

MINUTES OF THE MEETING OF THE BOARD OF ZONING APPEALS  
CITY COUNCIL CHAMBERS, 330 CITY HALL  
ST PAUL, MINNESOTA, FEBRUARY 19, 2014

PRESENT: Mmes. Maddox, Porter and Bogen; Messrs. Courtney, Saylor and Wilson of the Board of Zoning Appeals; Mr. Warner, City Attorney; Mr. Diatta and Ms. Crippen of the Department of Safety and Inspections.

ABSENT: Daniel Ward

The meeting was chaired by Joyce Maddox, Chair.

**Bilal Alsadi (#14-093588) 1200 Rice Street:** Two variances of the sign code requirements in order to install a 21square foot sign with dynamic display on a multi-tenant free standing sign at the southeast corner of Rice Street and Maryland Avenue for the businesses on this site. The sign code requires a sign with dynamic display in a B2 district located within 100 feet of a residential use to be: 1) Monochromatic; the applicant is proposing a full color sign. 2) The display message must not change faster than every 20 minutes; the applicant is proposing a display message that would change every 60 seconds.

Mr. Diatta showed slides of the site and reviewed the staff report with a recommendation for denial.

One letter was received opposing the variance request.

One letter was received from District 6 opposing the variance request.

Ms. Bogen and Mr. Diatta discussed that the sign could be multi-colored and be allowed to change faster than every 12 seconds if it were 100 feet from residential properties, which the sign was before the city took part of the lot to widen Maryland Avenue.

Ms. Porter and Mr. Diatta discussed the District Council's concern that the sign might be hazardous for traffic safety. The variance is about the distance to residential property not traffic issues, signs are not allowed to flash or scroll. If this property were 100 feet away from the residential property the sign could change every 12 seconds.

Ms. Bogen stated that the sign will display something for one minute than change to something else for one minute, the change would not be every 12 seconds as it could be if the property were 100 feet from the nearest residential property. Mr. Diatta replied that is correct.

The applicant **BILAL ALSADI**, 1200 Rice Street, was present with John Kosmas, 6112 Excelsior Blvd. Architect with KK Design. Mr. Kosmas stated that they have been working on this project for a couple of years. Mr. Kosmas stated that the City has taken about 30 feet of property from this parcel to widen Maryland Avenue. Mr. Kosmas discussed the signage and the placement of the sign were designed so that passengers in vehicles can read the sign while traveling on both Rice Street and Maryland Avenue.

Mr. Thomas and Mr. Kosmas discussed that the District Council did not support the variance request and what their plans are if the variance is not approved.

Mr. Courtney and Mr. Kosmas discussed the placement of the sign.

Ms. Maddox and Mr. Kosmas discussed that the sign is placed so it can be read by vehicles driving on

both Rice Street and Maryland Avenue.

Ms. Bogen asked the hours of operation for the station and when the sign has to be turned off. Mr. Diatta stated that the sign has to be turned off at 11:00 p.m. or after business hours, which ever is later.

Mr. Alsadi stated that this sign brings some class to the corner, to be competitive today Gas Stations seem to have to install these types of signs, it seems to be the thing to do.

Ms. Maddox asked if they get any monetary reward for flashing Coke. Mr. Alsadi replied no.

There was no opposition present at the hearing.

Ms. Bogen stated she does not think that the sign is a bad idea. There are practical difficulties that the property owner has run into that were caused by the widening of Maryland Avenue and his corner was cropping at an angle. There is a lot of signage right there along Rice Street and Maryland Avenue for the shopping center and other commercial ventures, so not having a sign could hurt his business. They are not talking about the sign changing every 12 seconds here, it will be one minute, which she does not think is really distracting to people driving and if it were another 16 feet away it could have been every 12 seconds, so this is a nice compromise and with a little change to finding number 3 she would move approval of the variance requests.

Hearing no further testimony, Ms. Maddox closed the public portion of the meeting.

Ms. Lane asked if Ms. Bogen wanted to add the condition that the sign not change any faster than once every sixty seconds. Ms. Bogen agreed and Mr. Courtney agreed with the addition of the condition.

Ms. Bogen moved to approve the variance and resolution based on findings 1 through 6, subject to the condition that the sign not change any faster than once every 60 seconds.

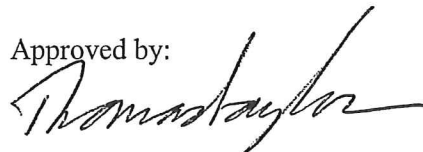
Mr. Courtney seconded the motion, which passed on a roll call vote of 6-0.

Submitted by:



YaYa Diatta

Approved by:



Thomas Saylor, Secretary

14-093588

February 19, 2014

Board of Zoning Appeals

15 West Kellogg Blvd

St Paul MN 55102

RE: Signage variance request at 1200 Rice St.

To Whom It May Concern;

I am writing this letter in regard to the variance request pertaining to signage at 1200 Rice St. When considering this request please take into the adverse effect that this sign will have on the surrounding neighborhood. There are three 2 story homes along the south side of Rose Ave between Rice St. and Park St. All three of these homes have 2<sup>nd</sup> story bedrooms with windows on the north side. As there is nothing to block this sign, a full color rapidly flashing sign would be extremely disruptive and detrimental.

There is also concern regarding the considerable distraction that this type of sign would create in an already dangerous intersection. This is an extremely busy intersection that is already considered a sight of frequent accidents.

In keeping with the signage in other areas of the area, and with the significant lighting in the area we feel that the variance is not needed.

Sincerely;

Lynn M. Connolly

Rose Ave Block Club Representative.

32