

AGENDA

City of Winona Board of Adjustment

DATE: Wednesday, May 6, 2020
TIME: 5:00 P.M.
PLACE: The next meeting of the Board of Adjustment will be held electronically via Zoom in the Dakota Room, City Hall. Instructions for access to Zoom are attached to the meeting agenda.

=====

1. CALL TO ORDER

Approval of the March 4, 2020 minutes

A. NEW BUSINESS

Applicant: Mario and Sheryl Einsman
Parcel Address: 307 West Sanborn

Nature of Request:

City Code Section 43.01.27 standards which dictates that a primary structure on a Lot of Record must maintain a side yard setback of 10% of the width of the lot, which is five feet (5') in this case. Applicant is proposing an addition to their primary structure that extends an existing legal non-conformity – the westerly wall of the structure – in line with its present placement which is located within the five-foot (5') setback at approximately two feet (2') from the lot line. Property is located at 307 West Sanborn (8th) St.

City Code Section: 43.01.27

B. **Applicant:** Creative Sign Company **Parcel Address:** 902 Parks Avenue

Nature of Request:

City Code Section 43.05.14 E) d) which lists requirements for signage of permitted nonresidential uses in residential zoning districts. Applicant is

proposing a signage package for the residential R-3 zoned YMCA building at 902 Parks Ave. The signage package requires the following variances:

	Requirement	Proposed
1) Number of Signs Per street frontage	1	3
2) Size of Wall Signs per frontage	260 Sq. Ft.	302 Sq. Ft.
3) Lighting of Wall Signs	Unlit	Lit
4) Max Size of an Individual Sign	100 Sq. ft.	127 Sq. ft.
5) Wall Sign Height	14' maximum	1) 51' 2) 38' 3) 34'6" 4) 41'6"
6) Ground Sign Height	5'	15'9"
7) Ground Sign Lighting	Indirect	Internal

City Code Section: 43.05.14 E)d)

**A. Applicant: Main Square Development
Parcel Address: 166 West 6th Street**

Nature of Request:

Main Square Development, LLC – City Code Sections 43.02.23 which establishes minimum lot size and 43.03.23 A)2)b) which requires on-site parking for multifamily residential uses in an R-3 zoning district. Applicant is proposing a lot split for the existing parcel at 166 W. 6th St. which houses the East Washington Crossings Apartment Building and former Winona Middle School Auditorium. The lot spit is triggering the need for a lot size variance (74,000 Sq. Ft. required; 48,522 proposed), and a variance to provide off-site parking.

City Code Section: 42.02.23 and 43.03.23 A)2)b)

3. OTHER BUSINESS

4. ADJOURNMENT

Zoom Procedures for Board of Adjustment

All interested parties are invited to participate via electronic means. This meeting is open to the public via web or phone. This meeting begins at 5:00 pm; please log in prior to the start of the meeting. You may exit the meeting at any time.

Board of Adjustment Commissioners and Staff:

- To join the Zoom Meeting via web, go to: <https://zoom.us/j/96880614307> and enter Meeting ID: 968 8061 4307
- To join via phone, dial either phone number:
 - +1 312 626 6799 US (Priority)
 - +1 646 558 8656 US (Backup)

When prompted, enter the following Meeting ID#: **968 8061 4307**
Then enter your participant ID# if you have one; if not, enter #

For participants:

- Only use one audio source; audio from computer is preferred if available.
- Be aware of background noise from your location.
- If using phone, do not use the speaker function.
- If using a web cam, be aware of what is in your background.
- If you have headphones, please use them as that will limit background noise
- Please mute your audio until you wish to speak. Then unmute your audio, and ask the Chairman for permission to talk.
- If using web access, note the options for you to view the meeting (gallery shows all participants same size)

Other notes:

- Staff will “host” the meeting on a city computer and will manage when participants’ audio is muted / unmuted.
- The public hearing notices included the Zoom meeting information, and also indicated that written comments could be submitted to staff by a set date prior to the Board of Adjustment meeting. These written comments will be provided to the Commissioners either in advance or at the public hearing.

**Notice of Public Hearing
By Electronic Means
307 West Sanborn (8th) Variance Request**

Notice is hereby given that on Wednesday, May 6, 2020 at 5:00 pm in the Dakota Room, 207 Lafayette Street, Winona, MN, the Winona Board of Adjustment will hold a public hearing concerning a variance request for the following application.

Mario & Sheryl Einsman - City Code Section 43.01.27 standards which dictates that a primary structure on a Lot of Record must maintain a side yard setback of 10% of the width of the lot, which is five feet (5') in this case. Applicant is proposing an addition to their primary structure that extends an existing legal non-conformity – the westerly wall of the structure – in line with its present placement which is located within the five-foot (5') setback at approximately two feet (2') from the lot line. Property is located at 307 West Sanborn (8th) St.

This informational meeting is being conducted electrically following Minnesota State Statute 13D.021 pursuant to Resolution 2020-17 Declaring a Special Emergency, as adopted by the Winona City Council on Monday, March 16, 2020.

All interested parties are invited to provide input via Zoom at which time you will be given the opportunity to express comments on the project. This meeting is open to the public via web or phone.

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 - +1 646 558 8656 US (Backup)When prompted, enter the following Meeting ID: 968 8061 4307

Written testimony will also be accepted prior to the public hearing. Written comments must be sent via email to: Carlos Espinosa cespinosa@ci.winona.mn.us **by 4:00 p.m. on Monday, May 4, 2020. Specific questions can be directed to the Community Development Office, 507.457.8250. Notice is sent to the applicants and to the owners of the properties affected by the application**

THIS NOTICE OF REGULAR MEETING BY TELEPHONE OR OTHER ELECTRONIC MEANS IS GIVEN PURSUANT TO MINN. STAT. § 13D.04.

Dated: April 20, 2020

Carlos Espinosa
Assistant City Planner

Chris Sanchez
Board of Adjustment
Chairman

Greg Karow
Building Official
Board of Adjustment Secretary

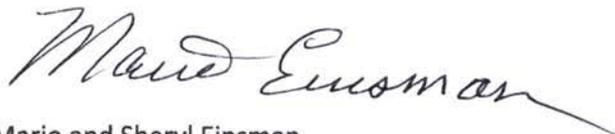
April 7, 2020

Dear Winona City Official and Board of Adjustment Members:

Attached is an application request to add living space to our residence at 307 West 8th St. We like our West Eighth neighborhood and prefer to remain in our home and neighborhood long into our "golden years".

The variance requests an L-shaped two-story addition to the backyard (south) side and to the west side of the property. The west side, with the addition added, would not go beyond the west side of our existing house footprint.

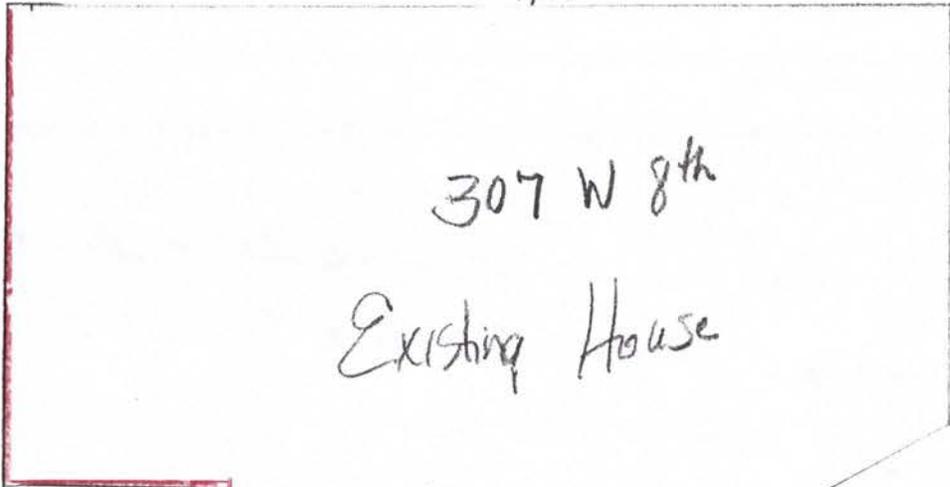
Thank you for your consideration.

A handwritten signature in cursive script that reads "Mario Einsman". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Mario and Sheryl Einsman
307 West 8th St
Winona, Minnesota

2 ft to Lot Line
on West

West 8th St



307 W 8th

Existing House

7'6"

12'

(porch removed)

307 W 8th
Driveway

21'

Addition

17' to East
Lot Line

Grade
Level
Entry

31'

S

MEMORANDUM

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Board of Adjustment

FROM: Luke Sims

DATE: April 27, 2020

SUBJECT: BOA Application Considerations for 05/06/20 Meeting

Applicant: Mario & Sheryl Einsman – 307 West Sanborn

Considerations related to Board of Adjustment Variance Criteria are provided below:

1) Is the variance in harmony with the purpose and intent of the ordinance?

The intent of the ordinance in question is to ensure that there is adequate spacing between structures on Lots of Record, which have been platted and/or recorded prior to August 17, 1959. Lots of Record properties have different regulations from the Site Dimension Standards found in 43.02.24 Table 43-4 and are required to conform as nearly as possible.

2) Is the variance consistent with the Comprehensive Plan?

The variance does not affect the land use as dictated in the Comprehensive Plan. The Comprehensive Plan's future Land Use map designates this property as Traditional Neighborhood, which supports homes and their accessory uses and structures associated with that use.

3) Does the proposal put property to use in a reasonable manner?

Residential uses follow the intent of the zoning district and single family residential structures on Lots of Record are expected to follow applicable

setbacks as closely as possible. Lots of Record standards are designed to be flexible and recognize the existing built environment.

4) Will the variance, if granted, retain the essential character of the locality?

Properties to the East and North East of 307 W. 8th Street also feature structures that are closer than the setback prescribed in the Lot of Record standards. Buildings in the core of the City frequently feature properties that are closer than the prescribed setback.

**Notice of Public Hearing
By Electronic Means
902 Parks Avenue Variance Request**

Notice is hereby given that on Wednesday, May 6, 2020 at 5:00 pm in the Dakota Room, 207 Lafayette Street, Winona, MN, the Winona Board of Adjustment will hold a public hearing concerning a variance request for the following application.

Creative Sign Company - City Code Section 43.05.14 E) d) which lists requirements for signage of permitted nonresidential uses in residential zoning districts. Applicant is proposing a signage package for the residential R-3 zoned YMCA building at 902 Parks Ave. The signage package requires the following variances:

	Requirement	Proposed
1) Number of Signs Per street frontage	1	3
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IS GIVEN PURSUANT TO MINN. STAT. § 13D.04.

Dated: April 20, 2020

Carlos Espinosa
Assistant City Planner

Chris Sanchez
Board of Adjustment
Chairman

Greg Karow
Building Official
Board of Adjustment Secretary



Creative Sign Co.
505 Lawrence Dr.
De Pere, WI 54115
Ph: 920.336.8900
www.greenbaysigns.com

April 15, 2020

To: The Community Development Board
Re: Sign Variance for New YMCA / Winona Health Building

Petitioner: Creative Sign Company – 505 Lawrence Drive, De Pere, WI
Creative Sign Contact: Andrea Swanson – 920.336.8900, andrea@creativesigncompany.com
On behalf of: Winona Family YMCA / Winona Health

Property Desc: Parcel ID323207470, Property Address: 902 PARKS AVE
WINONASec/Twp/Rng35-107-007Brief Tax DescriptionSect-35 Twp-107 Range-007 LIMITS PAR 250' X 400'
NW1/4 NE1/4 COM AT SE COR E 163' L 82 DEG 216' L 55 DEG 683' FOR PT OF BEG & PAR IN N 1/2 NE 1/4
COMMENCING SW COR NE 1/4 NE 1/4 E 163' L 82 DEG 216' L 55 DEG 283' L 85 DEG 250' SE 315' TO BEG

We are requesting that the variance allow for:

1. The (3) proposed YMCA wall signs mounted at the height shown
2. The (1) Winona Health sign mounted at the height shown
3. The main entrance monument at the size shown

The R1 zoning of this property is what is restricting the signs from being sized and installed as proposed, but the YMCA / Winona Health will be a commercial facility that is open to the public with possible tenants in the future. Future tenants would be allowed to have their name added to the monument signs, but no additional lit signage would be installed on the building.

The proposed signs fall in line with standard YMCA and Winona Health business branding and would not cause any sort of distraction to the viewer. The new facility is surrounded by other business, including the Winona Health campus which has a significant amount of lit signage so the new YMCA / Winona Health signage would not be out of the ordinary for the neighborhood it is located in.

The closest homes to the new facility are located across Highway 14/61 to the south and since the signs are located on the east and west sides of the building, they would not be noticeable to the residents of those homes.

The electrician will be wiring the signs to a timer so if there is concern about the amount of light coming from the signs, then the timer could be set to turn the signs off at a set time.

The YMCA is very involved with community development and will be a facility that will be utilized by all ages and income levels. Being that the facility will be visible from a busy highway, it is important for the signage to be impactful and easy to read, which in turn will result in awareness of the new facility and potentially increase their membership, thus increasing their revenue and allowing for additional programs that benefit the community as a whole.

CLIENT: YMCA
LOCATION: WINONA MN
DRAWN BY: CHINOY X
SALESPERSON: ANDREA S
DATE: 12/04/19
DESIGN #: 016184
PAGE 1

REVISION LOG:	INTL.	DATE	DESCRIPTION	REVISION
	CX	12/19/19		

CHANNEL LETTER

QUANTITY: 1
LETTERS: FACELIT CHANNEL LETTERS
LIGHTING: LED (WHITE)
FACES: 3/16" IMPACT MOD WHT TRANS ACRYLIC
TRIM CAP: 3/4" JEWELITE WHITE
RETURNS: 5" STANDARD WHITE
FONT: CACHET STD BOLD
MOUNTING: FLUSH RACEWAY

PHOTO EYE: TBD
RACEWAY: YES (5.5"H X 3.5"D)

INSTRUCTION: PRODUCE & INSTALL AS SHOWN.

COLORS:

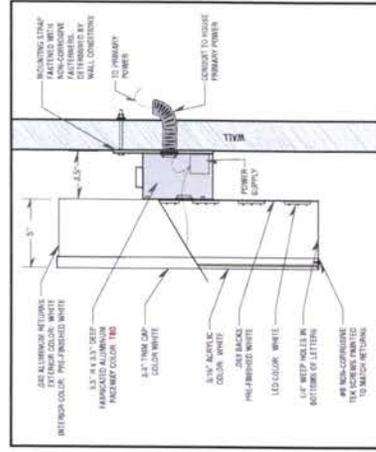
- P-1 COLOR MATCH NEEDED
- C-2 P-2 WHITE

CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

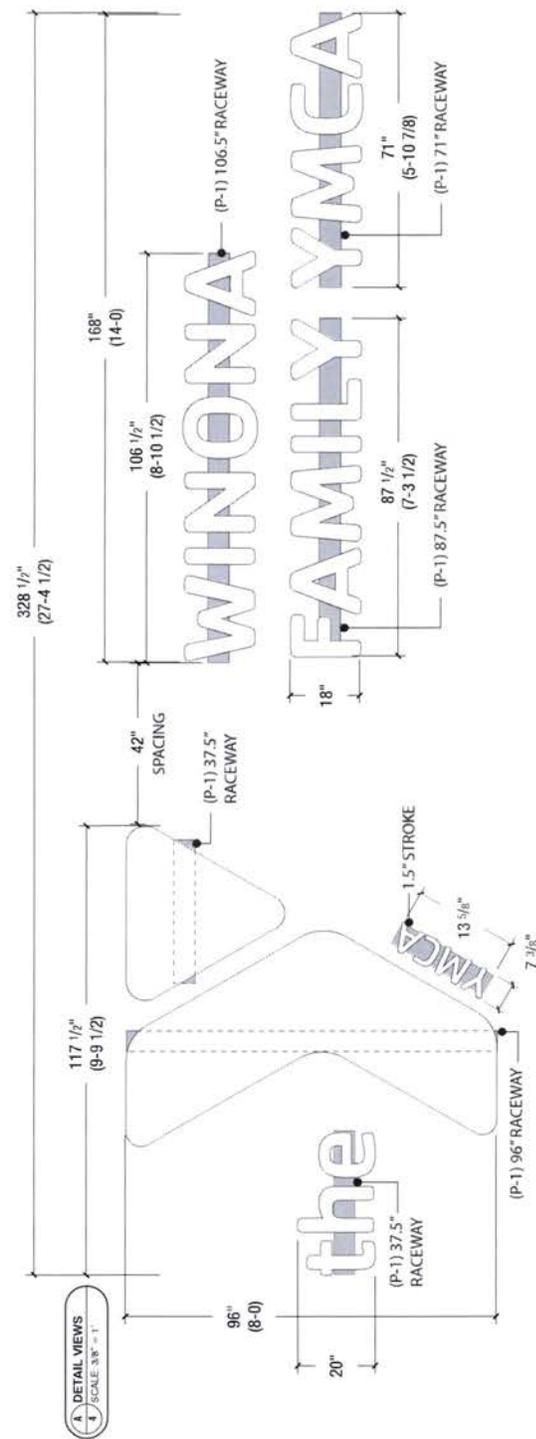
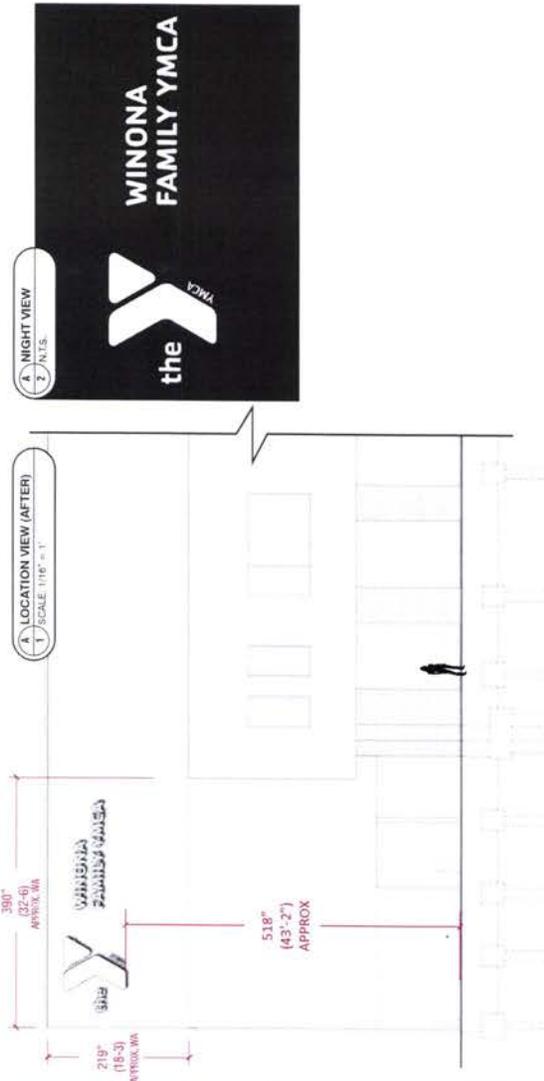
DATE

CHANNEL LETTER: LOC.1

WEST ELEVATION



FACE-ILLUMINATED CH. LETRS. ON-A RACEWAY



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CONFIRM W.A.

BUILDING COLOR



company inc

505 LAWRENCE DR., DE PERE, WI 54115
920.336.5900 GREENBAYSIGNS.COM

CLIENT: YMCA
LOCATION: WMINA, MN
DRAWN BY: CHINQY X
SALESPERSON: ANDREA S
DATE: 12/04/19
DESIGN #: D16184
PAGE: 2

REVISION LOG:	INTL	DATE	DESCRIPTION
	NM	03/04/2020	LIT "THE"
	NM	03/10/2020	LIT "YMCA"
	NM	04/21/2020	COLORS
	NM	04/27/2020	WHITE

CHANNEL LETTER

QUANTITY: 1
LETTERS: FACELIT CHANNEL LETTERS
LIGHTING: LED (WHITE)
FACES: 3/16" IMPACT MOD WHIT TRANS ACRYLIC
TRIM CAP: 3/4" JEWELITE WHITE
RETURNS: 5" STANDARD WHITE
MOUNTING: FLUSH TO RACEWAY

"YMCA": CHANNEL LETTER CABINET
FACE: 3/16" IMPACT MOD WHIT TRANS ACRYLIC
PAINTED P-1

TRIM CAP: 3/4" JEWELITE PAINTED P-1
RETURNS: 5" STANDARD PAINTED P-1
FONT: CACHET STD BOLD
MOUNTING: FLUSH 2" SQ ALUM RACEWAY

PHOTO EYE: TBD
RACEWAY: YES (5.5"H X 3.5"D)

INSTRUCTION: PRODUCE & INSTALL AS SHOWN.

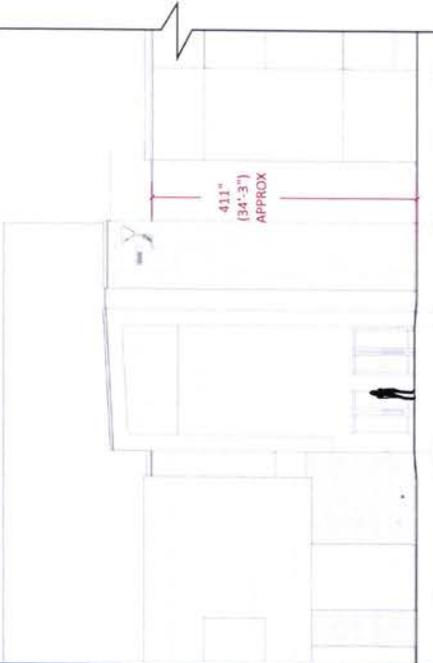
COLORS:

- P-1 COLOR MATCH NEEDED
- C-2 WHITE

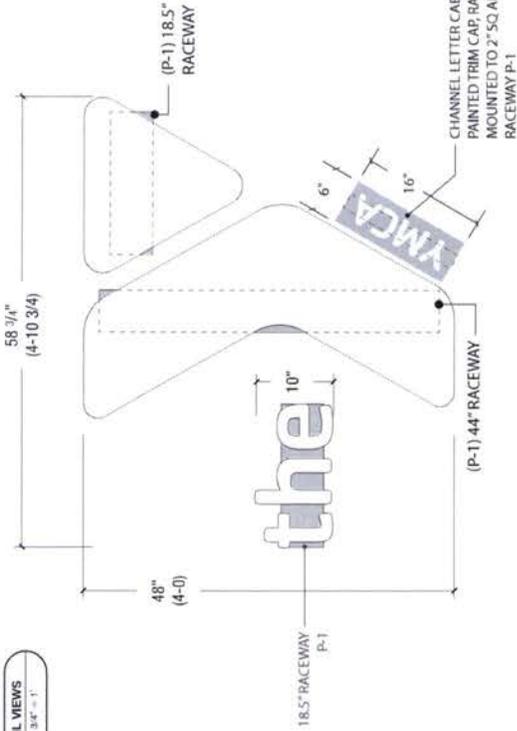
CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

DATE

A LOCATION VIEW (AFTER)
SCALE 1/16" = 1'

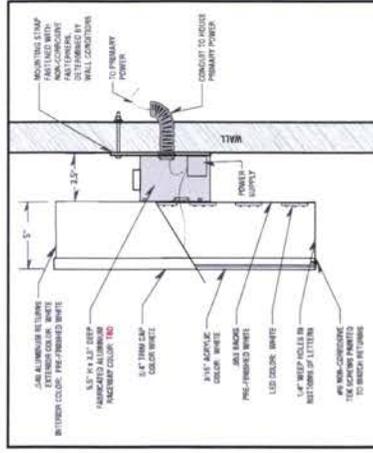
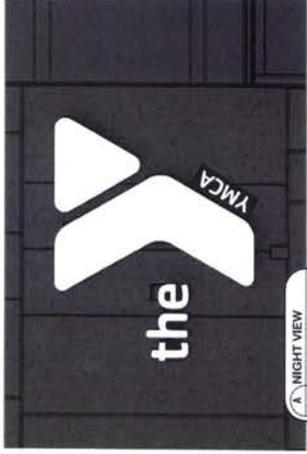


A DETAIL VIEWS
SCALE 3/4" = 1'



CHANNEL LETTER: LOC.2

WEST ELEVATION



FACE ILLUMINATED CH. LTRS. ON A RACEWAY



CONFORM WA BUILDING COLOR

CONCEPTUAL DRAWING ONLY - NOT FOR FABRICATION PURPOSES (SIZES ARE APPROX)

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565 LAWRENCE DR. DE PERE, WI 54115
920.336.8900 GREENBAYSIGNS.COM

CLIENT: YMCA
LOCATION: WINONA, MN
DRAWN BY: NICOLE M
SALESPERSON: ANDREA S
DATE: 03/05/2020
DESIGN #: D16184
PAGE: 3.2

REVISION LOG: INTL DATE DESCRIPTION
M1 03/18/2020 STACKED COPY

CHANNEL LETTERS

QUANTITY: 1
LOGO: FACELIT CHANNEL LETTERS
LIGHTING: LED (WHITE)
FACES: 3/16" IMPACT MOD WHT TRANS ACRYLIC
TRIM CAP: 3/4" JEWELITE WHITE
RETURNS: 3" WHITE
GRAPHICS: DIRECT PRINT, 1ST SURFACE
MOUNTING: FLUSH TO RACEWAY

PHOTO EYE: TBD
RACEWAY: YES (6.5" H X 3.5" D)
MOUNTING: FLUSH TO WALL

INSTRUCTION: PRODUCE & INSTALL AS SHOWN.

COLORS:

- P-1 COLOR MATCH NEEDED
- C-2 PMS 294 C
- C-3 WHITE

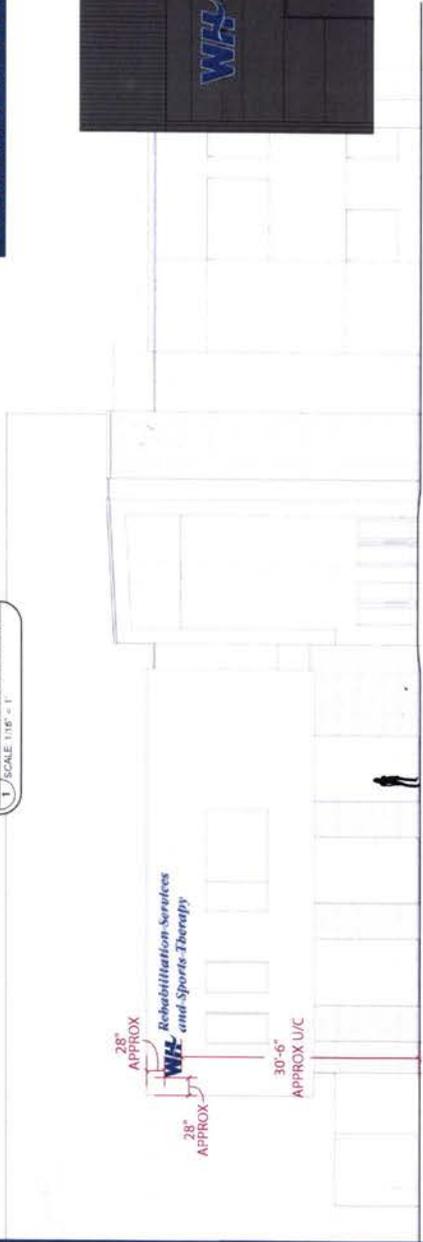
CUSTOMER SIGNATURE FOR DESIGN APPROVAL: _____

DATE _____

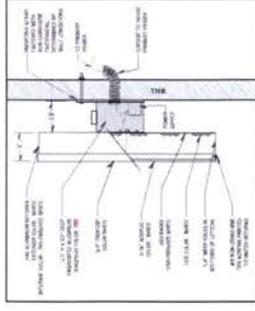
CHANNEL LETTERS: LOC.3 - OPT 3

WEST ELEVATION

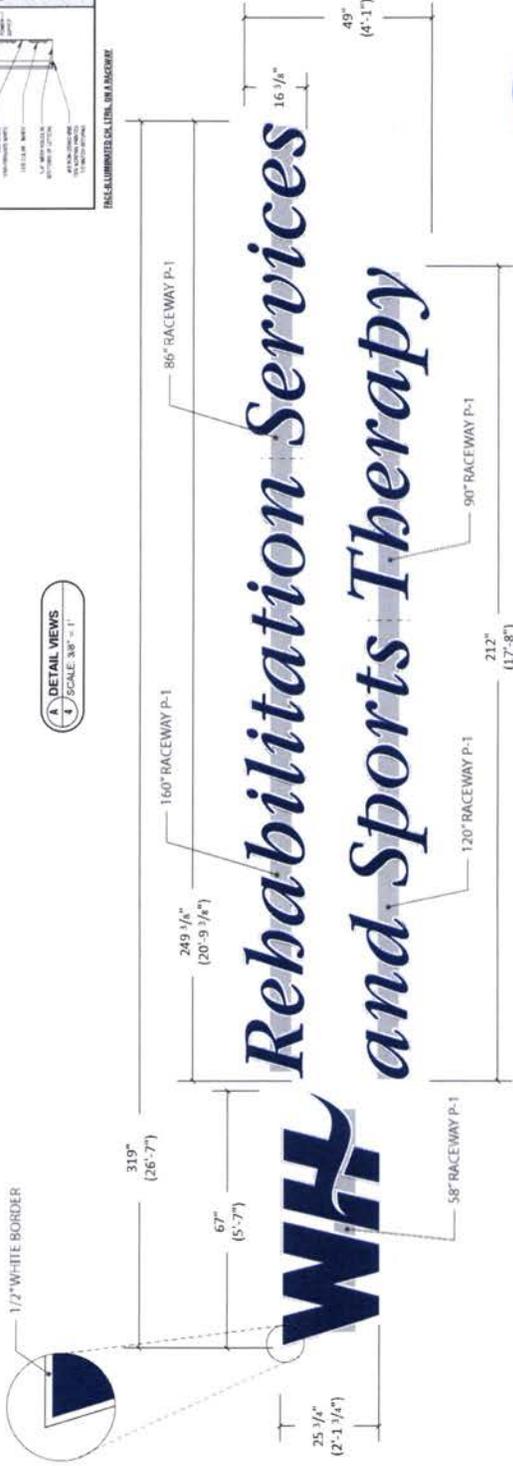
A LOCATION VIEW (AFTER)
1/ SCALE 1/16" = 1'



A NIGHT VIEW
2/ N.E.S.



A DETAIL VIEWS
3/ SCALE 3/8" = 1"



BUILDING COLOR

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505 LAWRENCE DR. DE PERE, WI 54115
920.336.8900 GREENBAYSIGNS.COM

CLIENT: YMCA
LOCATION: WINONA, MN
DRAWN BY: CHINDY X
SALESPERSON: ANDREA S
DATE: 12/04/19
DESIGN #: D16184
PAGE: 4

REVISION LOG:	INTL	DATE	DESCRIPTION	REVISION
	CX	12/19/19		

CHANNEL LETTER

QUANTITY: 1
LETTERS: FACELIT CHANNEL LETTERS
LIGHTING: LED (WHITE)
FACES: 3/16" IMPACT MOD WHT TRANS ACRYLIC
TRIM CAP: 3/4" JEWELITE WHITE
RETURNS: 5" STANDARD WHITE
FONT: CACHET STD BOLD
MOUNTING: FLUSH RACEWAY

PHOTO EYE: TBD
RACEWAY: YES (5.5" H X 3.5" D)
INSTRUCTION: PRODUCE & INSTALL AS SHOWN.

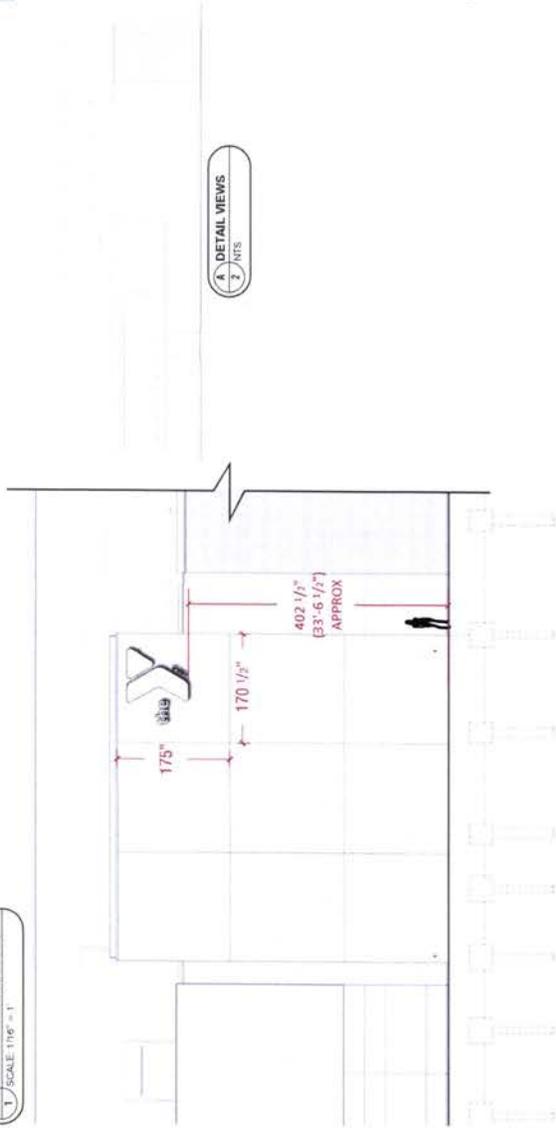
COLORS:

- P-1 COLOR MATCH NEEDED
- C-2/P-2 WHITE

CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

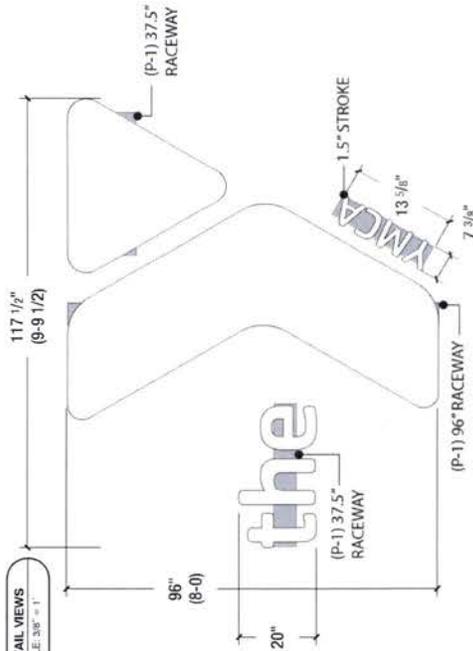
DATE

A LOCATION VIEW (AFTER)
1/SCALE: 1/16" = 1"



A DETAIL VIEWS
2/NTS

A DETAIL VIEWS
4/SCALE: 3/8" = 1"

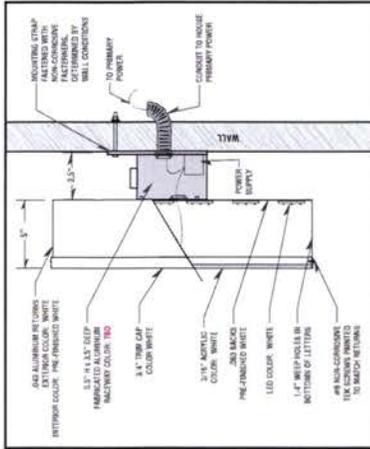


CHANNEL LETTER: LOC.4

EAST ELEVATION



A NIGHT VIEW
1/N.T.S.



FACE ILLUMINATED CH. LTRS. ON A RACEWAY

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MON-1: LOC-1 OPTION A



505 LAWRENCE DR. DE PERE, WI 54115
920.336.8990 GREENBAYSIGNS.COM

CLIENT: YMCA
LOCATION: WINONA, MN
DRAWN BY: CHINDY X
SALESPERSON: ANDREA S
DATE: 12/04/19
DESIGN #: D16184
PAGE: 5

REVISION LOG:	INTL	DATE	DESCRIPTION
DX	01/02/20		T-BAR ADDED
NM	03/04/20		WH LOGO

MONUMENT

QUANTITY: 1
SIDES: D/F
CABINET: FABRICATED ALUM (18")
LIGHTING: LED (WHITE)
RETAINER: 2"
T-BAR: 2"
FACES: .125" ALUM ROUTED W/.75" ACRYLIC PUSH THRU
GRAPHICS: CUT/VINYL 1ST SURFACE
FONT: LOGO/SUPPLIED ARTWORK

REVEAL: 6"

MOUNTING: DIRECT EMBEDMENT

INSTRUCTION: PRODUCE AND INSTALL.
LOCATION TBD.

COLORS:

- P-1 C-1 YMCA-16 WHITE
- P-2 YMCA-17 GRAY
- V-3 3M 3630-236 TURQUOISE MEDIUM
- V-4 3M 3630-147 LIGHT EUROPEAN
- P-6 COLOR NEEDED
- C-6 PMS 294 C
- P-7 YMCA-11 BLUE

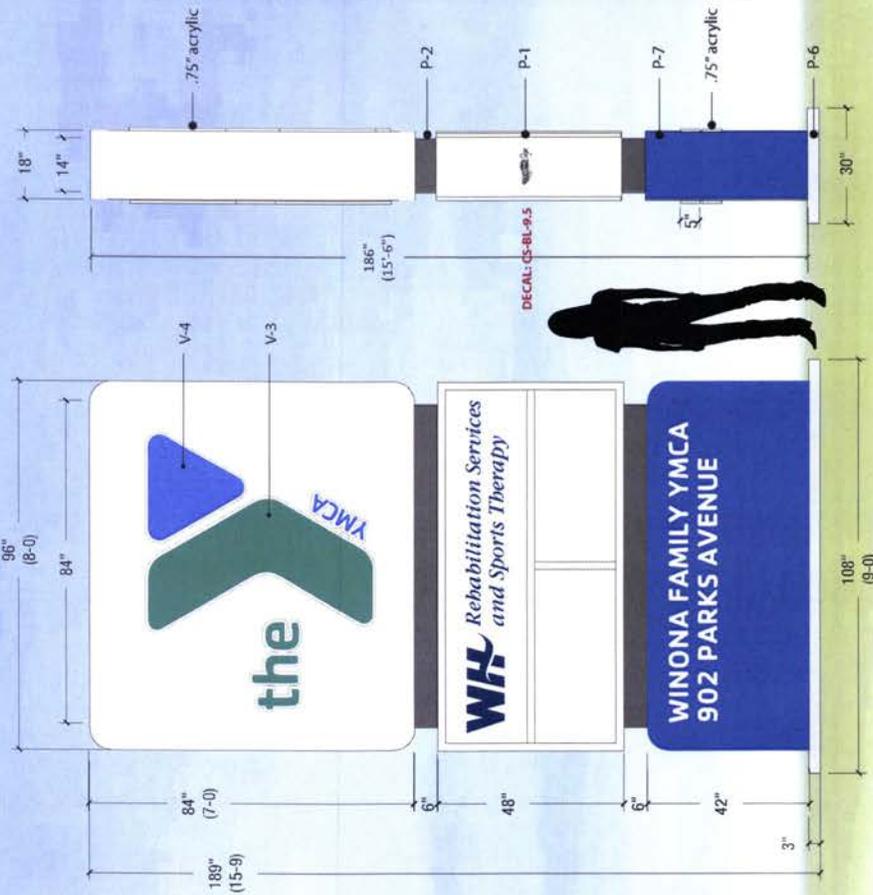
CUSTOMER SIGNATURE FOR DESIGN APPROVAL:

DATE

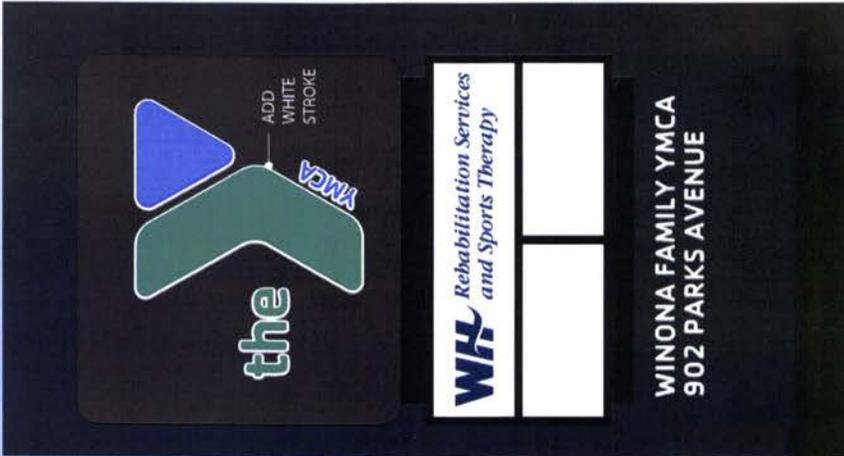
1 / DETAIL VIEW
SCALE: 3/8" = 1"

2 / END VIEW
SCALE: 3/8" = 1"

3 / NIGHT VIEW
N.E.S.



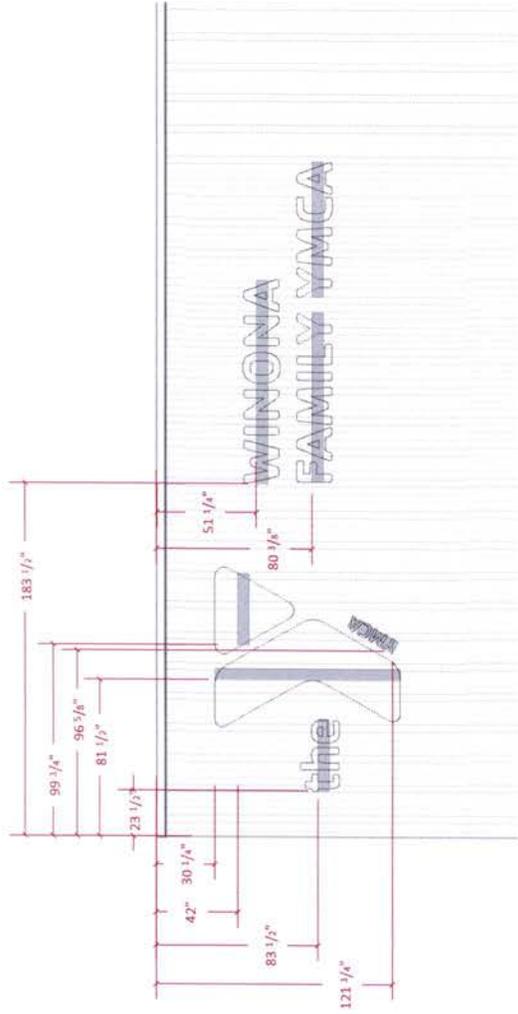
LIT SIGN
THIS SIGN WILL REQUIRE ELECTRICAL WIRING. CUSTOMER IS REQUIRED TO HIRE A LICENSED ELECTRICIAN TO RUN POWER TO THE SIGN. CONTACT YOUR SIGN CONSULTANT IF YOU WOULD LIKE CREATVE SIGN TO COORDINATE YOUR WIRING. YOU HAVE ANY QUESTIONS REGARDING THE POWER REQUIREMENTS FOR YOUR SIGNAGE.



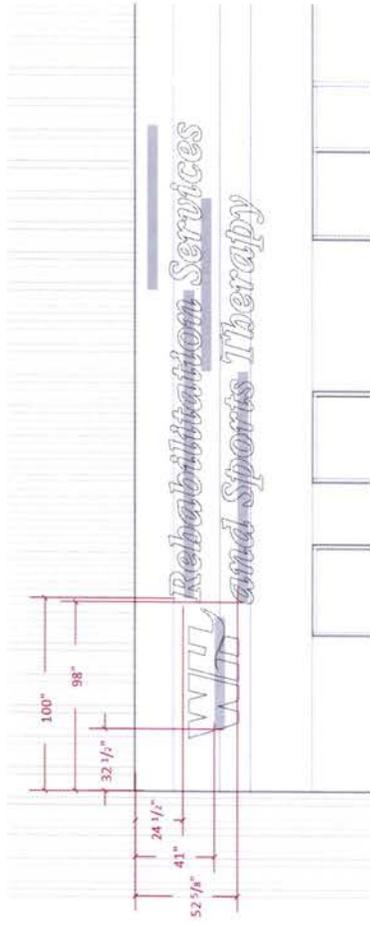
CONCEPTUAL DRAWING ONLY - NOT FOR FABRICATION PURPOSES (SIZES ARE APPROX.)

This is an unprinted, unpublished drawing by Creative Sign Co, Inc. It is for your personal use. In conjunction with a project being planned for you by Creative Sign Co, Inc. It is not to be shown to anyone outside of your organization nor is it to be used, reproduced, copied or published in any fashion. Use of this design as the sole element of any sign done by any other company, without the expressed written permission of Creative Sign Co, Inc. is forbidden by law and carries a civil penalty of up to 25% of the purchase price of the sign. Creative Sign will endeavor to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying compatibility of surface materials and paints used. All sizes and dimensions are illustrative for clients' conception of the project and are not to be understood as being exact size or exact scale.

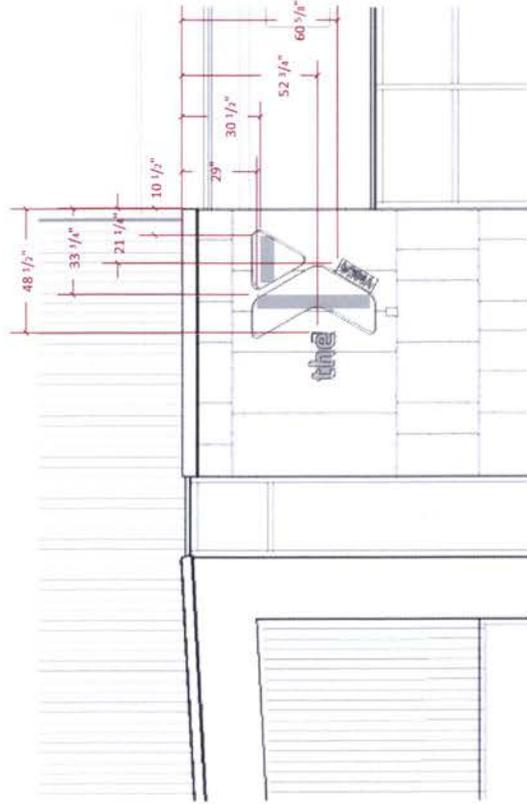
**ALL MEASUREMENTS ARE APPROX
POWER TO COME OUT ENDS OF RACEWAYS**



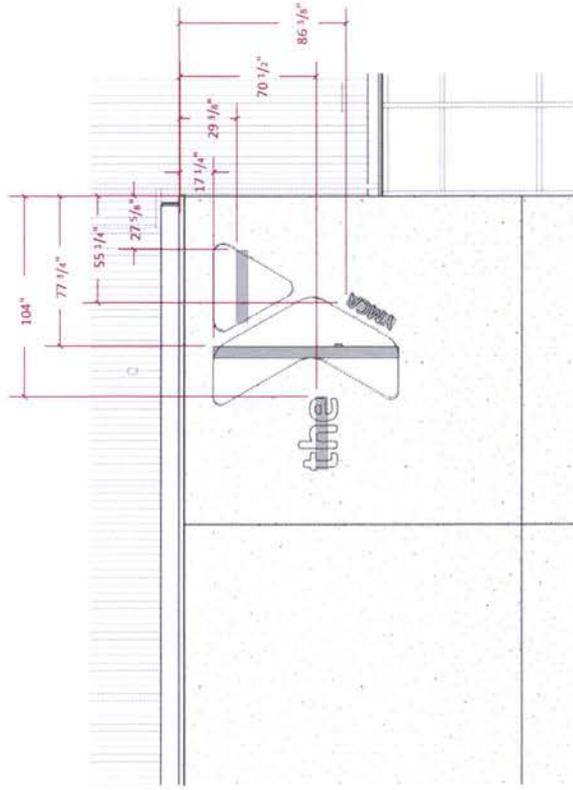
WEST ELEVATION: 3/16" = 1'



WEST ELEVATION: 3/16" = 1'



WEST ELEVATION: 1/4" = 1'



EAST ELEVATION: 3/16" = 1'

**Notice of Public Hearing
By Electronic Means
166 West Broadway (6th) Variance Request**

Notice is hereby given that on Wednesday, May 6, 2020 at 5:00 pm in the Dakota Room, 207 Lafayette Street, Winona, MN, the Winona Board of Adjustment will hold a public hearing concerning a variance request for the following application.

Main Square Development, LLC – City Code Sections 43.02.23 which establishes minimum lot size and 43.03.23 A)2)b) which requires on-site parking for multifamily residential uses in an R-3 zoning district. Applicant is proposing a lot split for the existing parcel at 166 W. 6th St. which houses the East Washington Crossings Apartment Building and former Winona Middle School Auditorium. The lot spit is triggering the need for a lot size variance (74,000 Sq. Ft. required; 48,522 proposed), and a variance to provide off-site parking.

This informational meeting is being conducted electrically following Minnesota State Statute 13D.021 pursuant to Resolution 2020-17 Declaring a Special Emergency, as adopted by the Winona City Council on Monday, March 16, 2020.

All interested parties are invited to provide input via Zoom at which time you will be given the opportunity to express comments on the project. This meeting is open to the public via web or phone.

- To join the Zoom Meeting via web, go to: <https://zoom.us/j/96880614307> and enter meeting ID: 968 8061 4307
- To join via phone, dial either phone number:
 - +1 312 626 6799 US (Priority)
 - +1 646 558 8656 US (Backup)When prompted, enter the following Meeting ID: 968 8061 4307

Written testimony will also be accepted prior to the public hearing. Written comments must be sent via email to: Carlos Espinosa cespinosa@ci.winona.mn.us **by 4:00 p.m. on Monday, May 4, 2020. Specific questions can be directed to the Community Development Office, 507.457.8250. Notice is sent to the applicants and to the owners of the properties affected by the application.**

THIS NOTICE OF REGULAR MEETING BY TELEPHONE OR OTHER ELECTRONIC MEANS IS GIVEN PURSUANT TO MINN. STAT. § 13D.04.

Dated: April 20, 2020

Carlos Espinosa
Assistant City Planner

Chris Sanchez
Board of Adjustment
Chairman

Greg Karow
Building Official
Board of Adjustment Secretary

STREATER & MURPHY, P.A.

LAWYERS

111 RIVERFRONT, SUITE 301

P.O. BOX 310

WINONA, MINNESOTA 55987-0310

TELEPHONE: (507) 454-2925

FACSIMILE: (507) 454-2929

CINDY K. TELSTAD
LEE ANN RIEHLE

KENT A. GERNANDER (RETIRED)
JAMES R. FORSYTHE (RETIRED)

HAROLD S. STREATER (1917-2011)
LEO F. MURPHY, JR. (1922-1995)

April 17, 2020

Board of Adjustment
City of Winona
207 Lafayette Street
Winona, MN 55987

Re: Main Square Development LLC variance application

Dear Board Members,

Main Square Development LLC has submitted an application for two variances relating to property located at 166 West 6th Street in Winona. This letter is intended to fulfill requirement number 4 of the application guidelines.

Background

Main Square Development LLC is requesting two variances for the property located at 166 West 6th Street in Winona. The first is a lot area variance and the second is a variance to allow off-site parking.

Main Square Development LLC submitted an application for a minor subdivision to the Winona Planning Commission proposing to divide the property at 166 West 6th Street into two lots, to be known as Main Square Annex. Lot 1 currently contains surface parking and a portion of the existing building and is proposed to be the site of a new parking structure. Lot 2 is the site of the Washington Crossings Apartments east building. A zoning district boundary bisects the property. The northerly part of the property is zoned mixed used-downtown core, while the southerly part of the property is zoned R-3. The lot lines of the proposed plat essentially follow the zoning district line, placing the apartment building on Lot 2 and designating the northerly portion of the property as Lot 1. Lot 2 comprises approximately 48,522 square feet. The apartment building has 11 one bedroom units and 23 two bedroom units which, under the R-3 lot dimension standards, requires a lot area of 74,000 square feet. Forty parking spaces are required for the Washington Crossings east building. Those spaces currently are located on the part of the property that is designated as Lot 1 of the plat. Main Square Development LLC has agreed (by means of a recorded agreement) to allocate 40 parking spaces in the new parking structure for the exclusive use of tenants of the Washington Crossings east building.

Application of Variance Criteria

1. The variance is in harmony with the purpose and intent of the zoning ordinance.

Both variances are in harmony with the purpose and intent of the zoning ordinance. The purpose of the lot dimension standards is to allow distance between neighboring properties and the structures situated on them. In this case, the apartment building structure already exists. Granting the variance will not affect the distance of the building from neighboring properties or otherwise alter the neighborhood. The purpose of the on-site parking requirement is to ensure that property owners provide sufficient parking facilities for their property uses and do not create a burden on public streets or other facilities. In this case, the same number of off-street parking spaces will be provided. In fact, the parking spaces will be located on the same property on which they are now located, except that property will be owned by someone else. This proposal is in harmony with the purpose and intent of the zoning ordinance because there is essentially no change from the current situation. The variances promote the public health, safety, morals, comfort, and general welfare because they will facilitate the continued use of the property as it currently is being used. For the same reason, the variances will conserve and protect property and property values and will secure the most appropriate use of the land.

2. The variances are consistent with the Comprehensive Plan.

The Comprehensive Plan designates the property as downtown fringe. Continued residential use is consistent with that designation, which encompasses "a broad range of existing land uses, from industrial to commercial to housing and surface parking."

3. The proposal puts the property to use in a reasonable manner.

Current use of the property is consistent with its zoning classification. The proposal would continue that use, so the proposed plan is reasonable.

4. There are unique circumstances to the property not created by the property owner.

This property is indeed unique. The structure is a former school that was constructed long before the zoning ordinance was adopted. It is situated on part of a city block, which is a confined space. It has been converted to a residential use, which has been a benefit to the community and has promoted the public health, safety, and welfare. It is situated in two different zoning districts. These circumstances were not created by the owner.

5. The variance, if granted, will not alter the character of the neighborhood.

This criterion is satisfied. There will be no change to the neighborhood if these variances are granted. The property use will remain the same. There will be no outward manifestation of the change.

6. There are other considerations for the variance besides economics.

This criterion is satisfied if criteria 3, 4, and 5 are satisfied, which they are. Further, the purpose of these requests is to build on and facilitate the further development of the Main Square project on the former Hardee's block, an Opportunity Winona development project that provides significant benefit to the community as a whole.

Board of Adjustment
April 17, 2020
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The requests satisfy all of the criteria applicable to the granting of a variance. As a result, the requests should be granted.

Very truly yours,

STREATER & MURPHY, P.A.

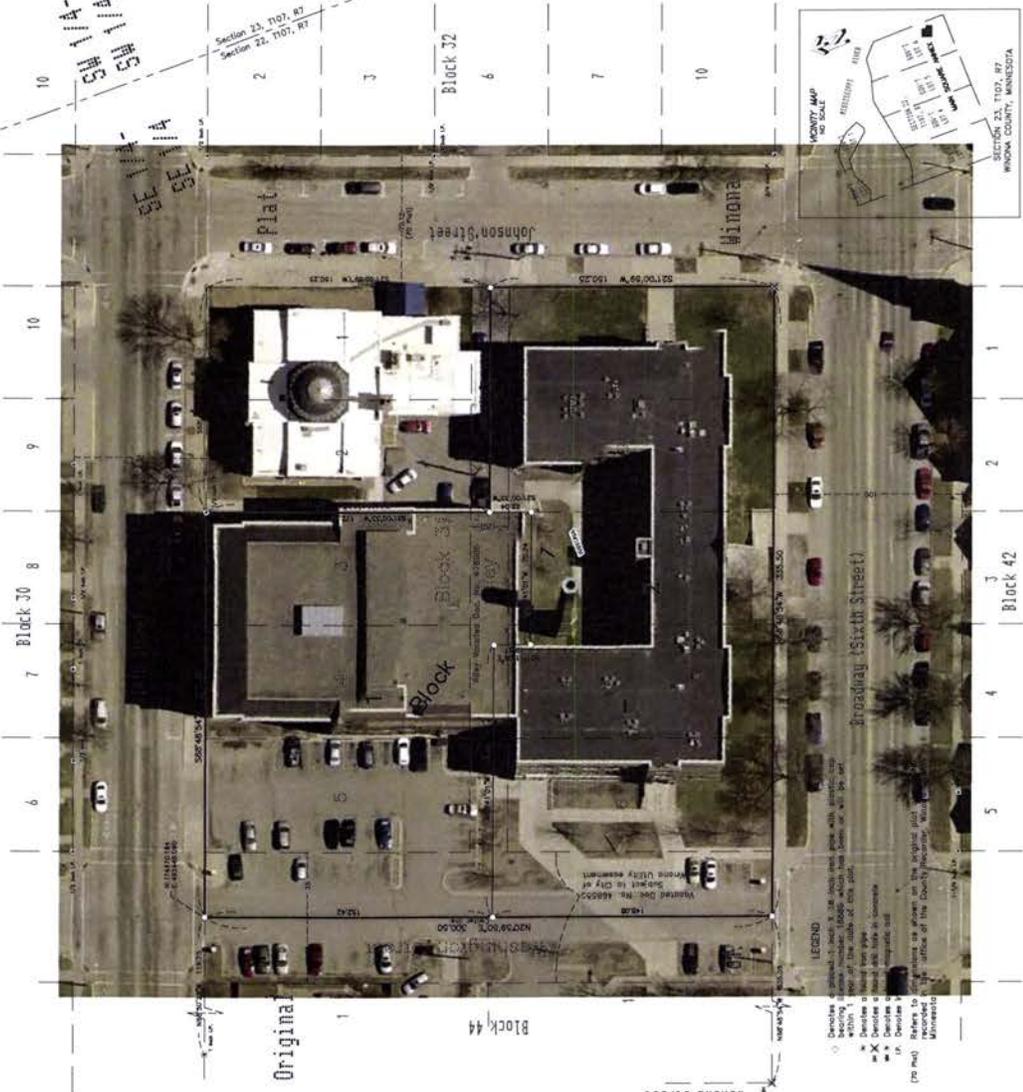


Cindy K. Telstad

CKT/mkt
Enclosures

MAIN SQUARE ANNEX PRELIMINARY 02-06-2020

NOTES:
 BASES OF MEASUREMENTS, BEARINGS AND COORDINATES SHOWN
 ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM,
 MDS 1983 (1985 ADJUSTMENT).
 RECORD LOT SIZE FOR LOTS IN BLOCK 31 IS 80 FEET BY
 140 FEET.
 THE PLOT OF MAIN SQUARE ANNEX CONTAINS 1.00 ACRES,
 MORE OR LESS.



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS that MDI United Partnership #7/A, A Minnesota limited partnership, owner of the following described property:
 Lots 3 through 10, Block 31, together with that part of vacant Washington Street adjacent to said Block 31 and together with that part of vacant Johnson Street adjacent to said Block 31, together with that part of vacant Johnson Street adjacent to said Block 31 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 plotted as MAIN SQUARE ANNEX.
 In accordance with MDI United Partnership #7/A, A Minnesota limited partnership, has caused these presents to be signed by its proper partner this _____ day of _____, 20____.

Signed: MDI United Partnership #7/A
 By: G/S 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 G/S Properties, LLC, a Florida limited liability company, General Partner of MDI United Partnership #7/A, A Minnesota limited partnership.

Notary signature: _____
 Notary name: _____ County, _____
 My commission expires: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Tony A. Blumenthal, 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, License Number 18888, and that I am duly qualified to perform the measurements and tasks as correctly designated on this plat, that all measurements depicted on this plat have been or will be made in accordance with the provisions of Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer charges due on this plat, and that the date of this certificate are shown and stated on this plat and that all PUBLIC ways are shown and labeled on this plat.
 Dated this _____ day of _____, 20____.

Tony A. Blumenthal, Licensed Land Surveyor
 Minnesota License Number 18888
 STATE OF _____
 COUNTY OF _____
 This instrument was acknowledged before me on _____ 20____ by Tony A. Blumenthal.

Notary signature: _____
 Notary name: _____ County, Minnesota
 My commission expires: _____

CITY COUNCIL
 City Council, City of Winona, Minnesota
 The 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 205.03, Subd. 1.
 City Council, City of Winona, Minnesota

By _____ City Clerk
 COUNTY SURVEYOR
 I hereby certify that in accordance with Minnesota Statutes, Section 205.071, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

Blair K. Wodan, Winona County Surveyor
 Minnesota License No. 40252

COUNTY AUDITOR/TREASURER
 Pursuant to Minnesota Statutes, Section 505.071, Subd. 9, where applicable in the year 20____, in the bond heretofore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer charges due on this _____ day of _____, 20____.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 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. _____.

Robert J. Barmann, Winona County Recorder
 By _____ Deputy

Scale: 1 inch=30 feet
 0 30 60 90
 Scale in feet

JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING
 207 W. 4th St., Winona, MN 55991
 phone@jandse.com

K: PLYMOUTH SQUARE ANNEX 114-199 MAIN SQUARE ANNEX ANNEX

MEMORANDUM

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Board of Adjustment

FROM: Carlos Espinosa and Luke Sims

DATE: April 29, 2020

SUBJECT: BOA Application Considerations for 5/6/20 Meeting

Applicant: Creative Sign Company – 902 Parks Avenue – YMCA

Note: Staff would recommend that any approval of this item include a condition that the wall signs on the west side of the building be turned off during non-business hours due to potential visibility from across Lake Winona.

Considerations related to Board of Adjustment Variance Criteria are provided below:

1) Is the variance in harmony with the purpose and intent of the ordinance?

The subject parcel is zoned residential because of a former apartment complex on the land. Since the land is owned by Winona Health, the YMCA use is permitted in the R-3 zoning district as an extension of the hospital campus – which is also zoned R-3. However, while the use is permitted, the R-3 zoning for signs is very restrictive for this type of use – especially being situated on Highway 61. Restrictions on residential zoned signage are meant to reduce visual impacts on surrounding residential property. However, in this case there is no surrounding residential property that is not part of Winona Health campus. In accordance, the proposed signage is appropriate for the subject parcel. The variances also help ensure the signage is effective for the use, which ensures and protects property values.

As noted above, staff would recommend that any approval of the signage package include a condition that the wall signs on the west side of the building being turned off during non-business hours. This is due to potential

visibility of the signage from across Lake Winona. This condition helps to maintain public health, safety and welfare.

2) Is the variance consistent with the Comprehensive Plan?

The Comprehensive Plan designates this parcel for general commercial use – which is similar to what is being proposed by the applicant.

3) Does the proposal put property to use in a reasonable manner?

Given the overall size of the property, it appears that the amount of signage being requested is reasonable.

4) Are there unique circumstances to the property not created by the landowner?

The property is situated adjacent to Highway 61. As such, the residential signage requirements are very restrictive for a property in this location.

5) Will the variance, if granted, retain the essential character of the locality?

The subject property is surrounded by the Winona Health campus and a Dental Office. As such, a signage variance would have no impact on the character of the immediate area.

6) Are there other considerations for the variance request besides economics?

If the findings of questions 3-5 are affirmative this criterion is satisfied.

Applicant: Main Square Development LLC – 166 W. 6th St.

Note: Staff would recommend that approval of the variance contain a condition that a parking agreement be recorded to ensure that 40 parking stalls for the residential use at Main Square Annex Lot 2 be provided on Main Square Annex Lot 1.

Considerations related to Board of Adjustment Variance Criteria are provided below:

1) Is the variance in harmony with the purpose and intent of the ordinance?

The purpose of the parking requirements in city ordinance is to help ensure that sufficient parking is available for residents within a reasonable distance. In this case, the variance is needed simply because a lot is being separated into two – the physical location of the parking spaces is not proposed to change. The condition recommended by staff above helps ensure that the spaces will be provided into the future. In accordance, approval of the parking variance is in harmony with the intent and purpose of the code.

The variance for lot size is also needed because a lot is being separated into two – no additional units or building expansions are being proposed for Washington Crossings. In accordance, approval of the variance conserves and protects property values, and secures the most appropriate use of land.

2) Is the variance consistent with the Comprehensive Plan?

The Comprehensive Plan designates this parcel for uses that are permitted in the downtown mixed use district – which is proposed to continue.

3) Does the proposal put property to use in a reasonable manner?

Given there will be no change to the physical location of the parking spaces and no addition of residential units, the proposed variance and subsequent use is reasonable.

4) Are there unique circumstances to the property not created by the landowner?

The subject property is split zoned. The split zoning was not created by the property owner and created the need for both variances due to the lot split.

5) Will the variance, if granted, retain the essential character of the locality?

Given there will be no change to the physical location of the parking spaces and no addition of residential units, the variance will retain the essential character of the area.

6) Are there other considerations for the variance request besides economics?

If the findings of questions 3-5 are affirmative this criterion is satisfied.

**BOARD OF ADJUSTMENT
Regular Meeting**

DATE: March 4, 2020

TIME: 5:00 p.m.

PLACE: City Council Chambers, City Hall

PRESENT: Buege, Breza, Conway, Kouba, Krofchalk, Murphy

ABSENT: Sanchez

Acting Chairman Kouba called the meeting to order at 5:00 p.m.

The minutes from the February 5 & 19, 2020 minutes were approved by Tim Breza and seconded by Jon Krofchalk. All were in favor of approving the minutes.

Petition No. 20-10-V, Mario & Sheryl Einsman

Mario & Sheryl Einsman – City Code Section 43.02.24 Table 43-4 Site Dimension Standards which require a front yard setback of 25 feet (25') and side yard setbacks of 10 feet for two-family dwellings two and one-half stories in height. Applicant is proposing use of an existing structure which is approximately six feet (6') from the front property line and three feet (3') from the southerly side property line.

43.02.23 Table 43-3 Lot Dimension Standards which requires a lot frontage of 65 feet (65') and a lot area minimum of 8,000 square feet for two-family dwellings. Applicant is proposing use of a lot which is to be 60 feet by 100 feet (60'x100') totaling 6,000 square feet with a frontage along Grand Street of 60 feet (60').

43.03.22(A) Table 43-17, which requires two automobile parking spaces per dwelling unit. Applicant is proposing use of an existing structure which currently provides two automobile spaces in total. Property is described as R-2 zoning, Sect-22, Twp-107, Range-007, ORIGINAL PLAT, Lot-005, Block-120, ORIGINAL PLAT SLY 60', or at 360 Grand Street.

Mario Einsman, 307 West Sanborn, addressed the Board. Mr. Einsman said this is a rental property adjacent to another parcel that he owns. Currently, the property is certified for five unrelated persons and the property is very distressed.

BOARD OF ADJUSTMENT MINUTES

March 4, 2020

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Mr. Einsman said he wants to convert the property to a two unit rental rather than a single family rental. He said he would have three unrelated in one unit and two unrelated in the other.

A question was brought up about parking and there are currently two parking spaces with room in an existing garage to accommodate parking for a bicycle which is accordance with the ordinance.

Jim Murphy asked how many occupants Mr. Einsman said he was looking at three people in each unit being proposed.

There was some discussion about combining part of the adjacent lot that Mr. Einsman owns and the lot he is proposing and making it more conforming and possibly putting in more parking. There was also some discussion about the use of the properties.

Jim Murphy commented that his proposal for a two family dwelling is much more marketable and makes more sense to get them rented rather than trying to rent to five total people in one single family home.

There being no others who desired to speak, Acting Chairman Kouba closed the public hearing and opened it up for discussion.

Jon Krofchalk commented that the impact of keeping it at three unrelated in one and two in other is no different than having it at a total of five right now. The property is in distress and needs updating and the renovation of it will improve the aesthetics and make it more appealing.

The Board went through the variance finding questions and question number one asked if the variance was in harmony with the purpose and intent of the ordinance? Yes, it is better and it is still R-2 zoning and there will be parking available. The application is much more conducive split up as a duplex instead of a single family dwelling.

Is the variance consistent with the Comprehensive Plan? Yes, same use. Same amount of people. No change to the way the building is being used.

Does the proposal put the property to use in a reasonable manner? Yes, it is still R-2 residential.

Are there unique circumstances to the property not created by the landowner? Yes, lot size is a consideration.

Will the variance, if granted, retain the essential character of the locality? Yes, it is residential. The number of people will not change.

BOARD OF ADJUSTMENT MINUTES

March 4, 2020

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Jon Krofchalk made a motion to approve the variance with the conditions that there is a maximum of 5 occupants split between the two units and sheltered bike parking according to the ordinance and it was seconded by Jim Murphy. All were in favor of approving the request with the conditions.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Petition No. 20-11-V, Nick Newman/Kwik Trip

Nick Newwan/Kwik Trip – City Code Section 43.03.78(IA)(1), which is a use-specific standard that prohibits standalone parking lots located within 50 feet (50') of residential districts. The applicant is proposing a standalone, non-structural parking located at 262 High forest Street to provide employee parking for the existing business located at the adjacent 770 East 6th Street. Property is described as R-2 zoning, Sect-25, Twp-107, Range—007, HAMILTON ADDITION, Block-041, 50' ON HIGH FOREST ST BY 62½, or at 262 High Forest.

Nick Newman, Kwik Trip, 1626 Oak Street, Lacrosse, WI addressed the Board. Mr. Newman said that Kwik Trip would like to take the piece of property located at 262 High Forest in Winona and turn it into parking lot for employees for Kwik Trip. He said it would help with the congestion with the Kwik Trip parking lot located at 770 East Broadway.

It was clarified that the lot in question was a Lot of Record and something could be built on it.

Jim Murphy asked Staff about fencing around the lot and it was confirmed that some type of screening would be required around the perimeter.

Dave Kouba asked that if the variance were granted, would Kwik Trip maintain the alley adjacent to the property and Mr. Newman said they would continue to maintain it.

There being no others who desired to speak, Acting Chairman Kouba closed the public hearing and opened it up for discussion.

A question was brought up about the proposed parking lot and whether it needed to be blacktopped or concrete and Staff said; by City ordinance, it needed to be gravel, blacktop or concrete.

The Board went through the variance finding questions and question number one asked if the variance was in harmony with the purpose and intent of the ordinance? Yes, it is in accordance with the Comprehensive Plan and in scope with the ordinance.

BOARD OF ADJUSTMENT MINUTES

March 4, 2020

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Is the variance consistent with the Comprehensive Plan? Yes, it is consistent with future use in allowing for additional parking for commercial properties.

Does the proposal put the property to use in a reasonable manner? Yes, It has very minimal impact on the neighborhood and it will improve the lot. Are there unique circumstances to the property not created by the landowner? Yes, the lot size, location of the lot and the alley adjacent to it.

Will the variance, if granted, retain the essential character of the locality? Yes, it is adjacent to a commercial property which is Kwip Trip.

Tim Breza a motion to approve the variance as requested and it was seconded by Travis Buege. All were in favor of approving the variance request.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Adjournment

Tim Breza made a motion to adjourn with a second by Dave Kouba. The vote of the Board was unanimous.

There being no further business to come before the Board, the meeting was adjourned at 5:45 p.m.



Greg Karow
Secretary