

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, JUNE 24, 2024

The Ham Lake Planning Commission met for its regular meeting on Monday, June 24, 2024 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, Jeff Entsminger, David Ross, and Erin Dixson

MEMBERS ABSENT: Commissioner Jonathan Fisher

OTHERS PRESENT: City Engineer Dave Krugler, Building Official Mark Jones and Building and Zoning 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 Lejonvarn, seconded by Ross, to approve the minutes of the June 10, 2024 Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING:

Tiffani and Brendan Johnstone requesting a Conditional Use Permit to operate A Class Sounds (automotive repair shop) at 15804 Central Avenue NE

Tiffani and Brendan Johnstone were present. Mrs. Johnstone stated A Class Sounds is a car audio and accessory shop, not a repair shop. Mrs. Johnstone stated their business consists primarily of car audio installation, upgrades to Apple CarPlay, hands-free radios, LED headlight upgrades and under glow lights in the summer and remote start systems in the winter. Mrs. Johnstone stated they have been in business since 2012 and are outgrowing their current space in Spring Lake Park. Mrs. Johnstone stated the Central Avenue NE location is close to their residence. Mrs. Johnstone stated the Central Avenue NE location will allow them to keep long-term projects inside of the building and no long-term projects will be outside of the building in the parking lot. Commissioner Entsminger asked how many employees will work at the location. Mr. Johnstone stated they currently have four employees, including Tiffani and himself. Mr. Johnstone stated they may hire one or two more employees in the future. Chair Pogalz referenced the staff report provided by Building Official Jones. Building Official Jones stated a Carbon Detection System is needed in the building before any vehicles can be worked on. Building Official

Jones stated there has been discussion about providing car detailing services in the future. Building Official Jones stated if car detailing services are offered, a floor drain will need to be installed in the work area which will need to drain into an oil separator and holding tank as the waste would be considered commercial waste and needs to be treated as required by the State. Building Official Jones stated a concern he has is that the floor could become slippery and unsafe if cars are brought into the building with a lot of slush that melts onto the floor during the winter; if that happens a floor drain would need to be installed. Commissioner Ringler completed the inspection; a copy which is on file. Commissioner Ringler stated the information included in the packet shows what he observed onsite.

Chair Pogalz opened the public hearing at 6:08 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:09 p.m.

Commissioner Dixon asked if the parking lot was striped. Commissioner Ringler stated it has not been striped. **Motion by Ringler, seconded by Dixon, to recommend approval of the request of Tiffani and Brendan Johnstone for a Conditional Use Permit to operate A Class Sounds, an automotive repair shop, at 15804 Central Avenue NE subject to:**

- 1. Installing a code compliant Carbon Detection System before any vehicles are brought into the building.**
- 2. Storage of Baltic Birch plywood and MDF (Medium-Density Fiberboards) combined, not to exceed 40 sheets.**
- 3. Equipping the fabrication shop with a commercial dust collector.**
- 4. All flammable liquids are to be stored in an approved flammable cabinet.**
- 5. Dumpster is to be stored inside of the building or a code compliant enclosure must be constructed.**
- 6. Installing a code compliant floor drain before any car detailing activities start or the floor will become unsafe due to standing water on the floor.**
- 7. All delivery vehicles are not to block or interfere with parking.**
- 8. All parking for employees and customers is to be on an approved hard surface and in locations as identified on the site plan.**
- 9. Striping the parking lot and clearly marking handicap parking spaces.**
- 10. Hours of operation will be Monday thru Friday from 7 a.m. to 7 p.m. and Saturday from 9 a.m. to 5 p.m.**
- 11. Removing the RV and trailer currently at the site from the site.**
- 12. The applicant and business must meet all City, County, and State requirements.**

All present in favor, motion carried. *This application will be placed on the City Council's Monday, July 1, 2024 agenda.*

NEW BUSINESS:

Gary Magnuson requesting Sketch Plan approval for the minor Plat of Magnuson Estates (2 lots) in Section 9

Mr. Gary Magnuson was present. Mr. Magnuson stated he wants to sell part of his property. Chair Pogalz asked Engineer Krugler to comment. Engineer Krugler stated this application is for a minor subdivision and the preliminary and final plat review will be done together at a future meeting. Engineer Krugler stated the proposed subdivision is adjacent to Crosstown Boulevard NE which will require a 15-foot bike path easement adjacent to the drainage and utility easement of Lot 1. Engineer Krugler stated the Lot 1 septic area must be located outside of the trail easement. Engineer Krugler stated there are two existing accessory buildings on Lot 2; the accessory building closest to Nassau Street NE on Lot 2 is within the 30-foot front-yard setback and exceeds the accessory building size allowed in a front yard so it will need to be removed. (Per a site visit by Building Official Jones on June 25, 2024, the building does not exceed building size allowed in the front yard but is within the front-yard setback.) Engineer Krugler stated a septic compliance inspection will be required for the existing septic system. Engineer Krugler stated the applicant needs to submit plans to the Coon Creek Watershed District to determine if a permit is needed. Commissioner Dixon asked if there are any parkland requirements. Engineer Krugler stated the parkland requirement will be fulfilled by dedicating land for the bike path easement. Chair Pogalz asked Mr. Magnuson if he was aware of the items mentioned by Engineer Krugler. Mr. Magnuson stated he was not. There was discussion about the accessory building on Lot 2 that exceeds the size allowed in the front yard. Mr. Magnuson was somewhat taken aback with the requirement to remove the accessory building closest to Nassau Street NE. It was determined Building Official Jones would meet Mr. Magnuson onsite to measure the building and explain actions that need to be taken for this plat. **Motion by Pogalz, seconded by Lejonvarn, to table Sketch Plan Approval for the minor plat of Magnuson Estates as submitted by Gary Magnuson until Mr. Magnuson has been able to meet with Building Official Jones and consult further with his surveyor about requirements for this plat and obtain pictures of the building that is in the 30-foot front-yard setback of the proposed minor subdivision. All present in favor, motion carried.**

Commissioner Entsminger removed himself from the table due to being the applicant with ownership interest in the next agenda.

Jeff Entsminger, Entsminger Enterprises, LLC, requesting Sketch Plan approval for a minor plat located at 2045 Constance Boulevard NE (3 Single Family Residential lots and 1 outlot) in Section 16

Mr. Jeff Entsminger stated he is interested in purchasing the property. (Sale of the property is contingent on receiving City approval of the plat.) Mr. Entsminger stated he purchased the parcel addressed as 16337 Mankato Street NE and moved a house onto the parcel last year. Mr. Entsminger stated he wants to create and sell three lots along Constance Boulevard NE and combine the larger outlot with the 16337 Mankato Street NE parcel. Commissioner Lejonvarn asked Mr. Entsminger if access to the back lot would be via 164th Avenue NE. Mr. Entsminger stated the outlot will be adjoined to 16337 Mankato Street NE and access would be via the Mankato Street NE easement; most of the outlot is in a flood zone. Mr. Entsminger stated there is an old farmhouse

and some old garages on the site that will be torn down. Mr. Entsminger stated the existing septic will be abandoned and he hopes he can preserve the existing well. Chair Pogalz asked Engineer Krugler to comment on the plat. Engineer Krugler stated there is a 66-foot wide access opening shown on Mankato Street NE. Engineer Krugler stated Mankato Street NE has never been dedicated to the City and is a private easement for residents living off of Mankato Street NE. Engineer Krugler stated Lot 1 Constance Boulevard NE frontage of 216-feet includes the 66-foot wide ingress/egress easement. Engineer Krugler stated future plan submittals are to identify the existing house, two existing accessory buildings and the existing shed as being razed. Engineer Krugler stated future plans are to show if the existing septic system will be used or abandoned. Engineer Krugler stated Mr. Entsminger discussed the future plan for the well. Engineer Krugler stated the rear yard setback for Lot 1 is adjacent to the northerly lot line although driveway access is proposed to be from the Mankato Street NE ingress/egress easement; per Code, apparent entrance or front of the house will be required to be parallel with Constance Boulevard NE. Engineer Krugler stated there is an existing block foundation in the southerly portion of the 16337 Mankato Street NE parcel with a roof that has caved in. Engineer Krugler stated this will need to be demolished, or if repair is considered, a building permit cannot be issued until an additional outlot is created on the north side of Lot 2 to meet the required 10-foot setback. Engineer Krugler stated Constance Boulevard NE is identified as a proposed bike path; a 15-foot-wide trail easement, adjacent to the drainage and utility easement, is required for all three lots; the easement will go toward the parkland dedication requirement. Engineer Krugler stated Coon Creek Watershed District approval is required. Engineer Krugler stated there is land within the plat that is in the 100-year flood plain but that area is within the outlot which will need to be combined with another parcel. Engineer Krugler stated a United Power Association Easement encroaches 25-foot into the southerly portion of the three proposed lots; written approval needs to be provided for the Lot 2 and Lot 3 driveway crossings, the future trail and any grading within the easement. Commissioner Dixson asked if there is a possibility that the Anoka County Highway Department (ACHD) would not approve additional driveways onto Constance Boulevard NE. Engineer Krugler stated he isn't able to speculate on what the ACHD will decide. Engineer Krugler stated a shared driveway would not be permitted. There was discussion about driveway access onto Constance Boulevard NE and driveway access options for Lot 1. Commissioner Lejonvarn asked if driveway access for Lot 1 and Lot 2 could be from Mankato Street NE and driveway access for Lot 3 be from Constance Boulevard NE. Mr. Entsminger stated Mankato Street NE access is an ingress/egress easement and not a road and the that easement is part of Lot 1; Lot 2 and Lot 3 will have to have driveway access from Constance Boulevard NE. Engineer Krugler stated with the configuration of Lot 1, access will be on Constance Boulevard NE to meet the 200-foot frontage requirement unless an access road is constructed on Mankato Street NE. Mr. Entsminger stated the plans indicate all driveway access to be from Constance Boulevard NE. Building Official Jones stated the 50-foot rear setback requirement for a house may make it difficult to construct a house facing Mankato Street NE due to how narrow the lot is. Building Official Jones stated the house will be addressed based on which way the front of the house faces even if driveway access is from a different street. **Motion by Pogalz to recommend approval of the Sketch Plan presented by Jeff Entsminger, Entsminger Enterprises, LLC,**

for a minor plat at 2045 Constance Boulevard NE (3 Single Family Residential lots and 1 outlot) in Section 16 subject to submitting a compliance inspection report for the existing septic system if it is to remain operational or a tank abandonment form if it will not be used, the front of the dwelling units running parallel with Constance Boulevard NE Per Article 11-411.2C, creating an additional outlot if the block building foundation on 16337 Mankato Street NE is to be rehabilitated per the City Engineer's memo dated 6/13/24, dedicating a 15-foot-wide trail easement adjacent to the drainage and utility easement for all three lots in lieu of money for parkland dedication, submitting plans to, and meeting the requirements of, the Coon Creek Watershed District, submission of MN DNR Heritage Information Systems data review to show findings if required, submitting plans to the Anoka County Highway Department for their review and comment on driveway access, width and shared culvert requirements for Lots 2 and 3, approval of drainage and Constance Boulevard NE right-of-way width, obtaining written approval from United Power Association for Lot 2 and 3 driveway crossings, future trail work and grading within the easement, conforming to the requirements of the City Engineer, and meeting all City, County and State requirements. There was additional discussion about reusing the existing well on the property. Building Official Jones stated that if the well hasn't been used for over a year, it is supposed to be sealed per State Rules. Building Official Jones stated the well may have to be sealed if setbacks cannot be met when homes are constructed on the parcels. There was discussion about abandoning the existing septic system. Mr. Entsminger stated his intention is to abandon the existing septic system. There was additional discussion about DNR Natural Heritage Information System data review. **The motion was seconded by Lejonvarn. Commissioners Pogalz, Lejonvarn, Ringler, Ross and Dixson voted yes. Commissioner Entsminger abstained.** *This application will be placed on the City Council's Monday, July 1, 2024 agenda.*

COMMISSION BUSINESS:

City Council Update

Chair Pogalz stated the City Council concurred with the Planning Commission's recommendation to approve the Sketch Plan for Swedish Chapel Estates. A planning commissioner will not be present at the July 1, 2024 City Council meeting.

ADJOURNMENT:

Motion by Dixson, seconded by Entsminger, to adjourn the Planning Commission meeting at 6:47 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk