

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, MAY 9, 2012**

MINUTES

1. The Willmar Planning Commission met on Wednesday, May 9, 2012, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

** Members Present: Mark Klema, Charlie Oakes, Gary Geiger, Randy Czarnetzki, Bob Poe, and Virgilio Aguirre Jr.

** Members Absent: Scott Thaden, Nick Davis, and Andrew Engan.

** Others Present: Mike Brandt, Ken Behm, Jeff Kimpling, Bryan Barlage, Jeff Danielson, Ryan Gauquie, Bruce Peterson- Director of Planning and Development Services, and Megan Sauer- Planner/Airport Manager.

2. MINUTES: The minutes of the April 25, 2012 meeting were approved as submitted.

3. GOODWILL STORE PLAN REVIEW- FILE NO. 12-5: Bryan Barlage, of Fendler Patterson Construction, presented plans for a Goodwill Store on property described as: the south 344' of E. 585.8' of SE ¼ of NE ¼ excluding the west 150' thereof (100 19th Ave. SW). The applicant is proposing a 22,600 sq. ft. building with a drop off drive through lane for donated items. A landscape plan was submitted that meets the Landscape Ordinance. Adequate parking is being proposed and all building and parking setbacks are met. Ken Behm, one of the property owners explained that the property is owned by Willmar Ten and will be leased by the Goodwill Store, so the property is taxed. Goodwill Stores are a not-for-profit enterprise that supports the Easter Seal program and other philanthropic activities.

Planning Commission reviewed and discussed Staff Comments (see Attachment A).

On the southeast corner of the property there is a large easement right-of-way (old Hwy. 23/71 turnback) that is owned by the applicant but controlled by the City for utility purposes (large electrical line and stormwater line). As the applicant wishes to build a portion of the parking lot on this easement, the City will require a terminable license agreement for use of the easement and limit it for parking only.

The Commission talked about the shared drive with the American Legion and that a recorded shared access/drive easement must be recorded with the property prior to the issuance of the building permit as it's integral to traffic flow.

The onsite drainage and underground storage tanks were discussed and all standards of the Stormwater Ordinance shall be met. The Planning Commission talked about the architecture of the south facing wall (towards 19th Ave. SW) and that some windows or

architectural modifications would really break up the look of the building and make it more pleasant.

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

- A. Owner/applicant will be required to enter into a terminable license agreement for any use of City easement (document to be drafted by City at expense of owner/applicant).
- B. Easement area shall be used for parking only; no building structures.
- C. The applicant shall record or verify a recorded cross access easement agreement with the American Legion and provide a copy of said document to the City.
- D. Improvements shall be designed and made for protection of the PIV as per the Fire Marshall's approval.
- E. All of the staff comments from the City Engineer shall be met as requested prior to the issuance of a building permit.
- F. The applicant shall submit a revised building elevation drawing of the south side of the building to visually break up the look of the building and submit it for staff review and approval.
- G. The use shall meet all applicable local, state, and federal laws and regulations.

The following affirmative findings of fact were made for the plan review:

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 as the property is in the commercial area of a main street thoroughfare and is ideally used for retail.
2. That there was no factual demonstration of a substantial/appreciable negative impact on values to properties in the neighborhood from the proposed use as no factual value information was given.
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 as there is no historical significance of the property.
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 as the area is a fully built out.
5. That adequate utilities, access roads, stormwater management, and other necessary facilities have been, or are being, provided as the site is being redeveloped.
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 street as they are using existing access points that have functioned for years.
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 as it is an architecturally compatible brick retail building.

The motion carried with all members voting yes, save for Mr. Klema who abstained.

4. BURGER KING REBUILD PLAN REVIEW 2ND VERSION- FILE NO 12-01: Ryan Gauquie, of Genesis Architecture, presented the revised plans for the Burger King rebuild on behalf of David Knoop, of Quickstop Properties, Alexandria, MN p.m. on property described as: the north 250' of south 500' of East 150' of West 183' of SW ¼ of SW ¼ (1201 1st St. S.). The building has been adjusted to the north and west compared to the original submittal as per the review of the corporate Burger King Office. Some of the drive lane widths are slightly narrower or closer to the property lines. Variances for the parking lot setback are required.

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

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

- A. Landscaping plan shall be submitted for Planning Commission review and approval.
- B. Onsite signage and striping shall be added to discourage drive through traffic from backing up on 1st St. S.
- C. Parking and drive setback variances shall be obtained prior to issuance of a building permit.
- D. Sign permits shall be ancillary approvals.
- E. Parking and drive areas shall be curbed.
- F. 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.

5. There being no further business to come before the Commission, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Megan M. Sauer, AICP
Planner/Airport Manager