

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
AUGUST 12, 2025
7:00 PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for August 12, 2025, 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, Katie West, Dan Iverson, Mark Holl, and Chris Ortwerth

ABSENT: None

Also Present: Kim Lindquist, City Planner; Robb Linwood, City Administrator, Grant MacFarlane, Assistant City Administrator, Steve Reeves, Public Works Superintendent, Mark Erichson, City Engineer; Neil Bauer, Public Safety Director; and Lisa Iverson, Council Liaison

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Marge Strand, 3320 East Viking Blvd, explained that her land, currently zoned agricultural, was being proposed to be changed to single-family residential, and/or multi-family housing. She stated that she would like her zoning to remain agricultural. She referenced other properties she owns and how they were zoned and stated that she objected to the changes the City was considering and would like her parcels to remain rural.

Chair Lobermeier clarified that the rezoning she referenced was only proposed and noted that there would be a public hearing on August 26, 2025, for some minor amendments to the Comprehensive Plan and another public hearing on September 23, 2025, to consider rezoning.

Ms. Strand noted that one of the parcels the City has proposed rezoning for multi-family housing was located right next to a feed lot.

Kenny Knorr, 7196 East Viking Blvd, stated that he was in the same position as Ms. Strand, but in his case, the City was proposing Industrial zoning, which they do not want. He asked why the City would even consider changing the zoning.

Chair Lobermeier explained that there was a public meeting in April to discuss the potential rezoning. He stated that the reason the City had looked at the entire City and was considering some rezoning was to begin moving the community towards the Comprehensive Plan guidance for what they saw developing over the next 20-30 years.

Mr. Knorr stated that Polaris came to the City, it was agricultural, and when they bought it, they switched the zoning to Industrial. He asked why this rezoning had to be done ahead of time now, and things couldn't proceed as they did with Polaris, and it could be rezoned if and when a company came in and purchased the land.

Chair Lobermeier stated that the City, especially with vacant properties, can show people who

want to come develop in the City where there is available property. He stated that if they wait, oftentimes those developments end up moving to another community because the parcels were not zoned properly. He stated that the current zoning was set many years ago and occasionally needed to be adjusted.

Mr. Knorr stated that, to him, it seemed as though things were getting set up so their property could be taken from them.

Chair Lobermeier assured Mr. Knorr that it was not the intent of the City.

Ms. Strand stated that she hears the assurances she has been given from the Planning Commission, the City Council, and the County, but those individuals will not always be the ones in power. She expressed concern that if her parcel, which she was currently farming, was rezoned, they may be able to look at her land and get excited because there is a lot of land available for potential housing, and decide to raise the taxes on her parcel. She explained that she did not want to be taxed off her land because it was zoned for single-family residential housing, even though she was still farming it.

Chair Lobermeier assured Ms. Strand that would not happen.

Ms. Strand argued that they cannot put that into writing for her.

City Administrator Linwood explained that with regard to the use of the land, it would not change unless there was a change to the condition of the land, which would be through the County Assessor and through State Statute. He clarified that there would not be a change in the actual valuation of the property based on the zoning.

Ms. Strand asked how the City would promise that.

Chair Lobermeier stated that the change in zoning does not change how it was being used, and that is what taxes are based on.

Linda Miller, 71960 East Viking Blvd, asked about taxes when things are made Industrial.

Chair Lobermeier reiterated that when zoning changes, the taxes do not change. He explained that the only time the taxes would change would be when the use changes.

Mike Purdy, 7733 East Viking Blvd, stated that he felt the City had done a poor job of communicating the zoning changes and had essentially just done what was minimally required by putting a message in the newsletter. He stated that there was a link and, for his parcel, the map was wrong, which he had communicated to the City. He noted that of the 10 property owners in his area, only 2 of them were aware that their properties were being rezoned. He stated that he felt it was suspiciously intentional of the City to not completely inform the residents and believed that there should have been communication to each property about the rezoning. He explained that when they were shopping for land 7 years ago, they specifically looked for agriculturally zoned properties because they wanted the agricultural freedom to have pole buildings, horses, and the ability to have industrial equipment, such as a bobcat. He stated that many of those freedoms would go away with residential zoning and noted that he had heard the message that even if the property were rezoned, they could still use the land the way they currently do, but if they wanted to modify things the way they were when they were under agricultural zoning, they would just have to apply for a variance. He explained that it was not binding and was just word of mouth, and agreed that the composition of who was serving on the Commission and Council would change. He shared an example of coming forward and wanting to construct a 30-foot-tall pole building after his parcel was rezoned to residential and explained that he did not believe he would be granted the variance, despite the fact that he has 20 acres and purchased the land because he wanted to have agricultural freedoms. He stated that if he sells the property, the same thing will be in place for whoever purchases his property, meaning they would not have the agricultural

freedoms that were currently in place, and he believes that they would end up bypassing the purchase of his property. He stated that he was not interested in hooking up with City water because he had a good well and septic system. He expressed concern that if he ever had issues with either that, with the rezoning, he would be obligated to hook up to City water and sewer. He reiterated that he was not interested in that option and did not want to pay the hookup fee or the monthly fees. He stated that they bought an agricultural piece of property, in a rural setting, for the quality of life associated with that choice, and if the town goes ahead and rezones this to suburban residential, that will eliminate the quality of life that he paid a premium to get. He noted that residential use, in general, would not go well with Polaris. He explained that he was an employee of Polaris and acknowledged that there was a lot of noise associated with the testing that happens at Polaris. He stated that adding residential subdivisions around Polaris would not go well and would be completely detrimental to everyone who was currently zoned for agricultural use, and he did not believe there was anything that would be beneficial to making this change.

Ms. Miller stated that if the property were rezoned to Industrial, she had been told by 2 different mortgage people that if someone wanted to buy their place, they would not be able to get a loan because it was zoned Industrial.

Chair Lobermeier clarified that the proposed zoning category in this area was not just industrial but was Industrial and General Business.

Jerry Anderson, 8215 East Viking Blvd, stated that they were not planning to sell their land and want to stay agricultural. He explained that he and his wife have talked about giving their land to relatives, and also do not want the zoning of their land to change. He stated that the plans the City was making for rezoning do not suit them or their plans.

Chair Lobermeier reminded residents about the upcoming Public Hearings related to the Comprehensive Plan amendments and the potential rezoning.

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for July 22, 2025**

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JULY 22, 2025, AS SUBMITTED.

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

SCHEDULED PUBLIC HEARINGS:

- 2. Preliminary and Final Plats: D-25-004 and 005 – ‘Mayorga Meadows’**
Location: 7580 250th Street – Between Hazel Avenue and Lake Blvd/Highway 8
Applicant and Owner: Noe Mayorga
Property ID Number: 21-10508.00

City Planner Lindquist reviewed the application for a lot split at 7580 250th Street and explained

that they were combining the Preliminary and Final Plat together. She reviewed existing conditions, zoning, and wetlands, and noted that this application came before the City in 2022 and had been approved. She explained that one of the conditions for approval at that time was to have a larger easement that would encompass the existing driveway and also have a shared access easement for the new lot. She stated that the property owner to the north was not interested in signing off on that agreement, which is why this is being brought back today, because they were unable to meet that condition of approval. She noted that they were coming back with the same application as the City saw in 2022, and noted that they had spoken with the City Attorney, who was fine with everything as it was, and explained that this was why there were no additional conditions associated with staff's recommendation for approval.

Chair Lobermeier stated that Lot 2 was 4.66 acres, but it looked like more than 4 acres of that was wetland, and asked how much buildable area was needed.

City Planner Lindquist noted that her numbers may have been wrong, but acknowledged that there was a lot of wetland in the area. She referenced the drawing from her presentation that indicated that there was enough buildable area and also had room for primary and secondary systems.

Chair Lobermeier referenced page 3 of the staff report, where there was a reference about potentially triggering the Forest Lake/Comfort Lake Watershed District rule, and asked if that should be considered a condition.

City Planner Lindquist stated that she did not think it would be an issue.

Jared Mayorga 7580 250th Street, explained that reasons why this project had been held back from completion.

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER IVERSON, TO OPEN THE PUBLIC HEARING AT 7:25 P.M.

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

There were no public comments.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER ORTWERTH, TO CLOSE THE PUBLIC HEARING AT 7:25 P.M.

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

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL OF PRELIMINARY AND FINAL PLATS: D-25-004 AND 005 – ‘MAYORGA MEADOWS’ LOCATED AT 7580 250TH STREET – BETWEEN HAZEL AVENUE AND LAKE BLVD/HIGHWAY 8 FOR APPLICANT AND OWNER: NOE MAYORGA, PROPERTY ID NUMBER: 21-10508.00, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.

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

3. Amend the Conditional Use Permit for a Planned Unit Development: C-25-004
Location: Summer Field 4th Addition residential development
Applicant: Centra North, LLC
Owner: Jesse Moxness of Summer Field, LLC
Property ID Number: 21.10582.50

City Planner Lindquist explained that the Commission had seen a proposal for this parcel about a year ago, but was back with a different developer with a similar subdivision. She reviewed the existing conditions, history of the property proposals, and outlined the request to amend the CUP for a PUD to allow 65-foot-wide lots. She explained that tonight's discussion was just related to the PUD amendment and noted that the applicant would still have to come forward with their Preliminary Plat request, and noted that when that happened, the City would spend more time looking at easements. She noted that staff was recommending approval with the conditions outlined in the staff report.

MOTION BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER HOLL, TO OPEN THE PUBLIC HEARING AT 7:30 P.M.

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

Phillip Russell, 25869 Emerald Avenue, explained that he objected to plans to put a road through to 258th and noted that he did not want 16 more houses kicking up more dust and dirt in the area. He stated that he was told several years ago that if anything was developed, it would be paved. He explained that he did not want to be assessed for the paving and had been told that the builder would have to pay for the paving. He suggested that they put the cul-de-sac back into their plans, even if it meant losing a few lots, and expressed concerns about putting this amount of traffic through the area on a dirt road.

Clint Lund, 4646 258th Street, stated that they liked the first proposed plat the best when they had the cul-de-sac at the end of 258th Street. He explained that they were concerned about the amount of traffic that they would get with the latest proposal and asked if they could go back to the previous version of the plans.

Brian Mogdans, 4680 258th Street, stated that he has the same concerns that were just shared by his neighbors. He stated that they bought their property specifically for what they got to live in the country and have a beautiful property on a dead-end road. He stated that they do not like the idea of it being a through street and preferred that it stays the way it was in the previous plans, and strongly disagreed with the new proposal.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER ORTWERTH, TO CLOSE THE PUBLIC HEARING AT 7:34 P.M.

Voting Aye: Ortwerth, West, Holl, Iverson, and Lobermeier

Voting Nay: None
Abstain: None
Absent: None

Chair Lobermeier asked City Planner Lindquist to explain the proposed connection.

City Planner Lindquist explained that initially, there was a cul-de-sac proposed, and now they were proposing a connection and noted that from a staff perspective, the connection was more favorable than the cul-de-sac. She explained that, in general, it was always preferable to have more than one access into a neighborhood and noted that she would expect that most of the new residents would use the existing road because of how it enters the site.

City Engineer Erichson noted that he understood the perspective the residents who spoke at the Public Hearing shared. He stated that the applicant had provided this proposal for City review and noted that it did not violate any ordinances, and explained that they had looked at the proposal from the standpoint of whether it would work from an engineering standpoint and a planning perspective. He stated that there were no issues from those standpoints, but reiterated that he understood what the residents were communicating about their concerns with this new proposal. He noted that he agreed with City Planner Lindquist that the bulk of the new residents would utilize the paved surface rather than the gravel surface.

Commissioner West stated that in some projects she had worked on that had restricted access, for example, only for emergency vehicles. She explained that she grew up on a dead-end road and understands the concerns expressed by the residents, and asked if the City could limit this access in that manner.

City Engineer Erichson stated that between now and the Preliminary Plat application, they could discuss that possibility with the applicant.

Commissioner Iverson asked how long the gravel road was.

City Engineer Erichson stated that he did not know the length of the gravel road.

City Planner Lindquist stated that the new portion of the gravel road was about 250-300 feet long.

Chair Lobermeier stated that this would need to come back to the Commission with the Preliminary Plat, and tonight they were just being asked to amend the CUP, which relates to the lots going to a smaller lot width. He noted that meant that they would be able to look at the access point issues in greater detail at the next steps.

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER WEST, TO RECOMMEND APPROVAL TO AMEND THE CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT: C-25-004 LOCATED AT SUMMER FIELD 4TH ADDITION RESIDENTIAL DEVELOPMENT, FOR APPLICANT: CENTRA NORTH, LLC, OWNER: JESSE MOXNESS OF SUMMER FIELD, LLC, PROPERTY ID NUMBER: 21.10582.50, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT, AND EMPHASIZING TO THE APPLICANT THE CONCERNS THAT WERE RAISED BY RESIDENTS, AND THE INTEREST IN ADDRESSING THOSE AT THE NEXT STAGE OF APPLICATIONS.

City Planner Lindquist suggested that the Commission may want to add a condition related to the applicant addressing the access concerns that had been raised. She explained that this may mean that the applicant would not end up with 60 lots and felt that there should be recognition that if a cul-de-sac or something else happens, they may not end up with the same number of lots.

AMENDED MOTION BY COMMISSIONER LOBERMEIER, SEAMENDED CONDED BY COMMISSIONER WEST, TO RECOMMEND APPROVAL TO AMEND THE CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT: C-25-004 LOCATED AT SUMMER FIELD 4TH ADDITION RESIDENTIAL DEVELOPMENT, FOR APPLICANT: CENTRA NORTH, LLC, OWNER: JESSE MOXNESS OF SUMMER FIELD, LLC, PROPERTY ID NUMBER: 21.10582.50, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT, AND EMPHASIZING TO THE APPLICANT THE CONCERNS THAT WERE RAISED BY RESIDENTS, AND THE INTEREST IN ADDRESSING THOSE AT THE NEXT STAGE OF APPLICATIONS, AND INCLUDE AN ADDITIONAL CONDITION THAT THROUGH THE PLANNING PROCESS THERE MAY BE CHANGES THAT WOULD OCCUR TO THE NUMBER OF LOTS.

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

4. Conditional Use Permit for a 140-foot Monopole Antenna: C-25-005
Variance: Height of an Antenna Exceeding 75 feet: V-25-004
Location: 5920 250th Street
Applicant: George Wojcicki, Excel Energy
Owner: Xcel Energy
Property ID Number: 21.10564.00

City Planner Lindquist reviewed the CUP request for a monopole antenna with the 2 variance requests related to the height of the tower and the setback from the property line. She explained that the applicant would need to explain and address their rationale behind the variance requests. She stated that if the City takes, at face value, what the applicant had proposed and the material they have submitted, staff felt that the antenna and its use met the standards of a CUP, while recognizing that it was overly high, and were recommending approval, but had included some language about trying to mitigate various issues.

George Wojcicki, Xcel Energy, explained that this project was part of a wider array of projects throughout the State. He stated that currently, much of the information was being transmitted on the public cell spectrum, and this project would privatize those communications by moving them to a separate frequency for transmission. He noted that this would contain usage information and light customer data, but would not include things like social security numbers. He explained that the height of 140 feet was the general recommendation based on foliage around the site and the distance between sites. He stated that they have been able to secure 140-foot monopoles in other cities such as Coon Rapids and Maple Grove.

Chair Lobermeier asked if it had to be 140 feet tall, even though they have secured that height in other communities.

Mr. Wojcicki stated that as they go higher, their range increases, so 140 feet would capture the northernmost communities, and if they go lower, the range will decrease, and they would have to put in additional monopoles to make up for that range. He explained that their goal was to erect the fewest number of monopoles by placing them as strategically as possible.

Commissioner West asked about the RF waves that would be emitted from the monopole and what that would mean for the neighboring properties. She stated that he mentioned reaching a broader area by having a higher pole, but as someone who has children, that was very concerning

for her.

Joe Zanotti, Project Manager, Xcel Energy, stated that it would be a stronger signal, but would use the same technology as someone's cell phone. He stated that they would use a lower band on the spectrum and explained that the height of the tower gives them more of an opportunity to reach the fixed assets and customer homes. He stated that they can lower the height, but would not capture everything that they want to capture. He noted that there would not be any harm to people because they were just communicating at a low band with their fixed assets.

Commissioner West asked about the constructability of this kind of tower at 140 feet and if there were things like tie wires and details about the footings. She asked about the construction plans and what that would mean for residents in the area.

Mr. Zanotti stated that the monopole has a concrete footing and would be between 18 to 22 feet deep and around 5-6 feet in diameter. He stated that they would also do concrete testing and break testing of the concrete before anything was placed on it.

Mr. Wojcicki stated that they understand that they would be near residences and wanted to minimize any impacts, and were open to working with the City to establish when their team can work.

Chair Lobermeier stated that they cannot co-locate on someone else's tower, and he understands those reasons. He asked if Xcel would have any third-party vendors on their tower.

Mr. Wojcicki stated that it would only be used by Xcel.

Commissioner Ortwerth asked if the proposed height would help keep them from cyber-attacks.

Mr. Wojcicki stated that the height would not help with potential cyber-attacks, but the technology would because it was more encrypted.

Commissioner Ortwerth asked about the proposed height and if that included the lightning rod on top.

Mr. Zanotti stated that the lightning rod was included.

Commissioner Iverson referenced the water tower and asked what would prevent them from putting something there.

Mr. Wojcicki stated that they could not make the call to say whether it would be okay to put it on another piece of equipment in the City because that kind of thing was determined by their security folks.

Commissioner Ortwerth stated that it was because it was an electrically energized substation, so they cannot have a third-party unqualified electrical group come in without them being there.

Commissioner Iverson asked where the closest monopole would be located that this proposal tower would communicate with.

Mr. Wojcicki explained that this monopole would not be communicating with another monopole and would be communicating with the fixed assets in the area.

Commissioner Ortwerth asked about the height of the 69 KV poles around the hub and asked what the highest one was.

Mr. Wojcicki stated that lots of the ones located along Highway 61 were about 100 feet tall.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO OPEN THE PUBLIC HEARING AT 7:57 P.M.

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

Jacqueline Grote, 25161 Galaxy Avenue, explained that she and her husband have concerns about the proposed height of the pole. She stated that it being 140 feet tall would have a huge visual impact on the neighborhood and would also be visible from a significant distance because it would essentially be the equivalent of a 10-14 story tall building. She explained that they had bought their property because it was in a wooded area, but could still see the skyline, and believed that this pole would cause visual interference and take away from their property. She stated that they also had concerns that the presence of such a large antenna would negatively impact their property values. She stated that she was also concerned about possible radio frequency radiation because there are young children in the area. She asked the City to take into consideration the proposed height and how it would negatively impact people in the area.

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER ORTWERTH, TO CLOSE THE PUBLIC HEARING AT 8:00 P.M.

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

Commissioner West stated that she felt the proposed height of this tower seemed tall. Chair Lobermeier noted that Commissioner Ortwerth had some experience in this field and asked him to start the discussion.

Commissioner Ortwerth stated that a 140-foot pole was tall, but for construction, it would be a 2-day foundation project and a 1-day set project, and everything else would be running the cable underground. He stated that overall, it would most likely be a 2.5 to 3-week-long project.

Commissioner West reiterated that this was just really tall and huge and larger than anything in the City.

Commissioner Iverson asked if the pole had to be located at this spot or could be near another structure. He stated that he would like to see these kinds of things co-located in a specific area rather than just scattered all over.

Commissioner West referenced the Comprehensive Plan and noted that this proposed location was fairly close to the downtown location, and asked what it may mean for future businesses or home buyers who may want to come in. She stated that they had made plans with the hope of drawing more people into the City and was not sure that a 140-foot-tall pole would draw people in.

Commissioner Holl referenced the radio tower that was just down the road and stated that they need to have it. He stated that he realized that the tower was not the prettiest thing in the world, but it has its use, just like a tarred road.

Chair Lobermeier stated that he also had questions about the proposed height and noted that he did not live very far from this location. He stated that because of the need and the answers given by Xcel, he was inclined to move forward with this request.

Commissioner Iverson asked if it would be located somewhere else and explained that he

understood the need, but would like to be located closer to the other towers.

Commissioner West asked if there was someplace it could go that would not be in a neighborhood.

Chair Lobermeier stated that it was the secure area around the tower and the other equipment, so being able to construct this within their existing facility was why it made sense for them to put it in this location.

Commissioner West stated that she would like to see this go to another area that was not residential, but she realized that they owned this property.

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER LOBERMEIER, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR A 140-FOOT MONOPOLE ANTENNA: C-25-005, VARIANCE: HEIGHT OF AN ANTENNA EXCEEDING 75 FEET: V-25-004, LOCATED AT 5920 250TH STREET, FOR APPLICANT: GEORGE WOJCICKI, EXCEL ENERGY, OWNER: XCEL ENERGY, PROPERTY ID NUMBER: 21.10564.00, SUBJECT TO THE CONDITIONS INCLUDED IN THE STAFF REPORT.

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

5. Interim Conditional Use Permit for Outdoor Cannabis Cultivation: I-25-002, and Interim Conditional Use Permit for Cannabis Microbusiness
Location: 7745 Wyoming Trail
Applicant: Tyler Jereczek
Owner: David and Kelly Wosika
Property ID Number: 21.10358.00

City Planner Lindquist reviewed the request for an Interim CUP for a cannabis microbusiness and cannabis cultivator. She reminded the Commission that the City had just adopted a Cannabis Ordinance in November of 2024. She noted that the 2 uses requested are allowed in Agricultural and Industrial districts as an ICUP. She stated that this property was currently zoned for R-1, which does not allow for the cannabis uses requested by the applicant, but in the past had been zoned Agricultural. She explained that the property owner could keep the agricultural use, and can expand that usage, as well as other uses allowed in the Agricultural district, but they cannot add or change to a new use. She noted that they spoke to the City Attorney regarding this request, and their position is that cannabis would be a new use introduced to the site and would not be considered an expansion of the agricultural use. She explained that the microbusiness would also have a retail component and would also be considered a new use rather than an expansion of the agricultural use. She stated that staff was recommending denial of these requests and read aloud the findings of fact to support this recommendation.

Brian Jones, Apple Valley, explained that he would be the horticultural scientist assigned to oversee this project. He referenced Chapter 342 and stated that the licenses do not have to have retail, and this project did not include retail and would strictly be cultivation.

Dave Wosika, 7745 Wyoming Trail, stated that they want to grow cannabis and believe it was their right to be able to do this because it was an agricultural crop, and they are zoned Agricultural. He stated that they went through the Commission in 1991 when they had tried to zone them Rural Residential, get rid of their animals, and not allow them to raise any crops. He stated that they fought it at that time with an attorney, and at the very last meeting, they passed it. He explained

that he had reached out to the same attorney they worked with at Eckberg and Lammer. He stated that he planned to take this as far as he needed to and believed that he would win.

Chair Lobermeier asked if Mr. Wosika was disputing that the current zoning was for this parcel.

Mr. Wosika clarified that he was disputing how the City can say that this was not an agricultural crop.

Kelly Wosika, 7745 Wyoming Trail, stated that there were two issues: one was that they were zoned as Agricultural in 1992, and stated that the minutes from that time indicate that they were grandfathered in as agricultural, which is the first issue. She explained that the second issue was that cannabis is not a new use because it was still considered an agricultural crop and was a plant that as been around.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO OPEN THE PUBLIC HEARING AT 8:14 P.M.

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

There were no public comments.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO CLOSE THE PUBLIC HEARING AT 8:14 P.M.

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

Chair Lobermeier noted that there appeared to be a few issues, even from a zoning standpoint, which seemed to be clear-cut, except that there may be some questions about the zoning for this parcel.

Commissioner West stated that if the ownership had not changed when it was Agricultural and rezoned to R-1.

Chair Lobermeier stated that they can continue their agricultural practices, but cannabis was viewed as a new agricultural practice, not one that already existed, which is where the issue was with this request.

Commissioner West stated that she would like to have more clarity on that distinction. She noted that if cannabis was a recognized crop, the City would not stop someone from growing corn.

City Planner Lindquist stated that in 1991 or 1992, when this was rezoned, cannabis was not an allowed use and was illegal in the State of Minnesota. She explained that growing cannabis was not a use that was available to the site when it was rezoned and came into the nonconforming status. She stated that now that cannabis had been introduced into the State in 2023 and in Wyoming as of 2024, it was considered a use, because it would not have been available in 1991 or 1992. She explained that the nonconformity allowed them to have agricultural use that would have been in the district at that time.

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER HOLL, TO RECOMMEND DENIAL OF INTERIM CONDITIONAL USE PERMIT FOR OUTDOOR CANNABIS CULTIVATION: I-25-002, LOCATED AT 7745 WYOMING TRAIL, FOR APPLICANT: TYLER JERECZEK, OWNER: DAVID AND KELLY WOSIKA, PROPERTY ID NUMBER: 21.10358.00, AND THE INTERIM CONDITIONAL USE PERMIT FOR CANNABIS MICROBUSINESS, BASED ON THE FINDINGS OF FACT OUTLINED IN THE STAFF REPORT.

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

NEW BUSINESS: NONE

OLD BUSINESS:

- 6. Conditional Use Permit Amendment – Dead End Hayride: C-25-001**
Location: 28186 Kettle River Boulevard
Applicant and Owner: John B. Hastings Family Limited Partnership
Property ID Numbers: 21.10118.00, 21.1-128.00, and 21.19116.00

City Planner Lindquist gave a brief overview of the request for a CUP amendment and noted that the staff report in the packet provided an update of where things were in June, which was the last time the Commission had considered this item. She explained that the main issues are the 3 fall activities that have higher use impacts, including the Farm Festival and Pumpkin Patch, the Dead End Hayride, and the Haunted House/Great Pumpkin Trail. She stated that the applicant had wanted to look at other possible opportunities for additional activities at other times of the year. She explained that staff felt the current operation was out of compliance due to traffic volumes, concerns about emergency vehicle access, accessibility for existing residents, street maintenance, costs to the City, and nuisance concerns. She noted that the staff recommended included slightly modified conditions, but had much of the same tone and flavor as what was presented in June, and reviewed the request for an operational plan to address traffic concerns and keep the queuing off of Kettle River Boulevard. She noted that the City has held several meetings with the property owner and their consultant and had received a draft operational plan on August 10, 2025. She explained that the staff report was sent out before they received the draft operational plan, so it did not reflect the most recent information. She briefly reviewed some of the other conditions that staff were recommending be adopted and compared them with the conditions that had been recommended in June. She explained that the applicant had given staff some feedback on the conditions, and they did make some adjustments to address some of their concerns. She stated that the City and the applicant have not been able to come to a full resolution because there are still diverging interests on both sides. She stated that because of this staff felt it was time to move things along enough to have the Planning Commission and City Council weigh in and determine the appropriate course of action.

Chair Lobermeier stated that he appreciated the effort from both sides that had gone into trying to come to a consensus. He referenced the letter in the packet from July 9, 2025, from the applicant and explained that from the letter, he ascertained that the discussion regarding the conditions was down to #4 and #6, and the others are okay, and asked if he was oversimplifying things.

City Planner Lindquist explained that some of the conditions, such as #13, were fairly new, so

they would not have responded to those in the letter he was referring to.

Chair Lobermeier asked City Engineer Erichson what type of road improvement he would like to see and if it would be rural or urban.

City Engineer Erichson stated that they had discussed the concerns from the applicant about there being no limit on costs. He noted that he believed they could commit more to the type of nature of improvement, because they do not know what the costs are. He explained that they can commit to trying to minimize costs and stated that they would be widening their entrance, changing their internal operations, and developing an event management plan, which are all positive things that have come from these discussions. He stated that he did not believe they would be looking at widening the roadway and would be a rural stretch of roadway, not urban, or adding storm sewer.

Commissioner Iverson stated that City Planner Lindquist had mentioned 4 tax parcels for this property and confirmed that this was taxed as Agricultural. He stated that the packet looked like it had included a traffic study from June.

City Planner Lindquist stated that the information he was referencing was the beginning of the operational plan and explained that the traffic study would be taking literal traffic counts during the next season.

Commissioner Iverson stated that he can understand concerns about dust for the people who live in the area, but what he read was that 75% of the accidents that occur on Kettle River Boulevard and Viking happen in October, which he felt shed a bit of light on what was happening. He stated that what he would like to see improved right away would be to have some kind of traffic control there, and there was information in the packet about some type of temporary semaphore lighting.

City Planner Lindquist acknowledged that it was something that the City was looking into and asked Public Safety Director Bauer to address that.

Public Safety Director Bauer explained that one of the things they had discussed was that this was a difficult intersection to provide traffic control for because it is 6 lanes wide and would require the assistance of 3 or 4 officers, which he cannot staff. He stated that finding some other type of temporary traffic control would be much better than the City trying to provide traffic control.

Commissioner Iverson clarified that he was not suggesting that they have people or officers out there directing traffic, but some type of stop-and-go lighting system, and possibly some signage on the bridge that there was a traffic change ahead.

Commissioner West asked about the status of the discussion with MnDOT on the intersection.

City Engineer Erichson stated that they held an event management plan meeting with the applicant's consultant, where they brainstormed some ideas, including a temporary traffic control signal that they would lease, which can be integrated and timed with the adjacent signal, so they would work in unison and not in opposition to one another. He stated that there was currently support from MnDOT, Chisago County, and he also supported this idea.

Chair Lobermeier asked if this idea may be implementable for this year's events.

City Engineer Erichson stated that they do believe it would be able to be implemented for this year's events and noted that he could see the applicant nodding their head from the audience.

Chair Lobermeier stated that one of the changes added to condition #4 was added by the applicant, related to delays in the installation of the paved road and paying for the costs of the road by January 1, 2028. He asked if the road was under construction, for example, in 2026, and if that meant that they would not have to pay for it until January 1, 2028.

City Planner Lindquist stated that this was potentially what the result could be. She noted that they would have to pay for the costs by January 1, 2028.

Chair Lobermeier noted that he believed the intent would be that the applicant would be asked to pay for the roadway when it was completed and that the January 1, 2028 date was there because they had to put in an end date. He stated that it could be done earlier, but wanted to make it clear that the City would not be extending 2 years of credit, and suggested that they may want to clarify that with some different language.

Commissioner West stated that they were also not being asked to pay \$1,000,000 tomorrow either. She asked if the roadway could be phased to allow them to break up the potential costs for the total project.

City Engineer Erichson stated that the intent of the payment date was that it would be constructed in time for the 2027 events, which would allow the applicant time to find the means to pay for those improvements. He stated that Chair Lobermeier's point was fair related to payment upon completion of the project.

Chair Lobermeier reiterated that he felt they should make some clarifications to this language so it was clear to everyone what the intent and expectations were. He moved the discussion onto condition #6 and noted that he did not think this had changed since they saw it in June.

City Planner Lindquist explained that this was a condition in the 2004 CUP that operations could cease at midnight, and they had just stuck with that language.

Jeremy Hastings read aloud a prepared statement that expressed appreciation to City staff for the continued conversations and collaboration, for the business to operate successfully. He explained that they still had significant concerns related to conditions #4 and #6 and noted that, as written, they felt they moved the goal post to a point where they may not be able to achieve them. He would like the City to revisit and refine those conditions to ensure that their business was not put into a major financial setback. He outlined their concerns with #4, including: it was completely open-ended and would put their businesses in a place of financial uncertainty; no cost cap outlined; potential roadway rerouting with the new development; compressed timelines; and their seasonal usage. He outlined some possibilities of securing funding at the State level. He moved on to share concerns with condition #6, including their belief that they were abiding by the midnight closure hours by not allowing anyone into the event after 11:30 p.m. He noted that they felt the current wording of #6 was very rigid in that it stated very strictly that people needed to be off the property by midnight. He asked that this condition be rewritten to state that on Fridays and Saturday nights in October that they have until 1:30 a.m. to get customers off the property. He noted that they would be willing to lower or shut off all outside noise devices by midnight.

Chair Lobermeier referenced condition #13 and asked Mr. Hastings if they felt this condition would be acceptable.

Mr. Hastings stated that he believed it would be acceptable to them.

Commissioner West asked about the City's noise ordinance rules for her neighborhood.

City Administrator Linwood explained that the current noise ordinance was unclearly written at the moment and should be updated because, for noise in general, it was not specific regarding a timeline.

Commissioner West stated that she is a resident of the City and someone who has been to Pinehaven, but was also a mother to 4 kids. She stated that they have early morning hockey practice sometimes, and if she lived next to Pinehaven, having this noise would be very disruptive to them. She stated that asking them to shut down by a certain time was because of their neighbors, and it was not only due to the issues with the noises from the attraction itself, but also

with the traffic and visitors' urinating in people's yards because they had been waiting for so long. Commissioner Iverson stated that when the last hayride was over and the guests got off, he asked what they did before they headed to their vehicles.

Mr. Hastings stated that it takes about an hour for people to get through the entire attraction if there aren't any lines and explained that the Haunted Hayride is spread into 3 attractions. He noted that if the last ticket time is at 11:30 p.m., they would get on the hayride wagon at about 11:45-11:50, which means they are getting out of that attraction by about 12:50 p.m. He stated that then they may use the bathroom or grab a bottle of water, but noted that the majority of their food stands are shut down at that time, and it would just be security staff following people to make sure nobody is still on the grounds. He noted that the whole process takes about 1.5 hours, so if #6 stays in its current form, they would have to move the 11:30 p.m. time slot to 10:30 p.m.

Chair Lobermeier stated that the Commission had gotten a lot of information tonight and noted that he was pleased that there were 12 conditions that both sides generally agreed upon. He admitted to being somewhat befuddled on the process of getting to an acceptable language for the other 2 conditions. He stated that he believed that this would involve a back-and-forth conversation between the Commission and staff because the Commission did not have the engineering, safety, or legal knowledge that staff has. He stated that Mr. Hastings had made suggestions about what they would like to see included for those 2 conditions and suggested that the Commission schedule time at their next meeting to specifically work on those 2 conditions and try to come up with agreeable language. He stated that he would like to see the Commission take action on this item until that discussion can take place and noted that he would like to see the operational plan that the applicant had put together.

Mr. Hastings stated that there was one other issue that he had breezed over was that the road paving would not be a silver bullet that would fix all the concerns that have been raised. He stated that the \$1,000,000 ask would only solve concerns raised by neighbors related to dust and road maintenance. He explained that they already pay for extra road grading during the Halloween season. He stated that he believed that the temporary traffic signal option for the intersection will be able to have a much larger impact than paving the road.

Commissioner Iverson stated that he knew that Mr. Hastings cared for his customers, but they also complained about getting in and out of this facility and the dust that accumulates on their cars in the parking lot. He stated that paving the road would have a great benefit for their customer base.

Commissioner West stated that Mr. Hastings can work with City staff to come to a better understanding of what the price would be for paving the road.

Commissioner Ortwerth stated that he had a concern about paving the road and stated that he didn't think anybody was looking at this from a long-term perspective. He noted that asphalt did not last very long and asked if, after 2 years, the paved road didn't look very good, if they would go back to the applicant and ask them for another million dollars. He stated that it did not make sense to him that they were talking about a \$1,000,000 road project when there was no study done on the bituminous, how long they expect it to last, or whose responsibility it would be after construction.

City Planner Lindquist explained that the roadway will be a public road constructed to rural standards. She clarified that the City was not asking them to pave the area that would be their private driveway. She noted that it would be part of the City's public road system that they would be maintaining, just as they do now, but as a gravel road.

Commissioner Ortwerth stated that they were talking about residential pavement and not

commercial pavement.

Commissioner Holl stated that it would be like a township road, like the other roads in the area.

Commissioner Ortwerth stated that the City was asking a private business to pave the road.

City Planner Lindquist agreed that the City was asking a private business to pave the road and explained that the reason they were was that if that business wasn't there, there would not be this amount of traffic on the road, because they were talking about thousands of people.

Commissioner Ortwerth stated that he understood that, but did not think there were enough parameters in place, and as Mr. Hastings stated, there was no limit right now. He asked if the City has the standards and a projected price for Mr. Hastings to go by.

City Engineer Erichson stated that they do have standards and shared what the improvement standards would be earlier in tonight's meeting. He noted that his preliminary cost estimates for that were around \$1,000,000 and stated that the City would be responsible for the ongoing maintenance of the roadway. He noted that if there was success in getting outside funding for the roadway improvements, the overall cost would come down.

City Planner Lindquist explained that part of the situation here was that there is a problem that they are trying to address without knowing which solutions would be beneficial, until they try them. She stated that in the meantime, there are residents who are looking for some changes. She noted that the City only had the CUP, so they needed to be more conservative to look out for the residents in the neighborhood by having these conditions in place. She stated that the applicant can come to the City at any time and ask for an amendment to the CUP, so things can be removed later, but explained that the City cannot make those changes unless they feel the applicant was in violation, which is where they were right now. She clarified that the City wanted to be fair and reasonable, but also wanted to do their projections with a more conservative eye, because this was their only avenue.

City Engineer Erichson stated that he wanted to highlight that the traffic volumes were really what was dictating this, despite only being a percentage of the year. He noted that on peak days, they were looking at about 8,000 vehicles per day, and noted that studies recommend that roadways be paved when there are 250-500 vehicles/day on a roadway.

**MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER HOLL, TO
TABLE DISCUSSION OF A CONDITIONAL USE PERMIT AMENDMENT – DEAD END
HAYRIDE: C-25-001, LOCATED AT 28186 KETTLE RIVER BOULEVARD, FOR APPLICANT
AND OWNER: JOHN B. HASTINGS FAMILY LIMITED PARTNERSHIP, PROPERTY ID
NUMBERS: 21.10118.00, 21.10128.00, AND 21.19116.00**

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

COMMUNICATIONS:

UPDATES:

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO ADJOURN THE AUGUST 12, 2025 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 9:23 PM.

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