



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

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

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.

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**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 I3 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.**

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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 145<sup>th</sup> 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.

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**Mark Hopps**, 10045 177<sup>th</sup> 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

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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.

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Perry Beise, Chair



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Tina Allard, City Clerk