

**Cambridge Planning Commission Meeting Minutes**  
**Tuesday, July 7, 2020**

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:** Commissioners Aaron Berg (Chair), Robert Boese (Vice Chair), Jessica Kluck, Monte Dybvig, David Redfield.

**Members Absent:** Bob Shogren (City Council Representative) and Arianna Weiler (excused).

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

**Call To Order and Pledge of Allegiance**

Berg called the meeting to order at 7:00 p.m. Berg led the Commissioners in the Pledge of Allegiance.

**Approval of Agenda**

Boese moved, seconded by Dybvig to approve the agenda. Upon call of the roll, Dybvig, Redfield, Berg, Boese, and Kluck all voted aye. Motion carried 5/0.

**Approval of Minutes**

Redfield moved, seconded by Berg to approve the June 2, 2020 meeting minutes. Upon call of the roll, Dybvig, Redfield, Berg, Boese, and Kluck voted aye. The motion carried 5/0.

**Public Comment**

Berg opened the public comment at 7:01pm and, without any comments, closed the public comments period at 7:03pm.

**New Business**

***PUBLIC HEARING – 5A Interim Use Permit – Butterfly’s Massage***

Levitski stated Carollynn Thomas, Butterfly’s Massage, 211 Cleveland St. S., Cambridge, MN 55008 is requesting an extension to her Interim Use Permit to allow a Personal Service use in the I-2 zoning district. The original IUP was granted by the Cambridge City Council on August 20, 2018. The current IUP expires on August 20, 2020.

Levitski stated the property at 211 Cleveland St. S., is zoned I-2 Light Industrial District. Light industrial uses are generally permitted in this district including light manufacturing, offices, and warehouses. Personal Services are permitted in the city’s commercial zoning districts, not industrial zoning districts.

Levitski explained that Personal Services is defined as: *“Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel such as, but not limited to,*

*laundry services, linen supply, clothing rental, diaper service, beauty shops, barbers, show repair, domestic services, health clubs and spas.”*

Levitski stated Ms. Thomas was granted an IUP initially in 2018 and this is an extension for that original IUP. Nothing has changed with the use. She is still performing therapeutic massage.

Levitski stated Federated Co-Ops is still the owner of the property and has submitted a letter of support for the extension. To date, staff has received no complaints regarding this business and staff supports the extension request through December 31, 2022.

Berg opened the public hearing at 7:05pm. No one appeared so Berg closed the public hearing at 7:05pm. Boese moved, seconded by Dybvig to recommend City Council approve the Resolution for an Interim Use Permit. Motion passed 5/0.

### ***PUBLIC HEARING 5B Conditional Use Permit- Valder's Vehicles***

Levitski stated a request by Jordan Valder of Valder's Vehicles, 309 1<sup>st</sup> Ave E, for a Conditional Use Permit to allow outdoor storage in the B-1 Zoning District.

Levitski stated in all Commercial Districts, all materials, supplies, products or other similar matter not offered for sale to the public shall be stored within a completely enclosed building, except by issuance of a conditional use permit. The conditional use permit may impose requirements for screening, location, mitigating impacts on adjacent residential uses, height and other standards relating to the outdoor storage.

Levitski stated Valder's Vehicles currently has an Interim Use Permit to allow automobile sales and minor automobile service in the B-1 Zoning District. The original IUP was issued in 2014 and was extended in 2017 and 2019.

Levitski stated Mr. Valder would like to store tires outdoors along with a topper rack and a scrap dumpster. This outdoor storage is essential to his business and there is not room on the inside of the building to store the items.

Levitski explained the purpose of the Conditional Use Permit process is to review applications on a case by case basis to determine whether the use is compatible with the adjacent properties or intended land use and the planned development of the community. Each Conditional Use Permit must satisfy 10 standards in order to be recommended for approval by the Planning Commission to City Council. Levitski reviewed the standards identified in the staff report.

Levitski stated staff have reviewed the Conditional Use Permit and is supportive of the request subject to the conditions identified in the recommended motion. Levitski reviewed the conditions identified in the Resolution.

Berg opened the public hearing at 7:11 pm. With no one appearing Berg closed the public hearing at 7:13pm. Boese moved, seconded by Kluck to approve the resolution for conditional use permit. Motion passed 5/0.

### ***Public Hearing 5C Variance Request for Exterior Materials***

Westover stated Fleetway Inc, Gary Peterson, has requested an exterior material variance for 444 Main Street South. Westover stated Mr. Peterson is working with a new tenant for his building. The new tenant would operate a used car dealership. The new tenant and owner are working to make several improvements to the property. They are proposing to paint the fence, install lighting fixtures, and re-face the existing building.

Westover stated the existing building material is wood siding. Wood siding is not an approved material in the current city code language. The existing building material is considered non-conforming. Non-conforming buildings may remain as-is. The owner/tenant can keep the wood materials and paint it as an option to make improvements.

Westover stated the owner/tenant is looking to re-face the entire building rather than paint the building. They are proposing a stone wrap-around front detail for the building. The remainder of the walls would be a steel lap siding (looks like residential vinyl siding). Westover stated she has worked with the owner/tenant to have them propose some form of acceptable material for the variance request. Originally, they wanted all steel, but have come up with the proposal for the stone accent on the front of the building. City code requires 75% of the building be covered by an approved material; this proposal is approximately 25% approved material.

Westover explained the building itself is a unique barn style building with a gambrel roof. The roof hangs over almost half of the side walls. The front façade wraps around the side of the building. The existing wood siding is in need of repair. Regardless of the City's ultimate decision on the steel siding, the owner/tenant plans to place stone on the front wrap-around façade. Under today's code requirements, neither wood nor steel is allowed as a new material.

Westover stated the City code does explain that an entire re-face of a building is required to come into compliance with the major exterior materials listed. Since this is an entire re-face, they would need to conform to the code and replace entirely with an approved material. The reasons given for not conforming to the strict letter of the code include economic reasons but also because the owner/tenant think the building will look out of place with stone/brick/stucco encompassing the entire building. They feel the unique style of the building lends itself better to the steel material with the front stone accent. In addition, the building to the south has similar steel siding as proposed with this application.

Westover noted she included the pertinent sections of the code in the staff report for reference.

Westover stated the purpose of the Variance process is to review applications on a case by case basis to determine whether relief may be granted from unforeseen particular applications of the zoning code that create practical difficulties. In considering an application for a variance, the Planning Commission shall recommend the approval of the variance only upon the finding that the application complies with the standards identified in the code and staff report.

Westover stated that there are two Resolutions in the staff report, one approving the variance and one denying the variance. Westover read through the standards in each Resolution identifying the findings.

Berg opened the public hearing opened at 7:25 pm, with no one appearing Berg closed the public hearing at 7:27pm.

Westover read an email from city resident, Bill Lindberg stating his opposition to the proposed variance. "I am very much opposed to the variance sought by Mr. Gary Peterson to the code regarding the siding for 444 S Main. My question is why the change to the code is needed. Taxes? Use? We change (vary codes) for what reason? Want keep Cambridge in the past? Or do we want to move forward with better looking city? There are enough problems on the SW side of town (and its bordering areas) with code violations. If we don't enforce codes, why do we have them?

Thank you,  
Bill Lindberg  
425 Ashland Street S.

Dybvig stated his opposition to the variance and agrees with the resident's email. The City has codes for a reason.

Redfield asked if any other variances have been issued. Westover stated no variances have been issued for exterior materials in the downtown or commercial business district. Westover further stated exterior materials have been discussed several times with the Commission and Council and the code is written the way it is to help the city look better.

Kluck opposes the request, stating the closer you get to downtown the buildings should enhance the area, therefore we should stay away from industrial look. Also, the position of the building makes sides more visible.

Redfield agreed that you see the north and south side of the building when driving and this would be the steel material.

Boese agreed the location of the building is very visible.

Motion by Boese, seconded by Dybvig, to recommend Council deny the variance request for steel siding. Motion passed 4/1, Berg voting nay.

### ***5D Yerigan Farms 3<sup>rd</sup> Addition Preliminary Plat***

Westover stated TL Truck, LLC (Timothy Landborg), 9084 173<sup>rd</sup> Avenue, Ramsey, MN 55303 has requested a preliminary plat. This item was tabled from the February 4, 2020 meeting. The public hearing was held on February 4, 2020, but since staff needed more time for review and tabled discussion, there was no public comment. The Commission should open up time for public comments at this meeting. The preliminary plat is now sufficient for review by the Planning Commission and Council.

Westover stated Mr. Landborg purchased the 60 acres south of Pioneer Trail SE, known as the next phase(s) of the Yerigan Farms development several years ago. Mr. Landborg subdivided five (5) lots in 2018 known as Yerigan Farms 2<sup>nd</sup> Addition. Mr. Landborg is now preparing for the remainder of the development with Yerigan Farms 3<sup>rd</sup> Addition.

Westover explained the proposed plat consists of 58.5 acres. The subdivision includes properties in the R-1 One Family Residence District and the SR-Shoreland Residential District. No zoning map changes are required as a part of this plat.

Westover stated the proposed plat consists of 83 new single-family lots. All lots meet the minimum size and setback requirements as prescribed in the zoning and shoreland code.

Westover stated in addition to the preliminary plat, full site plan review has been submitted. Staff has been reviewing the civil plans pertaining to new streets, utilities, grading and drainage. The preliminary plat and the site plan review need to be reviewed together to ensure proper development of the proposed lots. This review will continue but staff is now comfortable with the preliminary plat as proposed.

Westover stated at the February 4, 2020 meeting, Commissioners briefly discussed the need for additional parkland with the number of new residents potentially moving to this area. Since that meeting, staff has discussed parkland with the developer. Lots 23, 24, and 25 of Block 1 are proposed for parkland at this time. The size is approximately 1.63 acres. The monetary contribution amount is based on the number of units in the subdivision. In this case 83 units are proposed. The ordinance requires parkland dedication in the amount of \$1600 per unit. The total amount of dedication needed is \$132,800. The approximate value of Lots 23, 24, and 25 is \$150,000. The final details in the Development Contract between the City and Developer will be finalized in the near future.

Westover stated other locations for the parkland were considered. However, the location of the park in Lots 23, 24, and 25 serve a dual purpose. The City needs a location for future water supply wells. This location serves the distance needed from other well placement and is a good location for a future park. The City owned land adjacent to Pioneer Park is slated for parkland but also has a planned future water treatment plant. The wells need to be spaced appropriately from this park.

Westover stated the location of the well is unknown at this time, but it is illustrated as a 30' x 50' area. The well will have a driveway and a light and will be surrounded by a fence or some protection. Most park equipment/playgrounds and/or features will not impact the well.

Westover noted the 58.5 acres proposed in this preliminary plat includes wetland. Isanti County is the Local Government Unit responsible for wetland delineation review and permits. In addition, the Army Corp of Engineers will need to review the plat. Staff has submitted a copy of the preliminary plat to the Commissioner of the Department of Natural Resources (DNR) as required per city code. As part of site plan review, staff will assure all review and approvals are complete.

Westover stated a Development Agreement between the City and Developer will need to be finalized. The Development Agreement includes details on public street and utility construction, sewer and water area charges, parkland dedication, etc. This agreement will take place after the preliminary plat, although staff wanted the Commission to be aware that we are reviewing all requirements administratively.

Berg opened the public hearing at 7:40pm for public comment, and with no comments closed the public hearing at 7:42pm.

Craig Wensmann from Bogart/Peterson gave a presentation of the proposed plat.

Berg asked if this will be a closed development or open to any builder? Landborg stated he has no builders for the proposed property at this time. It is open to contractors. He explained there will be several styles of homes. Split entry, two story and walk outs with full basements.

Dybvig moved, seconded by Boese to approve the preliminary plat of Yerigan Farms 3<sup>rd</sup> Addition as presented. Motion passed 5/0.

### ***Public Hearing 5E- Keeping of Chickens***

Levitski explained staff have received a formal request to bring this topic back to the Planning Commission and City Council for discussion. There have been a couple changes with the cities surveyed last year so we have listed which cities allow chickens and if there are special regulations.

Levitski stated the last time this was discussed with the Planning Commission was last October and before that it was June of 2014 and noted the minutes from those discussions are in the staff report for review.

Dianne Schultz addressed the commission stating she started a Facebook group about a month ago. 50 members have joined all in favor of having chickens in the city of Cambridge. Schultz reported on her experience with raising chickens as a teacher and would like to see Cambridge become a progressive city when it comes to chickens. Schultz also noted raising hens for eggs is a sustainable food option. 50 residents want chickens and this is only 1% of the city's population.

Berg has several concerns about having chickens in the city. Noise, health issues (salmonella), increase in predators, lot size, and enforcement of codes, and questioned whether it was cost effective once a coop is constructed along with the cost of maintenance of the chickens.

Schultz stated that other allowed animals such as dogs and cats leave messes, are noisy, and have the same issues as chickens.

Kluck asked if there is a lot size requirements for having dogs. Levitski stated you can have up to 4 dogs and there is no lot size requirement. Kluck would like to see more research into this matter.

Schultz read a letter from city resident, Marissa Harder Chapman stating she's in favor of having chickens and believes 6 chickens would be reasonable.

Dybvig stated he has raised chickens in the past and is sympathetic to having chickens.

Staff was asked if there has been issues with chickens in the city. Levitski stated she has had complaints of smell and noise of chickens from residents in the past. Levitski added the chickens had to be removed through the code enforcement process.

Berg confirmed when purchasing chicks, there is no way to tell if they are a rooster or a hen. Berg questioned what would happen if there is another Avian Flu outbreak and which staff members enforces removal of the roosters, and then all chickens if there is a flu outbreak or if they escape their coops. Levitski explained she is responsible for enforcement of the city codes, so if there are complaints, she would be the individual investigating. Levitski stated she was not sure if our animal control would catch chickens that have escaped their pens. Schultz stated it is a possibility to require all chickens to have their wings clipped.

Commissioners discussed potential licensing, banding, and fees and what that could look like.

Redfield asked if the planning commission would have input in code. Levitski stated since it was not a part of the Land Use Code, there is no public hearing required for an ordinance amendment. Westover added that most likely this would be brought before the Planning Commission again to review any proposed language.

Berg stated he wanted to see no change in the current code for chickens. Kluck and Boese stated they would like to consider changes to the current code. Dybvig and Redfield stated they thought more discussion should occur on whether or not to allow chickens.

It was the consensus that Commissioners recommended Council further discuss the current regulations on keeping chickens within the city limits.

### **Other Business/Miscellaneous**

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

City Council Representative Shogren was absent so there was no update on the previous City Council meeting.

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

Levitski updated the Commission on the Parks, Trails, and Recreation Commission, stating the Wi-Fi in the parks is too expensive to pursue. A policy for park naming was adopted, the Updated long-range plan was updated. Discussion of having bike racks at parks. Gave an update on Parkwood park progress and announced the Parks tour will be in August.

### **Adjournment**

Being no further business before the Commission, Dybvig moved, seconded by Redfield, to adjourn the regular meeting at 8:27 pm. Motion carried unanimously.

  
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Aaron Berg, Chair  
Cambridge Planning Commissioner

ATTEST:

*Marcia Westover*

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Marcia Westover

Community Development Director