



COMMUNITY DEVELOPMENT

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February 20, 2020

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, February 24, 2020, at 4:30 p.m. in the Council Chambers** of the Winona City Hall.

1. Call to Order
2. Approval of Minutes – February 10, 2020
3. Public Hearing – Updated St. Croix Heights Preliminary Plat
4. Other Business
5. Adjournment

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Espinosa", with a long, sweeping underline.

Carlos Espinosa
City Planner

PLANNING COMMISSION MINUTES

DATE: February 10, 2020

TIME: 4:30 p.m.

PRESENT: Chairman Buelow, Commissioners Hahn, Marks, Boettcher, Hall, and Shortridge

ABSENT: Commissioners Ballard, Olson, and Paddock

STAFF PRESENT: Assistant City Planner Luke Sims

The meeting was called to order at 4:31 p.m. by Chairman Buelow.

Approval of Minutes – January 13, 2020

The minutes from the Planning Commission meeting of January 27, 2020 were reviewed. Commissioner Shortridge moved to approve the minutes. Commissioner Boettcher seconded the motion. All members present voted aye.

Tabled Item – Comprehensive Plan Map Amendment Resolution – 330 W. Second Street

Mr. Sims informed the Commission that the item before them was a resolution denying the Comprehensive Plan Map Amendment request to change the land use designation from Downtown Fringe to Limited Industrial based on comments from the public hearing and the Commission's deliberations the past two meetings and that a motion to approve the resolution of denial would be in order if the Commission felt it reflected accurately.

Commissioner Shortridge moved to approve the resolution of denial. Commissioner Hahn seconded the motion. All members present voted aye.

Other Business

Mr. Sims informed the Commission that the 0 Garvin Heights Road project would be returning at the next meeting to be held on February 24, 2020.

Adjournment

On a motion from Commissioner Shortridge and second by Commissioner Hahn, the Commission unanimously voted in favor of adjournment at 4:36 p.m.

Luke Sims
Assistant City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Public Hearing – Updated St. Croix Heights Preliminary Plat

PREPARED BY: Carlos Espinosa

DATE: February 24, 2020

BASE DATA

Petitioner: Progro Leasing

Location: 0 Garvin Heights Road

Existing Zoning: Phase One: R-1.5 Low to Medium Density Residence District (permitting twinhomes)
Future Phases: R-1 Low Density Residence District (Single-Family Homes)

Area: Total: 74.57 acres
Total Developable: 40.33 acres

Number of Lots: 12 Phase One (3 twinhomes; 6 single family)
61 In Future Phases (Single-Family)
73 Total

Lot Areas: Twin Home Lots: 8,712-19,602 Sq. Ft.
(Minimum 8,000 sq. ft. required)
Single Family (Phase 1): 14,810 Sq. Ft.+
(Minimum 7,000 sq. ft. required)
Single Family (Future Phases): 9,583 Sq. Ft.+
(Minimum 8,000 sq. ft. required)

DISCUSSION

Timeline

This preliminary plat was last in front of the Planning Commission on June 24, 2019. A copy of the minutes is Attachment A. At that meeting, action on this item was tabled.

Following the meeting, the petitioner submitted a variance request to the Board of Adjustment related to bluffland setbacks and replacement requirements for a road and stormwater facilities in blufflands (Attachment B). The variance request was ultimately denied by the City Council. In response, the applicant has re-designed the subdivision.

The updated proposal (Attachment C), does not require variances from the Board of Adjustment. This is because:

1. There is no requested variance to the 50' setback from top of bluff.
2. Road two (2) was relocated to outside the bluffland overlay.
3. The plat will preserve permeable surfaces in non-bluffland areas to serve as a replacement for stormwater facilities located in bluffland areas.

Cluster Development

The updated plat has been submitted under the City's Cluster Ordinance (Attachment D). Submittal under the Cluster ordinance procedure (e.g. public hearings in front of both the Planning Commission and City Council for Preliminary and Final Plats) is required due to the City's Bluffland ordinance which applies to this plat. The Cluster Ordinance allows variation in subdivision standards to preserve open space and respect the physical qualities of the land while still permitting needed residential development:

Modification and variation of the yard and lot requirements of Sections 43.02.23 and 43.02.24 may be permitted. Such modifications and variations shall be shown on any cluster preliminary subdivision plan. Distances between dwellings or dwelling groups shall not be less than 15 feet. Minimum front yards shall be a minimum of 20 feet. Any yard within the cluster development which abuts an adjoining residential development shall be the same as required for the adjoining residential development.

In accordance, the petitioner is requesting the following:

	Requirement	Proposed
Front Yard Setback	25'	20'
Side Yard Setback	8-10'	7.5' minimum
Rear Yard Setback	40'	20'

Because these standards are not in the Bluffland Ordinance section of the code, the request is subject to Planning Commission review.

Review Criteria

The Cluster Ordinance states the following:

Procedure for Cluster Development Plan Approval.

Preliminary Plan. In reviewing the plan, the Commission shall ensure that it meets the *purpose and requirements* of this section [next page]. The action of the Commission shall be to recommend the approval, denial, or modification of the plan.

Purpose. The City Council finds that there is a need to permit cluster developments in the City to provide for improved living and working environments, to promote more economical use of land, to provide needed housing, to encourage the building and use of a variety of types of residential housing, to encourage ingenuity and originality in total subdivision and individual site designs, to preserve open space, to respect the physical qualities of land areas, and to save scarce natural resources. To aid in achieving those needs variation in lot areas are permitted. Also, procedures are established to assure adequate maintenance and restricted use of open space areas for the benefit of the inhabitants of the developments or the dedication to public use. Also, procedures are established to assure adequate protection.

Approval Criteria. The approved preliminary subdivision plan for a cluster development shall provide for a total environment better than that which would be achieved under standard regulations. If, in the opinion of the Planning Commission and/or City Council, the proposed plan could be improved by the reasonable modification of the location of cluster open space or building or configurations of lots, streets and parking areas, the proposed plan shall be so modified. In acting on a proposed plan, particular consideration should be given to the following criteria:

- 1) Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.
- 2) The usability of cluster open space intended for recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site.
- 3) Cluster open space shall include irreplaceable natural features, located in the tract such as, but not limited to stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings.
- 4) Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians including the handicapped and elderly.
- 5) The suitability of cluster open space intended for scenic value and purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.

- 6) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
- 7) Individual lots, buildings, and dwelling units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen areas devoted to motor vehicle access.
- 8) Individual lots, buildings, dwelling units, parking areas, etc. shall be situated to minimize the adverse effects of shadows, noise and traffic.

Related to the purpose and criteria above, although the plat does not “cluster” lots close together, it does respect the physical qualities of the land by adhering to the City’s Bluffland Ordinance and proposing development in non-bluffland areas historically used as farmland. In addition, adhering to the Bluffland Ordinance creates undevelopable outlots which are proposed to be dedicated to the City and potentially used for recreational purposes (See Attachment C and page 7 below).

Also, the City’s 2016 Housing Study noted the need for 261 detached single-family housing units through the year 2031. Between 2016 and the present, the City has approved permits for the construction of 27 detached single-family housing units. Thus, this subdivision helps provide needed residential housing. In accordance, staff would recommend approval of the requested setback variations.

Subdivision Standards

The updated proposal meets many of the City’s subdivision requirements. However, the petitioner is requesting the following:

	Requirement	Proposed
ROW Width	60'	50'
Pavement Width	36'	32'
Curb and Gutter	Traditional Curb and Gutter	Swales adjacent to Pavement
Sidewalks	Required on one side of arterial or collector type streets	None

Like above, because these standards are not in the Bluffland Ordinance section of the code, the request is subject to Planning Commission review.

ROW and Pavement Width

The updated proposal has a Right-of-Way width of 50' and a proposed pavement (roadway) width of 32' (Attachment C, Exhibit C). When the Planning Commission last reviewed this item, the proposal was also for a 50' Right-of-Way, *but* with a 22' roadway width and a 10' shared use path. At that time, the Commission had concerns about maintenance, parking and emergency vehicle access. In response, the petitioner has eliminated the shared use path and widened the roadway by 10 feet.

The City Engineer and Fire Department have reviewed the updated proposal for the roadway and find it acceptable. However, staff is recommending addition of a 5' wide sidewalk within the Right-of-Way (see "Sidewalks" section below).

Curb and Gutter

The petitioner is not proposing traditional curb and gutter for this subdivision. Instead, swales are proposed adjacent to the roadway (Attachment C, Exhibit C).

The City Engineer has reviewed the proposal and finds it acceptable.

Sidewalks

As noted above, when the Planning Commission last reviewed this item, the proposal was for a 22' roadway width and a 10' shared use path. At that time, the Commission had concerns about the shared use path not being maintained in the wintertime, the width of the roadway, emergency access, and parking considerations. The current proposal does not contain a shared use path or sidewalk. In support of this, the petitioner cites a number of other subdivisions in the City without sidewalks (Attachment C, Exhibit B).

However, during adoption of the Unified Development Code in 2017, the City's Subdivision Ordinance was updated to require sidewalks on one side of arterial or collector type streets:

- B) Sidewalks or Shared Use Paths.
 - 1) Sidewalks or shared use paths are not required on all streets. New subdivisions shall provide a sidewalk or shared use path on one side of any arterial or collector type street within the development. Subdivisions being created within existing neighborhoods shall provide sidewalks in a manner that matches the existing pattern of the surrounding streets that intersect the subdivision.
 - 2) If sidewalks or shared use paths are required by the City Council, the developer shall pay for the same.

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- 3) The same regulations that apply for curb and gutter under subsection (e) above shall apply for sidewalks or shared use paths. All work must be guaranteed for a period of two years by the contractor and backed by a performance bond

This change not only recognized the mobility and amenity value of sidewalks, but also the fact that it is very difficult to install them after the fact. Although the petitioner is requesting not to provide sidewalks, staff recommends that they be installed in the locations shown on Attachment E for the following reasons:

1. City ordinance requires installation of sidewalks on one side or of arterial or collector type streets within a subdivision.
2. The petitioner is requesting reductions to required setbacks and Right-of-Way width. These reductions allow for more buildable area and lot density.
3. The petitioner is requesting reduction in pavement width by four (4) feet and no curb and gutter. The reduction in pavement width saves the cost of 23,660 square feet of pavement and 5,915 feet of curbing on both sides of the street.
4. Sidewalks provide a non-street option for subdivision residents and families to walk and provide a connection to the potential public trails in the outlots.

The sidewalks would be 5 feet wide. They would be maintained by individual property owners. An example cross section showing the location of the sidewalk in the ROW is provided in Attachment F.

Review Criteria

City Code Sections 43.06.32 and 43.06.33 state the following for Planning Commission review of variations to subdivision standards:

C) Modifications.

1) Undue Hardship.

- a) In any particular case where the subdivider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirement of these regulations would cause practical difficulty or exceptional and undue hardship, the Commission may relax such requirement to the extent deemed just and proper, so as to relieve such difficulty or hardship; provided, such relief may be granted without detriment to the public good and without impairing the intent and purpose of these regulations or the desirable general development of the neighborhood and the community in accordance with the Comprehensive Plan and the Zoning Ordinance. Any modification thus granted shall be entered in the minutes of the Commission setting forth the reasons which, in the opinion of the Commission, justified the modification.

In accordance, staff would recommend approval of the requested variations to the subdivision standards with the exception of the sidewalk item due to the unique bluff topography of the land and the characteristics of the adjacent residential (Meadows) subdivision.

Park Dedication/Land for Public Purposes

City Code Section 43.04.24 requires either dedication of land or a fee-in-lieu for new residential subdivisions. The petitioner is proposing to dedicate 29 acres of physical land by dedicating six (6) outlots to the City of Winona at no cost (See Attachment C, Exhibits A and C). Within these outlots, the City intends to explore the future installation of trails. Preliminary surveys of the land completed by the City Park and Recreation Department staff indicate it is potentially suitable for this use.

When the Commission last reviewed this subdivision, dedication of the outlots was tied to the Bluffland variance requests that went to the Board of Adjustment (BOA). Since the re-designed subdivision no longer requires BOA variances, the petitioner is proposing that the outlots serve as land dedication instead of paying a fee. In this case, the fee would be \$43,800 (\$600 X 73 dwelling units). The first portion of the fee (\$7,200) would be collected upon final plat of Phase One. The remainder (\$36,600) would be collected during future phases of the subdivision depending on the number of dwelling units in each final plat.

City Code 43.04.24 states the following for Planning Commission review of the proposed land dedication:

In lieu of the cash payment, the subdivider may propose the dedication of a specific parcel of land equal in value to the cash payment. The Commission shall review such a proposal during consideration of the preliminary plat. The Commission shall accept or reject such a proposal based upon the provisions of 43.04.24F.

43.04.24F

Criteria for Determining Suitability of Land to be Dedicated in Lieu of Cash.
Subdividers wishing to propose the dedication of land in lieu of cash payments must specify the precise parcel of land that would be dedicated.

Council shall obtain the opinion of the City Planning Commission as to the acceptability of that parcel for public recreational space utilization. The Planning Commission, in arriving at its recommendation, shall review the proposal with the City Parks and Recreation Department. The following factors shall be relevant in the review process: the size, shape, accessibility, maintainability, usability, contour and slope. The question of whether the proposed parcel, in conjunction with other public recreational space in the vicinity, would best meet the needs of the area or whether the City could better use the cash to enhance public recreational space in other ways shall also be a factor in the deliberations of the Commission.

Related to these criteria and as noted above, the City Park and Recreation Department has reviewed the characteristics of the outlots and finds them to potentially be suitable for trails. Also, the Park and Recreation Department recognizes the potential benefits of 29 acres of property for future trail development versus the \$43,800 fee collected over a number of years. In accordance, staff would recommend accepting the outlots as land dedication. Formal outlot dedication to the City would be addressed during the final plat for future phases of the subdivision.

Bluffland Approvals

As noted above this subdivision contains bluffland areas. The City's Bluffland Ordinance prohibits development below tops of bluffs. The top of bluff is shown by the dotted red line on Attachment C, Exhibit C Sheet 2. In addition, the regulations require Planning Commission approval of the proposed location of stormwater facilities (ponds) in bluffland areas (Attachment C, Exhibit D). The standards for approval are the following:

- 1) The Commission finds that the facility will not compromise the purpose and intent of this section.
- 2) The facility shall be constructed and maintained in accordance with any applicable local or state laws and permitting requirements, including the City of Winona Stormwater Management Ordinance.
- 3) Land disturbance activity shall be limited only to that which is necessary to construct the facility
- 4) Should the facility require the removal of trees, site restoration activities shall include the planting of native trees at both upslope and downslope sides of the structure, with the intent of replacing screening values of/from upland sites which are either used, or intended to be used, for structural purposes.
- 5) If associated with a plat, any overlay district designation that is lost to the facility shall be fully replaced within the plat, provided that replacement may not include land within a Bluff Impact Overlay District.
- 6) The facility must be owned, and managed, by the City of Winona. The facility must be dedicated to the City within a period of time as specified through a required Development Agreement, or other instrument, that is fully executed prior to its construction.

To satisfy criterion five, the petitioner is proposing to place a restriction requiring pervious surfacing in specific non-bluffland areas (Attachment C, Exhibit D). The amount of pervious surface area will be equal to the amount land used for the stormwater facilities. The restriction will be recorded in the future phases of the subdivision (stormwater requirements for Phase One have already been addressed by existing ponds in the adjacent Meadows Subdivision). With this restriction and the

additional stormwater related conditions listed in the following section, staff would recommend approval of the stormwater facilities in bluffland areas as proposed.

Other Considerations

Future Trail Access

As noted above, the City will explore the installation of trails in Outlots A-E. Outlots A, C, and E are connected through 10' wide strips of land labeled "future trail access" on the plat. Portions of building lots L1, B6; L35, B5; L26, B5; and L25 B5 may be impacted by trail development. Staff proposes addressing this during the final plat for future phases of the subdivision.

In the petitioner's previous application, an outlot was provided for a potential future 10' shared use path adjacent to Garvin Heights Road (See Attachment A map). Staff would recommend adding a 20' wide outlot back into the preliminary plat.

Stormwater

The City's Stormwater Ordinance requires all increased runoff created by impervious surfaces to be managed within the development. As noted above, required stormwater improvements for Phase One of this subdivision have already been addressed by existing ponds in the adjacent Meadows Subdivision. For the future phases, the stormwater management facilities (i.e. short term detention ponds) are located in outlot areas (Attachment C, Exhibit D). The City Engineer and Sustainability Coordinator have reviewed these general locations and find them acceptable due to existing topography and drainage patterns. The exact number, size, and location of the stormwater facilities will be determined following approval of the preliminary plat. The City Engineer will review and make recommendations at that time. The City Engineer will ensure that the ponds meet City Ordinance requirements and the final plats will be reviewed by both the Planning Commission and City Council.

At this time, staff would recommend that approval of the stormwater facilities contains three conditions:

1. Location of the stormwater facilities shall not impede future trail development.
2. Stormwater facilities shall have adequate access for future City maintenance.
3. A 6' maintenance easement shall be provided adjacent to the 10' trail access provided on L1, B6; L35, B5; L25, B5; and L26 B5. Sign demarcating the easement and future trail access shall be installed at the same time as required Natural State Area (NSA) signage.

Traffic

As noted in the Comprehensive Plan review for this property, the Winona County Engineer does not anticipate significant traffic issues on City Hwy 44/ Garvin Heights

Road from this development. City Engineering has reviewed the internal street layout of the subdivision and finds it acceptable.

Utility Access Charges (SAC and WAC)

The developable area for the subdivision (including ROW and required building setbacks, but excluding bluffland areas) is 40.33 acres. Per code, Sewer and Water Access Charges are \$17,000 per developable acre. This calculates to a total fee of \$685,610 to be split among the final plats for each phase.

SUMMARY

In summary, the Commission is reviewing the overall Preliminary Plat and the following requested variations to standards:

	Requirement	Proposed
Front Yard Setback	25'	20'
Side Yard Setback	8-10'	7.5' minimum
Rear Yard Setback	40'	20'

	Requirement	Proposed
ROW Width	60'	50'
Pavement Width	36'	32'
Curb and Gutter	Traditional Curb and Gutter	Swales adjacent to Pavement
Sidewalks	Required on one side of arterial or collector type streets	None

Related to these variations, staff would recommend approval with the exception of the sidewalk item. For this, staff recommends requiring sidewalks as shown in Attachments E and F.

Also, the Commission is reviewing the following:

1. Outlots A-F proposed as land dedication.
2. Proposed location of stormwater facilities in bluffland areas.

For these, staff recommends approval as proposed.

Finally, staff is recommending inclusion of a 20' wide outlot on the north side of L1, B5 for future trail connection purposes.

PLANNING COMMISSION OPTIONS

- A. **Approve** - Given the previous discussion, any action recommending approval of the plat should contain the following findings and conditions:

Findings

1. The subdivision, which is submitted as a cluster development, meets the purpose and requirements of the City Code Section 43.06.34 due to the proposal of development in non-bluffland areas, dedication of Outlots A-F to the City of Winona, and the provision of needed housing. Thus, the requested variations to setbacks are acceptable.
2. Due to the unique topography of the land and the characteristics of adjacent residential developments; the proposal meets the requirements in City Code Sections 43.06.32 and 43.06.33 for variation of subdivision standards.
3. Due to potential future use of the Outlots for trails, the proposal to dedicate Outlots A-F to the City of Winona meets the requirements for land dedication related to a new residential subdivision.
4. The subdivision as proposed satisfies the standards for stormwater management in Bluff Impact Overlay District pursuant to City Code Section 43.02.32.

Conditions

1. As proposed by the petitioner, Outlots A, B, C, D, E, and F are to be dedicated to the City of Winona at no cost.
2. A "Future Trail Area" notation shall cover the *full* area of Outlots A, C, and E in the approved copy of the Preliminary Plat.
3. Location of the stormwater facilities shall not impede future trail development.
4. Stormwater facilities shall have adequate access for future City maintenance.
5. A 6' maintenance easement shall be provided adjacent to the 10' trail access provided on L1, B6; L35, B5; L26, B5; and L25, B5. Sign demarcating the easement and future trail access shall be installed at the same time as required Natural State Area (NSA) signage.
6. Portions of lots L1, B6; L35, B5; L26, B5; and L25, B5 may be impacted by trail development. Impacts shall be addressed during the final plat for future Phases of the subdivision.
7. A 20' wide outlot or easement shall be provided on the north side of L1, B5 adjacent to Garvin Heights Road.
8. A 10' utility easement shall be established adjacent to the Right-of-Way and must be shown on final plats for the subdivision.

- B. **Approve with Condition for Sidewalks** – Approve with findings and conditions above with the additional condition for inclusion of sidewalks as shown on Attachments E and F.

PLANNING COMMISSION

3. PUBLIC HEARING – UPDATED ST. CROIX HEIGHTS PRELIMINARY PLAT

FEBRUARY 24, 2020

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C. **Deny** – Citing specific reasons related to the proposal.

D. **Table** – If more information is needed.

Attachments:

- A. 6/24/19 Planning Commission Minutes and Original Preliminary Plat Map and ROW Cross Section.
- B. BOA Variance Published Notice
- C. Updated St. Croix Height Preliminary Plat Application
 - Exhibit A: Preliminary Plat Narrative
 - Exhibit B: Subdivision Comparison Table
 - Exhibit C: Preliminary Subdivision Plan Set, Sheets 1-4
 - Exhibit D: Proposed Stormwater Facility Location and Impervious Restriction areas.
- D. City of Winona Cluster Ordinance
- E. City Staff Proposed Sidewalk Location
- F. City Staff Proposed ROW Cross-section with Sidewalk

PLANNING COMMISSION MINUTES

DATE: June 24, 2019

TIME: 4:30 p.m.

PRESENT: Chairman Hahn, Commissioners Buelow, Boettcher, Ballard, Olson, Porter, Marks, Paddock, and Shortridge

STAFF PRESENT: City Planner Carlos Espinosa, Assistant City Planner Luke Sims

The meeting was called to order at 4:30 p.m. by Chairman Hahn.

Approval of Minutes – June 10, 2019

The minutes from the Planning Commission meeting of June 10, 2019 were reviewed. Commissioner Olson moved to approve the minutes. Commissioner Porter seconded the motion and the minutes were approved unanimously.

Public Hearing – Rezone Request R-2 & R-3 to MU-N

Petitioners, Shawn Beier and Dan Nisbit, came forward to speak about their proposed rezoning of the former Central Elementary School block. The petitioners expressed their openness for questions should the Commission have any. Commissioner Buelow asked if the Comprehensive Plan Map Amendment was approved. Mr. Sims noted that the City Council approved the Comprehensive Plan Map Amendment on June 3rd from Semi-Public/Institutional/Education to Neighborhood Commercial, as recommended by the Planning Commission.

Mr. Sims provided the staff report for the proposed rezoning, which would change the current bisected R-2 and R-3 zoning to Mixed Use Neighborhood. The proposed change is the second step in the review process for the project, following the Comprehensive Plan Amendment and before the vacation of the existing platted alley and the site plan and any variances that may be required. The proposed rezoning would rezone the entire block, which includes the existing ten platted lots that are oriented north and south with the northerly five lots currently being zoned R-3 and the southerly lots currently being zoned R-2. The current proposal for the property is to reuse the existing building for up to 18 residential units which may fluctuate depending on potential first floor small-scale commercial uses. Mr. Sims provided a summary of staff's analysis that there was no error or oversight in the original zoning of the property, the adjacent land use is reflective of the traditional development pattern of Winona and incorporates varied uses that support and would be supported by Mixed Use-Neighborhood designation, the potential uses of the Mixed Use-Neighborhood zoning would not impose and undue hardship on surrounding properties, Mixed Use-Neighborhood zoning is the correct designation for the area in accordance with the adjacent zoning and the Comprehensive Plan, and, lastly, that the Comprehensive Plan supports the new designation and it should not be misconstrued as spot zoning.

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Commissioner Shortridge asked if the design criteria would be required in the Mixed Use-Neighborhood zone like it is in the other nodes around the City. Mr. Sims responded that it would have the same criteria as other Mixed Use-Neighborhood nodes in the City.

Commissioner Buelow asked about the proposed parking on the north and south side of the lots and the fencing as proposed. Mr. Sims said that the proposed fence as shown could be a decorative fence, a hedge, or berm, or something similar that creates an aesthetic buffer between the parking lot and the public right-of-way and that the details will be addressed in the site plan process. Commissioner Buelow asked about the height. Mr. Sims said he would expect to see a height of around four feet.

Commissioner Shortridge noted that any new parking lot in downtown requires screening. Commissioner Shortridge also noted that the State Historic Preservation Office would have to approve parking in those spots as well if the applicants were to use Historic Tax Credits. Mr. Sims responded that this was correct and that the applicants had communicated with SHPO about Mixed Use for the site and it had been well received.

Chairman Hahn opened the public hearing.

Bob Anderson of 318 Market Street came forward to speak. He expressed concern over potential for mixed use and asked if a factory or bar could be put in. Mr. Sims responded that a factory could not be put in a Mixed Use-Neighborhood zone but it would be possible to have a bar under the Unified Development Code. Mr. Anderson noted that he has confidence in the current property owners but said he doesn't know what will happen in the future and hopes the Commission will address that. He expressed concern that Winonans are no longer talking to each other and change is important to bring people back together.

Dale Stoltman, 225 East 6th Street, came forward to say that he liked the idea of mixed use for the Central School building. He expressed appreciation for the internal beauty of the building and said he likes the idea of mixed use because it creates business and activity for the building and allows people to come into the building and see its beauty.

No further members of the public coming forward to speak, Chairman Hahn closed the public hearing.

Commissioner Porter moved to approve the request as submitted. Commissioner Shortridge seconded the motion. All members present voted aye.

Public Hearing – St. Croix Heights Preliminary Plat

Brian Wodele, Johnson and Scofield, came forward as the representative of the petitioners. Mr. Wodele noted that this is the next step in the process following the previous rezoning and Comprehensive Plan Amendment. He noted that Mr. Espinosa

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would walk through the setbacks and other details but wanted to make sure he was available for questions should the Commission have them. One item the applicants wanted to address was Condition #7 in which the City Engineer asked for an additional 10 feet of right-of-way beyond the proposed 50-foot right-of-way that extends over the utility easement that serves the homes. This would give the residents the option to widen the street if they so wanted. Mr. Wodele asked the Commission if this is something that they wanted and stated it is something that the applicants would prefer to not see, though it would not be a deal breaker.

Chairman Hahn asked if the narrower road was to facilitate better lots. Mr. Wodele responded that this was the case due to the topography of the site and the bluff protections in place. He mentioned that the City Engineer was comfortable with it as proposed.

Commissioner Boettcher asked whether the proposal met requirements for public safety vehicles. Mr. Wodele responded that he believed it did and that it would not have been approved if it hadn't.

Commissioner Shortridge mentioned that the proposal is not complying with the Bluffland setback. Mr. Wodele responded that the applicants are utilizing the Cluster Development procedure which allows for variations to setback requirements. Commissioner Shortridge asked to clarify that the Cluster Development allows for non-compliance with Bluffland setbacks. Mr. Espinosa responded that any variations that are requested in the preliminary plat are processed and reviewed through Planning Commission and City Council without needing to go through the Board of Adjustment. Commissioner Shortridge said he doesn't see how this is truly a Cluster Development as it typically means open land followed by a cluster of homes and then more open land and another cluster of homes. Mr. Espinosa responded that the Cluster Development is a process that allows variations to required setbacks and other requirements. Commissioner Shortridge mentioned that it is usually used to provide larger open areas. Mr. Espinosa responded that this was the case in part. Commissioner Shortridge noted that the proposal here shows open space that is basically unbuildable anyway so there isn't much of a tradeoff. Mr. Wodele responded that there is some open land but the bluff restrictions mean everything is very tight in the proposed development. He asked that the Commission look at the map page which shows that the red dashed line represents top of bluff which shows a substantial amount of space that can't be built or altered and roughly 50% of the property is proposed to be turned over to the City for trail and other use. Commissioner Shortridge responded that when the applicants purchased the property they were aware of the Bluffland Ordinance. Mr. Wodele responded that he was not sure if the Bluffland Ordinance was in effect when they purchased the property but believed it was. Commissioner Shortridge questioned the proposed outlots that are typically available to the whole community in a Cluster Development. Mr. Wodele responded that the idea is to have the outlots be available to

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the public. Mr. Espinosa responded that typically outlots are private. Commissioner Shortridge asked to clarify if there would be a public easement across the outlots. Mr. Wodele responded that the proposal is to dedicate that land to the City for its use and public access. Commissioner Shortridge clarified that this applies to the outlots but asked if that included the backs of the lots that are unbuildable. Mr. Wodele responded that the public would not have access to the back halves of the private lots. Commissioner Shortridge mentioned that he doesn't understand staff's definition of Cluster Development in this case.

Commissioner Olson asked about the right-of-way proposed and the road width. Mr. Wodele responded that the right-of-way is 50 feet and the road is 22 feet and that there are other examples like that which exist in the city. Commissioner Olson asked about parking on-street. Mr. Wodele responded that it would accommodate parking on-street. Commissioner Shortridge mentioned that there is a 10-foot wide walking path proposed as well in the 50-foot right-of-way. Mr. Wodele noted that his staff has corrected him that the proposal does not include on-street parking. Commissioner Shortridge asked where people would park if visiting. Mr. Wodele responded that private driveways would provide off-street parking. Commissioner Olson said he expects parking on-street would occur at times if someone had more than half a dozen guests. Mr. Wodele responded that the private property owners would have to make accommodations for that. Mr. Espinosa responded that there are examples of 22-foot wide streets in the City in the Treetops Subdivision. He mentioned that in an event-type situation it is possible to accommodate parking along one side of the street and that it will work to slow traffic significantly while allowing one car to move through the street. Mr. Espinosa mentioned that he expects cars parking on the sides would use a portion of the stormwater runoff area along the road to place their tires and allow traffic to still flow. Chairman Hahn asked what the width of a fire truck was. Mr. Espinosa responded that he isn't certain off the top of his head. Chairman Hahn expressed concern over emergency vehicle access should people choose to park on both sides of the street. Commissioner Paddock asked to clarify that there are essentially two lanes that are 11 feet and whether that was the width of an interstate lane. Mr. Espinosa responded that they were wider. Commissioner Olson expressed concern over a potential situation that could occur should cars occupy both sides of the street and a commercial vehicle eight feet in width could not navigate the resulting six-foot travel lane. Mr. Wodele mentioned that there is an option to eliminate the 10-foot walking path to expand the street, which is not something the City wants to see. Commissioner Shortridge asked to clarify that the walking path is not required to be cleared by property owners and it won't be marked and clearly designated. Mr. Wodele responded that there will be a curb that separates the walking path from the street. Commissioner Porter directed other Commissioners' attention to the next page which shows a cross section of the proposed street and walking path. Commissioner Paddock mentioned that no provision has been made for maintenance or clearing in winter and that it doesn't seem like a good plan,

PLANNING COMMISSION MEETING MINUTES
JUNE 24, 2019
PAGE 5

especially in winter. Mr. Wodele mentioned that the proposal is based on the constraints of the site and zoning but would consider widening the street and altering the path. Chairman Hahn asked about the specific requirement for sidewalks. Mr. Espinosa mentioned that they are required on one side of the road. Chairman Hahn asked whether it needed to be maintained. Mr. Espinosa mentioned that sidewalks are required to be maintained but the shared use path would not be. Commissioner Shortridge asked why it is being called a shared use path. Mr. Espinosa mentioned that it is part of the right-of-way and that sidewalks are required in the UDC on one side of the street and this proposal provides enhanced active transportation options. Mr. Espinosa mentioned that while there is snow for a portion of the year, for the majority of the year the path would be clear and accessible for anybody who wants to use the shared use path. Commissioner Paddock asked if a condition could be added that the developer be responsible for clearing the path. Mr. Espinosa mentioned that this was possible. Commissioner Olson expressed concern over plowing and snow landing on the shared use path and nobody would do anything about it.

Mr. Espinosa provided an overview of the proposed project at 0 Garvin Heights. He noted that the development would be utilizing the Cluster Development process which has been on the books before the Bluffland Ordinance and that the proposal reserves a significant portion of land for Natural State Areas. The proposal area is 74.5 acres and creates 31.91 developable acres. The subdivision is proposed for two different phases, the first phase is predominantly single family homes and twin homes, and phase two is the larger portion which will include 59 single family lots. Mr. Espinosa noted that the Cluster Development process allows the Planning Commission and City Council to review multiple adjustments from City Code rather than going through the Board of Adjustment. The adjustments, in this case, include going from a 50-foot top of bluff setback to a 10-foot setback, front yard, side yard, and rear yard setbacks are requested to be adjusted as well. In return for the variations, seven outlots will be dedicated to the City of Winona. Some of the outlots would be dedicated for future right-of-way access and for a future 10-foot wide shared use path along Garvin Heights Road. Typically, these are private outlots in a subdivision but the petitioner is proposing dedicating the land to the City in this case. The City of Winona Park and Recreation department is exploring the establishment of hiking and mountain biking trails in the outlots as well as a trailhead in phase two. Additionally, approval for a road in a bluffland area is required from the Planning Commission, which is Road #4 in the preliminary plat. Secondly for review in the bluffland areas is the stormwater location in the outlots. Additionally, a viewshed analysis is included for the Commission to review and the properties will not be visible even with reduced setbacks. Mr. Espinosa also highlighted the cross sections of the proposed street which includes 22 feet of pavement width to include vehicular travel lanes and a 10-foot wide shared use path. Mr. Espinosa then highlighted examples of 22-foot wide streets in the City of Winona and the surrounding area. The reduced pavement width lowers the speed of traffic and

PLANNING COMMISSION MEETING MINUTES
JUNE 24, 2019
PAGE 6

also reduces the amount of impervious surface. He noted that the County Engineer and City Engineer do not have major concerns with the proposal.

Commissioner Paddock clarified that the setbacks from the top of bluffs were created in part for the viewshed but that the setback is also in place due to concerns over erosion which has increased concern when closer to the top of the bluff. Blufflands also have unique features and ecology and there are species that do not exist outside of the bluffs. The City recognized them as important ecologically and to mitigate potential impact, which is why the Bluffland Ordinance was created, which he can say with confidence as someone who helped develop it.

Commissioner Shortridge asked whether phase one was also considered a cluster development. Mr. Espinosa responded that it all is considered a cluster development.

Commissioner Shortridge asked about the deeded portions to the City and whether that was normal. Mr. Espinosa responded that it provides additional control for the City.

Commissioner Shortridge asked whether the lots could be smaller in the cluster development provisions. Mr. Espinosa responded that this was correct. Commissioner Shortridge mentioned that he believes that this is a fairly normal plat that is asking for a lot of additional provisions without actually clustering the homes and lots together tightly. Mr. Espinosa responded that the cluster development process was recommended due to the unique features of the land. Commissioner Shortridge asked to clarify that the applicants are using the process to get over normal hurdles. Mr. Espinosa responded that it is not a cluster development in the traditional sense but it meets the purpose and intent of the ordinance and the cluster development process offers flexibility is essentially the City's mechanism for a Planned Unit Development.

Commissioner Boettcher asked about utilities being extended to the development. Mr. Espinosa responded that the utilities will be City utilities.

Commissioner Buelow asked what Road #2 would look like. Mr. Espinosa responded that more engineering would need to be provided to address the steep slopes in the area. Commissioner Shortridge reiterated the concerns over the bluffland protections that the road could impede on.

Commissioner Olson asked about the proposed residential setback from the street. Mr. Espinosa responded that it would be a 20-foot setback and provided an example of a 20-foot setback in the Bluffview area subdivision north of Highway 43. Commissioner Olson mentioned that it looks like only one place in the preliminary plat would apparently have problems with locating the residence on the lot as most of the lots are 20,000 feet or larger. He also mentioned that Lot 26 and Lot 30 appear to be the only lots with problems with the bluffland setback while the other lots have more than enough room to position the residence on the property under standard regulations. He also

PLANNING COMMISSION MEETING MINUTES
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asked how the top of bluff is established and mentioned that in a sense it is arbitrarily determined. Mr. Espinosa responded that the top of bluff is determined by looking at 100-foot strips of property and the slope is measured until it is no longer steep enough to be considered bluffland. The top of bluff then is subject to the Ridgeline Transition Overlay District. General discussion of slopes and measuring slopes occurred.

Commissioner Paddock mentioned that he does not believe there is a demonstrated need to not fulfill the setbacks.

Commissioner Buelow mentioned that he believes the 50-foot setback being brought down to 10 feet is significant and asked if it had been done before. Mr. Espinosa responded that he was not certain.

Chairman Hahn opened the public hearing.

Crystal Hyatt of 580 Cottonwood Drive came forward to voice her support of the development. She mentioned that it bring new and unique access to Winona and shows growth and development of the community.

No further members of the public wishing to speak, Chairman Hahn closed the public hearing.

Commissioner Olson moved to approve the preliminary plat as proposed.
Commissioner Ballard seconded the motion.

Chairman Hahn asked whether the shared use path would be paved. Mr. Espinosa mentioned that it would be bituminous and not a concrete sidewalk. Commissioner Marks asked whether it would be raised. Commissioner Porter said that it would be on the other side of the gutter. Chairman Hahn mentioned that he would rather see a wider street due to concerns over plowing and parking. Commissioner Shortridge mentioned that the gutter is between the path and the street and could accommodate some snow. Commissioner Porter mentioned that even if some gets on the path, it is 10 feet wide and could accommodate some of it.

Commissioner Porter asked to clarify if the motion included the findings and conditions. Commissioner Olson indicated that it did.

Commissioner Olson said that the shared use path should be plowed just like the path around Lake Winona. When the street is being plowed, the path should also be plowed. He mentioned that if it isn't plowed and maintained then people will walk in the road anyway. Commissioner Paddock in incredulity asked to clarify that Commissioner Olson was advocating for the City taking on responsibility to clear a path that is on top of the bluffs because the property owners aren't responsible for clearing it themselves.

**PLANNING COMMISSION MEETING MINUTES
JUNE 24, 2019
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Commissioner Buelow noted that there will be some serious traffic on the first 500 feet of proposed road. He also mentioned that he has some concerns over the proposed setback variation from the top of the bluff.

Commissioner Shortridge mentioned that it doesn't seem like the cluster development process is not being used properly in this instance and it is being used to skip the variance procedure. He also mentioned that he doesn't think the City should maintain the shared use path or, instead, just put in a sidewalk and require the property owners to maintain it.

Chairman Hahn asked about the process for widening a road. Mr. Espinosa responded that he would have to check and get back to the Commission.

Commissioner Paddock asked if the 10-foot path was related to a wider trail network. Mr. Espinosa responded that it is partly related and the City definitely wants to see a sidewalk. Commissioner Paddock mentioned that he had seen a master trail plan proposal before with a run along the ridgetop and asked if that was correct. Mr. Espinosa said that this shared use path would complement that effort. Commissioner Paddock reiterated that there could be a condition added that the path has to be maintained.

Commissioner Ballard mentioned that adding sidewalk adds about \$5,000 to the cost of some of these lots and that the Commission should stop adding costs to developers and the housing needs in the community are huge and the added costs would discourage more housing.

Commissioner Porter mentioned that the City should broaden its horizons of requiring sidewalks. The shared use path is a preferential option for everyone and gives more wildlife access and is the better option.

Commissioner Paddock mentioned that he doesn't think any person who can afford a lot in this location is going to be scared away by \$5,000. Commissioner Porter clarified that he believes the shared use path is an added benefit.

Commissioner Shortridge asked if there are trails connected to the trailhead or if it is hypothetical and looking to the future. Mr. Espinosa responded that Park and Recreation views the area as suitable for trail development in the future. Commissioner Porter mentioned that it is private property now so it can't be accessed currently.

Commissioner Olson mentioned that this will be expensive housing in the \$250,000 range. Commissioner Shortridge added that it would not be workforce housing. Commissioner Paddock mentioned that there should be large demand for these types of houses and there aren't enough houses in that price range.

PLANNING COMMISSION MEETING MINUTES
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Commissioner Shortridge expressed concern that in the first big development under the UDC the Planning Commission is potentially considering abandoning the new requirements for sidewalks while also not requiring adherence to bluffland setbacks and other provisions. Commissioner Porter said he agrees but the circumstances of the property need to be taken into account. Commissioner Buelow mentioned that every applicant will say that. Commissioner Shortridge noted that it sets a broad precedent. Commissioner Paddock added that he objects to throwing out the requirements for this proposal in part because the lots are so large.

Commissioner Marks mentioned that she likes the idea of a trail but doesn't foresee people using it and would prefer to see a sidewalk.

No further comments from the Commission forthcoming, the Commission voted 2-7 on the motion at hand. Commissioners Porter and Ballard were in the minority.

Commissioner Olson moved to table the application. Commissioner Shortridge seconded the motion. All members present voted aye.

Madison Block Comprehensive Plan Amendment Resolution

Mr. Espinosa provided an overview of the resolution recommending denial of the Madison Block Comprehensive Plan Map Amendment which the Commission heard on June 10, 2019. The resolution of denial states the findings of the Commission and will be forward on to the City Council.

Commissioner Porter moved to approve the resolution. Commissioner Boettcher seconded the motion. The Commission voted 7-2 in favor of the resolution with Commissioners Ballard and Olson dissenting.

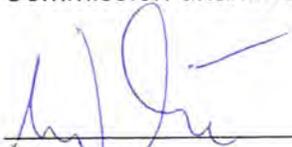
Other Business

Commissioner Boettcher asked when the next meeting would be held. Chairman Hahn responded that he believes it is July 8th.

Commissioner Paddock asked how far ahead the Commission would know the timing for a meeting. Mr. Espinosa responded that he has no reason to cancel a meeting at this time.

Adjournment

On a motion from Commissioner Olson, and second by Commissioner Buelow, the Commission unanimously voted in favor of adjournment at 5:55 p.m.



Luke Sims
Assistant City Planner



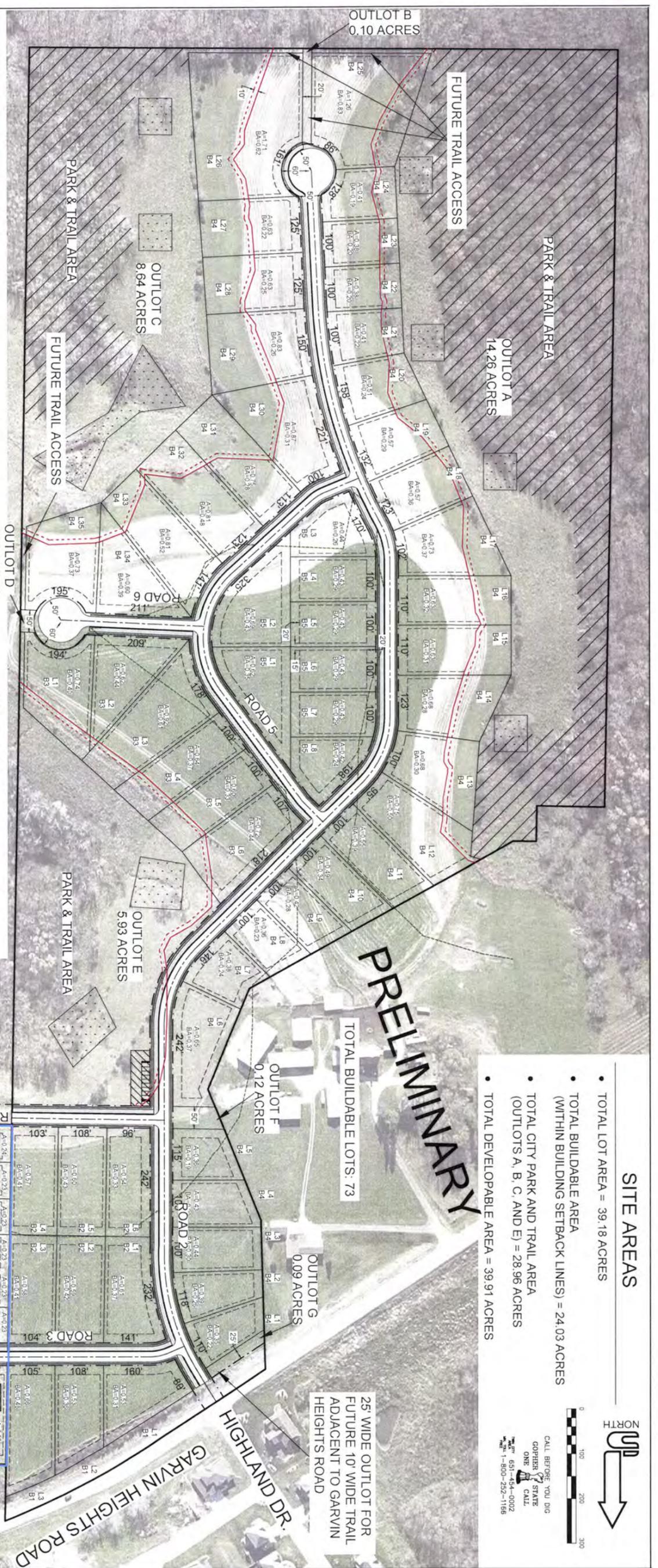
CALL BEFORE YOU DIG
 Gopher State
 ONE CALL
 651-454-0002
 1-800-252-1166

- ### SITE AREAS
- TOTAL LOT AREA = 39.18 ACRES
 - TOTAL BUILDABLE AREA (WITHIN BUILDING SETBACK LINES) = 24.03 ACRES
 - TOTAL CITY PARK AND TRAIL AREA (OUTLOTS A, B, C, AND E) = 28.96 ACRES
 - TOTAL DEVELOPABLE AREA = 39.91 ACRES

PRELIMINARY

TOTAL BUILDABLE LOTS: 73

25' WIDE OUTLOT FOR FUTURE 10' WIDE TRAIL ADJACENT TO GARVIN HEIGHTS ROAD



SITE PLAN NOTES

- SIDE BUILDING SETBACKS ARE 7.5' FROM PROPERTY LINE
- FRONT BUILDING SETBACKS ARE 20' FROM RIGHT OF WAY
- REAR BUILDING SETBACKS ARE 20' FROM PROPERTY LINE
- PROPOSED BLUFF LINE BUILDING SETBACK IS 10' FROM TOP OF BLUFF LINE
- RIDGELINE TRANSITION OVERLAY DISTRICT LINE IS 200' FROM TOP OF BLUFF LINE
- FINAL PLATS OF THE DEVELOPMENT ARE TO BE DONE IN PHASES
- PHASE 1 OF CONSTRUCTION WILL BE THE R-1.5 ZONE
- SEE DETAIL SHEET FOR TYPICAL ROAD SECTION

LEGEND

- These standard symbols will be found on this plan sheet.
- DENOTES PROPERTY LINE
 - - - DENOTES LOT LINE
 - · - · - DENOTES RIGHT OF WAY CENTER LINE
 - · - · - DENOTES ROAD CENTER LINE
 - · - · - DENOTES BUILDING SETBACK LINE
 - · - · - DENOTES TOP OF BLUFF LINE
 - · - · - DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE
 - · - · - DENOTES BLUFF LINE BUILDING SETBACK
 - · - · - DENOTES LOT AREA IN ACRES
 - · - · - DENOTES BUILDABLE AREA IN ACRES
 - BA=0.15
 - BA=0.36
 - L1 DENOTES LOT NUMBER AND BLOCK NUMBER
 - B1 DENOTES PROPOSED TWIN HOME
 - [Hatched Box] DENOTES POTENTIAL CITY MULTIFUSE TRAIL AREA
 - [Dotted Box] DENOTES PROPOSED STORMWATER MANAGEMENT AREAS
 - [Dotted Box] DENOTES PROPOSED BITUMINOUS SURFACE
 - [Dotted Box] DENOTES PROPOSED 10' WIDE BITUMINOUS SHARED USE PATH

BUCK RIDGE DRIVE

FILE PATH S:\Shore\STRA\CENTRA\107-A\33\PROGNO LEASING CO LLP\CAD

JOHNSON & SCOFFIELD INC.
 Surveying & Engineering
 1203 Main Street, Red Wing, MN 55066
 Ph: 551.584.1559 Fax: 551.584.1599

DESIGNED	DATE	BY	DATE	REVISION
ADP	06/04/19			
DRW				
CHECKED				

Prepared for:
 PROGNO LEASING CO. LLC
 C/O BERNIE BRENNER
 4020 WEST SIXTH STREET
 WINONA, MN 55997-1596
 PHONE: 507-524-1163

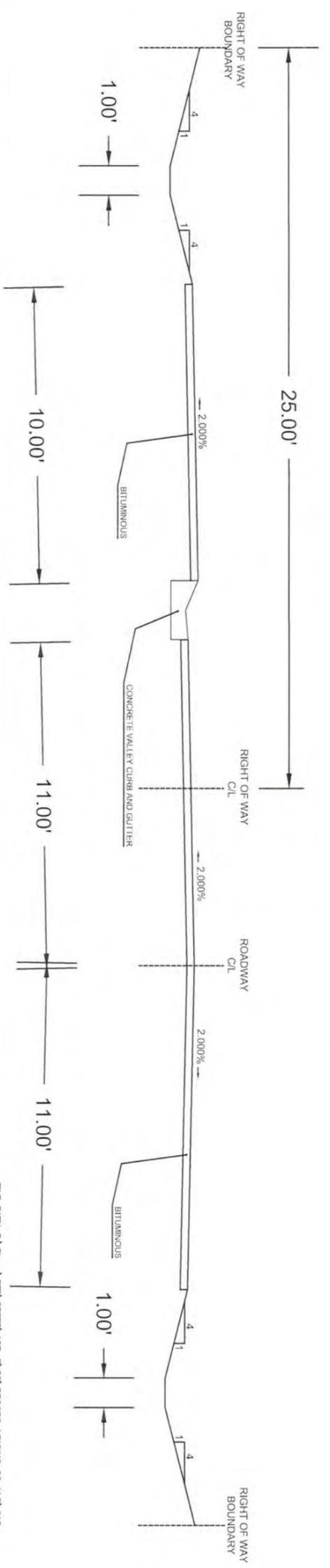
SAINT CROIX HEIGHTS
 WINONA, MINNESOTA

CONCEPT LAYOUT

SHEET 2 OF 15

PRELIMINARY

TYPICAL ROADWAY CROSS SECTION



FILE PATH S:\Shore\STR\CERTS\107-7\33\PROGRO LEASING CO LLP\CAD

<p>JOHNSON & SCOTFIELD INC. Surveying & Engineering</p> <p>1200 Main Street PO Box 1581158 St. Paul, MN 55115</p>	<p>DESIGNED: <u>AP</u></p> <p>DRAWN: <u>AP</u></p> <p>CHECKED: <u>SPV</u></p>	<p>REVISIONS:</p> <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION										<p>Prepared For: PROGRO LEASING CO. LLC C/O BERNE BRENNER 4020 WEST SIXTH STREET WINONA, MN 55997-1595 PHONE: 507-434-1183</p>
	NO.	DATE	DESCRIPTION												
<p>SAINT CROIX HEIGHTS WINONA, MINNESOTA</p>	<p>ROAD 6 DETAILS</p>	<p>SHEET 15 OF 15</p>													

PUBLICATION NOTICE: Friday, July 26, 2019

**CITY OF WINONA
BOARD OF ADJUSTMENT
NOTICE OF HEARING**

PLEASE TAKE NOTICE:

The following applications have been made for variations from the requirements of the Winona City Code, as listed below:

- a) Christopher & Nancy Stevens - City Code Section 43.02.24 which Property is described as R-1 zoning, or at 721 Grand Street.
- b) Johnson & Scofield Inc. – City Code Section 43.02.32 C)7)b) which requires a 50 foot structure setback from the top of bluff. Applicant proposes to reduce the setback to a minimum of 10' for select lots with a proposed land subdivision. Also, 43.02.32 C)6)e)v. and 43.02.32 C)6)f)i. which require stormwater facilities and public roads in bluffland areas to be replaced in non-bluffland areas. Applicant proposes a subdivision that locates a road and stormwater facilities in bluffland areas without replacement in non-bluffland areas. In lieu of replacement, applicant proposes to dedicate bluffland areas in the subdivision for public trail and recreation access. Property is described as R-1 zoning, Sect-33, Twp-107, Range-007, WINONA TWP ANNEX 5.13 AC OLD #19.070.0931 6.33 ACRES SE ¼ NW & 9.30 ACRES SW ¼ NE ALL LYING SLY OF CSAH #44 AS DESCRIBED IN M.F. 316358 322094 323697 EX 2.01 ACRES SW ¼ NE ¼ EX: 7.29 ACRES SW ¼ NE ¼ EX: 1.20 ACRES SE ¼ NW ¼ or at 0 Garvin Heights Road.

Notice is sent to the applicants and to the owners of the property affected by the application.

A hearing on these petitions will be given in the Council Chambers, 3rd Floor, City Hall, Winona, Minnesota at **5:00 p.m. on August 7, 2019** at which time interested persons may appear either in person, in writing, or by agent, and present any reasons which they may have to the granting or denying of these petitions. Any questions regarding the petitioner's request can be directed to the Community Development Department; Inspections Division at 457-8231.

THEY ARE REQUESTED TO PREPARE THEIR CASE IN DETAIL AND PRESENT ALL EVIDENCE RELATING TO THIS PETITION AT THE TIME OF THE SCHEDULED HEARING.

Chris Sanchez, Chairman
Board of Adjustment



C.

Preliminary Plat Narrative Packet

January 8, 2020

City of Winona
Planning & Zoning Department
Attention: Carlos Espinosa, City of Winona City Planner
207 Lafayette Street
Winona, MN 55987

Progro Leasing Co. LLP. (PLC). plans to develop and construct a residential subdivision on four parcels: #323292020, 323292042, 323292043, and 323292022 along the south side of Garvin Heights Road and the west end of Buck Ridge Drive.

Exhibits to Supplemental Application Packet:

- Exhibit A: Preliminary Plat Application Narrative
- Exhibit B: Subdivision Comparison Table
- Exhibit C: Revised Preliminary Subdivision Plan Set
- Exhibit D: Proposed BMP and Impervious Restriction Areas

If you have any questions regarding the application, please contact Brian Wodele at 507-454-4134. We appreciate the generous assistance that we have received from you and your staff, and we look forward to working with you. Thank you for your consideration of this continued application.

Brian Wodele

Professional Land Surveyor

2019
SUBDIVISION APPLICATION
COMMUNITY DEVELOPMENT, CITY OF WINONA, MINNESOTA 55987
P.O. BOX 378 507/457-8250 FAX: 507/457-8212

SITE ADDRESS: 0 Garvin Heights Road

- Preliminary Subdivision (\$114.00 plus \$23.00 per lot)
 Final Subdivision (\$114.00 plus \$17.00 per lot)

<p><u>Property Owner:</u> <i>Company/Individual</i> <u>Progro Leasing Co. LLP</u> <i>Contact Person</i> <u>Bernhard Brenner</u> <i>Mailing Address</i> <u>4020 6th Street West</u> <i>City/State/Zip</i> <u>Winona, MN 55987</u> <i>E-Mail</i> <u>bbrenner@stcroixcollections.com</u> <i>Office Phone</i> <u>507-454-1163</u> <i>Mobile Phone</i> _____</p>	<p><u>Surveyor/Engineer:</u> <i>Company/Individual</i> <u>Johnson & Scofield Inc.</u> <i>Contact Person</i> <u>Brian Wodele</u> <i>Mailing Address</i> <u>4240 West 5th Street</u> <i>City/State/Zip</i> <u>Winona, MN 55987</u> <i>E-Mail</i> <u>brianw@jlsmail.com</u> <i>Office Phone</i> <u>507-454-4134</u> <i>Mobile Phone</i> _____</p>
<p><u>Subdivider/Applicant:</u> <i>Company/Individual</i> <u>Progro Leasing Co. LLP</u> <i>Contact Person</i> <u>Bernhard Brenner</u> <i>Mailing Address</i> <u>4020 6th Street West</u> <i>City/State/Zip</i> <u>Winona, MN 55987</u> <i>E-Mail</i> <u>bbrenner@stcroixcollections.com</u> <i>Office Phone</i> <u>507-454-1163</u> <i>Mobile Phone</i> _____</p>	<p>Subdivisions proposed without public dedication and proposed for fewer than six parcels only need to complete a final plat. All others must complete a preliminary plat in advance of the final plat.</p> <p>All Preliminary and final subdivisions must be prepared by a registered professional engineer or surveyor in accordance with Article 4 and Article 6 Division 3 of the Winona Unified Development Code.</p>

Subdivision Applications will not be processed without the following information:

- Name of proposed subdivision: St. Croix Heights
- Length of new public streets: 1.1 Miles
- Area of other parcels to be dedicated for public use: 24.75 Acres
- Three hard copies of the plat at a scale of 1" = 100' and **one electronic copy**
- One vicinity sketch at a scale of 1' = 400' or more
- Copies of any deed restrictions

Signature of Applicant

Signature of Land Owner
(If different from applicant)

For Staff Use Only		
Date Received: _____	Plat # _____	Receipt # _____
Parcel #: _____	Zoning _____	Property Size _____
LEGAL DESCRIPTION OF PROPERTY: _____		

(See Notes on Next Page)

Notes

- A registered engineer must be employed to prepare the plans for construction of sanitary sewers, storm sewers, water mains, curb and gutter and sidewalk.
- No conveyance of land, which is subject to the approval of a subdivision, shall be filed, or recorded, until such time that subdivision has been approved pursuant to Article 4 and Article 6 Division 3 of the Winona Unified Development Code.
- Upon the submittal of a required subdivision for approval, no person, firm, or corporation shall:
 1. Enter into a contract for the sale of any part thereof,
 2. Proceed with any site disturbance activity, or
 3. Be issued any building permituntil the final plat for the subdivision has been adopted by City Council. The term land disturbance activity shall include, but not be limited to, vegetation removal; grading, filling, or excavation activity; and the construction of any structure, or utility, on the site.
- Residential subdivisions are subject to a per dwelling unit park land dedication fee subject to Chapter 51 of Winona City Code.
- Subdivisions must conform to Article 4 of the Winona Unified Development Code. Applicants should be aware of lot dimension and setback requirements in Section 43.02.23 and 43.02.24.
- Sewer and water access fee (City Code Chapter 51).¹
- Stormwater and erosion control (City Code Chapter 68):
 1. Small site projects (68.08 E) shall be in compliance with an Erosion and Sedimentation Control Plan before approval of the final plat. An Erosion and Sedimentation Control Plan must be substantially underway before approval of the preliminary plat.
 2. Large site projects (68.08 D) shall be in compliance with a Stormwater Management Plan approved for the project before approval of the final plat. Stormwater Management Plans must obtain a National Pollutant Discharge Elimination System permit from the State of Minnesota. A Stormwater Management Plan must be substantially underway before approval of a preliminary Plat.
- Applicant is responsible for the recording fees.

The City Code can be found on the City's website: <http://www.cityofwinona.com>.

¹ All lots or unsubdivided parcels of record as of 10/01/01: \$5,000.00 for one water service line and \$5,000.00 for one sanitary sewer service line; provided however, that if both water and sanitary sewer service lines are available to a property, the access fee shall be \$10,000 even though the property owner chooses to access only one of the services. All other property: \$17,000 per acre or portion thereof, excluding natural state areas, floodways, publicly dedicated stormwater management features and publicly dedicated park land. If the water and sewer lines existed adjacent to the property prior to 01/01/97, no access fee shall be charged.



Exhibit A:

Preliminary Plat Narrative

The proposed development faces many challenges in construction due to unique geometric features and characteristics of the property. Most of the parcel is located within or near bluff land, and the majority of the proposed development is located along the top of the bluff. The preliminary subdivision plan set in Exhibit C shows the proposed right of way width, roadway width, and setbacks for the subdivision. The reduction of right of way width, roadway width, and building setbacks are to allow for lot development on both sides of the proposed roads and provide maximum lot density. The goal is to create a beautiful subdivision that meets the needs of PLC and the City. The requested subdivision will bring 73 total lots to the City of Winona, and will create options to help satisfy the City's need for more single family housing based on the 2016 housing study from the city.

Since the time this preliminary plat was tabled, PLC has worked to address the Planning Commission's questions and concerns regarding modifications to bluff setbacks, placing streets within the bluff impact zone, and physical street widths.

Right of Way Width:

PLC is proposing a 50' right of way width throughout the subdivision. The slight reduction of right away will allow for more buildable area and lot densities. There are examples of many similar rural subdivisions throughout the City of Winona where right of way widths are less than 60'. Please see attached Exhibit B for a list of subdivisions and their corresponding right of way widths.

Physical Street Width:

At the June 24th meeting, some members of the Planning Commission expressed concern over the proposed 22' wide bituminous street width and 10' shared use path. To address this concern PLC is proposing 32' wide streets measured from edge to edge of bituminous throughout the subdivision. This roadway width facilitates safe travel through the residential neighborhood and allows for overflow parking on both sides of the street while allowing emergency vehicle access. The typical street section shown on sheet 4 of the Preliminary Subdivision Plan Set in Exhibit C shows roadway dimensions and emergency vehicle dimensions. There are examples of many similar rural subdivisions throughout the City of Winona where roadway widths are 32' or less. Please again see attached Exhibit B for a list of subdivisions and their corresponding physical street widths.



Shared Use Path/Sidewalks:

PLC proposes no shared use path and no sidewalks in this subdivision. Eliminating the formerly proposed shared use path will create space for a wider physical roadway. This will address the Planning Commission's concerns regarding on street parking and emergency vehicle access. There are examples of many similar rural subdivisions throughout the City of Winona that have no sidewalks, including adjacent subdivisions that do not have sidewalks. Please refer again to Exhibit B for a list of subdivisions that do not utilize sidewalks for pedestrian traffic.

Bluff Setback:

In response to the Planning Commission's concern regarding the reduction of the 50' bluff setback, PLC is no longer proposing a variance to the UDC standards. The preliminary plat was redesigned to reduce lot sizes, and eliminate and reorganize lots in order to comply with the UDC standards for bluff setbacks.

Streets Within Bluff Area:

In response to the Planning Commission's concern regarding the placement of streets within the bluff area, PLC is no longer proposing any streets within the bluff area. The preliminary plat was redesigned to reduce lot sizes, eliminate and reorganize lots, and shift and move proposed streets in order to eliminate the need to place streets within the bluff area.

Stormwater:

PLC is proposing to utilize existing storm ponds, and to construct the necessary storm ponds and other storm water treatment best management practices (BMP's) in the natural drainage ways necessary for effective storm water management. City Engineer Brian DeFrang was consulted, and would both support and recommend the construction of storm water ponds within bluff areas if the grades and resulting drainage areas dictate that these are the most effective and appropriate locations. Placing storm water facilities and ponds within the bluff area is permitted and considered an allowed use in accordance with the UDC, and does not require a variance. In order to satisfy the ordinance, PLC will place a restriction on the equivalent amount of land within the developable area that must remain pervious (capable of infiltration). A formal document and exhibit is proposed to be recorded designating the restricted areas. Please see attached Exhibit D for the proposed stormwater BMP locations and proposed impervious restriction area designations.

Should the Planning Commission and City Council approve the Preliminary Plat, PLC will begin the surveying and engineering design phase of the project. During this phase, the exact



number, size, and location of the stormwater ponds and other BMP's will be determined from a very detailed hydraulic analysis, planning, and design process. City Engineer Brian DeFrang will review, recommend changes, and accept or reject the engineering plan that is presented. The Planning Commission and City Council will also have the opportunity to review the engineering plan when the Final Plat is brought before them for approval.

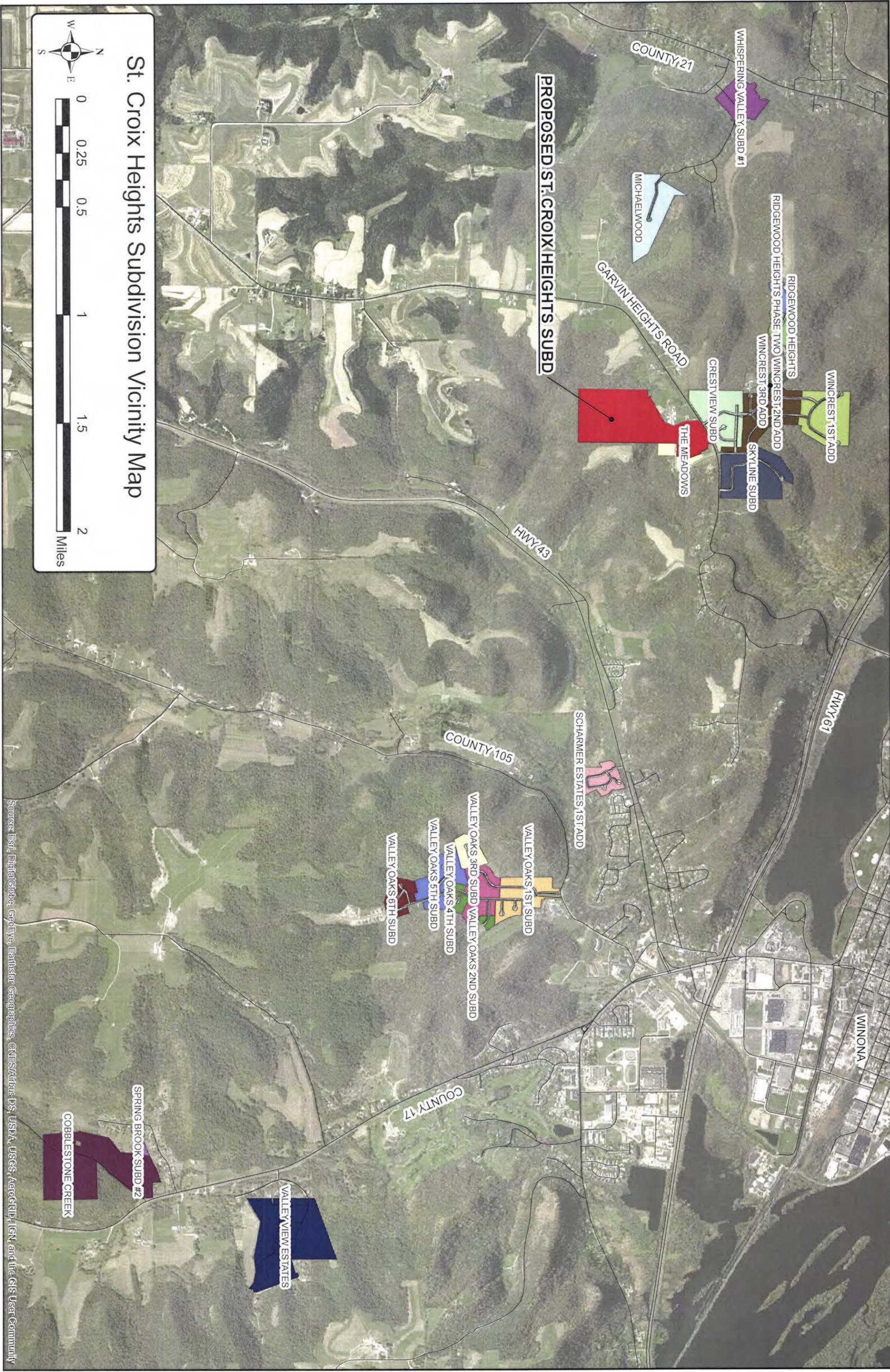
Park Dedication:

In accordance with City Code Section 43.04.24, PLC is proposing the public dedication of Outlots A through F to provide access and land for the enhancement of public recreational space. The City Park and Recreational Department is exploring the installation of a recreational trail system in these Outlots. According to the UDC, the accepted national standard for neighborhood parks is 4 acres per 1,000 populations. The Outlots will total 29.08 acres of publicly dedicated access and park land which exceeds this national standard. The Outlots will be owned by the City, and dedicated for public use.



Exhibit B: Subdivision Comparison Table

	Name of Subdivision Plat	Address	Right of Way Width (ft)	Bituminous Roadway Width (From Aerial Imagery) (ft)	Sidewalks? (Yes, No)
	St. Croix Heights	0 Garvin Heights	50	32	No
1	Crestview Subdivision	Highland Drive	60	32	No
2	The Meadows	Buck Ridge Drive	50	28	No
3	Cobblestone Creek	Cobblestone Lane	50	28 (At Bumpouts)	No
4	Spring Brook Subdivision #2	Spring Brook Drive	60	28	No
5	Valley View Estates	Clinton Drive North	60	24	No
6	Valley Oaks First Subdivision	Valley Oaks Drive	60	32	No
7	Valley Oaks Second Subdivision	Oak Leaf Drive	60	32	No
8	Valley Oaks Third Subdivision	Forest Oaks Court	60	32	No
9	Valley Oaks Fourth Subdivision	Oakwood Court	60	32	No
10	Valley Oaks Fifth Subdivision	Shady Oak Court	60	32	No
11	Valley Oaks Sixth Subdivision	Rivers Oak Court	60 (50 Radius Cul-de-sac)	32	No
12	Scharmer Estates First Addition	Debi Lei Drive	50	32	No
13	Michaelwood	Michaelwood Drive	60	26	No
14	Whispering Valley Subdivision #1	Jay Bee Drive	60	26	No
15	Wincrest First Addition	Valley View Drive	60	28	No
16	Wincrest Second Addition	Valley View Drive	60	28	No
17	Wincrest Third Addition	Ridgewood Drive	60	32	No
18	Skyline Subdivision	Skyline Drive	60	36	No
19	Ridgewood Heights	Ridgewood Drive	60	32	No
20	Ridgewood Heights Phase Two	Ridgewood Drive	60	32	No



PROPOSED ST. CROIX HEIGHTS SUBD

WHISPERING VALLEY SUBD #1

RIDGEWOOD HEIGHTS
RIDGEWOOD HEIGHTS PHASE TWO
WINCREST 2ND ADD

WINCREST 1ST ADD

WINCREST 3RD ADD

CRESTVIEW SUBD

THE MEADOWS

SKYLINE SUBD

COUNTY 21

MICHAELWOOD

GARVIN HEIGHTS ROAD

HWY 43

COUNTY 105

SCHARMER ESTATES 1ST ADD

HWY 61

WINONA

VALLEY OAKS 1ST SUBD

VALLEY OAKS 3RD SUBD
VALLEY OAKS 2ND SUBD

VALLEY OAKS 4TH SUBD

VALLEY OAKS 5TH SUBD

VALLEY OAKS 6TH SUBD

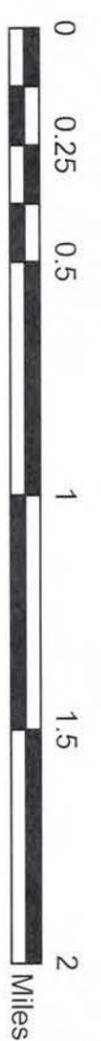
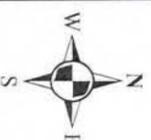
COUNTY 17

VALLEYVIEW ESTATES

SPRING BROOK SUBD #2

COBBLESTONE CREEK

St. Croix Heights Subdivision Vicinity Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Exhibit C:

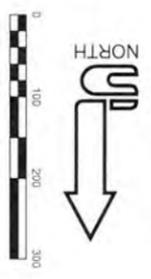
Preliminary Subdivision Plan Set

PRELIMINARY

INDEX TO PLAN SHEETS	
EXISTING CONDITIONS	1
OVERALL SITE PLAN- NO CONTOURS	2
OVERALL SITE PLAN- WITH LIDAR CONTOURS	3
DETAIL SHEET	4

THIS PLAN CONTAINS 4 TOTAL SHEETS

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LEGEND

- These standard symbols will be found on this plan sheet.
- DENOTES PROPERTY LINE
 - 1180 DENOTES EXISTING MAJOR CONTOUR FROM MANTOPO LIDAR DATA
 - 1181 DENOTES EXISTING MINOR CONTOUR FROM MANTOPO LIDAR DATA
 - DENOTES TOP OF BLUFF LINE
 - DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE

JOHNSON & SCOTFIELD INC.
 Surveying & Engineering

1203 Main Street, Red Wing, MN 55068
 PH: 651.384.1538 FAX: 651.384.1539

DESIGNED	DATE	BY	DATE	REVISION
JOE & SHV				
DRAMM				
CHECKED				
SPV				

LATEST REVISION: 01/08/20
 Prepared For:
 PROORO LEASING CO. LLC,
 C/O BERNIE BRENNER
 4020 WEST SIXTH STREET
 WINONA, MN 55991-1596
 PHONE: 507-454-1163

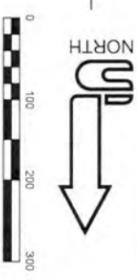
SAINT CROIX HEIGHTS
 WINONA, MINNESOTA

EXISTING CONDITIONS
 SHEET 1 OF 4

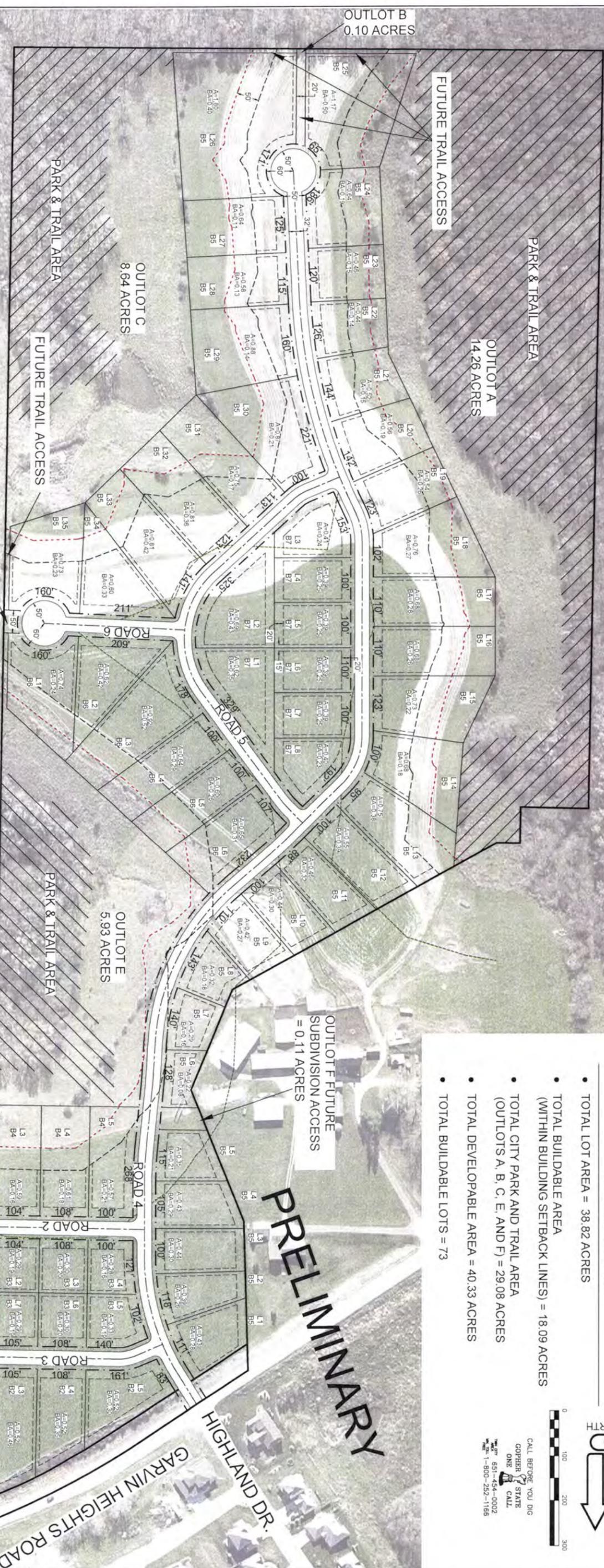
FILE PATH: S:\Share\STR\CD\351107-1356\PROORO LEASING CO. L.P.A. 1900

SITE AREAS

- TOTAL LOT AREA = 38.82 ACRES
- TOTAL BUILDABLE AREA (WITHIN BUILDING SETBACK LINES) = 18.09 ACRES
- TOTAL CITY PARK AND TRAIL AREA (OUTLOTS A, B, C, E, AND F) = 29.08 ACRES
- TOTAL DEVELOPABLE AREA = 40.33 ACRES
- TOTAL BUILDABLE LOTS = 73



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SITE PLAN NOTES

- TOTAL LOT AREA = 38.82 ACRES
- TOTAL BUILDABLE AREA = 18.09 ACRES
- TOTAL ROAD LENGTH = 5,915' = 1.12 MI
- BLOCK 1 LOT AREA = 1.97 ACRES
- BLOCK 1 BUILDABLE AREA = 1.13 ACRES
- BLOCK 2 LOT AREA = 2.32 ACRES
- BLOCK 2 BUILDABLE AREA = 1.57 ACRES
- BLOCK 3 LOT AREA = 2.47 ACRES
- BLOCK 3 BUILDABLE AREA = 1.49 ACRES
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- BLOCK 4 BUILDABLE AREA = 0.9 ACRES
- BLOCK 5 LOT AREA = 21.63 ACRES
- BLOCK 5 BUILDABLE AREA = 8.52 ACRES
- BLOCK 6 LOT AREA = 4.17 ACRES
- BLOCK 6 BUILDABLE AREA = 2.04 ACRES
- BLOCK 7 LOT AREA = 3.89 ACRES
- BLOCK 7 BUILDABLE AREA = 2.44 ACRES

LEGEND

These standard symbols will be found on this plan sheet.

- DENOTES PROPERTY LINE
- DENOTES LOT LINE
- DENOTES RIGHT OF WAY CENTER LINE
- DENOTES ROAD CENTER LINE
- DENOTES BUILDING SETBACK LINE
- DENOTES TOP OF BLUFF LINE
- DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE
- DENOTES 50' BLUFF LINE BUILDING SETBACK
- DENOTES LOT AREA IN ACRES
- DENOTES BUILDABLE AREA IN ACRES
- L1 DENOTES LOT NUMBER AND BLOCK NUMBER
- B1 DENOTES PROPOSED TWIN HOME LOTS
- DENOTES PROPOSED BITUMINOUS SURFACE

CONSTRUCTION PHASE 1
 TOTAL BUILDABLE LOTS = 12

BUCK RIDGE DRIVE

JOHNSON & SCOTFIELD INC.
 Surveying & Engineering

1203 Main Street, Red Wing, MN 55068
 PH: 651.584.1538 FAX: 651.584.1539

DESIGNED	BY	DATE	REVISION
JOP & SPV			
DRAWN	JOP		
CHECKED	SPV		

DATE	BY	REVISION
01/08/20		LATEST REVISION

Prepared For:
 PROORO LEASING CO. LLC.
 C/O BERNIE BRENNER
 4020 WEST SIXTH STREET
 WINONA, MN 55997-1596
 PHONE: 507-454-1163

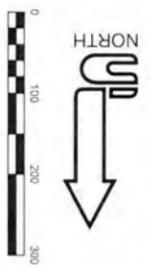
SAINT CROIX HEIGHTS

WINONA, MINNESOTA

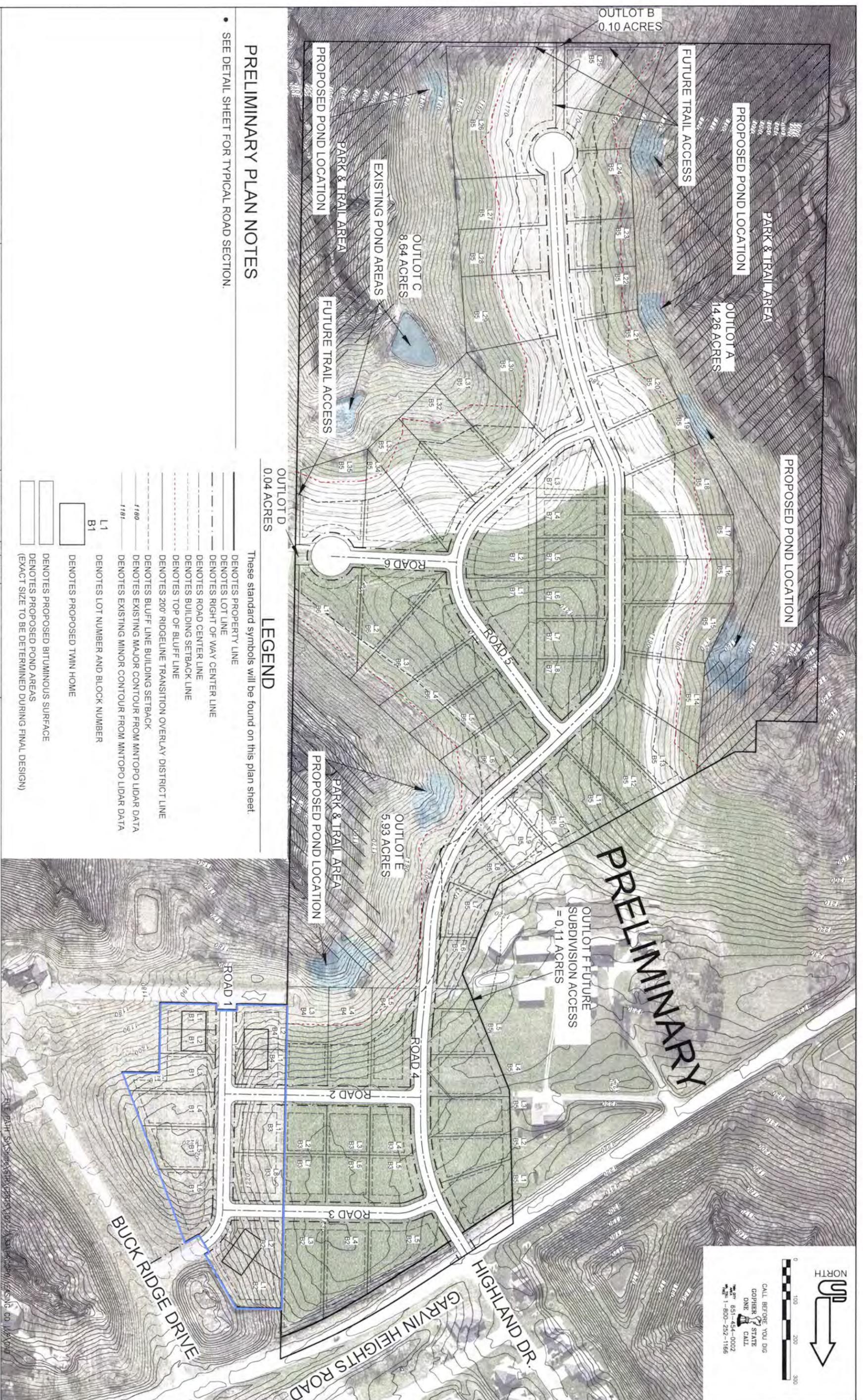
PRELIMINARY SITE PLAN

SHEET 2 OF 4

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PRELIMINARY PLAN NOTES

• SEE DETAIL SHEET FOR TYPICAL ROAD SECTION.

- These standard symbols will be found on this plan sheet.
- DENOTES PROPERTY LINE
 - DENOTES LOT LINE
 - DENOTES RIGHT OF WAY CENTER LINE
 - DENOTES ROAD CENTER LINE
 - DENOTES BUILDING SETBACK LINE
 - DENOTES TOP OF BLUFF LINE
 - DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE
 - DENOTES BLUFF LINE BUILDING SETBACK
 - DENOTES EXISTING MAJOR CONTOUR FROM MANTOPO LIDAR DATA
 - DENOTES EXISTING MINOR CONTOUR FROM MANTOPO LIDAR DATA
 - L1 DENOTES LOT NUMBER AND BLOCK NUMBER
 - B1 DENOTES PROPOSED TWIN HOME
 - DENOTES PROPOSED BITUMINOUS SURFACE
 - DENOTES PROPOSED POND AREAS (EXACT SIZE TO BE DETERMINED DURING FINAL DESIGN)

LEGEND

JOHNSON & SCOTFIELD INC.
 Surveying & Engineering

1203 Main Street
 Red Wing, MN 55068
 Ph: 651.586.1538 Fax: 651.586.1539

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JOP & SPV	JOP		
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CHECKED	SPV		

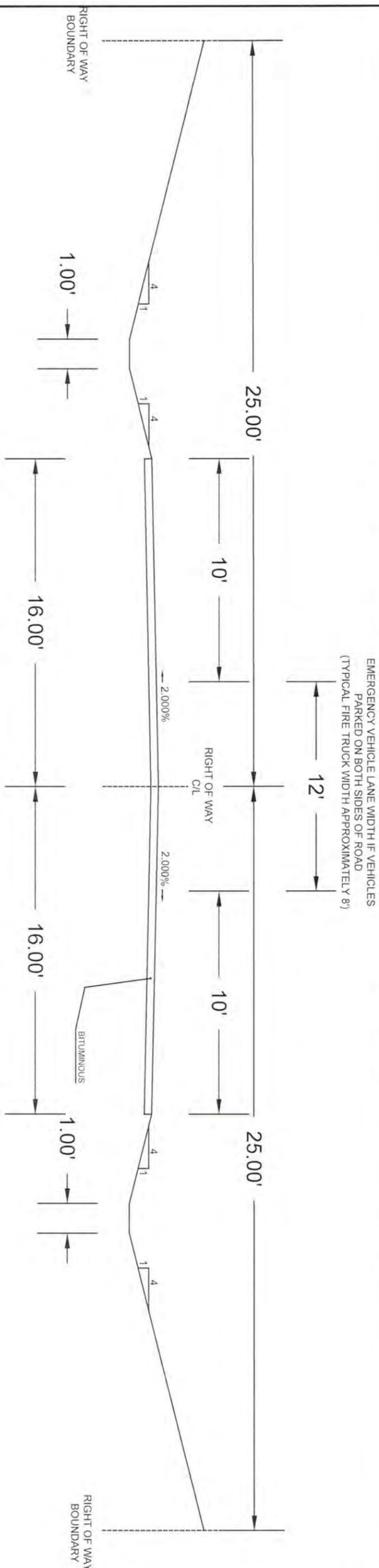
LATEST REVISION: 01/08/20
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 PROORO LEASING CO. LLC.
 C/O BERNIE BRENNER
 4020 WEST SIXTH STREET
 WINONA, MN 55987-1596
 PHONE: 507-434-1163

SAINT CROIX HEIGHTS
 WINONA, MINNESOTA

PRELIMINARY SITE PLAN WITH
 2' EXISTING LIDAR CONTOURS
 SHEET 3 OF 4

PRELIMINARY

TYPICAL ROADWAY CROSS SECTION



EMERGENCY VEHICLE LANE WIDTH IF VEHICLES
 PARKED ON BOTH SIDES OF ROAD
 (TYPICAL FIRE TRUCK WIDTH APPROXIMATELY 8')

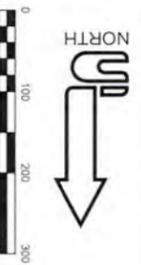
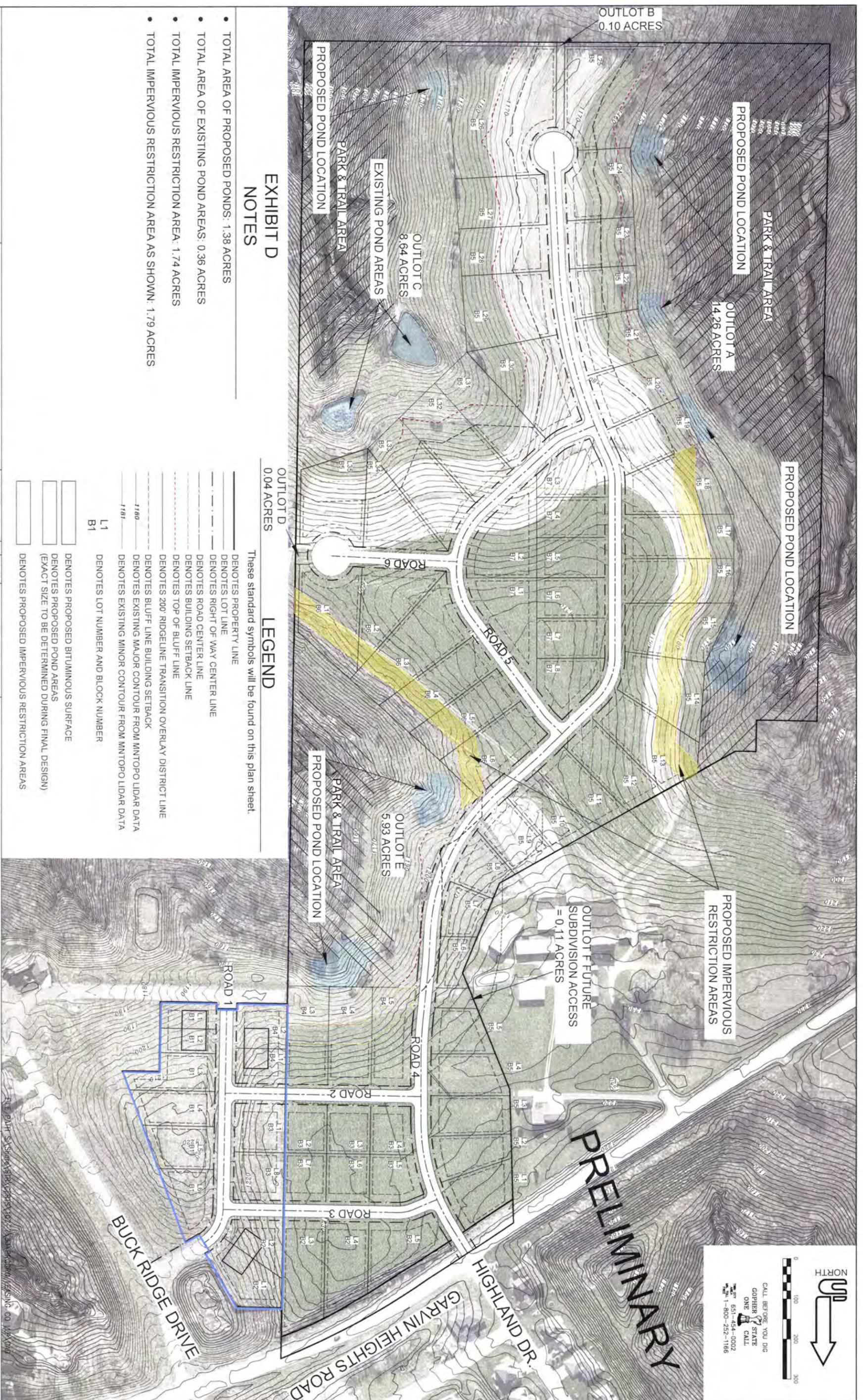
 JOHNSON & SCOTFIELD INC. Surveying & Engineering <small>1203 Main Street, Red Wing, MN 55066 Ph: 651.588.1538 Fax: 651.588.1539</small>	DESIGNED	APR 8, 2017	REVISION	BY	DATE	LATEST REVISION: 01/09/20	Prepared For:	PROGNO LEASING CO. LLC	SAINT CROIX HEIGHTS WINONA, MINNESOTA	ROAD DETAILS SHEET 4 OF 4
	DRAWN	APR					C/O BERNE BRENNER	4020 WEST SIXTH STREET WINONA, MN 55997-1508 PHONE: 507-464-1183		
	CHECKED	SPV								

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Exhibit D:

Proposed BMP and Impervious Restriction Areas



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 1-800-252-1166

EXHIBIT D NOTES

- TOTAL AREA OF PROPOSED PONDS: 1.38 ACRES
- TOTAL AREA OF EXISTING POND AREAS: 0.36 ACRES
- TOTAL IMPERVIOUS RESTRICTION AREA: 1.74 ACRES
- TOTAL IMPERVIOUS RESTRICTION AREA AS SHOWN: 1.79 ACRES

LEGEND

- These standard symbols will be found on this plan sheet.
- DENOTES PROPERTY LINE
 - DENOTES LOT LINE
 - DENOTES RIGHT OF WAY CENTER LINE
 - DENOTES ROAD CENTER LINE
 - DENOTES BUILDING SETBACK LINE
 - DENOTES TOP OF BLUFF LINE
 - DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE
 - DENOTES BLUFF LINE BUILDING SETBACK
 - DENOTES EXISTING MAJOR CONTOUR FROM MNTPOPO LIDAR DATA
 - DENOTES EXISTING MINOR CONTOUR FROM MNTPOPO LIDAR DATA
 - L1 DENOTES LOT NUMBER AND BLOCK NUMBER
 - B1
 - DENOTES PROPOSED BITUMINOUS SURFACE
 - DENOTES PROPOSED POND AREAS (EXACT SIZE TO BE DETERMINED DURING FINAL DESIGN)
 - DENOTES PROPOSED IMPERVIOUS RESTRICTION AREAS

JOHNSON & SCOTFIELD INC.
 Surveying & Engineering
 1203 Main Street, Red Wing, MN 55068
 Ph: 651.388.1538 Fax: 651.388.1539

DESIGNED	DATE	BY	DATE
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DRAWN			
CHECKED			

LATEST REVISION: 01/08/20
 Prepared For:
 PROORO LEASING CO. LLC
 C/O BERNIE BRENNER
 4020 WEST SIXTH STREET
 WINONA, MN 55987-1596
 PHONE: 507-454-1163

SAINT CROIX HEIGHTS
 WINONA, MINNESOTA

EXHIBIT D: PROPOSED BMP LOCATIONS
 AND IMPERVIOUS RESTRICTION AREAS
 SHEET 1 OF 1

43.01.11 Cluster Development Plan

A) Purpose

- 1) The City Council finds that there is a need to permit cluster developments in the city to provide for improved living and working environments, to promote more economical use of land, to provide needed housing, to encourage the building and use of a variety of types of residential housing, to encourage ingenuity and originality in total subdivision and individual site designs, to preserve open space, to respect the physical qualities of land areas, and to save scarce natural resources. To aid in achieving those needs variation in lot areas are permitted. Also procedures are established to assure adequate maintenance and restricted use of open space areas for the benefit of the inhabitants of the developments or the dedication to public use. Also procedures are established to assure adequate protection of existing and potential developments adjoining the proposed cluster development.

B) General Requirements and Definition.

- 1) A cluster development shall be permitted in any residential district of the city.
- 2) A cluster development is a development providing housing. It is not a development providing any commercial or other services except those incidental and necessary to the main use.
- 3) A cluster development may include any residential use which is both permitted within, and regulated by, underlying zoning.
- 4) The maximum number of dwelling units for a cluster development shall not exceed the number resulting from calculations of the following formula:

$$N.D. = \frac{(N.L. \times .75)}{M.L.}$$

Where:

N.D. = Net Dwelling Units (Maximum)

N.L. = Net Land Area = $G - (F.P. + O.S. + X)$

G = Gross Development Site Area

F.P. = Land which is located within the established flood plain as defined on City of Winona Flood Hazard Overlay Districts

O.S. = Required open space provisions pursuant to 43.04.26 Natural State Areas.

X = Any other land area, which, because of physical limitations may be required to remain in a natural state.

.75 = 1 - Fixed percentage for street right-of-way purposes (.25) to be applied regardless of the amount of land actually used for right-of-way

M.L. = Minimum lot size permitted within applicable zoning district.

- 5) A cluster development shall be constructed in accordance with a preliminary subdivision plan reviewed by the Planning Commission and approved by the City Council under regulations for the subdivision of land.
- 6) Modification and variation of the yard and lot requirements of Sections 43.02.23 and 43.02.24 may be permitted. Such modifications and variations shall be shown on any cluster preliminary subdivision plan. Distances between dwellings or dwelling groups shall not be less than 15 feet. Minimum front yards shall be a minimum of 20 feet. Any yard within the cluster development which abuts an adjoining residential development shall be the same as required for the adjoining residential development.

- 7) The number of attached dwellings shall not exceed 6 within the R-1.5 district and 8 in the R-2 district. Building line and elevations shall be staggered to prevent straight-wall effect.
 - 8) In each zone allowing cluster development the lot size may be reduced from the general lot size for that zone to an unspecified minimum lot size for cluster development. All such lot reductions shall be compensated for by an equivalent amount of land in cluster open space to be preserved and maintained for its scenic values, and for recreation and conservation purposes. Improvements shall be limited to serving such purposes.
 - 9) All cluster developments shall meet the public recreation open space requirements of Section **43.04.24**, provided that no credit shall be allowed for private cluster open spaces. However, private cluster open spaces, if dedicated for public use, may be used to fulfill land dedication requirements.
- C) Approval Criteria. The approved preliminary subdivision plan for a cluster development shall provide for a total environment better than that which would be achieved under standard regulations. If, in the opinion of the Planning Commission and/or City Council, the proposed plan could be improved by the reasonable modification of the location of cluster open space or building or configurations of lots, streets and parking areas, the proposed plan shall be so modified. In acting on a proposed plan, particular consideration should be given to the following criteria:
- 1) Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.
 - 2) The usability of cluster open space intended for recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site.
 - 3) Cluster open space shall include irreplaceable natural features, located in the tract such as, but not limited to stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings.
 - 4) Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians including the handicapped and elderly.
 - 5) The suitability of cluster open space intended for scenic value and purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.
 - 6) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
 - 7) Individual lots, buildings, and dwelling units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen areas devoted to motor vehicle access.
 - 8) Individual lots, buildings, dwelling units, parking areas, etc. shall be situated to minimize the adverse effects of shadows, noise and traffic.
- D) Procedure for Cluster Development Plan Approval. Submission and review of a cluster development shall be in accordance with the provisions of Section **43.06.32** and Section **43.06.33**. A cluster development preliminary plan may be required at the same time as a zoning or rezoning request.
- 1) Preliminary Plan. Planning Commission review for a preliminary cluster development plan shall be made in accordance with Section **43.06.32**. In reviewing the plan, the Commission shall

ensure that it meets the purpose and requirements of this section. The action of this Commission shall be to recommend the approval, denial, or modification of the plan.

- 2) Preliminary Plan to City Council. A report of the Commission's findings and recommendations shall be furnished to the City Council within 15 days of the Commission's final action. The Council shall act in accordance with Section 43.06.32. The City Council shall hold a public hearing in accordance with the procedures outlined in Section 43.06.13I). The action of the City Council shall be to approve, deny, or modify the plan. Modifications shall be made prior to Council final action.
- 3) Final Development Plan to City Council. A final development plan (plat) shall be submitted for all or any part of the approved preliminary development plan. The City Council shall review the plan in accordance with Section 43.06.33 and shall ensure that it is in substantial compliance with the preliminary development plan. The plan shall be in substantial compliance provided that does not: violate any provision of this Chapter, or vary any lot area by more than ten percent, or involve a reduction of ten percent of the area reserved for public or private cluster open space, or increase or decrease the total number of dwelling units by five percent. Failure to meet any of these criteria shall require resubmission of the preliminary plan for Planning Commission review and City Council action
- 4) Cluster Development. Status of Approved Preliminary Plan. An approved preliminary plan for a cluster development shall be the site plan for the development of the subject property.
- 5) A Development Agreement may be required as appropriate for approval of a cluster subdivision
- 6) Final Plat. Plan Effectuation. The plan shall be in effect when a final plat is filed with the County. A statement indicating that the land is located within an approved cluster development area shall be placed on the recorded plat.
- 7) The approved final plat shall be recorded within 180 days after the date of the City Council's approval. If not recorded within this timeframe, such approval shall be termed null and void. In the event a plat is considered invalid, the plat shall then be resubmitted.

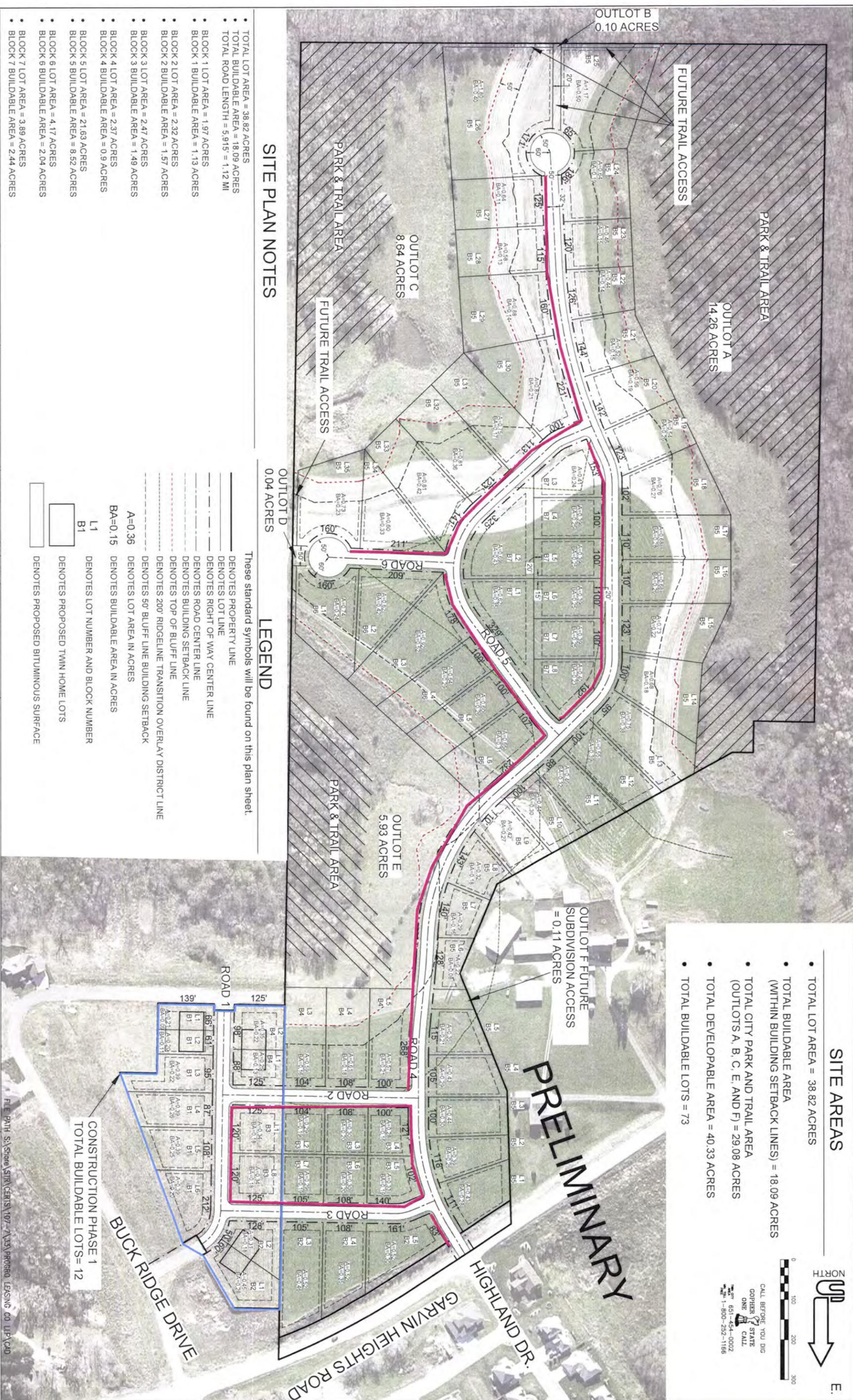
Departure from Plan. No person before, during or after construction of a cluster development shall make or permit any substantial departure from the approved plan without the consent of the City Council. Insubstantial changes to the plan may be made if approved by the Community Development Department.

SITE AREAS

- TOTAL LOT AREA = 38.82 ACRES
- TOTAL BUILDABLE AREA (WITHIN BUILDING SETBACK LINES) = 18.09 ACRES
- TOTAL CITY PARK AND TRAIL AREA (OUTLOTS A, B, C, E, AND F) = 29.08 ACRES
- TOTAL DEVELOPABLE AREA = 40.33 ACRES
- TOTAL BUILDABLE LOTS = 73



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SITE PLAN NOTES

- TOTAL LOT AREA = 38.82 ACRES
- TOTAL BUILDABLE AREA = 18.09 ACRES
- TOTAL ROAD LENGTH = 5,915' = 1.12 MI
- BLOCK 1 LOT AREA = 1.97 ACRES
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- BLOCK 6 BUILDABLE AREA = 2.04 ACRES
- BLOCK 7 LOT AREA = 3.89 ACRES
- BLOCK 7 BUILDABLE AREA = 2.44 ACRES

LEGEND

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 - DENOTES ROAD CENTER LINE
 - DENOTES BUILDING SETBACK LINE
 - DENOTES TOP OF BLUFF LINE
 - DENOTES 200' RIDGELINE TRANSITION OVERLAY DISTRICT LINE
 - DENOTES 50' BLUFF LINE BUILDING SETBACK
 - DENOTES LOT AREA IN ACRES
 - DENOTES BUILDABLE AREA IN ACRES
 - L1 DENOTES LOT NUMBER AND BLOCK NUMBER
 - B1 DENOTES PROPOSED TWIN HOME LOTS
 - DENOTES PROPOSED BITUMINOUS SURFACE

JOHNSON & SCOFFIELD INC.
 Surveying & Engineering

1203 Main Street, Red Wing, MN 55066
 PH: 651.384.1534 FAX: 651.384.1539

DESIGNED	DATE	BY	DATE	REVISION
JOP & JEV				
DRAWN		JOP		
CHECKED		SEV		

SAINT CROIX HEIGHTS
 WINONA, MINNESOTA

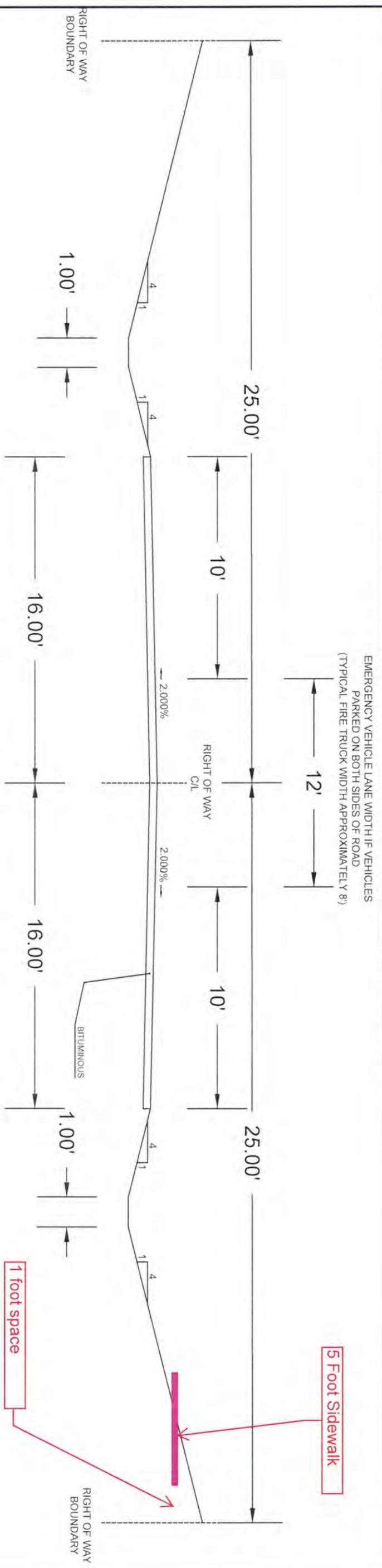
PRELIMINARY SITE PLAN

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PRELIMINARY

F.

TYPICAL ROADWAY CROSS SECTION



<p>JOHNSON & SCOTFIELD INC. Surveying & Engineering</p> <p>1203 Main Street, Red Wing, MN 55068 Ph: 651.388.1538 Fax: 651.388.1539</p>	<p>DESIGNED: JPE & SEV</p> <p>DRAWN: JPE</p> <p>CHECKED: SEV</p>	<p>REVISIONS:</p> <table border="1"> <tr><th>NO.</th><th>DATE</th><th>BY</th></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	BY										<p>FILE PATH: S:\Shore\STR\CERTS\107-7\33\PROGRO LEASING CO LLP\CAD</p>
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<p>Prepared For: PROGRO LEASING CO. LLC C/O BERNIE BRENNER 4020 WEST SOUTH STREET WINONA, MN 55997-1798 PHONE: 507-434-1183</p>	<p>SAINT CROIX HEIGHTS WINONA, MINNESOTA</p>	<p>ROAD DETAILS</p>	<p>SHEET 4 OF 4</p>												