

**UNAPPROVED MINUTES
PLANNING COMMISSION
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
September 10, 2007
7:15 PM**

CALL TO ORDER:

Michael Thomas, Planning Commission Chairman, called the Regular Meeting of the Wyoming Planning Commission to order for September 10, 2007 to order at 7:15 P.M.

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Chairman Michael Thomas, Commission Members Rich Gleason, PJ Richardson, Ken Meyers, Frank Salava and Council Member Liaison Gary Menne.

Absent: NONE

Also Present: City Administrator Craig J. Mattson, and City Staff Member Robb Linwood

DETERMINATION OF A QUORUM:

The Planning Commission Chairman determined a Quorum was present.

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

"An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action maybe deferred to staff for research and future Planning Commission Agendas if appropriate."

"NO COMMENTS RECEIVED"

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota Planning Commission for August 6, 2007.**

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SALAVA, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR August 6, 2007.

Voting Aye: Gleason, Salava, Richardson, Meyers and Thomas

Voting Nay: None

Abstain:

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND DEPARTMENT HEADS:

2 City Staff Report to Planning Commission

3 PUBLIC HEARING – Fairview Lakes Lot Split

Karen O'toole – Fairview Representative was present – Spoke about HUD awarded money for a subsidized building. Fairview lakes in association with Ebenezer would like to complete a lot split to build a 32 unit independent senior living building. The reason that they are requesting the lot split before the site plan is completed is because HUD requires the lot split be completed, the land identified and the site approved by the City before the project may continue moving forward. They are also splitting the land because HUD will not allow all buildings under one corporation. Meadows on Fairview is Ebenezer. The proposed building will be Meadowview – Lakes Senior Housing.

PC – The planning commission would have liked to see the preliminary site plan for the lot split. Planning Commission asked when Fairview would pay park dedication fees, staff answered it will be in the development agreement.

PUBLIC HEARING OPENS

Jean Will – Asked questions about the minimum lot size for the hospital. A – 20,000sq. ft. Ms. Will said that she felt that the development would de-value her property. Wanted to know why Fairview does not have to pay more taxes.

Rudy Olson – Lives south of Heinz lake wanted to know where exactly the new building would go after the split.

CLOSE PUBLIC HEARING

PC – some members are not comfortable with the split not being able to see the whole site plan. They feel that the survey may be inaccurate or incomplete.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER GLEASON, SECONDED BY PLANNING COMMISSION MEMBER RICHARDSON, TO APPROVE THE SUBDIVISION LOT SPLIT FOR FAIRVIEW LAKES FOR A 1.5 ACRE PARCELL WITH THE FOLLOWING CONTENGENCIES:

- 1. THE PLANNING COMMISSION CAN REVIEW SETBACKS DURING THE PLAN REVIEW**
- 2. THE CITY RECIEVES A NEW SURVEY OR SITE PLAN THAT ACCUREATELY DEPCITS THE SITE AND SHOWS THE NEW BUILDING ON THE PROPOSED NEW LOT**

*Voting Aye: Gleason, Richardson, Thomas, and Salava, Meyers
Voting Nay:
Abstain: None*

4. PUBLIC HEARING – SIGN VARIANCE APPLICATION HALLBERG MARINE

OPEN PUBLIC HEARING – NO COMMENTS

CLOSE PUBLIC HEARING

PC – The Planning commission does not see a hardship for the larger signs requested by Hallberg Marine. The new signage would take up almost 25% of the side on the building. Planning asked how large the square footage was on the signage that was lost on the Amish store and sunrise mattress factor – A – 152sq. ft. The planning commission believes that they would be setting a poor precedent by approving such a large sign for a variance.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER RICHARDSON, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO DENY THE SIGN VARIANCE REQUEST BY HALLBERG MARINE.

*Voting Aye: Gleason, Richardson, Thomas, and Salava, Meyers
Voting Nay:
Abstain: None*

5. PUBLIC HEARING - SCOTT GARDNER FRONT SETBACK VARIANCE REQUEST

OPEN PUBLIC HEARING – NO COMMENT

CLOSE PUBLIC HEARING

The Planning Commission believes that Mr. Gardner's addition would not make the size of the garage over city standards. The lot is only 13,000 sq ft, an older city lot. Mr. Gardner was asked if he runs a welding business out of his home, which he responded "No". The Planning Commission believes that a hardship exists due to the existing front setback of the garage is already at a 25' front setback. Staff informed PC that they building inspector will sign off on the project if the PC approves the variance. Planning Commission believe as long as the addition conforms to City standards and building code standards the variance should be granted.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER GLEASON, SECONDED BY PLANNING COMMISSION MEMBER SALAVA, TO APPROVE THE FRONT SETBACK VARIANCE REQUEST BY SCOTT GARDNER.

*Voting Aye: Gleason, Richardson, Thomas, and Salava, Meyers
Voting Nay:
Abstain: None*

6. REVIEW OF ORDINANCE REGULATING THE SALE OF MOTOR VEHICLES

The Planning Commission believes that this ordinance should go straight to the public hearing portion

OPEN PUBLIC HEARING

Luca Tellin – Does not like the ordinance, thinks that car sales should be allowed and believes that people are being stripped of their rights. Doesn't know of any other cities in the surrounding communities that have anything similar on car sales.

Pat McClain – 5395 Felton Ct.- Regulation makes sense on # of vehicles in a year. Feels that the ordinance is still stripping away of property rules. He thinks the part of the ordinance not allowing to have vehicles parked on the grass is ridiculous. He hopes the planning commission does not consider passing this ordinance.

Bill Tellin 264th St. – Thinks that being able to sell 1 vehicle a year makes no sense. Thinks the ordinances practically puts a person in jail if they try to sell something. Feels that Lucas Tellin is being picked on.

Jean Will – Does not understand what role the planning commission has in the sale of cars.

CLOSE PUBLIC HEARING

The Planning Commission believes that the one motor vehicle a year might be a bit too restrictive. They believe that a possible number that makes sense may be selling 5 vehicles a year and only one at any time. They believe that the person should be selling his/her own items on his/her property. Either the occupant of the home or owner of the home are the only one's who can sell vehicles on the property. Believes that if people are selling more than 5 cars that it becomes an issue of is it a hobby or a business out of a home, which they do not want. The Planning Commission believes that the State of Minnesota allows a person to sell up to 5 vehicles and year and any after that you need to have a dealer's license. They believe that people should have the ability to sell vehicles but a way that it's not intrusive to other people around them.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER GLEASON, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO APPROVE PROPOSED REGULATION OF SALE OF VEHICLES WITH THE FOLLOWING CONDITIONS

- 1. No more than five cars may be sold a year at one location and only one vehicle may be for sale at any time**
- 2. The vehicle for sale must be licensed and registered to the person owning the residence or occupying the residence.**
- 3. Add boats to the definition of what a vehicle is.**

Voting Aye: Gleason, Richardson, Thomas, and Salava, Meyers

Voting Nay:

Abstain: None

OLD BUSINESS: NONE

NEW BUSINESS: NONE

ADJOURN MEETING