

**APPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
MARCH 14, 2023
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for March 14, 2023 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, Katie West, and Dan Iverson

ABSENT: None

Also Present: Fred Weck Zoning Administrator; Kim Lindquist, Planner; and Council Liaison 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 January 24, 2023**

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JANUARY 24, 2023 AS SUBMITTED.

<i>Voting Aye:</i>	<i>Iverson, Naumann, West, 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. **Interim Conditional Use Permit for a Home Occupation: ICUP 23-001**
Location: 24258 Fallbrook Avenue
Applicant: Rory Sawada (Prospective buyer)
Owner: Quinn Miron
Property ID Number: 21.10618.00

Kim Lindquist, City Planner, gave an overview of the request for an Interim Conditional Use Permit for a home occupation within the agricultural zoning district. She reviewed the existing residential buildings, driveway location, surrounding areas, and guidance from the Comprehensive Plan. She explained that in the agricultural zoning district there are some additional allowances for home occupation permits that would not necessarily be found in

other districts and reviewed some of those items related to parking, use of accessory structures, and allowance for additional traffic. She explained that in this instance, the property owners have indicated that they plan to use an existing outbuilding for a light manufacturing use of detailing and finish work on a product. She stated that they anticipate one van delivery per day and a larger, semi-truck every 3 weeks. She stated that the proposed plans would mean that it would function fairly close to a residential unit with the exception of some of the use within the accessory building. She stated that one thing noted in the application was that, at times, they are busier so they may have some minor amount of employees to finish some batch work. She noted that one other thing that may be good information for the Commission to have is related to prior concerns about the property and some buried rubble on the site. She stated that there were concerns about what was buried and some possible environmental hazards that could negatively impact the site and the adjoining properties. She stated that there was a brief summary included in the staff report that outlines the litigation and the involvement of the MPCA. She explained that the situation was resolved to the satisfaction of the MPCA. Staff is recommending approval of the ICUP.

Rory Sawada, explained that the company is a family company called Secondary Solutions and gave a history of their operations, their current operations, and their typical products.

Commissioner Iverson asked about the type of materials that would be used in their products.

Mr. Sawada explained that they may use some adhesives, but most of the stuff they deal with now is considered eco-friendly. He noted that they do have a paint booth, but everything would be going through a specialized filter, so there wouldn't really be any exhaust or fumes.

Commissioner Iverson asked about the semi-truck that would be coming on site every few weeks.

Mr. Sawada explained that the semi-truck is essentially from one customer that does Scotsman icemakers, like those you see in a hotel. He stated that they do a bonding process for the machines and this particular product just takes up space. He noted that right now, that is their only customer like that.

Commissioner Iverson asked what type of waste the business would generate.

Mr. Sawada answered that it would just be general household waste, if any. He stated that none of their material would be anything considered hazardous.

Commissioner West stated that the neighbors had concerns with the past waste and dumping, but noted that it did not sound like it would be an issue with this ICUP. She asked if that information held any relevance for the existing application.

Zoning Administrator Weck explained that this information was shared for informational purposes.

Commissioner Naumann asked if Mr. Sawada had seen the list of proposed conditions.

Mr. Sawada stated that he had seen them and did not have issues with them. He stated that he would be living at this site as well, so he will want things to look nice because they will represent both his business and his personal life.

Chair Lobermeier asked about the semi-truck that will come every few weeks and if he anticipated that it would be coming from the south off of 240th or through the residential neighborhood to the north.

Tony Khambata, Realtor, explained that they have had preliminary discussions with the courier to ensure that coming in through the south and not through the neighborhood would be the preferred route. He noted that related to the prior environmental concern, the MPCA is satisfied with the findings of the investigation. He stated that Mr. Sawada is not planning

on any new development on the site, so there would be no additional waste or excavation that would trigger any new environmental studies. He explained that the current topography and lay out of the site will remain the same.

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO OPEN THE PUBLIC HEARING AT 7:20 P.M.

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

Susan Edseth, 24340 Fallbrook Avenue, explained that she has lived in this location for 38 years. She stated that the truck will be traveling right past her bedroom window. She asked if Mr. Sawada actually owned this property and where he currently lived since he had not given his address.

Mr. Sawada explained that his purchase of this property is conditional upon whether this use will be allowed or not. He stated that he currently lives in Woodbury.

Ms. Edseth stated that this property has been a problem property for decades. She stated that businesses have been run, things have been buried there, and explained that they attempted to get the township to act and enforce land use requirements, which did not happen. She stated that it has caused a hardship for her family and explained that she personally does not want to see another industry located next to her home. She stated that she felt it would be disruptive and stated that she has had a lot of sleepless nights over this property. She stated that she did not believe that the City could issue the authority to conduct this type of business if they do not actually own the property yet.

Zoning Administrator Weck explained that the current property owner has also signed the application. He noted that the current property owner and the applicant have also signed a purchase agreement contingent upon whether they get the home occupation permit or not. He stated that if the City approves the home occupation permit then the purchase agreement will move forward and will not if it isn't approved.

Ms. Edseth asked about the length of time that the City is considering issuing the permit for. She asked why it was something like 30 years rather than at the termination of ownership.

Zoning Administrator Weck explained that one of the conditions is 30 years or upon the sale of property or when the applicant vacates the property. He explained that if Mr. Sawada is no longer there, the permit would no longer be valid.

Ms. Edseth stated that there was a suggestion that there would be periods of time where more traffic would be coming and going and asked what kind of limitations would be put on that activity.

Chair Lobermeier explained that the conditions that were listed in the staff report would be the limitations.

Ms. Edseth asked how often the business would have the upsurge in production that would require additional personnel.

Zoning Administrator Weck referenced condition #2 that states that only those persons residing in the home and one other person may be employed on the site or report to the site on any one day.

Ms. Edseth reiterated that there have been lots of issues on this property where permitting was not done or supported. She stated that she did not want to have to police the conditions

and explained that she did not trust them.

Kathy Carlson, 24204 Fallbrook Avenue, stated that for about 15 years they have fought the junk yard, the chop shop, and the meth stuff that was happening on this property. She stated that the Police Department and the Fire Department were there all the time and there was nothing but smells, noise, and terrible things in what should have been a residential area. She stated that there are children, school buses, and people walking to the park. She explained that she did not think that something like this should be put into the residential area just when they finally got back to something 'normal'. She stated that they have been fighting to keep it residential and safe for their neighborhood. She stated that she believes that it is possible that 1-2 employees will then become 3-4, or that there will be numerous part-time employees. She stated that this use will not do her property any good and referenced the location of the wetlands and wildlife in the area. She asked the Commission to keep business out of the residential areas.

Dave Lunn, 24340 Fallbrook Avenue, asked if the Commission was aware that this is an adjudicated hazardous waste disposal site.

Zoning Administrator Weck explained that 'adjudicated' means that a court has ruled on it. He stated that the court ruled, and the MPCA agreed, that there was no further site clean-up that needed to be done.

Mr. Lunn showed a picture of what was dug up in the first excavation hole that was made by Patrick Blair. He explained that it was a lead acid battery which contains about 25 pounds of lead. He stated that there is no approved permitted septic system on the property and noted that there are 2 other septic systems on the property that have not had percolation tests completed. He stated that Judge Slatengren was sanctioned by the judicial review board for improper ex parte communications by allowing the engineering company that did the inspection to have prior business relations with the person that did the contamination on the property. He asked why the City would put something additional onto a site like this that is located in the middle of a residential neighborhood. He stated that he did not think that Mr. Sawada had any idea how much contamination is present on the site or how much liability he would have if something were to happen. He stated that right now there is a 'no dig' sanction by the MPCA on the property. He explained that this was not a simple or trivial matter nor is this an average home business. He asked that the City not do something stupid with this application.

Darrell Casey, 5329 245th Street, stated that he is all for businesses coming in if they can contain themselves with little to no waste or if they dispose of the waste properly. He explained that he works as a pipe fitter in his job so he has to provide material data sheets for everything that they use on a job site. He stated that he would ask that Mr. Sawada to provide all the material data sheets to the City for the material that he uses so that they are not just taking his word for the kinds of material he will be using.

Jackie Anderson, 25484 E. Comfort Drive, explained that she owns a little piece of property in this area. She stated that this is being proposed in a highly sensitive overlay district of the wetland. She explained that it is part of the Sunrise River system that drains into the river, Comfort Lake and eventually into the lower St. Croix River. She stated that means that the City needs to be very careful that they are not contaminating the tributaries into that system. She stated that even though this would not be required to come before the Comfort Lake/Forest Lake Watershed District, she thinks it may be a good idea because of that connection. She stated that she believes the plans for employees violates the City standards for home occupations. She noted that it appears as though the interpretation is looser because it is agricultural rather than residential which she feels is a disconnection with the zoning and is causing confusion. She asked that the City take a closer look at this issue. She

asked how frequent the busier periods would be. She stated that she believes there is a disconnect with this parcel's zoning, which causes concern among the neighbors. She stated that semi-trucks will have to come in through established neighborhoods and on roads that were not built for semi-truck usage. She asked if the people living on the roads would be taxed to improve the surface and beds of the roadways when they collapse from this usage. She stated that this looks like an appropriate business, but feels it should be located somewhere that is appropriate. She asked about the by products of their finished products go. She noted that she had done some initial research about this type of work found that the finishing process is to get rid of the rough edges and would like to know what happens to that plastic after it has been ground off. She stated that she would not consider that material to be normal household trash. She stated that if that material gets into the river system or wetlands, then there is trouble with contamination for the water and the wildlife. She stated that there are some sites on the plan list for painting and asked what type of paint would be used and if it would be toxic. She asked about the washing station and toilet and noted that typically when there is a separate building those are not connected to the septic system for the primary residence. She reiterated that her main concerns are related to roads and the inappropriate nature of this business next to an area that is residential. She stated that as a former business owner she wished Mr. Sawada luck but explained that the City needed to make sure that this will not cause other damages.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO CLOSE THE PUBLIC HEARING at 7:39 P.M.

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

Chair Lobermeier thanked the residents for coming out and noted that he thinks that they have given a lot of good comments to the Commission. He asked Zoning Administrator Weck to address some of the items that he has additional information about.

Zoning Administrator Weck explained that there is a septic system on the site as well as some abandoned systems that are no longer being used. He stated that there have been two compliance inspections on the property and the existing system is compliant. He stated that there was a third inspection conducted recently, but he has not received that one yet and explained that was delayed because of the holding tank for the toilet in the pole barn wasn't included. He stated that the abandoned systems can be left in place and do not need to be torn out. He stated that he has never seen an order from the MPCA saying that there is a 'no dig' on the property and suggested that if someone has access to that information that they forward it to him so he can take a look. He reiterated that both the MPCA and the courts have adjudicated this and it is no longer a hazardous waste site and is considered clean. He explained that agricultural zoning does allow for commercial uses and also allows residential uses. He stated that based on what Mr. Sawada was proposing, it fit more into the Home Occupation permit arena.

Commissioner West clarified that no structures were being proposed to be added and they would use only what is already existing.

Chair Lobermeier noted that no new development is proposed to be completed on the site. He stated that from his understanding from the staff report, there will be no shaping of the parts on site and would instead come to Mr. Sawada for 'decoration'.

Mr. Sawada confirmed that this was correct and agreed that they would not be creating any

shavings or excess material.

Chair Lobermeier asked about the semi-truck traffic and noted that it was stated that the traffic would be coming from the south and not the north.

Zoning Administrator Weck noted that Forest Lake put down reclaimed asphalt off of 240th, so this is no longer a gravel road.

Commissioner Iverson asked about the material data sheets that was mentioned by one of the residents. He asked if that would be addressed anywhere within the City ordinances.

Zoning Administrator Weck explained that typically when there is an applicant that has hazardous waste, there is a small generator license that they have to have with the MPCA which needs to be provided to the City. He stated that the applicant will have to do the material data sheets, but if he does not have any hazardous waste he would not need to have the waste generator license.

A MOTION WAS MADE BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER WEST, TO RECOMMEND APPROVAL INTERIM CONDITIONAL USE PERMIT FOR A HOME OCCUPATION: ICUP 23-001, LOCATED AT 24258 FALLBROOK AVENUE FOR RORY SAWADA (PROSPECTIVE BUYER), PROPERTY ID NUMBER: 21.10618.00, SUBJECT TO THE 11 CONDITIONS LISTED IN THE STAFF REPORT.

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

3. Conditional Use Permit for Apartment Buildings: C-23-001
Location: 257th Street, south end of cul-de-sac
Applicant/Owner: 257 Land Holdings, LLC; Brian Solsrud
Property ID Numbers: 21.10605.00 and 21.10542.10

City Planner Lindquist gave an overview of the request for a CUP for apartment buildings on 257th Street. She stated that this is a 14 acre parcel that has 4.3 acres of upland area. She noted that there is some wetland area and noted that there is also quite a bit of open water. She stated that the property was recently rezoned to Office Healthcare (OHC) and noted that it is also designated for this guidance with the Comprehensive Plan. She stated that the plans are for a 26.2% increase in impervious surface coverage. She explained that the City ordinance states that if this is over 25% a CUP would be needed. She referenced the conditions listed in the staff report but noted that staff is recommending continuance because there is still some additional information that is necessary. She gave an overview of the overall proposal for two principal structures on the site. She explained that there would be a 6 unit and a 7 unit rental units with 1 office unit. She stated that there would also be two detached garage units and about 35 surface parking spots along the primary drive into the site. She explained that the primary access would be from 257th Street which is also the only access to the site. She stated that this does provide enough public access but noted that there is some concern about circulation within the site itself and explained that the Fire Chief had also expressed some concern about access to the back of the residential buildings. She stated that one of the conditions recommended with the continuance is that there has to be some ability to get emergency vehicles to the back of the buildings or the interior building configuration needs to be restructured so that there is primary public access. She stated there is adequate capacity associated with the utilities available off of 257th Street. She stated that there will also be some woodland preservation on the site and referenced City ordinances.

She noted that the plans, in general, meet those requirements. She noted that the landscape calculations are based on the up land areas and there is not enough planned, at this point which was another reason that staff was suggested a continuance in this matter. She reviewed the elevation renderings that were included with the application but noted that no information on the garages, materials, or layout was included which is another reason that staff was recommendation a continuance. She stated that the City is also unclear about the traffic generation that is proposed nor is the City clear on what type of use would happen on the site other than it is some type of multi-family use. She reiterated that staff was recommending a continuance of this application in order to allow certain issues to be addressed such as the type of housing, office use, traffic calculations, building elevation details, emergency vehicle access, additional landscaping on the property, and a better understanding of some of the engineering and watershed comments in terms of development on the site.

Wayne Stark, Stark Engineering, explained that the buildings are laid out as 2-3 bedroom apartments. He stated that as far as the other comments related to engineering and landscape plans, those will be addresses as they move through the process. He stated that, in his opinion, he did not see anything that would majorly change the design other than the access road issue and/or changing the layout of the building in order to provide better public access. He stated that he believes adding a hammerhead turn around at the far end of the property would make sense for emergency vehicles. He noted that right now they had proposed the trash enclosure being on the east side so the garbage truck would not have to drive all the way through the site. He stated that the buildings will be sprinkled and noted that there is a hydrant extended with the water line to provide fire protection in that manner. He stated that they will be applying for a permit from the watershed district because it does trigger their rules #2 and #3.

Chair Lobermeier asked what the intent is for the occupancy of the building.

Mr. Stark stated that he did not know and that question would have to be asked of the developer. He stated that he was not sure if there was a specific target market in mind for these units.

Chair Lobermeier noted that the list created by staff for additional information is fairly long.

Commissioner Iverson stated that in addition to the target market for the units, it looks like every unit is proposed to be 3-bedroom and 3-bathrooms. He stated that it also looks like there are 3 doors per unit and asked why there were so many entry doors planned.

Mr. Stark stated that would need to be asked of the architect.

Commissioner Iverson stated that the elevations make it look like the Hitching Post Motel.

Mr. Stark explained that he has the engineer and not the architect.

Chair Lobermeier explained that the staff recommendation is for continuance in order for more information to be gathered, but noted that the Commission would still like to hold the public hearing in order to get input from the public on this item.

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO OPEN THE PUBLIC HEARING AT 8:05 P.M.

Voting Aye: Iverson, Naumann, West, and Lobermeier

Voting Nay: None

Abstain: None

Absent: None

Wayne Lund, 25330 Heims Lake Circle, stated that he is part of the Heims Lake HOA. He asked for an explanation of what it meant that this item would be 'continued' and if that meant that the public would no longer have a chance to address the Commission.

Chair Lobermeier explained that they want to hear input from the public so the public hearing would be held, as planned. He stated that there is more information that is going to be submitted, so there will be another hearing when that information is gathered.

Mr. Lund asked about the zoning for this property because he believes the OHC is for 55+.

Zoning Administrator Weck clarified that the OHC zoning stands for office and healthcare and reviewed the permitted and conditional uses that would be allowed in that zoning district.

Mr. Lund stated that if this is 55+, they would ask that the City request from the management company that there be an annual verifiable audit to ensure that the residents are fitting that category.

Kevin Kirvida, 31125 Lincoln Road, Lindstrom, stated that he is one of the founders of the Rosenbauer America Group and his family owns for the former Xccent building which abuts the proposed development. He stated that he attended the hearing when the City discussed changing the zoning and mentioned at that time that on the map to the east of 35 there is a gravel road that goes north and then cuts diagonally across the Rosenbauer property. He stated that they have talked about adding onto their building for some office space and had suggested that, if this development moves forward, that they turn that road and relocate it on the property line between the new development and their property. He stated that he would be willing to dedicate 20-30 feet so the roadway could go across the two properties and not interfere with their ability to add on to their business in the future.

Zoning Administrator Weck explained that the existing roadway he was referring to was meant for emergency vehicles and not for public use.

Mr. Kervida reiterated that he would recommend that as part of this process that the City make the adjustment to that roadway for it to become a dedicated roadway. He stated that despite it being intended for emergency vehicle usage, there is regular traffic that is using it.

Tim Montzka, 5294 250th Street, stated that he has lived on Heims Lake for about 55 years. He stated that Heims Lake has gone from a mostly open body of water that was very usable to one that is completely covered in vegetation. He stated that the lake has changed significantly over the last 15 years and noted that he believes it is because of changes that were allowed to be made around the lake. He stated that he thinks the lake has been severely damaged and to quote a phrase from *The Princess Bride*, "mostly dead". He stated that he would describe it as a death by 1,000 cuts and expressed his concern about adding excess impervious surface because the City cannot easily regulate properties after the original inspection. He stated that he thinks the City has been careless with this resource and that various decisions have been made over the years that have significantly impacted Heims Lake. He stated that he believes there is a DNR rule about removing trees between buildings and a lake, but has not heard that addressed today by the Commission or staff. He stated that he feels it is ridiculous that the City has an ordinance that clearly gives a percentage for impervious surface and the City is considering just looking the other way and allowing a larger percentage. He stated that he would like to see how the buildable land was calculated and did not reference the OHWL '*Ordinary High Water Line*'. He asked that staff verify this calculation.

Zoning Administrator Weck explained that in this case, the buildable land would be to the OHWL.

Dan Zienty, 25384 Heims Lake Circle, asked if there had been talk about the possibility of this

development being subsidized.

Zoning Administrator Weck stated that he has unsure if the applicant was trying to do anything with subsidized housing.

Chair Lobermeier stated that the City had no information about the possibility of subsidized housing.

Jay Graziani, 25359 Farmstead Lane, stated that his biggest concern was what the major target would be for this project. He asked why that had not been specified before it was brought in for consideration. He stated that he feels as though it has not been very well planned out and is afraid that it is a 'smoke and mirror' type situation. He stated that the proposal seems innocent, but he feels that a lot of red flags were raised when he read the description. He stated that he would like to know who is developing it, their purpose, their market, and what is planned for the future.

Karen Gierke, 25401 Heims Lake Circle, stated that her family has owned 40 acres located on Heims Lake Circle for the last 55 years. She stated that they have seen things change and while she understands development happens, she has often wondered about the planning process. She stated that there was farm land and then the hospital came in. She stated that what goes with the hospital are things like assisted living and dialysis facilities which has started to feel like the plan for this area. She stated that if this is something that does not fit in with that rhythm or space, she questioned why the City would consider it. She stated that she does not understand how the process could get this far without them articulating what they are going to do with the proposed buildings. She stated that her concerns are somewhat fear based and surrounding fear of losing the living environment and experience, including the wildlife and water quality. She stated that there is a trending pattern that goes with apartment buildings or multi-family living facilities that she is concerned about. She stated that if there is going to be something here she would like it to fit in with the environment and the community.

Dan Thompson, 25319 Heims Lake Circle, stated that within the paperwork, there were some general CUP standards that needed to be met. He referenced #3 regarding the use being compatible or screened from adjacent development so its value would not depreciate. He stated that dropping a motel on this site would obviously depreciate the value of his home. He stated that Heims Lake Villas, Heims Lake Villas North, and The Meadows, are all next to each other and have very nice upkeep. He stated that right now they have no idea what this proposal will bring which he finds very concerning. He referenced condition #4 related to the appearance not having an adverse effect on the adjacent properties. He stated that the plans do not at all try to match the existing guidance of the area. He stated that it is a beautiful neighborhood and they all love living back there. He stated that he thinks that the 3 doors per unit makes it clear that they are trying to put in a multi-client type building. He stated that when this developer bought the land in the fall of 2021 they came in and did some power clearing of the land down to the lake without watershed approval. He stated that the developer taking those kinds of actions makes him worried about the type of development they will put in and recommended that the City keep a close eye on this because, to him, it seems very 'shady'.

Jamie Shepard, 25413 Heims Lake Circle, stated that he and his wife had previously lived in East Bethel before they stumbled on the Heims Lake development. He stated that it had everything they were looking for, quiet, great neighbors, and a dead end street. He stated that from a personal standpoint, this development would mean that they will lose many of the things that they came to the area for. He stated that he knows that 55+ senior living communities are in high demand and noted that he wanted to touch on the money aspect of this since he is a former banker. He explained that he was concerned about property values

if the City brings in something so significantly different than what is currently in place. He stated that he thinks that there should be some type of property valuation done before anything goes in to find out what it will do to property values.

Arden Jenson, 25309 Heims Lake Circle, stated that he is right next to the cul-de-sac and expressed concern about the headlights of the traffic leaving the establishment because they will swing across the sunrooms and bedrooms of the first three homes.

Elizabeth Fabre, 25409 Heims Lake Office, stated that she finds it surprising that the developer was not present at the meeting tonight. She stated that she feels it is disrespectful because none of the questions that they have come with tonight have been answered. She stated that she hopes that this behavior is not indicative of how the developer is going to go forward.

Marcia Hanson, 25379 Farmstead Lane, stated that if this project is for people who are older, she questioned why the parking lot would only be on the front of the building and not the back side. She stated that for the people who live on the back side, they would have to carry their groceries and packages all the way around the building. She stated that she was also concerns about the traffic that this development may create. She explained that this is a quiet neighborhood and they all built their homes there for that reason.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO CLOSE THE PUBLIC HEARING AT 8:28 P.M.

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

A MOTION WAS MADE BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER IVERSON, TO TABLE ACTION ON CONDITIONAL USE PERMIT FOR APARTMENT BUILDINGS: C-23-001 FOR PROPERTY LOCATED AT 257TH STREET, SOUTH END OF CUL-DE-SAC FOR APPLICANT/OWNER: 257 LAND HOLDINGS, LLC; BRIAN SOLSRUD, PROPERTY ID NUMBERS: 21.10605.00 AND 21.10542.10, UNTIL ADDITIONAL INFORMATION, AS REQUESTED, IS RECEIVED.

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

Zoning Administrator Weck gave an explanation of the 120 day rule and noted that this would have to come back to the Commission by their May 23, 2023 meeting in order to meet that rule. He noted that the applicant could also decide to withdraw their application as well.

Chair Lobermeier reiterated that if there is additional information that comes in, the City will renotify people about the second public hearing, based on the new information.

Zoning Administrator Weck noted that there were a lot of people in attendance tonight that did not receive the original notification letter. He suggested that people send him an e-mail if they would like to be notified and he will make sure he adds them to his contact list. He noted that he can either send it in the USPS mail or via e-mail. He noted that there will be another meeting on this project, but whether the residents get a chance to speak again would be up to the Planning Commission to decide.

Chair Lobermeier stated that because the current application is quite incomplete, the Planning

Commission would like to get comments on a complete application, so while he cannot speak for the entire Commission, he believes that they would reopen the public hearing in order to get additional input.

Chair Lobermeier recessed the meeting at 8:30 p.m. and reconvened at 8:34 p.m.

NEW BUSINESS

4. Site Plan Review: SP-23-001 Polaris Industries, Inc.
Location: 74300 East Viking Boulevard
Applicant: MaKinnah Gunderman, Ryan Companies
Owner: Polaris Industries, Inc.
Property ID Number: 21.00001.00

City Planner Lindquist gave an overview of the proposed site plan for Polaris at 74300 East Viking Boulevard. She stated that this is for an expansion of a parking lot which will really function as a storage area for some of their over land vehicles on the southwest corner of the site. She reviewed the existing conditions, zoning, and the nearby wetland and natural area. She stated that the applicant came forward with a grading permit request earlier to take out some of the fill on the site to prep the site and take advantage of the frozen conditions, however that did not work very well. She explained that they were not able to proceed as planned because of the tracking across and damage to the road, so they moved it to the area just south of the building. She gave an overview of the proposed parking area. She stated that staff recommends approval with the conditions as included in the staff report. She noted that many times cities put in erosion control conditions but many times people still end up storing materials or leaning stuff against the trees that are to be maintained and that is something that they really do not want to see within the 'no disturb' areas.

MaKinnah Gunderman, Ryan Companies, explained that they are proposing to redevelop about 4.2 acres of the existing Polaris facility. She stated that currently, they house the off road vehicles on the north side of the lot. She stated that the City had requested screening, so this is their effort to comply. She stated that plans are to move it to the southwest corner of the site where it will be screened with vertical slats in chain link fencing. She stated that the area will house about 183 vehicles.

Tom Fisher, Polaris, stated that this is their effort to comply with the City's requirements. He stated that they wanted to get things cleaned up and be able to keep their vehicle confidential within a fenced area.

MOTION BY COMMISSIONER NAUMANN, SECONDED BY COMMISSIONER WEST, TO RECOMMEND APPROVAL SITE PLAN REVIEW: SP-23-001 POLARIS INDUSTRIES, INC. LOCATION: 74300 EAST VIKING BOULEVARD FOR APPLICANT: MAKINNAH GUNDERMAN, RYAN COMPANIES, OWNER: POLARIS INDUSTRIES, INC., PROPERTY ID NUMBER: 21.00001.00, SUBJECT TO THE SIX CONDITIONS AS LISTED IN THE STAFF REPORT.

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

5. Request for Time Limit Extension of Site Plan Review and CUP Approvals
Location: 5111 East Viking Boulevard

Owner: Fourteen Foods (Dairy Queen)

Zoning Administrator Weck noted that he believes when they removed the tanks last fall, they found another location where there was a spill. He explained that they had received a letter from the MPCA that they needed to take care of the clean-up which means they need some more time.

A MOTION WAS MADE BY COMMISSIONER LOBERMEIER, SECONDED BY COMMISSIONER NAUMANN, TO RECOMMEND APPROVAL OF THE REQUEST FOR A TIME LIMIT EXTENSION OF ONE YEAR FOR SITE PLAN REVIEW AND CUP APPROVALS FOR PROPERTY LOCATED AT 5111 EAST VIKING BOULEVARD FOR FOURTEEN FOODS (DAIRY QUEEN).

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

OLD BUSINESS:

6. Architectural Standards: Community Ordinances and Material Examples

Chair Lobermeier recommended that this agenda item be moved to the next Planning Commission meeting.

Zoning Administrator Weck noted that at the present time there is nothing slated for the next Planning Commission meeting so there should be time to dedicate to this topic.

COMMUNICATIONS:

UPDATES:

ADJOURN:

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER WEST, TO ADJOURN THE MARCH 14, 2023 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 8:45 PM.

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