



CITY HALL

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June 6, 2013

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, June 10, 2013,** at **4:30 p.m. in the Wenonah Room** of the Winona City Hall.

1. Call to Order
2. Minutes – May 28, 2013
3. Public Hearing - Code Amendments
4. Other Business
5. Adjournment

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Moeller", with a stylized flourish at the end.

Mark Moeller
City Planner

PLANNING COMMISSION MINUTES

DATE: May 28, 2013

TIME: 4:30 p.m.

PRESENT: Chairperson Porter, Commissioners Boettcher, Gromek, English, Ballard, Davis, and Hahn

ABSENT: Commissioner Olson and Ballard

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 – May 13, 2013

The minutes for May 13, 2013 were approved without changes upon motion by Commissioner Boettcher and second by Commissioner Gromek.

Discussion – B-2.5 Amendments

Mr. Moeller introduced the agenda item and stated that the B-2.5 amendments have been re-drafted based on additional concerns from staff. Mr. Moeller stated that as proposed, the new amendments serve to:

- Define lodging and boarding establishments
- Require parking for lodging and boarding establishments to be located on the same lot
- Require parking for commercial and institutional uses to be located on the same lot
- Establish a 1,000 square foot lot area requirement for dwelling units, and lodging and boarding establishments in the B-2.5 district
- Establish uniform parking requirements in the B-2.5 district

Mr. Moeller stated that the new amendments have a broader scope than the previous proposal, and some requirements, such as the proposed average minimum dwelling size, have been dropped. Mr. Moeller also stated that the difference between dwellings and lodging and boarding establishments is that dwellings contain a kitchen. In effect, the amendments would classify lodging and boarding establishments as a residential use in the B-2.5 District.

Commissioner Davis asked what these changes would mean for the building at 2 Washington Street. Mr. Moeller responded that the building may be completed per existing plans, but any new units would need to comply with the proposed amendments. Further, any expansion of the building would be subject to a variance since the proposed amendments would make the building a nonconformity.

PLANNING COMMISSION MEETING MINUTES

MAY 28, 2013

PAGE 2

Chairperson Porter asked if additional parking would be required if four new units were introduced to the building. Mr. Moeller stated that under the proposed amendments, four new units would need 8 on-site parking spaces.

Commissioner Davis asked about the requirement for 1,000 square foot lot area for any form of dwelling unit. Mr. Moeller responded that the 1,000 square foot number falls between the existing 1,500 square foot requirement for efficiency dwelling units, and the approximate 500 square foot requirement for rooming units/sleeping rooms (because of parking space requirements).

Chairperson Porter asked if there could be something added to City Code requiring a developer to complete a project within a specific period of time. Mr. Moeller stated this was something that could be examined.

There being no further discussion, Chairperson Porter asked if there was general agreement to send the proposed amendments to a public hearing. The commissioners present replied affirmatively.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:15 p.m.

Carlos Espinosa
Assistant City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Public Hearing – Code Amendments

PREPARED BY: Mark Moeller

DATE: June 10, 2013

During its last meeting, the Commission reviewed a number of code changes, the stimulus for these evolving from a four month development moratorium of the B-2.5 Zoning District approved by Council on April 15, 2013. Again, the purpose and intent of the moratorium was to prohibit new/expanded development within the district in order to address off street parking and density concerns that arose with the failed condominium project at the foot of Washington Street.

Following its review of proposed amendments, the Commission directed staff to establish a hearing date for the consideration/action. For Commission reference, the agenda item from the last meeting, and including proposed amendments is attached. As summarized on the agenda cover sheet, although the B-2.5 District was the focus of moratorium, proposed amendments cover a broad spectrum of changes including:

- New definitions and clarified locational language pertaining to Boarding and Lodge House Establishments. Again, as opposed to an apartment house (containing “dwelling units”, including living, sleeping, and cooking facilities), Boarding and Lodginghouse residential concepts generally allow for living and/or sleeping, but not cooking purposes. Under the current proposal, unless roomers are accessory to owner occupied dwellings, Boarding and Lodginghouse structures would become first permitted within B-1 (Neighborhood Commercial) Districts. Under the proposal, terms such as Boardinghouse and Lodginghouse establishments and motels/hotels are modified to reflect those found under State Statute.
- Amendments to the City parking ordinance, the most significant of which would require that required off-street parking for any use be on the same lot (campus) as the use generating parking demand. Currently, some uses are exempt from such a requirement. In cases where this requirement cannot be met, a variance request can be applied for.
- Amendments to the B-2.5 District would include a maximum density standard of 1000 square feet of lot area per dwelling or rooming unit. At present, the district requires no density standard.

In addressing off-street parking requirements, within the B-2.5 District, proposed amendments would:

- Remove all land located within the district from the CBD Parking Overlay District
- Impose no off-street parking standard for commercial (non-residential) use.
- Require that for properties, containing more than 3 dwelling or rooming units, residential off-street parking standards comply with those of Section 43.35 (Parking Ordinance).

Following Commission's review of draft amendments, it may:

1. Recommend approval of amendments as drafted, to City Council.
2. Modify the proposal and recommend approval of the amended proposal to Council.
3. Table action pending further consideration. (With this option, a decision would need to be forwarded to Council by the Commissions June 24th meeting in order to meet moratorium timelines.)

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 or dormitories owned and operated by qualified educational facilities.

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".

~~Rooming Unit:—A unit containing one or more habitable rooms located in an operator-occupied dwelling or dwelling unit and so arranged as to provide a private habitable unit used, or intended to be used, for living and sleeping but not for cooking purposes, along with private or shared sanitation facilities; or a dwelling unit in a rooming house containing more than one dwelling unit and occupied by other than a family.~~

Rooming Unit: Rooming unit is a room or group of rooms forming a single habitable unit used or intended to be used for living, sleeping, and private or shared sanitation facilities, but not for cooking purposes.

Campus, Educational or Medical: A contiguous area of land constituting and making up the grounds of an educational or medical facility/complex, containing the main buildings or with the main enclosure; provided, however, that for the purpose of this definition the contiguity of any land area involved shall not be deemed to be destroyed by the presence of public rights-of-way.

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

<u>Use</u>	<u>Parking Spaces Required</u>
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, rooming houses, <u>Lodging and Boarding Establishments,</u> fraternities, and sororities	4 <u>.65</u> space per person certified as established by the <u>Housing Code certifying authority</u>
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
<u>Rooming units accessory to Owner occupied dwellings</u>	<u>1 space per certified rooming unit</u>

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, Lodging and Boarding Establishments, 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, sanitariums, asylums, orphanages, rooming houses, lodging houses, clubrooms, fraternity and sorority houses, theme houses,~~ on the same lot as, not more than 300 feet from the building they are required to serve.
 - (4) Educational and medical campus's. On campus grounds, not more than 300 feet from the building they are intended to serve.
 - (5) 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.