

**APPROVED MINUTES
PLANNING COMMISSION
SPECIAL MEETING
CITY OF WYOMING, MINNESOTA
JUNE 2, 2015
6:00 PM**

CALL TO ORDER:

Planning Commission Chairman Frank Storm called the Special Meeting of the Wyoming Planning Commission of June 2, 2015 to order at 6:00 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: Mathew Engstrom.

Also Present: Council Liaison Mayor Eric Peterson and City Engineer Mark Erichson, and Zoning Administrator Fred Weck.

DETERMINATION OF A QUORUM:

Chairman Storm determined a quorum was present.

PLEDGE OF ALLEGIANCE:

SPECIAL MEETING BUSINESS

- | | |
|-----------------------------------|--------------------------------------------------------------|
| 2. Variance, V-15-001 | Impervious Surface Area and Maximum Building Coverage |
| Site Plan Review SP-15-002 | Building Addition Hallberg Inc. for Rosenbauer Motors |
| | 5190 260th Street |

Chairman Storm opened the Special meeting explaining the meeting was called to answer three questions about the Rosenbauer Motors addition, the first being parking. Zoning Administrator Weck explained that a new site plan was submitted showing that the north entrance moved south with 22 spaces shown an additional 18 possible leaving them 64 short of the ordinance requirement. He further explained that with all the paving on the site that if the applicant were to leave the site there is enough area to provide additional future parking.

Chairman Storm then asked about the second item the traffic report. Zoning Administrator Weck explained that two letters were received explaining that they will not be adding additional employees and are consolidating four of their sites in the industrial park to this site. Commissioner Lobermeier asked the City Engineer if he agreed with the applicant's assessment that there isn't a traffic problem in the area. City Engineer Erichson responded that conversations with staff that there isn't an existing problem there.

Chairman Storm then asked about the third item the impervious surface area and stormwater. City Engineer Erichson responded that at the last meeting that he wasn't comfortable recommending approval with contingencies since then that he had received revised drawings and from volume and rate control the plan will work and there are items that still need to be addressed but that they will not significantly alter the site plan layout. Commissioner Lobermeier asked about the infiltration pond not being on the subject parcel (after combination of the three lots) and has concerns about the remaining items in the City Engineers letter to the applicant. By including Lot 3 in the project would reduce the impervious surface area. Weck responded that he had asked the applicant's engineer

about including lot and was told that the property owner, Gene Hallberg did not want give up more property and that pond on the adjacent lot would be controlled by an easement. Commissioner Lobermeier replied that he wants to see that the language of the easement be a perpetual easement to protect the infiltration pond from the parking of items being stored on the property and from future development that could impact it. Scott Rasmussen of Durand Builders replied that in conversations with Mr. Hallberg that it was his understanding that it would be protected with a permanent easement and that it would be expandable to support additional development. Commissioner Meyers asked if the applicant could respond to the incomplete items in the engineer's letter. Mr. Rasmussen replied that the applicant's engineer, Roger Humphrey, is not here yet to answer the question and that he can't either. He assured the Commission that he was equally disturbed to see the missing items in the report as well. Erichson offered that a number of items just need to be done and that a permit would not be issued until the items were completed if the Planning Commission were inclined to recommend approval to the City Council with the condition that the plans be approved before construction begins. (Voice recorder failure)

The Commissioners discussed the items contained in the staff report suggested conditions for approval including the MPCA NPDES permit, the drafting of the development and maintenance agreements, a performance bond to ensure that the work is completed, and the signing of an "Acknowledgement of Partial Permit Issuance" by representatives of Hallberg Inc., Rosenbauer Motors, and Durand Builders that would include those items. The Commissioners also again expressed their concern about the infiltration pond being located on the adjacent lot without an adequate easement protecting it or including it with the combination of the other lots.

Chairman Storm offered that the site plan could be approved for just the footing and foundation work if the "Acknowledgement" were signed and that the variance could be tabled stormwater and site engineering are approved by the City Engineer.

A MOTION WAS MADE BY PLANNING COMMISSION CHAIRMAN STORM SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN FOR THE PLANNING COMMISSION TO APPROVE A PARTIAL SITE PLAN FOR THE FOOTINGS AND FOUNDATION OF THE BUILDING AND TO TABLE THE FULL SITE PLAN APPROVAL FOR THE BUILDING AND VARIANCE UNTIL THE STORMWATER AND SITE ENGINEERING HAVE BEEN APPROVED AND WITH THE FOLLOWING CONDITIONS:

1. That prior to the issuance of a building permit for the footings and foundation for the addition that an "Acknowledgement of Partial Permit Issuance" is signed by authorized representatives of the Hallberg Inc., Rosenbauer Motors and Durand Builders.
2. That the "Acknowledgement of Partial Permit Issuance" will contain the following conditions:
 - a. In accordance with Minnesota State Building Code Section 1300.0130, Subpart 8, a partial building permit may be issued before the complete plans and specifications have been approved. The holder of a partial permit shall proceed without assurance that the permit for the entire building or the grading permit for the site will be granted.
 - b. Building construction is limited to the footings and foundation of the building.
 - c. A surety in the form of a cash deposit or performance bond guaranteeing to restore the area disturbed by the footing and foundation work in the event that final permits and agreements are not signed and in place within 12 months must be provided to the City. The surety must remain in place until the site work is complete and approved by the city.
 - d. All plans and specifications for the project must be approved before work can proceed beyond that which has been listed above. These plans and specifications include, but are not limited to:
 - I. Building plans:
 - i. Building construction plans and specifications above the footings and foundation.

- ii. HVAC Plans and specifications.
 - iii. Plumbing plans and specifications.
 - iv. Automatic fire extinguishing system plans and specifications.
- II. Site Plans:
- i. Grading and drainage plan.
 - ii. Erosion control plan
 - iii. Utility plan.
- e. That the subject parcels; Lots 4, 5, & 6, Block 2, of the plat 'Hallberg's Wyoming Industrial Park' must be combined into one parcel.
 - f. A Development Agreement between the property owner and the city must be executed prior to the full building permit and grading permit being issued.
 - g. A Maintenance Agreement for the stormwater ponds between the property owner and the city must be executed prior to the full building permit and grading permit being issued.
 - h. That an NPDES permit has been issued by the MPCA.

Commissioner Meyers remarked that after the comments received from City staff that they are not concerned that the plans can be approved and that the development and maintenance agreements and performance bond are a condition of approval that he is not sure why the Commission should table anything.

Commissioner Lobermeier expressed that the Commission's expectation is that a developer brings in an application that it is complete so that it can be reviewed and acted on and that when the Commission asks for things that need to be addressed that the process is followed and that the Commission does not need to call special meetings to meet the applicants' deadlines. He also agreed with Commissioner Meyers' point but feels that in order for the Commission to do its job that he is in favor of the motion from that standpoint.

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

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO ADJOURN THE SPECIAL MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JUNE 2, 2015 AT 6:40 P.M.

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

Voting Nay: None

Abstain: None