

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
MAY 24, 2022
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for May 24, 2022 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, Bryan Murdock, Katie West, and Roger Carr

ABSENT: None

Also Present: Fred Weck Zoning Administrator, City Administrator Robb Linwood, City Engineer Erichson, Kim Lindquist, WSB, and Mayor Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM: NONE

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for May 10, 2022

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER CARR, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 10, 2022 AS SUBMITTED.

<i>Voting Aye:</i>	<i>Murdock, West, Naumann, Carr, 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. Rezoning: Z-22-002 Rural Residential I District (R1) to Mixed Use District (MXD)
Conditional Use Permit: C-22-001 for a Planned Unit Development
Preliminary Plat: D-22-007 Approval of the Preliminary Plat “Avery Place”
Location: East Viking Boulevard, “Sunrise Riverbank”
Applicant: Northern Tier Development, LLC; Richard Morris
Property ID Numbers: All of part of 21.10302.00, 21.10302.20, and 21.10302.30

City Engineer Erichson introduced Kim Lindquist, Director of Community Planning and Development with WSB.

Kim Lindquist, gave an overview of the location of the parcel and explained the portion that

was specifically being talked about tonight. She stated that the property was originally zoned R1 and the action being requested tonight is to rezone from R1 to MXD and noted that the area is designated as mixed use in the Comprehensive Plan. She noted that part of the approval being sought tonight is for a very specific Master Plan through the PUD process. She reviewed some of the criteria that would need to be met in order to qualify for rezoning. She stated that the County had done a housing study that looked at the various demand for housing in a variety of communities within the County. She stated that for Wyoming it was looking at 800 new units that are necessary through 2030. She stated that this project is, in part, recommended for approval because it allows for a variety of housing styles that are owner occupied and also meets some of the goals of the housing study and the Comprehensive Plan. This project is proposing 3 different styles with 49 single family detached units, 26 twin home units, and 54 units of row homes. She noted that these are all owner occupied which is unusual because you often see rental because they are not platted individually.

City Engineer Erichson gave an overview of how the site will be serviced by utilities. He stated that there is existing infrastructure located in the northwest corner of Kettle River and noted that the applicant is proposing to extend the sanitary sewer along the western limits of the 'apartment and hotel' area, which is a future phase to be developed. He noted that it will require a sanitary sewer force main south of Viking and will also require a lift station. He stated that the watermain will be coming from the east side of the freeway where the City's existing water tower is located and bored underneath the freeway. He stated that something that will still need to be determined is whether the site will need to be looped. He stated that this had been discussed in a work session with the City Council and they did not have clarity on this item, but did have clarity on extension of the trunk watermain to the site and the upgrade of the force main would be the responsibility of the City, but the looping needs more discussion. He stated that this is not in the Comfort Lake Forest Lake Watershed District, but the rules do mirror their rules. He stated that in the staff report they had mentioned that they had recommended tabling the item because they had not received the stormwater management report, but explained that they had received it late on Friday and after review they are confident that they can meet the rules without changing the plat which means they are comfortable changing their recommendation to approval with contingencies. He stated that another important component is access and noted that the County has worked with the City to really study this corridor more in depth and explained that the County is less concerned with the residential portion of the project than they are with it further east towards the interchange where the accesses are much closer by McDonalds, The Village Inn, Kettle River Boulevard, and the on and off ramps in close proximity. He stated that they are taking a look at possible interim improvements for the corridor as well as long-term improvements to ensure the development, as it is designed, does not impede future improvements over the long-term. He stated that the County has expressed ideas for what this intersection will look like so the applicant will need to work with them to develop a plan and gain access approvals. He noted that he believed the County would require left and right turn lanes for this project.

Ms. Lindquist referenced the staff report which listed the recommended conditions of approval.

Commissioner Murdock asked about the pinching of the lots and snow storage in the cul-de-sacs.

City Engineer Erichson stated that cul-de-sacs with very limited frontage are a concern and they have found that it is important to look at and evaluate those closely. He stated that they have not yet heard back from the applicant if they have some ideas on whether some of the lots can have the frontage modified for this purpose.

Commissioner Murdock stated that one of the discussion points from the last meeting was whether or not there would be sidewalks and he did not see them on the drawings.

City Engineer Erichson stated that generally they don't go down the bulb and are generally one side of the street, but noted that it's a good point because that would further complicate things.

Ms. Lindquist stated that she thinks the City may want to look at having the lot width at the property line for the cul-de-sacs in order to avoid this problem in the future by just regulating it.

Commissioner Murdock made the point that there will be 3 cul-de-sacs but they would not be under the HOA, however the HOA will have certain services that deal with snow removal.

Ms. Lindquist explained that the HOA would just be in conjunction with the row homes.

Commissioner Murdock explained that he was inferring that there may be some solution because of the HOA's services.

Richard Morris, applicant, stated that their proposed plan is for 129 lots and explained that they have been pre-sold to one developer, Creative Homes. He explained that the intent is to work on this in phases with Phase I just being 37 lots that are outside of where the lift station is needed. He stated that if the City approves this proposal, they will move forward and close on the property with the plan to move into the subsequent phase next spring. He stated that they have worked with this builder before and gave the example of a 101 unit project that was just finished in Hudson, WI. He stated that they are a reputable builder that have happy customers and are willing to come back for problems that may arise. He stated that their engineer has spent a lot of time talking and going back and forth with City staff so he is hopeful that this is something that the Planning Commission would like to see.

Matt Appel, engineer with Richard Morris, stated that they do have sidewalks shown on the Preliminary Plat and where the cul-de-sacs are located, they do go all the way around the bulb. He stated that they are proposing a standard cul-de-sac size and radius. He stated that they have a sidewalk along one side of each of the roads and would love to have some input on other ideas related to the sidewalks and cul-de-sacs. He noted that the less sidewalk the less expense there will be and there would also be less maintenance.

City Engineer Erichson noted that they had discussed a lot of items and this was one thing that had not yet come up but is one that they can follow up on. He stated that staff can also discuss it with Public Works staff but noted that he is not a fan of the sidewalk wrapping all the way around the cul-de-sac because he thinks it is a recipe for more issues. He stated that if the Planning Commission is comfortable with it they can go back and work with staff and report back on what direction they would like to see this go. He noted that the applicant plans to mass grade the entire site and use dirt from the basins to build up the sites.

Commissioner Murdock stated that the park has been outlined in the plans and asked for an update on that situation.

City Administrator Linwood explained that at the Joint Park Planning Board meeting and at the City Council, they discussed the recommendation of a combination of a park with 2 acres and half cash. He stated that the applicant has now reworked the design to include that recommendation and have actual upland area for the park.

City Engineer Erichson noted that he believes the thought behind the location is that it provides access for this development but also for the future apartment buildings in the next phase and would be central to both.

Mr. Morris noted that he had received an e-mail late this afternoon from Jason Ruud who has made the changes to the cul-de-sacs and sent a new plat drawing that he will forward to City Engineer Erichson in the morning.

City Engineer Erichson stated that he thinks it is something that can be pretty easily rectified.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER MURDOCK, TO OPEN THE PUBLIC HEARING.

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

Matt Nelson, 4660 East Viking Boulevard, noted that he would be right next to Block 5 on the proposed plans. He asked about changing the zoning to MXD and asked if that would affect him and the other nearby homeowners.

Chair Lobermeier explained that at this time it would just be for this property.

Mr. Nelson asked if, in the future, once the development is made and their zoning is changed if it would be changing for them from Rural to some other designation.

Chair Lobermeier explained that the City rezones on the basis of requests, in general, so they would have to take a look, but assured Mr. Nelson that they had no plans at this point in time to change the zoning of his property.

Mr. Nelson stated that this concern with this project is the size of the lots right next to him and if, in the future, it would change the zoning for him and his use of what he bought. He stated that he also has concerns about the proposed pond near Block 5 and explained that his land is lower and even with just the digging they have already done, he suddenly has more water in his backyard. He stated that he doesn't mind a little bit here and there, but has worries about whether these ponds are going to play a part in him having a swampy backyard that is unusable.

City Engineer Erichson noted that if Mr. Nelson has more questions after the meeting, he should feel free to reach out to staff because they would be happy to answer them.

Ken Rufford, 4700 East Viking Boulevard, stated that in looking at where they are proposing the water, it appears as though it will drain right onto his property. He stated that a year ago this was a big concern of his and he asked Mayor Iverson at the time for answers on how they were going to protect him and his neighbors. He stated that he has mature trees in the area and asked what will protect his property, Mr. Nelson's property, and the others around. He stated that as a taxpayer he looks at this situation and asks why he should have to pay for a lift station for their development five years down the road and also why the City should have to pay for it. He stated that they did not ask for this lift station or development, nor are they living in the development, and questioned why they should have to pay for it. He asked what will be done about the schools and public safety when all these houses come in. He asked the Planning Commission to think very hard about these things and decide whether they should change things in order to allow this to go in, how this will be paid for, and who should be paying for it. He reiterated his question about why the people of Wyoming should have to pay for these things. He referenced the traffic in the area with regard to safety and noted that he watches the bus arm get run through just about every day. He stated that there will be

even more kids with this development and noted that he agreed with the concern raised by the Commission about where all the snow will go. He reiterated his concern about the water and stated that he would really like to know answers about all of these questions before this moves forward. He stated that putting City water and sewer in for this project and asked what would be done for them because they have been grandfathered in with a beautiful water source. He stated that he has his own well and septic system and stated that he has had conversations with people in Lino Lakes and Woodbury that were forced into switching over to City sewer and water when similar developments were put in. He stated that he has a long driveway and would then be stuck with this bill when he didn't ask for any of it. He asked where and how the City people would be protected and noted that this is a lot of people that will be living in this development. He asked if anyone had spoken with Bruce's grocery or the hardware store to see if they can handle this amount of customers. He stated that the City already has two gas stations that are over-filled now and explained that his personal truck was hit about a week ago in a hit and run at the gas station. He stated that he has not seen anything that addresses how Kettle River will be fixed which is a big concern and noted that there are accidents there at least once a week. He repeated his question on how the City would protect the people that are already living here.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER CARR, TO CLOSE THE PUBLIC HEARING.

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

Commissioner Murdock asked where the bulk of the stormwater would be going.

City Engineer Erichson asked Matt to provide an overall narrative on how the stormwater management is being handled, where it is directed, and how it is not impacting the adjacent properties.

Matt Appel, engineer, stated that if they are talking about the south boundary, the only thing that really is directed that way right now is that there is an infiltration basin there and the front yards are all draining to ponds that either drain to the north or northwest. He reiterated that there is an infiltration basin on the south side that, based on their calculations, would only overflow for the 100 year storm event and the overflow would be less than the existing rate. He stated that one comment they have made is that they would like to connect that pond to the rest of the storm sewer system. He stated that it does sit low down there but they have dug out a deeper pond to try to collect the water there and keep it on site. He stated that there will be minimal berming with a depression cut at the property line in order to keep the water on the property and try to infiltrate just clean roof top runoff, so none of the streets are draining to that pond. He stated that the overall drainage scheme of the whole development is to drain to the green wetlands that you see on the northeast and northwest which drain over to Kettle River Boulevard through existing drainage ways. He stated that they have done all they can right now to minimize drainage to the south and noted that larger drainage areas will be cut off for the most part and routed to the north.

Commissioner Murdock asked if that pond were to fail where the water would go.

Mr. Appel stated that it will go down gradient to the south. He stated that they are not planning a large berm but do have a riprap overflow for it but that would be the way the field drains right

now.

Chair Lobermeier noted that the staff report was very thorough and was much appreciated by the Commission.

Zoning Administrator Weck stated that to address the questions from Mr. Rutford about having to hook up to sewer and water, part of the merger agreement for the City and the Township was that if sewer and water became available to former township properties, they do not have to hook up for 5 years. He stated that per the plumbing code for hooking up, it has to be feasible, so a 1,500 foot driveway such as his, may not be deemed feasible.

MOTION BY COMMISSIONER MURDOCK, SECONDED BY COMMISSIONER CARR, TO RECOMMEND APPROVAL OF Z-22-002 THE REZONING FROM RURAL RESIDENTIAL (R1) TO MIXED USE (MXD) FOR PROPERTY LOCATED AT EAST VIKING BOULEVARD, "SUNRISE RIVERBANK" FOR ALL OR PART OF PROPERTY ID NUMBERS: 21.10302.00, 21.10302.20, and 21.10302.30.

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

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER WEST, TO RECOMMEND APPROVAL OF CONDITIONAL USE PERMIT C-22-001 FOR A PLANNED UNITED DEVELOPMENT FOR PROPERTY LOCATED AT EAST VIKING BOULEVARD, "SUNRISE RIVERBANK" FOR ALL OR PART OF PROPERTY ID NUMBERS: 21.10302.00, 21.10302.20, and 21.10302.30.

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

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER MURDOCK, TO RECOMMEND APPROVAL OF THE PUD MASTER PLAN BASED ON THE FINDINGS OF CONFORMANCE WITH STANDARDS AND GRANTING APPROVAL SUBJECT TO THE CONDITIONS AS LISTED IN THE STAFF REPORT, FOR PROPERTY LOCATED AT EAST VIKING BOULEVARD, "SUNRISE RIVERBANK" FOR ALL OR PART OF PROPERTY ID NUMBERS: 21.10302.00, 21.10302.20, and 21.10302.30.

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

MOTION BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER CARR, TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT, D-22-007 "AVERY PLACE", SUBJECT TO THE CONDITIONS INCLUDED IN THE STAFF REPORT AND THE ADDITIONAL CONDITION ADDRESSING THE CUL-DE-SAC SIDEWALK TO BE FINALIZED AS DISCUSSED, WITH REMOVAL OF THE SIDEWALKS ON THE CUL-DE-SACS AND THAT ISSUES SURROUNDING THINGS LIKE SNOW STORAGE BE ADDRESSED, FOR

PROPERTY LOCATED AT EAST VIKING BOULEVARD, “SUNRISE RIVERBANK” FOR ALL OR PART OF PROPERTY ID NUMBERS: 21.10302.00, 21.10302.20, and 21.10302.30.

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

Mayor Iverson noted that if there are residents that still have some questions she would encourage them to get in touch with staff in order to get more information.

NEW BUSINESS: NONE

OLD BUSINESS: NONE

COMMUNICATIONS:

3. Accept Resignation of Bryan Murdock

Mayor Iverson expressed her appreciation for the great job Commissioner Murdock has done serving on the Planning Commission. She presented a plaque to him commemorating his years of service to the City.

There was a round of applause for Commissioner Murdock.

Chair Lobermeier expressed his appreciation for Commissioner Murdock’s service and specifically for all the help he gave in pulling together the Comprehensive Plan.

UPDATES:

Chair Lobermeier noted that Commissioner Murdock has served as the Vice-Chair, so that position will need to be filled at an upcoming meeting.

Zoning Administrator Weck stated that WSB is currently reviewing the Comprehensive Plan.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER MURDOCK, TO ADJOURN THE MAY 24, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 7:55 PM.

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