Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, January 28, 2025

Members Present:	Commissioner Dennis Booth, Commissioner James Zahler, Commissioner Dornan Bland, Commissioner Anthony Kaba, Commissioner Eric Johnson, Chair Perry Beise
Members Absent:	Commissioner Robert Rydberg
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 6:30 PM.

2. PLEDGE OF ALLEGIANCE
   The Pledge of Allegiance was recited.

3. CONSIDER AGENDA
   Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the agenda. Motion Carried 6-0.

4. CONSIDER MINUTES
   Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the following consent items as presented. Motion carried 6-0.

   4.1 Draft Minutes - December 17, 2024

5. PUBLIC HEARINGS

   5.1 Zone Change: General Industrial (I-3) to Planned Unit Development (PUD), PID 75-00013-4405, Northstar Trucking & RV Parking LLC

Mr. Leeseberg presented the staff report and indicated the application for a zone change is no longer required to be considered, since the use the applicant is proposing is already allowed in the I-3 zoning district.

5.2 Conditional Use Permit Amendment: Bus, Motor Vehicle, and Implement Storage, Maintenance and Repair, PID 75-00013-4405 - Northstar Trucking & RV Parking LLC

Mr. Leeseberg presented the staff report. He distributed a handout of updated conditions to consider. He requested the Planning Commission provide staff input on a new request by the applicant for a temporary guard shack. He also requested the commission provide input to staff on businesses that are

already operating and not in compliance with city ordinances, and to recommend a timeline to complete all required conditions.

Chair Beise opened the public hearing.

Nikolya Vladyka, no address given, stated he felt this project was dragging on too long but did understand there were two cities involved. He stated due to the city of Ramsey changing their mind and their lack of communication, he had not received the requested paperwork. He stated his concern regarding Condition 12, which states no repairs or maintenance on site, as they would now like to build a drive-thru building/repair shop on the property, but they were not sure where to locate the building, and unsure if the building could straddle both properties/cities.

Chair Beise stated the request for tonight's meeting doesn't indicate there will be a building on the Elk River parcel. He stated if they recommend approval tonight, it will not include a building.

Commissioner Johnson asked the applicant if his intent was to construct a building to repair vehicles.

Mr. Vladyka stated that was their intent but unsure where it would be located. He stated there were questions about who gets paid the taxes on the building, which public safety agency would respond to emergencies on the properties, electricity, etc. He stated he wants to meet with the city of Ramsey to either move the building entirely onto the Ramsey parcel or partially on both. He stated he is still waiting for paperwork from the city of Ramsey.

Commissioner Johnson noted Condition 2, which states all vehicles stored on the property need to be licensed and operable, which conflicts with this new intention of having a shop to repair vehicles.

Commissioner Booth asked Mr. Vladyka if the Planning Commission should delay action on their request.

Mr. Vladyka requested to continue this application for two more weeks to figure out what is going on with the city of Ramsey and determine the best location for the proposed building.

Chair Beise stated the Planning Commission would continue the request to the next Planning Commission meeting, which is February 25.

Commissioner Booth asked Mr. Vladyka if they have a building design and plans to submit to the city.

Mr. Vladyka stated they do have preliminary blueprints and where they want the building positioned on the properties.

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

Mr. Leeseberg indicated the applicant could waive the 60-Day Rule to allow the timeline to be extended. Mr. Vladyka agreed on the record to waive the 60-Day Rule. Staff will follow up with this request in writing from the applicant.

Mr. Leeseberg stated Condition 2 – unlicensed and inoperable vehicles being allowed on the property - is allowed but was not part of the initial request and staff will have to review this additional request. Mr. Leeseberg indicated the building straddling two properties will be a logistical nightmare and access to

the building can only come from the Elk River side if the building is located on the Ramsey side.

Commissioner Johnson stated he is comfortable with the conditions as outlined as long as there is no junk stored and they remove the condition of inoperable vehicles if a building is built.

Mr. Leeseberg asked for the Planning Commission's preference regarding Condition 7, driving and parking areas. He stated Elk River's ordinance allows Class 5, but Ramsey requires bituminous pavement. The commission discussed having the more restrictive requirement to maintain consistency and be cooperative with the city of Ramsey's requirements.

Commissioner Booth asked if the commission should discuss the temporary guard shack.

Mr. Leeseberg explained the applicant is requesting a guard shack to aid in operating the entrance gate. The Planning Commission was supportive of a temporary guard shack until a building is constructed.

Commissioner Dornan suggested a sunset date for the guard shack.

Moved by Commissioner Johnson and seconded by Commissioner Zahler to postpone the Conditional Use Permit Amendment request by Northstar Trucking & RV Parking, LLC, to February 25, 2025.
Motion Carried 6-0.

5.3 Conditional Use Permit Amendment: Outdoor Storage, 12777 Meadowvale Road NW, Elk River WinLectric

Mr. Leeseberg presented the staff report.

Chair Beise opened the public hearing. There was no one present to speak.

Moved by Commissioner Johnson and seconded by Commissioner Booth to postpone the public hearing to the February 25, 2025, Planning Commission meeting. Motion Carried 6-0.

5.4 Conditional Use Permit Amendment: Recycling Processing Center, 16501 Highway 10, B&E Recycling Station

Mr. Leeseberg presented the staff report.

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

Commissioner Dornan asked questions about the storage trailers and wondered if those would be used temporarily while a structure was built.

Mr. Leeseberg stated that at the staff level, there are no concerns with the storage containers as they are allowed by ordinance, but he was not sure of their intended use.

Commissioner Johnson thought he understood that whatever was being recycled was being held in the storage containers until it was processed and recycled.

Adam Eastman, the applicant, at 16501 Highway 10 – stated the storage containers will hold items until they are recycled. A 3-sided building might be utilized for boats, etc. as Sherburne County doesn't want things kept on the ground, so it would be to prevent fluids from soaking into the ground. He stated they are close to outgrowing the building but couldn't answer if it was a benefit to using a connex as cold storage to keep costs down or to avoid the cost of constructing a new building.

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of the Conditional Use Permit amending the previous approvals for a Recycling Processing Center (CU 95-02) for B&E Recycling Station with the following conditions to satisfy the standards set forth in Section 30-654:

1. **The applicant must apply for and receive all county required permits and licenses prior to expanding the requested scope of operations.**
2. **The area identified as a holding pond must be repaired as the site has been re-graded as a parking area. The repair work must be designed by a licensed professional.**
3. **There shall be no storage of recyclable materials or waste outside of the building or fenced in area.**
4. **All non-recyclable materials must be removed from the site by May 1, 2025.**
5. **All vehicles or materials stored on site, and not approved as part of CU 03-26, must be removed by May 1, 2025.**
6. **The disassembling or salvaging of parts from vehicles or machinery is prohibited.**
7. **Any new structures must be designed by a licensed architect and permitted through the building department.**
8. **Business owner must submit an annual waste activity report to the MPCA by March 1st of every year.**
9. **The applicant shall submit an updated drainage plan, prepared by a qualified professional, showing that the facility is designed to prevent surface water drainage through recyclable materials, to control dispersion of the recyclable materials and residuals by wind, to contain any spills or releases that could harm human health or the environment, to provide for the storage of recyclable materials so as to protect the recyclability of the materials, and to provide for the storage and removal of residuals.**
10. **Storage of all waste and recyclable materials must comply with all county, state, and federal regulations.**
11. **All recyclable materials must be removed from the facility within three years after the date of receipt.**
12. **The owner of the facility must inspect the site at least every 30-days for malfunctions, deterioration, or discharges that may result in the release of pollutants to the environment. Records of these inspections may be requested by city or county staff.**
13. **The owner or operator must prepare and maintain a contingency action plan addressing actions for a potential fire, spill, or release.**

Motion Carried 6-0.

5.5 Land Use Amendment, Zone Change, and Ordinance Amendment: Specht Family Farm Residential Development (PUD), 16330 US Highway 10, Capstone Homes

Mr. Leeseberg presented the staff report.

Commissioner Booth asked if the city ever authorized 29' wide streets in any prior plats.

Mr. Leeseberg stated the city has allowed narrower streets, but those streets are privately maintained.

Commissioner Johnson asked if this Capstone project would be association maintained.

Mr. Leeseberg stated it will not be association maintained and noted the city engineer stated city streets need to meet city standards of 34'.

Matt Barker and **Stephen Bona** of Capstone Homes, along with **Brian Krystofiak** from Carlson McCain, provided a presentation outlining the proposed development. Mr. Barker discussed a traffic study that they completed, the Mississippi River Trail, creating a buffer between the development and Kelley Farm, and the berm at the entrance of the development. He also discussed the proposed 29' street width and explained how they felt it works in other cities such as Otsego and Ramsey. He pointed out the curving streets and boulevard trees can have traffic-calming benefits.

Chair Beise opened the public hearing.

David Kelliher, Vice President of the Minnesota Historical Society, spoke and introduced **Alyssa Olson,** Site Manager of the Oliver H Kelley Farm, and **Ben Leonard,** Senior Vice President of Historic Sites Network and Operations for the Minnesota Historical Society, and stated they met with Capstone reps to learn more about the project and to share the importance of the farm with them. Mr. Kelliher posed the following questions and concerns:
1) They appreciated the efforts by the city and Capstone to improve access to Highway 10, noting how dangerous it was taking a left turn into and out of the farm. They were excited about a future interchange and asked if there was anything they could do to join that coalition to let them know.
2) They are interested in knowing more about the trail and what it looks like.
3) Regarding the boundary between the farm and Capstone they look forward to vegetative screening on both wooded and non-wooded.
4) They asked for visual simulations to see what this development might look like from all corners of the property.
Mr. Kelliher stated they are looking forward to collaborating on the EAW and appreciate the opportunity to partner with the city and Capstone and also make sure their needs are met.

Nathan Krakau, Otsego, stated he has friends that live in Capstone homes and feels they are good builders. He asked about having 9 or 10 overflow parking lots scattered in the development to prevent cars parking in the street, and if that would allow emergency trucks and ambulances to travel along the roadway to get to residents.

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

Commissioner Booth asked if there were any other development projects where the developer has built 29' streets.

Mr. Krystofiak stated he has seen a fair number of 29' street widths being constructed by Capstone and others, and that is the standard for the city of Blaine. He stated it slows traffic down and lessens impervious surfaces. He stated a number of communities are going to this standard.

Chair Beise commented that it seems fairly tight to get emergency vehicles down the road with cars parked on both sides.

Commissioner Booth commented, especially in a cul-de-sac. He stated he had concerns about multiple emergency vehicles in a cul-de-sac.

Commissioner Johnson asked if, in other private developments with 29' street widths, has the city restricted parking on one side?

Mr. Leeseberg indicated the city has. Quite often they were in townhome developments with narrower roads, privately maintained and not built to city standards. He reiterated the city engineer's recommendation to remain with the current street width standard of 34', for various reasons such as vehicle and public safety traffic, snow removal, etc.

Commissioner Johnson would like to know the city engineer's perspective in supporting 34' versus 29'. He feels it's cluttered and does suggest parking is restricted to one side of the street.

Mr. Barker stated Capstone was fine for allowing additional time to review these applications to allow the Planning Commission to continue the street width discussion. He stated the city of Otsego has a 29-foot standard and they can show them how that works with EMS and snow removal. He stated Blaine also has a 29' standard and Ramsey just approved a development with 29' standard road width and almost 550 homes in the Riverstone communities.

Commissioner Johnson asked which developments have 29’ roads with narrower lot sizes and Liberty (50' wide lots) homes.

Mr. Barker stated the Harvest Run community in Otsego is probably the closest to how this proposal feels.

Commissioner Dornan asked which development would be a fair replication with trees in the boulevard.

Mr. Barker stated the boulevard trees in Ramsey's Riverstone development would be a fair replication and offered to meet on site if commissioners would so choose.

Commissioner Booth had concerns with cul-de-sac standards.

Mr. Krystofiak stated the cul-de-sac would be sized to city standards.

Commissioner Dornan asked questions about density in the Liberty area and concerns with parking. He stated the narrower driveways seems counter-intuitive and by taking away parking on the home's driveway forces more street parking.

Mr. Barker stated the Liberty product parking area width of 16' is their standard. He stated this wasn't a reduction in parking in the driveway.

Commissioner Dornan felt the smaller road and driveway width could create more street parking concerns.

Mr. Barker stated the Liberty design provided for 1500-2800 sq. ft. homes with 3-4 bedrooms.

Mr. Leeseberg explained parking stall standards in public parking lots in Elk River are 9 feet, to give an idea for driveway parking widths.

Commissioner Zahler stated he likes the idea of the Liberty homes due to the housing market being tight especially on the low end of pricing, offering another housing stock, so maybe putting up with smaller streets makes for a trade-off.

Chair Beise and Commissioner Johnson stated they like the proposed development design and layout, but do have concerns with the 29' road width.

Commissioner Johnson stated the city has approved narrower roads only when they are private/association maintained. He wondered if by approving these, will those developments come back and ask the city to take over maintenance. He stated he is in favor of coming up with creative solutions.

Commissioner Dornan wondered if we would be setting precedence for future developments and the volume of traffic would be higher in the Liberty housing area. He stated they are getting away from the standard without having an explanation and justification for changing the standards.

It was the consensus of the Planning Commission to get a better feel for the lot and road widths by visiting area developments by Capstone. It was the consensus of the Planning Commission to request reasoning directly from the city engineer for supporting city standards of 34' width streets and opposing 29' width streets.

Steve Bono - Capstone - explained they have seen over the years that many cities did have the larger street widths and now are slowly changing to a narrower street, and a big part of that is the safety aspect. He feels the wider street creates a bigger impervious surface and faster traffic on a street. He stated for example, the city of Ramsey had the wider streets, and they approved the 29' street width after a lot of discussion about the safety aspects. After a few years, they felt it worked and phase 2 is now being constructed. He stated the city of Otsego has now changed their standard and it works for them also. The cost of a home is also a factor and the Liberty model is as affordable as Capstone can get at $360,000 - $440,000 which is still an expensive home.

Mr. Barker stated he would continue discussions with the city engineer. He noted the main roadway arteries are 34' wide and the residential home arteries are 29' wide.

David Kelliher requested a fence between their property and the homes right up against the forested section.

Marilyn Nathe Specht, 9180 Collins Drive, Ramsey, shared her concerns about the number of homes being proposed and discussed her experiences and beauty on the farm. She wanted the city and the developer to understand the importance of preserving the heritage of the land for its habitat and create a park for all to enjoy.

Moved by Commissioner Johnson and seconded by Commissioner Booth to postpone action of the request by Capstone Homes for a Land Use Amendment updating the city's Comprehensive Plan to align with the proposed residential and commercial areas until the February 25, 2025, Planning Commission meeting.

Motion carried 6-0.

Moved by Commissioner Johnson and seconded by Commissioner Kaba to postpone action of the request by Capstone Homes for an ordinance amendment to establish a residential Planned Unit Development until the February 25, 2025, Planning Commission meeting.

Motion Carried 6-0.

Moved by Commissioner Johnson and seconded by Commissioner Kaba to postpone action of the request by Capstone Homes for a zone change amending the city's zoning map to designate parcels for Highway Commercial and Planned Unit Development (PUD) uses until the February 25, 2025, Planning Commission meeting.

Motion Carried 6-0.

6. GENERAL BUSINESS
There was no general business to discuss.

7. COUNCIL LIAISON UPDATES
Councilmember Jennifer Wagner introduced herself and stated she would share each Planning Commission meeting dialog to allow the City Countil to make informed decisions, and stated she appreciated their conversations.

8. MOTION TO ADJOURN REGULAR MEETING
Peter Specht stated he is in support of the Capstone project.

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

The meeting adjourned at 8:12 p.m.

Minutes prepared by Jennifer Green.

Perry Beise

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Perry Beise, Chair

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Tina Allard, City Clerk