrice Albert*, Daniel Miller*, Luis Rangel Morales#

*Excused

#Late

The meeting was chaired by Gloria Bogen, Acting Chair.

Indigo Sign Works (#17-000219) 1770 Old Hudson Road: Two variances of the sign code requirements in order to reface the existing sign on the southwest corner of the intersection of Old Hudson Road and White Bear Avenue with a dynamic display (electronic messages) for the Holiday gas station that is being rebuilt. 1) The text and images on the sign must have only one color; the applicant is requesting that the text and images have full color. 2) Signs shall not change the display faster than every 20 minutes; the applicant is requesting that their sign change every 30 seconds. Two variances of the sign code requirements in the White Bear Avenue special district sign plan overlay to construct a new freestanding business sign along I-94 on the southwest corner of the Holiday gas station property. 1) New freestanding signs are permitted in the overlay district only for buildings that have a setback of at least 35 feet from the right-of-way; the Holiday gas station building will have a setback of 17.6 feet from the south property line; the applicant is requesting a variance to allow a freestanding sign within the setback area. 2) Freestanding signs have a height limit of 20 feet, the applicant is requesting a 37.5-foot high sign, for a height variance of 17.5 feet.

Ms. Zacho reviewed the case history from the previous hearings with a recommendation for denial based on findings 1, 3, 4, and 6. The public portion of the meeting had been closed at the March 13, 2017 BZA hearing. The District 1 Community Council held their meeting on April 3, 2017, that is the information that the Board was waiting for. Giving the applicant a chance to meet with the district council. They state in their letter that the two signs being considered, the dynamic display sign on the corner of Old Hudson Road and White Bear Avenue and the freeway facing sign on the southwest corner of the property. The position of the Land Use Committee acting for the Board of Directors is that the freeway facing sign would alter the essential character of the surrounding area as defined by the White Bear Avenue Special Sign District Plan, as this is the case they recommend that the City deny the variance for the freeway facing sign. The Land Use Committee has no position regarding the dynamic display sign at this time. Signed by John Slade, Chair of the Land Use Committee for District 1 Community Council. The letter is on page 38 of the BZA packet.

Ms. Zacho continued that there was some additional information submitted, the Ramsey County Engineer submitted a letter as did the St. Paul City Assistant Engineer regarding the placement of the dynamic display sign. Ms. Crippen stated that the public portion of the hearing was closed at a previous hearing, the additional letters came in after the public portion of the hearing was closed, therefore, if the Board wants to see this information they will have to re-open the public portion of the hearing, as discussed at the previous hearing about submittals that come in after the public hearing is closed.

Ms. Bogen stated that the Board asked specifically for input from the District 1 Council. It is up to the Board if they want to re-open the hearing to look at what came from the City.

The applicant **INDIGO SIGN WORKS**, 2885 Quail Road NE, was present, but not called.

Ms. Trout-Oertel made a motion to re-open the public portion of the hearing to have the letter read from the City. The motion died for lack of a second.

Ms. Bogen asked for a motion or discussion on this.

Mr. Saylor moved to deny the variance and resolution based on findings 1 through 6.

Ms. Maddox seconded the motion for discussion.

Ms. Maddox stated that she was thinking about the sign that the district council said that they were not going to make a decision on, the dynamic display sign.

Ms. Bogen stated that the Board could make separate motions for each sign. Ms. Maddox stated that she is wondering what the rest of the Board is thinking about that sign. Mr. Saylor stated that the District Council did address the signs separately. He asked Ms. Bogen if the Board can address the signs separately. Ms. Bogen replied that she thinks that the Board can separate the signs. The signs are delineated in the staff report. Ms. Bogen stated that the sign A is the dynamic display sign and sign B is the pylon sign off of the freeway.

Mr. Saylor and Ms. Maddox removed their motions.

Mr. Warner instructed the Board to articulate the findings that they are basing their denial of each sign on.

For sign B: the freeway facing sign.

Ms. Maddox moved to deny the variance and resolution based on findings 1 and 6, as recommended by staff.

Mr. Saylor seconded the motion, which passed on a roll call vote of 4-0.

For sign A: the dynamic display sign.

Mr. Saylor moved to deny the variance and resolution based on findings 1, 3, and 4, as recommended by staff.

Ms. Maddox seconded the motion, which passed on a roll call vote of 4-0.

Submitted by:

Approved by:

Karen Zacho

Thomas Saylor, Secretary