CITY HALL
207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378
FAX: 507/457-8212

July 17, 2013

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, July 22, 2013, at 4:30 p.m. in the Wenonah Room** of the Winona City Hall.

1. **Call to Order**

2. **520 Center Street Site Plan Denial Resolution**

3. **Other Business**

4. **Adjournment**

Sincerely,

Carlos Espinosa
Asssistant City Planner

PLANNING COMMISSION

AGENDA ITEM:	2. 520 Center Street Site Plan Denial Resolution
PREPARED BY:	Carlos Espinosa
DATE:	July 22, 2013

In accordance with the Planning Commission's decision regarding the 520 Center Street site plan at the July 8th meeting, please see the attached resolution.

Should Commissioners concur with the resolution of denial, a motion to approve it would be order.

CITY OF WINONA, MINNESOTA
PLANNING COMMISSION RESOLUTION 13-1

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINONA, MINNESOTA RECOMMENDING DENIAL OF SITE PLAN APPLICATION #736 FOR A LODGING ESTABLISHMENT AT 520 CENTER STREET

WHEREAS, the applicant, Bluff City Properties LLC, seeks approval of a site plan (application #736) under Winona City Code Sec. 44.06 to allow a lodging establishment at 520 Center Street, Winona, Minnesota, legally described on the attached Exhibit A (the "property" or "site"), which property is zoned B-1; and

WHEREAS, the City of Winona received site plan application #736 on June 14, 2013; and

WHEREAS, the City of Winona determined the site plan application #736 to be complete on June 24, 2013; and

WHEREAS, letters to property owners within 100 feet of site plan application #736 were mailed on June 24, 2013 in accordance with Winona City Code Sec. 44.06(d)(1); and

WHEREAS, the City of Winona received the first of four written requests for Planning Commission review on June 27, 2013;

WHEREAS, the Planning Commission reviewed the site plan application #736 pursuant to Winona City Code Sec. 44.06(d)(1) at its meeting on July 8, 2013; and

WHEREAS, the Planning Commission reviewed the information provided by city staff (attached as Exhibit B) at such meeting; and

WHEREAS, the Planning Commission also heard testimony from the applicant at such meeting.

NOW, THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CITY OF WINONA, MINNESOTA, RECOMMENDS DENIAL OF SITE PLAN APPLICATION #736 and adopts the following finding of fact related to the recommendation:

Standard #1 **In accordance with Winona City Code Sec. 43.36, required off-street parking for lodging houses is 1 space per person certified as established by the Housing Code. In accordance, site plan #736 as submitted requires 53 off-street parking spaces (Exhibit C).**

Finding #1 The site plan as submitted shows 17 eligible parking spaces for 520 Center. This does not satisfy Winona City Code Sec. 43.36.

Passed by the Planning Commission of the City of Winona, Minnesota this 22nd day of July, 2013.

VOTE: ____ PORTER ____ GROMEK ____ BOETTCHER ____ ENGLISH ____ DAVIS
____ BALLARD ____ BUELOW ____ OLSON ____ HAHN

_____
Chairman

ATTESTED BY:

_____
Secretary

EXHIBIT A

Legal Description

Sect-26 Twp-107 Range-007 SANBORNS ADDITION
Lot-006 Block-018 S 2' & N 50' LOT 7 or 520 Center Street

EXHIBIT B

July 8 Planning Commission Agenda Item

PLANNING COMMISSION

AGENDA ITEM: 3. Site Plan Review – 520 Center Street

PREPARED BY: Carlos Espinosa

DATE: July 8, 2013

In accordance with City Code Section 44.06 (d) (1), a reviewing department head or any other party of interest may request Planning Commission review of a site plan application. Such a request must state specific reasons for Planning Commission review. Staff has received four (4) site plan review requests for a proposed lodging/boarding establishment at 520 Center Street. The site plan (See Attachment A) was submitted by Bluff City Properties LLC. Staff completed a preliminary review of the plan and provided a response to the applicant (see Attachment C). The Planning Commission's role is to review the site plan and recommend a specific course of action.

This agenda item is divided into five sections: 1) Background, 2) Public Concerns, 3) Staff Review, 4) Staff Recommendation, and 5) Planning Commission Options.

Section 1: Background – Lodging and Boarding Establishments

Lodging and boarding establishments similar to that proposed at 520 Center Street currently exist at 528 Center Street ("Shorty's") and 50 West Mark Street ("Izzy's" - see Attachment B). These buildings are classified as commercial uses permitted in the B-1 zoning district. Currently these buildings primarily house students. The main difference between lodging establishments and traditional apartments is that lodging establishments do not have kitchens. Parking for lodging establishments is required to be provided at properties within 300 feet of the building. Shorty's and Izzy's are owned by Bluff City Properties. Parking for Shorty's and Izzy's has been designated at locations owned by Bluff City Properties within 300' of each building. Parking easements have been recorded for both properties to ensure that parking continues to be provided into the future. The proposed lodging establishment at 520 Center is nearby these existing buildings and is located in the same zoning district.

Currently the City Council is reviewing proposed changes to the B-2.5 zoning district. Included in the changes is a provision requiring lodging and boarding establishments to provide on-site parking – thereby eliminating the ability to provide off-site parking within 300 feet. Staff's analysis (Attachment C) notes that in order to be processed under existing regulations, off-site parking issues with the site plan must be resolved prior to final adoption of the new on-site parking regulations.

Section 2: Public Concerns

A summary of the public concerns related to the site plan is below. Copies of the letters received from the public are provided as Attachment E.

520 Center Lodging and Boarding Establishment Public Concerns:

- Parking:
  - -Elimination of existing parking
  - -Sufficiency of existing parking
  - -Parking demand created by the proposal
- Noise
- Devaluation of property
- Water runoff

Section 3: Staff Review

The property that this site plan concerns (520 Center) is zoned B-1 neighborhood business district. This district allows lodging and boarding establishments as a permitted commercial use subject to setback, height, parking, and site plan requirements. As a result, if the project meets these requirements, it is entitled to approval. However, as noted below, there are a number of deficiencies with the submitted plan.

Setback and Height Requirements

The site plan complies with setback and height requirements.

Parking Requirements

City Code Section 43.36 requires one (1) off-street parking space per person certified as established by the Housing Code to be provided at properties within 300 feet of new lodging establishments. In accordance, 49 off-street parking spaces are required to be provided at properties within 300 feet of 520 Center (see Attachment D). The site plan as submitted does not provide sufficient information on the location of these required parking spaces (see Attachment C for more detail).

Site Plan Requirements

City Code Section 44.06 lists the requirements for site plans:

(1) Landscaping. All sites shall be landscaped as approved by the Department of Community Development; existing trees shall be preserved where possible; surfaces denuded of vegetation shall be appropriately landscaped or surfaced to prevent soil erosion.

The landscaping on the site includes new grassed areas on the north and south side of the building.

(2) Light glare from vehicles. When a parking lot adjoins a residential area, provisions shall be made to screen all vehicle lights to curtail direct illumination of the residential area.

According to City Code section 43.37 (f) requirements for screening apply to parking areas for more than three (3) vehicles. The site plan only shows three (3) on-site parking spaces.

(3) Drainage designs. Runoff water from parking lots, roofs and driveways shall not be allowed to cross sidewalks or to run onto private property that is not a part of the site unless easements have been obtained; surface runoff waters shall be directed into municipal facilities; where municipal facilities are not available, a drywell or drainage area owned or controlled by the owner or developer shall be provided; sanitary sewage shall be directed into municipal facilities where such facilities are available; where municipal facilities are not available and approval of the city engineer is secured, a septic tank shall be provided; retaining walls shall be constructed where necessary for land stabilization.

The site plan shows most drainage from the roof being directed to the north (in the direction of 516 Center). Staff's analysis requests the applicant to provide detail on how this design will direct runoff water and snow to municipal facilities and not impact the property at 516 Center.

(4) Parking lots and loading areas. Parking lots shall be desired to avoid creating large open expanses of paving; parking lots and loading areas shall be designed to avoid the problem of vehicles backing onto streets, alleys and, sidewalks; vehicular traffic flow to, from and within the land containing a parking lot shall be controlled by appropriate traffic-control signs and surface markings; adequate provision shall be made for vehicle egress from the land to the street and ingress to the land; provision shall be made for a safe and convenient circulation pattern within any parking lot consistent with vehicular and pedestrian safety; curb cut radii shall allow safe ingress and egress of vehicles from and to the proper lane of traffic on the street which they adjoin; existing curb cuts and curb cut radii shall be used only if they comply with the standards for proposed curb cuts and curb cut radii; vehicular bumper guards or wheel stops shall be provided to prevent encroachment of vehicles on sidewalks.

Access to parking at 520 Center is proposed to be through an existing driveway at 62 East Mark Street. Staff's analysis requires an easement over 62 East Mark Street to access parking at 520 Center.

(5) Rubbish, garbage, storage and burning areas. Outside rubbish, garbage, storage and burning areas shall be permanently screened from view to a height of 6 feet and shall be constructed to prevent accidental dispersal of the materials contained therein.

Staff's analysis asks for additional detail on how the proposed outdoor refuse area is proposed to be screened.

(6) Parking lot lighting. A parking lot shall be lighted for vehicular and pedestrian safety. In residential areas, the maximum height above ground level of lights shall be 15 feet; maximum foot candles at ground level shall be 1; minimum foot candles at ground level shall be .5; flood and spotlights shall be shielded to prevent glare on adjoining lands. In commercial or industrial areas the maximum height above ground level of lights shall be 30 feet; minimum foot candles at ground level shall be 2 in shopping centers, 1 in self-parking areas, 2 in attended or shelter parking areas and 1 in industrial areas.

Not applicable.

(7) General Site Lighting. Lights should be directed towards the structures or areas to be illuminated. Site lighting shall employ full cut-off style lights, lighting shields or fixtures as appropriate to keep glare on-site and minimize glare onto adjacent properties. The design and placement of lighting fixtures shall not have an adverse effect upon abutting properties.

Staff's analysis asks for more detail on the only outdoor light not shielded by an awning.

Section 4: Staff Recommendation

The deficiencies with the site plan noted above are listed in the letter provided to the applicant (Attachment C). At a minimum, staff recommends the Planning Commission require these issues be resolved prior to site plan approval.

Section 5: Planning Commission Options

According to City Code Section 44.06, "The decision of the Planning Commission shall be incorporated into a site plan and shall be a condition of any permit or certificate issued." Thus, the Commission may specify additional requirements that serve to fulfill zoning and site plan requirements. These requirements will be incorporated into final approval of the plan.

In review of the site plan, the following options are available to the Planning Commission:

1. Recommend approval of the site plan subject to staff's review provided in Attachment C. *Under this option, no further action would need to be taken by the Planning Commission. The site plan would be approved contingent upon satisfaction of numbers 1-4 in Attachment C - provided these deficiencies are fully addressed prior to adoption of new rules for on-site parking.*

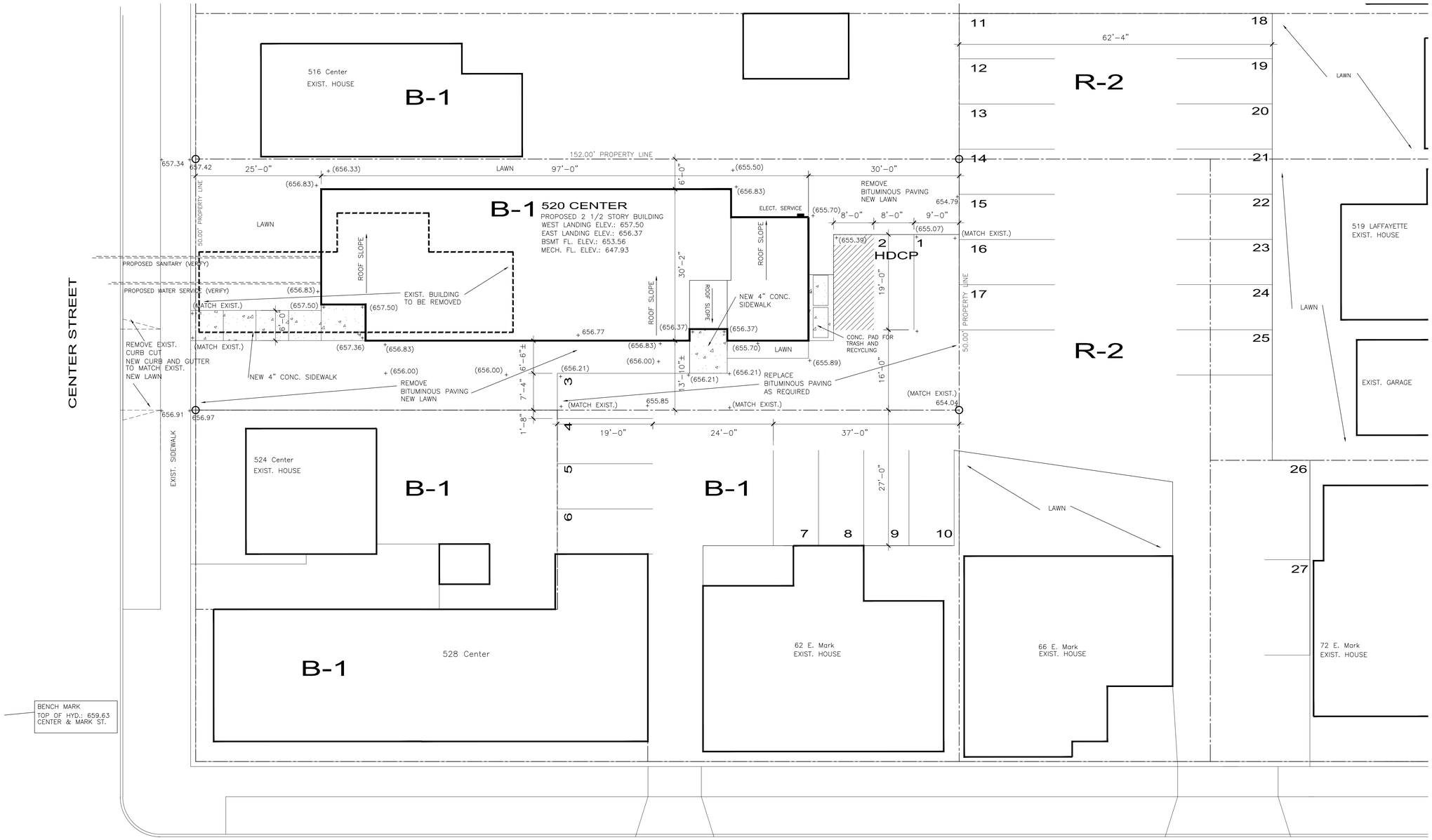
2. Recommend approval of the site plan subject to staff's review and additional conditions added by the Planning Commission. *The Commission should be careful to ensure that proposed requirements serve to fulfill zoning and/or the site plan review standards.*

3. Recommend denial of the site plan. *Given the issues highlighted in Attachment C, the Commission may simply recommend denial of the site plan as submitted. This would require the applicant to submit a new (revised) site plan application. Under this action staff would prepare a resolution of denial for adoption at the next Planning Commission meeting.*

4. Table formal action until the next Planning Commission meeting. *Under this action, the site plan would be reviewed again at the Planning Commission's July 22 meeting.*

Attachments:

A) Submitted Site Plan
B) Location Map of 520 Center
C) Staff Letter to Applicant
D) Properties within 300' of 520 Center
E) Letters from the Public



SHEET INDEX

A0: SITE PLAN, CODE NOTES
A1: FLOOR PLANS, DOOR SCHEDULE PARTITION TYPES, TOILET ELEV.
A2: EXTERIOR ELEVATIONS, WINDOW ELEVATIONS
A3: BUILDING SECTIONS
A4: WALL DETAILS
A5: WALL DETAILS

S1: STRUCTURAL NOTES
S2: FOUNDATION, FIRST FLOOR FRAMING PLANS
S3: SECOND FLOOR, ROOF FRAMING PLANS
S4: DETAILS
S5: DETAILS
S6: DETAILS

STRUCTURAL ENGINEERING:

STRUCTURAL SERVICE & DESIGN
1125 RIVERWOOD DR. SW
ORONOCO, MN 55960
PH: 507 529 5303

HVAC ENGINEERING:

HVAC ENGINEERING BY OTHERS. GENERAL CONTRACTOR SHALL NOTIFY ARCHITECT AND STRUCTURAL ENGINEER OF IMPOSED LOADS AND / OR STRUCTURAL CUTTING REQUIRED BY HVAC DESIGN AND INSTALLATION.

ELECTRICAL / PLUMBING:

ELECTRICAL AND PLUMBING WORK SHALL BE DESIGNED AND CONSTRUCTED BY LICENSED CONTRACTORS. STATE STATUTE 326.02 SUBDIV. 5

NOTES:

1. OWNER / DEVELOPER:
   BLUFF CITY PROPERTIES, INC.
   555 HUFF STREET
   WINONA, MINNESOTA 55987
   PHONE: (507) 454-4444

2. ZONING: B-1
   A. ADJACENT PROPERTY: SIDE YARDS: B-1, REAR YARD: R-2
   B. LAND AREA: 7,600 SQUARE FEET
   C. OUTSIDE LIGHTING TO BE LIMITED TO BUILDING MOUNTED LIGHTS, REFER TO EXTERIOR ELEVATIONS
   D. SEPARATE APPLICATION TO BE SUBMITTED FOR OUTSIDE SIGNAGE

3. BUILDING CODE:
   A. 2006 IBC, 2007 MN STATE BUILDING CODE
   B. OCCUPANCY TYPE: R-2, DORMITORY, 17 UNITS
   C. CONSTRUCTION TYPE: V-B WITH COMPLETE SPRINKLER SYSTEM IN ACCORDANCE WITH NFPA 13R, IBC 903.3.1.2
   D. AREA:

BASEMENT	2,690 GSF
FIRST FLOOR	2,690 GSF
SECOND FLOOR	2,690 GSF
TOTAL	8,070 GSF

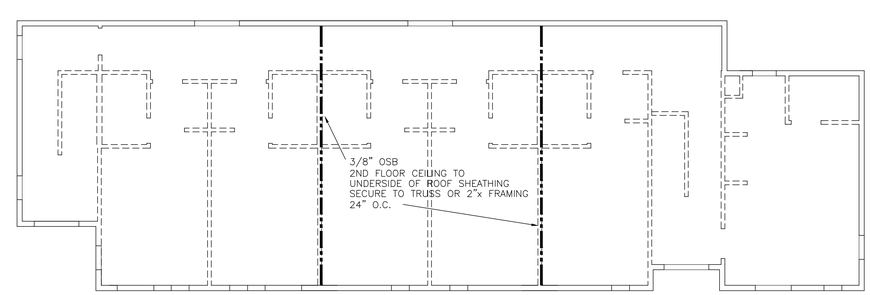
   E. FIRE RATINGS:
      WALLS SEPERATING DWELLING UNITS: 0.5 HOUR IBC 708.3 EXCEPTION 2
      CORRIDORS: 0.5 HOUR, 1BC TABLE 1017.1
      FLOORS/CEILINGS SEPERATING DWELLING UNITS: 1 HOUR, IBC 711
      EXT. WALLS <10 FT. FROM PROPERTY LINE: 1 HOUR, IBC TABLE 602
      PARAPETS NOT REQ., IBC 704.11
      EXCEPTION 5.1, (FIRE-RETARDANT SHEATHING)
      UNPROTECTED OPENINGS: 10% AT NORTH WALL, IBC TABLE 704.8
      VERTICAL EXIT ENCLOSURES:
      BASEMENT TO 1ST FLOOR: I HOUR
      1ST TO 2ND:
      ONE STAIRWAY NON-RATED
      IBC 1020.1 EXCEPTION 8
   F. DRAFTSTOPPING:
      ABOVE AND IN LINE WITH DWELLING UNIT SEPARATIONS, IBC 717.3.2
      IN ATTIC, BETWEEN EVERY TWO DWELLING UNITS, IBC 717.4.2, EXCEPTION 3.
   G. EMERGENCY ESCAPE & RESCUE NOT REQ., IBC 1026.1 EXCEPTION 1
   H. VENTILATION: THROUGH WALL A/C UNITS TO PROVIDE MECH. VENTILATION.
   I. CORRIDORS AND STAIRWAYS TO BE PROVIDED WITH MINIMUM OF 1 FT CANDLE ILLUMINATION AT THE FLOOR LEVEL. EMERGENCY EGRESS ILLUMINATION FIXTURES TO INCLUDE 90 MIN. BATTERY BACKUP (IBC 1006)
   JI. EXIT SIGNS SHALL BE INTERNALLY ILLUMINATED AND BE PROVIDED WITH 90 MIN. BATTERY BACKUP. WHERE EXIT SIGNS ARE PROVIDED, INCLUDE A TACTILE EXIT SIGN ADJACENT TO THE LATCH SIDE OF THE DOOR.

BENCH MARK
TOP OF HYD.: 659.63
CENTER & MARK ST.

SITE PLAN
1"=10'-0"

+ (XXX.XX) PROPOSED SPOT ELEVATION
+xxx.xx EXISTING SPOT ELEVATION

NOTE:
14 PARKING SPACES FOR 520 CENTER STREET TO BE PROVIDED AT 53 WEST MARK STREET
12 PARKING SPACES FOR ISABELLE'S (50 WEST MARK STREET) TO BE BE RE-ASSIGNED TO 53 WEST MARK STREET
EXIST. LEASE AGREEMENT FOR PARKING WITH OWNER OF 53 WEST MARK STREET



ATTIC DRAFTSTOPPING PLAN
1/8"=1'-0"

DRAWN BY: OW, OW
DATE: 06/14/13
REVISION:

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

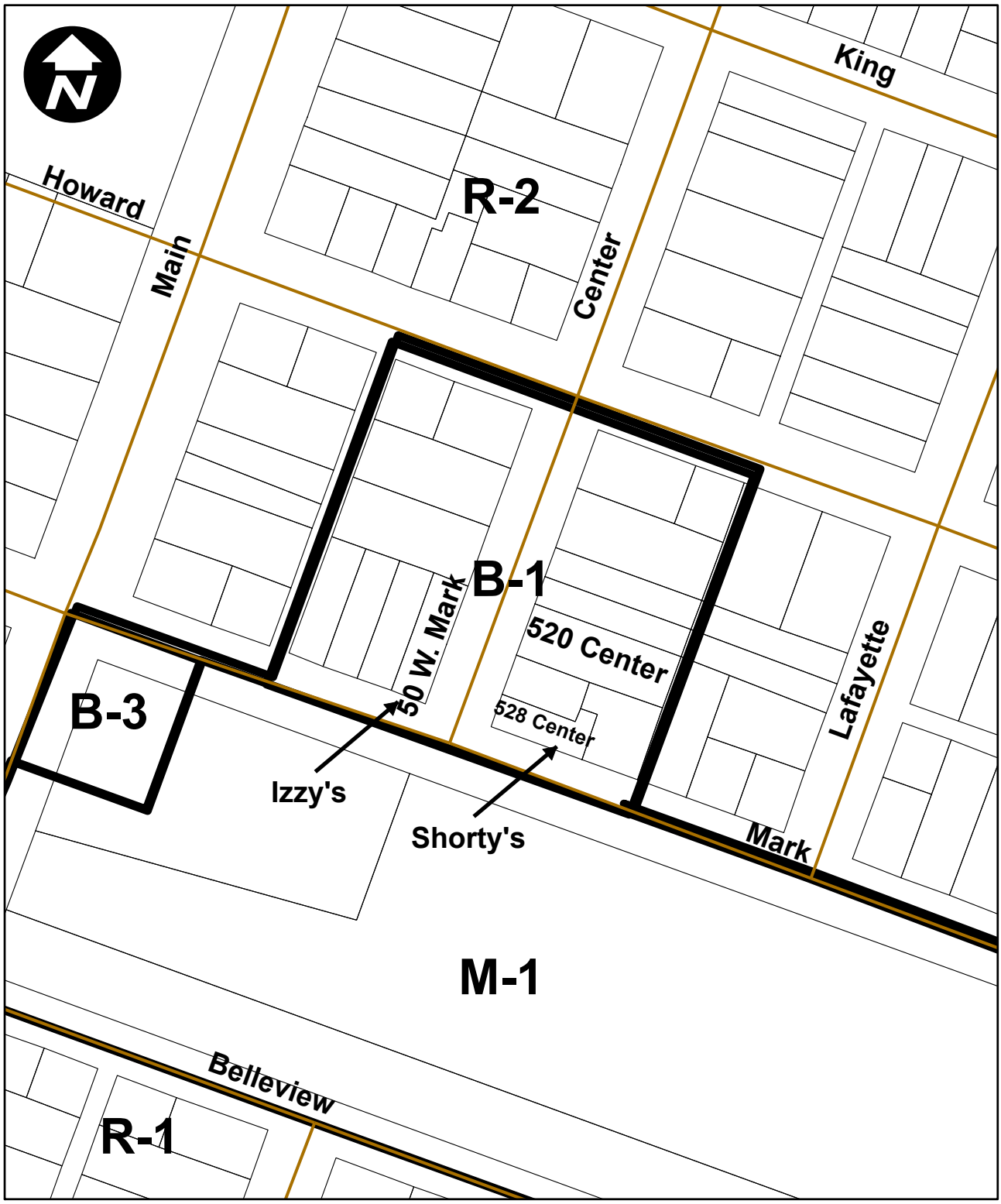
OWEN WARNKE
DATE: 06/14/13
REG. NO. 15799

PROPOSED DEVELOPMENT FOR
BLUFF CITY PROPERTIES
520 CENTER STREET, WINONA, MN

OWEN WARNKE AND ASSOCIATES
355 WEST SECOND ST. SUITE 200
WINONA, MINNESOTA 55987
PHONE 507-454-2238 FAX 507-454-2224
ARCHITECTS

PROJECT NO. 1329

Lodging/Boarding Establishments



CITY HALL
207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378
FAX: 507/457-8212

July 2, 2013

Kevin Brady
Bluff City Properties LLC
555 Huff Street
Winona, MN 55987

Dear Mr. Brady:

The purpose of this letter is to acknowledge that city staff has received and reviewed your site plan application for a lodging building at 520 Center Street. In addition, staff has received four petitions for site plan review by the Planning Commission. Per City Code Section 44.06 (2)(d)(1) (See Attachment A), Planning Commission review is required within 11 calendar days after a petition is received by the City. In accordance, the Planning Commission will review the submitted site plan for 520 Center Street on July 8 at 4:30 p.m. in the Council Chambers of City Hall. At this meeting you have the opportunity to be heard regarding the proposal for 520 Center Street.

Please note that to be processed under existing regulations, site plan approval for 520 Center Street must be obtained before new parking regulations pertaining to lodging and boarding establishments come into effect. Among other code amendments, the City Council is currently considering a regulation that would require parking for any new development be provided on-site. After this regulation is in effect, a variance will be required to provide parking off-site.

Although final approval of the site plan is subject to review by the Planning Commission, staff's preliminary review of the plan shows the deficiencies noted below. Numbers 1-4 must be addressed prior to site plan approval.

1. Per City Code Section 43.36 (see Attachment B), one (1) off-street parking space per person certified as established by the Housing Code is required to be provided at properties within 300' of new lodging and boarding establishments. In accordance, 49 off-street parking spaces are required to be provided at properties within 300' of 520 Center Street. Please provide a plan showing where such parking spaces will be located. The plan must be drawn to scale and

provide parking spaces in accordance with the dimensions in City Code Section 43.37 (See Attachment B). The plan must include the following information:

A) A map showing where the existing parking spaces at 520 Center will be replaced. The plan should show the location of 14 off-street parking spaces currently dedicated to the "Izzy's" building at 50 West Mark Street.

B) A map showing the location of the 49 parking spaces required for the project at 520 Center. For any property used to provide the required parking (including the "Severson" lot at 62 East Mark), the following information must be provided:

   i. The number and location of parking spaces currently leased or owned by Bluff City Properties. Information on the properties that these spaces serve must also be provided.

   ii. The number and location of parking spaces leased by other entities.

   iii. The number and location of parking spaces to be provided for 520 Center.

C) Executed lease agreements for all parking spaces to be provided on properties not owned by Bluff City Properties LLC.

Note: On the submitted site plan it appears a parking area is to be provided on 66 East Mark Street (numbers "11" through "25" on the plan). This area cannot be converted to parking per City Code Section 43.37 (k) (See Attachment B) which states that "in R districts, a maximum of 50 percent of the rear yard on a residential lot shall be used for parking."

2. In response to City Code Section 44.06 (2)(c)(3) (see Attachment A), provide detail on how runoff water and snow from the roof at 520 Center will be directed to municipal facilities and not impact the property at 516 Center.

3. Provide detail on screening for the outdoor refuse area. According to City Code Section 44.06 (2)(c)(5) (see Attachment A), outdoor refuse areas must be screened to a height of 6 feet.

4. In response to City Code Section 44.06 (2)(c)(7) (see Attachment A), provide detail on the wall mounted lighting on the east side of 520 Center to ensure there will be no light glare on adjacent properties.

Note: Numbers 5-8 may be addressed after site plan approval, but must be provided prior to issuance of a building permit for 520 Center.

5. In accordance with #1, provide a recorded document stating that required parking for 520 Center will continue to be provided at Bluff City owned or leased property

within 300' of 520 Center Street in perpetuity. Such document must state that the parking spaces are dedicated solely to 520 Center and designated through appropriate signage.

6. In accordance with #1, provide an updated recorded agreement for the parking spaces at 520 Center Street currently dedicated to the "Izzy's" building at 50 West Mark Street.

7. Provide a recorded easement over 62 East Mark for access to off-street parking spaces at 520 Center Street.

8. The submitted site plan appears to utilize two parking spaces at 62 East Mark (numbers "5" and "6" on the plan) that were previously dedicated as a handicapped parking stall and access aisle to the "Shorty's" building at 528 Center. These spaces cannot be used to provide parking for 520 Center. As a reminder, at the Board of Adjustment meeting on December 5, 2007, a condition of the Board's approval was that such parking spaces would be dedicated to 528 Center through a permanent parking easement. This easement was never recorded.

I would suggest meeting to discuss these items. Please contact me at the number below to set this up.

Sincerely,

Carlos Espinosa
Assistant City Planner
507-457-8216

Attachments:
A) City Code Section 44.06
B) City Code Sections 43.36 and 43.37

cc: Owen Warneke, Owen Warneke and Associates
Steve Carson, Building Official

44.06 SITE PLANS. Site plans shall be required for any development, except the following:

(1) One and two family dwellings, unless they are part of a cluster development;

(2) When the Department of Community Development finds that a new development will have minimal impacts on existing conditions of a proposed development site. In making this finding, consideration shall be given to proposed land use, adjoining land uses and zoning, modified storm drainage volumes and patterns, new public utility extensions, parking, driveway, loading, exterior storage areas, and lighting, police and fire protection concerns, development lot slopes, modifications to adjoining streets or street rights-of-way and conformance with the general principles of design listed under (d) below.

(a) Required Fees. Any site plan submitted under this section shall be accompanied by the fee as set forth in Section 51.01 herein.

(b) Required Information. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of all relevant laws, ordinances, rules and regulations. The site plan shall be signed by the person responsible for preparation of building plans and shall contain the following information:

(1) Name and address of the developer;
(2) Name and address of the property owner;
(3) Survey information including distances with angles or bearings and north points;
(4) Small key map;
(5) The recommended plan scale is one inch equals 20 feet or larger in size;
(6) Zoning classification of the site plan land and the zoning classification of adjacent lands;
(7) Existing and proposed street curb cut radii and curb cut width;
(8) Location dimensions and area of existing building(s) to remain or be removed;
(9) Proposed buildings with location dimensions, area and number of stories, occupancy classification and type of construction pursuant to State Building Code;
(10) Existing and proposed contours or spot grades:
(11) Distance on all sides between buildings and property lines and between buildings;
(12) Building use including number of employees or apartments or family units;
(13) Area of land in square feet;
(14) Drainage design for roof areas, parking lot and driveways, showing area for or method of disposal of surface runoff;
(15) Location of proposed or existing streets and curbs, sidewalks, easements and rights-of-way;
(16) Location, size and elevation of proposed and existing sanitary sewers, storm sewers, water mains, hydrants, gas lines, underground power and communication lines, catch basins and drywells, along with information as to how new utilities will be connected to existing utilities;
(17) Location and approximate diameter of proposed or existing trees and other woody stemmed plantings together with the common names of the plantings;
(18) Limits and location of plantings or physical structures designed to screen vehicle lights preventing illumination of residential areas;
(19) Limits, location and size of retaining walls and the type of materials to be used in construction;
(20) Location of parking lots, driveways, parking bays, outside storage, burning, rubbish and garbage areas, loading and unloading areas and surfacing and screening thereof;

(21) Directions of vehicular traffic flow to, from and within the area, together with locations of traffic-control signs and markings.

(22) Locations, height and type of all outside lighting including street, sign, and security lighting;

(23) Locations, size, height and overall dimensions of outside signs;

(24) Such other or different information as may be required by the design standards set forth hereinafter or as required elsewhere in this Code.

(c) Principles of Design. The site plan required by subsection (a) above shall incorporate the following general principles of design:

(1) Landscaping. All sites shall be landscaped as approved by the Department of Community Development; existing trees shall be preserved where possible; surfaces denuded of vegetation shall be appropriately landscaped or surfaced to prevent soil erosion.

(2) Light glare from vehicles. When a parking lot adjoins a residential area, provisions shall be made to screen all vehicle lights to curtail direct illumination of the residential area.

(3) Drainage designs. Runoff water from parking lots, roofs and driveways shall not be allowed to cross sidewalks or to run onto private property that is not a part of the site unless easements have been obtained; surface runoff waters shall be directed into municipal facilities; where municipal facilities are not available, a drywell or drainage area owned or controlled by the owner or developer shall be provided; sanitary sewage shall be directed into municipal facilities where such facilities are available; where municipal facilities are not available and approval of the city engineer is secured, a septic tank shall be provided; retaining walls shall be constructed where necessary for land stabilization.

(4) Parking lots and loading areas. Parking lots shall be desired to avoid creating large open expanses of paving; parking lots and loading areas shall be designed to avoid the problem of vehicles backing onto streets, alleys and, sidewalks; vehicular traffic flow to, from and within the land containing a parking lot shall be controlled by appropriate traffic-control signs and surface markings; adequate provision shall be made for vehicle egress from the land to the street and ingress to the land; provision shall be made for a safe and convenient circulation pattern within any parking lot consistent with vehicular and pedestrian safety; curb cut radii shall allow safe ingress and egress of vehicles from and to the proper lane of traffic on the street which they adjoin; existing curb cuts and curb cut radii shall be used only if they comply with the standards for proposed curb cuts and curb cut radii; vehicular bumper guards or wheel stops shall be provided to prevent encroachment of vehicles on sidewalks.

(5) Rubbish, garbage, storage and burning areas. Outside rubbish, garbage, storage and burning areas shall be permanently screened from view to a height of 6 feet and shall be constructed to prevent accidental dispersal of the materials contained therein.

(6) Parking lot lighting. A parking lot shall be lighted for vehicular and pedestrian safety. In residential areas, the maximum height above ground level of lights shall be 15 feet; maximum foot candles at ground level shall be 1; minimum foot candles at ground level shall be .5; flood and spotlights shall be shielded to prevent glare on adjoining lands. In commercial or industrial areas the maximum height above ground level of lights shall be 30 feet; minimum foot candles at ground level shall be 2 in shopping centers, 1 in self-parking areas, 2 in attended or shelter parking areas and 1 in industrial areas.

(7) General Site Lighting. Lights should be directed towards the structures or areas to be illuminated. Site lighting shall employ full cut-off style lights, lighting shields or fixtures as appropriate to keep glare on-site and minimize glare onto adjacent properties. The design and placement of lighting fixtures shall not have an adverse effect upon abutting properties. Ord. No. 3893 3/13/2012.

(d) Administrative Procedures. The following procedures shall apply to review of a site plan:

(1) Upon receipt of a site plan, the Community Development Department shall (within one day) submit copies of the site plan to the City Engineer, Public Works Department, Police Department and Fire Department. In addition, mailed notice offering an opportunity to review said plan shall be given to property owners within 100 feet of the property upon which the proposed development is to be located. A person who has submitted a site plan, a reviewing department head, or any other party of interest may file, with the Department of Community Development, a written request for review of the site plan by the Planning Commission. Such a request shall be made within seven (7) calendar days of the date of the mailed notice and shall state specific reasons for Planning Commission review. If specific reasons are not stated, the request will not be considered by the Planning Commission. The Commission shall review the site plan within eleven (11) calendar days following receipt of the written request. Failure to review the plan within this time period shall result in automatic approval of the plan. A request shall serve to stay the issuance of required development permits until final action by the Commission has been taken. The decision of the Planning Commission shall be incorporated into a site plan and shall be a condition of any permit or certificate issued pursuant to this section.

(2) Following review and approval of a site plan, no departure from the plan shall be permitted without the express written consent of the Department of Community Development which shall consult with concerned department heads prior to rendering a decision. A substantial change to an approved site plan shall result in resubmittal of the plan and the procedure for review and approval or disapproval shall be the same as for the initial application.

(3) The Department of Community Development shall not issue a final certificate of occupancy until the development complies with all provisions of the site plan.

(4) The Department of Community Development may issue a temporary certificate of occupancy where the approved site plan has been substantially complied with but the owner or developer is prevented from complete compliance by reason of occurrences beyond his control. Prior to issuance of the temporary certificate of occupancy, the owner or developer following consultation with the Director of Community Development or his/her designated representative and City Engineer shall file with the city clerk a corporate bond or certified check to the city and for the use of the city in a sum sufficient to cover the cost of completion of the unfinished items required by the approved site plan. The bond or check shall be executed by the owner or developer and shall be approved by the city attorney. The condition of the bond or check shall be that if the owner or developer shall comply with the approved site plan and provide the unfinished items, and shall fully indemnify and save the city harmless from all cost and damage which it may suffer by reason of failure of the owner or developer to do so, and shall fully reimburse and repay the city all outlay and expense which it may incur in making good any default of the owner or developer, and shall pay all persons who have contracts directly with the owner or developer for labor, equipment or materials, and shall indemnify and save harmless the city from any and all costs, damage and expense occasioned by or arising directly or indirectly out of supplying all labor, equipment or materials necessary for compliance and provision of the unfinished items, terms of the bond or checks, if action is brought on the bond or check, including reasonable attorney fees in any case where such action is successfully maintained and will appear in and defend and pay and satisfy any final judgment, if any is obtained, in any suits or actions arising out of supplying all labor, equipment or materials necessary for compliance and provision of the unfinished items, or occasioned by any act or omission on the part of the owner or developer, their sub-contractors, agents, employees and servants, then the obligation shall be null and void. A further condition of a bond, check, or escrow shall be that the penalty shall attach and the surety shall be liable if the owner or developer shall not have complied with the condition of the bond or check within one year after date of its execution. As an alternative to filing a bond or check, the owner or developer may, by written agreement with the City Manager, establish an escrow of money. Such agreement shall provide that the money shall be invested in the name of the city in a savings account in a local financial institution for the benefit of the city and depositor. The depositor shall be entitled to any interest earned by the money while it is invested. The agreement shall set forth the conditions stated in the ordinance and that the escrow agent shall pay the entire sum together with interest to the depositor if he meets the conditions. The agreement shall also set forth that the city shall be entitled to the principal and the depositor to the interest if the conditions are not met. The agreement shall state that the agreement is made pursuant to section 44.06 of the City Code of Winona, 1979. Any fees for service charged by an escrow agent shall be paid by the owner-depositor.

(5) The planning commission may grant a variance to any provision of this section where owing to special conditions the literal enforcement of its provisions or requirements will result in practical difficulty or hardship. However, in all cases, the spirit of the section shall be observed to the greatest extent possible. Ord. No. 2920 03/21/88.

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, assembly exhibition halls except church assembly rooms in conjunction with auditorium	1 for each 100 sq. ft. of floor area used for 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, fraternities, and sororities	1 space per person certified as established by the Housing Code
Manufacturing plants, the research or testing laboratories, bottling plants, over 1,000 sq. ft. in area	1 for each 3 employees in 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 and night clubs, of over 1,000 sq. ft. in area	1 for each 200 sq. ft. of floor area
Retail stores, shops, etc., ft. of of over 2,000 sq. ft. floor area	1 for each 150 sq. floor area
Sanitariums, convalescent beds homes, children's homes	1 for each 6
Sports arenas, auditoriums, seats theatres, assembly halls other than schools	1 for each 6
Wholesale establishments on or warehouses each	1 for each 3 employees maximum shift or for 3,000 sq. ft. of floor area, whichever is greater

In the case of any building, structure or premise, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which such use is similar, shall apply.
(08-17-59;04-17-

72) Ord. No. 3671

12/5/05

43.37 LOCATION, DESIGN AND MAINTENANCE OF PARKING AREA. Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile or trailer sales lot, shall be developed and maintained in accordance with the following requirements:

(a) <u>Parking Space and Vehicle Aisle Dimensions.</u>

(1) All parking spaces must comply with the minimum space dimensions stated in Table 43.37 (1), save for compact car spaces, which must comply with the minimum dimensions stated in
Table 43.37 (2).

(2) Smaller parking spaces for compact cars are allowed only on parking lots that consist of
10 or more off-street parking spaces. These parking spaces must comply with the minimum dimensions for spaces stated in Table 43.37 (2). No more than 20 percent of the required off-street parking spaces shall be designated for compact cars. All compact car spaces shall be clearly identified with signs. When computing the number of permitted compact car spaces results in a fractional number, the number of permitted compact car spaces shall be rounded to the next lowest

number.

(3) If the degree of parking angle provided is not listed in Table 43.37 (1) or Table 43.37 (2), the aisle width shall be based on the next largest parking angle shown in Table 43.37 (1) or Table 43.37 (2). In circumstances in which a strict application would result in unnecessary practical difficulties, the Board of Adjustment may, after notice and hearing, authorize such specific, limited exceptions to the below tables of dimensions as it shall find warranted and consistent with:

(i) Protecting landscaping features;

and

(ii) Adequate space for maneuvering of trucks, vans and full-size passenger vehicles. No exceptions shall be allowed for any other feature of these off-street parking rules.

Table 43.37 (1) Full-Sized Vehicles Parking Space and Aisle Requirements

Parking Angle	**0˚**	**20˚**	**30˚**	**40˚**	**45˚**	**50˚**	**60˚**	**70˚**	**80˚**	**90˚**
Curb Length per Space	N/A	26.3’	18.0’	14.0’	12.7’	11.7’	10.4’	9.6’	9.1’	9.0’
Space Depth	9.0’	15.0’	17.3’	19.1’	19.8’	20.3’	21.0’	21.0’	20.3’	19.0’
Access Aisle Width	12.0’	12.0’	12.0’	12.0’	13.0’	15.0’	18.0’	19.0’	24.0’	24.0’
Space Width	9.0’	9.0’	9.0’	9.0’	9.0’	9.0’	9.0’	9.0’	9.0’	9.0’

Table 43.37 (2) Compact Vehicles Parking Space and Aisle Requirements

Parking Angle	**0˚**	**20˚**	**30˚**	**40˚**	**45˚**	**50˚**	**60˚**	**70˚**	**80˚**	**90˚**
Curb Length per Space	N/A	23.4’	16.0’	12.4’	11.3’	10.4’	9.2’	9.5’	8.1’	8.0’
Space Depth	8.0’	13.0’	14.9’	16.4’	17.0’	17.4’	17.9’	17.8’	17.1’	16.0’
Access Aisle Width	12.0’	12.0’	12.0’	12.0’	13.0’	15.0’	18.0’	19.0’	24.0’	24.0’
Space Width	8.0’	8.0’	8.0’	8.0’	8.0’	8.0’	8.0’	8.0’	8.0’	8.0’

(b) Access. There shall be adequate provision for ingress and egress to all required parking spaces. Where a lot does not abut on a street or alley, there shall be provided an access drive not less than 8 feet in width in the case of a one family dwelling, equaling widths called for in Tables 43.37 (1) and (2) in all other cases for parking, and 18 feet leading to the storage areas or loading or unloading spaces required by this section in such manner as to secure the most appropriate development of the property in question. Easements of access or access drives to a use in a nonresidential district shall not be located within a residential district.

(c) Type of Use. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this chapter.

(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. 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 located and first permitted in the 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, not more than 300 feet from the building they are required to serve.

(4) Other uses. For uses other than those specified heretofore not more than 300 feet from the building they are intended to serve.

(e) Front Yard Location. In no case shall parking or hard or gravel surfacing for parking be located within five feet of the public right-of-way, not including alleys, other than the driveway. In any R district and on any property used primarily for residential use, off-street parking spaces shall not be located within any required front yard or side yard adjacent to the public right-of-way other than the driveway.

(f) Screening and Landscaping. Off-street parking areas for more than 3 vehicles shall be effectively screened on each side which adjoins or faces premises situated in any R district or institutional premises by a masonry wall or solid fence of acceptable design. Such wall or fence shall be not less than 4 feet or more than 6 feet in height and shall be maintained in good condition and the area between such wall or fence and the nearest side lot line or the front lot line, shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.

(g) Minimum Distances and Setbacks. No part of any parking area for more than 3 vehicles shall be closer than 10 feet to any dwelling, school, hospital or other institution for human

care located on an adjoining lot, unless screened by a masonry wall or solid fence of acceptable design; provided, that parking areas for 25 or more motor vehicles or for trucks and buses shall also comply with the provisions of Section 43.44. If not in an R district but adjoining such district, that part of the parking area within 50 feet of any R district shall not be located within 25 feet from the established street right-of-way line. Setbacks will not apply adjacent to public alleys. Ord. No. 3704 8/7/06

(h) Surfacing.

(i) Any off-street parking area or driveway shall be surfaced with an asphaltic or Portland cement binder pavement so as to provide a durable surface, shall be so graded and drained as to dispose of all surface water accumulated within the area and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles. The foregoing requirements with respect to surfacing shall not apply to a parking area in an M district if more than 200 feet from any R district or a residential unit with eight or fewer spaces, provided that no part of the driveway or parking area is within three feet of a neighboring property line and provided that in all cases, such parking areas and driveways shall be covered with at least a six- inch depth of class 5 aggregate and shall be reasonably maintained in such a manner so as to not constitute a nuisance pursuant to Section 32.01 (b).

(ii) Notwithstanding the foregoing, the use of any off-street parking area or driveway that has not been hard surfaced as of February 24, 2006, shall be permitted as a non-conforming use, provided that such area shall meet the above stated requirements for gravel.

(i) Lighting. Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any R district.

(j) Off-Street Parking Plan. In order to obtain a building permit for creation of any residential structure or conversion to a greater number of dwelling units in a residential structure, an off-street parking plan shall be submitted to the Zoning Administrator.

(k) Rear Yard Coverage. In R districts, a maximum of 50 percent of the rear yard on a residential lot shall be used for parking. However any residence shall be allowed three parking spaces regardless of the proportion of the rear yard they occupy. All spaces must meet the parking lot size requirement in 43.37 (a).

(l) Driveway Approaches. All properties shall conform to the regulations hereinafter specified and in sections (g) and (h) above.

(i) Anyone wishing to create a driveway approach shall apply to the Engineering Department to obtain a permit.

(ii) Residential properties with public alley access that house one to four residential units shall not be permitted to have a driveway approach.

(iii) Residential properties without public alley access that house one to four residential units shall be permitted one driveway approach.

(iv) Residential properties housing more than four residential units and non-residential properties shall be permitted one driveway approach for each lineal 150 feet or fraction thereof of public right-of-way frontage.

(v) Driveways shall lead directly to a garage opening or parking area that conforms to the provisions of Section 43.37.
08-17-59; 4-17-72

Ord. No. 2922 05/02/88
Ord. No. 3672 12/05/05
Ord. No. 3710 10/02/06
Ord. No. 3704 08/07/06
Ord. No. 3684 02/21/06
Ord. No. 3684 02/21/06
Ord. No. 3878 09/06/11

Properties within 300' of 520 Center St.

June 2013

This map was compiled from a variety of sources. This information is provided with the understanding that conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of any of the features depicted, and any assumptions of the legal status of this map is hereby disclaimed. Aerial Imagery from spring 2008.

0 50 100 200 Feet

To: Community Development Department

Subject: Proposed Building At 520 Center Street

From: Bill and Kathy Squires Residence 508 Center Street

Please consider this a formal request to have the Planning Commission review the proposed plans.

for the following reasons:

- Parking - I do not believe current off street parking requirements for the 5 other rentals owned by Bluff City Properties are currently being met. Any new construction approval should require an evaluation of how all Bluff City Properties in this area will meet the off street parking requirements . Allowing Bluff City to count any existing off street parking within 300 feet of 520 Center does not seem appropriate given the number of rental units in our area.
- Building setback - We are torn between the desire to see this property improved like Buff City has done with other rental units and the concern that the setback will eliminate more parking in the current off street parking area behind 520 Center.
- Speaking now for the renters - Having lived at 508 Center Street for 32 years we are well versed in the changes that have taken place in our neighborhood. Our neighbors (renters) do not have a voice in this decision but they more than anyone will be paying the price for the increased on street parking that will occur if the parking issue for 520 Center and the other Bluff City Properties in our area are not resolved.
- If parking for all six units is resolved we will support the building of the new unit. We have appreciated Bluff City Properties continued improvement to our neighborhood.

Bill Squires

Bill Squires

Kathy Squires

Kathy Squires

July 1ST 2013

July 1st, 2013

Winona City Planner
City Hall
207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378

RE: Bluff City Properties, LLC
Proposed 17-unit lodging building at 520 Center Street, Winona, MN

Dear Mr. Espinosa,

We are writing with regards to the letter we received for the application approval for the 17-unit complex to be located at 520 Center Street. We strongly oppose this proposal for the following reasons:

- There is not sufficient parking for Shorty's and Isabel's Corner currently, let alone an additional 17-unit lodging building.
- If parking is obtained for 520 Center Street, it will cause even greater parking dilemmas within our block. Currently we battle students parking on lawns and driving in between our house to get to the parking lot in the back.
- This new lodging unit will create a population increase to an already saturated neighborhood/block. There is already an excess of noise pollution and litter. More students will only increase these problems.
- The rental properties on this block are not maintained as it is. To add to this deterioration will just continue to devalue our home and the other single-family homes that remain on the block.

We request that the planning commission review the application for the lodging unit on 520 Center Street.

Sincerely,

Lauren Tomesh

Cory & Lauren Tomesh
515 Lafayette St

Request for planning commitee to construct a lodging building at 520 Center Str.

City of Winona Community Development Department, I recently received a letter that of an application for approval of a site plan at 520 Center Str. My property is at 524 center and I have concerns with this.This will be the 3rd similar property built in recent years, I have owned my property since 1999, now when I need to get to my property during the school year it's getting impossible to find parking.

*On 6/28 at 10:30 AM I viewed the available parking at the properties south parking lot, there were only (3) empty parking spots and that with school out and some people would have probably left earlier in morning.

*Adding more parking within 300' won't solve any on street parking as renters cars will fill the streets first and use distant parking as a second choice, there is no added room for non tenants to park, it only becomes more difficult.

*These rental units will be on three sides of my house, I feel this is going to deflate the 524 Center value as my house is starting to look out of place.

*I'm concerned rain water run off form this building is going to either flood my property or the property to the north of 520 Center owned by Patrick Bushman.

*Currently 524 has a fenced backyard which gives the property some privacy, having a 2 1/2 story building with windows looking down into the backyard takes that away completely.

*I would like to be notified of any change or acceptance of the this plan so I can contact my attorney if need be.

Thanks
Gerald Wicka
Phone 608 - 385 - 0657

Gerald Wicka
6-28-2013

Attorneys and Counselors at Law
Serving Businesses and Families Since 1900
Wisconsin | Minnesota

bosshard | parke ltd.

Otto Bosshard (1876-1943)
John Bosshard (1920-1990)
Sabina Bosshard
George Parke III
Joseph J. Connell
Laura J. Seaton
Stephan A. Rogge

Howard J. Eglash
Maryanne Kircher
Jason Goldstein
Darla A. Krzoska
Andrew R. Bosshard
Bennett A. Myers
Joan K. Parke

received
6/27/2013

June 26, 2013

Winona City Planner
City Hall
207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378

RE: Bluff City Properties, LLC
Proposed 17-unit lodging building at 520 Center Street, Winona, MN

Dear Mr. Espinosa,

Pursuant to a letter sent to members of my neighborhood dated June 24, 2013, I request that the Planning Commission review the above plan for a 17-unit rental in our neighborhood. The 30% rule is not followed in our block and the rentals that are on our block are not well maintained and there is not enough parking at the current time.

To add a 17 unit rental to our already saturated neighborhood will make the area unlivable. There is already a noise problem and the failure of the existing landlords in our neighborhood to maintain their properties, to allow the lawns to be used for junk and parking and to fail to control their renters is a huge problem that we assumed the City was going to stop, rather than increase.

Please do not allow this block to further deteriorate to the detriment of the single family homes that remain on our block. The Shorty's building is a prime example of the kinds of problems a dense concentration of students creates and which an approval of this plan will continue to cause in our neighborhood. This unit is diagonal to our neighbor's back yard where their small child and pets play and they will be subjected to the rowdy language and noise problems we already experience.

I write this letter on behalf of my family: Thomas Felsheim (husband) and Laura Seaton: 77 E 10th St. Winona, MN and my next door neighbors, Lauren Duran-Tomesh and Corey Tomesh, 515 Lafayette, Winona, MN.

Sincerely,

Laura J. Seaton

www.bosshardparkelaw.com

Main Office
P.O. Box 966
750 3rd St. N., Suite A
La Crosse, WI 54602-0966
608.782.1469
Fax: 608.784.1561

Branch Office
103 S. Water St.
Sparta, WI 54656
608.269.5076
Fax: 608.269.5077

* CLARIFICATION OF LETTER RECEIVED ON 6/27/2013
* THIS LETTER TYPED BASED ON HANDWRITTEN LETTER RECEIVED

To: Carlos
From: Laura Seaton
Thomas Felsheim
77 East 10th
Winona, MN 55987
(507)450-9105

Re: Proposed 17 Unit Rental of Kevin Brady (Center Street)

We previously sent you our problems with this proposal, but you have asked for further complaints we may have:

1. Noise of adding a 17-unit college unit (At least 34 more people on this block already saturated with rentals including the Shorty Building with an estimated 34 people & across the street with the Isabelle Building)
2. Parking issues for all these vehicles.
3. The devaluation of our single family homes. You won't let us rent.
4. Failure of the landlords to control tenants, until their mistreatment of the property and the neighborhood.
5. The large per capita rental vs. single family is well over 30%.
6. The refusal of the planning committee to recognize what this latest saturation will do to our quality of life within the City.
7. The refusal to recognize the needs if single family persons to some quality of life without being over-run by students by basically putting a dorm on our block.
8. The police cannot control the student issues at the level of saturation we now have-adding 30 some people to the block will be impossible. (Students damage our fence, steal our flag, ruin our trees, put bottles & trash on our lawn, and scream & yell at night.

TO: Curlus

FR: Laura Seuton
Thomas Tekheni
77 E 10th
Winona, Mn
55987
507-450-9105

Re: Proposed 17 Unit Rental of Kevin Brady
Center St.

We previously sent you our problems with this proposal, but you have asked for further complaints we may have

1) Noise of adding a 17-unit College Unit (at least 34 more people on this block already saturated with rentals including the Shirty Building with an estimated 34 people + across the street with the Labelle Building)
2) Parking issues for all these vehicles
3) the devaluation of our single family homes. you won't let us rent.
4) Failure of the landlords to control tenants and their mistreatment of the property and the neighborhood.
5) the large per capita rental vs single family well over 30%.
6) the refusal of the planning committee to recognize what this latest saturation will do to our quality of life within the city
7) the refusal to recognize the needs of single family persons to some quality of life without being over-run by students by basically putting a dorm on our block.
8) the police cannot control the student issues at the level of saturation we now have - adding 30 some people to the block will be impossible. (Students damage our fence, steal our flag, ruin our trees, put bottles trash on our lawn scream + yell at night

EXHIBIT C

Staff July 9, 2013 Letter

Winona
MINNESOTA

CITY HALL
207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378
FAX: 507/457-8212

July 9, 2013

Kevin Brady
Bluff City Properties LLC
555 Huff Street
Winona, MN 55987

Dear Mr. Brady:

This letter is a follow-up to staff's letter dated July 2, 2013 and the Planning Commission meeting held yesterday regarding the site plan for a lodging building at 520 Center Street. Per staff's presentation at the meeting, the required number of parking spaces for the 520 Center site plan is 53 – not 49 as previously stated. This mistake was discovered after the July 2 letter was sent. The calculation for required off-street parking is based off City Code Section 43.36 (Attachment A) and 33A.05(a)(ii) (Attachment B). Detail of the calculation is below:

- 50 square feet for each occupant
- 17 units
  - 15 units at approximately 160 square feet for sleeping purposes = 45 parking spaces (3 parking spaces per unit)
  - 2 units at approximately 230 square feet for sleeping purposes = 8 parking spaces (4 parking spaces per unit)
  - 45 + 8 = 53 Total spaces required

In accordance, a new site plan submittal must include the information detailed in number 1 of the July 2 letter for 53 off-street parking spaces. A new site plan should also include a response to numbers 2-4 in the July 2 letter. I would suggest meeting prior to submitting the plan. Please contact me at the number below to set this up.

Sincerely,

Carlos Espinosa
Assistant City Planner
507-457-8216

Attachments:
A) City Code Section 43.36
B) City Code Section 33A.05(a)(ii)

cc: Owen Warneke, Owen Warneke and Associates
Steve Carson, Building Official

A

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, assembly exhibition halls except church assembly rooms in conjunction with auditorium	1 for each 100 sq. ft. of floor area used for 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, fraternities, and sororities	1 space per person certified as established by the Housing Code
Manufacturing plants, the research or testing laboratories, bottling plants, over 1,000 sq. ft. in area	1 for each 3 employees in maximum working shift, or 1,200 sq. ft. of floor area, whichever is greater

B

33A.05 - SPACE AND OCCUPANCY STANDARDS

No dwelling or dwelling unit shall be let for occupancy to another, which does not comply with the following requirements:

(a) Room Dimensions

(ii) Floor Area. Dwelling units and congregate residences shall have at least one room for common living area that shall have not less than 120 square feet of floor area. Rooms used for sleeping purposes by one person shall have an area of not less than 70 square feet. Where more than one person occupies a room used for sleeping purposes, the required floor area shall be 50 square feet for each occupant.