

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, JANUARY 9, 2013**

MINUTES

1. The Willmar Planning Commission met on Wednesday, January 9, 2013, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

** Members Present: Mark Klema, Charles Oakes, Andrew Engan, Gary Geiger, Randy Czarnetski, Bob Poe, Virgilio Aguirre Jr.

** Members Absent: Scott Thaden, and Nick Davis

** Others Present: Bruce Peterson- Director of Planning and Development Services, Megan Sauer- Planner.

2. REORGANIZATION: Mr. Poe made a motion, seconded by Mr. Geiger to nominate Mr. Klema for Chair, Mr. Oakes for Vice Chair, and Mr. Engan for secretary for the year 2013.

The motion carried.

3. MINUTES: The minutes of the December 12, 2012 meeting were approved as presented.

4. TREE PLANTING/MAINTENANCE EASEMENT VACATION- FILE 13-01: Staff presented a vacation request for a tree planting/maintenance easement which is not well described and does not properly confine the easement. It is described as follows: a strip of land 5' in width, over and across the said property E 100' of Lots 1 and 2 except south 10' of east 100 feet of lot 2, Block 39, City of Willmar. The 5' strip is undefined; it is unclear if it's along 8th St. SW or Litchfield Ave. W (Hwy. 12 W). Staff inquired with Municipal Utilities as well as Public Works as to the necessity of the easement. It was the consensus that vacation of the easement would be best, as defining the easement is unnecessary as there are boulevard trees in the r-o-w along 8th St. SW already.

The Commission talked about the easement not being useful as it is so poorly defined and not even needed for tree planting.

Mr. Geiger made a motion, seconded by Mr. Czarnetzki, to adopt a resolution recommending the tree planting easement vacation to the City Council for a public hearing and action.

The motion carried.

5. TEXT AMENDMENT DISCUSSION- APPEALS PROCESS: Staff presented a possible text amendment to the Commission regarding Section 9.E.5 of the Zoning

Ordinance regarding appeals of actions by the Planning Commission. The amendment would further clarify the section regarding the Board of Zoning Appeals hearing appeals of actions/enforcement of the Zoning Administrator and that an appeal of an action by the Planning Commission would go to District Court. The only exception to the rule is conditional use permits, which action by the Planning Commission can be overturned by the City Council with an 6/8 vote.

The Planning Commission thought this clarified the Ordinance further.

Mr. Engan made a motion, seconded by Mr. Oakes to have a public hearing on the proposed text amendment at an upcoming meeting.

The motion carried.

6. There being no further business to come before the Commission, the meeting adjourned at 7:33 p.m.

Respectfully submitted,



Megan M. Sauer, AICP
Planner/Airport Manager