



**Planning Commission
Agenda**

Monday, June 14, 2021, 4:30 p.m.

Electronic Via Zoom

207 Lafayette Street

Winona, MN 55987

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- 1. Call to Order**
 - 2. Approval of Minutes-May 24, 2021**
Recommended Motion:
To Approve the minutes.
 - 3. Public Hearing - 203 1/2 East Broadway Tourist Home IUP**
 - 4. Other Business**
 - 5. Adjournment**

Zoom Procedures for Planning Commission

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 4:30 pm; please log in prior to the start of the meeting. You may exit the meeting at any time.

Planning Commission and Staff:

To join the Zoom Meeting via web, go to:

<https://us02web.zoom.us/j/85285016416?pwd=cFJvWkFNNmlzQXRGUGw4Q1hobUpQUT09>

Meeting ID: 852 8501 6416

Passcode: 55987

Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 852 8501 6416

Passcode: 55987

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 Planning Commission meeting. These written comments will be provided to the Commissioners either in advance or at the public hearing.

Planning Commission Meeting

Minutes

May 24, 2021, 4:30 p.m.
Electronic Via Zoom
207 Lafayette Street
Winona, MN 55987



Members Present: Commissioner Brian Buelow, Commissioner Brad Ballard, Commissioner LaVerne Olson, Commissioner Ed Hahn, Commissioner Amy Jo Marks, Commissioner Dale Boettcher, Commissioner Todd Paddock, Commissioner Peter Shortridge

Members Absent: Commissioner Daniel Hall

Staff Present: City Planner Carlos Espinosa, Assistant City Planner Luke Sims

1. **Call to Order**

The meeting was called to order at 4:30 PM by Chairman Brian Buelow.

2. **Approval of Minutes-May 10, 2021**

The minutes from the Planning Commission meeting of May 10, 2021 were reviewed.

Moved by Commissioner Boettcher

Seconded by Commissioner Olson

To approve the minutes.

Motion Carried Unanimously

3. **WSU Carport Solar Site Plan Review**

Mr. Espinosa provided an overview of the proposed carport solar project which was forwarded to the Planning Commission due to the size of the project and its visibility in the City. The project locates solar panels atop car ports over parking spaces in the parking lot adjacent to the Integrated Wellness Center at Winona

State University. This project helps address the University's energy needs. Mr. Espinosa stated that the solar panels atop the carport structures are being treated as accessory uses to the existing parking facility. This is consistent with residential solar arrays, for example. Mr. Espinosa recommended approval of the site plan with contingencies that the structures on which the solar panels are mounted shall cover the entire length of the parking stalls as proposed and that the project shall be designed to minimize the extent possible for glare on surrounding residential properties. Mr. Espinosa noted that MnDOT has signed off on the project on May 24, 2021 which makes the third consideration in the agenda packet superfluous.

Eric Rehm of McKinstry, representing the project, provided a brief summary of the project. He highlighted the national presence of McKinstry and its past work in the State of Minnesota, including work with the University of Minnesota and Minneapolis/St. Paul International Airport. Mr. Rehm noted that the project will be a self-funded project using future energy savings to reduce the campus' energy consumption by more than 24% and carbon emissions by more than 25%. He mentioned that this will be the first MinnState solar carport project in the system.

Commissioner Boettcher asked when the project is anticipated to be implemented and if parking would be underneath. Sean Currie, a project developer for the project, said the project would begin in late Spring 2022. He mentioned that vehicles will be parked below and the project serves two purposes: harvesting energy and protecting cars.

Chairman Buelow asked how stormwater will be channeled based on the proposed layout. Mr. Currie responded that the panels are tilted toward the center to have the water infiltrate to the islands in the parking lot with a new infiltration system to drain to the south to the islands and percolate into the stormwater and infiltrate into the system as an infiltration basin. Mr. Espinosa asked if the basins exist currently. Mr. Currie said the islands do and there are pathways for water to run to the get to the islands and infiltrate in. Chairman Buelow mentioned it sounds like a good plan for infiltration.

Commissioner Shortridge asked to clarify that this will reduce the amount of runoff. He also asked about charging stations being implemented. Mr. Currie responded that the plan will include three charging stations along the north parking stalls, two smaller stations and one fast charging station. Mr. Rehm noted that this will be a total of six vehicles able to be charged simultaneously.

Commissioner Paddock asked if the project meeting 24% of energy needs was the maximum or if it could be clarified. Mr. Rehm responded that the overall project was 24% but the carport solar will represent about 5%.

Commissioner Olson asked how snow would be handled. Mr. Rehm responded that nature would melt the snow and the slope would direct water to the basin as described before. The proposed strategy is a non-maintenance strategy. He mentioned that sometimes there may be some snow on the panels but the energy rates take that into consideration. Commissioner Olson mentioned that the angle does not appear particularly great and typically they would be at a sharper angle but it is not the concern of the Commission but something to consider for the project. Mr. Rehm responded that his firm uses 30 years of weather data for the modeling and the impact on overall potential of the solar array and it remains a good project for the university and its energy goals.

Commissioner Olson asked about the panels and runoff absorption rates for large precipitation events. Mr. Currie responded that the hard surface being created will be the same amount as exists currently, but will instead be elevated and will still flow into the basin and will be able to handle the runoff load. Commissioner Olson mentioned he does not have a problem with the project.

Commissioner Shortridge moved to approve with the conditions. Commissioner Marks seconded the motion.

Commissioner Hahn asked about how the melt has worked in past projects. John Neville, representing the project, has mentioned that the other two referenced projects before have similar slopes and snow melts within hours or, occasionally, a day and there have not been issues.

Commissioner Hahn commended the University for the use of the space, accomplishing two things with one design. Chairman Buelow and Commissioner Boettcher expressed agreement.

Commissioner Olson asked how many parking spaces would be lost. Mr. Rehm responded that no spaces will be lost. Commissioner Olson expressed general concern for the amount of parking off-campus nearby.

Commissioner Shortridge echoed the commendation of Winona State

University. He mentioned that future parking structures should possibly also have required solar improvements. Mr. Neville mentioned that his team would like to have similar projects with the City.

Commissioner Hahn asked about the 30-year performance of the panels and whether there are plans for upgradability. Mr. Rehm responded that the production warranty of the modules themselves will be about 85% at the end of the period. He noted that it makes sense today and you expect it to perform as expected down the line.

Moved by Commissioner Shortridge
Seconded by Commissioner Marks

Motion Carried Unanimously

4. Other Business

Mr. Espinosa informed the Commission that City staff has met with five consultant teams about proposals to-date both in-state and nationally.

Commissioner Olson asked if there was going to be a move back to in-person in the near future for the Planning Commission. Mr. Espinosa said that the Planning Commission will move back to in-person when other commissions and boards do, possibly at the end of June. Commissioner Olson said there was some concern about the accessibility of online for the meetings, particularly for some of the more controversial issues that may arise. Commissioner Paddock mentioned that some people may not be able to take part in-person but can via Zoom. He mentioned that in-person for controversial items may be more appealing. Chairman Buelow, Commissioners Hahn and Boettcher all agreed that in-person can be more helpful sometimes.

5. Adjournment

The Commission voted in favor of adjournment at 5:00 pm.

Moved by Commissioner Shortridge
Seconded by Commissioner Boettcher

Motion Carried Unanimously

Luke Sims, Assistant City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. 203 ½ East Broadway Tourist Home IUP

PREPARED BY: Carlos Espinosa

DATE: June 14, 2021

Summary

The owner of the property at 203 ½ E. Broadway is applying for an Interim Use Permit to turn an existing long-term rental (30+ days) into an owner-occupied short-term rental (<30 days). The property is currently certified as a duplex. The owner lives upstairs and the basement unit is currently certified for 3. The IUP would certify the basement unit for short-term rental use.

203 ½ E. Broadway – Zoned R-3



The applicant has provided the letter in Attachment B summarizing the use. The applicant has stated in their application that the unit will meet ordinance requirements. Staff's review of the use indicates that it will conform to applicable zoning regulations. Given this, and the fact that the short-term rental will simply replace an existing long-term rental unit, staff recommends approval of the attached resolution.

Attachments:

- A. Resolution
- B. Letter

CERTIFICATION OF RESOLUTION

I, Carlos Espinosa, Secretary for the Winona City Planning Commission, do hereby certify that I have compared the annexed paper writing with the original Order of the Winona City Planning Commission RE: Resolution **#21-3** and Petitioner **Adam Cloeter** now remaining of record in my office, and that the same is a true and correct copy of said original.

WITNESS, my hand in Winona, Minnesota, this 14th day of June, 2021.

Carlos Espinosa, Secretary
Planning Commission

CITY OF WINONA, MINNESOTA
PLANNING COMMISSION RESOLUTION 21-3

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINONA, MINNESOTA APPROVING THE REQUEST FOR AN INTERIM USE PERMIT FOR AN OWNER-OCCUPIED TOURIST HOME UNIT AT 203 ½ E. BROADWAY STREET

WHEREAS, the applicant, Adam Cloeter, seeks an Interim Use Permit (IUP) pursuant to Winona City Code 43.02.22 A) to use the dwelling unit at 203 ½ E. Broadway Street for an owner-occupied Tourist Home, which property is zoned R-3 and is legally described on the attached Exhibit A; and

WHEREAS, the Planning Commission conducted a public hearing on June 14, 2021, and received public testimony regarding the requested Interim Use Permit; and

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

WHEREAS, the Planning Commission subsequently reviewed the requested Interim Use Permit at its meeting on June 14, 2021.

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

1) Use of the dwelling unit shown on Exhibit C as a short-term rental for a maximum of three (3) people complies with all general and specific criteria for owner occupied Tourist Home units provided in Exhibit D.

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

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

Passed by the Planning Commission of the City of Winona, Minnesota this 14th day of June, 2021.

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

ATTEST:

Secretary

Chair

EXHIBIT A

Legal Description of 203 ½ E. Broadway

Property is described as follows:

Sect-26 Twp-107 Range-007 PLUMERS ADDITION Lot-006 Block-005 COM 50' E FR
NW COR BLK 5 TH E 18' S 110' E 17' S 30' W 35' N 140' TO BEG LOT 5 & ALL LOT 6

EXHIBIT B

Reference Map



EXHIBIT C

1/8/19 Rental Certificate

CITY OF WINONA		OFFICE COPY												
PROTECTIVE INSPECTION DIVISION														
CERTIFIES THAT A														
RENTAL HOUSING LICENSE														
<small>HAS BEEN ISSUED TO THE DWELLING HEREIN, WHICH MEETS THE REQUIREMENTS ESTABLISHED FOR THE SAFE AND SANITARY MAINTENANCE OF DWELLINGS BY CHAPTER 33-A OF THE WINONA CITY HOUSING CODE; RENTAL PROPERTY CODE.</small>														
DWELLING LOCATION	<u>203 East Broadway</u>	PARCEL NUMBER <u>#32-400-0380</u>												
<small>MAXIMUM APPROVED OCCUPANCY</small>														
LOCATION	SGL	Bsmt												
DWELLING UNIT	*8	3												
ROOMING UNIT														
<small>License is subject to maintenance requirements and approved unit occupancy limitation.</small>														
*Zoning Limitations - 3 Unrelated Persons. Updated License - Added Basement - 4/25/2019.														
License Issued:	<u>1/8/2019</u>													
License Expires:	<u>1/14/2024</u>													
														
	Housing Inspector													

EXHIBIT D

General and Specific Criteria for Owner Occupied Tourist Homes

General Criteria

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

Specific Criteria

- 1) The home shall be located on a lot that is owned by and includes the primary residence of the host or host family. The host or host family shall reside on the lot during any period of guest stay.
- 2) The home may be located within a principal or accessory structure, provided that all applicable building, housing, and sanitation codes are met.

- 3) Minimum lot area shall be computed at the rate of 1,500 square feet per guest room. This computation shall not include any portion of a lot that is considered to be undevelopable by local or state law. This computation shall not include the lot area requirement for the host family.
- 4) Paying overnight guests may be served only breakfast by the host or host family. The preparation of food by paying overnight guests may be permitted within guest rooms if properly inspected and licensed for that purpose.
- 5) Guest stay per person shall be limited to a maximum of twenty-nine (29) continuous days within a sixty (60) day period.
- 6) Off-street parking shall be provided on the basis of two spaces for the host or host family, plus one space per guest room. Provided that properties with valid rental certificates as of 6/21/17 shall be permitted to convert existing rental units into Tourist Homes without providing additional parking. The number of people permitted to rent the Tourist Home shall not exceed the number of occupants listed on the rental certificate.
- 7) One unlighted exterior sign shall be permitted. The sign shall not exceed two square feet in area and be attached flat to the wall of the principal structure.
- 8) Bed and Breakfast and Tourist Homes shall be subject to all terms and conditions of the hotel/motel tax as defined in Chapter 64 beginning 7/1/2018 and be operated in accordance with state law notwithstanding conforming or non-conforming use status.
- 9) A home must be inspected and licensed pursuant to City Code Chapter 33A and all other applicable city, county and state housing, building, fire and environmental health codes and ordinances. Proof of such licensing must be submitted to the Community Development Department by the host or host family. Initial City licensing for properties in the R-R, R-S, R-1, R-1.5, R-2, R-3, MU-N, B-1 and AG/NR districts shall be subject to the Interim Use Permit (IUP) process. Properties shall be inspected prior to application for the IUP. The Interim Use Permit shall be valid for the same term period as a rental housing license. Thereafter, properties shall be licensed administratively by the Community Development Department in the same manner as rental housing pursuant to Chapter 33A.
- 10) In the R-R and R-S districts, the number of guest rooms may be increased from two to three if all are located within existing habitable floor space of the principal structure.
- 11) In the AG/NR district, the number of guest rooms may be increased from two to five if all are located within existing habitable floor space of the principal structure.

Project Narrative
203 ½ E Broadway- Airbnb

I am applying for a IUP for the basement apartment of my residence in order to operate a Airbnb unit in that apartment. The property is zoned R-3 residential and is currently a certified duplex. I fully remodeled the basement unit a couple years ago when we converted the property into a duplex.

If approved, this unit will comply with all the rules/criteria set forth on the application. My residence is on the main floor/upstairs unit of the house. I will be closely monitoring the unit for compliance.

Having the unit as a Airbnb instead of a long term apartment has several benefits. First, it will reduce traffic/parking congestion because it won't be full every night of the week compared to a long term resident. It is only a 1 bedroom unit which means usually only 1 guest vehicle will be parked in the dedicated off street space at a time. Second, the review and ID verification systems of Airbnb ensure that guests have been screened prior to booking. This further reduces the potential for unruly/non compliant guests. Finally, there are review/financial repercussions for guests and hosts that don't follow the rules set out by Airbnb.

I have operated as a Airbnb host since 2016 and have proven myself to be a reliable operator of those units. We have a very high standard for our units and want to provide our guests with the best possible experience. Our reviews are proof of that performance. If approved, this unit will be operated to that same standard.

Thank you for your time and consideration

Sincerely,
Adam Cloeter