



LAND USE APPLICATION SUMMARY

Property Location: 411 E 38th St
Project Name: Tierra Encantada Bryant, Inc
Prepared By: Peter Crandall, City Planner, (612) 673-2247
Applicant: Kristen Cici on behalf of Tierra Encantada Bryant, Inc
Project Contact: Kristen Cici
Request: To install playground equipment in a required front yard
Required Applications:

Variance	To install playground equipment in a required front yard
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SITE DATA

Existing Zoning	OR1 Office Residence District
Lot Area	18,838 square feet / .43 acres
Ward(s)	8
Neighborhood(s)	Bryant neighborhood; adjacent to Central neighborhood
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (E 38 th ST) Neighborhood Commercial Node
Small Area Plan(s)	<u>38th Street and Chicago Avenue Small Area / Corridor Framework Plan (2007)</u>

Date Application Deemed Complete	August 2, 2016	Date Extension Letter Sent	
End of 60-Day Decision Period	October 3, 2016	End of 120-Day Decision Period	

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is located at the intersection of E 38th St and 4th Ave S and is currently occupied by a one story building owned and operated by the Minneapolis Urban League, a community-based non-profit and advocacy organization. The site is zoned ORI (Neighborhood Office Residence District). The property includes an on-site surface parking lot with 11 parking stalls. The main entrance to the building is along E 38th street on the North side of the site.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property is located on a community corridor and within a neighborhood commercial node. The adjacent property to the West and North is zoned CI (Neighborhood Commercial District) and is currently operated as a barber shop. The properties to the East and South are zoned RIA and are all occupied by single and two family homes.

PROJECT DESCRIPTION. The applicant is proposing to operate a daycare facility in the existing building. There are no proposed alterations to the building exterior. The applicant is proposing to install playground equipment in what is currently a turf grass open space on the West side of the site. The applicant is also proposing to install a new decorative fence along the property line to the North and West and along the existing parking lot to the South. Originally, the applicant proposed to apply for a fence height variance to install a completely opaque 4 foot fence along the property line, but upon feedback from staff decided to change to an open and decorative fence option so as not to require the variance. The new fence will comply with current height restrictions and will be open and decorative with less than 60% opacity. Because the property fronts along both E 38th St and 4th Ave, it has two front yards. The applicant is proposing to install playground equipment in the required front yard that fronts along 4th Ave S, requiring a variance.

RELATED APPROVALS. N/A

PUBLIC COMMENTS. 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 install playground equipment in a required front yard 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.*

Childcare center licenses require the operator to provide outdoor space with large muscle equipment equivalent to 1500 square feet or at least 75 square feet per child. Practical difficulties exist in complying with the ordinance because this property has street frontages along two streets, creating a condition in which the only open space available for such an outdoor use is considered a required front yard even though it is functioning more as a side yard or rear yard for the principal structure. The principal structure's main entrance fronts along E 38th Street.

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.*

An early childhood care center is a permitted use in the ORI district. The property's current layout makes the use or redevelopment of the vacant portion of the lot difficult without encroaching on the required front yard. Although playground equipment is not a permitted obstruction, it is a reasonable use considering the intent of the existing land use features, including the neighborhood commercial node which encourages the establishment and continued presence of neighborhood-serving retail and commercial services.

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 subject to the proposed conditions of approval would not affect the character of the area or be injurious to the use or enjoyment of other property in the vicinity. The establishment of an early childcare center in the neighborhood commercial node is in keeping with the policy directives for the general area. The proposed installation of playground equipment would be appropriately screened from neighboring residential properties and the installation of a decorative fence will enhance the pedestrian experience along 4th Ave S. If granted the variance would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Kristen Cici for the properties located at 411 E 38th St:

A. Variance to install playground equipment in a required front yard.

Recommended motion: **Approve** the application for a variance to install playground equipment in a required front yard, subject to the following conditions:

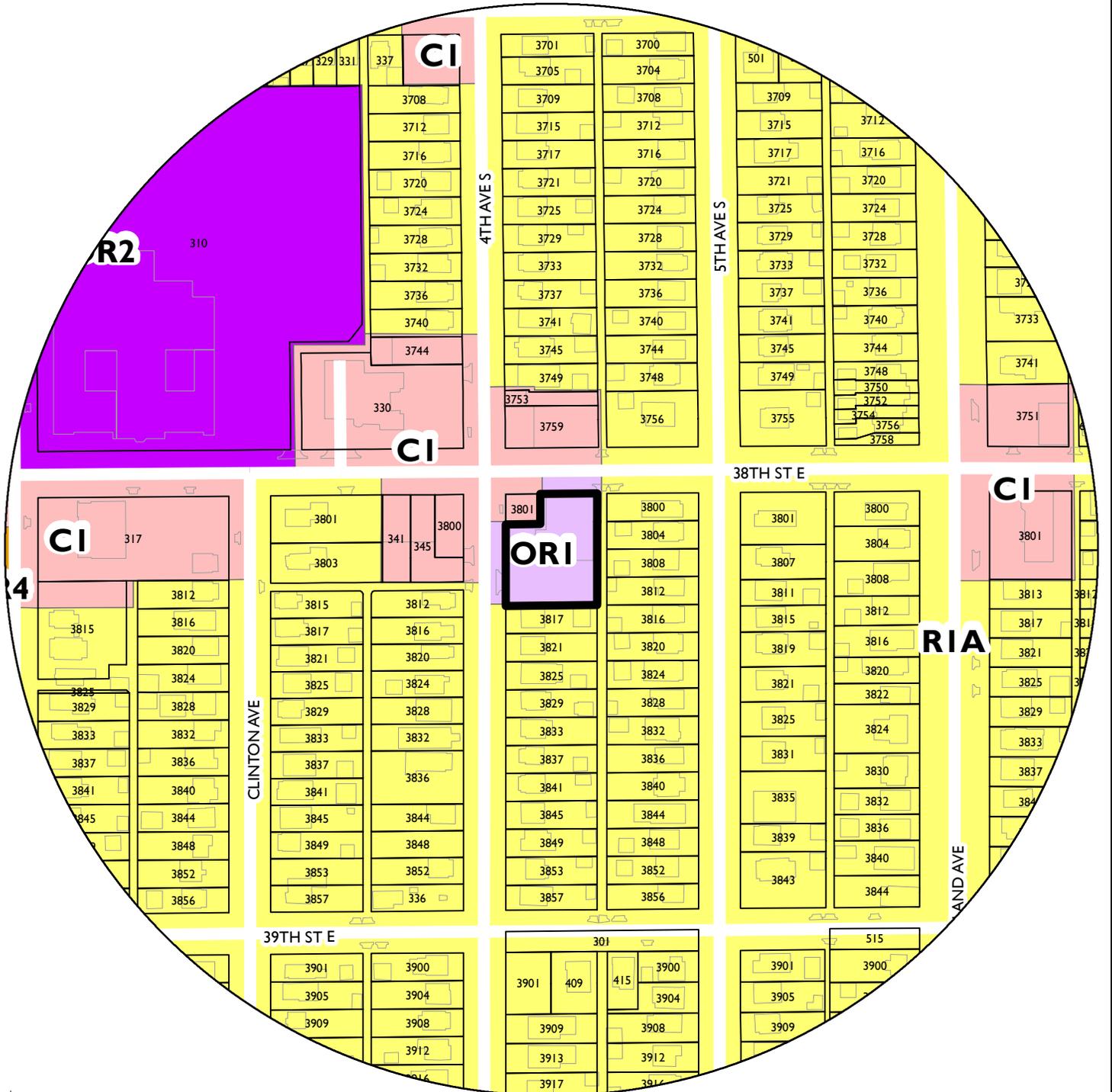
1. The applicant shall maintain existing vegetation located between the parking lot and the adjacent residential properties with plantings with a mature height of not less than four (4) feet and not less than sixty (60) percent opaque.
2. Where proposed, any fences installed on the property shall meet the fence height and type requirements and be open and decorative and less than 60% opaque.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Survey
4. Site plan
5. Photos
6. Playground equipment information
7. Communication with neighborhood group and council office

NAME OF APPLICANT

WARD



North arrow pointing up.



PROPERTY ADDRESS
411 E 38th Street

FILE NUMBER
BZZ-7837

Tierra Encantada Bryant – Variance Request

Tierra Encantada Bryant is a Spanish Immersion Preschool and Daycare Center that will be located at 411 E 38th St in Minneapolis, Minnesota. A variance is being requested for two items:

1. Playground

Having an outdoor play area is critical to the gross motor development of the children in our care, and is required by the state to be a licensed childcare center. Unfortunately, with this site there are practical difficulties in locating the playground as there is only one location for the playground – in the side yard. The only other open space at this property is the existing parking lot which has exactly the number of required parking spaces for our use. Therefore, at this site, there is only one possible location for an outdoor play area – in the side yard along 4th Avenue South. The side yard has ample space for the installation of a playground with a poured surface so that children may further their gross motor development. The playground will be installed approximately 10-12' in from the fence as outlined in the enclosed documents.

Installation of a playground with a poured surface is a reasonable use keeping with the spirit and intent of the ordinance. A preschool is an allowed use in this zoning district and therefore installing a playground for a preschool does follow the intent of the comprehensive plan.

Finally, 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. A preschool is a positive and welcomed use for the area. Further, the playground we are installing is a very attractive and high quality playground provided by GameTime – which has installed playgrounds for many schools and cities throughout the state of Minnesota.

2. Fence

Minnesota requires that all childcare centers have an outdoor play area with gross motor equipment. Additionally, having an outdoor play area is critical in achieving our mission to provide a high quality childcare center. It is critical that the outdoor play area is fenced to ensure the safety of the children – both against wandering off the property onto the nearby busy street of 38th – but also to ensure strangers do not have access to the children and the playground (for liability purposes).

We intend to install a 4' privacy fence on the Western property line of the property as outlined in the enclosed document. The current code does not allow for a 4' fence in a sideyard when the fence is a privacy fence. Unfortunately, there are practical difficulties with this site that only allows for the sideyard to be used for the playground location. Further, having a 4' tall fence is critical to ensure the safety of our children. We do not want the fence to be short enough that they may jump over it. We have a 4' tall fence for our playground in Eagan, Minnesota and it is the perfect height. It is tall enough children are not able to climb over it yet not too tall that parents are not able to see their children at play and access them when arriving to pick them up from care.

We propose to use the property in a reasonable manner that is an allowed use within the current zoning district. A preschool is an allowed use and therefore installing a fence for the preschool playground will be keeping with the spirit and intent of the ordinance and the comprehensive

Finally, the fence will not alter the essential character of the locality nor negatively impact the use of others. The adjacent commercial building is set back at the same distance the fence will be, and the fence we are proposing to install is a very attractive and high quality pvc fence that has a wood grain look to ensure it fits with the brick colors and warm tones in the area.

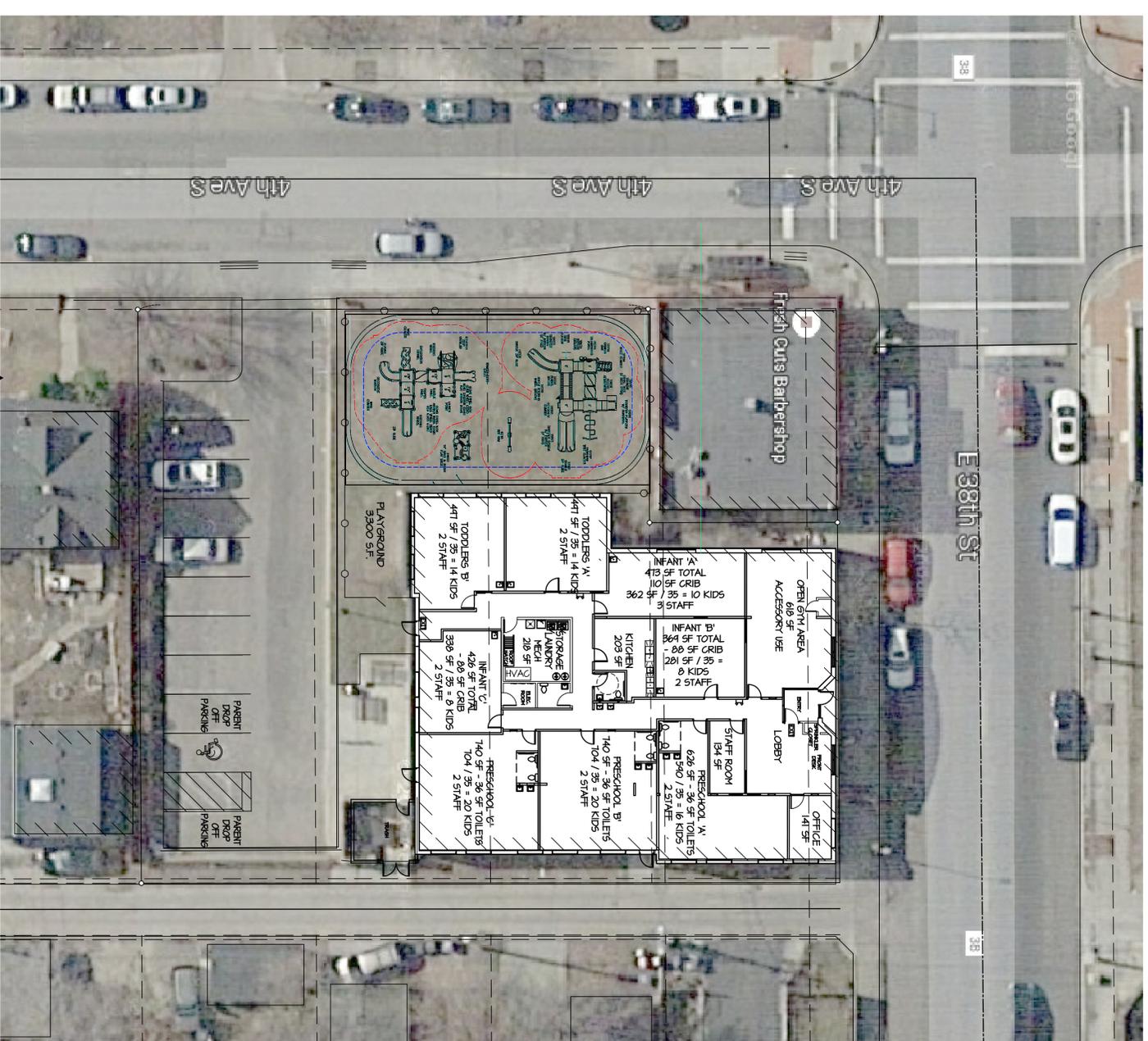
Tierra Encantada Bryant will be an asset to the neighborhood and will fulfill a need for a diverse community of residents. We have already enrolled over a dozen families in our program for this new location, and it is of the utmost importance to us that we are able to provide a high quality and safe play environment for the children in our care.

CODE DATA

BUILDING CODE REVIEW
 2015 MINNESOTA CONSERVATION CODE FOR EXISTING BUILDINGS (2012 IBC + 2012 IBC + 2007 MINNESOTA BULLES CHAPTER 1300)
 TYPE OF CONSTRUCTION
 TYPE 2B
 BUILDING PROTECTED WITH A NFPA 13 AUTOMATIC FIRE SPRINKLER SYSTEM PER SEC. 903.2.5
 OCCUPANCY (IBC 2012 CHAPTER 3 SEC. 309.6) CHILD CARE FACILITY
 1-4 CHILD DAY CARE: A FACILITY THAT PROVIDES SUPERVISION AND PERSONAL CARE ON LESS THAN A 24-HOUR BASIS FOR MORE THAN FIVE CHILDREN 2 1/2 YEARS OF AGE OR LESS SHALL BE CLASSIFIED AS GROUP 1-4.
 OCCUPANT LOAD (SEC. 1004.1)
 SEE PLAN (7) FOR OCCUPANT LOAD CALCULATIONS
 CHILDREN AS PER AREA TO CHILD RATIO = 110 OCCUPANTS
 STAFF AS CHILDREN SUPERVISION = 17 OCCUPANTS
 MINIMUM NUMBER OF STAFF = 3 OCCUPANTS
 TOTAL OCCUPANTS: 130 OCC.
EGRESS REQUIREMENTS
 (2) EXIT REQUIRED (SEC. 1015)
 (2) EXITS PROVIDED WITH EXIT SIGNS AND EMERGENCY LIGHTING.
 ALLOWABLE EXIT ACCESS TRAVEL DISTANCE = 300'-0" (SEC. 1016.1)
 MAXIMUM EXIT ACCESS TRAVEL DISTANCE = 110'-0"

GENERAL NOTES

1. APPLICABLE CODES, 2015 MINNESOTA CONSERVATION CODE FOR EXISTING BUILDINGS (2012 IBC + MINNESOTA RULES CHAPTER 1300)
2. SEE OTHERS PLANS FOR COORDINATION OF CIVIL, MECHANICAL, AND ELECTRICAL, PLUMBING, ELECTRICAL, AND HVAC ARE DESIGN BUILD BY OTHERS.
3. GENERAL CONTRACTOR TO COORDINATE DEMOLITION AND ALL NEW CONSTRUCTION. ALL CONSTRUCTION SHALL COMPLY WITH APPLICABLE BUILDING CODES.
4. SITE PRE-AND INVESTIGATION. NO ALLOWANCE SHALL BE MADE FOR FIELD SITUATIONS WHICH COULD HAVE BEEN DETERMINED BY FIELD INSPECTION PRIOR TO BEGINNING WORK.
5. GENERAL CONTRACTOR MUST FIELD VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK. REPORT IMMEDIATELY ANY DISCREPANCIES FOUND. IN ADDITION ALL OPENING DIMENSIONS SHALL BE FIELD VERIFIED.
6. GENERAL CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES AND SUBMIT AND PAY FOR ALL BUILDING PERMITS.
7. INSTALLATION SHALL COMPLY WITH MANUFACTURERS STANDARDS AND REQUIREMENTS. ALL WORK PERFORMANCE OF THIS PROJECT SHALL BE DONE BY SKILLED WORKERS OR MECHANICS.
8. RESTROOMS WILL HAVE CERAMIC TILE FLOOR FINISH, CERAMIC TILE BASE AND CERAMIC TILE MANSCOT. RESTROOMS ARE ACCESSIBLE AND ON ACCESSIBLE ROUTES WITH ACCESSIBLE FLOOR SPACE AND FIXTURES PROVIDED. REST ROOMS SHALL HAVE SIGNAGE IN ACCORDANCE WITH MINNESOTA RULES CHAPTER 1941, MINNESOTA ACCESSIBILITY CODE SECTION 110.11.
9. ALL NEW CONSTRUCTION SHALL BE OF TYPE 2B NON-COMBUSTIBLE MATERIALS AS ALLOWED IN IBC 2012 SECTION 602 AND 603. ALL NEW WALLS SHALL USE METAL STUDS AND GYPSUM BOARD. ALL WALLS TO ROOF DECK SHALL PROVIDE A SLIP CONNECTION FOR ROOF DEFLECTION ALLOW FOR 2" MOVEMENT
10. ALL DOORS SHALL HAVE LEVER HANDLES AND MEET ACCESSIBILITY REQUIREMENTS. ALL NEW DOORS ARE NON-SWED. ALL EXIT DOORS SHALL BE PROVIDED WITH PANIC HANDBRAKE OR FIRE EXIT HANDBRAKE
11. ALL WINDOWS GREATER THAN 4 SQ FT WITH SILLS LESS THAN 18" ABOVE FLOOR SHALL REQUIRE SAFETY GLAZING. OWNER SHALL VERIFY SAFETY GLAZING REQUIREMENTS. TINTED WINDOWS ARE REQUIRED IN GLAZING WITHIN 24 INCHES OF EACH VERTICAL DOOR EDGE. CONTRACTOR TO VERIFY TINTED GLASS AT EXISTING WINDOWS AND REPLACE AS NEEDED.
12. COORDINATE FIRE EXTINGUISHER LOCATIONS WITH FIRE MARSHAL AS REQUIRED.
13. FOR ALL QUESTIONS REGARDING GRAPHIC REPRESENTATION OR REQUEST FOR ADDITIONAL COPIES OF DRAWINGS, CONTACT R & C DRAFTING, 612-465-3444.
14. ALL TRASH WILL BE STORED INSIDE TRASH ENCLOSURE.



PLAN - SITE AND OCCUPANCY
 1/16"=1'-0"

SHEET INDEX

- T1 TITLE SHEET - CODE REVIEW REVISION 2
- D1 DEMOLITION PLAN REVISION 0
- A1 PLAN AND DETAILS REVISION 2

REV	DATE	DESCRIPTION	TITLE SHEET
△	7/25/16	UPDATES	TERRA ENCANTADA DAYCARE
△	6/7/16	FLAVGRAND/DRAWER UPDATE	TERRA ENCANTADA DAYCARE
△	4/14/16	R & C DRAFTING	411 38TH STREET MINNEAPOLIS, MINNESOTA
△	11/17/15	SAVAJE, MN, 55576 (612) 465-3444	DATE NOTED
△	1602	ESTIMATING	SCALE NOTED

County Rd 38
Minneapolis, Minnesota

Street View - Oct 2014

42.150000

92.910000



Google

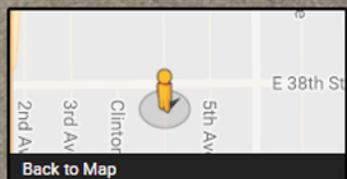


4th Ave S
Minneapolis, Minnesota

Street View - Aug 2015

©2015 Google

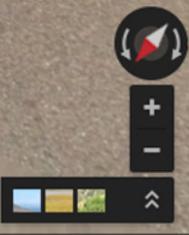
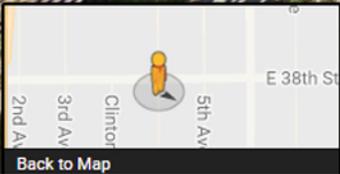
©2015 Google



Google

4th Ave S
Minneapolis, Minnesota

Street View - Aug 2015



Tierra Encantada – Bryant

411 E 38th St

Playground Installer: GameTime



Tierra Encantada
Minneapolis, Minnesota

www.mnwiplay.com

Drawing D8062H

800-622-5425

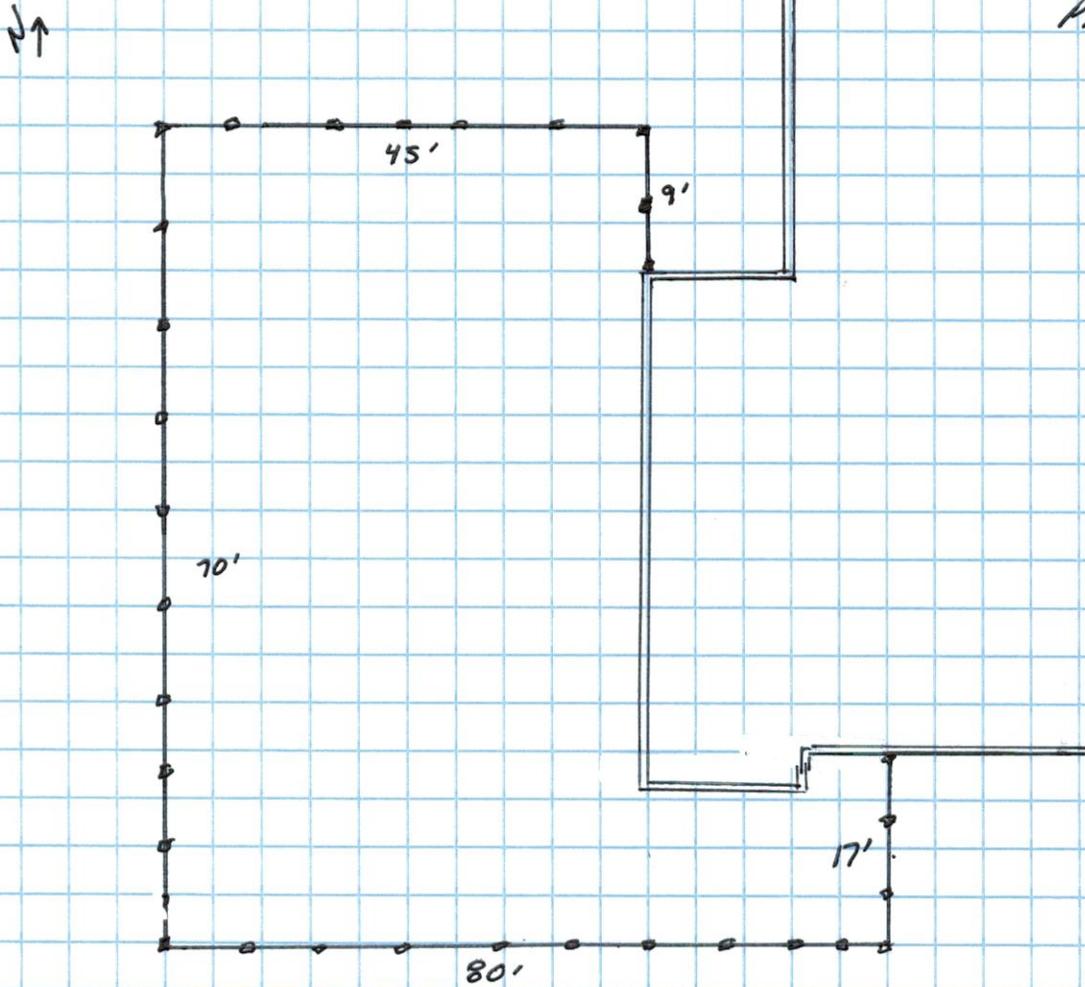
KRISTEN CICI

TIERRA ENCANTADA
@ 411 E. 38TH ST
MINNEAPOLIS MN.

#1160228

© 612-333-2085

221 LF OF 6' PVC
BUFFTECH CHESTERFIELD
CERTA GRAIN
PRIVACY FENCE



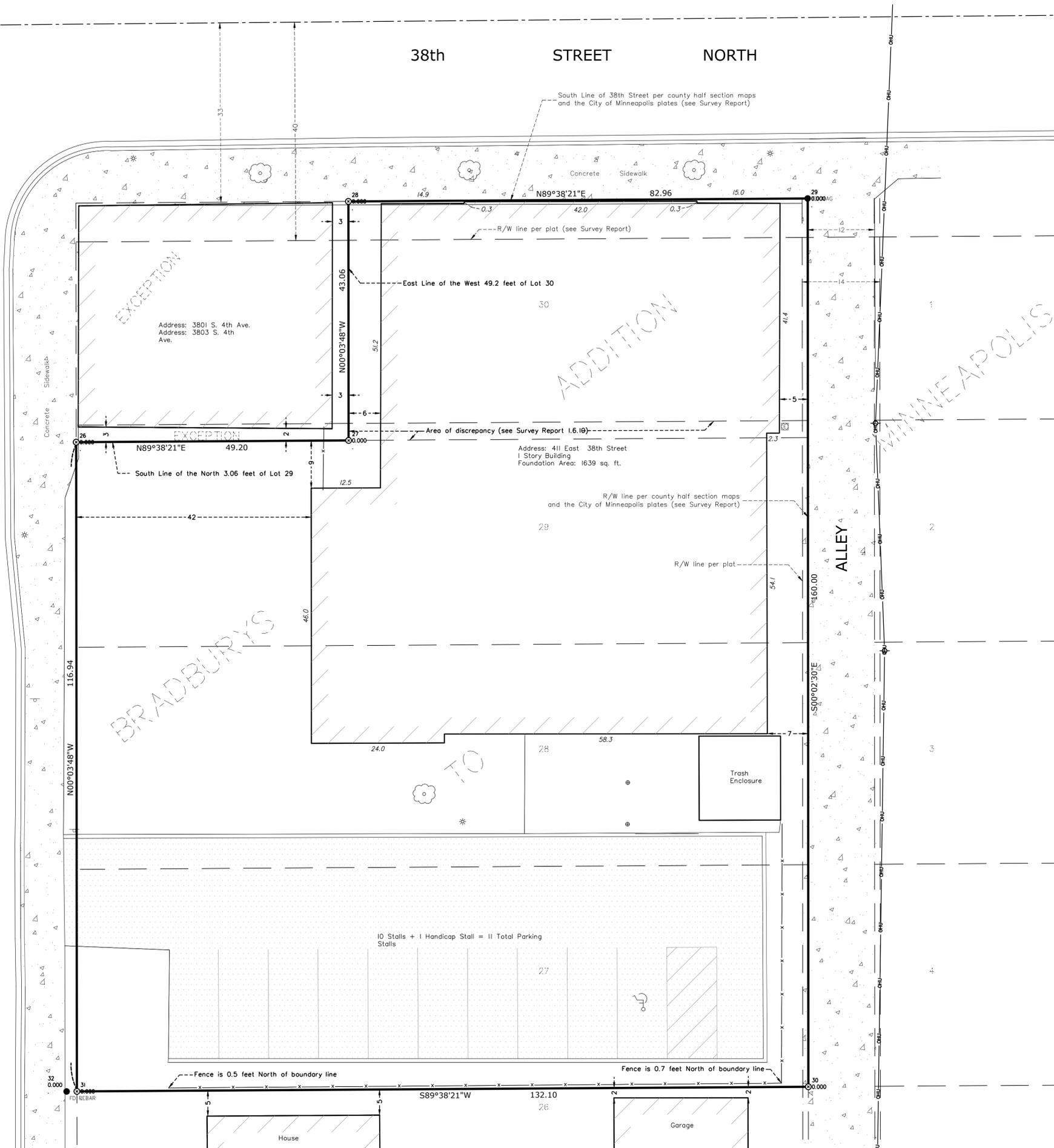
OPTION #1
ADD WALK GATE

OPTION #2
ADD PANIC HARDWARE
TO GATE
(IF REQUIRED BY
CITY)

FILE: P:\01616.000 - East 38th Street\Draw\16-009-38th Street-ALTA.dwg LAYOUT: 23x34.Swp
 SCALE: 0 DATE/TIME: Jul 19, 2016 10:42am
 USER: Rory_XRE(s)

SOUTH AVENUE 4TH

38th STREET NORTH



DESCRIPTION OF PROPERTY SURVEYED

Lots 27 and 28, and Lot 29, except the West 49.2 feet of the North 3.06 feet thereof, and Lot 30, except the West 49.2 feet thereof, All in Bradbury's Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota.

ALTA/ACSM Land Title Survey Notes
(numbered per Table A)

- Bearings are based on the Hennepin County Coordinate System.
- Site Address: 411 East 38th Street, Minneapolis, Minnesota.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0367E, effective date of September 2, 2004.
- The Gross land area is 19,021 +/- square feet or 0.436 +/- acres.
- 7(a). Exterior dimension of buildings are shown at ground level.
9. The number of parking stalls on this site are as follows: 10 Regular + 1 Handicap = 11 Total Parking Stalls.
- 11(a). We have shown the location of utilities on the surveyed property by observed evidence only.

SURVEY REPORT

- This map and report was prepared with the benefit of a Commitment for Title Insurance issued by Commercial Partners Title, LLC as agent for Old Republic National Title Insurance Company Commitment No. 50947 dated June 21, 2016, First Supplemental. We note the following with regards to Schedule B of the herein referenced Title Commitment:
 - Item no.'s 1-9 are not survey related.
 - The following are numbered per the referenced title Commitment:
 - Subject to the consequences of the discrepancy in the legal description regarding the North 3.06 feet of Lot 29, as evidenced by the following instruments: (a) Warranty Deed filed April 29, 1969, as Document No. 3771227, and Warranty Deed filed June 2, 1995, as Document No. 6434147, which both indicate the correct historic legal, (b) Warranty Deed filed March 19, 2002, as Document No. 7677773, and (c) Quit Claim Deed filed March 22, 2008, as Document No. 8767712, which both (b) and (c) indicate the discrepancy regarding the North 3.06 feet of Lot 29. The vesting deed for this property claims title to that part of the North 3.06 feet of Lot 29 which lies east of the west 49.2 feet thereof. The warranty deeds for the adjoiner (shown as the exception in the northeast portion of the survey) appear to have a scrivener's error as they also claim title to that said part of land. The clients counsel may wish to pursue this matter further so as to clear up any title problems this may provide. We have shown the piece of land hereon.
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
 - We have shown the R/W for 38th Street North along the northerly portion of the site. We have surveyed it as a R/W that extends 33 feet south from the centerline of the road. The Plat of Bradbury's Addition to Minneapolis dedicated a 40 foot R/W for said 38th Street. Hennepin County and the City of Minneapolis recognize this R/W to be 33 feet. Based on our conversation with the city of Minneapolis, Hennepin county, the overall block dimensions and found monumentation, we have surveyed this R/W as a 33 feet. Client Counsel may wish to pursue this matter further so as to document actual R/W that has been dedicated for 38th Street.
 - We have shown the Alley along the easterly boundary of the site. We have surveyed it as a 12 foot wide R/W. The Plat of Bradbury's Addition to Minneapolis dedicated a 14 foot R/W for the Alley. Based on our conversation with the city of Minneapolis, Hennepin county, the overall block dimensions and found monumentation, we have surveyed this R/W as a 12 feet. Clients counsel may wish to pursue this matter further so as to document the actual R/W for this Alley.

ALTA CERTIFICATION

To: Minneapolis Urban League Incorporated, a Minnesota corporation (Lots 27 and 28); ; Minneapolis Urban League, a Minnesota non-profit corporation (Lots 29 and 30); Cici Holdings LLC, a Minnesota limited liability company; Venture Bank, its successors and/or assigns as their respective interests may appear; Commercial Partners Title, LLC; and Old Republic National 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, 7(a), 9, 11(a) of Table A thereof. The field work was completed on date February 17, 2016. Dated this 1st day of March, 2016.

Rory L. Synstelen
 rory@htpo.com
 Minnesota License No. 44565

MINNESOTA CERTIFICATION

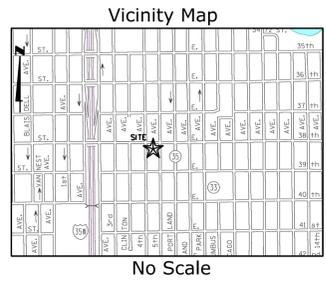
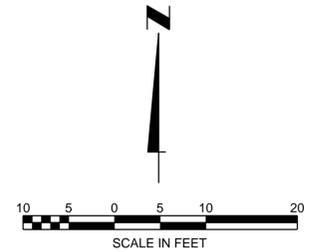
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 1st day of March, 2016.

Rory L. Synstelen
 rory@htpo.com
 Minnesota License No. 44565

Linetype & Symbol Legend

FO	FO	FIBER OPTIC	⊕	UTILITY MANHOLE	⊠	AIR CONDITIONER
GAS	GAS	GASMAIN	⊖	SIGN	⊗	BOLLARD
>	>	SANITARY SEWER	⊕	SANITARY MANHOLE	⊕	SOIL BORING
>>	>>	STORM SEWER	⊕	STORM MANHOLE	⊕	CATCH BASIN
OHU	OHU	OVERHEAD UTILITIES	⊕	TELEPHONE BOX	⊕	CB BEEHIVE
TEL	TEL	TELEPHONE LINE	⊕	TELEPHONE MANHOLE	⊕	CLEAN OUT
ELE	ELE	ELECTRIC LINE	⊕	ELECTRIC TRANSFORMER	⊕	ELECTRIC BOX
CTV	CTV	CABLE LINE	⊕	TRAFFIC SIGNAL	⊕	ELECTRIC MANHOLE
—	—	GUARDRAIL	⊕	TRAFFIC LIGHT	⊕	FLAG POLE
—	—	WOODEN FENCELINE	⊕	CABLE TV BOX	⊕	FLARED END SECTION
—	—	CHAINLINK FENCELINE	⊕	ELECTRICAL METER	⊕	GAS VALVE
—	—	BARBED WIRE FENCE	⊕	GAS METER	⊕	HANDICAP SYMBOL
—	—	BLOCK RET WALL	⊕	FOUND IRON MONUMENT	⊕	HANDHOLE
⊕	⊕	WATER MANHOLE	⊕	POWER POLE	⊕	CAST IRON MONUMENT
⊕	⊕	SET IRON MONUMENT				



**ALTA/ACSM
Land Title Survey**

**411 East 38th St.
Minneapolis, MN 55409**

HTPO Engineering • Surveying
Landscape Architecture
HANSEN THORP PELLINEN OLSON, Inc.
7510 Market Place Drive • Eden Prairie, MN 55344
952-829-0700 • 952-829-7806 fax

Revision
7-18-16 Updated TC
7-19-16 Comments

Project No. 16-009
Drawn by DRB
Checked by RLS
Book/Page
Date: March 1, 2016
Client:

Hello!

My name is Kristen Cici, I am the President/CEO of Tierra Encantada, a Spanish Immersion Preschool and Daycare Center. We currently have a location in Eagan and we are in the process of opening our second location in the Bryant Neighborhood at 411 E 38th St. The new Center will be opening in November of 2016. We are getting in touch with you to inform you of a land use application that is required for our Center.

We will be installing a playground and fence in the side yard of the property for children to play in. We are seeking a variance for the following items:

- Playground location
 - A variance is required because we will be installing a playground with a poured surface in the yard area located on 4th Avenue South
- Fence height
 - We are installing a 4' tall woodgrain pvc fence along the yard and parking lot on 4th Avenue South to enclose the playground area
- Fence proximity to property line (reducing required setback)
 - To maximize play space for the children, we are installing the fence directly adjacent to the sidewalk

If you have any questions about this project, please do not hesitate to contact me at kristen@tierraencantada.com.

Sincerely,



Kristen Cici
651-353-2085
www.tierraencantada.com
Tierra Encantada
4130 Blackhawk Road #140
Eagan, MN 55122

Name * Kristen Cici
Email * kristen@tierraencantada.com
Phone (651) 353-2085
Phone Type Cell
Address 411 E 38th St
City Minneapolis
State MN
Zip 55411

Question/Comment * Hello! My name is Kristen Cici, I am the President/CEO of Tierra Encantada, a Spanish Immersion Preschool and Daycare Center. We currently have a location in Eagan and we are in the process of opening our second location in the Bryant Neighborhood at 411 E 38th St. The new Center will be opening in November of 2016. We are getting in touch with you to inform you of a land use application that is required for our Center. We will be installing a playground and fence in the side yard of the property for children to play in. We are seeking a variance for the following items: • Playground location o A variance is required because we will be installing a playground with a poured surface in the yard area located on 4th Avenue South • Fence height o We are installing a 4' tall woodgrain pvc fence along the yard and parking lot on 4th Avenue South to enclose the playground area • Fence proximity to property line (reducing required setback) o To maximize play space for the children, we are installing the fence directly adjacent to the sidewalk If you have any questions about this project, please do not hesitate to contact me at kristen@tierraencantada.com. Sincerely, Kristen Cici 651-353-2085 www.tierraencantada.com Tierra Encantada 4130 Blackhawk Road #140 Eagan, MN 55122

This is an email generated from the City of Minneapolis website. * Required fields are indicated with an asterisk.



Subject

RE: Ward 8 Feedback Form

From

Glidden, Elizabeth A. <Elizabeth.Glidden@minneapolismn.gov>

To
<Sara.LopezLara@minneapolismn.gov>, Sirdar, Deebaa <Deebaa.Sirdar@minneapolismn.gov>, Kristen@tierraencantada.com <kristen@tierraencantada.com>, Glidden, Elizabeth A. <Elizabeth.Glidden@minneapolismn.gov>

Date

2016-07-29 10:02

Dear Kristen

Congratulations on moving into this new space on 38th Street! I am excited to meet you at some point when you have time.

Thank you for the information on the land use applications you have as well.

Elizabeth

**Elizabeth Glidden 1 Council Vice President
Eighth Ward Council Member 1 Minneapolis**

350 South 5th Street – Room 304 | Minneapolis, MN 55415-1382

612-673-2208 | elizabeth.glidden@minneapolismn.gov

[Sign up for 8th Ward E-news!](#)

From: no-reply@minneapolismn.gov [mailto:no-reply@minneapolismn.gov]

Sent: Tuesday, July 26, 2016 10:52 PM

To: Lopez Lara, Sara; Sirdar, Deebaa; Glidden, Elizabeth A.

Subject: Ward 8 Feedback Form

City of Minneapolis

Subject **411 E 38th St - Variance Request Notification Letter**

From Kristen Cici <kristen@tierraencantada.com>

To <bryantneighborhood@gmail.com>

Date 2016-07-26 21:51



Hello!

My name is Kristen Cici, I am the President/CEO of Tierra Encantada, a Spanish Immersion Preschool and Daycare Center. We currently have a location in Eagan and we are in the process of opening our second location in the Bryant Neighborhood at 411 E 38th St. The new Center will be opening in November of 2016. We are getting in touch with you to inform you of a land use application that is required for our Center.

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Playground location
-A variance is required because we will be installing a playground with a poured surface in the yard area located on 4th Avenue South

Fence height
-We are installing a 4' tall woodgrain pvc fence along the yard and parking lot on 4th Avenue South to enclose the playground area

Fence proximity to property line (reducing required setback)
-To maximize play space for the children, we are installing the fence directly adjacent to the sidewalk

If you have any questions about this project, please do not hesitate to contact me at kristen@tierraencantada.com.

Sincerely,

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