

Cambridge Planning Commission Meeting Minutes Tuesday, June 7, 2021

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: Commissioners Aaron Berg (Chair), David Redfield, Joe Morin, and Kersten Barfnecht- Conley (City Council Representative).

Members Absent: Robert Boese (Vice Chair), Amanda Latsch, Jessick Kluck (all excused)

Staff Present: Community Development Director Marcia Westover, City Planner Jacob Nosbush

Call to Order and Pledge of Allegiance

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

Approval of Agenda

Barfnecht-Conley moved, seconded by Redfield, to approve the agenda. Upon roll call, all voted aye, no nays. Motion carried unanimously.

Approval of Minutes

Morin moved, seconded by Barfnecht-Conley, to approve the May 3, 2022 meeting minutes. Upon roll call, all voted aye, no nays. Motion passed unanimously.

Public Comment

No Public Comment.

Unfinished Business

No unfinished business

New Business

A. PUBLIC HEARING-Variance for a swimming pool in front yard at 230 Fern St. N.

City Planner Nosbush introduced Nicholas & Amanda Eich who own a parcel at 230 Fern St N. The property in question has a dwelling located on it which is located approximately 25 feet from the east/rear property line. Nosbush continued saying that the parcel also has a steep sloped area in the south side yard with mature trees which is not suitable for placement of a pool. Because of this steep slope, they are requesting to be allowed to place a pool in the front yard instead.

Nosbush stated that the Eichs indicated that meeting § 156.080 (E) is not an option because the rear of the house does not have a location which meets setbacks of 15 feet to the side lot line (§ 156.080.A.5.a) and 4 feet to the dwelling (§ 156.080.E.2).

Nosbush further explained that City Code does not allow for accessory use swimming pools to be placed on front yards, and that § 156.080 (E) reads, in part, "Private outdoor residential pools, both above and below ground, and hot tubs are permitted as an accessory use within the rear yard or side yard". Further, the § 156.080.E.1 reads, in part, "There shall be a distance of not less than ten feet between the adjoining property line and the outside of the pool/hot tub wall for above- ground pools/hot tubs." And finally, the § 156.080.E.2 reads, in part, "There shall be a distance of not less than four feet between the outside pool/hot tub wall and any other building or structure located on the same lot."

Nosbush concluded that conforming to the strict letter of the provisions of the city code does create a practical difficulty since the location of the dwelling on the parcel does not allow for a pool meeting setbacks in the rear yard. Additionally, the south side yard is sloped and populated with mature trees, making it unsuitable for placement of a pool.

Nosbush continued the Eich dwelling is located such that there are circumstances unique to the property not created by the landowner and the placement of the proposed pool will not alter the essential character of the locality. Nosbush finds that the Eich pool request is in harmony with the general purposes and intent of the city's Comprehensive Plan in the following policies and goals.

Berg then opened the meeting for questions from the commissioners. Morin asked if a fence was involved in the variance. Nosbush replied that a fence was not required as the City Code does not require a fence, but that a removable ladder must be provided instead of a fence.

Public Comment:

Berg then opened the public comment at 7:17 p.m. Made a second calling at 7:18 p.m., then closed the public hearing at 7:18 p.m.

Conley mentioned that she does have a concern about the pool being in the front yard due to safety, and was curious if the commission had concerns about the pool being in the front yard of the Eich property. Berg mentioned that there was a fence on the north side of the Eich property and that the pool was about 40 feet from the street. Morin agreed with Conley saying that there was a safety issue as pools are a magnet for kids and that the pool being so close to school, it could pose a safety risk. Morin mentioned that he would feel better with a fence around the pool.

Westover discussed that some of the concern seems to be of the property's proximity to the school. Westover continued that if the pool were to be in the backyard, no variance would be needed and no fence required, although kids could still easily access the pool in the backyard as in the front. City Code does not require a fence for a pool, the variance is only discussing placing the pool in the front yard.

Berg made a motion to approve the variance, seconded by Redfield. Motion passed 4/0.

B. PUBLIC HEARING-Preliminary Plat of The Preserve at Parkwood 1st Addition (Menards) (p. 12)

Westover opened the topic by describing how the property consists of an outlot owned by Menard, Inc. and the Jerry Horbul land projected to be annexed into the City. Westover continued by stating that the Jerry Horbul land was approved for annexation with Ordinance No. 746 at the May 16, 2022 Council meeting and that the State of Minnesota is still reviewing and the annexation is not yet final. Once finalized, a final plat of the area can be approved.

Westover explained that annexing in the Jerry Horbul property was a requirement of this overall development. The high ground of the Horbul property would have been landlocked if not for the annexation and development as proposed. The infrastructure was planned for and will be extended into this area to accommodate additional lots.

Westover stated that the developer is proposing 15 single family lots with the lot sizes and dimensions meeting the minimums required by the zoning code. The Isanti County Wetland Specialist has reviewed the wetland delineation and it has been approved. The Isanti County Wetland Specialist has requested 20' wetland buffer signs to be installed to deter future homeowners from any disturbance in the buffer area. This is a typical City requirement and will be mandatory in the Development Agreement.

Westover explained that the area proposed in the plat is currently surrounded by a majority of residential uses. The area to the south and west is within City limits and includes single family homes to the south and a mixed use residential Planned Unit Development (PUD) to the west. The area to the north and east of this plat is in Isanti County and include wetlands, larger farms, and larger one family parcels.

Westover emphasized that Parkland dedication and sewer and water area charges have not yet been satisfied and will be part of the Development Agreement. She let the commission know that a staff team of the Public Works, City Engineer, and herself are still in the process of reviewing all the formal Site Plans including civil engineering plans. Westover has provided comments to the developer that will need to be addressed during the platting process. Westover has added all of our current comments as conditions of approval of the preliminary plat. Westover concluded that she finds the plat is in compliance with the goals of the Comprehensive Plan, Zoning and Subdivision regulations of the City.

Public Comment:

Berg opened the commission for public comment at 7:27 p.m.

Nick Brenner, the real estate representative for Menards. Brenner addressed that they have gone over all of the setbacks with the City and that they plan to adhere to all of the requirements. Brenner stated that there should not be any issues regarding the comments from the Engineer.

Ben Huninghake from LHB, Inc. (civil engineer) mentioned that they have addressed the last round of comments and then submitted another round to be reviewed by the city.

Tony Zerwas, 459 Alaska Loop S., Cambridge, MN, inquired about the 20 foot setback on the wetland, and was curious how it was physically possible to put a house in that area and still maintain the 20 foot setback in that type of environment.

Brenner / Huninghake responded that the grading is taking place way back from the 20 foot setback. And that the houses will have a normal 30 foot driveway length.

Zerwas mentioned that it is an HOA neighborhood and how the company plans to be in compliance with the current HOA. Brenner / Huninghake stated that they do not plan to be a part of the current HOA and that there will be no additional costs to the HOA.

Zerwas continued that he was speaking on behalf of the neighborhood HOA as a member of the HOA Board, that is located near the Horbul property. Zerwas stated that the community members of the HOA in that neighborhood are not in favor of the Horbul/Menards Parkwood Plat. Zerwas addressed the concerns of adding houses that will not be a part of the HOA and how it may compromise the integrity and property and the impact of the wetland that will cause. Zerwas discussed how it will impact the wetland environment.

Jim Lepping, 530 Alaska Loop S., Cambridge, MN, was also from the HOA neighborhood and inquired the size of the lots. He said that his was curious on how the developers plan to get fifteen houses on 3.5 acres. He wants to make sure that the HOA was not responsible for paying any part of the new development. Lepping further inquired the price range of the houses, to which Westover and Berg answered that Menards would be better suited to answer that question. Westover stated that city streets and utilities will all be covered by the developer.

Rita Pure, 520 Alaska Loop S., Cambridge, MN, was another member of the HOA who made public comment that the diagram looks as if the cul de sac was coming off of their street. This addition concerns her as it adds a third more traffic into their neighborhood. One of Pure's big concerns was the added traffic and that as the homes won't be a part of the HOA. Pure reiterated that she is not for the annexation and that it will negatively affect their neighborhood.

Nicky Larson, 510 Alaska Loop S., Cambridge, MN, is also from the HOA. She agrees with the other homeowners that the new homes should be considered to follow the same guidelines of the neighborhood. She inquired how does this development not affect the wetland that is behind it, and that it appears to drain into the pond/wetland area behind the development. Berg explained that the builder must meet the environmental impact standards. Larson wanted to be sure that the wildlife is not harmed in that area and that the new development should be a part of the HOA.

Berg closed the public comment at 7:42 p.m.

Berg opened the discussion to commissioners. Morin began by saying that he was happy to see that number 9 in the conditions (essentially environmental impact) was being addressed by the city. Morin described that he lives two blocks away and was curious how the wetland is not impacted by the construction and asked if an Environmental Assessment Worksheet needs to be done. Westover answered that she would have to ask the City Engineer and the Developer if an Environmental Worksheet needs to be done. Morin mentioned that he feels the pain of the Alaska Loop HOA and the importance of having one for neighborhood integrity. Morin mentioned that the Planning Commission is not the final say, that is the City Council and it will come to the Council for the final word. Morin would like to see an environmental assessment, which could take months or years. Morin further inquired whether the Lake Fanny Association Watershed has anything to say about this preliminary plat.

Berg noted the County Engineer and City Engineer's concerns would include an environmental worksheet if it was required. Morin and Conley mentioned that the environmental impact was a concern and Westover mentioned that the environmental worksheet question can be answered before Council reviews this request.

Conley made a motion to approve the Preliminary Plat of the Preserve at Parkwood 1st Addition with the conditions listed and adding a condition that the environmental worksheet be researched and addressed. Morin seconded. Motion passed 4/0.

C. PUBLIC HEARING-Rezoning The Preserve at Parkwood 1st Addition annexation area (p. 20)

Westover introduced the request by Menard, Inc. 5101 Menard Drive, Eau Claire, WI 54703, to rezone the portion of the Jerry Horbul property that is being annexed from RA Rural Residential/Agricultural to R-1 One Family Residence district. The general location is north of Alaska Loop S.

Westover explained that on May 16, 2022, Council approved the annexation of the Jerry Horbul land that is adjacent to Outlot C The Preserve at Parkwood. Westover iterated that the purpose of the annexation is to complete a 15-lot subdivision of the high useable ground on the Horbul property.

Westover continued that all property annexed into the City is automatically placed in the RA Rural Residential/Agricultura zoning district until rezoned. This property needs to be rezoned to R-1 One Family Residence to correctly zone the new subdivision. The area contiguous to the south is within City limits and is zoned R-1 One Family Residence district.

Westover concluded that as the State of Minnesota is still reviewing the information and annexation is not yet final, a condition of this rezoning is that the State formally approve the annexation. The property will not be rezoned until annexation is approved.

Westover finds the rezoning request is in compliance with the goals of the Comprehensive Plan, Zoning and Subdivision regulations of the City and is recommending approval.

Public Comment

Berg opened the meeting for public comment at 7:53 p.m., hearing no requests for comment, public comment closed at 7:54 p.m.

Conley made the motion to approve the rezoning request from RA Rual Residential / Agricultural to R-1 One Family Residence district upon formal approval of annexation from the State of Minnesota. Seconded by Redfield. Motion passed 4/0.

D. PUBLIC HEARING-Alley Vacation (Mercantile Plat-Leader) (p. 25)

Westover noted that agenda items 5D- Alley vacation, 5E-Preliminary Plat of Mercantile Plat, and 5F- Final Plat- Mercantile were combined for ease of discussion.

Westover began with **5D Alley Vacation**. The first request is to vacate an alley (roadway). The southerly portion of the alley is not necessary for the City. Westover explained that no City utilities are located within this southern portion of the alley. The City's storm sewer is located on the northerly portion of the alley that will not be vacated. The applicant will work with any private utility companies within this alley to assure the necessary lines are relocated properly.

Westover continued by stating that the access into the alley from 2nd Ave SW is not essential for the city's traffic patterns. Removal of this alley access point may actually lessen the traffic risks in the area. All property owners in this area will need to communicate with their users to reroute traffic and deliveries. There are several additional access points for resident and delivery use.

Westover explained that the desire for the alley vacation is in an effort to replat and redevelop this area. Removal of the alley will allow a potential building addition here. The applicant has contacted East Central Energy and will work to reroute all overhead electrical lines and any other utilities.

The second part of the request is item **5E Preliminary Plat of Mercantile**. Westover explained that the plat will combine three (3) existing parcels and the vacated alley into two (2) new parcels. The main parcel will have 16,862 sq. ft. and is proposed for a building addition to be completed by H&J Leasing MN, LLC. The second parcel will have 3,503 sq. ft. and will remain an open parking lot area to be owned by Cambridge State Bank. The existing vacant building behind the Leader store and Cambridge State bank will be demolished to make room for the proposed addition and revised parking area. The future redevelopment plans will be reviewed for conformance with local, state and federal codes.

Westover stated that the zoning for this plat is B-1 Downtown Business District with zero front and side yard setbacks and no easements required as part of this plat. Staff finds the plat as presented conforms to the City's Comprehensive Plan and Zoning Ordinance.

Westover mentioned that formal Site Plan Review of the proposed redevelopment has not yet been submitted for staff review. This review will be done administratively and all city codes reviewed.

Westover concluded with the third request which is item **5F Final Plat of Mercantile**. The plat details are noted above and since no new infrastructure is required, the preliminary and final plat can be reviewed simultaneously. Westover finds the preliminary and final plat are consistent and meet the intent of the Comprehensive Plan and Zoning Ordinance and recommend approval of the final plat.

Grant Johnson, owner of The Leader came to address the commission. Johnson presented that they are partnering with the Beckers who own Pinewood Event Center and that they have seen a huge demand between the two businesses for additional accommodations. Johnson stated that they are looking to build a 32-room boutique hotel on their site. The developmental site plan will be submitted in a week or so. He hopes to have a formal presentation at the Council Meeting on June 20.

Public Hearing- Alley Vacation

Berg opened the public hearing at 8:01 p.m. Seeing no requests for public comments, the hearing was closed at 8:02 p.m.

Motion by Redfield, to approve the alley vacation. Seconded by Conley. Motion passed 4/0.

Public Hearing- Preliminary Plat (and Final Plat motion)

Berg opened the public hearing at 8:03 p.m. Seeing no requests for public comments, the hearing was closed at 8:04 p.m.

Motion by Morin, to approve the Preliminary and Final Plat for Mercantile, seconded by Conley. Motions passed 4/0.

G. PUBLIC HEARING- Final Plat-Cambridge Cove (p. 35)

Westover provided a history on the Final Plat of Cambridge Cove. She opened by explaining that on August 3, 2021, the Planning Commission reviewed the request for a preliminary plat and recommended approval. On August 16, 2021, City Council approved the preliminary plat. A final plat is now being presented for approval.

Westover noted that prior to the meetings in August, 2021, a concept plan was brought forward in 2018 with 236 dwelling units proposed. The Commission and Council recommended the developer revise the plan with less density, more park space, and alleviate the traffic concerns. The developer was back in January 2021 with a new proposal for a Planned Unit Development with 206 units and different park size options. The Planning and Parks Commissions held a joint meeting on February 8, 2021 to discuss the size of the park. On February 16, 2021, Council approved a .67 acre park along with dedicated trail leading to County Road 14.

Westover noted LGI Homes is presenting the final plat that is consistent with the approved preliminary plat. The request is to develop the site in at least two phases. The final plat

requested at this time is 108 lots of the 206 lots overall. This phase will include detached townhome lots, villa lots, single family lots, the public park and trail construction.

Berg asked if there were any questions from the Planning Commission. Morin inquired whether there was an agreement with the Hockert's for their driveway, to which Westover responded yes. Morin also inquired whether the concerns about wells were addressed to satisfaction. Westover responded yes.

Jay Roos, LGI Homes representative, discussed how they are addressing the concerns brought forth by the city. He asked about the distance requirements for street lights and their wattage requirements. Westover stated that she will follow up with the City Engineer about the wattage and distance of the city lights.

Morin made the motion to approve the Final Plat of Cambridge Cove as long as all the concerns and requirements are addressed. Berg seconded. Motion passed 4/0.

Other Business/Miscellaneous

City Council Update

Conley provided a quick update on how the council approved the chickens/ducks interim use request. Westover mentioned that there is a road closure on June 25 for a wrestling event for Kappa Tattoo.

Parks, Trails, and Recreation Commission (PTRC) update

Westover stated that the summer programming has been going well and to spread the word about the upcoming events.

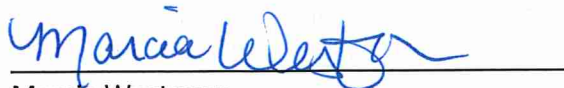
Adjournment of Council Meeting

Being no further business before the Commission, Redfield moved, seconded by Conley, to adjourn the regular meeting at 8:10 pm. Motion passed 4/0.



Aaron Berg, Chair
Cambridge Planning Commissioner

ATTEST:



Marcia Westover
Community Development Director