

**WILLMAR PLANNING COMMISSION  
CITY OF WILLMAR, MN  
WEDNESDAY, OCTOBER 10, 2012**

**MINUTES**

1. The Willmar Planning Commission met on Wednesday, October 10, 2012, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

\*\* Members Present: Mark Klema, Andrew Engan, Gary Geiger, Bob Poe, and Randy Czarnetzki.

\*\* Members Absent: Charlie Oakes, Scott Thaden, Nick Davis, and Virgilio Aguirre, Jr.

\*\* Others Present: Robert and Stacey Busby, Steve Salzer, Josh Stern, Todd, Kleinhuizen, Bruce Melchert, Jason Garberding and Megan M. Sauer- Planner/Airport Manager.

2. MINUTES: The minutes of the September 12, 2012 meeting were approved as submitted.

3. BUSBY HOME OCCUPATION SPEECH PATHOLOGIST OFFICE CONDITIONAL USE PERMIT- FILE NO. 12-4: The public hearing opened at 7:01 p.m. Robert Busby presented his request for a home occupation conditional use permit for a speech pathology office out of his home on property legally described as follows: the easterly 25' of Lot 10 and westerly 75' of Lot 11, Block 3, Nyquist's North Orchard Addition (930 Meadow Lane SW). Mr. Busby explained that he will deal with one client at a time and most likely two days a week, four to eight clients total. He explained his office hours would be 10 a.m. to 4 p.m. but that he would also go to the clients' home for speech therapy.

Bruce Melchert, a neighborhood property owner, compared the use to someone giving piano lessons out of their home and was not concerned about the request affecting the neighborhood.

Todd Kleinhuizen, an abutting property owner, also stated he saw no problem with the request.

Staff stated that Lester Halvorson, a neighborhood property owner, called and asked that it be shared at the meeting that he supports the request in his neighborhood.

With no further comments from the public, the hearing was closed at 7:05 p.m.

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

The Planning Commission talked about the minimal traffic and activity that the use will bring to the neighborhood and that it met all the stipulations of a home occupation.

Mr. Geiger made a motion, seconded by Mr. Poe, to approve the home occupation conditional use permit with the following conditions:

A. 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.3.a.1-7.

The motion carried.

4. QUINN ADDITION PRELIMINARY PLAT-FILE NO. 12-8: Josh Stern of Bonnema Surveys presented the preliminary plat on behalf of Kvam Implement, for a four lot subdivision on property described as: Lot 5, Lot 6, Lot 7, Lot 8, and Lot 9 of State Subdivision of Gov't Lots 1 and 2, Section 16, Township 119N, Range 35-W. There are currently five parcels and this plat is a boundary adjustment to combine two of the lots and adjust some lot lines to have clean titles and no non-conforming setbacks on existing structures for properties owned by Kvam Implement and the Ivan Kvam Trust.

Jason Garberding, an abutting property owner, inquired about purchasing land from the Kvams as it is parceled out today. Staff stated that once the plat is completed all the land would be combined into the new legal descriptions. If he is interested in land, he would need to talk to the Kvams.

With no further comments to come before the Commission, the public hearing closed was closed at 7:21 p.m.

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

The Commission talked about this being a boundary adjustment, but that in the future if there is development/improvements to the area ponding and street improvements will be required at the expense of the developer.

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

- A. Any development of the lots would require street improvements of the service drive and stormwater ponding at the cost of the developer.  
B. All easements shall be added as per the MUC request.  
C. When the Trott Service Drive is improved it shall meet Fire Marshall Policy for hydrants and access.

The motion carried.

5. FAIRACRE ADDITION FINAL PLAT- FILE NO. 12-5: Josh Stern, of Bonnema Surveys, presented the final plat of Fairacre Addition on behalf of Don Williamson of an

11 lot single family residential subdivision on property legally described as: the W ½ of the SW ¼ excluding the E 604.24' thereof, also excluding the S 540' thereof and also excluding the N 1,365.50' thereof, Section 22, Township 119, Range 35 (2721 15<sup>th</sup> St. SW). The private street has been labeled an outlet and declarations/articles have been submitted for staff review. All the MUC easements had been added as requested. And the stormwater review had been completed and approved by the City Engineer on September 10, 2012.

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

The Commission talked about water on the site and the large size of the lots, a different type of development with filtration basins instead of stormwater ponds.

Mr. Engan made a motion, seconded by Mr. Czarnetzki, to approve the final plat with the following conditions:

- A. Fairacre Dr. SW shall be labeled an outlet.
- B. The private covenants shall be submitted and approved by staff prior to signatures on the final plat.
- C. Parking shall be permitted on one side of the private street only and shall be signed accordingly.
- D. The Fire Hydrants shall be placed as per City Fire Marshall Policy.

The motion carried.

6. MINNWEST TECHNOLOGY CAMPUS PROCORE PLAN REVIEW- FILE NO. 12-8: Steve Salzer presented a request for plan review on behalf of the MinnWest Technology Campus for Procore Business Technology on property legally described as: Unit 5, MinnWest Technology Campus, CIC #40 A Planned Community (1700 Technology Dr. NE). Mr. Salzer explained that the business sells construction management software, much of which is via handheld mobile devices to be used on job sites. The three person business will be leasing 480 sq. ft. of office space.

The Commission talked about the technology-based business being a good fit on the Campus.

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

- A. 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.

7. MINNWEST TECHNOLOGY CAMPUS TECHNICAL DIRECTIONS PLAN REVIEW- FILE NO. 12-9: Steve Salzer presented a request for plan review on behalf of

the MinnWest Technology Campus for Technical Directions on property legally described as: Unit 5, MinnWest Technology Campus, CIC #40 A Planned Community (1700 Technology Dr. NE). Mr. Salzer stated that the business is a data security business for farmers to keep track of and protect their productivity, crop insurance, and government compliance information. It deals with remote access and file servers and how farmers can access said data via handheld mobile devices. The business will be leasing a 238 sq. ft. office space.

The Planning Commission stated that this use is an excellent fit for the Technology District and campus.

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

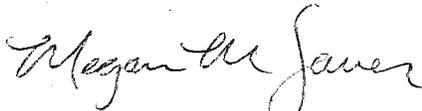
A. The use shall meet all applicable local, state, and federal, laws and regulations.

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

The motion carried.

8. There being no further business to come before the Commission, the meeting adjourned at 7:39 p.m.

Respectfully submitted,



Megan M. Sauer, AICP  
Planner/Airport Manager

PLANNING COMMISSION-October 10, 2012

**STAFF COMMENTS**

1. BUSBY HOME OCCUPATION SPEECH PATHOLOGIST OFFICE CONDITIONAL USE PERMIT- FILE NO. 12-4:

- The applicant is Robert Busby, Willmar, MN.
- The applicant is requesting a conditional use permit to allow a home occupation for a speech pathologist practice on property legally described as follows: the easterly 25' of Lot 10 and westerly 75' of Lot 11, Block 3, Nyquist's North Orchard Addition (930 Meadow Lane SW).
- The applicant would be the sole employee of the practice.
- There is ample parking available in the driveway.
- There will be no outside storage or alterations to the exterior of the home signifying the home occupation.
- A sign is allowed, but will require a permit and be sized as per the Ordinance (2 sq. ft.).
- The practice will be part time, three days a week from 10 a.m. to 4 p.m. Does Planning Commission wish to set hours of operation as a condition? One client will be handled at a time so at the most two vehicles would be in the driveway at any one time.

RECOMMENDATION: Approve the conditional use permit for a home occupation with the following conditions:

- A. The use shall meet all applicable local, state, and federal, laws and regulations.

2. QUINN ADDITION PRELIMINARY PLAT FILE NO. 12-8:

- Applicant is Kvam Implement, Willmar, MN.
- The applicant is requesting a four lot subdivision on property legally described as: Lot 5, Lot 6, Lot 7, Lot 8, and Lot 9 of state Subdivision of Gov't Lots 1 and 2, Section 16, Township 119N, Range 35-W.
- The property is currently zoned I-1 (General Industry) and will remain as such.
- The lots exceed the minimum lot sq. ft. and width requirements.
- The property is accessed via Industrial Dr. SW, Highway 12 SW, Trott Ave. SW, and Trott Service Drive.
- This is currently five separate parcels and some of the lines are being shifted to enlarge lots. Are setbacks are existing, so no new or increased non-conformities are being created.

**Engineering/Public Works Comments:** Access to lots 1, 3 and 4 are fronting an unimproved service drive. Development would require street construction (at the cost of the Developer) and storm sewer ponds to meet requirements of the Storm Water Ordinance.

**MUC Comments:** As the property is industrially zoned, 8' utility easements are being requested as follows: 8' utility easement along the north and west property line of Lot 1, Block One. 8' utility easement along the southwest property line (158.88' + 30.00'). 8' utility easement along the east property line (205.87' + 39.98' + 151.46'). And 8' utility easement along the north and west property line.

**Assessor's Comments:** Lot 4 access is via Trott Service Drive, is that a dedicated public access? If not this lot has no legal access. Also, would Lot 1 and the south end of Lot 3 be granted access to Trott Ave?

**Interim Fire Marshall Comments:** Fire Hydrants need to meet the Fire Marshall Policy. Access must be adequate for all emergency vehicles.

**RECOMMENDATION:** Approve the preliminary plat with the following conditions:

- A. Any development of the lots would require street improvements of the service drive and stormwater ponding at the cost of the developer.
- B. All easements shall be added as per the MUC request.
- C. When the Trott Service Drive is improved it shall meet Fire Marshall policy for hydrants and access.

3. FAIRACRE ADDITION FINAL PLAT- FILE NO. 12-5:

- The applicant is Don Williamson, Willmar, MN.
- The applicant is proposing an 11 lot plat containing a private cul-de-sac which nine of the lots abut on property legally described as: the W ½ of the SW ¼ excluding the E 604.24' thereof, also excluding the S 540' thereof and also excluding the N 1,365.50' thereof, Section 22, Township 119, Range 35 (2721 15<sup>th</sup> St. SW).
- The property is zoned R-1 Single Family Residential.
- The property is accessed via 15<sup>th</sup> St. SW with a proposed private street/cul-de-sac.
- The private street shall be governed by a homeowners association private covenants which shall be recorded congruous with the plat. The covenants documents shall be submitted to the City prior to final plat signatures.
- Easements have been added as per MUC and the City Engineer's request.
- On September 10, 2012 the City Engineer wrote a memo verifying that the most recent submittal from Bollig Inc. dated July 19, 2012, comments had been sufficiently addressed.

**RECOMMENDATION:** Approve the final plat with the following conditions:

- A. Fairacre Dr. SW shall be labeled an Outlot.
- B. The private covenants shall be submitted to the City prior to the final plat signatures.
- C. Parking shall be permitted on one side of the private street only.
- D. The Fire hydrants shall be placed as per City Fire Marshall Policy.