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Meeting Announcement and Agenda of the Cambridge Planning Commission  
City Hall Council Chambers  
Regular Meeting, Tuesday, June 2, 2015, 7:00 pm

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Members of the audience are encouraged to follow the agenda. When addressing the Commission, please state your name and address for the official record.

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**AGENDA**

1. Call to Order and Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
  - A. April 7, 2015 Regular Meeting (p. 3)
4. Public Comment: For items not on the agenda; speakers may not exceed 5 minutes each.
5. New Business
  - A. **Public Hearing**-Zoning Text Amendment- R-1 Rear Yard Setback (p. 9)
  - B. **Public Hearing**-Zoning Text Amendment- Fence Regulations (new building code requirements) (p. 15)
6. Other Business/Miscellaneous
  - A. City Council Update
  - B. Parks, Trails, and Recreation Commission (PTRC) Update
7. Adjourn

Notice to the hearing impaired: Upon request to City staff, assisted hearing devices are available for public use.

Accommodations for wheelchair access, Braille, large print, etc. can be made by calling City Hall at 763-689-3211 at least three days prior to the meeting.

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**PLANNING COMMISSION MEETING MINUTES**

Tuesday, April 7, 2015

Pursuant to due call and notice thereof, a regular meeting of the Cambridge Planning Commission was held at Cambridge City Hall, 300 – 3<sup>rd</sup> Avenue NE, Cambridge, Minnesota.

**Members Present:** Jim Godfrey, Shirley Basta, Tiffany Kafer, Chad Struss and Robert Nelson

**Members Absent:** John Klossner (excused), Bob Erickson (excused)

**Staff Present:** Marcia Westover, City Planner

**CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Godfrey called the meeting to order at 7:00 pm and led the Commission in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Struss moved, seconded by Kafer to approve the agenda as presented. The motion carried 5/0.

**APPROVAL OF MINUTES**

***March 3, 2015 Regular Meeting Minutes***

Kafer moved, seconded by Basta to approve the March 3, 2015 meeting minutes as presented. Motion carried 5/0.

**PUBLIC COMMENT**

Godfrey opened the public comment period at 7:02 pm and without comments, closed the public comment period at 7:03 pm.

**NEW BUSINESS**

***Public Hearing Zoning Map Amendment-Schlagel Property***

Westover stated that Schlagel owns five parcels on the west side of Emerson Street N and four of the parcels are currently zoned I-3 General Industrial District with one southernmost parcel that was picked up which is zoned as I-T Industrial Transition. Westover explained they are looking to plat all five parcels into one parcel in the future, but in order to do that, they need to make the zoning consistent. Westover concluded they are requesting the zoning of the southernmost parcel be I-3 General Industrial District to make it consistent with all of the other parcels.

Struss moved, seconded by Kafer to recommend that City Council adopt the ordinance Rezoning Certain Property located at 241 Emerson St N to I-3 General Industrial District, PIN# 15.041.2350 as presented by staff.

Attorney Jim Lindberg stated the complete legal description might not be as presented in the ordinance. Westover stated that she would make the necessary changes in the ordinance to include the proper legal description.

Struss moved, seconded by Kafer to amend the motion to include the updated legal description of the property. Motion carried 5/0.

Godfrey verified the motion goes to City Council on April 20, 2015.

***Public Hearing-Variance-Deck at 946 Roosevelt St. S.***

Westover stated the property on 946 Roosevelt St. S. is currently zoned R-1 One Family Residence and the current setback for rear yard property line is 35 feet. Westover reported the current setback for the house is 26 feet which only leaves 1' to work with. Westover noted the dwelling was built with a patio door on the rear of the building and a useable deck is not allowed according to the zoning code, therefore, a variance is being requested. Westover reported the applicant is requesting a 6' x 22' deck and the 6' width would encroach leaving only a 30' rear yard setback.

Westover explained in 2004 when the dwelling was built, it should have been designed so the patio door placement did not face the rear of the property. Westover reported staff is unsure if this was communicated to the builder at the time, however, there is a note on the survey that was submitted at the time of permit issuance regarding the 35' setback required and any future deck cannot encroach.

Westover explained the City can grant a variance where the strict enforcement of the code causes practical difficulties. Westover reviewed all seven variance standards which the proposal meets and concluded staff finds unique circumstances for the property, therefore, recommends approval.

Planning Commission discussed the possible future ordinance change going from 35' to a 30' rear yard setback.

Garcia thought the variance was needed because of a sewer easement. Westover clarified that it is a standard utility easement and a variance for a rear yard setback was required.

Godfrey questioned why Garcia wanted to build a removable deck. Robinson stated she felt it would make their case stronger to have the variance approved. Westover explained building permits are not required in certain circumstances when the deck is not attached to the house and the height requirement is met. Westover reviewed the setback standard and stated since the deck is part of the principal structure, the rear

setback needs to be met.

Godfrey confirmed the neighbors within 350 feet were notified and that nobody contacted staff.

Nelson confirmed with the owners they don't intend to build more deck in the future.

Nelson moved, seconded by Basta to recommend City Council approve the resolution granting the variance for 946 Roosevelt St. S. as presented. Motion carried 5/0.

Godfrey verified this matter will go before City Council on April 20, 2015.

### ***Public Hearing-Zoning Text Amendment-Sign Ordinance-Window Graphics***

Westover explained window graphics or window clings have been installed on several businesses in Cambridge and the windows are covered with a sheet of cling that has graphics on it. Westover stated as with Anytime Fitness's window clings, staff is proposing that all clings be transparent so the police department has visibility into their store for security reasons and emergency response, especially at night. Westover noted no more than 30% of the window can be covered by signage for these reasons. Westover reported the City does not have language in the Code pertaining to window graphics or window clings. Westover reviewed the language amendment and confirmed the language meets all standards for amendments.

Godfrey made a suggestion to change the wording. Strike the word visible and add the words allow visibility: "Window clings or window graphics must be transparent and allow visibility into the building at night so emergency responders can see inside."

Nelson moved and Kafer seconded a motion to table this discussion until the May Planning Commission meeting.

Discussion ensued regarding the definition of a sign and what to call a sign on window graphics. Westover stated staff reviews regular signs when they come in for permits and staff has not received complaints regarding window clings and graphics. Westover stated staff only needs to add language at this time to allow visibility through the window clings and graphics for security and emergency response purposes.

Godfrey had concerns if requiring all companies to obtain a permit every time they change a sign and what that burden would be on staff. Westover clarified that sign permits are required for sign change outs. Godfrey did not feel a need to table to motion until the May meetings since the sign is already defined in the City Code and the City already requires permits for sign changes.

Nobody vote aye, Godfrey, Nelson, Basta, Kafer, and Struss voted nay. Motion to table the agenda item failed 0/5.

Godfrey moved, seconded by Struss to recommend City Council approve the ordinance amending City Code §156.063 Sign Regulations with the amendment of striking the word "visible" and adding the words "allow visibility" in its place. Motion carried 5/0.

Godfrey confirmed the ordinance will go to City Council for their approval on April 20, 2015.

### **130 3<sup>rd</sup> Ave SW-Parking/Street Parking**

Westover explained Mr. and Mrs. Parsons live at 130 3<sup>rd</sup> Ave SW and have received two parking tickets for parking on the street during the snow season. Westover reported the City Code prohibits parking on any public street from November 1 through March 31 each year between the hours of 2:00 a.m. and 4:00 a.m. Westover stated staff has discussed options with Mr. Parson such as a new driveway parking area on the north end of his property, however, Mr. Parson does not want to pay for this improvement.

Westover reported on March 16, 2015, the Parsons requested approval from Council to park on the street and Council denied their request, but asked the Planning Commission hear this request and give a recommendation.

Westover explained the parking ordinance is for the safe and effective means of snow removal and if cars are allowed to park on the streets, the plow trucks cannot efficiently remove the snow and vehicles parked have the potential to be harmed. Westover noted vehicles can get plowed in with snow and cost more for the owner in the long run, in addition, the leftover snow that doesn't get plowed compacts down and most often turns to ice creating a traffic hazard.

Westover reported Council discussed looking into an odd/even day parking system during snow removal like other cities such as St. Cloud and Minneapolis, but Public Works staff does not recommend this option. Westover stated this type of system is a 2 night event where one side of the street is cleared on the odd day and the other side of the street is cleared on the even day. Westover stated this would double the snow plow budget for Cambridge and currently there is not enough staff to cover this option.

Westover recommended a viable solution to this, is to create a driveway and parking area on the north side of the property. Westover reported the Parsons do not want to disturb this part of their property due to it being beautifully landscaped with mature trees, and they do not want to pay for the work.

Westover noted the Parsons did contact staff prior to purchasing the property and knew about the snow season parking regulations and limited parking availability on this parcel. Westover stated the Parsons explained that they purchased the property anyway in hopes they could approach Council and get the ordinance changed.

Discussion ensued between the Commission and Casey and Susan Parson of 130 3<sup>rd</sup>

Ave SW. Casey was concerned about the location of the fiber optic cables, gas lines and Century Link box. The Parsons had concerns and felt a driveway would be difficult.

Godfrey offered a solution to make a parking surface on the east of the house near the alley. It would be close to the road but not necessarily close to the house. With this option, they could park diagonally just behind the utility box. Nelson noted all the other businesses have asphalt right up to the alley and agreed with Godfrey that removing some shrubs from the north and parking diagonally toward the corner.

Godfrey suggested angling the parking spot straight off the alley would provide enough space for the car and yet allow them to back into the alley versus backing into traffic so this wouldn't pose any safety hazards.

Mr. Parson asked who he would need to talk to in order to get this sort of work done. Westover stated he would need to contact the City of Cambridge Building Department and they would need a site plan and the Parsons would have to apply for a driveway permit. Westover explained the surface needs to be bituminous or concrete. Mr. Parson said he preferred to not have a lot of concrete everywhere and mentioned the option of pavers that have areas where grass can grow through it. Westover explained that pervious materials are allowed as long as state sets the specifications for them and the City Engineer reviews and approves them. Westover discouraged the idea to have grass growing through the pavers. Westover noted if the pavers are pervious and water can drain, the city may allow that.

Mr. Parson felt this was a much better solution than tearing out trees on the north. Mr. Parson again brought up his concern about the lines running up to the fiber optic box and what kind of issues this might cause. Godfrey stated having a site plan would alleviate this concern.

Godfrey stated a motion didn't need to be made since the Parsons will work with staff to come up with a solution.

**OTHER BUSINESS / MISCELLANEOUS**

***City Council Update***

Westover updated the Commission on the previous City Council meetings.

***Parks, Trails, and Recreation Commission Update***

Westover updated the Commission on the last Parks, Trails, and Recreation Commission meeting.

**ADJOURNMENT**

Struss moved, seconded by Kafer, to adjourn the meeting at 7:50 pm. The motion carried 5/0.

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Jim Godfrey  
Cambridge Planning Commission Chair

ATTEST:

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Marcia Westover  
City Planner

**DRAFT**



**PUBLIC HEARING...R-1 REAR YARD SETBACK AMENDMENT**

**Request**

Council directed staff to revisit the R-1 rear yard setback.

**Review**

After reviewing a rear yard setback variance for 946 Roosevelt St. S., the Planning Commission discussed whether or not an ordinance amendment was necessary. The Planning Commission did not make a motion on this, only discussion. The City Council did however make a motion to revisit the rear yard setback and bring it back to the Planning Commission for a public hearing.

Staff reviewed the area around 946 Roosevelt St. S. and concluded that approximately 9 adjacent vacant lots do not meet the required lot depth, therefore making a shorter than standard lot (i.e. 110' versus the required 120' depth). This area (Parkwood on the Lakes) is a Planned Unit Development where the typical lot standards do not necessarily need to be met. The 35' setback on these 9 lots may be an issue in the future and require a variance as well. This all depends on what kind of dwelling is built on the lot and how it is placed on the lot. Staff cannot determine at this time if variances will be needed until dwelling proposals are submitted for staff review.

Staff has come across rear yard setback issues very few times in other subdivisions and the issue was able to be resolved in those instances. Staff does not see a great need to change the ordinance at this time. The 35' rear yard setback has been in place since at least 1964, if not even earlier.

This setback has been identified to insure privacy and open space. The larger rear yard also allows more room for accessory structures. Other reasons for setbacks include circulation of light and air, to permit access to the perimeter of buildings for emergency personnel, and provide a fire break between structures. There is not an overwhelming need to change the rear yard setback to accommodate a few yards at this time. However that decision needs to be determined by the Planning Commission and City Council. Our peer cities of Isanti and Princeton both have 30' rear yard setbacks in similar zoning districts.

**Planning Commission Action:**

The Planning Commission shall make a recommendation to Council whether or not to change the rear yard setback to 30'. If the Commission decides to make the change, there is a motion on the attached draft ordinance that may be modified by the Commission, recommending approval to amend the R-1 One Family Residence District rear yard setback to 30'.

**Attachments**

1. Excerpt from the April 20, 2015 Council minutes
2. Draft Ordinance

Excerpt from  
April 20, 2015 Council  
minutes

Iverson confirmed there would be no additional costs except for the ballot printing which is around \$150.

Council discussed whether they felt there was a need for a primary election for councilmembers and mayoral candidates. Lewis stated he prefers a majority vote instead of a plurality vote. Kafer moved, seconded by Lewis to direct staff to draft an ordinance to implement a primary election for the 2016 election cycle and bring the ordinance back to a future Council meeting for adoption. Motion failed 2/3 with Morin, Iverson, and Palmer voting nay.

**Approve Ordinance 612 Rezoning PIN#15.041.2350 (Schlagel, Inc.)**

Westover stated staff is recommending approval of the rezoning request as it is adjacent to the I-3 General Industrial District and it is compatible with the future Land Use Map and noted the owner is creating a cleaner more consistent site with the future plan to plat the entire site. Westover reported at their April 7, 2015 meeting, the Planning Commission recommended approving the Zoning Map amendment. James Lindberg, attorney for Schlagel, Inc. reported this was a clean-up project to eliminate lot lines to make applying for building permits easier.

Morin moved, seconded by Kafer approving Ordinance 612, rezoning PIN# 15.041.2350 from IT Industrial Transition District to I-3 General Industrial District. Motion passed unanimously.

→ **Approve Resolution R15-022 Granting a Variance for a Deck setback at  
946 Roosevelt St South**

Westover explained because of the setbacks, a useable deck could not be built on this site so a variance is being requested. Westover noted the Planning Commission voted 5/0 to recommend approval of the variance with the condition listed in the staff report at their meeting on April 7, 2015.

Council thanked the property owners for going through the correct process. Morin moved, seconded by Lewis to approve Resolution R15-022 for a Variance for a 6' x 22' deck that will not meet the required 35' rear yard setback but will maintain a setback of 30' to the rear property line as long as the condition listed below can be met:

1. A building permit application must be submitted by the applicant and approved by City staff.

Motion carried unanimously.

Kafer stated she would like staff to revisit the ordinance since it is old. Kafer moved, seconded by Lewis to direct staff to change the setback distance in the R-1 zoning district and bring back to Council for approval at their June 15 meeting. Woulfe noted this issue would need to go back to the Planning Commission to hold a public hearing which is why the need to push out to June 15<sup>th</sup>. Westover noted this is a unique situation and there are around

only nine lots this would affect. Palmer stated she didn't feel this was necessary because of the few properties that are affected shouldn't dictate a rewrite of the entire ordinance. Motion carried 4/1 with Palmer voting nay.

**Approve Ordinance No. 613 Amending Section 156.063 Sign Regulation to Include Window Cling Verbiage**

Westover reported window graphics or window clings have been installed on several businesses in Cambridge and staff is proposing that all clings be transparent, especially at night. Westover stated the police department requests that all businesses have visibility into their store for security reasons and emergency response. Westover noted at their meeting on April 7, 2015, on a 5/0 vote, the Planning Commission recommended approval of the proposed amendment.

Palmer stated it appears there are businesses that may have more than 30%. Westover explained window clings are a new sign concept and the language may need to be strengthened noting currently, the language is up to staff interpretation.

Iverson moved, seconded by Kafer to approve Ordinance 613, an amendment to City Code Section 156.063 Sign Regulation. Motion carried unanimously.

**Request for Proposals for City Council Recording and Public Access Equipment**

Woulfe reviewed the request for proposal and asked for questions or comments. Morin noted cassettes tapes are becoming more difficult to find. Kafer confirmed there is no cost to put meetings on the cable access channel. Iverson moved, seconded by Lewis to approve the request for proposal for City Council Recording and Public Access Equipment. Motion carried unanimously.

**Sandquist Park User Agreement**

Schwab reported staff met with representatives from Cambridge Isanti Competitive Baseball (CICB) and reviewed the proposed agreement with them. CICB was in support of the agreement. Morin confirmed anyone that uses the field will be subject to the deposit.

Kafer moved, seconded by Lewis to approve the Sandquist Park User Agreement. Motion carried unanimously.

**Mayor's Report**

**Letter of Support on Legislation to Limit Overweight Trucks**

Palmer stated she and staff met with Randy Kelly who has served as the mayor of St. Paul and has served as a state senator and state representative on legislation regarding overweight trucks. Palmer reported they are looking for the City of Cambridge's support for legislation which will limit overweight trucks on state and federal roads. Squires recommended having Council read the legislation since it may impact local businesses. Lewis asked if they knew how state legislators felt about the bill. Woulfe explained overweight

Ordinance XXX

Amending Title XV Land Usage, Chapter 156, Section 156.038 Residence Districts

**NOW THEREFORE BE IT RESOLVED** that the City of Cambridge does hereby ordain the following amendment to Title XV Land Usage, Section 156.038 Residence Districts:

**(D) Building and lot requirements.**

<b>LOT REQUIREMENTS</b>	<b>DISTRICT</b>			
	R-1	R-1A	R-2 <sup>5</sup>	R-3 <sup>6</sup>
Minimum Lot Area in Square Feet				
One Family Dwelling	11,000	9,400	6,750	6,750
Two Family Dwelling	N/A	N/A	9,000	9,000
Multiple-Family Dwelling	N/A	N/A	15,000 but not less than 2,000 sf for each dwelling unit	20,000, but not less than 2,000 sf for each dwelling unit
Minimum Lot Width in Feet <sup>1</sup>	80	70	50	100
Minimum Lot Depth in Feet	120	120	109	120
Minimum Lot Area in Square Feet				
Minimum Front Yard in Feet	30 <sup>2</sup>	30 <sup>2</sup>	30 <sup>2</sup>	30 <sup>2</sup>
Minimum Rear Yard in Feet	<u>30</u> 35 <sup>3</sup>	35 <sup>3</sup>	35 <sup>3</sup>	20
Minimum Side Yard in Feet				
Residential	10 <sup>4</sup>	10 <sup>4</sup>	6	10 plus 5 for each additional story above first story
All Other	25	25	25	10 plus 5 for each

				additional story above first story
Minimum Side Yard Adjacent to Street in Feet				
Residential	15	15	12	15
All Other	25	25	25	15 plus 5 for each additional story above first story
Minimum Structure Setback From A Public Alley	6 feet from the property line or 14 feet from the center line of the alley, whichever is greater.	6 feet from the property line or 14 feet from the center line of the alley, whichever is greater.	6 feet from the property line or 14 feet from the center line of the alley, whichever is greater.	6 feet from the property line or 14 feet from the center line of the alley, whichever is greater.

<sup>1</sup> Measured at front setback line.

<sup>2</sup> Or average depth of front yards immediately adjacent but not less than 12 feet.

<sup>3</sup> Except where yard abuts permanent open space in which case 20 feet shall suffice.

<sup>4</sup> Except that interior side yards may be 6 feet on the side where there is an attached garage.

<sup>5</sup> Except that multiple family dwellings and townhouses shall follow the respective requirements of the R-3 District.

<sup>6</sup> Except that Single Family and Two Family Dwellings in the R-3 District shall follow the respective requirements of the R-2 District.

<sup>7</sup> For the purpose of calculating impervious surface coverage the lot size should be the gross lot area less land located in drainage and utility easements above and beyond the standard lot line drainage and utility easements. Impervious surfaces shall not be allowed in drainage and utility easements.

<sup>8</sup> A Conditional Use Permit may be allowed for higher buildings.

All other sections and subsections of this Chapter shall remain as written and previously adopted by the City Council. This ordinance shall become effective upon publication.

Adopted by the Cambridge City Council this 15th day of June, 2015.

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Marlys A. Palmer, Mayor

ATTEST:

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Lynda J. Woulfe, City Administrator

Date of Publication: June 24, 2015

**PUBLIC HEARING...FENCE HEIGHT AMENDMENT**

**Request**

The City of Cambridge is requesting an amendment to the fence height regulations due to a MN State Building code change.

**Review**

Effective January 24, 2015, the Minnesota State Building Code changed the permitting requirements for fences. Fences exempt from requiring a building permit changed from over six (6) feet to over seven (7) feet. Staff is requesting to amend the city code to be consistent with these changes. The attached ordinance amendment changes the permitting requirement for fences over seven (7) feet.

**Planning Commission Action:**

Motion on the attached draft ordinance as may be modified by the Commission, recommending approval to amend Title XV Land Usage, Section 156.083 Fences.

**Attachments**

1. Draft Ordinance

Ordinance XXX

Amending Title XV Land Usage, Chapter 156, Section 156.083 Fences

*The purpose of this amendment is to be consistent with the Minnesota State Building Code*

**NOW THEREFORE BE IT RESOLVED** that the City of Cambridge does hereby ordain the following amendment to Title XV Land Usage, Section 156.083 Fences:

**(D)** *Height.*

(4) Any fence over seven ~~six~~ feet in height shall require a building permit.

All other sections and subsections of this Chapter shall remain as written and previously adopted by the City Council. This ordinance shall become effective upon publication.

Adopted by the Cambridge City Council this 15th day of June, 2015.

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Marlys A. Palmer, Mayor

ATTEST:

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Lynda J. Woulfe, City Administrator

Date of Publication: June 24, 2015