

CITY OF HAM LAKE  
PLANNING COMMISSION MINUTES  
MONDAY, AUGUST 28, 2023

The Ham Lake Planning Commission met for its regular meeting on Monday, August 28, 2023 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, Jeff Entsminger, Jonathan Fisher and Erin Dixson

**MEMBERS ABSENT:** Commissioner Dave Ringler

**OTHERS PRESENT:** City Engineer Dave Krugler 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 Dixson, seconded by Lejonvarn, to approve the minutes of the August 14, 2023 Planning Commission meeting as written. All present in favor, motion carried.**

**PUBLIC HEARING:**

Consideration of amendments to Article 9 of the Ham Lake City Code

Chair Pogalz read the proposed amendments to Article 9 from the public hearing notice. The commissioners briefly discussed existing R-AH, Affordable Housing Districts, in the City. Chair Pogalz summarized the changes related to raising of pigeons. Chair Pogalz stated the City recently revised the chicken ordinance; it was determined the pigeon ordinance also needed revising. Chair Pogalz stated the proposed modifications to the pigeon ordinance seem to be in line with the chicken ordinance. Commissioner Lejonvarn asked if requirements for raising pigeons were within the chicken ordinance. Commissioner Dixson asked if the pigeon ordinance contained the same regulations as the chicken ordinance. Chair Pogalz stated the new pigeon ordinance addresses loft construction standards, population limits, noise, sanitation, confinement and screening.

**Chair Pogalz opened the public hearing at 6:10 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:11 p.m.**

**Motion by Pogalz, seconded by Fisher, to recommend approval of the amendments to Article 9 as presented. All present in favor, motion carried. *This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.***

Commissioner Entsminger removed himself from the table due to being the applicant for the next two agenda items and his ownership interest in the developments of Entsminger Farms and Coon Creek Commercial Park.

**PUBLIC HEARING:**

Jeff Entsminger requesting rezoning of portions of land of Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29

Mr. Entsminger stated he would like to change the zoning assigned to Lot 1, Block 1 of Entsminger Farms, the lot north of Coon Creek Ditch #59, to CD-2. Mr. Entsminger stated NACS is interested in purchasing Lot 4, Block 1 of Coon Creek Commercial Park plus the eastern portion of Lot 1, Block 1 of Entsminger Farms so a lot line adjustment of the western property line of Lot 4, Block 1, Coon Creek Commercial Park is also being requested. Mr. Entsminger stated he would like to move the lot line to the west to the point of where the roadway easement begins. Mr. Entsminger stated he is requesting a second lot line adjustment to move the lot lines around a small portion of Lot 4, Block 1 of Coon Creek Commercial Park, that lies south of Coon Creek Ditch #59, to the north so that portion of land will become part of Lot 2, Block 1, Entsminger Farms (1163 143<sup>rd</sup> Avenue NE). Commissioner Fisher asked Mr. Entsminger if the drainage and utilities easements being requested are acceptable to him. Mr. Entsminger stated they are. Engineer Krugler stated a revised survey document was provided today, August 28, 2023, by Mr. Entsminger's contract surveyors that provided an updated description of the drainage and utility easements adjacent to the future roadway and showed the portion of the driveway for the 1163 143<sup>rd</sup> Avenue NE parcel, that had been in the eastern drainage and utility easement, had been moved to the west. Engineer Krugler stated since the western lot line of Lot 4, Block 1, of Coon Creek Commercial Park will be moving to the west to the point of the easement for the future roadway, dedicating drainage and utility easements around the perimeter of the proposed smaller lot to the west and the proposed larger lot to the east of the future roadway easement were in order. Engineer Krugler stated the septic area for Lot 1, Block 1, Entsminger Farms was on the eastern side of the parcel. Engineer Krugler stated soil borings were done for the remnant of Lot 1, Block 1, Entsminger Farms, proposed Parcel A, to determine buildability of the lot; it has been determined a Type III septic system can be designed for the area shown on the survey. Engineer Krugler stated a Type III system requires compliance with Article 11-450.5.E of the City Code upon installation, including a Management Plan and surety. Engineer Krugler stated Building Official Jones approves of a Type III system for proposed Parcel A. Chair Pogalz stated a memo from Building Official Jones is in the packet: Building Official Jones recommends approval of Mr. Entsminger's request for rezoning and the lot line adjustments subject to meeting the requirements of the City Engineer. Commissioner Fisher completed the inspection; a copy which is on file. Commissioner Fisher stated he inspected the site, which is currently undeveloped land, and stated he hoped it could be put to good use.

**Chair Pogalz opened the public hearing at 6:18 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:19 p.m.**

**Motion by Fisher, seconded by Lejonvarn, to recommend approval of Jeff Entsminger's request to rezone portions of land of Entsminger Farms from R-A (Rural Single Family Residential) to CD-2 (Commercial Development II) and a portion of land of the Coon Creek Commercial Park from CD-2 (Commercial Development II) to R-A (Rural Single Family Residential) in Section 29 subject to meeting the conditions of the City Engineer and meeting all City, County and State requirements. Commissioners Pogalz, Lejonvarn, Fisher and Dixon voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.***

**NEW BUSINESS:**

Jeff Entsminger requesting Lot Line Adjustments/Courtesy Combinations in Section 29

Chair Pogalz asked if this request is to move the lot lines of the small portion of Lot 4, Block 1 of Coon Creek Commercial Park, that lies south of Coon Creek Ditch #59, identified on the plan. Building and Zoning Clerk Bohr stated it is but the request also includes moving the western lot line of Lot 4, Block 1, of Coon Creek Commercial Park to the west. Building and Zoning Clerk Bohr stated comments have been made about splitting the lots but no new lots are being created, the request is only for the movement of some lot lines. **Motion by Fisher, seconded by Dixon, to recommend approval of Jeff Entsminger's request for a lot line adjustment of the western property line of Lot 4, Block 1, Coon Creek Commercial Park, north of Coon Creek Ditch #59, west to the future roadway easement dedicated on Lot 1, Block 1, Entsminger Farms, so to combine the property lying there within, and the lot line adjustment of a portion of Lot 4, Block 1, Coon Creek Commercial Park, south of Coon Creek Ditch #59, to the north so to combine that land with Lot 2, Block 1, of Entsminger Farms in Section 29 subject to the meeting the septic requirements for proposed Parcel A, dedicating drainage and utility easements as required by the City Engineer, meeting all requirements of the City Engineer and Building Official and meeting all City, County and State requirements. Commissioners Pogalz, Lejonvarn, Fisher and Dixon voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Tuesday, September 5, 2023 agenda.***

**COMMISSION BUSINESS:**

City Council Update

Chair Pogalz stated the City Council concurred with the Planning Commission's conditions and recommendation to approve Touchdown Tile's commercial building plans at the August 21, 2023 City Council meeting. A Planning Commissioner will not be present at the September 5, 2023 City Council meeting.

**ADJOURNMENT:**

**Motion by Fisher, seconded by Dixon, to adjourn the Planning Commission meeting at 6:23 p.m. All present in favor, motion carried.**

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Jennifer Bohr, Building and Zoning Clerk