

Cambridge Planning Commission Meeting Minutes
Tuesday, October 1, 2019

A regular meeting of the Cambridge Planning Commission was held on Tuesday, October 1, 2019, at Cambridge City Hall Council Chambers, 300 3rd Avenue NE, Cambridge, Minnesota, 55008.

Members Present: Chair Julie Immel, Vice Chair Monte Dybvig (excused at 8:45 pm), Member Aaron Berg, Member Robert Boese, Member Marisa Harder-Chapman, Member Arianna Weiler.

Staff Present: Community Development Director Marcia Westover and Community Development Specialist Carri Levitski.

Call to Order & Pledge of Allegiance

Immel called the meeting to order at 7:01 pm and led the Pledge of Allegiance.

Approval of the Agenda

Harder-Chapman moved, seconded by Weiler, to approve the agenda. Motion carried 6/0.

Approval of Minutes

Berg moved, seconded by Boese, to approve the September 3, 2019 minutes as presented. Motion carried 6/0.

Public Comment

Immel opened the public comment period at 7:04 pm and, without any comments, closed the public comment period at 7:05 pm.

New Business

PUBLIC HEARING – IUP for an Extended Home Occupation at 328 Sunset Lane N.

Westover stated the applicant has requested an Interim Use Permit (IUP) to allow an Extended Home Occupation for a commercial kitchen at residentially zoned district at 328 Sunset Lane. Westover explained the request is to build a 24' x 28' addition to the attached garage for the commercial kitchen. Since this will be an addition to the garage, and members outside the household will be employed, an Interim Use Permit is required. If the property sells, the commercial kitchen addition would likely be turned back into a garage.

Westover stated the applicant, Vicki Lefebvre, owns a catering business and does most of the cooking herself although she does have one to two employees helping prep for events. The employees have ample parking space on the existing driveways and no outside customers will come to the property since it is not a retail shop. All food is delivered with a personal trailer to the off-site event.

Westover explained the unprepped food is delivered via semi-truck approximately 11:00 am to the house once or twice per week depending on events. The semi-truck activity is unusual for the residential neighborhood and since city streets are designed specifically for certain types of vehicles

and traffic, staff wanted to make sure this vehicle activity would be acceptable. The loaded semi-truck weight is 20,000 pounds and does not cause undue concern for those residential streets, specifically during the spring when frost is going out and the road subgrade is weak.

Immel opened the public hearing at 7:08 pm.

Delores Beehler, 305 Sunset Lane, Cambridge, MN, shared her concerns about noise from the semi when making deliveries. She also expressed concerns about hours of operation and odors.

Luke and Vicki Lefebvre, 328 Sunset Lane, Cambridge, MN explained the semi-truck will be approximately 10 minutes. The kitchen would typically start being used at 7:00 am and close down around 5:00pm. The actually cooking would probably be complete by 3:00 – 4:00 pm so odors should not be an issue in the evenings. After an event, the only noise will be returning the equipment into the kitchen and it shouldn't be louder than any typical residential noise.

Beth Moran, 418 Sunset Lane, Cambridge, MN stated she has no concerns with the request for the IUP of an Extended Home Occupation.

Immel closed the public hearing at 7:19 pm.

The Commission discussed the hours of operation, noise concerns, and odors and felt the concerns have been addressed.

Boese moved, seconded by Dybvig, to recommend Council approve the Resolution for the Interim Use Permit for an Extended Home Occupation and to allow a commercial kitchen as long as the following conditions are met.

1. The Interim Use for an Extended Home Occupation is not transferrable and shall only be used by Vicky Lefebvre and shall discontinue after three (3) years from the date of approval.
2. The hours of operation of the Extended Home Occupation must occur between 7:00 am and 10:00 pm.
3. Section 156.084 Home Occupations of the City Code must be met at all times, where applicable.
4. If noise, odors, traffic or any items listed in Section 156.084 become an issue, the Planning Commission and City Council may review and revoke the Interim Use Permit.
5. The addition shall meet all required setbacks.
6. All federal, state, and local codes, laws and ordinances shall be met.

Motion passed 6/0.

PUBLIC HEARING – Variance Request for 509 Main St N. (C.A.R.S., Inc.)

Westover stated in 2014, staff was asked by the realtor selling 509 Main Street N if the property could be zoned commercial. Since the property is adjacent to other commercial properties and Main Street, staff proposed the zoning change from residential to commercial and it was approved on October 20, 2014 (Ordinance No. 607).

Westover stated On February 3, 2015, Mr. Cottrell came to City Hall with a proposed site plan and to discuss his plans for a used automobile dealership. It was explained and noted on the site plan that it was not approved and a copy of Section 156.090 Auto Oriented Uses of the City Code was given to Mr. Cottrell and he was to adhere to that in order to operate the business.

Westover also stated in April 2015, complaints and enforcement began with parking on the grass, in the right-of-way, and non-compliant on-site parking. In addition, there was complaints and enforcement regarding living quarters inside the business.

Westover explained that staff has been working with and responding to Mr. Cottrell's requests since this time. Mr. Cottrell has submitted numerous site plans, but staff has not been able to approve them since they do not meet the requirements of Section 156.060 Off-Street Parking.

Westover explained since no plan submitted has met the city code completely (the paved area is too small), it was decided by staff that the city would allow six display vehicles in an effort to allow Mr. Cottrell to keep operating his business. This was viewed as a reasonable number of vehicles to allow maneuverability and a neat and orderly display on the small lot. In addition to the six display vehicles, two customer and one employee parking space is required.

Westover stated that Mr. Cottrell has applied for a variance to allow 12 display vehicles plus his two customer and one employee parking spaces for a total of 15 vehicles on the lot.

Westover explained Mr. Cottrell states that other auto dealerships in Cambridge have different rules. Historically, most of the auto dealerships have been here for many years and are considered existing non-conforming, or "grandfathered in". The more recent auto-oriented dealerships in Cambridge, including Valder's Vehicles and North Metro Auto Sales have received Interim Use Permits and the parking and site layout has been reviewed for compliance. Westover noted another new auto dealership is currently being proposed at the former World-On-Wheels property and staff is requiring the same parking requirements as 509 Main St. N.

Westover received a written statement from Jim and Trina Godfrey opposing the request and read it into the record as requested. The statement is on file for the record.

Immell opened the public hearing at 7:27 pm.

Roger Cottrell, 509 Main St. N, Cambridge, MN approached the podium and delivered a petition to The Commission with approximately 35 signatures in favor of having his inventory increased to 12-15 parking spaces. Mr. Cottrell stated he feels he is being harassed by the Police and City Staff with all the pictures being taken and the excessive fines he has encountered. He felt other dealerships in town can do what they want.

Jenny Cottrell, 509 Main St N, Cambridge, MN stated many people like Roger and the building has been a hair salon for 40 years and there is no place for guests to park with so few parking spots.

Dave Pucci, 240 5th Ave NE Apt #1, Cambridge, MN stated he has known Roger for 5 years and he is a good friend and a man of honor and respect. Dave spoke of what a hardship this has been for Roger and his family. He would hope the Commission would find it in their heart to help Roger out.

Dana Inger, 548 Old Main St N, Cambridge, MN stated he felt it was inappropriate for Westover to read Mayor Godfrey's email in front of the Commission. Inger stated Mayor Godfrey and Roger need to meet and fix this issue and he recommended possibly work towards having 9 vehicles. He added that he has never been annoyed by lights or noise and he felt the Commission needs to take a human account into their decision making.

Immel closed the public hearing at 7:50 pm.

The Commission discussed the possibility of extending the impervious space and adding additional parking space.

Berg stated his concern for Mr. Cottrell was not meeting the criteria the city has requested. Other businesses have come to the Commission with expectations and have conformed to those expectations. Berg added being in compliance is the main issue.

Dybvig questioned why there are barriers located on the property. Westover explained there was a court order written by a judge to enjoin the property from operating until it is in compliance. Since the property has not come into compliance, the barriers were placed. Westover noted a couple barriers were removed since Mr. Cottrell has been in compliance, however, the rest of the barriers will remain until the variance application process is complete and Mr. Cottrell has demonstrated continuing compliance.

After seeing several audience members wishing to speak again, the Commission agreed to open up the Public Hearing again at 8:11 pm.

Mr. Cottrell addressed the Commission stating that his plan has worked with the 15 vehicles in the past. He just wants to make a living and cannot do that with only 6 cars. Cottrell repeated what he had stated in the first hearing and added he feels the City has a personal vendetta against him which has caused him medical conditions.

Other members of the audience tried to speak out of turn, therefore, Immel closed the public hearing at 8:33 pm.

Berg stated the city is just looking for some form of compliance and since the standards for the variance have not been met, he doesn't think the Commission should approve the request.

Berg moved, seconded by Dybvig to recommend Council deny the variance as presented. Motion passed 6/0.

Motion by Dybvig, seconded by Harder-Chapman to take a break from 8:35 pm – 8:40 pm, motion passed 6/0.

PUBLIC HEARING – IUP Extension for Leaf's Towing

Levitski stated Leaf's Towing & Recovery, 791 Garfield St S, Cambridge, MN 55008, has requested an extension on their Interim Use Permit to continue to allow an impound lot and outdoor storage in the I-1 Zoning District.

Levitski stated Leaf's Towing was granted an Interim Use Permit (IUP) at the November 17, 2014 City Council meeting. The city code does not have any zoning district where impound lots are an allowed use, and impound lots are not defined in the code. However, Section 156.041 Industrial Districts in the zoning code does have a provision that allows "those other uses which in the opinion of the Planning Commission are appropriate only on an interim basis."

Levitski explained the Zoning Code does not identify impound lots or standards for them. In 2014, staff performed research in other communities and the MPCA to help with standards and guidelines for conditions of approval. These same conditions are listed with the extension request. The MPCA does not regulate impound lots; they leave it up to individual cities to regulate them in their communities, however, they suggested to have Best Management Practices in place.

Levitski explained Leaf's Towing has been parking their vehicles on impervious surface as was listed as a condition with their first IUP. There have been a few times throughout the years it was reported vehicles were not being parked on impervious surface and after making contact with the owner, the issue was remedied immediately.

Levitski stated outdoor storage is allowed by an IUP in all industrial zoning districts. Outdoor storage must be screened from all adjacent properties. All outdoor storage and vehicles are being stored outside on improved surface and behind a woven mesh wind screen fence.

Immell opened the public hearing at 8:47 pm and without any public comment, closed the public hearing at 8:48 pm.

Boese moved, seconded by Berg, to recommend Council approve the extension of Interim Use Permit to continue to allow an impound lot for towed vehicles and for outdoor storage in the 1-L Low Impact Business -Industrial District at 791 Garfield St. S as long as the conditions listed are met. Motion passed 5/0.

***PUBLIC HEARING – Ordinance Amendment for Sign Regulations
(Off-Premise Signs and Window Clings)***

Levitski stated at the September 3, 2019 Planning Commission meeting, staff and the Commission discussed current requirements for window signs and the lack of language regarding way finding signs.

Levitski reiterated the Commission's discussion in September on what type of window signs they felt should be allowed in business store fronts and affixed to windows in the business districts. To date, staff has not received complaints regarding vinyl window signs in storefronts. This topic came to light when a new business was located in the B-T Zoning District and they requested to affix a vinyl window sign that exceeded the 30% maximum requirement.

Levitski reported following the September Planning Commission meeting, staff discussed possible ordinance amendments and concluded that due to the fact that very few cities enforce their current code requirements when it comes to a maximum percentage of window signage, it might be time to revise the language. Downtown businesses do not have sufficient room for advertising and there are businesses that use visual effects to help off-set sunlight and the feeling that their customers are sitting out in the open on road frontages. Other businesses on the east commercial side of town use corporate window signs and displays to advertise monthly sales and to dress up their store fronts.

Levitski stated it is the intent of the window restrictions that first responders can see into the businesses at night during their community policing. Therefore, staff is proposing opaque vinyl signs and signs covering all windows of a business be prohibited.

Levitski stated staff reached out to area sign companies and was informed that vinyl window signs are a growing trend and is extremely common with businesses. Many businesses in the City have petitioned the City change the language and allow more than 30% per window be covered as long as first responders can see into the business.

Levitski reported that concerns have been raised regarding the aesthetics of window signage and it has been debated if too much window signage "clutters" the store fronts and causes blight. Because "beauty is in the eye of the beholder", it is very difficult to pick and choose what window signs are blight and what signs are not blight. Staff is proposing the attached code changes and if problems arise or complaints are received, staff will bring this back to the Planning Commission for further discussion and review.

Levitski noted that also at the September 3, 2019 Planning Commission meeting, staff, Commissioners, and community members discussed the possibility of allowing wayfinding signs for government agencies, public institutions, educational facilities, and places of worship.

Levitski stated that staff reached out to MnDOT and much of the language proposed came directly from their regulations. It was also discovered that signs that were installed on Main St. years ago such as the Library, Hospital, DNR, Isanti County Government Center, churches, etc. were initially installed by MnDOT prior to Main St. being turned over to the City of Cambridge. It will be the responsibility of the City of Cambridge to maintain these signs going forward. Staff also used MnDOT's language related to the cost and maintenance of these signs.

Immell opened the public hearing at 8:56 pm.

Randy Wallace, who represents Common Ground Methodist Church told Commission he is very appreciative of the city's efforts to allow the signage.

Immell closed the public hearing at 8:58 pm.

Weiler questioned whose responsibility it is to maintain signs. Levitski stated if the sign is in the right of way it is the city's responsibility. If the sign is on private property it is the property owner's responsibility.

Immel wanted to make sure maintaining signs is in the Zoning Code. Levitski stated it's in the general language in the sign ordinance.

Weiler moved, seconded by Berg, to recommend Council approve the ordinance as presented Amending Title XV: Land Usage, Chapter 156 Zoning, Section 156.063 Sign Regulation and Section 156.007 Definitions. Motion passed 5/0.

Ordinance 702 – Residential Structures Roofing and Siding Materials

Westover explained this discussion was tabled on September 3, 2019, to give staff time to amend the language to include steel roofing materials. Westover stated staff has amended the proposed ordinance language to include separate roofing and siding requirements. After the Planning Commission's discussion, it was noted there are many possible materials that would be acceptable as residential materials and is difficult to list all allowed materials, therefore, the ordinance was amended to be simple and only list those items that would not be allowed.

Westover stated the Commission wanted to allow metal roofing materials so language was added to state that roofing cannot be reflective or shiny to cause glare. With this language, metal is allowed, but will negate concerns for neighborhood glare and keep the materials more residential in nature. In addition, staff added that exposed fasteners would not be allowed since they generally have an industrial or agricultural look and are commonly restricted from residential neighborhoods.

Westover stated the only restrictions added for residential siding is that it cannot be sheet metal or have exposed fasteners.

Berg wondered if this language pertained to mobile homes. Westover stated that mobile homes have a separate code section to follow. Berg stated that materials may not be the same 20 years from now and suggested striking "use the same material" and adding "close to match as possible". The Commission discussed the language and considered alternative language, but ultimately decided to keep the language as presented.

Weiler moved, seconded by Harder-Chapman to recommend Council approve Ordinance 702 as presented to amend Title XV Land Usage, Chapter 156 Zoning, Section 156.078 Residential Structures.

Allowing Chickens Discussion

Levitski stated staff is repeatedly asked by residents if chickens are allowed in Cambridge. Levitski explained current code defines chickens as a farm animal and are only allowed in an agricultural district of the city, or on a residential lot of at least ten acres in size provided that no animal shelter be within 300 feet of an adjoining property line.

Levitski pointed out the last time discussion was held by the Planning Commission was in 2014 so staff felt it appropriate to bring this topic back to the Commission for discussion.

Levitski stated staff reached out to 18 surrounding communities and have documented whether or not they allow chickens. Levitski reviewed the survey which was included in the staff report and noted it was split between the 18 communities.

Levitski asked the Commissioners to discuss the keeping of chickens and give direction to staff if they would recommend changing the current code requirements.

Weiler asked if there has been any feedback from other cities that allow chickens. Levitski stated there has been positive and negative feedback.

Berg mentioned the outbreaks of salmonella due to people having chickens in their backyards. Berg does not feel chickens should be in city limits due to many concerns.

The recommendation of the Commission was to keep the ordinance language as-is and not allow chickens on residential lots at this time.

Other Business/Miscellaneous

City Council Update

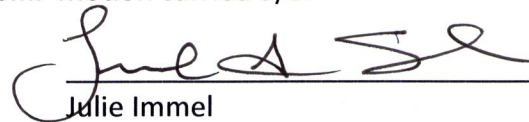
Westover spoke of the passing of Councilmember Marlys Palmer. Boese spoke of Palmer's great service to the community.

Parks Commission Update

Levitski updated the Commission on the last Parks, Trails, and Recreation Commission meeting. Immel spoke of the great job Jennifer Cole did with the Summer Program and how she will be missed.

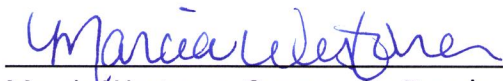
Adjournment

Being no further business before the Cambridge Planning Commission, Boese moved, seconded by Chapman, to adjourn the regular meeting at 9:51 pm. Motion carried 5/0.



Julie Immel
Cambridge Planning Commission Chair

ATTEST:



Marcia Westover, Community Development Director