

## PLANNING COMMISSION MINUTES

**DATE:** March 23, 2020  
**TIME:** 4:30 p.m.  
**PRESENT:** Chairman Buelow, Commissioners Hahn, Boettcher, Hall, Olson, and Shortridge  
**ABSENT:** Commissioners Marks, Ballard and Paddock  
**STAFF PRESENT:** Assistant City Planner Luke Sims, City Planner Carlos Espinosa, and Director of Community Development Lucy McMartin

---

The meeting was called to order at 4:33 p.m. by Chairman Buelow.

### **Approval of Minutes – March 9, 2020**

The minutes from the Planning Commission meeting of March 9, 2020 were reviewed. Commissioner Hahn moved to approve the minutes. Commissioner Shortridge seconded the motion. All members present voted aye by voice vote.

### **Public Hearing – 701 Wilson Street Tourist Home Interim Use Permit**

Applicants Jo and Susan Koo provided background of their proposal to convert their existing long-term rental to a short-term rental to facilitate more flexible use by them as owners.

Mr. Sims provided an overview of the proposed short-term rental at the property noting that the applicants are meeting the IUP requirements, including having an agent nearby to respond to emergencies when the owners are not available. Mr. Sims also mentioned that additional comment from surrounding property owners coordinated by Mr. Ron Regan of 663 Grand Street was forwarded to the Commission.

Commissioner Hall raised concern over the outreach to neighbors in advance of the shift to making the meeting online due to the ongoing Coronavirus pandemic. Mr. Sims noted that there are extenuating circumstances in this instance and City staff did receive other calls aside from the forwarded correspondence from Mr. Regan but there was no written opposition or support and they were predominantly curious in nature.

Commissioner Hahn asked if there was a sense of support or opposition or simply curiosity from inquiries to City staff. Mr. Sims responded that he would not speak speculatively as to the intent of the callers to support or oppose the proposal but that the calls appeared to be predominantly curiosity.

Commissioner Shortridge asked if the 30% Rule was a concern in this instance. Mr. Sims responded that this is a block in which the 30% Rule does apply but it is an

**PLANNING COMMISSION MEETING MINUTES  
MARCH 23, 2020  
PAGE 2**

existing rental property that fills a slot on the block and will not have an additional impact toward 30%. Commissioner Shortridge echoed Commissioner Hall's concerns about adequate access for a public hearing. Commissioner Shortridge also raised concern about the broad conversion of long-term rentals to short-term rentals but noted that he doesn't have a solution but only that the codes should potentially be looked at in the future. Chairman Buelow noted that at this point in time there is not a mechanism to create that limitation.

Chairman Buelow asked if there were any problems with short-term rentals to this point. Mr. Sims noted that the same mechanisms to address problems with long-term rentals exist for short-term rentals and that there has not been an uptick in a need for enforcement to this point.

Commissioner Hahn asked about trailers, boats, and how much off-street parking was available. Chairman Buelow noted that there are two spaces on the property. Ms. Koo mentioned that there are two garage spaces and two spots on the driveway.

Commissioner Hahn asked if this was a situation where tabling until the next meeting to allow area residents more time to submit concerns and comments could be done. Chairman Buelow mentioned that such a motion could be in order but that the appropriate notice was given, the public hearing notice was reissued, and there is a posting on the door of City Hall and some response has been given to City Hall reflecting that word is getting out. Ms. Koo mentioned that from a relational standpoint, the people on Wilson Street know their family well and it may be that people on the Wilson Street side are not speaking up because the applicants were clear about their intention for the property since they bought it. General discussion of the location of the objection from Mr. Regan being on the other side of a block over ensued.

Commissioner Olson mentioned that there are parking spaces on the block. Due to technical difficulties, Commissioner Olson left the meeting. Discussion of technical difficulties ensued.

Chairman Buelow opened the public hearing.

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

Commissioner Boettcher moved to approve the application. Commissioner Hahn seconded the motion.

Commissioner Hall mentioned that the public input hasn't been optimized for this shift to an electronic meeting and still has that concern, even though he does not have particular opposition for application in question. He noted there does not appear to be a big downside to delaying this until a traditional public hearing can be held. Chairman

**PLANNING COMMISSION MEETING MINUTES  
MARCH 23, 2020  
PAGE 3**

Buelow mentioned that this could be some time and there is a quorum present to consider business.

Commissioner Hahn mentioned that he shares concerns about the venue but that the request is for a new use for an existing rental but not a new rental property in the neighborhood. He noted he would have stronger feelings about potentially tabling until a future meeting date if that were the case.

Chairman Buelow mentioned that the traditional notice of the public hearing went out, property owners in the surrounding area were notified, and the updated notice went out on Friday for the changed venue. He mentioned that the message seems to have been received by some neighbors and the Commission.

Commissioner Shortridge echoed Commissioner Hall's concern. He noted that it could be like this for some time but until something changes there probably won't be many short term rentals or a rush to use them and even though there is technically legal compliance a delay would not be harmful.

Commissioner Hall mentioned that a delay would be prudent and it is unlikely that it would create an undue hardship on the applicants, either. Commissioner Hall asked if there were currently renters at the property. Ms. Koo responded that there were renters from July 15 to March 15 and the owners are currently staying there. They have updated the house, fixed it as if they were going to be there forever, and it has passed its rental inspection. Ms. Koo raised a concern that the family does not live in Winona any longer though Jo Koo does come into town monthly and would not be available for a future meeting. Chairman Buelow mentioned that usually people cannot call into meetings but that may be different in the future due to the extenuating circumstances. Commissioner Shortridge mentioned that one person representing the applicants would be fine in the future.

Commissioner Hahn mentioned that he had been swayed by his colleague's comments.

No further comments forthcoming, the Commission voted on the motion at hand.

By roll call vote, the Commission voted unanimously against the motion to approve.

Commissioner Hall moved to table the item to the next regularly scheduled meeting to allow for more time for adequate response from the public. Commissioner Hahn seconded the motion.

No comments forthcoming, the Commission voted on the motion at hand.

By roll call vote, the Commission voted unanimously to table the item to the next regularly scheduled meeting.

Mr. Koo asked what would be considered adequate response at what the process would look like. Director of Community Development McMartin mentioned that mailings could be reissued with appropriate process for response either through email or call or to a public hearing via Zoom could be done to provide for more advance notice for the electronic meeting. Commissioner Hall mentioned that this seemed adequate and didn't want to leave the applicants hanging too long. General assent from Commissioners was expressed.

**Public Hearing – Main Square Annex Final Plat at 166 West 6<sup>th</sup> Street**

Commissioner Shortridge mentioned there is still an issue with the process just as the before item. Commissioner Shortridge asked to clarify that the petitioner making the request is not the owner of the property. Mr. Espinosa noted that the petitioner can make the request with the appropriate sign off from the owner which is on file.

Chairman Buelow asked if a representative from the petitioner was on the call. Cindy Telstad, representing the petitioner, mentioned that she was available.

Chairman Buelow asked to confirm that the same process was followed to notice the surrounding area. Mr. Sims mentioned that the same process was followed. Commissioner Hall noted that this should be treated the same as the previous item. Chairman Buelow mentioned that this seems to be appropriate and asked Ms. Telstad if she would like to address the Commission.

Ms. Telstad mentioned that she views this application as considerably different from the prior application and that the previous application involved circumstances that could directly affect the neighbors but a minor plat approval is quite different and a different application and determination. She also mentioned that it is simply a question of whether the subdivision plat should be approved, subdividing one lot into two lots. She noted that this is the first in a multi-step process that will provide additional opportunities for public comment, including more opportunities in which the public will be more apt to respond, for example before the Heritage Preservation Commission. She also mentioned that delay would have significant impact on the developer.

Commissioner Boettcher asked if there were comments submitted yet. Mr. Sims noted that there has not been specific comment for or against submitted to this point. Chairman Buelow noted that this has been in the paper and notice has been given to surrounding property owners. Commissioner Shortridge mentioned that there are not a lot of property owners in that vicinity.

Chairman Buelow asked Ms. Telstad if there were additional points of discussion she would like to add. Ms. Telstad noted that it is a straightforward application for a lot split. She noted that the property owner has signed the application. Ms. Telstad mentioned that the staff report indicates that the application complies with the subdivision requirements with two exceptions that are clearly spelled out regarding the lot area of

the parcel on which the Washington Crossings building sits and the variance for the parking required for that building.

Mr. Espinosa provided an overview of the application, highlighting that there is a zoning district line running along the middle of the property where the northerly portion is Mixed Use-Downtown Core while the southerly portion is zoned R-3, Multifamily Residential. Due to this, City staff is recommending approval with conditions that require variances for the lot area and the parking requirements to be addressed through parking used on the proposed Lot 1. Mr. Espinosa also noted the different steps for the project, which would involve Heritage Preservation Commission review, a Conditional Use Permit review before the Planning Commission, and a variance review before the Board of Adjustment. Overall, Mr. Espinosa mentioned that this meets the requirements in staff's review.

Commissioner Shortridge asked if there would be other variances to be requested in the future as there were for the initial Main Square project for the form based standards and whether there would be variances requested. Ms. Telstad mentioned that there is not an answer to that question at this point because the proposed ramp design process is not far enough along. Mr. Espinosa mentioned there are a lot of moving parts at this point based on the context, the neighborhood, and the split zoning. He mentioned that at this point in time, staff's report reflects review to this point but something could arise in the future.

Commissioner Boettcher mentioned that this is something that the City of Winona needs but must be done correctly.

Chairman Buelow asked whether the 40 off-street parking spaces are required as part of Washington Crossings. Ms. Telstad responded that this was correct and the 40 off-street parking spaces come from a parking agreement for use of the proposed ramp. Chairman Buelow asked how many spaces would be in the ramp. Ms. Telstad mentioned that there was no answer at this time.

Commissioner Olson reconnected to the call and mentioned he has no concern regarding the parking.

Chairman Buelow opened the public hearing.

No member of the public coming forward to speak, the public hearing was closed.

Commissioner Hahn mentioned that he has trepidation moving forward with the item at this time.

Commissioner Boettcher mentioned that the application should be seen together and it should be moved forward but maybe not agreed to today. He recommended that it be looked at again when the Commission is together. Chairman Buelow noted that this

may not be for some time and that there is an allowance by state statute for electronic meetings and that the state also requires action within 60 days. General discussion of the 60 Day Rule ensued. Mr. Sims noted that City staff would have to review the application date to ensure the Commission is still taking action within 60 days should it be tabled. Chairman Buelow re-confirmed that the meeting notice was appropriately issued, surrounding property owners were notified, and a reissued notice was given to the media on Friday regarding the change to an electronic meeting.

Commissioner Hahn moved to table the motion to the next regularly scheduled meeting on April 13<sup>th</sup>. Commissioner Shortridge seconded the motion.

Due to technical difficulties, Commissioner Olson left the meeting.

No further discussion forthcoming, the Commission voted on the motion at hand. By roll call vote, the Commission voted unanimously to table the item to the next regularly scheduled meeting.

**Other Business**

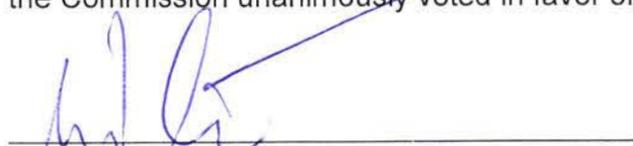
Chairman Buelow noted there has been a letter drafted regarding the Corps of Engineer's Pool 6 Dredging Plan. Commissioner Hall moved to send the letter onto City Council. Commissioner Shortridge seconded the motion.

Commissioner Hahn asked if the wording was too vague. Commissioner Shortridge suggested that it be wordsmithed before being sent on.

No further discussion forthcoming, the Commission voted on the motion at hand. By roll call vote, the Commission voted unanimously to send the letter forward to City Council.

**Adjournment**

On a motion from Commissioner Boettcher and second by Commissioner Shortridge, the Commission unanimously voted in favor of adjournment at 5:38 p.m.

  
\_\_\_\_\_  
Luke Sims  
Assistant City Planner