



CITY HALL

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May 23, 2013

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Tuesday, May 28, 2013, at 4:30 p.m. in the Wenonah Room** of the Winona City Hall.

1. Call to Order
2. Minutes – May 13, 2013
3. Discussion - B-2.5 Amendments
4. Other Business
5. Adjournment

Sincerely,

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

Mark Moeller
City Planner

PLANNING COMMISSION MINUTES

DATE: May 13, 2013

TIME: 4:30 p.m.

PRESENT: Chairperson Porter, Commissioners Boettcher, Gromek, English, Ballard, and Olson

ABSENT: Commissioner Hahn, Davis, and Buelow

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

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

Approval of Minutes – April 22, 2013

The minutes for April 22, 2013 were approved without changes upon motion by Commissioner Gromek and second by Commissioner Olson.

Public Hearing – Final Plat – Matejka First Subdivision

Chairperson Porter opened the public hearing.

Mr. Espinosa, Assistant City Planner, stated that the proposed subdivision meets zoning requirements except for frontages of the two lots. However, the applicant has received a variance for this. Additionally, the City Engineer is comfortable with the proposal. As result, staff has recommended approval of the subdivision.

There being no others to speak regarding the proposal, Chairperson Porter closed the public hearing.

Commissioner Boettcher motioned to approve the proposed subdivision. The motion was seconded by Commissioner Olson.

Commissioner Olson asked if the two new properties would have sufficient off-street parking. The applicant, Jeff Matejka, stated that there would be.

Chairperson Porter asked if the homes to be constructed would be comparable to other homes along Wildridge Drive. Mr. Matejka stated that they would be – although the lots have small frontages, they are relatively large and will support homes in character with the neighborhood.

Upon vote, the motion to approve the subdivision passed unanimously.

Discussion – B-2.5 Amendments

Mr. Moeller, City Planner, introduced the agenda item and reviewed proposed ordinance amendments to the B-2.5 zoning district. The amendments address requirements for lot area per dwelling unit, off-street parking, and minimum average unit size. The lot area per dwelling unit is proposed as 1,500 square feet with the potential to reduce the number to 1,200 if required off-street parking is provided within the footprint of a building. The parking requirement is proposed as 2 per dwelling with the potential to reduce the number to 1.25 if there are three or less dwelling units or if parking is provided within the footprint of a building. Finally, the minimum dwelling unit size is proposed to be an average of 1,000 square feet for properties exceeding three dwelling units.

Commissioner Gromek asked how the current un-finished building at 2 Washington Street would be affected by the parking requirements. Mr. Moeller responded that the project would not be affected if it is completed according to existing building plans. Commissioner Gromek also asked if the other proposed regulations would restrict potential purchasers of 2 Washington Street if the building is completed according to existing plans. Mr. Moeller responded that if constructed per existing plans, the project would not be affected by the new regulations.

Commissioner Boettcher stated that the average minimum dwelling unit size regulation would permit smaller units on lower floors and larger units on upper floors.

Commissioner Olson stated that he feels a 1,000 foot average minimum dwelling unit size would be too restrictive. Mr. Olson stated that he's not as concerned about density as long as future residents have a place to park.

Chairperson Porter asked about the size of units at 2 Washington Street. Mr. Moeller stated that the plans show units approximately 1,500 to 1,700 square feet in size.

Chairperson Porter asked what staff thought about the 1,000 foot average minimum dwelling unit size. Mr. Moeller responded that it could be removed from the proposal, but an average versus a simple minimum gives a developer more flexibility in determining unit sizes.

Chairperson Porter stated that perhaps parking could be allowed off-site within 300 feet.

Commissioner Boettcher stated that downtown development near the riverfront should consider proposed improvements to Levee Park.

Commissioner Olson stated that he'd prefer to see as much flexibility as possible in the new regulations.

Commissioner Gromek stated that if only minimum lot size and parking requirements are instituted, a developer could simply create a large parking area to support a building with a number of very small units. The 1,000 foot average minimum unit size would prevent that from happening.

Commissioner Olson stated that the completion of the project at 2 Washington Street would depend on if the property is sold with the adjacent lumber yard. Mr. Moeller stated that both properties are being sold in one package.

Chairperson Porter asked if Commissioners had any other comments or if they would like to modify the proposed regulations. There being no comments or modifications, Chairperson Porter asked if there was a general agreement to send the B-2.5 amendments to a hearing as proposed. Commissioners indicated that there was a consensus to send the amendments to a public hearing.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:45 p.m.

Carlos Espinosa
Assistant City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Discussion – Proposed B-2.5 Amendments

PREPARED BY: Mark Moeller

DATE: May 28, 2013

Following the Commission's last meeting (reference enclosed minutes), staff has reevaluated proposed amendments to the B-2.5 District. Given additional consideration to Comprehensive Plan goals/objectives, and to what the B-2.5 District is intended to achieve, the attached revised proposal has been prepared for Commission consideration. Although summarized in the following, proposed amendments will be discussed in more detail during our next meeting:

Definitions (Section 43.01)

- Modify definitions for terms "hotels" and "motels" – in part to reflect state statute.
- Modify definitions to include terms addressing residential housing models pertaining to rooming and sleeping room (houses).
Under these changes, the owner of any dwelling, located within any residential zoning district, could continue to rent to two "roomers" (as an accessory use). However, Lodging and Board Establishments including such uses as Lodging, Rooming, and Boarding Houses (not accessory to a dwelling, and containing any number of rooming/sleeping rooms) would be first permitted at the B-1 (Neighborhood Commercial) level.

Off-Street Parking

- Section 43.36 – Replace "lodging house and rooming house" categories with "Lodging and Boarding Establishment" to be consistent with previous definitions (standard of one parking space per living or sleeping unit would remain the same).
- Section 43.37 (d) – Amend subsections 2, 3, and 4, to close what staff feels was an oversight in drafting the original ordinance. Given this oversight, although provisions for required parking for one, two, and multiple family structures must be made "on the same lot as the use", this language was omitted in subsequent sections addressing "Commercial and Institutional" and "other" uses. It is recommended that, unless otherwise modified by a variance, or other arrangement, required parking should be made on the same property as that containing the principal use of the lot.

B-1 District

- Amend Section 43.59 (a) to include “Lodging and Boarding Establishment”.

B-2.5 District

- Lot Area – Section (g) (1) Consistent with the previous proposal, nonresidential uses would not be subject to lot area standards. However, as modified, residential uses, including any form of dwelling, lodging house or boarding house use, would be subject to a lot area standard of 1,000 square feet per dwelling, rooming, or sleeping room unit.
- Off-Street Parking Sections (g) (2) and 43.39 – Under these amendments provisions of the CBD Parking Overlay District (exempting any use from meeting parking standards) would not apply. As such, the following standards would apply to any B-2.5 use:
 - Nonresidential- no requirement
 - Residential uses, including any form of dwelling unit, Lodging or Boarding Establishment-as required by parking ordinance. For “dwelling units”, standard is two per unit. For rooming/sleeping rooms, the standard is one space per certified person. (It is proposed that this revision would apply to any property housing less than three dwelling, rooming, or sleeping units – thereby allowing any property owner the right to accommodate minimal rental opportunities if on-site parking facilities are not available.

In closing, the Commission is reminded that the previous represents a proposal that until fully discussed, remains “fluid”. Comment and input is encouraged.

B-2.5 Four Month/Moratorium Schedule

- April 15, 2013 – Ordinance enacted
- *June 24, 2013 – Planning Commission Hearing
- *July 15, 2013 – Council Hearing
- *August 5, 2013 – Council Adoption

* “Drop dead” action dates prior to end of moratorium.

Attachments

DEFINITIONS AMENDMENTS

43.01 DEFINITIONS.

Boarding Establishment. A food and beverage service establishment where food or beverages, or both, are furnished to three or more regular boarders with sleeping accommodations.

Lodging Establishment. A building, structure enclosure, or any part thereof used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers for periods of one week or more, and having three or more beds to let to the public. This term includes lodging houses, rooming houses, and similar uses for any number of sleeping and/or rooming units, provided that such units do not include kitchens. Lodging establishments shall not include hotels or motels.

Sleeping Room. See rooming unit.

~~Hotel: Any building or portion thereof containing 5 or more guest rooms or suites where no provision for cooking is made in any individual guest room or suite, except hospitals and jails.~~

~~Motel or Motor Hotel: A series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, said units having convenient access to off-street parking spaces, for the exclusive use of the guest or occupants.~~

Hotel or Motel: A hospitality oriented retail use that is licensed by the state, occupied by and used principally as a place where sleeping accommodations are furnished to the public, for periods of less than one week. The term "Hotel or Motel" includes "motor hotel".

43.36 NUMBER OF OFF-STREET PARKING SPACES REQUIRED. The number of off-street parking spaces required under this article shall be as follows:

Use	Parking Spaces Required
Automobile or machinery floor sales and service garages	1 for each 800 sq. ft. area
Banks, business and floor professional offices	1 for each 400 sq. ft. area
Bowling alleys	5 for each alley
Churches and schools	1 for each 8 seats in an auditorium or one for each 17 classroom seats; whichever is greater
College/University Housing	1 space per resident
Dance halls and assembly halls without fixed seats, exhibition halls except church assembly rooms in conjunction with auditorium	1 for each 100 sq. ft. of floor area used for assembly or dancing
Dwellings	2 for each family or dwelling unit
Funeral homes, mortuaries	4 for each parlor or 1 for each 50 sq. ft. of floor area
Furniture and appliance of stores, household equipment or furniture repair shop over 1,000 sq. ft. floor area	1 for each 400 sq. ft. floor area
Hospitals	1 for each 2 beds
Hotels, motels and motor hotels	1 for each living or sleeping unit
Libraries, museums or art of galleries	1 for each 500 sq. ft. area
Lodging houses, roominghouses, <u>Lodging and Boarding Establishments</u> , fraternities, and sororities	1 space per person certified as established by the Housing Code
Manufacturing plants, research or testing laboratories, bottling plants, over 1,000 sq. ft. in area	1 for each 3 employees in the maximum working shift, or 1,200 sq. ft. of floor area, whichever is greater
Medical or dental clinics	1 for each 200 sq. ft. of floor area
Restaurants, beer parlors	1 for each 200 sq. ft. of

43.37 LOCATION, DESIGN AND MAINTENANCE OF PARKING AREA.

- (d) Location. Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve:
- (1) One and two family dwellings. On the same lot with the building they are required to serve.
 - (2) Multiple dwellings. Apartment building, rooming houses, lodging houses, fraternity houses and sorority houses on the same lot as, not more than 200 feet from the building they are required to serve.
 - (3) Commercial and institutional uses. For uses not specified above and located and first permitted in the within B-1, B-2, and B-3 districts and for hospitals, clinics, sanitariums, asylums, orphanages, rooming houses, lodging houses, clubrooms, fraternity and sorority houses, and theme houses, on the same lot as, not more than 300 feet from the building they are required to serve.
 - (4) Other uses. For uses other than those specified ~~heretofore~~ above, on the same lot as, not more than 300 feet from the building they are intended to serve.

43.39 CENTRAL BUSINESS DISTRICT. Unless otherwise modified pursuant to Section 43.60.1, the parking and loading space requirements of Sections 43.34(a), 43.35(a) and 43.36 shall not apply to the central business district, as herein defined; provided, that parking and loading facilities, if voluntarily established, shall comply with all standards and specifications of Sections 43.34(b), 43.34(d) and 43.37.

For purposes of this article, the central business district of the city shall be defined as follows: from Front Street, north, to the center line of Fifth Street, south; from the center line of Washington Street, west, to the center line of Market Street, east. (08-17-59)

43.58 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Permitted Uses. The following uses shall be permitted in the R-3 district:

- (1) Generally. All principal uses permitted and as regulated in the R-2 district, except as hereinafter specified.
- (2) Residential. ~~Multi-family dwelling for any number of families or roominghouse units, including row houses; provided, that the minimum width of each individual dwelling unit in such row house, measured from interior wall to interior wall along the exterior front wall, shall be not less than 18 feet.~~
Structures containing any number of dwelling units as defined herein.

43.59 B-1 NEIGHBORHOOD BUSINESS DISTRICT. (a) Permitted Uses. The uses permitted in the B-1 district shall be any local retail business or service establishment supplying commodities or performing services primarily for residents of the neighborhood on a day to day basis, such as:

- (11) Lodging and Boarding Establishments.

43.60.1 MIXED-USE BUSINESS DISTRICT. (a) Permitted Uses. Any use permitted and as regulated in the B-2 district shall be permitted in the B-2.5 district, except as hereinafter modified ~~in~~ and the following:

- (1) Residential uses. Residential uses as permitted in the R-3 district provided that all first story residential uses located within the central business district core shall meet the requirements of Section 43.60 (b)(2).
- (b) Conditional Uses. Any conditional use as regulated in the B-2 district shall be permitted only if specifically authorized by the board in accordance with the provisions of Section 43.60 and Section 22.21 of this code.
- (c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the B-2 district and such other accessory uses and structures not otherwise prohibited, customarily accessory and incidental to any of the forgoing permitted B-2.5 uses, shall be permitted in the B-2.5 district.
- (d) Required Conditions. The required conditions for the B-2.5 district shall be the same as those specified in Section 43.59 (d), except paragraph (4).
- (e) Prohibited Uses.
 - (1) Generally. Any use which is first permitted in the B-3, M-1, and M-2 districts; provided however, than any such uses legally existing at the time of adoption of this chapter or any amendment thereto, shall not be classified as a nonconforming use subject to the provisions of Section 43.32.
- (f) Height Restrictions. No principal structure shall exceed 6 stories or 75 feet in height except when any lot line coincides with a residential district line, then not more than 4 stories or 45 feet in height. The foregoing shall not apply if Section 43.21 applies.
- (g) Lot Area, Frontage, ~~and~~ Yard, and Other Requirements.
 - 1) Lot area ~~none~~.
 - Nonresidential Use – none.
 - Residential Uses including any form of dwelling unit, lodging and boarding establishments – 1,000 square feet per dwelling, rooming, or sleeping room unit.

Frontage – none.

Front yard depth – none, except when either side lot line coincides with a residential district line, then not less than 25 feet.

Side yard width - none, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.

Rear yard depth - none, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.

(2) Off-Street Parking, Notwithstanding those parking exclusions of section 43.39, the following standards shall apply to the B-2.5 District:

- Nonresidential Uses – None.
- Residential use including any form of dwelling unit lodging and Boarding Establishments: As required by Section 43.35 provided that no requirements shall apply to any property housing less than three dwelling, rooming, or sleeping room units.