PLANNING COMMISSION MINUTES

DATE:	February 8, 2016
TIME:	4:30 p.m.
PRESENT:	Chairperson Davis, Commissioners Shortridge, M. Olson, Boettcher, L. Olson, Buelow and Ballard
ABSENT:	Commissioners Porter and Hahn
STAFF PRESENT:	City Planner Mark Moeller; City Planner Carlos Espinosa

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

Approval of Minutes – December 14, 2015

The minutes from the Commission's meeting of December 14, 2015 were reviewed and upon motion by Commissioner Boettcher, and second by Commissioner M. Olson were unanimously approved as submitted.

Commissioner Shortridge, in referencing the Joint Planning Commission/City Council meeting of January 26th, asked what next steps are involved in the zoning update process. Mr. Espinosa replied that the schedule calls for the preparation of an annotated outline for the unified development code followed by various updates to the code submitted in a module format. Mr. Espinosa further noted that since the Commission does serve as the steering Committee to the project, it will have first access to all of this information once it is released from the Consultant.

Public Hearing – Verizon Wireless CUP Review

Mr. Espinosa noted that Verizon Wireless has submitted an application for a conditional use permit to construct a 100 foot tall telecommunication tower at 1058 East Mark Street. The site is generally located at the southwest intersection of the rail line and Louisa Street, and will be of a monopole design. A conditional use permit for the structure is required pursuant to City Code Section 43.65.1 (c) (1).

At this point, Chairperson Davis called on the applicant to provide comments related to this project. Curt Walter, representing Verizon Wireless, stated that the tower was needed to provide coverage throughout the eastern part of the City. At present, the issue with existing coverage is that it lacks capacity needed to handle a large volume of customers that Verizon has in the City. The proposed tower would serve to alleviate those problems. He noted that he had been working closely with staff in developing a site plan for the project and strongly encouraged the Commission to approve the application.

Mr. Espinosa stated that in consideration of the design of the tower, the City Zoning Ordinance would require that it be located a minimum of 50 feet from all property lines. As proposed, the tower would meet these requirements. He further explained that the location of the site is within an existing manufacturing area with the closest residential zoning district being 550 feet from the site.

Following his review and summary of general CUP requirements, Mr. Espinosa noted that findings favored a recommendation to approve the tower with the condition that the pole be constructed in accordance with industry standards for monopole design.

At this point, Chairperson Davis opened the public hearing by calling on any person who wished to speak to present first their name and address.

Curt Walter, representing Verizon Wireless, again encouraged Commission support of the application. There being no one else present to speak for or against the proposal, the public hearing was closed.

Upon discussion, Commissioner Buelow noted that a single problem that he has with the project is its relationship to a potential Louisa Street Overpass. Should Louisa Street be selected for the overpass project, it may necessitate relocating the tower translating to greater project costs. As an alternative, he suggested co-locating the tower on the current Winona Radio Tower located behind the Companion Animal Clinic to the East.

In addressing Mr. Buelow's concerns, Mr. Walter responded that Verizon had considered the Winona Radio Tower but had found that that structure would not work for their facility. Additionally, given that he was unaware of the project scope for the Louisa Street Overpass Project, he was unclear if the project site would be included or not.

Commissioner Shortridge asked if the new tower would be available for co-location purposes and if Verizon would be willing to lease space for these purposes. Mr. Walter responded that the tower would be available for co-location of other users. He emphasized that although the 100 foot tower will meet Verizon's needs, another user may require additional height. If proposed, the new user would need to return to the City with request to modify the height.

Given his understanding that towers of this nature will be addressed in the zoning code update, Commissioner Shortridge further suggested that the Commission delay approval until the process is complete.

In response to a question from Commissioner M. Olson, Mr. Walter replied that the maximum monopole height is approximately 150 feet. Beyond that, poles need to be standard guyed. Additionally, the tower would be located on a lease site that is 34 X 62

feet in size. The site, including both the tower and utility building will be surrounded by a chain link fence topped by rows of barbed wire.
Commissioner M. Olson also noted her concern of the site's potential conflict with a future street overpass.

In addressing the projects timeframe, Mr. Walter indicated that the plan is to construct the tower over the summer months.

Mr. Espinosa noted, given current zoning provisions, monopoles of this type can be located within most areas of the City. Although present standards do address immediate concerns of this particular (industrial) area, if the tower was located within a residential area, the Commission may want to look at it further.

Commissioner Shortridge stated that, as noted by others, he too was concerned of the site's location in relation to the scope of a potential overpass project. He further asked if the site would be lit.

Mr. Walter responded that although security lighting would be located at the base of the tower, the tower itself would not require beacons. Additionally, the pole will be of a galvanized steel material.

Following further discussion, Commissioner M. Olson presented a motion to approve the application subject to the staff condition. This motion was seconded by Commissioner Boettcher. And when the question was called, the vote of the Commission was unanimous to approve the motion.

Public Hearing – Rezone Request from M-2 to B-3

Chairperson Davis introduced this item and called upon the petitioner to provide additional comment.

Paul Van Eijl, representing VEH Properties, noted that his company has secured purchase agreements to acquire 925 and 951 Shives Road for future redevelopment purposes. At present 925 Shives Road includes a residence while 951 Shives Road is a vacant parcel. Together, the parcels total 1.39 acres and are zoned M-2 (Manufacturing). His company is requesting that this classification be modified to B-3 (Commercial). Ultimately, these parcels will be combined with another 2 acre parcel that his company is acquiring at 919 Shives Road. At present, the plan for this parcel is to redevelop it for commercial purposes. Once additional parcels are rezoned and acquired, the master plan for redevelopment includes a potential motel to be located along the north side of the site. In part, it is the motel use that is driving the rezoning request in that hotels and motels are currently not permitted in M-2 Zoning Districts. At present, the easterly acquired property would, in part, facilitate a restaurant pad.

At this point, Mr. Espinosa was asked to summarize the staff report. Mr. Espinosa noted that the purpose and intent of the request had been summarized by Mr. Van Eijl. In summarizing the staff analysis, it had been found that:

1. No error, or oversight, was made in the "original" (1960) M-2 zoning of the site.
2. Since 1960, the immediate neighborhood has transitioned toward commercial through zone change requests.
3. Potential uses of the requested B-3 classification would not impose "undue" hardship on neighboring properties.
4. Approval of the request fits the transition of the surroundings to commercial and aligns with the Comprehensive Plan's future land use designation for the area.
5. Spot zoning is not evident.

Given the previous, Mr. Espinosa noted that staff was recommending approval of the request.

In consideration of the petition, the following alternative actions were available to the Commission:

1. Recommend approval of the request, adopting the analysis above as the findings of the Planning Commission.
2. Recommend denial of the request. If denial is recommended, specific reasons should be given. These reasons should pertain to the potential uses of the proposed zone.
3. Recommend modification of the request. Under this option, the Commission may recommend rezoning a stricter zoning classification.
4. Table the item to allow staff additional time to answer questions.

At this point, Chairperson Davis opened the public hearing and called for anyone who wished to speak to present first their name and address.

Chester Pozanc, 157 Mankato Avenue, stated that he owns the landscaping supply business located easterly of the proposed rezoning site. In responding to the proposed rezoning request, he noted that his business does, at times, generate noise and dust. Given this, he has, on occasion, received complaints from apartment dwellers located northerly of his use. With this, he does not support any requests that would facilitate some form of residential use on the site.

Mr. Van Eijl noted that proposed redevelopment of the site would not include formalized residential use. Again, the intent is to facilitate a future motel on it.

In response to a question, Mr. Espinosa stated that should the motel use be constructed it would be conceivable for the building to transition to some form of residential in the future. He did explain that the current site at 919 Shives Road was rezoned from M-2 to

B-3 a number of years ago to (at that time) provide for what is now the Sugar Loaf Living Facility.

Mr. Van Eijl questioned whether a motel facility would ever be used for residential purposes here based upon commercial land values.

There being no further comments, the public hearing was closed.

In response to a question from Commission Boettcher, Mr. Van Eijl noted that the construction of a strip mall is proposed on the property labeled as 919 Shives Road beginning in March or April. Plans for the remainder of this site are not yet cast in stone.

In response to a question from Commissioner M. Olson, Mr. Espinosa stated that any redevelopment of this site will be preceded by the submittal of a site plan. Again, given current policy, the Commission would be advised of such submittals.

Following further discussion, it was moved by Commissioner Boettcher and seconded by Commissioner Ballard to recommend approval of the rezoning request as submitted by VEH Properties to City Council.

Upon discussion, Commissioner M. Olson stated although she was alright with the proposed rezoning request, she was somewhat concerned of proposed use of the site.

Commissioner Shortridge agreed and added that the proposed rezoning parcel does seem to provide a buffer between the primary redevelopment site (919 Shives Road) and Pozanc property to the East.

Commissioner Boettcher noted that all, including Mr. Pozanc, will have access to a proposed site redevelopment plan for the property prior to the issuance of building permits. At that point, the Commission could be requested to review the plan and remaining concerns can be addressed.

Commissioner L. Olson reminded all that new users of the redevelopment site need to understand that property to the east may generate dust and noise during certain times of a day a week. Given this, it needs to be remembered that the Pozanc use was there first.

In response to a question, Mr. Van Eijl noted that all three parcels have Shives Road addresses, the total site will be accessed from Frontenac Drive. If required by the Fire Department, there may be an outlet to Shives Road for emergency service vehicles.

When the question was called the vote of the Commission was unanimous to approve the motion.

Public Hearing – Zoning of Annexed Property – 1720 Valley View Drive
Chairperson Davis called on Mr. Moeller to provide a summary of this requested action.

Mr. Moeller noted that the purpose of this hearing was to consider a staff recommendation applying R-1 (One-Family Residence) Zoning to 1720 Valley View Drive. The parcel was annexed pursuant to terms of the previous City/Wilson Township Orderly Annexation Agreement. Again, annexed properties come into the City in an unzoned status. As such, the assignment of a proper classification requires hearings by both the Planning Commission and City Council.

Mr. Moeller explained that legal notification requirements for this hearing had been met. He further noted that the staff recommendation to consider R-1 zoning of the site was based upon the following:

- The City's 2007 Comprehensive Plan, which has labeled all of the Pleasant Valley Orderly Annexation area for Low Density (single family) residential use.
- The Low Density Residential classification, recommended in the 2007 Plan, could be achieved by one of three City zoning districts including (from most to least restrictive) Rural Residential (R-R), Residential-Suburban (R-S), or One Family Residence (R-1).
- In consideration of the previous, although any of the districts listed could reasonably accommodate the property as it currently stands, proposed R-1 zoning would be consistent with that applied to similarly annexed properties within this neighborhood during the past number of years.

Should the Commission concur with this recommendation, Mr. Moeller explained that a motion to approve the request and, refer it to Council, would be appropriate.

In response to a question, Mr. Moeller noted that staff had received no comments in response from required public hearing notices.

Following brief discussion, it was moved by Commissioner Shortridge, and seconded by Commissioner L. Olson, to recommend approval of R-1 zoning of 1720 Valley View Drive to City Council. When the question was called, the vote of the Commission was unanimous to approve the motion.

Public Hearing – Zoning of Annexed Property – 22743 County Road 17
Chairperson Davis called on Mr. Moeller to provide a summary of this proposal.

Mr. Moeller stated that the purpose of this public hearing was to consider a staff recommendation to apply R-S (Residential - Suburban) Zoning to 22743 County Road 17. A map referencing the location of this 1.07 acre parcel was included in the staff analysis. As with the previous proposal, Mr. Moeller noted that this property had been annexed under provisions of the now vacated Wilson Township/City of Winona Orderly Annexation Agreement. Given that the property was annexed in an unzoned status, it

was necessary to assign an appropriate classification to it based upon the City requirements. Again, these requirements include hearings and approvals by both the Planning Commission and City Council.

Mr. Moeller noted that this hearing had been preceded by proper legal notice. Although staff did receive one communication from an adjoining neighbor requesting additional information of proposed zoning, no objections to it had been received.
Mr. Moeller explained that proposed R-S zoning had been recommended by staff on the basis of the following:

- The City's 2007 Comprehensive Plan has labeled the site, which is part of Pleasant Valley, for Low Density (single family) residential use.
- The Low Density Residential classification, recommended in the 2007 Plan, could be achieved by one of three City zoning districts including (from most to least restrictive) Rural Residential (R-R), Residential-Suburban (R-S), or One Family Residence (R-1).
- In consideration of the previous, although any would generally fit this situation, R-S zoning had been recommended on the basis that it would be consistent with that applied to similarly (unplatted) annexed properties abutting County Road 17.

Should the Commission concur with this recommendation, Mr. Moeller stated that a motion approving the request, and referring it to Council, would be appropriate.

At this point, Chairperson Davis opened the public hearing and called for anyone who wished to speak for or against the proposal to do so. There being no one present to speak to the petition, the public hearing was closed.

Following brief discussion, it was recommended by Commissioner Buelow and seconded by Commissioner Shortridge to recommend approval of R-S zoning for 22743 County Road 17 to City Council. When the question was called, the vote of the Commission was unanimous to approve the motion.

Other Business
Commissioner Boettcher noted that he had received his flood insurance policy for the coming year and it had increased by a total of $200.

Commissioner Shortridge stated that the Winona Heritage Preservation Commission was sponsoring a CAMP meeting session to be held on the afternoon of February 12th and the morning of February 13th at the County Historical Society. Although it was his understanding that all Commissioners had received invitations, he hoped that everyone would be able to attend. He noted that a speaker during the Saturday session would be addressing the relationship between preservation and zoning.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

Mark Moeller
City Planner