

**APPROVED MINUTES
PLANNING COMMISSION
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
OCTOBER 27, 2015
7:00 PM**

CALL TO ORDER:

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission of October 27, 2015 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, Mathew Engstrom, Mark Lobermeier, Ken Meyers, and Frank Storm.

Members Absent: None.

Also Present: Council Liaison Mayor Eric Peterson, Assistant City Administrator Linwood and City Administrator Craig Mattson

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 September 22, 2015.**

A MOTION WAS MADE BY PLANNING MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM, TO APPROVE THE "REGULAR MEETING" MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR AUGUST 25, 2015.

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

Voting Nay: None

Abstain: None

SCHEDULED PUBLIC HEARINGS:

2. **Variance V-15-006 Number and Total Ground Area of Detached Accessory Buildings - 5280 250th Street: Richard Gierke**

Applicant Richard Gierke stated he has 2 35 year old outbuildings that were hit by a tree in a storm He would like to tear down both of those and put 1 building up as a replacement. The Wyoming city ordinance only allows 2 buildings. He stated if allowed the new structure he would go down to 4 outbuildings instead of the 7. Commission Member Coughlin asked about the buildings that would be taken down, you would have the chicken coup, the barn and a cottage along with the new structure? Mr. Gierke stated that would be correct. Commission Member Ken Meyers questioned

what the square footage was of the buildings that were damaged and the condition of the other buildings? Richard Gierke stated he didn't have exact dimensions, but approximately 120 sq. ft. on the first structure and the other about 750 Sq. Ft. In regards to the condition of the other structures Mr. Gierke stated they were in fine shape until the tree damaged them. Commission Member Meyers questioned if the larger building was being used as a garage and asked about the condition of the other 3 buildings on the property. Mr. Gierke stated the larger structure was currently being used for storage since there is no garage door on it and stated the other 3 buildings are in stable condition. Commission Member Lobermeier asked what type of building the applicant would be constructing. The applicant stated he does not have plans yet but it would be more less a standard detached garage construction. It would house vehicles and the back side would be used for store items of the buildings being taken down.

Commission Member Engstrom asked if this was allowed would you be able to take down portable tarps and tents you have on the property. The applicant stated yes, the awnings are covering lawn maintenance items and would be able to be taken down if the new building was allowed. Mr. Gierke said that the tree cover on the property is substantial and from the road the new building would not even be visible 9 months out of the year. Chair Storm asked the applicant to confirm he is asking to decrease 7 accessory to 4, but increase the square footage 500 sq. Ft. overall with the addition of the new building. The Applicant stated that was correct.

PLANNING COMMISSION OPENED THE PUBLIC HEARING 7:10PM

Tim Montzka 5294 250th St. – Stated he is the neighbor East of Mr. Gierke's property. He said that Mr. Gierke is doing a lot to clean up the property and asked the commission to support the variance. Stated that in his opinion it is not a normal city lot, it is upwards of 21 acres with the two parcels and its use most of the properties current life has been as a hobby Farm. Allowing the variance will add value to his property and clean up the Gierke property. It is his opinion that the neighborhood supports this variance.

PLANNING COMMISSION CLOSSES THE PUBLIC HEARING AT 7:13PM

Commissioner Engstrom noted the number of buildings and the square footage that it is allowed by the code. When he built his garage he had to adhere to setbacks stated in the city code. He would be okay with the building size as requested by the applicant. Commissioner Coughlin asked about the new building size and if it would be able to store 3 vehicles. Mr. Gierke suggested it would encompass the same footprint that that was there from the two existing accessory buildings and some of the land between them. The new structure would store 3 vehicles and there would be enough room so he could put things behind the cars like a boat, ATV's, lawn mower, etc.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER STORM, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF VARIANCE V-15-006 TO ALLOW 4 DETACHED ACCESSORY BUILDINGS TOTALING 2,881 SQUARE FEET ON PROPERTY ZONED RURAL RESIDENTIAL

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

Voting Nay: None

Abstain: None

3. Variance V-15-007 Right-of-Way Setback PID 21.00077.00; Danner Family L.P.

The applicant Jesse Moxness explained the centerline setback at the first lot building pad is at 135 Ft. That will not be acceptable on lot 1, block 2 and is why they are asking for a variance of 75 feet. Commission Member Lobermeier asked if this was a new variance that was after the first meeting he did not attend. Mr. Moxness stated that yes it is, it was something that he said at the first meeting he would bring back up and now there are now a total of 4 variances for the project. Commission Member Coughlin asked if it would not be economical to shrink down some of the lots

by a few feet and look at lots 7, 8 and 9. Mr. Moxness said that they have shrunk down the lots to make sure they make wetland buffers and they cannot go any shorter than the minimum 135 Ft. on the depth on 7, 8, and 9. Commission Member Engstrom noted there may be some ability to move some of the other lots based on the depths shown on the plat.

Commissioner Lobermeier asked if the applicant if he would be alright with the staff recommended variance setback at 82 feet. Mr. Moxness said that they would find that number acceptable. Chair Storm asked if the variance was allowed would the home on lot 1 be closer than any of the other homes on Wyoming Trail. Mr. Moxness stated that there are two homes near the development, Medic is at 71 feet and Sherwood is at 81 feet.

THE PLANNING COMMISSION OPENED THE PUBLIC HEARING AT 7:28PM

No public comments

THE PLANNING COMMISSION CLOSED THE PUBLIC HEARING AT 7:28PM

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO RECOMMEND APPROVAL TO THE CITY COUNCIL VARIANCE V-15-007 FROM SECTION 40-205 (4) (A), TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT 82 FEET FROM THE CENTERLINE (LESS THAN THE REQUIRED ONE HUNDRED THIRTY FIVE (135) FEET FROM THE CENTERLINE) OF COUNTY ROAD 22/WYOMING TRAIL LOT 1, BLOCK 2, OF THE PROPOSED "KENNEDY ESTATES" DEVELOPMENT.

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

OLD BUSINESS:

4. D-15-003 Preliminary Plat Approval of "Kennedy Estates".
PID 21.00077.00; Danner Family L.P.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER ENGSTROM, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO RE-OPEN THE TABLED PRELIMINARY PLAT OF "KENNEDY ESTATES"

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

Assistant City Administrator Linwood stated that administration had still been receiving items from the applicant up to the meeting today and recommended to table the plat again so staff and city Engineer Erichson can review new documents from the applicant.

City Engineer Erichson stated that they have reviewed the application and the applicant continues to work towards its completion. City Engineer Erichson discussed the following items and their current state.

- 1. Items that have been reviewed – Drainage component– conflicts with sanitary sewer and we should be able to correct given time and work with applicant*
- 2. There is a depression on the Northeast Corner of the property and the applicant has addressed it by having a storm water portion added to it.*
- 3. There is another portion of storm water on the south portion of the property.*
- 4. The pond designs – necessary to have contours added to the plan*

5. *The applicant has provided some information on infiltration – Run off volumes have been issues as well.*
6. *Issues with water quality, phosphorous loading, and rate control*

Commissioner Engstrom asked if the reason for the looped water near Wyoming Trail for the development for fire protection? City Engineer Erichson stated that he did speak with the county, the public safety director and public works. They were all comfortable that the loop was not necessary for the development. The Applicant Mr. Moxness stated that he was fine with this item being tabled until the items in question could be reviewed.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN TO TABLE A PRELIMINARY PLAT OF KENNEDY ESTATES PID 21.00077.00; DANNER FAMILY L.P. TO THE NOVEMBER 10, 2015 PLANNING COMMISSION MEETING

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

Voting Nay: None

Abstain: None

COMMUNICATIONS:

Chair Storm questioned staff on the city council's issues with the solar ordinance and what they want changed. Staff stated that the city council wanted the planning commission to review and eliminate the portion of the ordinance allowing solar farms and gardens in the residential areas of the city.

City Engineer Erichson stated that he has received a call from the developers of the Greenwood property and they are working on a concept plan. He will be meeting with their engineers soon. It has been the indication they would make the concept primarily residential.

Assistant City Administrator Linwood – Communicated that the EDA would like the planning commission to review city code regarding brew pubs and distilleries, we may try to look at this at a future planning commission meeting.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER ENGSTROM, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR NOVEMBER 10, 2015 AT 7:48P.M.

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

Voting Nay: None

Abstain: None