

**APPROVED MINUTES
PLANNING COMMISSION
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
AUGUST 25, 2015
7:00 PM**

CALL TO ORDER:

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission of August 25, 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, Ken Meyers, and Frank Storm.

Members Absent: Mark Lobermeier.

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 July 28, 2015.**

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 JULY 28, 2015.

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

Voting Nay: None

Abstain: None

SCHEDULED PUBLIC HEARINGS

2. **Z-15-002 Rezoning from the Limited Multiple Dwelling (R6) District to the One and Two Family Residential (R4) District.**
- V-15-004 Variance to allow the depth of proposed Lots 5-10, Block 1 to exceed the lot widths by more than a 4:1 ratio.**
- V-15-005 Variance to allow the cul-de-sac to exceed 600 feet.**
- D-15-003 Preliminary Plat Approval of "Kennedy Estates".**
PID 21.00077.00

Chairman Storm explained that the public hearing would be opened after the Planning Commission members have asked their questions of staff and the applicant for the four items on the agenda. He

then asked the Commissioners for questions on the rezoning request. Commissioner Coughlin asked the applicant why they are requesting a rezoning to the R4 district. Jesse Moxness representing the applicant, Danner Family LLP, responded that it would allow larger single family lots and two family dwellings.

On the variance request to allow the depth of proposed Lots 5-10, Block 1 to exceed the lot widths by more than a 4:1 ratio Commissioner Engstrom asked whether the future property owners would be able to do anything with the wetlands at the rear of the lots. Mr. Moxness replied that by making the wetland area a part of the lots that they will not need to create an outlot and that the property owners will not be able to do anything in the wetlands. Commissioner Engstrom asked what would happen if they did. Zoning Administrator Weck explained that it would be a violation of the Wetland Protection Act and that the MNDNR would be brought in for enforcement.

For the variance for the length of the cul-de-sac Mr. Moxness explained that the proposal will preserve more trees than trying to connect back to Frontier Avenue or by making a connection to Garden Lane. They also made the "hammerhead" at the end larger to make it easier to turn around and included a ten foot easement so that the water main could connect back to Wyoming Trail creating a loop so water service would not be interrupted. Commissioner Engstrom asked for an explanation for the limit of 600 feet for cul-de-sacs. Administrator Weck explained that it is primarily for Fire Department access and water availability, and that the looping of the water main addresses the water supply.

Chairman Storm asked the Commissioners if they had any questions about the Preliminary Plat application. Commissioner Coughlin asked about the building setback of 135 feet from the centerline of a county road for the lots along Wyoming Trail and the forty foot setback from the right-of way-of East Viking Boulevard for the twin home lot. Mr. Moxness agreed that there may be an issue with those lots and that he would take note of the discrepancy and that the lot widths could be reduced to make up the difference and meet the setback requirements.

Commissioner Engstrom asked about the wetland replacement for the wetland impacts. Mr. Moxness replied that they will be looking at that with their engineers and the City Engineer.

Chairman Storm opened the public hearing at 7:21. Bob Medek, 5900 Wyoming Trail, asked about the location of the stormwater pond in relation to his property, Mr. Moxness showed him the location of the pond on the plat drawing.

Andrea McConnell, 26652 Glen Oak Drive, asked about the location of the twin home and asked about the trees between her home and the proposed lots. Mr. Moxness replied that the trees will be preserved and that the drainage will be directed away from her property.

Bob Cully, 26736 Garden Lane, is the president of the Home Owners Association for the townhomes on Garden Lane and told the Commission that the residents on Garden Lane are happy with the proposed street layout that leaves Garden Lane as a dead end and preserves the trees there and they hope that the plan remains that way.

Dereck Achartz, 26592 Garden Lane, asked about the location of the proposed house site near his home.

Sandy Standridge, 26811 Friesland Avenue, asked about police service, road plowing, whether the development will have curb and gutter, city sewer and water, where any soil removed from the site will be going, parkland within the development, and why the twin home couldn't be changed to two single family lots.

Sherwood Heggen, 6046 Wyoming Trail, asked about privacy around his home after the development goes in. Mr. Moxness replied that the trees surrounding his lot will remain.

Mark Erichson, City Engineer, addressed the Commission and informed them that he had received a response to his plan review letter just prior to the meeting. Two concerns that he still has that weren't addressed were that the impact to the wetland and that the applicants drainage analysis still

have unresolved issues that may affect the layout of the development.

Joe Dina, 6044 East Viking Boulevard, has concerns with oak wilt in the development and the city. Chairman Storm asked the applicant about oak wilt on the property; Mr. Moxness responded that their arborist did not indicate that it is an issue on the property.

Chairman Storm closed the public hearing at 7:37 and asked for discussion or a motion on the rezoning request.

A MOTION WAS MADE BY PLANNING COMMISSIONER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM, TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF THE REQUESTED REZONING FROM THE LIMITED MULTIPLE DWELLING (R6) DISTRICT TO THE ONE AND TWO FAMILY RESIDENTIAL (R4) DISTRICT.

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

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER ENGSTROM, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF A VARIANCE TO ALLOW THE DEPTH OF PROPOSED LOTS 5-10, BLOCK 1 IN THE PLAT OF "KENNEDY ESTATES" TO EXCEED THE LOT WIDTHS BY MORE THAN A 4:1 RATIO 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, Engstrom, Meyers, and Storm.
Voting Nay: None.
Abstain: None.

Chairman Storm apprised the Commissioners of Staff's recommendation to deny the variance request for the length of the cul-de-sac and also Staff's suggested findings and conditions if the Planning Commission decides to recommend approval. The Commissioners discussed concerns that the Fire Chief may have with fire flow and public safety, the impact of the loss of trees if Garden Lane were connected, or if the street were connected to Frontier Avenue, and whether some lots would be lost by those connections.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER ENGSTROM, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO RECOMMEND TO THE CITY COUNCIL THE APPROVAL OF A VARIANCE TO ALLOW THE CUL-DE-SAC (FULLER CIRCLE) IN THE PLAT OF "KENNEDY ESTATES" TO BE 920 FEET IN LENGTH WITH THE FOLLOWING CONDITIONS:

1. That the site shall be developed in substantial compliance with the approved Preliminary Plat and Stormwater Plans.
2. That the Public Safety Director and Fire Chief have no reservations about the granting of the variance.

Chairman Storm asked the City Engineer if there were engineering concerns still with the plat. Mr. Erichson responded that with having just received a response from the applicant's engineer he could not comment on what impact there could be on the plat.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER ENGSTROM TO TABLE THE PRELIMINARY PLAT OF "KENNEDY ESTATES" UNTIL NO LATER THAN SEPTEMBER 22ND.

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

Weck explained that when he approached the city administrator and assistant city administrator about hiring an inspector that it was decided that it would be best for him to concentrate on the Building Official duties and for a Planner to work on the zoning issues. Commissioner Meyers asked if Weck would still be providing oversight of the Planner and if he is that the best use of his abilities for the cost of the planner and whether outsourcing an essential city function is a good long term solution instead of investing in personnel. Commissioner Coughlin asked if Weck's work load has increased because of building permit applications or because of zoning requests; Weck responded that it has been both. Commissioner Meyers asked about ordinance violation enforcement; Weck responded that at this time he only has time to act fully on complaints that involve an imminent public health threat or injury. Commissioner Coughlin asked if a building inspector, full or part time, would be able to address those complaints; Weck responded that they would be able to do that. Chairman Storm and Commissioner Coughlin voiced their opinion to the mayor that the city should hire an assistant or building inspector to assist Mr. Weck.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR AUGUST 25, 2015 AT 8:58 P.M.

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

Voting Nay: None

Abstain: None