

PLANNING COMMISSION MINUTES

DATE: November 24, 2014

TIME: 4:30 p.m.

PRESENT: Chairperson Davis; Commissioners Porter, M. Olson, Ballard, Hahn, Boettcher, Davis, and Buelow

ABSENT: Commissioner L. Olson

STAFF PRESENT: City Planner, Mark Moeller; Assistant City Planner, Carlos Espinosa

The meeting was called to order at 4:30 p.m. by Chairperson Davis.

Approval of Minutes – November 10, 2014

The minutes for November 10, 2014 were approved without changes upon motion by Commissioner M. Olson and second by Commissioner Porter.

Public Hearing – Rezoning Request – Automotive Enterprises LLC – R-1 to B-3

Chairperson Davis asked the petitioner to describe the request. Mr. Dahl stated that the current rezoning proposal is intended to address a number of concerns brought up by neighbors in previous meetings. Mr. Dahl stated that the current plan includes a berm for visual screening and a pedestrian walkway for neighbors to be able to reach the Vila/Highway 61 intersection. Mr. Dahl also stated that the lights will have a dimming option as well as a motion option, emphasized that there will be no outside paging or phone ringing, and clarified that stormwater improvements will take the form of a rain garden – not a retention pond. Next, Mr. Dahl asked Ron May from Winona Nursery to describe the rain garden.

Mr. May stated that the rain garden is not designed to hold water. In fact, the water from a one inch rain event will be gone within a matter of hours – not days. Further, there is an overflow drain pipe set at two feet – so that if a significant amount water accumulates in the garden, it will outflow to the nearby drainageway adjacent to Highway 61.

Next, Chairperson Davis asked for the staff report. Mr. Moeller stated that this staff report was relatively similar to the previous report on this topic. As a result, the following options are available to the Commission:

1. Recommend approval of the application. Under this option, staff recommends that it be conditioned on the following:
 - a. The westerly side of any parcel, that is proposed to be rezoned B-3, shall be retained as R-1. In accordance with City Code Section 43.37 (b), the purpose/intent of this exclusion being to restrict vehicular traffic flow between the Johnstones Addition and the adjoining auto dealer redevelopment site to the east.

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- b. Vehicular access between the rezoning site and Lake Boulevard shall not be permitted. This condition is consistent with previous commercial zoning approvals located easterly of the current rezoning site.
- c. Require that all land parcels, to be developed/used for the GMC auto dealership, be combined into a single parcel.
- d. Commission approval of any site plan mitigation strategy that would serve to address identified neighborhood impacts resulting from commercial use of rezoning site.

Although any modifications to the present (approved) GMC development site plan will require additional full review by the Commission at a later point, segments (i.e.: Scope and detail of 50' buffer landscaping, silt and pond fence, etc.) could be "locked in" as a condition of zoning approval. In addition to these, the Commission could specify other information it would like to see on full plan when it returns for review.

- e. Provide for the permanent retention and maintenance of the required 50 foot buffer, regardless of future use of the GMC development site.

In order to ensure that the previous requirements are fulfilled/implemented, staff further recommends that they be subject to a development agreement, restrictive covenants, or other document suggested by the City Attorney. Further, such documents should be drafted prior to submittal of the Commission's recommendation to Council (for its subsequent hearing of the request).

2. Recommend denial of the full request in accordance with staff discussion occurring under part 5 (c). This action should include specific reasons for it.
3. Modify all/part of the request.
4. Table the request for further information (other stated purpose).

Next, Chairperson Davis opened the public hearing.

Jim Clauson - 1289 Lakeview Avenue - stated that the proposed floor elevation of the building on the Automotive Enterprises (Dahl) property was at 669' and the top of the proposed berm and fence will be at 677' – as a result, the building will be taller than adjacent residences.

Norm Kostuck - 1297 Lakeview Avenue - stated that the neighborhood still has questions about the berm, light, and noise from the car dealership expansion.

Carol Bell - 787 Johnstone - stated the destruction of homes and trees thus far has increased the lights she sees from nearby car dealerships and has increased the noise she hears from Highway 61.

Harley Antoff - 1330 Parkview Avenue - expressed concerns about water ponding in the rain garden and stated that the current proposal relates to Mr. Dahl's wants versus his needs.

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Sharon Tolleson - 1276 Parkview Avenue - stated that there were already issues with stagnant water in the drainageway adjacent to Highway 61.

Sandy Olson - 1308 Parkview Avenue - stated that she supported denial of the zoning request.

Michelle Duffy - 1286 Lakeview Avenue - stated that she had concerns about visual impacts of expanded dealership.

Todd Bell - 787 Johnstone - stated that there are issues with the visual impacts of lights at existing dealerships.

Kathy Schuler - 1289 Lakeview Avenue - stated that the houses to the east of Johnstone Street acted as a visual barrier, but now that they've been removed, she can clearly see the existing Dahl dealership.

A gentleman from 1257 West Lake Boulevard stated he had concerns with potential impacts to the rear of the property along Lake Boulevard.

Rick Phillips - 1296 Parkview Avenue - stated that he was totally against the proposed rezoning.

Della Schmidt - Winona Chamber of Commerce - stated that Winona's location in a river valley constrains the amount of developable land resulting in roads, rails, businesses, and residential areas located in proximity to each other. Accordingly, compromises often need to be made. Ms. Schmidt also highlighted the businesses contribution to jobs, tax base, and philanthropy.

Joan Haines - 788 Terrace Lane - stated that she had concerns with how the new development would impact issues with water underneath neighboring houses.

Travis Tiltan - 369 E. Broadway - stated that he will be the manager at the new dealership campus, and if there are issues with noise or lights people can contact him.

Chu Vang - 1266 Parkview Avenue – stated that he is concerned about potential water impacts from the development.

Harley Antoff spoke again, asking about environmental review. Mr. Moeller stated that the project does not trigger an automatic environmental review, but that Mr. Antoff could contact the Environmental Quality Board about other options.

Mr. Moeller then ensured that the letters received by the City were entered into the record. The Commissioners stated that they had received the letters, and Mr. Moeller noted that they are on file with the City.

Next, Chairperson Davis closed the public hearing and brought the discussion back to the Planning Commission. Commissioner Fritz made a motion to deny the rezoning

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application because of uncertain impacts based upon the B-3 zoning and because the request is inconsistent with the Comprehensive Plan. The motion was seconded by Commissioner M. Olson.

Commissioner Fritz stated that he appreciates the attempts that the petitioner has made to enhance the buffer area, but that carving a couple lots out of a residential neighborhood still isn't appropriate.

Chairperson Porter stated that his opinion, moving the proposed landscape buffer 50-60' further to the west would not have a significant impact on the neighborhood. Mr. Porter also stated that the church, a permitted use in an R-1 zoning district, could also have expanded further to the west under the R-1 zoning that existed prior to the Automotive Enterprises' rezoning requests.

Commissioner Ballard stated that the enlarged rain garden is coming regardless of the rezoning. Mr. Ballard also stated that approval of this rezoning request essentially results in the landscape buffer moving 60' to the west.

Commissioner Hahn expressed issues with the precedent that approval of the rezoning request would set.

At this point, Mr. Moeller clarified that the berm proposed with this rezoning application would actually be above the grade of Johnstone Street. The elevation of the buffer area in the currently approved site plan is at the same grade as the adjacent roadway and property at 794 Johnstone Street. As a result, under the currently approved plan, neighboring properties will be able to see directly through to the auto dealership until the proposed vegetative screening matures.

There being no further comments or questions from the Commissioners, Chairperson Davis called for a vote. The motion to recommend denial of the rezoning passed 4-2 with Commissioners Ballard and Porter casting the nay votes, and Chairperson Davis abstaining. Commissioner Boettcher left the meeting prior to the vote.

Other Business

Commissioners asked about the new additions to the Planning Commission agendas that were discussed at previous meetings. Mr. Moeller stated that at the next meeting, staff would bring forward an agenda item which will help address this topic.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:25 p.m.



Carlos Espinosa
Assistant City Planner