

LAND USE APPLICATION SUMMARY

Property Location: 1401 6th Street Southeast
Project Name: Bierman Place Apartments Exterior Enhancement
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Steven Scott Management
Project Contact: Melissa Lockhart, ESG Architects
Request: To allow a patio with a fire pit and grill.
Required Applications:

Variance	To reduce the minimum front yard requirement adjacent to 6th Street Southeast to allow a patio exceeding 50 square feet in area with a fire pit and grill for a multiple-family dwelling.
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SITE DATA

Existing Zoning	R5 Multiple-family District UA University Area Overlay District
Lot Area	46,361 square feet
Ward(s)	3
Neighborhood(s)	Marcy Holmes Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	<u>15th Avenue SE Urban Design Plan (2008)</u> <u>Marcy-Holmes Neighborhood Master Plan (2014)</u>

Date Application Deemed Complete	August 17, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	October 16, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing use is a 5-story, multiple-family dwelling. It was permitted for construction in 1999. The subject site is a corner lot with frontage on 6th Street Southeast and 14th Avenue Southeast.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There is a mix of low- to high-density residential uses in the immediate area. The subject property is in close proximity to Dinkytown and the University of Minnesota campus.

PROJECT DESCRIPTION. A new patio is proposed to be constructed adjacent to the main entrance of the Bierman Place Apartments located at the property of 1401 6th Street Southeast. The patio is part of a larger project to enhance the exterior of the building and provide outdoor amenity space for the residents. The proposed patio would be 44 feet, 8 inches wide and 14 feet, 7 inches deep extending up the lot line adjacent to 6th Street. It would include a grill and fire pit. A 15 foot wide front yard is required adjacent to 6th Street. Ground-level patios up to 50 square feet and projecting not more than four feet into the required yard are permitted obstructions. Because the patio is larger than 50 square feet in area and would extend more than 4 feet into the required yard, a variance is required to reduce the yard requirement. A bicycle parking area is currently located where the patio is proposed. The bike parking would be relocated to an area behind the building where additional bike parking would be added. The fire pit and grill locations would need to comply with any Fire Code requirements. There are specific [requirements applicable to recreational fires](#) that may be an issue.

PUBLIC COMMENTS. A letter was received from the neighborhood group. Any additional correspondence received prior to the public meeting will be forwarded on to the Zoning Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application [for a variance to reduce the minimum front yard requirement adjacent to 6th Street Southeast to allow a patio exceeding 50 square feet in area with a fire pit and grill for a multiple-family dwelling](#) based on the following [findings](#):

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property that were not created by the applicant. The property is a reverse corner lot with two required front yards. There is not an option to create a larger gathering space between the building and the adjacent streets. There is a surface parking lot located behind the building. The applicant explored removing parking spaces to create a patio; however, spaces needed to meet the minimum parking requirement would be eliminated. The site is located in close proximity to the University of Minnesota. The adopted small area plans call for more density on the blocks fronting 15th Avenue between 5th Street and the railroad corridor. These plans also include design guidelines specific to this area. The guidelines call for creating a strong public realm, in effect street frontages that

encourage personalization and frequent use. Suggested examples to implement this guideline include patios, stoops and porches.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. Because of the existing building and parking location, there are limited options where a patio can be located. The site is located in close proximity to the University of Minnesota. The adopted small area plans call for more density on the blocks fronting 15th Avenue between 5th Street and the railroad corridor. These plans also include design guidelines specific to this area. The guidelines call for creating a strong public realm, in effect street frontages that encourage personalization and frequent use. Suggested examples to implement this guideline include patios, stoops and porches. Landscaping is proposed that would act as a buffer between the patio and the public sidewalk, while still allowing views in and out of the site at eye-level. The proposed patio would provide a semi-private space for the residents and implement policies from the small area plans. The proposed location of the proposed patio helps to emphasize the main entrance location, which is also supported by comprehensive plan policies. The nearest adjacent residential use to the proposed patio is located across the street. The proposal would have no impacts on the adjacent properties access to light, air and open space. The request is reasonable and consistent with the intent of the ordinance and the comprehensive plan.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

The granting of the variance will not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity and will not be detrimental to the health, safety or welfare of the public or those utilizing the property. The proposed patio would provide a semi-private space for the residents and encourage personalization and frequent use adjacent to the street. Landscaping is proposed that would act as a buffer between the patio and the public sidewalk, while still allowing views in and out of the site at eye-level. The nearest adjacent residential use to the proposed patio is located across the street. The proposal would have no impacts on the adjacent properties access to light, air and open space.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Steven Scott Management for the properties located at 1401 6th Street Southeast:

A. Variance to reduce the minimum front yard requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum front yard requirement adjacent to 6th Street Southeast to allow a patio exceeding 50 square feet in area with a fire pit and grill for a multiple-family dwelling, subject to the following conditions:

- I. Approval of the final site and landscaping plans by the Department of Community Planning and Economic Development.

2. All site improvements shall be completed by September 10, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site survey
4. Site and landscaping plans
5. Photos
6. Comments received

Project Description

Mark Jensen and Steven Scott Management propose an extensive landscape enhancement to the Bierman Place Apartments site with a new common gathering patio space for resident use. The work will also improve neighborhood livability by providing enhanced greenscape improvements along the property line where it meets the public sidewalk.

Proposed work to include:

Exterior Enhancements:

1. Create a more inviting entrance to the Bierman Place Apartments and provide a desired site enhancement through the extensive layering of year-round greenscape at the intersection of 14th Avenue SE and 6th Street SE.
2. Screening of existing utilities along 14th Avenue through new landscaping.
3. Relocation of current bike storage of 16 bikes from the front of the building to the rear of the building. Additional bike storage will be provided for a total of 30 bikes.
4. New patio gathering space for the residents along 6th Street SE for grilling and fire pit use in a highly-visible location with camera security along 6th Street SE.

1401 6th Street SE – Variances

The Applicant requests variances from the front yard requirements of the Ordinance to accommodate a 525 square foot common patio with grilling and fire pit area.

- (1) Practical difficulties exist in complying with the ordinances because of circumstances unique to the property. The unique circumstances were not created by persons presently having interest in the property and are not based on economic considerations alone.**

The location and configuration of the Project site are unique to the Project site, and present the following circumstances that are unique and were not created by persons presently having and interest in the Project site:

The property offers onsite parking behind the building adequate for the current residents. For the property to provide an amenity space located other than in the front yard setback, the property would need to eliminate five current parking spaces in addition to one space being lost for additional bike parking. The property currently has 122 parking spaces (77 below grade, 45 at grade) and 234 beds. The .5 requirement results in 117 parking spaces required. Less 6 spaces puts the parking count at 116, which is below the zoning requirement.

The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the Ordinance and the comprehensive plan.

The proposed variances will allow the Applicant to improve the property as recommended by the Marcy-Holmes Neighborhood Master Plan. The landscape improvements and patio will create a pedestrian friendly environment adjacent to the sidewalk and will improve neighborhood livability.

The Marcy Holmes Master Plan for the East Side Character Area gives recommendations that support this improvement in the following ways:

“Creates a high-quality pedestrian environment by ensuring the lower floors of all buildings create a safe and active sidewalk environment.” (p.22)

“Create a pedestrian friendly environment adjacent to the sidewalk.” (p.18)

Housing Policy 3.8: “Preserve and strengthen community livability by enforcing high standards of property management and maintenance.” (p.44)

Urban Design Policy 10.6: “New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level.” (p.44)

“Encourage development that provides functional and attractive gathering spaces.” (p.47)

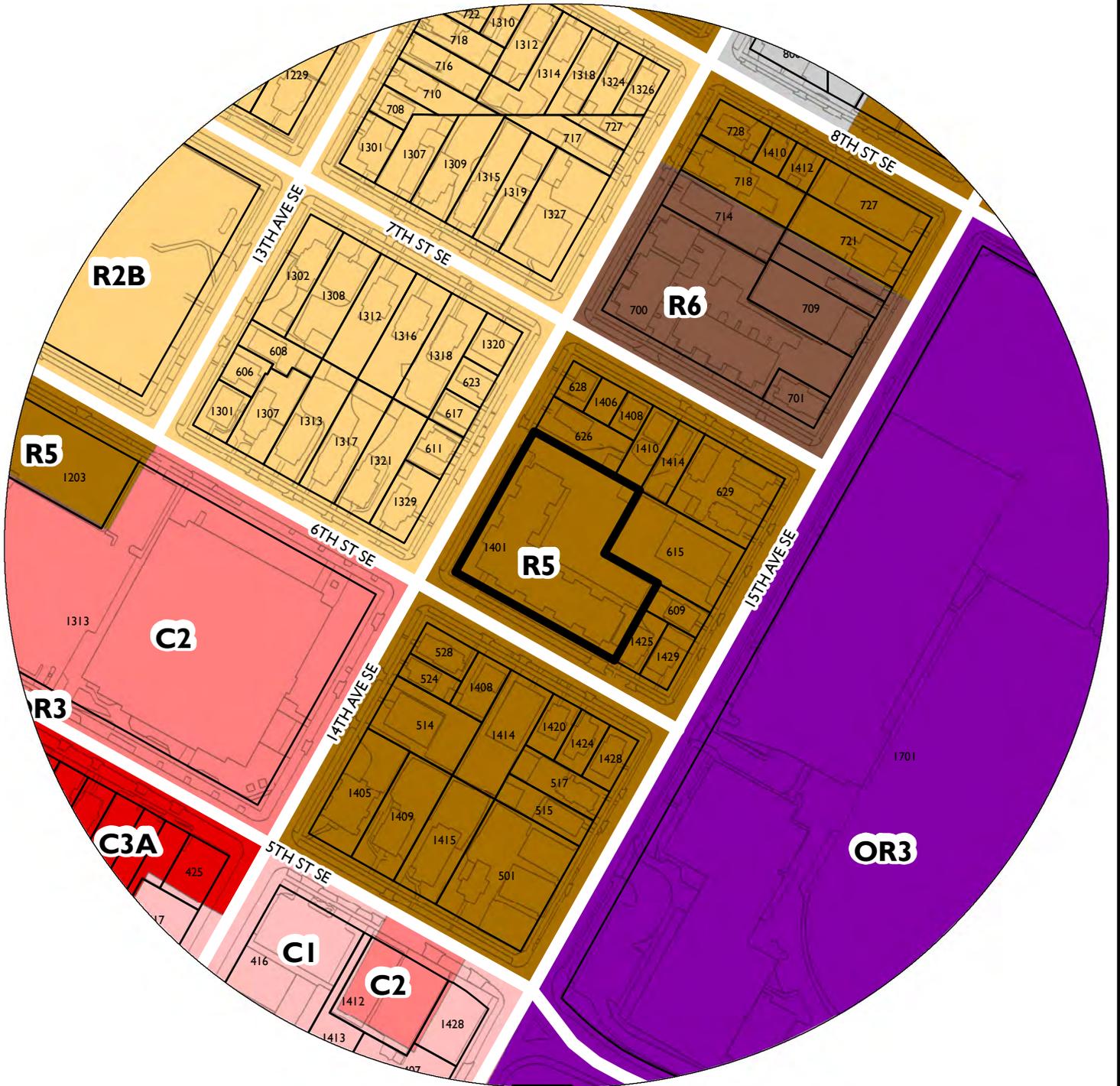
Transportation Policy 2.3: “Encourage walking throughout the city by ensuring that routes are safe, comfortable, pleasant, and accessible.” (p.47)

(2) The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

The proposed variance will enhance the essential character of the current site and will be beneficial to the use and enjoyment of other properties in the vicinity. The exterior improvement will promote a more active space at a pedestrian scale and will be highly landscaped. The new patio common area will be well maintained and kept secure through the use of security cameras and updated lighting. The landscape design will provide a layered effect on the property that gives screening for residents using the patio but allows ample visibility between building wall and public sidewalk for safety concerns.

NAME OF APPLICANT

WARD

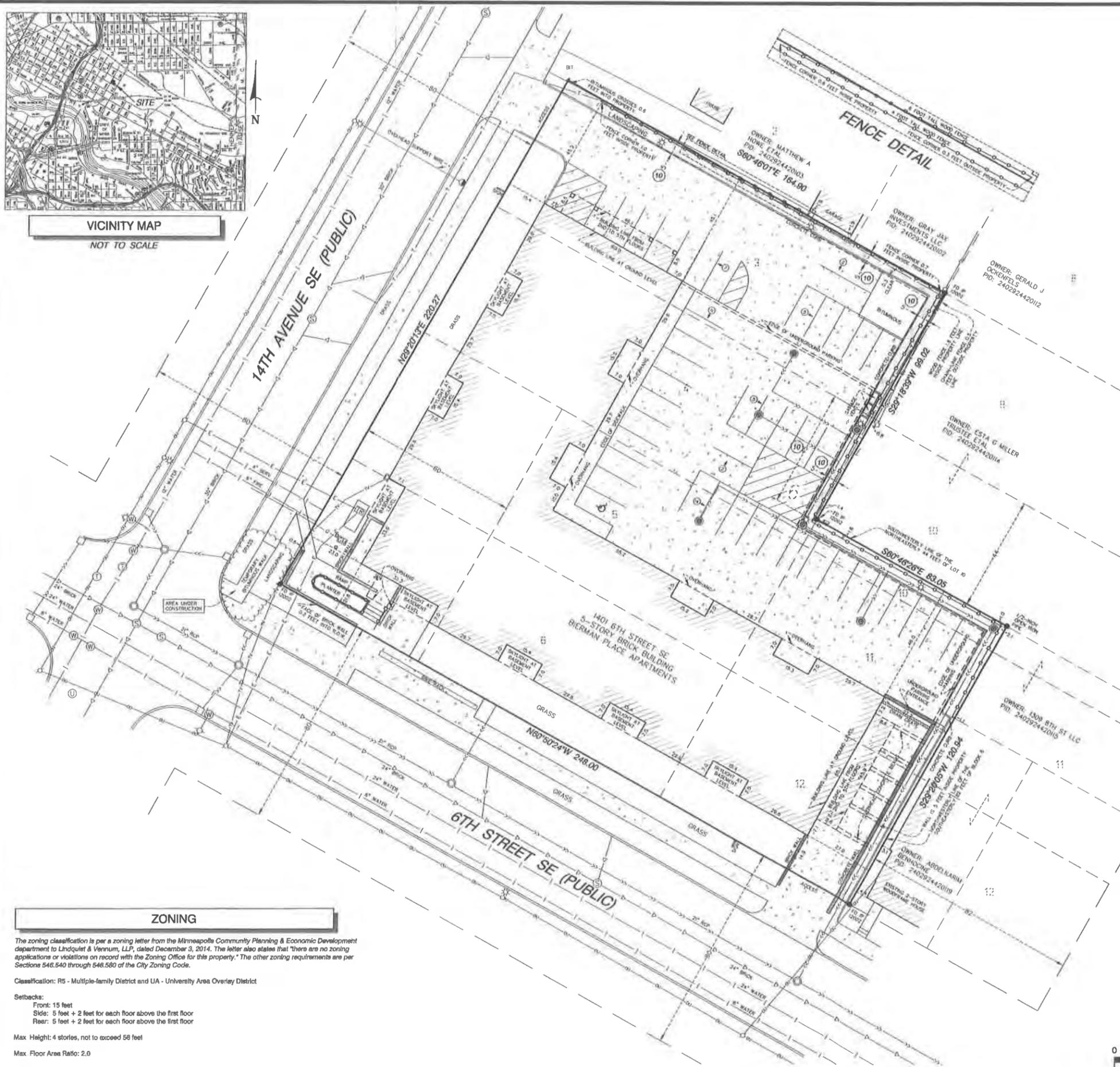


PROPERTY ADDRESS
1401 6th St SE

FILE NUMBER
BZZ-7357



VICINITY MAP
NOT TO SCALE



ZONING

The zoning classification is per a zoning letter from the Minneapolis Community Planning & Economic Development department to Lindquist & Vennum, LLP, dated December 3, 2014. The letter also states that "there are no zoning applications or violations on record with the Zoning Office for this property." The other zoning requirements are per Sections 546.540 through 546.580 of the City Zoning Code.

Classification: R5 - Multiple-family District and UA - University Area Overlay District

Setbacks:
Front: 15 feet
Side: 5 feet + 2 feet for each floor above the first floor
Rear: 5 feet + 2 feet for each floor above the first floor

Max Height: 4 stories, not to exceed 58 feet

Max Floor Area Ratio: 2.0

PROPERTY DESCRIPTION

The land referred to in this Commitment is situated in the City of Minneapolis, County of Hennepin, State of Minnesota, and is described as follows:

Par 1: Lot 3, Block 6, "University Addition to Minneapolis".

Par 2: The Northwesterly 60 feet of Lots 5 and 6, Block 6, "University Addition To Minneapolis".

Par 3: Lot 4, Block 6;

That part of Lots 5 and 6, Block 6, lying Southeastery of the Northwesterly 60 feet of said Lots 5 and 6;

That part of Lots 10, 11, and 12, Block 6, lying Northwesterly of the Northwesterly line of the Southeastery 82 feet of said Block 6, and Southwesterly of the Southwesterly line of the Northeastery 44 feet of said Lot 10,

All in "University Addition to Minneapolis".

(Certificate of Title No. 1138417)

CERTIFICATION

To Bierman Place LLC, a Delaware limited liability company; Steven-Scott Management, Inc., a Minnesota corporation; Berkeley Point Capital LLC and/or Fannie Mae, their successors and assigns; and First American Title Insurance Company:

This is to Certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 6(b), 7(a), 8, 9, 10, 11(a), 11(b), 13, 16, and 20 of Table A thereof. The field work was completed on December 3, 2014.

Date of Plat or Map: December 16, 2014

Dennis B. Ollmshead
Dennis B. Ollmshead, Professional Land Surveyor
Minnesota License No. 18425

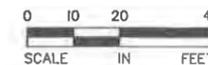


NOTES

- This survey and the property description shown here on are based upon information found in the commitment for title insurance prepared by First American Title Insurance Company, file no. NCS-688288-MPLS, dated October 13, 2014.
- The locations of underground utilities are depicted based on Gopher State One Call, available city maps, records and field locations and may not be exact. Verify critical utilities prior to construction or design.
- The basis of bearings is assumed.
- All distances are in feet.
- The area of the above described property is 46,361 square feet or 1.064 acres.
- There are 45 regular striped aboveground, 1 handicap aboveground, and 81 regular striped underground parking stalls.
- The property lies within Zone X (unshaded - areas determined to be outside the 0.2% annual chance floodplain) of Federal Emergency Management Agency (FEMA) Flood Insurance Community Panel No. 27053C0378E, effective September 2, 2004.
- There was no observed evidence of earth moving work, building construction, or building additions at the time of our field work except as noted on the survey at the most west corner of the property.
- No party walls were designated by the client to be located.
- Names of adjoining owners are depicted based on Hennepin County GIS tax information.
- Survey related exceptions set forth in Schedule B, Section Two of the Title Commitment.
- Item No. 10 - Easement for telecommunications facilities, electrical facilities, and gas facilities, in favor of U S West Communications, Inc., as contained in the Easement Agreement dated August 31, 1996, recorded September 2, 1999 as Doc No. 3200167. Said easement is depicted on the survey.

LEGEND

● FOUND IRON MONUMENT	— G — G — GAS
▲ FOUND MAG NAIL	— S — S — SANITARY SEWER
○ HYDRANT	— W — W — WATER MAIN
⊕ WATER MANHOLE	— E — E — UNDERGROUND ELECTRIC
⊕ FIRE HOOKUP	— T — T — UNDERGROUND TELEPHONE
⊕ SANITARY MANHOLE	— O — O — OVERHEAD ELECTRIC
⊕ CATCH BASIN	— U — U — UNDERGROUND CABLE
⊕ CATCH BASIN	— W — W — WOOD FENCE
⊕ STORM MANHOLE	— C — C — CHAIN-LINK FENCE
⊕ ELECTRIC BOX	— M — M — METAL RAILING
⊕ TRANSFORMER	— C — CONCRETE
⊕ LIGHT	— T — TELECOMMUNICATIONS, ELECTRIC, AND GAS
⊕ POWER POLE	— E — EASEMENT PER DOC. NO. 3200167
⊕ POWER POLE/LIGHT POLE	
⊕ GUY POLE	
⊕ CABLE BOX	
⊕ GAS METER	
⊕ TELEPHONE MANHOLE	
⊕ UNKNOWN MANHOLE	
○ BOLLARD	



ALLIANT ENGINEERING
233 Park Ave S, Ste 300
Minneapolis, MN 55415
612.758.3080 MAIN
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www.alliant-inc.com

ALTA/ACSM LAND TITLE SURVEY

BIERMAN PLACE APARTMENTS
1401 6TH STREET SE
MINNEAPOLIS, MINNESOTA

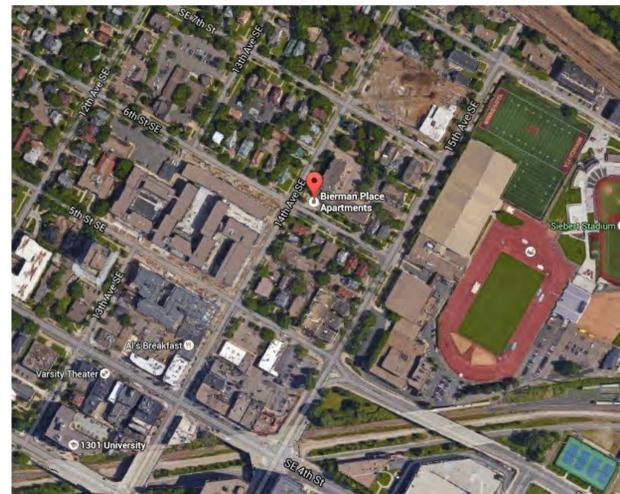
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CHECKED BY	DBO
DATE ISSUED	12/16/14
SCALE	1"=20'
JOB NO.	140159
BOOK	31

Bierman Place Apartments

1401 6th St SE, Minneapolis, MN 55414

Bierman Place
Apartments
1401 6th St SE, Minneapolis, MN
55414

PROJECT LOCATION



Site Location

PROJECT TEAM

Owner/Developer: Steven Scott Management, Inc
5402 Parkdale Drive, Suite 200
St. Louis Park, MN 55416
Ph: 952-540-8600
Fx: 952-540-8601

Architect: Elness Swenson Graham Architects Inc.
500 Washington Ave. South, Suite 1080
Minneapolis, MN 55415
Ph: 612-339-5508
Fx: 612-339-5382

Project Manager: Melissa Lockhart, ESG Architects
Ph: 612-373-4614
Email: melissa.lockhart@esgarch.com

Interior Design: Sage Roshau, ESG Architects
Ph: 612-373-4654
Email: sage.roshau@esgarch.com

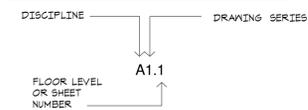
Contractor: Langerman Exteriors Inc.
8416 Xerxes Ave. North
Brooklyn Park, MN 55444
Ph: 763-493-0058
Fx: 763-493-0061

Structural Engineer: Meyer Borgman Johnson
510 Marquette Ave. South, Suite 200
Minneapolis, MN 55402
Ph: 612-338-0713
Fx: 612-337-5325

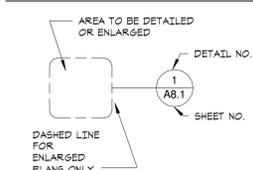
SYMBOLS LEGEND

GENERAL SYMBOLS & IDENTIFICATION METHODS

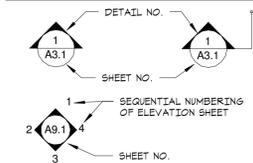
SHEET NUMBERING



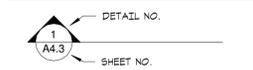
DETAIL REFERENCE



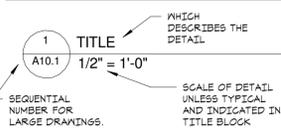
ELEVATION REFERENCE



SECTION REFERENCE



DETAIL NUMBERING



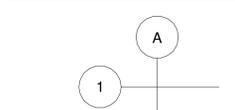
PARTITION TYPE SYMBOL



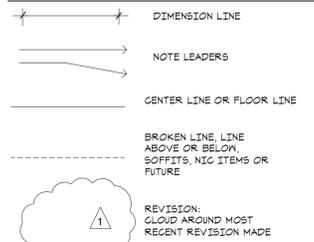
KEY NOTE SYMBOL



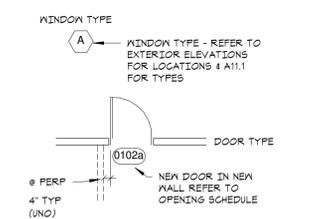
COLUMN GRID DESIGNATORS



LINE TYPE IDENTIFICATION



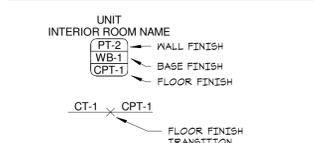
OPENING IDENTIFICATIONS



ROOM IDENTIFICATION



INTERIOR FINISH TAGS



TYPICAL FINISH ABBREVIATIONS:

- CT - CERAMIC TILE
- CPT - CARPET
- WDB - WOOD BASE
- VB - VINYL BASE
- PT - PAINT
- VCT - VINYL COMPOSITION TILE
- RF - RESILIENT FLOOR
- STN - STONE

SHEET INDEX

SHEET NUMBER	SHEET NAME	LAND USE APPLICATION
GENERAL INFORMATION		
T1.1	TITLE SHEET	*
T1.2	ARCHITECTURAL ABBREVIATIONS	*
CODE		
AC1.1	ARCHITECTURAL CODE PLAN	
ARCHITECTURAL		
A0.1	ARCHITECTURAL SITE PLAN	*
A0.2	ENLARGED ARCHITECTURAL PATIO PLAN	*
D1.1	DEMOLITION PLANS	
D1.2	DEMOLITION PLANS	
A1.1	FLOOR PLANS	
A2.1	REFLECTED CEILING PLANS	
A9.1	INTERIOR ELEVATIONS	
A9.2	INTERIOR ELEVATIONS	
A9.3	EXTERIOR WALL ELEVATIONS & DETAILS	
A10.1	WALL TYPES AND OPENING SCHEDULE AND TYPES/DETAILS	
A10.2	INTERIOR DETAILS	
A11.3	ROOM FINISH SCHEDULE	
INTERIORS		
ID1.1	FINISH FLOOR PLAN	
ID1.2	TYPICAL CORRIDOR FINISH PLAN	
ID2.1	FFE PLAN	
STRUCTURAL		
S0.1	LEGEND SHEET	
S2.1	STRUCTURAL PLANS	
S7.1	STRUCTURAL FRAMING DETAILS	

GENERAL PROJECT NOTES

- THIS PROJECT IS AN EXTERIOR ENHANCEMENT FOR A 5 STORY APARTMENT BUILDING
- PERMIT COST TO BE PROVIDED BY GENERAL CONTRACTOR



elness swenson graham architects
500 WASHINGTON AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55415
P. 612.339.5508
F. 612.339.5382
WWW.ESGARCH.COM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Heather Whalen
Signature

Heather Whalen
Typed or Printed Name

45541 06/10/2015
License # Date

LAND USE APPLICATION

08/17/15

ORIGINAL ISSUE: 06/10/15

REVISIONS

No.	Description	Date

215507

PROJECT NUMBER

M.L. SR. HW

DRAWN BY CHECKED BY

KEY PLAN

Bierman Place Apartments

TITLE SHEET

T1.1



elness swenson graham architects

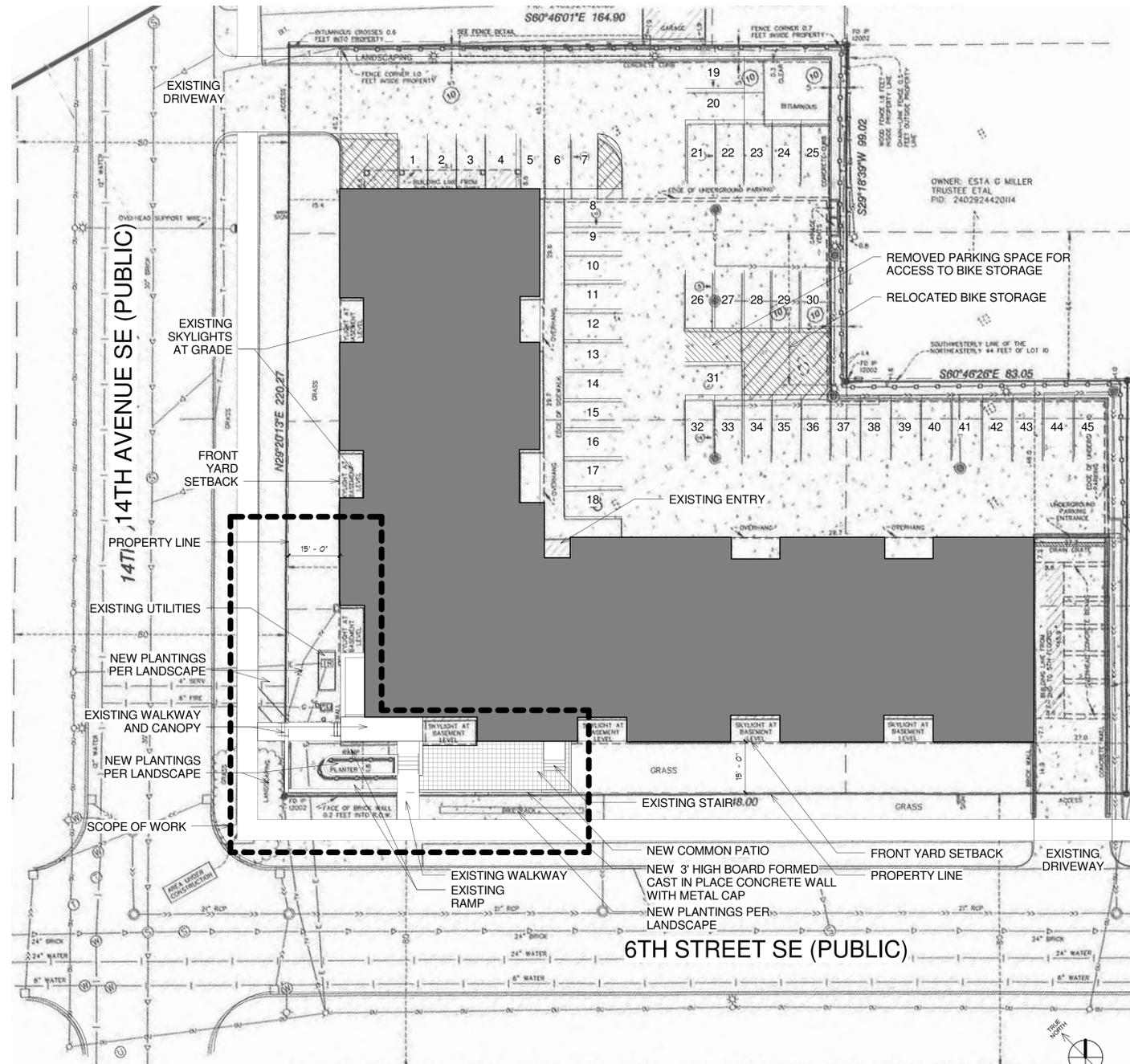
500 washington avenue south
 minneapolis minnesota 55415
 p. 6 1 2 . 3 3 9 . 5 5 0 8
 f. 6 1 2 . 3 3 9 . 5 3 8 2
 www.esgarch.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota

Heather Whalen
 Signature

Heather Whalen
 Typed or Printed Name

45541 06/10/2015
 License # Date



LAND USE
 APPLICATION
 08/17/15

ORIGINAL ISSUE: 07/23/15

REVISIONS

No.	Description	Date

215507

PROJECT NUMBER

SR M L

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KEY PLAN

Bierman Place Apartments

ARCHITECTURAL SITE PLAN

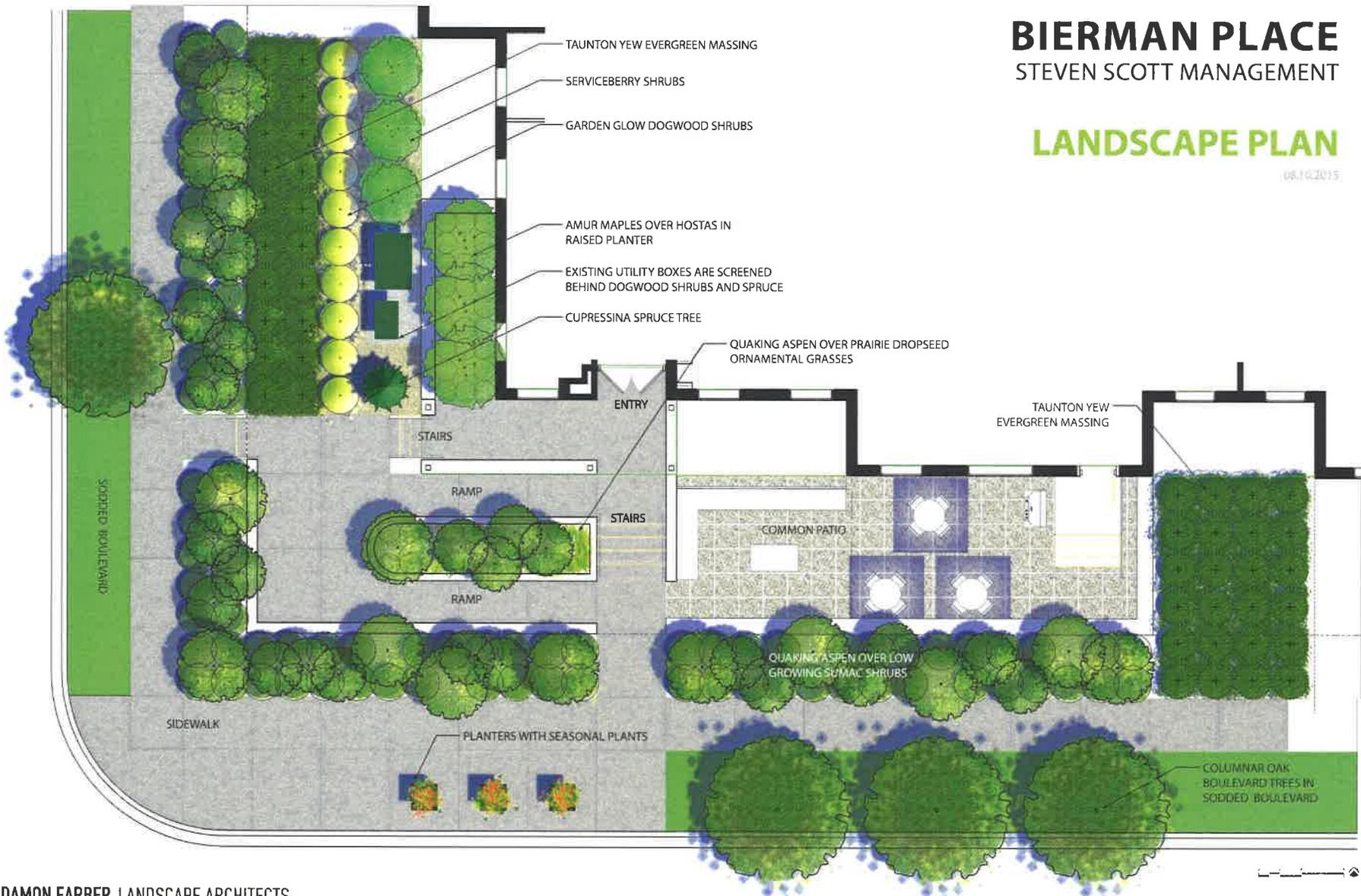
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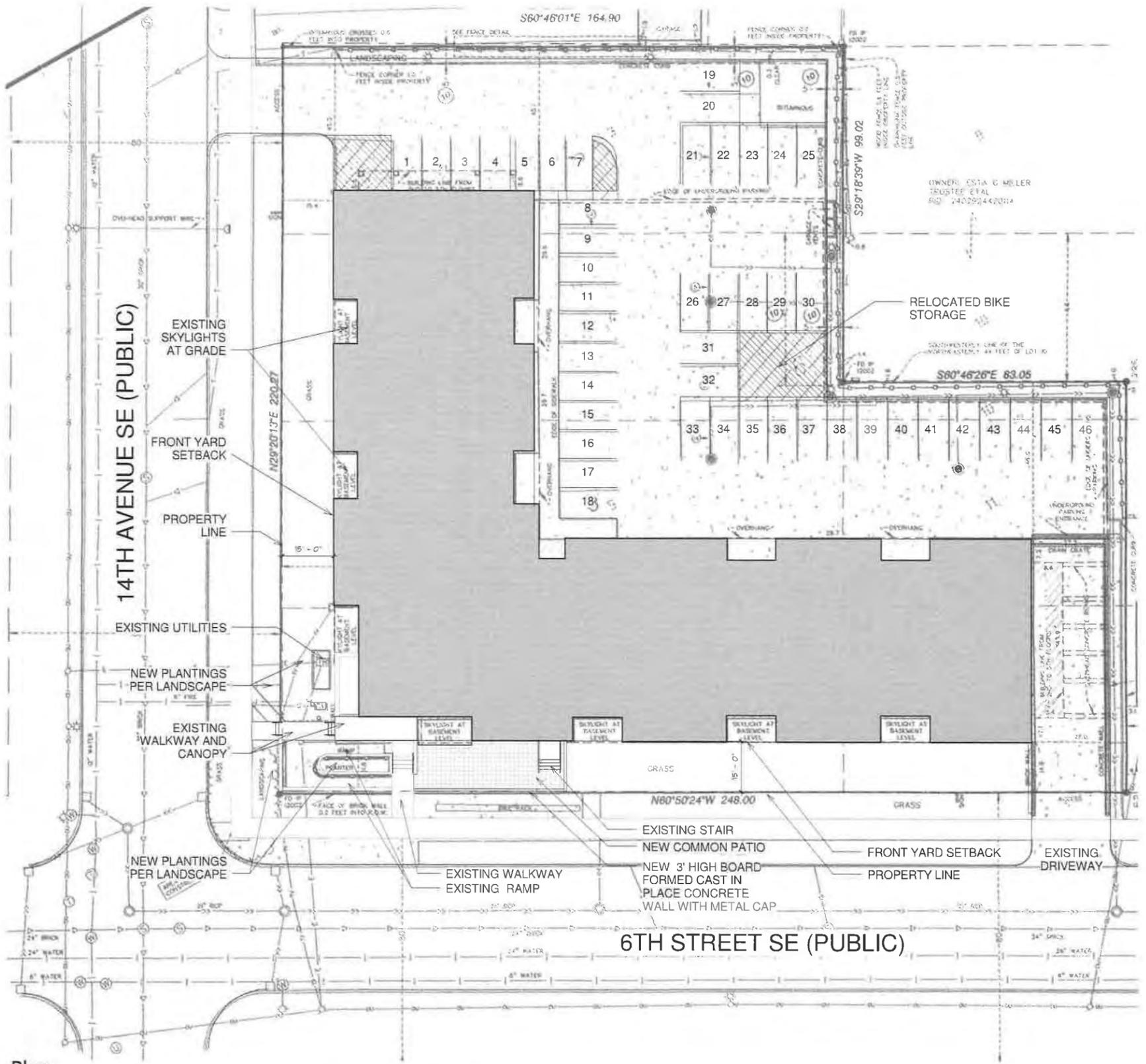
BIERMAN PLACE

STEVEN SCOTT MANAGEMENT

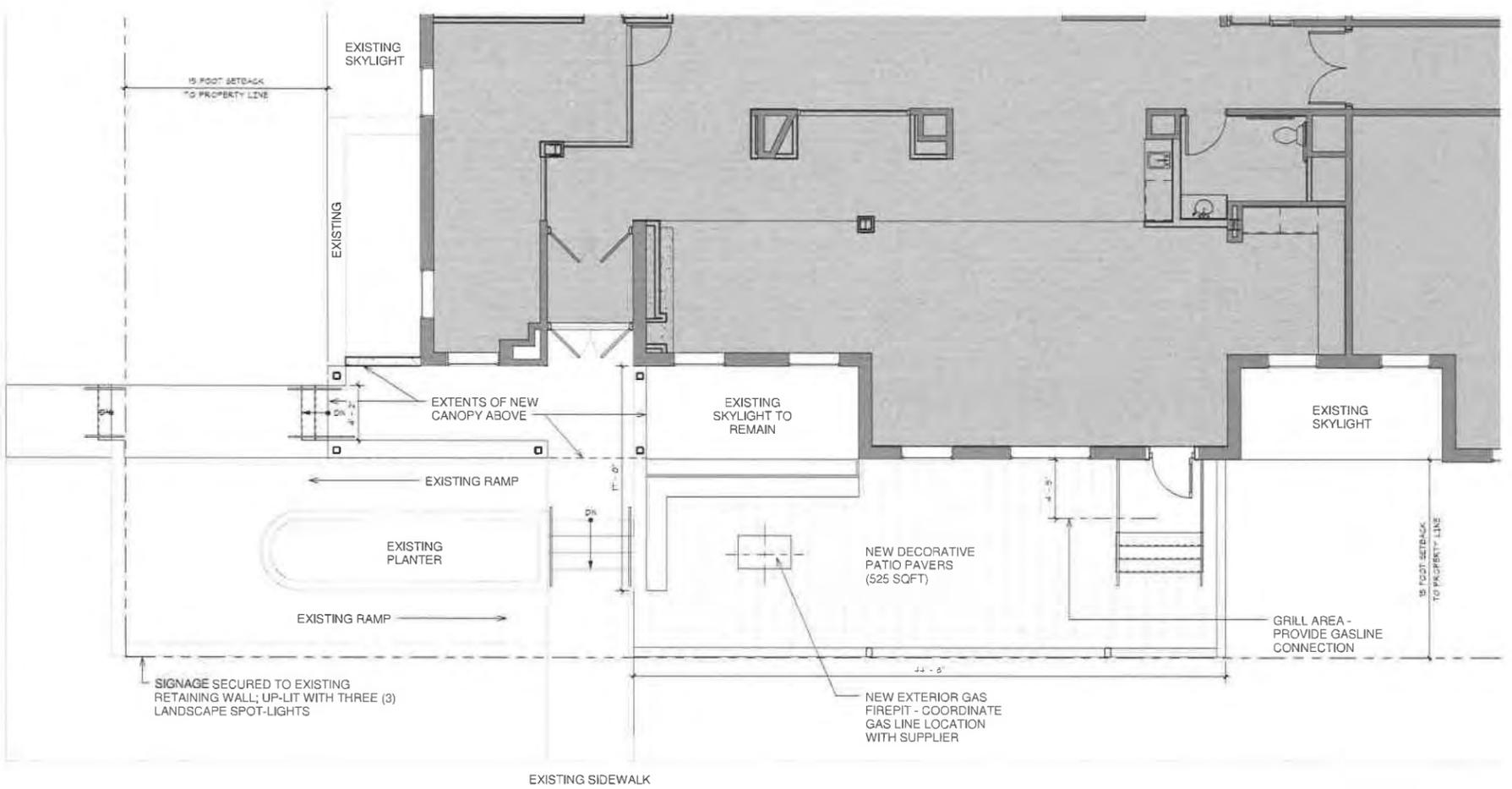
LANDSCAPE PLAN

08.10.2015





Site Plan



Enlarged Architectural Plan

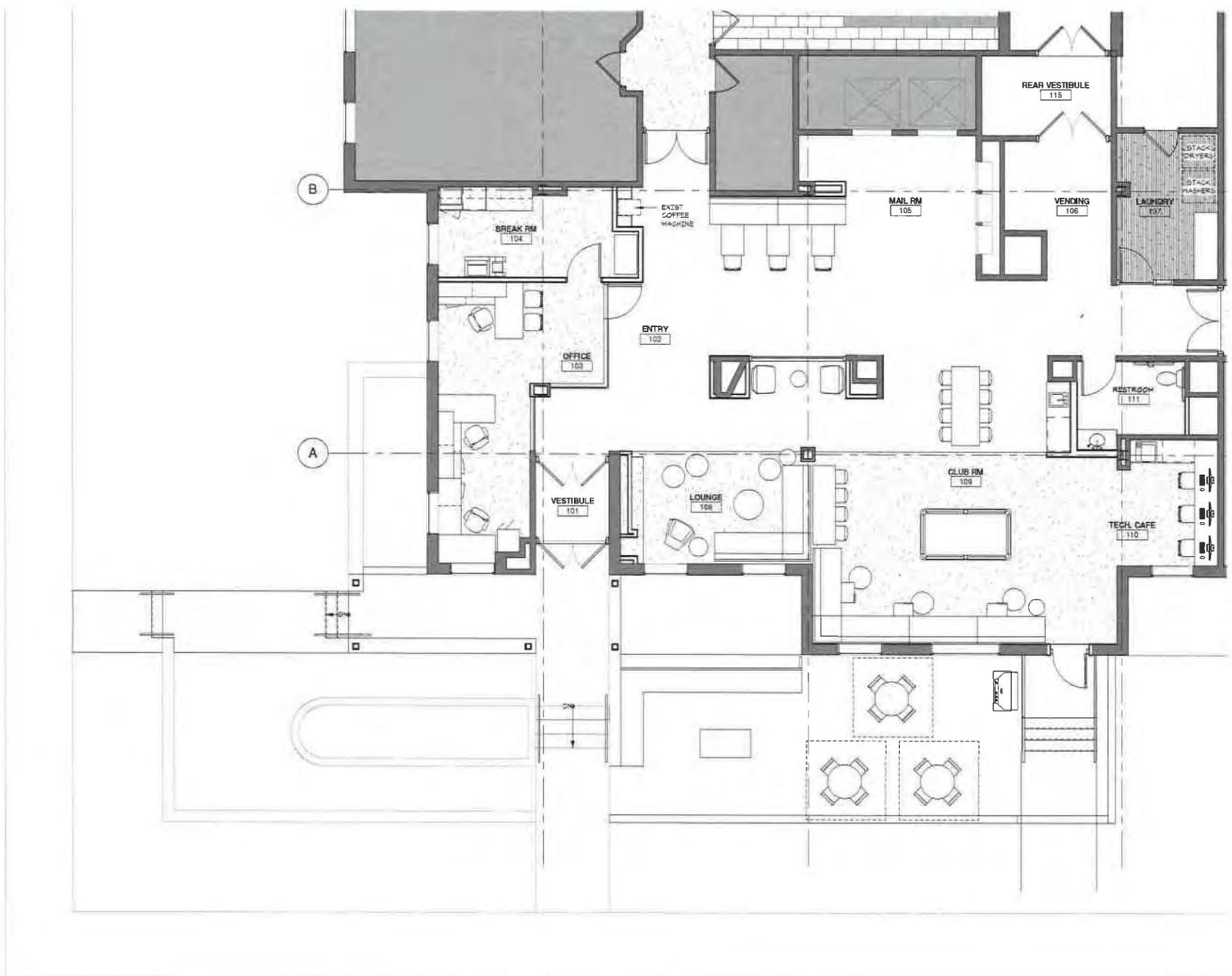
Bierman Place Apartments

Minneapolis, MN





Existing Conditions - Opposite Street Corner



First Floor Furniture Plan



First Floor Interior Perspectives

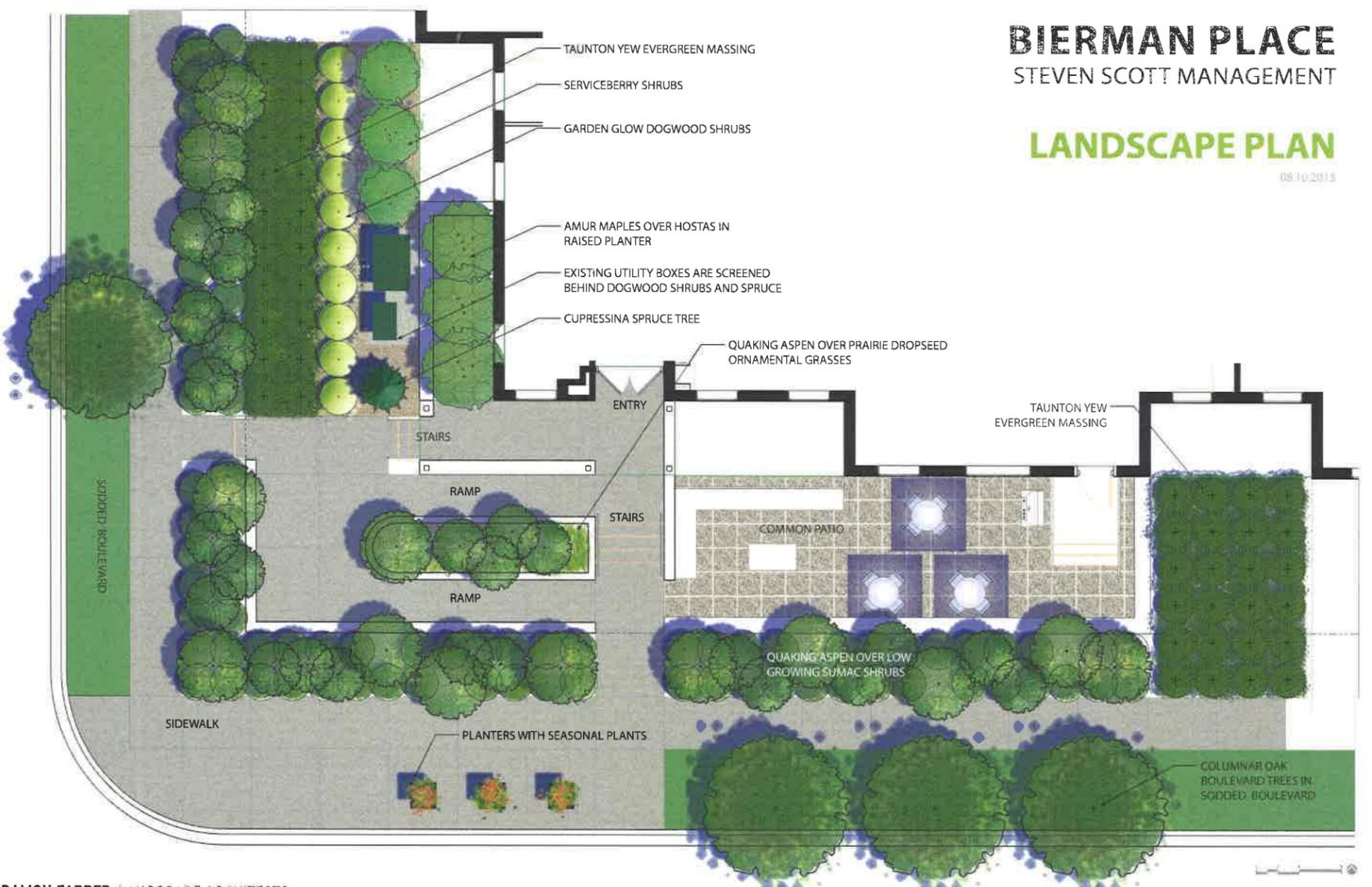
Bierman Place Apartments

Minneapolis, MN





Perspective - Opposite Street Corner



DAMON FARBER LANDSCAPE ARCHITECTS
Landscape Plan

Bierman Place Apartments

Minneapolis, MN



BIERMAN PLACE
STEVEN SCOTT MANAGEMENT

PLANT PALETTE

07.27.2015

HOSTA PERENNIALS



SEASONAL PLANTING IN PLANTERS



CUPRESSINA SPRUCE TREE



AMUR MAPLE ORNAMENTAL TREES



QUAKING ASPEN TREES



BIERMAN PLACE
STEVEN SCOTT MANAGEMENT

PLANT PALETTE

07.27.2015

TAUNTON YEW EVERGREEN SHRUBS



GARDEN GLOW DOGWOOD SHRUBS



PRAIRIE DROPSEED ORNAMENTAL GRASSES



GRO-LOW SUMAC SHRUBS



SERVICEBERRY SHRUBS





APARTMENTS AVAILABLE
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5559
www.biermanplace.com
612-331-3378

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NO
SNOW
EMERGENCY
ROUTE

STOP

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Apartments

612
331-3375

Bierman
Place
Apartments

1401

-YBRD

Bierman
Place
Apartments

612
331-3375

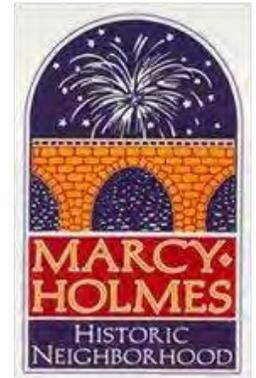
Bierman
Place
Apartments

1401



August 19, 2015

Chair Matthew Perry
Members Board of Adjustment
Minneapolis, MN 55415



Re: Bierman Place Apartments project, 1401 6th Street SE

Dear Chair Perry:

At its August monthly meeting, the Marcy-Holmes Neighborhood Association's Land Use and Development Committee heard a presentation by Burt Coffin and Melissa Lockhart of ESG Architects, and Damon Farber of Damon Farber Landscape Architects for a project to enhance the exterior of the Bierman Place Apartments. These enhancements are aimed at improving the neighborhood livability by creating a 500 square foot patio area that includes a grilling area, a gas fire pit area with seating, and extensive landscaping. The plantings will be indigenous and offer year-round interest.

The project designers and owners are seeking two variances for the project: 1) to permit a fire pit and grilling area and 2) to exceed the patio size limit of 100 square feet allowed under the current zoning ordinances; the proposed patio size is 500 square feet.

The Marcy-Holmes Neighborhood Association supports this project and their variance requests.

Additionally, MHNA recommends that the project designers and owner consider utilizing permeable pavers in their plans to alleviate water run-off entering the storm sewer system.

Sincerely,

Douglas Carlson
MHNA Vice President

c: Janelle A. Widmeier, Sr. City Planner, City of Minneapolis, CPED
Burt Coffin, ESG Architects
Melissa Lockhart, ESG Architects
Damon Farber, Damon Farber Landscape Architects
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