

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
DECEMBER 27, 2022
7:00PM**

CALL TO ORDER:

Planning Commission Vice-Chair West called the Regular Meeting of the Wyoming Planning Commission for December 27, 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: Mark Lobermeier

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

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 December 13, 2022

A MOTION WAS MADE BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER WEST, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR DECEMBER 13, 2022 AS SUBMITTED.

Voting Aye: Naumann, Iverson, and West

Voting Nay: None

Abstain: None

Absent: Lobermeier

SCHEDULED PUBLIC HEARINGS:

2. **Rezone: Z-22-004 – Rural Residential 1 (R-1) to Office and Health Care District (OHC)**
Location: 257th Street, South end of cul-de-sac
Applicant/Owner: 257 Land Holdings, LLC Brian Solrud
Property ID Numbers: 21.10605.00 and 21.10542.10

Zoning Administrator Weck gave an overview of the proposed rezoning for the two vacant parcels located on 257th Street. He noted that the Comprehensive Plan has these parcels guided for Office and Health Care District and staff recommended approval.

Ed Severson, White Bear Lake, representing 257 Land Holdings, LLC, stated that they are excited to begin the dialogue with the City for this project.

MOTION BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER IVERSON, TO OPEN THE PUBLIC HEARING.

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

Dan Zienty, 25383 Heims Lake Circle, he stated that he feels this proposed change will directly impact the adjacent properties, including the Heims Lake Villas neighborhood. He stated that the neighborhood had put together a petition and would be presenting it to the City opposing the rezoning of these parcels. He explained that a major component of the consideration for building their homes in the Heims Lake Villas neighborhood was knowing the current zoning. He stated that properties around this area are zoned similarly and are in keeping with the strategic planning of the watershed district. He stated that they believe that allowing this change will disrupt the continuity of the area explained that they were also concerned about negative impacts on their neighborhood if a health care facility or office is built because it would bring more traffic, noise, and parking lot lights to a very quiet street. He noted that their direct neighbor Rosenbauer activities cease every day at 4:30 p.m. and have been excellent neighbors. He stated that he believed that rezoning this property would have a negative impact on the ecosystem because the wetlands are home to a diverse amount of native wildlife including numerous species of nesting and migrating waterfowl. He stated that they feel that a business would be much more devastating to the destruction of habitat than existing residential development. He asked the Commission to take the time to visit the area to see the importance in maintaining the continuity of the land surrounding Heims Lake and that they keep the land as it is presently zoned.

A petition was presented to Zoning Administrator Weck.

Tim Montzka, 5294 250th Street, noted that his property adjoins the parcels being discussed tonight and explained that he has lived on the lake since 1968. He stated that he is troubled because he has seen this happen in the neighborhood in the past where a developer has come in and the City has bent over backwards and changed zoning with the expectation of certain things to be done. He stated that he has seen his long term neighbors lose their properties because of the assessments due to development. He stated that these things sound really good up front, but it does not always work as well for the neighbors. He stated that the conversation started tonight by saying they are 'starting a discussion', which concerns him because he did not see a plan presented. He stated that he doesn't know that once the developer gets their approvals that the City will have much control over it. He stated that he would encourage the Planning Commission to know what is going to happen to this neighborhood before they allow it to be rezoned. He referenced the 40-50 new landowners on that side that have recently purchased the property. He stated that he assumes that many of them spent their entire life savings on this purchase and that decision was made with an expectation and understanding and asked that the City consider those people and that this decision be considered very carefully. He stated that the company that made this investment made an investment with the hope of getting a rezoning and to make some money.

Kevin Kirvida, Lindstrom, stated that he is the owner of the Rosenbauer building. He stated that he is not here to oppose the rezoning request. He noted that he did have a few concerns to bring to the Planning Commission's attention. He explained that the current footprint of their building has about 3-5 acres to the south that they may someday expand onto and expressed concern that the high and dry area of the proposed development would be very close to where they would be placing the buildings. He explained that he did not want it to turn into a situation where people move in near an airport and start complaining about the noise and the statement is made "the airport was there first". He stated that there is also an access road that traverses across this

property that is intended to be for emergency access, but noted that he has seen vehicles using the roadway. He noted that if this request is granted, he would very much like to move the road so it is on the property line rather than cutting across this property.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO CLOSE THE PUBLIC HEARING AT 7:12 P M.

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

Commissioner Iverson asked about the applicant's plans for the property.

Mr. Severson stated that their plans will really celebrate the green space and will be tucked back. He explained that the tree plan essentially drove the proposed building placement of an "L-shape" on the highway side. He briefly discussed the existing assessment and the discussions they have been having with the County regarding a possible financing packet for the property.

Commissioner Iverson asked if the plans were for residential development.

Mr. Severson stated that as it is right now, the engineer has not worked out the final plans.

Commissioner Iverson noted that the request is for rezoning to Office and Health Care and asked what Mr. Severson was actually planning to build in this area.

Mr. Severson explained that they are planning 13 units that are 3 bedroom units with 2 car garages, that would be townhouse style, slab on grade construction.

Vice-Chair West asked if Zoning Administrator Weck felt that this proposal would add traffic to the area.

Zoning Administrator Weck stated that when Rosenbauer was brought in, 257th Street was constructed and did not connect to the 250th Street dirt road. He gave an overview of the conditions of approval to provide emergency access and noted that the road referenced by Mr. Kirvida was not intended to be used as a public road and explained that people should not be using it as a road and it should only be for emergency access. He explained that the City ordinances do not allow any commercial traffic to go through residential neighborhoods. He stated that the Heims Lake Villa developments are also zoned Office and Health Care and reviewed the allowed uses including: health clinics, daycares, fitness centers, funeral homes, hospitals, hotels/motels, churches, elderly restricted housing, office buildings, personal services, restaurants, and tutoring services, in addition to residential. He reminded the Commission that the issue under discussion tonight is whether this property should be rezoned to what it is guided for under the Comprehensive Plan.

Vice-Chair West noted that things like the number of units being proposed would be reviewed during the site plan review.

Zoning Administrator Weck reviewed the zoning designations of the surrounding properties.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO REOPEN THE PUBLIC HEARING FOR COMMENT.

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

Absent: Lobermeier

Rick Gierke, 5280 250th Street, asked if the plans were for an apartment building with 13 units or 13 separate structures.

Mr. Severson stated that until they figure out the zoning issue, they cannot really have a plan. He stated that if he wants to apply for grants or any financial aid through the County the zoning needs to be taken care of so he can know what he can build.

Mr. Gierke stated that he understood that but because he mentioned the number 13, he would like to know what his hope is for the project.

Zoning Administrator Weck stated that this is located in the Shoreland District and until the City sees what is going on there, the density cannot be figured out. He explained that it is a complicated formula.

Mr. Gierke reiterated that he was just wondering if the plans were for apartment style units or something else.

Zoning Administrator Weck stated that they are not far enough into the process to know those details yet.

Mike Deneen, 25347 Heims Lake Circle, noted that his understanding was that there was only 3 acres of buildable property on these lots even though the total amount is between 11-17 acres. He noted some others lots located near DaVita that were also available in the County auction, but was unsure if they had sold. He stated that he believes those parcels were already zoned for commercial use.

Zoning Administrator Weck stated that the Comprehensive Plan has them guided for commercial, but have the same zoning as this parcel as Rural Residential 1. He stated that he was unsure about how much buildable property there is on these lots and would be determined later in the process.

Mr. Zienty asked if there was a height restriction.

Zoning Administrator Weck explained that the height restriction would be for 45 feet.

Mr. Montzka asked if he was correct in thinking that if the rezoning is approved that any one of the permitted uses in that zoning would be acceptable.

Vice-Chair West confirmed that was correct.

Mr. Montzka asked if the City would have the legal authority to say no to one of those permitted uses.

Zoning Administrator Weck explained that it was more than just being 'on the list' and noted that the plans also have to meet all the other standards and referenced examples such as setbacks, parking and other required permitting.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO CLOSE THE PUBLIC HEARING AT 7:29 PM.

<i>Voting Aye:</i>	<i>Naumann, Iverson, 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 how the City has high density residential as options under both OHC and High Density Residential.

Zoning Administrator Weck stated that it is similar to how there can be single family residential homes in R-1, R-2, R-3, and R-6.

3. MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL OF THE REQUEST TO REZONE: Z-22-004 – RURAL RESIDENTIAL 1 (R-1) TO OFFICE AND HEALTH CARE DISTRICT (OHC) LOCATION: 257TH STREET, SOUTH END OF CUL-DE-SAC FOR 257 LAND HOLDINGS, LLC BRIAN SOLSRUD, PROPERTY ID NUMBERS: 21.10605.00 AND 21.10542.10

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

NEW BUSINESS

OLD BUSINESS:

COMMUNICATIONS:

UPDATES:

Zoning Administrator Weck noted that the Council had adopted the Comprehensive Plan. He noted that Katie's Glen discussion was tabled until the full Council could be present. He reviewed the proposed agenda items for the next Commission meeting.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO ADJOURN THE DECEMBER 27, 2022 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 7:33 PM.

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