



CITY HALL

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

September 10, 2015

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, September 14, 2015, at 4:30 p.m. in the Wenonah Room** of the Winona City Hall.

1. Call to Order
2. Minutes – July 27, 2015
3. Lindgard Group CUP Review
4. Project Kickoff – Development Code Update
5. Other Business
6. Future Action Items
7. Adjournment

Sincerely,

A blue ink handwritten signature, appearing to read "Carlos Espinosa", is written over a horizontal line.

Carlos Espinosa
City Planner

PLANNING COMMISSION MINUTES

DATE: July 27, 2015

TIME: 4:30 p.m.

PRESENT: Chairperson Davis, Commissioners Boettcher, Porter, Hahn Buelow, and Ballard

ABSENT: Commissioners M. Olson, L. Olson, and Fritz

STAFF PRESENT: City Planner Carlos Espinosa

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

Approval of Minutes – July 13, 2015

The minutes for July 13, 2015 were approved upon motion by Commissioner Boettcher and second by Commissioner Hahn.

Natallia Properties CUP Review

Chairperson Davis opened the public hearing and asked if the petitioner would like to say a few words about the project.

Dennis McEntaffer stated that the residential units on the first floor of 109 East Third Street are planned to be two bedroom loft style apartments utilizing the existing mezzanine. A frozen yogurt shop and another commercial use will occupy the front one-half of the first story, with the residential units in the rear. An additional 8 apartments are planned for the second and third floors of the building.

Chairperson Davis then called on Carlos Espinosa to present the staff report. Mr. Espinosa stated that staff's review found the proposal to satisfy both the general and specific criteria for the CUP, and accordingly staff is recommending approval.

Next, Chairperson Davis asked if anyone else would like to speak about the CUP.

Janel Moore - 1520 Gilmore Valley Road - stated that she had concerns about parking for the commercial and residential uses in the building. Mr. McEntaffer stated that there will be 3 spaces in the rear of the building, and parking at the public parking lot adjacent to Midtown Foods is nearby.

Gaby Peterson - 1338 Wincrest Drive - stated that she simply wanted to voice support for the project.

There being no others who wished to speak, Chairperson Davis closed the public hearing.

PLANNING COMMISSION MEETING MINUTES

July 27, 2015

PAGE 2

Commissioner Boettcher asked if the residential units would have a security system. Mr. McEntaffer replied affirmatively.

Commissioner Porter asked what kind of market research Mr. McEntaffer had done relative to downtown residential units for professionals. Mr. McEntaffer stated that he had discussed the need for this type of residential units with representatives of both the City of Winona and the Chamber of Commerce.

Next, Commissioner Boettcher motioned to approve the CUP. The motion was seconded by Commissioner Hahn and approved unanimously with an abstention by Commissioner Ballard.

Future Action Items

Mr. Espinosa gave a brief overview of the Development Code Update proposal submitted by the selected consultant – Hoisington Kogler Group Inc. Mr. Espinosa stated that a contract is being finalized and the project should start in August.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:00 p.m.

Carlos Espinosa
City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Lindgard Group CUP Review

PREPARED BY: Carlos Espinosa

DATE: September 14, 2015

Summary

Lindgard Group LLC proposes to use the rear portion of the first story at 62 East Third Street for residential units. A Conditional Use Permit (CUP) is required for first-floor residential uses in the Central Business District Core pursuant to City Code Section 43.60(b)(2):

(b) Conditional Uses. The following uses shall be permitted only if specifically authorized by the Commission in accordance with the provisions of this chapter and Section 41.01 of this Code:

(2) Residential. First story residential use within the central business district core; provided that the use meets the following conditions:

a. Exclusive of required entrances, the residential use may occupy no portion of the front one-half of first story floor area. If any part of a rear building line is located within 100 feet of a public parking lot, no residential use may occupy the rear one-half of first story floor area. In the case of a corner lot having two building frontages, no rear first story residential use shall be permitted which has, other than required entrances, openings which are visible from a public street.

b. The Commission may apply additional requirements of the applicant which it feels are necessary to protect future residents from the day to day activity of adjacent non-residential use

The CUP application proposes 3 one bedroom units and 1 two bedroom unit on the first floor of 62 East Third Street (see Attachment B).

The property is in a locally designated historic district. As a result, any exterior alterations are subject to approval by the City's Heritage Preservation Commission.

Staff Review

Specific CUP Requirements

The two specific requirements applicable to the application are:

- (1) The residential use may occupy no portion of the front one-half of first story floor area.**

Attachment B shows the proposed first floor layout and clearly demonstrates that no portion of the front one-half of the building's first story is proposed to be residential.

- (2) If any part of a rear building line is located within 100 feet of a public parking lot, no residential use may occupy the rear one-half of first story floor area.**

The applicant received a variance to the required 100 setback to a public parking lot on August 5, 2015. The variance contains a condition that any windows facing the parking lot are fixed and obscured so that people cannot see in from the outside. The property is approximately 20 feet from the municipal parking lot at Second and Center Street.

General CUP Requirements

The general requirements applicable to all CUP applications are listed below. A summary of the applicant's comments is listed in italics followed by staff's review.

- (1) The extent, location and intensity of the conditional use will be in substantial compliance with the Winona Comprehensive Plan.**

Applicant: This project will add additional housing/residential space to the downtown while maintaining commercial use in the front 50% of the building. This is in accordance with the Comprehensive Plan.

Staff: The Comprehensive Plan designates the project as "Downtown Mixed Use" in the future land use plan:

Future Land Use Categories / Descriptions	Density / Intensity / Design
DMU - Downtown Mixed Use Encompasses a broad range of uses and intensities: <ul style="list-style-type: none"> • Governmental offices • Significant retail • Arts and entertainment, lodging, conference centers • Mid- to high-density housing • Public and private parking facilities 	<ul style="list-style-type: none"> • Greatest densities and heights • Protection of historic buildings or building groups • Design guidelines • Pedestrian-oriented design • Limited off-street parking required • Emphasize river views • Redevelopment and rehab opportunities

In accordance, the proposed project is in substantial compliance with the Comprehensive Plan.

(2) The conditional use will conform to all applicable zoning regulations for the district in which the property is located.

Applicant: The project will conform to all zoning regulations.

Staff: With approval of the CUP by the Commission, the project will conform to all applicable zoning regulations.

(3) Considering existing circumstances and potential uses under existing zoning, the conditional use will not substantially impair the use and enjoyment of other property in the neighborhood.

Applicant: Unused space will be converted into upscale housing. It should not impair the use and enjoyment of other property in the neighborhood.

Staff: The proposed residential units and resulting combination of residential and commercial on the first floor of the building is similar to other properties in the vicinity (see Attachment C). As a result, the proposed use will not substantially impair the use and enjoyment of other property in the neighborhood.

(4) The conditional use will not impede the normal and orderly development and improvement of the surrounding property.

Applicant: The conditional use should improve properties in the surrounding area.

Staff: Given the proposed residential and commercial use is similar to neighboring buildings; the project will not impede the improvement of surrounding property.

- (5) Considering existing circumstances and potential uses under existing zoning, the conditional use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.**

Applicant: *The building will meet current building and fire codes. The proposed use will be compatible with the character of the area. The entire building currently has a sprinkler and fire alarm system. This will continue to be used in the space described.*

Staff: The proposed residential units will be compatible with the character of the immediate area, and improvements to the building will not endanger public health, safety and welfare.

- (6) The conditional use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.**

Applicant: *There will not be any burden put on parks, roads, or schools.*

Staff: The addition of four (4) residential units to the first floor of the property will produce demand for off-street parking. However, the project is located within the downtown parking overlay – which exempts the project from the parking requirements for residential units.

- (7) The conditional use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.**

Applicant: *Neighboring properties will not have noise and excessive traffic problems.*

Staff: The addition of four residential units on the first floor of 62 East Third Street will likely not have an adverse affect on neighboring properties in terms of excessive traffic generation, glare, noise or other nuisance characteristics.

- (8) A conditional use located on property having significant historical and architectural resources shall preserve such resources, and a conditional use shall not substantially diminish other neighboring property having significant historical and architectural resources.**

Applicant: All historic resources shall be preserved. There will be minimal impact to the exterior/rear portion of the building. The interior was renovated in the mid-90s and does not contain any historical resources in the subject area.

Staff: As noted previously, the property is in a locally designated historic district. As a result, any exterior alterations are subject to approval by the Heritage Preservation Commission.

- (9) The conditional use shall either preserve or not significantly negatively affect natural and environmental resources.**

Applicant: There will be no negative effect on the environment.

Staff: The project is proposed for a parcel that is already developed. The addition of residential units on the first floor will occur within the envelope of the existing building.

- (10) The conditional use will comply with other applicable city, county, state, and federal regulations, as applicable.**

Applicant: The use will comply with all other applicable regulations.

Staff: The applicant is working with City staff to obtain the approvals needed to proceed with the project.

Recommendation

Given the review above, staff recommends approval of the Lindgard Group CUP application.

Planning Commission Options

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

- 1) Approve the CUP. Under this option, a motion to adopt the attached resolution would be in order.
- 2) Approve the CUP with additional conditions. Under this option, a motion to approve the attached resolution with additional conditions would be in order. Reasonable and necessary conditions may be added:

- i. To ensure compliance with the Comprehensive Plan, the general CUP standards, and/or with the specific CUP criteria.
 - ii. To protect the health, safety, morals, and general welfare of the public.
- 3) Deny. Under this option, following the hearing and deliberation, the Commission should state specific reasons for denial related to the criteria for the CUP. A motion should be made to postpone further consideration and direct staff to bring a resolution of denial to the next meeting. Staff will then draft a resolution of denial for adoption at the next meeting.
- 4) Table. Under this option, the Commission may choose to table the application to the next meeting.

Attachments:

- A. Application
- B. Project Location and First Story Layout
- C. Downtown Residential Units
- D. Resolution

A

August 17th, 2015

To whom it may concern:

Lindgard Group LLC is seeking a Conditional Use Permit from the in order to convert the existing northwest and Northeast commercial spaces (Suites 3 & 4) at 62 E 3rd Street into (3)- ONE BEDROOM and (1)- two bedroom apartment (see floor plan drawing provided).

We are seeking a CUP to build apartments in this location due to the lack of street frontage and visibility of the specified commercial spaces. The northeast space has been vacant for about 1 ½ years. We believe that apartments would put both spaces to better use by increasing the population of the downtown, thus adding value to the commercial sector in the future.

This all is possible without compromising the two other commercial spaces in the front 50% of the building. Separate entrances would be made for the residential tenants. Allowing them to go in and out of the apartments freely without using the current commercial hallway. This will keep the commercial use of the main level separate from the residential. Thus preserving access for customers and employees from the public parking lot in the back of the building.

Thank you for your time and consideration
Adam Cloeter
Lindgard Group LLC

CUP Application Requirements

A CUP application requires the following information to be complete. Provide attachments as necessary.

- 1) Project narrative. Briefly describe the proposed use of the property.
- 2) Conceptual site plan. Provide a general layout of proposed use on the subject property. Note that a formal site plan application may be required after CUP approval.
- 3) Respond to the specific criteria for the proposed conditional use. Staff will provide this information.
- 4) Respond to the following general criteria for all conditional uses:

- (1) The extent, location and intensity of the conditional use will be in substantial compliance with the Winona Comprehensive Plan.

This project will add additional housing/residential space to the downtown while maintaining commercial use in the front 30% of the building. This is in accordance with the

- (2) The conditional use will conform to all applicable zoning regulations for the district in which the property is located.

The project will conform to zoning regulations.

- (3) Considering existing circumstances and potential uses under existing zoning, the conditional use will not substantially impair the use and enjoyment of other property in the neighborhood.

Unused space will be converted into upscale housing. It should not impair the use and enjoyment of other property in the neighborhood.

- (4) The conditional use will not impede the normal and orderly development and improvement of the surrounding property.

The conditional use should ~~improve~~ improve properties in the surrounding area.

- (5) Considering existing circumstances and potential uses under existing zoning, the conditional use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.

The building will meet current building and fire codes. ~~There used~~ The proposed use will be compatible with the character of the area.

The entire building currently has a sprinkler + fire alarm system. This will continue to be used in the space described.

- (6) The conditional use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.

There will not be any burden put on parks, roads or schools.

- (7) The conditional use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.

Neighboring properties will not have noise and excessive traffic problems.

- (8) A conditional use located on property having significant historical and architectural resources shall preserve such resources, and a conditional use shall not substantially diminish other neighboring property having significant historical and architectural resources.

All historic resources shall be preserved

There will be minimal impact to the exterior/rear portion of the building. The interior was renovated in the mid-90's and does not contain any historical resources

- (9) The conditional use shall either preserve or not significantly negatively affect natural and environmental resources.

in the subject area.

There will be no negative effect on the environment.

- (10) The conditional use will comply with other applicable city, county, state, and federal regulations, as applicable.

The use will comply with all other applicable regulations.

In addition to the above mandatory criteria that must be met to grant a CUP, the Planning Commission will also consider whether the proposed use will substantially diminish property values in the neighborhood. While this criterion is not mandatory, the Planning Commission may impose additional conditions on conditional uses as it deems reasonable and necessary to mitigate negative effects on neighboring property values through screening, fencing, buffer zones, etc.



Location Map



SCALE 1: 1,150



PROJECTION: WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



- Legend**
- Railroads
 - City Limits
 - Parcels

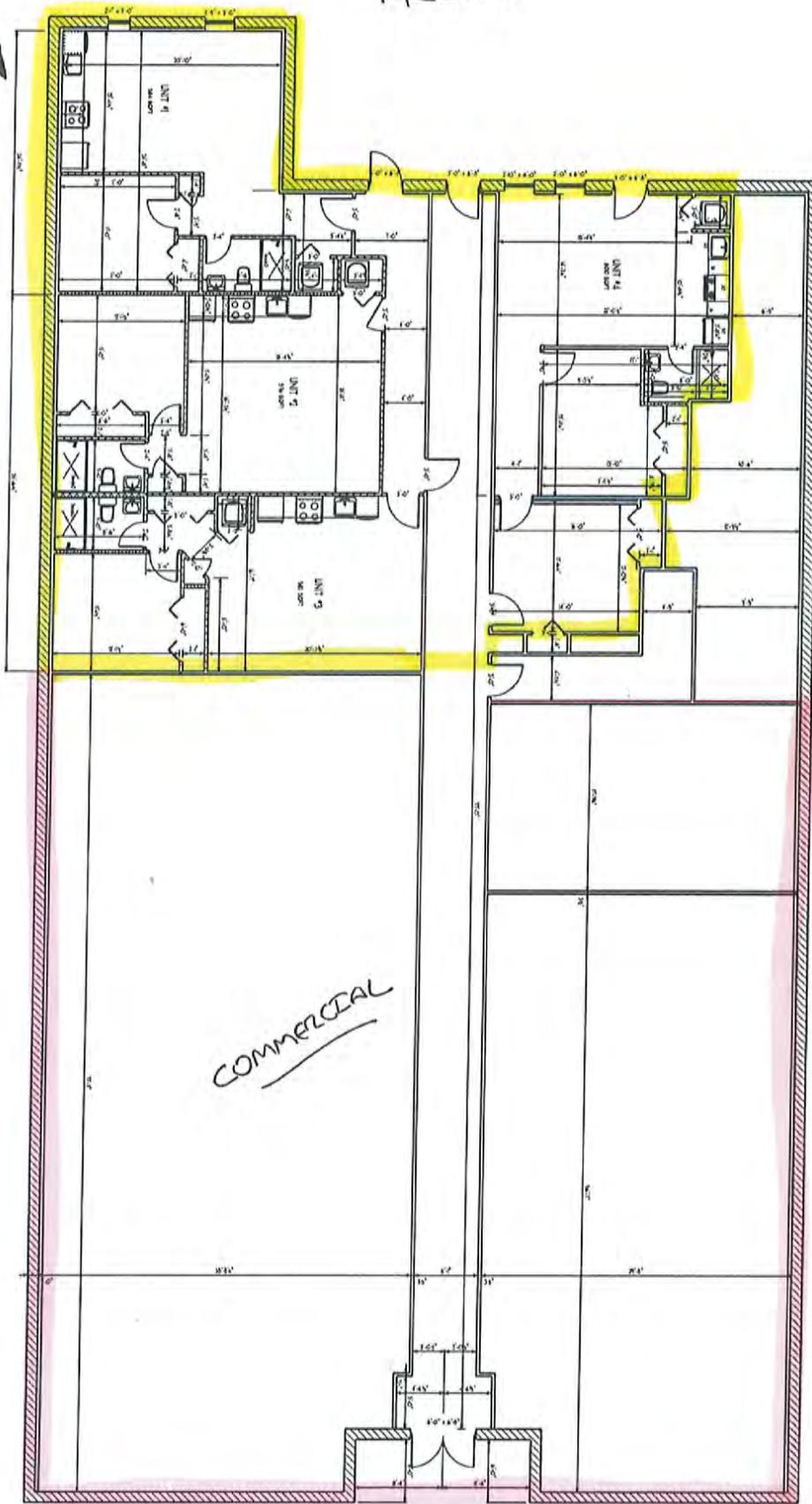
Notes
Revision #:

Creation Date: 9/4/2015 3:08:08 PM
Map Auto-generated by City of Winona (GIS Department Map Server).

ALLEY

RESIDENTIAL

COMMERCIAL



MAIN FLOOR PLAN
DATE: 10/1/10
SCALE: 1/8" = 1'-0"
DRAWN BY: ADAM CLOETER
CHECKED BY: ADAM CLOETER
PROJECT: 62 WEST 3RD STREET WISCONSIN, WI

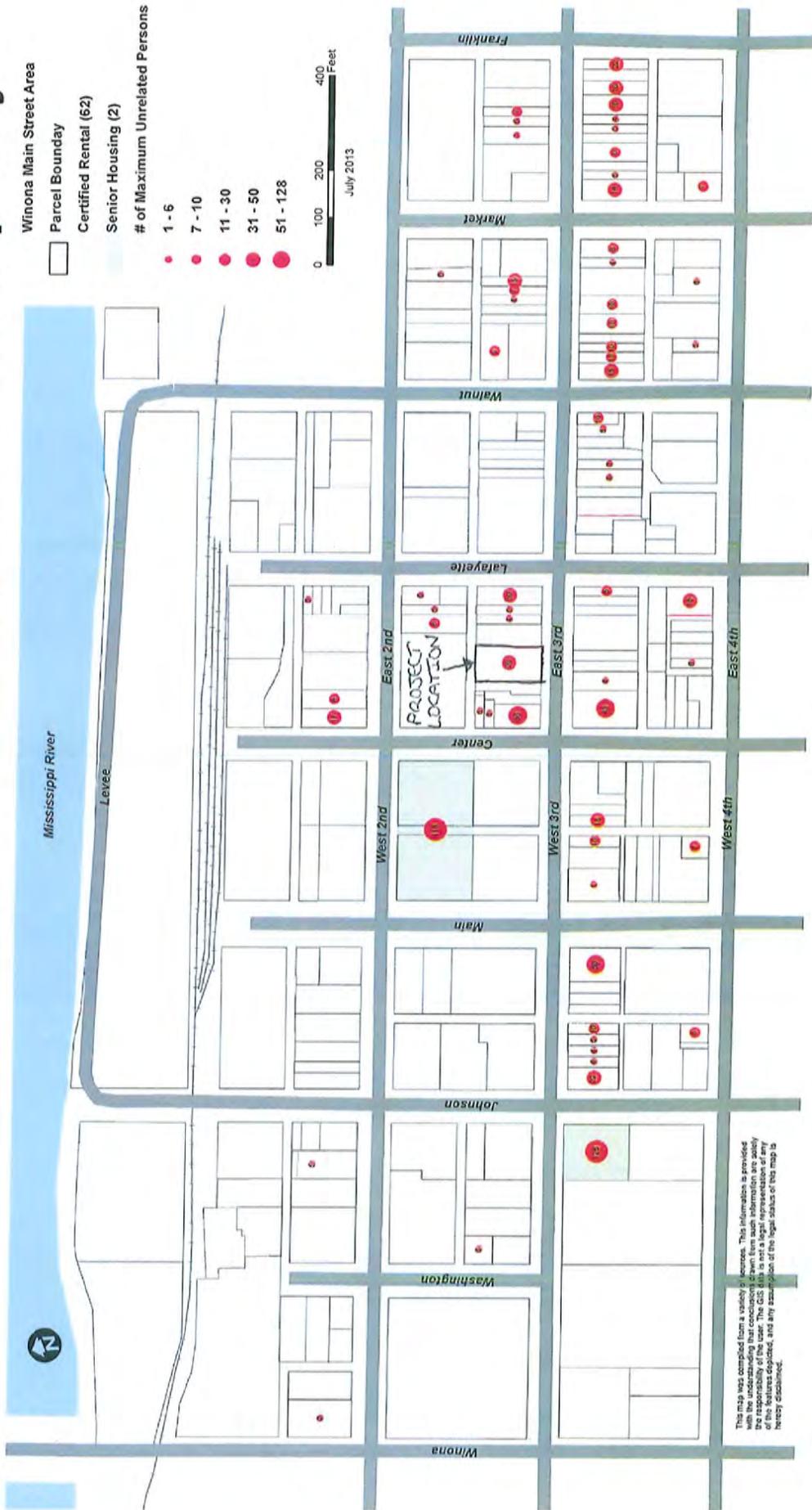
ADAM CLOETER

Although every effort is made to make the Design accurate and complete, the Designer does not warrant the accuracy of any plans, drawings or specifications, and is not responsible for the same. Designers shall be responsible for the design and construction of all structural and mechanical systems. The Designer is responsible for all structural and mechanical systems.

BECHER HOME DESIGNS
 10' 10' 10'
 10' 10' 10'
 10' 10' 10'

3RD STREET

Winona Main Street Area Housing Units and Maximum Unrelated Occupancy



This map was developed from a variety of sources. This information is provided with the understanding that the user assumes all responsibility for the accuracy and reliability of the features depicted, and any assumption of the legal status of this map is hereby disclaimed.

CERTIFICATION OF RESOLUTION

I, Carlos Espinosa, Secretary for the Winona City Planning Commission, do hereby certify that I have compared the annexed paper writing with the original Order of the Winona City Planning Commission RE: Resolution **#15-3** and Petitioner(s) **Lindgard Group LLC** now remaining of record in my office, and that the same is a true and correct copy of said original.

WITNESS, my hand in Winona, Minnesota, this 14th day of September, 2015.

Carlos Espinosa, Secretary
Planning Commission

CITY OF WINONA, MINNESOTA
PLANNING COMMISSION RESOLUTION 15-3

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINONA, MINNESOTA APPROVING THE REQUEST FOR A CONDITIONAL USE PERMIT FOR FIRST-STORY RESIDENTIAL USE WITHIN THE CENTRAL BUSINESS DISTRICT CORE

WHEREAS, the applicant, Lindgard Group LLC, seeks a Conditional Use Permit (CUP) to Winona City Code 43.60(b)(2) to use the rear portion of the first story at 62 East Third Street for residential and the front for commercial, which property is legally described on the attached Exhibit A and is zoned B-2; and

WHEREAS, the Planning Commission conducted a public hearing on September 14, 2015, and received public testimony regarding the requested Conditional Use Permit; and

WHEREAS, all required notices regarding the public hearing were properly made; and

WHEREAS, the Planning Commission subsequently reviewed the requested Conditional Use Permit at its meeting on September 14, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WINONA, MINNESOTA, that it adopts the following findings of fact related to the requested Conditional Use Permit:

Specific CUP Requirements

The two specific requirements applicable to the application are:

Standard #1: The residential use may occupy no portion of the front one-half of first story floor area.

Finding #2: The residential use will occupy no portion of the front one-half of the first story floor area per the layout in Exhibit C.

Standard #2: If any part of a rear building line is located within 100 feet of a public parking lot, no residential use may occupy the rear one-half of first story floor area.

Finding #2: The applicant received a variance to the required 100 setback to a public parking lot on August 5, 2015. With this variance, the application meets Standard #2.

General CUP Requirements

Standard #1 The extent, location and intensity of the conditional use will be in substantial compliance with the Winona Comprehensive Plan.

Finding #1 The Comprehensive Plan designates the project as “Downtown Mixed Use” in the future land use plan:

Future Land Use Categories / Descriptions	Density / Intensity / Design
<p>DMU - Downtown Mixed Use</p> <p>Encompasses a broad range of uses and intensities:</p> <ul style="list-style-type: none"> • Governmental offices • Significant retail • Arts and entertainment, lodging, conference centers • Mid- to high-density housing • Public and private parking facilities 	<ul style="list-style-type: none"> • Greatest densities and heights • Protection of historic buildings or building groups • Design guidelines • Pedestrian-oriented design • Limited off-street parking required • Emphasize river views • Redevelopment and rehab opportunities

In accordance, the proposed conditional use is in substantial compliance with the Comprehensive Plan.

Standard #2 The conditional use will conform to all applicable zoning regulations for the district in which the property is located.

Finding #2 With this CUP approval, the conditional use will conform to all applicable zoning regulations.

Standard #3 Considering existing circumstances and potential uses under existing zoning, the conditional use will not substantially impair the use and enjoyment of other property in the neighborhood.

Finding #3 The proposed residential units and resulting combination of residential and commercial on the first floor of the building is similar to other properties in the vicinity. As a result, the proposed use will not substantially impair the use and enjoyment of other property in the neighborhood.

Standard #4 The conditional use will not impede the normal and orderly development and improvement of the surrounding property.

Finding #4 Given the proposed residential and commercial use is similar to neighboring buildings; the project will not impede the improvement of surrounding property.

Standard #5 Considering existing circumstances and potential uses under existing zoning, the conditional use will not be detrimental to the existing character of the

development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.

Finding #5 The proposed residential units will be compatible with the character of the immediate area, and improvements to the building will not endanger public health, safety and welfare.

Standard #6 The conditional use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.

Finding #6 The addition of four (4) residential units to the first floor of the property will produce demand for off-street parking. However, the project is located within the downtown parking overlay – which exempts the project from the parking requirements for residential units.

Standard #7 The conditional use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.

Finding #7 The addition of four residential units on the first floor of 62 East Third Street will not have an adverse affect on neighboring properties in terms of *excessive* traffic generation, glare, noise or other nuisance characteristics.

Standard #8 A conditional use located on property having significant historical and architectural resources shall preserve such resources, and a conditional use shall not substantially diminish other neighboring property having significant historical and architectural resources.

Finding #8 The property is in a locally designated historic district. As a result, any exterior alterations are subject to approval by the Heritage Preservation Commission.

Standard #9 The conditional use shall either preserve or not significantly negatively affect natural and environmental resources.

Finding #9 The project is proposed for a parcel that is already developed. The addition of residential units on the first floor will occur with the envelope of the existing building.

Standard #10 The conditional use will comply with other applicable city, county, state, and federal regulations, as applicable.

Finding #10 The applicant is working with City staff to obtain the approvals needed to proceed with the project.

BE IT RESOLVED that the requested Conditional Use Permit is hereby granted subject to the following condition:

- (1) The provisions of Winona City Code, Section 43.31.1.(i), Cancellation of Conditional Use Permit, are incorporated herein and made a part hereof by reference.

Passed by the Planning Commission of the City of Winona, Minnesota this 14 day of September, 2015.

VOTE: DAVIS HAHN BALLARD BUELOW
 L. OLSON M. OLSON PORTER BOETTCHER

ATTEST:

Secretary

Chair

EXHIBIT A

Legal Description of 62 E. Third Street

The land referred to herein is described as follows:

Parcel A:

The Easterly 20 feet of Lot 7 and the Westerly 3 feet of Lot 8, Block 15, Original Plat of Winona, according to the accepted and recorded plat thereof on file and of record in the office of the County Recorder, Winona County, Minnesota.

Except:

That part of Lot 7, Block 15, Original Plat of Winona, described as follows:
Commencing at the Southwest corner of Lot 6, said Block 15; thence Easterly along the Southerly line of said Block 15, a distance of 72.58 feet to the point of beginning of the land to be described; thence continue Easterly along said Southerly line of Block 15, a distance of 27.80 feet; thence Northerly at a deflection angle to the left of $90^{\circ} 38' 24''$, a distance of 140.08 feet to a point on the Northerly line of said Lot 7, a distant 99.47 feet Easterly from the Northwest corner of Lot 6, said Block 15; thence Westerly at a deflection angle to the left of $89^{\circ} 23' 00''$, along said Northerly line of Lot 7, a distance of 18.52 feet; thence Southerly at a deflection angle to the left of $90^{\circ} 05' 29''$, a distance of 74.95 feet; thence Westerly at a deflection angle to the right of $90^{\circ} 00' 00''$, a distance of 7.96 feet; thence Southerly at a deflection angle to the left of $89^{\circ} 58' 13''$, a distance of 65.10 feet to the point of beginning.

Parcel B:

Lot 8, Block 15 of the Original Plat of the Town (now City) of Winona, excepting however, the Westerly 3 feet and the Easterly 7 feet of said Lot, located upon and forming a part of the SW 1/4 of the SW 1/4 of Sec. 23, Tp. 107, Rg. 7, Winona County, Minnesota.

Abstract Property

EXHIBIT B

Reference Map

EXHIBIT C

First-Floor Layout

PLANNING COMMISSION

AGENDA ITEM: 4. Project Kickoff – Development Code Update

PREPARED BY: Mark Moeller

DATE: September 14, 2015

As was noted in the Commission's July 27th Agenda, the City Council has authorized staff to enter into a contract with Hoisington Koegler Group Inc. (Minneapolis) to assist the City in:

1. Updating core City development provisions (i.e.: zoning, subdivision, and site plan ordinances).
2. Repackaging development provisions, currently scattered throughout City Code, into a single "Unified Development Code".

As part of its proposal, Hoisington Koegler will team with the firm of McBride Dale Clarion (Cincinnati, Ohio). Together, these firms will provide the expertise needed to complete the update project in accordance with community needs and visions. Additionally, the project is being funded by City funds totaling \$100,000. Half of these funds were authorized by Council for this year, while the remaining half are tentatively included in next year's budget. As currently proposed, the project is anticipated to be completed by the end of 2016.

Given that a project contract has now been signed, representatives from Hoisington Koegler will be in attendance during the Commission's meeting of September 14th to initiate the project. For reference, a consultant introduction memo and agenda for the kickoff meeting are attached. Together, these provide an overview of what we would like to accomplish during that session.

Hope to see you on the 14th.

Attachments

MEMORANDUM

Hoisington Koegler Group Inc.



TO: Winona Planning Commission

FROM: Jeff Miller & Rita Trapp, Hoisington Koegler Group Inc. (HKGi)

SUBJECT: September 14th Kickoff Session for Development Code Update Project

DATE: September 10, 2015

**CC: Mark Moeller, City Planner
Carlos Espinosa, City Planner**

Greetings –

As the consultant team for the Winona Development Code Update project, we are excited to meet with the Planning Commission at your regular September 14th meeting to kickoff the development code update project. Attached is an agenda for the kickoff session and the project's scope of services. The purposes of the kickoff session are to introduce our team to the Planning Commission, provide an overview of the project's work scope and key objectives, and get your input and questions regarding this important project for the community. In order to give you ample opportunity to provide input at the meeting, we have provided some questions at the bottom of the kickoff session agenda for you to consider prior to Monday's session.

Thanks!

Jeff Miller
Rita Trapp



**Winona Development Code Update
Project Kickoff Session with Planning Commission
September 14, 2015**

AGENDA

- A. Introductions & Roles – Consultant Team, Staff, and Planning Commission Members
- B. Consultant Team Experience
 - Hoisington Koegler Group Inc. (HKGi)
 - McBride Dale Clarion (MDC)
- C. Overview of Project Scope of Services (attached) & Schedule
 - Project Initiation
 - Code Review & Diagnosis
 - Annotated Code Outline
 - Development Code Drafting
 - Development Code Adoption
- D. Key Project Objectives
 - Unified Development Code
 - Document is easier-to-understand and includes illustrations
 - Form-based design standards
 - Mixed-use zoning districts
 - Natural resource protection
- E. Community Engagement Approach
 - Stakeholders
 - General public
- F. Planning Commission Input re: Development Code Issues
- G. Questions

Questions for PC Members to Consider Prior to Monday's Kickoff Session:

- 1) *What parts of the City's current development codes have been challenging to understand and use?*
- 2) *What parts of the current development codes are outdated and/or may not be needed?*
- 3) *Where might there be inconsistencies between current development codes and the City's adopted plans and policies?*
- 4) *What opportunities might there be to simplify development application and approval processes?*
- 5) *What physical areas of the City seem to have the most issues related to the current development codes?*
- 6) *What types of changes or additions to the current development codes would make them easier to use?*
- 7) *Who should be included as "stakeholder" groups in the project's community engagement process?*

Winona Development Code Update

Project Scope of Services

PHASE ONE – PROJECT INITIATION

The purpose of Phase One is to initiate the project with some key steps that include familiarizing ourselves with the details and procedures of the City's existing development codes and meeting with those people who frequently use or work with the development codes to identify issues that need to be addressed in the revised and unified development code sections.

Tasks

Task One: Conduct Project Orientation Meetings

Meet with City Staff, City Attorney, and the Planning Commission to begin the process of identifying zoning issues from an administrative standpoint and to discuss and refine the project schedule.

Task Two: Initial Review of Existing Codes and Plans

Collect city code and plan documents, including the zoning code, zoning map, subdivision code, site planning code, 2007 Comprehensive Plan, Downtown Revitalization Plan, and Riverfront Revitalization Plan, in order to familiarize ourselves with the policies, standards, and recommendations within each and begin to identify initial code issues, conflicts, and concerns.

Task Three: Reconnaissance Tour of Existing Development Conditions

Reconnaissance tour provided by City Staff to identify existing development patterns and conditions within the city. This tour will give the city's planning staff an opportunity to identify both positive and negative development patterns, as well as challenging code issues that should be addressed in the development code update and unification.

Task Four: Conduct Stakeholder Sessions

Meet with stakeholders (City Council, City boards, commissions, committees, city staff, local developers, the university, downtown businesses, landlords, etc.) identified by the City, either individually or in small groups. These discussions will give us a better understanding of how the existing codes' regulations work (and do not work) in practice.

Task Five: Public Engagement Kick-Off

Launch the project with the public to share information about the project and provide an opportunity for them to provide input regarding issues with the existing codes.

Meetings

- City Staff & City Attorney
- Planning Commission
- Reconnaissance tour with City Staff
- Stakeholder sessions (up to 6 sessions)

Winona Development Code Update

Project Scope of Services

Deliverables

- Initial list of existing code issues
- Summary of stakeholder and public input

PHASE TWO – CODE REVIEW AND DIAGNOSIS

The purpose of Phase Two is to review existing plans and codes in order to diagnose where the biggest challenges are and what the goals of the update need to be. This phase will also identify potential solutions and “best practice” approaches for consideration.

Task One: Comprehensive Review of Existing Codes and Plans

Complete a comprehensive review of the existing codes and current plans to identify where those documents support each other and where they are in conflict.

Task Two: Identify Existing Codes’ Strengths and Weaknesses

Identify the strengths and weaknesses of the current codes’ sections including ways in which the current regulations are ineffective or frustrating, ways to make the code more user-friendly, streamlining review procedures, and methods for bringing contemporary planning approaches into the development code.

Task Three: Explore Potential Approaches for Guiding Code Updates

Identify approaches for updates and modifications, e.g. new zoning district structures, mixed-use districts, natural resource preservation, off-street parking standards, form-based development standards, and other examples of unified development codes.

Task Four: Research “Best Practice” Development Code Approaches

Research similar communities’ regulations to identify trends and best practices that may be appropriate for Winona. This could include planned unit development standards, overlay districts, special planning districts, performance standards, form-based or hybrid components, design guidelines, and other similar practices.

Task Five: City Review Meetings

Present the findings to City Staff and the Planning Commission to ensure agreement on the key issues of the development code update.

Task Six: Public Engagement

Engage stakeholders and the community in a visual preference exercise to establish preferred development patterns, architectural styles, densities, and/or site layouts for the various areas of the city. Efforts will be taken to ensure that all public engagement activities are fun, engaging, creative, and informative!

Winona Development Code Update

Project Scope of Services

Meetings

- City Staff
- Planning Commission
- Public Engagement Meeting

Deliverables

- Summary of Code Review & Diagnosis
- Summary of Best Practices Findings
- Summary of public input

PHASE THREE – ANNOTATED CODE OUTLINE

Provide a proposed outline for the unified development code. This task will help give structure to the update process and provides a key checkpoint prior to the extensive work of drafting the unified development code, revised sections, and new sections.

Task One: Identify Structure of Unified Development Code

Analyze the results from the public engagement, development code research, and code diagnosis, and identify a general structure for the proposed unified development code.

Task Two: Prepare Annotated Outline

The outline will set out the structure of the unified development code sections, explaining the purpose and scope of each section. This will identify the overall structure for the unified development code including district structure, other development standards, and administrative procedures.

Task Three: City Staff Meetings

Present the outline to City Staff and City Attorney to ensure agreement on the direction of the development code update.

Task Four: Joint Planning Commission/City Council Work Session

Present the proposed structure of the unified development code to the Planning Commission and City Council.

Meetings

- City Staff & City Attorney
- Joint Planning Commission/City Council Work Session

Deliverables

- Annotated Outline

Winona Development Code Update

Project Scope of Services

PHASE FOUR – DEVELOPMENT CODE DRAFTING

Phase Four is when the technical updating and writing of the unified development code sections occurs. The updates will be reviewed in sections or modules to allow City Staff, City Attorney, and the Planning Commission to review each part of the new code in detail.

Task One: Prepare Draft Unified Development Code in a Series of Modules

Draft the revised development code sections in a series of modules to allow for a detailed review of the new code without overwhelming City Staff and the Planning Commission. The number and focus of the modules will be determined following the completion of Phase Three. We anticipate that there will be up to five (5) modules involved in updating and unifying Winona’s development codes.

Following the review of the draft code sections with City Staff, City Attorney, and the Planning Commission, each module will be finalized including adding exhibits, graphics, and images where applicable.

Task Two: Conduct City Review Meetings for Each Module

Each module will be reviewed by City Staff and the Planning Commission to gain their feedback on the proposed revisions to and unification of the development code. CONSULTANT will provide each module to the City Attorney for review and comment.

Task Three: Conduct Stakeholder Sessions

Meet with stakeholders (City Council, City boards, commissions, committees, city staff, local developers, the university, downtown businesses, landlords, etc.) identified by the City, either individually or in small groups. These discussions will give us a better understanding of any concerns that key stakeholders may have with the proposed revisions to and unification of the development code.

Task Four: Prepare Draft of the Revised Zoning Map

The City’s zoning map will be updated based on new district names, designations, or any other applicable changes from current zoning map designations.

Task Five: Conduct City Review Meetings of the Revised Zoning Map

The revised zoning map and full UDO will be reviewed by City Staff, Planning Commission, and City Council to gain their feedback on the proposed revisions. CONSULTANT will provide the revised zoning map to the City Attorney for review and comment.

Task Six: Public Review of the Draft Unified Development Code and Revised Zoning Map

The draft unified development code will be presented to the public for review and comment. Exhibits, test code examples, and potential development scenarios will be created to illustrate the impacts of the new code to the public. These scenarios will be presented in a way to clearly show what the current code allows and what the new code would allow. The proposed changes to the zoning map will also be available for review by the public so stakeholders can identify how their property might be affected by the proposed code updates.

Winona Development Code Update

Project Scope of Services

Task Seven: Full Draft of Unified Development Code and Revised Zoning Map

Following the input from the public review, code sections and the zoning map will be refined and updated as necessary and a full draft for City adoption will be prepared.

Task Eight: Prepare Executive Summary

The project team will prepare an executive summary that explains the new unified development code and the revised zoning map, including the key revisions and the rationale behind them.

Meetings

- City Staff & City Attorney (up to 5 module meetings, 1 revised zoning map/full UDO meeting)
- Planning Commission (up to 5 module meetings)
- Joint Planning Commission/City Council Work Session (revised zoning map/full UDO)
- Stakeholder sessions (up to 6 sessions)
- Public Engagement Meeting

Deliverables

- Draft Unified Development Code sections (note that the code will be divided into modules for more effective updating and review purposes)
- Revised Zoning Map
- Full Draft of Unified Development Code
- Executive Summary
- Summary of stakeholder and public input

PHASE FIVE – DEVELOPMENT CODE ADOPTION

Task One: Planning Commission Public Hearing

Attend one public hearing at the Planning Commission to present the Unified Development Code and revised code sections and answer any questions that the Commission or public may have.

Task Two: City Council Public Hearing

Attend one public hearing at the City Council to once again present the Unified Development Code and the revised code sections and answer any questions that the Council or public may have.

Task Three: Final Revisions to UDC and Deliverables

Make any final changes to the UDC sections or zoning map following the public hearings at the Planning Commission and City Council. Provide the final UDC to the City in both Word and interactive PDF format, as well as one printed copy. Provide the final zoning map to the City in both PDF and GIS formats.

Winona Development Code Update Project Scope of Services

Meetings

- City Staff & City Attorney
- Planning Commission
- City Council

Deliverables

- Final Unified Development Code in both Word and interactive PDF format, and one printed copy
- Final Zoning Map in both GIS and PDF formats