

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
DECEMBER 13, 2022
7:00PM**

CALL TO ORDER:

Planning Commission Vice-Chairman West called the Regular Meeting of the Wyoming Planning Commission for December 13, 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: Michael Naumann, Katie West, and Dan Iverson

ABSENT: Chair Mark Lobermeier

Also Present: Fred Weck Zoning Administrator, Robb Linwood, City Administrator, Kim Lindquist, City Planner, Council Liaison Brett Ohnstad, and Lisa Iverson, Mayor

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM: NONE

APPROVAL OF MINUTES:

Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for November 22, 2022

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR NOVEMBER 22, 2022, AS SUBMITTED.

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

SCHEDULED PUBLIC HEARINGS:

- 1. Preliminary Plat: D-22-016 Katie’s Glen
Conditional Use Permit C-22-003 for a Planned Unit Development
Location: Goodview Avenue between 255th and 258th Streets
Applicant: Pobuda Enterprises
Property ID Number: 21-10140.00**

Kim Lindquist, City Planner – WSB, gave a brief presentation outlining the request for a Preliminary Plat, Conditional Use Permit for a Planned Unit Development at Goodview Avenue between 255th and 258th Streets. She reviewed the zoning for the surrounding area, existing

conditions on the site, and the Comprehensive Plan guidance. She stated that the parcel is about 18 acres and the request is to create 39 single family lots and one large outlot that will include a wetland and the stormwater pond. She noted that several of the lots are not in compliance with the R3 standards, which is what has prompted the PUD request and explained that they were requesting a front yard setback of 25 feet rather than 35 feet, a side yard setback of 7 feet rather than 9 feet, and rear yard setbacks ranging from 33-180 feet. She reviewed the grading, erosion control plans, and plans to fill one of the wetlands that will need to meet the Wetland Conservation Act requirements before any activity can occur on this parcel. She explained that this is a heavily wooded site and many trees will need to be removed for grading and noted that the developer is replacing 33 trees with 66 new trees to meet the woodland preservation requirements. She noted that there are also landscape requirements that will need to be met. She noted that she had submitted revised conditions of approval, but explained that she wanted to make a few additional changes.

Zoning Administrator Weck noted that he had the revisions she submitted still sitting on his desk and asked to her to review her suggested changes.

City Planner Lindquist reviewed the revisions in the staff report and the recommended conditions of approval.

MOTION BY COMMISSIONER WEST SECONDED BY COMMISSIONER IVERSON, TO OPEN THE PUBLIC HEARING AT 7:13 PM.

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

Richard Spratt, 6545 255th Street, stated that he is concerned about this plan because he does not think there is a need for 39 new homes in this small area. He stated that he feels there is much more than could be done with this land such as a park with hiking trails. He asked how this development would affect his taxes. He noted that he also did not understand the need to fill in a wetland and asked how it would be replaced or relocated.

Zoning Administrator Weck explained that the wetland fill is allowed up to a certain amount of square footage depending on the type of wetland it is and explained that the applicant had received that approval yesterday. He stated that they will be creating a new wetland by the pond being created for stormwater. He stated that this development should not affect Mr. Spratt's taxes or property value. He stated that when the work was done on Goodview, sewer and water was put in order to serve this property. He explained that this had been annexed into the City in 2005, but when the economy took a turn a few years later, the developer walked away from this parcel and this plan is now a reiteration of those previous plans.

Mr. Spratt asked how long it will be before the City comes and tells him he needs to put in City sewer and water.

Zoning Administrator Weck stated that the sewer and water will not be put in the street past his house, but if it was, the annexation agreement says that there would be 5 years to hook-up once City sewer and water becomes available.

Vice-Chair West noted that the developer will need to give a monetary contribution to the City for park dedication fees.

Josh Malm, 25577 Goodview Avenue, stated that the plans are for planting 66 new trees and

asked where those would be located.

Vice-Chair West noted that the City had not received a landscaping plan yet but the developer will need to come up with that later in the process.

A woman from the audience asked how many trees were going to be taken down.

City Administrator Linwood explained that the plan was to remove 635 trees.

Zoning Administrator Weck stated that the developer was allowed to take the trees that will be located where the streets, driveways, homes, and stormwater ponds will be located. He explained that any trees removed outside of these areas are the ones that need to be replaced, which is what the 66 trees are.

Kathy Wright, 6370 255th Street, asked what kind of homes these will be. She stated that she feels the property values may be effected depending on what type of homes will be put in. She stated that at one point in time, she believed that they were going to put in 55 homes and have them be slab only construction and for an age 55+ development.

Zoning Administrator Weck stated that the plat is all slab on grade homes which means no basement, but did not know what the value of the homes will be. He explained that they will not be low income housing, nor does he think they will be starter homes.

John Wright, 6370 255th Street, asked about the process for approval.

Vice-Chair West gave an overview of the process for approval in the City and noted that the Planning Commission is a recommending body and that the City Council will make the final decision.

Mr. Wright stated that the road frontage does not appear to meet that requirement and asked how the City could justify approval.

Zoning Administrator Weck stated that it depends on the zoning and explained that for a PUD, the Outlot was a trade-off in order to allow those lots to vary in size. He stated that means that in addition to the \$70,000 in parkland dedication, they are providing greenspace in order to allow them to make lots that are varied in size, but the overall density will remain the same. He reviewed the process for approval for the project and the actions that will need to be taken by the developer before anything can happen.

The engineer for the applicant explained that their plans are for single level homes but noted that he did not have more concrete details yet.

Devin Brockman, 25678 Goodwin, expressed concern about the animals and wildlife that currently live in that forest. He stated that if over 600 trees are removed he is worried about what will happen to the bear, deer, raccoons, and possum that live there.

Nancy Brockman 25678 Goodwin, stated that she believes these plans will mean that they will have 4 houses in their backyard area. She stated that when they moved to the City they moved here because they did not want to have nearby neighbors. She stated that having this type of development come in is very discouraging and sad because nature is a big thing to their family. She stated that the City's website, at one point in time, had a statement about the wetlands helping to make the City one of the area's most livable communities. She stated that these plans are tearing out some of the wetlands and stated that she wanted to make sure that what is stated on the website is not opposite of what they are actually doing with this development. She stated that the roads in their area are not currently kept up and noted that it would be nice to have them taken care of if they are going to put in another road. She stated that it would also be nice if the size of these lots were consistent with the lot sizes that are already there because that will affect their properties.

Kurt Windingstad, 6543 Goodwin Lane, asked about sewer and water.

Zoning Administrator Weck reiterated that sewer and water will not go past Mr. Windingstad's house so he will not have to hook-up.

Mr. Windingstad stated that when the original plans to develop this parcel fell apart shortly after he purchased his property, he was glad. He stated that he thinks that there are a lot of open areas of land available where this development could happen rather than dismantling all these trees.

Zoning Administrator Weck explained that in order for City sewer and water to happen there would need to be either a petition from the residents of the street or for all the septic systems to fail and the MPCA to say that they have to put in City sewer and water. He noted that there is no developable land past this point, so unless either of his examples come to pass, that will not happen for quite a while.

Abby Hudd, 25592 Goodview Avenue, expressed her concern with the amount of traffic and speed on Goodview Avenue. She stated that adding 39 more houses is probably about 80 more vehicles and asked what the plans were for traffic control. She noted that there are also a lot of kids in the area and is concerned about the safety.

Zoning Administrator Weck stated that Goodview Avenue is a collector street for the City, so it has been designed, per State aid standards, to handle that amount of traffic. He stated that the speed limit has already been dropped down to 30 MPH and cannot go any lower. He explained that when the road was redone, many of the residents did not want additional trails put along Goodview Avenue. He noted that there will be a stop sign at Goodwin Lane.

A man from the audience stated that an engineered stormwater pond is not the same as a wetland because it will not have the same habitat for wildlife as the natural wetland.

Mr. Spratt asked if the City had thought about how this development would affect the school.

City Administrator Linwood stated that the City cannot speak for the Forest Lake School District but noted that the superintendent is in touch with the City a few times a year to ask about new development so they can plan accordingly. He stated that the superintendent is aware of this application for development and his understanding is that the district is looking for additional enrollment.

Ms. Hudd stated that she thinks all of her neighbors feel the same way and do not want this development to happen. She stated that despite their feelings, they understand that they really will not have a choice and asked when the earliest would be that they would see action start happening with this development.

Zoning Administrator Weck stated that there is a possibility for the developer to begin removal of trees during the winter months, but would not be doing much dirt work until spring.

**MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO
CLOSE THE PUBLIC HEARING AT 7:35 PM.**

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

Commissioner Iverson asked where else the City had done a PUD.

Zoning Administrator Weck stated that both of the Heims Lake developments, Summerfields, Liberty Ponds, and all of the Thurnbeck Ponds were done as PUDs and noted that they are done fairly frequently.

Commissioner Iverson asked if he was correct that these lots were going to be approximately quarter-acre lots.

Zoning Administrator Weck confirmed that was their approximate size.

Commissioner Iverson stated that the surrounding area has 1 acre or more lot sizes. He asked if there was a similar situation in the other examples that he had cited.

Zoning Administrator Weck stated that the Hawk Meadow development was done as a PUD, but they are on well and septic, so they have a minimum of 1 acre lot sizes. He stated that Summerfields has similar lot sizes and setbacks but noted that those homes are going between \$350,000 and \$400,000.

Commissioner Iverson asked about the CUP standards and asked about #3 that says the landscape plans are to provide appropriate screening and distance from adjacent developments so it will not depreciate adjacent land value. He stated that the staff reports says that this standard has been met and asked for more details on the landscaping plans.

City Planner Lindquist stated that there is landscaping so there is some benefit to the plan, but in reality she feels the main point is that the adjoining parcels are other single family residential so that is not generally considered overly impactful, because it is a similar type of use. She noted that the applicant has included more landscaping along the rear of the lots on the south side and also noted that the tree removal to the east does not go all the way to the boundary so there will be still be some trees in that area that will provide some buffer from the adjoining properties.

Commissioner Iverson asked about #4 regarding the appearance not having an adverse effect on adjacent properties. He stated that with the removal of so many trees, he feels the appearance would change and does not understand how this condition has been met.

City Planner Lindquist stated that the appearance will change, but believes the position is that the City does not think urbanized development on this site, which was anticipated, will have an adverse impact on the adjoining properties. She stated that some of the owners may feel that it is not as desirable to be adjacent, but in terms of an actual measurable negative impact, the City does not anticipate any change in valuation to those properties because of this development.

Commissioner Iverson asked about #5 where it says that it is generally consistent with the zoning for this site.

City Planner Lindquist stated that this is referring to the R3 zoning and noted that the other option was to not do the smaller lots, but then there would not be the greenspace.

Commissioner Iverson asked about the pond that is adjacent to Lot #19 and whether there would be any impact.

City Planner Lindquist stated that there would not be any impact and explained that property was part of a wetland and is protected, so they will be avoiding it.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT C-22-003 FOR A PLANNED UNIT DEVELOPMENT FOR KATIE'S GLEN, LOCATED AT GOODVIEW AVENUE BETWEEN 255TH AND 258TH STREETS FOR APPLICANT - POBUDA ENTERPRISES, PROPERTY ID NUMBER: 21.10140.00, WITH THE CONDITIONS AS OUTLINED IN THE REVISED STAFF REPORT.

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

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL FOR A PLANNED UNIT DEVELOPMENT FOR KATIE'S GLEN, LOCATED AT GOODVIEW AVENUE BETWEEN 255TH AND 258TH STREETS FOR APPLICANT - POBUDA ENTERPRISES, PROPERTY ID NUMBER: 21.10140.00, WITH THE CONDITIONS AS OUTLINED IN THE REVISED STAFF REPORT.

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

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL PRELIMINARY PLAT: D-22-016 KATIE'S GLEN, LOCATED AT GOODVIEW AVENUE BETWEEN 255TH AND 258TH STREETS FOR APPLICANT - POBUDA ENTERPRISES, PROPERTY ID NUMBER: 21.10140.00, WITH THE CONDITIONS AS OUTLINED IN THE REVISED STAFF REPORT.

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

Zoning Administrator Weck noted that this request will go before the City Council on December 20, 2022 for a final decision. He encouraged residents to include their e-mail address on the sign in sheet so he can send them copies of the most recent information that includes landscaping plan and other details of the proposal.

City Administrator Linwood noted that all of the information is available on the City's website along with pertinent City Codes.

NEW BUSINESS: NONE

OLD BUSINESS:

2. City of Wyoming Comprehensive Plan Update

Location: The City of Wyoming, MN

Applicant: The City of Wyoming, MN

Zoning Administrator Weck noted that the City had received some comments from the City of Columbus related to traffic and trail plans. He explained that they just wanted to ensure that the City will coordinate with the City of Columbus and noted that these comments have been forwarded to City Engineer Erichson.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND ADOPTION OF THE COMPREHENSIVE PLAN UPDATE.

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

COMMUNICATIONS: NONE

UPDATES:

The Rosenbauer Temporary Structure; Impervious Surface Variance; and Site Plan Review were approved by the Council per the Planning Commission recommendations.

Zoning Administrator Weck stated that at the next meeting there is an application to rezone a few parcels on Heims Lake.

A MOTION WAS MADE BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER WEST, TO ADJOURN THE DECEMBER 13, 2022 “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 7:56 PM.

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