



Planning Commission

Tuesday, March 25, 2025

6:30 PM

Elk River City Hall

Regular Meeting Agenda

- Regular meeting in Council Chambers
-

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CONSIDER AGENDA

4. CONSIDER MINUTES

4.1 Draft Minutes from February 25, 2025

5. ELECTION OF OFFICERS

5.1 Chair

5.2 Vice Chair

6. PUBLIC HEARINGS

An opportunity for the public to express their opinions and raise questions pertaining to the agenda item. All comments become part of the official public record. For this reason, all comments must be made at the podium so they can be heard and recorded. Comments may also be provided in writing. There will not be deliberations, discussions, or answers to questions until the hearing is closed. It is important to be courteous and allow each presenter to comment before adding additional testimony.

6.1 Preliminary Plat: Elk Hills Second Addition, 841 Line Avenue, All Day Companies on behalf of the applicant

6.2 Preliminary Plat: Ridgewood Hills Second Addition, 10038 215th Avenue, Greg Petersen

7. GENERAL BUSINESS

Items in which the information is presented by city staff or consultants, then deliberation and action occur. General Business items are not opportunities to receive or provide public input. However, the presiding officer may, at its sole discretion, solicit public feedback.

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

7.2 Review Bylaws - Planning Commission and Board of Adjustments

8. COUNCIL LIAISON UPDATES

9. MOTION TO ADJOURN REGULAR MEETING



**Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, February 25, 2025**

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

Members Absent: Commissioner Dornan Bland

Staff Present: Community Development Director Zack Carlton, 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 6:37 p.m.

2. CONSIDER AGENDA

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

3. CONSIDER MINUTES

Moved by Commissioner Booth and seconded by Commissioner Johnson to approve the following consent item. Motion carried 6-0.

3.1 Draft Minutes - January 28, 2025

4. PUBLIC HEARINGS

4.1 Conditional Use Permit Amendment: Outdoor Storage of Semis (tractor and/or trailer), motor vehicles, recreational vehicles, trailers, boats, light and heavy equipment, and vehicle storage, and shipping containers, PID 75-00013-4405, Northstar Trucking & RV Parking LLC

Mr. Leeseberg presented the staff report. He noted that since last month's meeting, the applicant has stated they are no longer interested in constructing a building to perform vehicle repairs. The applicant does still wish to have a guard shack at the Elk River property entrance to monitor site access. Staff does have concerns about the shack being a place for an employee to sleep. The applicant would like the shack to include office space and security devices. The applicant states that the 5x5 size is too small and suggested something like a job site trailer as a temporary solution until a permanent structure is built. Mr. Leeseberg stated the permanent structure will be required to meet the I3 building standards and code. He asked the Planning Commission to provide feedback on their preference for the use of a temporary guard shack or a permanent structure to provide site monitoring and office space. Mr. Leeseberg also requested feedback on a completion date for Conditions 1, 7, 9, 10, 11, 16, 18, and 19.

Chair Beise opened the public hearing.

Nikolay Vladyka, 11824 Winnetka Avenue N., Champlin - representing the applicant, stated the need for the temporary guard shack is for whomever is on shift, and they will leave after their shift. He expressed the need for security equipment to monitor the activities on the property, as he had guaranteed their customers a safe place to store their property. The temporary shack would be removed after a permanent structure is built at the entrance of the site. The structure would also provide a place for dropboxes and various inventory to operate the site, along with office space. Mr. Vladyka apologized to the city of Ramsey that he had not informed them of their desire to construct a security/office structure and he will continue discussions with the city of Ramsey.

Chair Beise asked for a timeframe for them to build a permanent structure.

Mr. Vladyka stated the parking lot will be paved first and wants to be finished building the permanent structure before next winter.

Chair Beise asked Mr. Vladyka if they could have the permanent structure completed by November 1, 2025.

Mr. Vladyka stated they absolutely could have it completed by then.

Mr. Leeseberg clarified that there is no existing building on the property and that staff have no concerns about a construction timeline of a permanent building, but it's something the applicant can complete within the next 2 years. The pressing requirements to be completed prior to a CUP approval would be curbing, asphalt, landscaping, and lighting, those typically in place prior to a CUP being recorded.

Commissioner Booth asked if an amendment to the conditions would be needed.

Commissioner Johnson stated there was a note that a permanent building would have to adhere to the 13 building standards.

Mr. Leeseberg stated he was seeking direction from the Planning Commission if a temporary structure should have a sunset date before a permanent structure is built, and it sounds like a permanent structure is what the applicant is proposing.

Commissioner Booth wondered if Condition 14 could be removed from the list of conditions.

Chair Beise asked if the applicant needed a temporary guard shack structure.

Mr. Vladyka stated he is asking for a temporary structure while a permanent one is being built.

Commissioner Booth stated that Condition 14 could be amended to state a temporary guard shack be removed by November 1, 2025 .

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

Commissioner Johnson stated he was comfortable with a permanent structure as long as it followed the proper codes, and a temporary one was fine until the permanent structure is built.

Mr. Leeseberg asked to discuss Condition 23.

It was the consensus of the commission to amend Condition 23 to add those items be completed by November 1, 2025.

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of the Conditional Use Permit request by Northstar Trucking & RV Parking LL with the following conditions to satisfy the standards set forth in Section 30-654:

- 1. Schedule a site visit with the Building Official and Fire Marshal to review and complete any required code updates.**
- 2. The outdoor storage shall be allowed for only the following vehicles:**
 - a. Properly licensed, registered, and operable.**
 - b. Semi-trucks, semi-trailers, and other delivery trucks;**
 - c. Recreational vehicles, campers, motorhomes, and fifth-wheel trailers;**
 - d. Boats;**
 - e. Enclosed shipping containers; and**
 - f. Cars and trucks.**
- 3. Vehicle Wrecking Yards and Salvage Yards, as defined by the City of Ramsey, and Salvage Yards, as defined by the City of Elk River shall not be permitted.**
- 4. Outdoor storage of any products, equipment, materials, supplies, or debris is not permitted, except for snow removal equipment and supplies for the site in conformance with the applicable municipality's regulations.**
- 5. Motor vehicle, trailer, and boat sales is prohibited.**
- 6. Car dealer overflow parking is prohibited.**
- 7. All driving and parking areas shall be paved with an approved surface (bituminous, Class 5, or concrete).**
- 8. Drive lanes need to maintain a minimum 24-foot width throughout the site.**
- 9. All driving areas and outdoor storage/parking areas shall be bounded by B612 concrete curb and gutter.**
- 10. The B612 concrete curb and gutter shall be installed on the east side of the fence along Jarvis Street and 10 feet from the remaining property lines.**
- 11. Site lighting shall comply with Section 30-937.**
- 12. There shall be no repair or maintenance of any vehicles, trailers, or boats on the site.**
- 13. The idling of a truck tractor or other business equipment in excess of 15 minutes is prohibited from April 16 through October 31, and idling in excess of 30 minutes is prohibited from November 1 through April 15.**
- 14. A guard shack no larger than 25 sq.ft. shall be allowed near the entrance gate until November 1, 2025. Location to be approved by city staff.**
- 15. In the event a gate is installed, access to the property must include key boxes for both Elk River and Ramsey Fire Departments.**
- 16. A reinforced concrete strip, a minimum one (1) foot wide and centered on the property line, must be maintained along the city/county border in order to clarify any relevant jurisdictional issues.**
- 17. In the event either parcel is owned separately, or one municipality revokes their approval, each parcel will need to conform to each jurisdiction's ordinance and codes individually, including, but not limited to, stormwater ponds, setbacks, screening, curbing, and landscaping.**

18. **Update submitted plans as needed to demonstrate compliance with state and local stormwater management requirements across both parcels/jurisdictions.**
19. **Submit documentation showing compliance with all Minnesota Pollution Control standards.**
20. **An amendment to this Conditional Use Permit will be required for future expansions/additions not shown on the city site plan dated February 25, 2025.**
21. **Conditional Use Permit, case number CU 23-16, shall become void.**
22. **Approvals from the city of Ramsey shall be recorded and copies provided.**
23. **Conditions #1, 7, 9, 10, 11, 16, 18, and 19 shall be completed by November 1, 2025.**
24. **A 6-foot tall, 100% opaque privacy fence shall be installed along the north property lines.**

Motion Carried 6-0.

4.2 Conditional Use Permit Amendment: Outdoor Storage, 12777 Meadowvale Rd. NW, Elk River WinLectric

Mr. Leeseberg presented the staff report.

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

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of an amendment to Conditional Use Permit CU 22-11 extending the conditions' deadline until July 1, 2025, and adding a condition that all areas utilized for outdoor storage be completely screened from view from all public rights-of-way.

Motion Carried 6-0.

4.3 Preliminary Plat and Ordinance Amendment (PUD): The Villas at Fillmore Third Addition, PID 75-00931-0030, Riverside Development

Mr. Carlton presented the staff report.

Chair Beise opened the public hearing.

Bruce Goetz, 10160 179th Ave. NW, stated he wished to continue ownership and maintenance of the ingress and egress easement he has on his south property line and wanted to ensure it remains in place. He also didn't want to incur any cost for any utilities needed for the proposed development.

Chair Beise stated Mr. Goetz should contact the owner of the property to discuss retaining ownership of the easement.

Mr. Carlton stated the plat document shows an ingress/egress easement that will remain in place and wasn't aware of any proposal to vacate it, but any ownership discussions would have to take place with the property owner.

Marlon Glines, representing Riverside Development, 9989 145th Ave Becker, explained the homeowner's association would be set up similar to the first and second additions, and the homes built by the same builder. He stated the easement of record would remain for Mr. Goetz.

Mark Hopps, 10045 177th Ave NW, asked if this was the first time a public hearing was held for this addition.

Mr. Carlton indicated this was the first public hearing for the Third Addition, but there were separate public hearings for the First and Second Additions.

Mr. Hopps continued and stated he purchased a parcel in the First Addition in 2024 and stated he felt he was misled by the developer regarding the placement of the homes in this proposed addition, that they would be placed further west and north of the wetland. Mr. Hopps asked additional questions regarding street width and power line poles, and the location of the trail.

Mr. Carlton stated if the overhead power lines needed relocating, any cost would be borne by the developer. The plans are reviewed by multiple agencies, including Elk River Municipal Utilities, to review water and electrical access.

Mr. Hopps asked about the distance between his home and the new homes being proposed.

Mr. Carlton stated the distance is approximately 100 feet between his home and the closest home in the proposed Third Addition.

Mr. Hopps expressed concerns about being misled by the developer about the lot distance from his parcel and asked the city to delay approving to allow further discussion with the developer to increase the distance from his home and the proposed development.

Mr. Carlton stated the ordinance outlines the required setbacks for wetland and stormwater features for the developer to follow, but there is no setback requirement for minimum distances between homes as part of a general subdivision design. This could, however, be part of a Planned Unit Development (PUD) agreement.

Chair Beise asked Mr. Hopps if he understood.

Mr. Hopps did understand that the developer would be responsible for that and asked if the Planning Commission could put pressure on the developer to change the distance.

Mr. Glines answered from the audience and the comments between the two were not heard.

Chair Beise stated to Mr. Hopps that the Planning Commission could not put pressure on the developer.

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

Commissioner Rydberg stated the developer has complied with the setbacks, and is consistent with the other two additions nearby.

Mr. Carlton stated the comment Mr. Hopps brought up was something for the Planning Commission to consider regarding the distance of the sidewalk and the private street is narrow, and since the development is private, the street width is in accordance with the maintenance of the road. He stated engineering staff have reviewed this and are comfortable with the proposed development. There could

be a concern with the city maintenance of the trail and snow removal of the private street, approximately 13-14 feet.

Moved by Commissioner Johnson and seconded by Commissioner Rydberg to recommend approval of an ordinance amendment codifying and updating the PUD for The Villas at Fillmore. Motion carried 6-0.

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of the preliminary plat for The Villas at Fillmore Third Addition, with the following conditions:

1. Council approval of the ordinance amendment approving the PUD changes.
2. A Water Availability Charge for each lot must be paid before connection to the municipal water system.
3. A tee will need to be installed for each connection to the existing HDPE water main; tapping HDPE pipe will not be permitted.
4. Compliance with the City of Elk River Engineering Design Standards is mandatory for all planning and construction activities.
5. The development agreement must include a prorated cost share for the water main extension that was installed along Fillmore Street in 2022 and was paid for by ERMU in the amount of \$32,725.
6. The sanitary sewer will be privately owned/maintained.
7. The storm pipe will be privately owned/maintained as it captures only storm water from the private street.
8. Extend sewer and water stubs to easement line.
9. All retaining walls will be privately owned and maintained by the property owners or HOA, this must be noted on the plans.
10. The developer will need to install one to two pipe crossings under the private road. ERMU will provide the pipe and location of crossings when ready.
11. Electrical service for the lift station is considered commercial. The developer will need to provide a secondary electric service.

Motion Carried 6-0.

4.4 Ordinance Amendment (PUD): Signage Requirements and Codification, Elk River Crossing Planned Unit Development, Tractor Supply

Mr. Leeseberg presented the staff report.

Commissioner Booth asked if this amendment would only affect this area, and if this was approved, would those businesses then take advantage of updating their signage.

Mr. Leeseberg stated that was correct and those businesses in the Elk River Crossing PUD area who were notified of this ordinance amendment proposal, would allow them the ability to increase their wall signage.

Mr. Carlton further explained the rationale for amending the ordinance specific to the Planned Unit Development (PUD). A business within the PUD has requested modifications to the signage standards applicable to that district. As the PUD functions as its own zoning district, amendments are made on an individual basis. Similar signage amendments have been made for multiple commercial PUDs in the past, as this is a standard process. While rezoning to a commercial district such as C-3 would simplify the process, each PUD has unique signage considerations that do not always align with standard zoning regulations. Addressing these modifications through an ordinance amendment allows for more precise review and integration into the city code.

Chair Beise opened the public hearing.

Will Freberg - Indigo Signs, the applicant, indicated his request initially began as a variance for a third sign on the Tractor Supply garden structure, and he asked what an ordinance amendment meant for this request.

Mr. Leeseberg explained that for Tractor Supply's request, they were only allowed 2 signs on the principal structure, and they are requesting a third sign on an accessory structure, which is the garden center, at 10% coverage. This ordinance amendment would then allow them the third sign on an accessory structure.

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

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of an ordinance establishing and outlining the development standards for the Elk River Crossing Planned Unit Development and updating the signage standards.

Motion carried 6-0.

5. GENERAL BUSINESS

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

Mr. Carlton presented the staff report. He stated Capstone has asked the Planning Commission to continue the discussion of their applications as they work to gather feedback and consider updating plans. They are requesting the Planning Commission postpone action until March 25.

Moved by Commissioner Booth and seconded by Commissioner Johnson to approve the continuance of the Land Use Amendment, Zone Change, and Ordinance Amendment applications until the March 25, 2025, Planning Commission meeting. Motion carried 6-0.

6. COUNCIL LIAISON UPDATES

Councilmember Wagner indicated there were no updates to provide to the Planning Commission.

7. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Johnson and seconded by Commissioner Rydberg to adjourn the meeting.

Motion Carried 6-0.

The meeting adjourned at 7:33 p.m.

Minutes prepared by Jennifer Green.

Perry Beise, Chair

Tina Allard, City Clerk

DRAFT



Request for Action

To
Planning Commission

Item Number
6.1

Meeting Date
March 25, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Preliminary Plat: Elk Hills Second Addition, 841 Line Avenue, All Day Companies on behalf of the applicant

Reviewed by
Chris Leeseberg

Action Requested

Recommend, by motion, approval of the preliminary plat of Elk Hills Second Addition subject to the following conditions:

1. The wetland boundary is to be updated upon receiving formal approval of the delineated boundary.
2. Any development of Lot 2 will require connection to city utilities.

Background/Discussion

The property is zoned Single Family Residential (R1c) with minimum lot sizes of 10-acres for lots that do not have access to utilities, and 11,000 SF for lots with access. The applicant has requested approval of a preliminary and final plat to subdivide a 40-acre property into two parcels. Lot 1 will be 29.54 acres and Lot 2 will be 9.77 acres. The plat also dedicates right-of-way for Auburn Drive, expanding the street right-of-way to the standard of 60 feet. Both parcels have direct access to Auburn Drive. The correct street name will be Line Avenue, not Auburn Drive as shown.

The southern parcel, lot 2, is within 300 feet of trunk water and sewer service and any future development of the property will require a utility connection. Lot 1 does not have access to utilities.

Applicable Regulations

City ordinance section 30-375 outlines the required findings for approval of a plat.

1. *The proposed subdivision is consistent with the zoning regulations (article VI of this chapter) and conforms in all respects with all requirements of this Code, including the zoning regulations and this article.*

The proposed subdivision is consistent with all zoning regulations. When reviewing the design standards based on access to utilities, lot size and lot width meet the ordinance requirements.

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



- 2. The proposed subdivision is consistent with all applicable general and specialized city, county, and regional plans, including, but not limited to, the city's comprehensive development plan.*

The subdivision is consistent with all applicable plans.

- 3. The physical characteristics of the site, including but not limited to topography, soils, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, and drainage, are suitable for the type and density of development and uses contemplated.*

The existing wetlands on the property have been delineated but are still under review. Final approval of the wetland boundary does need to wait until the growing season. Once the boundaries have been verified, the plat will need to be updated to follow the approved delineation. The remainder of the site is generally suited for development.

- 4. The proposed subdivision makes adequate provision for water supply, storm drainage, sewage transportation, erosion control and all other services, facilities, and improvements otherwise required in this article.*

The lots within the proposed subdivision have access to a city street, and lot 2 is within 300 feet of public utilities. Any development of the southern parcel will require connection to city services, at the developers' expense.

- 5. The proposed subdivision will not cause substantial environmental damage.*

Once the wetland boundaries have been approved, the city's wetland setback and buffer ordinance will limit negative impacts to the natural features. The subdivision will not cause substantial environmental damage.

- 6. The proposed subdivision will not conflict with easements of record or with easements established by the judgment of a court.*

The proposed subdivision will not conflict with easements of record or with easements established by the judgment of a court.

- 7. The proposed subdivision will not have an undue and adverse impact on the reasonable development of neighboring land.*

The properties around this subdivision are generally developed, but the land to the east could see redevelopment of the existing uses. This subdivision will not adversely impact the development potential of the surrounding properties.

- 8. The proposed subdivision is not premature. A subdivision is premature if any of the following exists:*
 - 1. Lack of adequate stormwater drainage.*
 - 2. Lack of adequate roads.*
 - 3. Lack of adequate sanitary sewer systems.*
 - 4. Lack of adequate off-site public improvements or support systems.*

The subdivision is not premature as the above conditions have been provided for.

Financial Impact

None

Mission/Policy/Goal

Support the growth and development of the community.
Responsibly grow.

Attachments

1. Location Map
2. Elk Hills Second Addition Preliminary Plat
3. Elk Hills Second Addition Final Plat



Project Location Map

Elk Hills Second Addition

Preliminary Plat (P 25-07)

Final Plat (P 25-06)



ELK HILLS SECONDS ADDITION PRELIMINARY PLAT

SECTION 35, TOWNSHIP 33 NORTH, RANGE 26 WEST
SHERBURNE COUNTY, MINNESOTA

LEGAL DESCRIPTION

NW 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 26 WEST, SHERBURNE COUNTY, MINNESOTA.

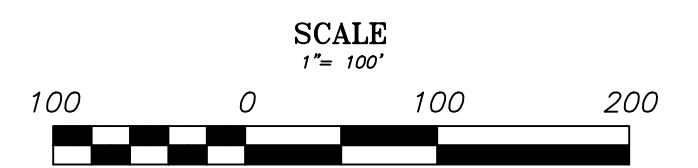
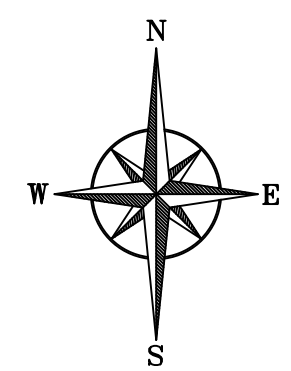
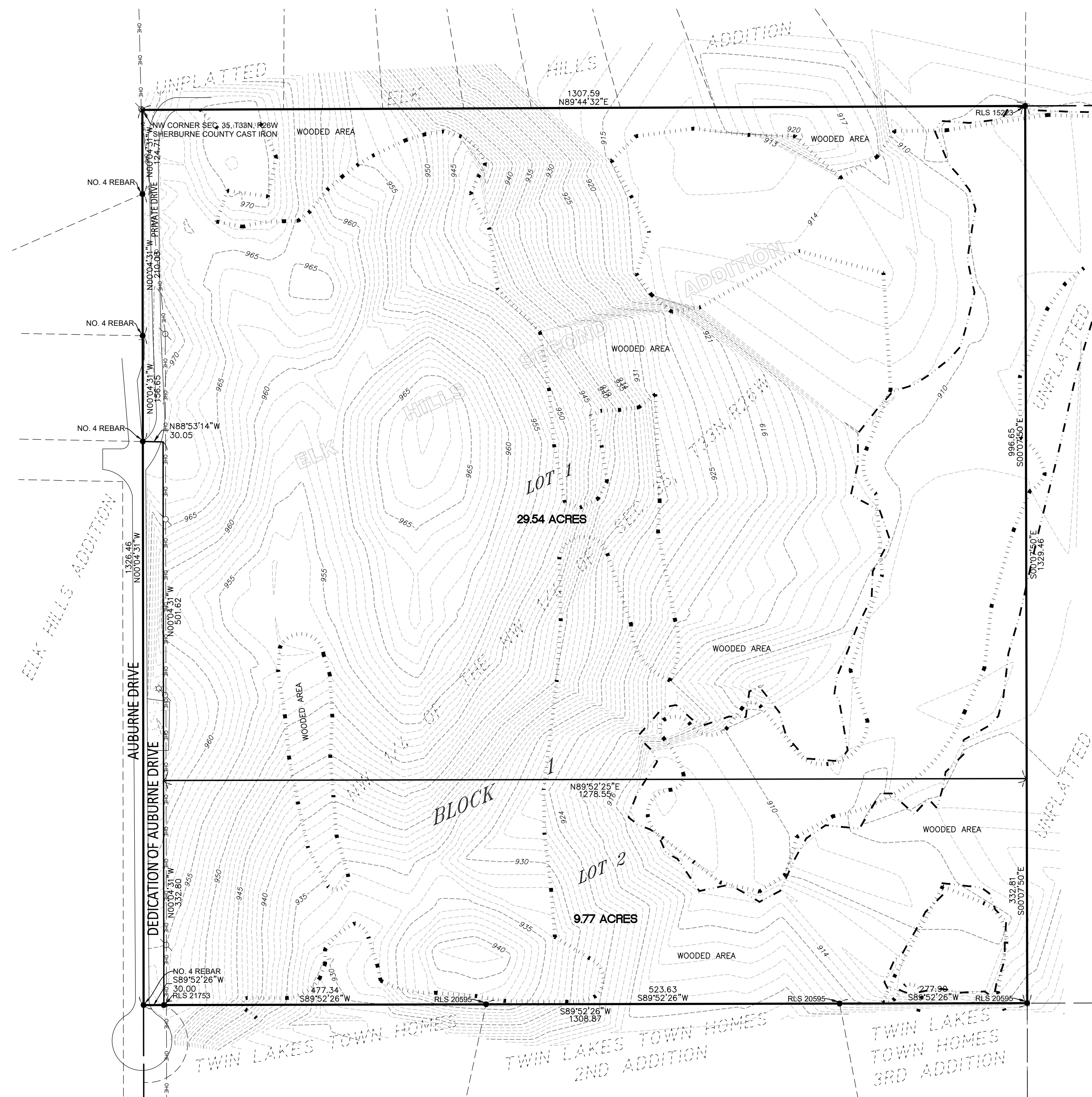
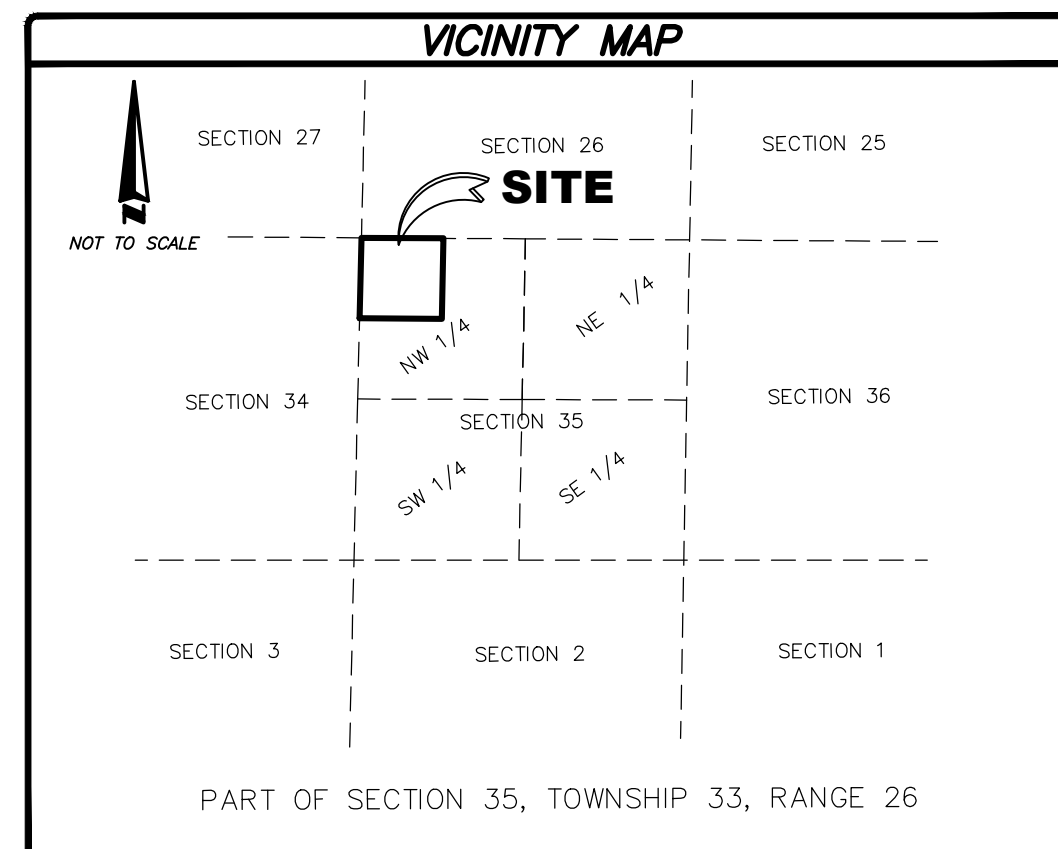
SURVEYOR NOTES

- TOPOGRAPHY SHOWN WAS GENERATED WITH GROUND SHOTS GATHERED USING MNDOT VRS(2011) NAVD88, ON 08/05/2024.
- PER FEMA FLOOD PANEL 27141C0395F AND 27141C0385F, BOTH HAVING AN EFFECTIVE DATE OF 11/16/2011, AND SAID PROPERTY DOES NOT LIE WITHIN THE HUNDRED YEAR FLOOD ZONE.

LEGEND

- IRON MONUMENT FOUND
- IRON MONUMENT SET WITH CAP NO. (57991)
- FOUND CAST IRON MONUMENT
- ⊕ POWER POLE (PP)
- ☆ LIGHT POLE
- PROPERTY BOUNDARY
- - - EXISTING LOT LINE/ADJOINERS
- - - 1,320' - - - EX--CONTOUR--MJR
- - - 1,319' - - - EX--CONTOUR--MNR
- ▬ TREELINE
- - - WETLAND

VICINITY MAP



BEARINGS ARE BASED ON NAD83(2011)
SHERBURNE COUNTY COORDINATE SYSTEM
ELEVATION IS BASED NAVD88 USING MNDOT "DENTIST" AS
A BENCHMARK WITH AN ELEVATION OF 911.93 FEET

NORTHWESTERN SURVEYING AND ENGINEERING, INC. PREPARED THIS SURVEY WITHOUT THE BENEFIT OF CURRENT TITLE WORK. THE PROPERTY SHOWN IS BASED ON A LEGAL DESCRIPTION PROVIDED BY YOU THE CLIENT OR A GENERAL REQUEST AT THE APPROPRIATE COUNTY RECORDER'S OFFICE. EASEMENTS, SITE RESTRICTIONS OR ADJOINING DEED CONFLICTS MAY EXIST WHICH AFFECT SUBJECT PROPERTY AND ARE NOT SHOWN BY THIS SURVEY. WE RESERVE THE RIGHT TO REVISE THE SURVEY UPON RECEIPT OF A CURRENT TITLE COMMITMENT OR TITLE OPINION.



LARRY & ARLYCE MORREL
SEC.35-T33N-R26W
SHERBURNE COUNTY, MN

JOB#: 24693 DRAWN BY: MMB
FILENAME: 24693 ELK HILLS PLAT
DATE: 12/04/2024

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
MATTHEW M. BOMSTAD (LIC. NO. 57991) DATE: 12/04/2024

ELK HILLS SECOND ADDITION

SECTION 35, TOWNSHIP 33 NORTH, RANGE 26 WEST
SHERBURNE COUNTY, MINNESOTA

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That _____, owners, of the following described property:
NW 1/4 OF THE NW 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 26 WEST, SHERBURNE COUNTY, MINNESOTA.

Have caused the same to be surveyed and platted as ELK HILLS SECOND ADDITION and do hereby dedicate to the public for public use the street of AUBURNE DRIVE as created by this plat.

In witness whereof said _____, have hereunto set their hands this ____ day of _____, 20__.

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by _____.

Notary Public Signature _____

Notary Printed Name _____

_____, County, Minnesota
My Commission Expires _____

I Michael A. Stang do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20__.

Michael A. Stang, Licensed Land Surveyor
Minnesota License No. 52591

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by Michael A. Stang

Notary Public Signature _____

Notary Printed Name _____

_____, County, Minnesota
My Commission Expires _____

City Council, City of Corcoran, Minnesota

This plat of ELK HILLS SECOND ADDITION was approved and accepted by the City Council of the City of Elk River, Minnesota at a regular meeting thereof held this ____ day of _____, 20__, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Corcoran, Minnesota

by _____, Mayor

by _____, Clerk

COUNTY AUDITOR, Shurburne County, Minnesota

I hereby certify that taxes payable in 20__ and prior years have been paid for land described on this plat, dated this ____ day of _____, 20__.

_____, County Auditor by _____ Deputy

SURVEY DIVISION, Shurburne County, Minnesota

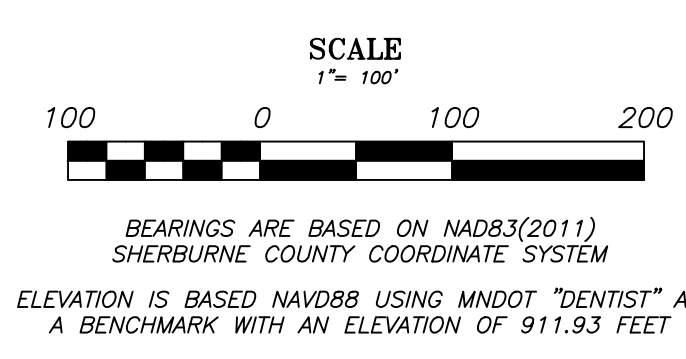
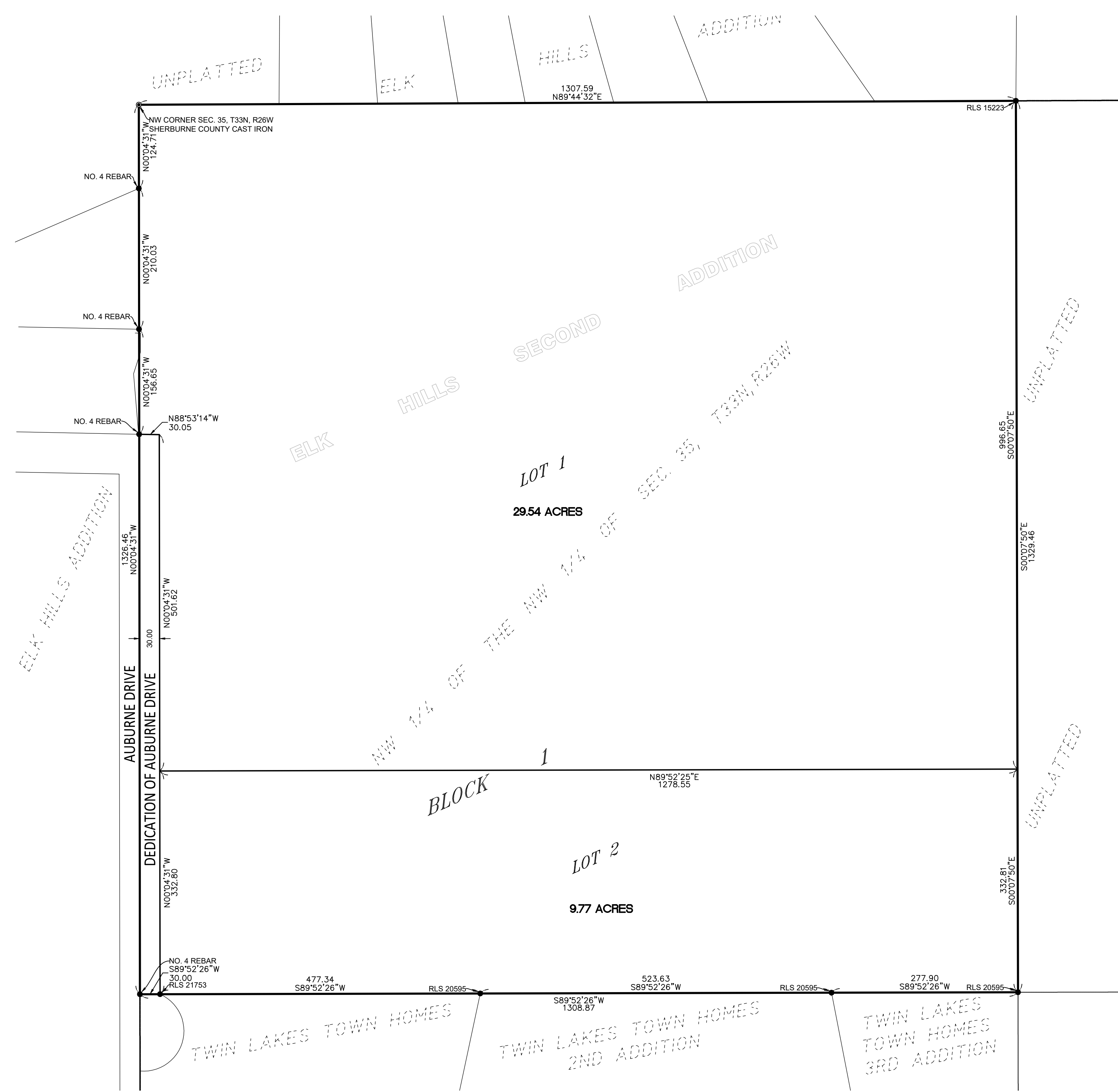
Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this ____ day of _____, 20__.

_____, County Surveyor by _____

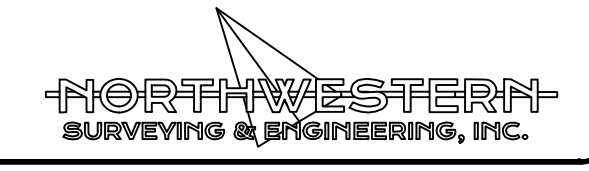
COUNTY RECORDER, Shurburne County, Minnesota

I hereby certify that the within plat of ELK HILLS SECOND ADDITION was recorded in this office this ____ day of _____, 20__ at _____ o'clock ____M.

_____, County Recorder by _____ Deputy



- INDICATES FOUND 1/2 INCH OPEN IRON PIPE MONUMENT
- INDICATES SET CAPPED 1/2 INCH IRON PIPE MONUMENT BEARING P.L.S. NO. 57991
- SHERBURNE COUNTY CAST IRON MONUMENT





Request for Action

To
Planning Commission

Item Number
6.2

Meeting Date
March 25, 2025

Prepared By
Chris Leeseberg, Senior Planner

Item Description
Preliminary Plat: Ridgewood Hills Second Addition,
10038 215th Avenue, Greg Petersen

Reviewed by
Zack Carlton

Action Requested

Recommend, by motion, approval of the preliminary plat of Ridgewood Hills Second Addition with the condition of extending the city street and cul-de-sac to the western boundary of the plat.

Background/Discussion

The property is zoned Single Family Residential (R1a) where ordinance requires a minimum lot size of 2 ½ acres. The applicant is requesting a preliminary and final plat to subdivide their 15.85-acre property into two parcels. Lot 1 will be 3.24± acres in size and Lot 2 will be 12.32± acres. Access to lots 1 and 2 will be from 215th Avenue. The parcels meet the dimensional requirements for the R1a district. One parcel is eligible for park dedication.

The proposal includes an additional 15 feet of right-of-way, ensuring there is a total of 60 feet of right-of-way to support the extension of the city street and cul-de-sac to the western boundary. These public improvements are installed at the applicant's expense. In addition to providing access to Lot 2, this street extension will serve to support future development and support future traffic circulation in the surrounding area.

Parks and Recreation Commission

The commission recommended park dedication for Ridgewood Hills Second Addition be paid in cash, at the applicable rate at the time of recording, for one single family parcel.

Applicable Regulations

City ordinance section 30-375 outlines the required findings for approval of a plat.

1. *The proposed subdivision is consistent with the zoning regulations (article VI of this chapter) and conforms in all respects with all requirements of this Code, including the zoning regulations and this article.*

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The proposed subdivision is consistent with all zoning regulations. The lot size and lot width meet the ordinance requirements.

2. *The proposed subdivision is consistent with all applicable general and specialized city, county, and regional plans, including, but not limited to, the city's comprehensive development plan.*

The subdivision is consistent with all applicable plans.

3. *The physical characteristics of the site, including but not limited to topography, soils, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, and drainage are suitable for the type and density of development and uses contemplated.*

While there is a wetland complex on the property, the physical characteristics of the site are suitable for the type and density of development and uses contemplated.

4. *The proposed subdivision makes adequate provision for water supply, storm drainage, sewage transportation, erosion control and all other services, facilities, and improvements otherwise required in this article.*

With the proposed condition of extending the city street and cul-de-sac to the western boundary of the subject parcel, the subdivision includes the required infrastructure to meet city requirements.

5. *The proposed subdivision will not cause substantial environmental damage.*

The existing wetlands will not be impacted by the proposed subdivision and any development on these parcels will require compliance with the city's wetland setback ordinance. The subdivision will not cause substantial environmental damage.

6. *The proposed subdivision will not conflict with easements of record or with easements established by the judgment of a court.*

The proposed subdivision will not conflict with easements of record or with easements established by the judgment of a court.

7. *The proposed subdivision will not have an undue and adverse impact on the reasonable development of neighboring land.*

The adjacent surrounding properties are undeveloped, but the proposed subdivision will not impact the reasonable development of neighboring land. With the proposed condition of extending the city street and cul-de-sac access to the undeveloped parcels will be improved.

8. *The proposed subdivision is not premature. A subdivision is premature if any of the following exists:*
 1. *Lack of adequate stormwater drainage.*
 2. *Lack of adequate roads.*
 3. *Lack of adequate sanitary sewer systems.*
 4. *Lack of adequate off-site public improvements or support systems.*

The subdivision is not premature as the above conditions have been provided for.

Financial Impact

All costs associated with processing this application and installation of public services are the responsibility of the applicant.

Mission/Policy/Goal

Ethical, efficient, and responsible.

Support the growth and development of the community.

Attachments

1. Location Map
2. Preliminary Plat
3. Aerial Overlay
4. Future Street Connections



Project Location Map

Ridgewood Hills Second Addition

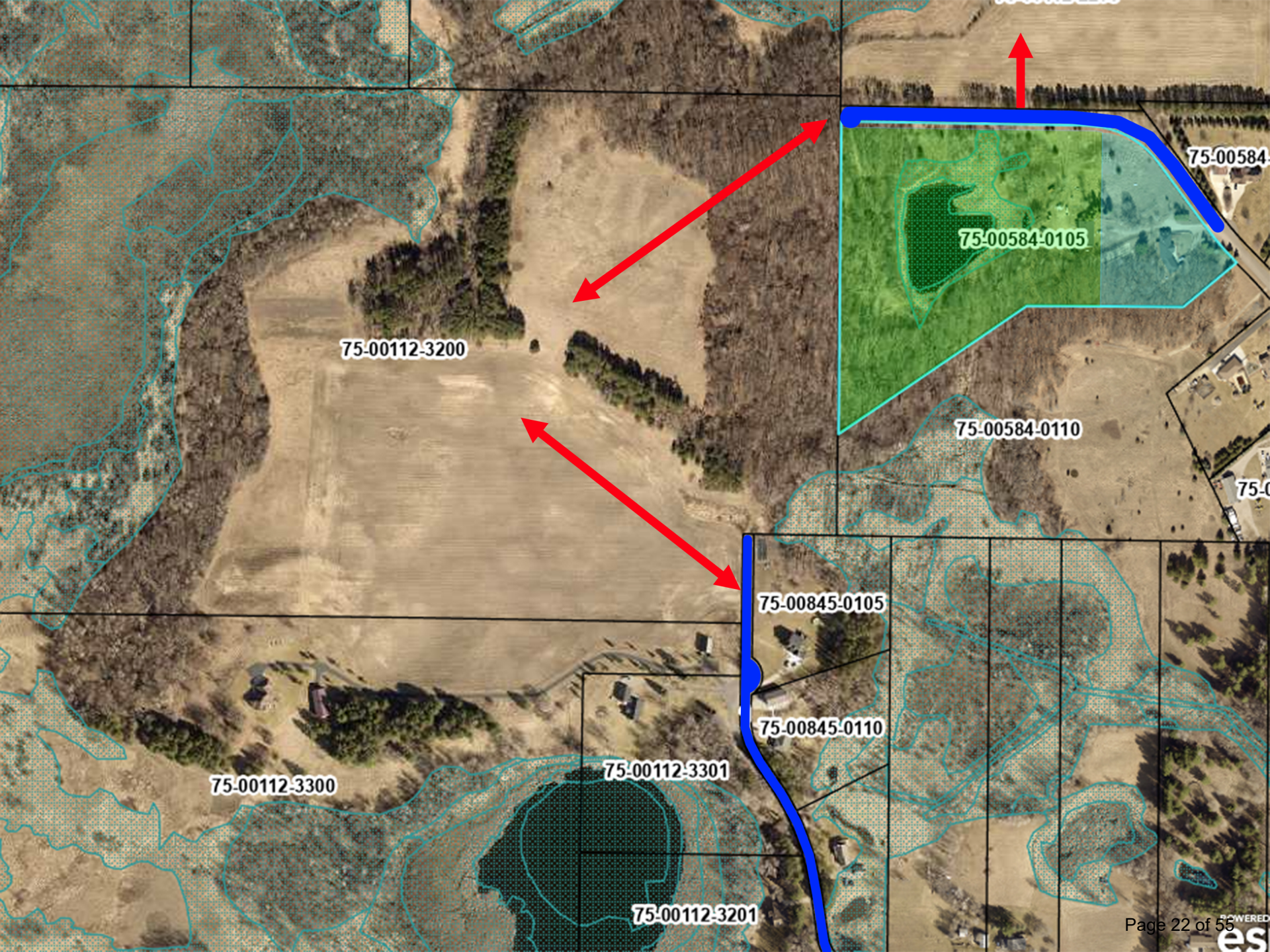
Preliminary Plat
Final Plat

Case No: P 25-04 & P 25-05



215th Ave. NW
Area = 0.29 Acres
(12,500 Sq. Ft.)





75-00112-3200

75-00584-0105

75-00584

75-00584-0110

75-0

75-00845-0105

75-00845-0110

75-00112-3300

75-00112-3301

75-00112-3201



Request for Action

To
Planning Commission

Item Number
7.1

Meeting Date
March 25, 2025

Prepared By
Zack Carlton, Community Development Director

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

Reviewed by
Chris Leeseberg

Action Requested

Recommend, by motion, approval of a Land Use Amendment updating the city's comprehensive plan to align with the proposed residential and commercial areas, subject to the condition that the associated Zone Change (ZC 24-06) and Ordinance Amendment (OA 24-05) are approved by the City Council.

Recommend, by motion, approval of a zone change amending the city's zoning map to designate parcels for Highway Commercial and Planned Unit Development (PUD) uses consistent with the development proposal, and subject to the condition that the associated Land Use Amendment (LU 24-05) and Ordinance Amendment (OA 24-05) are approved by the City Council.

Recommend, by motion, a residential Planned Unit Development ordinance, subject to the following conditions:

1. The City Council must approve the associated Land Use Amendment (LU 24-05) and Zone Change (ZC 24-06).
2. An Environmental Assessment Worksheet (EAW) must be reviewed in accordance with all state and local policies and receive a negative finding for an Environmental Impact Statement (EIS).
3. MnDOT and the city shall approve an access location and configuration that supports the traffic needs of the proposed development.
4. The MnDNR must provide written approval of the work proposed within the Wild and Scenic River District.
5. Provide additional vegetative screening along the non-wooded boundary line with the Oliver Kelley Farm.
6. The developer must work with the Kelley Farm to resolve any encroachment concerns resulting from the existing fence.
7. The cost of sewer and water trunk extensions to the development shall be financed by the developer. If oversizing of water pipes is required, Elk River Municipal Utilities (ERMU) will reimburse the developer for the cost to oversize the infrastructure.
8. All proposed streets, trails, and sidewalks shall follow the city's engineering design standards.

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9. Lots 65-feet and wider must include two trees in the front yard. One tree must be an overstory variety, the second tree can be ornamental, evergreen, or deciduous.
10. Lots which are 50-feet wide must plant one overstory tree in the front yard.
11. All homes must have a minimum garage size of 440 square feet, (20' x 22').
12. All homes will require a minimum side-yard setback of 7.5 feet.
13. The front-yard setback for 75- and 100-foot-wide lots will be 30 feet.
14. The front-yard setback for 50- and 65-foot-wide lots will be 25 feet.
15. The maximum driveway widths are as follows: 50-foot lots – 16-feet wide, 65-foot lots – 20-feet wide, and 75 to 100-foot lots – 30-feet wide.
16. The development must incorporate an internal monotony code to ensure the home facades vary throughout the subdivision. Neighboring homes and the 3 closest homes across the street must vary in façade design and color. No two homes in this group of six shall match.
17. The developer shall complete the design and installation of all 10-foot-wide trails above the bluff that runs along the Mississippi River.
18. The developer will design and engineer a 10-foot-wide trail, beginning with the termination of the upland trail. They should be provided to the city to support a future construction project.
19. The developer will provide a 2+ acre bluff top park, and must provide documentation that there is at least 1-acre of buildable, upland area, in the park.
20. The developer shall dedicate the floodway land, below the bluff, to the city for park purposes. An outlot will be reserved for future use by the HOA.
21. The remainder of the park dedication requirements will be satisfied with a cash dedication of \$536,000. This will be pro-rated on a per lot basis and payable with the final plat.
22. Civil plans submitted with the preliminary plat must identify parallel, off-street, parking areas near the bluff top park.

Background/Discussion

The developer, Capstone Homes, has submitted a series of applications to support their proposed development on the property commonly referred to as the Specht Farm. The site is approximately 250 acres in size and includes a significant area of frontage along the Mississippi River. The site also includes three different zoning districts (FAST, R-1d, and Business Park) and is guided by the Comprehensive Plan for residential and commercial uses.

The updated development proposal includes 536 new single-family parcels and approximately 5.17 acres slated for future commercial uses. Approval of the project requires amendments to the Comprehensive Plan (Land Use), zoning amendments to create a PUD for the residential areas and rezone the commercial areas to C-3 (Highway Commercial), and an ordinance amendment establishing the standards for the PUD.

Currently, the developer is seeking approval of the PUD to establish the framework for the project. Future applications and reviews by the Planning Commission include a preliminary plat, which will provide more details on the grading, stormwater, utility work, and engineering for the development.

Discussions and conditions from the commission should seek to achieve a cohesive project with a series of standards that the developer will follow as the project progresses towards final design.

Comprehensive Plan

The Comprehensive Plan guides the site for Mixed Residential and Highway Business uses. The proposal maintains the same land use classifications but re-aligns the areas to match the property lines proposed with the project.

The proposed commercial areas and future uses align with the land use guidance, and realigning the land use plan to follow the proposed uses is supported by the council.

The mixed residential category supports a range of housing types, with the goal of a gentle increase in density when compared to a typical single-family neighborhood. While the proposal doesn't include townhomes or multifamily uses, the smallest single-family parcels are 50-foot wide, which increases the overall density of the area.

Access and Streets

The development is located between Highway 10/169 and the river and abuts the historic Oliver Kelley Farm site along the southern boundary. The main access to the site will be from an improved access point at Highway 10/169 and 165th Ave. This is the current location of the driveway serving the property. City staff, the developer, and the City Council have been working with MnDOT to design the interchange. The project is contingent upon MnDOT's approval and development of this interchange as the developer will need an access permit to begin development.

Additional access to the development includes an extension of the existing Yale Street dead-end on the north end of the project and a frontage road along Highway 10/169.

The project reserves land for a future interchange, but that is not part of this project. It is anticipated that the improvements at 165th Ave will provide access for the foreseeable future and the interchange will be constructed when funding and traffic demands allow.

Internal circulation is provided by public streets, there are no private drives included in the project. A sidewalk is included on one side of each residential street, including the frontage road. Plans also include a 10-foot trail running through the development, which meets the city's long-term goal of connecting to the river trail in Ramsey.

The developer had originally requested a narrower street section for many of the interior streets. However, after discussions with the Planning Commission and the City Council, the developer agreed to follow the city design standards and construct all streets at 34-foot wide.

City Utilities

All parcels will be served by city sewer and water. This will require the extension of existing trunk services, which are the responsibility of the developer. Additional details regarding city services will be included in a future preliminary plat application.

Housing Types

The proposal includes four different lot sizes, ranging in size from 50-foot-wide lots with a 35-foot-wide building pad, up to 100-foot lots overlooking the Mississippi River. Many parcels are between 65 and 75-foot wide and are consistent with developments that have been approved in recent years.

The largest lots are located along the river and have a minimum lot size of 20,000 square feet. These standards are a requirement of the Wild and Scenic River District for any parcel that abuts the river. Parcels within the district, but not along the river, are required to be at least 75-foot wide with a minimum size of 10,000 square feet. Proposed setbacks for these lots are 30-feet for the front yard and require a minimum of 15-feet between buildings – generally consistent with the typical R-1c zoning district.

Most of the lots, 293 in total, are 65-foot-wide. As noted earlier, this has been the most common parcel size constructed in the city for several years. The proposed setbacks of 25-feet for the front yard and 15 feet between buildings are also typical of these lot types.

The smallest lot sizes are clustered along Highway 10/169 and are 50-foot-wide with a front yard setback of 25-feet and maintaining 15-feet between buildings. The lot size does create some concern for on-street

parking and placement of utilities. Parking has typically been a concern for smaller lots, and the developer is proposing restricting driveway width to 16-feet to maximize curb space for parking. The applicant has included a parking study evaluating the impact of the smaller lots on available street parking.

The Planning Commission should discuss the proposal and the impact of the smallest lot sizes on the community. The developer will provide additional background information regarding the small lots and why they should be considered an alternative to attached townhomes rather than a small single-family lot.

Environmental

The site is located within the Wild and Scenic River District, which includes additional performance standards and open space requirements. Generally, the standards require larger lots closer to the river, and a net open space requirement for all areas within the district. The developer has been working closely with the DNR to ensure the proposal satisfies the standards.

The attachments include additional information regarding compliance with the Wild and Scenic standards. According to the exhibits and conversations with the DNR, the project complies with the ordinance, and the PUD will include additional performance standards to ensure long-term compliance.

Additionally, due to the development's size and location, an Environmental Assessment Worksheet (EAW) is required. An EAW is a state mandated analysis of the impacts a proposed development project may generate. It includes a wide variety of topics, including traffic, historical elements, natural features, to name a few. The applicant has submitted the EAW for initial review, and the city will follow the state-mandated review process. Ultimate approval of the EAW requires a review from the City Council.

Park and Recreations

The Park and Recreation Commission, the City Council, and staff have had numerous conversations regarding the park dedication requirements for the subdivision. The most recent conversation on March 18, 2025, recommends a combination of land and cash dedication. The land dedication includes the floodway areas along the river, and a 2+ acre bluff top park that will provide additional recreational amenities. The discussion also included a recommendation for \$536,000 in cash dedication.

Comprehensive Plan Amendment

The requested amendment to the approved plan is generally consistent with the established guidance. The changes will better align the land use guidance with property lines. This provides clear guidance for current and future landowners.

Zone Change

Amendments to the approved zoning map must be consistent with the Comprehensive Plan. The current zoning is generally consistent with the approved land use map, but the requested changes will improve consistency. The proposed commercial areas align with land currently guided for similar uses, and, along with the requested changes, improve overall compliance. Second, the proposed residential PUD is consistent with the mixed residential guidance of the plan. The zone change will also align with planned parcel lines, improving overall consistency.

PUD Ordinance

The proposed PUD ordinance outlines the development standards for the subdivision. Any standards not specifically noted within the PUD ordinance will follow the general development standards outlined in Chapter 30.

Financial Impact

None

Mission/Policy/Goal

Opportunity to live, work, and play.

Responsibly grow.

Attachments

1. Location Map
2. Applicants Narrative and PUD Proposal
3. Specht Farm Plans
4. Updated Development Plan 3-20-2025
5. Land Use Comparison
6. Zoning Comparison



SITE

Project Location Map

Capstone Homes, Inc.

Land Use Amendment
Zone Change
Ordinance Amendment

Case No: LU 24-05, ZC 24-06, OA 24-05



CAPSTONE

— H O M E S —

Capstone Homes Inc.
14015 Sunfish Lake Blvd
Ramey, MN 55303

RE: Capstone PUD Ordinance Amendment development and building standards.

City of Elk River
13065 Orono Parkway NW
Elk River, MN 55330

City of Elk River,

We are pleased to submit our application for consideration of a Master PUD Ordinance Amendment, Rezoning application, and Comprehensive Plan amendment. Outlined below are the proposed design standards and park dedication proposal:

1. Street Design:
 - a. Entrance - Minor Streets have the city standard 60' Right of Way (ROW), with 34' of street section measured at the back of each curb. This street section includes a standard city sidewalk on one or both sides of the street and no parking restrictions.
 - b. Entrance with Trail – Minor Streets with Trail on one side and sidewalk on the other will be 65' ROW, with 34' of street section measure at the back of each curb.
 - c. Neighborhood – Minor side streets throughout the neighborhood have 60' ROW, with 29' street section measured at the back of each curb. This street section includes a sidewalk on one side of the street and no restrictions on parking.
 - d. For street section function and review Capstone welcomes a visit by any staff, commission, board, or council members to our Harvest Run community in Otsego. The model location is 6076 Quin Ave NE, Otsego, MN 55330. Harvest Run streets were built to the City of Otsego code requirements which is 29' back-to-back with sidewalk on one side and no parking restrictions.
2. Lot Width and Setback for the neighborhood will be as follows:
 - a. 50' Liberty Single Family Lot Width:
 - 35' home width
 - 7.5' side setbacks
 - 25' front/corner setback
 - Driveways for Liberty Lots shall be no wider than 16' at the back of curb.
 - b. 65' Single Family Lot Width:
 - 50' home width
 - 7.5' side setbacks
 - 25' front/corner setback
 - Driveways will have a maximum width of 30' measured at the ROW line.

CAPSTONE

— H O M E S —

- c. 75' Single Family Lot Width:
 - 60' home width
 - 7.5' side setback
 - 30' front/corner setback
 - 30' rear primary structure setback from Bluff where it applies (Wild and Scenic Standards apply)
 - Driveways will have a maximum width of 30' measured at the ROW line.
 - d. 100' Single Family Riparian Lot Width:
 - 80' home width
 - 10' side setback
 - 30' front/corner setback
 - 30' rear primary structure setback from Bluff where it applies (Wild and Scenic Standards apply)
 - 125' rear primary structure setback from 10-year OHW (Wild and Scenic Standards apply)
 - Driveways will have a maximum width of 30' measured at the ROW line.
3. Park Dedication:
- a. 42.58 Acres dedicated of premium river front open space and greenway corridors throughout the neighborhood. This acreage is outlined in the Master PUD Park Exhibit.
 - b. The developer is requesting that the City design and install all park and trail improvements in dedicated acreage areas within a reasonable time proceeding complete dedication of lower park and greenway corridor land.
 - c. Dedication of land will coincide with multiple plats through future phases of development.
 - d. Note: 15.87 of additional Open Space (Highway Berm and Community Entrances) will be maintained by the Homeowners Association.
4. Offsite Utility and Roadway improvements:
- a. Developer will provide utility connections from offsite locations to the boundary of the project and throughout the full neighborhood. A significant cost is involved with these offsite improvements.
 - b. Oversizing of services required by City will be credited to the Developer in the corresponding phase of development.
 - c. Improvements are required at the location of Highway 10 and 165th Street. The Developer has planned to contribute up to \$200,000 towards the intersection improvements. The balance of the improvement cost funding will be determined by the City. This intersection is temporary and will be removed upon completion of the MNDOT funded Twin Lakes Overpass.
5. Wild and Scenic River District PUD:
- a. All Riparian (Lots adjacent to the river) Lots are 100' wide measured at the OHW (Ordinary High Water) level.

CAPSTONE

— H O M E S —

- b. All Non-Riparian Lots on the Bluff that do not encounter the OHW are 75' wide measured at the ROW.
- c. Primary Structure Setback from the OHW will be 125'.
- d. The Shore Impact Zone is 50' from the OHW. 70% of the Shore Impact Zone will remain as open space.
- e. There are no restrictions on Seasonal Docks for all riparian lots.
- f. 65' Lots are permitted in the Wild and Scenic District in areas that are not Riparian or along the bluff.
- g. Open Space must meet or exceed the 50% standard as defined in Table 2 of the Mississippi Wild and Scenic River Open Space Exhibit.
- h. Lots on the bluff will have access through the bluff.
- i. Impervious Surface coverage of riparian lots will not exceed 25% of the lot area.
- j. Non-riparian lots will follow the post development 5-year historic undeveloped peak discharge rate as outlined in the City of Elk River Ordinance.

Capstone Homes has enjoyed working with City Staff, the Park Commission, Planning Commission and City Council during our initial phases of planning. We look forward to many years of continued work together to bring an exemplary neighborhood through The Specht Family Farm property for all the residents of Elk River.

Sincerely,



Matt Barker
Director of Land Development

SPECHT FAMILY FARM

Elk River, MN

CAPSTONE

— H O M E S —



PLANNED UNIT DEVELOPMENT

December 30th, 2024

Project Narrative

Capstone Homes is submitting for consideration a Master Plan Ordinance Amendment for the development of 250 acres of Mississippi Riverfront, into an exciting new mixed residential community. Capstone Homes is a locally owned hometown builder in the Twin Cities Metro area whose mission is to build quality homes at an exceptional value, while serving and positively impacting the community. Capstone offers modern, open concept floor plans with a huge selection of available structural and cosmetic options to fit any family's needs. We are the largest privately owned builder in the Twin Cities Area and because we are family owned and operated, we treat each home and homeowner with the utmost care, just like we would our own families.

The Specht Family Farm is located at 16330 US Highway 10, running adjacent to the Mississippi River. Nearly 1 mile of this roughly 250 acre neighborhood are home sites that are on and overlooking the Mississippi River. We have worked with city staff and the Department of Natural Resources to establish a neighborhood that protects the Wild and Scenic nature of the Mississippi river throughout the acreage site. Through multiple workshops, meetings and site walks we feel confident that the Master PUD plan submitted meets the design requirements defined in both the City of Elk River Ordinance and the State Wild and Scenic River District.

Details associated with this Neighborhood development plan are outlined in this submission for review by City Staff, Planning Commissioners, and City Council members. We look forward to meeting with the Council, Commissioners and respective boards as we share our vision for meeting the growing residential needs of Elk River.

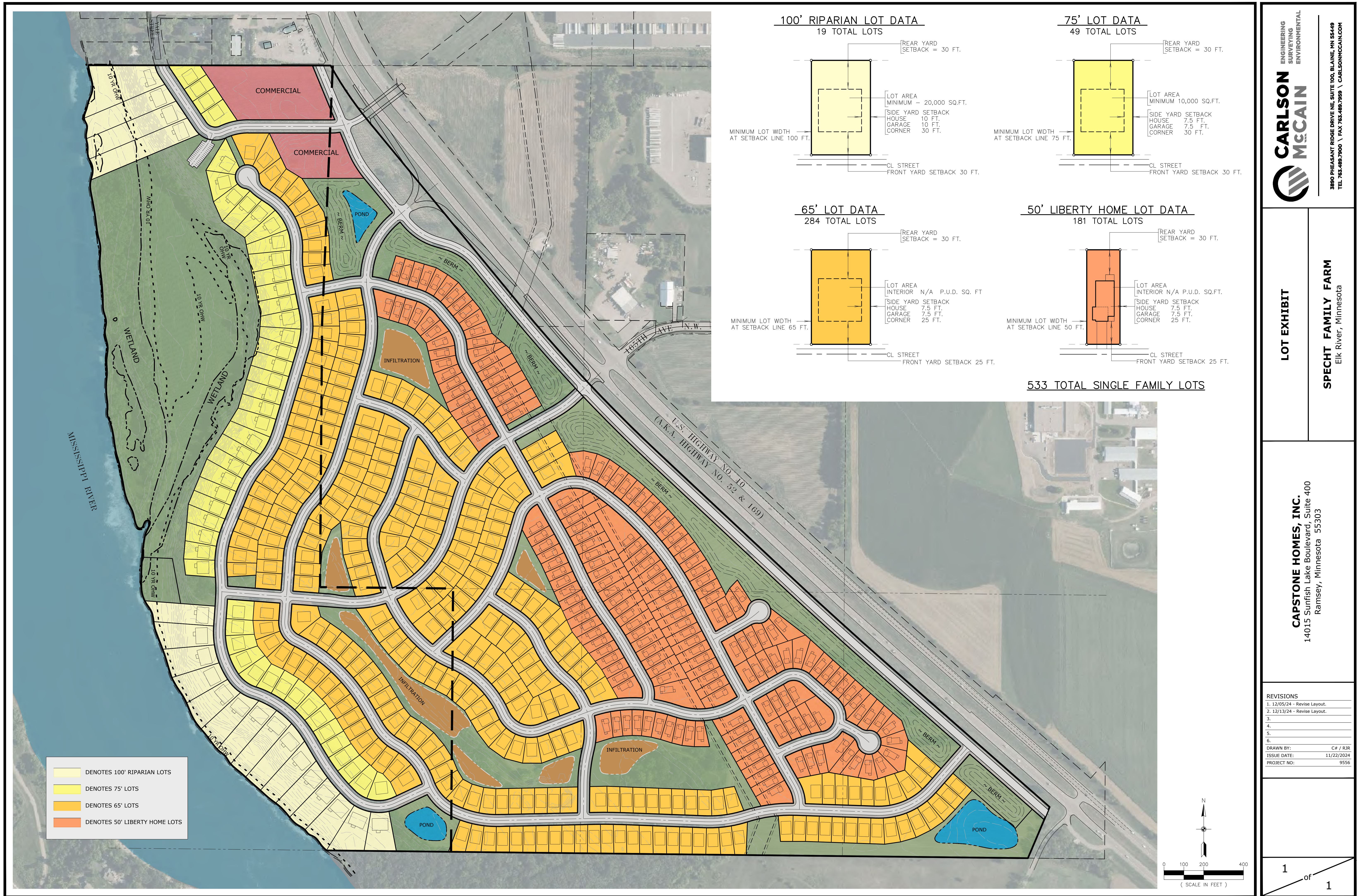
Existing Conditions



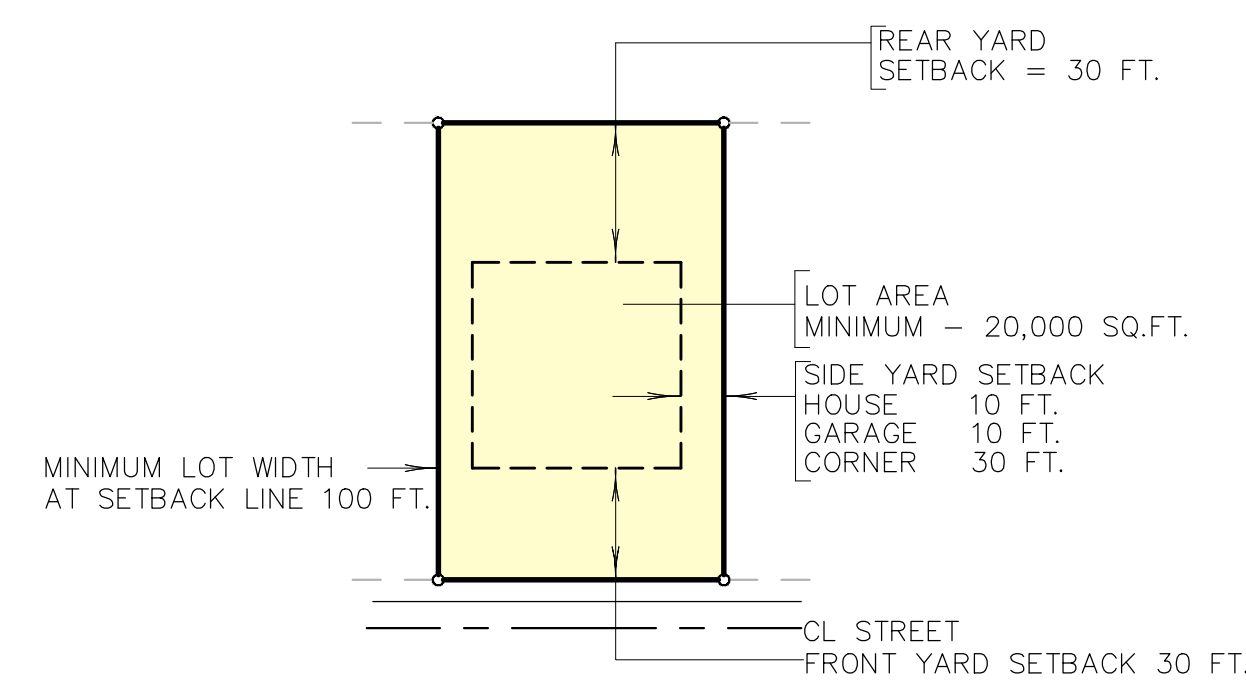
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Ramsey, MN 55303

3890 Pheasant Ridge Dr. NE, Ste 100
Blaine, MN 55449

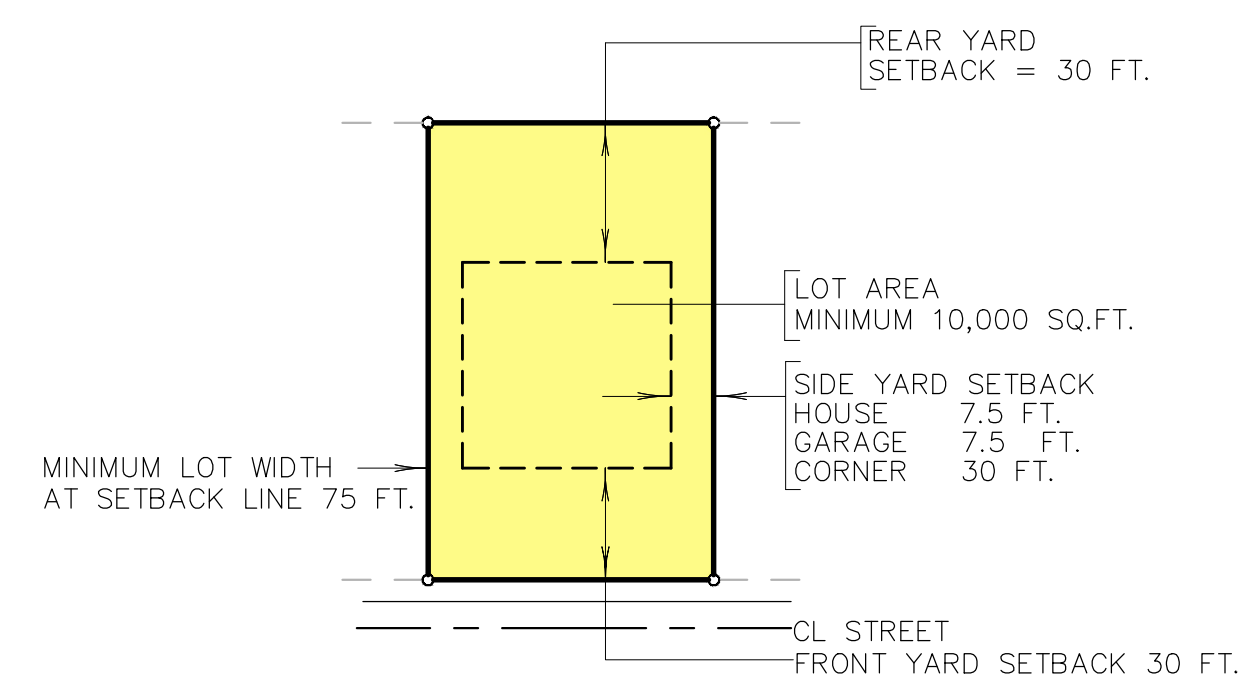
2500 Shadywood Road, Ste 130
Orono, MN 55331



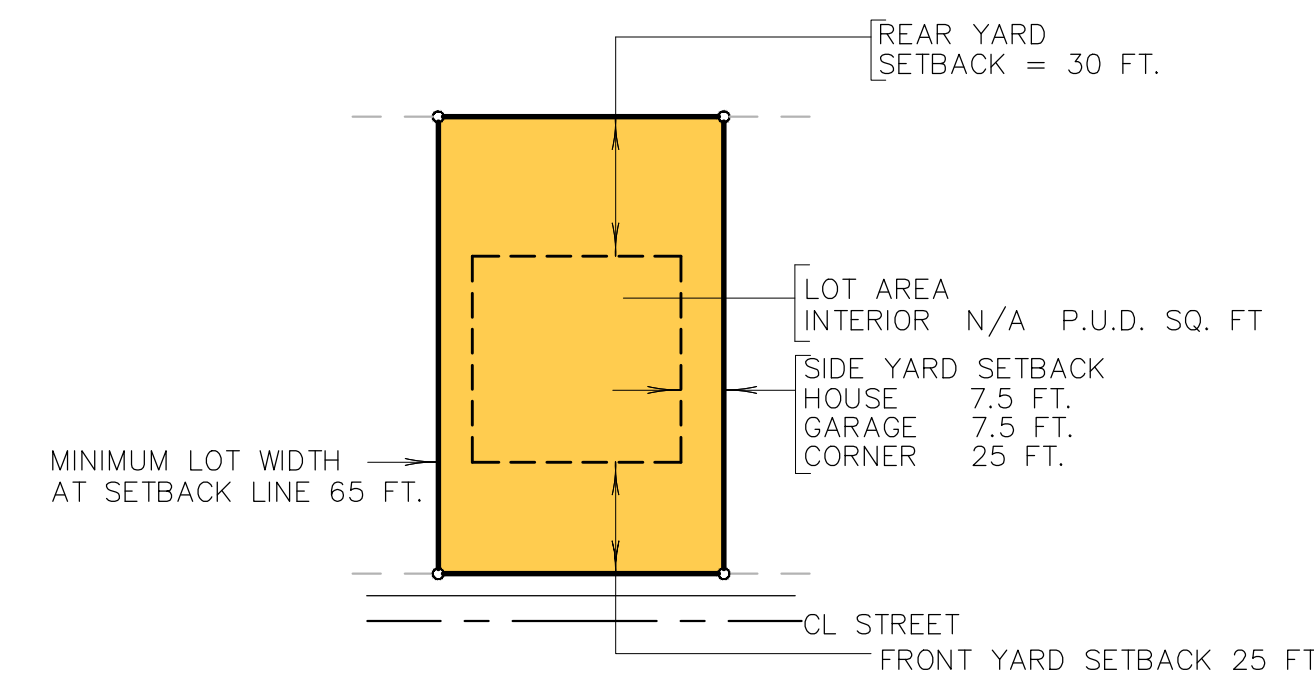
100' RIPARIAN LOT DATA
19 TOTAL LOTS



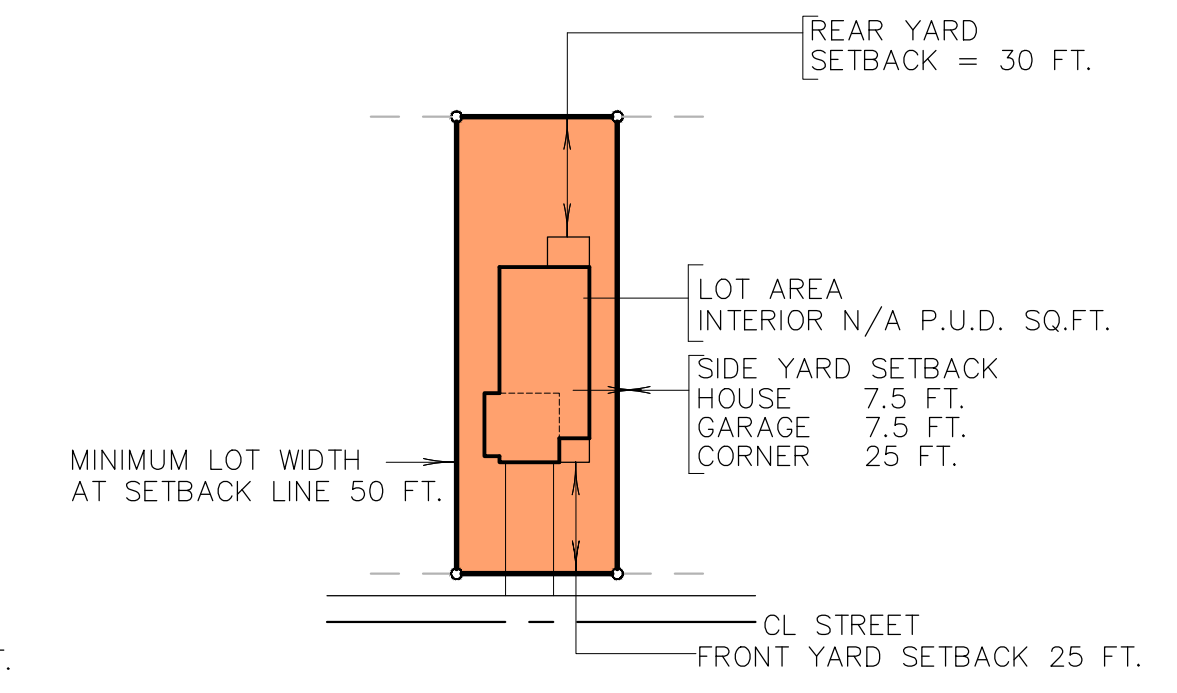
75' LOT DATA
49 TOTAL LOTS



65' LOT DATA
284 TOTAL LOTS



50' LIBERTY HOME LOT DATA
181 TOTAL LOTS



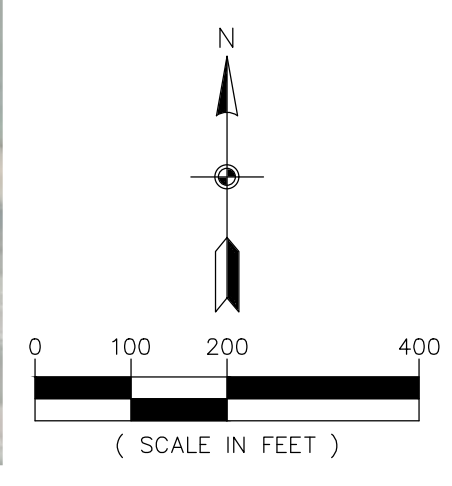
533 TOTAL SINGLE FAMILY LOTS

- DENOTES 100' RIPARIAN LOTS
- DENOTES 75' LOTS
- DENOTES 65' LOTS
- DENOTES 50' LIBERTY HOME LOTS

REVISIONS

1.	12/05/24 - Revise Layout.
2.	12/13/24 - Revise Layout.
3.	
4.	
5.	
6.	

DRAWN BY: C# / RJR
 ISSUE DATE: 11/22/2024
 PROJECT NO: 9556





LEGEND

	DENOTES TOTAL LOWER PARK DEDICATION AREA	±28.07 ac
	(UPLAND AREA ONLY = ±16.59 ac)	
	DENOTES TOTAL GREENWAY PARK DEDICATION AREA	±14.51 ac
	(UPLAND AREA ONLY = ±9.86 ac)	
	DENOTES WETLAND AND STORMWATER AREAS	±16.13 ac
	TOTAL PARK DEDICATION AREA	±42.58 ac
	TOTAL UPLAND PARK DEDICATION CREDIT AREA	±26.45 ac
	DENOTES COMMERCIAL AREAS	±5.17 ac
	DENOTES LANDSCAPE BERM AREAS	±15.87 ac
	DENOTES FRONTAGE ROAD DEDICATED ROW	±10.53 ac
	NET RESIDENTIAL AREA (INCLUDING TOTAL PARK DEDICATION AREAS)	±216.08 ac
	TOTAL PROJECT BOUNDARY AREA	±247.65 ac

	DENOTES 10 YR OHW
	DENOTES FLOODWAY
	DENOTES 6' CONCRETE SIDEWALK
	DENOTES 10' BITUMINOUS TRAIL
	DENOTES FUTURE 10' BITUMINOUS TRAIL
	DENOTES GRAVEL WALKING PATH
	DENOTES POTENTIAL PRESERVED TREE AREAS (GREENWAY ONLY)

PARK DEDICATION CALCULATIONS

CITY OF ELK RIVER PARK CALCULATION	0.0846 x 533 UNITS = 45.01 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	45.01 ac / 216.08 ac = 20.8%
CAPSTONE TOTAL PARK DEDICATION AREA	42.58 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	42.58 ac / 216.08 ac = 19.7%
CAPSTONE UPLAND PARK DEDICATION AREA	26.45 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	26.45 ac / 216.08 ac = 12.2%

REVISIONS

1.	12/09/24 - Revise Layout.
2.	12/13/24 - Revise Wetlands, Areas
3.	
4.	
5.	
6.	

DRAWN BY: RJR
 ISSUE DATE: 12/05/2024
 PROJECT NO: 9556



Disc Golf Course



Pavilion



Playground

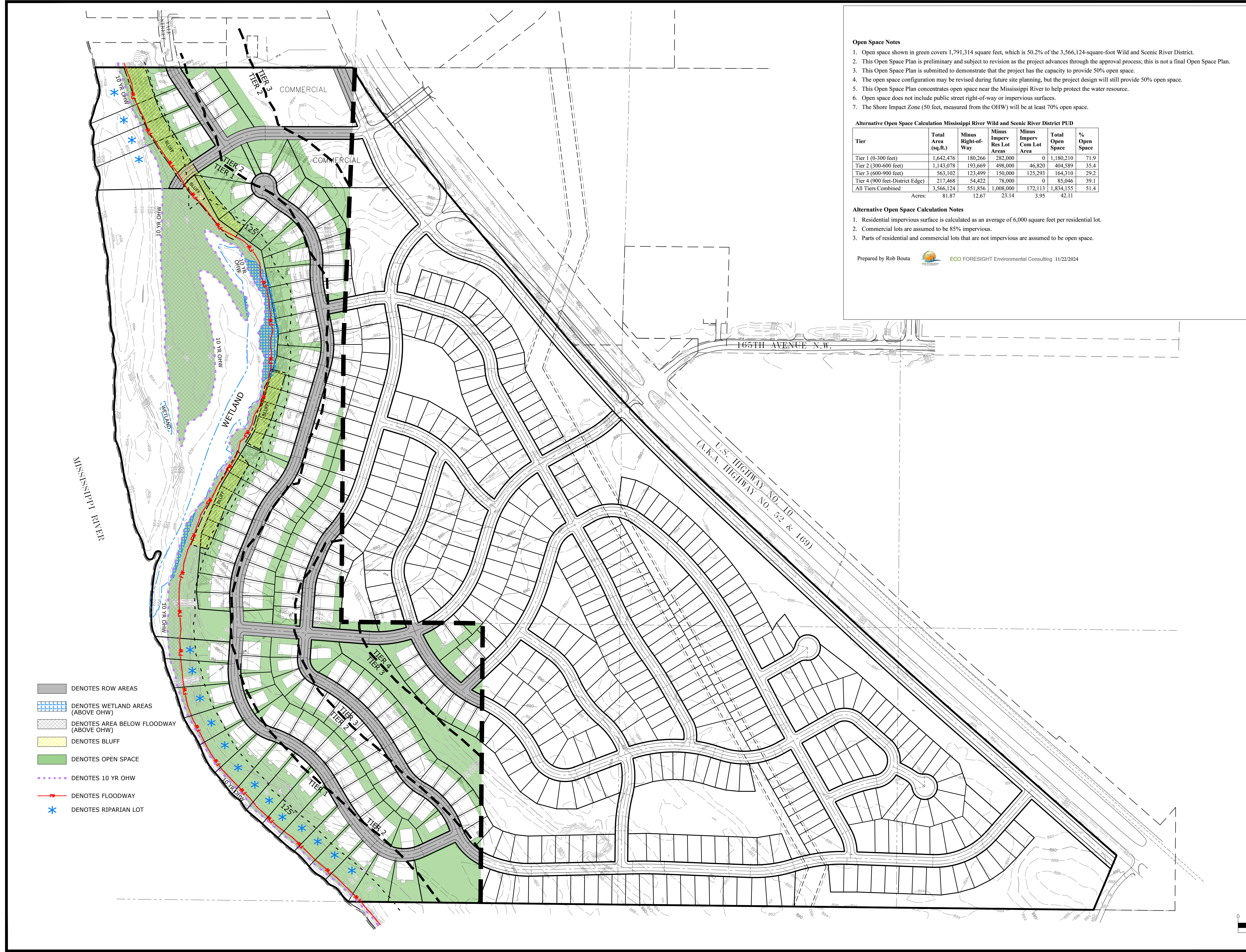


Floodplain Forest / Trails



Floating Dock

These illustrations are park opportunities showing possible amenities. Actual amenities will vary as determined by City depending on current park practices, needs and budget at the time of construction.



- Open Space Notes**
1. Open space shown in green covers 1,791,314 square feet, which is 50.2% of the 3,566,124-square-foot Wild and Scenic River District.
 2. This Open Space Plan is preliminary and subject to revision as the project advances through the approval process; this is not a final Open Space Plan.
 3. This Open Space Plan is submitted to demonstrate that the project has the capacity to provide 50% open space.
 4. The open space configuration may be revised during future site planning, but the project design will still provide 50% open space.
 5. This Open Space Plan concentrates open space near the Mississippi River to help protect the water resource.
 6. Open space does not include public street right-of-way or impervious surfaces.
 7. The Shore Impact Zone (50 feet, measured from the OHW) will be at least 70% open space.

Alternative Open Space Calculation Mississippi River Wild and Scenic River District PUD

Tier	Total Area (sq.ft.)	Minus Right-of-Way	Minus Imperv Res Lot Areas	Minus Imperv Com Lot Area	Total Open Space	% Open Space
Tier 1 (0-300 feet)	1,642,476	180,266	282,000	0	1,180,210	71.9
Tier 2 (300-600 feet)	1,143,078	193,669	498,000	46,820	404,589	35.4
Tier 3 (600-900 feet)	563,102	123,499	150,000	125,293	164,310	29.2
Tier 4 (900 feet-District Edge)	217,468	54,422	78,000	0	85,046	39.1
All Tiers Combined	3,566,124	551,856	1,008,000	172,113	1,834,155	51.4
Acres:	81.87	12.67	23.14	3.95	42.11	

- Alternative Open Space Calculation Notes**
1. Residential impervious surface is calculated as an average of 6,000 square feet per residential lot.
 2. Commercial lots are assumed to be 85% impervious.
 3. Parts of residential and commercial lots that are not impervious are assumed to be open space.

Prepared by Rob Bouts ECO FORESIGHT Environmental Consulting 11/22/2024

REVISIONS

1.	
2.	
3.	
4.	
5.	
6.	

DRAWN BY: CA
 ISSUE DATE: 11/22/2024
 PROJECT NO: 9556



Mississippi River Wild and Scenic River District PUD Density Evaluation

Tier	Project Area				Allowed PUD Density					Unit Transfer to Next Tier	
	Total Area (sq.ft.)	Wetlands (sq.ft.)	Bluffs (sq.ft.)	Net Suitable Area (sq.ft.)	Minimum Sq. Ft. Per Unit	Base Density (Units)	Density Increase Multiplier	Density With Multiplier	Density With Transfer		Density ¹ Proposed
Tier 1 (0-300 feet) Riparian	606,293	0	53,290	553,003	20,000	27.7	1.5	41.5	41.5	17	24.5
Tier 1 (0-300 feet) Nonriparian	1,036,183	40,937	95,494	899,752	10,000	90.0	1.5	135.0	135.0	30	105.0
Tier 2 (300-600 feet)	1,143,078	0	0	1,143,078	10,000	114.3	2.0	228.6	358.1	83	275.1
Tier 3 (600-900 feet)	563,102	0	0	563,102	10,000	56.3	2.0	112.6	374.7	25	350.7
Tier 4 (900 feet-District Edge)	217,468	0	0	217,468	10,000	21.7	2.0	43.5	394.5	13	381.5
Total	3,566,124	40,937	148,784	3,376,403		310.0		561.2		168	
	Acre:	81.87	0.94	3.42	77.51						

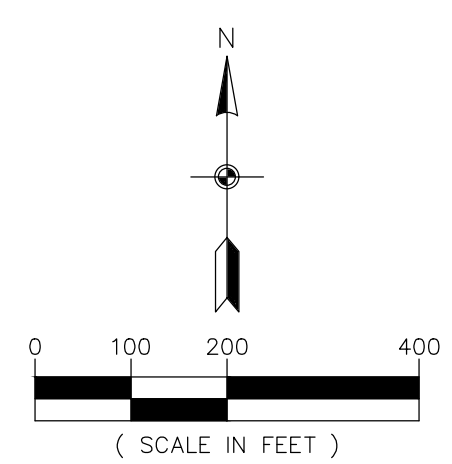
¹Density proposed includes 1 commercial lot in Tier 2 and 1 commercial lot in Tier 3.

Notes

- The FEMA 10-year flood elevation was fit to topography field surveyed by Carlson McCain and used as the OHW line.
- The FEMA 100-year flood elevation was fit to topography field surveyed by Carlson McCain and used as the Floodway boundary.
- Bluffs were delineated according to the definition contained in the City of Elk River Zoning Ordinance (at least 30% slope rising to at least 25 feet above the OHW).
- River lots have structure setbacks of 125 feet from the OHW and 30 feet from the top of bluff; all riparian lots are at least 100 feet wide at the OHW.
- Impervious surface coverage of riparian lots will not exceed 25% of the lot area.
- For nonriparian lots, the post-development 5-year frequency event peak discharge rate will be no greater than the 5-year historic undeveloped peak discharge rate.

Prepared by Rob Bouta | ECO FORESIGHT Environmental Consulting | 11/22/2024

- DENOTES LOT AREAS
- DENOTES ROW AREAS
- DENOTES WETLAND AREAS (ABOVE OHW)
- DENOTES AREA BELOW FLOODWAY (ABOVE OHW)
- DENOTES BLUFF
- DENOTES COMMERCIAL LOTS
- DENOTES PUBLIC OPEN SPACE
- DENOTES 10 YR OHW
- DENOTES FLOODWAY
- DENOTES RIPARIAN LOT
- DENOTES 100' LOTS
- DENOTES 75' NON-RIPARIAN LOTS
- DENOTES 65' NON-RIPARIAN LOTS



CARLSON MCCAIN
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3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449
TEL: 763.488.7900 | FAX: 763.488.7959 | CARLSONMCCAIN.COM

WILD AND SCENIC RIVER DISTRICT PUD DENSITY EXHIBIT

SPECTH FAMILY FARM
Elk River, Minnesota

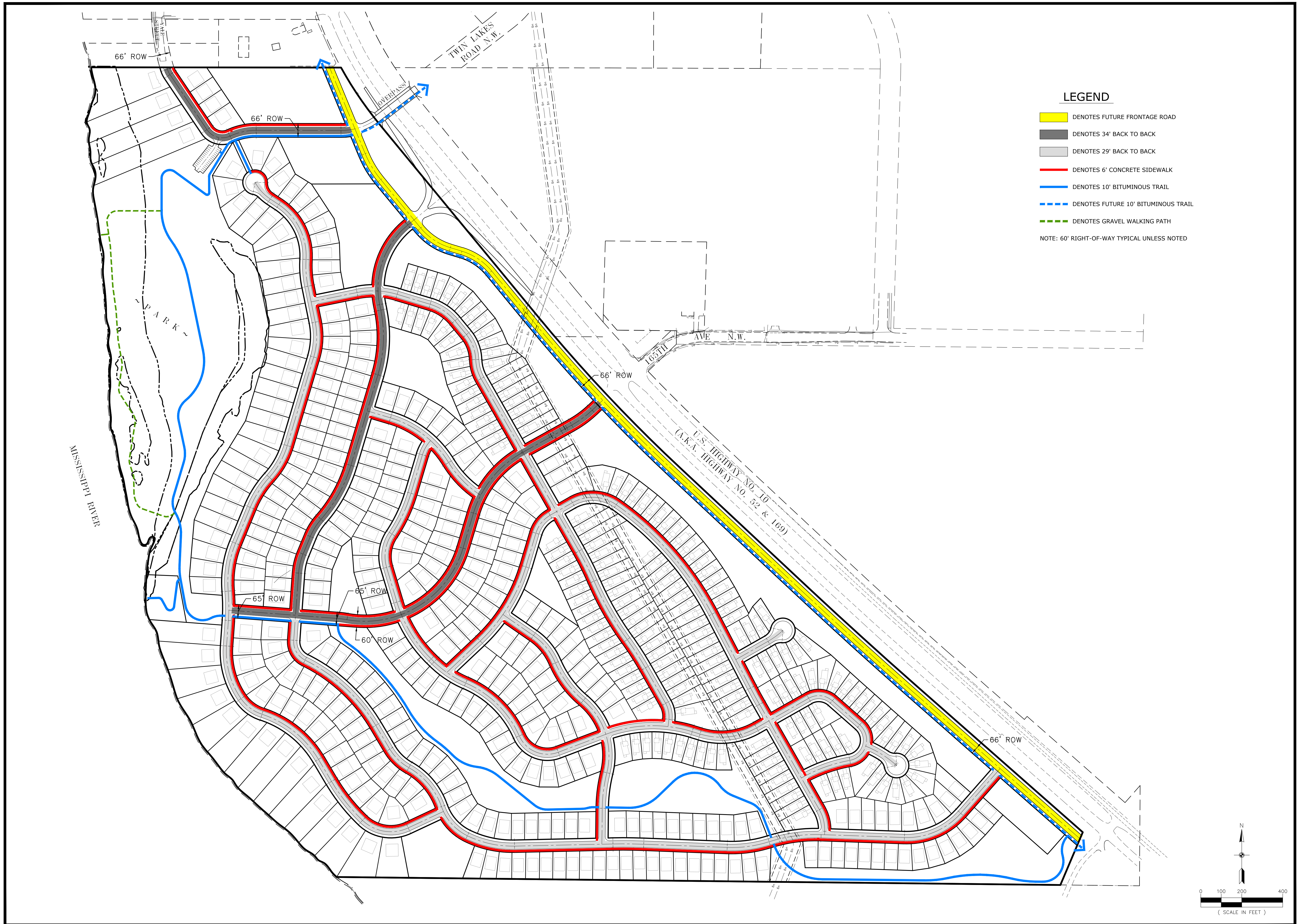
CAPSTONE HOMES, INC.
14015 Sunfish Lake Boulevard, Suite 400
Ramsey, Minnesota 55303

REVISIONS

- 11/12/2024 Revise layout.
- 11/22/2024 Revise layout.
-
-
-
-

DRAWN BY: C4
ISSUE DATE: 10/25/2024
PROJECT NO: 9556

1 of 1

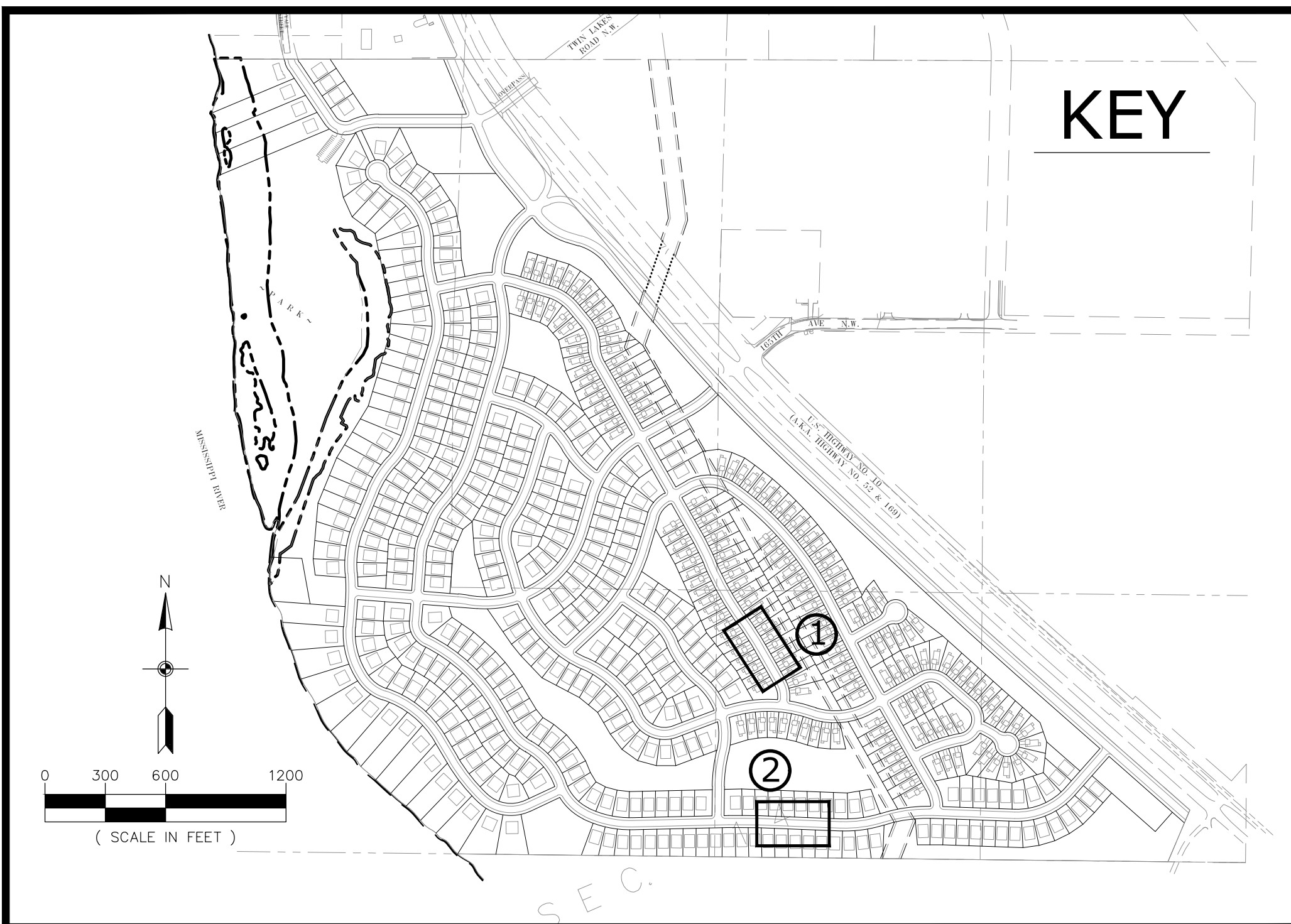


- LEGEND**
- DENOTES FUTURE FRONTAGE ROAD
 - DENOTES 34' BACK TO BACK
 - DENOTES 29' BACK TO BACK
 - DENOTES 6' CONCRETE SIDEWALK
 - DENOTES 10' BITUMINOUS TRAIL
 - DENOTES FUTURE 10' BITUMINOUS TRAIL
 - DENOTES GRAVEL WALKING PATH
- NOTE: 60' RIGHT-OF-WAY TYPICAL UNLESS NOTED

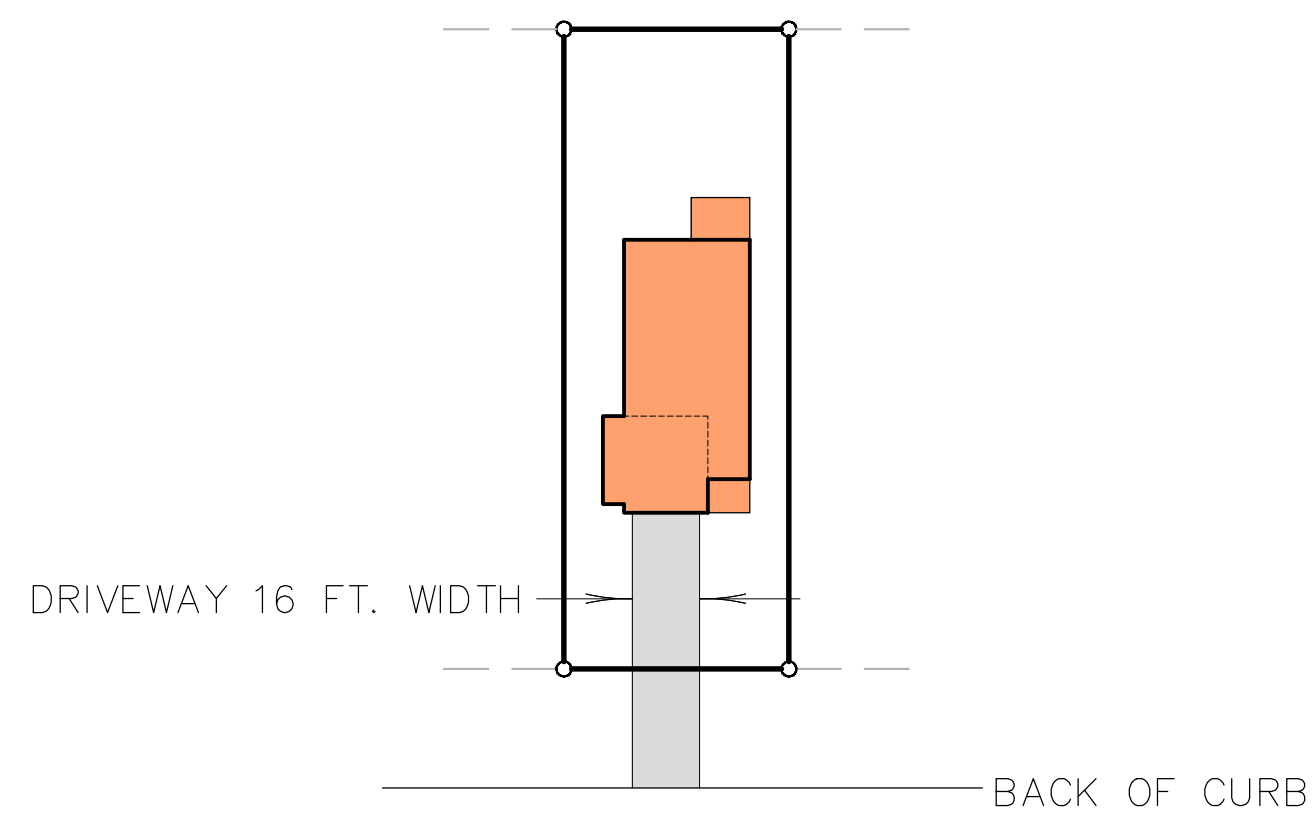
REVISIONS

1.	12/04/24 - Park Trails Added.
2.	12/09/24 - Sidewalk Revisions.
3.	12/12/24 - Sidewalk Added, Layout
4.	
5.	
6.	

DRAWN BY: ADB / RJR
 ISSUE DATE: 12/02/2024
 PROJECT NO: 9556

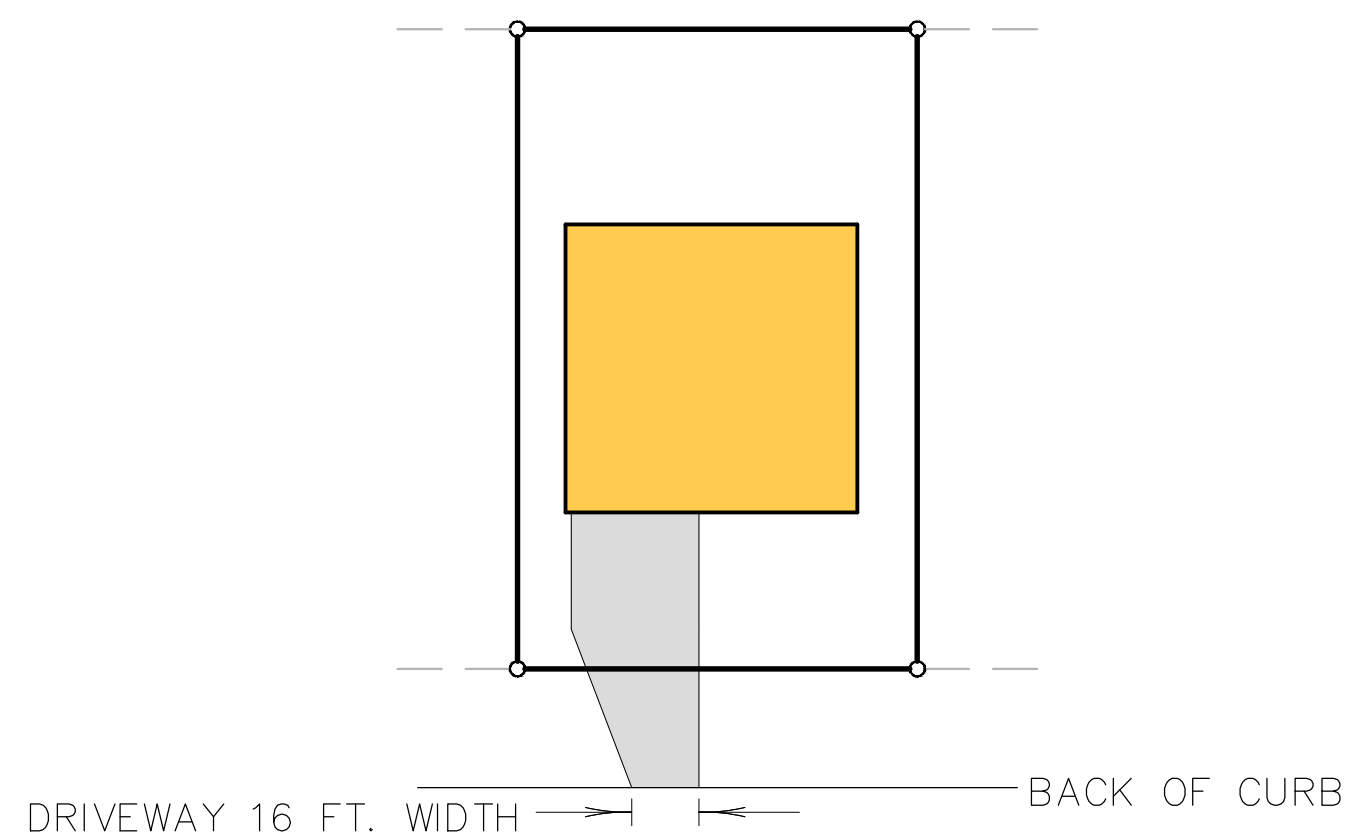


① 50' LIBERTY HOME LOT
(NOT TO SCALE)

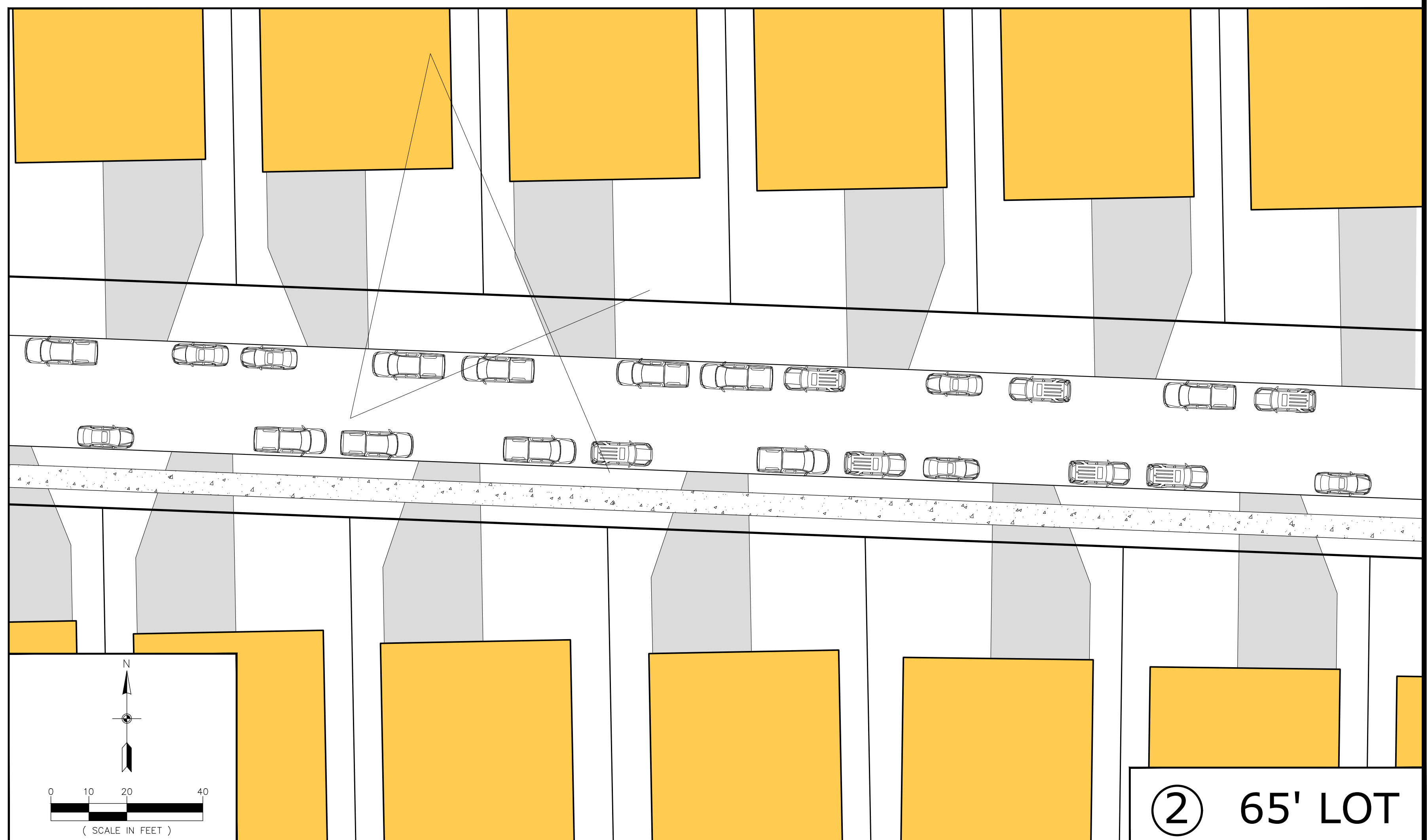
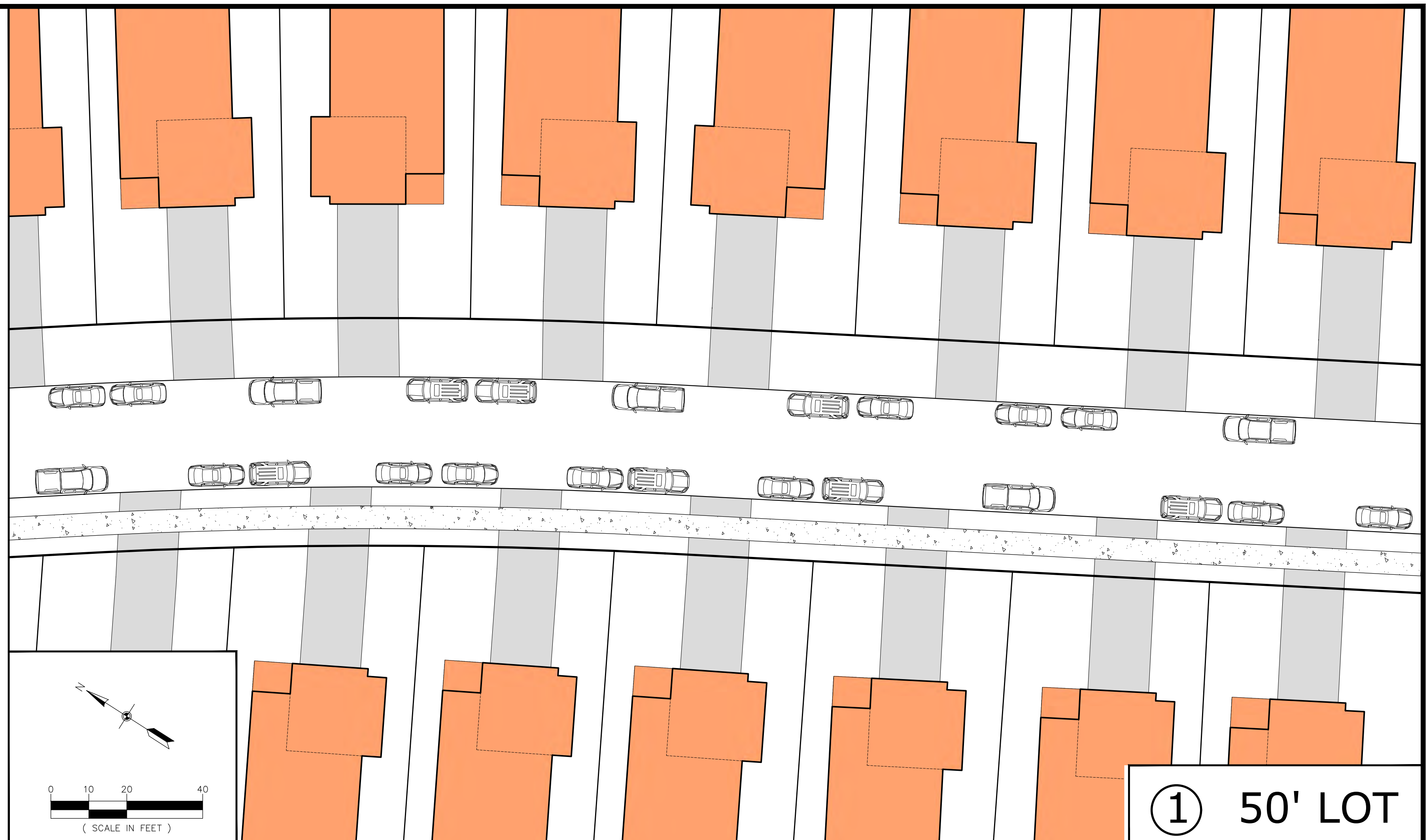


NOTE: MAXIMUM DRIVEWAY WIDTH FOR 50' LOTS IS 16' AT THE BACK OF CURB

② 65' LOT
(NOT TO SCALE)



NOTE: MAXIMUM DRIVEWAY WIDTH FOR 65' LOTS (AND LARGER) IS 30' AT THE RIGHT OF WAY



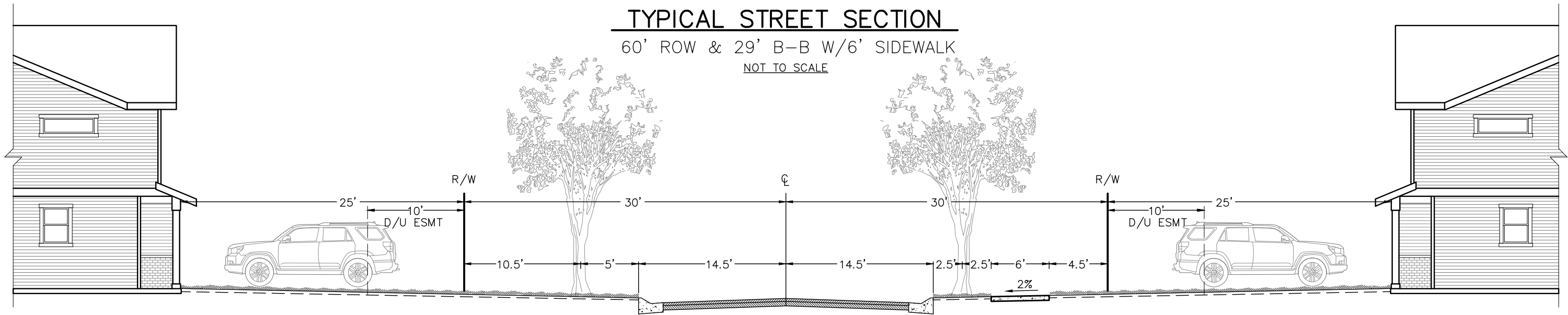
REVISIONS

1. 12/13/24 - Add Max Dwy Width Notes
- 2.
- 3.
- 4.
- 5.
- 6.

DRAWN BY: ADB
ISSUE DATE: 12/5/2024
PROJECT NO: 9556

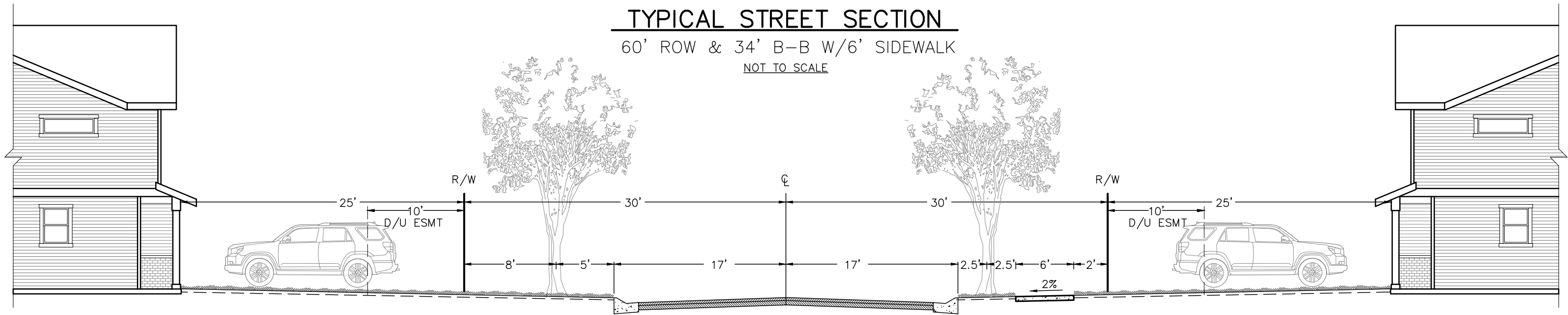
TYPICAL STREET SECTION

60' ROW & 29' B-B W/6' SIDEWALK
NOT TO SCALE



TYPICAL STREET SECTION

60' ROW & 34' B-B W/6' SIDEWALK
NOT TO SCALE



12/02/24



3300 PHEASANT RIDGE DR NE
SUITE 100
BLAINE, MN 55449
TEL 763.488.7800
FAX 763.488.7860
CARLSONMCCAIN.COM

Revisions:
1.

CAPSTONE HOMES, INC.
14015 Sunfish Lake Blvd. NW, Suite 400
Ramsey, MN 55303

SPECHT FAMILY FARM
Elk River, Minnesota

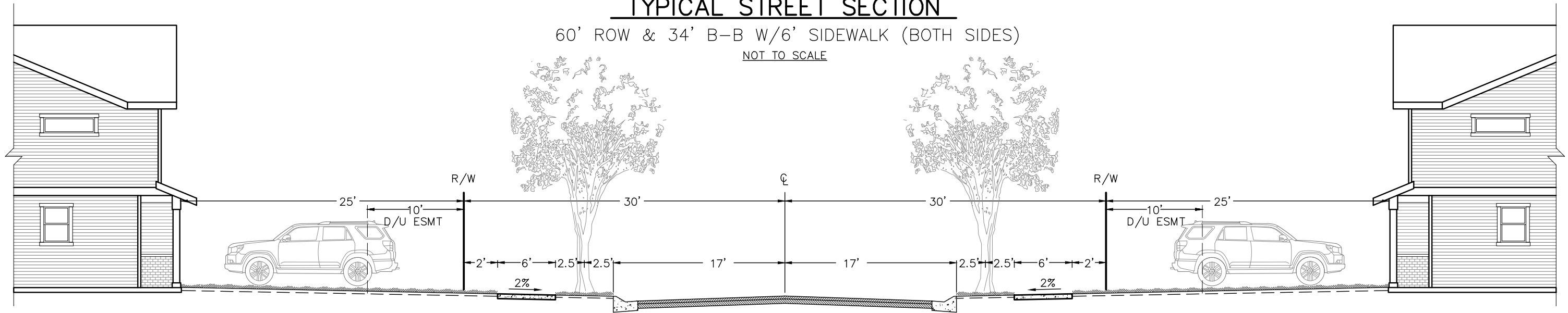
TYPICAL STREET SECTIONS

1 of 2

#9556

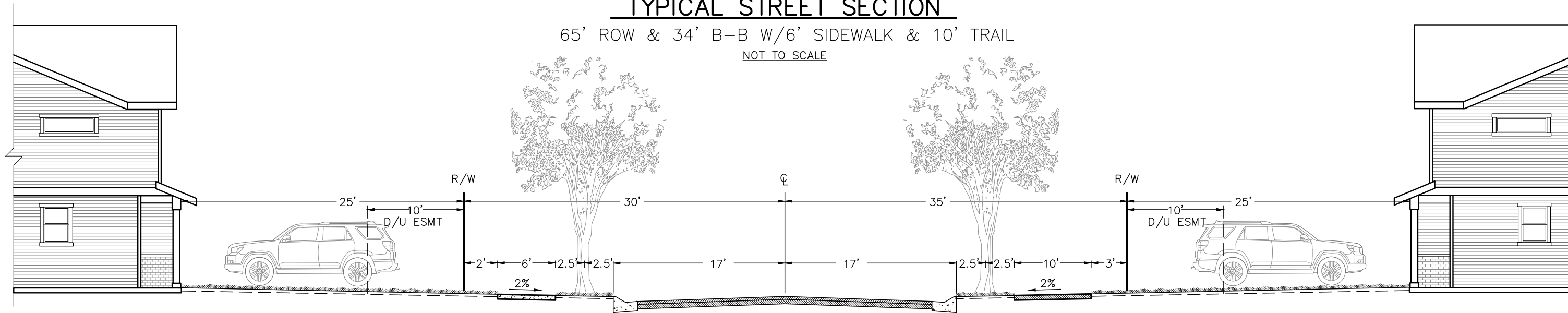
TYPICAL STREET SECTION

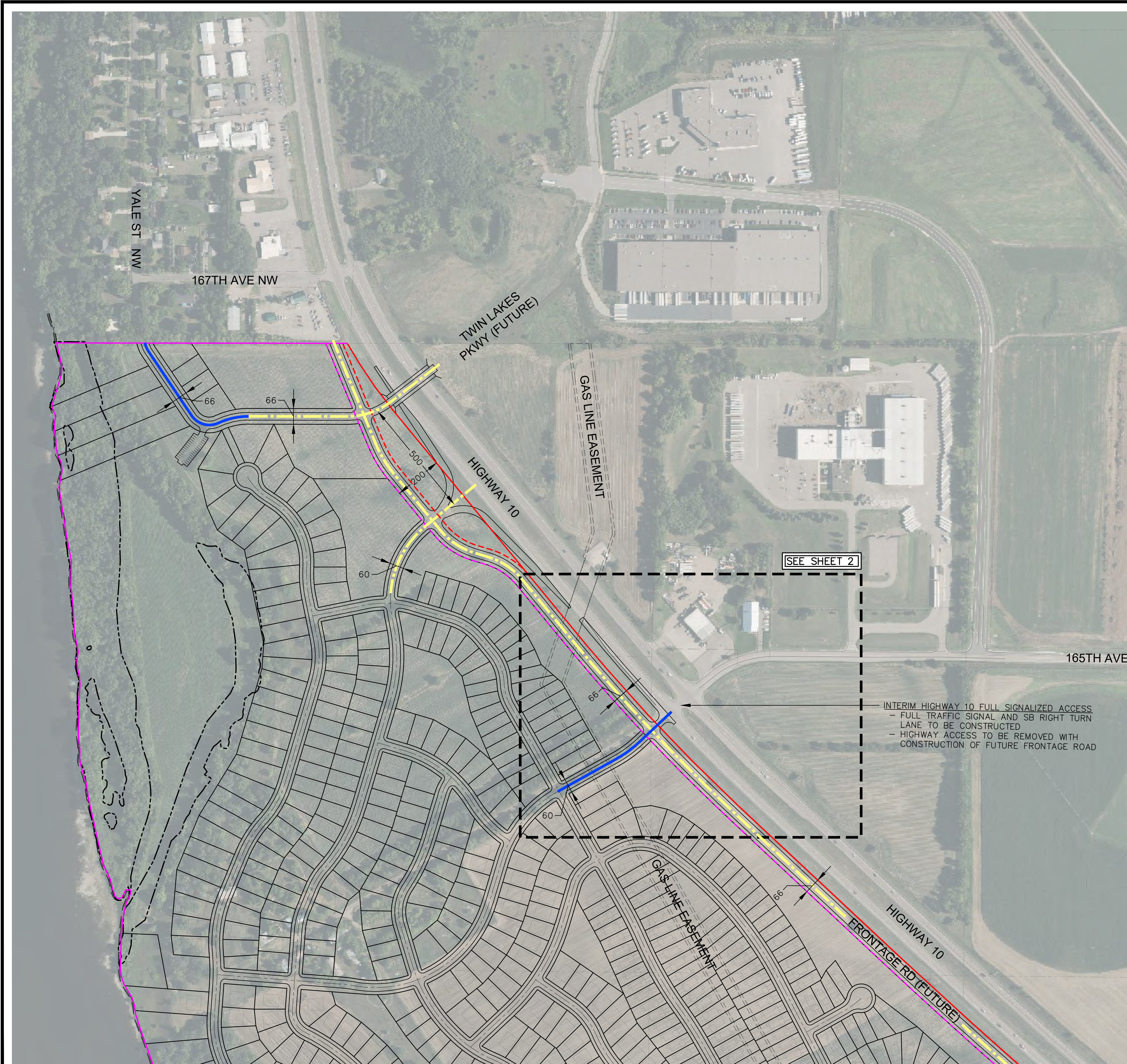
60' ROW & 34' B-B W/6' SIDEWALK (BOTH SIDES)
NOT TO SCALE



TYPICAL STREET SECTION

65' ROW & 34' B-B W/6' SIDEWALK & 10' TRAIL
NOT TO SCALE





LEGEND

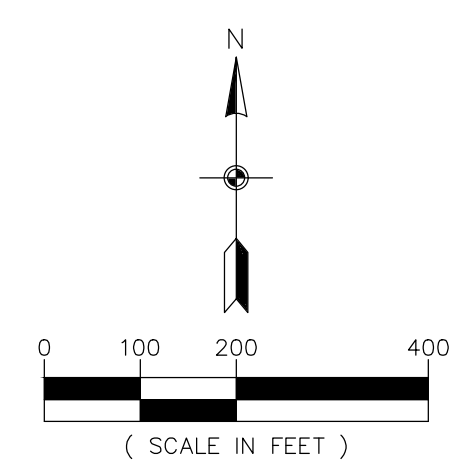
- EXISTING MNDOT RIGHT-OF-WAY (PROJECT BOUNDARY)
- - - PROPOSED MNDOT RIGHT-OF-WAY (FUTURE INTERCHANGE)
- PROJECT BOUNDARY
- - - PROPOSED PROJECT BOUNDARY (FRONTAGE RIGHT-OF-WAY)
- PROPOSED PROJECT ACCESS
- - - FUTURE PROJECT ACCESS W/ HWY 10 INTERCHANGE & FRONTAGE ROAD CONSTRUCTION (BY OTHERS)

EXAMPLE INTERCHANGE



HIGHWAY 169 & CEDAR LAKE ROAD S (MINNETONKA)
WITH TWO-WAY FRONTAGE ROAD (WEST SIDE OF HWY 169 ONLY)

INTERIM HIGHWAY 10 FULL SIGNALIZED ACCESS
 - FULL TRAFFIC SIGNAL AND SB RIGHT TURN LANE TO BE CONSTRUCTED
 - HIGHWAY ACCESS TO BE REMOVED WITH CONSTRUCTION OF FUTURE FRONTAGE ROAD



**CARLSON
McCain**

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3890 PHEASANT RIDGE DRIVE NE, SUITE 100, BLAINE, MN 55449
TEL: 763.489.7900 \ FAX: 763.489.7959 \ CARLSONMCCAIN.COM

HWY 10 ACCESS EXHIBIT

SPECHT FAMILY FARM
Elk River, Minnesota

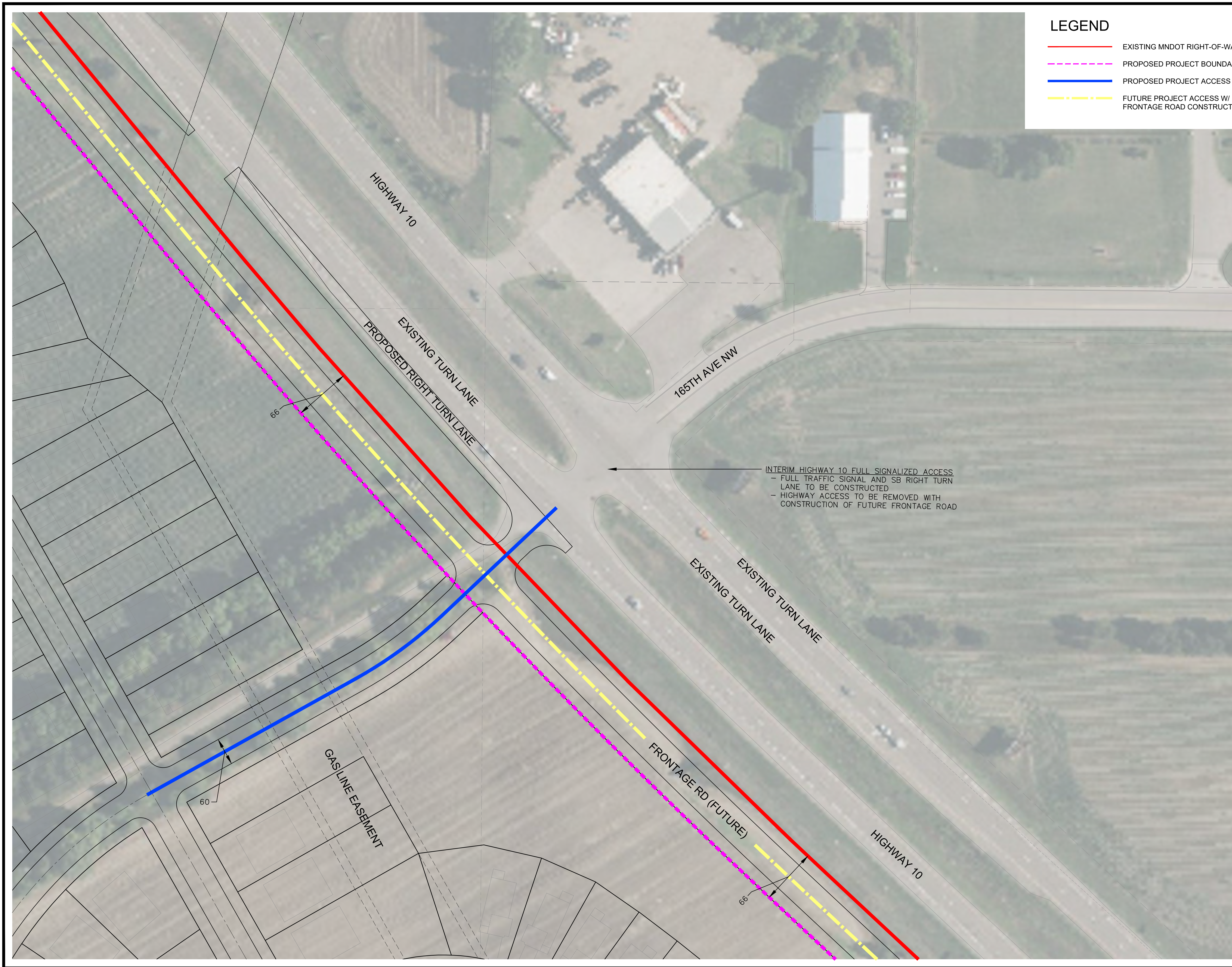
CAPSTONE HOMES, INC.
14015 Sunfish Lake Boulevard, Suite 400
Ramsey, Minnesota 55303

REVISIONS

1.	12/13/24 - Revise Layout.
2.	
3.	
4.	
5.	
6.	

DRAWN BY: RJR
 ISSUE DATE: 09/11/24
 PROJECT NO: 9556

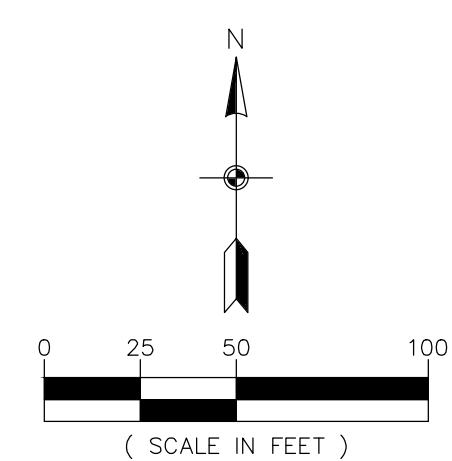
1 of 2



LEGEND

- EXISTING MNDOT RIGHT-OF-WAY (PROJECT BOUNDARY)
- - - PROPOSED PROJECT BOUNDARY (FRONTAGE RIGHT-OF-WAY)
- PROPOSED PROJECT ACCESS (INTERIM)
- - - FUTURE PROJECT ACCESS W/ HWY 10 INTERCHANGE & FRONTAGE ROAD CONSTRUCTION (BY OTHERS)

INTERIM HIGHWAY 10 FULL SIGNALIZED ACCESS
 - FULL TRAFFIC SIGNAL AND SB RIGHT TURN LANE TO BE CONSTRUCTED
 - HIGHWAY ACCESS TO BE REMOVED WITH CONSTRUCTION OF FUTURE FRONTAGE ROAD



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 TEL: 763.489.7900 \ FAX: 763.489.7959 \ CARLSONMCCAIN.COM

HWY 10 ACCESS EXHIBIT

SPECHT FAMILY FARM
 Elk River, Minnesota

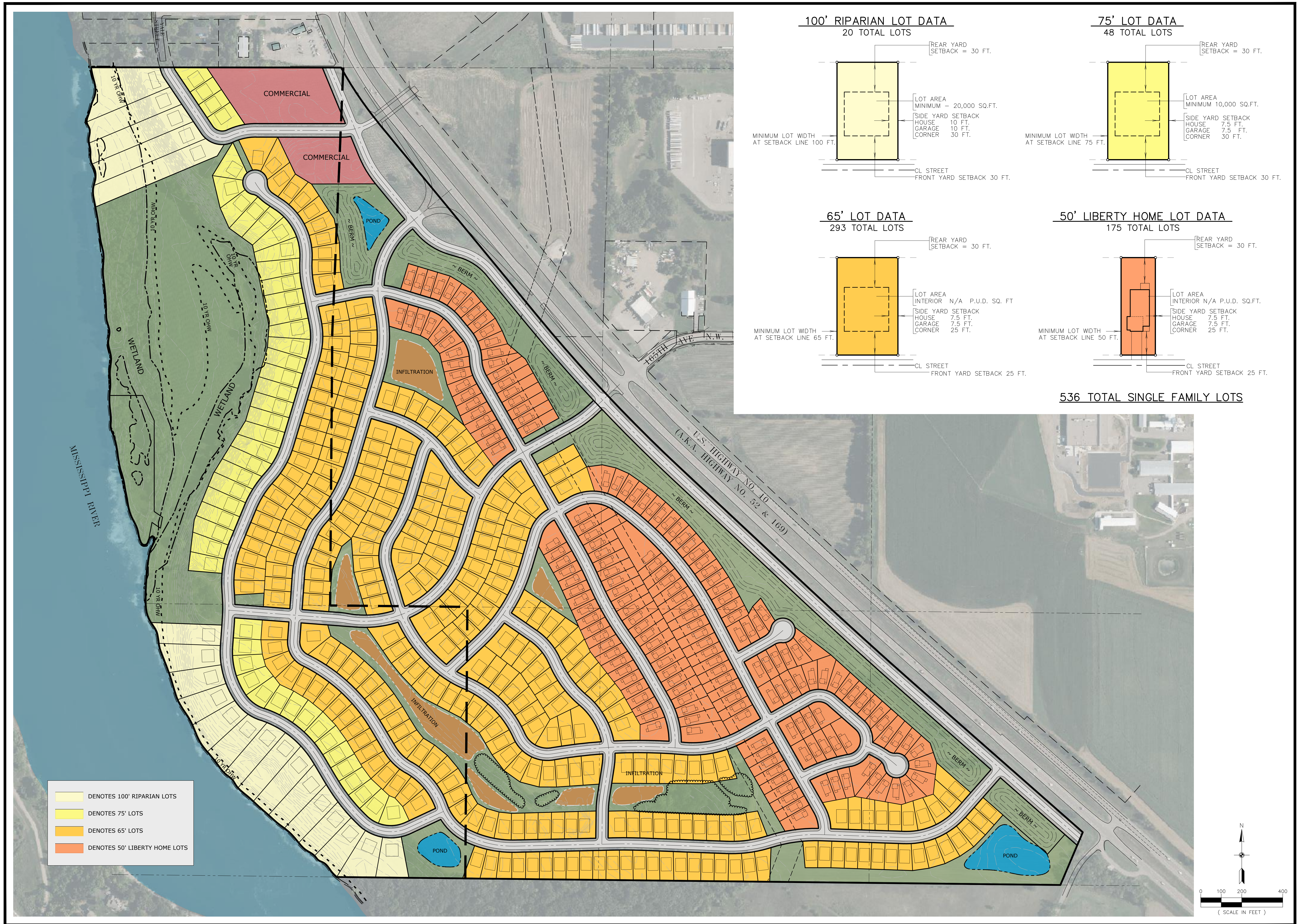
CAPSTONE HOMES, INC.
 14015 Sunfish Lake Boulevard, Suite 400
 Ramsey, Minnesota 55303

REVISIONS

1.	12/13/24 - Revise Layout.
2.	
3.	
4.	
5.	
6.	

DRAWN BY: RJR
 ISSUE DATE: 09/11/24
 PROJECT NO: 9556

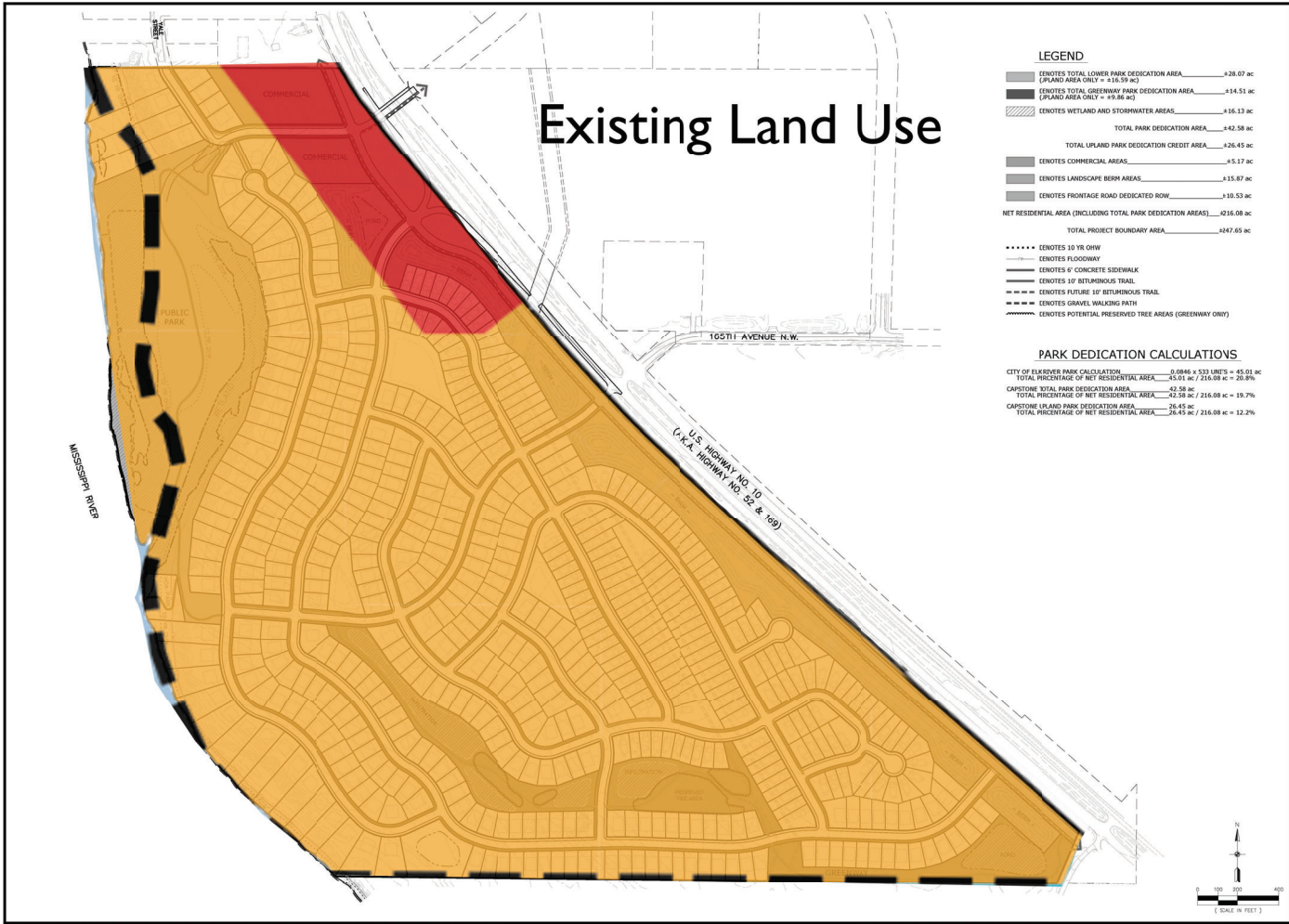
2 of 2



REVISIONS

- 12/05/24 - Revise Layout.
- 12/13/24 - Revise Layout.
- 03/19/25 - Revise Layout.
-
-
-

DRAWN BY: C# / RJR
ISSUE DATE: 11/22/2024
PROJECT NO: 9556



LEGEND

ENOTES TOTAL LOWER PARK DEDICATION AREA (UPLAND AREA ONLY) = 428.07 ac
ENOTES TOTAL OVERLAY PARK DEDICATION AREA (UPLAND AREA ONLY) = 114.51 ac
ENOTES WETLAND AND STORMWATER AREAS = 16.13 ac
TOTAL PARK DEDICATION AREA = 442.58 ac
TOTAL UPLAND PARK DEDICATION CREDIT AREA = 26.45 ac
ENOTES COMMERCIAL AREAS = 5.17 ac
ENOTES LANDSCAPE BERM AREAS = 15.87 ac
ENOTES FRONTAGE ROAD DEDICATED ROW = 10.53 ac
NET RESIDENTIAL AREA (INCLUDING TOTAL PARK DEDICATION AREAS) = 216.08 ac
TOTAL PROJECT BOUNDARY AREA = 447.65 ac

..... ENOTES 10 YR OHW
 --- ENOTES FLOODWAY
 --- ENOTES 6" CONCRETE SIDEWALK
 --- ENOTES 12" BITUMINOUS TRAIL
 --- ENOTES FUTURE 10' BITUMINOUS TRAIL
 --- ENOTES GRAVEL WALKING PATH
 --- ENOTES POTENTIAL PRESERVED TREE AREAS (GREENWAY OHW)

PARK DEDICATION CALCULATIONS

CITY OF ELK RIVER PARK CALCULATION	0.0846 x 533 UNITS = 45.01 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	21.30% / 216.08 ac = 20.8%
CAPSTONE TOTAL PARK DEDICATION AREA	42.58 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	19.7%
CAPSTONE UPLAND PARK DEDICATION AREA	26.45 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	12.2%

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 3800 HIGHLAND ROAD DRIVE NE SUITE 100, BLAINE, MN 55424
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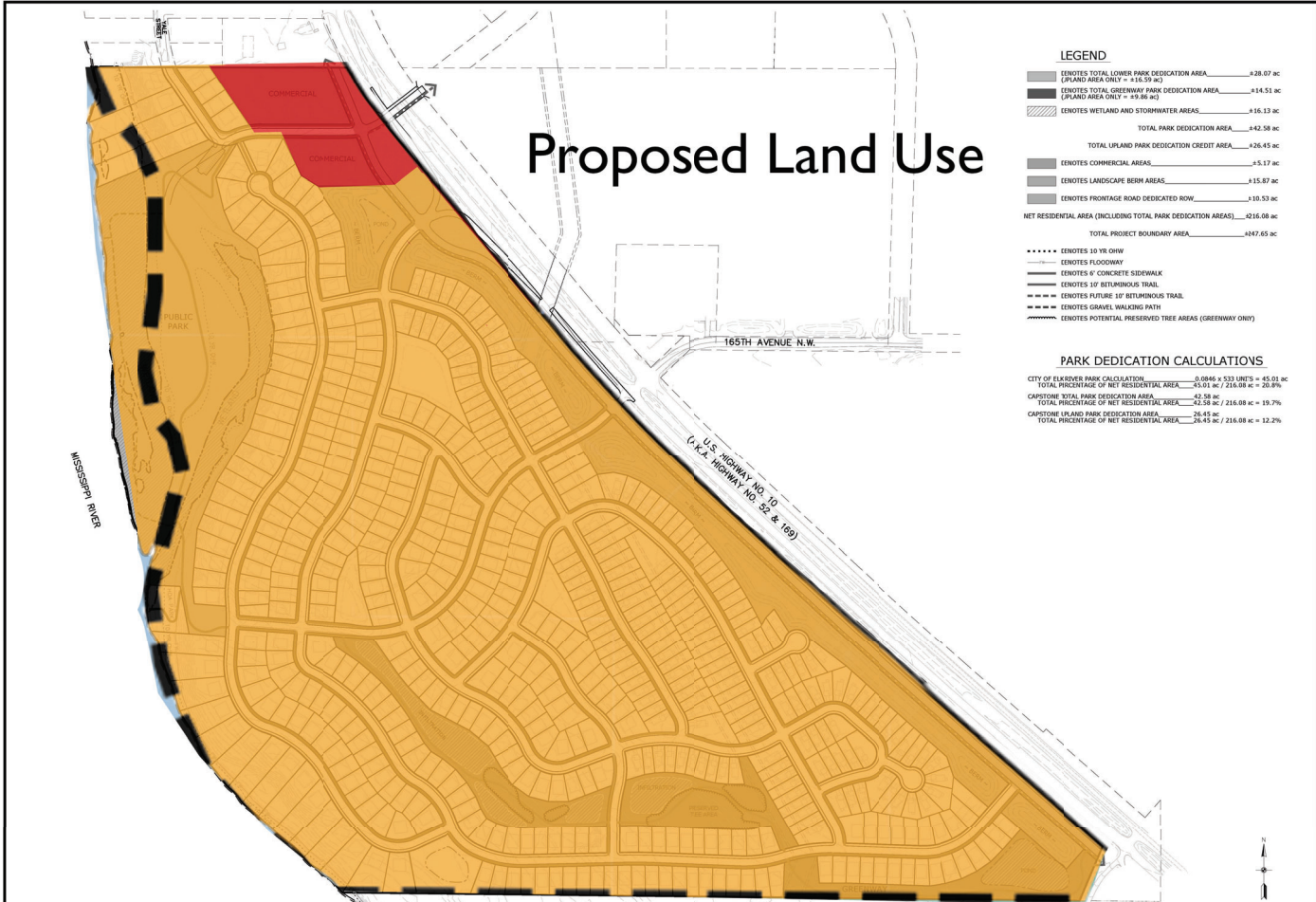
PARK DEDICATION EXHIBIT
SPECHT FAMILY FARM
 Elk River, Minnesota

CAPSTONE HOMES, INC.
 14015 SOUTH LAUREL AVE. SUITE 400
 RAINY RIVER, MINNESOTA 55303

REVISIONS

1.	1.2.2024	-	Revised Layout
2.	2.11.2024	-	Revised Wetland, Area
3.			
4.			
5.			

DRAWN BY: GJR
 CHECK DATE: 12/05/2024
 PROJECT NO: 2400



LEGEND

ENOTES TOTAL LOWER PARK DEDICATION AREA (UPLAND AREA ONLY) = 428.07 ac
ENOTES TOTAL OVERLAY PARK DEDICATION AREA (UPLAND AREA ONLY) = 114.51 ac
ENOTES WETLAND AND STORMWATER AREAS = 16.13 ac
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TOTAL PROJECT BOUNDARY AREA = 447.65 ac

..... ENOTES 10 YR OHW
 --- ENOTES FLOODWAY
 --- ENOTES 6" CONCRETE SIDEWALK
 --- ENOTES 12" BITUMINOUS TRAIL
 --- ENOTES FUTURE 10' BITUMINOUS TRAIL
 --- ENOTES GRAVEL WALKING PATH
 --- ENOTES POTENTIAL PRESERVED TREE AREAS (GREENWAY OHW)

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CAPSTONE TOTAL PARK DEDICATION AREA	42.58 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	19.7%
CAPSTONE UPLAND PARK DEDICATION AREA	26.45 ac
TOTAL PERCENTAGE OF NET RESIDENTIAL AREA	12.2%

CARLSON MCCAIN
 ENGINEERING
 ENVIRONMENTAL
 3800 HIGHLAND ROAD DRIVE NE SUITE 100, BLAINE, MN 55424
 TEL: 763.488.9900 | FAX: 763.488.9999 | CARLSONMCCAIN.COM

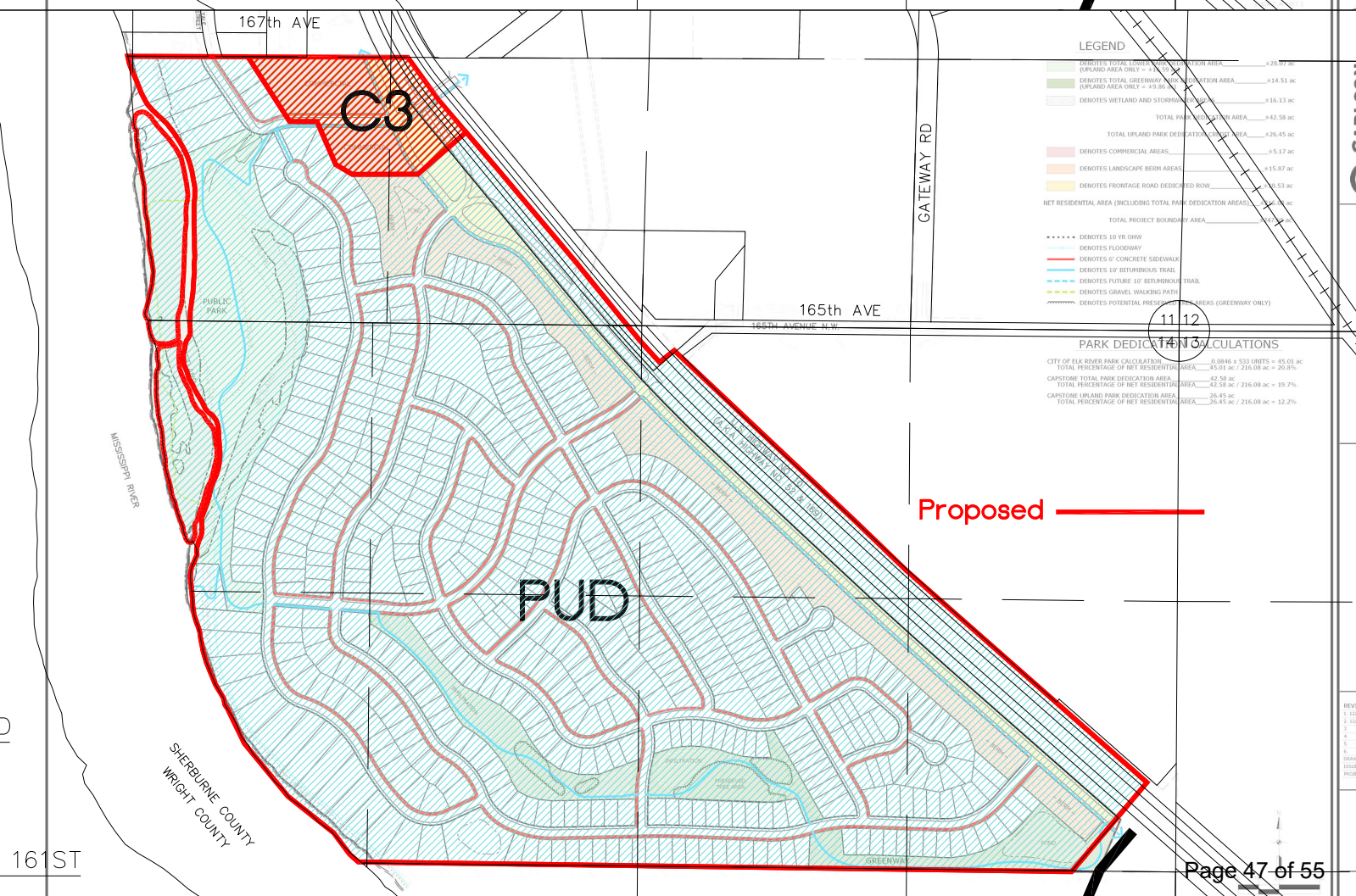
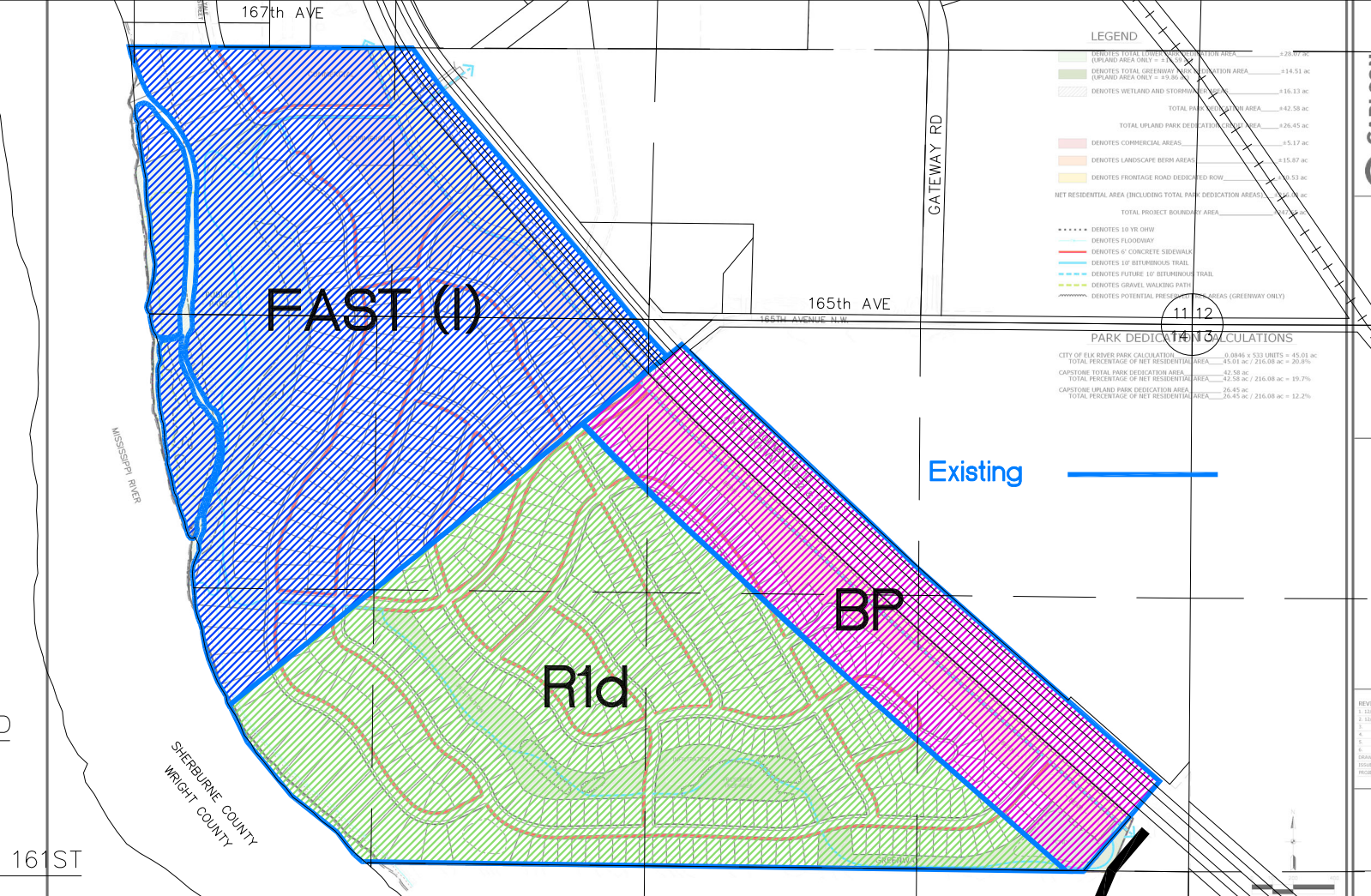
PARK DEDICATION EXHIBIT
SPECHT FAMILY FARM
 Elk River, Minnesota

CAPSTONE HOMES, INC.
 14015 SOUTH LAUREL AVE. SUITE 400
 RAINY RIVER, MINNESOTA 55303

REVISIONS

1.	1.2.2024	-	Revised Layout
2.	2.11.2024	-	Revised Wetland, Area
3.			
4.			
5.			

DRAWN BY: GJR
 CHECK DATE: 12/05/2024
 PROJECT NO: 2400





Request for Action

To
Planning Commission

Item Number
7.2

Meeting Date
March 25, 2025

Prepared By
Zack Carlton, Community Development Director

Item Description
Review Bylaws - Planning Commission and Board of Adjustments

Reviewed by
Chris Leeseberg
Jennifer Green

Action Requested

Approve, by motion, the bylaws for the Planning Commission and the Board of Adjustments.

Background/Discussion

The Planning Commission updated their bylaws in July 2024. This update includes an annual meeting for the election of officers and a review of the bylaws. The approved documents for both the Planning Commission and Board of Adjustments are attached. Please review these documents and provide any recommended changes for consideration by the commission.

Financial Impact

None

Mission/Policy/Goal

Ethical, efficient, and responsible.

Attachments

1. Planning Commission Bylaws July 23, 2024
2. Board of Adjustment Bylaws July 23, 2024
3. 2025 Boards and Commissions Meeting Calendar

The Elk River Vision

A welcoming community with revolutionary and spirited resourcefulness, exceptional service, and community engagement that encourages and inspires prosperity



City of Elk River

Bylaws of the Planning Commission

Article 1. Purpose

As outlined in city ordinance the purpose of the Planning Commission is:

The planning commission assists in implementing city plans by making recommendations to the City Council on long-range planning issues, such as land use and transportation, as well as current issues including subdivisions, site plans, conditional use permits, and variances.

Article 2. Responsibilities

As outlined in city ordinance, the responsibilities of the Planning Commission are:

- A. Prepare and recommend to the City Council for adoption a Comprehensive Plan and amendments as provided for by Minnesota Statutes Chapter 462. Such plan may be prepared in sections, each of which must relate to a major subject of the plan, as outlined in the Commission's work program. The comprehensive plan must include those official controls as defined by Minnesota Statutes Chapter 462 including, but not limited to, ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes, and official maps.
- B. Review the acquisition or disposal of real property by the city as provided for by Minnesota Statutes Chapter 462 for the purpose of considering this action for consistency with the city's Comprehensive Plan. Upon the completion of its review, the Planning Commission shall forward to the City Council the following: i) its findings as to compliance of the proposed acquisition or disposal by the City of real property with the comprehensive plan; and ii) if any modifications or amendments to the comprehensive plan are necessary.
- C. Review proposed amendments to the city's zoning and subdivision regulations and submit its recommendations to the City Council.
- D. Review all development proposals and hold public hearings according to the authority and procedures set forth in the City's zoning and subdivision regulations.
- E. Serve as the Board of Adjustment.

Article 3. Meetings

- A. Annual Organizational Meeting. The March meeting in each calendar year shall be the organizational meeting which includes the election of officers, a review of bylaws, and approval of the meeting calendar.
- B. Commission Schedule. The Planning Commission shall meet at least 12 times per year. Regular Meetings shall be held on the fourth Tuesday of the month at 6:30 p.m. in Council Chambers at City Hall. The meeting schedule shall be posted at the primary office/facility the commission meets and the Elk River City Hall.
- C. Special Meetings. This policy is set by the City Council. Special Meetings may be added by consensus of the commission at a scheduled Regular Meeting to complete unfinished or newly planned business. Special Meetings shall not replace scheduled Regular Meetings.

D. Attendance Policy. This policy is set by the City Council. Members are expected to maintain a proper attendance record. Attendance is vital to community service and City Council expectations. Because attendance is important, the City Council has adopted the following attendance policy:

Members shall be automatically removed for lack of attendance. Lack of attendance is defined as:

- Regularly Scheduled Monthly Commissions: missing three (3) scheduled Regular Meetings during a calendar year without an excused absence; or missing 50% of Regular and Special Meetings with or without an excused absence during a calendar year.

An absence may be excused if the staff liaison or the Office of the City Clerk are notified no later than 12 p.m. (noon) on the day of the scheduled meeting.

Participation for less than three-fourths (3/4) of a meeting shall be considered an absence. Members removed pursuant to this paragraph shall not continue to serve on the board or commission. A member may appeal termination by requesting a hearing before the City Council within 10 days of notice of termination.

Staff liaisons shall use a standard commission attendance form to record attendance. The Office of the City Clerk shall forward the attendance record to the City Council each June and December for Council review.

Article 4. Officers, Elections, Duties

- A. As outlined in the city ordinance, a chair and vice chair must be selected. During the annual meeting, the members shall elect a chair and vice chair who shall hold the office for a period of one year. The city ordinance states a member must have one year of experience before being elected to serve as chair. If both the chair and vice chair are absent, the remaining quorum shall appoint one member to preside at that meeting.
- B. Each voting member has a right to make a nomination for an officer.
- C. A vacancy for an officer shall be filled by a vote at the next regularly scheduled meeting after the vacancy occurs.
- D. The chair shall preside at all meetings.
- E. The vice chair shall act for the chair in his/her absence.
- F. Any member of the commission may request to add items to the Regular Meeting agenda. Requests must be submitted to the staff liaison, in writing, no less than seven (7) days prior to the scheduled Regular Meeting.

Article 5. Staff Roles

The city shall provide the commission necessary technical and administrative assistance as follows:

- A. Preparation of and posting of public notices as required by law.
- B. Preparation of all meeting materials, such as agendas, reports, reference materials, and presentation materials.
- C. Preparation of meeting minutes.
- D. Retention of and public access to all commission records.

Article 6. Training

Members are expected to complete recommended training to meaningfully participate and make informed decisions on matters coming before them.

Article 7. Reporting

As outlined in city ordinance the commission shall provide reports, conclusions, and recommendations to the City Council throughout the year as needed.

Article 8. Public Records

- A. All commissions receive and create public records while conducting business. Members may also produce public records in their official capacity as a board member. All board-related communications are subject to public disclosure.
- B. Examples of public records include papers, notes, photographs, videos, maps, emails, voicemail messages, instant messages, and text messages. Email and text messages are public records when created by appointed officials and employees for the purpose of conducting official city business. Social media posts may also be considered a public record.

Article 9. Conflict of Interest/Ethics

- A. Members may not, in their private capacity, negotiate, bid for, or enter into a contract on behalf of or with the City of Elk River in which they have a direct or indirect financial interest or perceived financial interest.
- B. A member shall withdraw from commission discussion, deliberation, and vote on any matter in which the member, an immediate family member, or an organization with which the commission member is associated has a financial or perceived personal interest (see City Ordinance). The member shall also leave the meeting room during the ensuing discussion and vote.
- C. A member may not receive anything of value that could reasonably be expected to influence their vote or other official action (see Minnesota Gift Law).

Article 10. Amendments to Bylaws

All bylaw changes shall be reviewed and approved by the Planning Commission and must be filed with the Office of the City Clerk.

Adopted: July 23, 2024



Perry Beise

Planning Commission Chair

City of Elk River

Bylaws of the Board of Adjustments

Article 1. Purpose

As outlined in city ordinance the purpose of the Board of Adjustments is:

The board of adjustments hear matters of zoning variances, zoning appeals, and the establishment of legal nonconforming rights.

Article 2. Responsibilities

As outlined in city ordinance, the responsibilities of the Board of Adjustments are:

- A. *Administrative review.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by staff in the enforcement of this chapter.
- B. *Variance.* To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal interpretation and enforcement of the provisions of this chapter would result in unnecessary hardship as provided in Chapter 30, Article VI.

Article 3. Meetings

- A. The board of adjustments shall adopt bylaws for the transaction of its business consistent with the provisions of Chapter 30, division 2, article VI of this code and Minn. Stats. §§462.351-462.364. Meetings of the board shall be held on the same evenings as the Planning Commission meetings.
- B. Commission Schedule. As outlined in city ordinance, the Planning Commission shall meet at least 12 times per year. Regular Meetings shall be held on the fourth Tuesday at 6:30 p.m. in Council Chambers at City Hall. The meeting schedule shall be posted at the primary office/facility the commission meets and the Elk River City Hall.
- C. Special Meetings. This policy is set by the City Council. Special Meetings may be added by consensus of the commission at a scheduled Regular Meeting to complete unfinished or newly planned business of the scheduled Regular Meeting. Special Meetings shall not replace scheduled Regular Meetings.
- D. Attendance Policy. This policy is set by the City Council. Members are expected to maintain a proper attendance record. Attendance is vital to community service and City Council expectations. Because attendance is important, the City Council has adopted the following attendance policy:

Members shall be automatically removed for lack of attendance. Lack of attendance is defined as:

- Regularly Scheduled Monthly Commissions: missing three (3) scheduled Regular Meetings during a calendar year without an excused absence; or missing 50% of Regular and Special Meetings with or without an excused absence during a calendar year.
- All Other Commissions: missing two (2) scheduled Regular Meetings during a calendar year without an excused absence or missing 50% of Regular and

Special Meetings with or without an excused absence during a calendar year.

An absence may be excused if the staff liaison or the Office of the City Clerk are notified no later than 12 p.m. (noon) on the day of the scheduled meeting.

Participation for less than three-fourths (3/4) of a meeting shall be considered an absence. Members removed pursuant to this paragraph shall not continue to serve on the board or commission. A member may appeal termination by requesting a hearing before the City Council within 10 days of notice of termination.

Staff liaisons shall use a standard commission attendance form to record attendance. The Office of the City Clerk shall forward the attendance record to the City Council each June and December for Council review.

Article 4. Officers, Elections, Duties

Officers, the election process, and their duties shall be consistent with the procedures established by the Planning Commission bylaws. The offers shall be the same as appointed by the Planning Commission.

Article 5. Staff Roles

The city shall provide the commission necessary technical and administrative assistance as follows:

- A. Preparation of and posting of public notices as required by law.
- B. Preparation of all meeting materials, such as agendas, reports, reference materials, and presentation materials.
- C. Preparation of meeting minutes.
- D. Retention of and public access to all commission records.

Article 6. Training

Members are expected to complete recommended training to meaningfully participate and make informed decisions on matters coming before them.

Article 7. Reporting

As outlined in city ordinance the commission shall provide reports, conclusions, and recommendations to the City Council throughout the year as needed.

Article 8. Public Records

- A. All commissions receive and create public records while conducting business. Members may also produce public records in their official capacity as a board member. All board-related communications are subject to public disclosure.
- B. Examples of public records include papers, notes, photographs, videos, maps, emails, voicemail messages, instant messages, and text messages. Email and text messages are public records when created by appointed officials and employees for the purpose of conducting official city business. Social media posts may also be considered a public record.

Article 9. Conflict of Interest/Ethics

- A. Members may not, in their private capacity, negotiate, bid for, or enter into a contract on behalf of or with the City of Elk River in which they have a direct or indirect financial interest or perceived financial interest.
- B. A member shall withdraw from commission discussion, deliberation, and vote on any matter in

which the member, an immediate family member, or an organization with which the commission member is associated has a financial or perceived personal interest (see City Ordinance). The member shall also leave the meeting room during the ensuing discussion and vote.

- C. A member may not receive anything of value that could reasonably be expected to influence their vote or other official action (see Minnesota Gift Law).

Article 10. Amendments to Bylaws

All bylaw changes shall be reviewed and approved by the Planning Commission meeting as the Board of Adjustments and must be filed with the Office of the City Clerk.

Adopted: July 23, 2024



Perry Beise
Planning Commission Chair

Advisory Board/Commission Meeting Calendar

January						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
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20	21	22	23	24	25	26
27	28	29	30	31		

October						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
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						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

May						
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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
S	M	T	W	T	F	S
					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
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30						






March						
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30	31					





June						
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29	30					

September						
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28	29	30				

December						
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21	22	23	24	25	26	27
28	29	30	31			

NOTE: ALL DATES ARE SUBJECT TO CHANGE.

-  EDA (5:30 p.m.) and City Council (6:00 p.m. or after EDA mtg)
-  Heritage Preservation Commission - 6:00 p.m.
-  HRA (5:30 p.m.) and City Council (6:30 p.m.)
-  Multipurpose Facility Commission - 6:30 p.m.
-  Parks and Recreation Commission - 6:30 p.m.

-  Planning Commission - 6:30 p.m.
-  Utilities Commission - 3:30 p.m.
-  City Council
-  Utilities Commission/Parks and Recreation Commission

Holidays

- Jan 1 - New Year's Day observed
- Jan 20 - Martin Luther King Jr. Day
- Feb 17 - Presidents' Day
- May 26 - Memorial Day
- June 19 - Juneteenth
- July 4 - Independence Day

- Sept 1- Labor Day
- Nov 11 - Veterans Day observed
- Nov 27 - Thanksgiving
- Nov 28 - Day after Thanksgiving
- Dec 24 & 25 - Christmas holidays observed

Multipurpose Facility Commission meets at Furniture and Things Community Event Center, 1000 School St
 Utilities Commission meets at ERMU, 13069 Orono Parkway
 Unless otherwise noted, all other meetings are held at Elk River City Hall, 13065 Orono Parkway