

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
JUNE 13, 2023
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for June 13, 2023 to order at 7:00 PM

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Mark Lobermeier, Michael Naumann, and Dan Iverson

ABSENT: Commissioner Katie West

Also Present: City Administrator Robb Linwood; Planning Consultant Kim Lindquist; and Mayor Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Chair Lobermeier noted that if anyone was here to discuss the chicken/livestock home occupancy permit, that application has been withdrawn because they applicant has decided to do it in another community.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for May 23, 2023

Chair Lobermeier noted a few changes necessary on page 9 to more clearly reflect the actions taken by the Commission to not deny the request, but to continue it.

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER LOBERMEIER, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 23, 2023 AS AMENDED.

Voting Aye: Iverson, Naumann, and Lobermeier

Voting Nay: None

Abstain: None

Absent: West

SCHEDULED PUBLIC HEARINGS:

- 2. Variances: V23-001 Highway 8 Setback, Architectural Standards, and Screening
Site Plan Review: SP-23-004, Gregory Contracting
Location: Lake Boulevard/Highway 8 and Hazel Avenue**

Applicant: Richard Gregory, Jr.
Owner: Westkey Enterprises, LLC
Property ID Number: 21.10712.10

Planning Consultant Lindquist gave an overview of the Site Plan Review as well as the variances that are being requested as part of this project. She explained that this is a building being proposed for this site in which Gregory Contracting is the proposed tenant for the building. She noted that there have been fairly significant changes from the previous application and reviewed details of the proposal. She explained that the primary uses proposed on the site are for an office building with 11 offices, a showroom, and storage space that would all be contained within the building. She stated that there had not been an application that involves outdoor storage. She stated that they are proposing 31 parking stalls which staff feels is reasonable, since a portion of the building will be used for storage. She reviewed details of the variance requests and explained that staff is support of these requests. She reviewed the landscaping and utility plans as proposed. She stated that staff recommends approval of the site plan and the variance requests with the conditions as noted in the staff report. She explained that they are recommending a modification to condition #5 to require consistency with the west end of the parcel boundary and also adding an additional condition #7 that no exterior storage be allowed on the site except for the existing customer and employee vehicles. She clarified that this included equipment, materials, and trailers.

Commissioner Iverson asked when the Highway 8 project would begin.

City Administrator Linwood explained that the latest update from Chisago County is that they will be starting construction in 2025 and will last through 2026.

Commissioner Naumann stated that the presentation said that there was conditional approval from Forest Lake and the Watershed District and asked if the City knew what the conditions of their approvals were.

Ms. Lindquist stated that she believed that until there are final plans they do not give final approval. She explained that she believed it was considered conditional approval because they still have to submit final engineering plans for review. She noted that neither entity had raised alarms about anything and just wants to see the final plans.

Richard Gregory gave an overview of his plans for the building to have a showroom upfront and offices for staff along with storage for special orders in the back of the building. He clarified that they will have a separate facility for operations where all the trucks and trailers are located and that will continue even when this new building is built. He stated that there will not be any outside storage like that on the site. He explained that his reasoning for not wanting fencing on the north side is because that is where the road will be going which means he would put the fence in a year later it would be torn back out because of the road. He noted that once the road goes in, that area will also no longer be residential, which is another reason that the fence would not be needed.

Commissioner Iverson asked about the proposed materials.

Mr. Gregory explained that it is upper level residential siding that is frequently used. He explained that he would like his building to look very nice because it will be a showpiece for what they can do for customers. He stated that the front will have a combination of lap siding, shake, along with board and batten.

Commissioner Naumann asked the name of the siding.

Mr. Gregory stated that it is called LP Smart Siding and is not cement board.

Commissioner Naumann asked about the life expectancy of the LP Smart Siding.

Mr. Gregory explained that the life expectancy is about 30-50 years.

MOTION BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO OPEN THE PUBLIC HEARING AT 7:28 P.M.

<i>Voting Aye:</i>	<i>Iverson, Naumann, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>West</i>

Mark Holl, stated that he is fine with what is being proposed, but would like to see screening to the north. He stated that he understands Mr. Gregory's hesitancy about putting in fencing but would like to see a berm or some trees to provide some other form of screening provided.

Ray Hortsman, 7575 250th Street, stated that he built his home in 1997 and noted that the people that care for the road have done a marvelous job. He noted that they had to rebuild a portion of 250th Street because of the wetlands and noted that there is a lot of wildlife in the area. He stated that he is here tonight because somebody told him about this public hearing. He noted that he felt the entire neighborhood should have been informed and have the ability to come and comment on the project if they wanted to. He stated that it is difficult to turn onto Hazel during rush hour and explained that he was not in support of this type of project in a neighborhood.

Bonnie Christianson, 24679 Hale Avenue, stated that she is located on the west property that is referred to in the packet. She stated that in the City code, screening is required between commercial and residential. She stated that, barring any unforeseen circumstances, she agreed that the highway probably will come through, but she lives there now. She stated that she spoke with County Engineer Tripplett and was told that his estimate was for construction in 2026 and 2027. She stated that she is requesting that if this approved that it be screened on the west side between the proposed building and her property.

Lon Erickson, 25337 Heims Lake Circle, asked if there will need to be a left hand turn lane off of Highway 8 or a bypass area. He stated that if they do not add that, he believes that there could be a significant amount of congestion in this area. He stated that he feels something will need to be done to address all the left hand turns that will be being made.

Travis Chaput, 24965 Hazel Avenue, stated that 250th Street and Hazel connect and expressed concerns about people driving through a residential neighborhood on a rough dirt road. He stated that he does not understand how they can approve a commercial building going into a residential neighborhood that has a lot of kids outside playing. He stated that there are no turn lanes proposed and noted that this is already a congested, busy intersection. He stated that until something is figured out to make it so people do not go down Hazel, he would suggest they hold off on this project until Highway 8 is completed.

Thomas Larson, 24855 Hazel Avenue, stated that he used to live at 29465 Hazel Avenue before Mr. Chaput which means he has lived on this road since 1995. He stated that he also has concerns about traffic and the children in the neighborhood. He stated that the people who live on Hazel understand that the kids are there and they get a little nervous when they think about people coming into the area from the business standpoint that will not have this information on their minds. He stated that he has personally had three family members who have been in accidents at Hazel and Highway 8 and is concerned about the volume of business coming in at this intersection.

Tom Kline, 24839 Hazel Avenue, stated that they do not have children living at home anymore, but they do have frequent visits from their grandchildren. He stated that he is also concerned

about the added amount of traffic turning onto Hazel Avenue. He stated that this area is all residential and explained that his biggest concern is about adding a commercial building and its traffic to their neighborhood.

Neil Reeve, 24679 Hale Avenue, asked if a traffic study had been done and expressed concern about not having a left turn lane. He stated that in 2018 Mr. Tolzmann wanted to have 10 lots at the end of Hamlet Avenue and he was required by MnDOT to construct a westbound lane into Hamlet Avenue and they also recommended that he also do an eastbound lane. He stated that this proposed project calls for 25 employees plus customers and deliveries. He noted that he felt the primary concern of the City should be the residents that currently live there. He distributed information to the Commission that he had gathered. He stated that he feels it is clear that a project of this magnitude should have a traffic study completed and the Commission has heard comment after comment expressing concerns about the road, safety, and traffic. He stated that he is a bit confused about what is planned for the screening of the project and asked for an overview of the requirements for a commercial project in a residential neighborhood.

Planning Consultant Lindquist explained that it requires screening when commercial is next to residential, so there needs to be a 6 foot screening fence.

Mr. Reeve asked about the residents on the other side of Hazel Avenue.

Planning Consultant Lindquist explained that staff was recommending a screen fence on the north and west sides. She stated that they are not recommending screening on the east side.

Mr. Reeve asked if the code calls for screening on the east side of this type of project.

Planning Consultant Lindquist stated that it did not because it was not immediately adjacent to residential on the east side.

Chair Lobermeier stated that there is screening planned on the north and west sides of the property which would be those that are directly adjacent to residential properties.

Mr. Reeve read aloud a portion of the code related to screening and explained that he feels it is clear that the code calls for screening along the east side.

Karl Dahl, 7415 250th Street, stated that his family farm is in the area and feels it goes without saying that they appreciate the gentle beauty of the area. He stated that it is disappointing to see the area built up, but explained that he understood that it was not his place to tell someone else what they can or cannot do with their own property. He stated that he believes that there have been some valid concerns brought up today by the residents. He stated that he has 3 children that ride their bikes up and down the driveway and explained that when they did Highway 8, they put culverts in and closed Highway 8 between 250th and Hazel. He stated that there was a bit of a snafu where all the traffic then took Hazel over to 250th which now essentially means that Highway 8 is going between on the dirt road. He stated that he has been astounded by the disrespect people have had for a residential neighborhood. He noted that he feels it will be less of a concern after Highway 8 is rebuilt, but until then he feels the concerns that have been raised are valid. He stated that he did not think right now was the time for this type of project before Highway 8 has been redone. He stated that the City has codes, but are considered issuing variances and that they are doing their due diligence on this process. He asked the Commission to keep in mind that the code is in place for a reason before they just approve a variance.

Joshua Sternham, Coon Lake, (inaudible).

Doug Chaput, 24965 Hazel Avenue, asked about the variances and what would change after the Highway 8 construction. He asked what would happen if the highway does not go in exactly the way they are planning today. He stated that he feels that in 3 years, the plans could change.

Planning Consultant Lindquist stated that because it is the Highway 8 overlay, there is a setback from the right-of-way 150 feet into the property. She explained that the setback is actually reduced and measured from the centerline of the road, so it will move and be reduced.

Chair Lobermeier asked about the status of the design for Highway 8.

City Administrator Linwood noted that it is a preliminary design at this stage.

Shirley Erickson, 7734 250th Street, stated that she thinks Mr. Gregory has done a good job working on these plans, however she completely understands the concerns that have been raised related to traffic. She stated that she understands that Highway 8 plans close off Hazel, but that puts a road between this project and the new house that connects to Hale. She stated that this brings even more residential area into the mix. She stated that she has grandchildren and pets and with this being a gravel road, she finds it a scary thought to think that there will be additional traffic up and down these roads. She stated that it will not just effect 250th and Hazel but will include Hale and all the way around.

Thomas Larson, stated that if this request is granted, he thinks something positive would be if everyone on Hazel and 250th were to have some type of posted speed limit because there is currently nothing.

Travis Chaput, asked if approval of this project would open all residential neighborhoods for commercial buildings.

Mr. Reeve asked if MnDOT had weighed in on the variance requests. He stated that it does not make sense to him that they are adding a lane in each direction and a center divider which is described as 'less wide'.

Chair Lobermeier stated that MnDOT would not comment on the City's variances. He stated that he also has questions about whether MnDOT would comment on the traffic like they did in 2018.

City Administrator Linwood stated that they did comment and explained that they are not requiring any left or right turn lane, at this time.

Mr. Reeve reiterated his thought that Highway 8 is going to be wider when they are done so he does not understand why the setback variances would go away at that time.

Chair Lobermeier explained that his understanding is that the alignment of the roadway will be shifting and with that anticipated alignment, it will change the setbacks as indicated in the staff report.

Planning Consultant Lindquist explained that once the road is constructed, the setbacks default to the underlying zoning district, so the overlay of Highway 8 is only related to preserving right-of-way until the construction.

A resident reiterated the question raised by Mr. Chaput and asked if the Commission had an answer on whether allowing this commercial use in a residential area would open up the same thing happening in other residential areas.

Chair Lobermeier stated that he did not know the exact answer, but noted that he did not believe that it sets a precedent. He stated that he thinks that there may even be areas of the City that currently has commercial traffic traveling through residential areas.

MOTION BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO CLOSE THE PUBLIC HEARING AT 8:08 P.M.

Voting Aye: Iverson, Naumann, and Lobermeier

Voting Nay: None
Abstain: None
Absent: West

Chair Lobermeier stated that many of the residents referenced the unpaved roads and asked which in the area were unpaved.

City Administrator Linwood stated that nothing in the area was paved and explained that with the future plan for Highway 8 it would be paved, but it is currently gravel.

Commissioner Iverson stated that he had also wondered why MnDOT had recommended turn lanes in 2018, but not in the current plans, but from what staff has reported, it appears as though they have examined this and just gave a different recommendation than in the past.

A member of the audience asked if they could see that information on paper since it was not included in the packet.

Chair Lobermeier stated that he would pass along this concern and explained that staff will produce this documentation so it is available for the public. He asked if the City could post speed limit signs in the area to alleviate some of the concerns.

City Administrator Linwood stated that he believes that is something that the City could have Public Works go to do in the area.

Mr. Gregory stated that coming out of their business they are just feet from Highway 8. He stated that there is no reason why his employees would take a left in order to go down Hazel to 250th. He stated that they will not want to drive down a gravel road and get their trucks dirty, but he plans to instruct them to simply go from Hazel to Highway 8 and stay away from the neighborhood. He stated that he also has children so he understands the concerns that have been raised about the safety of the children in the neighborhood. He stated that he is open to having something about that issue included in the conditions of approval that clarifies that his employees will not be traveling through the neighborhood on a regular basis. He stated that he would not have that same control over his customer base, but noted that he only expects to have about 2-3 customer visits per day. He offered to stay after the meeting and answer any questions that members of the neighborhood may have for him.

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL OF VARIANCE REQUEST - V23-001 FOR HIGHWAY 8 SETBACK, ARCHITECTURAL STANDARDS, AND SCREENING; SITE PLAN REVIEW, SP-23-004 FOR GREGORY CONTRACTING LOCATED AT LAKE BOULEVARD/HIGHWAY 8 AND HAZEL AVENUE FOR RICHARD GREGORY, JR. (APPLICANT) AND WESTKEY ENTERPRISES, LLC (OWNER) FOR PROPERTY ID NUMBER: 21.10712.10, SUBJECT TO THE CONDITIONS AS NOTED IN THE PACKET, WITH THE AMENDMENT OF CONDITION #5 TO INCLUDE SCREENING FOR BOTH THE WESTERN PARCEL BOUNDARY AND THE NORTHERN PARCEL BOUNDARY, AND THE ADDITION OF A CONDITION #7 TO CLARIFY THAT THERE WILL BE NO OUTSIDE STORAGE.

Voting Aye: Iverson, Naumann, and Lobermeier
Voting Nay: None
Abstain: None
Absent: West

NEW BUSINESS:

OLD BUSINESS:

3. Conditional Use Permit for Apartment Buildings: C-23-001
Location: 257th Street, South end of cul-de-sac
Applicant/Owner: 257 Land Holdings, LLC, Brian Solsrud
Property ID Numbers: 21.10605.00 and 21.10542.10

Planning Consultant Lindquist explained that the Planning Commission had continued this item in order to allow time to create Findings of Fact to support the recommendation of denial of the request.

Chair Lobermeier commended staff for capturing the concerns raised by the Commission as well as the public in the Findings of Fact.

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND DENIAL OF THE CONDITIONAL USE PERMIT FOR APARTMENT BUILDINGS: C-23-001 LOCATED AT 257TH STREET, SOUTH END OF CUL-DE-SAC FOR APPLICANT/OWNER: 257 LAND HOLDINGS, LLC, BRIAN SOLSRUD, PROPERTY ID NUMBERS: 21.10605.00 AND 21.10542.10

Voting Aye: Iverson, Naumann, and Lobermeier
Voting Nay: None
Abstain: None
Absent: West

COMMUNICATIONS:

4. Vang Home Occupation – Application was withdrawn

UPDATES:

Forest Lake Sportsman's Club – Conditional Use Permit was approved by the City Council.

City Administrator Linwood noted that the EDA met last night and discussed the downtown study. He encouraged interested Planning Commission members to attend future meetings where this is discussed. He encouraged people to go online and find the downtown study and give the City their input on what they would and would not like to see in the downtown area.

A MOTION WAS MADE BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER IVERSON, TO ADJOURN THE JUNE 13, 2023 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 8:22 PM.

Voting Aye: Iverson, Naumann, and Lobermeier
Voting Nay: None
Abstain: None
Absent: West