



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

## **CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, AUGUST 28, 2023**

**CALL TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** August 14, 2023

**PUBLIC HEARINGS:**

**6:01 p.m.** Consideration of amendments to Article 9 of the Ham Lake City Code.

**6:01 p.m.** Jeff Entsminger requesting rezoning of portions of land of the 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.

**NEW BUSINESS:**

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

**COMMISSION BUSINESS:**

1. City Council Update

CITY OF HAM LAKE  
PLANNING COMMISSION MINUTES  
MONDAY, AUGUST 14, 2023

The Ham Lake Planning Commission met for its regular meeting on Monday, August 14, 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, and Erin Dixon

**MEMBERS ABSENT:** Commissioners Dave Ringler and Jonathan Fisher

**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 Pogalz, seconded by Lejonvarn, to approve the minutes of the July 10, 2023 Planning Commission meeting as written. All present in favor, motion carried.**

**NEW BUSINESS:**

Erik Grams of Touchdown Tile and Richards Carpet + Flooring, requesting Commercial Site Plan approval to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE. PID# 20-32-23-12-0025

Mr. Erik Grams, Mr. Reis Grams and Mr. Richard Blaido were present. Mr. Erik Grams was the spokesperson for the project. Mr. Grams stated Touchdown Tile and Richards Carpet + Flooring are currently located in Ham Lake at 13837 Lincoln Street NE. Mr. Grams stated the business is currently leasing space; they have purchased the Baltimore Street NE parcel to expand their showroom space and to have an on-site warehouse. Mr. Grams stated they intend to clean-up the lot, remodel the existing building on the property, and add an 8,400 square foot, stick-built, addition to the existing building that will be used primarily as a showroom, offices will be in the middle and warehouse space in the back. Mr. Grams stated they hope to break ground within the next month. Chair Pogalz asked how high the side walls of the building will be. Mr. Grams stated the side walls will be 18 feet high; the peak will be higher as the roof will have a 12/1 pitch. Mr. Grams stated the ceiling inside of the showroom will be a mini-vault and will be

approximately 22 feet high. Commissioner Lejonvarn asked how high the walls are on the existing building. Mr. Grams stated they are 10 feet high. Chair Pogalz asked Engineer Krugler to comment on the project. Engineer Krugler stated the site is located within 1000 feet of Ham Lake, a Recreational Development Lake per the DNR. Engineer Krugler stated the plans submitted comply with the Shoreland Zoning Ordinance (Ordinance 92-35) requirements including a maximum impervious surface coverage of 25% per Article 12.5.52A of the City Code. Engineer Krugler stated landscape plans identify screening to the north, east and south of the building; the plans show no trees to the west of the building. Engineer Krugler stated Ham Lake Park will provide some screening between the building site and Ham Lake and the proposed screening on the east side of the parcel appears to be adequate. Engineer Krugler stated Article 11-1853(B) of the City Code states decorative trees are to be planted along the right-of-way lines of adjacent public roadways. Engineer Krugler stated the City acquired right-of-way from the owners of the parcel in April of 2012 for the frontage road project; the land acquisition affected the parcel by limiting the amount of green space available to plant trees. Engineer Krugler stated Article 11-1860 of the City Code allows the City to evaluate each commercial landscape plan to determine if all requirements need to be met. Engineer Krugler stated no other commercial buildings along that portion of Baltimore Street NE have trees. Engineer Krugler stated the Coon Creek Watershed has given preliminary approval of the plans and an Operations and Maintenance Agreement for stormwater treatment is required. Chair Pogalz stated Building and Zoning Official Mark Jones had written a memo. Chair Pogalz stated Building and Zoning Official Jones noted the applicant submitted plans for a pole structure which does not meet the standards for site and building construction in the CD-1 zoning district; the building must be a stick frame building and the applicant must submit architectural building plans, with engineering, that meets the standards of Article 9-220.2.a of the City Code. Chair Pogalz stated parking spaces appear to be adequate but they will be reviewed again once final building plans are submitted to ensure enough parking spaces are provided for the occupant load of the building. Chair Pogalz stated the applicant also needs to identify an area for a trash enclosure on the plans. Chair Pogalz completed the inspection; a copy which is on file. Chair Pogalz stated he visited the site and talked with Mr. Erik Grams via telephone. Chair Pogalz stated he agrees that the applicant should not be required to plant trees along the right-of-way west of the building as there is a significant amount of asphalt there and it would be difficult for trees to survive there. Chair Pogalz stated the building will be well screened from the lake due to the existing vegetation and the elevation difference between the lake and the building site. Chair Pogalz stated he spoke with Mr. Grams about replacing the seven Red Twig Dogwood trees proposed for the east side of the property with coniferous trees, excluding European Larch trees as they lose their needles in the winter. Chair Pogalz stated Mr. Grams agreed that planting coniferous trees to the east of the building would provide better screening. Chair Pogalz stated the walls of the building will be eighteen feet tall so it will be a while before the trees provide full screening. Chair Pogalz asked for comments from the commissioners; there were none. **Motion by Pogalz, seconded by Entsminger, to recommend approval of the request from Erik Gram of Touchdown Tile and Richards Carpet + Flooring, to construct an 8,400 square foot office/warehouse building addition to an existing 1,300 square foot building at 15555 Baltimore Street NE, subject to the applicant submitting architectural plans, with engineering, that meet Article 9-220.2.a of the City Code-standards for site and**

building construction for CD-1 zoning, the parking and septic system meeting the maximum occupancy load of the building, identifying an area for the trash enclosure and including its location on the documents submitted with the building permit application, no ground work being done until a Coon Creek Watershed District permit and National Pollutant Discharge Elimination System permit have been issued, changing the seven Red Twig Dogwood trees to seven coniferous trees that keep their needles through the winter and that have a starting height of at least five feet, waiving the requirement to plant trees along the right-of-way to the west of the building as allowed by Article 11-1860 of the City Code, obtaining a variance for the west sign and parking setback as allowed by Article 9-150.5.b of the City Code, business hours of 7:00 am to 5:00 pm Monday through Friday, meeting the requirements of the City Engineer and the Building Official, and meeting all City, County and State requirements. All present in favor, motion carried. *This application will be placed on the City Council's Monday, August 21, 2023 agenda.*

**COMMISSION BUSINESS:**

City Council Update

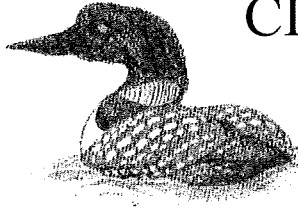
Chair Pogalz stated the City Council concurred with the Planning Commission's conditions and recommendation to approve the H & H Contracting commercial building plans at the July 17, 2023 City Council meeting. A Planning Commissioner will not be present at the August 21, 2023 City Council meeting.

**ADJOURNMENT:**

Motion by Dixon, seconded by Lejonvarn, to adjourn the Planning Commission meeting at 6:14 p.m. All present in favor, motion carried.

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Jennifer Bohr  
Building and Zoning Clerk



# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax (763) 434-9599

**NOTICE OF PUBLIC HEARING  
CITY OF HAM LAKE  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, August 28, 2023, at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the following amendments to Article 9 of the Ham Lake City Code:

## **AMENDING**

1. Article 9-210.4 to read: Affordable Housing District (R-AH) R-AH Districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income, as those terms are from time to time defined by the City Council in concert with the commonly established guidelines of various governmental social service agencies. Further, R-AH Districts may conditionally include assisted living facilities as defined in MN Statute 144G.08, Subd. 7 and nursing homes as defined in MN Statute 144A.01 Subd. 5.
2. Article 9-210.4(b) by adding Assisted Living Facilities and Nursing Homes as Conditional Uses in R-AH (Affordable Housing District) Zoning
3. Article 9-210.1(c) by removing Raising of Pigeons from Temporary Conditional Uses under Article 9-330.9

## **REPEALING**

1. Article 9-330.8, Raising of Pigeons, in its entirety

At such hearing both written and oral comments will be heard.

DATED: August 18, 2023

Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake

**ORDINANCE NO. 23-XX**

An Ordinance Amending ARTICLE 9, COMPREHENSIVE ZONING, to amend the Ham Lake City Code to add Assisted Living Facilities and Nursing Homes as Conditional Uses in the (R-AH), Affordable Housing District, zoning district and removing Raising of Pigeons in its entirety.

Be it Ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota as follows:

ARTICLE 9, COMPREHENSIVE ZONING of the Ham Lake City Code is hereby amended as indicated in the following section:

**9-210.1 Single Family Residential (R-1)**

...

**c) *Temporary Conditional Uses***

- Therapeutic Massage Facilities
- ~~Raising of Pigeons under Article 9-330.9~~

...

**9-210.4 Affordable Housing District (R-AH)** R-AH Districts are areas intended for the creation of multiple-family apartment buildings targeted for occupancy by persons aged 55 or older or having low or moderate income, as those terms are from time to time defined by the City Council in concert with the commonly established guidelines of various governmental social service agencies. Further, R-AH Districts may conditionally include assisted living facilities as defined in MN Statute 144G.08, Subd. 7 and nursing homes as defined in MN Statute 144A.01 Subd. 5.

**a) *Permitted Uses***

- Multiple family apartment buildings or cottages and ancillary facilities
- Recreational facilities for the exclusive use of tenants
- Underground Utilities
- Storage Buildings or Garages for the exclusive use of tenants
- A single business office for building or complex management, of not more than 1500 square feet

**b) *Conditional Uses and Temporary Conditional Uses***

- Assisted Living Facilities
- Nursing Homes

...

**~~9-330.8 Raising of Pigeons~~**

**~~A. Definitions~~**

1) **~~"Pigeon"~~** means a member of the family *Columbidae*, and consists of birds known as "Racing Pigeons", "Fancy Pigeons" and "Sporting Pigeons" as those terms are commonly known and used in the pigeon raising community.

2) **~~"Recognized Pigeon Association"~~** means the International Federation of Raging Pigeon Fanciers, the American Racing Pigeon Union, Inc., the National Pigeon Club, the American Pigeon Club, the Rare Breeds Pigeon Club, the American Tippler Society, and the International Roller Association.

3) **~~"Loft"~~** means a structure especially built for the housing of pigeons.

## **~~B. Conditions~~**

The following conditions shall be observed by every person granted a conditional use permit to keep, breed and raise pigeons:

1) **~~Location.~~** All pigeons shall be kept in a Loft containing at least 50 square feet of floor area. If the Loft contains more than 120 feet of floor area, the structure shall be deemed an *Accessory Building* and subject to the provision of Article 9-370. A Loft shall not be considered a *Farm Building*.

2) **~~Construction Standards.~~** The Loft shall be constructed as a wood frame building, of sufficient height and other security measures to discourage invasion by predatory animals. The property owner shall not be required to obtain a building permit for the Loft, but plans for the Loft shall be submitted at the time of application for Conditional Use Permit. The Loft shall provide adequate shelter from the elements, and meet any standards recommended by a Recognized Pigeon Association.

3) **~~Population Limitations.~~** No more than 32 pigeons may be kept on any parcel of land. Pigeons that are 28 days old or younger shall not be counted against this limit.

4) **~~Noise.~~** The permit holder shall take adequate steps to insure that noise from the pigeons are not audible to nearby properties.

5) **~~Personal Hobby Use Only.~~** Pigeons kept in any district but the R-A districts shall be for the personal hobby use of the permit holder, and the activity shall not be operated as any kind of a mercantile venture in areas zoned other than R-A.

6) **~~Sanitation.~~** All animal waste shall be removed and properly disposed of in a manner that promotes general health and safety, and all feed shall be stored inside the Loft, safe from invasion by vermin or disease-promoting forces. All feeding activities shall be carried on within the Loft.

7) **~~Confinement.~~** Except when involved in exercise, competition or training activities under the supervision of the permit holder, pigeons shall be confined to the Loft, and shall not be permitted to perch or linger on the property of others. Pigeons that have been fed within the previous four hours shall not be released from the Loft.

8) **~~Banding and Registration.~~** All pigeons that are six months old or older shall be banded and registered with at Recognized Pigeon

Association.

~~9) Screening.~~ All lofts shall be placed in locations where they are screened by buildings, fences or coniferous vegetation from view from adjoining properties.

~~C. Annual Inspection.~~ All facilities shall be subject to an annual inspection by the City. The City may, at the discretion of its staff, delegate the inspection to a Recognized Pigeon Association. The permit holder shall comply with all requirements imposed by any inspection. All costs of inspection shall be the responsibility of the permit holder.

~~D. General Nuisance.~~ The permit holder shall conduct all activities in connection with the keeping and raising of pigeons in a manner that avoids the creation of public or private nuisances, and to this end, and without limitation, the activities shall be conducted so as to eliminate from outside the Loft all odor, noise, vibrations, attraction of rodents, vermin or predatory animals, attractive nuisance, eyesores or other aesthetic detractions from neighborhood appearance, traffic or accumulation of debris or waste.

Presented to the Ham Lake City Council on \_\_\_\_\_, 2023 and adopted by a unanimous vote this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Brian Kirkham, Mayor

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Denise Webster, City Clerk



**CITY OF HAM LAKE  
PLANNING COMMISSION REQUEST APPLICATION  
INSPECTION REPORT**

MTG DATE: August 28, 2023

INSPECTION ISSUED TO: Jonathan Fisher

APPLICANT/CONTACT: Jeff Entsminger, Entsminger Farms

TELEPHONE NUMBER: 612-669-4004, jeff@allseasonservices.com

BUSINESS/PLAT NAME: Entsminger Farms & Coon Creek Commercial Park

ADDRESS/LOCATION OF INSPECTION: 29-32-23-23-0011, South of intersection of Pierce St NE and Andover Blvd NE and 14646 Buchanan St NE

APPLICATION FOR: Rezoning

RECOMMENDATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

PLANNING COMMISSIONER SIGNATURE: \_\_\_\_\_



# CITY OF HAM LAKE

## PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 8-2-23

Date of Receipt 8-2-23

Receipt # 96898

Meeting Appearance Dates:  
Planning Commission 8-28-23

City Council \_\_\_\_\_

Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval\*
- Final Plat Approval
- Rezoning\*
- Multiple Dog License\*

- Commercial Building Site
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)\*
- Conditional Use Permit (Renewal)
- Other

*\*NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: Entsminger Farms

Address/Location of property: 1431 Coon Creek Comm Park and

Legal Description of property: Lot 1 + Lot 2 BIK 1 Entsminger Farms

PIN # 29-32-23-23-0011 Current Zoning RA Proposed Zoning CD-2  
CD-2 R-A

Notes: \_\_\_\_\_

Applicant's Name: Jeff Entsminger

Business Name: \_\_\_\_\_

Address 14916 Central Ave Ne

City Ham Lake State MN Zip Code 55304

Phone 612-669-4004 Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email address jeff@allseasonservices.com

*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

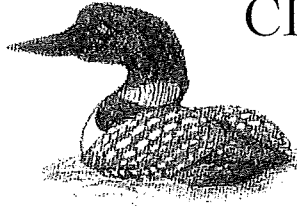
SIGNATURE [Signature] DATE 6/16/2023

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**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission \_\_\_\_\_  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT (YES) NO



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NOTICE OF PUBLIC HEARING  
CITY OF HAM LAKE  
COUNTY OF ANOKA  
STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, August 28, 2023 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Jeff Entsminger requesting rezoning of portions of land of the Entsminger Farms development 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 parcels of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which are described as follows to wit:

PARCEL A:

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying westerly of the following described line:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

PARCEL B:

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying easterly of the following described line and its southerly extension:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

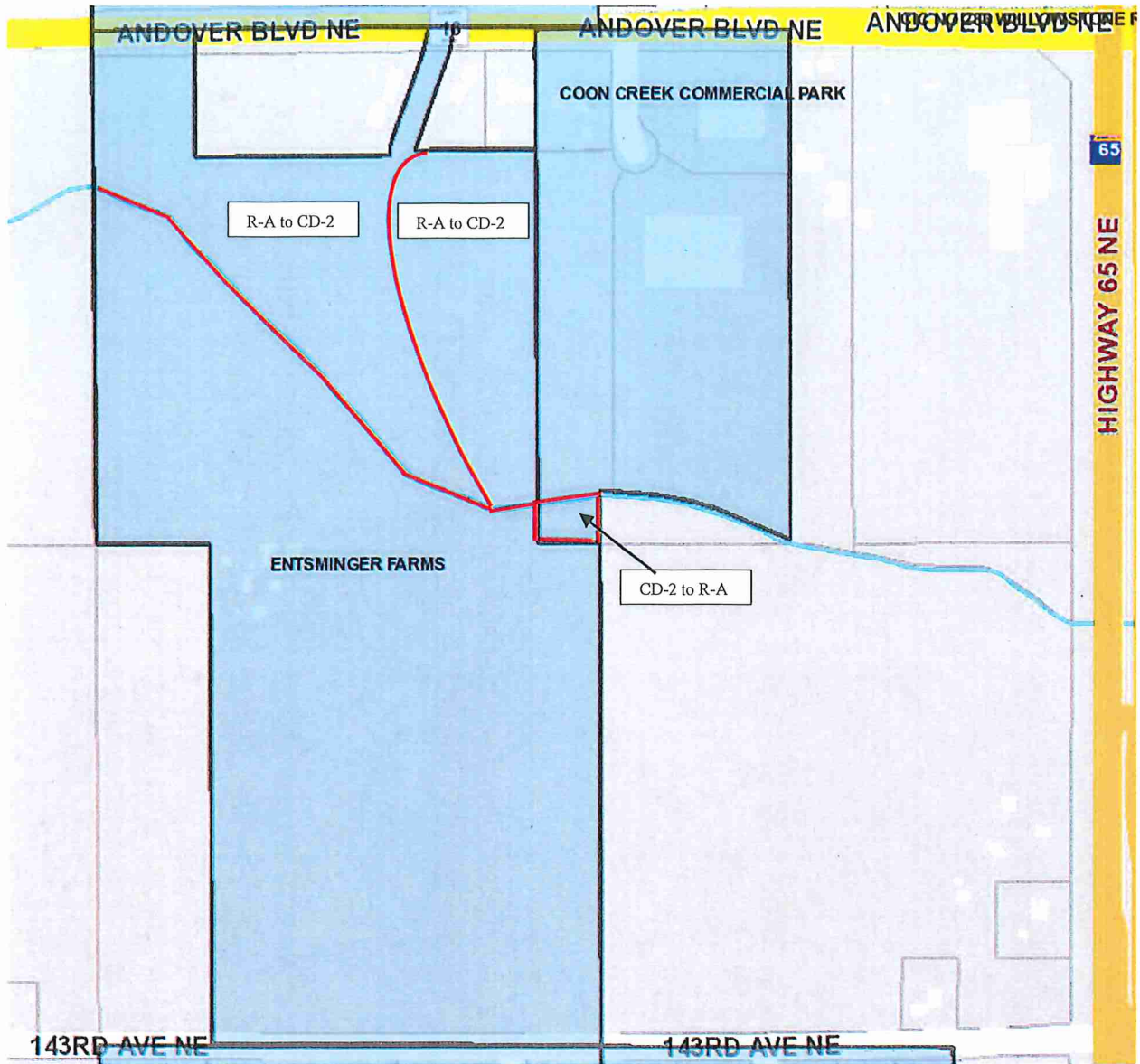
PARCEL C:

That part of Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 55 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

At such hearing both written and oral comments will be heard.

DATED: August 18, 2023  
Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake



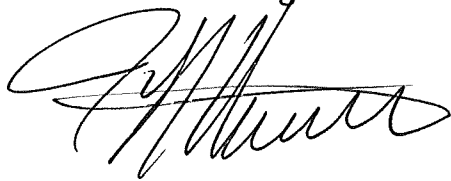
All,

What I am asking for is to change zoning on 29-32-23-23-0011 (16.64 acres) from RA to CD-2.

Also, I would like to combine the south piece of 14646 Buchanan St NE lying south of Coon Creek with 1163 143<sup>rd</sup> Ave NE and combine 14646 Buchanan St NE with Parcel B of 29-32-23-23-0011 (16.64 acres).

Thanks,

Jeff Entsminger

A handwritten signature in black ink, appearing to read "Jeff Entsminger", written in a cursive style.

August 28, 2023

**CITY OF HAM LAKE**

*STAFF REPORT*

**To: Members of the Planning Commission**

**From: Mark Jones, Building Official**

**Subject: Entsminger Farms/Coon Creek Commercial Park Lot Line  
Adjustment and Rezoning**

**Introduction/Discussion:**

In 2021 the minor plat of Entsminger Farms was approved with stipulations which included correcting the 1163 143<sup>rd</sup> Avenue NE driveway encroachment in the drainage and utility easement and bringing the existing septic system on Lot 2 into compliance. Those issues were recently addressed. Mr. Entsminger would now like to rezone Lot 1, Block 1 of Entsminger Farms from R-A, Rural Residential Single Family to CD-2, Commercial Development II and increase the size of Lot 4, Block 1 Coon Creek Commercial Park by moving the western property line further west. Moving the lot line reduces the size of Lot 1, Block 1 of Entsminger Farms to 9.73-acres (Originally it was 16.64 acres.). Soil borings were done on the proposed 9.73-acre lot to identify a viable septic area to ensure the lot was buildable. Mr. Entsminger has also requested that a small part of Lot 4, Block 1 Coon Creek Commercial Park, which is south of Coon Creek, be rezoned to R-A and combined with Lot 2, Block 1 of Entsminger Farms. Mr. Entsminger has addressed all requirements for his request.

**Recommendation:**


I recommend approval of Jeff Entsminger's request for rezoning and the lot line adjustment subject to meeting the requirements of the City Engineer.



## Memorandum

Date: August 24, 2023

To: Planning Commission

From: David A. Krugler, City Engineer 

Subject: Proposed lot line adjustments – Lot 4 Block 1 of Coon Creek Commercial Park and Lots 1 and 2 Block 1 of Entsminger Farms

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### Introduction:

Lot line adjustments are being proposed for both Entsminger Farms lots and Lot 4 Block 1 of Coon Creek Commercial Park. A 400-scale aerial photo, a 500-scale zoning map and a 400-scale half section map are attached.

### Discussion:

The Lot Line Adjustment Exhibit received August 24<sup>th</sup> address prior review comments.

The proposed lot line adjustments combine the southerly portion of Lot 4 Block 1 of Coon Creek Commercial Park, which is that portion south of County Ditch #59, with Lot 2 Block 1 of Entsminger Farms. This combination is identified as Parcel C. The proposed lot line adjustments also combine the easterly portion of Lot 1 Block 1 of Entsminger Farms with Lot 4 Block 1 of Coon Creek Commercial Park. This is identified as Parcel B. The remaining portion of Lot 1 Block 1 of Entsminger Farms, which is that portion west of the centerline of the Pierce Street roadway easement, is identified as Parcel A.

The attached Certified Soil Borings show that there is adequate room for a primary and secondary septic system on the remaining portion of Lot 1 Block 1 of Entsminger Farms. The soil borings provided do not meet separation requirements for a Type I system. Per the attached Article 10-302A:

*The ISTS Area need not be contiguous to the Eligible Building Area or the Yard Area, but the entire ISTS Area must exist at an elevation at least one foot above Unsuitable Soils, and must contain Undisturbed Soils or soils which meet the requirements of Rule 7080 of the Minnesota Pollution Control Agency for ISTS construction standards.*

Per the attached Article 11-450.6 (C):

*CD-1, CD-2, CD-3, CD-4 and I-P (Industrial Park Land) SSTS's in the foregoing zoning districts may be Non-Standard Systems, provided that they meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083.*

The Building Official has determined that a Type 3 system can be designed for the area identified on the Exhibit that will meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083. Because the septic system will not be type I, compliance with 11-450.5.E (attached) of City Code is required upon installation, including a Management Plan and surety.



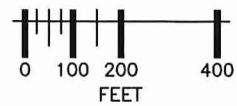
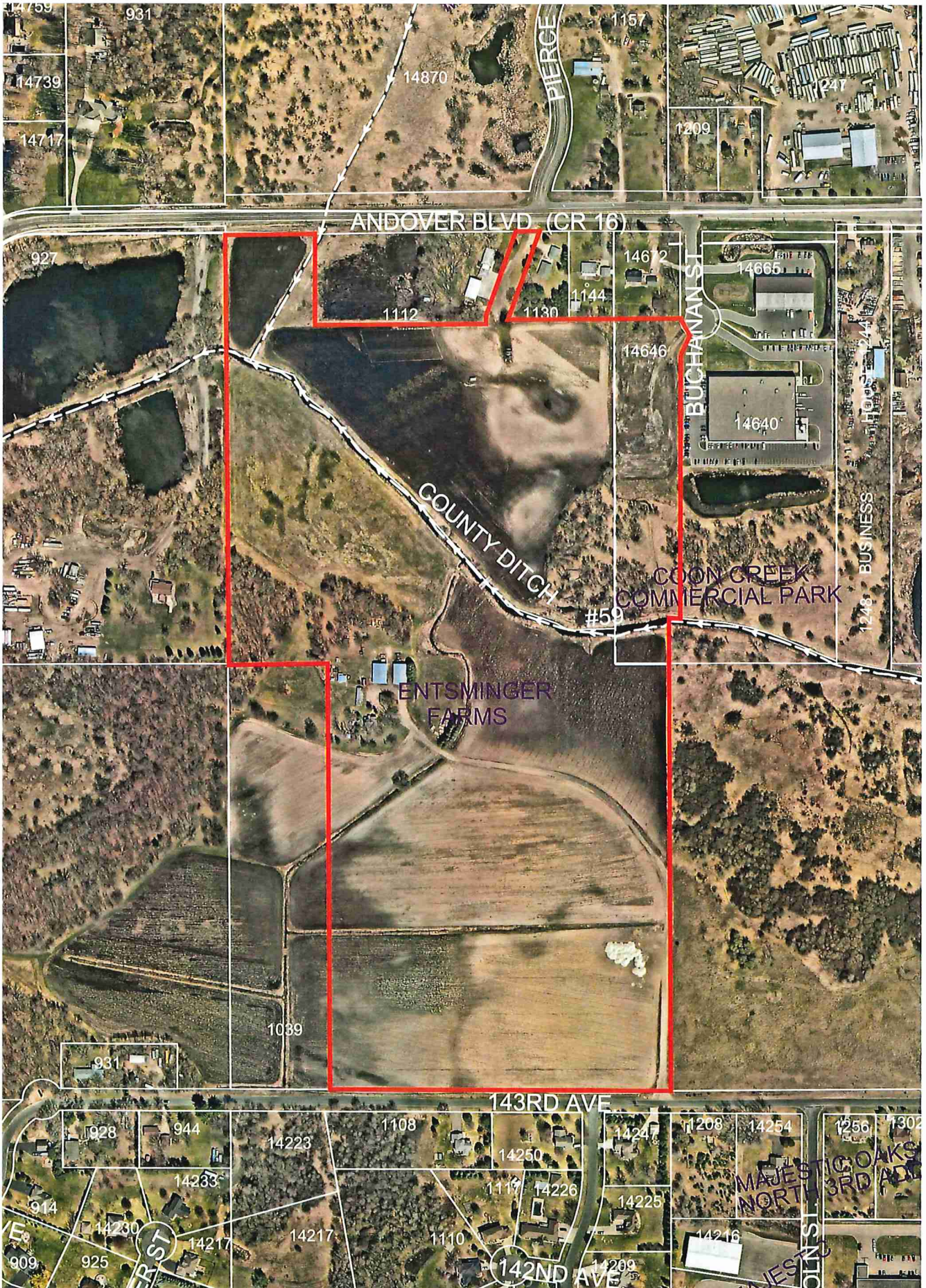
The southerly portion of Lot 4 Block 1 of Coon Creek Commercial Park which is proposed to be combined with Lot 2 Block 1 of Entsminger Farms is proposed to be rezoned from CD-2 (Commercial Development Tier 2) to R-A (Rural Residential). Parcel A and the portion of Lot 1 Block 1 of Entsminger Farms proposed to be combined with Lot 4 Block 1 of Coon Creek Commercial Park is proposed to be zoned CD-2.

Drainage and utility easement that were dedicated on the west side of Lot 4 Block 1 of Coon Creek Commercial Park and on the east side of Lot 1 Block 1 of Entsminger Farms will need to be vacated before consideration of the issuance of a building permit for Parcel B.

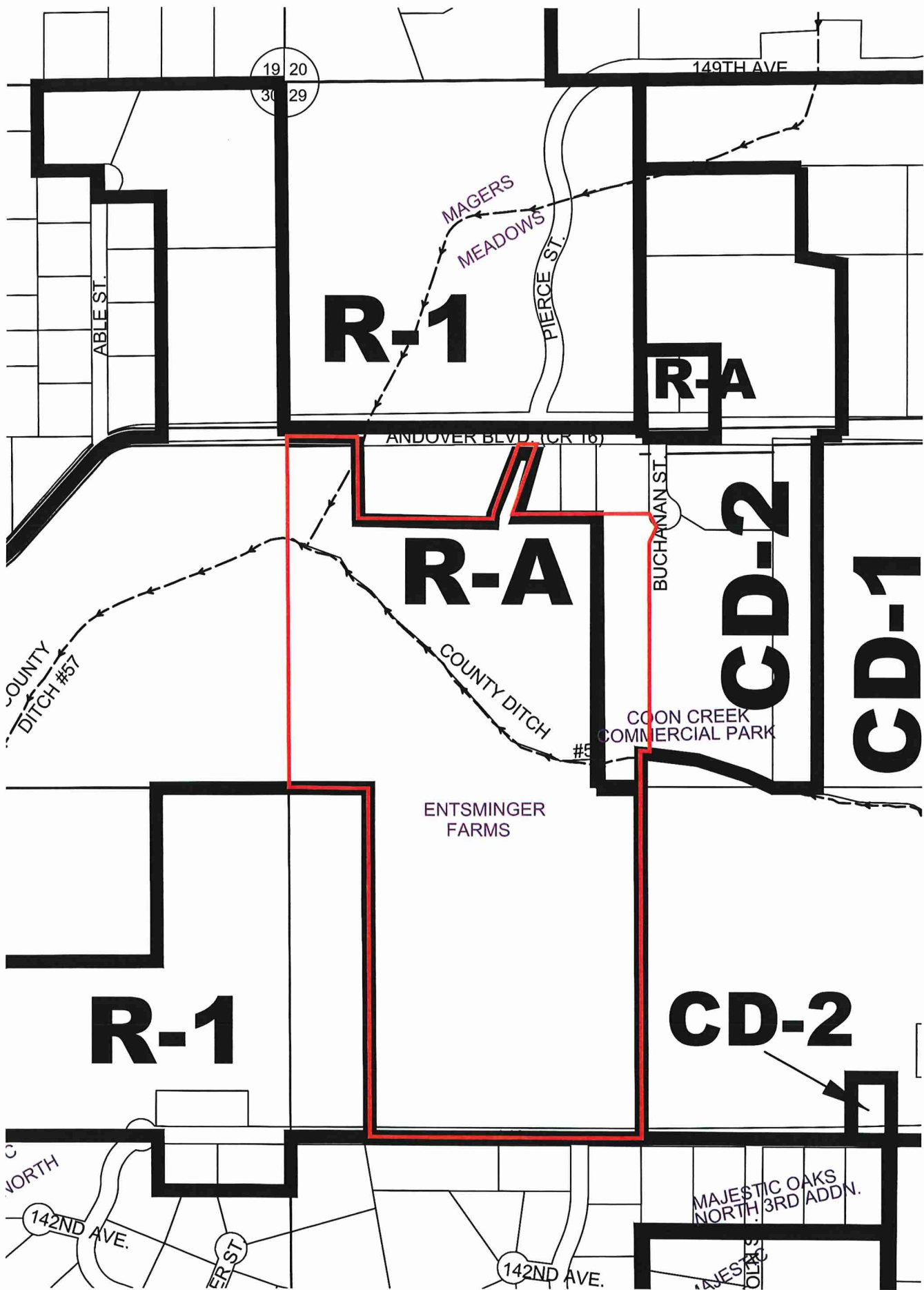
**Recommendation:**

It is recommended that the lot line adjustment be approved, subject to dedicating a 10-foot wide drainage and utility easement on Parcels A and B adjacent to the dedicated Pierce Street roadway easement.









19 20  
30 29

149TH AVE

ABLE ST.

**R-1**

MAGERS  
MEADOWS

PIERCE ST.

**R-A**

ANDOVER BLVD. (CR 16)

**R-A**

BUCHANAN ST.

**CD-2**

**CD-1**

COUNTY  
DITCH #57

COUNTY DITCH

COON CREEK  
COMMERCIAL PARK

ENTSMINGER  
FARMS

**R-1**

**CD-2**

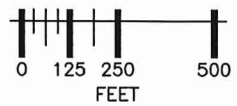
NORTH

142ND AVE.

ER ST.

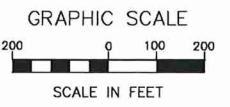
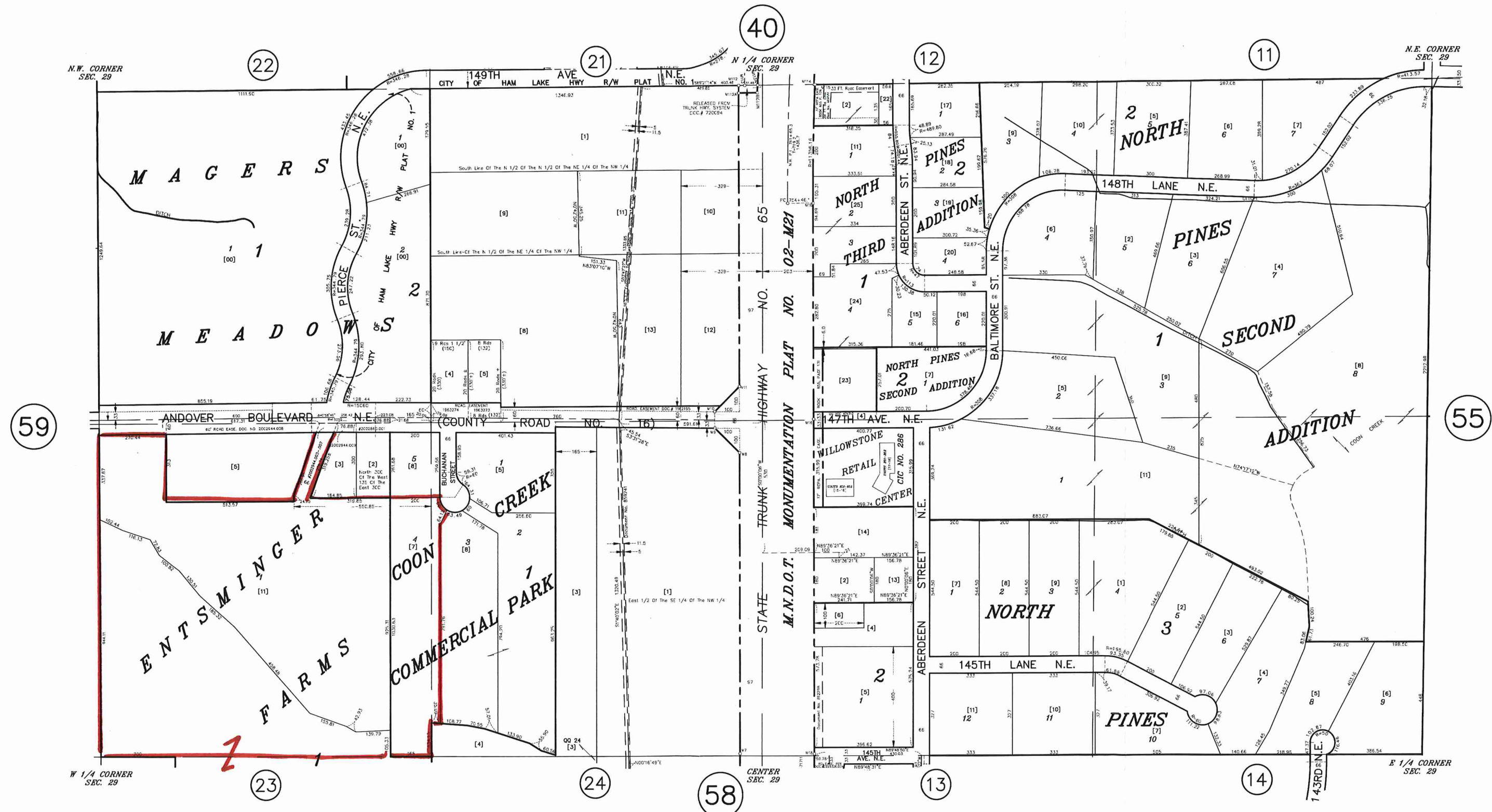
142ND AVE.

MAJESTIC OAKS  
NORTH 3RD ADDN.



# N 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY  
SURVEYOR'S OFFICE  
ROOM 224  
2100 3RD AVENUE  
ANOKA, MN 55303  
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11
23	24	13	14
NORTH HALF OF SECTION			
32	31	42	41
33	34	43	44
SOUTH HALF OF SECTION			

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter Number	Specific Parcel
XX	XX	XX	XX	XXXX

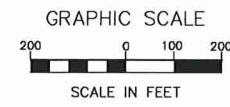
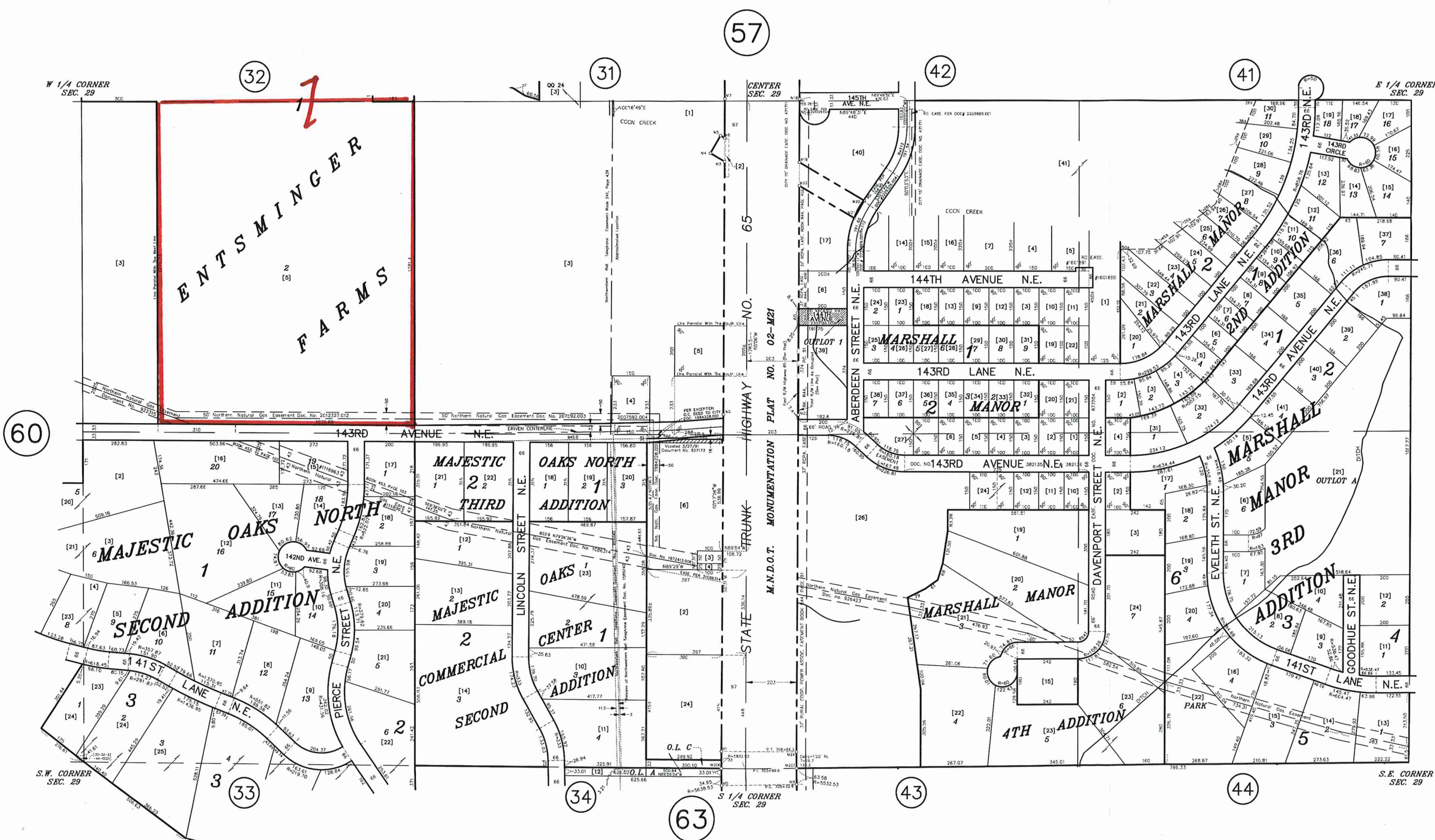
SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: [1]  
EXAMPLE OF PIN NUMBER: 29-32-23-13-0011

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.



# S 1/2 SECTION 29, T. 32, R. 23

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NORTH HALF OF SECTION

SOUTH HALF OF SECTION

PROPERTY IDENTIFICATION NUMBER

Section Number	Township Number	Range Number	Quarter Number	Specific Parcel
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: [1]  
EXAMPLE OF PIN NUMBER: 29-32-23-43-0022

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

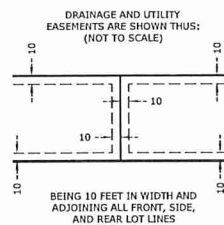


# LOT LINE ADJUSTMENT

~for~ ENTSMINGER ENTERPRISES

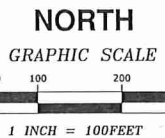
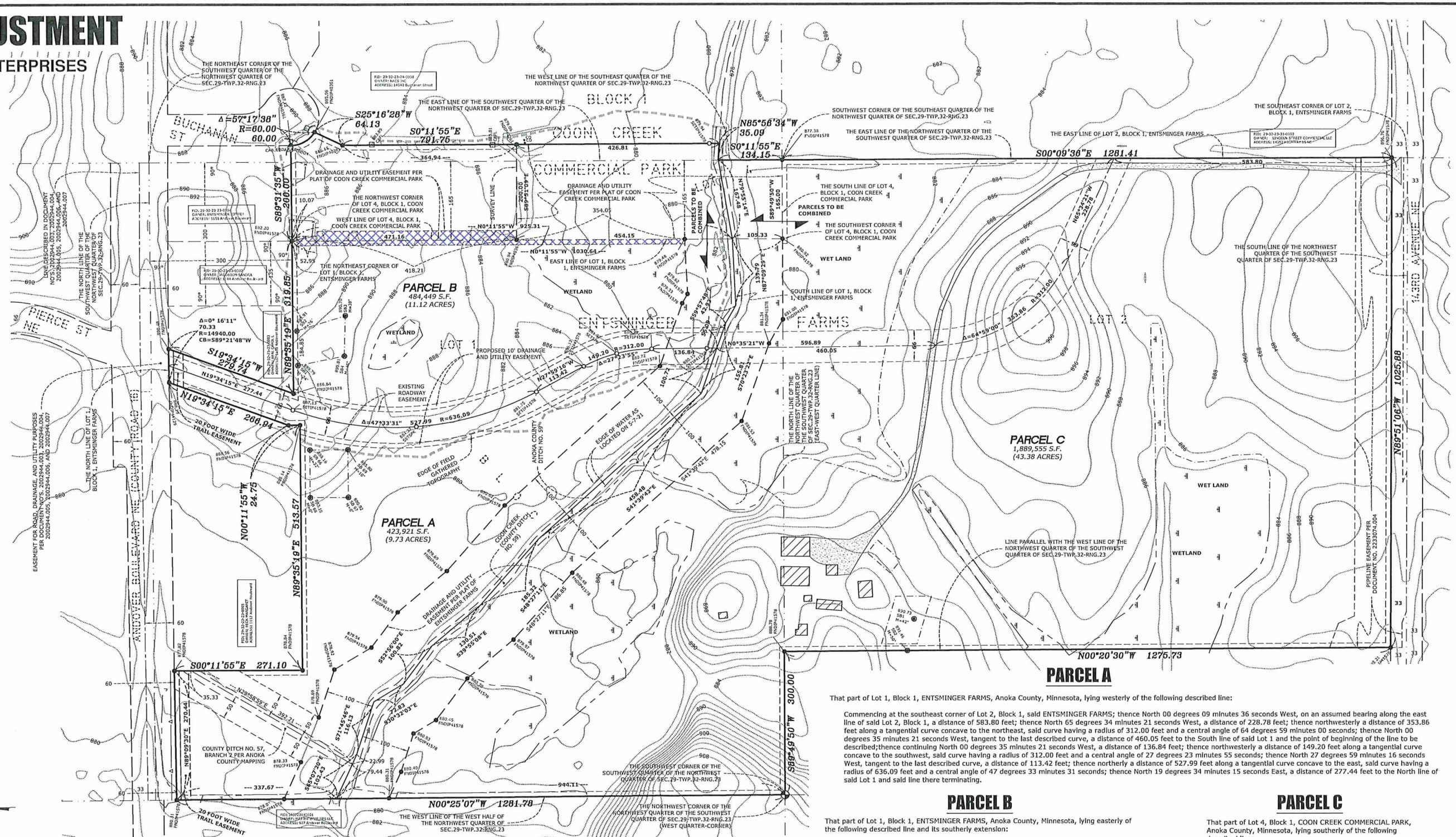
## BENCHMARK

MNDOT NAME: 0208 N  
 GSID STATION: #563  
 ELEVATION: 890.297 (NAVD88)



## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 05/07/21 and 11/28/22.
- Bearings shown are on Anoka County datum.
- Existing contours are shown per a combination of LIDAR mapping as provided by mndnr and field survey data.
- Wet lands were partially delineated by Jacobson Environmental on 8-18-22.
- This survey was prepared with the benefit of titlework. Commitment for title Insurance prepared by Registered Abstracters, Inc., as issuing agent for First American Title Insurance Company, Issuing Agent File No. T21-08004, dated effective July 16, 2021 at 8:00 A.M.
- Existing Parcel ID's:
  - 29-32-23-23-0007
  - 29-32-23-23-0011
  - 29-32-23-32-0005
- Proposed Zoning:
  - Parcel A: Proposed CD-2
  - Parcel B: Proposed CD-2
  - Parcel C: Proposed R-A



## DESCRIPTION OF EASEMENT TO BE VACATED

All of the drainage and utility easements lying over, under, and across that part of the West 20.00 feet of Lot 4, Block 1, as created and dedicated in the plat of COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying South of the north 10.00 feet of said Lot 4 and lying northerly of the following described line:

Commencing at the Northwest corner of said Lot 4, Block 1; thence South 00 degrees 11 minutes 55 seconds East, assumed bearing, along the West line of said Lot 4, a distance of 471.16 feet to the point of beginning of the line to be described; thence South 89 degrees 51 minutes 09 seconds East, 20.00 feet to the East line of the West 20.00 feet of said Lot 4 and said line there terminating.

AND

All of the drainage and utility easements lying over, under, and across the most easterly 10.00 feet of Lot 1, Block 1, as created and dedicated in the plat of ENTSMINGER FARMS, Anoka County, Minnesota, EXCEPT those parts embraced within the southerly 100.00 feet thereof and the northerly 10 feet thereof.

## EXISTING LEGAL DESCRIPTION

Lots 1 and 2, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota.

AND

Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota.

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES SOIL BORING. (BY MARK TRADEWELL)
- DENOTES EXISTING CONTOURS
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES EASEMENT TO BE VACATED
- DENOTES RIGHT OF ACCESS DEDICATED TO ANOKA COUNTY PER PLAT OF ENTSMINGER FARMS

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying westerly of the following described line:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

That part of Lot 1, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota, lying easterly of the following described line and its southerly extension:

Commencing at the southeast corner of Lot 2, Block 1, said ENTSMINGER FARMS; thence North 00 degrees 09 minutes 36 seconds West, on an assumed bearing along the east line of said Lot 2, Block 1, a distance of 583.80 feet; thence North 65 degrees 34 minutes 21 seconds West, a distance of 228.78 feet; thence northwesterly a distance of 353.86 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 64 degrees 59 minutes 00 seconds; thence North 00 degrees 35 minutes 21 seconds West, tangent to the last described curve, a distance of 460.05 feet to the South line of said Lot 1 and the point of beginning of the line to be described; thence continuing North 00 degrees 35 minutes 21 seconds West, a distance of 136.84 feet; thence northwesterly a distance of 149.20 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 27 degrees 23 minutes 55 seconds; thence North 27 degrees 59 minutes 16 seconds West, tangent to the last described curve, a distance of 113.42 feet; thence northerly a distance of 527.99 feet along a tangential curve concave to the east, said curve having a radius of 636.09 feet and a central angle of 47 degrees 33 minutes 31 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.44 feet to the North line of said Lot 1 and said line there terminating.

AND

Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, EXCEPT that part lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 55 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

That part of Lot 4, Block 1, COON CREEK COMMERCIAL PARK, Anoka County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, Block 1; thence on an assumed bearing of North 00 degrees 11 minutes 55 seconds West along the West line of said Lot 4, Block 1, a distance of 105.33 to the point of beginning of the line to be described; thence North 79 degrees 55 minutes 14 seconds East, a distance of 167.48 feet to a point on the East line of said Lot 4, Block 1, and said line there terminating.

AND

Lot 2, Block 1, ENTSMINGER FARMS, Anoka County, Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD  
 Date: 8/24/2023 License No. 41578

**E.G. RUD & SONS, INC.**  
 EST. 1977 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-8200 Fax (651) 361-8701



**Tradewell Soil Testing  
18330 Dahlia Street NW  
Cedar, MN 55011**

Date: February 26<sup>th</sup>, 2022

Name: Jeff Entsminger

Address: XXXX Pierce Street NE, Ham Lake, MN

**SOIL BORING TEST REPORT**

<b>Boring #66</b>	<b>Boring #67</b>	<b>Boring #68</b>	<b>Boring #69</b>
0"- 10" Topsoil Loamy Fine Sand 10YR 3/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/1	0"- 28" Topsoil Organic Loam (Peat) 10YR 2/1 2/0 Black	0"- 10" Topsoil Loamy Fine Sand 10YR 3/2
10"- 24" Fine Sand 10YR 3/4 4/4	12"- 40" Organic Loam (Peat) 10YR 2/1 2/0 Black	28"- 36" Medium Sand (Mottled Gray)	10"- 34" Medium Fine Sand 10YR 4/3 5/3 5/2
24"- 44" Medium Fine Sand (Mottled Gray & Orange)	40"- 48" Medium Fine Sand (Mottled Gray & Orange)		34"- 44" Loamy Sand (Mottled Gray & Orange)
Mottles @ 22" Dry Hole	Mottles @ 0" Dry Hole	Mottles @ 0" Dry Hole	Mottles @ 10" Dry Hole



Mark Tradewell  
MPCA #307

**H. Building Pad** - The specific perimeter within the Eligible Building Area where footings for structural foundations are or will be placed, and the area around said perimeter for a distance of thirty feet.

**10-302 Livability Standards**

All residential lots shall contain at least 29,500 square feet of land which lies above the 100 year flood contour. Of this 29,500 square feet, the following additional requirements must be present.

**A. ISTS Area** Each lot must contain at least 7,500 square feet of contiguous area which is reserved for both the ISTS originally constructed and a future ISTS. The ISTS Area need not be contiguous to the Eligible Building Area or the Yard Area, but the entire ISTS Area must exist at an elevation at least one foot above Unsuitable Soils, and must contain Undisturbed Soils or soils which meet the requirements of Rule 7080 of the Minnesota Pollution Control Agency for ISTS construction standards. The ISTS Area may be irregular in shape, provided they do not encroach into areas reserved by easement or otherwise for roadway, drainage or utility purposes, and provided that all of the area can be reasonably used for ISTS construction without the need for variances.

**B. Eligible Building Area** Each lot shall contain at least 10,000 square feet of contiguous land which lies at an elevation at least four feet above Unsuitable Soils. The Eligible Building Area may not be irregular in shape, and should be generally rectangular or ovoid, with no panhandles, narrow necks or peninsulas. Eligible Building Areas may not encroach into any areas reserved by easement or otherwise for roadway, drainage or utility purposes. Fill may be used to create Eligible Building Area.

**C. Yard Area** Each lot shall contain at least 12,000 contiguous square feet which:

- i) Lies above the 100 year flood contour, and
- ii) Lies at least one foot above soils unsuitable for the intended usage of the Yard area, and
- iii) Is contiguous to the Eligible Building Area for a distance of at least fifty-percent of the lineal perimeter of the Eligible Building Area.

Yard Areas may encroach into the dedicated easement area which lies at a distance of ten feet from the perimeter of the lot, and may encroach into areas reserved by easement or otherwise for other public utility purposes, but may not encroach into any other area reserved by dedication or



**D. Identification of Failed System or Failing System**

If an SSTS is reported by an Inspector to be a Failed or Failing System and the property owner does not agree with the finding, the property owner may request that the City Building Official re-inspect the SSTS to provide a second opinion as to the status of the SSTS. A fee equal to the City's actual labor and mileage costs to perform such second opinion inspections may be established by resolution of the City Council. In such cases, the decision of the City's Building Official shall be deemed final.

**E. Special Provisions for Inspections of Systems Other than Standard**

Notwithstanding the provisions of Article 11-450.4 (A), (B) and (C) above, inspections of SSTS that are other than Standard Systems shall be in accord with a Management Plan to be developed on a case-by-case basis at the time that a permit is issued for such a system. The Management Plan shall be established in writing by the System Designer, and may include, without limitation, the following features:

- i) Inspections, as often as semi-annually, to standards described in the Management Plan;
- ii) Periodic pumping different than that described in Article 11-450.4(C) above;
- iii) Maintenance of a cash deposit or performance security on an ongoing basis to guarantee proper maintenance and inspections of the system;
- iv) Monitoring or inspections may be required to be made by independent agents.

**11-450.6 Types of SSTS Permitted, Standards and Requirements**

All SSTS shall be constructed in accord with the standards imposed by Minnesota Rules 7080 and 7081, except that the following table shall be substituted for the table found in 7080.1930, subp. 1:

<b><u>Number of Bedrooms</u></b>	<b><u>Septic Tank Liquid Capacity</u></b>
<b>4 or Less</b>	<b>1,500 Gallons (two compartments)</b>
<b>5 or 6</b>	<b>2,000 Gallons (two compartments)</b>
<b>7 or More</b>	<b>As determined by Building Official</b>

**A. Vacant Residential Land**

For land which is not currently being used for residential purposes, meaning parcels which do not presently have an SSTS, including new residential development, the preferred type of SSTS shall be a Standard System. Notwithstanding the foregoing language, all lots in newly platted residential subdivisions shall be required to install Standard Systems.

**B. Occupied Residential Land**

For lots which currently have an SSTS which is a Failed or Failing System, the system shall, if possible, be replaced by a Standard System.

**C. CD-1, CD-2, CD-3, CD-4 and I-P (Industrial Park Land)**

SSTS's in the foregoing zoning districts may be Non-Standard Systems, provided that they meet the design criteria outlined in Minnesota Rules 7080, 7082 and 7083.

**D. Flood Plain**

SSTS shall be not permitted to be constructed in whole or in part within any Flood Plain area or drainage easement, unless there are no other options available, and then only in accord with specifications established on a case-by-case basis by City officials.

**E. Backup Absorption Area**

All residential lots that were created by subdivision after January 23, 1996 shall have adequate space for a primary and successor SSTS in accord with Article 10 and 11 of this code. This requirement shall also apply to any unplatted tracts of land for which a residential building permit is requested, and to any platted residential lots created by subdivision on or prior to January 23, 1996 if the lot area and soil composition afford sufficient space for a primary and successor SSTS.

**F. Technical Standards**

The technical standards found in Minnesota Rules 7080 and 7081 are hereby adopted by reference.

**G. Variances**

Variances to normal setback requirements may be granted in accord with variance standards found in Articles 9 and 10 of this code, and where not prohibited by state or federal law or county codes.

**H. Holding Tanks**

Holding Tanks may be allowed as replacements for an SSTS that poses an imminent threat to public safety. The holding tank must be installed by a Qualified Technician (see Code Article 11-450.9 below) who shall also direct the following of a written monitoring and disposal program. The owner must enter into and furnish a true and correct copy of a monitoring and disposal contract with a licensed maintenance business, which contract must guarantee the removal of the tank contents before overflow or any discharge.