

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, JANUARY 22, 2014**

MINUTES

1. The Willmar Planning Commission met on Wednesday, January 22, 2014, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

** Members Present: Mark Klema, Gary Geiger, Andrew Engan, Bob Poe, and Scott Thaden.

** Members Absent: Margaret Fleck, Randy Czarnetzki, and Sandy Bebler.

** Others Present: Steve Salzer, Michelle Haefner, Nathan Feist, Andy Nelson, Jay Jorgenson, Megan DeSchepper- Planner.

2. MINUTES: The minutes of the January 8, 2014 meeting were approved as submitted.

3. BETHESDA NURSING HOME THIRD ADDITION PRELIMINARY PLAT- FILE NO. 14-01: The public hearing opened at 7:01 p.m. Michelle Haefner presented the request for subdivision of land owned by Bethesda and moving some lot lines around to better accommodate future expansion plans on property legally described as: Lot 1, Block 1, Bethesda Nursing Home Addition, Lot 1 and Lot 2, Block 1 Bethesda Nursing Home Second Addition (901 Willmar Ave. SE, 1015 Willmar Ave. SE, 1105 9th St. SE, 1113 & 1115 9th St. SE). The parcels are all platted and owned by Bethesda and some of the lot lines are being shifted or consolidated for future expansion.

Jay Jorgenson, a property owner northeast of Bethesda inquired about the improvement of 12th St. SE; staff stated that project was not part of the Bethesda plat. Mr. Jorgenson inquired about a timeline for the street improvement and when he will be able to comment on that project. Staff said there were plans to improve the street in 2014 but there would be improvement hearings etc. in the future. Mr. Jorgenson was concerned about possible assessments. Staff directed him to contact the Engineering Department regarding timelines and improvement hearings.

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

The Planning Commission inquired about the timeline. Ms. Haefner stated that they hope to commence on the project within a year likely after 12th St. SE is completed.

The Commission talked about that the proposed Lot 2 will only have street frontage/access via 12th St. SE (as well as an access easement via 9th St. SE), and thus cannot be finalized until the street is constructed so that it has legal frontage/access.

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

- A. All relocating of electrical service and lines shall be at the full cost of the developer.
- B. All of the City Engineers comments on the staff report (see Attachment A) shall be added to the plat and additional information supplied for review and approval prior to issuance of a building permit.
- C. The existing assessment shall either be paid in full or reapportioned concurrent with the final plat approval.
- D. The final plat shall not be recorded until 12th St. SE is constructed.
- E. The existing easements shall be referenced on the plat including the recording documentation numbers (microfiche) to allow for tracking.

The motion carried.

4. MINNWEST TECHNOLOGY CAMPUS PARKING LOT EXPANSION PLAN REVIEW (EAST LOT) FILE NO. 14-01: Steve Salzer presented the east parking lot expansion on behalf of the MinnWest Technology Campus on property legally described as: Unit 33 and Unit 34 MinnWest Technology Campus CIC #40 a Planned Community (1800 Technology Dr. NE). The 100 stall parking lot is needed as more of the leasable space is being filled on the campus. The parking lot plan has already been reviewed and approved by the Minnesota State Historic Preservation Office.

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

Andy Nelson, of Bollig Inc., stated that once the layout is approved by the Planning Commission the full construction and drainage plans will be submitted to the City for review and approval.

Staff noted that the parking lot is approximately four feet off the southerly property line. The Commercial parking lot setback is 10'. The Commission discussed the existing parking lot to the west that is at the same setback, as well as the fact that the campus is a common interest community and really functions like a planned unit development. The Commission talked about shifting it another 6' off the property line, but were concerned the jog would detract from the layout. Mr. Nelson added that the Historic Preservation office requested the green spaces between the portions of the lot to match the existing open and green spaces on the campus and this plan is in keeping with the overall flow.

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

- A. The Interim Engineers comments shall be added or submitted in the construction documents and approved prior to any construction commencing.
- B. The ten foot parking setback shall be met off of the south property line.
- C. The use shall meet all applicable local, state, and federal rules and regulations at all times.

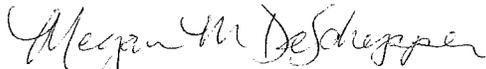
Mr. Geiger made a motion, seconded by Mr. Thaden, to amend Mr. Thaden's motion by removing letter B from the conditions of approval and allow the setback as submitted.

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

The motion carried.

5. STORAGE CONTAINER DRAFT/DISCUSSION: Per the Commissions direction staff drafted a sample ordinance regarding prohibiting storage/shipping containers in residential areas except in a temporary fashion for moving purposes. The Planning Commission talked about the time limit for a temporary storage container and three months seemed like too long a timeframe. The consensus was one month in a twelve month period would be more reasonable; and that trailers shouldn't be used as storage containers either. Staff will reword the Ordinance and prepare it for a public hearing at an upcoming meeting.
6. There being no further business to come before the Planning Commission the meeting adjourned at 7:53 p.m.

Respectfully submitted,


Megan M. DeSchepper, AICP
Planner/Airport Manager

PLANNING COMMISSION- JANUARY 22, 2014

STAFF COMMENTS

1. BETHESDA NURSING HOME THIRD ADDITION- PRELIMINARY PLAT- FILE NO. 14-01:

- The applicant is Bethesda Willmar, MN.
- The applicant is requesting subdivision of three existing platted lots into two on property legally described as: Lot 1, Block 1 Bethesda Nursing Home Addition, Lot 1 and Lot 2, Block 1 Bethesda Nursing Home Second Addition (901 Willmar Ave. SE, 1015 Willmar Ave. SE, 1105 9th St. SE, 1107 9th St. SE, 1113 1115 9th St. SE).
- The applicant is requesting combining Lot 1, Block 1 Bethesda Nursing Home Second Addition with Lot 1, Block 1 Bethesda Nursing Home Addition. As well as combining a portion of the southeast corner of Lot 1, Block 1 Bethesda Nursing Home Second Addition with Lot 2, Block 1 Bethesda Nursing Home Addition.
- 12th St. SE is proposed to be improved in 2014 connecting Willmar Ave. SE to 11th Ave. SE. The 12th St. SE r-o-w plat has been recorded.
- Proposed Lot 2, Block 1 will not have legal street access until 12th St. SE is built. The final plat shall not be recorded until 12th St. SE is completed.
- Question whether the light blue parking easement is a shared parking agreement between the three lots? Not sure purpose of proposed permanent access easement on the east portion of lot perhaps east parking areas, assume west easement is to the existing parking lot?
- Any need to keep old access easements, or should those be vacated?
- Prior to any building additions or new structures that include new beds/services, a conditional use permit amendment will be required.
- Reference to the existing easements and recording or microfiche number on the plat would be helpful for tracking.
- Lot sizes and frontage exceed Zoning Ordinance minimums except for Lot 2, Block One as mentioned above regarding access.

Assessor's Comments: Replat of parcels 95-055-0010, 95-055-0100, and 95-055-0110. There are existing assessments of \$3,084.85 that shall either be paid in full or reapportioned. I have concerns regarding townhomes that sit on parcel 95-055-0010. They are taxable and subject to residency agreements which allow holders to homestead (having four structures of various values is difficult to track etc.). Also, I have concerns regarding access if current access easements are vacated and 12th St. SE is not developed as noted on preliminary plat. Also, access to parcel 95-055-0120 will be effected by this plat as will the shared parking that occurs with the current parcels 95-055-0100 and 95-055-0110.

Interim City Engineer Comments: I recommend approval of the preliminary plat contingent on the below referenced revisions as well as the submittal of the additional requested information.

1. The applicant shall verify the bearing and distance calls around the parcel perimeter. The distances do not reflect the distances identified in the Bethesda Nursing Home Second Addition Plat.
2. Distance and bearing information shall be provided for all proposed easements.
3. The easements existing on Lot 3 shall be identified on the preliminary plat.
4. All easements with the exception of drainage and utility easements must be dedicated through a separate recording process. By statute, only drainage and utility easements can be dedicated on a final plat.
5. The applicant shall coordinate the proposed permanent access easement from 12th Street SE with the future 12th St. SE roadway construction.
6. The applicant shall submit utility for the review and approval by the City of Willmar prior to final plat approval or a building permit being issued for the site.
7. The applicant shall submit grading, drainage, and erosion control plans for the review and approval of the City Engineer. Drainage plans shall include drainage areas. Drainage calculations shall comply with the City of Willmar ordinances as well as the Minnesota Pollution Control Agency requirements.
8. The applicant shall submit a Stormwater Pollution Prevention Plan for review and approve of the City Engineer.
9. The applicant shall be responsible for obtaining an NPDES Construction Stormwater Permit prior to construction on the project. A copy of the permit shall be submitted to the City of Willmar for our files.
10. The existing lot lines shall be clearly identified on the preliminary plat as well as the boundaries between them.

MUC Comments: Electrical service 3 phase power is available via overhead along Willmar Ave. SE and 9th St. SE. A large portion (approx. 75%) of existing underground will need to be relocated/reinstalled. Water is available via a 12" inch main in Willmar Ave. SE and an 8" main in 9th St. SE and 11th Ave. SE. When 12th St. SE is developed connect 11th Ave. SE and Willmar Ave. Se with 8" water main.

RECOMMENDATION: Approve the preliminary plat with the following conditions:

- A. All relocating of electrical service and lines shall be at the full cost of the developer.
- B. All of the above mentioned City Engineers comments shall be added to the plat and additional information supplied for review and approval prior to issuance of a building permit.
- C. The existing assessment shall either be paid in full or reapportioned concurrent with the final plat approval.
- D. The final plat shall not be recorded until 12th St. SE is constructed.

- E. The existing easements shall be referenced on the plat including the recording documentation numbers (microfiche) to allow for tracking.

2. MINNWEST TECHNOLOGY CAMPUS PARKING LOT EXPANSION PLAN REVIEW (EAST LOT) FILE NO. 14-01:

- MinnWest Technology Campus, Willmar, MN requests plan review for a parking lot expansion on the east side of the campus to accommodate the additional tenants they've acquired over the past few years on property legally described as Unit 33 and Unit 34 MinnWest Technology Campus CIC #40 a Planned Community (1800 Technology Dr. NE).
- The parking lot is an extension of an existing parking lot on the southeast portion of the campus off of 18th St. NE.
- They propose 100 new parking stalls.
- The parking lot is on two parcels, both of which are owned by the MinnWest Technology Campus. This may need to be covered by a parking or access agreement depending on the future plans for the vacant parcel?
- The 10' parking setback is not met on the south side of the property, the whole lot shall be shifted north to meet the 10' parking setback requirement.
- The parking lot is proposed to be paved with bituminous and curbed.
- Connection to other buildings with walking paths?

Interim City Engineer Comments: I have reviewed the east parking lot layout submitted for the MinnWest Technology Campus dated January 1, 2013, and have the following comments:

1. Parcel ownership information shall be provided to the City for our records. Parcel lines have been identified on the parking exhibit; however, parcel ownership has not.
2. All easements required based on existing parcel boundaries and the proposed improvements shall be clearly identified on the construction plans.
3. All existing easements shall be clearly identified on the construction drawings.
4. All utilities, consisting of but not limited to sanitary sewer, watermain, storm sewer, electrical, and street lights shall be clearly identified on the construction drawings.
5. The applicant shall submit stormwater calculations and maps complete with pre and post development drainage areas for the review of the City.
6. The applicant shall submit grading, drainage, and erosion control plans for the review and approval of the City of Willmar.
7. All construction shall be in accordance with the City of Willmar Standards.

I recommend that revised plans incorporating the above mentioned comments be submitted for the review and approval of the City.

RECOMMENDATION: Approve the parking lot expansion with the following conditions:

- A. The Engineers comments shall be added or submitted in the construction documents and approved prior to any construction commencing.
- B. The ten foot setback shall be met for the south property line.