

PLANNING COMMISSION MEETING MINUTES

Tuesday, October 3, 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, Kersten Barfknecht-Conley (City Council Representative), Julie Immel, Brandon Grell and Robert Nelson

Members Absent: Bob Erickson (excused)

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 6/0.

APPROVAL OF MINUTES

September 6, 2017 Regular Meeting Minutes

Grell moved, seconded by Conley to approve the September 6, 2017 meeting minutes as presented. Motion carried 6/0.

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: Amend Section 156.063 (D) (3) Prohibited Signs, Signs in Easements

Westover stated City staff would like to amend the Zoning Code, Chapter 156.063 Sign Regulation as the City's current Zoning Code prohibits signs in easements. Two recent requests were made by applicants for signs in easement areas. Staff reviewed the requests and noted that many signs throughout the City already exist in easement

areas. Westover stated going forward, staff would like to amend the ordinance to be consistent in the City's review of these signs. If the owner requests to install a sign in an easement, then staff would like to require them to sign an Easement Agreement.

Nelson suggested sending a letter to businesses stating the City has been made aware of an oversight of existing language in our zoning ordinances as it relates to placing signs in easements, being clear the City is not asking them to move present signs but to let them know that if it Public Works needs access to the easement, they may be asked to remove their sign at their cost.

Stylski opened the public hearing period at 7:08 pm

Bob Roby, 237 2nd Avenue SW, Cambridge, MN, agreed with Commissioner Nelson's suggestion of mailing letters to businesses that currently have a sign in an easement informing them the sign may need to be removed, at their own cost, in the event Public Works needs access to that easement.

Stylski closed the public hearing at 7:11 p.m.

Conley moved, seconded by Nelson, to recommend the Council approve the draft ordinance, recommending approval of the amendment and Easement Encroachment Agreement as stated. The Commission recommends an information letter be sent out to owners of existing signs within City easements as staff time allows. Motion carried 6/0.

Auto Dealership Parking Requirements

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

Westover stated this property is required to have 14 parking spaces for customers and employees. The current City code for automobile sales requires eight (8) parking spaces for customer parking plus one (1) additional space for each 800 square feet of ground floor area over 1,000 square feet. Based on the calculations of the building, they are required to have 6 spaces (in addition to the 8 customer spaces).

Westover further explained the property at 140 1st Ave W has 14 spaces they can provide for customers and employees. However, they cannot park their display vehicles for sale in these spaces since they are required for customers and employees. The vehicles for sale must either be on the east or west side of the building, or inside the building. This was the understanding of both the City and the owner/applicant at the time the IUP was approved. Once the business opened, the applicant was parking vehicles for sale up front in spaces required for customers/employees. This is a violation of the IUP.

Westover stated the owner and applicant appeared before City Council on August 7, 2017, to ask permission to park the vehicles for sale in the required customer/employee spaces. That is when Council directed further review with the Planning Commission. The owner and applicant debate that 14 spaces is excessive. They explained that it would be a good day of business if they had two (2) customers at any one time and they would never have a need for 14 spaces with only one employee.

Westover said since this discussion at Council, staff has reached out to other cities, including North Branch, Blaine, Waite Park, Hastings, Zimmerman, Monticello, Forest Lake, and Mora, to see what their requirements are for Automobile Dealership parking. As expected, each city varies with their requirements.

With the inception of the Discover Downtown Cambridge Committee after the MN Design Team visit, Westover stated many revitalization efforts have been moving forward. The overall vision for downtown has transformed creating this question on uses including automobile sales located downtown. The Comprehensive Plan identifies elements of a revitalized downtown including sensitive integration of new development with existing buildings, in-fill development, and compatibility with the historic city scale.

Westover stated since Cambridge is in a transition with its revitalization efforts, a good option may be that all automobile sales requests require an IUP. This way, all automobile sales requests can come before the Planning Commission and City Council for review. Parking will also be reviewed with the IUP, i.e. on a case-by-case basis. The City of Blaine reviews auto dealerships and their parking on a case-by-case basis.

Westover stated review on a case-by-case basis may be a good option for Cambridge. In looking at the City's current auto dealerships, each one is unique with regard to its site/location, how they operate the business, and inventory. A small dealership is only going to have one to two customers at any given time. A larger dealership, like Hirsch, might have more customers at any one time. In addition, Hirsch has a showroom and auto repair business. This will have extra demand on building space, employee requirements, and customer parking.

Westover stated at a minimum, some level of parking requirements should be considered and stated in the code. A suggestion might be to require a minimum of one (1) space per employee and (1) space for every 500 square feet of ground floor area. This language could be identified in the code, with a clause stating that other parking requirements may be allowed/required through the issuance of the IUP. Then, if there is more or less need depending upon the site/location and its intended use, the parking requirements can be adjusted.

Westover presented a draft ordinance amendment with the ideas presented above and stated if the Planning Commission agrees with and/or modifies this ordinance, staff can bring the amendment back for public hearing next month.

Westover stated staff is requesting direction from the Commission on how to proceed with any language amendments to the City Code for automobile sales parking requirements.

After some discussion, the Commission agreed that reviewing each auto dealership on a case-by-case basis and requiring an IUP for each would be their recommendation. Westover asked if this meant Wudels would be allowed to come back and discuss their situation with the Commission or would the Commission require them to conform to one space per 500 sq. ft. The consensus from the Commission was to recommend 140 1st Ave W (Wudel's) conform to the amended language, one space per 500 sq. ft and one space for each employee on a major shift.

Nelson and Immel suggested separating out new car dealerships from used car dealerships. Discussion ensued and ultimately the Commission decided to not separate out new versus used car dealerships to keep it simple.

The Commission agreed to approve the amendments to the draft ordinance and directed staff to bring the ordinance back to the Planning Commission for a public hearing at next month's meeting.

B-1 Downtown Parking Requirements

Westover stated the City's current downtown parking and its requirements have been a topic of concern. Staff has heard from business owners, home owners, and patrons that there is not enough parking in our downtown area. The Discover Downtown Cambridge Committee-Code Review Sub-Committee has discussed the parking concerns. As a result, staff performed a downtown parking study/exercise. The information provided in the exercise is an approximate tabulation on the parking status of the downtown area "ring road".

Westover said based on the information gathered from this exercise, the downtown area has a sufficient amount of parking spaces for the current uses. The exercise did not include any on-street parking. It is estimated that there are likely 200 on-street parking spaces in addition to those shown on the map.

Westover stated the City's current parking requirements exempt existing and new uses in the B-1 Downtown Zoning district, meaning no parking spaces are required. **Except** that any 'parking provided' shall comply with the parking design standards, meaning if there is parking, it needs to meet the code requirements. The code also requires that if parking cannot be provided on site due to any new construction, enlargement of a building or any change of use in a building downtown, that the owner pay the City \$3,500 per space that is not provided.

Westover stated many of the existing buildings were built long ago (even when there were gravel roads), prior to any parking requirements. It is almost impossible to require new parking regulations for these existing buildings, even when the use of the building

changes. The previous use may have required 10 spaces, but the new use requires 20 spaces. The solution the City came up with was to charge new uses, new businesses, or any enlarging of a use to pay \$3,500 per deficient space in an effort to obtain funds to build future parking lots. Based on the attached parking exercise, the number of available parking spaces downtown exceeds the demand. Therefore, the City should not have a need at this time to require the \$3,500 payment in anticipation of any new parking lots.

Westover stated the B-1 Zoning District by definition is intended to offer uses that primarily serve pedestrian traffic (not vehicles). Requiring more parking (and thus congestion) may defeat the intention of this zoning district.

Westover presented a draft ordinance amendment with the ideas presented above and stated if the Planning Commission agrees with and/or modifies this ordinance, staff can bring the amendment back for public hearing next month.

Westover stated staff is requesting direction from the Commission on how to proceed with any language amendments to the City Code for the B-1 Downtown Business District.

After some discussion, the Commission directed staff to research agreements made with private parking lot owners allowing public parking through an assessment reduction and bring findings back to the Commission at a future meeting. Westover will discuss this issue with the City Attorney, City Engineer, and City Administrator.

Potential Future Business Restrictions (Used Auto Dealers, Thrift Stores/Second Hand Stores, Tattoos, Massage) (Continued from May 3, 2016 Meeting)

Westover stated the Planning Commission started discussion on potential business restrictions in 2016. The first meeting was on March 2, 2016 and the discussion was tabled to May 3, 2016. On May 3, the Commission tabled the discussion until after the Comprehensive Plan update was complete.

Westover stated that City staff had started to explore the idea of limiting the number of certain businesses because of the negative feedback from residents regarding the amount of these businesses in Cambridge. Now with the recent feedback from the Planning Commission regarding 140 1st Ave W (Wudel's auto sales request) and the Discover Downtown Cambridge Committee on revitalization efforts, this discussion is being heard again. In addition, the Comprehensive Plan update was completed last spring, therefore the discussion can continue.

Westover stated the biggest concern in Cambridge currently is automobile sales. Staff is requesting the majority of discussion to occur on this topic. Thrift stores can be discussed as well, in addition to tattoo shops and massage parlors. These topics could be brought back to another meeting for more in depth conversation if the Commission wishes. The reason

we are discussing this now is to be proactive in shaping the future of our city. Other cities have had similar discussions after problems arose.

Westover stated she had a discussion with City Attorney Jay Squires on the legalities of such limitations. He explained that there is more ability in State Statutes to limit thrift stores/second hand stores and it is more common for cities to limit these. Used car dealerships are different and the City could look at more performance based standards (stronger standards).

Westover referred to some feedback gathered from other cities regarding auto dealerships. If cities have decided to restrict auto sales, they have done as our City Attorney has advised. They have limited the automobile sales in certain zoning districts and/or required a Conditional Use Permit (CUP) or Interim Use Permit (IUP). 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 CUP 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. For comparison purposes, Cambridge has 10 car dealerships and the population is 8,749.

Westover pointed out the current Cambridge code requires that the lot width for any automobile sales use be 100 foot minimum. 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. The property is struggling to come into compliance with the rest of the regulations because the lot is not conducive to an auto dealership. The lot is in the B-2 district and automobile sales is permitted.

Westover stated Cambridge current Zoning Code language is as follows: (1) 100' minimum width at front yard; (2) Permitted by right in the B-2 Highway Business District and BT Business Transitional; and (3) Allowed with an Interim Use Permit (IUP) in the B-1 Downtown Business District and B-1A Downtown Fringe Business District.

Westover stated for discussion purposes, the following are possible code changes to discuss: (1) Lot size (maybe we require a 100 foot minimum lot width and one/two acres of land); (2) Interim Use Permits required for all automobile sales uses in all Business Zoning districts; (3) Remove automobile sales from a certain zoning district (i.e. B-1 Downtown Business District), but keep them in all other Business Districts; (4) Only allow automobile sales in the B-2 General Business District; and (5) Remove automobile sales from all Business Districts, only allow them in Industrial Districts.

The Commission discussed inviting the owners of auto dealerships that are outside of the B-1 District to see what their opinion is on this versus the owners of auto dealerships in the B-1 district. The Commission also discussed inviting the Downtown

Committee to a future meeting. Zoning districts and further zoning review of was also discussed.

The Commission recommended staff table this discussion and invite the appropriate interested parties for a deeper discussion with the Planning Commission.

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

Grell moved, seconded by Nelson, to adjourn the meeting at 8:15 pm. The motion carried 6/0.



Mike Stylski
Cambridge Planning Commission Chair

ATTEST:



Marcia Westover
Community Development Director\City Planner