



**Meeting of the Planning Commission
Held at the Elk River City Hall
Tuesday, June 24, 2025**

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

Members Absent: None

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 6:42 p.m.

2. CONSIDER AGENDA

Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the agenda. Motion carried 7-0.

3. CONSIDER MINUTES

Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the following consent items as outlined in their respective staff reports. Motion carried 7-0.

3.1 Draft Minutes from May 27, 2025

4. PUBLIC HEARINGS

4.1 Conditional Use Permit: Outdoor Vehicle Storage and Auto Sales, 9672 163rd Ave NW, Todd Bialon for Jarvis LLC

Mr. Leeseberg presented the staff report. He distributed updated conditions to reflect the auto repair portion of the applicant's request.

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

Commissioner Rydberg asked about the shared fence with Collins Brothers Towing. He asked if Collins Brothers fencing is opaque.

Mr. Leeseberg stated there will be a common fence and the material will have to meet the ordinance requirements for outdoor storage.

Moved by Commissioner Johnson and seconded by Commissioner Kaba to recommend approval of the request by Todd Bialon for Jarvis LLC for a Conditional Use Permit with

the following conditions to satisfy the standards set forth in Section 30-654:

- 1. The setback variance (V 25-09) shall be approved.**
- 2. All outdoor storage shall follow Section 30-807.**
- 3. The parking and driveway area outside the fenced area shall be bound by B612 curb and gutter.**
- 4. All parking and driving areas must be finished with an approved surface - bituminous, concrete, or compacted Class 5.**
- 5. All areas not identified for parking or driving areas shall be maintained as turf grass per city standards.**
- 6. A 100% opaque fence shall be installed along the perimeter of the outdoor storage area that is visible from the right-of-way.**
- 7. Except for short-term staging requirements, there shall be no storage of vehicles outside the approved storage area, including the city street, exterior parking area, and landscaped areas.**
- 8. Staff approval of all site and civil plans.**
- 9. No motor vehicle repairs shall be allowed.**

Motion Carried 7-0.

4.2 Conditional Use Permit: Changeable Copy Sign, Lamar Outdoor Advertising, 75-00943-0110

Mr. Leeseberg presented the staff report.

Commissioner Johnson asked how the size and height of the proposed billboard compares to the billboard located north of this proposed location.

Mr. Leeseberg stated he was not sure, but the applicant is requesting the changeable copy exceed 30 square feet, but no change in height.

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

Commissioner Bland asked if there was a precedence with approving the signs in this area.

Mr. Leeseberg stated the request for this sign is the changeable portion of the sign which is larger than the ordinance allows by right, but is permitted with a CUP, and noted that this is not a special exception.

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend, by motion, approval of the Conditional Use Permit to allow a changeable copy sign with the following conditions to satisfy the standards set forth in Section 30-654:

- 1. The sign shall be constructed in accordance with all applicable city and state regulations, including compliance with brightness limits and digital display transition standards.**
- 2. No additional signage shall be added without appropriate review and permitting.**
- 3. The applicant shall provide a survey confirming that the sign location is outside regulated wetlands or demonstrate eligibility for an exemption under the Wetland Conservation Act.**

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- 4. Any disturbance to wetland areas shall require formal review and compliance with state and local wetland regulations.**
 - 5. The applicant must apply for and receive all state and local permits prior to beginning construction.**

Motion Carried 7-0.

4.3 Preliminary Plat: Sherburne Meadows, Sherburne County - 10638 205th Ave. NW

Mr. Carlton presented the staff report.

Commissioner Booth asked about the easement located on Lot 2, Block 2.

Mr. Carlton stated there was an existing county road easement on that parcel.

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

Moved by Commissioner Booth and seconded by Commissioner Zahler to recommend approval of the Preliminary Plat for Sherburne Meadows, subject to the following conditions:

- 1. An approved wetland replacement plan will be required.**
- 2. Wetland boundaries identified on the plat may need to be updated after the subject site has received a Notice of Decision.**
- 3. If the road is not immediately constructed as a through street, a temporary cul-de-sac will be required at the dead end.**
- 4. Work with Elk River Municipal Utilities (ERMU) to secure required utility permits and coordinate overhead power lines.**

Motion carried 7-0.

4.4 Preliminary Plat: Oakwater Ridge, Capstone Homes - 16330 US Highway 10

Mr. Carlton presented the staff report.

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

Commissioner Rydberg stated his major concern with this project has always been the safety of drivers entering Highway 10, predicting future accidents.

Mr. Carlton stated the configuration of the access point has been a significant discussion with MnDOT and Capstone. The recommendation is an R-cut, or reduced conflict interchange. The first phase of the development before final platting will require an access permit from MnDOT, and MnDOT will not approve anything more than a smaller first phase without those access improvements being in place. The City Council and Capstone are working together to start the final design of the intersection.

Councilmember Wagner noted that significant conversations with MnDOT were an understatement. She stated Rep. Emmer has been contacted for help with funding to bring the interchange sooner. MnDOT said that their Highway 10 funding stops at the county line. She stated for reference, there has

been significant conversations for safety improvements at this intersection. The city and Capstone are working together with engineering plans to ensure a safe intersection.

Commissioner Rydberg stated it was because there are two counties at play with this roadway, and therefore it will involve state and federal funding involvement.

Councilmember Wagner stated she didn't agree with Commissioner Rydberg's assessment and noted Elk River is considered outstate in the eyes of MnDOT funding.

Moved by Commissioner Johnson and seconded by Commissioner Booth to recommend approval of the Preliminary Plat for Oakwater Ridge, subject to the following conditions:

1. All comments of the EAW must be addressed to the satisfaction of the representative agency.

2. Billboards along Highway 10 must be removed as the subdivision is developed and in accordance with City Council resolution 25-31.

3. Staff approval of all site, utility, grading, and landscape plans.

4. All wet stormwater basins require a 25-foot easement in accordance with setback and buffer requirements outlined in Sec. 30-1852. The buffer must be marked with approved signs.

5. Setback lines shown on the preliminary plat must reflect the 45-foot setback required for all wet ponds.

6. Trails and other features within the floodplain must comply with the floodplain ordinance standards.

7. All temporary dead-ends included in future development plans must include signage stating "Future Through Street" and a temporary cul-de-sac when the street will have driveway access.

8. Work with Elk River Municipal Utilities (ERMU) to adjust overhead power poles to support the development and future frontage road along Highway 10.

9. ERMU requires a per lot streetlight fee.

10. The subdivision must be developed in accordance with all requirements included in the Oakwater Ridge Master Plan and consistent with City Council action in their approval on April 7, 2025.

11. The developer and the city must design and install access improvements at Highway 10 and 165th Ave to support the traffic needs of the proposed development.

12. The MnDNR must provide written approval of the work proposed within the Wild and Scenic River District.

13. Along the property line with the Oliver Kelley Farm, the developer shall provide the following: vegetative screening and a private property sign every 500 feet along the non-wooded boundary, and one private property sign for each residential parcel along the wooded boundary.

14. The developer must also work with the Oliver Kelley Farm to resolve any encroachment concerns resulting from the existing fence.

15. Staff and the developer shall work together to resolve addressing and street alignment concerns.

Motion carried 7-0.

There was no general business to discuss.

6. COUNCIL LIAISON UPDATES

Councilmember Wagner provided an update to the Planning Commission of recent City Council items.

7. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Johnson and seconded by Commissioner Booth to adjourn the meeting. Motion carried 7-0.

The meeting adjourned at 07:06 p.m.

Minutes prepared by Jennifer Green.



Perry Beise, Chair



Tina Allard, City Clerk