SUBJECT TO FINAL APPROVAL BY PLANNING COMMISSION

WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, APRIL 12, 2017

MINUTES

1. The Willmar Planning Commission met on Wednesday, April 12, 2017, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

   ** Members Present: Steve Gardner, Bob Poe, Rolf Standfuss, Jeff Kimpling, Terry Sieck, Cletus Frank, Terry VanVeldhuizen, and Margaret Fleck.

   ** Members Absent: Jonathan Marchan.

   ** Others Present: Sean Christensen- City Engineer, Darrell Fostervold & Denny Baker- Kandiyohi County Fair Association, Megan DeSchepper- Planner.

2. MINUTES: The March 22, 2017 minutes were approved as presented.

3. STREET VACATION WOODLAND AVE. NW AND PARK AVE. NE FILE NO 17-01: Mr. Kimpling made a motion, seconded by Mr. Standfuss, to remove the matter from the table and open it up for discussion.

   The motion carried.

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

   Staff shared an updated vacation map depicting that the north portion of 10th St. NW was never dedicated right-of-way, it was simply a parcel of land owned by the Kandiyohi County Fair Association.

   Sean Christensen, City Engineer, stated that the City will no longer maintain the streets but will maintain the public utilities that are in the permanent easement right-of-way. The City will continue to provide snow removal along Woodland Ave. NW as long as the residential home is occupied.

   The Commission asked if the Fair Association had a time frame regarding the usage of the residential home. Darrell Fostervold, President of the Kandiyohi County Fair Association, said they have no timeframe on the rental of the home as it currently pays for the property.

   A gate at the point of vacation was discussed, it would be allowed as long as emergency services would be allowed access along with utility staff for maintenance etc. The ticket booth could be moved to the Park Ave. NW entrance point if the Fair Association so desires.

Mr. Frank made a suggestion of some additional conditions that should be added to the staff recommendation as follows:

B. That the Kandiyohi County Fair Association shall continue to have the access via Park Ave. NW for emergency services access.

C. Any future improvements in the area that would require moving utility facilities shall be at costs borne by the property owner.

D. There shall be a temporary easement between the City and the Fair Association regarding snow removal and access to the roads for that maintenance until the house is permanently vacated.

Mr. Standfuss made a motion, seconded by Ms. Fleck, to approve the resolution for street vacation for Woodland Ave. NW and Park Ave. NW as described with the following condition:

A. The right-of-way of both streets shall be retained as utility easement protecting existing public and private utility facilities.

The Commission talked about adding Mr. Frank's suggestions to the motion.

Mr. Standfuss made a motion, seconded by Ms. Fleck to amend the motion to include letters B. through D. of Mr. Franks suggestion onto their original motion.

The motion carried.

4. ACCESSORY DWELLING UNIT DISCUSSION CONTINUED: The Commission reviewed the rough draft Accessory Dwelling Unit Ordinance. There were concerns about the side and rear setbacks. Concerns about density and existing homeowner's property values were also discussed. The Commission talked about subdivisions of smaller homes to help housing demands. The consensus of the Commission was that the idea of an accessory dwelling unit ordinance may create more problems than solve them and chose to do nothing further on the topic at this time.

5. There being no further business to come before the Commission the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Megan M. DeSchepper

Megan M. DeSchepper, AICP
Planner/Airport Manager

Attachment A

PLANNING COMMISSION-APRIL 12, 2017

STAFF COMMENTS

1. STREET VACATION WOODLAND AVE NW AND PARK AVE. NW- FILE NO. 17-01:
    - The City of Willmar has initiated the vacation of Woodland Ave. NW and a portion of Park Ave. NW (10th St. NW) described as follows: Woodland Avenue, as delineated and dedicated on the plat of Parson's Subdivision, according to the recorded plat thereof, Kandiyohi County, Minnesota.; AND Park Avenue, as delineated and dedicated on the plat of Thorpe and Liens Addition, according to the recorded plat thereof, Kandiyohi County, Minnesota, lying north of the south line of Block 2, and its easterly extension, as delineated and dedicated on the plat of Parson's Subdivision, according to the recorded plat thereof, Kandiyohi County, Minnesota lying westerly of the vacated portion of said Park Avenue as described in Document Number 82913 on file in the office of the County Recorder, Kandiyohi County, Minnesota.
    - The reasons for the initiation by the City is to clean up the legal description/right-way, allow for land acquisition by the City from the Fair Board for the lift station (land swap for vacation), also need some additional ROW to facilitate reconstruction of that project.
    - The City proposes retaining a utility easement over, under and across all of the vacated Street Woodland Ave. NW.
    - With the vacating of the streets there will be some land transactions with the fairground including a right-of-way plat to dedicate some parcels for the lift station project. In the right-of-way plat the portion of Park Ave. NW that is proposed for vacation and that was previously vacated will be retained in a permanent utility easement.
    - Kandiyohi County has no objection to the vacation.
    - The Department of Natural Resources has reviewed the proposed street vacation and has no objection to the vacation of Woodland Avenue as listed above.
    - Woodland Avenue is not and never has been a lake access point.
    - The FairBoard will continue to have access to its property off of Park Ave. NW and the FairBoard wishes to leave the access open and not barricade it.
    - Pavement condition of road will be as is once vacated.
    - The public hearing will be held at the City Council, property owners within 600' of the vacation will be notified and a public hearing notice will be published in the paper ten days prior to the hearing.

    MUC Comments: The MUC does not object to the vacating of this area. Provided: the entire right-of-way is changed to utility easement. Furthermore, with the understanding that and construction above the existing utilities may potentially lead to relocation costs borne by the owner.

    Engineering/Public Works Comments: Utility easements as noted on petition and shown on Right of Way Plat are required.

Private Utility Comments:

Charter Communications: requests that a utility easement be retained in the vacated street locations, and utility relocation or removal shall be at the expense of the vacation requestor.

Century Link Comments: they have buried facilities across and within the right of way of both streets and requests that they be protected.

WindStream: Windstream has facility on Woodland Ave. NW going to 1017 and on the west side of 10th St. /Park Ave which would need to be maintained. We can relocate as necessary to maintain this feed.

RECOMMENDATION: Approve the resolution for street vacation for Woodland Ave. NW and Park Ave. NW as described above with the following conditions:

A. The right-of-way of both streets shall be retained as utility easements protecting existing public and private utility facilities.

NOTICE OF HEARING FOR PROPOSED REZONING

Notice is hereby given that the Willmar Planning Commission will meet at the Willmar City Office Building (Conference Room #2 upstairs), 333 6th St. SW, Willmar, Minnesota, at 7:01 p.m. on Wednesday, May 10, 2017, to consider the application of FRE Holdings, LLC for a change in zoning from AG (Agricultural) to GB (General Business) allowing for a new Schwieters Chevrolet dealership on property legally described as follows: part of the NW ¼ of NW ¼ Section 24, Township 119, Range 35.

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.

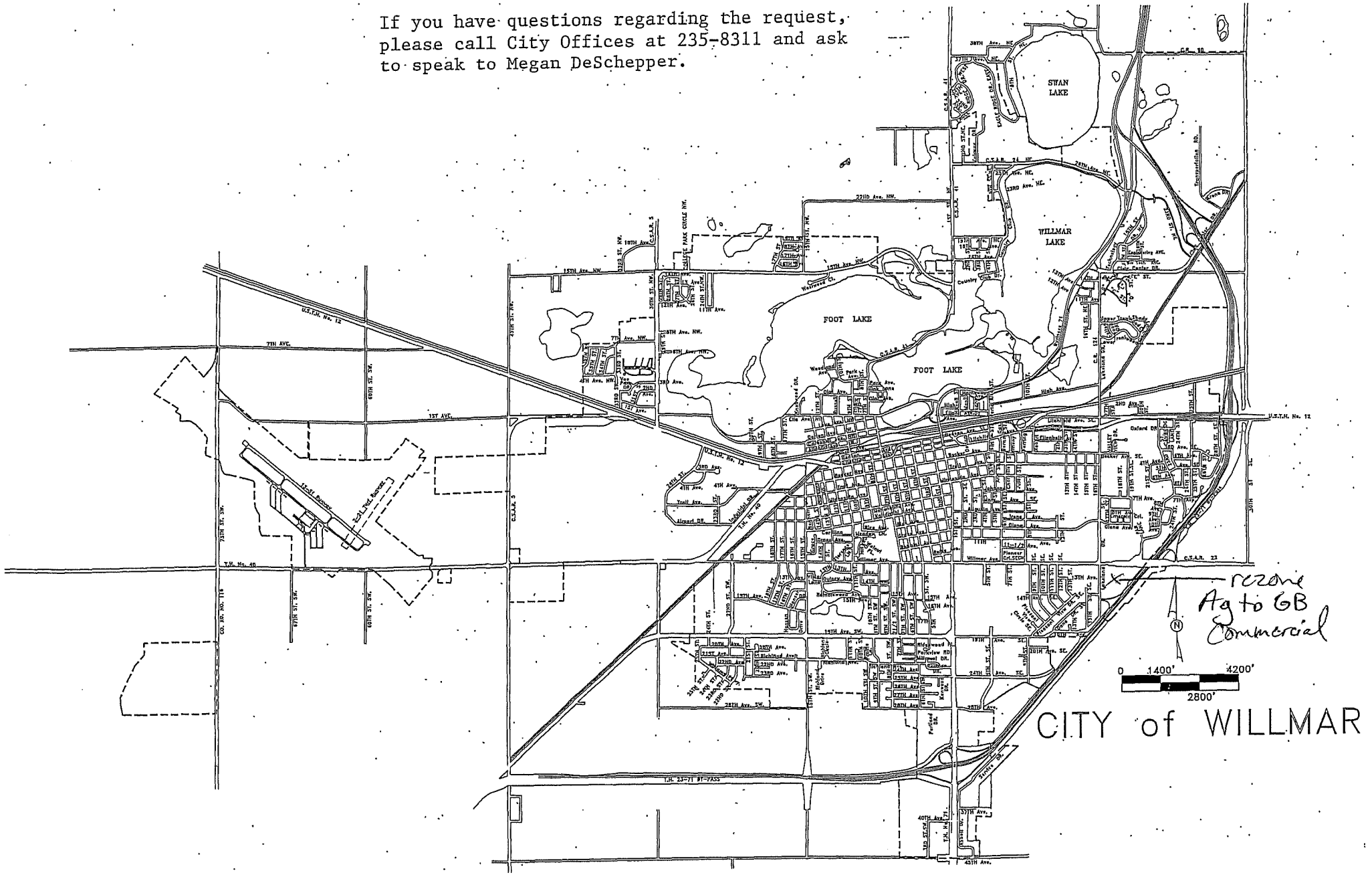
April 28, 2017
Date

Megan M. DeSchepper
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficient, por favor comuniquese con Maria al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

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



NOTICE OF HOUSE MOVE

Notice is hereby given that the Willmar Planning Commission will meet at 7:05 p.m. on Wednesday, May 10, 2017, in Conference Room #2 (upper level) at the City Office Building, 333 6th St. SW, Willmar, Minnesota, to consider a request by Habitat for Humanity of West Central Minnesota, Willmar, MN, to move a single family home to property described as: Lots 5 & 6, Block 3, Nelson's Addition- Erick Nilson's (511 7th St. NW). As an abutting property owner, the Zoning Ordinance mandates that you be given the opportunity to comment on the proposed move.

You are welcome to attend the meeting or call me at (320)235-8311 with your comments.

Megan M. DeSchepper, AICP
Planner/Airport Manager

Dated: April 28, 2017

Si Usted no lee inglés o si este aviso no contiene una explicación suficient, por favor comuniquese con Maria al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

Certain uses do not require a conditional use permit, but do require review and approval of plans by the Planning Commission. The standards to be met are the same as those required for conditional use permits in Section 9.E.3.a.1-7 of the Zoning Ordinance (see below). The Planning Commission may impose the same conditions as stated in Section 9.E.4.a.-c. of the Zoning Ordinance.

Standards for Plan Review

A plan review shall be approved only if the Planning Commission makes, where applicable, the following affirmative findings:

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

Conditions:

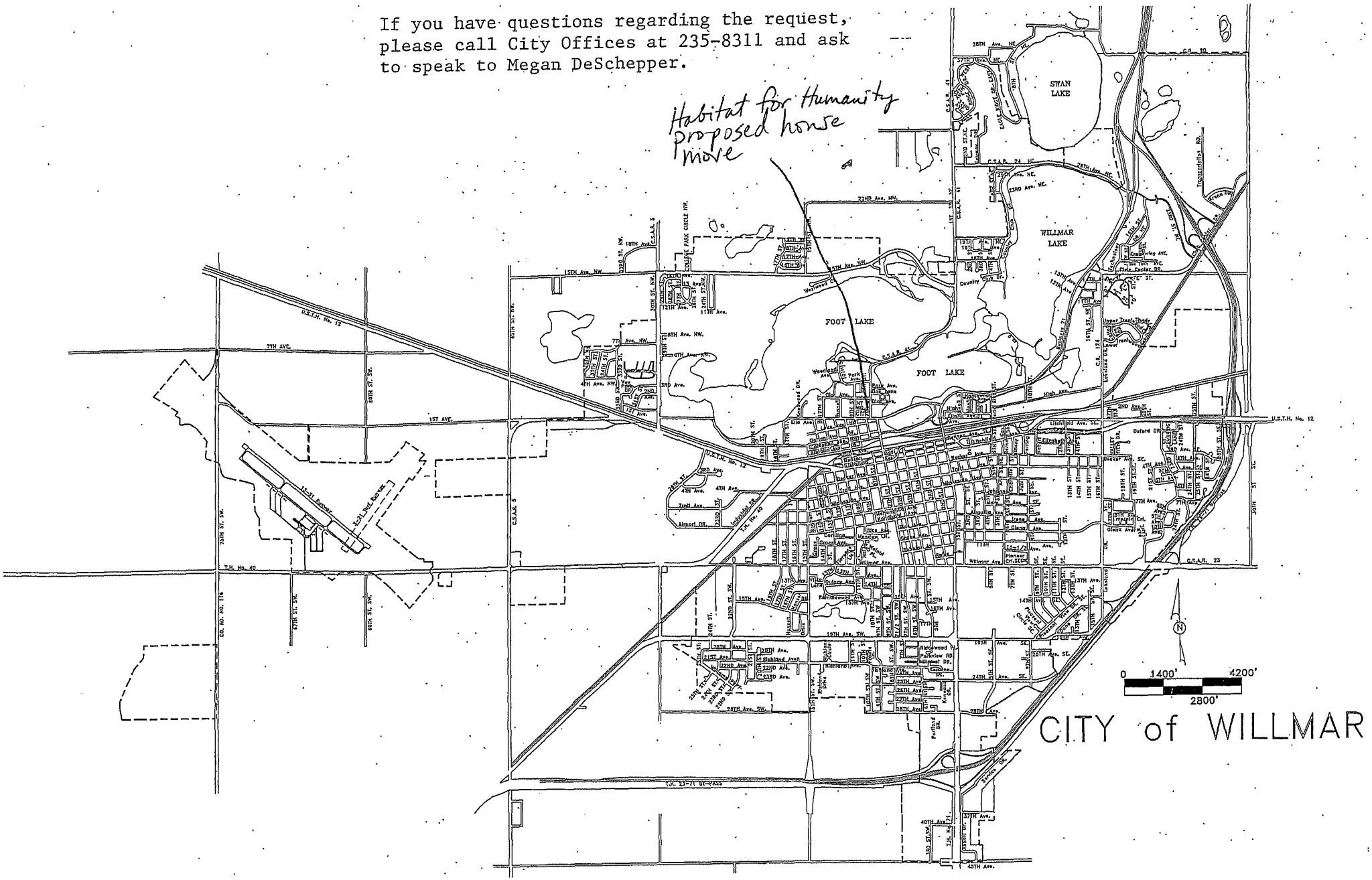
a. The Planning Commission may impose conditions upon the conditional use if, in its opinion, specific circumstances of a request justify those additional controls to protect the health, safety, and welfare of the neighborhood and general public.

b. The Planning Commission shall impose a condition that the use at all times conforms to applicable local, state, and federal laws and regulations.

c. The City Engineer shall approve any off-street parking lots and ingress and egress to the site prior to the issuance of a building permit.

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

Habitat for Humanity proposed house move



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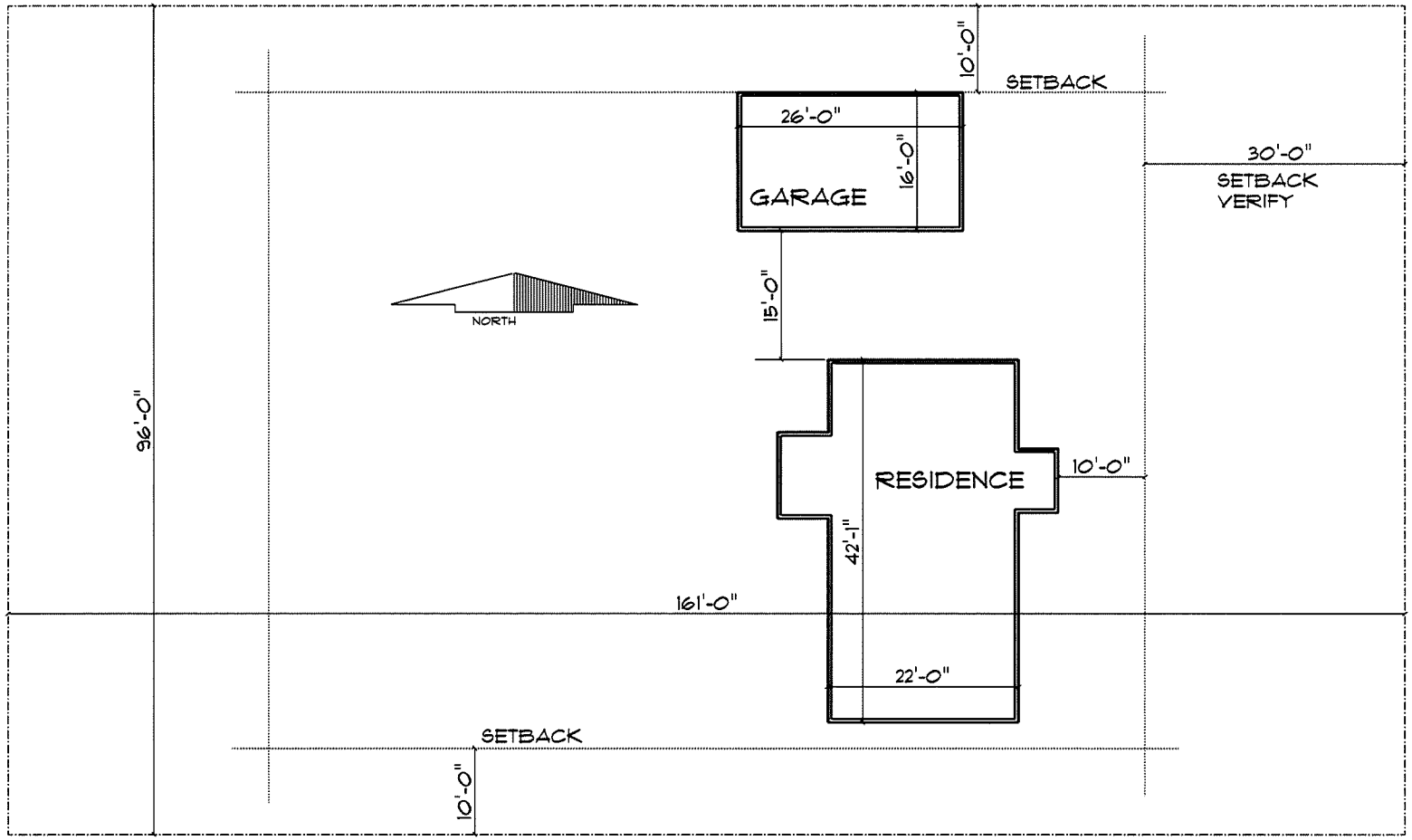

SITE PLAN

PRELIMINARY 1" = 20'-0"

7TH STREET NORTHWEST

Digital Sign: 44″ x 113″ (DF)
Brick Monument: 36″ x 113″
Cabinet Sign: 72″ x 113″

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919 First Street S. Willmar, MN 56201
320-235-7411
www.quicksignsofwillmar.com

Client:
Willmar Schools

Location:
Kennedy
Willmar, MN

Account Rep:
Gary Laughlin

Drawn By:
RL

Date:
4/18/17

Computer generated colors in this artwork are not an exact match to the finished sign colors. Material samples area available upon request. This drawing is property of Quick Signs of Willmar. Any Reproduction is prohibited.

Digital Sign: 44" x 113" (DF)
Brick Monument: 48" x 113"
Cabinet Sign: 60" x 113"

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