

CITY OF WILLMAR

**PLANNING COMMISSION MEETING
6:30 P.M. ON WEDNESDAY, FEBRUARY 16, 2022
CONFERENCE ROOM #1
CITY OFFICE BUILDING**

Chair: JONATHAN MARCHAND

Vice Chair: JEFF KIMPLING

Members: CLETUS FRANK, STACY HOLWERDA, STEPHANIE CARLSON, STEVEN DRESLER

AGENDA

1. Meeting Called to Order
2. Minutes of January 19 & February 2, 2022 Planning Commission Meeting
3. Updates on James House, Tiny Homes, and Indoor Gun Ranges
4. Lutheran Church Columbarium CUP – Preliminary
5. Work Session – Review of I-2 District Uses
6. Miscellany
7. Adjourn

SUBJECT TO FINAL APPROVAL FROM PLANNING COMMISSION

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, JANUARY 19, 2022**

MINUTES

1. The Willmar Planning Commission met on Wednesday, January 19, 2022, at 6:30 p.m. at the Willmar City Offices Conference Room #1.

** Members Present: Jonathan Marchand, Jeff Kimpling, Steven Dresler, and Stacy Holwerda.

** Members Absent: Stephanie Carlson, Cletus Frank, and Khalif Ahmed.

** Other Present: Kayode Adiatu – Planner, Willard Huyck – Main street Coordinator, Justice Walker, Planning and Development Director, Attorney Wayne Larson, Rohner Harlan, Ms. Pearl, Duane Bonnema, and Justin Paffrath.

2. MINUTES: Planning Commission postponed the approval of the December 15, 2021 minutes due to lack of quorum.
3. CHANGES OR ADDITIONS TO THE AGENDA: The Harlan Rezone item was moved down the agenda to see whether more Commissioners would attend the meeting for a quorum.
4. INTRODUCTION OF A NEW MEMBER: Chairperson Marchand introduced and welcomed new Commissioner Holwerda to the board.
5. JAMES HOUSE REVIEW - PRELIMINARY: Planner Adiatu presented the James House preliminary review to the Board. He stated that the facility is to be remodeled to serve as a sober house. He further stated that the Planning team have been meeting with Mr. Bonnema regarding the proposed plan and explained the conditions for either pursuing a Conditional Use Permit or Plan Review application to the board.

Mr. Bonnema stated the James House started in Willmar as a sober living in 2006. He stated that the State code allows five residents to live in the sober house with a house manager present but fire sprinklers are required if there are over five residents. He further expressed the cost-benefit of having more than five residents at some point if they are going to have a house manager present.

Commissioner Dresler asked Mr. Bonnema what he meant by “supervision”. Mr. Meyer responded that there would be a day staff, essentially doing the programming during the day and part-time staff during night shifts. Commissioner Kimpling asked if the Planning

Commission needs to make a decision. Planner Adiatu responded that no decision is required and that the hearing is only preliminary. Chairperson Marchand asked if the dining is going to be a congregate or a dormitory set up. Mr. Meyer responded that although the food is purchased by the facility, residents are responsible for their own meal. Mr. Meyer asked what planning approach will be pursued. Planner Adiatu responded that if the applicant chooses to house five residents or less, it will only be a Plan Review.

Commissioner Kimpling asked if there is a possibility of an expansion in the north half of the building. Mr. Bonnema responded that there is going to be fire sprinklers or they would move elsewhere. Mr. Meyer sought clarification on the difference between a Conditional Use Permit and a Plan Review. Planner Adiatu responded that if they plan to have six or fewer residents, a Plan Review application is required but if there are more than six residents, applicants have to meet the conditions of a Conditional Use Permit.

Commissioner Dresler asked if the licensed facility are two separate buildings, with separate addresses. Planner Adiatu responded that the City is only reviewing the number of residents, and the number of rooms that would be created within the facility. Chairperson Marchand asked what kind of target the applicants have set for occupancy. Mr. Meyer responded that they plan to start by May 1.

Chairperson Marchand thanked the applicants for attending, and there being no further discussion, the hearing closed.

Chairperson Marchand notified Attorney Larson that the Board could not hear their application, and offered his apology on behalf of the Board for the lack of quorum. Planner Adiatu promised to keep the communication line open and coordinate with the applicant's representative regarding the next meeting.

6. JUSTIN PAFFRATH TINY HOMES – PRELIMINARY: Director Justice introduced Mr. Paffrath who intends to do a Planned Unit Development on a City-owned 1.4-acre property at Pleasant Ave SE. He further stated that the project is going to be affordable housing, and the Board will have the opportunity to determine the lot size requirements, setbacks, landscaping, design standards, and parking requirements.

Mr. Paffrath explained his housing plans to the Board and re-iterated the need for affordable housing in the City of Willmar. Commissioner Kimpling asked if the development is going to be rental or ownership. Mr. Paffrath responded that the Declaration of Covenants would not be designed to prohibit rental. Mr. Paffrath further stated that this is not a trailer but a real estate development with sewer and water, just like any other housing development. Commissioner Dresler sought clarification on whether a 400 sq. ft. is required for a tiny home.

Commissioner Dresler asked how association dues would be set for a PUD. Director Justice responded that it depends on how the PUD is set up. He further implored the Board to consider having a preliminary discussion to determine the conditions to

accommodate the development. Commissioner Dresler asked what the role of the Planning Commission is, in the review of the PUD. Director Justice responded that the Board might choose to have a work session to examine the PUD, such as reviewing and updating the zoning ordinance to support unique PUDs, setting design standards, setbacks, etc.

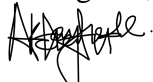
Director Justice clarified that the first stage is to accept the purchase agreement from the applicant before moving ahead with the PUD process.

With no further discussion, the hearing closed.

7. MISCELLANY: Director Justice explained to the Board that the PUD threshold needs to be changed, and that staff is currently working on the work session worklist for the year. He also mentioned that the review of the landscape plan, parking minimums, and creating the overlay for the CBD district are underway. Director Justice briefed the Board about the comprehensive plan that is already in the pipeline and asked members to join the work group for their input. Commissioner Kimpling suggested that Planning Commission meetings could replicate the same orderliness displayed during Council meetings.

There being no further discussion, the meeting ended at 8:30 p.m.

Best Regards,



Kayode Adiatu

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, FEBRUARY 2, 2021**

MINUTES

1. The Willmar Planning Commission met on Wednesday, January 19, 2022, at 6:30 p.m. at the Willmar City Offices Conference Room #1.

** Members Present: Jonathan Marchand, Jeff Kimpling, Steven Dresler, Stephanie Carlson, Cletus Frank, and Stacy Holwerda

** Other Present: Kayode Adiatu – Planner, Justice Walker, Planning and Development, Sarah Swedburg – Economic Development Commission Manager, Wayne Larson, Rohner Harlan, Pearl Htoo, Duane Bonnema, Mike Calvin, and Cecil Meyer
2. MINUTES: Commissioner Kimpling moved to approve the December 15, 2021 minutes, seconded by Commissioner Carlson. Motion carries.
3. CHANGES OR ADDITIONS TO THE AGENDA: There was no changes to the agenda
4. HARLAN REZONE: Planner Adiatu presented the Harlan rezone application and re-iterated the initial recommendation of staff to not spot-zone a single parcel from I-2 (General Industry) to (General Business). Planner Adiatu expressed the City’s willingness to encourage small/medium scale businesses such as the Htoo Asian store but that it has to be done in a manner that is consistent with the zoning ordinance and the comprehensive plan of the City of Willmar.

Chairperson Marchand opened the public hearing. Commissioner Dresler asked if there has been a rezoning in the City in the past. Director Walker responded that the he could not speak to what was done prior. Commissioner Carlson approached the screen, examined the zoning of the surrounding properties, and asked why certain businesses are zoned General Business and other businesses such as Htoo market cannot be rezoned. Planner Adiatu responded that the zoning of the said businesses predates the Planning team and that what is more important is the consistency of zoning in the City of Willmar.

Attorney Larson stated that the property is now an island as the Highway 12 map is not up-to-date. Chairperson Marchand stated that the commission should consider zoning law and future planning in the Hwy 12 corridor.

Commissioner Carlson asked if there are plans for the property to the east. Attorney Larson responded that Mr. Harlan is talking to the City about potentially purchasing the property to the east. Ms. Swedburg also gave a brief history on some of the uses in the

properties in I-2 district, and explained why they exist. She further implored the Commission to consider the long-term comprehensive plan. Commissioner Frank stated that the railroad and the highway were natural boundaries for the zoning district, and the rezoning of the area have not been re-visited since the features were relocated. He further expressed that he is not in favor of spot zoning for a grocery south of the highway, as it previously existed but that the City can look at it. Planner Adiatu pointed out the risk of rezoning to General Business, as it may not favor the long-range planning of the City.

Chairperson Marchand asked Mr. Harlan about the term of the lease. Mr. Harlan responded “three (3) years, with an option for an extension”. Chairperson Marchand asked if there could be a conditional approval of the rezone based on the leased term with the understanding that the current tenant finds a new location when the said leased term ends. Planner Adiatu responded that he would have to consult with the City attorney but he does not think the City wants to be involved in a lease agreement between a proprietor and a tenant.

Chairperson Marchand asked Ms. Swedburg if the EDC has resources in place to assist the business owner in terms of finding new locations and funds. Ms. Swedburg responded that EDC is available to connect with realtors and provide other assistance. Commissioner Carlson asked if the commission could consider rezoning to I-1 (limited industry) district where a restaurant is an allowed use. Director Walker responded that a restaurant is not the same as a grocery store.

Commissioner Frank asked if the City or the applicant has approached the surrounding property owners to determine what kind of zoning they would prefer. Director Walker responded that the abutting properties are mostly city-owned land and the plan is that they remain industrial.

Chairperson Marchand called for a motion to deny the application. No commissioner responded so the motion dies.

Commissioner Carlson motioned to approve the rezone of the property from General Industry to General Business and was second by Commissioner Dresler. Chairperson Marchand then called for a vote. The motion to approve the rezone from I-2 to GB failed as three (3) commissioners out of five (5) voted against it.

5. JAMES HOUSE REVIEW: Planner Adiatu presented the James House located at 3051 1st Ave NW and informed the commission that there is a new approach to the plans. He further stated that the applicant have agreed to obtain a conditional use permit to accommodate current and future plans of the use of the property. Mr. Calvin addressed the commission and asked what we would like to see to obtain approval of their project. Planner Adiatu also informed the commission that there would be no parking issues since the residents are not allowed to drive anyways. Mr. Calvin expressed his concern about the conditions required to obtain a conditional use permit, and that they do not have plans to install fire sprinklers.

Commissioner Dresler asked if the request to operate as one unit requires a plan review or a conditional use permit if they operate as twin homes. Mr. Calvin stated that the property has to meet the fire and building code if a conditional use permit is in effect. Commissioner Frank asked if there are two separate taxes for the property. Planner Adiatu responded the property has only one tax ID.

Director Walker informed the commission that they get to consider conditions of approval of the project and that the matter is coming back for a final decision. Commissioner Carlson asked if the residents that would be live on the north half of the property would receive licensed services. Mr. Meyer responded that they would only receive supervisory services. Commissioner Frank asked if there are plans to expand in the future. Mr. Calvin responded it is possible to expand but it would require more conditions such as fire sprinklers.

There being no further discussion, the hearing closed.

6. MISCELLANY: The Planning Commission selected a new secretary. Commissioner Frank motioned to approve the selection of commissioner Dresler as the new secretary; it was second by Commissioner Kimpling.

All moved in favor and the motion carries.

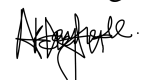
Director Walker informed the commission about reviewing uses in each district and implored members to determine a time to meet for work sessions. Commissioner Kimpling asked if the work session would be on the same day as the regular meeting. Director Walker responded that it would be up to the members to determine what time works for them. He further stated that there should be an introduction of by-laws to regulate the planning commission meeting rules and regulations.

Planner Adiatu announced to the Planning commission that he has developed a handbook to assist planning commissioners especially new ones to facilitate their on-boarding process.

Commissioner Kimpling motioned to adjourn the meeting and was second by Commissioner Carlson.

The motion carries, and the meeting closed at about 8:45 p.m.

Best Regards,



Kayode Adiatu

PLANNING COMMISSION – FEBRAURY 16, 2022

STAFF COMMENTS

1. LUTHERAN CHURCH COLUMBARIUM CUP – PRELIMINARY

- The applicant is Tim Ostby on behalf of Vinje Lutheran Church located at 1101 Willmar Ave SW.
- The applicant is requesting a Conditional Use Permit to allow for an installation of a Columbarium at the Southside (13th Ave) of the said property.
- The property is zoned R-2 – One and Two Family Residential
- The size of the Columbarium would be 5 feet 4 inches in diameter and 5 feet 1 inch in height. *A model picture is included in Exhibit A of this packet.*
- The City Council in 2011 amended the Willmar Zoning Ordinance relating to non-residential storage in residential districts.

SECTION 6. Ordinance 1060 is hereby amended by adding SECTION 6.D.3.K to read as follows: *Non-residential storage within an existing building.*

RECOMMENDATION: This is only preliminary at this time, although staff finds no issue with the installation plans. When a formal application is submitted with a picture of the actual columbarium, this matter will come back to be heard by the Board.



A REVIEW OF I-2 DISTRICT USES

J. I-2. GENERAL INDUSTRY DISTRICT.

1. Permitted Uses With Plan Review. The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:
 - a. Agri-business, not including agricultural product processing.
 - b. Agricultural uses, not including livestock raising or feeding.
 - c. Automobile salvage/reduction yard.
 - d. Automobile/truck sales, repair, and service.
 - e. Commercial dog kennels.
 - f. Contractors shops.
 - g. Creameries.
 - h. Equipment rental businesses.
 - i. Farm implement sales, repair, and service.
 - j. Farm product sales.
 - k. Greenhouses and nurseries.
 - l. Lumber/wood production and treatment.
 - m. Manufacturing businesses.
 - n. Metal fabrication businesses.
 - o. Motor freight terminals.
 - p. Poultry processing.
 - q. Printing shops.
 - r. Research and development businesses.
 - s. Storage facilities, including mini-storage.
 - t. Transportation facilities/businesses.
 - u. Veterinary clinics.
 - v. Wholesale sales
 - w. Essential services and public uses.
 - x. Lumber yards (including miscellaneous building materials).

2. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:
 - a. Agricultural product processing plants.
 - b. Gas bulk plants.
 - c. Manufacturing of explosive or toxic materials.
 - d. Meat packing/rendering plants.
 - e. Power plants.
 - f. Solid waste collection and recycling facilities for metals, glass, paper, wood, etc. (not including household garbage).
 - g. Storage and/or sale of flammable liquids and gases.
 - h. Concrete, bituminous, or gravel production businesses.*

* Applies to permanent installation only. Temporary seasonal operations for public works improvement projects are permitted as an essential service

or public use.

3. Permitted Accessory Uses. The following accessory structures or uses of land shall be permitted:
 - a. Detached storage or accessory buildings.
 - b. An apartment for on-site security personnel, included within the business structure.

4. Lot Area, Width, Setback and Miscellaneous Requirements.

The following standards shall be the minimum requirements for development in the "I-2" District:

- | | |
|--------------------------|-----------|
| a. Lot Area | 15,000 SF |
| b. Lot Width | 100 feet |
| c. Setbacks (front r/w) | 30 feet |
| Rear | 20 feet |
| Side, interior | 15 feet |
| Side, street (r/w) | 30 feet |
| d. Open Landscaped area | 10% |
| e. Building/lot coverage | 75% |