



**Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, July 23, 2024**

Members Present: Chair Perry Beise, Commissioner Tony Mauren, Commissioner Robert Rydberg, Commissioner Dennis Booth, Commissioner Anthony Kaba, Commissioner James Zahler

Members Absent:

Staff Present: Community Development Director Zack Carlton and Sr. Administrative Assistant/Recording Secretary Jennifer Green

1. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:58 PM.

2. CONSIDER AGENDA

Chair Beise added item 5.3 to General Business - Appointment of a Vice-Chair.

Moved by Commissioner Robert Rydberg and seconded by Commissioner Dennis Booth to approve the agenda with the addition of Item 5.3 General Business - Appointment of a Vice-Chair. Motion carried 6-0.

3. CONSIDER MINUTES

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

3.1 Planning Commission Minutes - June 25, 2024

4. PUBLIC HEARINGS

4.1 Conditional Use Permit: Religious Institution, Harvest Intercontinental Church, 555 Railroad Drive

Mr. Carlton presented the staff report.

Commissioner Booth asked if the applicant could use street parking to satisfy the parking requirements.

Mr. Carlton stated under the current ordinance, no street parking would be allowed. However, he noted the recent discussions regarding reviewing the parking ordinance and evaluating the parking needs with consideration of uses such as churches, which have parking needs during specific times.

Chair Beise opened the public hearing. He entered a letter in support of the application from the

property owner, Amy Fafinski. With no one to speak in person, Chair Beise closed the public hearing.

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

- 1. A scaled site plan showing the 83 required parking stalls for all businesses operating on the property must be submitted prior to beginning operation or issuing building permits.**
- 2. The entire parking lot be re-stripped based on the approved parking site plan.**
- 3. Schedule a site visit with the Building Official and Fire Marshal to review the leased space and complete any required building code updates.**
- 4. A code analysis finding commercial building code compliance shall be prepared by an appropriate registered professional, as required by condition #3.**

Motion Carried 6-0.

4.2 Conditional Use Permit: Truck Terminal with Outdoor Storage, 16234 Jarvis St. NW - The Original Collins Brothers Auto, Truck & Towing

Mr. Carlton presented the staff report.

Commissioner Rydberg asked if the petitioner had any issues with the conditions.

Mr. Carlton indicated they had no specific concerns.

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

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

- 1. All outdoor storage shall follow Section 30-807 regarding screening.**
- 2. The office hours of operation shall be limited to 7:00 a.m. – 6:30 p.m.**
- 3. The parking and driveway area outside of the fenced area shall be bound by B612 curb and gutter.**
- 4. All parking and driving areas must be finished with an approved surface – bituminous, concrete, or compacted class 5.**
- 5. All areas not identified for parking or driving areas shall be maintained as turf grass in accordance with city standards.**
- 6. A 100% opaque fence shall be installed on the west property line the entire length of the outdoor storage area and along the perimeter that is visible from the right-of-way.**
- 7. Written permission from the property owner to the west allowing the fence to be installed on the shared property line shall be obtained.**

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- 8. Outside of short-term staging requirements, there shall be no storage of vehicles outside of the approved storage area, to include the city street, exterior parking area, and landscaped areas.**
 - 9. Exterior doors and windows shall be closed when any service and maintenance occur to company vehicles/equipment.**
 - 10. Staff approval of all site and civil plans.**
 - 11. A scaled site plan showing the 19 required parking stalls for all businesses operating on the property must be submitted prior to beginning operation or issuing building permits.**
 - 12. The holding pond must be adequately sized to accommodate the needs of both parcels.**
 - 13. An easement or agreement must be prepared and recorded to outline the maintenance obligations and grant both property owners' access to the holding pond. Permits will not be released until this easement has been signed by both property owners and recorded.**

Motion Carried 6-0.

4.3 Preliminary Plat and Ordinance Amendment: Bradford Park South Development - Lennar Homes

Mr. Carlton presented the staff report.

Commissioner Mauren asked why the applicant was no longer proposing townhomes as part of this development.

Mr. Carlton indicated he did not know why, and thought perhaps market demands were the reason.

Commissioner Rydberg noted the 55' lot sizes becoming a common standard for standalone home developments.

Mr. Carlton stated the first phase included 55' lot sizes.

Commissioner Mauren noted the various lot sizes are not segregated in certain spots but are mixed together.

Mr. Carlton stated mixing up different housing types also helps preserve on-street parking.

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

Commissioner Booth stated he liked what was presented, especially with the townhomes removed, and felt it was a huge benefit to the existing property owner on the eastern part of the development.

Mr. Carlton discussed the definition of Mixed Residential neighborhood types and how it aligns with the Comprehensive Plan. He stated consistency with the plan is part of the approval of the preliminary plat application and by removing the townhomes, is the commission comfortable with the interpretation of this definition and does it align with the Comprehensive Plan. He stated if not, a land use amendment

could be used to guide the area as Single Family Residential. He noted the Comprehensive Plan is a large, overarching document and is open to the commission's interpretation.

The Planning Commission discussed the neighborhood definition and surrounding area and felt in this situation, the entire area was very similar and removing the townhome component still allows the plat to align with the Comprehensive Plan.

Moved by Commissioner Booth and seconded by Commissioner Rydberg to recommend approval of the Preliminary Plat of Bradford Park Development South, with the following conditions:

- 1. Council approval of an ordinance amendment expanding the PUD district for Bradford Park.**
- 2. All access with County Road 40 shall meet Sherburne County's access management guidelines.**
- 3. Streets and access must comply with MN State Fire Code Chapter 5 and Appendix D.**
- 4. Staff approval of all site, utility, engineering, and landscaping plans.**
- 5. Submit an updated phasing plan outlining the anticipated subdivision additions.**
- 6. Hydrants must be spaced to ensure all portions of a residence are within 250 feet of a hydrant.**
- 7. All watermains shall be looped. Dead-end watermains are not permitted.**
- 8. State and local approval of all wetland permits related to the wetland impacts.**
- 9. Construct trails and trail connections as recommended by the Parks and Recreation Commission.**
- 10. Mailboxes shall be clustered.**
- 11. Driveways shall be limited to 20 feet wide at the property line or the entire distance between curb & sidewalk.**
- 12. All buildable lots shall include a drainage and utility easement for areas within the 45-foot wetland setback or within 45 feet of the OHW for stormwater ponds.**
- 13. Grading for trails along the pond shall be designed to minimize impacts to existing grades and vegetation.**
- 14. At least one mid-block connection along Road H must be added to improve connectivity to the trail around the pond.**
- 15. Landscape plans shall identify an overstory tree in the front yard of every parcel and no more than four of the same tree species shall be on adjacent lots.**
- 16. A sign noting "future through street" shall be posted at all temporary dead-end streets.**

Moved by Commissioner Mauren and seconded by Commissioner Booth to recommend approval of an ordinance amending Sec. 30-1600 to include the additional land included in the Bradford Park PUD.

Motion Carried 6-0.

5. GENERAL BUSINESS

5.1 Commission Bylaws: Planning Commission and Board of Adjustments

Mr. Carlton presented the staff report. He noted the question regarding special meetings being called during an open meeting was a city policy being implemented for all boards and commissions.

Moved by Commissioner Rydberg and seconded by Commissioner Booth to adopt the bylaws for the Planning Commission.

Motion Carried 6-0.

Moved by Commissioner Booth and seconded by Commissioner Rydberg to adopt the bylaws for the Board of Adjustments.

Motion Carried 6-0.

5.2 Downtown Plan: Select Commission Representative

Mr. Carlton presented the staff report. Chair Beise offered to represent the Planning Commission for the Downtown Plan Committee.

6. COUNCIL LIAISON UPDATES

Councilmember Matt Westgaard provided an update to the Planning Commission on recent City Council decisions.

7. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Rydberg and seconded by Commissioner Booth to adjourn the regular meeting at 7:37 p.m. Motion carried 6-0.

8. WORK SESSION – UPPER TOWN CONFERENCE ROOM

The work session was called to order at 7:38 p.m.

8.1 Concept Review: Holzem Rural Residential Development

Mr. Carlton presented the staff report.

Commissioner Mauren asked how far away this proposed development was from the existing service area.

Mr. Carlton stated the limits of what is served is Cleveland, across the street.

Commissioner Rydberg stated he would like to hear from the developer as to the cost difference between a well and septic per lot versus the developer's cost of adding a trunk line.

Kendra Lindahl, a Planner from Landform Professional Services and representing the landowner, explained the landowner originally wanted to sell the property to housing developer LGI, and hoped to connect sewer and water through Miske Meadows. However, connecting to that service doesn't provide enough capacity to serve any additional homes, and the result would be to install 3 miles of

pipes at a cost that far outweighs what the developer is willing to pay. She stated they met with staff who explained it may be possible to connect at some capacity but not the full 200 acres that was proposed to be developed, without the developer investing in larger pipe. She explained that installing larger pipes would allow future developers - i.e. their competitors - to benefit from that extension at a much lower cost. This proposal with 1 acre lots offers an option to still develop the property, bringing some tax base to the city, and provides a transition between Miske Meadows and the larger lots in Nowthen.

Mr. Carlton noted that in the past, the city has charged trunk area assessments as properties were developed. He stated there are options, but the question is who bears the cost of installing the entire trunk system, as you can't just install part of a trunk line. What is the cost burden that the developer could bear and where is the gap and the city could fill in a mechanism if we wanted to keep the land use guided for urban residential.

Commissioner Rydberg is in favor of having future developers connect to the trunk line but felt the city would end up being the "bank" holding the debt until future developers added on. He felt it important to make the process equitable for all developers. His question was, are there areas surrounding this that could be developed in the future?

Mr. Carlton stated the northeastern utility area expansion site does get into a number of those costs, how many developable acres are available, number of units, and estimated cost of these utilities.

Chair Beise and Commissioner Mauren agreed with Commissioner Rydberg's comments.

After discussion, it was the consensus of the Planning Commission that they would like to see this area guided as an urban residential area with city services (city sewer and water) and to further continue conversations with the developer, city council, and utilities to evaluate and find financial solutions to make it fair to developers to support installing the trunk line.

Ms. Lindahl stated the same concerns exist for both sewer and water, but the cost of this is out of scale because such a large part of the land is unbuildable due to wetlands. She appreciated the support to extend services and share costs as they cannot front load costs even with the assessments to the properties. She stated ultimately, if the council cannot support the extension costs, she suggested removing this area out of the urban service district.

Commissioner Booth noted he preferred the application be allowed a 1-acre lot with septic and well. He lived in this area and was concerned about the number of wetlands creating a large amount of undevelopable area, and would suggest removing the area from the urban service district if unable to complete extension of services.

8.2 Concept Review: The Specht Family Farm Housing Development

Mr. Carlton presented the staff report. He distributed a letter from the Minnesota Historical Society (MHS) containing comments on the proposed development adjacent to their property. He introduced the development team from Capstone Homes, consisting of **Stephen Bona, Matt Barker, Heather Lorch, and Kenny Novak**. He also introduced **Brian Krystofiak, PE, and Ryan Ruttger, PLA**, with Carlson McCain. **Erwin and Marilyn Specht** were present representing the landowners.

Mr. Bona provided a PowerPoint presentation to explain the history of the Specht farming operations,

the proposed housing development for the Specht Family Farm, and their request for feedback as they move towards their master-concept plan. Members of the Capstone team present various components of the project from types of residential homes to consideration of connections to the Mississippi River, consideration of the southern boundary abutting the Oliver Kelley Farm, and future traffic interchanges, noting they will continue discussions with staff from MHS and MnDOT as plans move forward.

The Planning Commission asked questions regarding the future proposed signalized intersection on Highway 10 and expressed traffic and safety concerns regarding access from to the subdivision, stating conversations with MnDOT are critical. The commission also discussed the proposed park amenities, consideration of access from the public, and concerns about finding historical elements and environmental studies that may be needed. They also mentioned the Wild and Scenic River District considerations and how a delineation line is achieved. Lastly, they discussed the need for screening south along the Oliver Kelley Farm site, encouraging Capstone to continue to meet with MHS for their desired outcome while also considering the current forested area and farm fields.

David Kelliher, Vice President of the Minnesota Historical Society, and **Alyssa Olson**, Site Manager of the Oliver H Kelley Farm, introduced themselves and thanked the city for inviting them to the work session. They look forward to working with Capstone to find solutions to preserve the character and protect the gem of this historic site. Mr. Kelliher stated access to the river is hugely important for both the MHS and the Specht Farm, so protecting that feature is important. They are also very interested in the proposed trail system and the future traffic interchange as they focus on keeping their visitors safe when accessing the Kelley Farm.

9. MOTION TO ADJOURN

Moved by Commissioner Booth and seconded by Commissioner Zahler to adjourn the meeting. Motion Carried 6-0.

The meeting adjourned at 8:59 p.m.

Minutes prepared by Jennifer Green.



Perry Beise, Chair



Tina Allard, City Clerk