

**Meeting Announcement and Agenda of the
Cambridge Planning Commission
City Hall Council Chambers
Regular Meeting, Wednesday, March 6, 2024, 7:00 pm**

300 Third Avenue Northeast, Cambridge, MN 55008
www.ci.cambridge.mn.us
(763) 689-3211

Members of the audience are encouraged to follow the agenda. When addressing the Commission, please state your name and address for the official record.

AGENDA

1. Call to Order and Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
 - A. February 6, 2024 Regular Planning Commission Minutes (p. 2)
4. Public Comment: For items not on the agenda; speakers may not exceed 3 minutes each
5. New Business
 - A. **PUBLIC HEARING**- Interim Use Permit- Chickens- 605 Central Ave SW (p. 7)
 - B. **PUBLIC HEARING**- Interim Use Permit for outdoor seating/worship venue at Cambridge Lutheran Church (p. 10)
 - C. **PUBLIC HEARING** – Interim Use Permit for a Day Care Center in an I-2 zoning district at 211 Cleveland St. S. (p. 21)
 - D. **PUBLIC HEARING**- ORD 784-Alcoholic Beverages in Parks and Mobile Food Vendors (p. 31)
6. Other Business/Miscellaneous
 - A. City Council Update
 - B. Parks, Trails, and Recreation Commission (PTRC) update
7. Adjourn (Next Scheduled Meeting: April 2,2024)

Notice to the hearing impaired: Upon request to City staff, assisted hearing devices are available for public use. Accommodations for wheelchair access, Braille, large print, etc. can be made by calling City Hall at 763-689-3211 at least three days prior to the meeting.

Cambridge Planning Commission Meeting Minutes

Tuesday, February 6, 2024

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, Julie Immel, David Redfield, and Mark Ziebarth (City Council Representative).

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

Call to Order and Pledge of Allegiance

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

Organizational Meeting

Westover welcomed Joe Morin who was reappointed by Council for another 3-year term, and Mark Ziebarth as new Council Representative.

Boese nominated Kluck for Chair, seconded by Redfield. No other nominations. Upon vote, all voted aye, no nays. Motion passes.

Immel nominated Boese for Vice Chair, seconded by Liddy. No other nominations. Upon vote, all voted aye, no nays. Motion passes.

Approval of Agenda

Morin moved, seconded by Boese, to approve the agenda. All voted aye, no nays. Motion carried unanimously.

Approval of Minutes

Immel moved, seconded by Ziebarth, to approve the January 3rd, 2024 meeting minutes. All voted aye, no nays. Motion passed unanimously.

Public Comment

Kluck opened the public comment at 7:04 pm. No one approached. Public comment was closed at 7:05 pm.

New Business

A Ordinance Amendment- Zoning Code Review

Nosbush presented the amendments to Title XV Land Use, Chapter 156 Zoning, Sections 156.041 Industrial Districts & 156.064 Manufactured Homes and Manufactured Home Complexes; to continue

the overall review to clarify language and correct any errors within the existing language as part of the overall review of the zoning code.

Nosbush said some changes to note are that airports were removed from allowed uses as there is airport zoning. In Industrial Districts, maintenance facilities and auto towing were added for all I districts, and household waste processing was added in I-3 only.

Nosbush stated this was in response to Interim and Conditional Use Permits being approved for these types of businesses, like the MNDOT garage and Leaf's Towing. Waste Management, while not in I-3 zoning, already has a Conditional Use Permit approved for their site, meaning they are permanently allowed. This would only affect future new uses.

Public hearing

Kluck opened the public hearing at 7:08 pm. No one approached. The public hearing was closed at 7:09 pm.

Redfield clarified the addition of Section C4 under Wholesale Trade was to clarify where the information is found, Nosbush said that was correct, nothing in daily use was changed.

Morin motioned, seconded Redfield, to recommend approval of Ordinance 782 as presented and allow for Summary Publication. All voted aye, no nays. Motion passed.

B 2024 Meeting Schedule

Westover presented the 2024 meeting schedule and asked Commissioners to review and contact her with any changes or corrections.

C Commission Bylaws

Westover noted there were no changes to the Bylaws from 2023.

D Member List

A confidential list of Commission members contact information was handed out by Westover.

E Chapter 32 Planning Commission of the City Code

Westover noted this was for review and asked Commissioners and to reach out with any questions.

F 2023 Year in Review

Westover recapped 2023 for Commissioners.

There was no January meeting.

In February, the main item was a final plat of the Maple Ridge Townhomes second addition for the Cambridge Family Apartments, which changed their name to the Bridgewell Apartments. It is an affordable 65-unit building that requested a PUD for no garages. They are planning to open in the spring of 2024.

March had a larger agenda, there was an easement vacation request for 1115 Deer Run SW to combine two lots in order to build a garage, a building permit has been pulled for this structure. The Oak Meadows Plat, which was renamed the Lodge at Oak Landing, is currently being constructed. They had requested a rezoning designation from the PUD, an easement vacation, and a height variance request to accommodate the underground parking. They plan to open in 2024. Ordinance 767 was reviewed regarding outdoor storage, specifically storage pods. Staff wanted to be more business friendly and allow certain storage pods permanently.

In April, Commissioners reviewed a variance for a river setback at 3310 Ten Oaks Street, the existing structure was too close to the river so a variance was needed for the addition. A permit has not been pulled for this project yet.

In May Commissioners reviewed a preliminary and final plat for River Heights 4th edition, which was a request to build a pool on a parcel not on the main property. A permit has been pulled for this project. Ordinance 769 allowing ducks and quail in addition to chickens was recommended for approval.

In June there were six Interim Use Permit (IUP) requests for chickens, all were approved. Two variance requests for 2403 Fillmore Lane SE to build a detached accessory structure in a corner side yard were denied by Commissioners. Council denied the setback request but approved the structure to be built in the side corner yard. A permit has been obtained and the structure is in construction. Commissioners and Council denied an IUP for commercial dog kennel was reviewed for 505 25th Ave SW, since then the business has moved out of the City.

In August, a height variance request for 946 Roosevelt Street S was denied but the impervious surface variance request was recommended for approval. Council agreed with Commissioners and denied the height variance request, but approved the impervious surface request. An IUP for 728 Main Street N to use the building for storage only was recommended for five years, but Council denied the request. The owner has been attempting to rectify the situation with the City. Ordinance 770 Commercial Kennel was reviewed and adopted into City Code.

In September Commissioners reviewed a plat for Haden Estates requesting to split the lot into two parcels. A new home permit has been applied for and the existing home is being renovated. The old Perkins site, Cornerstone Addition, asked for a PUD amendment, easement vacation, and preliminary and final plat review, all were approved by Planning Commission and Council. Since then, the developer has pulled out of the deal. The approvals will remain for a length of time, but will depend on if a new developer wants to change property lines.

October was the start of the Zoning Code updates. Ordinance 774 reviewed the beginning chapters, it has been adopted into the City Code.

November was the last meeting of the year, Ordinance 775 Natural Landscaping was recommended for approval. Ordinance 776 Places of Worship and Sacred Settlements was also recommended for approval. Both ordinances have been adopted into the City Code.

Kluck asked how many units Oak Landing has, Westover answered 148 units.

Boese asked if the gas line still needed to be moved since the developer pulled out of the Perkins lot, Westover said after consulting with the engineer and gas company it was decided there was not a need to move the gas line, though the street was still going to be vacated.

Other Business/Miscellaneous

A City Council Update

Ziebarth said Council approved two new members for the PTRC. Council discussed the Downtown programs, which is grants to help with infrastructure and façade improvements, and a loan subsidy program that was just approved. On March 7th, three Councilmembers will be going to the Capital for a meeting with Representative Johnson and Senator Koran who are supporting the City's efforts on bonding funding for the Hwy 95 reconstruction project.

Ziebarth continued, an update was announced for the NLX Train Alliance, initial funding was approved and now the group is seeking grants from Federal and State funds to continue the program. City Administrator Vogel serves on the board and is involved in the process. NLX will be a huge advancement for the City.

Council heard the annual presentations from both Community Development by Westover and the Cambridge Fire Department by Benzen.

Ziebarth said Council approved a Request for Quotes (RFQ) for the Council Chambers Audio/Video System which will be replaced in the upcoming months. Updates include more capable large monitors, updated audio recording to make operating easier, and individual monitors on the Dias.

Council has been discussing the old Dry Cleaners site on Hwy 95, Ziebarth said. Grants were used to have the MPCA research the extent of contaminants and Council is seeking the best outcome for the tax-forfeited property.

The State of the City address is February 21st at Noon, the Mayor will present an update on the City.

Ziebarth noted the Presidential Nomination Primary elections will be held on Tuesday, March 5th, therefore the next Planning Commission meeting will be on Wednesday, February 6th.

Morin asked if the City has ordered the new State flags yet, Westover said not that she was aware of. Boese said the new design has not been approved by the State yet.

B Parks, Trails, and Recreation Commission (PTRC) Update

Westover said the Community Development Specialist Norling has been planning for the summer events, and has some band already lined up. She is also planning the Art Fair, and the upcoming Winter Fest to be held on February 24th. Since there is no snow, staff have encouraged creativity on building a snowman or sculpture. The newspaper made a snowman out of stacked paper rolls, there is one made from Styrofoam, and two tiny snowman have been made of snow. The dog sled rides and

horse carriage rides were still planned, but will be on wheels. There will be chainsaw carvings, and a touch-a-truck event with DW, Public Works, and police and fire vehicles. There will be vendors, free hot cocoa, and other things happening.

Adjournment of Planning Commission Meeting

Being no further business before the Commission, Boese moved, seconded by Immel, to adjourn the regular meeting at 7:31 pm. All voted aye, no nays. Motion carried unanimously.

Jessica Kluck, Chair
Cambridge Planning Commissioner

ATTEST:

Marcia Westover
City Planner

PUBLIC HEARING...INTERIM USE PERMIT...KEEPING OF FOWL...CENTRAL AVE SW.

Overview

The request is from Jeremy Brownell, 605 Central Ave SW, to keep chickens and ducks at the property through an Interim Use Permit (IUP). The request is to keep up to six (6) chickens and ducks (4 chickens, 2 ducks) on the property, the maximum allowed by City Code. Properties with less than three (3) acres are allowed up to six (6) chickens and/or ducks. The property is approximately 0.79 Acres.

In addition, a run is required to be attached to the coop since the property is less than five (5) acres. Properties that have more than five (5) acres do not need a run and the animals are allowed to free range on the property. The applicant has provided a site plan of the coop & run combination which staff feel sufficiently meets Code requirements. The pen/coop must meet the required setbacks as identified for accessory structures. The pen/coop as shown will need to be 10' from the side property line and 30' from an adjacent residential dwelling.

City code allows the keeping of chickens and/or ducks with an Interim Use Permit (IUP). An IUP is temporary and must have an end date. A reasonable end date for this type of request is two years. The applicant is allowed to apply for an extension prior to the termination of the IUP. If an extension is requested, the Planning Commission will review the keeping of chickens on this property to see if there have been any violations or complaints and can determine if the extension should be granted. At any time through the term of the IUP, if violations exist, the IUP can be revoked.

Planning Commission Action

Motion to approve the draft Resolution as presented to allow an Interim Use Permit for two (2) years to allow up to six (6) chickens on the property as long as the conditions listed can be met.

Conditions:

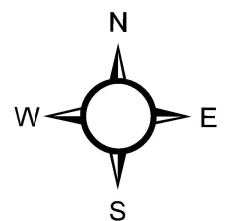
1. Coop shall meet accessory structure exterior material requirements.
2. The Interim Use Permit is non-transferrable and only issued to Jeremy Brownell, 605 Central Ave SW.
3. The Interim Use Permit shall expire on March 25th, 2026.
4. Section 156.067 Keeping of Chickens and Ducks of the City Code must be met at all times, including but not limited to:
 - a. leg banding is required and serial numbers must be submitted to City.
 - b. no roosters shall be kept on the property
 - c. no sale of eggs
 - d. the coop/pen must match the principal structure as close as possible

Attachments

1. Location Map
2. Draft Resolution



Chicken/ Duck IUP request
Jeremy Brownell
605 Central Ave SW 8



Resolution No. R24-014

*RESOLUTION APPROVING AN INTERIM USE PERMIT
TO ALLOW THE KEEPING OF FOWL
605 CENTRAL AVE SW.*

WHEREAS, Jeremy Brownell, 605 Central Ave SW., Cambridge, MN, 55008, representative of the property located at:

Lot 1, Block 1, Oak Terrace Addition, Isanti County, Minnesota

has applied for an Interim Use Permit to allow the keeping of Chickens and Ducks on the property; and

WHEREAS, the Planning Agency of the City has completed a review of the application and made a report pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission of the City, on the 6th day of March, 2024, following proper notice, held a public hearing to review the Interim Use Permit request; and

WHEREAS, the Planning Commission recommended approval of the Interim Use Permit as long as the conditions are met; and

WHEREAS, the City Council, on the 18th Day of March, 2024, reviewed the Planning Commission's recommendation and the information prepared by the Planning Agency of the City and found that the Interim Use for the keeping of certain fowl is reasonable and compatible with the City's Comprehensive Plan and Zoning code.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Cambridge, Minnesota, approves the Interim Use Permit to allow up to Four (4) chickens and up to Two (2) Ducks for up to two (2) years at 605 Central Ave SW upon conforming the conditions listed below:

1. Coop shall meet accessory structure exterior material requirements.
2. The Interim Use Permit is non-transferrable and only issued to Jeremy Brownell, 605 Central Ave SW.
3. The Interim Use Permit shall expire on March 25th, 2026.
4. Section 156.067 Keeping of Chickens and Ducks of the City Code must be met at all times, including but not limited to:
 - a. leg banding is required and serial numbers must be submitted to City.
 - b. no roosters shall be kept on the property
 - c. no sale of eggs
 - d. the coop/pen must match the principal structure as close as possible

Adopted by the Cambridge City Council this 18th day of March, 2024.

ATTEST:

James A. Godfrey, Mayor

Evan C. Vogel, City Administrator

PUBLIC HEARING...INTERIM USE PERMIT...621 OLD MAIN ST N...CAMBRIDGE LUTHERAN CHURCH...

Overview

The Cambridge Lutheran Church has requested to have an outdoor worship/seating area just north of their principal building. The property is located primarily in the R-1 zoning district. Places of Worship and Accessory uses are both permitted uses in the R-1 zoning district. However, staff noted outdoor worship and other regulatory items that need to be resolved through an Interim Use Permit.

A Place of Worship is defined as a 'building' used for non-profit purposes, therefore an outdoor worship area is not permitted by right. Also, an accessory use is defined as being a use on the same lot as the principal use. In this case, the outdoor worship area is proposed on a separate tax parcel.

An Interim Use Permit is temporary and must cease, however the applicant can come back and request an extension to the permit. This gives the city a chance to review any disruptions, complaints, or intended changes to the city's comprehensive plan before the use is continued to operate. Staff is recommending a two-year permit to begin with. If approved, Cambridge Lutheran Church still has several items they need to do before construction can even begin, therefore staff would recommend starting the two-year timeline from October 1, 2024; the Interim Use Permit would then expire October 1, 2026.

One item the applicant needs to complete is a plat of the property(ies) since the accessory use must be on the same lot. There is an unidentified (possible old right-of-way) parcel to the north as-well. The applicant has agreed to do the plat, however requested the Interim Use Permit be approved first. Other items include an erosion control plan, approval of stormwater requirements, and a Minnesota Pollution Control Agency (MPCA) approval/permit. Isanti County Zoning has reviewed the wetland impacts and has approved the outdoor worship/seating plan as presented.

City Code

§ 156.007 DEFINITIONS

Place Of Worship. Any building used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501 (C) (3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship.

Use, Accessory. A use incidental or accessory to the principal use of a lot or a building located on the same lot as the accessory use.

§ 156.038 RESIDENCE DISTRICTS

<i>DISTRICT</i>				<i>USE</i>
R-1	R-1A	R-2	R-3	RESIDENTIAL AND LODGING USES
				PUBLIC, SEMI-PUBLIC, AND UTILITY USES
P	P	P	P	Essential Services, pursuant to § 156.072
C	C	C	C	Essential Service Structures, pursuant to § 156.072
C	C	C	C	Educational Institutions
P	P	P	P	Municipal Buildings and Structures
P	P	P	P	Places of Worship (See § 156.092 for related provisions)
P	P	P	P	Public Parks, Playgrounds, and Recreational Uses of a Non-Commercial Nature
P	P	P	P	Schools
P	P	P	P	Towers Supporting Amateur Radio Antennas, as an accessory use and pursuant to § 156.082
C	C	C	C	Towers, (other than above) pursuant to § 156.082
P	P	P	P	Accessory Uses and Structures (structures are pursuant to §156.080)
I	I	I	I	Those other uses, which in the opinion of the Planning Commission, are appropriate only on an interim basis, and pursuant to § 156.118

§ 156.080 ACCESSORY BUILDING AND STRUCTURE REQUIREMENTS

(A) Accessory buildings and structures, except fences, in residential zoning districts, shall be subject to the following provisions.

(2) *Time of construction.* No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

§ 156.092 PLACES OF WORSHIP

(E) Accessory structures/uses are allowed for places of worship. Lot coverage, impervious surface coverage, exterior materials, height, and any other building code and/or zoning codes must be met. The number of structures is not necessarily limited but will be determined by lot coverage and/or impervious surface coverage.

§ 156.118 INTERIM USE PERMITS (and Standards for the Planning Commission)

(A) Purpose. The purpose and intent of allowing interim uses is:

(1) To allow a use within any zoning district for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the Comprehensive Plan;

(2) To allow a use that is presently acceptable but that, with anticipated development or other changes, will not be acceptable in the future.

(C) Standards. The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permit only if it finds that such use at the proposed location:

(1) Meets the standards of a conditional use permit set forth in § 156.111;

(E) Standards. The Planning Commission shall only recommend the granting of the conditional use permit, granting the conditional use permit subject to conditions or denying the conditional use based on written findings of fact with regard to each of the standards set forth below and, where applicable, any additional standards for specific uses set forth in the provisions of a specific zoning district or in this chapter.

(1) It is one of the conditional uses listed in the particular district.

Staff find Places of Worship are listed as permitted by right, but outdoor worship/seating areas are not. Those other uses the Planning Commission find reasonable are permitted by Interim Use Permit, in this case an outdoor worship area.

(2) It is in keeping with the City's Comprehensive Plan and comprehensive planning policies of the City and this chapter, as amended from time to time.

Staff find the outdoor worship space will keep with the intentions of the Comprehensive Plan and planning policies since it is accessory to the principal use (place of worship); the intended primary use of the site is not being altered significantly.

(3) It does not adversely affect, interfere with or diminish the use of property in the immediate vicinity.

Staff find that the use will not diminish the properties in the immediate vicinity since the worship times are scattered throughout the week and not abundant.

(4) It can be adequately served by public facilities and services.

Staff find the principal building is served by public facilities and services, and users of the outdoor worship area can use the principal building for such services.

(5) It does not cause undue traffic concerns or congestion.

Staff find the outdoor worship area will not cause additional undue traffic concerns or congestion.

(6) It preserves significant historical and architectural resources.

Staff find the outdoor worship area does preserve any historical and architectural resources.

(7) It preserves significant natural and environmental features.

Staff find the outdoor worship area has been designed to minimally impact the area and to preserve natural and environmental features of the land.

(8) It will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of various conditional uses of all types on the immediate neighborhood and the effect of the

proposed type of conditional use upon the City as a whole.

Staff find the potential disruption to the neighborhood's peace and enjoyment could be affected, however the outdoor worship area has been designed to minimize any sound since it will be built down the natural hillside and away from neighboring properties.

(9) It complies with all other applicable regulations of the zoning district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the granting of a variance.

Staff find the applicant has agreed to plat the property(ies) to come into compliance with the accessory use requirements and all other regulations are met.

(10) It will not adversely affect the public's health, safety or general welfare.

Staff find the proposed use as an outdoor worship area will not adversely affect the public's health, safety, and welfare.

Summary

An Interim Use Permit may be approved by the Planning Commission and City Council with conditions placed on it according to current city code language. The conditions have been identified on the attached Resolution and include the following:

1. Provide documentation that demonstrates that the City's stormwater management ordinance (Code Chapter 152) and MPCA Stormwater requirements are met. A volume of 1" of runoff from the new impervious surface must be retained, infiltrated or treated in other means on site. The SWPPP states that this is treated in constructed ponds on site but there are none shown.
2. Obtain a Construction Stormwater permit from the MPCA for these improvements.
3. Submit an erosion control plan (including the plan for sod, staging process, and staking, etc.)
4. Provide a plat to combine the parcels into one lot and clarify ownership of the unidentified parcel.
7. Obtain a building and/or grading permit from the city.

Planning Commission Action

Hold a public hearing. Speakers may not exceed three (3) minutes each (according to the City's meeting bylaws, Section X and XI).

Motion to recommend approval of the Resolution approving the Interim Use Permit as presented as long as the conditions are met.

Attachments

1. Location Map
2. Applicant Submittal (written and site plan)
3. Draft Resolution



Cambridge Lutheran Church is submitting a Zoning Application and fees for an Interim Use Permit for an outdoor service and worship space, located northwest of the Cambridge Lutheran Church north parking lot.

As our committee looks to the future, we foresee utilizing this space when weather and temperature permit between April 1st and October 31st.

We anticipate the hours of operation to fall between 7:30am to Dusk, primarily morning to afternoon on Sundays, and afternoon to evening on Wednesdays. We anticipate intermittent use throughout the week for committee, prayer, and leadership groups. Use of bathroom facilities and other personal care will be available inside the church building. If use of the space would require additional bathroom facilities, we would provide portable facilities.

We expect an approximate maximum capacity of 400. However, most uses will not likely reach that number.

The outdoor service space will be viewed as an extension of our traditional sanctuary and Horizon Commons spaces, and will be utilized much like those spaces within the church building.

The flexibility of the outdoor service space will also allow for smaller group gatherings such as AA groups, youth groups, as well as other uses, listed below.

Included is a list of foreseeable uses, but are not limited to, for the outdoor service and worship space and in accordance with ordinances outlined by the City of Cambridge:

- Sunday morning worship and service
- Wednesday worship (youth)
- Outdoor weddings
- Outdoor memorial services
- Live nativity
- Stations of the cross
- Stage space for a small theater production or musical group
- Small groups
- Retreats
- Any current happenings/groups/activities within CLC that could appropriately use this space

*It should be noted that not all uses will include amplified noise.

The Cambridge Lutheran Church Outdoor Service Space Committee understands that there is a requirement to combine the parcels into one lot. This process will be completed contingent on approval of the interim use permit.

Thank you,

The Cambridge Lutheran Church Outdoor Service Space Committee



LOCATE WETLAND FLAGS
PLACED BY KEN NEEK

X = WOODEN STAKE TO BE SET
• = SURVEY MONUMENT TO BE SET

Resolution No. R24-015

**RESOLUTION APPROVING AN INTERIM USE PERMIT
CAMBRIDGE LUTHERAN CHURCH
TO ALLOW AN OUTDOOR WORSHIP AREA
(621 OLD MAIN STREET NORTH)**

WHEREAS, Cambridge Lutheran Church, 621 Old Main St. N., owner of the property located at:

See partial legal description on attached Exhibit A

has applied for an Interim Use Permit to allow an outdoor worship area in the R-1 zoning district; and

WHEREAS, The Planning Agency of the City has completed a review of the application and made a report pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, The Planning Commission of the City, on the 6th day of March, 2024, following proper notice, held a public hearing to review the request and adopted a recommendation that the Interim Use Permit be approved; and

WHEREAS, the City Council, on the 18th day of March, 2024, reviewed the Planning Commission's recommendation and the information prepared by the Planning Agency of the City and finds that the proposed Interim Use is compatible with the City's Comprehensive Plan.

WHEREAS, The City Council finds that the Interim Use Permit for an outdoor worship area shall only be allowed for Cambridge Lutheran Church, the owner/applicant, and shall not be transferrable.

WHEREAS, the City Council finds that the standards for an Interim Use Permit according to city code have been met as follows:

- (1) It is one of the conditional uses listed in the particular district.

Staff find Places of Worship are listed as permitted by right, but outdoor worship/seating areas are not. Those other uses the Planning Commission find reasonable are permitted by Interim Use Permit, in this case an outdoor worship area.

- (2) It is in keeping with the City's Comprehensive Plan and comprehensive planning policies of the City and this chapter, as amended from time to time.

Staff find the outdoor worship space will keep with the intentions of the Comprehensive Plan and planning policies since it is accessory to the principal use (place of worship); the intended primary use of the site is not being altered significantly.

- (3) It does not adversely affect, interfere with or diminish the use of property in the immediate vicinity.

Staff find that the use will not diminish the properties in the immediate vicinity since the worship times are scattered throughout the week and not abundant.

- (4) It can be adequately served by public facilities and services.

Staff find the principal building is served by public facilities and services, and users of the outdoor worship area can use the principal building for such services.

- (5) It does not cause undue traffic concerns or congestion.

Staff find the outdoor worship area will not cause additional undue traffic concerns or congestion.

(6) It preserves significant historical and architectural resources.

Staff find the outdoor worship area does preserve any historical and architectural resources.

(7) It preserves significant natural and environmental features.

Staff find the outdoor worship area has been designed to minimally impact the area and to preserve natural and environmental features of the land.

(8) It will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of various conditional uses of all types on the immediate neighborhood and the effect of the proposed type of conditional use upon the City as a whole.

Staff find the potential disruption to the neighborhood's peace and enjoyment could be affected, however the outdoor worship area has been designed to minimize any sound since it will be built down the natural hillside and away from neighboring properties.

(9) It complies with all other applicable regulations of the zoning district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the granting of a variance.

Staff find the applicant has agreed to plat the property(ies) to come into compliance with the accessory use requirements and all other regulations are met.

(10) It will not adversely affect the public's health, safety or general welfare.

Staff find the proposed use as an outdoor worship area will not adversely affect the public's health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Cambridge, Minnesota, approves the Interim Use Permit to allow an outdoor worship area in the R-1 zoning district at the location listed above, upon satisfying the conditions listed below:

1. The Interim Use Permit shall discontinue after two (2) years from October 1, 2024 (time given to allow platting and site plan review approval). The applicant must re-apply for an extension prior October 1, 2026, the expiration date.
2. Provide documentation that demonstrates that the City's stormwater management ordinance (Code Chapter 152) and MPCA Stormwater requirements are met. A volume of 1" of runoff from the new impervious surface must be retained, infiltrated or treated in other means on site. The SWPPP states that this is treated in constructed ponds on site but there are none shown.
3. Obtain a Construction Stormwater permit from the MPCA for these improvements.
4. Submit an erosion control plan (including the plan for sod, staging process, and staking, etc.
5. Provide a plat to combine the parcels into one lot and clarify ownership of the unidentified parcel.
6. Obtain a building and/or grading permit from the city.

Adopted by the Cambridge City Council
This 18th day of March, 2024

Jim Godfrey, Mayor

ATTEST:

Evan C. Vogel, City Administrator

EXHIBIT A

Parcel No. 1

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and that part of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) all in Section Twenty-eight (28), Township Thirty-six (36), Range Twenty-three (23), described as follows:

Beginning at the West Quarter corner of said Section 28, thence northerly on an assumed bearing of North 1 degree 35 minutes 39 seconds East, on the west line of said SW 1/4 of NW 1/4, a distance of 693.00 feet; thence South 87 degrees 10 minutes 43 seconds East a distance of 330.00 feet; thence South 1 degree 35 minutes 39 seconds West a distance of 528.00 feet; thence South 87 degrees 10 minutes 43 seconds East a distance of 288.03 feet; more or less, to the westerly right of way of North Main Street; thence South 38 degrees 44 minutes 29 seconds West, on said Westerly right of way of North Main Street, a distance of 886.93 feet, more or less, to the northerly right of way of 6th Avenue Northwest; thence North 87 degrees 07 minutes 12 seconds West, on said northerly right of way of 6th Avenue Northwest, a distance of 79.88 feet, more or less, to the west line of said NW 1/4 of SW 1/4; thence North 1 degrees 20 minutes 28 seconds East, on said west line, a distance of 553.41 feet to said point of beginning.

EXCEPTING therefrom that part platted as cemetery lots on the PLAT OF ADDITION TO THE CEMETERY OF THE SWEDISH EVANGELICAL LUTHERAN CHURCH OF CAMBRIDGE according to the Plat thereof, recorded in Book "C" of Plats, Page 7, in the Office of the Isanti County Recorder, Isanti County, Minnesota.

EXHIBIT A

Parcel No. 2

That part of the Northeast Quarter of the Southeast Quarter, Section 29, Township 36, Range 23, Isanti County, Minnesota described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence westerly on the north line of said Northeast Quarter of the Southeast Quarter a distance of 727.67 feet; thence southerly, parallel with the east line of said Northeast Quarter of the Southeast Quarter, a distance of 466.00 feet; thence easterly, parallel with said north line, a distance of 303.17 feet to the point of beginning of the parcel herein described; thence southerly, parallel with said east line (for the purposes of this description, the east line of the Northeast Quarter of the Southeast Quarter is assumed to have a bearing of South 1 degree 20 minutes 28 seconds West), a distance of 214.46 feet to the northerly right of way of 6th Avenue Northwest, as now construed; thence northeasterly along said northerly right of way a distance of 160.36 feet on a non-tangential curve concave to the northwest, said non-tangential curve having a radius of 330.00 feet, central angle of 27 degrees 50 minutes 29 seconds, a chord bearing of North 78 degrees 56 minutes 32 seconds East and a chord distance of 158.78 feet; thence northeasterly on said right of way, North 65 degrees 01 minutes 17 seconds East, tangent to last described curve, a distance of 83.54 feet; thence northeasterly on said right of way, along a tangential curve concave to south a distance of 21.13 feet to said east line of the Northeast Quarter of the Southeast Quarter, said tangential curve having a radius of 422.98 feet and a central angle of 27 degrees 14 minutes 42 seconds; thence North 1 degree 20 minutes 28 seconds East, non-tangent to last described curve, on said east line of the Northeast Quarter of the Southeast Quarter to the intersection with a line bearing South 87 degrees 01 minutes 34 seconds East from the point of beginning; thence westerly along said line to the point of beginning and there to terminate.

Parcel No. 3

That part of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-nine (29), Township Thirty-six (36), Range Twenty-three (23), described as follows, to-wit:

Commencing at the Southeast corner of the Northeast Quarter of Section Twenty-nine (29), Township Thirty-six (36), Range Twenty-three (23), thence North on the Section line 695.8 feet; thence West parallel to the North One Quarter line, 200 feet; thence South parallel to first course, 595.8 feet; thence West parallel to the North One Quarter line, 433.67 feet; thence South 100 feet and to the North One Quarter line; thence East on the North One Quarter line 633.67 feet to the point of commencement and there to terminate.

PUBLIC HEARING...INTERIM USE PERMIT...211 CLEVELAND ST. S...DAY CARE FACILITY...JENNA AND CLARA SCHMIDT...

Overview

Jenna Lear (Schmidt) and Clara Schmidt have requested an Interim Use Permit (IUP) for a non-residential day care facility at 211 Cleveland Street South. The property is located in the I-2 zoning district. The I-2 zoning district is intended to allow light industrial uses such as light manufacturing, offices, and warehouses.

Non-residential day care facilities are permitted in commercial districts and not listed as a permitted use in the I-2 zoning district. However, Section 156.041, Industrial Districts, of the city code offers the option of an Interim Use Permit for “Those other uses which in the opinion of the Planning Commission are appropriate only on an interim basis...”.

A previous Interim Use Permit for this property was obtained by Butterfly’s massage in 2018 and an extension given to them in 2020. Staff found no issues with the Butterfly’s massage use in this location. Butterfly’s massage has since moved and found a new location.

This day care facility would share a space with an existing established office that is also not industrial in nature. The properties to the north of this property are zoned BT Business Transition district. The existing homes in the BT zoning district are intended to become commercial in nature. This property is not fully industrial in nature however it is near Team Industries to the east, Cambridge Collision to the west, and several propane tanks owned by Federated Propane to the south.

An Interim Use Permit is temporary and must cease, however the applicant can come back and request an extension to the permit. This gives the city a chance to review any disruptions, complaints, or intended changes to the city’s comprehensive plan before the use is continued to operate. Since there will be adequate on-site parking, an outdoor play area, the building is not used for industrial purposes, and its proximity to a commercial district, staff is recommending a two-year permit to begin with as long as the conditions listed can be met.

§ 156.118 INTERIM USE PERMITS (and Standards for the Planning Commission)

(A) *Purpose.* The purpose and intent of allowing interim uses is:

(1) To allow a use within any zoning district for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the Comprehensive Plan;

(2) To allow a use that is presently acceptable but that, with anticipated development or other changes, will not be acceptable in the future.

(C) Standards. The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permit only if it finds that such use at the proposed location:

(1) Meets the standards of a conditional use permit set forth in § 156.111;

(E) Standards. The Planning Commission shall only recommend the granting of the conditional use permit, granting the conditional use permit subject to conditions or denying the conditional use based on written findings of fact with regard to each of the standards set forth below and, where applicable, any additional standards for specific uses set forth in the provisions of a specific zoning district or in this chapter.

(1) It is one of the conditional uses listed in the particular district.

Staff find non-residential day care facilities are not listed in the I-2 zoning district, however those other uses the Planning Commission find appropriate may be permitted by Interim Use Permit, in this case a non-residential day care facility (§156.041 Industrial Districts, (B) Allowable Uses).

(2) It is in keeping with the City's Comprehensive Plan and comprehensive planning policies of the City and this chapter, as amended from time to time.

Staff find the non-residential day care facility will keep with the intentions of the Comprehensive Plan and planning policies since this building has been used for office, retail, and professional services in the past and is not industrial in nature.

(3) It does not adversely affect, interfere with or diminish the use of property in the immediate vicinity.

Staff find that the use will not diminish the properties in the immediate vicinity since this is a less intense use than the neighboring properties.

(4) It can be adequately served by public facilities and services.

Staff find the principal building is adequately served by public facilities and services.

(5) It does not cause undue traffic concerns or congestion.

Staff find the daycare will not cause undue traffic concerns or congestion since the drop-off and pick-up times will be scattered.

(6) It preserves significant historical and architectural resources.

Staff find the proposed use does preserve any historical and architectural resources.

(7) It preserves significant natural and environmental features.

Staff find the day care facility is in an existing building and will preserve the natural and environmental features of the land.

(8) It will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of various conditional uses of all types on the immediate neighborhood and the effect of the proposed type of conditional use upon the City as a whole.

Staff find the non-residential day care facility will not cause a negative cumulative effect since it is near a future commercial district and within an industrial area with already higher intensity uses.

(9) It complies with all other applicable regulations of the zoning district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the granting of a variance.

Staff find the use as a day care facility complies with all other zoning regulations.

(10) It will not adversely affect the public's health, safety or general welfare.

Staff find the proposed use as a non-residential day care facility will not adversely affect the public's health, safety, and welfare.

Summary

An Interim Use Permit may be approved by the Planning Commission and City Council with conditions placed on it according to current city code language. The conditions have been identified on the attached Resolution and include the following:

1. The Interim Use Permit shall discontinue after two (2) years from July 1, 2024 (time given to allow interior remodeling for the daycare), is non-transferrable, and only issued to Jenna (Lear) and Clara Schmidt. The applicant(s) must re-apply for an extension prior to July 1, 2026, the expiration date.
2. Obtain day care approval (licensure) from the State of Minnesota and submit to the City.
3. Obtain all federal, state, and local licensing and permit requirements.

Planning Commission Action

Hold a public hearing.

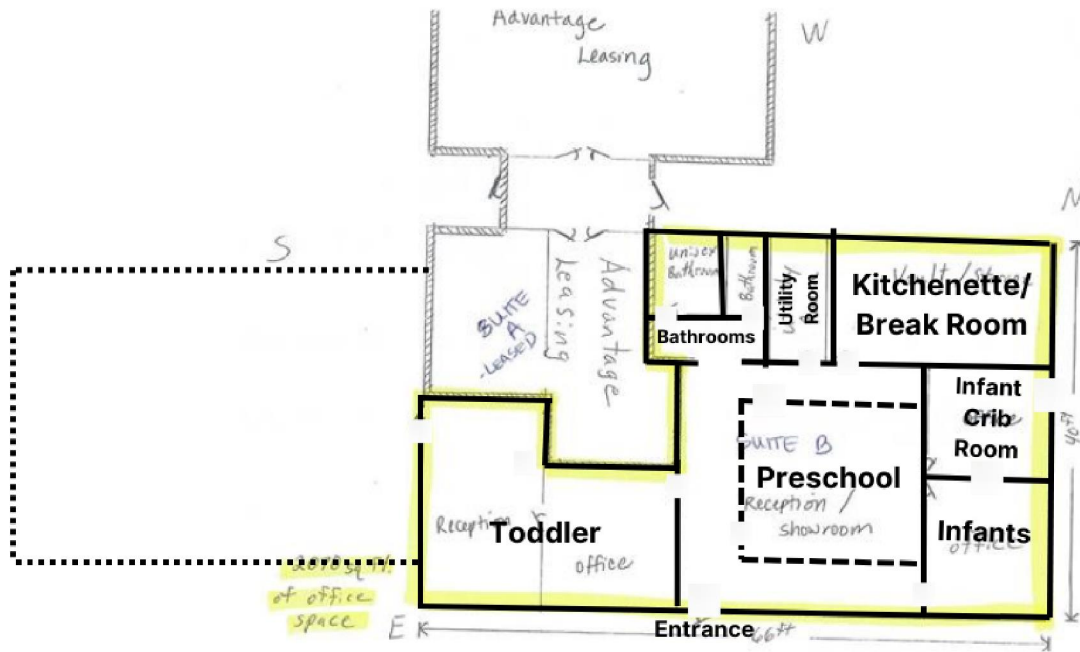
Motion to recommend approval of the Resolution approving the Interim Use Permit as presented as long as the conditions are met.

Attachments

1. Location Map
2. Applicant Submittal (written and site plan)
3. Draft Resolution



Child Care Center Plan



Clara Schmidt & Jenna Schmidt

211 Cleveland Street S, Cambridge, MN 55008

Center Explained:

All of the bolded black lines are the walls we plan to either keep and or build, the dashed lines are planned for a half wall, and the small dotted line is our outside area. Starting at the bottom is the entrance door for parents to come in and out for pick up and drop off. To the left is the toddler room where we plan to have about 14 children and this room will have access to the outside area. We will add a sink and changing table in this room. In the middle of the space we have the preschool room where we plan to have a half wall. In this room we plan to accommodate a class size of 18-20 children. This will depend on how large we build the half-wall. In the infant room we have the crib room attached and has a door to the exterior. In this room we plan to have 8 infants. At the top of the image is the kitchenette and break room. The kitchenette will have the basics such as a fridge, convection oven, and microwave for breakfast and snack prep. We plan to cater lunches from an outside company. The next room is the utility room and cleaning supply storage. Next is the 2 bathrooms, currently only one is finished but we plan to finish the other. The plan for the outside area will be fencing in part of the parking lot and creating a safe play environment, because the maximum number of

children outside will be 20, we will make the outside area around 1,600 sq ft. For parking we will have space for parents and staff. In total we hope to have around 42 children enrolled and 2 staff in each room. Making that 6-10 staff members, then Clara Schmidt and Jenna Schmidt will be co-directors/owners. With the option to work in a classroom if needed.

Outside Area



35 ft

5 ft

67 ft

211

Outdoor Plan:

The plan for our outside area is to have about 2,300 square feet for the playground, based on the number of children. The hope would be to build it a bit bigger if possible. With the city requirements and the size of the parking lot, this will leave us room to have approximately 15 parking spaces in the parking lot.

Resolution No. R24-016

**RESOLUTION APPROVING AN INTERIM USE PERMIT
FEDERATED CO-OP
TO ALLOW A NON-RESIDENTIAL DAY CARE FACILITY
(211 CLEVELAND ST. S.)**

WHEREAS, Jenna Schmidt Lear and Clara Schmidt, representatives of the property located at:

Lot 1 Central Industrial area plat (full legal description must be obtained from Isanti County Auditor's office)

has applied for an Interim Use Permit to allow a non-residential day care facility in the I-2 zoning district; and

WHEREAS, The Planning Agency of the City has completed a review of the application and made a report pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, The Planning Commission of the City, on the 6th day of March, 2024, following proper notice, held a public hearing to review the request and adopted a recommendation that the Interim Use Permit be approved; and

WHEREAS, the City Council, on the 18th day of March, 2024, reviewed the Planning Commission's recommendation and the information prepared by the Planning Agency of the City and finds that the proposed Interim Use is compatible with the City's Comprehensive Plan.

WHEREAS, The City Council finds that the Interim Use Permit for a non-residential day care facility shall only be allowed for Jenna Lear Schmidt and Clara Schmidt, the applicant(s), and shall not be transferrable.

WHEREAS, the City Council finds that the standards for an Interim Use Permit according to city code have been met as follows:

- (1) It is one of the conditional uses listed in the particular district.

Staff find non-residential day care facilities are not listed in the I-2 zoning district, however those other uses the Planning Commission find appropriate may be permitted by Interim Use Permit, in this case a non-residential day care facility (\$156.041 Industrial Districts, (B) Allowable Uses).

- (1) It is in keeping with the City's Comprehensive Plan and comprehensive planning policies of the City and this chapter, as amended from time to time.

Staff find the non-residential day care facility will keep with the intentions of the Comprehensive Plan and planning policies since this building has been used for office, retail, and professional services in the past and is not industrial in nature.

- (2) It does not adversely affect, interfere with or diminish the use of property in the immediate vicinity.

Staff find that the use will not diminish the properties in the immediate vicinity since this is a less intense use than the neighboring properties.

- (3) It can be adequately served by public facilities and services.

Staff find the principal building is adequately served by public facilities and services.

- (4) It does not cause undue traffic concerns or congestion.

Staff find the daycare will not cause undue traffic concerns or congestion since the drop-off and pick-up times will be scattered.

(5) It preserves significant historical and architectural resources.

Staff find the proposed use does preserve any historical and architectural resources.

(6) It preserves significant natural and environmental features.

Staff find the day care facility is in an existing building and will preserve the natural and environmental features of the land.

(7) It will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of various conditional uses of all types on the immediate neighborhood and the effect of the proposed type of conditional use upon the City as a whole.

Staff find the non-residential day care facility will not cause a negative cumulative effect since it is near a future commercial district and within an industrial area with already higher intensity uses.

(8) It complies with all other applicable regulations of the zoning district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the granting of a variance.

Staff find the use as a day care facility complies with all other zoning regulations.

(9) It will not adversely affect the public’s health, safety or general welfare.

Staff find the proposed use as a non-residential day care facility will not adversely affect the public’s health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Cambridge, Minnesota, approves the Interim Use Permit to allow an outdoor worship area in the R-1 zoning district at the location listed above, upon satisfying the conditions listed below:

1. The Interim Use Permit shall discontinue after two (2) years from July 1, 2024 (time given to allow interior remodeling for the daycare), is non-transferrable, and only issued to Jenna (Lear) Schmidt and/or Clara Schmidt. The applicant(s) must re-apply for an extension prior to July 1, 2026, the expiration date.
2. Obtain day care approval (licensure) from the State of Minnesota and submit to the City.
3. Obtain all federal, state, and local licensing and permit requirements.

Adopted by the Cambridge City Council
This 18th day of March, 2024

Jim Godfrey, Mayor

ATTEST:

Evan C. Vogel, City Administrator

PUBLIC HEARING...ORDINANCE AMENDMENT...TITLE IX GENERAL REGULATIONS, SECTION 98.03...AND TITLE XV LAND USE, SECTION 156.093 MOBILE FOOD VENDORS...

Overview

Staff has noted some obstacles within our city code for special events either held by the city, or during events the city participates in (i.e. concerts in the park, Third Thursday events). Currently, city code requires special written approval to consume alcohol in city parks. Rather than requiring written approval from mobile food vendors or residents, staff is requesting an amendment to allow alcohol sold from mobile food vendors to be consumed in city parks during city sponsored events, and to allow vendors to sell alcohol during special events.

If the sales or consumption become problematic in the future, staff can reverse the amended language to prohibit sale and consumption during city events.

Since part of the amended language is within City Code Chapter 156, Land Use (Zoning Code), the Planning Commission must hold a public hearing.

Planning Commission Action

Hold a public hearing.

Motion to recommend approval of the Ordinance as presented.

Attachments

1. Draft Ordinance

ORDINANCE 784

**TITLE IX GENERAL REGULATIONS, CHAPTER 98 REGULATIONS FOR CITY PARKS, SECTION 98.03
PARK REGULATIONS**

AND

TITLE XV LAND USE, CHAPTER 156 ZONING, SECTION 156.093 MOBILE FOOD VENDORS

The Cambridge City Council hereby amends the following language in Title IX General Regulations, Chapter 98, Section 98.03 Park Regulations and Title XV Land Use, Chapter 156 Zoning, Section 156.093 Mobile Food Vendors:

§ 98.03 PARK REGULATIONS

- (4) *Alcoholic Beverages.* No person shall bring into any park nor possess, display, consume or use intoxicating liquor in any park unless prior written approval has been issued by the City Administrator or the City Administrator’s designee. During special events held by the city or an event the city participates in, alcoholic beverages may be purchased from a mobile food vendor participating in the event and the beverage may be consumed during the special event.

§ 156.093 MOBILE FOOD VENDORS

- (D) *Regulations.*

(4) No mobile food vendor shall set-up within one hundred (100) feet (measured from property line to property line) of any established restaurant unless written consent is submitted from the proprietor of the restaurant. If the mobile food vendor is asked to be part of a city approved special event that is being held by the city or an event that the city participates in, then no written approval is needed from the established restaurant.

(17) No mobile food vendor shall sell alcoholic beverages, unless authorized by the city as part of a special event that is being held by the city or an event that the city participates in.

This ordinance will be effective on upon publication.

Adopted this 18th day of March, 2024

James A. Godfrey, Mayor

ATTEST:

Evan C. Vogel, City Administrator

Summary Publication of Ordinance

The City Council of the City of Cambridge adopted Ordinance 784 amending Title IX General Regulations, Chapter 98, Section 98.03 Park Regulations and Title XV Land Use, Chapter 156 Zoning, Section 156.093 Mobile Food Vendors, to allow the sale of alcohol from a mobile food vendor and consumption of alcohol during special events held by the city. The complete ordinance is available for public inspection at the office of the City Administrator, 300 3rd Ave NE, Cambridge, Minnesota.

ATTEST:

Evan C. Vogel, City Administrator

Date of Publication: March 28, 2024