12-077595

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JUL 03 2012

Zoning office use only
File no.
Fee
Tentative hearing date

APPLICATION FOR APPEAL

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
651-266-9008

APPLICANT

Name ROBERTA BONOFF on BEHALF OF CREATIVE KIDSTUFF
Address 3939 E. 46th St.
City Mpls St MN Zip 55406 Daytime phone 612 8763964
Name of owner (if different) MYRON KUNIN

PROPERTY LOCATION

Address 1074 GRAND AVE
Legal description: SUMMIT PARK ADDITION TOST PG E 19 92/100 FT OF LOT 10 And all OF LOT 9 BK 38
(attach additional sheet if necessary)

TYPE OF APPEAL: Application is hereby made for an appeal to the:

☐ Board of Zoning Appeals ☒ City Council

under the provisions of Chapter 61, Section 61.745 Paragraph ____ of the Zoning Code, to appeal a decision made by the BOARD OF ZONING APPEALS on JUNE 25 2012 (date of decision). File number: 12-063863

GROUNDS FOR APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Board of Zoning Appeals or the Planning Commission.

see attached

(attach additional sheet if necessary)

Applicant's signature Roberta Bonoff Date 7/3/12 City agent

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Creative Kidstuff Sign Variance
Grounds for Appeal
July 2, 2012

It is our understanding that the three main reasons that the Board of Zoning denied our Variance Appeal focused on these issues, which we continue to contest:

1. The signage will cause a distraction.
2. The sign is not in keeping with the "quaint" look and feel of Grand Avenue.
3. The square footage for signage is over the amount allowed by the city ordinance.

Creative Kidstuff intends to defend its rights to display decorative statues on the outside of its building that will delight and embellish Grand Avenue.

Reason One: Signage as a distraction

This issue has been only proven out to be measurable when signs are lit up, digital, and as some research shows, viewed as a "TV on a stick." In fact, the research that I have provided from The Governors Highway Safety Association associates substantial distraction mainly with food, cell phone talking and texting, other people in the car, gadget laden dashboards and people using their vehicles for other purposes than driving.

The lion and tiger sculptures proposed for the Grand Avenue location will be static, non-moving painted metal sculpture, leading to no distraction.

Reason Two: The proposed new storefront is not in keeping with the "quaint" look and feel of Grand Avenue

Have you looked at Grand Avenue lately? In regard to national vs. local tenants, store design and uniqueness? Is there a style guide that has been supplied to potential landlords and tenants depicting colors, structure and visual appropriate guidelines? Or is this a subjective opinion and if so, then who is to tell a business owner what is or is not appropriate to running their business and in keeping with their brand? Do the subjective parties pay property, payroll and sales taxes and contribute to the community with hosting events and fundraisers? I have and will show a slide show to the Council detailing what exactly Grand Avenue looks like. It will be eye opening. Creative Kidstuff has been a good neighbor, pays taxes and contributes fiscally to the community and has always been aesthetically responsible for over 28 years in St. Paul. Creative Kidstuff is a locally owned and run company, competing with the national boxes that seem to buy their way into any city and the consumer's pocketbook. Yet the foundation of Grand Avenue

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has been to keep it local. We have striven to show our unique brand personality in each one of our stores, and purposefully made each one uniquely different. We are celebrating 30 years in business this year and we intend on being around for many more decades. We need to continue to stand apart, please help us to achieve that goal.

Reason Three: The "signage" size exceeds the square footage limit designated by the city for signage.

That is IF the City designates the sculpture to be signage. We do not. In fact, if you do not count the lion and tiger as anything but what they are - which are sculptural elements - we have actually reduced our footprint for signage. Therefore we believe this should not be considered an issue.

At Creative Kidstuff, our mission is simple: we help families play. Why? Because play is joyful, educational, creative and inspiring. Creative Kidstuff passionately believes in the importance of play, nurturing creativity and wonder. Our stores, inside and out, are designed to embrace that vision. There is nothing more important to us than the communities we reside in and the people that shop and work for us. There is nothing out of character with our "characters." We implore you to let a small business thrive and delight.

What is art? What is a sign? It is up to the City Council to decide.

We have a storefront lion sculpture larger than what is proposed in another suburban city, St. Louis Park. It is considered a supergraphic / artistic visual element (enclosed you will find their findings.) We believe that what we have designed is a fun and intriguing way to teach the history of art and sculpture as you enter a store.

The ancient Egyptians worshipped the cat, and produced thousands of sculptures depicting this noble feline. The Creative Kidstuff communication materials include the lion / tiger illustration, so it was a natural to consider this image and extrapolate it into a work of art, referencing one of the most well-known works of art from ancient times. It is this attitude, and our desire to bring educational elements into the Creative Kidstuff sphere of wonder and influence, that inspired the storefront. It is our goal to support and develop curious young minds (and older minds as well) to help them thirst for bigger and better outlets for knowledge.

Our storefront was designed to delight! There is nothing more rewarding than to provide children with a storefront that is lovely, happy and brings a sense of joy. Creative Kidstuff is committed to bringing a sense of bigger cultural elements to its customers.