



**Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, January 27, 2026**

Members Present: Chair Perry Beise, Commissioner Eric Johnson, Commissioner Robert Rydberg, Commissioner James Zahler, Commissioner Dornan Bland, Commissioner Anthony Kaba

Members Absent: Commissioner Dennis Booth

Staff Present: Community Development Director Zack Carlton, Senior Planner Chris Leeseberg, and Recording Secretary Katie Porath

1. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

Moved by Commissioner Johnson and seconded by Commissioner Rydberg to approve the agenda. Motion carried 6-0.

4. CONSIDER MINUTES

Moved by Commissioner Rydberg and seconded by Commissioner Johnson to approve the following consent items as outlined in their respective staff reports. Motion carried 6-0.

4.1 DRAFT Minutes - December 16, 2025

5. PUBLIC HEARINGS

5.1 Conditional Use Permit: Private Kennel, Ruth Dutchak - 11799 191st Ave NW

Mr. Leeseberg presented the staff report.

Chair Beise opened the public hearing. There being no one to speak to this matter, Chair Beise closed the public hearing.

Chair Beise asked if a condition could be added for the five existing dogs, and no future dogs above six animal units.

Commissioner Johnson asked if an Interim Use Permit would be more appropriate. Mr. Leeseberg stated that they need to act on the permit that was submitted.

Moved by Commissioner Rydberg and seconded by Commissioner Johnson to recommend approval of a Conditional Use Permit with the following conditions to satisfy the standards set forth in Section 30-654, as amended:

- 1. The Conditional Use Permit is for a maximum of 5 dogs over 20 pounds each (10 Animal Units).**
- 2. All animals shall be properly licensed and maintained in accordance with city regulations.**
- 3. No more than two (2) animals per supervisor shall be allowed outside of the fenced area.**
- 4. The removal of animal waste shall comply with Section 10-5.**
- 5. Outdoor kennel structures or runs are not permitted.**
- 6. No dog designated as dangerous or potentially dangerous are allowed to be kept on site, and the keeping of such dog shall be grounds for revocation of the permit.**
- 7. The existing fence shall be maintained in good working condition. Supplemental containment measures may be used as needed.**
- 8. Failure to comply with the conditions of approval or applicable city code requirements may result in enforcement action, including revocation of the Conditional Use Permit.**
- 9. The Conditional Use Permit is for the 5 existing dogs, at time of the application, and not future dogs totaling more than 6 animal units.**

Motion carried 6-0.

5.2 Interim Use Permit: Renewal for Multi-Family Residential Unit, Sogdiana LLC - 732 Vernon Ave NW

Mr. Leeseberg presented the staff report.

Chair Beise opened the public hearing. There being no one to speak to this matter, Chair Beise closed the public hearing.

Chair Beise asked if there had been any comments from the neighbors. Mr. Leeseberg responded that there had been no comments concerning this IUP.

Moved by Commissioner Johnson and seconded by Commissioner Zahler to recommend approval of the Interim Use Permit with the following conditions:

- 1. The Interim Use Permit shall terminate February 17, 2029, or when the property changes ownership, whichever occurs first.**
- 2. The building shall be inspected by the city's Building Official and Fire Marshal to verify compliance with all building and fire codes.**
- 3. The Interim Use Permit will be recorded against the property to put any future buyers on notice that the Interim Use Permit will not run with property.**
- 4. The structure shall be returned to a single-family home prior to sale or when the Interim Use Permit terminates.**
- 5. The applicant shall submit a deposit in the amount of \$5,000 to ensure compliance with the Interim Use Permit conditions.**

-
- 6. The applicant shall provide documentation that each tenant received a letter indicating the Interim Use Permit will expire on February 17, 2029, and the structure will be converted back to a single-family residential district.**
 - 7. No additional Interim Use Permits will be granted for a similar use on this property beyond February 17, 2029.**

Motion carried 6-0.

5.3 Conditional Use Permit: Vehicle Sales, Highway 10 Auto Sales - 17323 US Highway 10 NW

Mr. Leeseberg presented the staff report.

Chair Beise opened the public hearing. There being no one to speak to this matter, Chair Beise closed the public hearing.

Commissioner Johnson asked if the applicant had any issues with the proposed conditions. Mr. Leeseberg stated the applicant agreed with the conditions. He added that the building owner had contacted him to state that a lease had not yet been signed for the property.

Moved by Commissioner Johnson and seconded by Commissioner Bland to recommend approval of a Conditional Use Permit with the following conditions to satisfy the standards set forth in Section 30-654:

- 1. The Conditional Use Permit shall not be recorded until all conditions have been completed.**
- 2. The applicant and/or property owner must apply for all required commercial building, electrical, plumbing, and/or mechanical permits before any associated activities can occur.**
- 3. The building shall be inspected by the city's Building Official and Fire Marshal to verify compliance with all building and fire codes.**
- 4. The number of motor vehicle sales dealers shall be limited to one (1).**
- 5. An amendment to this Conditional Use Permit will be required for additional dealers.**
- 6. A minimum of 8 off-street parking stalls shall be maintained on-site and always remain available for customer and employee use.**
- 7. No outdoor storage of vehicles not for sale (except employees and customers), parts, equipment, or materials is permitted.**
- 8. No motor vehicle repairs or body work can occur.**
- 9. The applicant and/or property owner shall ensure that any vehicle stored outside does not leak fuels or other hazardous materials onto the ground.**
- 10. All regulations related to storage, disposal, and spill control for automobile fluids need to be followed.**

Motion carried 6-0.

5.4 Ordinance Amendment and Conditional Use Permit: Educational Use, Good Shepherd High School - 630 Freeport Ave NW

Mr. Leeseberg presented the staff report.

Commissioner Johnson asked about the layout of the proposed school. Commissioner Rydberg asked about classifying the school as an educational designation or a religious designation.

Commissioner Johnson commented that Spectrum schools had been built in an industrial area. Commissioner Zahler asked about other schools in a mixed-use zone. Mr. Leeseberg responded that most schools are located within a residential district.

Commissioner Bland commented that having a school located in the building may prevent other businesses from benefiting from each other.

Commissioner Johnson asked if other uses in that area may not be allowed so close to a school, such as tobacco or liquor sales. This may limit some businesses from coming to the area.

Commissioner Rydberg questioned if this site would be an interim location or if they would want to expand down the road.

Chair Beise opened the public hearing.

Melissa Lamkin, 16797 County Rd 83, Director at Good Shepherd High School, stated she believes the school will have a positive impact on the community.

Commissioner Johnson asked about her thoughts on enrollment. Ms. Lamkin stated the school currently has 32 students and the new site could potentially hold 120 students comfortably. Ms. Lamkin added that the school has a goal to eventually own their own building and land.

Commissioner Bland asked if Ms. Lamkin had concerns with co-mingling a commercial space with students. Ms. Lamkin looked at the location as an opportunity to impact businesses around them and learn from business owners.

Jennifer Kowsary, 22968 142nd St NW, stated she believes that the school would make Elk River more attractive to families looking to move.

Elijah Wilson, 19663 Elgin Cir, stated the school was a safe place for students who didn't fit into a traditional learning environment.

Dan Frette, 28227 104th St NW, Zimmerman, stated, as a builder, he is familiar with buyers who are looking for a private Christian school.

Ken Beaudry, 12696 223rd Ct NW, wanted to see the High School come to Elk River.

Laura Vollkommer, 9165 185th Ave SE, Becker, stated she has young children she would like to send to Good Shepherd High School in the future.

Jay Whiting, 26400 25th St W, Zimmerman, spoke positively about the impact of the school and stated that Good Shepherd High School has outgrown two locations within a short period of time.

Fred Van Dellen, 15021 Drake St NW, Andover, felt that increasing traffic from students and parents in the area would provide free advertising to the existing businesses.

Chelsea Weaver, 7465 269th Ave NW, St. Francis, Associate Principal at Crown Christian School, felt Good Shepherd High School may look for a more permanent location in Elk River once they outgrow the space.

Josh Burdick, 14655 89th St NE, Otsego, stated that the location may not be ideal for a school, but it was a different scenario than the Spectrum school location.

Kris Thompson, 3285I Xenon Dr NW, Princeton, building representative for Adam Price, entertained questions.

Commissioner Johnson asked if other tenants of the building had any issues with the proposed plan. Mr. Thompson stated the proposal had not been brought to the other tenants yet. Commissioner Rydberg verified that Mr. Thompson would work with the applicant to address compatibility concerns.

Mr. Thompson stated that there was a low demand for retail space and the open space had been on the market for a year.

Adam Price, 29390 100th St, Zimmerman, building owner, felt the school could fall under the category of religious use, which is allowed in the district.

Rich Schulz, 15892 54th St, St. Michael, also owns a building in Elk River and questioned tax-exempt options. He stated a precedent would be set to allow other buildings to add educational use in their buildings.

Commissioner Rydberg asked if Price Homes could get an exemption on their property taxes if they lease to the school. Mr. Leeseberg stated, he believed that real estate that was leased could not be tax-exempt. Commissioner Rydberg added that charter schools cannot own property. Mr. Schulz added that Spectrum school owns property under an LLC. He also stated that Sherburne County assessor had told him that tenants can appeal to be tax-exempt.

Sarah Carlson, 16389 County Rd 83, grew up in the area and would like to see the movie theater area full of teenagers again.

Chair Beise closed the public hearing.

Commissioner Johnson stated he was ok with the educational use as it was a 10-year lease and the building owner was in favor of it.

Chair Beise asked if there could be an interim use permit (IUP) set at 10 years instead of a Conditional Use Permit (CUP). Mr. Leeseberg stated a CUP was applied for and an ordinance change would still be needed. Mr. Leeseberg stated conditions under an interim use permit could be added.

Commissioner Johnson was in favor of amending the ordinance to allow educational uses as an interim use.

Mr. Leeseberg added that, after the 10-year term, the applicant could apply for an extension to an IUP.

Mr. Leeseberg asked Ms. Lamkin if she would be in favor of an IUP which would be tied to Good Shepherd High School for 10 years as opposed to a CUP which would remain with the property. Ms.

Lamkin stated she would be in favor of exploring this option.

Moved by Commissioner Johnson and seconded by Commissioner Bland to recommend approval of the ordinance amendment adding an interim use permit into Subzone C for educational institutions. Motion carried 6-0.

Moved by Commissioner Eric Johnson and seconded by Commissioner James Zahler to continue the Conditional Use Permit application until the February 24, 2026, Planning Commission meeting. Motion carried 6-0.

Councilmember Wagner asked if the application would come to the February 17 City Council meeting, February 24 Planning Commission meeting, or March 16 City Council meeting. Mr. Leeseberg stated the item would likely return to all of these meetings.

6. GENERAL BUSINESS

There was no general business.

7. COUNCIL LIAISON UPDATES

There were no Council Liaison updates.

8. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Johnson and seconded by Commissioner Kaba to adjourn the meeting. Motion carried 6-0.

The regular meeting adjourned at 7:47 p.m. Chair Beise called the work session to order at 7:50 p.m.

9. WORK SESSION

9.1 Comprehensive Plan and Land Use Discussion

Mr. Carlton gave some information on the "missing middle" housing section within the Comprehensive Plan.

Commissioner Bland stated there was too much ambiguity and a 50-unit building could not be considered a small multifamily apartment. He wished for a smaller "funnel" defining land use. Mr. Carlton stated the "funnel" was intentionally broad. The Comprehensive Plan is broad and zoning districts are established to narrow the allowed uses and provide design standards.

Mr. Carlton reviewed the process of arriving at zoning. He stated that there needs to be some place in the community for higher density.

Commissioner Bland commented that there seemed to be different behavior between renters and owners. He stated he would like it to be an active decision to allow multifamily housing, meaning the applicant has to have a structure of approval.

Commissioner Johnson referenced the recent application for an apartment building. He commented that, if not for a variance, the site could have been developed. He reiterated that the site was not suitable for an apartment because of the easement allowing access to nearby properties and the

proximity to single-family homes.

Commissioner Johnson stated the site needs to be looked at holistically because of the train station. What will happen with the huge vacant parking lot? Mr. Carlton stated that a bus service now runs out of the area and uses the parking lot, so mass transit is not totally gone.

Commissioner Johnson commented that there are people who work in Elk River who can't afford to live here.

Mr. Carlton stated the area near the former light rail train station is a great area for density as it is located along major transportation corridors.

Commissioner Bland felt strongly that Chapter 30 of the City Code could be rewritten and volunteered to help.

The Commission suggested a moratorium on apartment complexes, which would allow for more information on what mass transit systems will look like with the loss of the light rail train, and to identify the quantity and location of apartment buildings within the city. Mr. Carlton commented that any active applications need to be processed.

Commissioner Zahler agreed that there are areas of Elk River where the buildings are valued less than the land. He does not want to put zoning limits on what Elk River can become.

Commissioner Rydberg suggested adding conditions to a multifamily housing application such as how many feet the proposed project is to a single-family home. Commissioner Bland agreed that existing community members need to be taken into consideration when adding a new project near their home.

Commissioner Johnson asked if architectural standards of apartment buildings could also be considered, citing concerns with the amount of space on an apartment building lot to allow residents to use the site instead of going into neighboring properties. Commissioner Johnson stated the city should be careful with mandatory regulations that suppress development.

Chair Beise commented that he does not want to make exceptions for every project that comes in. Commissioner Zahler agreed that he would like to see a structured approach to avoid making arbitrary decisions.

Councilmember Wagner asked, "What do we want the population of Elk River to be?" It is not unending. Mr. Carlton stated he had heard a goal or projection of 35,000-40,000.

Mr. Carlton reviewed the Commission's concerns with apartment complexes and their desire for additional tools for how to review them.

Mr. Carlton said that he would bring an ordinance amendment (moratorium) on multifamily complexes to the City Council for consideration. The moratorium would last around one year or until the new zoning ordinance is updated.

10. MOTION TO ADJOURN

Moved by Commissioner Johnson and seconded by Commissioner Kaba to adjourn the meeting. Motion carried 6-0.

The meeting adjourned at 8:58 p.m.

Minutes prepared by Katie Porath.



Perry Beise, Chair



Jolene Richter, Deputy City Clerk