

Cambridge Planning Commission Meeting Minutes Tuesday, April 4, 2023

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 Jessica Kluck (Chair), Robert Boese (Vice Chair), Joe Morin, Michael Liddy, and Aaron Berg (City Council Representative).

Members Absent: David Redfield and Amanda Latsch

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

Call to Order and Pledge of Allegiance

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

Approval of Agenda

Berg moved, seconded by Boese, to approve the agenda. All voted aye, no nays. Motion carried 5/0.

Approval of Minutes

Liddy requested changes to the March 7th, 2023 Planning Commission Minutes. Boese motioned, seconded by Morin, to approve the amended minutes. Motion carried 5/0.

Public Comment

No public comment

New Business

PUBLIC HEARING Variance for River Setback at 3310 Ten Oaks St. S.

Nosbush summarized the request of Timothy Holmberg, 3310 Ten Oaks St. S., Cambridge, MN 55008, for a variance to decrease the standard setback to the Ordinary High-Water Mark (OHWM) of the Rum River from 150' to 125' for the purpose of a garage addition.

In this case, Nosbush contined, the existing dwelling and attached garage were constructed well prior to the setback code being in place. The requested expansion is both minimal and reasonable in that it will be a 7' by 21' expansion which will be constructed away from the water on an existing impervious area. The area proposed to be used is currently flanked by two sloped "wing walls".

Nosbush said that DNR Area Hydrologist Craig Wills had no concerns with this variance. The review period for the State level has not yet passed, thus the one condition on the approval. The notification deadline will be after City Council review of this application, if there are concerns, they will be addressed at that time.

Nosbush stated a variance procedure is intended to provide a means by which relief may be granted from unforeseen applications of the city code that create practical difficulties. The Planning

Commission shall recommend approval of the variance only upon finding the application complies with certain criteria.

The first of the criteria, Nosbush said, is the General Standard: no variance shall be granted unless the applicant shall establish that conforming to the strict letter of the provisions of this chapter would create practical difficulties. Staff find there is practical difficulty because no location exists for an expansion of the existing structure that meets the setback, and this is the most reasonable solution as it is on existing impervious area and away from the water.

Nosbush continues, the application must comply with Practical Difficulties, as used in conjunction with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the area. Staff find that the dwelling is located such a way that there are circumstances unique to the property not created by the landowner, the structure was placed prior to the setback requirements and the request is minimal, and the placement of the proposed addition will not alter the essential character of the locality.

The third criteria, Nosbush said, is Harmony: variances shall only be permitted if they are in harmony with the general purposes and intent of the City's Ordinances and Comprehensive Plan. Staff find the request is in harmony with the general purposes and intent of the city's Comprehensive Plan in the following policies and goals: Chapter 1, Policy 1.6: Protect both the general welfare and the individual choices of Cambridge residents. The extension will barely be noticeable from any angle due to the existing structure and screening from the road. Also, Chapter 1, Policy 3.7: Protect and enhance important historical, agricultural, and natural resources as a means to maintain the integrity heritage, and local character of Cambridge's natural and built environment. The expansion will add no new impervious surface to the parcel and will not alter waterflow onto the remainder of the lot or towards the river.

Criteria number four, Nosbush continues, Economic Considerations: alone shall not constitute a practical difficulty. Staff find that the request is not due to economic considerations alone and that the location of the addition is due to constraints from previously existing structures.

Criteria number five, No Other Remedy, Nosbush explains: there are no less intrusive means other than the requested variance by which the alleged hardship can be avoided or remedied to a degree sufficient to permit a reasonable use of the lot. Staff find there is no less intrusive means since this is a minimal request, the structure will be placed on existing impervious surface and it is the best location for the addition.

Nosbush said the sixth criteria is Variance Less than Requested: a variance less than or different from that requested may be granted when the record supports the applicant's right to some relief but not to the relief requested. Staff find there is no alternative to the original request.

Essential character of the Area is the seventh criteria, Nosbush said: in considering whether a proposed variance will have an effect on the essential character of the area, the following factors shall be considered: Would the variance be materially detrimental to the public welfare or materially

injurious to the enjoyment, use, development or value of property or improvements permitted in the vicinity; Would the variance materially impair an adequate supply of light and air to the properties and improvements in the vicinity; Would the variance substantially increase congestion in the public streets due to traffic or parking; Would the variance unduly increase the danger of flood or fire; Would the variance unduly tax public utilities and facilities in the area; and Would the variance endanger the public health or safety. Staff find the request will not have an effect on public health or safety, will not cause any undue congestion, nor will be detrimental to overall public welfare.

Public Hearing

Kluck opened the public hearing at 7:12 pm.

No one approached the podium.

Kluck closed the public hearing at 7:13 pm.

Morin motioned, seconded by Boese, to recommend approval of the draft Resolution allowing a variance for the setback to the OHWM of the River from 150' to 125' with the condition that staff receives no objection from the DNR state commissioner. Motion carried 5/0.

Other Business/Miscellaneous

City Council Update

Berg reported the storage container ordinance revision was approved, all the resolutions for Oak Meadows 2 development were approved, Waste Management rate change for yard waste was approved, the Council gave approval to hold a public hearing for Strong Oak Apartments TIF request, Joshua Ryberg was appointed the student rep for the PTRC, Council heard the 2022 audit report, they approved a Classification and Compensation Study for city employees, the Midco Franchise agreement was renewed for 10 years, Council approved a proclamation for No Mow May, and they approved a request from LePage to increase refuse hauling rates.

Parks, Trails, and Recreation Commission (PTRC) update

Westover announced that the bands for the concerts in the park have been secured.

Adjournment of Planning Commission Meeting

Being no further business before the Commission, Boese moved, seconded by Liddy, to adjourn the regular meeting at 7:18 pm. All voted aye, no nays. Motion carried unanimously.



~~Jessica Kluck, Chair~~ *Robert Boese, Vice-Chair*
Cambridge Planning Commissioner

ATTEST:



Marcia Westover

City Planner