

**APPROVED MINUTES
PLANNING COMMISSION
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JUNE 14, 2016
7:00 PM**

CALL TO ORDER:

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission of June 14, 2016 to order at 7:00 P.M.

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Judy Coughlin, Mark Lobermeier, Ken Meyers, and Frank Storm.

Members Absent: Planning Commission member Mathew Engstrom.

Also Present: Council Liaison Mayor Eric Peterson and Zoning Administrator Fred Weck.

DETERMINATION OF A QUORUM:

Chairman Storm 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 members of the public spoke.

APPROVAL OF MINUTES:

1. **Consider approving the minutes of the Regular Meeting of the Wyoming, Minnesota Planning Commission for May 10, 2016.**

A MOTION WAS MADE BY PLANNING MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 10, 2016.

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.

Voting Nay: None

Abstain: None

SCHEDULED PUBLIC HEARINGS:

- | | |
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| 2. Z-10-001 | Rezoning from the Limited Multiple Dwelling (R6) District to the One and Two Family Residential (R4) District. |
| V-16-002 | Variance to allow the depth of proposed Lot 1, Block 1 to exceed the lot width by more than a 4:1 ratio. |
| V-16-003 | Right-of-Way Setback, Lot 3, Block 1. |
| D-16-003 | Preliminary Plat Approval of “Kennedy Estates 2nd Addition”. |
| | PID 21.00077.00 & 21.00078.10 |

Zoning Administrator Weck stated the Danner Family LLP wants to subdivide the 0.72 acre property at the northwest corner of the future intersection of Wyoming Trail and Frontier Avenue and create 3 lots for single family homes served by City sewer and water. This proposed subdivision includes Outlot A of "Kennedy Estates" (previously a portion of Lot 9, Block 1); the total property area is 2.59 acres. Approximately 1.5 acres of the two properties is wetland that was previously delineated with the "Kennedy Estates" plat. A wetland delineation report for the remaining area has been submitted and is being reviewed. Access for the development is proposed to be from Frontier Avenue.

As was done for the "Kennedy Estates" plat the applicants are requesting a rezoning of the property from R6 to R4, a request for a variance to allow the construction of a new single family dwelling 75 feet from the centerline of County Road 22/Wyoming Trail instead of the required 135 feet at Lot 3, Block 1, and a variance to allow the depth of proposed Lot 3, Block 1, to exceed the lot width by more than a 4:1 ratio. Staff reviewed the request in detail and recommended the Commission hold a public hearing and approve the four requests.

Commissioner Lobermeier inquired if the setback was 75 feet or 82 feet. Jess Moxness, representative for the Danner family, explained the correct setback was 82 feet.

Commissioner Coughlin asked if any additional trees would be saved. Mr. Moxness stated he would be doing all he could to preserve and protect the trees on the property.

Commissioner Coughlin questioned if the lots would have sidewalks. Mr. Moxness explained the sidewalk locations would be on the construction drawings.

Chairman Storm opened the public hearing at 7:07 p.m.; there being no public wishing to speak the public hearing was closed.

A MOTION WAS MADE BY PLANNING MEMBER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO APPROVE THE REZONING FROM THE LIMITED MULTIPLE DWELLING DISTRICT (R6) TO THE ONE AND TWO FAMILY RESIDENTIAL DISTRICT (R4).

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.
Voting Nay: None
Abstain: None

A MOTION WAS MADE BY PLANNING MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO APPROVE THE VARIANCE FROM SECTION SEC. 40-215(3), OF THE CITY OF WYOMING ZONING ORDINANCE TO ALLOW THE DEPTH OF PROPOSED LOT 1, BLOCK 1 TO EXCEED THE LOT WIDTH BY MORE THAN A 4:1 RATIO BE WITH THE FOLLOWING CONDITION:

1. That the site shall be developed in substantial compliance with the approved Preliminary Plat and Stormwater Plans.

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.
Voting Nay: None
Abstain: None

A MOTION WAS MADE BY PLANNING MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO APPROVE THE VARIANCE TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE LESS THAN THE REQUIRED ONE-HUNDRED THIRTY-FIVE (135) FEET FROM THE CENTERLINE OF COUNTY ROAD 22/WYOMING TRAIL WITH THE FOLLOWING CONDITION:

1. That the building be constructed no closer than eight-two (82) feet from the centerline of County Road 22/Wyoming Trail in accordance with Zoning Ordinance Section 40-205, (4)(f).

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.
Voting Nay: None
Abstain: None

A MOTION WAS MADE BY PLANNING MEMBER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO APPROVE THE KENNEDY ESTATES 2ND ADDITION PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. Revised Preliminary Plat drawings showing correct front and rear easement dimensions.
2. That the sidewalks are shown on the construction plans.
3. The City Engineers approval of the street, utility, grading, and drainage construction plans.
4. That after the City Engineer has approved the construction plans and specifications; new Preliminary Plat drawings and construction plans that reflect the approved revisions are submitted to the City (three full size and two reduced sets).
5. That all required local, state and/or federal permitting must be obtained and proof of such permits submitted prior to the pre-construction conference with staff.
6. All By-Laws, Property Owner's Association Articles of Incorporation, and Protective Covenants must be approved by the City Attorney. *These documents for the first "Kennedy Estates" have been submitted to the City Attorney for review; that review has been suspended pending the inclusion of "Kennedy Estates 2nd Addition".*
7. A Development Agreement, the terms and provisions of which must be approved by the City Attorney, between the property owner, the developer and the City, must be executed prior to construction beginning on the improvements in the development. *Drafting of the development agreement for the first "Kennedy Estates" has been suspended pending the inclusion of "Kennedy Estates 2nd Addition".*
8. A surety in the form of a cash deposit or performance bond guaranteeing to complete the work in substantial compliance with the approved street, utility, grading, and drainage plans. The surety must remain in place until the site work is complete and approved by the City. The City Engineer must approve the surety amount and the City Attorney must approve the bond terms if a performance bond is used.

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.

Voting Nay: None

Abstain: None

Chairman Storm questioned when work would begin on Kennedy Estates. Mr. Moxness anticipated construction would not begin until August of 2016.

OLD BUSINESS:

3. None.

NEW BUSINESS:

**4. Final Plat: Kennedy Estates and Kennedy Estates 2nd Addition
D-16-001-# D-16-004
PID 21.00077.00 & 21.00078.10**

Zoning Administrator Weck stated the subject properties are currently significantly wooded with a path cleared north to south approximately in line with the proposed Frontier Avenue. Development construction has not begun. The City of Wyoming Comprehensive Plan designates this property as a "Medium and Higher Density Suburban Neighborhood". This designation includes apartment buildings, townhomes, and single family dwellings with a density not to exceed 20 dwelling units per acre (not including wetlands and right-of-way); the proposal's density is 2.87 dwelling units per acre. The property is currently zoned One and Two Family Residential (R4). The R4 district is also designated as a "Medium and Higher Density Suburban Neighborhood" in the Comprehensive Plan.

Zoning Administrator Weck reviewed the surrounding uses and zoning designations. He reported the applicant is proposing that 36 of 37 lots in "Kennedy Estates" will be single family dwellings; Lot 1, Block 1 on East Viking Boulevard is proposed to be a twin home. "Kennedy Estates 2nd Addition" has three lots for single family dwellings proposed. Approximately five hundred feet of the west edge of the property is wetland and is not buildable. Due to this the applicant reconfigured Frontier Avenue

with a bend to the east to avoid impacting the wetland. Staff reviewed the history of Kennedy Estates further and noted there were some outstanding fees with the City that needed payment.

Jesse Moxness, representative of the Danner family, explained he had a check to pay the outstanding fees. He had thought the fees would be paid when the Development Agreement was complete. He discussed the holding pattern that he has entered in order because the agreements were still incomplete and the fees have not been paid.

Chairman Storm questioned if the title work had been submitted. Mr. Moxness stated the title work should be done by Friday.

Chairman Storm asked for staff direction at this time. Zoning Administrator Weck recommended the Planning Commission table action on this item to the next Planning Commission meeting.

A MOTION WAS MADE BY PLANNING COMMISSION LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO TABLE ACTION ON THIS ITEM.

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.

Voting Nay: None

Abstain: None

COMMUNICATIONS:

5. None.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JUNE 14, 2016 AT 7:20 P.M.

Voting Aye: Coughlin, Lobermeier, Meyers, and Storm.

Voting Nay: None

Abstain: None