*SUBJECT TO FINAL APPROVAL FROM PLANNING COMMISSION*

**WILLMAR PLANNING COMMISSION – SPECIAL MEETING**

**CITY OF WILLMAR, MN**

**WEDNESDAY, OCTOBER 13, 2021**

**M I N U T E S**

1. The Willmar Planning Commission met on Wednesday, October 13th, 2021, at 6:30 p.m. at the Willmar City Offices Conference Room #1.

\*\* Members Present: Jonathan Marchand, Jeff Kimpling, Cletus Frank, Steven Dresler, Terry Sieck, Stephanie Carlson and Khalif Bashir

\*\* Members Absent:

\*\* Others Present: Kayode Adiatu – Planner, Willard Huyck – Planner, Leslie Valiant – City Administrator, Sarah Swedburg – EDC, Aaron Backman – EDC, Jonathan Huisinga – Willmar Poultry Innovations, Ted Schmid – Lumber One, Shelby Lindrud – West Central Tribune

1. MINUTES: Minutes of the October 6, 2021 meeting were approved as presented. Motioned by Commissioner Frank, seconded by Commissioner Carlson.
2. CHANGES OR ADDITIONS TO AGENDA: No changes or additions were made to the agenda.
3. REVIEW OF WILLMAR POULTRY LAND SALE: Mr. Huyck presented a proposed sale of 4.1 City-owned acres to Willmar Poultry Innovations, LLC within *the East Half of the Southeast Quarter of Section 23, Township 119 North, Range 36 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota* for $45,100. The purchaser intends to expand an existing turkey brooding facility onto the acquisition. The Comprehensive Land Use Plan is silent on future uses of this land, though staff doesn’t foresee any interference with the nearby wastewater treatment plant, trap range or brush site.

Staff recommended that the Commission find the sale consistent with the Comprehensive Land Use Plan and forward the item to Council for further action.

Commissioner Dresler asked how far the Comprehensive Plan’s scope extended into the future.

Mr. Huyck replied that it was written in 2008. Administrator Valiant added that if the Wastewater Treatment Plant were to expand, it would likely be to the west of the facility.

Administrator Valiant clarified that Willmar Poultry would reimburse the farmer who currently leases the land from the City for his loss of crops.

 Chairman Marchand asked for a motion on the matter.

 Commissioner Carlson motioned to approve. Commissioner Sieck seconded.

The matter was approved 7-0 and forwarded to City Council for further action.

1. WILLMAR POULTRY REZONE G/I 🡪 AG – FILE 21-04: Mr. Huyck presented a city-initiated request to rezone the following legally described land from Government to Agricultural:

*That part of the East Half of the Southeast Quarter of Section 23, Township 119 North, Range 36 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota, described as follows: Commencing at the southeast corner of said Section 23; thence on an assumed bearing of North O degrees 33 minutes 11 seconds East, along the east line of said Section 23, a distance of 959 .50; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet to the point of beginning of the land to be described; thence continuing on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 150.00 feet; thence on a bearing of North O degrees 33 minutes 11 seconds East a distance of 677.00 feet; thence on a bearing of South 89 degrees 26 minutes 49 seconds East a distance of 656.00 feet to the east line of said Section 23; thence on a bearing of South O degrees 33 minutes 11 seconds West, along the east line of said Section 23, a distance of 150.00 feet; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet; thence on a bearing of South O degrees 33 minutes 11 seconds West a distance 527.00 feet to the point of beginning.*

The requested rezone will allow for an expansion of Willmar Poultry’s existing turkey brooding facility at 2700 75th Street SW. The 4.1-acre expansion to be rezoned is being purchased from the City. The existing property was initially purchased from the 2015. The facility will not affect the City’s nearby trap range or wastewater treatment plant.

Staff recommended approving the rezone and forwarding to City Council for further hearing and ordinance adoption.

Chairman Marchand opened public hearing.

Jonathan Huisinga of Life Science Innovations spoke on the facility’s history and provided more detail on the project.

Chairman Marchand closed public hearing.

Chairman Marchand opened the matter for discussion.

Chairman Marchand asked for a motion on the matter.

Commissioner Carlson motioned to approve. Commissioner Dresler seconded.

The rezone was approved 7-0 and forwarded to City Council for further public hearing and ordinance adoption.

1. BLOCK 25 MINOR SUBDIVISION – FILE NO 21-06: Mr. Adiatu presented an application filed by Lumber One Development Company for a minor subdivision on the property legally described as follows:

*Block 25 Willmar, Town of (Original) North half of Lots 1 & 2. Block 25 and South half of Lots 1 & 2, Block 25.*

*Lot 3, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*Lot 4, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*Lot 5 & 6, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*North half of Lots 7, 8, 9, 10, 11 & 12, Block-25, Town of (Original) Willmar, according to the official plat on file on the Office of the County Recorder for Kandiyohi County,*

*Minnesota.*

*South half of Lots 7, 8, & 9, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi County, Minnesota.*

*South 50' of Lots 10, 11, & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi County, Minnesota.*

*North 25' of the South half of Lots 10, 11 & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi county, Minnesota*

The subdivision will allow for the construction of a 57-unit, 4-story loft style multi-family structure.

Staff reviewed comments on the application from MNDOT, Engineering, Fire and Police.

Staff recommended approving the preliminary plat with the following conditions:

1. Declarations/covenants for party wall, exterior maintenance, and shared driveway shall be submitted to Staff, and recorded concurrently with plat for ease of tractability.
2. All MNDOT comments shall be satisfied
3. All Fire Chief/Marshall, Engineering/Public Works, and MUC comments shall be met, adhered to, and additional information supplied as requested.

Chair Marchand opened the item for discussion

Staff and Ted Schmid of Lumber One reviewed parking and access at the site.

Chairman Marchand asked for a motion on the matter.

Commissioner Dresler motioned to approve. Commissioner Bashir seconded.

Chairman Marchand read the findings of fact.

The preliminary plat was approved 7-0 with the following conditions:

1. Declarations/covenants for party wall, exterior maintenance, and shared driveway shall be submitted to Staff, and recorded concurrently with plat for ease of tractability.
2. All MNDOT comments shall be satisfied
3. All Fire Chief/Marshall, Engineering/Public Works, and MUC comments shall be met, adhered to, and additional information supplied as requested.
4. BLOCK 25 TIF PLAN: Mr. Backman of the EDC presented a proposal to establish a TIF District on the area legally described as:

*Block 25 Willmar, Town of (Original) North half of Lots 1 & 2. Block 25 and South half of Lots 1 & 2, Block 25.*

*Lot 3, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*Lot 4, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*Lot 5 & 6, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

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*South 50' of Lots 10, 11, & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi County, Minnesota.*

*North 25' of the South half of Lots 10, 11 & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi county, Minnesota*

 The 15-year plan will yield $1,075,722 in tax increment revenue, which may be used to support

 the construction of a multi-family apartment development on Block 25.

 Staff recommended approving the application without condition and advancing the item to City

 Council.

 Chairman Marchand opened the item for discussion.

 Commissioner Dresler asked whether the City had oversight processes in place to review the

 developer’s TIF-eligible costs.

 Mr. Backman detailed the process for reporting and documenting TIF-eligible costs.

 Chairman Marchand asked for a motion on the matter.

 Commissioner Kimpling motioned to approve. Commissioner Sieck seconded.

 The item was approved 7-0 and advanced to City Council for further action.

1. Miscellany:

Mr. Backman and Administrator Valiant presented an update on the RDC-Logistics Facility Project.

There being no further business to come before the Commission, the meeting adjourned at 7:30 p.m.

Best Regards,



Willard Huyck

Main Street Coordinator - Planner



**PLANNING COMMISSION – OCTOBER 13, 2021**

***STAFF COMMENTS***

1. WILLMAR POULTRY LAND SALE:
* On October 4th, 2021, the Willmar City Council approved the sale of the following legally described 4.1 acres to Willmar Poultry Innovations, LLC for $45,100:

*That part of the East Half of the Southeast Quarter of Section 23, Township 119 North, Range 36 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota, described as follows: Commencing at the southeast corner of said Section 23; thence on an assumed bearing of North O degrees 33 minutes 11 seconds East, along the east line of said Section 23, a distance of 959 .50; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet to the point of beginning of the land to be described; thence continuing on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 150.00 feet; thence on a bearing of North O degrees 33 minutes 11 seconds East a distance of 677.00 feet; thence on a bearing of South 89 degrees 26 minutes 49 seconds East a distance of 656.00 feet to the east line of said Section 23; thence on a bearing of South O degrees 33 minutes 11 seconds West, along the east line of said Section 23, a distance of 150.00 feet; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet; thence on a bearing of South O degrees 33 minutes 11 seconds West a distance 527.00 feet to the point of beginning.*

* The purchase will be paid as follows: an initial payment of $5,000 as earnest money, followed by a second payment of $40,100 on the closing date.
* The site is located at 2700 75th Street SW.
* Willmar Poultry intends to expand their existing brooding facility on the purchased land.
* The original property was purchased from the City in 2015.
* The facility will not affect the City’s nearby trap range or the wastewater treatment plant.
* The Comprehensive Land Use Plan is silent on future use of this area.

RECCOMENDATION: Recommend approval of the purchase agreement to the City Council.

**ATTACHED: Ordinance (12-13); Purchase Agreement (14-24); Aerial (25)**

1. WILLMAR POULTRY REZONE G/I 🡪 AG – FILE NO. 21-04:
* This is a City-initiated request to rezone the following legally described land from Government to Agriculture:

*That part of the East Half of the Southeast Quarter of Section 23, Township 119 North, Range 36 West of the Fifth Principal Meridian, Kandiyohi County, Minnesota, described as follows: Commencing at the southeast corner of said Section 23; thence on an assumed bearing of North O degrees 33 minutes 11 seconds East, along the east line of said Section 23, a distance of 959 .50; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet to the point of beginning of the land to be described; thence continuing on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 150.00 feet; thence on a bearing of North O degrees 33 minutes 11 seconds East a distance of 677.00 feet; thence on a bearing of South 89 degrees 26 minutes 49 seconds East a distance of 656.00 feet to the east line of said Section 23; thence on a bearing of South O degrees 33 minutes 11 seconds West, along the east line of said Section 23, a distance of 150.00 feet; thence on a bearing of North 89 degrees 26 minutes 49 seconds West a distance of 506.00 feet; thence on a bearing of South O degrees 33 minutes 11 seconds West a distance 527.00 feet to the point of beginning.*

* The requested rezone will allow for an expansion of Willmar Poultry’s existing turkey brooding facility at 2700 75th Street SW.
* The property is surrounded by Government zoning to the North, West and South and is bordered by Saint John’s Township to the East.
* The 4.1-acre expansion to be rezoned is being purchased from the City. The existing property was initially purchased from the City in 2015.
* The facility will not affect the City’s nearby trap range or the wastewater treatment plant.
* This application does not require a conditional use permit, as it is an extension of a use already approved by the Commission in 2015. Setbacks, easements and other technical requirements will be reviewed at a staff level.
* The Comprehensive Land Use Plan is silent on the desired use of the adjacent city property.
* Public utilities are available to and being used by the site.

RECOMMENDATION: Approve the rezone and forward the item to City Council for further hearing and ordinance adoption.

**ATTACHED: Ordinance (26); Council Resolution (27); Aerial (28)**

1. BLOCK 25 MINOR SUBDIVISION - FILE N0 21-06
* The applicant is Lumber One Development Company of Avon, MN.
* The applicant is requesting a subdivision that would allow for the construction of 57-unit, 4 story loft style multi-family structure on the property described as:

*Block 25 Willmar, Town of (Original) North half of Lots 1 & 2. Block 25 and South half of Lots 1 & 2, Block 25.*

*Lot 3, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

*Lot 4, Block 25 Town of Willmar, Kandiyohi County, State of Minnesota.*

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*South 50' of Lots 10, 11, & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi County, Minnesota.*

*North 25' of the South half of Lots 10, 11 & 12, Block-25, Town of (Original) Willmar, according to the official plat on file in the office of the County Recorder for Kandiyohi county, Minnesota*

* The subdivision meets the qualification of a Minor Subdivision.
* The City of Willmar Planning Commission on June 30, 2021 approved a Conditional Use Permit to allow for the use of proposed project.
* The site plan includes a parking space at the NE corner of the development and an underground parking system.
* Though the Zoning Ordinance requires a 0’ setback in the CBD, a 5’ utilities easement bordering the entire property was agreed to by the P&D, WMU, Engineering, and the developer.
* The property is zoned CBD (Central Business District), and falls within the Renaissance Zone – an overlay district encompassing the Central Business District.
* The proposed property will be accessed off 3rd St SW.

**MnDOT**: In regards to the preliminary plat titled “Block 25 Flats”, MnDOT District 8 has the following comments:

Any signage cannot overhang into State Highway right-of-way.

It does not appear to have any proposed accesses onto TH 12, but if plans change be aware a change of use/access permit would be required. Please work with the Permit Coordinator jeff.illies@state.mn.us.

**Engineering Department:** We have reviewed the Preliminary Plat, which was submitted for the above referenced project via e-mail

9/23/2021 and have the following comments:

1. Construction, storm water management, grading, paving, and utility plans shall be submitted for review by the City of Willmar prior to final plat approval.

2. The applicant shall obtain all necessary permits for the development.

3. All MnDOT comments shall be satisfied.

4. The applicant shall enter into a development agreement with the City of Willmar.

We recommend approval of the Preliminary Plat contingent on the above referenced comments and comments as provided by other city staff, commissions, and council.

If you have any questions on the above, please call.

**Fire Department:** They might have to add a fire hydrant

**Police Chief:** No areas of concern from the Willmar Police Department point of view.

RECOMMENDATION: Approve the preliminary plat with the following conditions:

1. Declarations/covenants for party wall, exterior maintenance, & shared driveway shall be submitted to Staff, and recorded concurrently with plat for ease of tractability.
2. All MnDOT comments shall be stratified
3. All Fire Chief/Marshall, Engineering/Public Works, and MUC comments shall be met, adhered to, and additional information supplied as requested.

**ATTACHED: Application (29); Plat (30-31)**

1. BLOCK 25 TIF PLAN
* On June 30, 2021, the Planning Commission approved a Conditional Use Permit for the proposed Block 25 multi-family housing development.
* The anticipated duration of the district is 15 years, though the City maintains the right to extend its duration to the maximum statutory term of 25 years.
* The plan estimates $1,075,722 in tax increment revenue, $968,148 (about 90%) of which may be spent on TIF eligible costs, including acquisition, demolition, environmental remediation, site preparation and public improvements. The remaining $107,574 (about 10%) may be spent on administrative expenses related to the project.
* The TIF proposal is in compliance with the City of Willmar’s TIF policy.
* Staff does not find any conflicts with Willmar’s Comprehensive Plan.

RECOMMENDATIONS: Approve without conditions and advance item to City Council.

**ATTACHED: Baker-Tilly Memo (32); TIF Plan (33-55)**