

LAND USE APPLICATION SUMMARY

Property Location: 4415 Nicollet Avenue
Project Name: Driftwood Char Bar Addition
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Heidi Fields
Project Contact: Heidi Fields
Request: To allow a rear addition to a commercial building for a restaurant.
Required Applications:

Variance	To reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3 feet, 5 inches to allow a building addition and a recycling storage area.
Variance	To reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 0 feet to allow a refuse storage area.

SITE DATA

Existing Zoning	CI Neighborhood Commercial District
Lot Area	5,293 square feet
Ward(s)	8
Neighborhood(s)	Kingfield Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (Nicollet Avenue)
Small Area Plan(s)	Nicollet Avenue: The Revitalization of Minneapolis' Main Street (2000)

Date Application Deemed Complete	August 18, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	October 17, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. A one-story commercial building exists on the site. It was permitted for construction in 1905. A restaurant with limited entertainment, Driftwood Char Bar, occupies the building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There is a mix of residential and commercial uses in the surrounding area. A multiple-family dwelling is located on the adjacent property to the north and a mixed use building is located to the south.

PROJECT DESCRIPTION. The applicant is proposing to construct a one-story, approximately 550 square foot addition to expand the Driftwood Char Bar restaurant. A screened recycling storage area would also be located directly behind the addition. Adjacent to the north lot line and the alley, the refuse and grease containers would be enclosed by screening. Other improvements to the site include landscaping along the north lot line and the alley to screen the parking area. Adjacent to the north lot line, an unobstructed minimum interior side yard of 5 feet is required. The addition and recycling enclosure would be set back 3 feet, 5 inches and the refuse/grease enclosure would be set back 0 feet. The applicant is requesting variances to reduce the yard requirements to allow the proposed obstructions.

PUBLIC COMMENTS. As of the writing of this staff report, no correspondence from the neighborhood group has been received. Any 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 1) a variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3 feet, 5 inches to allow a building addition and a recycling storage area and 2) a variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 0 feet to allow a refuse storage area 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.*

Both variances: Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. A minimum 5 foot wide interior side yard is required along the north lot line. The area where the addition is proposed is currently occupied by surface parking and a shed. Currently, the recycling, refuse and grease storage containers are partially located in the north interior side yard with screening on only two of the four sides. The zoning code requires refuse and recycling storage containers to be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or must be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Locating the refuse storage area outside of the required side yard would further encroach on the drive aisle for the required parking. The setback of the proposed north wall of the addition would match the existing building

setback of 3 feet, 5 inches. Because the building is at a slight angle, the east end of the addition and recycling storage area would be further away from the north lot line than the rest of the addition.

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.*

Both variances: 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. The area where the addition is proposed is currently occupied by surface parking and a shed. The setback of the proposed north wall of the addition would match the existing building setback of 3 feet, 5 inches. Because the building is at a slight angle, the east end of the addition and recycling storage area would be further away from the north lot line than the rest of the addition. Currently, the recycling, refuse and grease storage containers are partially located in the north interior side yard with screening on only two of the four sides and are visible from surrounding residential properties. The applicant is proposing to fully enclose the refuse containers and screen them from the adjacent dwellings as required by the zoning code. The multiple-family dwelling to the north is set back 5 feet from the shared lot line. Because the addition is only one-story, it should have minimal effects to access to light and air for the property to the north. The refuse and grease container storage area would be located adjacent to the alley and abut the side of the neighboring residential detached garage. It would be 25 feet from the rear of the adjacent multiple-family dwelling to minimize any adverse effects. The requests are 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.*

Both variances: The granting of the variances would not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity. The addition would continue the setback of the existing building. The multiple-family dwelling to the north is set back 5 feet from the shared lot line. Because the addition is only one-story, it should have minimal effects to access to light and air for the property to the north. The addition is designed to be compatible with the existing structure and surrounding uses. The primary exterior material of the existing structure is stucco. The proposed exterior materials of the addition are stucco on the north and south sides. The east building wall facing the parking lot would have windows; however, it would not be clad in stucco to allow for a mural over the concrete masonry structure. If a mural is not installed, stucco would need to be applied over the CMU to ensure compatibility on all sides of the structure and because plain concrete masonry units are discouraged as an exterior material. The recycling, refuse and grease storage containers would be fully enclosed and screened from the adjacent dwellings as required by the zoning code. The refuse and grease container storage area would be located adjacent to the alley and abut the side of the neighboring residential detached garage. It would be 25 feet from the rear of the adjacent multiple-family dwelling to minimize any adverse effects. If granted, the proposed variances would not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the proposed construction is built to current building codes.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Heidi Fields for the property located at 4415 Nicollet Avenue:

A. Variance of the minimum interior side yard requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 3 feet, 5 inches to allow a building addition and a recycling storage area, subject to the following conditions:

1. Approval of the final site, elevation and floor 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.

B. Variance of the minimum rear yard requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum interior side yard requirement adjacent to the north lot line from 5 feet to 0 feet to allow a refuse storage area, subject to the following conditions:

3. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
4. 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 plan, floor and elevation plans
5. Photos

**4415 NICOLLET AVENUE SOUTH
GENERAL LAND USE APPLICATION - VARIANCE FOR SIDE SETBACK
August 14, 2015**

DESCRIPTION OF PROJECT AND PROPOSED USE

Our building located at 4415 Nicollet Avenue South, Minneapolis, MN 55419 Hennepin County Property 10-028-24-43-0024 is zoned C-1. The main objective of the addition is to add two ADA compliant bathrooms and to increase the restaurant seating area to allow for wider aisles while actual seating capacity would only increase by approximately 12. Furthermore the addition would enclose a hallway and the stairs from the kitchen to the basement. Also, the addition would allow for a smaller and more functional and acoustical stage area. We are building the addition to the rear on the east side of our existing building and would extend the length of our building approximately 16' and the width would remain the same as the existing building approximately 32'. The property to the south of our building is a mixed use building. The property to the north of our building is an apartment building. Code section 548.140 requires the minimum side setback from residential property to be 5' from the property line.

We are requesting a variance of 18" from the required side setback from the apartment building property line to build our addition.

Our building was originally constructed in 1905. There are two unique aspects of our property. The first unique aspect of our property is that when originally constructed there were two separate buildings with two separate addresses 4413 Nicollet Avenue South and 4415 Nicollet Avenue South. The buildings were built on a very narrow lot with dimensions length 125.9 by width 42 feet. Subsequently, the two buildings were combined into one space. The south half of the building has the kitchen and bar with limited seating. The south half of the building has a basement with staircase and has all the plumbing for kitchen, bar and bathroom space. The north half of the building has the majority of seating for the restaurant and the stage. The north side of the building has never had a basement.

The second unique aspect of our building is its orientation on the property. Our building walls are not orientated on the property parallel to the north and south property lot lines. In other words for unknown reasons the building is situated diagonal based on the survey of current lot lines. The northwest corner of our building is 2.5' from the north property line and the northeast corner of our building is 3.5' from the north property line. Perhaps the building was constructed relying on old lot lines and markers which were updated subsequent to the original construction. Also the mixed use building to the south was built in 1909 and is parallel to our building. As a result, this building is also diagonal based on the current survey of the property line. The apartment building to the north was built much later in 1924 and was constructed parallel to the current lot lines.

Compliance with the setback creates structural and architectural difficulty for two reasons. Firstly, there is structural difficulty in building a wall that is offset 18" from the existing wall and lessens the integrity of our addition. In addition compliance creates undesirable aesthetics. With this variance the exterior north wall of our addition would be flush with the exterior wall of our existing building which aesthetically allows for one continuous wall without an abrupt 18" indentation. Secondly compliance with the setback and to prevent loss and practical use of our lots legal boundary would require the addition wall to be parallel to the property line. Given the fact that the existing building is positioned diagonally to the property line the addition wall would be required to be built at an obtuse angle to connect to the wall of the existing building. The addition would be shaped like a trapezoid. Also creating undesirable aesthetics and lessens the integrity for our building. With the 18" variance these difficulties could be avoided. These circumstances present practical difficulties in complying with the ordinance that are unique to the property and not created by the applicant.

Furthermore, compliance with the setback creates hardship due to loss of functional square footage. Our project is supported by additional footage and flow for the operations of the restaurant. We are expanding our building to provide additional area in which to construct ADA compliant restrooms. Offsetting the wall to be compliant creates a hardship in losing functionality of square footage. Currently the interior restaurant seating in the north half of the building has a width of 13.5'. Without the variance for the setback the width for our seating area in the addition would decrease to 11.5'. The already narrow seating area would become narrower and severely more difficult to utilize as restaurant seating. The addition is 16' in length extending toward the east. Because of the way our building is orientated on the property the required setback variances decreases to 14" at the end of our addition.

The addition would include a smaller stage than the current stage. The current stage is 121.5 sq. ft. and the new stage would decrease to 113.5 sq. ft. We use the stage for theatrical productions, fashion shows, music lessons, choir practice, film and movie productions and a variety of entertainment not exclusively musical entertainment. The addition would be made out of cinder block which is much more sound absorbent than the current building constructed of plaster and lath. In addition there would be and additional wall separating the stage and seating area from the rear entrance door.

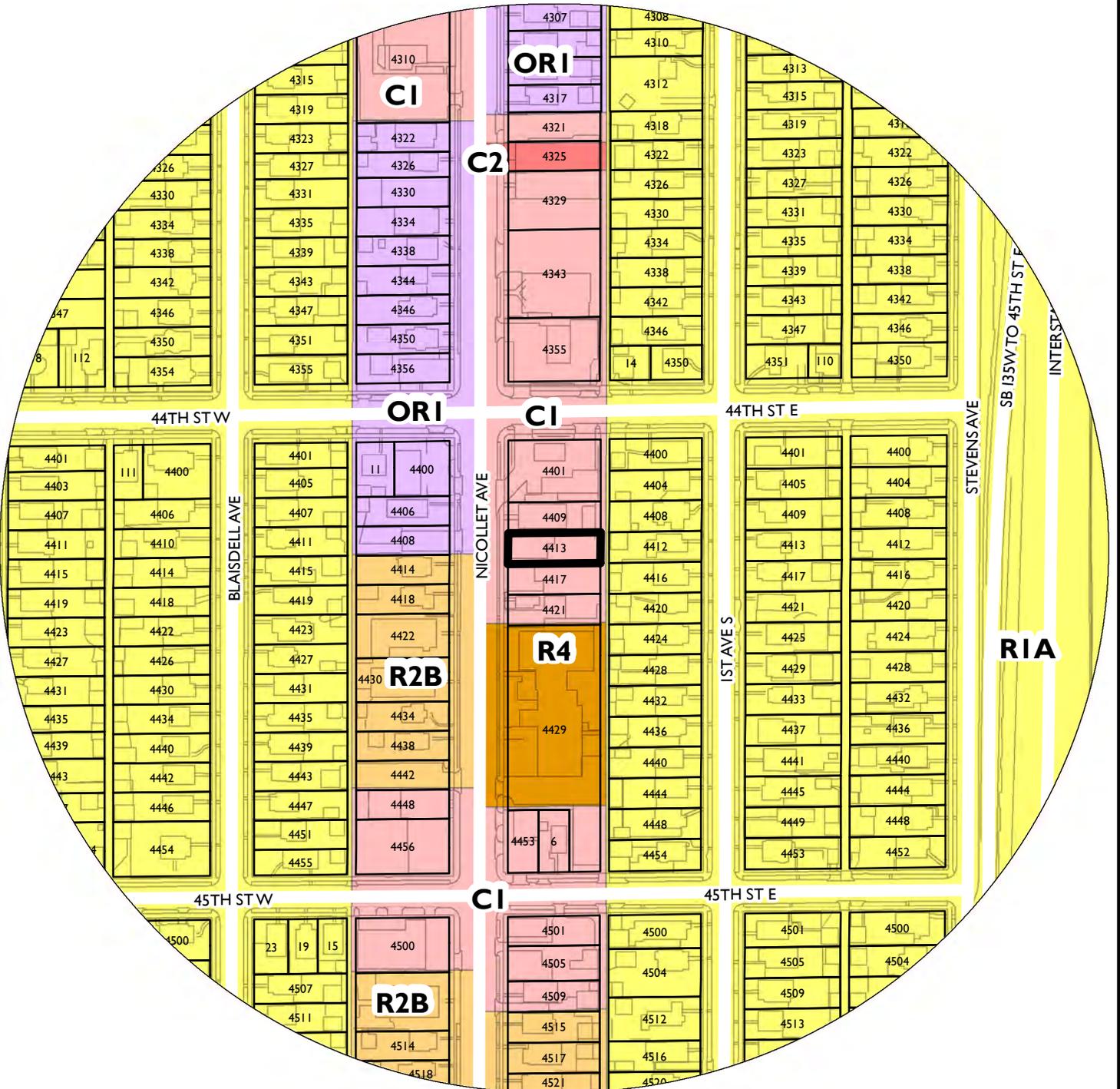
We are requesting a variance of 3' for the placement of the garbage and oil recycling containers.

We would like a variance of 3' to place the containers in a wooden fenced in area alongside the garage of the apartment building to the north. The length of the required variance would be 14' to accommodate the containers and wooden fence. We would keep the containers in the area where they are presently located. Our lot is narrow and does not allow for options on placement of these containers. Basically we have no other space to put the containers given the requirements of the parking lot configuration. These circumstances present practical difficulties in complying with the ordinance that are unique to the property and not created by the applicant. The variance would be along the apartment building garage and would not have a negative impact on the apartment building property. Again we would provide additional screening with shrubs and bushes to improve the overall aesthetics of our back lot.

These variances would not be materially detrimental to the purposes of this Ordinance, or to apartment building to the north or to any other property in the vicinity. Our addition and variances would not conflict with the objectives of any City plan or policy. Our request would not have negative impacts on property in the vicinity or the same zone and our approval would not conflict with any other aspect of the Comprehensive Plan, Zoning ordinance, or other City policy. We would redesign and landscape the space between the buildings to have Sunkist arborvitae as screening and other perennial foliage and plants for aesthetic purposes and give an overall improvement to the space between the buildings. Practical difficulties and hardships exist to offset the proposed addition from the existing building wall as it represents a loss of flow and operations and structural difficulty and undesirable aesthetic. These practical difficulties and hardships prevent the feasibility of the improvement and the purpose of the addition in general. The variances requested are the minimum variances which would alleviate the hardships.

NAME OF APPLICANT

WARD

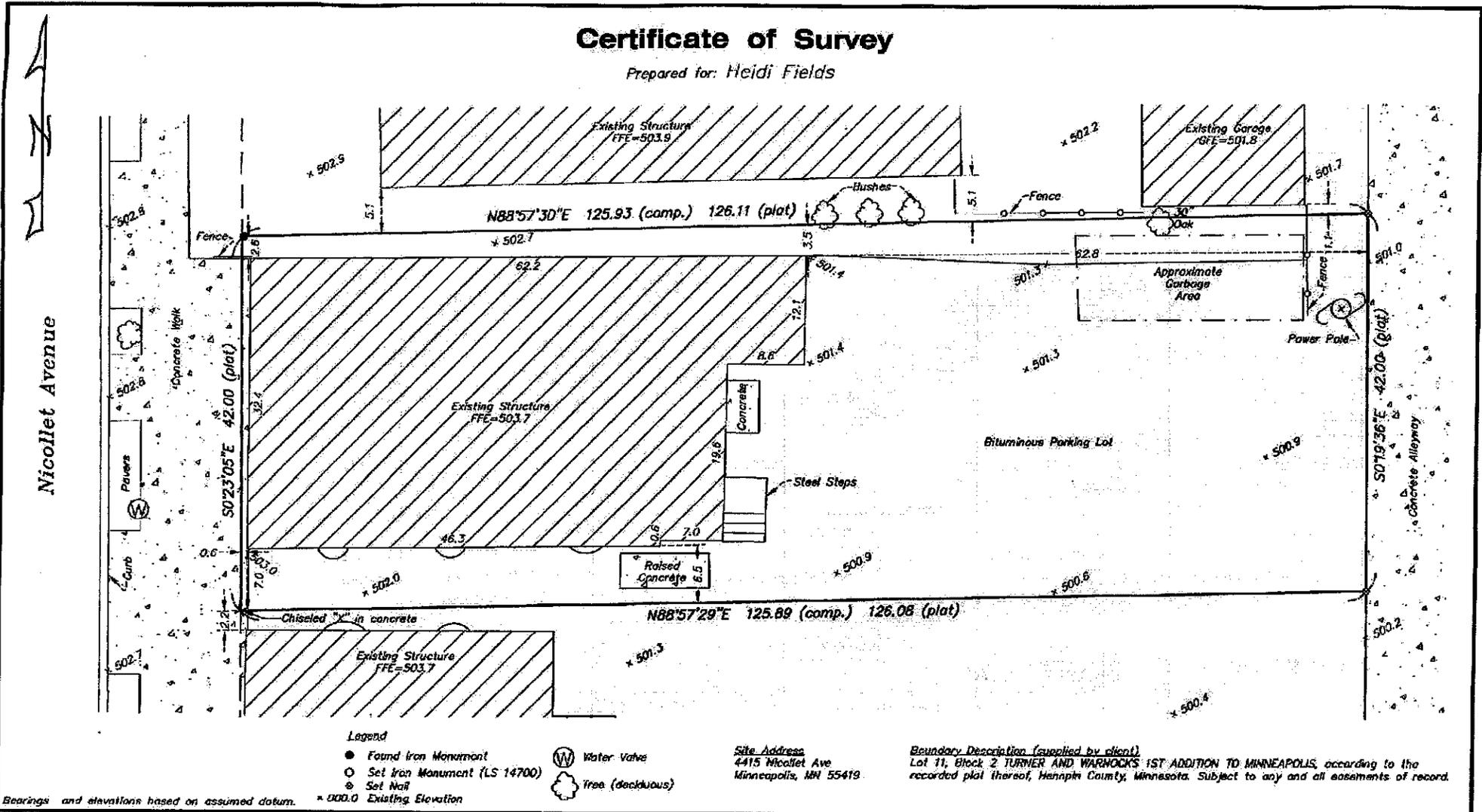


PROPERTY ADDRESS
4415 Nicollet Ave

FILE NUMBER
BZZ-7355

Certificate of Survey

Prepared for: Heidi Fields



Legend

- Found Iron Monument
- Set Iron Monument (LS 14700)
- ⊙ Set Nail
- 000.0 Existing Elevation
- ⊙ Water Valve
- ⊙ Tree (deciduous)

Site Address
 4415 Nicollet Ave
 Minneapolis, MN 55419

Boundary Description (supplied by client)
 Lot 11, Block 2 TURNER AND WARNOCK'S 1ST ADDITION TO MINNEAPOLIS, according to the recorded plat thereof, Hennepin County, Minnesota. Subject to any and all easements of record.

Bearings and elevations based on assumed datum.

SCHOBORG
LAND SERVICES
INC.

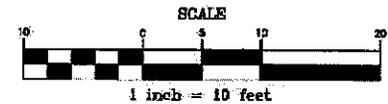
783-972-3221 8907 Co. Rd. 13 SE
 www.schoborgland.com Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Paul B. Schoborg
 Paul B. Schoborg

Date: JULY 21, 2015 Registration No. 14700

Job Number:	8021
Book/Page:	79/13
Survey Date:	6/23/15, 6/30/15, 7/15/15
Drawing Name:	fields.dwg
Drawn by:	DMS
Revisions:	



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DRAWING SET

#	SHEET #	SHEET TITLE
1.	A0.0	TITLE SHEET
2.	AX1.0	1/16"=1'-0" EXISTING SITE PLAN
3.	AX1.1	1/16"=1'-0" EXISTING AERIAL IMAGE
4.	AX2.0	1/8"=1'-0" EXISTING-BASEMENT LEVEL PLAN
5.	AX2.1	1/8"=1'-0" EXISTING-FIRST LEVEL PLAN
6.	AX3.0	1/8"=1'-0" EXISTING-SOUTH ELEVATION
7.	AX3.1	1/8"=1'-0" EXISTING-EAST ELEVATION
8.	AX3.2	1/8"=1'-0" EXISTING-NORTH ELEVATION
9.	AX4.0	1/8"=1'-0" EXISTING BUILDING SECTION
10.	A1.0	1/16"=1'-0" SITE PLAN
11.	A1.1	1/16"=1'-0" PERMEABILITY DIAGRAM
12.	A2.1	1/8"=1'-0" FIRST LEVEL FLOOR PLAN
13.	A2.1D	1/8"=1'-0" FIRST LEVEL DEMOLITION PLAN
14.	A3.0	1/8"=1'-0" SOUTH ELEVATION
15.	A3.1	1/8"=1'-0" EAST ELEVATION
16.	A3.2	1/8"=1'-0" NORTH ELEVATION
17.	A4.0	1/8"=1'-0" BUILDING SECTION
18.	A5.0	3/8"=1'-0" SITE DETAILS

DRIFTWOOD CHAR BAR ADDITION

4415 Nicollet Avenue South Minneapolis, MN 55419

GENERAL NOTES

REPAINT ALL AREAS EFFECTED BY CONSTRUCTION. COLOR TO MATCH EXISTING UNLESS OTHERWISE INDICATED.

ELECTRICAL TO BE INSTALLED ACCORDING TO CODE. SUPPLY APPROPRIATE POWER TO ALL APPLIANCES. OUTLETS INDICATED ON PLANS AND ELEVATIONS ARE IN ADDITION TO THOSE REQUIRED BY CODE.

SWITCHING FOR LIGHTS TO BE PROPOSED BY ELECTRICIAN, APPROVED BY ARCHITECT AND OWNER.

FIELD VERIFY ALL DIMENSIONS

MATCH SLOPE, MATERIALS, AND HEIGHTS OF EXISTING ROOF STRUCTURE WHERE REQUIRED

FIELD VERIFY ALL FRAME DETAILS, TRIM, AND SIDING WITH EXISTING STRUCTURE



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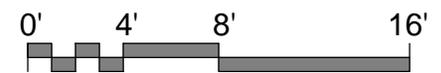
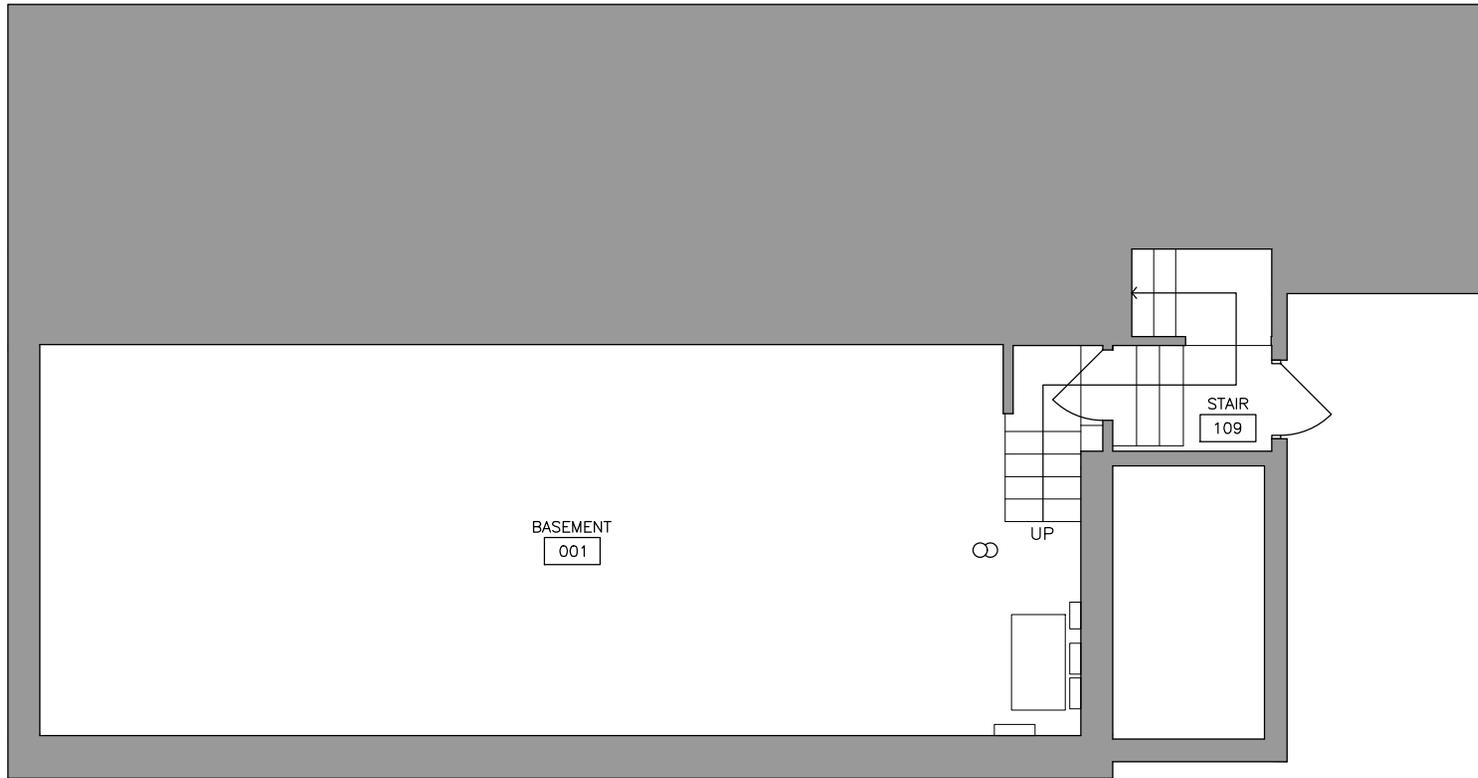
PROJECT: DRIFTWOOD CHAR BAR
 NICOLLET AVE S
 MINNEAPOLIS, MN
 55419

TITLE: AERIAL IMAGE
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 SCALE: 1/16"=1'-0"
VARIANCE/PDR SET

REVISIONS:
4

SHEET:
AX1.1

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PROJECT: DRIFTWOOD CHAR BAR
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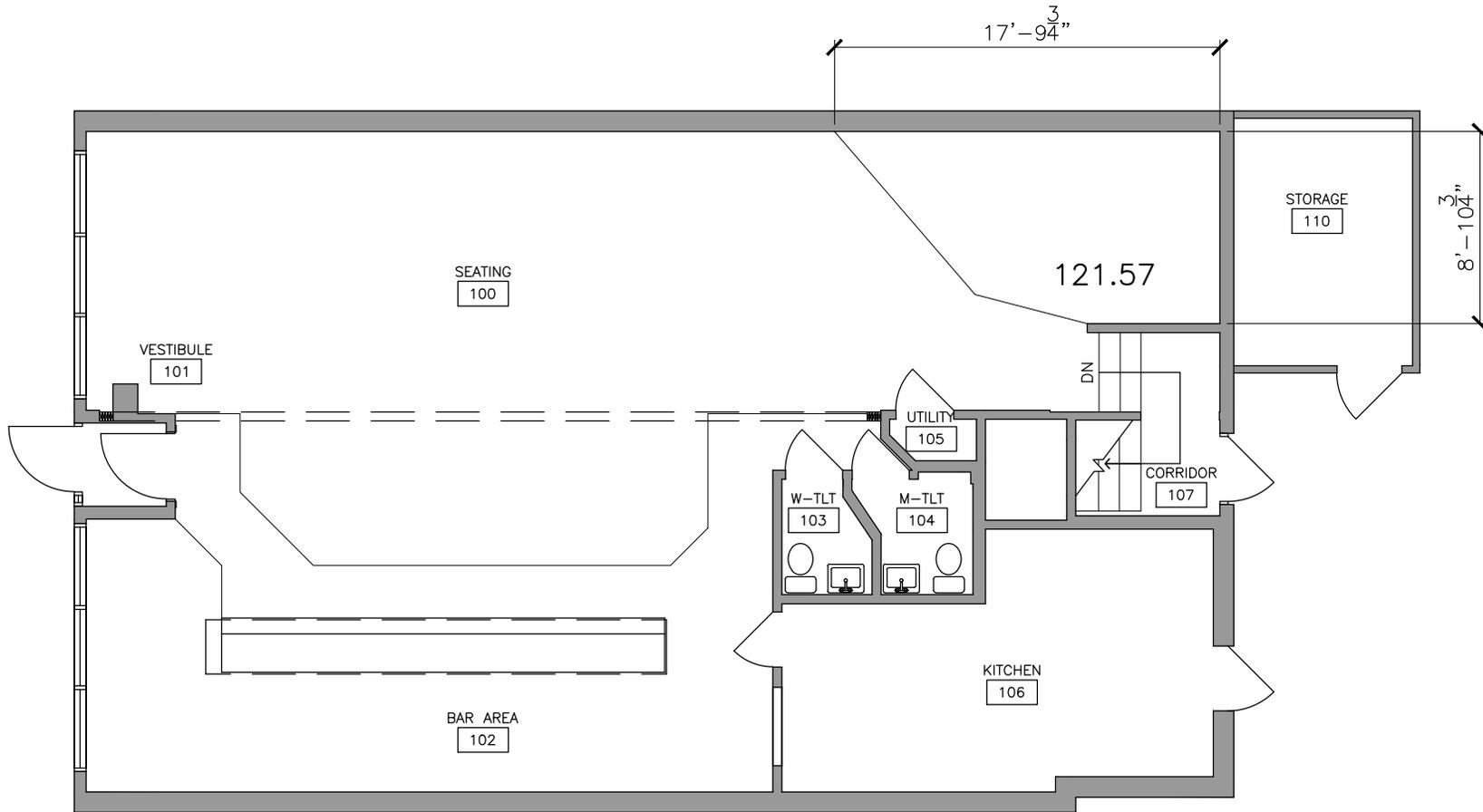
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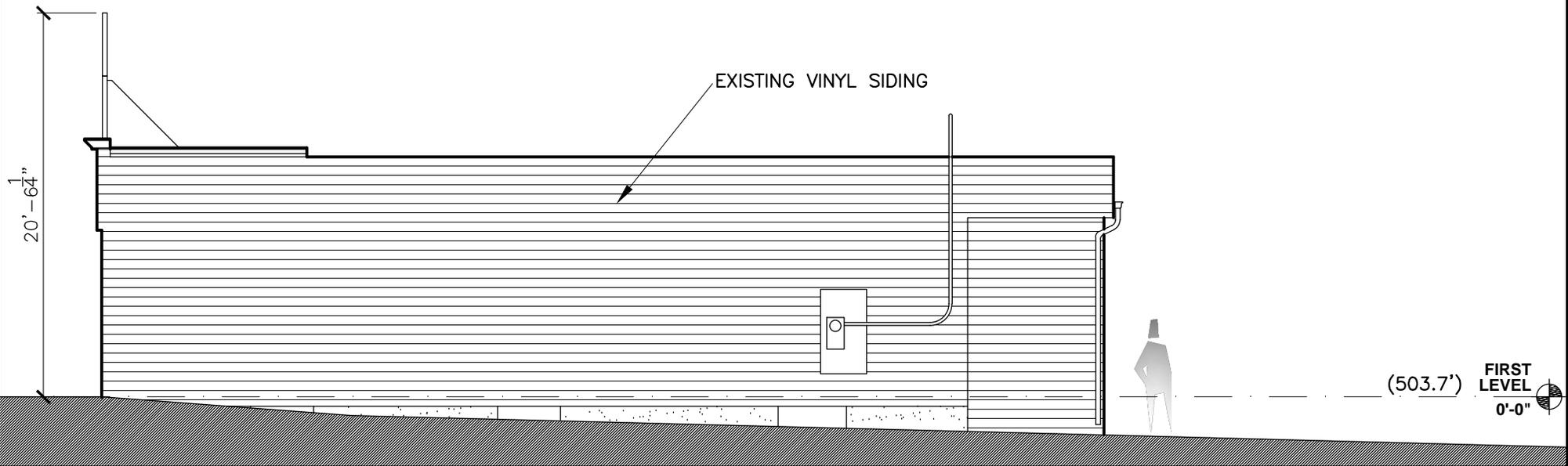
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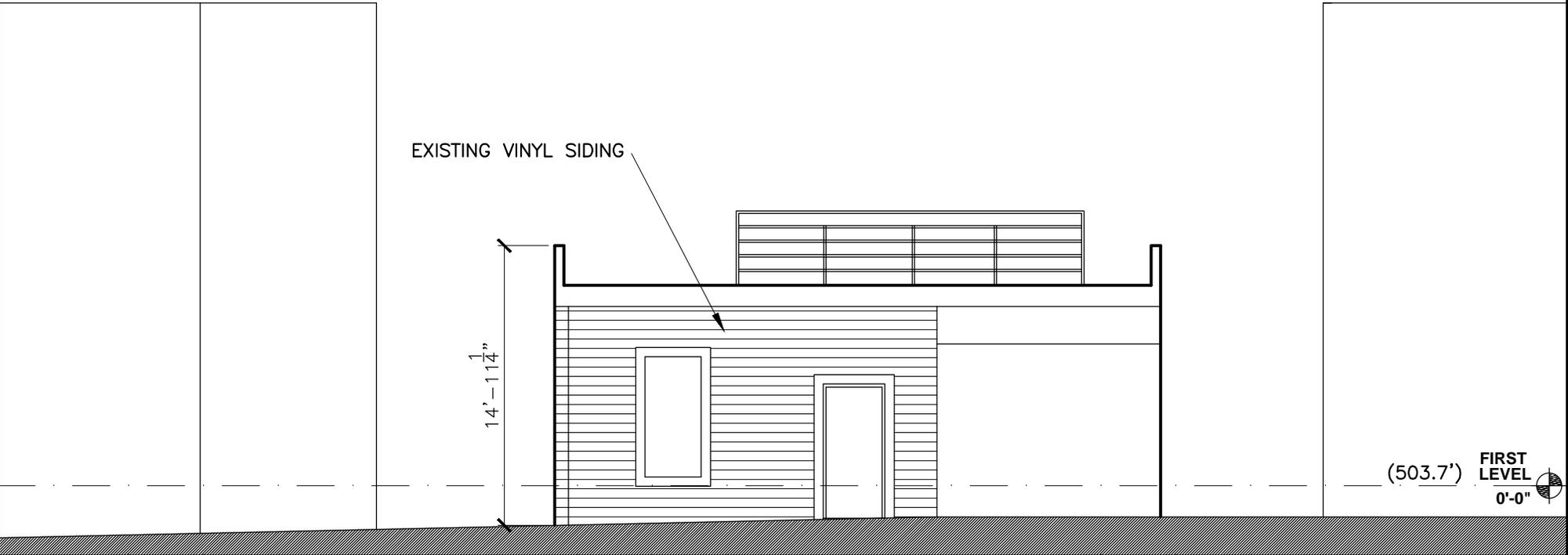
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TITLE: EXISTING SOUTH ELEVATION
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VARIANCE/PDR SET

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SHEET:
AX3.0

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(503.7') FIRST LEVEL
0'-0"



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TITLE: EXISTING EAST ELEVATION
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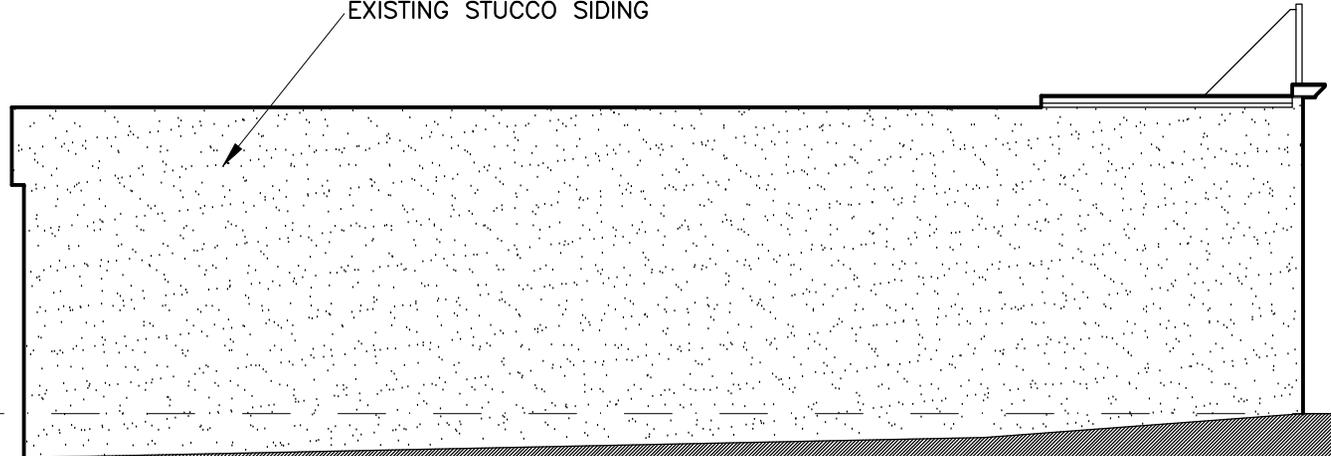
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FIRST LEVEL
0'-0"

EXISTING STUCCO SIDING



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PROJECT: DRIFTWOOD CHAR BAR
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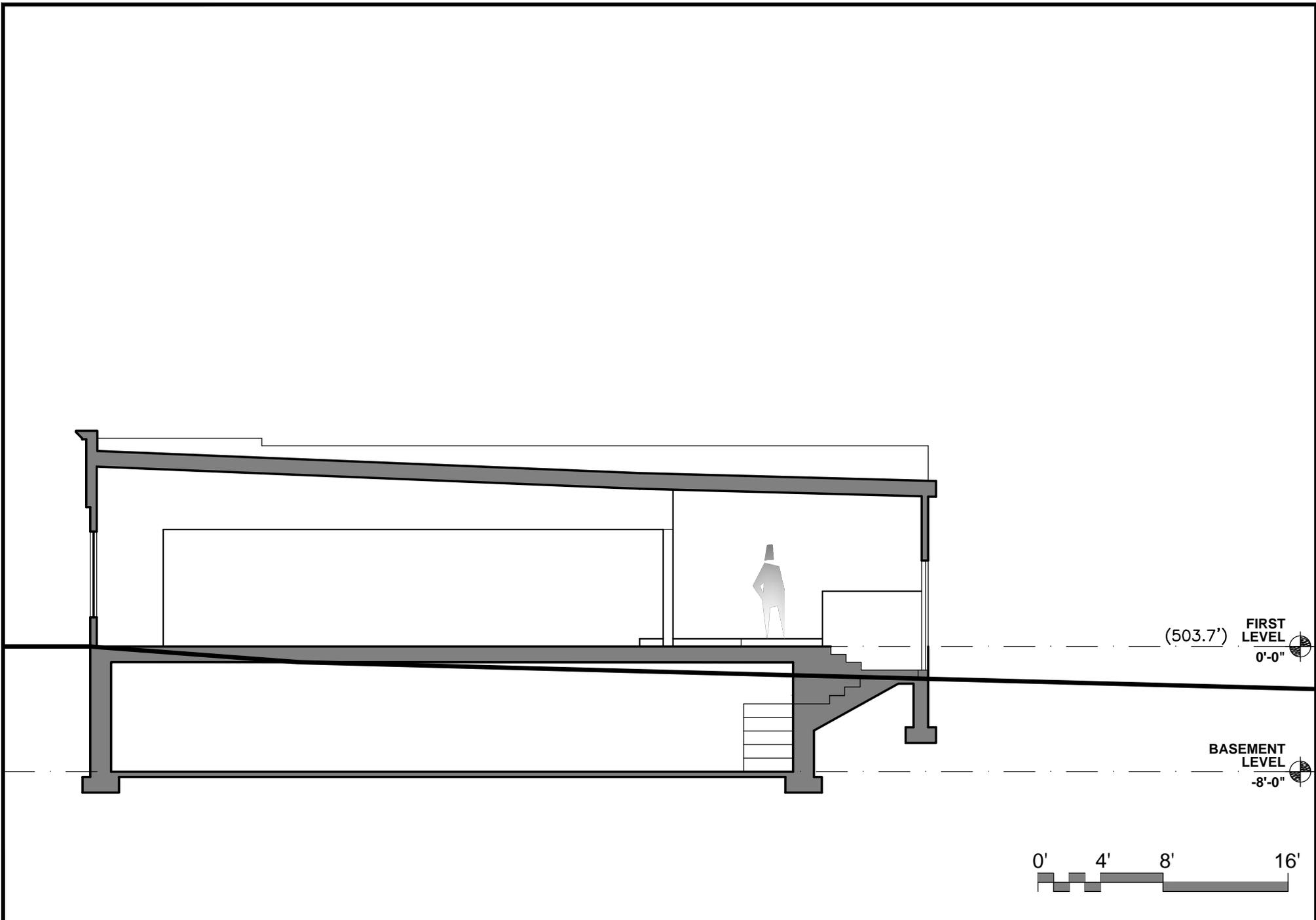
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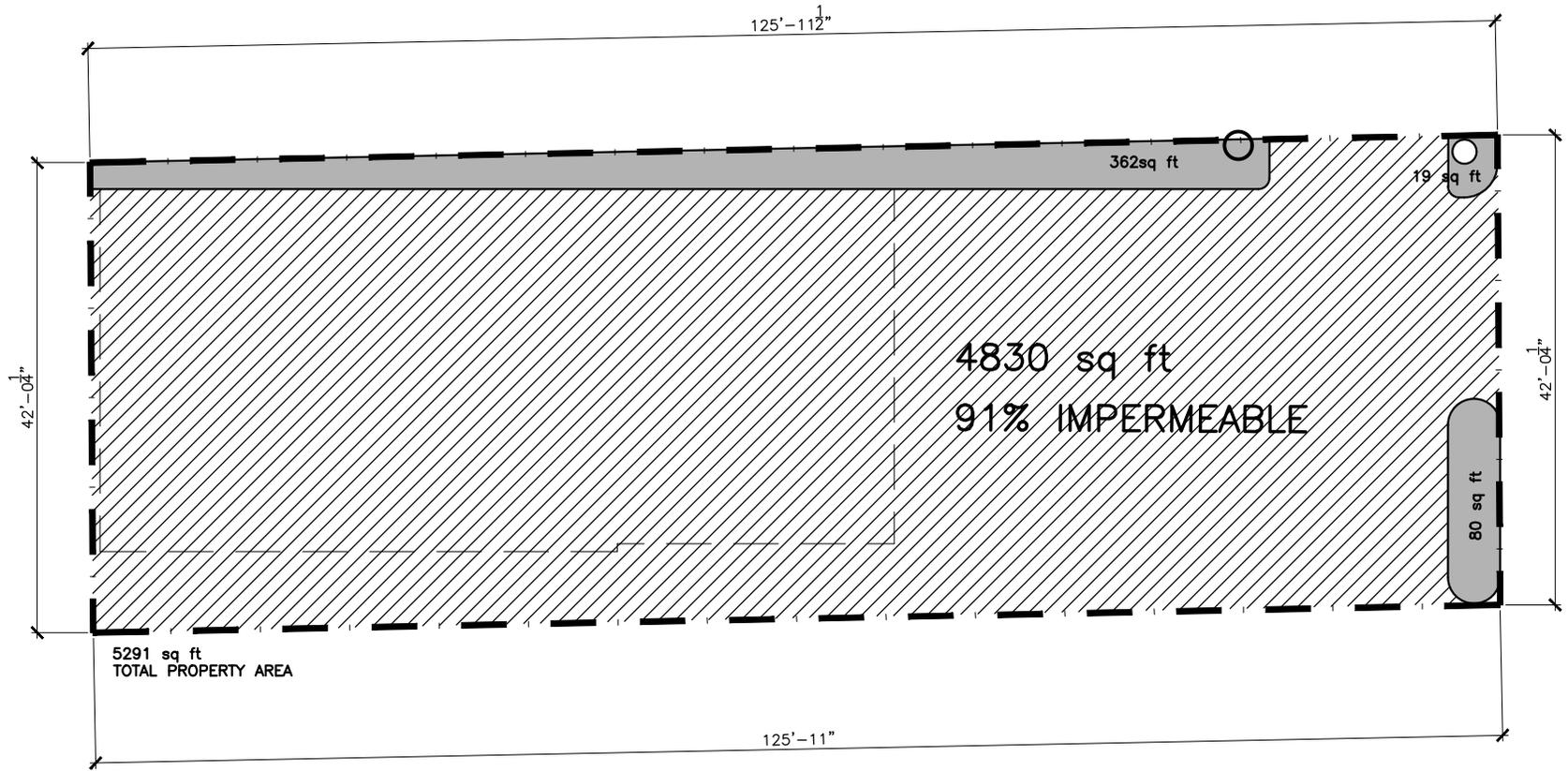
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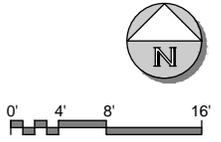
Nicollet Ave



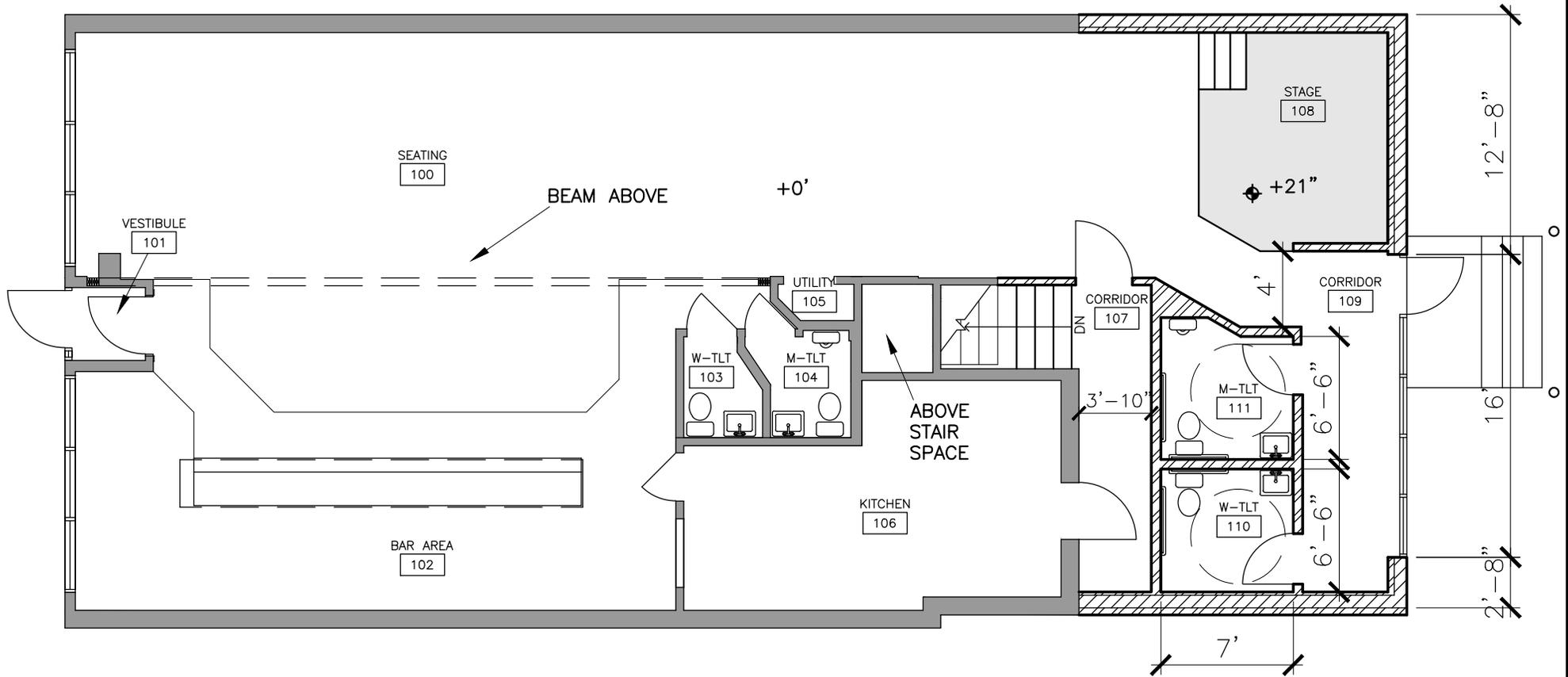
NOTE:

- IMPERMIABLE
- PERMIABLE

<p>362 sq ft 19 sq ft + 80 sq ft</p> <hr style="border: 0.5px solid black;"/> <p>461 sq ft TOTAL PERMIABLE</p> <p>4830/5291x100= 91% IMPERMEABLE 100%-91%= 8% PERMEABLE</p>	<p>5291 sq ft TOTAL PROPERTY LINE AREA - 461 sq ft TOTAL PERMIABLE</p> <hr style="border: 0.5px solid black;"/> <p>4830 sq ft TOTAL IMPERMIABLE</p>
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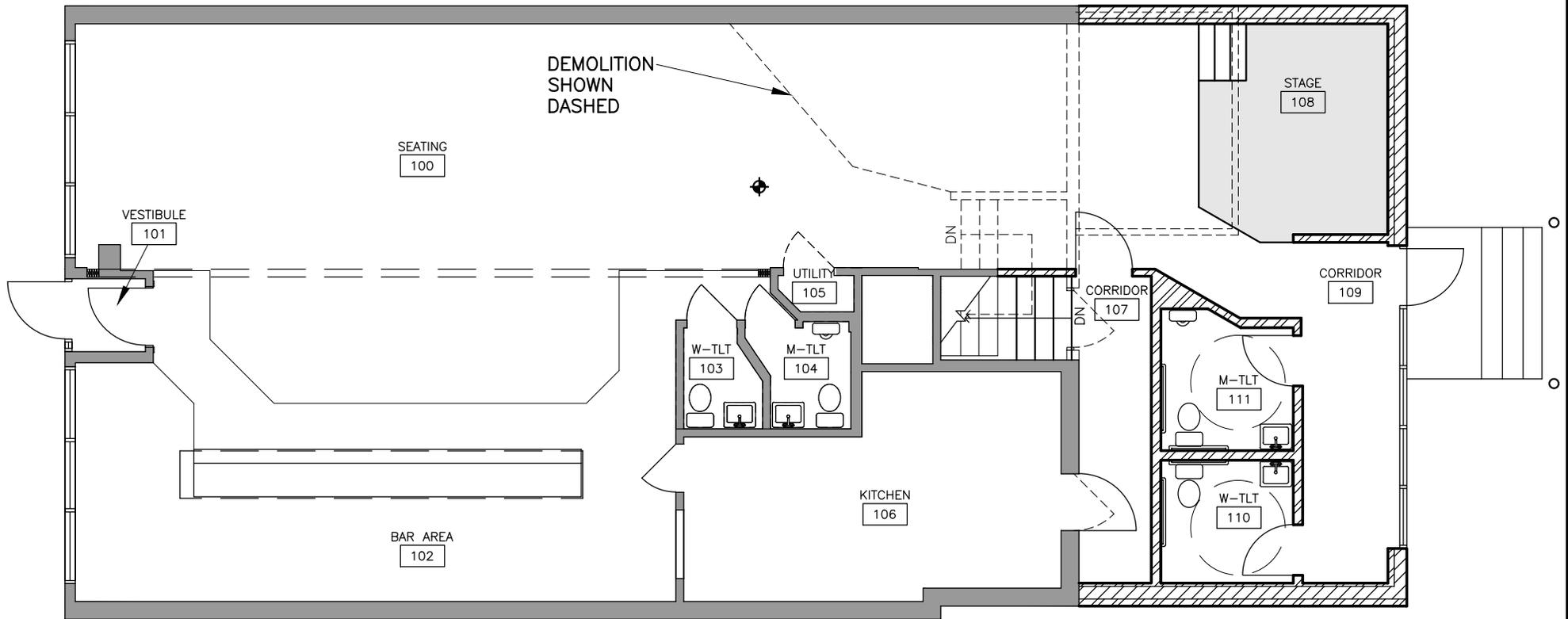


NEW WALL KEY

-  STUD WALL
-  CMU WALL



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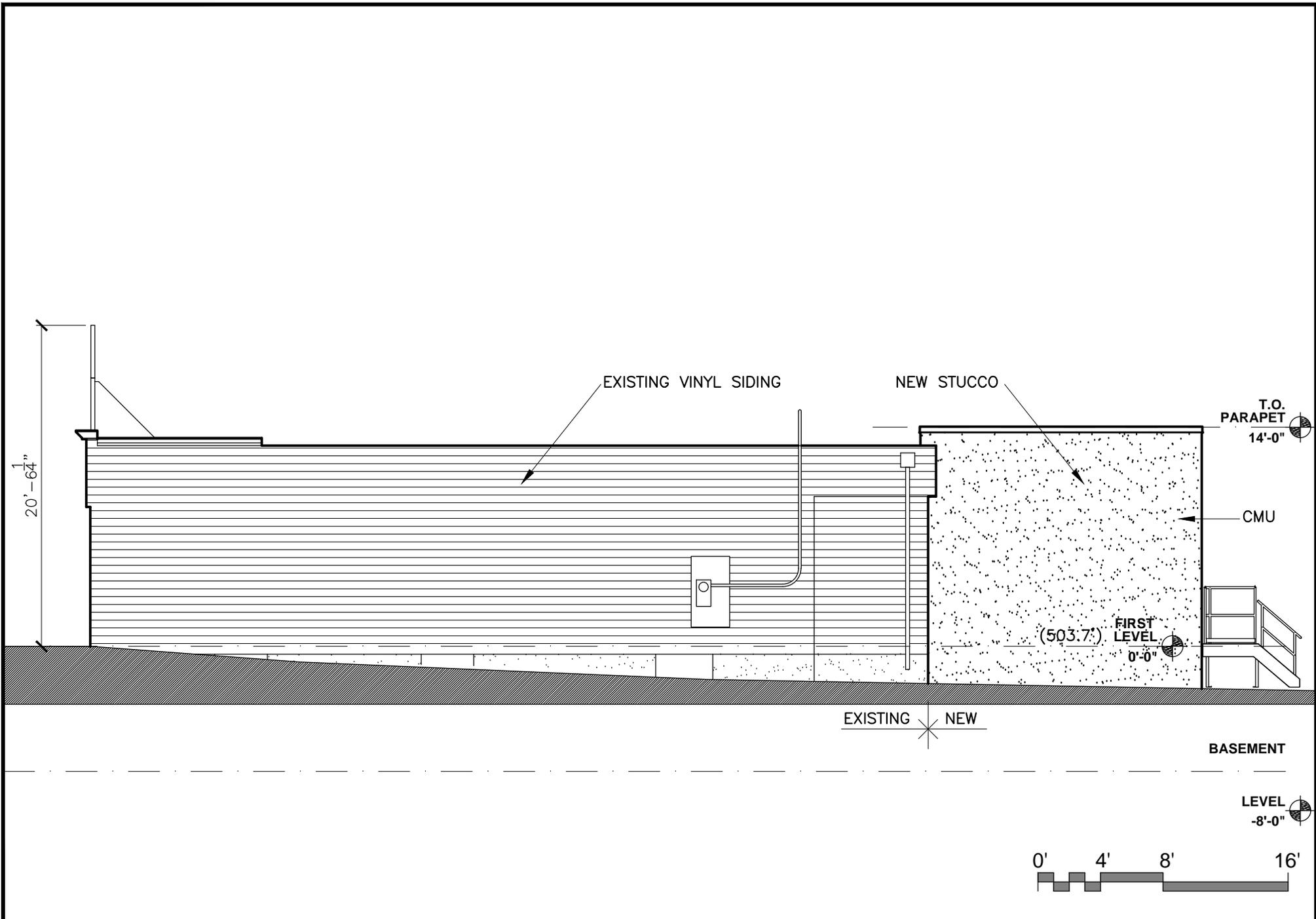
NEW WALL KEY

- STUD WALL
- CMU WALL



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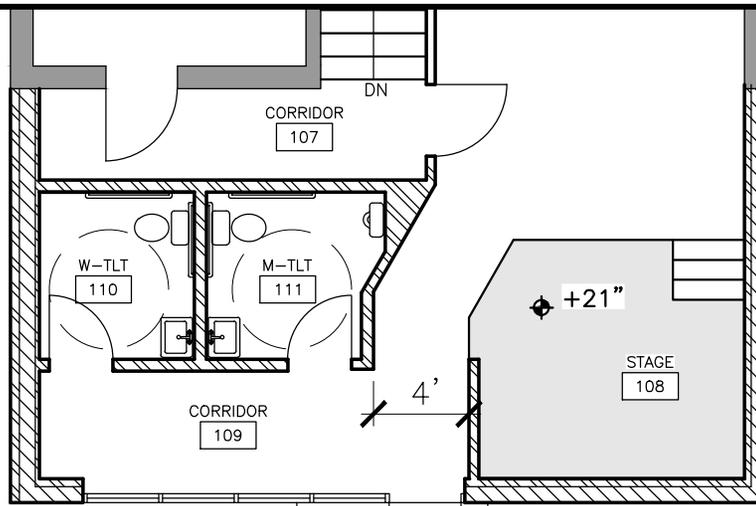
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 SCALE: 1/8" = 1'-0"
VARIANCE/PDR SET

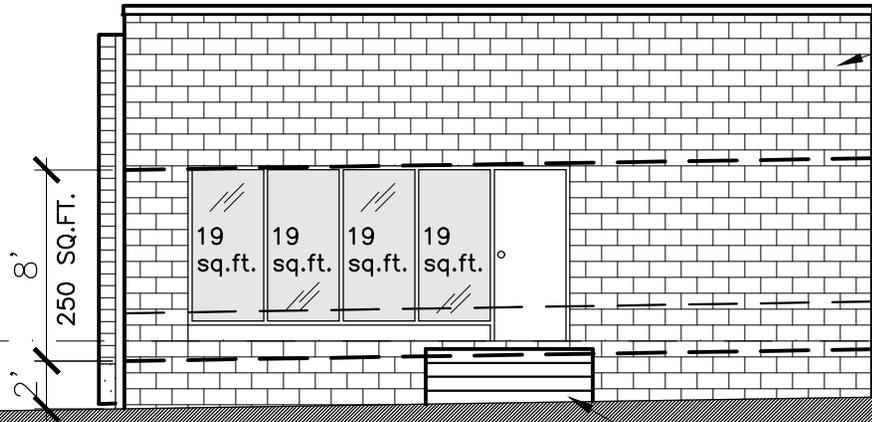
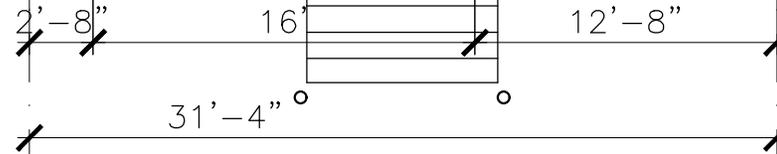
REVISIONS:
 4

SHEET:
A3.0

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PARTIAL PLAN AT EAST END
FOR REFERENCE

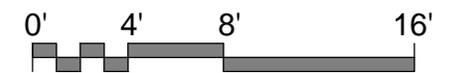


FULL HT
MURAL
OVER
CMU

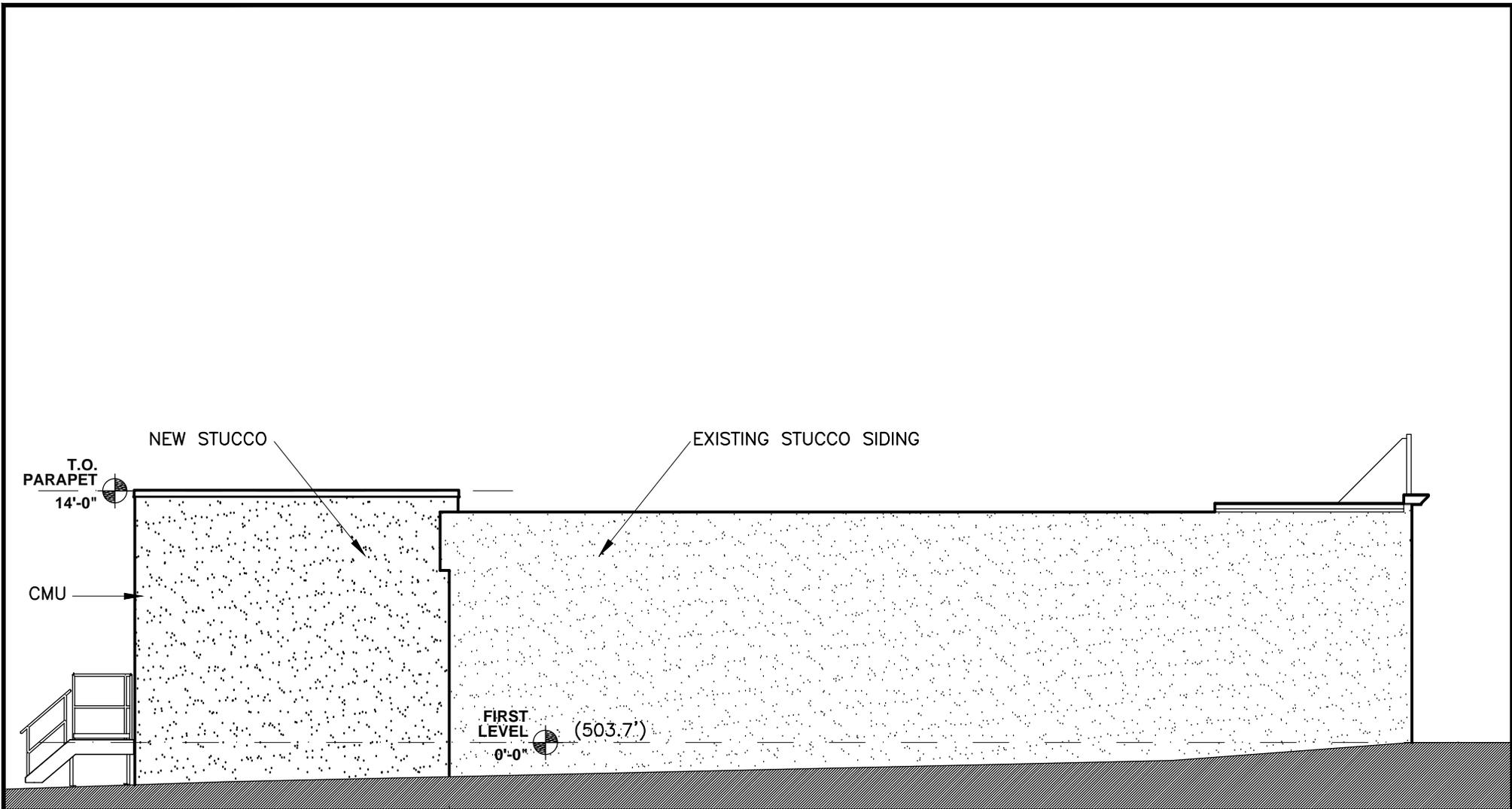


CONCRETE
STOOP

250 SQ.FT. X 30% WINDOW AREA REQUIRED=75 SQ.FT REQUIRED
(19+19+19+19)=76 TOTAL SQ.FT WINDOW ARE SHOWN ABOVE



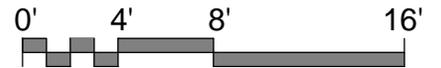
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NEW ✕ EXISTING

BASEMENT

LEVEL
-8'-0"



mulcahy design LLC
 DESIGN SERVICES
 612.227.4047
 mulcahy.design@gmail.com

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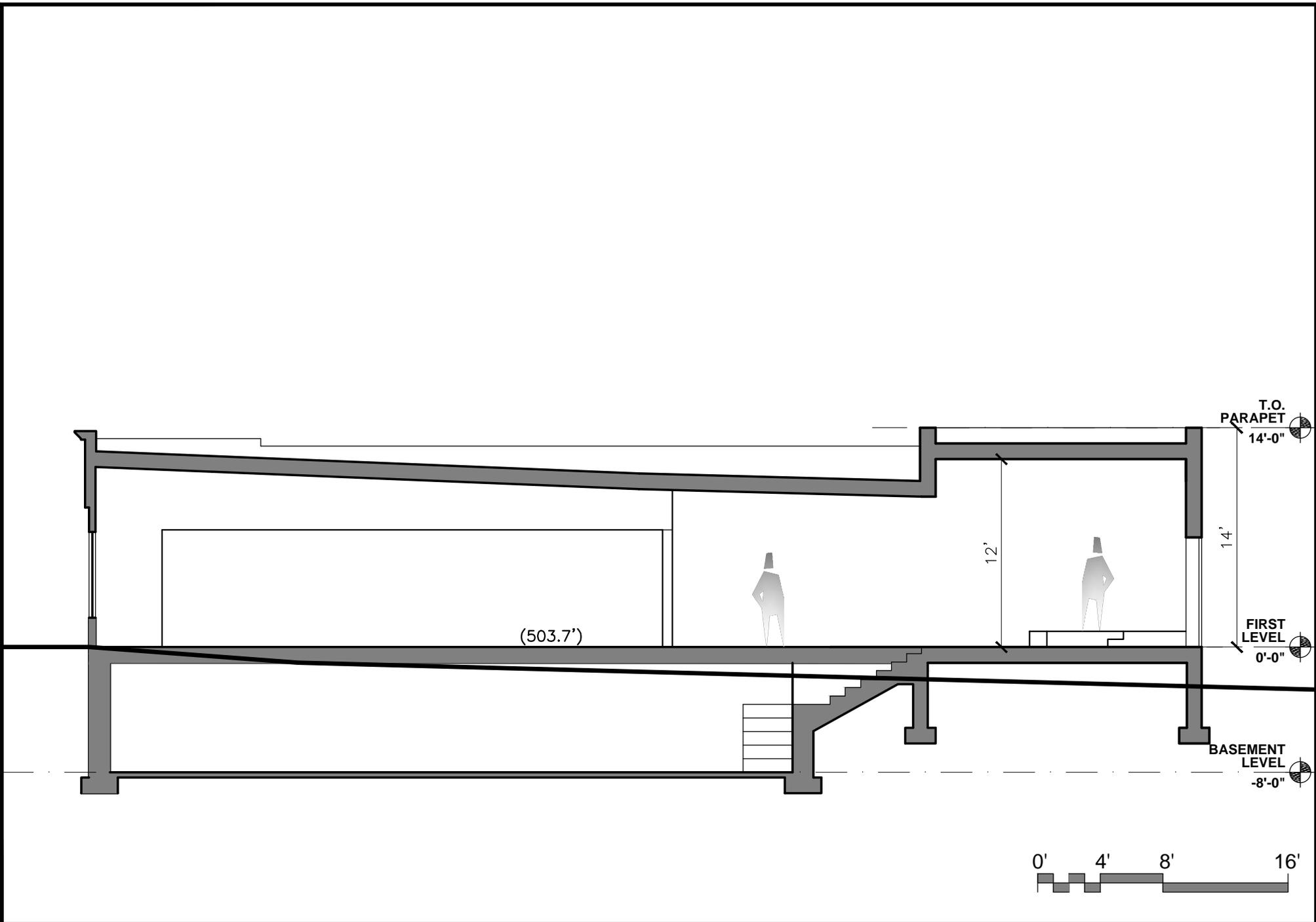
PROJECT: DRIFTWOOD CHAR BAR
 NICOLLET AVE S
 MINNEAPOLIS, MN
 55419

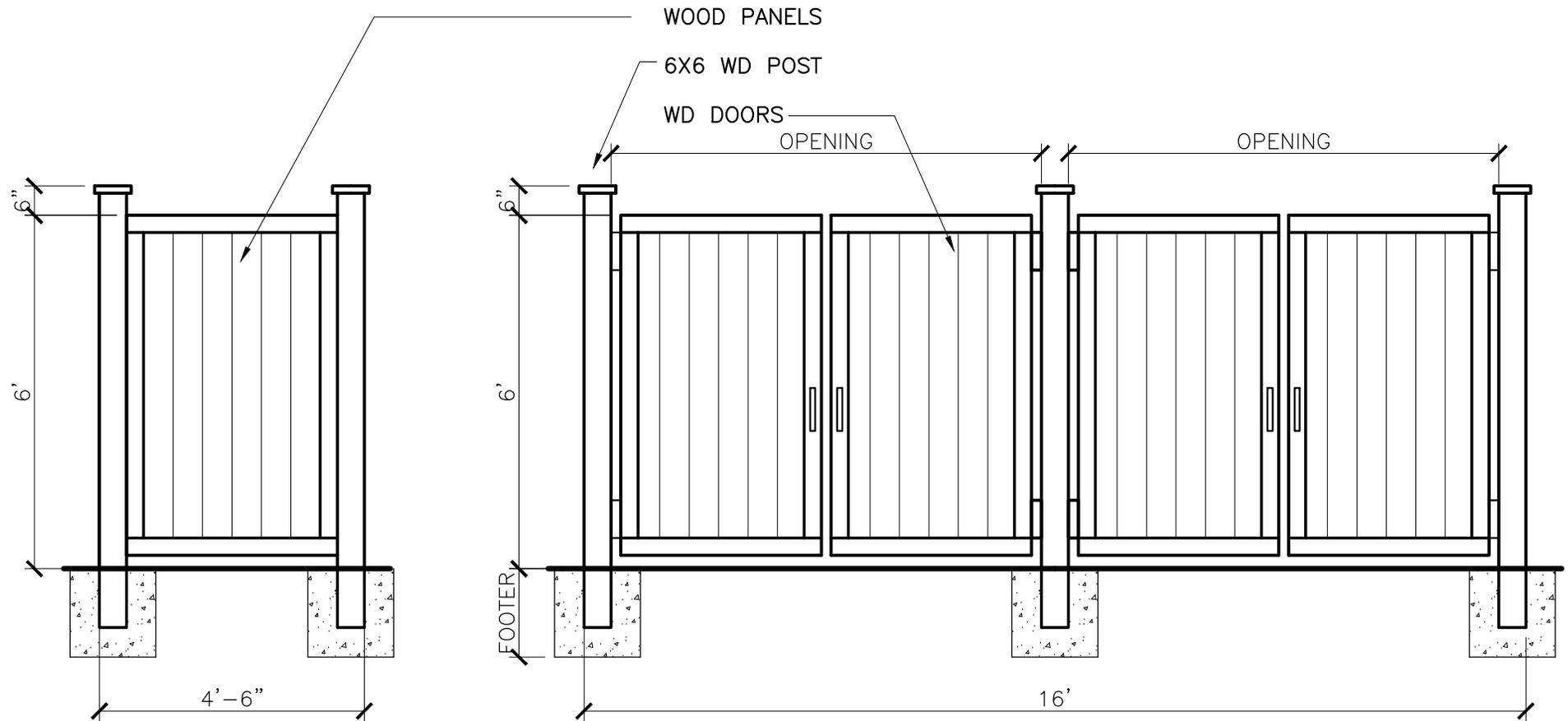
TITLE: EAST ELEVATION
 DATE: August 18, 2015
 SCALE: 1/8" = 1'-0"
VARIANCE/PDR SET

REVISIONS:
 4

SHEET:
A3.2

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1 TRASH FENCE DETAIL SIDES
A5.0 SCALE: 3/8"=1'-0"

2 TRASH FENCE DETAIL FRONT
A5.0 SCALE: 3/8"=1'-0"



414/15

SIAM





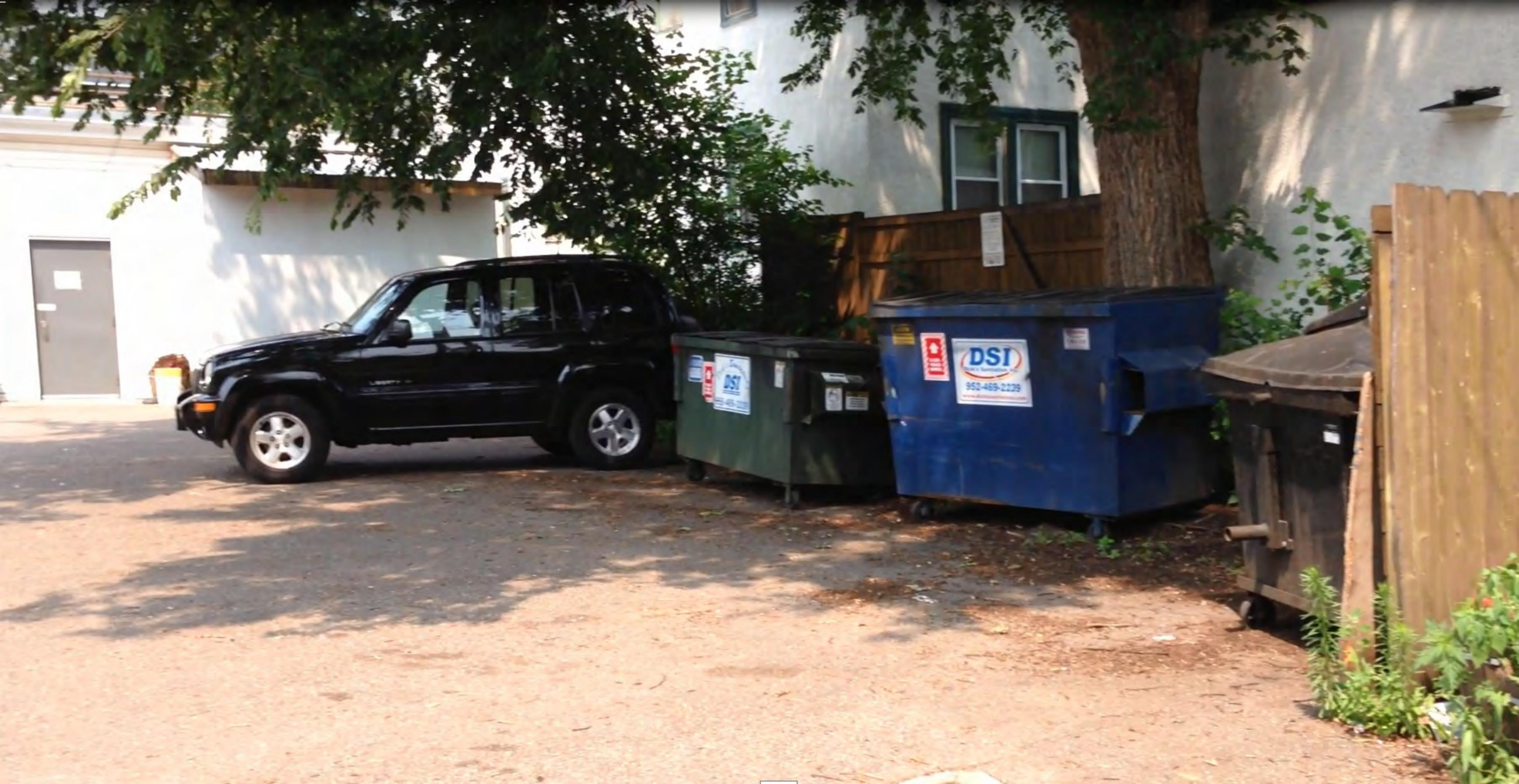
4415

NO PARKING
IN THIS ZONE
EXCEPT FOR
EMERGENCY VEHICLES

4415

4415





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