

**APPROVED MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
APRIL 8, 2014  
7:00 PM**

**CALL TO ORDER:**

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission of March 25, 2014 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, and Frank Storm.

Members Absent: Ken Meyers.

Also Present: Mayor Eric Peterson, Council Liaison Roger Elmore, Council Member Linda Nanko/Yeager, and Zoning Administrator Fred Weck. A notice was posted that a quorum of the City Council may be present at the meeting.

**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 may be deferred to staff for research and future Planning Commission Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak”.*

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 March 25, 2014.**

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MARCH 25, 2014.**

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

*Voting Nay: None*

*Abstain: None*

**SCHEDULED PUBLIC HEARINGS:**

2. **None.**

**NEW BUSINESS:**

3. **Site Plan**

**Max Anderson**

**26787 Forest Boulevard**

Chairman Storm asked the applicant if the parking area was due to the reconstruction that the County will be doing to Forest Boulevard this year. Mr. Anderson responded that The County wants him to swap the parking spaces because the current spaces back out onto the street and he is trying to accommodate them.

Chairman Storm asked the Commission if they had any questions or comments. Commissioner Coughlin asked if the plans show the county approved driveway access. Zoning Administrator replied that the driveway access is shown on the plans and the county will install that, but that Mr. Anderson will have to provide the driveway from that point through the grass shown on the plans.

Commissioner Engstrom asked about the screening and where it would be. Weck responded that it would be along Forest Boulevard in front of the first parking space shown on the plan.

Mr. Anderson asked about the Central Business District having zero lot line setbacks and the screening. Weck responded that the district allows zero building setbacks but that any required parking and screening also needs to be able to fit on the lot. Mr. Anderson commented and asked that his two lots are the only ones in the downtown commercial business district that don't have city surface water drainage and why that is. Weck explained that the only new building in the area had to provide stormwater treatment before the water leaves the site and that the other businesses were created before there were storm water rules.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM, TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF MAX ANDERSON'S REQUEST TO ALLOW THE CONSTRUCTION OF A 3,000 SQUARE FOOT PARKING LOT ADJACENT TO 26787 FOREST BOULEVARD BASED ON THE FINDINGS THAT THE STANDARDS CONTAINED IN ARTICLE V, DIVISION 4, SITE PLAN REVIEW, HAVE BEEN MET, AND WITH THE FOLLOWING CONDITIONS:**

1. That the Applicant works with the City Engineer on the site drainage and provides the City Engineer with plans for review and approval of surface water drainage before development of the site begins
2. That the applicant provides screening in accordance with Section 40-722, (2) of the Zoning Ordinance.

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

*Voting Nay: None*

*Abstain: None*

**OLD BUSINESS:**

**4. Conditional Use Permit for a Telecommunications Tower**

**Faulk and Foster Real Estate Services for Verizon Wireless**

Chairman Storm asked the applicant if he had any additional information that the Planning Commission had not received. Randy Iskierka of Faulk and Foster Real Estate Services and representing Verizon Wireless presented the Planning Commission with a new design of the tower site, tower and equipment shelter; a letter from Anthony A. Dorland of Moss & Barnett, an attorney representing Verizon Wireless with responses to the staff report; letters from structural and radio frequency engineers, and a letter committing to allow an additional user to use the tower.

Zoning Administrator Weck explained to the Planning Commission that he had received the distributed documents today at 3:38 P.M. in an email and had only had time to give them a cursory review. He also explained that he had contacted the city attorney about the documents and that the city attorney's opinion is that the city received these documents much too late to allow staff, the Planning Commission, and the public time to review before the meeting and that the Planning Commission should continue with the current staff recommendation to deny the application.

Chairman Storm asked the Commission if they had any questions or comments. Commissioner Lobermeier commented that he appreciates receiving the new materials, but not during the meeting because it makes it difficult to see how it applies to everyone involved.

Commissioner Engstrom spoke about the previous public hearing and that he had requested graphics showing the coverage area from the other potential sites, that he agrees with Commissioner Lobermeier's comments, and that the revised site plan still has the same setback as the original and that it is still wrong.

Commissioner Coughlin agreed with the other comments had had been made previously.

**A MOTION WAS MADE BY PLANNING COMMISSION CHAIR STORM, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO RECOMMEND TO THE CITY COUNCIL THE DENIAL OF THE CONDITIONAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT 7514 250TH STREET BASED ON THE FINDINGS THAT THE FOLLOWING STANDARDS FOR CONDITIONAL USE PERMITS AND TELECOMMUNICATION TOWERS HAVE NOT BEEN MET:**

1. The structure will have an appearance that will have an adverse effect upon adjacent properties.
2. Sec. 40 – 772. Location Requirements for New Facilities, Items (1) (f), 1 & 2, and (2).
3. Sec. 40 – 773. Towers in Residential Zoning Districts. Item (2).
4. Sec. 40 – 775. Co-Location Requirements. Item (2).
5. Sec. 40 – 776. Tower and Antenna Design Requirements. Item (1).
6. Sec. 40 – 778. Tower Height. Item (2).
7. Sec. 40 – 779. Tower Lighting.
8. Sec. 40 – 780. Signs and Advertising.
9. Sec. 40 – 781. Associated Equipment. Items (1), (2), and (3).
10. Sec. 40 – 784. Interference with Public Safety Telecommunications. Item (1).
11. Sec. 40 – 785. Tower Construction Requirements.
12. Sec. 40 – 786. Additional Submittal Requirements. Items (1); (1), (a) – (e); and (2).
13. Sec. 40 – 788. Antenna Design and Mounts. (1).

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

*Voting Nay: None*

*Abstain: None*

**A MOTION WAS MADE BY PLANNING COMMISSION CHAIR STORM, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO RECOMMEND TO THE CITY COUNCIL THAT THE CITY COUNCIL THAT A MORATORIUM BE PLACED ON TELECOMMUNICATIONS TOWERS UNTIL A REVIEW OF THE CURRENT ORDINANCES CAN BE COMPLETED AND AMENDMENTS CONSIDERED.**

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

*Voting Nay: None*

*Abstain: None*

**COMMUNICATIONS:**

**5. None.**

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR APRIL 8, 2014 AT 7:22 P.M.**

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

*Voting Nay: None*

*Abstain: None*