

PLANNING COMMISSION MEETING MINUTES

Tuesday, November 7, 2017

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

Members Present: Mike Stylski, Chad Struss, Julie Immel, Brandon Grell, Bob Erickson, Robert Nelson, and Kersten Barfknecht-Conley (City Council Representative). All present, no absences.

Staff Present: Community Development Director Westover and City Administrator Woulfe

CALL TO ORDER and PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Stylski moved agenda items 5G after agenda item 5C. Immel moved, seconded by Grell to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

October 3, 2017 Regular Meeting Minutes

Grell moved, seconded by Immel to approve the October 3, 2017 meeting minutes as presented. Motion carried unanimously.

PUBLIC COMMENT

Stylski opened the public comment period at 7:03 pm and without any comments, closed the public comment period at 7:04 pm.

NEW BUSINESS

Public Hearing: Interim Use Permit for Above Ground Storage Tank (Waste Management)

Westover stated Waste Management has recently moved into the former NRI building at 1505 11th Ave NE and is requesting to add an additional above ground tank. The tank requested will be a 10,000 gallon diesel fuel tank used for refueling the refuse/recycling fleet trucks. Westover showed a site plan indicating the location of the tank and reported that previously, the property was approved through a Conditional Use Permit for two 1,000 gallon fuel tanks, one oxygen container, and one aggregate container for sand which will remain on site and used as-is.

Westover reported since the property is within the well head protection plan, SEH has reviewed the proposed tank's location and their review indicates no real effect on the well head protection actions, however recommended the following as the City's due diligence:

1. Obtain all local, state, and federal regulatory permits for the tank installation.
2. Provide confirmation that all local, state, and federal regulatory permits have been obtained.
3. Provide confirmation of all applicable environmental plans have been obtained such as Stormwater Pollution Prevention Plan (SWPPP), Spill Prevention, Containment, and Countermeasure Plan (SPCCPlan), etc.
4. Provide applicable design details including features relating to tank design, secondary containment, spill prevention, emergency shut-offs, etc.

Stylski opened up the public hearing at 7:04 pm and without public comment, closed the public hearing at 7:05 pm.

Nelson moved, seconded by Conley to recommend Council approve the draft resolution for an above ground 10,000 gallon fuel tank with the following conditions:

1. The Interim Use Permit is valid for five years and shall be void as of November 20, 2022. Applicant may request another Interim Use Permit if desired prior to this date.
2. The Interim Use Permit is not transferrable and is only valid for Waste Management at the location of 1505 11th Ave NE.
3. Obtain all local, state, and federal regulatory permits for the tank installation.
4. Provide confirmation that all local, state, and federal regulatory permits have been obtained.
5. Provide confirmation of all applicable environmental plans have been obtained such as Stormwater Pollution Prevention Plan (SWPPP), Spill Prevention, Containment, and Countermeasure Plan (SPCCPlan), etc.
6. Provide applicable design details including features relating to tank design, secondary containment, spill prevention, emergency shut-offs, etc.

Motion carried unanimously.

***Public Hearing: Cambridge Opportunity Industrial Park 6th Addition Preliminary Plat
Cambridge Opportunity Industrial Park 6th Addition Final Plat***

Westover reported the City of Cambridge currently owns the proposed land in the Cambridge Opportunity Industrial Park which is zoned I-1 Low Impact Business-Industrial District. Westover stated the City is working with Stars Hollow Corporation and intends to sell approximately 12.6 acre parcel for their new business. Westover

explained Stars Hollow Corporation is an Aquaculture firm that raises fish and uses a Hydroponics system to grow fresh vegetables for sale.

Westover explained staff has reviewed the preliminary plat and there are a few items the applicant and surveyor need to correct. Westover reviewed the items that have been added as conditions of plat approval. Westover noted at this time, condition number two as identified in the staff report has been completed and can be removed from the proposed conditions.

Westover reported staff finds the preliminary and final plats are consistent as proposed and can be review simultaneously since no new infrastructure is required as part of the plat.

Stylski opened the public hearing at 7:08 pm.

Paul Uren with Everstrong Construction located at 36379 Hwy 71 Redwood Falls introduced himself and Architect Keith Nichols and stated they were there to answer any questions related to how the property is going to be used.

Stylski closed the public hearing at 7:10 pm.

Immel moved, seconded by Grell to recommend that City Council adopt resolutions approving the preliminary and final plats of Cambridge Opportunity Industrial Park 6th Addition as long as the following conditions are met:

1. A Site Plan Review application is required and approval by the City is needed.
2. Provide total acreage of the lot including the area above the pond and the pond area.
3. Final plat must be recorded with the Isanti County Recorder's office within 120 days of final plat approval.
4. A copy of the recorded final plat must be submitted to the City within 5 days of recording.

Motion carried unanimously.

Resolution R17-02 Finding that a Modification to Development Program for Development District No. 6 and Tax Increment Financing Plan for Tax Increment Finance District No. 6-19 Conforms to the General Plans for the Development and Redevelopment of the City

Woulfe stated staff has been in contact with Stars Hollow Corporation (SHC) on building a new 164,234 square foot facility on over 12 acres in the Cambridge Opportunity Industrial Park.

Woulfe explained that SHC is a start-up sustainable food grower and distributor of fresh fish products and high-value, certified organic/non-gmo verified produce within a Plant

Factory Artificial Lighting (PFAL) system. For SHC to achieve necessary organic produce quantities and most cost effective is to construct a customized building, designed specifically for operational efficiencies.

Woulfe reported the City is selling the land to Stars Hollow Company for \$1.00 and placing this site in a TIF District enabling the City to recoup the cost of the land. We are estimating the land price with 12.3 acres equals 535,738 sq. ft. @ \$1.50 sq. ft. equals \$803,682 of land cost write down which we would have to recoup through TIF.

Woulfe stated as part of the creation of this district, the Planning Commission is required to find that the TIF District is in conformance with the City's general plans for development and redevelopment of the City. As described above, the program Modification and tax Increment Financing (TIF) Plan for Development District No. 6 and TIF District No. 6-19 is in conformance with the City's Comprehensive Plan.

Struss asked if they have other facilities that are similar. Woulfe stated they have a small scale production in Sunrise Township, but this is their first large scale production.

Grell moved, seconded by Struss to approve Resolution R17-02 as presented, finding that the Modification to the Development Program for Development District No. 6 and the Tax Increment Financing Plan for TIF District No. 6-19 is in conformance with the City's Comprehensive Plan.

Public Hearing: Auto Dealership Parking Ordinance Amendment

Westover reported Council directed staff to bring the auto dealership parking requirements to the Planning Commission for review. Westover explained the review stems from Kevin and Briana Wudel's Interim Use Permit for Automobile Sales in the B-1 District at 140 1st Ave W.

Westover stated at their meeting on October 3, 2017, the Planning Commission compared other cities and discussed the auto dealership parking requirements. Westover reported the Planning Commission recommended bringing back the ordinance amendment as proposed on October 3, 2017.

Westover reviewed the language in the proposed ordinance which would require one space for every 500 GFA (Ground Floor Area) plus one for each employee on a major shift, or as otherwise determined by the Planning Commission and City Council through an Interim Use Permit (IUP).

Stylski opened the public hearing at 7:18 pm.

Kevin Wudel of 416 11th Ave SW, Cambridge, MN 55008 stated his attorney could not be present at the meeting, however, he wanted to list reasons that he is against limiting the number of auto sales Woulfe provided a point of order indicating Wudel was speaking in relation to a different agenda item. Wudel responded that he would address

the Commission at the time it is appropriate regarding the limitation on auto dealerships. Wudel continued to state regarding the parking restrictions, the most customers he has had on the lot at any given time is three and felt the proposed ordinance amendment was still too restrictive. Wudel noted although his building size is approximately 4,000 square feet, he only uses a small portion of the building for his business and the rest of the building is vacant.

Monte Dybvig of 132 Ashland St N. and 115 Main St N., Cambridge, MN 55008 stated he has not had any issues with parking on Wudel's lot. Dybvig encouraged the Commission to look at the specific zoning and what long term affects it could have.

Steve Maas owner of 716 Main St S., Cambridge, MN 55008 asked if the parking spots would have to be designated and noted he has been operating his lot for 25 years and asked if there is a grandfather clause. Westover stated staff would need to do a historical review of each of the properties this ordinance amendment would affect. Westover stated there are statute requirements that protect existing non-conforming properties.

Bob Roby of 237 2nd Ave SW, Cambridge, MN 55008 stated he was Chair of the Downtown Committee and has had extensive discussions with staff on trends the Committee would like to see happen. Roby reported there is an overlay district being discussed with staff and the Committee is supportive of relaxing the parking requirements. Roby noted some parking spots in the downtown area are used during the day and some are used in the evening.

Stylski closed the public hearing at 7:30 pm.

Staff and the Commission discussed the possibility of only calculating the ground floor area the business actually utilizes. Westover recommended having the business submit a site plan at the time of an Interim Use Permit Application indicating what part of the building is being used for the business of vehicle sales.

Nelson questioned the ideology of using the ground floor area instead of the amount of inventory. Staff explained it is a planning practice that is used universally with many cities. Nelson asked about the possibility of determining the spaces on a case by case basis. Woulfe cautioned this due to legal ramifications.

Struss confirmed when there are different uses in a building, each use has its own parking requirement.

Struss moved, seconded by Immel to recommend Cambridge City Council approve the draft ordinance amending the language to add "utilized" after "500 GFA". Motion carried unanimously.

Auto Dealerships – Zoning Restrictions and Performance Based Standards

Westover stated the Planning Commission has had discussions on potential business restrictions in the past and at the October 3, 2017 meeting, the Commission requested that all interested parties come to a future meeting to discuss. Westover stated the interested parties include the Downtown Task Force Committee and Auto Dealership Business Owners and she has invited all parties to the meeting.

Westover reported staff started exploring the idea of limiting the number of certain businesses because of the negative feedback from residents regarding the amount of certain businesses in Cambridge and since the Comprehensive Plan update was completed last spring, the discussion can continue.

Westover explained the biggest concern in Cambridge currently is automobile sales so staff is requesting the majority of discussion to occur on this topic. Westover noted thrift stores can be discussed as well, in addition to tattoo shops and massage parlors, but these topics should be brought back to another meeting for more in depth conversation if the Commission wishes.

Westover stated the reason they are discussing this now is to be proactive in shaping the future of the city since other cities have had similar discussions after problems arose.

Westover stated she has had discussions with City Attorney Jay Squires on the legalities of such limitations and he explained there is more ability in State Statutes to limit thrift stores/second hand stores and it is more common for cities to limit these. Westover reported used car dealerships are different and the city could look at more performance based standards (stronger standards) if we choose. The standards could include: lot size minimums, traffic flow, parking, only one use per lot (no secondary business on a lot), separation (3,000 ft. from another) to reduce blight, etc. Westover noted reasons for this can include building value, aesthetics, and a diverse economy.

Westover reviewed feedback gathered from other cities regarding auto dealerships. Cities have limited the automobile sales in certain zoning districts and/or required a Conditional Use Permit or Interim Use Permit. Some cities have created stronger standards like a minimum lot size of 1, 2 or 4 acres. Woodbury only allows auto sales in a warehouse and industrial zoning district through a Conditional Use Permit and requires all vehicles for sale to be housed indoors (no outdoor storage of any kind allowed). Shakopee has decided to not allow any newly formed used car dealerships to start in their city. Shakopee had a concern with 13-15 used car dealerships and their population is 40,610. Westover reported for comparison purposes, Cambridge has 10 car dealerships and the population is 8,749.

Westover explained the current Cambridge code requires the lot width for any automobile sales use be 100 foot minimum and it does not specify the requirements for the remaining lot size standards. Therefore, the lot can be a very small triangle with a 100' width at the front. Cambridge currently has an auto dealership with this lot scenario. Westover noted the property is struggling to come into compliance with the

rest of the regulations because the lot is not conducive to an auto dealership, however, since the lot is in the B-2 district, automobile sales is permitted.

Westover reviewed the current Zoning Code language which included:

- 100' minimum width at front yard
- Permitted by right in the B-2 Highway Business District and BT Business Transitional
- Allowed with an Interim Use Permit (IUP) in the B-1 Downtown Business District and B-1A Downtown Fringe Business District

Westover reviewed some possible code changes to discuss which included:

- Lot size (maybe we require a 100 foot minimum lot width and one/two acres of land)
- Interim Use Permits required for all automobile sales uses in all Business Zoning districts
- Remove automobile sales from a certain zoning district (i.e. B-1 Downtown Business District), but keep them in all other Business Districts
- Only allow automobile sales in the B-2 General Business District
- Remove automobile sales from all Business Districts, only allow them in Industrial Districts

Westover read into the record an email from William O'Neill that he is not opposed to auto dealership limits, however, limiting any business that draws in consumers to the city, draws those consumers to other businesses as well. O'Neill went on to state if you push businesses out, you short change those businesses that benefit from their presence.

Stylski offered the audience to address the commission.

Kevin Wudel of 416 11th Ave., Cambridge, MN 55008 stated he feels the car lots in town seem to do a good job with keeping their lots clean. They bring a lot of traffic into town and dealerships are a good economic tool for other businesses. They also deal with other local businesses such as auto parts, printing, etc.

Steve Maas owner of 716 Main St S., Cambridge, MN 55008 stated he agrees with Kevin that customers come from all over the state and the business of auto sales has changed dramatically with the internet. However, he feels there is enough auto dealerships in the Cambridge area, especially along the main arteries. Maas noted there are some car lots in Cambridge that are blight.

Monte Dybvig of 132 Ashland St N. and 115 Main St N., Cambridge, MN 55008 stated staff, the Commission, and Council need to set up goals and a consistent plan for car lots. Dybvig stated the downtown business owners held a meeting and a resounding theme was that everyone was irritated with the exceptions. Dybvig stated they do not want to shove auto dealerships away from Cambridge altogether, but felt they should be

in an area that makes sense such as the edge of the downtown core areas. Dybvig asked the Commission to think about the vision of Cambridge and the vision of the downtown to help it grow and succeed. He noted it is important to think about what they want the City of Cambridge to look like which they can control through zoning.

Bob Roby of 237 2nd Ave SW, Cambridge, MN 55008 stated he was Chair of the Downtown Committee and wanted to provide context to the discussion. Roby questioned whether the City should be able to organize itself to put certain businesses in specific areas around the town to optimize the experience into coming into the downtown area. Roby challenged the Commission to think about how to engage as many stakeholders as they can. To progress towards a better draw and experience in the downtown area. Roby asked the Commission to think about the idea that if nothing is done, then certain areas of the city will die but at the same time, if they do things too fast, they will run over people which isn't good either. Roby encouraged the Commission to keep having these discussions and to invite people to the table for these discussions. Roby also asked the Commission to let people know the motives are positive and that people should be aware of "why" the decisions are made which affects the vision of the future more so than affecting current businesses. Roby encouraged the audience to read the proposal carefully which is geared towards future development.

Immel asked those in attendance if they felt it would make a difference if their business was located in a different location. Those in attendance voiced the opinion that they felt if they were not located on a major corridor, their businesses would suffer.

Nelson confirmed auto sales currently are not allowed in the industrial zoning districts.

Immel posed the question if the ordinance changes to not allow dealerships in the downtown zoning district, what would happen when those auto dealerships reapply for their interim use permit. After discussion, staff will need to consult with the City Attorney on this concern.

Erickson felt the Commission should look at limiting the number of dealerships.

Conley recommended and encouraged to keep the vision of the downtown area.

The consensus of the Commission was to have staff do additional research with the city's attorney and come back with additional ideas along with inviting the same people to the next Planning Commission meeting in December.

Annexation of Kelly Property

Westover stated Corinne Kelly and Gayland Hokanson have requested by petition to have two parcels they own annexed into the City. Westover explained Kelly and Hokanson also own over 100 acres of land adjacent to these small parcels, often referred to by staff as the "Kelly" property. The 100 acre Kelly property is within the City

limits and the owners plan to develop when the time is right. These two smaller parcels were purchased more recently and were not included in the original annexation.

Westover explained annexation can occur by Ordinance in this case when the City receives a petition from the owners, the land abuts the municipality, and the land is 120 acres or less. The township and adjacent property owners have been notified and a public hearing on the annexation request will be heard at the City Council meeting on December 4, 2017.

Struss confirmed staff has not heard back from Cambridge Township.

Nelson moved, seconded by Grell to recommend to the Cambridge City Council to approve the draft ordinance to annex two parcels from Cambridge Township, property identification numbers: 03.031.2400 and 03.031.0300. Motion carried unanimously.

Patrick Kelly asked for clarification regarding the accesses to these two properties. Kelly explained the college owns property to the east which land locks his property from access to Spirit River Dr. S. Kelly confirmed the college has no interest in selling the property so an extension of 2nd Ave SW is not in the immediate future. Kelly asked if they develop these two lots could they put in accesses off of Highway 95. Staff and the Commission confirmed this is a Minnesota Department of Transportation decision but encouraged Kelly to have a site plan for them to review.

OTHER BUSINESS / MISCELLANEOUS

City Council Update

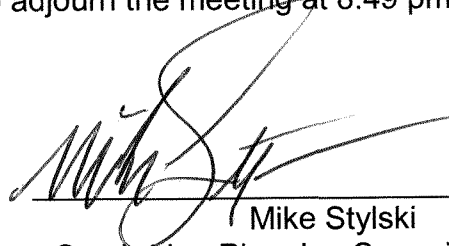
Westover and Conley updated the Commission on the previous City Council meeting.

Parks, Trails, and Recreation Commission Update

Westover stated the Parks, Trails and Recreation Commission did not meet last month.

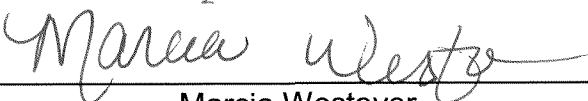
ADJOURNMENT

Immel moved, seconded by Conley, to adjourn the meeting at 8:49 pm. Motion carried unanimously.



Mike Stylski
Cambridge Planning Commission Chair

ATTEST:



Marcia Westover
Community Development Director/City Planner