

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
NOVEMBER 8, 2022
8:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for November 8, 2022 to order at 8:00 PM

CALL OF ROLL:

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

ABSENT: None

Also Present: City Council Liaison Brett Ohnstad and Fred Weck, Zoning Administrator

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 October 11, 2022

A MOTION WAS MADE BY COMMISSIONER CARR, SECONDED BY COMMISSIONER WEST, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR OCTOBER 11, 2022, AS SUBMITTED.

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

SCHEDULED PUBLIC HEARINGS:

2. Rezoning: Z-22-03: Rural Residential II District (R2) to Rural Residential 1 District (R1)
Variance: V-22-001: Lot Width and Depth
Preliminary and Final Plats: D-22-012 and 013 – “Newman Estates”
Location: 5759 250th Street – southeast corner of 250th and Fondant Avenue
Applicant: Kelly Newman
Property ID Number: 21-11125.38

Zoning Official Weck gave an overview of the requests for rezoning, variance, and preliminary/final plat requests for property located at 5759 250th Street. He explained that staff recommends approval.

MOTION BY COMMISSIONER CARR, SECONDED BY COMMISSIONER NAUMANN, TO

OPEN THE PUBLIC HEARING AT 8:05 P.M.

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

Ray Horstman, 7575 250th, noted that he had a comment related to the property located at 7580 250th Street.

Chair Lobermeier explained that the Planning Commission was discussing 5759 250th Street right now and 7580 250th Street would be discussed next on the agenda.

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

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

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER CARR, TO RECOMMEND APPROVAL OF THE REZONING REQUEST: Z-22-03: RURAL RESIDENTIAL II DISTRICT (R2) TO RURAL RESIDENTIAL 1 DISTRICT (R1) FOR PROPERTY LOCATED AT 5759 250TH STREET – SOUTHEAST CORNER OF 250TH AND FONDANT AVENUE, PROPERTY ID NUMBER: 21-11125.38.

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

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER CARR, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST: V-22-001: FOR LOT WIDTH FOR LOT 1, BLOCK 1, OF 190 FEET, FOR PROPERTY LOCATED AT 5759 250TH STREET – SOUTHEAST CORNER OF 250TH AND FONDANT AVENUE, PROPERTY ID NUMBER: 21-11125.38.

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

MOTION BY COMMISSIONER CARR, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL OF THE VARIANCE REQUEST: V-22-001: FOR LOT DEPTH, FOR LOT 2, BLOCK 1 OF 190 FEET, FOR PROPERTY LOCATED AT 5759 250TH STREET – SOUTHEAST CORNER OF 250TH AND FONDANT AVENUE, PROPERTY ID NUMBER: 21-11125.38.

Voting Aye: West, Carr, Naumann, Iverson, and Lobermeier
Voting Nay: None

Abstain: *None*
Absent: *None*

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL OF PRELIMINARY PLAT: D-22-012 AND D-22-013 “NEWMAN ESTATES” FOR PROPERTY LOCATED AT 5759 250TH STREET – SOUTHEAST CORNER OF 250TH AND FONDANT AVENUE, PROPERTY ID NUMBER: 21-11125.38, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. ALL REQUIRED LOCAL, STATE AND/OR FEDERAL PERMITTING MUST BE OBTAINED.**
- 2. COMPLIANCE WITH ANY ENGINEERING COMMENTS PROVIDED ON THE MARKED-UP PLAT DRAWINGS.**
- 3. BOTH THE REZONING AND THE TWO VARIANCE REQUESTS ARE APPROVED BY THE PLANNING COMMISSION.**

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

MOTION BY COMMISSIONER CARR, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL OF FINAL PLAT: D-22-012 AND D-22-013 “NEWMAN ESTATES” FOR PROPERTY LOCATED AT 5759 250TH STREET – SOUTHEAST CORNER OF 250TH AND FONDANT AVENUE, PROPERTY ID NUMBER: 21-11125.38, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. ALL REQUIRED LOCAL, STATE AND/OR FEDERAL PERMITTING MUST BE OBTAINED.**
- 2. COMPLIANCE WITH ANY ENGINEERING COMMENTS PROVIDED ON THE MARKED-UP PLAT DRAWINGS.**
- 3. BOTH THE REZONING AND THE TWO VARIANCE REQUESTS ARE APPROVED BY THE PLANNING COMMISSION.**

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

Chair Lobermeier noted that the Planning Commission was a recommending body and explained that these items will be on the City Council agenda for November 15, 2022 at 7:00 p.m.

- 3. Preliminary and Final Plats: D-22-014 and 015 – “Mayorga Meadows”
Location: 7580 250th Street – between Hazel Avenue and Lake Boulevard/Highway 8
Applicant/Owner: Luis Reyes-Camacho on behalf of Noe Mayorga
Property ID Number: 21.10508.00**

Zoning Official Weck explained the request to subdivide property at 7580 250th Street into two parcels and gave a brief overview of the application and the existing driveway location. He stated that the City Attorney has asked for a title commitment and noted that new easements will be necessary to allow for access to the new lot. Staff recommends approval with the conditions as listed in the staff report.

Kelly Jordan, surveyor for Widseth, explained that they had requested easement information from the title company when they started this process. He stated that what they sent was the deed and in the deed it mentions the 10 foot strip. He noted that there may not be a separate easement document, but they agree with Zoning Official Weck and are trying to get a title commitment from the title company. He stated that they also agree that they should rewrite a new easement to match the existing driveway location.

MOTION BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER CARR, TO OPEN THE PUBLIC HEARING AT 8:16 P.M.

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

Ray Horstman, 7575 250th Street, expressed concern about the roadway access being closed and referenced the public notice letter that was set out on October 24, 2022. He stated that the issues to him are related to the wetlands that have Sandhill cranes, pileated woodpeckers, deer, coyote, and raccoons. He stated that two homes have been added to Hazel in the last year, and is concerned that there are a few other larger lots on the nearby roadways and expressed concern about the septic tanks and drawing water from the pond that he dug about 20 years ago. He asked that Commission to go out and take a look and see how many houses are now on this roadway and consider the potential for the people that still have large lots here as well. He asked that they take into consideration possible environmental impacts on the wetlands in the area.

Karl Dahl, 7514 250th Street, stated that his concerns are similar to what Mr. Horstman had shared. He stated that they enjoy the wetlands and the property right now and explained that they are kind of putting the family farm back together. He stated that he has a lot of respect for people to be able to have property rights and explained his concerns were related to the fact that they are working to make this an organic farm and does not want water problems to be coming from the property. He stated that he does not have any problems with the home or the proposed development, but wants to make sure that the City gives thoughtful consideration to the soil, ditches, water shedding, and make sure that all of the water will be handled properly.

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

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

Zoning Administrator Weck explained that with regard to the wetlands, there will be no wetland impact and reviewed the setback requirements. He stated that when they apply for a building permit for the new home, they will be required to get additional permits such as from the watershed

district related to erosion control. He stated that the plans are for a standard septic system just like everyone else in the neighborhood. He noted that Mr. Horstman had mentioned the construction of the road and was referring to closing off access points, but that is part of the Highway 8 project, and not this development.

MOTION BY COMMISSIONER CARR, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL OF PRELIMINARY PLAT D-22-014 AND D--22-015, "MAYORGA MEADOWS" LOCATED AT 7580 250TH STREET, PROPERTY ID NUMBER: 21.10508.00, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THAT THE CITY ATTORNEY SHALL STATE WHETHER FEE SIMPLE TITLE TO THE PLATTED PROPERTY IS IN THE NAMES OF THE SUBDIVIDERS.**
- 2. ALL REQUIRED LOCAL, STATE AND/OR FEDERAL PERMITTING MUST BE OBTAINED.**
- 3. COMPLIANCE WITH ANY ENGINEERING COMMENTS PROVIDED ON THE MARKED-UP PLAT DRAWINGS.**
- 4. PRIOR TO RECORDING OF THE FINAL PLAT, THE APPLICANT SHALL CONFIRM THEY HAVE LEGAL ACCESS TO THE BUILDING SITE ON LOT 2 THROUGH THE EXISTING PRIVATE ACCESS EASEMENT AND ACCESS TO THE EXISTING, CONSTRUCTED DRIVEWAY. TO MAINTAIN THE EXISTING DRIVEWAY, THE PRIVATE DRIVE EASEMENT SHOULD BE MODIFIED, AND A SHARED DRIVEWAY AGREEMENT BE RECORDED WITH THE PLAT.**

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

MOTION BY COMMISSIONER CARR, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL OF FINAL PLAT OF MAYORGA MEADOWS LOCATED AT 7580 250TH STREET", SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THAT THE CITY ATTORNEY SHALL STATE WHETHER FEE SIMPLE TITLE TO THE PLATTED PROPERTY IS IN THE NAMES OF THE SUBDIVIDERS.**
- 2. ALL REQUIRED LOCAL, STATE AND/OR FEDERAL PERMITTING MUST BE OBTAINED.**
- 3. COMPLIANCE WITH ANY ENGINEERING COMMENTS PROVIDED ON THE MARKED-UP PLAT DRAWINGS.**
- 4. PRIOR TO RECORDING OF THE FINAL PLAT, THE APPLICANT SHALL CONFIRM THEY HAVE LEGAL ACCESS TO THE BUILDING SITE ON LOT 2 THROUGH THE EXISTING PRIVATE ACCESS EASEMENT AND ACCESS TO THE EXISTING, CONSTRUCTED DRIVEWAY. TO MAINTAIN THE EXISTING DRIVEWAY, THE PRIVATE DRIVE EASEMENT SHOULD BE MODIFIED, AND A SHARED DRIVEWAY AGREEMENT BE RECORDED WITH THE PLAT.**

Voting Aye: West, Carr, Naumann, Iverson, and Lobermeier
Voting Nay: None

Abstain: None
Absent: None

NEW BUSINESS: NONE

OLD BUSINESS: NONE

COMMUNICATIONS:

Zoning Administrator Weck noted that Commissioner Carr had tendered his resignation earlier today.

Commissioner Carr explained that his last meeting will be November 22, 2022.

Chair Lobermeier reminded the Commission that he will not be in attendance at the November 22, 2022 meeting.

UPDATES:

A MOTION WAS MADE BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER WEST, TO ADJOURN THE NOVEMBER 8, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 8:29 PM.

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