



**Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, October 22, 2024**

Members Present: Commissioner James Zahler, Commissioner Dornan Bland, Commissioner Anthony Kaba, Chair Perry Beise

Members Absent: Commissioner Robert Rydberg, Commissioner Dennis Booth, Commissioner Eric Johnson

Staff Present: Senior Planner Chris Leeseberg 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 6:32 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

Chair Beise noted the date of agenda item 4.1 should read August 27, 2024.

Moved by Commissioner Zahler and seconded by Commissioner Bland to approve the agenda with the change noted above. Motion carried 4-0.

4. CONSIDER MINUTES

Moved by Commissioner Zahler and seconded by Commissioner Kaba to approve the following consent agenda item as outlined in the staff report. Motion Carried 3-0.

4.1 August 27, 2024, Draft Planning Commission Minutes

5. PUBLIC HEARINGS

5.1 Zone Changes: City of Elk River

Chair Beise opened the public hearing.

David Melchior, 13238 Island View Dr., questioned one of the legal descriptions on the notice for parcel 75-00934-0125.

Michelle Binsfeld, 13230 Island View Drive, distributed a letter to the commission, and stated Boy Scout Island was deemed a park on July 1. She stated it would be inconsistent to rezone this to a single family property when the use is a park. She asked the commission not to move forward with this rezoning. She formally requested reasonable notice in writing to any proposed changes to this parcel.

She suggested the city request recommendations from invested entities before any future changes to zoning, land use, or ownership of a parcel. Orono Lake Improvement District, Elk River Parks and Recreation Commission, Sherburne Soil and Water Conservation Board supervisors, Sherburne County Parks and Trails Committee, and the Friends of William H. Houlton Conservation Area. She is an environmental professional. She read a portion of her letter to the commission.

Gail Weber, 13216 Island View Drive, shared her history with Lake Orono. She expressed concerns about the city wanting to develop the island.

Chair Beise stated the island is not buildable.

Ms. Weber stated her view has completely changed with the development of The Cove.

Mr. Leeseberg apologized to the public if there was a misunderstanding, but there were no plans to develop the land proposed to be rezoned. He stated the city is recommending rezoning to align with the Comprehensive Plan. He stated the required property owners would be notified to comment if a development request was received, but the city has not received a request.

Dan Kruger, 18682 Queen Circle, stated that people think the city wants to clear-cut the island and sell lots of homes, so he appreciated the asked questions. Was there road access to the island?

Mr. Leeseberg stated there was not.

Mr. Kruger asked if there was sewer availability.

Mr. Leeseberg stated that technically you probably could, but FEMA lily would not allow it.

Mr. Kruger asked if this was strictly a housekeeping matter or did someone approach the city requesting to buy and develop the property.

Mr. Leeseberg stated no one has asked the city to purchase the property, and it is just a rezoning to align with the land use map.

Ms. Binsfeld stated there is a concern if you do rezone to single-family residential, it 'advertises' to developers that the property is available to purchase and develop, and if there isn't a necessity to rezone the property, to leave it as it is not to encourage developers.

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

Mr. Leeseberg stated the necessity is to comply with state statutes to correlate the land use and zoning maps. If they don't rezone to single-family residential, the current zoning would require an update on the land use map and that would then promote highway business uses.

Ms. Green answered Mr. Melchior's question about the legal description for ID 75-00132-1205, and the graphic should read 75-00132-2120.

Commissioner Zahler asked about the timing of these rezonings and the land use maps and if there was a separate park zoning.

Mr Leeseberg explained there were several small areas that were missed during the comprehensive plan amendment and after the request to rezone the property that is now The Cove, staff wanted to align those with the adjoining parcels and designate them R1c to align with the plan.

Moved by Commissioner Zahler and seconded by Commissioner Bland to recommend approval of the rezoning of parcels from Highway Commercial (C3) to Single Family Residential (R1-c) as outlined in the staff report north of Highway 10 at the Gary Street alignment. Motion Carried 4-0.

Moved by Commissioner Zahler and seconded by Commissioner Kaba to recommend approval of the rezoning of parcels from General Industrial (I3) to Highway Commercial (C3) as outlined in the staff report south of the Plants and Things Recreation Complex. Motion Carried 4-0.

Moved by Commissioner Bland and seconded by Commissioner Kaba to recommend approval of the rezoning of parcels from General Industrial (I3) to Single Family Residential (R1a) as outlined in the staff report south of Highway 10 and west of Edison Street. Motion Carried 4-0.

Chair Beise asked how often the land use map is amended.

Mr. Leeseberg stated it can be changed as often as the city council wishes, but staff has been considering global changes from a version that the consultant provided over to a CAD version, and that along with other changes, there will be future updates for proposed changes, hopefully by years end.

6. GENERAL BUSINESS

7. COUNCIL LIAISON UPDATES

Councilmember Westgaard was not in attendance to provide an update.

8. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Bland and seconded by Commissioner Kaba to adjourn the regular meeting. Motion Carried 4-0.

The regular meeting adjourned at 7:08 p.m. Chair Beise called the work session to order at 7:10 p.m.

9. WORK SESSION

9.1 Concept Review: Enviro-Chem

Mr. Leeseberg presented the staff report. Since the applicant's proposed use is only allowed in the I1 and I2 zoning districts, and the desired location is located in the Business Park zoning district, he noted the ordinance would need to be amended to allow recycling processing centers in the Business Park zoning district.

Josh Blaisdell, Otsego, introduced himself as the general manager of operations for Envrio-Chem, Inc. and provided background information on the current operations of Enviro-Chem in Rogers and Anoka.

Commissioner Bland stated his only concern was amending an ordinance in a zoning district that would allow other businesses to operate and may not operate as well as Enviro-Chem. He asked about operations in an industrial zoning area.

Mr. Blaisdell stated this location near Home Depot and Wal-mart makes the operations more visible to the public, and most electronic recycling is located in industrial areas and not convenient to residents. He feels this will raise more awareness and ease for people to recycle instead of throwing things in the garbage.

Commissioner Bland asked if there were other paths for the applicant to be allowed to operate in the proposed location.

Mr. Leeseberg indicated the city cannot give a variance for a use. He outlined the I1 and I2 areas in the city where this use would be allowed and there are very few districts that are zoned business parks and allow this use.

Commissioner Zahler asked for clarification of a business park.

Mr. Leeseberg explained the business park category is a more aesthetically pleasing district with higher design standards, deeper setbacks, and more visible rather than hidden, appealing to the eye with less intensive uses.

Commissioner Bland stated this company states they operate on a spectrum of cleanliness and his concern is opening the door with similar categories that aren't as neighborly, with some being pretty industrial, and noted there is a reason why there are industrial parks.

Commissioner Zahler asked about conditional uses in a business park.

Mr. Leeseberg reviewed the uses of Business Parks and what is allowed, permitted, accessory and conditional, and what would distinguish this proposed use from a light industrial use.

Mr. Blaisdell stated electronic recycling gets lumped into the definition of car scrap recycling processing centers even though their activities aren't the same. He stated their battery operations involve the removal of a battery from recycled electronics and then packaged for shipping following USDOT regulations. He stated their future shredding operations would require air quality monitoring by the MPCA.

Mr. Leeseberg discussed that a new definition of electronic recycling could be created that doesn't lump their activities in with cardboard, cars, glass, tires, etc. A conditional use permit would regulate the site as well, to ensure there aren't any negative impacts.

It was the consensus of the Planning Commission to consider supporting the creation of a new use/definition that more closely aligns with the applicant's operation for inclusion in the Business Park District.

9.2 Land Use Amendments: City of Elk River

Mr. Leeseberg presented the staff report and provided explanations regarding each property in the staff report.

After discussion, it was the consensus of the Planning Commission to make the following recommendations to the City Council:

75-00115-4103:

Guided for highway business but zoned single family residential R1a. The consensus was to continue having the land zoned R1a but changing the land use to Rural Residential.

75-00124-4300, 75-00125-2110, 75-124-3400:

Area guided as Neighborhood Commercial. The consensus was to continue having the land use for 75-00124-4300 guided Neighborhood Commercial but the other parcels to be Rural Residential.

Chair Beise asked about 75-00125-1200. This parcel won't be included in any proposed land use amendments at this time.

10. MOTION TO ADJOURN

Moved by Commissioner Bland and seconded by Commissioner Zahler to adjourn the work session. Motion Carried 4-0.

The meeting adjourned at 8:10 p.m.

Minutes prepared by Jennifer Green.



Perry Beise, Chair



Tina Allard, City Clerk