



**Planning Commission
Agenda**

Monday, September 27, 2021, 4:30 p.m.

City Council Chambers – City Hall

3rd Floor - 207 Lafayette Street

Winona, MN 55987

- 1. Call to Order**
- 2. Approval of Minutes - September 13, 2021**
- 3. Public Hearing - 610 Prairie Island Road**
- 4. Other Business**
- 5. Adjournment**

Planning Commission Meeting

Minutes



September 13, 2021, 4:30 p.m.
City Council Chambers – City Hall
3rd Floor - 207 Lafayette Street
Winona, MN 55987

Members Present: Commissioner Brian Buelow, Commissioner Amy Jo Marks, Commissioner Dale Boettcher, Commissioner Daniel Hall, Commissioner Ed Hahn, Commissioner LaVerne Olson, Commissioner James Goblirsch, Commissioner Peter Shortridge, and Commissioner Paul Schollmeier

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 Buelow.

2. Approval of Minutes - August 23, 2021

The minutes from the Planning Commission meetings of August 23, 2021 were reviewed.

Moved by Commissioner Olson
Seconded by Commissioner Hahn

Motion Carried Unanimously

3. Public Hearing - 1101 Sugar Loaf Road Tourist Home IUP

Mr. Espinosa provided an overview of the proposed Interim Use Permit for the owner-occupied duplex. The applicant would be utilizing covered bicycle parking in the garage to comply with parking requirements.

Commissioner Hall arrived at 4:32 pm.

Commissioner Boettcher mentioned he had been by the property and it is a nice place.

Chairperson Buelow opened the public hearing.

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

Moved by Commissioner Hahn
Seconded by Commissioner Boettcher

Motion Carried Unanimously

4. Other Business

Mr. Espinosa mentioned that with the end of the year approaching, a nomination committee would be recommended to choose a chair and vice chair during the first meeting in October or last meeting in September.

Commissioner Olson asked if the low-income housing project at the end of Sarnia Street had gotten their funding. Mr. Sims responded that the applicants did receive their housing tax credits and it is a shallow subsidy project. Commissioner Shortridge asked how people were accessing the development. Mr. Sims responded that the access is off of Belleview to the North. Commissioner Schollmeier asked to confirm that some left turns would be expected. Mr. Sims responded that there may be.

5. Adjournment

The meeting was adjourned at 4:37 pm.

Moved by Commissioner Shortridge
Seconded by Commissioner Marks

Motion Carried Unanimously

Luke Sims, Assistant City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Public Hearing – 610 Prairie Island Road

PREPARED BY: Carlos Espinosa

DATE: September 27, 2021

Summary

This Interim Use Permit application for 610 Prairie Island Road is to allow non-owner occupied short-term rental (<30 days) of the dwelling. The house was recently renovated and the owners live across the road to the north. Due to the size of the lot, the IUP would allow up to 8 renters in accordance with the property's inspection report.

610 Prairie Island Road – Zoned R-S



The applicant has described the proposed use in the application. Staff's review of the use indicates that it will conform to applicable zoning regulations provided in Attachment A. Given this, staff recommends approval of the attached resolution.

Attachments:

- A. Resolution
- B. Application Information

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 **#21-5** and Petitioner **Karl Butenhoff** 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 27th day of September, 2021.

Carlos Espinosa, Secretary
Planning Commission

CITY OF WINONA, MINNESOTA
PLANNING COMMISSION RESOLUTION 21-5

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINONA,
MINNESOTA APPROVING THE REQUEST FOR AN INTERIM USE PERMIT FOR A NON
OWNER OCCUPIED TOURIST HOME AT 610 PRAIRIE ISLAND ROAD

WHEREAS, the applicant, Karl Butenhoff, seeks an Interim Use Permit (IUP) pursuant to Winona City Code 43.02.22 B) to use 610 Prairie Island Road for a Tourist Home, which property is zoned R-S and is legally described on the attached Exhibit A; and

WHEREAS, the Planning Commission conducted a public hearing on September 27, 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 September 27, 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 as a non-owner occupied short-term rental complies with all general and specific criteria for non-owner occupied Tourist Home units provided in Exhibit C.

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

(1) _____

Passed by the Planning Commission of the City of Winona, Minnesota this 27th day of September, 2021.

VOTE: __ HAHN __ SHORTRIDGE __ SCHOLLMEIER __ BUELOW
__ OLSON __ MARKS __ HALL __ BOETTCHER __ GOBLIRSCH

ATTEST:

Secretary

Chair

EXHIBIT A

Legal Description of 610 Prairie Island Road

That part of Government Lot Six (6), Section Sixteen (16), Township One Hundred Seven (107) North, Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows, to-wit: Commencing at a point designated by an iron pipe monument on the North and South Center line of said Section Sixteen (16), which lies 504.42 feet, more or less, North of the Southeast corner of said Government Lot Six (6), as point of beginning; thence North $58^{\circ} 04'$ West, a distance of 102.9 feet to a point, which is 87.3 feet due West of the North and South Center line of Section Sixteen (16); thence South and parallel to said center line of Section Sixteen (16), a distance of 282 feet more or less, to the center line of Prairie Island Road, as now located; thence Southeasterly along center line of said road, a distance of 103 feet more or less, to said center line of Section Sixteen (16); thence North along said center line of Section Sixteen (16), a distance of 276.5 feet more or less, to point of beginning.

Subject to the public easement for Prairie Island Road along the Southerly portion of said premises.

And subject to an easement for a roadway for the use of the public forever to that part of the premises described above which part is described as follows, viz:

All that part of the property herein conveyed which lies within the area between the Northerly line extended of the property herein conveyed (which line is hereinafter termed the "Center Line of Easement") and an extended line running parallel with and twenty (20) feet distant Southwesterly from said "Center Line of Easement".

Grantors hereby also convey a perpetual Easement for a roadway for the use of the Grantee and the public forever, described as follows:

All that property which lies within the area bounded on the Southerly side thereof by a line running Northwesterly and Southeasterly and parallel with the Twenty (20) feet Southwesterly of the said "Center Line of Easement" extended, and bounded on the East by the said centerline of said Section Sixteen (16), and on the Northerly side by a line running Northwesterly and Southeasterly and parallel with and Twenty (20) feet distance Northwesterly from the said "Center Line of Easement" extended, and bounded on the West by a line running Northeasterly and Southwesterly which intersects at a right angle the said "Center Line of Easement" at a point which is 444.65 feet Northwesterly along the said "Center Line of Easement" from the intersection of said "Center Line of Easement" and the center line of said Section Sixteen (16).

EXHIBIT B

Reference Map



EXHIBIT C

Rental Inspection Report Cover Page

RENTAL HOUSING INSPECTION FORM

Protective Inspection Division

Property Address: 610 Prairie Island Rd N

C = Compliance
NC = Non Compliance

Inspector	<u>Bill Howell</u>	Owner	<u>Karl Butenhoff & Sarah Eichenberg</u>
Date	<u>9-3-2021</u>	Address	<u>600 Prairie Island Rd N</u>
Type Construction	<u>Framed</u>	City & State	<u>Winona, MN 55987</u>
Stories	<u>1</u>	Dwelling:	<u>Single</u> Duplex Mult.
Zoning	<u>R-S</u>	Telephone: Work	<u>Day 507-923-0311</u>
Certified	<u>3 unrelated & 8 related</u>	Home	<u>507-450-6500</u>
		Agent/Mgr.	_____
		Address:	_____ Telephone: _____

EXTERIOR

Foundation			Stairs		
Weather Proofing:	C		Handrails	C	
Walls/Roof	C		Guardrails	C	
Windows & Frames	C		Chimneys	C	
Screens/Storms	C		Accessory Bldgs.	C	
Front Porch	C		Trash & Refuse Containers	C	
Rear Porch	C		Recyclable Containers	C	
Doors & Frames	C		Yard Area	C	
			Off-Street Parking	C	

INTERIOR

Attic or 3rd Story			Basement/Cellar		
Weatherlight	C		Handrails	C	
Rafters	C		Stairs	C	
Electric	C		Walls & Floor	C	
Occupied	C		Floor Joists	C	
Egress	C		Wiring	C	
Light & Vent.	C		Furnace	C	
			Water Heater	C	
Hallways			Plumbing	C	
Handrails	C		Hazardous Material	C	
Lighting 3/W	C		Occupied	C	
Exits	C		Egress	C	
Smoke Detector	C		Light & Vent.	C	
Fire Resistive	C		1-Hr. Separation	C	
Door Closures	C				

<u>Insulation</u>			insect		
<u>Water Supply</u>			attic	rodent	other
			city	walls	basement/cellar
			nitrate	well	test
				chloriform	

COMMENTS:

- garage parking

EXHIBIT D

General and Specific Criteria for Non-Owner Occupied Tourist Homes

General Criteria

- (1) The extent, location and intensity of the interim use will be in substantial compliance with the Winona Comprehensive Plan.
- (2) The interim use will conform to all applicable zoning regulations for the district in which the property is located.
- (3) Considering existing circumstances and potential uses under existing zoning, the interim use will not substantially impair the use and enjoyment of other property in the neighborhood.
- (4) The interim use will not impede the normal and orderly development and improvement of the surrounding property.
- (5) Considering existing circumstances and potential uses under existing zoning, the interim use will not be detrimental to the existing character of the development in the immediate neighborhood or be incompatible with or endanger the public health, safety and general welfare.
- (6) The interim use will not create an excessive burden on existing parks, schools, streets/roads and other public facilities, which serve or are proposed to serve the area.
- (7) The interim use will not adversely affect neighboring property and dwellings because of excessive traffic generation, glare, noise or other nuisance characteristics.
- (8) A interim use located on property having significant historical and architectural resources shall preserve such resources, and 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 owner shall not occupy the premises during the rental period.
- 2) No meals shall be catered.
- 3) In MU-N, B-1, and residential zoning districts, the number of guests limited to a maximum of twelve (12) at one time or 1 per 1,500 square foot of lot area, whichever is smaller. This computation shall include any other dwelling units on the property. Provided that properties with valid rental certificates as of 6/21/17 shall be permitted to convert one existing rental unit to a Tourist Home and rent to the

number of guests listed on the rental certificate. Any additional Tourist Home units on the same lot must comply with the lot area standard.

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

Project Narrative: 610 Prairie Island Road N

City of Winona Planning Commission,

Enclosed is an application for an IUP in order to fulfill the requirements to begin operating a short term rental (AirBnB/VRBO) at the above property. This property is a single family residence zoned R-S on over a half acre lot that my wife and I have spent the last five months completely remodeling.

Prior to us purchasing the property this spring, it was a vacant and dilapidated property that was an eyesore for the neighborhood. Now with our large investment of time and money, it has become a property that our neighbors enjoy having next door. We have already spoken to all the neighbors, although they aren't that close to the property due to the lot size, and they are all on board with our plan to rent out this residence. Also, my wife and I live right next door at 600 Prairie Island Road, and I work out of a home office, so I will be able to closely monitor all the activity at the property to ensure compliance is being met at all times and guests are not causing any issues.

There are a great deal of benefits to renting this property on a short term basis. First, short term rentals must be cleaned and maintained at the highest possible standard if they are going to be successful. This will ensure that the property will not become run down and continue to be an asset to the neighborhood and tax base. Second, the short term rental platforms of AirBnB and VRBO require strict vetting processes before guests can book a stay. This, along with us living right next door, will greatly reduce the potential for poor tenants staying at the property. Additionally, we expect this property to have approximately 50% vacancy throughout the year. This greatly minimizes traffic as opposed to a long term rental that is filled 95-100% of the year. And since the house is only 2 bedrooms, on average we only expect 2-4 guests per stay, which there is more than adequate garage and driveway parking for. We plan to market this property as a great place to stay for a family vacation or weekend getaway by promoting all the great things Winona has to offer. This, in turn, will help to increase tourism exposure and hopefully bring more money to all our great, locally owned businesses.

If approved, this property will comply with all the rules and regulations as stated on the IUP application. My wife and I have a strong track record of having high standards and renting to high quality tenants through our other real estate investments, and we plan to continue to do the same for our guests if this application is approved. Please don't hesitate to reach out with any questions or concerns.

Thank you for your consideration and time on this matter,

Karl Butenhoff and Sarah Eichenberg