

Minneapolis  
City of Lakes

Post-it* Fax Note	7671	Date	3-31	# of pages	1
To	T.S.	From			
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	722-4325	Fax #			

March 16, 2005

Department of Public Works

Klara A. Fabry, P.E.  
City Engineer  
Director

350 South 5th Street - Room 203  
Minneapolis MN 55415

Office 612 673-2352  
Fax 612 673-3565  
TTY 612 673-2157

Ms. Tracy Singleton  
2501 33rd Avenue South  
Minneapolis, MN 55406-1642

RE: The Birchwood Café  
3311 25th Street East

Dear Ms. Singleton:

The Minneapolis Public Works Department has reviewed your plans for the proposed vestibule and trellis for the Birchwood Café. This letter is to inform you that neither of these elements can be recommended for approval as presented.

I have reviewed the details of these construction elements with Dennis Morris, Right of Way Supervisor, and Robert Carlson, Right of Way Engineer, and they both concur that the proposed vestibule is too permanent a structure to be placed in the public right of way on the basis of an encroachment permit. The trellis might be acceptable, except that it requires 4-foot concrete footings in the right of way which would not be acceptable. Please feel free to make an appointment to come in and discuss other possible solutions for the vestibule and the trellis.

Your other option would be to treat this decision as a denial of your application, which may be appealed to the City Council. To do so, submit a letter to the Transportation and Public Works Committee explaining your reasons for approval of the permit. Please address your appeal as follows, with a copy to the Right of Way Section office.

Sandra Colvin Roy, Chairperson  
Transportation and Public Works Committee  
Room 304 -- City Hall  
350 5th Street South  
Minneapolis, MN 55415

4/7/05

Dear -  
M.S. Roy

Please contact me if you have any questions.

Sincerely,

Robert Boblett, Real Estate Investigator I  
Engineering Design Division  
309 2nd Ave. S, Room 200  
Minneapolis, MN 55401-2268  
(612) 673-2428

I neglected to include this in my original letter of appeal. Thank You!  
- Tracy Singleton

4/4/2005

Sandra Colvin Roy, Chairperson  
Transportation and Public Works Committee  
Room 304 City Hall  
350 South 5<sup>th</sup> Street South  
Minneapolis, MN 55415

Dear Ms. Roy:

Hello. My name is Tracy Singleton and I own the Birchwood Cafe, both the building and the business, located @ 3311 East 25<sup>th</sup> Street in the Seward neighborhood in Minneapolis. I recently submitted an encroachment permit to Right of Way for a proposed vestibule and trellis. I've included a copy of the letter in which neither of the projects is approved. I would like to appeal this decision.

My building needs to have an entryway so that I can provide a comfortable environment for both my staff and customers during the cold winter months. As is, each time my door is opened cold air rushes in and the warm air rushes out. This is not conducive to enjoying a meal nor does it create the warm comfortable environment that would encourage customers to return. The proposed small glass vestibule would provide the comfort and energy efficiency in both winter and summer and help keep my customers and employees happy. A vestibule will also keep heating and cooling costs reasonable. Right of way has suggested a temporary canvas or plastic vestibule for winter but that will not help energy loss in the summer and I believe a temporary structure would strongly detract from the aesthetic of my building. The proposed trellis would provide shade to outdoor diners in the summer as well as add an aesthetic element to the building thereby marking my business to those who drive by.

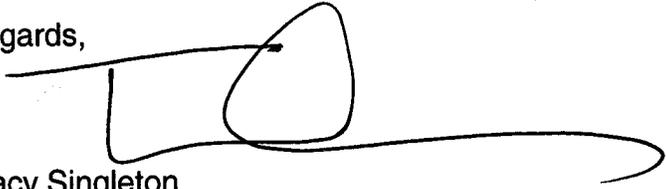
From an architectural standpoint, commercial storefronts are typically allowed to come to the edge of the public sidewalk. In my case there is 8 feet of auxiliary paved area between the Birchwood building and the public sidewalk. It is unusual for the property line to go right to the edge of the building as it does in my case. So yes, the small 80 sq ft. proposed glass enclosed vestibule would extend into this auxiliary area and thereby the right of way. However neither the vestibule nor the trellis would block public sidewalk access in any manner. The rejection of my proposed project is on the grounds that the structures are too permanent and the city may need access to that small part of property however there are no city utility lines underground that I am aware of. If the city were to need this property there is already a very permanent 2400 sq ft commercial building whose front door opens into the right away. I pay an annual fee because of this and another fee because my business sign extends out over the public

right of way. If the city were truly to need that property I would have to relocate my business!

Right of way has asked me to reconsider the concrete footing for the trellis however they were unable to provide an alternative solution. The concrete footings would be in the auxiliary paved area and would not encroach on the city sidewalk. My architect, builder and structural engineer have all said that concrete footings are standard building procedure in Minnesota due to freezing in winter. To build the trellis without the footings would not provide the necessary stability to keep the structure from moving.

From a business/property owner perspective I strongly believe these improvements are necessary to help me remain viable in the face of increasing competition. The Longfellow Grill recently opened less than a mile from me and the Cliquot Club Cafe plans to open this spring a mere three blocks west. I've been told the Birchwood Cafe is an asset to the community and I am asking for your support so that I can continue to provide both Seward and the surrounding communities a valued service. I am happy to go over the plans for these projects. I can be reached @ 612-722-4325. Thank you for your consideration.

Regards,



Tracy Singleton

cc: Gary Schiff Minneapolis City Council Ward 2  
Paul Zerby Minneapolis City Council Ward 9