

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, JULY 27, 2020

The Ham Lake Planning Commission met for its regular meeting on Monday, July 27, 2020 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Kyle Lejonvarn, Dave Ringler, Scott Heaton, Jeff Entsminger, Jonathan Fisher and Erin Dixon

MEMBERS ABSENT: None

OTHERS PRESENT: City Engineer Tom Collins and Zoning and Building Clerk Jennifer Bohr

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Pogalz, seconded by Fisher, to approve the minutes of the July 13, 2020 Planning Commission meeting as written. All in favor, motion carried.

NEW BUSINESS:

Jan and Kim Schumann requesting a Home Occupation Permit to operate Bella's Bee Werke, LLC at 16820 3rd Street NE.

Jan and Kim Schumann, were present. Mr. Schumann stated they raise bees for honey and, to date, have sold honey to co-workers of family members. Mr. Schumann stated they are applying for a permit so they can sell honey out of their house. Mrs. Schumann stated they are hobby beekeepers and have more honey than they can use. Chair Pogalz asked what prompted them to apply for a home occupation permit. Mrs. Schumann stated they made an inquiry about posting a sign on their property to advertise honey for sale but learned the City's home occupation ordinance doesn't allow signage and they filed the application to "follow the rules". Commissioner Dixon asked if they infused the honey or if it was pure honey. Mrs. Schumann stated they only bottle pure honey. Commissioner Dixon asked if they followed the State of Minnesota labeling requirements. Mrs. Schumann stated they do. Commissioner Lejonvarn completed the inspection, a copy which is on file. Commissioner Lejonvarn stated he interviewed Mr. and Mrs. Schumann by telephone and went on-site for an inspection. Commissioner Lejonvarn stated they use a small garage in the back yard and a small space in the house for the business, they will be selling the honey via the Internet as well as word of mouth, Mr. and

Mrs. Schumann are the only two employees, parking will be on their paved driveway and it doesn't appear that any excess traffic will be generated by the business. **Motion by Lejonvarn, seconded by Heaton, to recommend approval of the request of Jan and Kim Schumann for a Home Occupation Permit to operate Bella's Bee Werke, LLC at 16820 3rd Street NE, subject to only using the back garage and one room in the house for the business, no outside storage, all parking to be on the paved driveway, business hours of 9:00 a.m. to 5:00 p.m., Monday through Friday and following all State, County, and City requirements. All in favor, motion carried.** *(This application will be placed on the City Council's Monday, August 3, 2020 agenda.)*

Commissioner Heaton stated he doesn't think this type of business should have to come before the Commission for a permit. Commissioner Heaton stated consideration should be given to allowing residents to sell honey as a permitted use, without the need for a permit from the City.

Chair Pogalz asked to address item three on the agenda prior to item two.

Rick and Julie Braastad, J & R Acres, LLC, requesting Sketch Plan approval for Radisson Sunset Estates (7 single family residential lots) located in Section 21.

Rick and Julie Braastad were present. Mrs. Braastad stated they are developing approximately 24 acres of their property creating a plat with seven residential lots; they will reside on one lot of approximately 16 acres. Chair Pogalz asked Engineer Collins to comment on the sketch plan. Engineer Collins stated one item of concern is the existing concrete barn that is partially within the Radisson Road NE right-of-way (ROW); it doesn't meet the 10-foot side yard structure setback of Table 10-1 of City Code. Engineer Collins stated he is of the understanding that Anoka County is willing to vacate the ROW so the setback can be met with a condition that if the County upgrades Radisson Road NE to four lanes in the future, the structure may need to be removed. Mrs. Braastad stated the concrete barn was built in 1949 when Radisson Road NE was a dirt road; the placement of the barn complied with ROW requirements at that time. Engineer Collins stated another item to address is the dedication of an easement for a future bike path adjacent to 153rd Avenue NE, similar to the easement that was dedicated with the B and T Acres residential development to the east. Engineer Collins stated the County will need to review and comment on intersection spacing between Radisson Road NE and Xylite Street NE and determine if the existing driveway for 15203 Radisson Road NE can remain. Engineer Collins stated there is a 66-foot wide Minnesota Pipe Line Company easement thru the parcel; written approval from the Minnesota Pipe Line Company will be required for Quamba Street NE to cross the easement, for grading within the easement and the Lot 6 septic line crossing the easement. Chair Pogalz asked for more information related to water treatment and drainage for the development. Engineer Collins stated that per the Coon Creek Watershed District (CCWD) portions of the sketch plan and land to the north and west are classified as drainage sensitive land uses, meaning that downstream lands are dependent upon removal of water from the soil profile for their continued use. The CCWD will require that post development 100-year discharge rates to the westerly private ditch do not exceed pre-development 25-year rates. Engineer Collins stated in addition to CCWD approval of storm water treatment, the County will also review and approve the proposed storm water treatment and discharge rates into their right-of-way. **Motion by**

Pogalz, seconded by Lejonvarn, to recommend approval of the Sketch Plan for J & R Acres, LLC (7 lots) located in Section 21 (15203 Radisson Road NE) as submitted by Rick and Julie Braastad, subject to obtaining approvals from the Minnesota Pipe Line Company, meeting the requirements for the Coon Creek Watershed District, meeting the recommendations of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried. (This application will be placed on the City Council's Monday, August 3, 2020 agenda.)

Commissioner Entsminger removed himself from the table to represent himself for the Coon Creek Commercial Park Final Plat application and to refrain from voting on the application.

Jeff Entsminger requesting Final Plat approval for Coon Creek Commercial Park, formerly submitted under the name of Ham Lake Commercial Park, (5 lots in Commercial Development Tier 2) in Section 29.

Mr. Entsminger stated there have been no changes to the plat since the preliminary plat submission. Chair Pogalz stated a development agreement will be created for this plat. Engineer Collins stated that since preliminary plat review is that there is no longer a need for a drainage and utility easement between Lots 2 and 3; there is a potential buyer that wants to build one structure on the two lots. Engineer Collins stated if construction of the commercial building on Lots 2 and 3 does not proceed, the development agreement will stipulate that the City withhold issuance of building permits on those lots until drainage and utility easements between the two lots are dedicated. Engineer Collins stated Coon Creek Watershed District has approved a permit for this plat and Anoka County is in the process of finalizing a permit for this plat. Engineer Collins stated there are two phases to this development; Lots 1-4 are part of phase one and Lot 5 is phase two. Engineer Collins stated with the rezoning of the plat, the residential home on Lot 5 will become a legal, non-conforming use and can continue to be used as it currently is so long as there isn't any unauthorized additions or expansion to the structures on the property per Article 9-150.1 of City Code. **Motion by Lejonvarn, seconded by Ringler, to recommend final plat approval for Coon Creek Commercial Park, formerly submitted under the name of Ham Lake Commercial Park, (5 lots in Commercial Development Tier 2) in Section 30 (40 Andover Boulevard NE) subject to meeting the requirements of the Anoka County Highway Department, Coon Creek Watershed District, the City Engineer and meeting all City, State and County requirements. All in favor, motion carried. (This application will be placed on the City Council's Monday, August 3, 2020 agenda.)**

COMMISSION BUSINESS:

City Council Update

Commissioner Lejonvarn stated the City Council agreed with the Planning Commission's recommendations to approve the Conditional Use Permit for TN Automotive and the Council had the first reading of the ordinance related to changes to Article 9 of the City Code. Commissioner Dixson will attend the August 3, 2020 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:22 p.m. All in favor, motion carried.

Jennifer Bohr
Zoning Official/Building Clerk