

**I. CALL TO ORDER**

A meeting of the Planning Commission was held on Monday, March 8, 2021, commencing at 5:30 p.m. in the Council Chambers of City Hall. Chairperson Asmus called the meeting to order.

**A. ROLL CALL:**

Chairperson	Shannon Asmus	Present
Commissioner	Michael Flaata	Present
Commissioner	Judy Hudson	Present
Commissioner	Larry Dahl	Present
Commissioner	Eric Mathwig	Present
Commissioner	Jeff Woods	Present
Commissioner	Tom Zens	Present
City Planner	Hannah Rybak	Present

**B. ANNOUNCEMENT OF ADDITIONAL ITEMS**

**II. APPROVAL OF MINUTES**

It was moved by Commissioner Dahl, seconded by Commissioner Mathwig, to approve the minutes of the February 8, 2021, meeting. Upon roll call vote, all members present voted aye.  
Motion Carried.

**III. SCHEDULED ITEMS**

**A. PUBLIC HEARINGS:**

**1. TAX PARCEL SPLIT, CHANGE OF ZONING, & SITE PLAN REVIEW REQUESTS –**

*by Quad Hospitality, LLC*

*Change of Zoning from B-4 to R-3 to facilitate a multifamily housing development*

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a Tax Parcel Split, Change of Zoning, & Site Plan Review.

No comments were received.

Staff recommendation and potential action were reviewed.

Commissioner Hudson asked how the upper units are accessed. City Planner Rybak explained there are stairways on either end with a hallway.

Commissioner Woods asked if the six detached garages went along with the upper apartments. Rybak stated the applicant can explain when he gets up to speak.

Commissioner Asmus asked who is paying for the watermain and hydrant. City Planner Rybak replied the developer will be required to pay. Asmus then asked why this developer doesn't have to pay a park dedication fee. Rybak explained it's only required when land is platted, not just creating one additional lot. Asmus asked if it could be added as a condition. Rybak said she would have to check with the City Attorney.

Commissioner Asmus asked if we are going to require a specific type or size of tree for this development. City Planner Rybak said no, the Ordinance doesn't go that deep into requirements.

Commissioner Asmus asked for clarification on discussions Rybak has had with the applicant. Rybak said she hasn't had any conversation with the applicant, she just has it as a recommendation to add more. The current layout shows almost double what the Ordinance requires.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:45 p.m., March 8, 2021, to consider a Tax Parcel Split, Change of Zoning, and Site Plan Review Request by Quad Hospitality, LLC, at 1525 US Hwy 12 East.

Applicant Rod Lindquist was present to explain his request. He said there has been more interest in one-bedroom units and patio home type units than Phase I has to offer, that is what lead to Phase 2. Lindquist explained the detached garage units are available for any tenant to rent. He has no problem adding additional parking as well.

Commissioner Asmus asked for clarification on parking if a patio home tenant rented a detached garage, then the upper loft tenant would have to park in one of the spare stalls. Lindquist said yes that is the case and more could be added if necessary.

Commissioner Hudson asked Lindquist what the dimensions of the detached garage units are. Lindquist replied they are 10'x20'. He continued to explain the attached units to the patio homes are more like 14-16'x22'.

Commissioner Hudson asked if the staircase going up to the lofts is enclosed. Mr. Lindquist said they are not, they are non-slip, powder coated steel.

Commissioner Flaata asked what happens when it snows and the vehicles are parked in front of the garage stalls. Lindquist explained they are notified via text or email when snow removal will take place so they can move vehicles as necessary.

Commissioner Asmus asked if the road is private or City. City Planner Rybak stated the frontage road is a City road, the internal roads are private.

Commissioner Hudson asked if the building will look like the existing ones. Lindquist said it will look a little different but the color scheme will be the same.

Commissioner Dahl asked if all units in Phase 1 are occupied. Lindquist said it is at 95% capacity.

Steve Kosbab, representing neighboring property owner Meeker Cooperative, stated they do not oppose the project. They want to be sure their property doesn't become a playground, a dog walking area, or having people climbing over their fence. Meeker Coop wants to make the developer aware of who they are and how they operate so he can educate his tenants as well.

Tim Cook, with Premier Real Estate Services, stated from a real estate perspective this is exciting because there is a need for quality housing.

No further comments were heard and the hearing was closed at approximately 6:12 p.m.

Commissioner Hudson asked City Planner Rybak if behind the patio doors on the patio homes if there is any surface finished. Applicant, Rod Lindquist, stated there is.

More discussion was held on the number of parking stalls. Commissioner Zens felt three more stalls should be added. Commissioner Asmus stated that would be the minimum he feels necessary, but would add another additional four to make seven total. Commissioner Hudson suggested adding one more next the three proposed, and adding more on the other end of the building, seven to eight total.

Commissioner Asmus asked if there was any discussion needed on green space or dedicated play area. Commissioner Zens asked when it became the responsibility of the developer to put in a playground versus the City. Commissioner Flaata and City Planner Rybak explained the park dedicated land/fee is not new, but it does not come in to play with this request.

Based on the findings of facts, Commissioner Flaata made a motion to recommend approval of the waiver of subdivision regulations for a lot split at the property located at 1525 US Hwy 12 East. This motion was seconded by Commissioner Woods. Upon roll call vote, all members present voted aye.

Motion carried.

Based on the findings of fact, Commissioner Mathwig made a motion to recommend approval of the Change in Zoning request for the newly created subject parcel (Tract A) from B-4 General Business to R-3 Multifamily Residential. This motion was seconded by Commissioner Dahl. Upon roll call vote, all members present voted aye.

Motion carried.

Commissioner Hudson made a motion, seconded by Commissioner Dahl, to recommend approval of the submitted site plan, subject to the following conditions:

1. Screening is required for the dumpster that will serve the development.
2. Trees must be planted as shown on the site plan following construction.
3. Any alterations to the site plan shall be submitted to City Staff for determination on whether they are minor or major. Any major alteration shall require a site plan amendment, with review by the Planning Commission and City Council.

4. Final construction plans and specifications shall be submitted to the City for review and approval. All improvements must be completed to City standards.
5. Storm water calculations shall be submitted to the City for review and approval. There shall be a net decrease in storm water (rate, volume, TSS and phosphorus) leaving the site after construction compared to the existing conditions for the 2-year, 10-year and 100-year rainfall events.
6. The developer shall provide verification that there are no existing wetlands on the site.
7. Watermain will need to be extended into the property and a hydrant shall be installed at the end of the extension.
8. The developer shall be responsible for all permits required for the development (NDPES Construction Storm Water Permit, Minnesota Department of Health, etc.).
9. The developer shall provide documentation that larger vehicles (garbage truck, etc.) will have suitable access on the site.
10. The sanitary sewer service(s) for the units shall connect to the existing sewer main.
11. The twenty-five (25) parking spaces shown on the site plan shall be required to be installed as shown.

Upon roll call vote, all members present voted aye.

Motion Carried.

**2. PRELIMINARY PLAT REQUEST – SCHILLING ADDITION**

*by Gregg Schilling at PID 27-2879010, located on the east side of Willmar Ave between West 8<sup>th</sup> and West 6<sup>th</sup> Street*

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a subdivision.

No written comments were received.

Staff recommendation and potential action were reviewed.

Commissioner Asmus asked how it's fair for one developer to have to pay the park dedication fee and not another. City Planner Rybak said it's not and that is why the Ordinance needs to be reviewed.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:48 p.m., March 8, 2021, to consider a preliminary plat for the subdivision Schilling Addition by Gregg Schilling at PID 27-2879010.

Gregg Schilling was present to answer any questions and explain his request.

Commissioner Flaata asked if Schilling would be opposed to a bike trail coming through on 8<sup>th</sup> Street to connect to 7<sup>th</sup> Street to get across to Jewitt's Creek, as long as the cost came through the Parks budget. Schilling said as long as what he wants to do is still workable, he has no problem with it. If the City would want to make the street wider to create a bike path, that is fine as well again as long as it doesn't affect his setbacks. Schilling said there is plenty of land there.

Commissioner Asmus asked if there would be a sidewalk going North and South along Willmar Avenue as previously discussed. Schilling said that he wasn't sure of. Asmus asked if the City paid to put one on his property if that would work. Schilling said as long as it doesn't affect his setbacks he is not opposed, but he doesn't own property all the way up to 5<sup>th</sup> Street.

Keith Rust, resident at 702 W 5<sup>th</sup> Street, questioned if the existing residents will have to pay for the sewer and water connections to the development. City Planner Rybak confirmed they will not.

No further comments were heard and the hearing was closed at approximately 7:08 p.m.

Commissioner Woods expressed concern on the park dedication fee and also asked how Mr. Schilling would engage with the City Council in regards to the condition of the fee since there won't be a public hearing. City Planner Rybak explained the Council can engage in conversation with the developer at the meeting. The developer can also submit a letter ahead of time to the Council. Commissioner Hudson commented that if Schilling donates land for a sidewalk or bike path that could possibly count toward land dedication.

Commissioner Flaata commented that with the controversy with the number of parking stalls and the park dedication fee, something needs to be decided upon after this to fit the Ordinance.

Commissioner Flaata made a motion to recommend approval of the preliminary plat for Schilling Addition subject to the following conditions:

1. The Applicant shall pay \$3,370 cash in lieu of park dedication or dedicate land to be used for a sidewalk and/or bike lane.
2. The Applicant is required to plant the minimum number of trees specified for each lot following building construction.
3. Final construction plans and specifications shall be submitted to the City for review and approval. All improvements must be completed to City standards.
4. Storm water calculations shall be submitted to the City for review and approval. There shall be a net decrease in storm water (rate, volume, TSS and phosphorus) leaving the site after construction compared to the existing conditions for the 2-year, 10-year and 100-year rainfall events.
5. The developer shall be responsible for all permits required for the development (NDPES Construction Storm Water Permit, etc.).
6. In order for the Lot 1, Block 3 site to be developed first, the street and utility

improvements associated with the extension of 8th Street will need to be completed as part of the proposed Park Village 3rd Addition.

7. This property contains some ambiguous easement descriptions. It is recommended that all easements on the property be verified and amended as necessary as part of the final platting process.
8. A Developer's Agreement will need to be prepared for the development. The agreement should identify any phasing associated with the proposed construction of the public infrastructure. In addition, the scope of the improvements required along Willmar Avenue should be specified in the agreement.
9. If the construction of the public improvements is phased, some of the utility improvements may need to be modified based on the phasing.

This motion was seconded by Commissioner Dahl. Upon roll call vote, all members present voted aye.

Motion Carried.

#### **IV. NEW BUSINESS**

##### ***A. ELECTION OF CHAIRPERSON, VICE CHAIRPERSON, AND HPC REPRESENTATIVE***

Commissioner Dahl made a motion to elect Commissioner Asmus to remain Chairperson, Commissioner Woods to remain Vice Chairperson, and Commissioner Flaata to remain the HPC Representative. Commissioner Mathwig seconded this motion. Upon roll call vote, all members present voted aye.

Motion Carried.

#### **V. OLD BUSINESS**

##### ***A. HPC/PC JOINT MEETING DISCUSSIONS***

Commissioner Asmus gave a brief overview of current standings.

#### **VI. ADDITIONAL ITEMS**

#### **VII. SET HEARING DATES AND TIMES**

The next scheduled meeting is Monday, April 12<sup>th</sup>, 2021, at 5:30 p.m, however it is unknown at this time if there are any items for the agenda.

#### **VIII. REVIEW OF COUNCIL ACTIONS**

##### ***A. CHANGE OF ZONING REQUEST APPROVED – by Zion Lutheran Church at 504 N Gilman Ave***

*Change zoning from R-1 to B-1 to allow the property to operate a commercial kitchen in addition to the existing church operations*

**IX. ADJOURNMENT**

Commissioner Asmus adjourned the meeting at approximately 7:23 p.m.

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Hannah Rybak  
City Planner