

AGENDA

**City of Winona
Board of Adjustment**

DATE: Wednesday, July 1, 2020
TIME: 5:00 P.M.
PLACE: Via Zoom

=====

1. CALL TO ORDER

June 17th Minutes Pending

2. NEW BUSINESS

A. Applicant: Mitchell Walch

Parcel Address: 51 Riverview Drive

Nature of Request:

- 1) City Code Sections 43.02.24 Table 43-4 limits structures in the Mixed Use Downtown Fringe (MU-DF) zone to 40 feet.
- 2) City Code Section 43.03.62 A)1)b) sets a maximum front yard setback of 20 feet in the MU-DF zone
- 3) City Code Section 43.036.22 B) requires 1 parking space per dwelling unit in the MU-DF zone

Applicant wishes to construct a 64 unit apartment building with a height of 63 feet, a front yard setback of 40 feet and the equivalent of 60 off street parking spaces.

City Code Section: 42.02.24 Table 43-4, 43.03.62 A)1)b) and 43.03.22B)

B. Applicant: Ashley Gorka

Parcel Address: 416 East Third Street

Nature of Request:

City Code Section 43.01.27 A)2)a) requires accessory structures on lots of record to be a minimum of 3 feet from the side property line.

Applicant wishes to construct a 30'x40' garage at a zero foot setback to the side property line.

City Code Section: 43.01.27 A)2)a)

- C. **Applicant:** Francis Gooden, Winona Art Center
Parcel Address: 228 East Fifth

Nature of Request:

City Code Section 43.02.24 Table 43-4 requires a front yard setback of 25 feet and a side yard setback of 12 feet for 1.5 story “other permitted uses” in an R-3 zoning district.

Applicant wishes to construct an entry vestibule into a non-residential building at a 15 foot setback and 7 foot side yard setback.

City Code Section: 43.02.24 Table 43-4

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
51 Riverview Drive**

Notice is hereby given that on Wednesday, July 1, 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.

Mitchell Walch – City Code Section 43.02.24 Table 43-4 which limits structures in the Mixed Use Downtown Fringe (MU-DF) zone to 40 feet, 43.03.62 A)1)b) which sets a maximum front yard setback of 20 feet in the MU-DF zone, and 43.03.22 B) which requires 1 parking space per dwelling unit in the MU-DF zone. Applicant wishes to construct an 64 unit apartment building with a height of 63 feet, a front yard setback of 40 feet, and the equivalent of 60 off street parking spaces.

Property is described as Mu-DF zoning, Sect-22 Twp-107 Range-007 DANIELS FIRST SUBDIVISION Lot-001 Block-001 or at 51 Riverview Drive.

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, June 29, 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: June 19, 2020

Carlos Espinosa
City Planner

Chris Sanchez
Board of Adjustment
Chairman

Greg Karow
Building Official
Board of Adjustment Secretary

51 Riverview dr Winona MN 55987

Mitchell Walch

Whitewater Properties llc

20687 cr 33 Altura MN 55910

507-450-8046

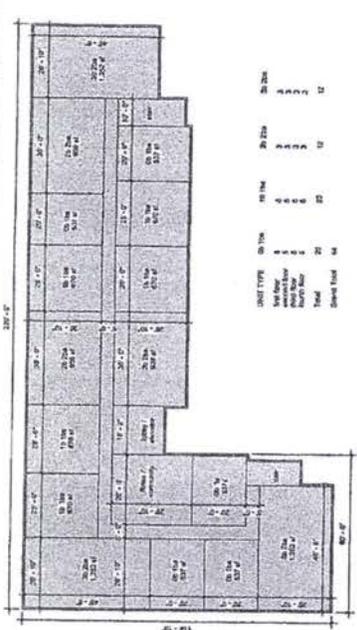
Legal: SECT-22 TWP-107 RANGE-007 DANIELS FIRST SUBDIVISION LOT-001 BLOCK-001

Parcel ID: 326500010

We are planning on constructing an apartment complex. We are requesting a variance to allow the height of this project to be under 70' (main floor is garage area/covered parking), reduce parking by 4, and modify the front set back required.

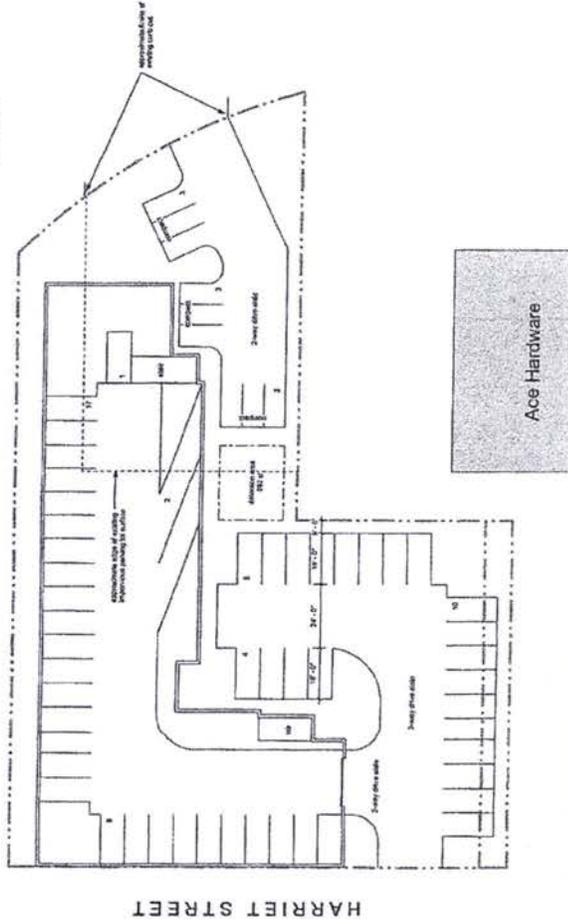
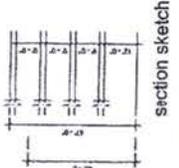
A handwritten signature in black ink, appearing to read "Mitchell Walch", with a long horizontal line extending to the right.

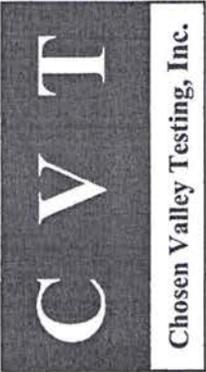
Riverview Dr



site area: 38,644 sf
 previous pervious: 8,750 sf
 building footprint: 15,831 sf
 building unfinished: 15,831 sf
 building finished: 63,324 sf
 total: 79,155 sf

parking:
 interior: 29
 east: 9
 west: 22
 bicycle: 4
 total: 64

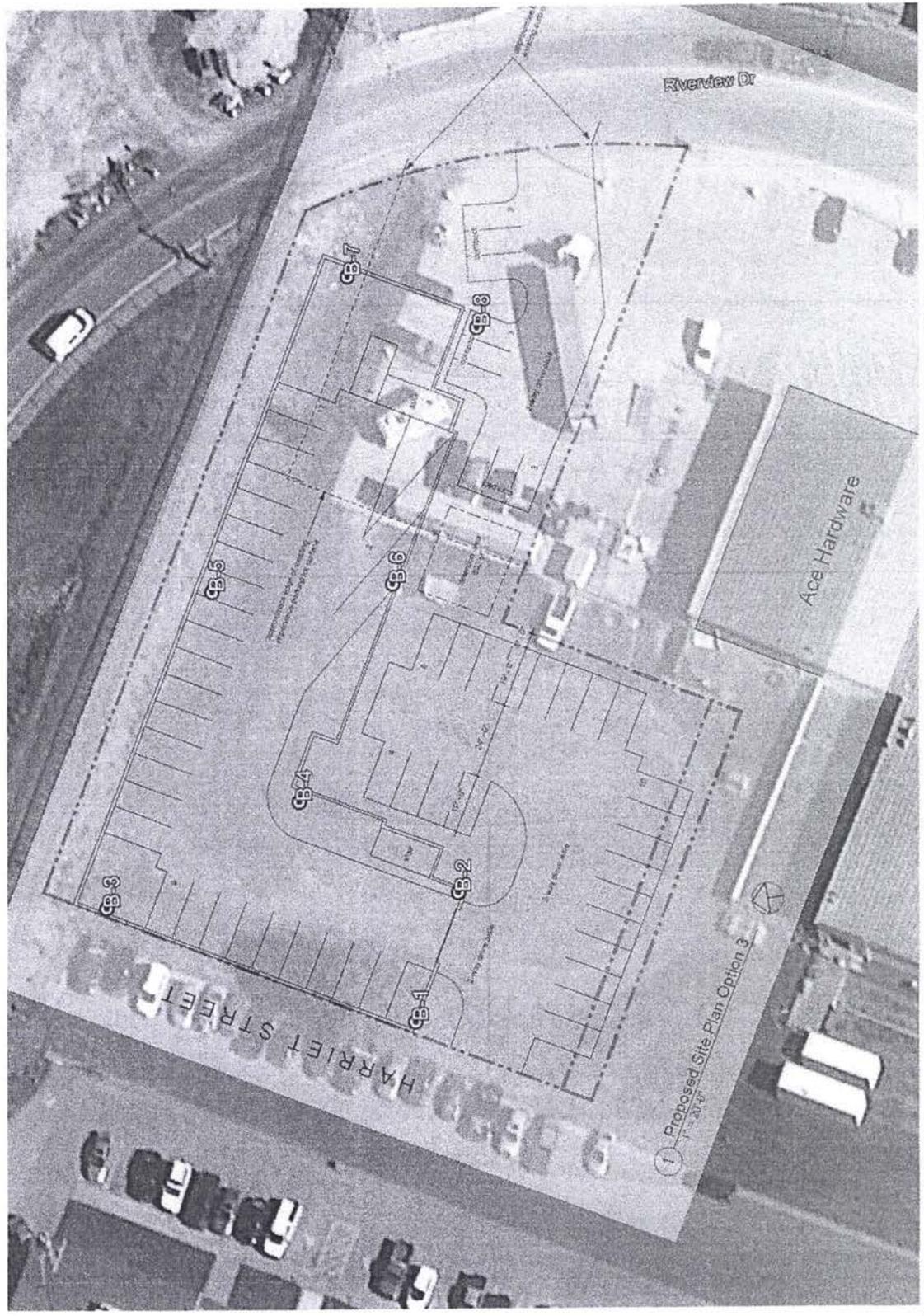




Legend
○ Proposed Boring Location

Proposed Boring Location Sketch

Proposed Riverview Apartment Building
Riverview Drive
Winona, Minnesota
16823.20.MNL





Whitewater Properties, LLC
20751 County Road 33
Altura, MN
55910

June 15, 2020

For the Attention of Mitch Walch

Dear Mitch,

**Riverview Apartments Feasibility Study – Riverview Drive, Winona, Minnesota
Supplemental Information for Variance Request**

We refer to the above project and wish to provide you with detailed information to support the requests for variances that will be required for certain conditions presented in the design.

As you are aware, there are aspects of this project that do not conform to the standards set forth in the Unified Development Code as adopted by the City of Winona. Having had an opportunity to discuss the restrictions compelling these conditions with City Staff, we have recommended that an application be made to request three separate variances from the Board of Adjustments. A statement concerning each request, along with justifications and reasoning is presented as follows to support their application. References to Sections where provided are to the City’s Unified Development Code.

Front Yard Setback

Background: The project site is bounded generally by the railroad to the north, Harriet Street to the west and portions of Riverview Drive to the east. In order to comply with design standards relating to building frontage and setback, Harriet Street was chosen as the front face of the building. Compliance with Section 43.03.62 – Design Standards for All Mixed Use Districts – can be achieved without difficulty. However, the City has indicated that this property shall be considered a dual-frontage lot, and therefore the front setback limits shall apply to the Riverview Drive side of the lot too. Subpart A items 1 a) and b) stipulate ‘... a new residential building / addition shall not have a front yard setback greater than 20 feet.’

Request: A request should be made for a variance to increase the front yard setback to 40 feet on the side of the property facing Riverview Drive.

Justification: There are several conditions that compel the larger setback dimension. Perhaps the most obvious condition is the curved roadway geometry of Riverview Drive as it turns west and crosses the railroad tracks. If the 20 foot setback limitation is applied at the average point, the northernmost corner of the building would project beyond the property line. It should also be noted that there is a stormwater culvert and swale at the north-east corner of the site which crosses under Riverview Drive. Discussions with the City Engineer have revealed that this culvert is considered public infrastructure, so it becomes impractical to encroach on this area with the

edge of the building. Finally, the vehicular and pedestrian safety at the private drive must be considered. Situating the building closer to the east property line will reduce the sight distance for traffic exiting the private drive on this site of the site. We feel that positioning the building at either an average or consistent distance of 20 feet from the east property line will not contribute to a safe and manageable condition. If granted, this variance should not burden other adjacent property owners with a hardship condition since this specifically addresses the unique shape and features on and adjacent to this site.

Alternatives: Very little opportunities exist to consider alternatives. The geometry of the property line is fixed, as is the public culvert and the driveway cut, which is in the process of undergoing reconstruction as part of a roadway improvement project. The site geometry presents challenges and leaves little usable area for other required site features such as stormwater detention ponds. Preliminary discussions with the Fire Marshal have indicated that they intend to utilize both driveways for first responder access, so we cannot consider eliminating the drive on the east side entirely.

On-Site Parking Capacity

Background: Section 43.02.22 – Required Parking Spaces, subpart B item 3 lists 1 off-street parking space for each Dwelling, Apartment. Bicycle lockers can be used in a ratio of 2:1 to offset up to 4 parking spaces for a residential use. In the case of a development with 64 apartments, the off-street parking count resolves to 64 spaces – 1 per unit, or 60 if the bicycle locker offset provision is used.

Request: A request should be made for a variance to reduce the total amount of on-site parking by 4 to 56 parking spaces. This assumes that 8 bicycle storage lockers shall be utilized to offset 4 spaces otherwise required.

Justification: The requirement for this variance is driven in part by limitations imposed by other sections of the Unified Development Code. Section 43.03.23 restrict the location of parking within a front yard setback. Parking was previously planned to the east of the building adjacent to Riverview Drive, but doing so would exacerbate the safety issue stated elsewhere and violate this standard. Page 59 of the 2020 Downtown Strategic Plan offers some alternative options for parking management and suggests under-utilization of parking areas when assessed over a 24-hour period. Harriet Street offers legal on-site parking. If granted, this variance should not burden other adjacent property owners with a hardship condition since the impact to total parking availability in the project vicinity would be very limited. Many adjacent properties are of commercial use with non-24-hour operation. The exception to this is Winona Area Ambulance which does operate on a 24-hour basis, however off-street parking is available to the south and east of that building.

Alternatives: Aside from reducing the amount of residential units and thus reducing the corresponding economic potential for the project, there does not appear to be feasible ways to increase vehicular parking on site. Mechanical or automated parking systems can offer high-density parking in limited areas but at very high costs which may not be recoverable. An easement for parking on an adjacent lot within 300 feet of this building could be considered, and this would be in compliance with Section 43.03.23 – Location, subpart 2 c). However, it is not known whether there are other lots within this vicinity which are on the market, or if any adjacent property owners would be willing to enter into such an agreement.

Building Height

Background: The Form-Based Design Standards as applicable to MU-DF zones limit building height of primary structures to 40 feet, in accordance with Table 43-4 – Site Dimension Standards. Furthermore, internal clear story heights are also prescribed in those standards. Taken in conjunction with each other, those two conditions have a limiting effect on vertical development on a property located within the MU-DF zone.

Request A request should be made for a variance to increase the primary structure building height to 63 feet.

Justification: It is clear that the combined limits of story height and building height create a hardship condition. This is acknowledged in the City's 2020 Downtown Strategic Plan (page 51) which recommends reconsideration of height restrictions for MU-DC and MU-DF zones. Although this site is located just outside of the study area boundary for the Plan (page 6), the commentary is still pertinent. The attached exhibits indicate the effects of these rules, which ostensibly limit development to two stories, or three stories if a flat roof building design is used. The proposed use is fundamentally supported by and in alignment with several objectives of the City's 2007 Comprehensive Plan (Chapter 9: Housing Plan) with respect to creating a balanced housing supply by considering commercial areas in the downtown area and along the riverfront. The hardship clearly becomes one of failing to fully align with the Comprehensive Plan goals while achieving the highest and best use for the site. If granted, this variance should not create a hardship condition for adjacent properties. Access to light would not be adversely impacted since adjacent properties are generally south of the east-west axis of the sun path.

Alternatives: Some alternatives such as a partial basement level and reduction of story heights have been considered. Simply working within the height limits of the Unified Development Code could be considered, however that may present an economic imbalance to the project and may run counter-intuitive to the City's goal to increase availability of housing (Comprehensive Housing Needs Assessment, 2016) and fully utilize downtown zones for their economic productivity with respect to tax revenue (2020 Downtown Strategic Plan, page 52). With respect to a partial basement, this may not be feasible given the proximity to the river for groundwater and the resolution of the vertical/grading design. Reducing the minimum story heights in order to reduce overall building height would not have a significant impact upon overall building height and rather, would serve to stage one variance request against another.

Should you require any clarification on these items, please do not hesitate to contact myself.

Yours Sincerely



Innes R Henderson, AIA, RIBA, RIAS, LEED AP BD+C
President
S2S Architects, LLC

Enc: A001 Site Plan
A002 Building Section Diagram
A003 Building Context Height Study
A004 3d Massing Study
A005 3d Massing Study



Unit Distribution Matrix

Unit Type	0b 1ba	1b 1ba	2b 2ba	3b 2ba
First Floor	5	5	3	3
Second Floor	5	5	3	3
Third Floor	5	5	3	3
Fourth Floor	5	5	3	3
Total	20	20	12	12
Grand Total	64			

Parking Matrix

Interior:	28
Exterior: East Surface Lot:	6
Exterior: West Surface Lot:	22
Secure Bicycle:	8
Total:	60 *

* accounts for 2:1 bicycle parking offset for 4 dwelling units per Section 43.02.22

Site and Proposed Building Characteristics

Site Area:	38,644 sf		
Proposed Building Footprint:	15,831 sf		
No. Stories	Parking	Residential	Total
Gross Building Area	15,831 sf	4	5
		63,324 sf	79,155 sf



s2s Architects
Build | Experience

67 W. 5th Street, #834
Winona, MN 55987
(507) 400-5700
www.s2sarch.com

Riverview Apartments Feasibility Study

Riverview Drive, Winona, MN

A001

Project No. 2008

Date 06-15-2020

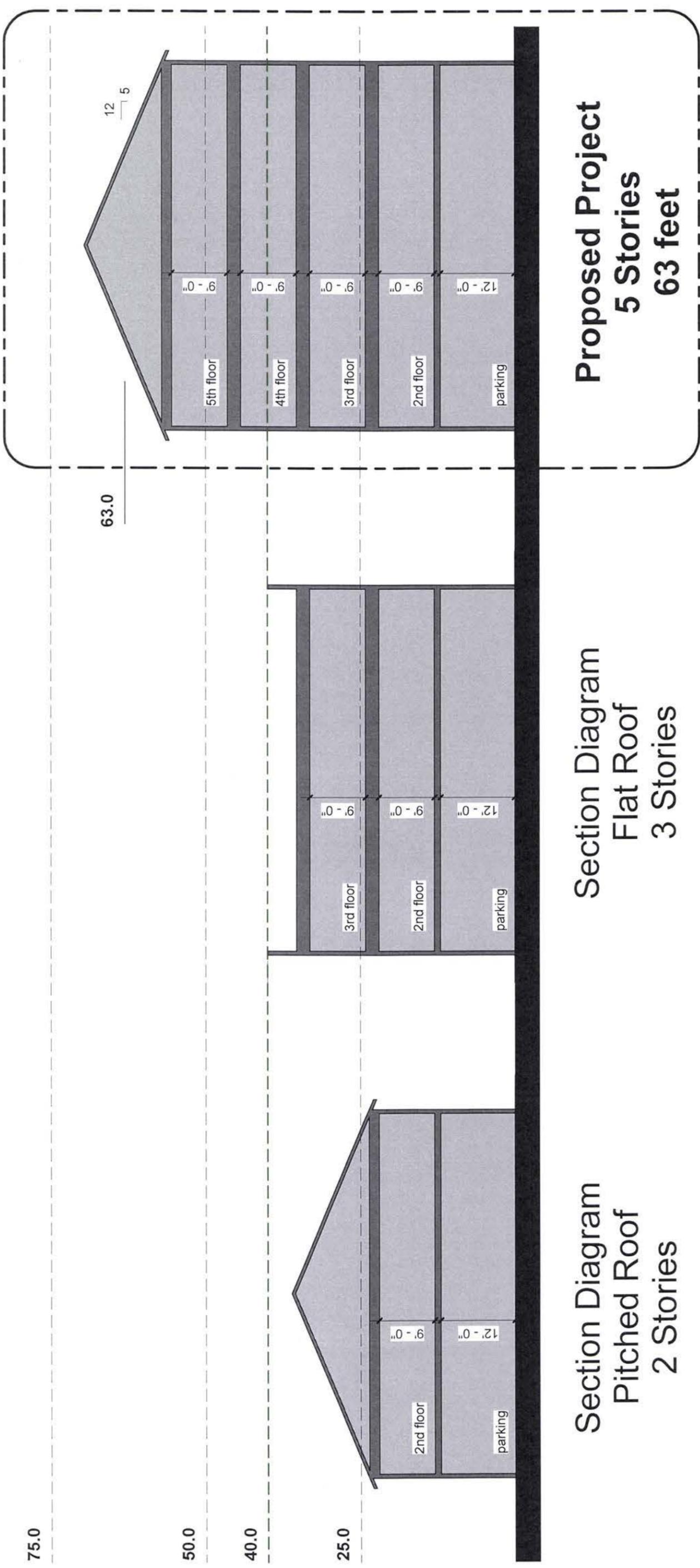
75.0

50.0

40.0

25.0

63.0



Section Diagram
Pitched Roof
2 Stories

Section Diagram
Flat Roof
3 Stories

Proposed Project
5 Stories
63 feet



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67 W. 5th Street, #834
 Winona, MN 55987
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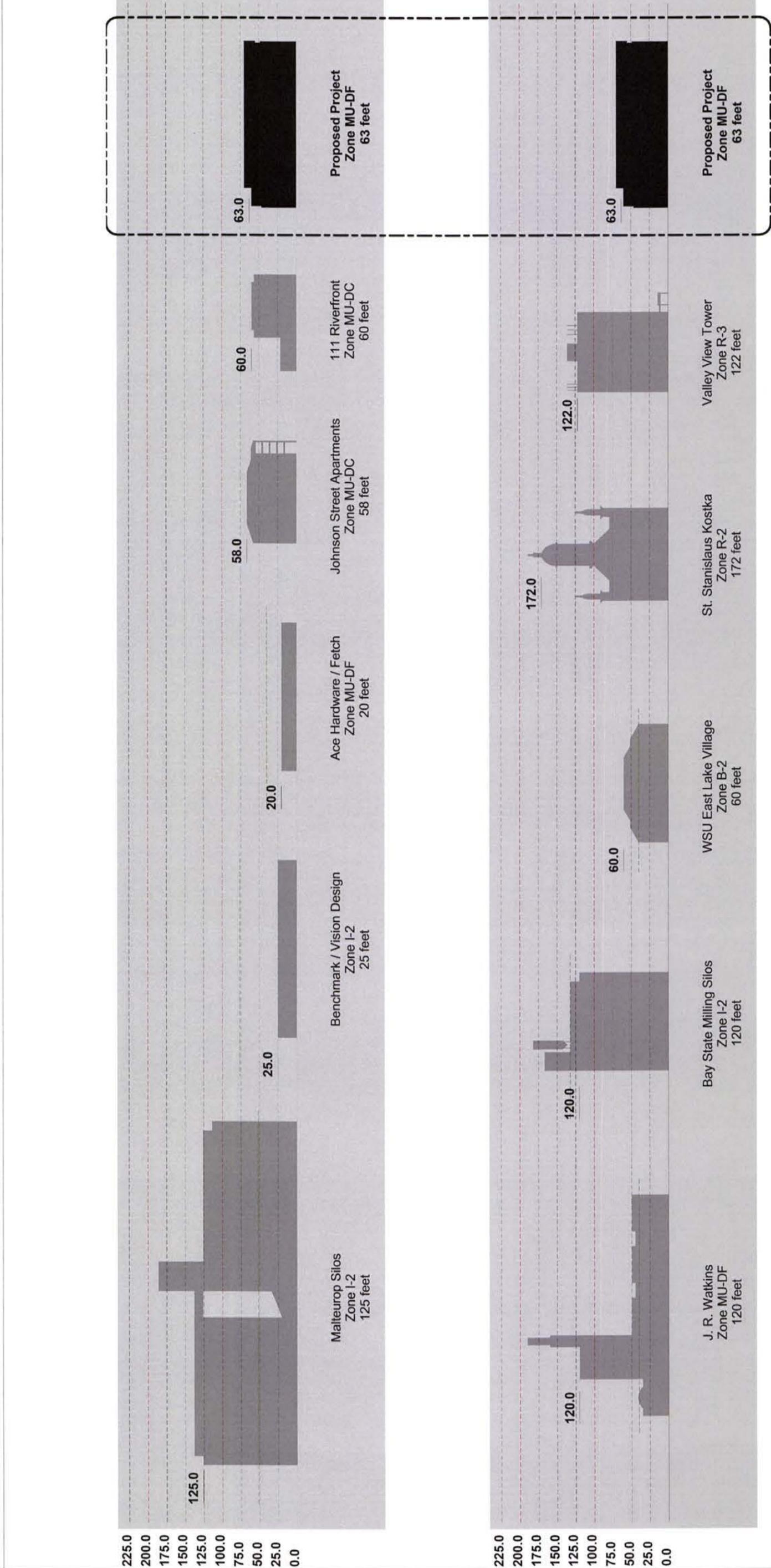
Riverview Apartments Feasibility Study

Riverview Drive, Winona, MN

A002

Project No. 2008

Date 06-15-2020



Note: existing building heights are approximate and are based upon field measurements



s2s Architects
Build | Experience

Riverview Apartments Feasibility Study

A003

67 W. 5th Street, #834
Winona, MN 55987
(507) 400-5700
www.s2sarch.com

Riverview Drive, Winona, MN

Project No. 2008
Date 06-15-2020



3D Massing Study Looking Southwest



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Winona, MN 55987
(507) 400-5700
www.s2sarch.com

Riverview Apartments Feasibility Study

Riverview Drive, Winona, MN

A004

Project No. 2008

Date 06-15-2020



3D Massing Study
Looking West



s2s Architects
Build | Experience

67 W. 5th Street, #834
Winona, MN 55987
(507) 400-5700
www.s2sarch.com

Riverview Apartments Feasibility Study

Riverview Drive, Winona, MN

A005

Project No. 2008

Date 06-15-2020

Petitioner Name: Ashley J Gorka

Petitioner Address: 416 3rd ST E

Legal description:

Parcel ID	323000450	Alternate ID	n/a	Owner Address	GORKA,ANGELAK
Sec/Twp/Rng	23-107-007	Class	201 - RESIDENTIAL		ASHLEY J GORKA
Property Address	416 3RD STE WINONA	Acreage	n/a		416 3RD STE WINONA, MN 55987
District	WINONA CITY				
Brief Tax Description	Sect-23 Twp-107 Range-007 LAIRDS ADDITION Lot-010 Block-008				

I want to build a 30 foot by 40 foot garage where the existing garage is. I am requesting a variance to build up to the property line where the existing garage is located. This will be the most appropriate use of property and significantly improve the general appearance of neighborhood.

Ashley J Gorka

06/11/20

507 313 9155



Overview



Legend

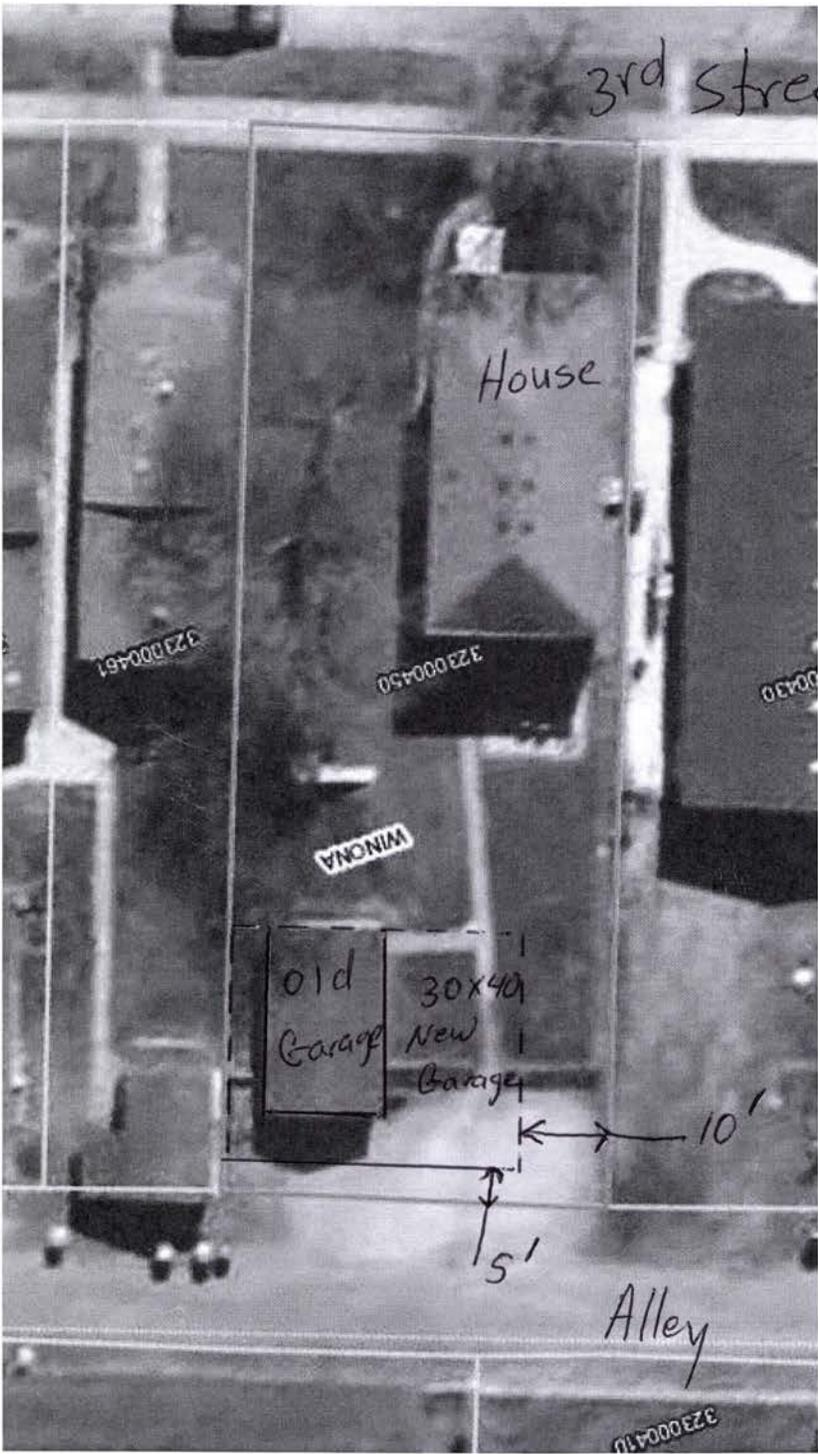
- Roads**
- Other
 - Interstate
 - US/State Highway
 - City Streets
 - County Road
 - Township Road
 - Private Drive
- Sections**
- Sections
- Blocks**
- Blocks
- Lots**
- Lots
- Quarter Quarters**
- Quarter Quarters
- Municipalities**
- Municipalities
- Winona Boundary**
- Winona Boundary
- Parcel**
- Parcel

Parcel ID	323000450	Alternate ID	n/a	Owner Address	GORKA, ANGELA K
Sec/Twp/Rng	23-107-007	Class	201 - RESIDENTIAL		ASHLEY J GORKA
Property Address	416 3RD STE	Acreage	n/a		416 3RD STE
	WINONA				WINONA, MN 55987
District	WINONA CITY				
Brief Tax Description	Sect-23 Twp-107 Range-007 LAIRDS ADDITION Lot-010 Block-008				
	(Note: Not to be used on legal documents)				

Note: This map is created from data contained in Winona County GIS and is for reference purposes only. While significant effort has been invested to depict boundary extents as accurately as possible per existing records, this map should not be considered a replacement for professional land survey.

Date created: 6/11/2020
 Last Data Uploaded: 6/11/2020 3:18:15 AM

Developed by  Schneider GEOSPATIAL



3rd Street

House

Old
Garage

30x40
New
Garage

10'

5'

Alley

323000481

323000450

323000430

WINONA

323000410

**Notice of Public Hearing
By Electronic Means
228 East Fifth**

Notice is hereby given that on Wednesday, July 1, 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.

Francis Gooden, Winona Art Center - City Code Section 43.02.24 Table 43-4 which requires a front yard setback of 25 feet and a side yard setback of 12 feet for 1.5 story other permitted uses in the R-3 zoning district. Applicant wishes to construct an entry vestibule into a non-residential building at a 15 foot front yard setback and 7 foot side yard setback.

Property is described as R-3 zoning, Sect-23, Twp-107, Range-007, ORIGINAL PLAT WINONA, Lot-010, Block-145, ORIGINAL PLAT ELY 45' OF SLY 100', or at 228 East Fifth.

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

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Dated: June 19, 2020

Carlos Espinosa
City Planner

Chris Sanchez
Board of Adjustment
Chairman

Greg Karow
Building Official
Board of Adjustment Secretary

Board of Adjustment
City of Winona, Minnesota

Re: Request for variance from Winona Unified Development Code for property located at 228 East Fifth Street, Winona, being Proper ID No. 32-001-0570, described as the Easterly 45 feet of the Southerly 100 feet of Lot 10, Block 145, Original Plat of the town (now City) of Winona, being located on and forming part of Government Lot 2, Section 23, Township 107, Range 7, subject to an easement over 10 feet thereof in the rear yard.

Gentlemen:

The Trustees of the Winona Arts Center (formerly the Winona Art Group), a corporation formed under the laws of the State of Minnesota, request a modification of the Winona Unified Development Code, Article 43-02-23: Lot Dimension Standards as shown on Table 43-4 for Zoning District R-3 (High Density Residence) Other Permitted Conditional Uses for one and one-and-a-half stories, to wit:

- A. An existing entrance and stairwell at the Southeasterly corner of the existing building. The existing building was constructed in the mid-nineteenth century and in approximately 1962, the Southeasterly entrance was added. Department of Community Development requires a variance for this existing portion of the structure because it encroaches into the 12-foot side yard setback required by Winona UDC Article 43-02-23. **See A on attachment.**
- B. The Trustees wish to construct a new front entrance or vestibule to accommodate a wheelchair lift for use by persons with mobility impairments precluding the use of stairs. The new front entrance or vestibule, located at the Southeasterly corner of the existing structure will extend approximately 10 feet into the front yard setback of 25 feet and will include the structure discussed in Paragraph A, above. **See B on attachment.**

The existing Southeasterly entrance was constructed many years ago for the convenience of members' access to the basement studio area, and will be incorporated into the new entrance and vestibule.

The Winona Arts Center (WAC) offers various educational and entertainment activities in the realm of art to its members and the general public in both the Gallery and Basement (Studio) levels. In order for the WAC's activities and premises be accessible to all members of Winona and surrounding communities, the Board has agreed to construct a new entrance that will include a wheel chair lift as well as improved stairwells with better lighting so that they may be used safely by all.

The new addition will extend the existing Southeasterly entrance by approximately 10 feet into the front yard setback. The entrance space or vestibule will be created for access to two stairwells and the lift. This new entranceway or vestibule will be enclosed in glass and will have a single doorway for access. Outside the vestibule there will be a ramp leading from the Southeasterly corner of the property to the entrance to the vestibule.

Please note that this addition will not significantly expand upon the existing side yard footprint, and the addition does not extend into the front yard setback any further than the existing building nor further than the apparent average of surrounding properties.

The southeast corner of the building allows the most optimal solution to allow public access, visibility and area due to building orientation and property lines, as well as to internal programming and circulation. The easement on the rear yard is placed in such a way that there is insufficient space for such an entrance. Even if there were no easement, the front entrance is considered to be the best option for the reasons stated above.

Although the building is not formally designated as an historic site, it was constructed approximately 150 years ago. Attempts have been made to preserve many of the features of the original church, including the original stained-glass windows. Care will be taken with construction so that the original structure will not be altered more than necessary to accommodate the new entrance. All of the stained-glass windows will be preserved.

The entrance is provided for the convenience of WAC members and members of the community and surrounding areas who are unable to attend classes and events due to inability to negotiate stairs safely. It will also contribute greatly to the public health, safety, comfort and general welfare. Property values will be conserved because we believe the addition is of a minimal size so as not to interfere with sightlines and the general aesthetic of the neighborhood..

Making our facility available to all interested persons certainly puts the property to use in a reasonable manner and should in no way alter the character of the neighborhood.

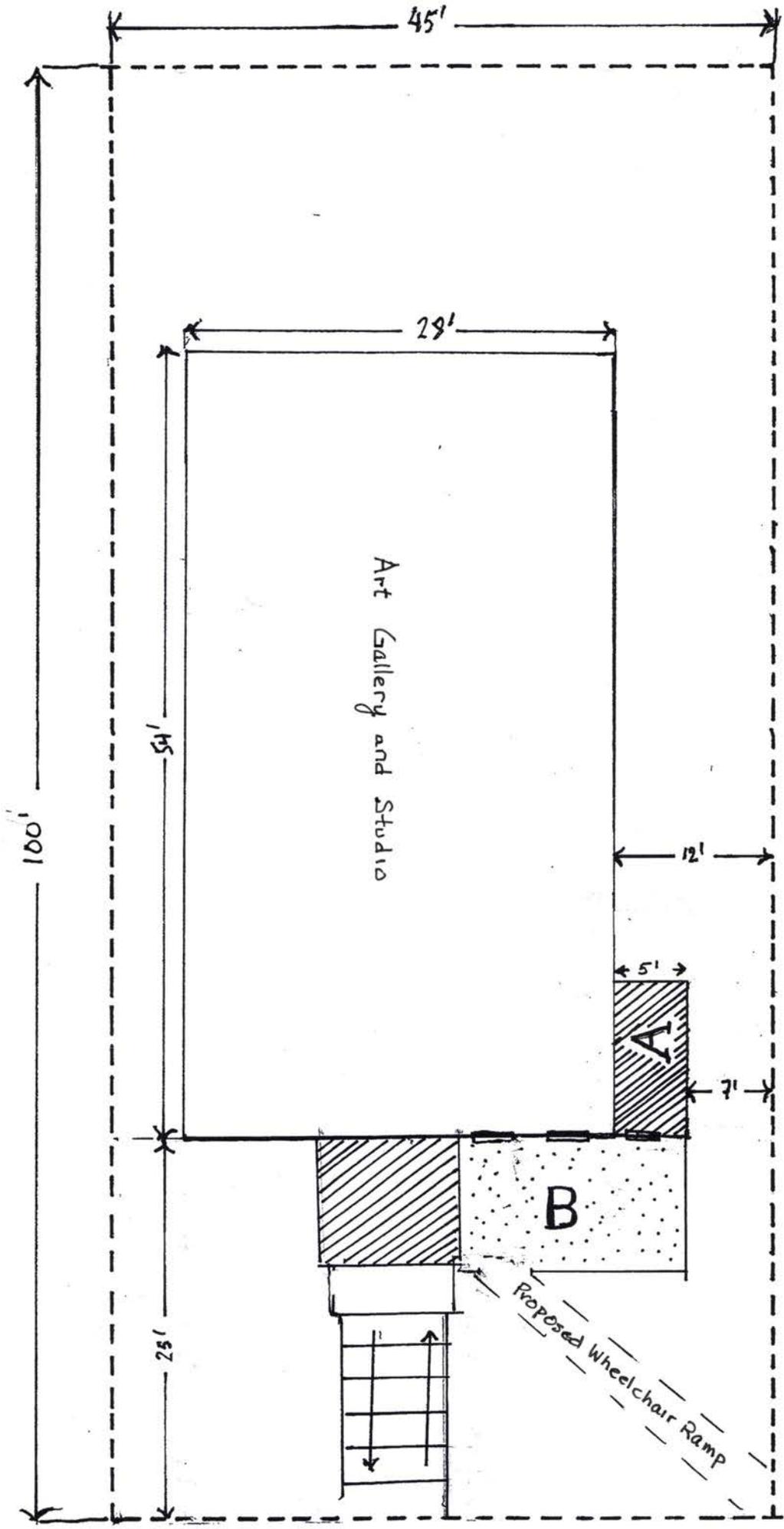
The WAC has raised funds and would like to begin construction as soon as possible; therefore, we look forward to your timely positive acceptance of our variance request.

Regards,

WINONA ARTS CENTER

By *Frances Goodin*

Print Name and Title FRANCES GOODIN, TREASURER



EXISTING
 PROPOSED

**BOARD OF ADJUSTMENT
Regular Meeting**

DATE: June 3, 2020

TIME: 5:00 p.m.

PLACE: Zoom Online Meeting

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

ABSENT: None

Acting Chairman Kouba called the meeting to order at 5:02 p.m.

Breza moved to approve the minutes from June 20, 2020. Commissioner Krofchalk seconded the motion. All members present voted aye.

Petition No. 20-16-V, Cave Enterprises Operations, LLC

Acting Chairman Kouba introduced the item and ceded the Chair to Board Member Sanchez upon his arrival to the meeting. Chairman Sanchez opened the public hearing and read the petition:

Cave Enterprises Operations LLC - City Code Section 43.05.14(A)(2)(a)(ii) which requires that off-premise signs be 200 feet (200') from a residential zoning district. The extant sign for Target is located roughly 70 feet (70') from the R-3 zoning district to the West. Applicant is proposing a new lot to be subdivided from 860 Mankato, which will include the extant Target Sign, requiring its compliance with the aforementioned ordinance.

City Code Section 43.05.14(C) which requires that a new off-premise sign be 300 feet (300') from the nearest off-premise sign. The extant Target sign is roughly 200 feet (200') from the nearest off-premise sign to the North located at 840 Mankato Avenue. Applicant is proposing a new lot to be subdivided from 860 Mankato, which will include the extant Target Sign, requiring its compliance with the aforementioned ordinance.

Property is described as B-3 zoning, Sect-35, Twp-107, Range-007, LAKE PARK RETAIL SUBD, Lot-001, Block-001, EX: AC RES FOR ROAD or at 860 Mankato Avenue.

Dieter Maiwald spoke on behalf of the applicant addressing the need for the variance following the subdivision of property currently addressed as 860 Mankato Avenue.

BOARD OF ADJUSTMENT MINUTES

June 3, 2020

PAGE 2

Board Member Krofchalk asked to clarify the location of the existing Target sign and that it would be on the property to be operated as Burger King. Mr. Maiwald responded that this was correct. Board Member Krofchalk expressed concern that the zoning in the area needs to be addressed.

Board Member Conway stated he also had concerns related to surrounding residential zoning and doesn't consider the area to be residential.

No members of the public came forward to speak and the public hearing was closed.

The Board considered the findings.

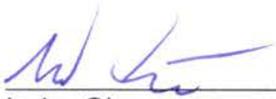
Board Member Krofchalk moved to approve the application. Board Member Kouba seconded the motion. All members present voted aye.

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

Adjournment

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

There being no further business to come before the Board, the meeting was adjourned at 5:18 p.m.



Luke Sims
Acting Secretary