

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, DECEMBER 13, 2021

The Ham Lake Planning Commission met for its regular meeting on Monday, December 13, 2021 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Dave Ringler, Scott Heaton, Erin Dixson and Jeff Entsminger

MEMBERS ABSENT: Commissioners Kyle Lejonvarn and Jonathan Fisher

OTHERS PRESENT: Assistant City Engineer, Dave Krugler and Building and Zoning Clerk, Jennifer Bohr

CALL TO ORDER: Commissioner 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 Ringler, seconded by Dixson, to approve the minutes of the October 11, 2021 Planning Commission meeting as written. All present in favor, motion carried.

Commissioner Entsminger removed himself from the table due to his ownership interest in the Entsminger Farms plat.

PUBLIC HEARING:

Jeff Entsminger, Entsminger Enterprises LLC, requesting Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010)

Jeff Entsminger, from Entsminger Enterprises, LLC was present. Mr. Entsminger stated he is purchasing Lot 1 as shown on the plat and the Buchholz family will maintain ownership of Lot 2 as shown on the plat. Mr. Entsminger stated he owns the adjoining property to the east of Lot 1.

Chair Pogalz asked Engineer Krugler to comment on the plat. Engineer Krugler stated this is a minor plat in which preliminary and final approval is being sought. Engineer Krugler stated the City received notification on December 6, 2021 that parcels 29-32-23-32-0004 and 29-32-23-32-0009 were combined to create parcel 29-32-23-32-0010.

Engineer Krugler stated parkland dedication and a twenty-foot bike trail easement south of Andover Boulevard NE will be required. Engineer Krugler stated the plat shows a roadway easement that connects Lincoln Street NE at 143rd Avenue NE to Pierce Street NE at Andover Boulevard NE matching the Municipal State Aid (MSA) street alignment, per the 2006 MSA designation; the developer will not be required to construct the street. Engineer Krugler stated the existing driveway for 1163 143rd Avenue NE encroaches into the proposed side yard drainage and utility easement; additional field verification is going to be performed to determine what portion of the driveway needs to be relocated. Engineer Krugler stated the soil boring report confirms there is adequate area for a primary and secondary septic system on Lot 1 and for a secondary septic system on Lot 2; the current septic system on Lot 2 was found to be non-compliant and must be repaired or replaced within 24 months of October 18, 2021 per Section 11-450.7.B of the Ham Lake City Code. Engineer Krugler stated easements required include a 10-foot drainage and utility easement around the perimeter of both Lots 1 and 2, a 200-foot easement positioned on the centerline of Coon Creek County Ditch #59 and a 100-foot easement positioned on the center line of branch 2 of County Ditch #57. Engineer Krugler stated Andover Boulevard NE right-of-way dedication is shown on the plat to meet the 60-foot minimum and right of access. Engineer Krugler stated Coon Creek Watershed District approval is not needed for the Minor Subdivision but will be required prior to construction of any structures within proposed Lot 1; a Natural Heritage Information System data review by the DNR will also be required prior to any building construction. Commissioner Heaton asked what impact the plat and proposed road would have on the driveways. Engineer Krugler stated the plat will dedicate an easement for a roadway but at the current time there are no plans to construct a road; there are no MSA funds available for the road construction and the road has not been included in the Capital Improvement Plan for construction within the next five years. There was discussion about requiring the septic system to be updated within two years. Building and Zoning Clerk Bohr stated City Code requires a compliance inspection for existing septic systems when land is subdivided; though Lot 2 will remain with the Buchholz family it is part of the plat and repairing or replacing the system prior to the issuance of a building permit for Lot 1 is a condition of plat approval. Mr. Entsminger stated the current resident may only reside at the property for a few more years and it seemed impractical to spend thousands of dollars to replace the system. Chair Pogalz stated when future use of the land is determined, there may be other options that could be discussed with the Building Official to address the non-compliant septic. Commissioner Ringler completed the inspection, a copy which is on file. Commissioner Ringler stated the property is open land that appeared buildable; he stated he wasn't able to see much of the property due to existing homes on the property.

Chair Pogalz opened the public hearing at 6:14 p.m. and asked for public comment.

Travis Walby, 1117 142nd Avenue NE, asked if Lot 1 would be divided into two lots, would development be south of the creek and how many structures would be built on Lot 1. Chair Pogalz stated Lot 1 is a single lot and future use is to be determined; Lot 2 will be maintained by the current owner.

The Commissioners reviewed comments submitted via email.

Douglas Beal, 1130 Andover Boulevard NE, stated he is against any road being constructed unless it goes through to 143rd Avenue NE. Chair Pogalz stated no road is being constructed at this point. Chair Pogalz asked Mr. Entsminger if turn lanes will be constructed for this plat. Mr. Entsminger stated turn lanes are currently not part of the plan as he is just requesting approval for the plat. Mr. Entsminger stated there is limited high ground on Lot 1; if he did anything in the near future, he would adjoin Lot 1 to his existing lot to the east.

Randy Johnson and Peggy Peck, 1112 Andover Boulevard NE, stated access to their driveway and garages would be needed 100% of the time during construction of the street. Mr. Johnson and Ms. Peck asked if they would be compensated for the crushed rock recently put down on their driveway, would there be a walking and/or bike path constructed instead of having a path along the road, would there be a separate entrance into the neighborhood other than what is identified on the plat which is their current driveway. Mr. Johnson and Ms. Peck stated they would like a walkway or crossing bridge over the creek and a border of trees between the proposed Lot 1 and existing residential homes to the north of the plat. Chair Pogalz stated Mr. Johnson and Ms. Peck's comments and concerns would be addressed in the future if/when construction is proposed on the parcels and per the Proposed Municipal Bike Trail System document, Anoka County may construct a bike trail south of Andover Boulevard NE in the future.

Commissioner Pogalz closed the public hearing at 6:20 p.m.

Motion by Ringler, seconded by Dixon, to recommend Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010) based on discussions and what has been written. Commissioner Heaton asked if all requirements noted in the City Engineer's memo were to be included in the motion. **Commissioner Ringler amended the motion, seconded by Dixon, to recommend approval of the Preliminary and Final Plat and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010) contingent on a quit claim deed being recorded with Anoka County for the MSA roadway easement, the existing 1163 143rd Avenue NE driveway encroachments being relocated to outside of the drainage and utility easement and the existing septic system on Lot 2 being brought into compliance by October 18, 2023 (no building permits are to be issued, or rezoning approved, until the contingencies are completed), to recommend accepting monies in lieu of parkland for two lots in Section 29 with credit being given for land dedicated for the 20-foot bike trail easement south of Andover Boulevard NE, meeting the requirements of the City Engineer and meeting all City, State and County requirements. Commissioners Pogalz, Ringler, Heaton and Dixon voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Monday, December 20, 2021 agenda.***

NEW BUSINESS: None

COMMISSION BUSINESS:

City Council Update

Commissioner Entsminger stated the City Council concurred with the Planning Commission's recommendation to allow Richland Refrigerated Solutions to expand their truck parking area. Commissioner Entsminger stated the City Council discussed the type of surface that should be outdoors for employees and agreed that it should be a paved surface. Commissioner Ringler will be attending the December 20, 2021 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Dixson, to adjourn the Planning Commission meeting at 6:26 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk