WILLMAR

PLANNING AND DEVELOPMENT SERVICES

City Office Building
333 SW 6th Street, Box 755
Willmar, MN 56201

GENERAL DEPARTMENT & INFORMATION	320-235-8311
DIRECTOR	320-214-5184
PLANNER	320-214-5195
BUILDING OFFICIAL	320-214-5185
BUILDING INSPECTION TECH	320-214-5187

FAX: 320-235-4917

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: May 16, 2012

SUBJECT: MAY 23, 2012 MEETING

The Willmar Planning Commission will meet at 7:00 p.m. on Wednesday, May 23, 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 May 9, 2012 meeting *
3. 7:01 p.m. Valley View Court Conditional Use Permit Amendment- twinhome. *
4. 7:05 p.m. Valley View Court Second Addition preliminary plat. *
5. 7:07 p.m. Fairacre Conditional Use Permit Planned Unit Development-private street. *
6. 7:09 p.m. Fairacre Addition preliminary plat. *
7. 7:11 p.m. Minke Addition preliminary/final plat. *
8. Miscellany
9. Adjourn

* included
** to be presented

Willmar
All-America City
2005

WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, MAY 9, 2012

MINUTES

1. The Willmar Planning Commission met on Wednesday, May 9, 2012, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

** Members Present: Mark Klema, Charlie Oakes, Gary Geiger, Randy Czarnetzki, Bob Poe, and Virgilio Aguirre Jr.

** Members Absent: Scott Thaden, Nick Davis, and Andrew Engan.

** Others Present: Mike Brandt, Ken Behm, Jeff Kimpling, Bryan Barlage, Jeff Danielson, Ryan Gauquie, Bruce Peterson- Director of Planning and Development Services, and Megan Sauer- Planner/Airport Manager.

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

3. GOODWILL STORE PLAN REVIEW- FILE NO. 12-5: Bryan Barlage, of Fendler Patterson Construction, presented plans for a Goodwill Store on property described as: the south 344' of E. 585.8' of SE ¼ of NE ¼ excluding the west 150' thereof (100 19th Ave. SW). The applicant is proposing a 22,600 sq. ft. building with a drop off drive through lane for donated items. A landscape plan was submitted that meets the Landscape Ordinance. Adequate parking is being proposed and all building and parking setbacks are met. Ken Behm, one of the property owners explained that the property is owned by Willmar Ten and will be leased by the Goodwill Store, so the property is taxed. Goodwill Stores are a not-for-profit enterprise that supports the Easter Seal program and other philanthropic activities.

Planning Commission reviewed and discussed Staff Comments (see Attachment A).

On the southeast corner of the property there is a large easement right-of-way (old Hwy. 23/71 turnback) that is owned by the applicant but controlled by the City for utility purposes (large electrical line and stormwater line). As the applicant wishes to build a portion of the parking lot on this easement, the City will require a terminable license agreement for use of the easement and limit it for parking only.

The Commission talked about the shared drive with the American Legion and that a recorded shared access/drive easement must be recorded with the property prior to the issuance of the building permit as it's integral to traffic flow.

The onsite drainage and underground storage tanks were discussed and all standards of the Stormwater Ordinance shall be met. The Planning Commission talked about the architecture of the south facing wall (towards 19th Ave. SW) and that some windows or

architectural modifications would really break up the look of the building and make it more pleasant.

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

A. Owner/applicant will be required to enter into a terminable license agreement for any use of City easement (document to be drafted by City at expense of owner/applicant).
B. Easement area shall be used for parking only; no building structures.
C. The applicant shall record or verify a recorded cross access easement agreement with the American Legion and provide a copy of said document to the City.
D. Improvements shall be designed and made for protection of the PIV as per the Fire Marshall's approval.
E. All of the staff comments from the City Engineer shall be met as requested prior to the issuance of a building permit.
F. The applicant shall submit a revised building elevation drawing of the south side of the building to visually break up the look of the building and submit it for staff review and approval.
G. The use shall meet all applicable local, state, and federal laws and regulations.

The following affirmative findings of fact were made for the plan review:

1. That the plan review, with such conditions as the Commission shall determine and attach, conforms to the purpose and intent of this Ordinance, and is in conformity with the Comprehensive Land Use Plan of the City as the property is in the commercial area of a main street thoroughfare and is ideally used for retail.
2. That there was no factual demonstration of a substantial/appreciable negative impact on values to properties in the neighborhood from the proposed use as no factual value information was given.
3. The plan review use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community as there is no historical significance of the property.
4. That the plan review will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district as zoned as the area is a fully built out.
5. That adequate utilities, access roads, stormwater management, and other necessary facilities have been, or are being, provided as the site is being redeveloped.
6. That adequate measures have been, or will be, taken to provide ingress and egress in such a manner as to minimize traffic congestion and maximize public safety in the public street as they are using existing access points that have functioned for years.
7. The plan review use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area/neighborhood as it is an architecturally compatible brick retail building.

The motion carried with all members voting yes, save for Mr. Klema who abstained.

4. BURGER KING REBUILD PLAN REVIEW 2ND VERSION- FILE NO 12-01: Ryan Gauquie, of Genesis Architecture, presented the revised plans for the Burger King rebuild on behalf of David Knoop, of Quickstop Properties, Alexandria, MN p.m. on property described as: the north 250' of south 500' of East 150' of West 183' of SW ¼ of SW ¼ (1201 1st St. S.). The building has been adjusted to the north and west compared to the original submittal as per the review of the corporate Burger King Office. Some of the drive lane widths are slightly narrower or closer to the property lines. Variances for the parking lot setback are required.

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

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

A. Landscaping plan shall be submitted for Planning Commission review and approval.
B. Onsite signage and striping shall be added to discourage drive through traffic from backing up on 1st St. S.
C. Parking and drive setback variances shall be obtained prior to issuance of a building permit.
D. Sign permits shall be ancillary approvals.
E. Parking and drive areas shall be curbed.
F. 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. There being no further business to come before the Commission, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Megan M. Sauer

Megan M. Sauer, AICP
Planner/Airport Manager

Attachment A

PLANNING COMMISSION-MAY 9, 2012

STAFF COMMENTS

1. GOODWILL STORE PLAN REVIEW- FILE NO. 12-5:
    - The applicant is Dion Warne on behalf of Willmar 10 Investors, Willmar, MN.
    - The applicant requests plan review for a Goodwill Retail store on property described as: the south 344' of E. 585.8' of SE ¼ of NE ¼ excluding the west 150' thereof (100 19th Ave. SW).
    - The property is accessed via 1st St. S. and 19th Ave. SW. The 1st St. S. entrance is right in right out only, as the median will not allow northbound traffic. The south access off of 19th Ave. SW is shared with the abutting property owner, the American Legion.
    - There is a large triangular piece of R.O.W easement leftover from when Trunk Highway 23 went through town; this right of way contains electrical and storm sewer utilities. The City retains an easement of this area, and will control how they property is used.
    - The property is zoned GB (General Business Commercial).
    - The building is proposed to be 22,600 sq. ft. The building setbacks and parking setbacks are met.
    - The applicant shall give a copy of a shared recorded access easement/cross easement with the American Legion or draft one for review and approval as they are showing shared drive areas.
    - The landscape plan appears adequate and parking areas are delineated with curbing.
    - The applicant proposes 121 parking stalls; the building is 22,600 sq. ft. 14,295 sq. ft. is devoted to sales and 6,363 sq. ft. is devoted to processing/warehouse, and 1,992 sq. ft. is devoted to offices. 14,295/175= 82 + 6,363/500= 95 stalls + 1,992/200= 105 stalls. The parking exceeds the Zoning Ordinance requirements.
    - The elevation drawings and architectural appearance of the buildings fits in with the area, but would like to see more windows on the south elevation as it faces a major road. Make a condition?
    - The donation drop off lanes are on the northwest side of the property and are one way only, exiting onto the Legion property. That will have to be in the access easement as well. Signage/striping onsite will help motorists with way finding.
    - Signs permits shall be ancillary from plan review.

    Fire Marshall Comments: The Fire Department has had a number of problems with the PIV and vehicle impact posts around the fire hydrant being struck by vehicles and left damaged. I would like to see improvements made so this is prevented in the future.

    MUC Comments: The Willmar Municipal Utilities has underground feeder wire and a pad mounted switch that have existed since 1991 in the triangle piece that was originally MNDOT highway right-of-way and alter became City right-of-way. Our concern is for the protection of these critical electrical facilities. If the triangle piece is

sold to the land owners, then in my opinion, one of two options must take place. Option 1 would be to have the facilities and an area of each side of the facilities turned into an easement, or Option 2, turn the entire triangle piece into an "Outlot" and declare it in total as an easement area. Either way the best way to accomplish this would be to plat the entire property and have all the Willmar Municipal and City facilities dealt with on the plat for permanent record.

City Engineer/Public Works Director Comments: A shared access easement or agreement is needed from the adjacent property owner. Truck traffic movement throughout the site must be clarified. Traffic route delineation is needed on the west side of the property. Use of existing right-of-way on SE corner of property must be addressed. Easements for public utilities in existing SE corner of right-of-way are needed. Drainage arrows are required. Runoff from the site must be treated prior to discharging, including roof runoff. Access to adjacent property must be maintained during construction. Plans should be submitted to property owner on west for their information and review as it relates to shared access. Suggest eliminating driveway culvert at east entrance. Verify cover of all pipes. Verify utility grade conflicts. Details for underground storage must be provided, including access to underground storage for maintenance purposes. In addition, there is a Goodwill Development Review document prepared by Barr Engineering- shall be forwarded to developer and have their engineer note the comments and submit a revised plan for review.

RECOMMENDATION: Approve the plan review with the following conditions:

A. Owner/applicant will be required to enter into a terminable license agreement for any use of City easement (document to be drafted by City at expense of owner/applicant).
B. Easement area shall be used for parking only; no structures.
C. The applicant shall record or verify a recorded cross access easement agreement with the American Legion and provide a copy of said document to the City.
D. Improvements shall be designed and made for the PIV as per the Fire Marshalls approval.
E. All of the above mentioned comments from the City Engineer shall be met as requested prior to issuance of a building permit.
F. The use shall meet all applicable local, state, and federal laws and regulations.

2. <u>BURGER KING REBUILD PLAN REVIEW 2ND VERSION- FILE NO. 12-01</u>:

- The applicant is David Knoop, of Quickstop Properties, Alexandria, MN.
- The applicant is requesting plan review for the rebuild of Burger King on 1st St. S. including a drive through lane and landscaping/parking on property described as: the north 250' of south 500' of East 150' of West 183' of SW ¼ of SW ¼ (1201 1st St. S.).

- The proposed rebuild will re-orient the building and drive-through and thus requires plan review in the GB (General Business) District.
- There are still 42 proposed parking spaces; the exact same number as currently exists on site.
- Landscaping shall be in all non-paved areas including plantings, not just grass, to soften and buffer the parking lot.
- The eastern most drive lane went from 10' in width to 12'.
- The drive through lane went from 9' in width to 9' 6" in width
- The front parking setback went from 6' 6" to 5'.
- The side setback went from 5' setback with a curbed buffered island to 0' setback.
- The front drive area went from 28' in width to 23' 8".

RECOMMENDATION: Approve the plan review as amended (version 2) with the following conditions:

A. Landscaping plan shall be submitted for Planning Commission review and approval.
B. Onsite signage and striping shall be added to discourage drive through traffic from backing up on 1st St. S.
C. Parking and drive setback variances shall be obtained prior to issuance of a building permit.
D. Sign permits shall be ancillary approvals.
E. Parking and drive areas shall be curbed.
F. Curbing/islands shall be added back to the plan on the north side of the property to separate the two properties.
G. The use shall meet all applicable local, state, and federal laws and regulations.

NOTICE OF HEARING ON A REQUEST FOR

A CONDITIONAL USE PERMIT

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, May 23, 2012, at 7:01 p.m. at the City Office Building, 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a conditional use permit requested by Anjali Dahiya, Spicer, MN, to amend the conditional use permit to allow for a twin home on property described as: Lot 7, Block 1, Valley View Court First Addition (207 Valley View Dr. SE).

All property owners or residents living in the vicinity of the above-described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter.

May 11, 2012
Date

Megan M. Sauer
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficient, por favor comuniquese con Jill al 231-8575, de la Cooperativa de Integracion del Oeste Central.

Hadii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo WAC Contact: Lul Yusaf, Somali Women & Family Center (320)235-0532 or (678)467-3217.

To approve a conditional use permit, the Planning Commission must make, where applicable, the following affirmative findings:

1. That the conditional use, with such conditions as the Commission shall determine and attach, conforms to the purpose and intent of this Ordinance, and is in conformity with the Comprehensive Land Use Plan of the City.

2 That there was no factual demonstration of a substantial/appreciable negative impact on values to properties in the neighborhood from the proposed conditional use.

3. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.

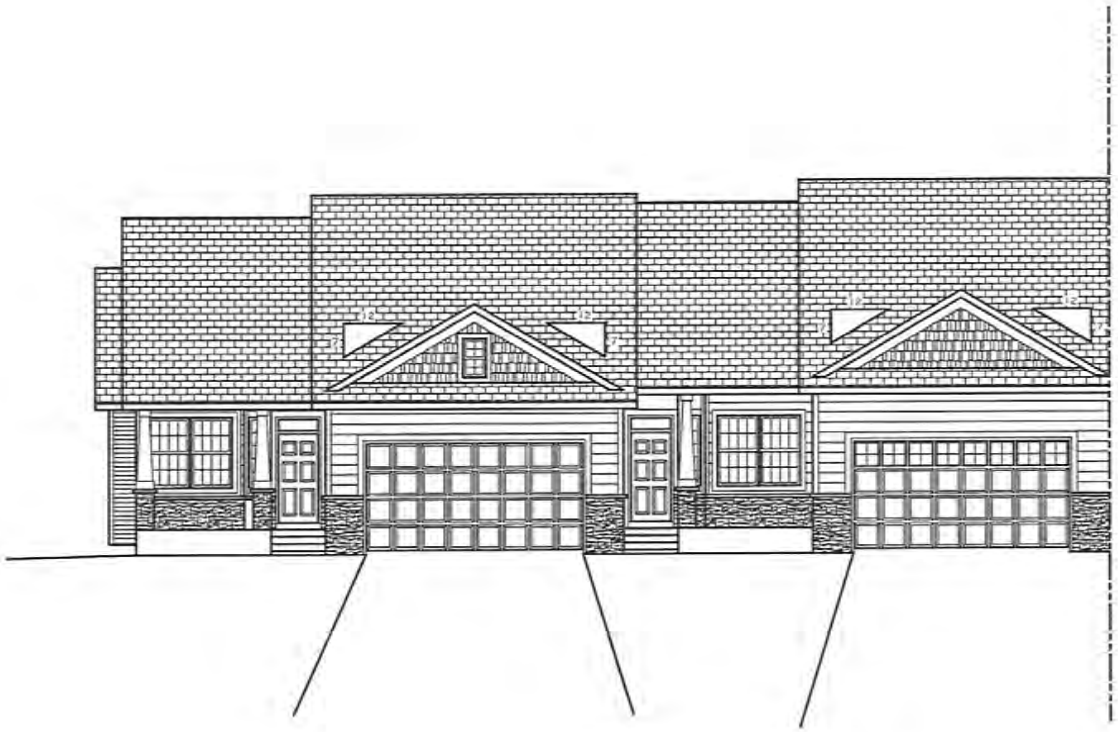
4. That the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district as zoned.

5. That adequate utilities, access roads, stormwater management, and other necessary facilities have been, or are being, provided.

6 That adequate measures have been, or will be, taken to provide ingress and egress in such a manner as to minimize traffic congestion and maximize public safety in the public streets.

7. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area/neighborhood.

If you have any specific questions regarding the request, call City Offices at (320)235-8311 and ask to speak to Megan Sauer, City Planner.



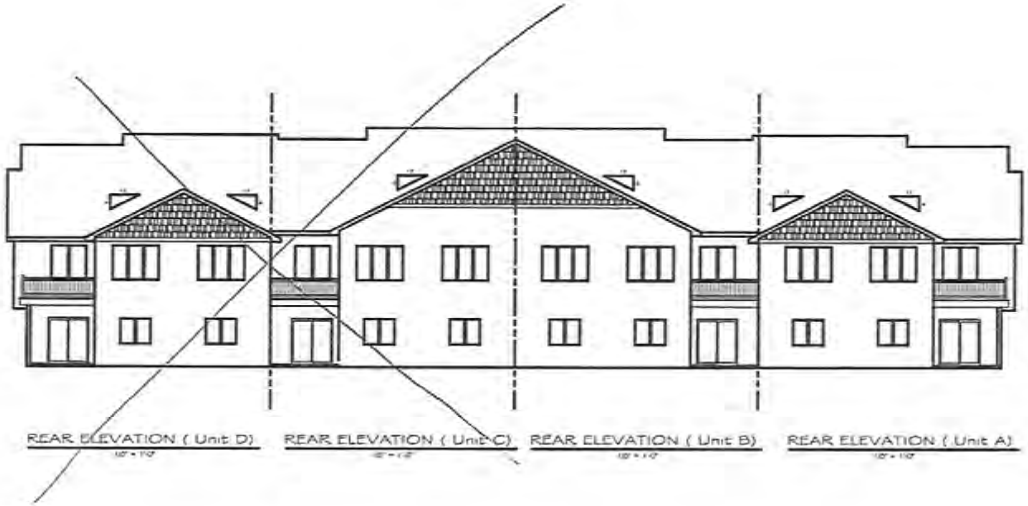
FRONT ELEVATION (Unit A)

FRONT ELEVATION (Unit B)

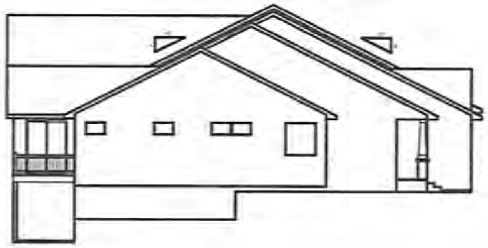
KAM DESIGN SERVICE

BLUFF CREEK
TOWNHOUSES

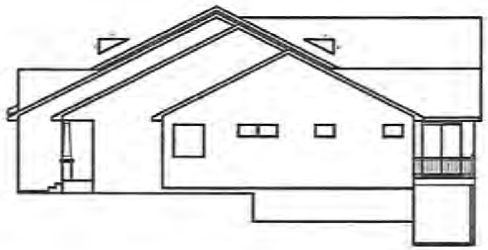
102



REAR ELEVATION (Unit D) REAR ELEVATION (Unit C) REAR ELEVATION (Unit B) REAR ELEVATION (Unit A)



SIDE ELEVATION (Unit A)

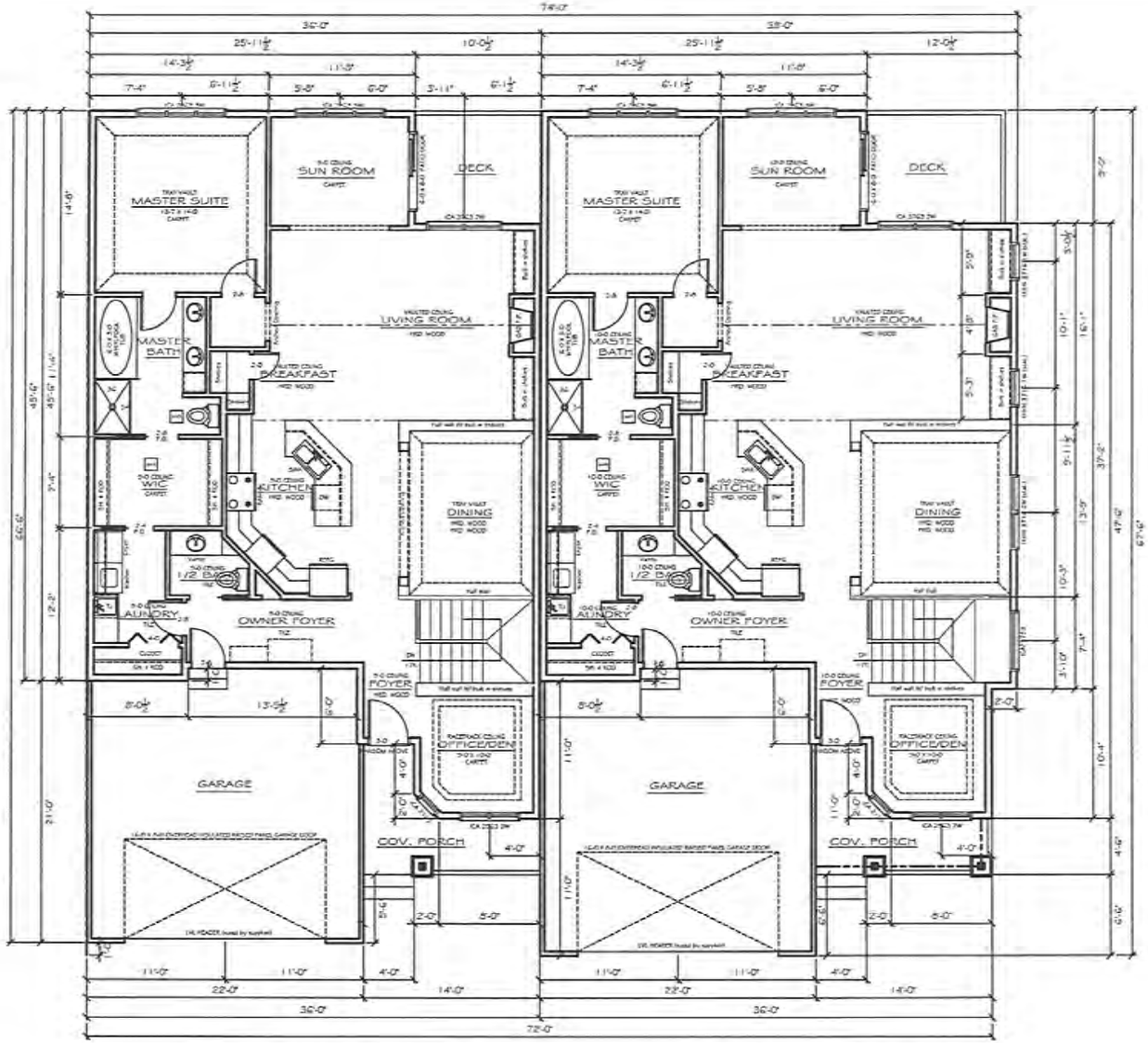


SIDE ELEVATION (Unit D)

KAM DESIGN SERVICE

BLUFF CREEK
TOWNHOUSES

COPYRIGHT 2011 KAREN HUSTON DESIGN

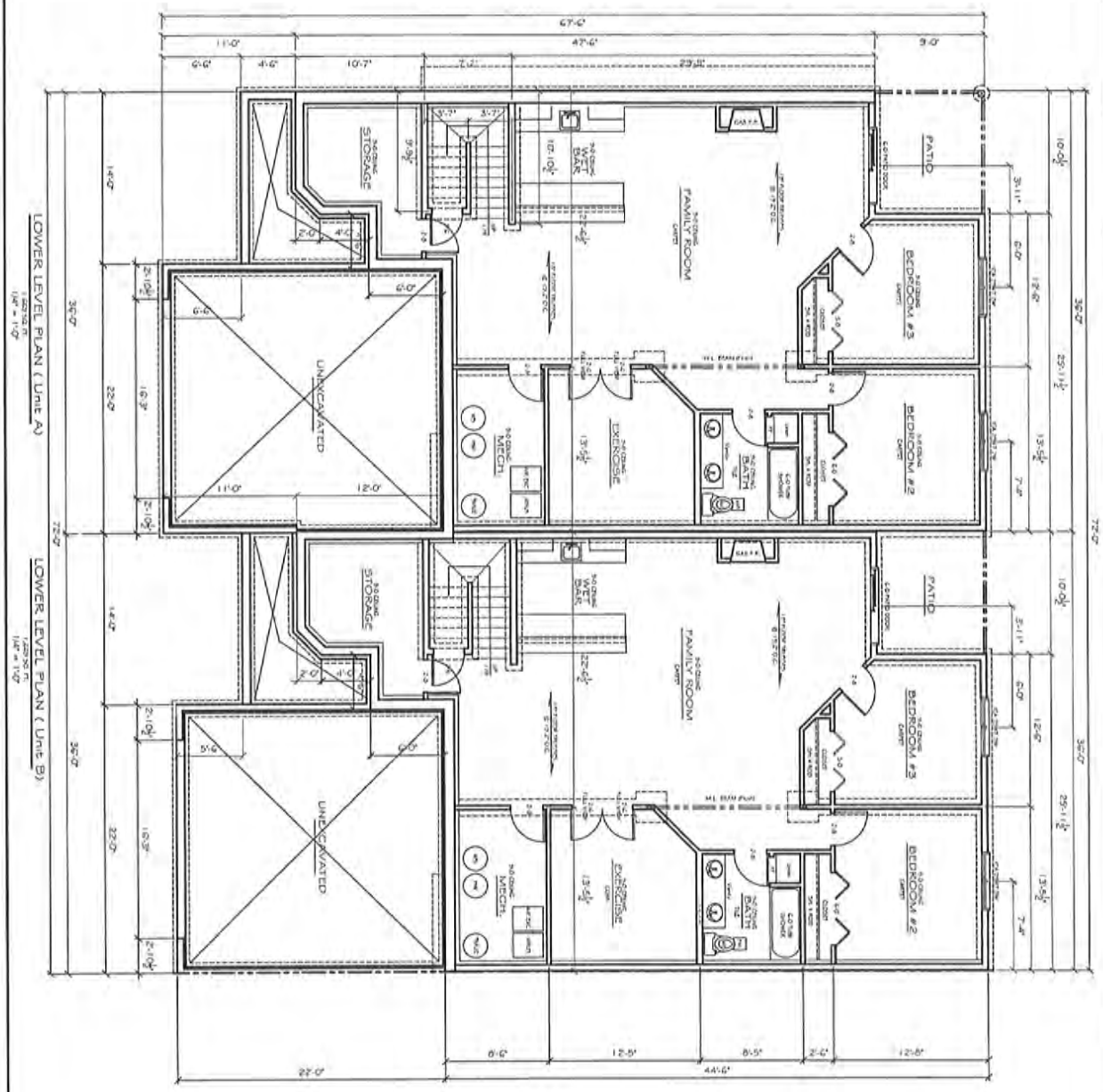


MAIN FLOOR PLAN (Unit C)
1,669 SQ. FT. 1/4" = 1'-0"

MAIN FLOOR PLAN (Unit D)
1,669 SQ. FT. 1/4" = 1'-0"

BLUFF CREEK
TOWNHOUSES

106



BLUFF CREEK
TOWNHOUSES

KAM DESIGN SERVICE
PHONE
COPYRIGHT 2011-0429 HUSTON DESIGN

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NOTICE OF HEARING ON A REQUEST TO SUBDIVIDE PROPERTY

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, May 23, 2012, at 7:05 p.m. at the City Office Building, 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a subdivision plat submitted by Anjali Dahiya, Spicer, MN. Said plat is a subdivision of property described as: Lot 7, Block 1, Valley View Court First Addition (207 Valley View Dr. SE).

All property owners or residents living in the vicinity of the above described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter.

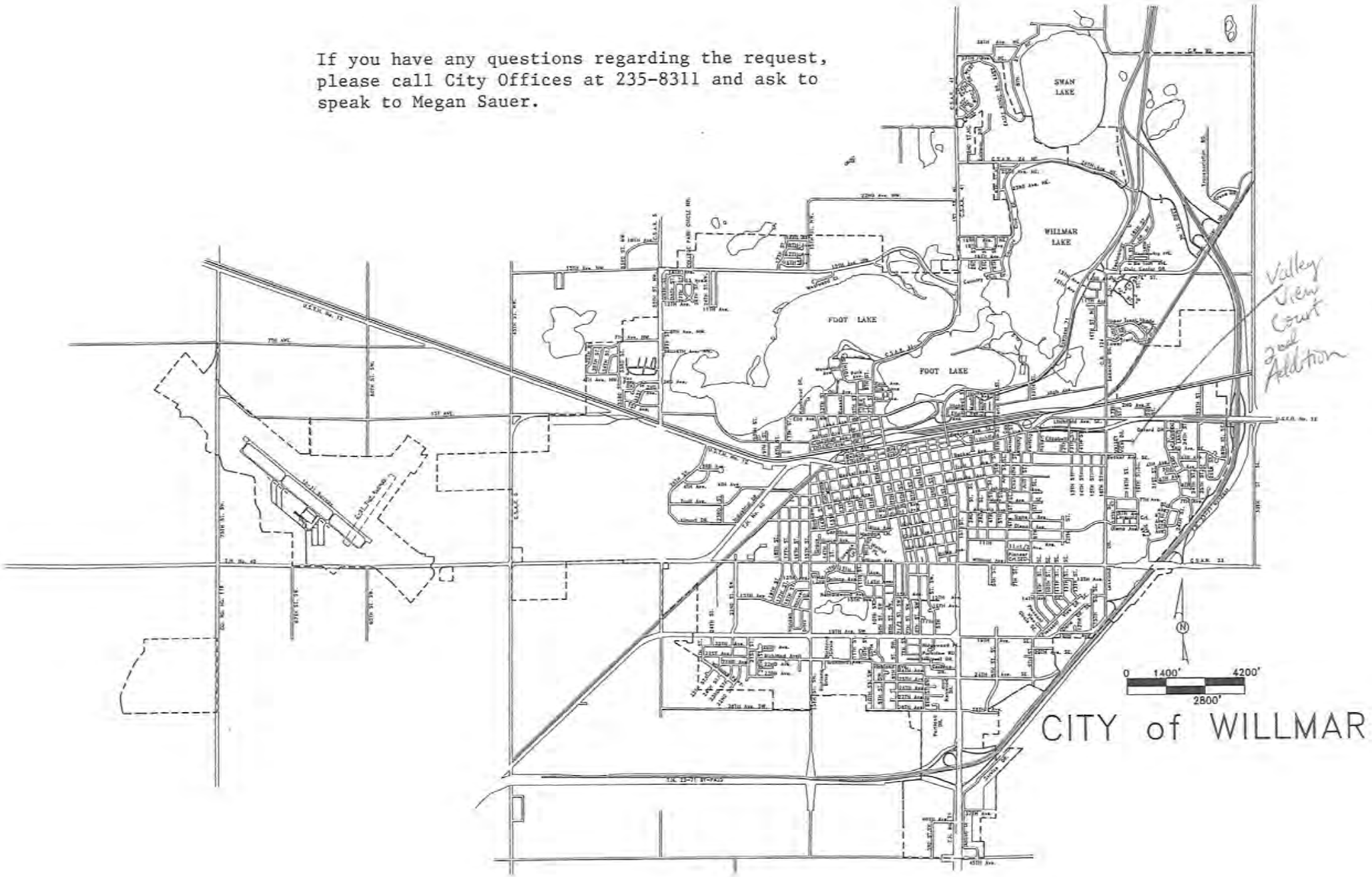
May 11, 2012
Date

Megan M. Sauer
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficient, por favor comuniquese con Jill al 231-8575, de la Cooperativa de Integracion del Oeste Central.

Hadii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo WAC Contact: Lul Yusaf, Somali Women & Family Center (320)235-0532 or (678)467-3217.

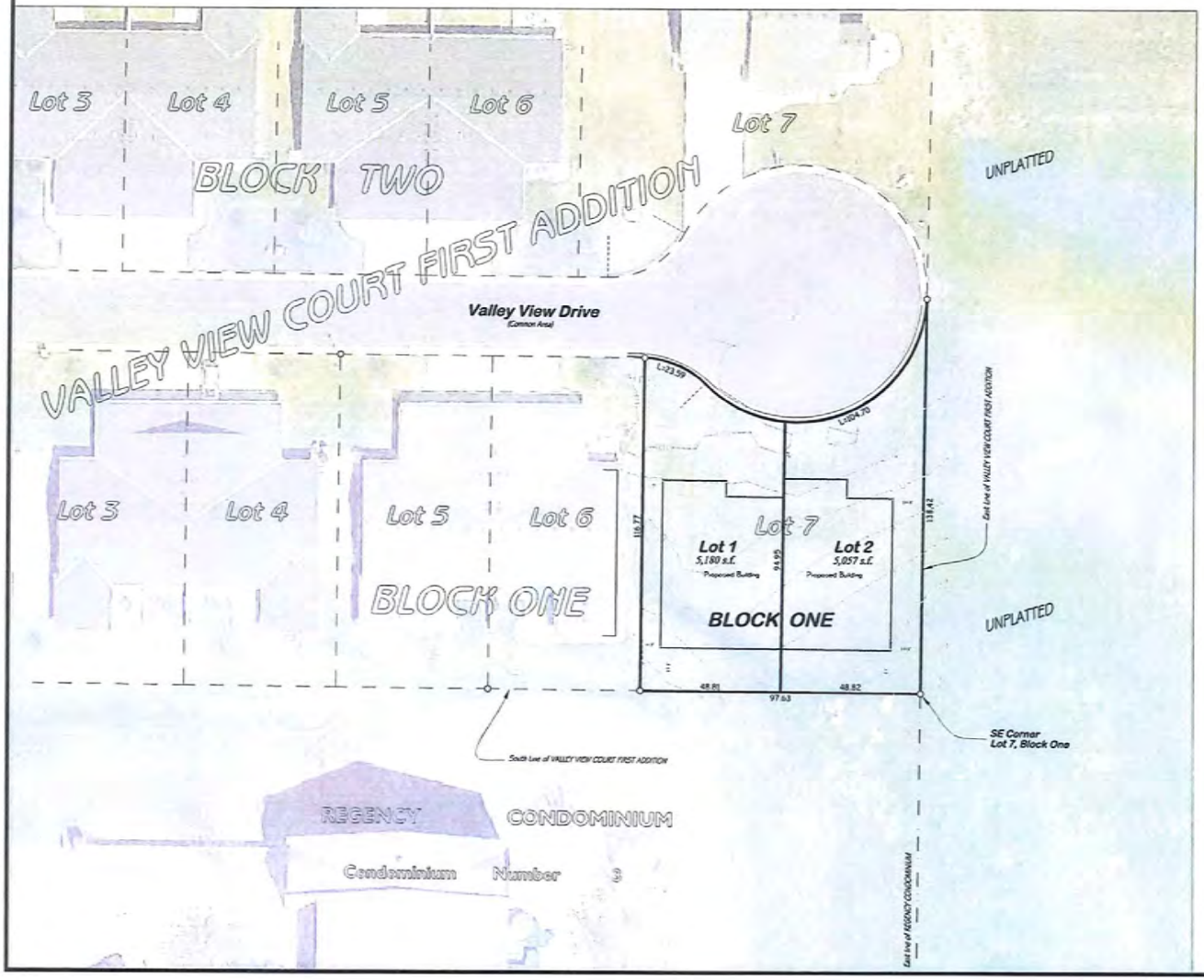
If you have any questions regarding the request, please call City Offices at 235-8311 and ask to speak to Megan Sauer.



Preliminary Plat of:

VALLEY VIEW COURT SECOND ADDITION

Located in:
Part of the NW¼ of the SW¼
of Section 23, T119N-R35W, Willmar



North

This plat prepared by:

BONNEMA SURVEYS INC.

Professional Land Surveying

1809 22nd Street SW Willmar, MN 56201
Office (320) 231-2844
Fax (320) 231-2827

Developer: Anjali Dahiya
7715 North Shore Dr.
Spicer, MN 56288

SCALE 1" = 20'

0 20 40

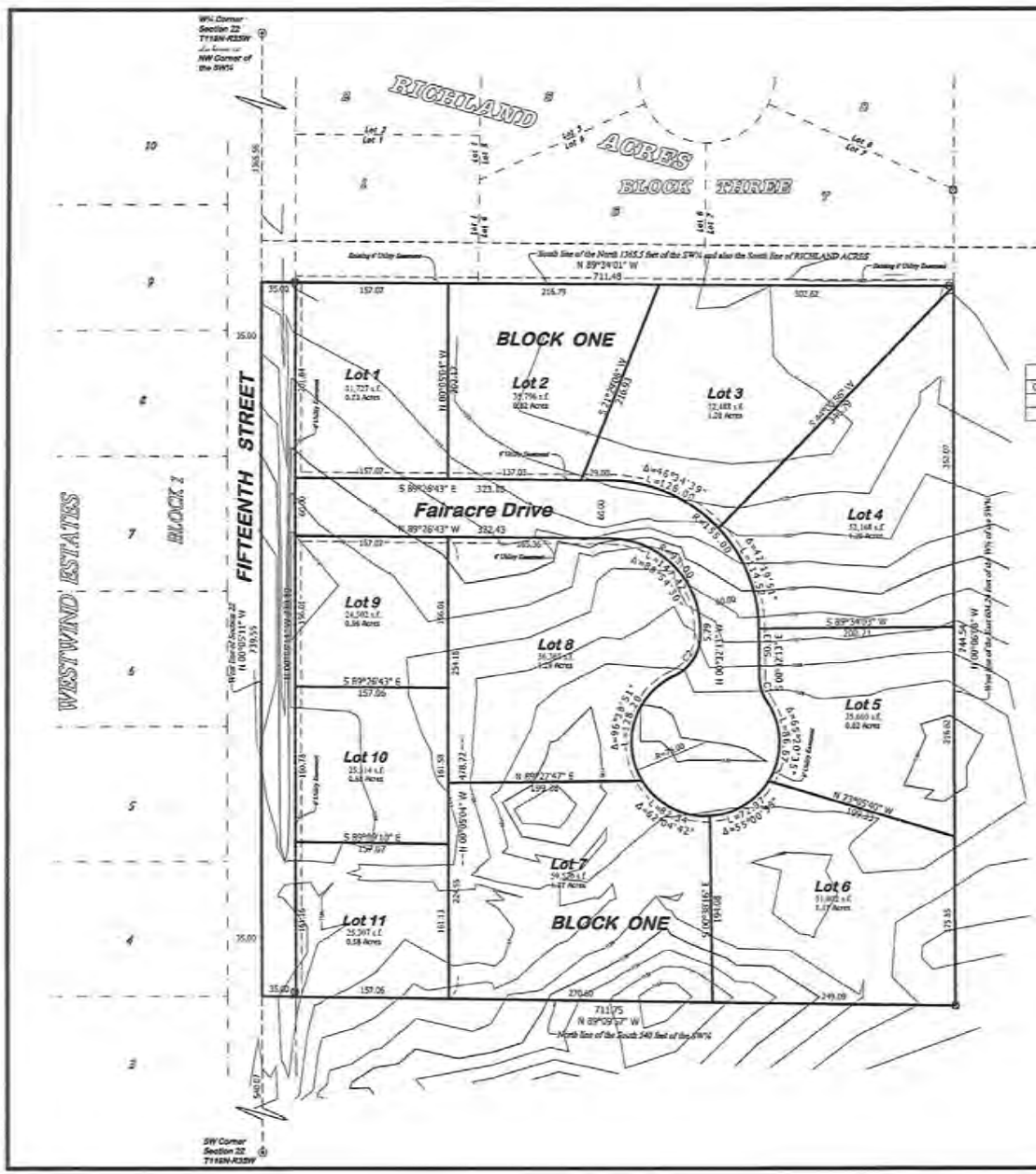
LEGEND

- Found Iron Monument from former survey
- Bonnema Surveys Placed Capped Iron Monument
- Cast Iron Monument

Preliminary Plat of:

FAIRACRE ADDITION

Located in:
Part of the SW¼ of the SW¼
of Section 22, T119N-R35W, Willmar



CURVE TABLE				
CURVE	LENGTH	RADIUS	Delta	Chord Bearing
C1	26.71	46.00	33°16'10"	S17°10'28"E
C2	32.83	46.00	65°48'15"	N32°21'54"E

This plat prepared by:
BONNEMA SURVEYS INC.
Professional Land Surveying
1609 22nd Street SW Willmar, MN 56201
Office (320) 231-2644
Fax (320) 231-2677

Developer: Don Williamson
Willmar, MN 56201

Total Platted Area = 12.12 Acres
Prepared = May 7, 2012

SCALE 1" = 60'

0 60 120

LEGEND

- Found Iron Monument from former survey
- Bonnema Surveys Placed Capped Iron Monument
- Cast Iron Monument

NOTICE OF HEARING ON A REQUEST TO SUBDIVIDE PROPERTY

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, May 23, 2012, at 7:11 p.m. at the City Office Building, 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a subdivision plat submitted by Ronald Minke, Willmar, MN. Said plat is a subdivision of property described as: part of the NW ¼ of NW 1/4, Section 26, Township 119, Range 35, AND Outlots A & B, The Home Depot Addition (2805 1st St. S.)

All property owners or residents living in the vicinity of the above described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter.

May 11, 2012
Date

Megan M. Sauer
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficient, por favor comuniquese con Jill al 231-8575, de la Cooperativa de Integracion del Oeste Central.

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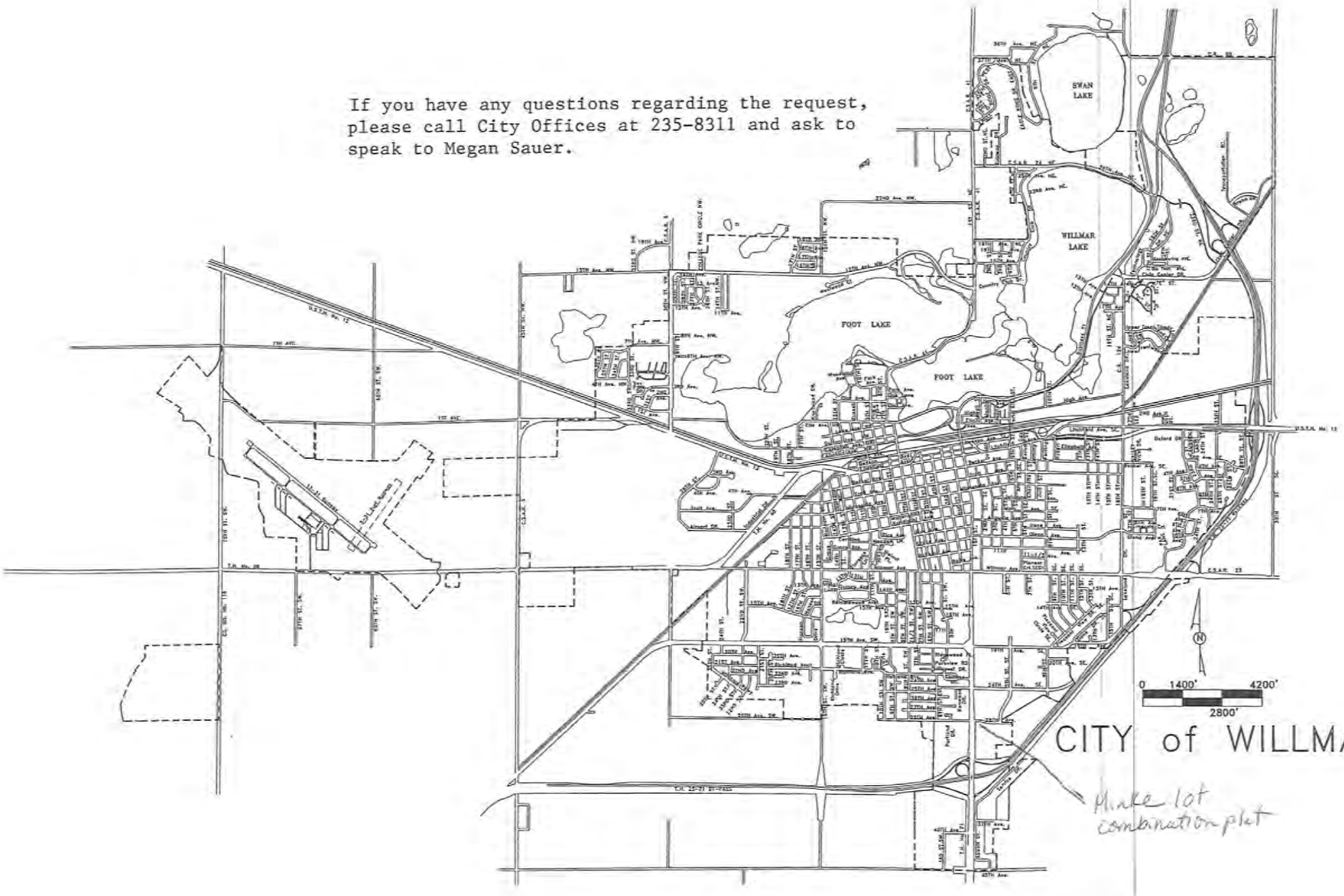
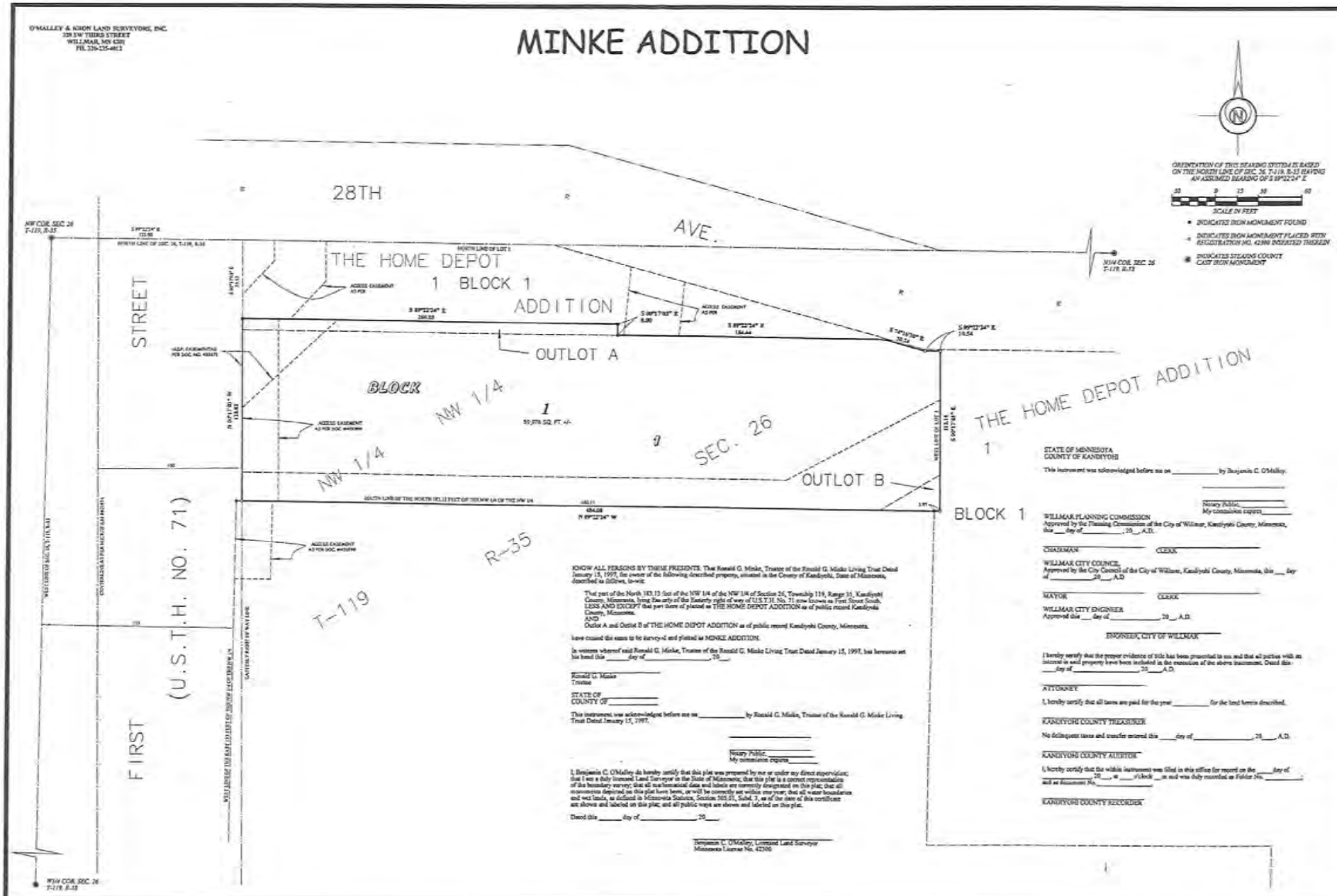


CITY of WILLMAR

Make lot combination plat

MINKE ADDITION

O'MALLEY & KRON LAND SURVEYORS, INC.
320 SW THIRD STREET
WILLMAR, MN 56201
PH. 320-235-4612



KNOW ALL PERSONS BY THESE PRESENTS: That Ronald G. Minke, Trustee of the Ronald G. Minke Living Trust Dated January 15, 1997, fee owner of the following described property, situated in the County of Kandiyohi, State of Minnesota, described as follows, to-wit:

That part of the North 183.13 feet of the NW 1/4 of the NW 1/4 of Section 26, Township 119, Range 35, Kandiyohi County, Minnesota, lying Easterly of the Easterly right of way of U.S.T.H. No. 71 now known as Front Street South;
LESS AND EXCEPT that part there of platted as THE HOME DEPOT ADDITION as of public record Kandiyohi County, Minnesota.
AND
Outlot A and Outlot B of THE HOME DEPOT ADDITION as of public record Kandiyohi County, Minnesota.

have caused the same to be survey-ed and plotted as MINKE ADDITION.

In witness whereof said Ronald G. Minke, Trustee of the Ronald G. Minke Living Trust Dated January 15, 1997, has hereunto set his hand this _____ day of _____, 20___.

_____
Ronald G. Minke
Trustee

STATE OF
COUNTY OF _____

This instrument, was acknowledged before me on _____ by Ronald G. Minke, Trustee of the Ronald G. Minke Living Trust Dated January 15, 1997.

_____
Notary Public, _____
My commission expires _____

I, Benjamin C. O'Malley do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20___.

_____
Benjamin C. O'Malley, Licensed Land Surveyor
Minnesota License No. 42000

STATE OF MINNESOTA
COUNTY OF KANDIYOHI

This instrument was acknowledged before me on _____ by Benjamin C. O'Malley.

_____
Notary Public, _____
My commission expires _____

WILLMAR PLANNING COMMISSION
Approved by the Planning Commission of the City of Willmar, Kandiyohi County, Minnesota, this ___ day of _____, 20___, A.D.

_____ _____
CHAIRMAN CLERK

WILLMAR CITY COUNCIL
Approved by the City Council of the City of Willmar, Kandiyohi County, Minnesota, this ___ day of _____, 20___, A.D.

_____ _____
MAYOR CLERK

WILLMAR CITY ENGINEER
Approved this ___ day of _____, 20___, A.D.

_____
ENGINEER, CITY OF WILLMAR

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.

_____
ATTORNEY

I, hereby certify that all taxes are paid for the year _____ for the land herein described.

_____
KANDIYOHI COUNTY TREASURER

No delinquent taxes and transfer entered this ___ day of _____, 20___, A.D.

_____
KANDIYOHI COUNTY AUDITOR

I, hereby certify that the within instrument was filed in this office for record on the ___ day of _____, 20___, at ___ o'clock ___ m and was duly recorded as Folder No. _____, and as document No. _____.

_____
KANDIYOHI COUNTY RECORDER