



COMMUNITY DEVELOPMENT

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

March 18, 2020

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the City of Winona Planning Commission will be held on Wednesday, March 23, 2020 at 4:30 P.M. electronically via Zoom. Instructions for access to Zoom will be emailed to you before the meeting.

1. Call to Order
2. Approval of Minutes – March 9, 2020
3. Public Hearing - 701 Wilson Street Tourist Home Interim Use Permit
4. Public Hearing – Main Square Annex Final Plat at 166 West 6th Street
5. Other Business
6. Adjournment

Sincerely,

A handwritten signature in blue ink, appearing to read "Luke N. Sims".

Luke N. Sims
Assistant City Planner

PLANNING COMMISSION MINUTES

DATE: March 9, 2020

TIME: 4:30 p.m.

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

ABSENT: Commissioners Ballard 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 – February 24, 2020

The minutes from the Planning Commission meeting of February 24, 2020 were reviewed. Commissioner Olson moved to approve the minutes. Commissioner Marks seconded the motion. All members present voted aye.

Public Hearing – Loesel Subdivision Final Plat

Applicant Zachary Loesel communicated to the Commission his intent to sell the garage currently on the property to another individual who would use it for storage.

Commissioner Olson asked to confirm the location at 1100 Sugar Loaf Road as being directly south of 1070 Sugar Loaf Road. Mr. Loesel confirmed this was the case. General discussion of access to the property ensued.

Mr. Sims provided an overview of the proposed final plat, including the new lot for the garage to be sold and the outlot which would be created for future divestment, possibly to MnDOT as it sits below Highway 43. Mr. Sims also noted that the existing single family residence use is a legal nonconformity and recommended that the Commission approve the request with the condition that the newly created Block 1 Lot 2 be re-zoned to an appropriate zoning district for a single family home.

Chairman Buelow asked how the sewer and water lines were reaching the house on Block 1 Lot 2 and whether they would run under the garage. Mr. Sims noted that this was not raised as an issue in the review process but would follow up to confirm that the sewer and water lines do not run under the garage property prior to submission to the City Council for final approval.

Commissioner Hahn asked which zoning district would be best for the property in question. Mr. Sims responded that any residential district would be appropriate based on the Comprehensive Plan's designation as mixed residential but that an R-2 designation would be fitting based on neighboring properties.

PLANNING COMMISSION MEETING MINUTES

MARCH 9, 2020

PAGE 2

Chairman Buelow opened the public hearing.

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

Commissioner Hahn moved to approve the application with the condition to rezone to an R-2 zoning district. Commissioner Marks seconded the motion. All members present voted aye.

Other Business

Chairman Buelow raised concern over the sand pile proposed for Latsch Island by the Army Corps of Engineers and recommended that the Planning Commission take a stance on the proposed sand pile, particularly as the City of Winona has invest in the new bridge walkway, Levee Park, and that the location in question is a narrow spot in the river and there may be some long term detriment in solving a short term problem. Commissioner Hahn mentioned that Wabasha is also dealing with a similar problem. Commissioner Shortridge added that the pile never really goes away. Commissioner Hahn added that it could become a transportation concern.

Commissioner Shortridge moved to draft a letter of support to City Council to discourage the use of Latsch Island as a dredge pile as it is not in keeping with the Comprehensive Plan. Commissioner Marks seconded the motion.

Commissioner Boettcher mentioned that there is concern about the rising river which fluctuates higher now than it did in the past and there are no longer as many dry areas. He mentioned that some places to the south may be better than the proposed location or to the north.

General discussion about the current amount of sand being stored at the location and potential future additional storage ensued. General discomfort with the idea of additional storage at that location was expressed.

No further discussion ensuing, the Commission voted on the motion at hand. All members present voted aye.

Adjournment

On a motion from Commissioner Olson and second by Commissioner Shortridge, the Commission unanimously voted in favor of adjournment at 5:00 p.m.

Luke Sims
Assistant City Planner

Attachments:

- A. Resolution
- B. Application Materials Submitted March 5, 2020

CERTIFICATION OF RESOLUTION

I, Carlos Espinosa, Secretary for the Winona City Planning Commission, do hereby certify that I have compared the annexed paper writing with the original Order of the Winona City Planning Commission RE: Resolution **#20-3** and Petitioner(s) **Joseph and Susan Koo** now remaining of record in my office, and that the same is a true and correct copy of said original.

WITNESS, my hand in Winona, Minnesota, this 23rd day of March, 2020.

Carlos Espinosa, Secretary
Planning Commission

CITY OF WINONA, MINNESOTA
PLANNING COMMISSION RESOLUTION 20-3

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINONA,
MINNESOTA APPROVING THE REQUEST FOR AN INTERIM USE PERMIT FOR A
NON-OWNER OCCUPIED TOURIST HOME UNIT AT 701 WILSON STREET

WHEREAS, the applicant, Joseph and Susan Koo, seek an Interim Use Permit (IUP) pursuant to Winona City Code 43.02.22 B) to use a dwelling unit at 701 Wilson Street for a Tourist Home, which property is zoned R-1 and is legally described on the attached Exhibit A; and

WHEREAS, the Planning Commission conducted a public hearing on March 23, 2020, and received public testimony regarding the requested Interim Use Permit; and

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

WHEREAS, the Planning Commission subsequently reviewed the requested Interim Use Permit at its meeting on March 23, 2020.

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

1) Use of the dwelling unit shown on Exhibit A as a short-term rental for a maximum of five (5) persons complies with all general and specific criteria for non-owner occupied Tourist Home units provided in Exhibit C.

BE IT RESOLVED that the requested Interim Use Permit is hereby granted subject to the following conditions:

(1) The provisions of Winona City Code, Section 43.06.24 C), Cancellation of Conditional and Interim Use Permits, are incorporated herein and made a part hereof by reference

Passed by the Planning Commission of the City of Winona, Minnesota this 23rd day of March, 2020.

VOTE: HAHN SHORTRIDGE BALLARD BUELOW
 L. OLSON MARKS HALL BOETTCHER PADDOCK

ATTEST:

Secretary

Chair

EXHIBIT A

Legal Description of 701 Wilson Street

Lot One (1), in Block Thirty-two (32), Jenkins and Johnstons Second Addition to Winona, located upon a part of Government Lot Six (6), Section Twenty-seven (27), Township One Hundred Seven (107) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota.

EXHIBIT B

Reference Map



EXHIBIT C

General and Specific Criteria for Non-Owner Occupied Tourist Homes

General Criteria

- (1) The extent, location and intensity of the interim use will be in substantial compliance with the Winona Comprehensive Plan.
- (2) The interim use will conform to all applicable zoning regulations for the district in which the property is located.
- (3) Considering existing circumstances and potential uses under existing zoning, the interim use will not substantially impair the use and enjoyment of other property in the neighborhood.
- (4) The interim use will not impede the normal and orderly development and improvement of the surrounding property.
- (5) Considering existing circumstances and potential uses under existing zoning, the interim use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.
- (6) The interim use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.
- (7) The interim use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.
- (8) A interim use located on property having significant historical and architectural resources shall preserve such resources, and a interim use shall not substantially diminish other neighboring property having significant historical and architectural resources.
- (9) The interim use shall either preserve or not significantly negatively affect natural and environmental resources.
- (10) The interim use will comply with other applicable city, county, state, and federal regulations, as applicable.

Specific Criteria

- 1) The owner shall not occupy the premises during the rental period.
- 2) No meals shall be catered.
- 3) In MU-N, B-1, and residential zoning districts, the number of guests limited to a maximum of twelve (12) at one time or 1 per 1,500 square foot of lot area, whichever is smaller. This computation shall include any other dwelling units on the property. Provided that properties with valid rental certificates as of 6/21/17 shall

- be permitted to convert one existing rental unit to a Tourist Home and rent to the number of guests listed on the rental certificate. Any additional Tourist Home units on the same lot must comply with the lot area standard.
- 4) The use shall be subject to the 30% Rental Housing Rule.
 - 5) The use shall be subject to the city's hotel/motel tax as defined in Chapter 64 as of 7/1/2018 and be operated in accordance with state law notwithstanding conforming or non-conforming use status.
 - 6) Parking – One off-street parking space per two guests. Provided that properties with valid rental certificates as of 6/21/17 shall be permitted to convert one existing rental unit into a Tourist Home without providing additional parking.
 - 7) Guest stay per person shall be limited to a maximum of twenty-nine (29) continuous days within a sixty (60) day period.
 - 8) One unlighted exterior sign shall be permitted. The sign shall not exceed two square feet in area and be attached flat to the wall of the principal structure.
 - 9) A home must be inspected and licensed pursuant to City Code Chapter 33A and all other applicable city, county and state housing, building, fire and environmental health codes and ordinances. Proof of such licensing must be submitted to the Community Development Department. Initial City licensing for properties in the R-R, R-S, R-1, R-1.5, R-2, R-3, MU-N, B-1 and AG/NR districts shall be subject to the Interim Use Permit (IUP) process. Properties shall be inspected prior to application for the IUP. The Interim Use Permit shall be valid for the same term period as a rental housing license. Thereafter, properties shall be licensed administratively by the Community Development Department in the same manner as rental housing pursuant to Chapter 33A.
 - 10) An owner or local agent for the premises shall reside within 30 miles of the unit. Such representative shall be available 24 hours a day during the rental period. A contact number for the representative shall be provided to the City of Winona Community Development Department.

2019
INTERIM USE PERMIT (IUP) APPLICATION
COMMUNITY DEVELOPMENT, CITY OF WINONA, MINNESOTA 55987
P.O. BOX 378 507/457-8250 FAX: 507/457-8212

SITE ADDRESS: 701 WILSON ST, WINONA

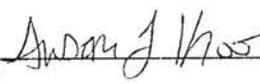
Property Owner:		
Company/Individual	<u>Joseph & Susan Koo</u>	E-Mail <u>jkoo10@yahoo.com</u>
Contact Person	<u>same ↑</u>	Office Phone <u>N/A</u>
Mailing Address	<u>33 YORK CT</u>	Mobile Phone <u>423-309-6797 (JO)</u>
City/State/Zip	<u>Staunton VA 24441</u>	<u>540-849-7603 (JULIAN)</u>
Applicant:		
Company/Individual	<u>same as property owner</u>	E-Mail _____
Contact Person	_____	Office Phone _____
Mailing Address	_____	Mobile Phone _____
City/State/Zip	_____	_____

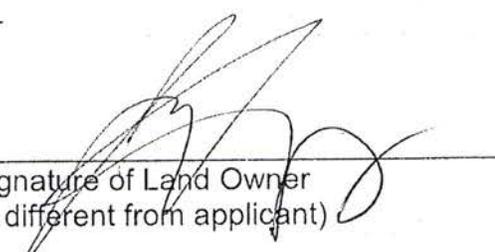
IUP Applications will not be processed without payment of the \$215.00 fee.

Additional information required for the IUP application is on following pages. A letter will be sent within 15 business days if more information is required to declare the IUP application complete.

Note that any project which will generate 200+ semi-truck trips per day is required to complete a Transportation Impact Analysis prior to submitting this application. An analysis is also required if semis from the proposed use will increase the amount of traffic on any non-truck route by more than 20%. If potentially applicable, contact the Community Development Department to set up a pre-application meeting.

Zoning of Property: _____

Signature of Applicant 

Signature of Land Owner
(If different from applicant) 

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

IUP Application Requirements

An IUP application requires the following information to be complete. Provide attachments as necessary.

- 1) Project narrative. Briefly describe the proposed use of the property. *Short term vacation rental*
- 2) Conceptual site plan. Provide a general layout of proposed use on the subject property. Note that a formal site plan application may be required after IUP approval. *See reverse side of this paper*
- 3) Respond to the specific criteria for the proposed interim use. Staff will provide this information.
- 4) Respond to the following general criteria:
 - (1) The extent, location and intensity of the interim use will be in substantial compliance with the Winona Comprehensive Plan. *Property can be rented a minimum of 3 days and up to, but not exceeding 1 month. Location - one block from West Lake on the corner of Wilson & Mill. Intensity - continual bookings.*
 - (2) The interim use will conform to all applicable zoning regulations for the district in which the property is located. *Yes, we are already approved for a long term rental and been found in compliance*
 - (3) Considering existing circumstances and potential uses under existing zoning, the interim use will not substantially impair the use and enjoyment of other property in the neighborhood. *It will not. We currently have long term renters and there have been no reported concerns.*
 - (4) The interim use will not impede the normal and orderly development and improvement of the surrounding property. *No.*
 - (5) Considering existing circumstances and potential uses under existing zoning, the interim use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare. *We have already renovated the property and it is of adequate and at least comparable character and integrity of surrounding properties.*

- (6) The interim use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area. No
- (7) The interim use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics. No. We plan to not be the cheapest place to rent. We want to attract responsible families and travelers looking for a quality experience. We also want to minimize potential damage to our property.
- (8) A interim use located on property having significant historical and architectural resources shall preserve such resources, and a interim use shall not substantially diminish other neighboring property having significant historical and architectural resources.
While not on the historic register, our property was built in the late 1800s. When we renovated we preserved much of the original character.
- (9) The interim use shall either preserve or not significantly negatively affect natural and environmental resources. We will have a property manager who keeps a continual watch on lawn care, trash, etc.
- (10) The interim use will comply with other applicable city, county, state, and federal regulations, as applicable. Yes.

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

We plan to list the property on a short term rental website (ie - VRBO, airBnB, etc) I believe for our lot size and city codes we are permitted 5 guests?

Luke Sims

From: Jo Koo <jkoo10@yahoo.com>
Sent: Monday, March 09, 2020 4:45 AM
To: Luke Sims
Subject: update on our 701 Wilson St.

Here is my friend Mark Loeffler (608) 780-9989. His address is: 259 Mill St. Winona, MN 55987. He will take care our property while we are out of town. Please let me know if you need any other information

Thank you

Jo and Susan Koo

PLANNING COMMISSION

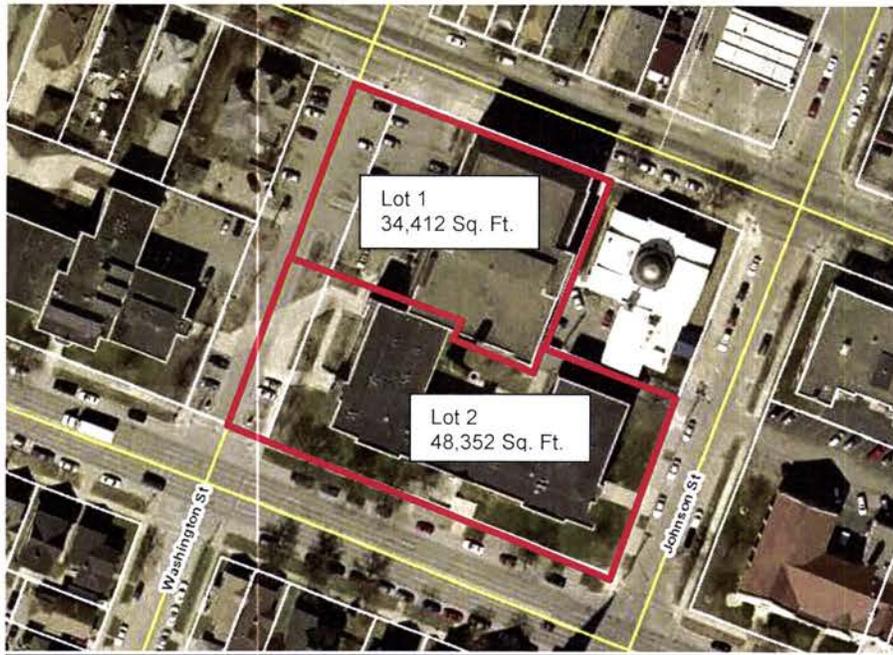
AGENDA ITEM: 4. Public Hearing – Main Square Annex Subdivision

PREPARED BY: Carlos Espinosa

DATE: March 23, 2020

BASE DATA

Petitioner:	Main Square Development LLC
Location:	166 W. 6 th St.
Existing Zoning:	Lot 1 – MU-DC (Mixed Use Downtown Core) Lot 2 – R-3 (High Density Residence)
Lot Area:	82,764 Sq. Ft.
Lot Area Requirements:	MU-DC – None R-3 – 74,000 Sq. Ft. (1,500 sq. ft. X 11 One Bedroom units; 2,500 sq. ft. X 23 Two Bedroom Units in East Washington Crossings Building)
Lot Frontage Requirements:	Lot 1 – None Lot 2 – 75 ft.
Existing Number of Lots:	One
Proposed Number of Lots:	Two
Proposed Lot Areas:	Lot 1 – 34,412 sq. ft. Lot 2 – 48,352 sq. ft.
Proposed Lot Frontage:	Lot 1 – 215 ft. Lot 2 – 335 ft.



DISCUSSION

The subdivision is proposed to facilitate construction of a structured parking facility on the “auditorium” lot (Lot 1). This project will require the following approvals:

1. Heritage Preservation Commission review of auditorium demolition
2. Conditional Use Permit (CUP) for structured parking in the MU-DC zoning district
3. Variance for a parking structure within 50 feet of a residential (R-3) zoning district
4. Site Plan (design standards will apply to a new parking structure)

Thus, splitting the property though this plat is the beginning of a multi-step public review process for the overall project. At this time, the role of the Commission is simply related to the lot split. Staff’s review indicates that the plat meets subdivision and zoning standards with the following exceptions:

1. Per Code, the existing East Washington Crossings building requires a lot area of 74,000 square feet. Lot 2 (which will house the building) is proposed to be only 48,352 square feet.
2. Forty (40) off-street parking spaces related to the East Washington Crossings building are required to be on the same lot as the structure. However, the plat will create a separate standalone parking area on Lot 1.

To address these exceptions, staff would recommend that approval of the Main Square Annex subdivision contain the following conditions:

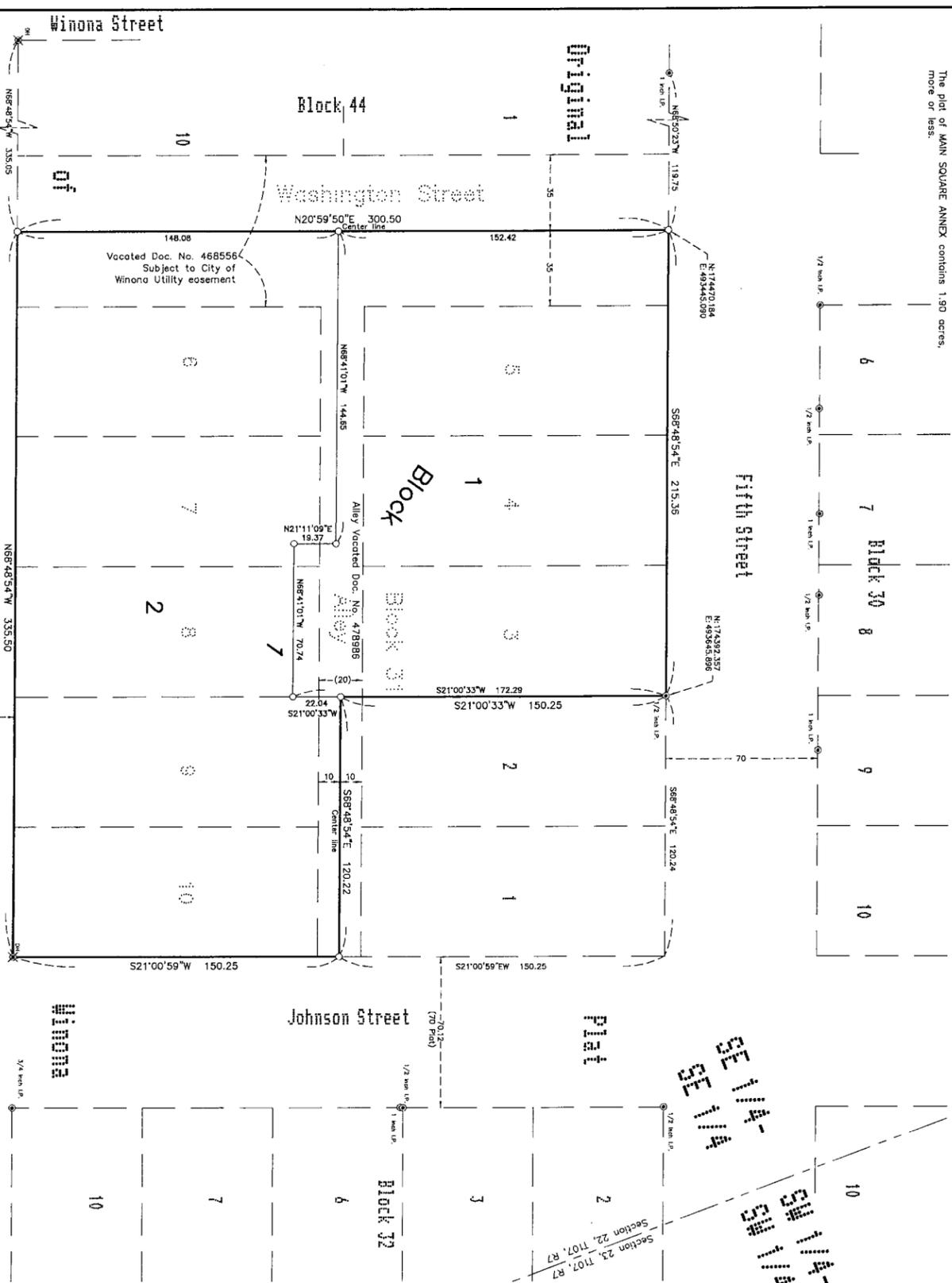
1. A lot size variance for Lot 2 shall be obtained.
2. A variance shall be obtained for 40 off-site parking spaces related to the East Washington Crossings building.

Attachment:

- Final Plat Copy

MAIN SQUARE ANNEX

NOTES:
 BASIS OF BEARINGS: Bearings and coordinates shown are based on the Winona County Coordinate System, MAD 1983 (1996 adjustment).
 Record Lot size for lots in Block 31 is 60 feet by 140 feet.
 The plot of MAIN SQUARE ANNEX contains 1.90 acres, more or less.



LEGEND

- Denotes a placed 1 inch X 1/8 inch iron pipe with plastic cap bearing license number 18885 which has been or will be set within 1 year of the date of this plat.
- ⊗ Denotes a found iron pipe
- ⊗ Denotes a found iron pipe
- ⊗ Denotes a found drill hole in concrete
- ⊗ Denotes a found magnetic nail
- ⊗ Denotes iron pipe
- (70 Plat) Refers to dimensions as shown on the original plat of WINONA, Minnesota recorded in the office of the County Recorder, Winona County, Minnesota



CELESTIAL SURVEY

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: that MDI United Partnership #78, A Minnesota limited partnership, owner of the following described property:
 Lots 3 through 10, Block 31 Together with that part of vacated Washington Street appurtenant to said Block 31 and together with that portion of the vacated alley in said Block 31 appurtenant to said Lots 3 through 10, all in the Original Plat of Winona, according to the recorded plat thereof, Winona County, Minnesota.
 Has caused the same to be surveyed and platted as MAIN SQUARE ANNEX.

In witness whereof said MDI United Partnership #78, A Minnesota limited partnership, has caused these presents to be signed by its proper partner this ____ day of _____, 20____.

Signed: MDI United Partnership #78
 By: QLS Properties, LLC, a Florida limited liability company
 Gary L. Stenson, Chief Manager

STATE OF _____
 COUNTY OF _____
 This instrument was acknowledged before me on _____, 20____, by Gary L. Stenson, Chief Manager of QLS Properties, LLC, a Florida limited liability company, General Partner of MDI United Partnership #78, A Minnesota limited partnership, on behalf of the partnership.

Notary signature: _____
 Print Notary's name: _____ County, _____
 My commission expires: _____

SURVEYORS CERTIFICATE AND ACKNOWLEDGEMENT

I, Tony A. Blumentritt do hereby certify that this plat was prepared by me or under my direct supervision; that I am, a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

Tony A. Blumentritt, Licensed Land Surveyor
 Minnesota License Number 18885
 STATE OF _____
 COUNTY OF _____

This instrument was acknowledged before me on _____, 20____, by Tony A. Blumentritt.
 Notary signature: _____
 Print notary's name: _____ County, Minnesota
 My Commission expires: _____

CITY COUNCIL
 City Council, City of Winona, Minnesota

This plat of MAIN SQUARE ANNEX was approved and accepted by the City Council of the City of Winona, Minnesota at a regular meeting thereof held this ____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.
 City Council, City of Winona, Minnesota

By: Monica Hennessey Mohr, City Clerk
 COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20____.

Erica K. Wedde, Winona County Surveyor
 Minnesota License No. 46559

COUNTY AUDITOR/TREASURER
 Sandra J. Suehla, Winona County Auditor/Treasurer

COUNTY RECORDER, COUNTY OF WINONA, STATE OF MINNESOTA
 I hereby certify that this plat of MAIN SQUARE ANNEX was filed in the office of the County Recorder for public record on this ____ day of _____, 20____, at ____ o'clock ____ M., and was duly filed as Document No. _____.

By: Robert J. Bambenek, Winona County Recorder
 Deputy



JOHNSON & SCOPFIELD INC.
SURVEYING AND ENGINEERING
 424 E. 1st St.
 Winona, MN 55991
 (507) 564-4134 FAX (507) 264-2941
 Brian@jstn.com