



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #4
September 29, 2014
BZZ-6775

LAND USE APPLICATION SUMMARY

Property Location: 3016 E Lake Street
Project Name: Urban Forage Winery and Cider House
Prepared By: [Kimberly Holien](#), Senior Planner, (612) 673-2402
Applicant: Jeffrey and Gita Zeitler
Project Contact: Jeffrey Zeitler
Request: To establish a wine and cider production use within the existing building at 3016 E Lake Street.

Required Applications:

Conditional Use Permit	To allow a limited production and processing use in the C2, Neighborhood Corridor Commercial District.
Variance	To reduce the minimum vehicle parking requirement from four spaces to zero.

SITE DATA

Existing Zoning	C2, Neighborhood Corridor Commercial District
Lot Area	1,980 square feet
Ward(s)	2
Neighborhood(s)	Longfellow
Designated Future Land Use	Mixed Use
Land Use Features	Commercial Corridor (Lake Street)
Small Area Plan(s)	N/A

Date Application Deemed Complete	September 3, 2014	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	November 2, 2014	End of 120-Day Decision Period	N/A

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site contains a single-story commercial building. The ground floor is occupied by an office use and the proposed limited production and processing use would be located within the basement with a small office on the ground floor. The building comprises the entire lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property is located on E Lake Street, which is a commercial corridor in this location. This side of the block, fronting on Lake Street, contains two auto-oriented uses, a check cashing facility and a contractor's office. The properties immediately north of the site are zoned R4 and contain single family homes.

PROJECT DESCRIPTION. The applicant is proposing to establish a wine and cider production use in the basement of the existing building at 3016 E Lake Street. The area within the basement that will be used for limited production and processing activities is approximately 1,020 square feet. The use also includes 314 square feet of office space on the first floor. The remainder of the first floor is occupied by a separate office user.

The basement will be used as a wine, cider and mead production and bottling area. Specifically, the applicant is proposing to make natural, unsulfited wines and beverages using fruit foraged from city trees, past-saleable grocery store fruit and orchards' end-of-season stock. The use does not include any retail sales or tasting rooms at this point in time.

Limited production and processing is a conditional use in the C2 district with a maximum size limitation of 1,200 square feet. The proposed use will comply with this size restriction. A conditional use permit has been requested accordingly.

The parking requirement for limited production and processing is one space per 300 square feet of gross floor area up to 4,000 square feet, but not more than 4 spaces, plus one space per 1,000 square feet of gross floor area from 4,000 square feet to 20,000 square feet, plus one space per 2,000 square feet of GFA in excess of 20,000 square feet. The four space minimum does not apply. In this case, the total area of the use, including office space, is approximately 1,320 square feet. This equates to a parking requirement of four spaces. The site does not contain any off-street parking and a variance from four spaces to zero has been requested accordingly.

PUBLIC COMMENTS. No correspondence has been received as of the writing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow a limited production and processing use, based on the following [findings](#):

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The establishment of this small wine and cider production use will not be detrimental to or endanger the public health, safety, comfort or general welfare. All activities related to the use will be conducted completely within the building. The use is not expected to produce excessive noise, dust or odors.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The proposed use will not be injurious to the use and enjoyment of other property in the vicinity and will not impact future development. The surrounding area is fully developed with a mix of uses. Along Lake Street, this block contains two auto-oriented uses, a contractor's office and an office use. The properties to the north contain residential uses. As noted above, all activities will be conducted within the existing building and as such, the proposed use will be compatible with adjacent uses.

3. *Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.*

Utilities are existing and adequate. The site has access via the alley on the west side of the property.

4. *Adequate measures have been or will be taken to minimize traffic congestion in the public streets.*

Adequate measures will be taken to minimize traffic congestion in the public streets. The applicant has requested a parking variance to reduce the off-street vehicle parking requirement from four spaces to zero. However, the limited production and processing use will only have one employee and will not be open to the public at this time. The applicant has indicated that he will utilize alternate modes of transportation, such as biking and taking the bus. On-street parking is available along East Lake Street and there are two existing bike racks located in the right-of-way directly in front of the building. There is space behind the building that can be used temporarily for deliveries.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Policy I.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

I.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

I.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.

I.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Policy I.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

I.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

Policy I.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

I.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

Policy I.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

I.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character.

Allowing a limited production and processing use to be established in an existing commercial building on a commercial corridor is consistent with the above policies of the Comprehensive Plan.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the requested conditional use permit and parking variance are approved, the proposal will comply with all provisions of the C2, Neighborhood Corridor Commercial district. The use will also be required to comply with all applicable state and federal regulations for wine and cider production. Additionally, the trash and recycling receptacles located in back of the building shall be screened in accordance with Section 535.80 of the zoning code. Refuse and recycling storage containers shall be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or shall 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.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of the minimum vehicle parking requirement, 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.*

The parking requirement for limited production and processing is one space per 300 square feet of gross floor area up to 4,000 square feet, but not more than 4 spaces, plus one space per 1,000 square feet of gross floor area from 4,000 square feet to 20,000 square feet, plus one space per 2,000 square feet of GFA in excess of 20,000 square feet. The four space minimum does not apply. In this case, the total area of the use, including office space, is approximately 1,320 square feet. This equates to a parking requirement of four spaces. The site does not contain any off-street parking and a variance from four spaces to zero has been requested accordingly. The parking requirement for the first floor office tenant is four spaces and those four spaces are grandfathered.

Practical difficulties exist in complying with the ordinance due to the size of the site. The property is only 1,980 square feet and the existing building was constructed in 1916 without any off-street

parking. The structure comprises nearly the entire lot, leaving no space for vehicle parking. These circumstances are unique to the property and have not been created by the applicant.

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.*

The proposal to reduce the off-street vehicle parking requirement for this use will allow the applicant to utilize this commercial property in a reasonable manner that is consistent with the spirit and intent of the ordinance and the comprehensive plan. Parking and loading regulations are established to recognize the parking and loading needs of uses and structures, to enhance the compatibility between parking and loading areas and their surroundings, and to regulate the number, design, maintenance, use and location of off-street parking and loading spaces and the driveways and aisles that provide access and maneuvering space. The proposed limited production and processing use will not be open to the public and will generate very little traffic. The applicant is currently the only employee and he uses alternative modes of transportation, including biking and taking the bus. Additionally, on-street parking is available along Lake Street. Therefore, the proposed parking variance will not contribute to congestion.

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 proposed parking variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The subject site is located on a commercial corridor and the establishment of a low-intensity use without any off-street parking will not impact the health, safety or welfare of the general public. The use is not expected to generate traffic or create parking congestion and will not impact those utilizing nearby properties.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Conditional Use Permit:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow a limited production and processing use for the property located at 3016 E Lake Street, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. The trash and recycling receptacles shall be screened in accordance with Section 535.80 of the zoning code.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the vehicle parking requirement from 4 spaces to zero for the property located at 3016 E Lake Street.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Correspondence
3. Zoning map
4. Site plan
5. Floor Plans
6. Photos

Jeff Zeitler

Urban Forage Winery and Cider House

3016 E. Lake Street

Minneapolis, MN 55406

Minneapolis Department of Planning and Community Development

Attn: Kimberly Holien

250 S. 4th Street

Minneapolis, MN 55415

RE: Conditional use permit- written statement by applicant

August 8, 2014

Dear Ms. Holien:

This letter will address the six standard findings listed in the General Land Use Application checklist.

We are applying for a Conditional Use Permit in order to use 1,200 square feet of basement space at 3016 East Lake Street as a limited processing and production facility. We are planning to manufacture wine, hard cider and mead on the premises which are zoned C-2.

C-2 zoning allows for 1,200 square feet of limited processing and production on the premises and we will show that such use will not be detrimental to our neighbors' use and enjoyment of their property.

Finding 1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.

Our facility will conform to all of the applicable, federal, state and city laws and codes. The premises are secure, having bars over most windows and an alarm system so there will be no attractive nuisance for potential thieves.

Finding 2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for used permitted in the district.

Our use is commercial, similar to the uses of the other commercial buildings on our block along Lake Street. Our business neighbors are: a car repair shop, a check cashing business, a disaster-repair facility and a used

car lot. The previous use of the building was as a hair salon. Residential neighbors on the off-Lake Street blocks are accustomed to seeing some traffic in and out of the building, and to the sights and sounds of commerce.

Finding 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The existing building is built on a lot with 100% impervious surface. Having been constructed in 1916, in an area which was already a busy business district, the building was built to the lot lines on three sides and has a party wall with 3018 Lake Street (see survey included in submittal package). The physical layout of the building is such that it has very likely been a commercial building since its construction almost 100 years ago.

We have a 10' asphalt pad in the back of the building which allows ingress and egress to the back of the building and which is home to the trash and recycling bins. The facilities at present are adequate for the use we are proposing.

Finding 4. Adequate measures have been or will be taken to minimize traffic congestion in the public streets.

East Lake Street was reconstructed within the last 4 years and should be adequate to handle the minimal traffic generated by our 1200 square feet of processing and production. We anticipate that the use of the basement will require from 1 to 3 people working sporadically to produce and bottle wine, mead and cider.

Two bicycle parking spaces are provided in front of the building. Additionally, the 21 and 53 bus lines run regularly along Lake Street connecting to the LRT stop 5 blocks away, reducing the need for automobile transportation to the building. We are applying for a parking variance as a part of this submittal as well, and have attached the relevant forms.

Finding 5. The conditional use is consistent with the applicable policies of the comprehensive plan.

We are proposing a use that will create a jobs in the East Lake commercial corridor that is currently, in our opinion, under-utilized. The corridor is well served by public transit and has good pedestrian connections. We are converting a building that had been foreclosed upon and unused for a short while into a productive tax-producing asset for the city of Minneapolis. We support the city's goals of adding population and small business to the developed areas of the city and are a model of the small-scale revitalization which is desired by the city's comprehensive plan.

Finding 6. The conditional use shall, in all other respects, conform to the applicable regulations in the district in which it is located.

Yes. Our use is similar to other uses permitted in the C-2 zoning district in function and scale. It is in keeping with the character or the neighborhood and the spirit of the commercial zoning district it resides within. We live within a few miles of the facility and plan to be good neighbors.

Thank you for your consideration of our application,

Jeff Zeitler, Gita Rijal Zeitler

Urban Forage Winery and Cider House

Copy of email sent to Council Member Cam Gordon on August 12, 2014

Jeff Zeitler <urbanforagewinery@gmail.com>

Aug 12

to cam.gordon, robingarwood, kimberly.holien

Hi Cam and Robin,

I'm contacting you to let you know we are planning to open a wine, cider and mead production facility in Longfellow, with an eye toward someday having a tasting room and bottle sales on site as well.

We'll need a conditional use permit to have limited processing and production in a C-2 district. We'll also need a parking variance, since our building has no parking spaces (and hasn't had any for the 98 years of its existence). I hope you'll support our application for these and also hope you'll stop by for a bottle of wine someday when we can legally sell our product!

Our building is at 3016 East Lake Street and is a former hair salon, and before that, a pawn shop. We purchased it while it was in foreclosure and have spruced it up and rented out the upper floor to a health care company. We're retaining the basement for production of wine, cider and mead.

Our plan is to make natural, unsulfited wines and beverages using fruit foraged from city trees, from past-saleable grocery store fruit and from orchards' unpicked end-of-season stock. We've had a lot of support from people in the neighborhood since we've gone public with our plans, and hope to keep this momentum going.

My wife and I are St. Paulites, though I formerly lived in the 2nd Ward of Minneapolis for over a decade. Our current home address is:

Jeff Zeitler and Gita Rijal Zeitler

1422 Ashland Avenue

Saint Paul, MN 55104

(651) 235-2726

I'm copying the Kimberly in the CPED office to let her know I've made contact with you and are interested in working with you and with the neighborhood to make this a positive contribution to the Longfellow neighborhood and East Lake Street.

Cheers,

Jeff Zeitler

Copy of email sent to Longfellow Community Council staff on August 12, 2014

Hi Joe,

I'm contacting you to let you know we are planning to open a wine, cider and mead production facility in Longfellow, with an eye toward someday having a tasting room and bottle sales on site as well.

We'll need a conditional use permit to have limited processing and production in a C-2 district. We'll also need a parking variance, since our building has no parking spaces (and hasn't had any for the 98 years of its existence). I hope you'll support our application for these and also hope you'll stop by for a bottle of wine someday when we can legally sell our product!

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My wife and I are St. Paulites, though I formerly lived in Marcy-Holmes and Seward for over a decade. Our current home address is:

Jeff Zeitler and Gita Rijal Zeitler

1422 Ashland Avenue

Saint Paul, MN 55104

(651) 235-2726

I'm copying Kimberly and Jason in the CPED office to let them know I've made contact with you and are interested in working with you and with the neighborhood to make this a positive contribution to the Longfellow neighborhood and East Lake Street.

Cheers,

Jeff Zeitler



2727-26th Avenue South
Minneapolis, MN 55406
612-722-4529 Phone

September 15, 2014

Kimberly Holien, Senior Planner
City of Minneapolis
250 South 4th Street, Room 300
Minneapolis, MN 55415

Re: Jeffrey Zeitler public hearing Monday, September 29, 2014

Kimberly;

The Longfellow Business Association (LBA) would like to express its support for the application by Jeffrey Zeitler / Urban Forage Winery & Cider House to allow for a wine and cider production at 3016 E Lake Street.

Jeff Zeitler is a new LBA member and has demonstrated his commitment to the neighborhood and the business association by participating at the 44th Annual Cornfeed in August at Longfellow Park and reaching out to Longfellow businesses through the LBA. The neighborhood residents have also been enthusiastic in their support for new businesses, especially those involving food and liquor and located on E Lake Street.

If you have any questions please contact Ruth Romano at 612.722.4529 x10.

Thank you for your consideration.

Kristi

Kristi Adams
Co-chair

From: [Ruth Romano](#)
To: [Holien, Kimberly](#)
Subject: Zeitler - Letter of support
Date: Monday, September 15, 2014 11:44:44 AM
Attachments: [ZeitlerSupport.pdf](#)
[ATT00001.htm](#)
[ATT00002.htm](#)

Kimberly

Attached find letter of support for Jeffrey Zeitler application. I'm also putting a hard copy in the mail.

Thanks for your consideration.

From: shopjunket@gmail.com on behalf of [Julie Kearns](#)
To: [Hollen, Kimberly](#)
Subject: Zeitler/Urban Forage Winery application
Date: Monday, September 15, 2014 11:39:36 AM

Hey, Kimberly-

I hope you're having a great start to this week (sunshine, fall weather, yeah!). :))

Thanks for the opportunity to weigh in on this business application...

From what I know of Jeff and Gita Zeitler, they are intent on providing a benefit to the community in which they're developing this business... gleaning existing fruits from local resources - and doing so thanks to the relationships they've developed with others in the city - is both an ecologically wise and socially beneficial approach to developing a product that is legal to manufacture, sell, and enjoy in our fine city.

As another business owner in the Longfellow neighborhood, I wholeheartedly support their application to do something different and innovative in our neighborhood, and encourage the city planning commission's approval.

Thanks for your time and attention to this input!

Best regards,

Julie

--

Julie Kearns
Founder & Finder
Junket: Tossed & Found
4049 Minnehaha Ave
Minneapolis, MN 55406
612.293.6863
shopjunket.com

NEW HOURS! Junket is now open every Wednesday through Sunday from 10-8 daily.

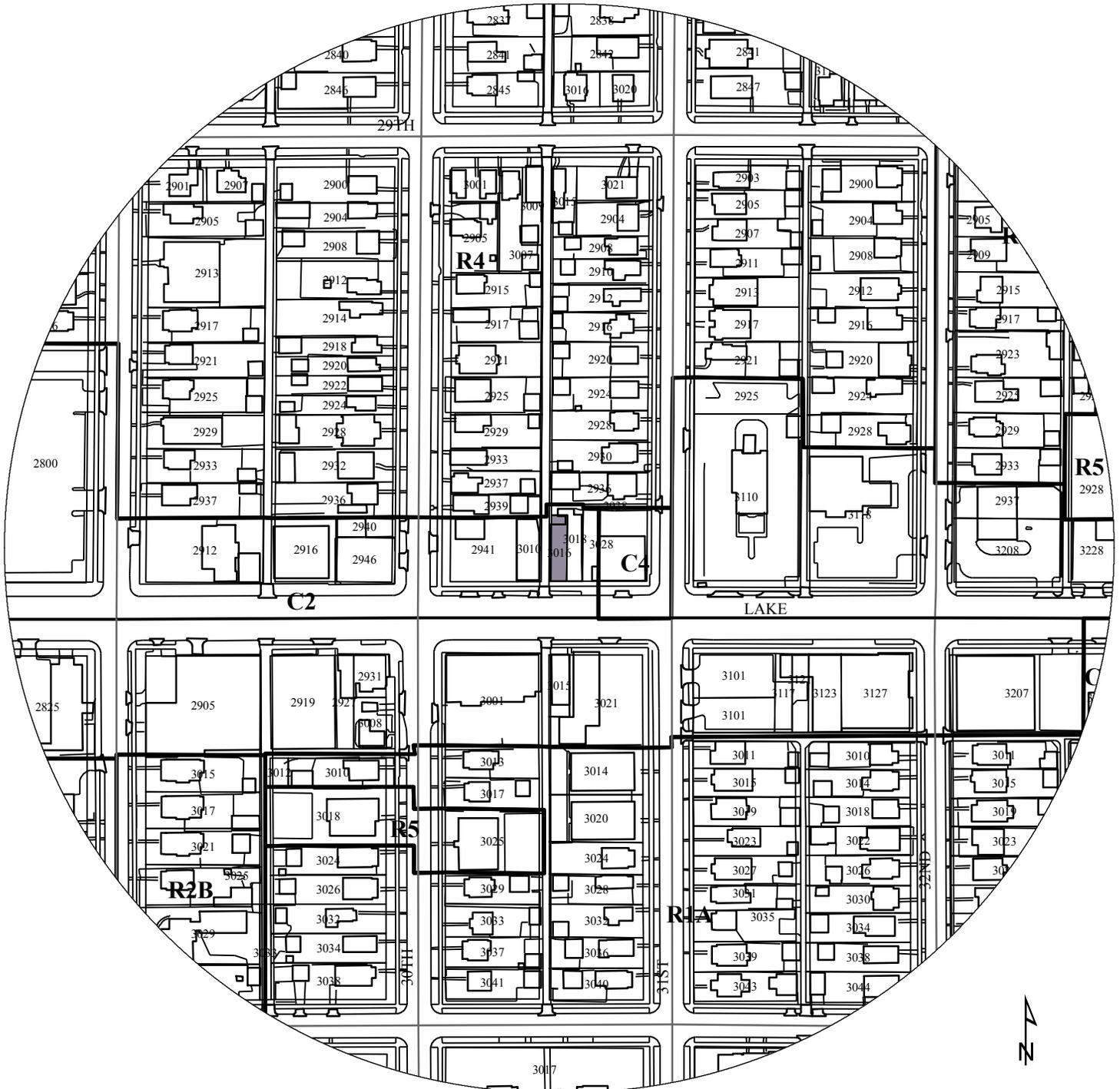
Find us on [Facebook](#), [Twitter](#), [Instagram](#), and [Pinterest](#), too!

Jeffrey Zeitler

2nd

NAME OF APPLICANT

WARD

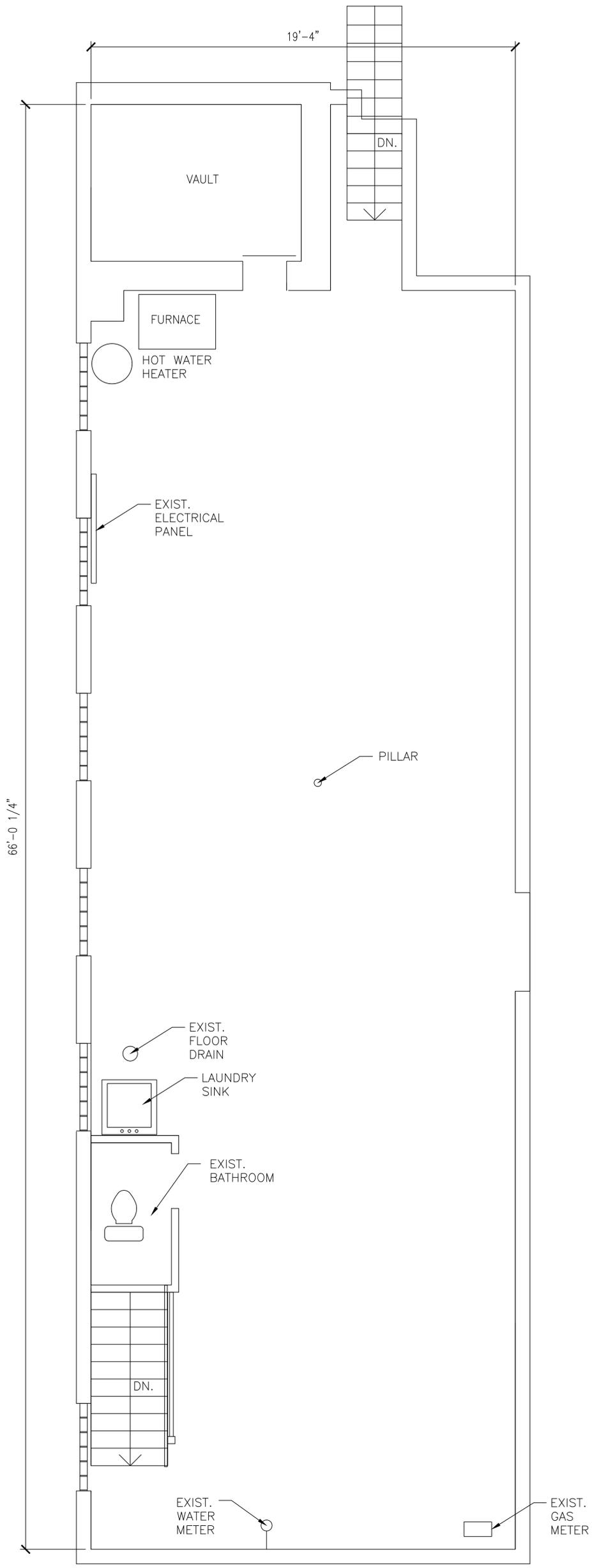


PROPERTY ADDRESS

3016 E Lake Street

FILE NUMBER

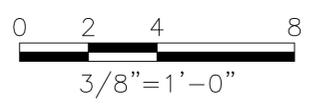
BZZ-6775

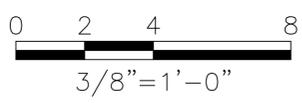
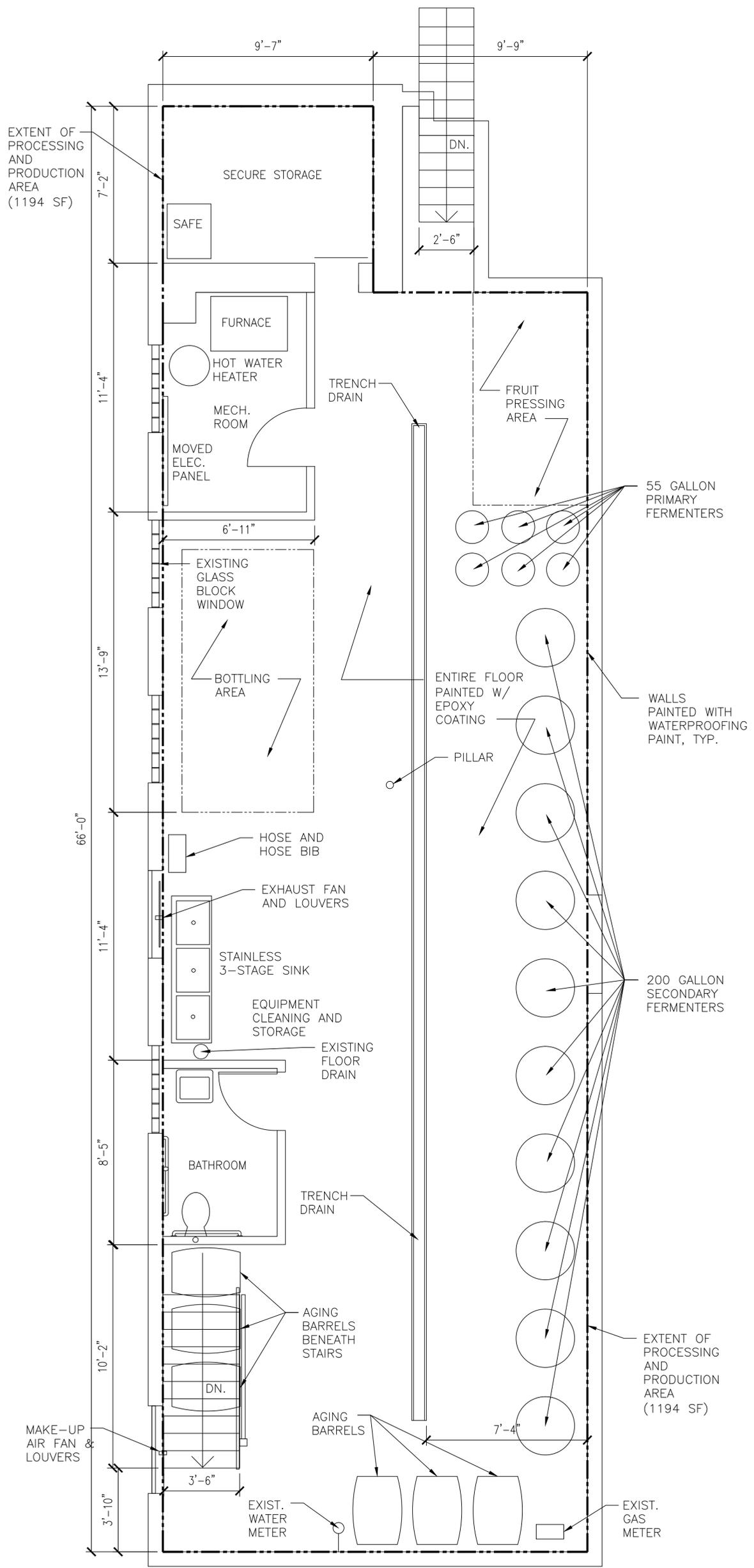


EXTENT OF
PROCESSING
AND
PRODUCTION
AREA
(1194 SF)

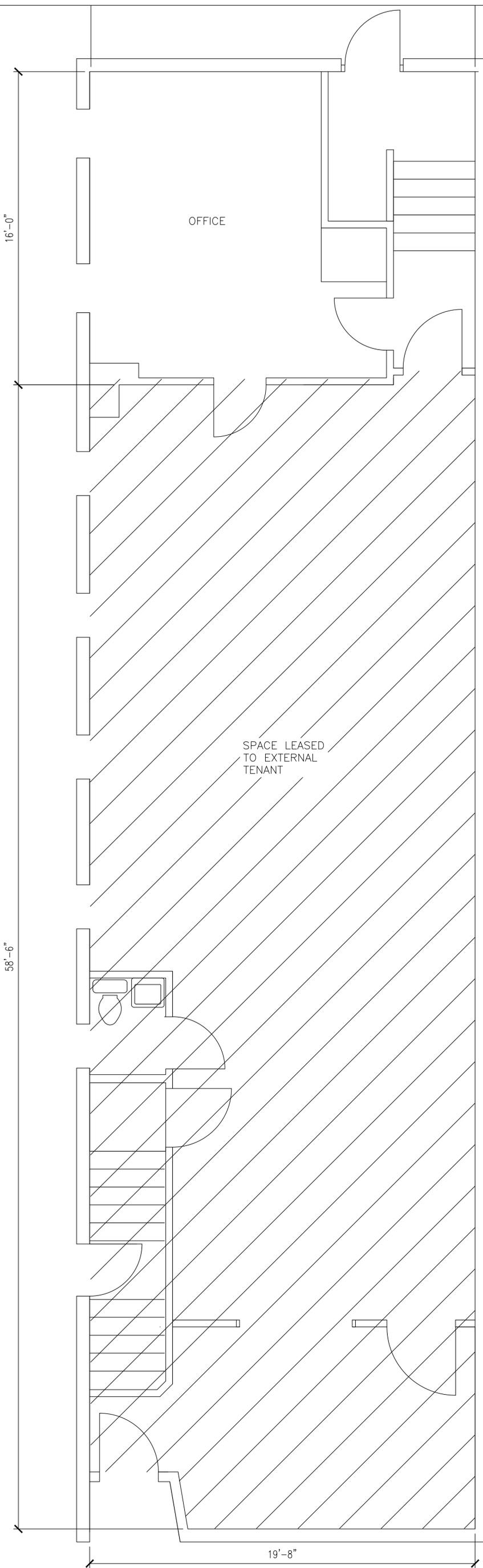
MAKE-UP
AIR FAN
LOUVERS

basement existing





basement proposed



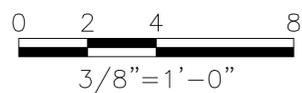
OFFICE

SPACE LEASED
TO EXTERNAL
TENANT

16'-0"

58'-6"

19'-8"



**1st floor existing
REFERENCE ONLY**

RESIDENTIAL
AREA
ZONED R-4

NOTE:
NO OFF-STREET PARKING
IS AVAILABLE FOR 3016
E. LAKE ST. OR FOR
NEIGHBORING BUILDINGS

TRASH AND
RECYCLING

BITUMINOUS
PAVEMENT

DIRECTION
OF
SURFACE
DRAINAGE

MOTION-ACTIVATED
LIGHT OVER
BACK DOOR

12'-2"

DIRECTION
OF
SURFACE
DRAINAGE

ALLEY

3016 EAST
LAKE ST.
ZONED C-2

NEIGHBORING
2-STORY
BUILDING W/
PARTY WALL
(SUMMIT
HEALTH/
CHECK
CASHING)
ZONED C-2

SAIGON
GARAGE
ZONED C-4

NEIGHBORING
1-STORY
BUILDING
(A&M
DISASTER
SERVICES)
ZONED C-2

76'-5"

TRAFFIC
FLOW



HANDRAIL

FRONT STEPS

5'-6"

CONCRETE
PAVEMENT

BUILDING-MOUNTED
LIGHTING
UNDER
AWNING
ALONG FRONT
OF BUILDING

DIRECTION
OF
SURFACE
DRAINAGE

12'-0"

DIRECTION
OF
SURFACE
DRAINAGE

22'-2"

14'-0"

22'-2"

21'-11"



0 2 4 8
SCALE IN FEET

CURB CUT
FOR ALLEY

EXISTING BIKE
RACKS

PARKING
SIGN

EXISTING TREE

TREE
PLANTING PIT

EAST LAKE STREET

TRAFFIC FLOW



back of building (North side) and adjacent building



West side of building and alley



Front of building (South face) on Lake Street