

## **PLANNING COMMISSION MEETING MINUTES**

Tuesday, May 2, 2017

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:** Mike Stylski, Chad Struss, Robert Nelson, Julie Immel, Brandon Grell, Kersten Conley (City Council Representative), and Bob Erickson

**Members Absent:** None

**Staff Present:** Marcia Westover, Community Development Director/City Planner

### **CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Stylski 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 Grell to approve the agenda as presented. The motion carried 7/0.

### **APPROVAL OF MINUTES**

#### ***April 4, 2017 Regular Meeting Minutes***

Nelson moved, seconded by Conley to approve the April 4, 2017 meeting minutes as presented. Motion carried 7/0.

### **PUBLIC COMMENT**

Stylski opened the public comment period at 7:01 pm and without comments, closed the public comment period at 7:02 pm.

### **NEW BUSINESS**

#### ***Public Hearing: Comprehensive Plan Update Draft***

Westover stated the Comprehensive Plan draft is ready to be given to the City Council for their review and approval. Westover introduced John Shardlow and Katrina Nygaard from Stantec to give a brief presentation of the Comprehensive Plan process. Shardlow

stated the transportation section of the Comprehensive Plan was written by Bob Rogers from SEH, who was also present at the meeting.

Stylski opened the public hearing period at 7:15 pm and without comments, closed the public hearing at 7:16 pm.

Erickson moved, seconded by Immel to recommend the approval of the Comprehensive Plan Update Draft by the City Council. Motion carried 7/0.

***Public Hearing: Interim Use Permit for Automobile Sales and Auto Repair Service at 140 1<sup>st</sup> Ave W.***

Westover stated the City has received a request by Kevin and Briana Wudel for an Interim Use Permit (IUP) to allow automobile sales and service, minor, in the B-1 Zoning District. Westover explained that Automobile Sales and Auto Repair and Service, Minor, in the B-1 Downtown Business District is allowed by an Interim Use Permit. The purpose of the Interim Use Permit is to allow a use that reasonably utilizes the property for a limited period of time or allow a use that is presently acceptable but with anticipated development or other changes will not be acceptable in the future. Interim use permits terminate upon a specific date, but can be extended upon re-application before the Planning Commission and City Council.

Westover stated Kevin and Briana Wudel (North Metro Auto Sales, LLC), are requesting an interim use permit for automobile sales and service at 140 1<sup>st</sup> Ave W. The location at 140 1<sup>st</sup> Ave W is the former Woody's Auto Sales and prior to that it was the Federated Co-Op property. Woody's Auto had an interim use permit for the same use; however, an Interim Use Permit is not transferrable. Since this is a new applicant, a new Interim Use Permit is required.

Westover explained the proposal is for automobile sales and minor automobile service based on a five (5) year interim use. According to the City Code, **minor** service includes items such as incidental repairs, replacement of parts, tune-ups, lubrication, washing, detailing, and equipment installation. **Major** service includes engine rebuilding or major reconditioning of worn or damaged automobiles or trailers; collision service including body, frame or fender straightening or repair and overall painting of vehicles. Both minor and major service is allowed by an interim use permit in the B-1 district.

Westover pointed out the underground gas tanks have been removed from the former Federated Co-Op gas station. The entire site is currently paved, therefore, all vehicles will be parked on a paved surface as required by the City Code. All other requirements of the City Code, Section 156.090 Auto-Oriented Uses, must be met where applicable.

Existing and new uses in the B-1 Downtown District are exempt from the parking space requirements unless the new use requires more parking than the old use. City records do not indicate the required information to determine an exact parking count for the old use of the convenience station. However, based on an approximation of parking for the

convenience station, 35 parking spaces were required. The new use for auto service would require 19 spaces. And the new use for auto sales would require 14 spaces, for a total of 33 spaces if combining both uses. The new use (auto sales and service) requires approximately the same number of parking spaces that the old use (auto convenience station) required.

Westover handed out a revision to the draft resolution with updated ownership. Westover noted TTJ Properties, LLC., said the closing of the property occurred Friday, April 28, 2017. Federated Co-op signed the zoning application approving this kind of use on this property but Paul Walker (TTJ Properties, LLC.) requested the owner name on the resolution be changed to TTJ Properties, LLC, once the ownership transfers. Westover stated the revised resolution would be what the Commission would be reviewing tonight. Westover noted that she checked with the Isanti County Auditor's office today and they didn't have any ownership transfer paperwork.

Westover stated staff is supportive of the request as long as the following conditions are met: (1). The Interim Use for automobile sales and minor automobile service is not transferrable and shall only be used by Kevin and Briana Wudel, and shall discontinue after 5 years from the date of approval. (2). Section 156.090 Auto-Oriented Uses of the City Code must be met at all times, where applicable. (3). If parking demand exceeds the parking provided, the interim use shall cease.

Westover stated the timeframe noted in the conditions can be changed. The owner would come back to Commission after that timeframe to apply again for the IUP. If the City receives complaints, the IUP would come back to the Planning Commission or City Commission for approval.

Westover stated staff is looking for the Planning Commission to make a motion on the attached revised draft resolution, as may be modified by the Commission, recommending approval of the Interim Use Permit for automobile sales and minor automobile service in the B-1 Downtown Business District at 140 1<sup>st</sup> Ave W. as long as the conditions listed above are met.

Stylski opened the public hearing period at 7:16 pm.

Monte Dybvig, 132 Ashland St N and 115 Main St N, near the 140 1<sup>st</sup> Ave W property. Dybvig stated his concerns center around the requirement of 32 parking spaces, traffic and parking congestion behind the building in the past, and adding another auto sales and auto repair business does not go along with the goals of the Downtown Development Taskforce or the Comprehensive Plan of beautifying the downtown area of Cambridge. Dybvig urged the Commission to vote against the Interim Use Permit (IUP) being proposed for 140 1<sup>st</sup> Ave W.

Paul Walker, 4522 317<sup>th</sup> Ave NE, Cambridge, is one of owners of the property. Walker stated he plans to lease the auto sales business to Kevin Wudel and lease the mechanical shop to a mechanic to work on the cars on the sales lot. They do not plan to

add additional parking spaces and the goal is to improve the building and enhance the area, which would bring more people to the community in search of more options in car sales.

Stylski closed the public hearing at 7:35 pm.

Conley asked what do we want our downtown to look like? She believes Cambridge does not need another car sales lot but needs to focus on adding new and unique shops to the downtown area. Immel agreed, stating another car sales lot doesn't seem to fit on Highway 95 and a used car lot doesn't fit in the vision of the Discover Downtown group. Grell stated the parking congestion in this area is a concern since part of Ashland Street is now a loading zone and wondered where people coming to look at the cars would park.

Stylski suggested giving the applicants a one-year term to give them time to see how it goes. After that one year period is up, the owner would come back to the Planning Commission for further approval. If the City is notified of a violation, the Planning Commission would discuss at that time. Stylski stated he would rather see a building occupied than standing empty.

Struss asked how the minor service vs. major service is monitored. Westover stated this is hard to monitor and stated staff could find out through a complaint. Struss asked if the owner would be allowed to lease out part of the space to a mechanic. Westover stated the City Code doesn't define renting out spaces for differing uses as long as the use is allowed. Struss also questioned whether the IUP would go through if the deed was not recorded at the County offices.

Kevin Wudel, 416 11<sup>th</sup> Ave SW, Cambridge, originally applied for the IUP. Woody, the former owner, was his brother. Wudel stated parking issues have nothing to do with the IUP request. The parking will be used for sales and most of the service done by the mechanic will be performed on the vehicles that are for sale.

Stylski closed the public hearing at 7:35 pm.

Westover stated ownership could be added as a fourth condition to the IUP. If sale doesn't go through and TTJ Properties, LLC doesn't obtain full and proper ownership, this IUP is null and void.

Nelson stated he is against the IUP because auto sales is not something the Cambridge Comp Plan Steering Committee envisions in the Downtown Redevelopment Plan. The site at 140 1<sup>st</sup> Ave W has got a better use for it. The site on Main Street has a better use for it as well. Nelson stated he plans to vote No.

Stylski made a motion to recommend approval of the Resolution allowing the Interim Use Permit for automobile sales and automobile service, minor, changing the condition

number one as noted to a one-year term since there are no pending alternative redevelopment plans at this time. Struss seconded it for discussion purposes.

Erickson questioned if the owner would want to invest in the business for one year.

Nelson noted Highway 95 has plans to expand and could potentially go through the property.

Motion failed with Stylski, Grell, and Struss voting yay and Immel, Conley, Nelson, and Erickson voted nay.

Nelson moved, Immel seconded to recommend denial of the Interim Use Permit for automobile sales and minor automobile service in the B-1 Downtown Business District at 140 1<sup>st</sup> Ave W. and directed staff prepare findings of fact for denial including the use is not compatible and not a good fit for the future. Motion passed 4/3, Nelson, Immel, Conley and Erickson voting yay and Grell, Stylski and Struss voting nay.

## **OTHER BUSINESS / MISCELLANEOUS**

### ***City Council Update***

Westover and Conley updated the Commission on the previous City Council meeting.

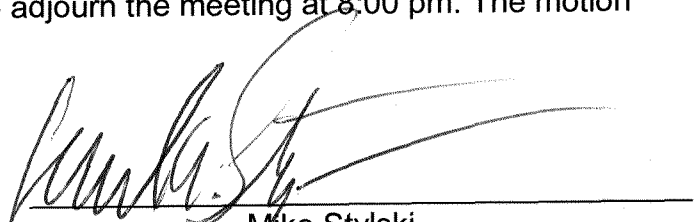
### ***Parks, Trails, and Recreation Commission Update***

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

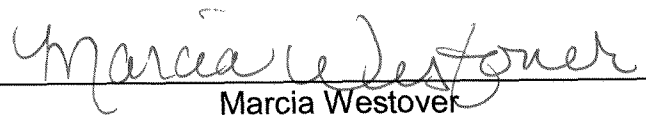
Nelson requested the Parks Commission to revisit 2008-2009 Munkberg development project, on Fanny Lake, as a possible park for the City.

## **ADJOURNMENT**

Struss moved, seconded by Conley, to adjourn the meeting at 8:00 pm. The motion carried 7/0.

  
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Mike Stylski  
Cambridge Planning Commission Chair

ATTEST:



Marcia Westover

Community Development Director\City Planner