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March 5, 2014

Planning Commissioners  
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, March 10, 2014, at 4:30 p.m. in the Council Chambers** of the Winona City Hall.

1. Call to Order
2. Minutes – February 24, 2014
3. Public Hearing – Final Plat-Cobblestone Creek First Revision
4. Initiate Zoning of Annexed Properties (Attachment)
5. Other Business
6. Adjournment

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Moeller".

Mark Moeller  
City Planner

## **PLANNING COMMISSION MINUTES**

**DATE:** February 24, 2014

**TIME:** 4:30 p.m.

**PRESENT:** Chairperson Porter, Commissioners Boettcher, Buelow, Davis, Ballard, Hahn, and L. Olson

**ABSENT:** Chairman Porter and Commissioners English and M. Olson

**STAFF PRESENT:** City Planner, Mark Moeller

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The meeting was called to order at 4:30 p.m. by Vice Chair Hahn.

### **Approval of Minutes – January 27, 2014**

The minutes from the Commission's meeting of January 27, 2014 were reviewed and upon motion by Commissioner Buelow and second by Commissioner Boettcher were unanimously approved as submitted.

### **Commission Bylaws**

Vice Chair Hahn called on Mark Moeller, City Planner, to provide staff comment of this issue. Mr. Moeller noted that the Commission's agenda included a revised set of Commission Bylaws that had tentatively been approved during its last meeting. Given review of the document, it was moved by Commissioner Davis and seconded by Commissioner Buelow to recommend approval of the bylaws as presented. When the question was called, the vote of the Commission was unanimous to approve the motion.

### **Discussion – General CUP Requirements**

Vice Chair Hahn called on Carlos Espinosa, Assistant City Planner, to provide a summary of this item.

Mr. Espinosa noted that, within the general framework of the zoning ordinance, most zoning districts provide for uses that are either permitted outright, or conditional through a defined approval process. This process is generally referenced as a conditional use permit. Outside of this language, Mr. Espinosa explained that there are no general requirements within the zoning ordinance relating to conditional use permits or the conditional use permit process. As such, he felt that the inclusion of general requirements to the conditional use process would increase the City's discretionary power when reviewing conditional use permit applications. As such, staff is recommending that the Commission consider the addition of "general" CUP requirements to the City Code. For Commission reference, draft language relating to this proposal had been included in the Commission's agenda package. He also noted

**PLANNING COMMISSION MEETING MINUTES**  
**FEBRUARY 24, 2014**  
**PAGE 2**

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that various cities of St. Paul, Mankato, Rochester, and Red Wing, Minnesota had been included for comparison purposes. At this point, Mr. Espinosa reviewed the proposal noting a listing of ten general requirements that would be considered by the Board of Adjustment, in addition to conditions relating to specific uses. He noted that these ten general conditions were designed to insure that conditional uses do not somehow negatively impact neighborhoods or neighborhood character.

The proposal also included language relating to the idea that conditional use permits, once approved, would be valid for no more than twelve months, unless the building permit is issued. In instances where a building permit is not required, the subject property must be put to use in compliance with the conditional use permit within twelve months, unless an extension had been granted by the City Council.

Finally, the proposal reaffirms the idea that, under current procedure, conditional use permits are approved by the City Board of Adjustment in accordance with Section 22.21. Here, Mr. Espinosa noted that staff was proposing that the Commission consider the transfer of Conditional Use Permit activities to the Planning Commission. This would free up the Board of Adjustment to consider variances alone. This change would generally be consistent with what most cities do throughout the state.

In concluding, Mr. Espinosa stated that staff was simply seeking Commission input into this issue this afternoon. Should the Commission find that the proposal makes sense, it should direct staff to continue working on it. He further noted that the proposal had not yet been reviewed by the City Attorney, and that this review would be the next step in the process.

At this point, discussion ensued relative to the conditional use process recently used to approve sand processing facilities. In response to a question by Commissioner Davis, Mr. Espinosa stated that the City Board of Adjustment used a list of ten conditions, specific to the use, in evaluating the proposal. He emphasized that state and local enabling laws do permit the board to add additional conditions if they relate to health, safety, and welfare concerns. Conditions outside of those ten specific to the site could vary dependent on the use.

Following Commission discussion, the general consensus of those present was that the conditional use proposal, as presented this afternoon, was acceptable. With this, staff was directed to continue moving forward in developing it. It was further recommended that consideration be given to transferring conditional use permit approval authority from the Board of Adjustment to the Planning Commission. Mr. Espinosa stated that he would discuss these issues with the City Attorney. Once the proposal is finalized, it will be brought back to the Commission for a hearing.

**Other Business**

Vice Chair Hahn stated that, Commissioner Mandi Olson had recently suggested that the Commission conduct a review of the 2007 Comprehensive Plan in order to define

accomplished goals. Given that, he had put together a “snapshot” pdf of comprehensive plan items that list the Planning Commission as “lead or coordinating agency”. His purpose in developing the document was to streamline the review process rather than to manually tracking down all instances where the Planning Commission is called out. Given the document, it was suggested that the Commission conduct a surficial review of it to determine where additional work may be needed. With this, Vice Chair Hahn noted that the first major heading on the list related to land use plan actions. A short term objective listed under this heading recommended that the City adopt the Land Use Map and land use categories of the Comprehensive Plan to be used to guide future zoning changes and capital investments. The consensus of the Commission was that, given adoption of the full 2007 Comprehensive Plan, this recommendation had been completed.

The land use plan action category also included a recommendation to update the City’s Zoning Ordinance and development regulations. Generally, this proposal called for a total rewrite of the Zoning Ordinance and development standards including changes to the following:

- Integration of local historic district standards. Mr. Moeller noted that both of the City’s Downtown Historic Districts are subject to provisions of the City Preservation Ordinance as well as specific design guidelines. Given that these now exist, they could easily be incorporated within any rewrite of the Zoning Ordinance.
- Encouragement of mixed use where shown in plan land use categories. Mr. Espinosa explained that the mixed use concept had been incorporated through adoption of the B-2.5 Zoning District a few years ago. Additionally, this zoning classification had been applied to an approximate two block area located northerly of Second and to both sides of Washington Street. He emphasized that this mixed use district was a blend between commercial and industrial zoning and was designed to promote these along with residential uses. Over time, this classification could expand to other areas of the Central Business District.
- Integration of sensitive resources overlay standards with zoning. Here, Mr. Moeller explained that both Bluff and Shoreland Overlay Districts are visually represented on the zoning map. Along with these, it was envisioned that flood plain overlay districts would also be shown, once the flood plain ordinance is totally rewritten and adopted.
- Standards for residential neighborhood design that will encourage the integration of diverse housing types, schools, parks and open space. Mr. Espinosa stated that he envisioned these standards would be part of zoning and development regulation updates. Although staff has proposed the update of these regulations for a number of years, adequate funds have not been made available for the purpose. However, staff remained hopeful that this will occur at some point within the near future.
- Amend the City’s Subdivision Ordinance to require narrower local residential streets, sidewalks or interconnected trails along every local residential street and street trees or equivalent landscaping along most streets. Here it was further

suggested that the City consider developing a Unified Development Code that could be used to streamline development procedures by combining zoning, subdivision, environmental and similar regulations into a single cross-referenced document. Again, Mr. Moeller noted that although this philosophy had not yet been fully developed, it was hoped that it could be done in coordination with the zoning ordinance and development regulation update.

- Finally, the recommendation was presented to use the Comprehensive Plan routinely in reviewing applications for rezoning, subdivision or site plan approvals. Mr. Moeller explained that the Comprehensive Plan is used extensively for these purposes.

#### Arts and Humanities Plan Actions

Under this heading, it was recommended that the City establish a mixed use arts oriented district focused on the downtown. Staff noted that this is an issue that has not been implemented.

#### Environment and Energy Plan Actions

Action items under this heading included the development of conservation design standards, impervious coverage limitations, improve landscape standards, and setbacks from blufftops and ridgelines.

In addressing this category, Mr. Moeller stated that a zoning ordinance/subdivision ordinance rewrite along with the development of Unified Development Code could result in the preparation of specific low impact conservation design standards to be used in new developments. Additionally, although impervious cover limitation standards had been included within bluff and shoreland overlay districts, there was no general city wide standard that applies at this point. Additionally, the idea of developing improved landscape standards is one that staff would fully support. However, it was envisioned that this would occur, again, with a zoning ordinance rewrite.

#### Historic Preservation Plan Actions

This general heading recommended the establishment of local historic districts in downtown Winona along with the implementation of design standards and guidelines for the downtown area. Mr. Moeller explained that, in responding to this recommendation, the City has created two historic districts downtown and both are listed as National Register and Local Districts. Additionally, design guidelines and standards for these districts have been approved and are currently being used to promote district intent.

#### Parks and Recreation Plan Actions

Here it was suggested that the City establish a parks commission or committee. Mr. Moeller stated that at one point in time the City did have a park commission. However, his belief was that commission was dissolved with the adoption of the City Manager form of government. He was unclear at this point why the City would return to that form of administration.

Riverfront Plan Actions

Here it was suggested that the concept of river activity zones be employed in future planning. In addressing this heading, Mr. Moeller explained that this too is something that could be addressed through a zoning ordinance update, if the Commission and City Council find a purpose for it.

Vice Chair Hahn stated that given review this afternoon, it was obvious that a number of 2007 Comprehensive Plan recommendations had, in fact, been implemented since that time. For the most part, those that have yet to be completed relate to a project that would serve to rewrite zoning, subdivision, and/or other ordinances and regulations. He suggested that the Commission may want to provide a recommendation to Council requesting that consideration be given to budgeting for these items in the near future.

Mr. Espinosa stated that the Environmental Quality Committee will meet on Tuesday to address a number of questions that have been raised by CASM. He further explained that air quality monitoring was being conducted from the YMCA building and that raw data from monitor will be posted on the City's website within the next week. Thus far, no significant problems have been noted from testing.

Commissioner Boettcher alluded to concerns related to the cost of flood plain insurance.

**Adjournment**

There being no further business to come before the Commission, the meeting was adjourned.

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Mark Moeller  
City Planner

# PLANNING COMMISSION

**AGENDA ITEM: 3. Public Hearing – Cobblestone Creek First Revision**

**PREPARED BY: Mark Moeller**

**DATE: March 10, 2014**

## BASE DATA

**Petitioner:** Phillips Development, Inc.

**Location:** This replat is located on the footprint of the current Lot 1, Block 6, Cobblestone Creek Subdivision (Exhibit A).

**Zoning:** R-1 (One Family Residence)

**Minimum Performance Standards:** Lot Area: 8,000 square feet  
Lot Frontage: 90 feet  
Front Yard Setback: 15 feet  
Rear Yard Setback (from property line): 40 feet  
Side Yard Setback: North Side – 5 feet  
South Side – 8 to 10 feet depending on number of stories

**Current Lot Area:** 13,833 square feet

**Current Lot Frontage:** 122.83 feet

**Current Lot Status:** Vacant

**Proposed Revised Plat:** Exhibit B

## DISCUSSION

Initially created in May of 2008 as part of the Cobblestone Creek Subdivision, the effected Lot 1, Block 6 (Exhibit A), included land to both facilitate future residential use and to meet Natural State Area (NSA) requirements of the City Sensitive Land Ordinance. Given an average lot slope of 16.2% (Exhibit B), the NSA requirement for the lot was determined to be 35% of its total area. This calculation is reflected in that portion of the lot designated as "NSA" on Exhibit A.

Phillips Development Inc. is now proposing to develop the lot for a single family dwelling. However, following its consideration of building and site improvement options for the site, the company feels that the depth of the "building envelope", located

**PLANNING COMMISSION**

**3. PUBLIC HEARING – COBBLESTONE CREEK FIRST REVISION**

**MARCH 10, 2014**

**PAGE 2**

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between the street line and westerly side of the current NSA is not adequate to reasonably provide for building and drainage purposes. Given this concern, it has, in accordance with provisions of Code Section 42. I (5) submitted the revised plat (Exhibit C) for approval. With this submitted the "current" platted lot would (reference Exhibit C-1) be modified by moving the westerly limits of the NSA designation to the east 11.61 feet. This action would reduce required NSA by 1197.88 square feet. In making this difference up, the applicant proposes to designate a portion of the northerly 22 feet of the lot, currently part of the building envelope, as NSA. This area includes approximately 1201 square feet of land. As such, the proposed plat revision would not result in a net loss of NSA to the lot.

**RECOMMENDATION**

Staff recommends approval of the Cobblestone Creek First Revision final plat for the following reasons:

1. The revision will not result in a net loss of Natural State Area to the lot. As such, the intent and purpose of initial (2008) NSA requirements and approvals will continue to be met.
2. The revision will not significantly compromise site slopes and other natural lot features, nor that of adjoining lots.
3. The revision will facilitate reasonable development of the lot, thereby relating to a positive increase in tax base.

MATCH POINT 1

SE COR. SPRING BROOK SUBD. NO. 2

N11°16'46"E 394.14

OUTLOT "A"

COBBLESTONE LANE

OUTLOT "C"

N00°00'00"E 50.00

S90°00'00"W 152.84

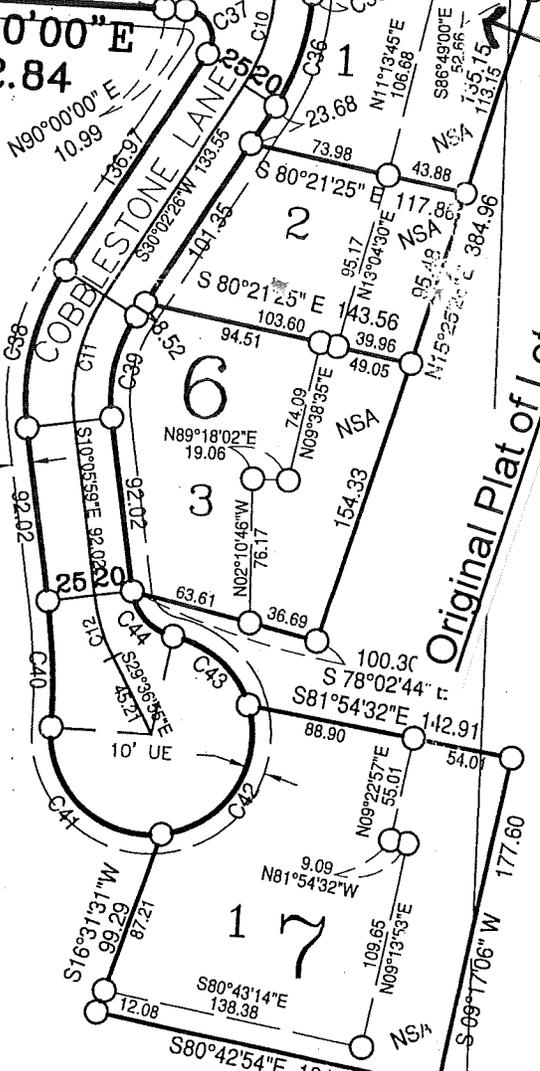
FUTURE CROSS CREEK ROAD

W'LY LINE SE¼ NE¼

UNPLATTED

N90°00'00"E 152.84

Original Plat of Lot 1, Block 6



TRIBUTARY TO PLEASANT VALLEY CREEK

S6°40"W 874.91

OUTLOT "D"

A

L=256.24  
B=800.00  
A=18°21'07"

65.  
N03°00'

# Final Plat- Phase 1 Cobblestone Creek

## Lot Details

Block Number	Lot Number	Lot Within Shoreland District (Y/N)	Total Area of Lot (acres)	Lot Width at ROW (feet)	Lot Line Closest to Stream	Lot Width Measured Along Building Envelope (2) (feet)	Area of Building Envelope (sq. ft.)	Maximum Impervious Percentage per Lot	Maximum Impervious Area per Lot (sq. ft.)	High Est of Impervious Area per Lot (sq. ft.)	100 Year Flood Elevation (feet)	Ground Water Elevation (feet)	Lowest Allowable First Floor Elevation (feet)
1	1	Y	0.422	126	Rear	116	8452	25%	4591	4591	734.7	732.6	736.7
	2	Y	0.404	110	Rear	110	9449	25%	4397	4397	738.3	734.6	740.3
	3	Y	0.394	243	Rear	110	7298	25%	4296	4296	741.5	736.1	743.5
2	1	Y	0.610	146	(1)	125	5497	25%	6640	5000	744.1	737.4	746.1
3	1	Y	0.436	123	Front	129	7594	25%	4744	4744	740.9	737.3	742.9
	2	Y	0.448	150	Front	148	9398	25%	4877	4877	743.3	741.5	745.3
4	1	Y	0.405	214	Rear	170	6703	25%	4415	4415	746.2	742.0	748.2
	2	Y	0.505	112	Rear	121	9156	25%	5498	5000	749.0	745.7	751.0
5	1	Y	0.452	111	Rear	109	9212	25%	4927	4927	762.8	758.9	764.0
	2	Y	0.451	106	Rear	105	10288	25%	4587	4587	764.6	758.9	766.6
6	1	Y	0.301	134	Front	115	3806	25%	3278	3278	775.8	768.1	777.8
	2	Y	0.282	101	Front	101	5466	25%	3071	3071	776.2	770.0	778.2
	3	Y	0.455	157	Front	151	5944	25%	4955	4955	777.1	771.9	779.1
7	1	Y	0.659	93	Front	148	12826	25%	7172	5000	780.4	777.8	782.4

Block Number	Lot Number	Total Area of Lot (acres)	NSA			
			Average Lot Slope (%)	Required NSA %	Required NSA (acres)	Provided NSA (acres)
1	1	0.422	9.0	0%	0.000	0.000
	2	0.404	9.0	0%	0.000	0.000
	3	0.394	8.8	0%	0.000	0.000
2	1	0.610	8.0	0%	0.000	0.000
3	1	0.436	8.3	0%	0.000	0.000
	2	0.448	12.8	30%	0.134	0.135
4	1	0.405	6.0	0%	0.000	0.000
	2	0.505	10.6	30%	0.151	0.151
5	1	0.452	9.9	0%	0.000	0.000
	2	0.451	6.5	0%	0.000	0.000
6	1	0.301	16.2	35%	0.105	0.108
	2	0.282	14.0	30%	0.085	0.089
	3	0.455	15.5	35%	0.159	0.163
7	1	0.659	17.5	35%	0.231	0.233

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# PLANNING COMMISSION

**AGENDA ITEM: 4. Initiate Zoning of Annexed Properties (Attachment)**

**PREPARED BY: Mark Moeller**

**DATE: March 10, 2014**

Pursuant to City Code Section 43.07 (e), when property is annexed into the City, it remains unzoned until such time that zoning is established under provisions of Code Section 43.31, which further defines the standard process for zoning and rezoning.

Within the last number of months, three additional residential properties have been annexed under terms of the City of Winona/Wilson Township Annexation Agreement. Although these properties have not yet been zoned, staff is requesting that, given enabling powers listed under Code Section 43.31 (b), the Commission adopt a motion initiating the zoning process of 1411 Wildlife Drive, 1659 Valley View Drive, and 23125 County Road 17.

Once initiated, staff will provide informal notice of the City's intent to consider zoning, including a proposed zoning classification of each site, and allowing a period of time for feedback. This will be followed by formal hearing notice and a scheduled hearing before the Planning Commission.