



PLANNING AND DEVELOPMENT SERVICES

City Office Building
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Willmar, MN 56201

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MEMO

TO: Willmar Planning Commission

Chair: Mark Klema

Members: Charles Oakes, Andrew Engan, Scott Thaden, Gary Geiger, Randy Czarnetzki, Nick Davis, Virgilio Aguirre, Jr, and Bob Poe.

FROM: Megan M. Sauer, Planner *MMS*

DATE: September 5, 2012

SUBJECT: SEPTEMBER 12, 2012 MEETING

The Willmar Planning Commission will meet at 7:00 p.m. on Wednesday, September 12, 2012, in Conference Room #2 (upper level) of the City Office Building. Please call me at 214-5195 if you cannot attend.

1. Call the meeting to order
2. Minutes of the August 22, 2012 meeting *
3. Valley View Court 2nd Addition Final Plat. *
4. CBD expansion rezone and Phase I & II land release rezone discussion. **
5. Miscellany
6. Adjourn

* included

** to be presented



**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, AUGUST 22, 2012**

MINUTES

1. The Willmar Planning Commission met on Wednesday, August 22, 2012, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

** Members Present: Mark Klema, Charlie Oakes, Scott Thaden, Virgilio Aguirre, and Bob Poe.

** Members Absent: Andrew Engan, Randy Czarnetzki, Gary Geiger, and Nick Davis.

** Others Present: Bruce Buxton, Doug Leckband, Mike Angland, Bruce D. Peterson- Director of Planning & Development Services, and Megan M. Sauer- Planner/Airport Manager.

2. MINUTES: The minutes of the July 25, 2012 meeting were approved as submitted.

3. MILLS SECOND ADDITION TO WILLMAR PRELIMINARY PLAT- FILE NO. 12-7:

The public hearing opened at 7:01 p.m. Bruce Buxton, of Widseth, Smith, and Nolting, presented the preliminary plat on behalf of the applicant Mills Properties Inc. of Brainerd, MN for a three lot plat legally described as follows: part of the NE ¼ of the SE ¼, Section 27, Township 119, Range 35 (Highway 71 S). Mr. Buxton explained that they are platting off some of their metes and bounds described land to have lots for development of a car dealership, car wash, future convenience store, and developable lot. The utilities and storm retention calculations/ponds were all done years previous and designed for all of the Mills Properties ultimate build-out, including a Mills Fleet Farm store. Lots 1 and 2 have a shared access and thus a shared easement agreement will be drafted and recorded. The existing water and storm lines to the lots are not in public right-of-way. Mr. Buxton stated that if the City wanted easement over them, they will gladly give easements, as Mills would prefer the line to be public.

With no one to appear for or against the request, the public hearing closed at 7:11 p.m.

Staff comments were review and discussed (see Attachment A).

The Planning Commission discussed the development-wide storm water retention plans. The existing utility services were previously installed by Mills after annexation ten years ago.

Mr. Thaden made a motion, seconded by Mr. Oakes, to approve the preliminary plat with the following conditions:

- A. The developer shall install a gate valve shut off at right-of-way for the water line.
- B. The access easement agreement shall be submitted for City Staff review, and recorded/listed on the plat to ensure tracking.

The motion carried.

4. MILLS AUTO CENTER PLAN REVIEW- FILE NO. 12-7: Doug Leckband, of Widseth, Smith, and Nolting, presented the plans on behalf of Mills Automotive Group, Baxter, MN, for an automotive center and car wash on property described as follows: part of the N ½ of the SE ¼ Section 27, Township 119, Range 35 (Highway 71 S). Mr. Leckband explained that the automotive center will include an array of car companies, and each has a specific style and branding requirement. As such the building layout and design is as per the three car corporations standards. All setbacks are met on the proposed automotive center and car wash. The properties are accessed via 40th Ave. SE. The landscape layout and architectural style of the building are appropriate for the commercial use and corridor of the area.

The Planning Commission reviewed and discussed staff comments (see Attachment A).

The Planning Commission inquired about sand filters at the car wash. Mr. Leckband explained that they have full sand interceptors and a system where they can recycle and reuse water to reduce their usage to have a more green operation.

Mr. Oakes made a motion, seconded by Mr. Thaden, to approve the plan review with the following conditions:

- A. All requirements/comments from the City Engineer shall be met and adhered to prior to issuance of a building permit.
- B. The use shall meet all applicable, local, state, and federal laws and regulations.

The Planning Commission reviewed and made affirmative findings of fact in Zoning Ordinance Section 9.E.4.a.1-7.

The motion carried.

5. MISCELLANY: The Planning Commission continued their discussion of the duration and frequency of garage and rummage sales compared with typical residential neighborhood activity. Staff shared some information and ordinance examples from the League of Minnesota Cities. The Commission talked about limiting garage sales to not more than three consecutive days for sales and to a total of four sales for the entire year. They also talked about requiring 30 day breaks between sales. These issues would be dealt with by staff on a complaint basis when a neighborhood is being affected by an offending garage/rummage sale.
6. There being no further business to come before the Commission, the meeting adjourned at 7:51 p.m.

Respectfully submitted,



Megan M. Sauer, AICP
Planner/Airport Manager

PLANNING COMMISSION-August 22, 2012

STAFF COMMENTS

1. MILLS SECOND ADDITION TO WILLMAR PRELIMINARY PLAT- FILE NO. 12-7:

- The applicant is Mills Properties, Inc. Brainerd, MN.
- The applicant is proposing a three lot subdivision on property legally described as: part of the NE ¼ of the SE ¼, Section 27, Township 119, Range 35 (Highway 71 S).
- The property is zoned General Business (GB).
- The property is accessed via 40th Ave. SW.
- Each proposed lot exceeds the GB lot area and width minimum requirements.
- Lot 1 has Highway 71 S. frontage, but is only accessible via 40th Ave. SW; the applicant proposes a 51.34' leg on the lot (flag shaped lot) to gain access. A future street is proposed to the north that would also gain access to proposed Lot 1. There is also a proposed access easement agreement across Lot 2 to Lot 1, this easement shall be submitted and recorded congruous with the final plat (and depicted on the plat) and a copy submitted to the City for record keeping.
- The lot layout is slightly altered since the first layout, so some services may not align with the new access drives etc.
- Once the water/storm lines leave the City right of way it is assumed the lines become private utilities. As such a shutoff valve shall be added.

MUC Comments: Water installed already by Mills in 2004 12" mains within Mills property are private; see as built 2004. If the lines are going to remain private a gate valve shall be added at the right-of-way.

Kandi-Power Co-Op: Ok no comments.

Fire Marshall Comments: Any changes must meet Willmar Fire Marshall Policy on hydrants.

Assessor's Comments: There are existing assessments that will be paid off with the 2012 real estate taxes. The access easement shall be listed on the final plat, and want it verified that this is for ingress/egress to Lot 2.

Engineering/Public Works Comments: There is no access easement for Lot 3. Easements are required for the existing 12" public watermain. Easements are not shown for the utilities, therefore, they will all be considered private.

RECOMMENDATION: Approve the preliminary plat with the following conditions:

- A. The developer shall install a gate valve shut off at right-of-way for the water line.

- B. An access easement agreement draft shall be submitted for City Staff review, and recorded/listed on the plat to ensure tracking.

2. MILL AUTO CENTER PLAN REVIEW- FILE NO. 12-7:

- The applicant is Mills Automotive Group, Baxter, MN.
- The applicant is requesting plan review of a new auto dealership and car wash on property legally described as: part of the N ½ of the SE ¼ Section 27, Township 119, Range 35 (Highway 71 South).
- The applicant is proposing a 53,375 sq. ft. auto center building and an adjacent 5,080 sq. ft. car wash. If/when the c-store building is pursued a conditional use permit will be required for that portion of the project, as all gas station sales and storage require further review.
- The properties are accessed via 40th Ave. SW. The lot proposed for the auto center has two accesses one via the car wash lot, a cross access easement is proposed. The easement shall be recorded congruous with the plat for tracking purposes.
- There are 170 proposed parking spaces on site, which well exceeds the Zoning Ordinance parking requirements.
- The utilities were put in in 2004 and they are private, buildings will not be over the existing utilities.
- The parking lot/landscape plan shows delineated curbed islands with a mix of plantings and greenery.
- The elevation drawings depict a typical commercial building suitable for automotive sales and will fit in well with surrounding commercial uses.
- Sign approvals and permits shall be ancillary from plan review.

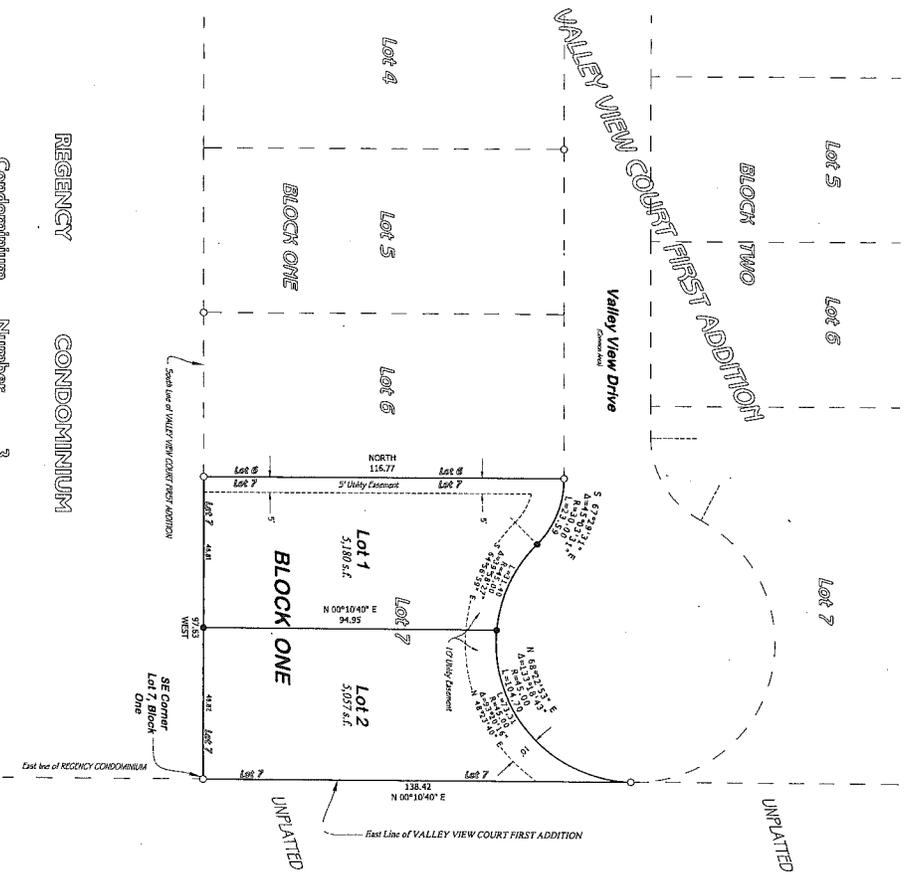
Engineering/Public Works Comments: Silt fence to be installed shall be identified. A construction stormwater permit will be required. Details referenced in the drawings were not included with the plan set. Plan set should be reviewed by Bart Murphy at Willmar Municipal Utilities.

RECOMMENDATION: Approve the site plan with the following conditions:

- A. All requirements/comments from City Engineer shall be met adhered to prior to issuance of a building permit.
- B. The use shall meet all applicable local, state, and federal laws and regulations.

Plat of: VALLEY VIEW COURT SECOND ADDITION

Traced by:
Part of the NW1/4 of the NW1/4
of Section 13, T119N, R35W, William



DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Shari Rana and Ajay Datta, husband and wife, owners of the following described property, situated in the County of Kandiyohi, State of Minnesota, to wit:

Lot 7, Block One (1), Valley View Court First Addition

have caused the same to be surveyed and platted as VALLEY VIEW COURT SECOND ADDITION, as shown on this plat and hereby dedicate to the public use forever, all roads and easements as shown on this plat.

Witness our hands this ___ day of ___, 20__ A.D.

SIGNED:

Shari Rana _____ Ajay Datta _____

The foregoing instrument was acknowledged by me this ___ day of ___, 20__ by Shari Rana and Ajay Datta, husband and wife.

My Commission Expires _____
Notary Public, Kandiyohi Co., Minnesota
Notary Printed Name _____

LAND SURVEYOR

I hereby certify that I have surveyed and platted the property described on this plat as VALLEY VIEW COURT SECOND ADDITION, and that this is a correct representation of the survey; that all distances are correctly shown on the plat and that the bearings of a line, that if necessary, were to be corrected, should be shown; that all roads and easements on the plat and that there are no other interests in Minnesota Statutes 509.02, should, if or public highways to be designated other than as shown.

Diane A. Bornera, Land Surveyor, Minnesota
License No. 14885

This Surveyor's Certificate was acknowledged by me this ___ day of ___, 20__ by Diane A. Bornera, Registered Land Surveyor.

My Commission Expires _____
Notary Public, Kandiyohi Co., Minnesota
Notary Printed Name _____

CITY COUNCIL

Passed and adopted this ___ day of ___, 20__

Signed: _____
President - City Council

CITY ENGINEER

Approved by the City Engineer of the City of William:
Dated this ___ day of ___, 20__

ATTORNEY

City Clerk _____
Approved this ___ day of ___, 20__

ATTORNEY

I hereby certify that the proper evidence of title has been presented to me and that all parties with an interest in said property have been included in the execution of the above instrument. Dated this ___ day of ___, 20__ A.D.

CITY PLANNING COMMISSION

Approved by the Planning Commission of the City of William,
this ___ day of ___, 20__

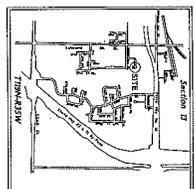
Signed: _____
Commissioner

ATTEST: _____
Secretary



LEGEND

- Future Land Acquisition
- Surveyed Land
- Proposed Land Acquisition
- Contested Land
- City Line Measurement



COUNTY AUDITOR

TAX STATEMENT
No delinquent taxes due and transfer released this ___ day of ___, 20__

COUNTY TREASURER

TAX STATEMENT
I hereby certify that all taxes for 20__ on the land described herein are paid

COUNTY RECORDER

I hereby certify that this instrument was filed in the office of the County Recorder for record on this ___ day of ___, 20__ and has duly recorded as follows: No. _____ and as Document No. _____

Kandiyohi County Recorder

**REGENCY
CONDOMINIUM**

Condominium Number 3