

# CITY OF HAM LAKE

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## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, APRIL 19, 2021

### 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance

### 2.0 PUBLIC COMMENT

### 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

3.1 Lt. Schuldt, Anoka County Sheriff's Office Monthly Report

3.2 Andrew Grice, BerganKDV – Presentation of 2020 Audit

3.3 6:01 P.M. – PUBLIC HEARING – To vacate a portion of the drainage and utility easement on Lot 1, Block 1, Hidden Forest West 2<sup>nd</sup> Addition (3011 137<sup>th</sup> Avenue NE) and adoption of a Resolution

### 4.0 CONSENT AGENDA

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

4.1 Approval of minutes of April 5, 2021

4.2 Approval of claims

4.3 Approval of an Ordinance rezoning Radisson Sunset Estates

4.4 Approval of a Resolution supporting the termination of the Northstar Commuter Rail Line

4.5 Approval of a Large Assembly License for the Ham Lake Chamber of Commerce at Lion's Park (1220 157<sup>th</sup> Avenue NE) on July 3, 2021

4.6 Approval of engagement letter with BerganKDV, Ltd. for the 2021-2023 audits

4.7 Approval of the Ham Lake Member City Grant Agreement with Twin Cities Gateway

### 5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Alexander Hattstrom requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC at 14350 Ural Street NE

5.2 Benjamin Cedarberg of Cedar Hill Group, LLC, requesting a Conditional Use Permit to operate Everwood Friends at 4453 Crosstown Boulevard NE

5.3 Anton Vovk requesting a Conditional Use Permit to operate A & A Companies, an auto repair shop, at 13408 Highway 65 NE

5.4 William Dwyer requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE

5.5 Harlan Worsham requesting a Conditional Use Permit to operate Solid Rock Construction at 14665 Buchanan Street NE

5.6 Andrew Berg requesting a Certificate of Occupancy to operate Latitude Studios Co. at 14665 Buchanan Street NE

5.7 Holiday Stationstores LLC requesting Sketch Plan approval for a Minor Plat in Section 5

### 6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

### 7.0 APPEARANCES – None

### 8.0 CITY ATTORNEY

### 9.0 CITY ENGINEER

**10.0 CITY ADMINISTRATOR**

**11.0 COUNCIL BUSINESS**

11.1 Committee Reports

11.2 Discussion of reduced School Zone Speed Limit signage at Davinci Academy, 532 Bunker Lake Boulevard NE

11.3 Discussion of Article 9-220 of the City Code

11.4 Announcements and future agenda items

**City of Ham Lake  
Anoka County, Minnesota**

**Reports on Compliance with  
*Government Auditing Standards*  
Uniform Guidance, and Minnesota Legal Compliance**

**December 31, 2020**

**City of Ham Lake  
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**City of Ham Lake**  
**Schedule of Expenditures and Federal Awards**  
**December 31, 2020**

<u>Federal Agency/Pass Through Agency/Program Title</u>	<u>Federal CFDA Number</u>	<u>Expenditures</u>
U.S. Department of Treasury Minnesota Department of Treasury Coronavirus Relief Fund	21.019	\$ 1,246,072

**City of Ham Lake**  
**Notes to Schedule of Expenditures of Federal Awards**

**NOTE 1 – BASIS OF PRESENTATION**

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of City of Ham Lake, Minnesota and is presented on the accrual basis of accounting. The information in this Schedule is presented in accordance with the requirements of the Uniform Guidance. Therefore, some amounts presented in this Schedule may differ from amounts presented in, or used in, the preparation of the regulatory basis financial statements.

**NOTE 2 – PASS-THROUGH GRANT NUMBERS**

All pass-through entities listed above use the same CFDA numbers as the federal grantors to identify these grants and have not assigned any additional identifying numbers.

**NOTE 3 – INDIRECT COST RATE**

The City did not elect to use the 10 percent de minimis indirect cost rate, as allowed under the Uniform Guidance.

**Report on Internal Control over Financial Reporting  
and on Compliance and Other Matters Based on an Audit of  
Financial Statements Performed in Accordance with  
*Government Auditing Standards***

**Independent Auditor's Report**

Honorable Mayor and Members  
of the City Council  
City of Ham Lake  
Ham Lake, Minnesota

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of City of Ham Lake, Ham Lake, Minnesota, as of and for the year ended December 31, 2020, and the related notes to financial statements, which collectively comprise City's basic financial statements, and have issued our report thereon dated April 14, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered City's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City's internal control. Accordingly, we do not express an opinion on the effectiveness of City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

### **Internal Control over Financial Reporting (Continued)**

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify a certain deficiency in internal control, described in the accompanying Schedule of Findings and Questioned Costs that we consider to be a significant deficiency, Audit Finding 2020-001.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **City's Response to Findings**

The City's response to the findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. The City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

**BerganKDV, Ltd.**

Minneapolis, Minnesota  
April 14, 2021



**Report on Compliance for each Major Federal Program  
and Report on Internal Control over Compliance In Accordance  
With the Uniform Guidance**

**Independent Auditor's Report**

Honorable Mayor and Members  
of the City Council  
City of Ham Lake  
Ham Lake, Minnesota

**Report on Compliance for Each Major Federal Program**

We have audited the City's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on the City's major federal program for the year ended December 31, 2020. The City's major federal program is identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs.

**Management's Responsibility**

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

**Auditor's Responsibility**

Our responsibility is to express an opinion on compliance for the City's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

**Opinion on Each Major Federal Program**

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended December 31, 2020.

## Report on Internal Control over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

*Bergan KDV, Ltd.*

Minneapolis, Minnesota  
April 14, 2021

**City of Ham Lake  
Schedule of Findings and Questioned Costs**

**SECTION I – SUMMARY OF AUDITOR'S RESULTS**

**Financial Statements**

Type of auditor's report issued:

We issued an unmodified opinion on the fair presentation of the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information in accordance with accounting principles generally accepted in the United States of America (GAAP).

Internal control over financial reporting:

- Material weakness(es) identified?
- Significant deficiency(ies) identified?

No  
Yes, Audit Finding 2020-001

Noncompliance material to financial statements noted?

No

**Federal Awards**

Type of auditor's report issued on compliance for major programs:

Unmodified

Internal control over major programs:

- Material weakness(es) identified?
- Significant deficiency(ies) identified?

No  
No

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?

No

**Identification of Major Programs**

CFDA No.: 21.019  
Coronavirus Relief Fund:

\$1,246,072

Dollar threshold used to distinguish between type A and type B programs:

\$750,000

Auditee qualified as low risk auditee?

No

**City of Ham Lake  
Schedule of Findings and Questioned Costs**

**SECTION II – FINANCIAL STATEMENT FINDINGS**

**Audit Finding 2020-001 – Lack of Segregation of Accounting Duties**

*Criteria:*

Internal control that supports the City's ability to initiate record, process and report financial data consistent with the assertions of management in the financial statements requires adequate segregation of accounting duties.

*Condition:*

The City does not have adequate segregation of accounting duties.

*Context:*

This finding impacts the internal control for all significant accounting functions.

*Effect or Potential Effect:*

The lack of adequate segregation of accounting duties could adversely affect the District's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements.

*Cause:*

There are a limited number of office employees.

*Recommendation:*

Continue to review the accounting system, including changes that may occur. Implement segregation whenever practical.

*Views of Responsible Officials and Planned Corrective Action:*

**CORRECTIVE ACTION PLAN (CAP):**

1. Explanation of Disagreement with Audit Finding

There is no disagreement with the audit finding.

2. Actions Planned in Response to Finding

Administration will monitor current segregation of accounting duties and provide further segregation, if possible.

3. Official Responsible for Ensuring CAP

Denise Webster, City Administrator, is the official responsible for ensuring corrective action of the deficiency.

4. Planned Completion Date for CAP

The planned completion date for the CAP is ongoing.

**City of Ham Lake  
Schedule of Findings and Questioned Costs**

**SECTION II – FINANCIAL STATEMENT FINDINGS (CONTINUED)**

**Audit Finding 2020-001 – Lack of Segregation of Accounting Duties (Continued)**

*Views of Responsible Officials and Planned Corrective Action: (Continued)*

**CORRECTIVE ACTION PLAN (CAP): (CONTINUED)**

5. Plan to Monitor Completion of CAP

The City Council will be monitoring this CAP.

**SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS**

None

**SECTION IV – PRIOR YEAR FINDINGS AND QUESTIONED COSTS**

None

**Minnesota Legal Compliance**

**Independent Auditor's Report**

Honorable Mayor and Members  
of the City Council  
City of Ham Lake  
Ham Lake, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Ham Lake, Minnesota, as of and for the year ended December 31, 2020, and the related notes to financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated April 14, 2021.

In connection with our audit, nothing came to our attention that caused us to believe that the City failed to comply with the provisions of the contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims and disbursements, and miscellaneous provisions sections of the *Minnesota Legal Compliance Audit Guide for Cities*, promulgated by the State Auditor pursuant to Minn. Stat. § 6.65, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the City's noncompliance with the above referenced provisions, insofar as they relate to accounting matters.

The purpose of this report is solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance. Accordingly, this communication is not suitable for any other purpose.

**BergankDV, Ltd.**

Minneapolis, Minnesota  
April 14, 2021

**City of Ham Lake  
Anoka County, Minnesota**

**Communications Letter**

**December 31, 2020**

**City of Ham Lake  
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**Report on Matters Identified as a Result of the  
Audit of the Financial Statements**

Honorable Mayor and Members  
of the City Council and Management  
City of Ham Lake  
Ham Lake, Minnesota

In planning and performing our audit of the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Ham Lake, Minnesota, as of and for the year ended December 31, 2020, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that have not been identified. In addition, because of inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error, or fraud may occur and not be detected by such controls.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control over financial reporting, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible.* The chance of the future event or events occurring is more than remote but less than likely.
- *Probable.* The future event or events are likely to occur.

We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. The significant deficiency identified is stated within this letter.

The accompanying memorandum also includes financial analysis provided as a basis for discussion. The matters discussed herein were considered by us during our audit and they do not modify the opinion expressed in our Independent Auditor's Report dated April 14, 2021, on such statements

This communication is intended solely for the information and use of the Members of the City of Council and management and others within the City and state oversight agencies and is not intended to be, and should not be, used by anyone other than these specified parties.

**BerganKDV, Ltd.**

Minneapolis, Minnesota  
April 14, 2021

**City of Ham Lake  
Significant Deficiency**

**Lack of Segregation of Accounting Duties**

The City has a lack of segregation of accounting duties due to a limited number of office employees. The lack of adequate segregation of accounting duties could adversely affect the City's ability to initiate, record, process, and report financial data consistent with the assertions of management in the financial statements. Adequate segregation of accounting duties is in place when the following four areas of a transaction have been separated: authorization, custody, recording, and reconciliation. Examples of functions within the City that demonstrate this lack of segregation of accounting duties include, but are not limited to, the following:

*Cash Receipts* - As a result of the limited number of staff in the investments and cash receipts cycle, the Finance Director has the ability to post receipts to the general ledger, reconcile cash, and make journal entries. Also, an administrative assistant receipts payments made in person, reconciles the cash drawer at the end of the work day, and prepares the bank deposit.

*Cash Disbursements* - The Finance Director has duties that would be listed under authorization, custody, record keeping, and reconciliation.

Management and Members of the City Council are aware of this condition and have taken certain steps to compensate for the lack of segregation but due to the number of staff needed to properly segregate all of the accounting duties, the costs of obtaining desirable segregation of accounting duties can often exceed benefits which could be derived. However, management and the Members of the City Council must remain aware of this situation and should continually monitor the accounting system, including changes that occur.

We recommend segregation or independent review be implemented whenever practical and cost effective.

**City of Ham Lake  
Required Communication**

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City as of and for the year ended December 31, 2020. Professional standards require that we advise you of the following matters related to our audit.

**Our Responsibility in Relation to the Financial Statement Audit**

As communicated in our engagement letter, our responsibility, as described by professional standards, is to form and express opinions about whether the financial statements prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgement, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Generally accepted accounting principles provide for certain Required Supplementary Information (RSI) to supplement the basic financial statements. Our responsibility with respect to the RSI, which supplements the basic audit financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI was not audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we do not express an opinion or provide any assurance on the RSI.

Our responsibility for the supplementary information accompanying the financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

**Our Responsibility in Relation to *Government Auditing Standards***

As communicated in our engagement letter, part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of the City's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, the objective of our tests was not to provide an opinion on compliance with such provisions.

## **City of Ham Lake Required Communication**

### **Our Responsibility in Relation to Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)**

As communicated in our engagement letter, in accordance with the Uniform Guidance, we examined, on a test basis, evidence about the City's compliance with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Compliance Supplement applicable to each of its major federal programs for the purpose of expressing an opinion on the City's compliance with those requirements. While our audit provided a reasonable basis for our opinion, it did not provide a legal determination on the City's compliance with those requirements.

In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance.

### **Planned Scope and Timing of the Audit**

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

### **Compliance with All Ethics Requirements Regarding Independence**

The engagement team, others in our firm, as appropriate, our firm, and our network firms have complied with all relevant ethical requirements regarding independence.

### **Qualitative Aspects of Significant Accounting Practices**

#### *Significant Accounting Policies*

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in the notes to financial statements. There have been no initial selection of accounting policies and no changes to significant accounting policies or their application during 2020. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

#### *Significant Accounting Estimates*

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgements. Those judgements are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgements. The most sensitive estimates affecting the financial statements were:

Expense Allocation – Certain expenses are allocated to programs based on an estimate of the benefit to that particular program. Examples are salaries, benefits, and supplies.

**City of Ham Lake  
Required Communication**

**Qualitative Aspects of Significant Accounting Practices (Continued)**

*Significant Accounting Estimates (Continued)*

Depreciation – The City is currently depreciating its capital assets over the estimated useful lives, as determined by management, using the straight-line method.

Net Pension Liability, Deferred Outflows of Resources Relating to Pensions, and Deferred Inflows of Resources relating to Pensions – These balances are based on an allocation by the pension plans using estimates based on contributions.

We evaluated the key factors and assumptions used to develop the accounting estimates and determined that they are reasonable in relation to the financial statements taken as a whole and in relation to the applicable opinion units.

*Financial Statement Disclosures*

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The financial statement disclosures are neutral, consistent, and clear.

**Significant Difficulties Encountered during the Audit**

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

**Uncorrected and Corrected Misstatements**

For the purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effects of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements taken as a whole and each applicable opinion unit.

Management did not identify and we did not notify them of any uncorrected financial statement misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

**Disagreements with Management**

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's financial statements or the auditor's report. No such disagreements arose during the course of our audit.

## **City of Ham Lake Required Communication**

### **Representations Requested from Management**

We have requested certain written representations from management, which are included in the management representation letter.

### **Management's Consultations with Other Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management has informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

### **Other Significant Matters, Findings, or Issues**

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the City, and operating plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditor.

### **Other Information in Documents Containing Audited Financial Statements**

We applied certain limited procedures to the RSI that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

## City of Ham Lake Financial Analysis

The following pages provide graphic representation of select data pertaining to the financial position and operations of the City for the past five years. Our analysis of each graph is presented to provide a basis for discussion of past performance and how implementing certain changes may enhance future performance. We suggest you view each graph and document if our analysis is consistent with yours. A subsequent discussion of this information should be useful for planning purposes.

### General Fund Budget and Actual

	Original and Final Budget	Actual Amounts	Variance with Final Budget - Over (Under)
<b>Revenues</b>			
Property taxes	\$ 4,890,183	\$ 4,844,172	\$ (46,011)
Licenses and permits	440,850	570,476	129,626
Intergovernmental	155,900	201,127	45,227
Charges for services	123,148	126,854	3,706
Fines and forfeitures	40,000	22,131	(17,869)
Investment income	25,000	30,842	5,842
Other revenues	32,000	60,113	28,113
Total revenues	<u>5,707,081</u>	<u>5,855,715</u>	<u>148,634</u>
<b>Expenditures</b>			
<b>Current</b>			
General government	930,121	1,016,071	85,950
Public safety	2,048,784	1,840,382	(208,402)
Public works	884,616	892,056	7,440
Park and recreation	356,086	218,616	(137,470)
<b>Capital outlay</b>			
General government	17,000	3,733	(13,267)
Public safety	49,000	22,098	(26,902)
Public works	23,000	8,384	(14,616)
Park and recreation	17,500	667	(16,833)
Total expenditures	<u>4,326,107</u>	<u>4,002,007</u>	<u>(324,100)</u>
Excess of revenues over expenditures	1,380,974	1,853,708	472,734
<b>Other Financing Sources (Uses)</b>			
Proceeds from capital leases	-	3,551	3,551
Transfers in	1,350	1,350	-
Transfers out	(1,270,000)	(1,270,000)	-
Total other financing sources (uses)	<u>(1,268,650)</u>	<u>(1,265,099)</u>	<u>3,551</u>
Net change in fund balance	<u>\$ 112,324</u>	<u>\$ 588,609</u>	<u>\$ 476,285</u>

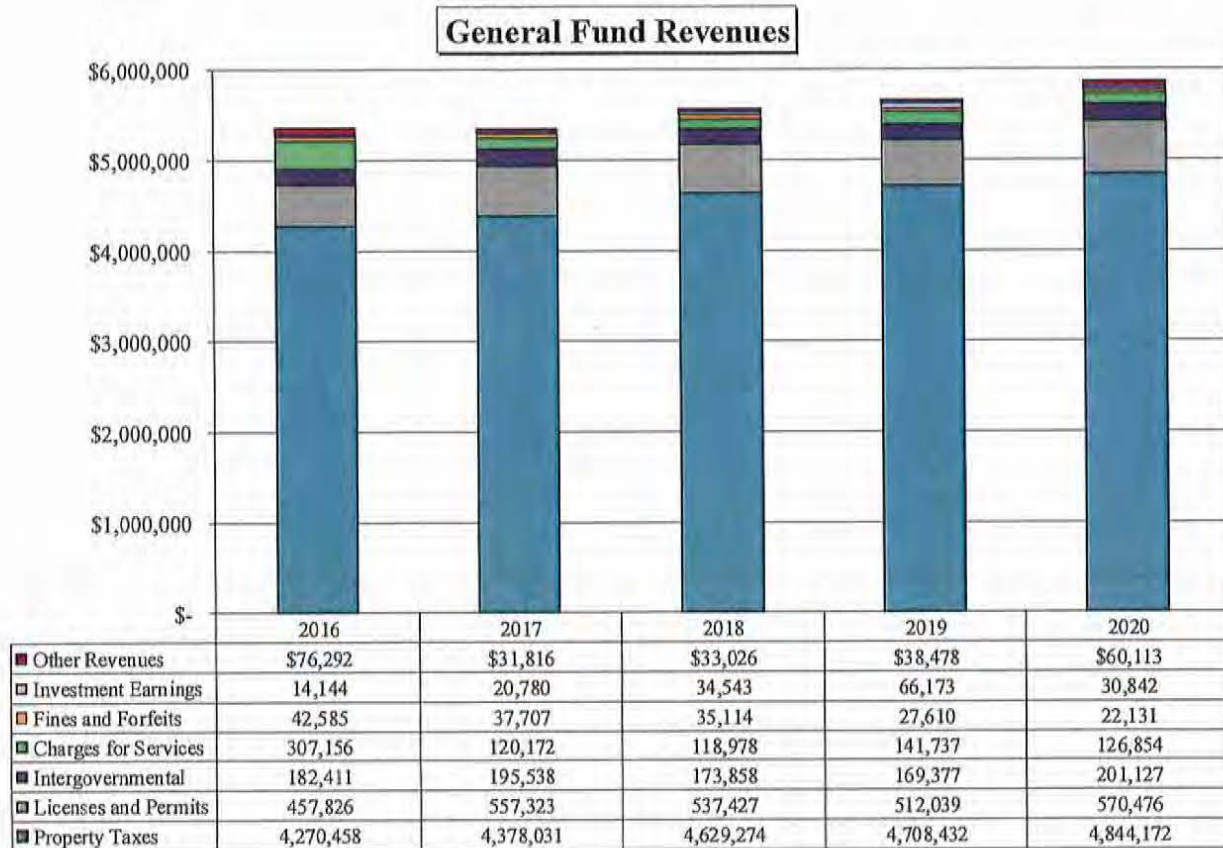
For the year ended December 31, 2020, City Council adopted a General Fund budget that provided for approximately \$5.7 million in total revenues and \$4.3 million in total expenditures for a surplus of \$1.4 million. After factoring in transfers to and from other funds, the plan for the General Fund was a net increase in fund balance of \$112,324. Actual amounts resulted in an increase in fund balance of \$588,609, or \$476,285 better than anticipated. Budget to actual results are discussed further in the following pages.



## City of Ham Lake Financial Analysis

### General Fund Revenues

The chart below shows the City's revenues by source for the last five years.



In total, revenues increased \$191,869 or 3.4%, from 2019 to 2020.

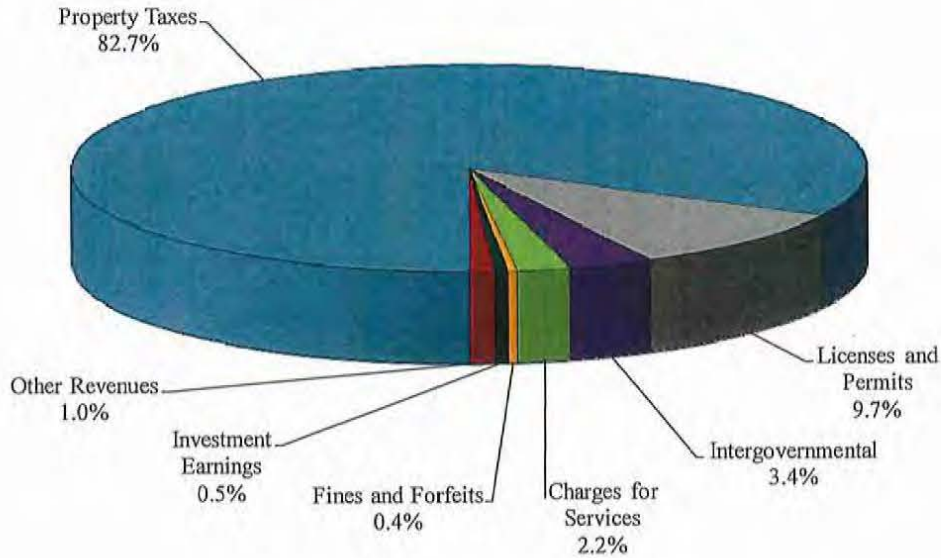
Property Taxes reported the largest increases from 2019, increasing \$135,740 as a result of an increase in the General Fund's share of the tax levy. Licenses and permits increased \$58,437 due to an increase in building permits. Other revenue categories were relatively consistent compared to the prior year.

## City of Ham Lake Financial Analysis

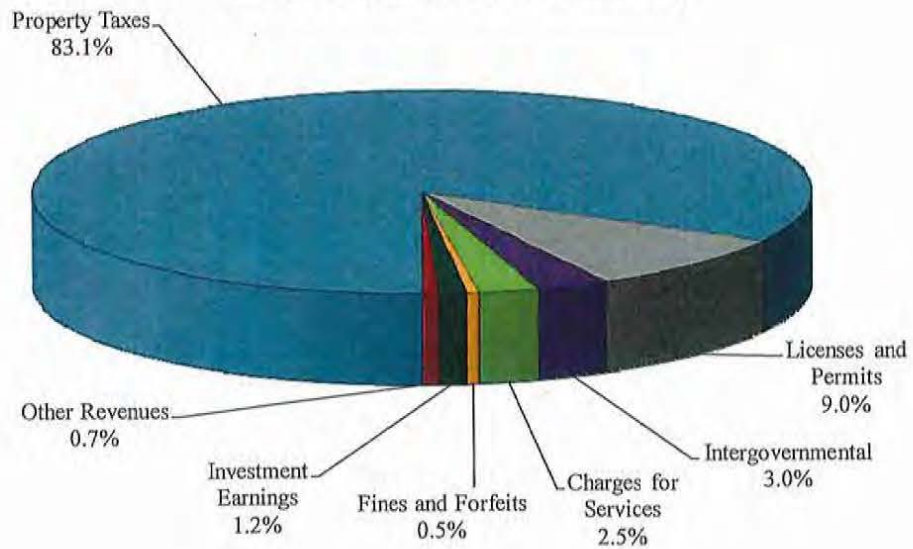
### General Fund Revenues (Continued)

Allocations of the City's revenues by source for the past two years are displayed below.

#### 2020 General Fund Revenues



#### 2019 General Fund Revenues

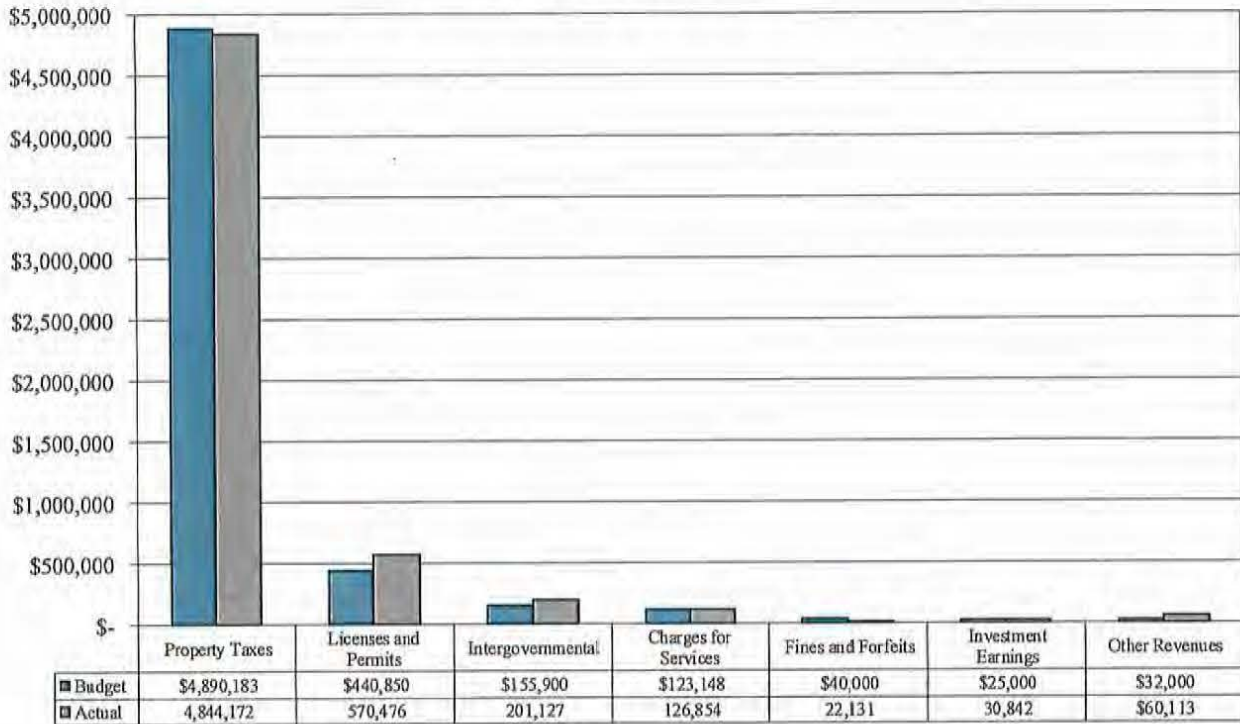


**City of Ham Lake  
Financial Analysis**

**General Fund Revenues (Continued)**

The graph below presents a comparison of final budget and actual results for General Fund revenues.

**2020 General Fund Revenues  
Budget and Actual**



Total General Fund revenue exceeded the final revised budget by \$148,634 or 2.6%.

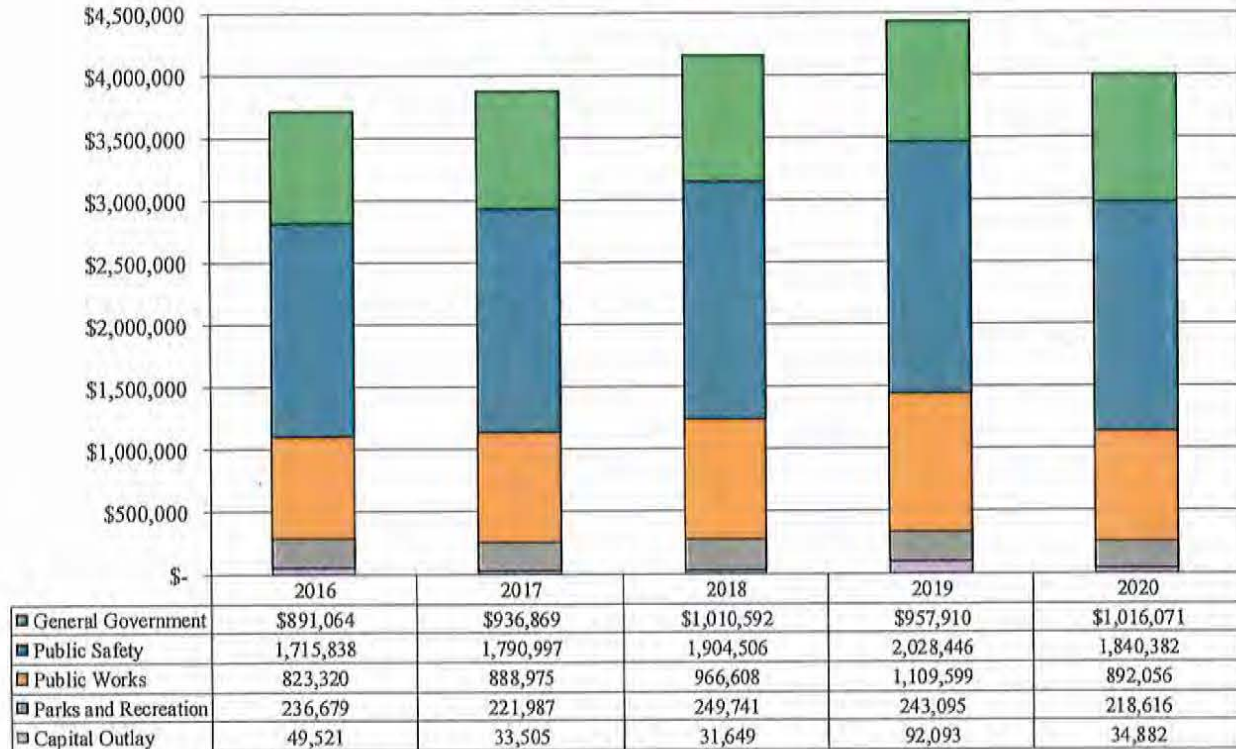
The greatest variance was in licenses and permits where actual revenue was \$129,626 over budget due to conservative budgeting for building permits and utility right of way permits. All other categories were fairly consistent with budgeted amounts.

## City of Ham Lake Financial Analysis

### General Fund Expenditures

The chart below shows the City's expenditures by function for the last five years.

**General Fund Expenditures**



Overall, expenditures decreased \$429,136 or 9.7% from 2019 amounts.

The most significant decrease in expenditures was the public works category, which decreased \$217,543 due in part to additional payments made for severance and sick leave time in 2019 and no such payments in 2020. Public safety decreased \$188,064 as a result of a large portion of the police contract being paid out of the CARES funding. Capital outlay expenditures decreased by \$57,211 due primarily to purchasing a vehicle for the Senior Center in 2019 and nothing similar in 2020. General Government increased \$58,161 due to filling the finance director position in 2020. The remaining functions were consistent with budgeted amounts.

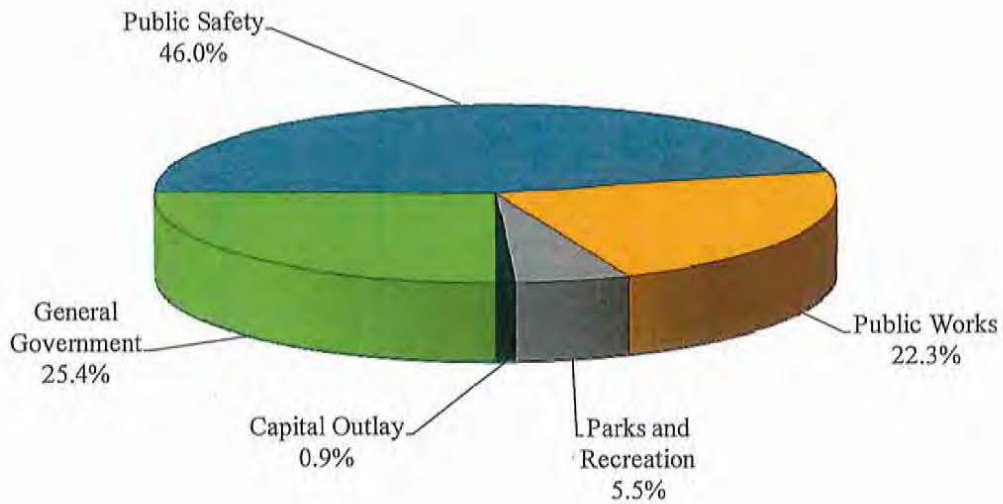
For the past five years, the City has had a consistent approach to allocating spending across City departments and functions. Traditionally, the largest category of the City's expenditures has been public safety for police, fire, and building inspection services.

## City of Ham Lake Financial Analysis

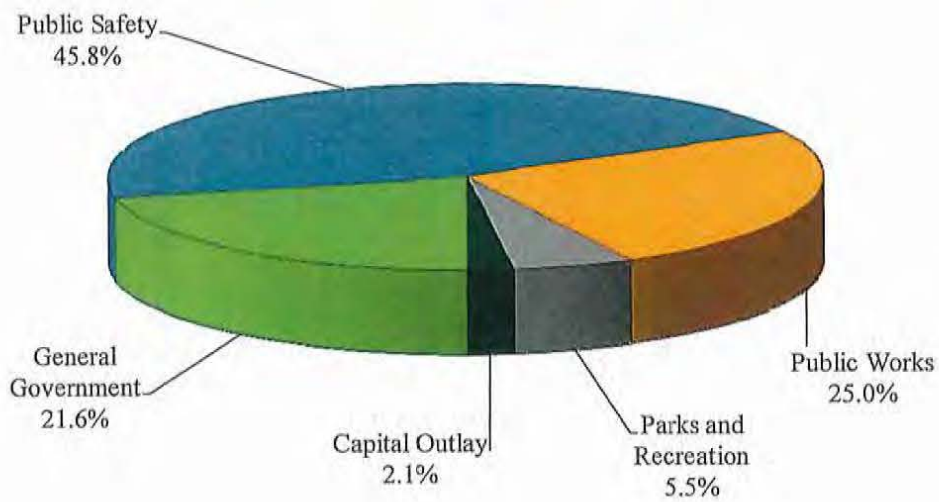
### General Fund Expenditures (Continued)

Allocations of the City's General Fund expenditures by function for the past two years are displayed below.

#### 2020 General Fund Expenditures



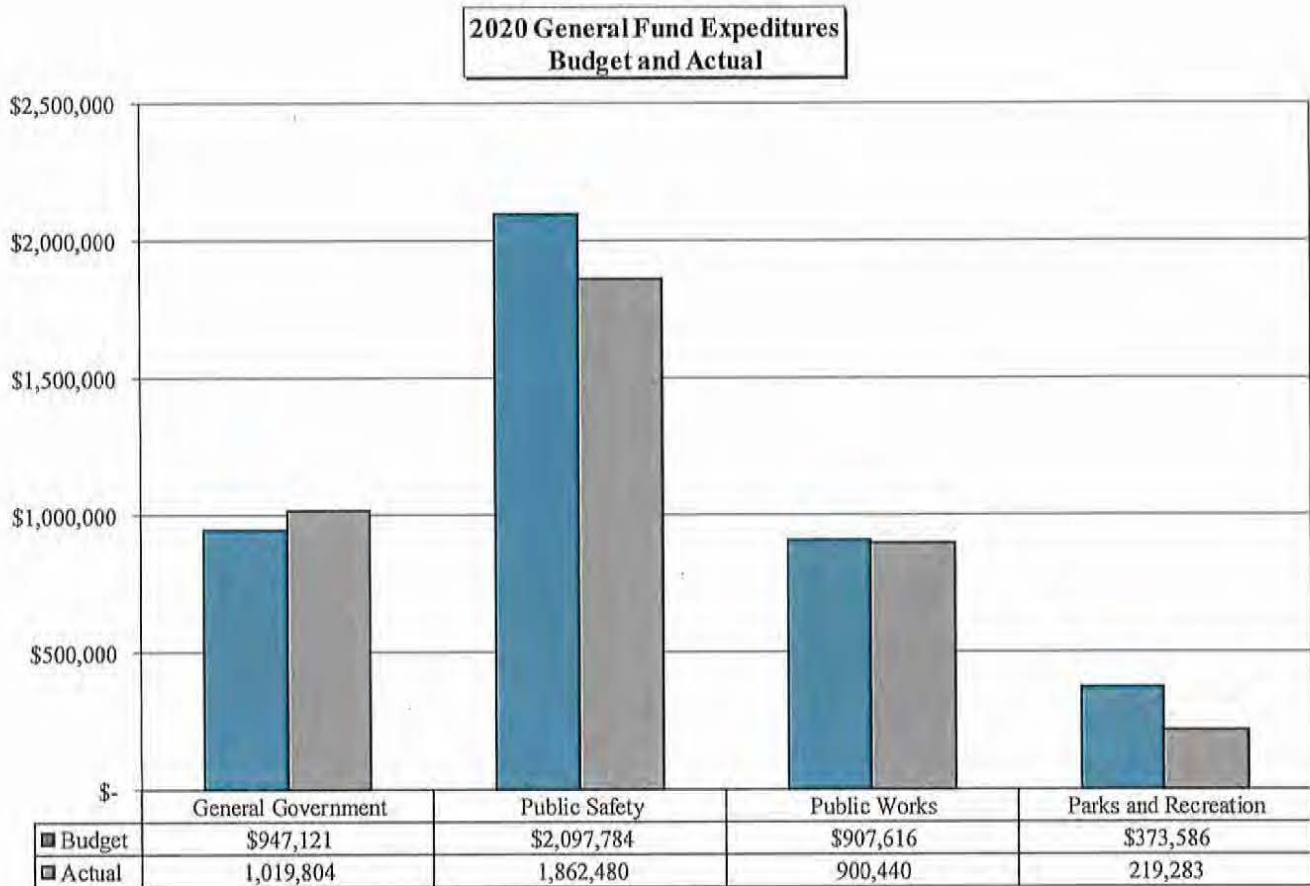
#### 2019 General Fund Expenditures



## City of Ham Lake Financial Analysis

### General Fund Expenditures (Continued)

The graph below presents a comparison of final budget and actual results for General Fund expenditures.



Overall, total expenditures were \$324,100 or 7.5% under the budgeted amounts.

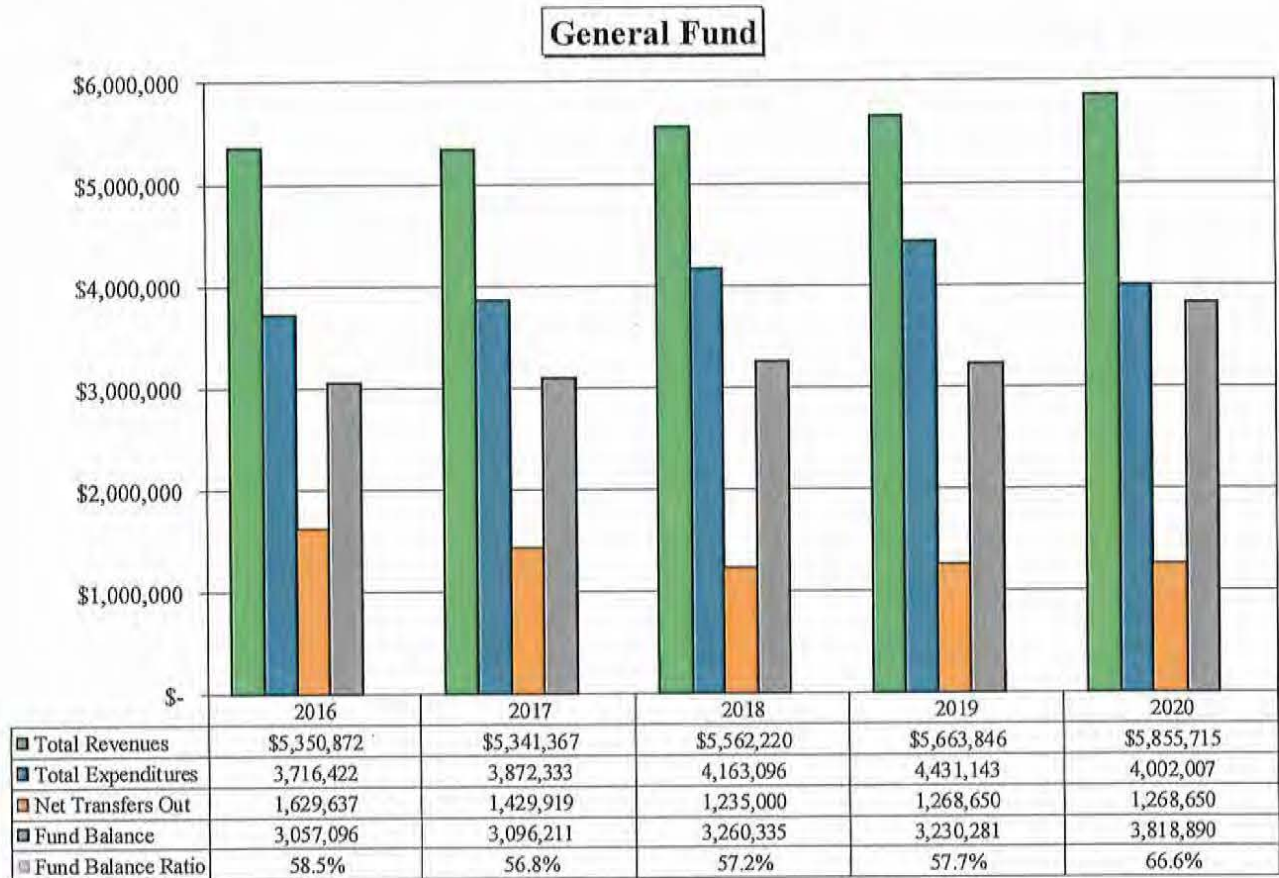
Public Safety expenditures were \$235,304 under budget due to a large portion of the police contract being paid with CARES funding. Parks and recreation expenditures were \$154,303 under budget due to less activity than anticipated as a result of COVID-19. General government expenditures were \$72,683 over budget due to an increase in allocation of salaries and benefits to the General Fund in 2020. All other categories were fairly consistent with budgeted amounts.

## City of Ham Lake Financial Analysis

### General Fund Balance

The General Fund balance increased \$588,609 from 2019 to 2020. This is a result of revenues, transfers in, and proceeds from the sale of capital assets exceeding expenditures and transfers.

Net transfers to other funds were the same in 2020 as compared to 2019.

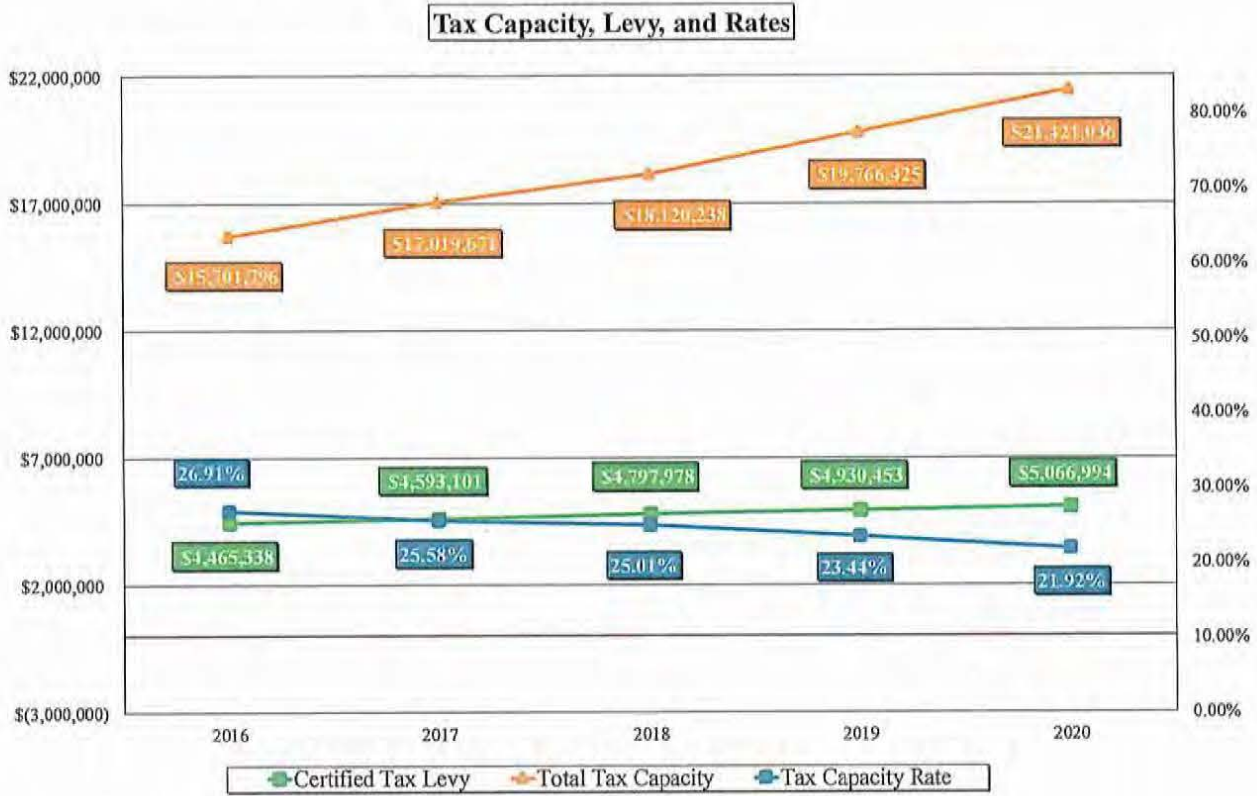


The City has formally adopted a fund balance policy for the General fund which requires the City maintain a minimum unassigned fund balance of 35-50% of the next year's budgeted expenditures, including transfers. The City has consistently complied with this policy which is the result of effective budgeting and monitoring by management and City Council.

## City of Ham Lake Financial Analysis

### Tax Capacity, Levy, and Rates

The chart below depicts tax capacity, tax levy, and tax rate information for the City. The City's tax capacity has increased each of the past five years, while the tax levy has increased at a slower rate, resulting in an overall decrease in the tax rate over the past five years.



Amounts obtained from Anoka County Property Records and Taxpayer Services.



## City of Ham Lake Emerging Issue

### **Executive Summary**

The following is an executive summary of financial and business related updates to assist you in staying current on emerging issues in accounting and finance. This summary will give you a preview of the new standards that have been recently issued and what is on the horizon for the near future. The most recent and significant update includes:

- **Accounting Standard Update – GASB Statement No. 87 – Leases** – GASB has issued GASB Statement No. 87 relating to accounting and financial reporting for leases. This new statement establishes a single model for lease accounting based on the principle that leases are financing of the right to use an underlying asset.

The following is an extensive summary of the current update. As your continued business partner, we are committed to keeping you informed of new and emerging issues. We are happy to discuss these issues with you further and their applicability to your City.

### **Accounting Standard Update – GASB Statement No. 87 – *Leases***

The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities.

A lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset (the underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction. Examples of nonfinancial assets include buildings, land, vehicles, and equipment. Any contract that meets this definition should be accounted for under the leases guidance, unless specifically excluded in this Statement.

A short-term lease is defined as a lease that, at the commencement of the lease term, has a maximum possible term under the lease contract of 12 months (or less), including any options to extend, regardless of their probability of being exercised. Lessees and lessors should recognize short-term lease payments as outflows of resources or inflows of resources, respectively, based on the payment provisions of the lease contract.

**City of Ham Lake  
Emerging Issue**

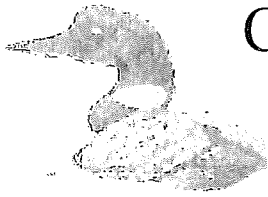
**Accounting Standard Update – GASB Statement No. 87 – *Leases* (Continued)**

A lessee should recognize a lease liability and a lease asset at the commencement of the lease term, unless the lease is a short-term lease or it transfers ownership of the underlying asset. The lease liability should be measured at the present value of payments expected to be made during the lease term (less any lease incentives). The lease asset should be measured at the amount of the initial measurement of the lease liability, plus any payments made to the lessor at or before the commencement of the lease term and certain direct costs. A lessee should reduce the lease liability as payments are made and recognize an outflow of resources (for example, expense) for interest on the liability. The lessee should amortize the lease asset in a systematic and rational manner over the shorter of the lease term or the useful life of the underlying asset. The notes to financial statements should include a description of leasing arrangements, the amount of lease assets recognized, and a schedule of future lease payments to be made.

A lessor should recognize a lease receivable and a deferred inflow of resources at the commencement of the lease term, with certain exceptions for leases of assets held as investments, certain regulated leases, short-term leases, and leases that transfer ownership of the underlying asset. A lessor should not derecognize the asset underlying the lease. The lease receivable should be measured at the present value of lease payments expected to be received during the lease term. The deferred inflow of resources should be measured at the value of the lease receivable plus any payments received at or before the commencement of the lease term that relate to future periods. A lessor should recognize interest revenue on the lease receivable and an inflow of resources (for example, revenue) from the deferred inflows of resources in a systematic and rational manner over the term of the lease. The notes to financial statements should include a description of leasing arrangements and the total amount of inflows of resources recognized from leases.

GASB Statement No. 87 is effective for reporting periods beginning after June 15, 2021.

Information provided above was obtained from [www.gasb.org](http://www.gasb.org).



# CITY OF HAM LAKE

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

## NOTICE OF PUBLIC HEARING VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council April 19, 2021 at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:


### PROPOSED EASEMENT VACATION DESCRIPTION:

That part of drainage and utility easement as depicted on Lot 1, Block 1, HIDDEN FOREST WEST 2ND ADDITION, Anoka County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 1; thence North 02 degrees 03 minutes 10 seconds West along the east line of said Lot 1 a distance of 201.32 feet; thence South 78 degrees 05 minutes 16 seconds West along the drainage and utility easement line as shown on said recorded plat of HIDDEN FOREST WEST 2ND ADDITION a distance of 10.15 feet to the point of beginning; thence continuing along said drainage and utility easement line South 78 degrees 05 minutes 16 seconds West a distance of 33.13 feet; thence continuing along said drainage and utility easement line North 48 degrees 38 minutes 05 seconds West a distance of 20.07 feet; thence continuing along said drainage and utility easement line North 87 degrees 32 minutes 16 seconds West a distance of 92.27 feet; thence continuing along said drainage and utility easement line North 51 degrees 01 minutes 08 seconds West a distance of 41.89 feet to the intersection with a line lying parallel with and 10.00 feet east of the west line of said Lot 1; thence North 00 degrees 09 minutes 11 seconds East along said line being parallel with and 10.00 feet east of the west of Lot 1 a distance of 14.36 feet; thence South 89 degrees 50 minutes 49 seconds East a distance of 52.17 feet; thence South 54 degrees 33 minutes 07 seconds East a distance of 24.01 feet; thence South 69 degrees 45 minutes 40 seconds East a distance of 107.07 feet to the point of beginning.

Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Dated: April 8, 2021

  
Dawnette Shimek, Deputy City Clerk

Posted at City Hall between the dates of April 6, 2021 and April 19, 2021

Published in the Star Tribune on April 8, 2021.

RESOLUTION NO. 21-XX

WHEREAS, a public hearing was held before the Ham Lake City Council on the 19th day of April, 2021 at 6:01 p.m. to consider the proposed vacation of certain lands within the City of Ham Lake;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the following described property be vacated;

PROPOSED EASEMENT VACATION DESCRIPTION:

That part of drainage and utility easement as depicted on Lot 1, Block 1, HIDDEN FOREST WEST 2ND ADDITION, Anoka County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 1; thence North 02 degrees 03 minutes 10 seconds West along the east line of said Lot 1 a distance of 201.32 feet; thence South 78 degrees 05 minutes 16 seconds West along the drainage and utility easement line as shown on said recorded plat of HIDDEN FOREST WEST 2ND ADDITION a distance of 10.15 feet to the point of beginning; thence continuing along said drainage and utility easement line South 78 degrees 05 minutes 16 seconds West a distance of 33.13 feet; thence continuing along said drainage and utility easement line North 48 degrees 38 minutes 05 seconds West a distance of 20.07 feet; thence continuing along said drainage and utility easement line North 87 degrees 32 minutes 16 seconds West a distance of 92.27 feet; thence continuing along said drainage and utility easement line North 51 degrees 01 minutes 08 seconds West a distance of 41.89 feet to the intersection with a line lying parallel with and 10.00 feet east of the west line of said Lot 1; thence North 00 degrees 09 minutes 11 seconds East along said line being parallel with and 10.00 feet east of the west of Lot 1 a distance of 14.36 feet; thence South 89 degrees 50 minutes 49 seconds East a distance of 52.17 feet; thence South 54 degrees 33 minutes 07 seconds East a distance of 24.01 feet; thence South 69 degrees 45 minutes 40 seconds East a distance of 107.07 feet to the point of beginning.

Adopted by a unanimous vote of the Ham Lake City Council this 19th day of April, 2021.

\_\_\_\_\_  
Michael G. Van Kirk, Mayor

\_\_\_\_\_  
Denise Webster, City Clerk

RESOLUTION NO. 21-12

WHEREAS, the Ham Lake City Council, on its own motion, wishes to consider the vacation of the following described land in the City of Ham Lake, pursuant to Minnesota Statutes Chapter 412.851:

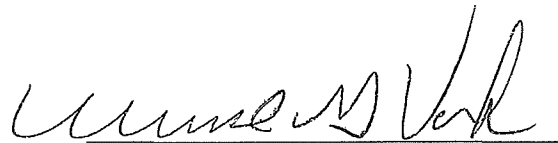
PROPOSED EASEMENT VACATION DESCRIPTION:

That part of drainage and utility easement as depicted on Lot 1, Block 1, HIDDEN FOREST WEST 2ND ADDITION, Anoka County, Minnesota described as follows:

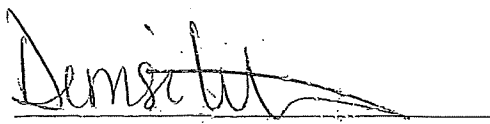
Commencing at the southeast corner of said Lot 1; thence North 02 degrees 03 minutes 10 seconds West along the east line of said Lot 1 a distance of 201.32 feet; thence South 78 degrees 05 minutes 16 seconds West along the drainage and utility easement line as shown on said recorded plat of HIDDEN FOREST WEST 2ND ADDITION a distance of 10.15 feet to the point of beginning; thence continuing along said drainage and utility easement line South 78 degrees 05 minutes 16 seconds West a distance of 33.13 feet; thence continuing along said drainage and utility easement line North 48 degrees 38 minutes 05 seconds West a distance of 20.07 feet; thence continuing along said drainage and utility easement line North 87 degrees 32 minutes 16 seconds West a distance of 92.27 feet; thence continuing along said drainage and utility easement line North 51 degrees 01 minutes 08 seconds West a distance of 41.89 feet to the intersection with a line lying parallel with and 10.00 feet east of the west line of said Lot 1; thence North 00 degrees 09 minutes 11 seconds East along said line being parallel with and 10.00 feet east of the west of Lot 1 a distance of 14.36 feet; thence South 89 degrees 50 minutes 49 seconds East a distance of 52.17 feet; thence South 54 degrees 33 minutes 07 seconds East a distance of 24.01 feet; thence South 69 degrees 45 minutes 40 seconds East a distance of 107.07 feet to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the City Clerk is directed to post in a conspicuous place in the City Hall between the dates of April 6, 2021 and April 19, 2021, and to cause publication of a NOTICE OF PUBLIC HEARING, a copy of which is attached to this Resolution, for a public hearing to be held on April 19, 2021, with publication to occur in the Star Tribune on April 8, 2021.

Adopted by the City Council of the City of Ham Lake this 5th day of April, 2021.



Michael G. Van Kirk, Mayor



Denise Webster, City Clerk

34-32-23-13-0008  
BERGE SANDRA  
3033 137TH AVE NE  
HAM LAKE, MN 55304

34-32-23-42-0014  
HAWKINS KRISTINE L  
3016 137TH AVE NE  
HAM LAKE, MN 55304

34-32-23-24-0010  
KOZITZA TRUSTEE KENTON  
2922 BUNKER LAKE BLVD NE  
HAM LAKE, MN 55304

34-32-23-31-0001  
SCHLICHTING TRUSTEE ANGE  
2950 BUNKER LAKE BLVD NE  
HAM LAKE, MN 55304

34-32-23-13-0011  
BRAZKINSKY KARI  
3028 BUNKER LAKE BLVD NE  
HAM LAKE, MN 55304

34-32-23-42-0015  
HELMEKE ROBERT WILLIAM  
13612 GUADALCANAL ST NE  
HAM LAKE, MN 55304

34-32-23-24-0003  
KOZITZA TRUSTEE THOMAS R  
2950 BUNKER LAKE BLVD NE  
HAM LAKE, MN 55304

34-32-23-13-0007  
YOUNG JEFFREY M  
3011 137TH AVE NE  
HAM LAKE, MN 55304

34-32-23-42-0005  
GLASSMAN JASON  
3102 137TH AVE NE  
HAM LAKE, MN 55304

34-32-23-13-0009  
HOFFMAN JAMES MICHAEL  
3055 137TH AVE NE  
HAM LAKE, MN 55304

34-32-23-42-0006  
ROMO LINDA S  
13637 GUADALCANAL ST NE  
HAM LAKE, MN 55304

21, B1,  
Hidden Forest West 2nd  
Add

Name	Company	Address	City, State Zip
34-32-23-13-0008	BERGE SANDRA	3033 137TH AVE NE	HAM LAKE, MN 55304
34-32-23-13-0011	BRAZKINSKY KARI	3028 BUNKER LAKE BLVD NE	HAM LAKE, MN 55304
34-32-23-42-0005	GLASSMAN JASON	3102 137TH AVE NE	HAM LAKE, MN 55304
34-32-23-42-0014	HAWKINS KRISTINE L	3016 137TH AVE NE	HAM LAKE, MN 55304
34-32-23-42-0015	HELMEKE ROBERT WILLIAM	13612 GUADALCANAL ST NE	HAM LAKE, MN 55304
34-32-23-13-0009	HOFFMAN JAMES MICHAEL	3055 137TH AVE NE	HAM LAKE, MN 55304
34-32-23-24-0010	KOZITZA TRUSTEE KENTON THOM.	2922 BUNKER LAKE BLVD NE	HAM LAKE, MN 55304
34-32-23-24-0003	KOZITZA TRUSTEE THOMAS R	2950 BUNKER LAKE BLVD NE	HAM LAKE, MN 55304
34-32-23-42-0006	ROMO LINDA S	13637 GUADALCANAL ST NE	HAM LAKE, MN 55304
34-32-23-31-0001	SCHLICHTING ANGELA J TRUSTEE	2950 BUNKER LAKE BLVD NE	HAM LAKE, MN 55304
34-32-23-13-0007	YOUNG JEFFREY M	3011 137TH AVE NE	HAM LAKE, MN 55304

Lot 1, Block 1,  
Hidden Forest west 2nd add







Scale  
1" = 40'

**LEGEND**

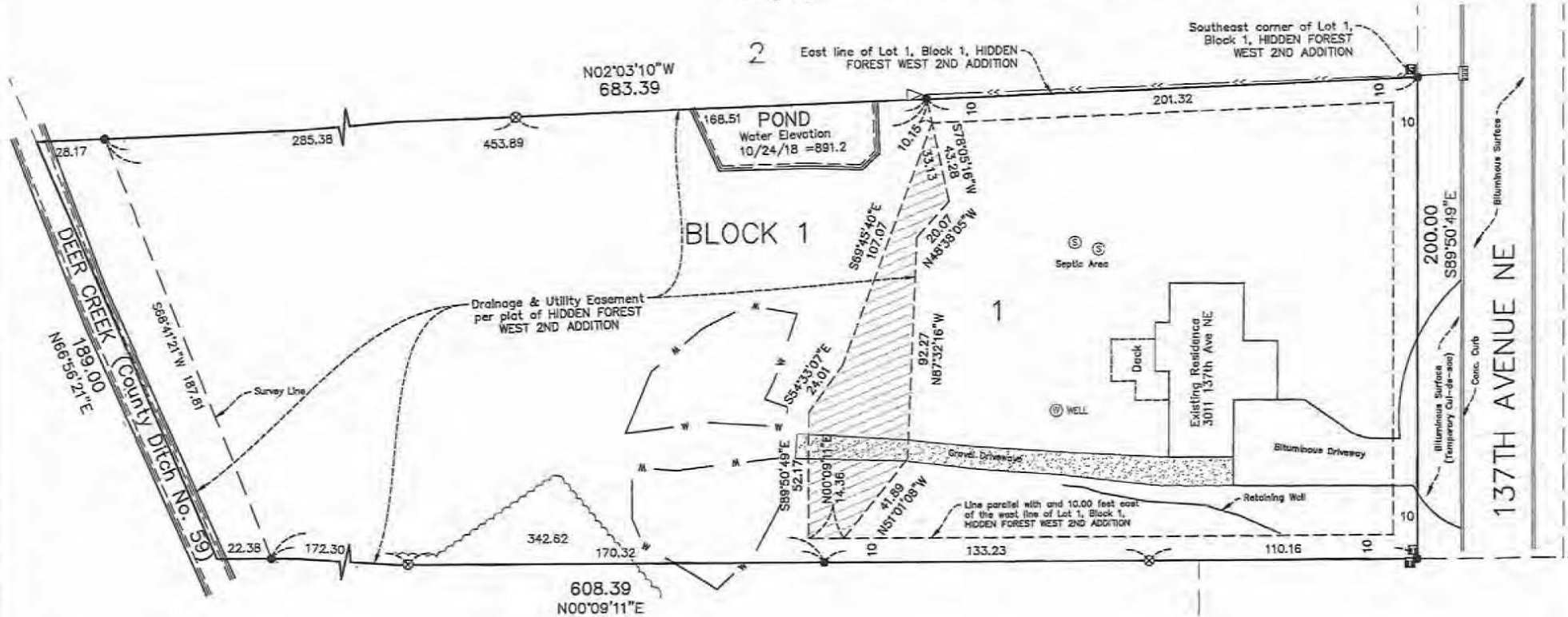
- = DENOTES FOUND IRON MONUMENT
- W- = DENOTES DELINEATED WETLAND
- ▨ = DENOTES PROPOSED EASEMENT VACATION

Vacation Area = 3957 sq. ft. or 0.09 acres

**PROPOSED EASEMENT VACATION DESCRIPTION:**

That part of drainage and utility easement as depicted on Lot 1, Block 1, HIDDEN FOREST WEST 2ND ADDITION, Anoka County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 1; thence North 02 degrees 03 minutes 10 seconds West along the east line of said Lot 1 a distance of 201.32 feet; thence South 78 degrees 05 minutes 16 seconds West along the drainage and utility easement line as shown on said recorded plat of HIDDEN FOREST WEST 2ND ADDITION a distance of 10.15 feet to the point of beginning; thence continuing along said drainage and utility easement line South 78 degrees 05 minutes 16 seconds West a distance of 33.13 feet; thence continuing along said drainage and utility easement line North 48 degrees 38 minutes 05 seconds West a distance of 20.07 feet; thence continuing along said drainage and utility easement line North 67 degrees 32 minutes 16 seconds West a distance of 92.27 feet; thence continuing along said drainage and utility easement line North 51 degrees 01 minutes 08 seconds West a distance of 41.89 feet to the intersection with a line lying parallel with and 10.00 feet east of the west line of said Lot 1; thence North 00 degrees 09 minutes 11 seconds East along said line being parallel with and 10.00 feet east of the west of Lot 1 a distance of 14.36 feet; thence South 89 degrees 50 minutes 49 seconds East a distance of 52.17 feet; thence South 54 degrees 33 minutes 07 seconds East a distance of 24.01 feet; thence South 69 degrees 45 minutes 40 seconds East a distance of 107.07 feet to the point of beginning.



Date	Revision

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

*Dean Pearson*  
Dean Pearson, MN License No. 49138  
Date: 02/23/21

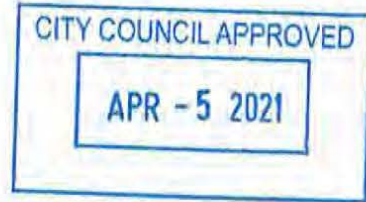
**Hakanson Anderson Assoc., Inc.**  
Civil Engineers and Land Surveyors  
3601 Thurston Ave., Anoka, Minnesota  
65303 763-427-5860 FAX  
763-427-0520 www.haac-inc.com

Easement Exhibit		SHEET 1 OF 1 SHEETS
for Jeff and Sara Young		
DATE	FILE NO.	
02/23/21	4338.03	

Meeting Date: April 5, 2021



**CITY OF HAM LAKE  
STAFF REPORT**



**To:** Mayor and Councilmembers

**From:** Dawnette Shimek, Deputy City Clerk

**Item/Title/Subject:** Vacation of a portion of the Drainage and Utility Easement on Lot 1, Block 1, Hidden Forest West 2<sup>nd</sup> Addition (3011 137<sup>th</sup> Avenue NE)

**Introduction/Discussion:**

Jeff Young is requesting to vacate a portion of the Drainage and Utility Easement on Lot 1, Block 1, Hidden Forest West 2<sup>nd</sup> Addition, in order to construct an accessory building. Engineer Collins has reviewed the legal description and has no issue with this vacation being there is no public need for the easement.

**Recommendation:**

I recommend approval of the Resolution scheduling a Public Hearing for April 19, 2021 to vacate a portion of the drainage and utility easement on Lot 1, Block 1, Hidden Forest West 2<sup>nd</sup> Addition.

pd. \$200<sup>00</sup>



# CITY OF HAM LAKE

**REQUEST FOR  
AN APPEARANCE  
BEFORE THE  
CITY COUNCIL**

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

Date of Application March 23, 2021  
Date of City Council appearance 4/19/2021  
60-day review deadline \_\_\_\_\_

APPLICANT'S  
NAME Jeffrey Young

STREET  
ADDRESS 3011 137th Ave NE

CITY, STATE  
ZIP Ham Lake, MN 55304

PHONE (daytime) \_\_\_\_\_

**NATURE OF REQUEST**

To vacate an area of drainage and  
utility easement (defined in the attachments)  
in order to construct an out-building.

**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.**

Jeffrey Young  
**Signature of Applicant**

3/23/21  
**Date**

**Please attach any relevant information including maps, diagrams, and/or a descriptive narrative.**

**This form must be submitted to the City staff by 4:00 p.m. on the Monday prior to the Council meeting at which you will be appearing.**



**NOTICE TO ALL APPLICANTS FOR MUNICIPAL  
PERMITS, LICENSES,  
OR OTHER MUNICIPAL ACTION**

- 1. If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the subject. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.**
- 2. The purpose of this information is to enable the City Staff, Commissions, Council or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.**
- 3. The information you supply will be public and available to any entity requesting to inspect the information.**

**DATA PRACTICES ADVISORY  
TENNESSEN WARNING**

**REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04**

**SIGNED BY**

*Jillay Young*

**COMPANY/TITLE:** \_\_\_\_\_

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


*3/23/21*

**CITY OF HAM LAKE  
ACKNOWLEDGMENT OF RESPONSIBILITY  
TO REIMBURSE EXPENSES**

The undersigned, Jeffrey Young, having applied to the City of Ham Lake for consideration of a planning and zoning request, or any other permit, license, or action requiring review and/or approval of the City, as follows:

*Type of Application*

acknowledges that the sum of \$ 200.00, has been deposited with the City of Ham Lake to reimburse the City of Ham Lake for any out of pocket expenses incurred by the City in reviewing the proposal, including but not limited to a staff review fee, any signage required by ordinance, and City Engineer and City Attorney's fees for their review, in amounts which are not known to the City at this time. The applicant acknowledges that it is the responsibility of the undersigned to reimburse the City for any such engineering or attorney's fees incurred in review of the applicant's request, or any other expenses incurred by the City in connection with this requires, and further acknowledges that in the event that the undersigned fails to promptly remit any amounts incurred by the City in excess of the deposit, the City shall have the right to discontinue further consideration or action upon the undersigned's request, shall have the right to rescind any approvals, withdraw any permits, licenses or other consents, shall have the right to vacate any street or road, plat or other dedication, and the undersigned waives the right to claim damages arising out of any such act by the City. Furthermore, the applicant agrees that in the event that the City is required to take legal action in order to effect recovery of any of the expenses incurred by the City from the undersigned, the City shall be entitled, in addition to principle and interest, to recover its reasonable attorney's fees incurred in collecting said sums from the undersigned.

Applicant Signature  Dated 3/23/21

The following statement must be signed if the applicant is not the property owner:

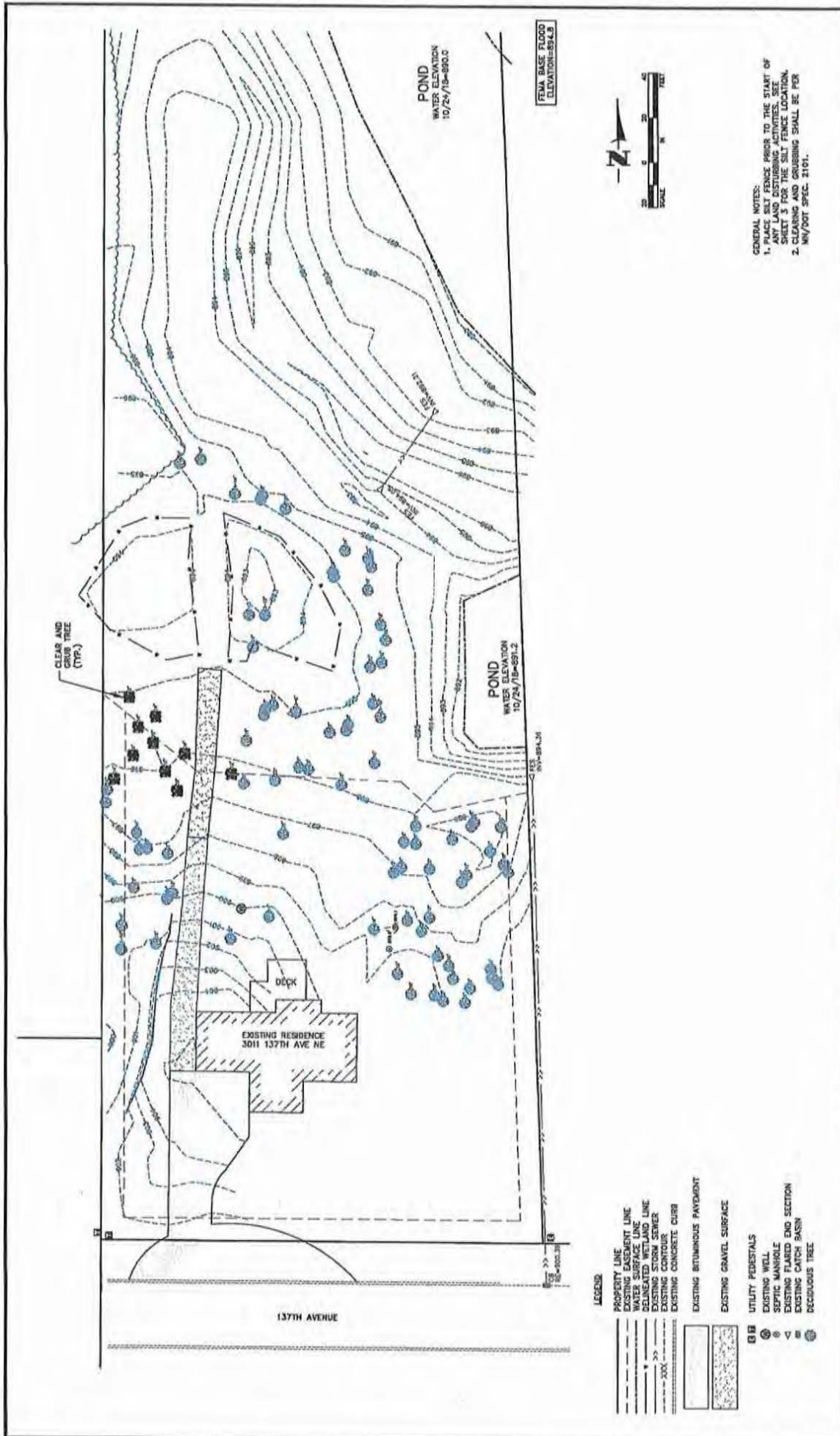
\_\_\_\_\_, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature \_\_\_\_\_ Dated \_\_\_\_\_

PROPOSED EASEMENT VACATION DESCRIPTION:

That part of drainage and utility easement as depicted on Lot 1, Block 1, HIDDEN FOREST WEST 2ND ADDITION, Anoka County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 1; thence North 02 degrees 03 minutes 10 seconds West along the east line of said Lot 1 a distance of 201.32 feet; thence South 78 degrees 05 minutes 16 seconds West along the drainage and utility easement line as shown on said recorded plat of HIDDEN FOREST WEST 2ND ADDITION a distance of 10.15 feet to the point of beginning; thence continuing along said drainage and utility easement line South 78 degrees 05 minutes 16 seconds West a distance of 33.13 feet; thence continuing along said drainage and utility easement line North 48 degrees 38 minutes 05 seconds West a distance of 20.07 feet; thence continuing along said drainage and utility easement line North 87 degrees 32 minutes 16 seconds West a distance of 92.27 feet; thence continuing along said drainage and utility easement line North 51 degrees 01 minutes 08 seconds West a distance of 41.89 feet to the intersection with a line lying parallel with and 10.00 feet east of the west line of said Lot 1; thence North 00 degrees 09 minutes 11 seconds East along said line being parallel with and 10.00 feet east of the west of Lot 1 a distance of 14.36 feet; thence South 89 degrees 50 minutes 49 seconds East a distance of 52.17 feet; thence South 54 degrees 33 minutes 07 seconds East a distance of 24.01 feet; thence South 69 degrees 45 minutes 40 seconds East a distance of 107.07 feet to the point of beginning.



FEMA BASE FLOOD ELEVATION=894.8

POND  
WATER ELEVATION  
10/24/19=890.0

POND  
WATER ELEVATION  
10/24/19=891.2

CLEAR AND GRUB TREE (TYP.)

EXISTING RESIDENCE  
3011 137TH AVE NE

137TH AVENUE



GENERAL NOTES:  
1. PLACE SILT FENCE PRIOR TO THE START OF ANY LAND DISTURBING ACTIVITIES. SEE SHEET 3 FOR THE SILT FENCE LOCATION.  
2. CLEARING AND GRUBBING SHALL BE PER MN/DOT SPEC. 2101.

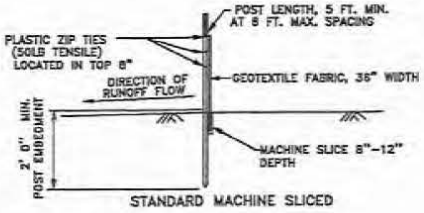
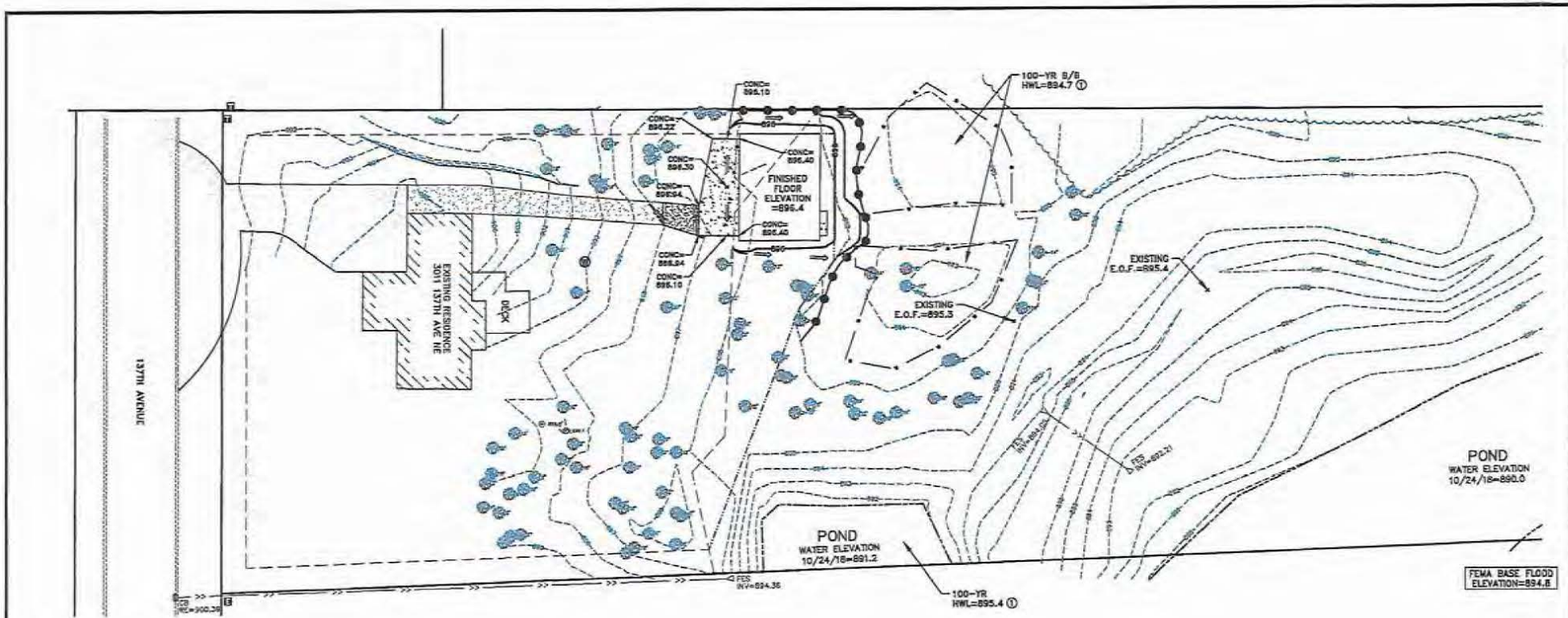
LEGEND

- PROPERTY LINE
- EXISTING CURB
- WATER SURFACE LINE
- DELINEATED WETLAND LINE
- EXISTING STORM SEWER
- EXISTING CONTOUR
- EXISTING CONCRETE CURB
- EXISTING BITUMINOUS PAVEMENT
- EXISTING GRAVEL SURFACE
- UTILITY FEDESTALS
- EXISTING WELL
- SEPTIC MANHOLE
- EXISTING FLARED END SECTION
- EXISTING CATCH BASIN
- DECIDUOUS TREE

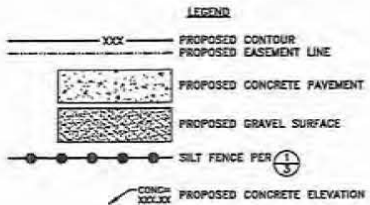
DATE	REVISION		<b>Hakanson Anderson</b> Civil Engineers, Architects, Surveyors 3501 Thurston Ave., Anoka, Minnesota 55303 782-427-8860 FAX 782-427-0320 www.hakanson-anderson.com	<b>EXISTING TOPOGRAPHY AND REMOVALS PLAN</b>  CITY OF HAM LAKE, MINNESOTA	SHEET 2 OF 3 SHEETS
137TH AVE NE 3011 137TH AVE NE DECK EXISTING RESIDENCE 3011 137TH AVE NE POND WATER ELEVATION 10/24/19=891.2 POND WATER ELEVATION 10/24/19=890.0 CLEAR AND GRUB TREE (TYP.) 137TH AVENUE FEMA BASE FLOOD ELEVATION=894.8					

I, **ROBERT A. HAKANSON**, P.E.  
 License No. 45392  
 State of Minnesota  
 Date 2/15/21

NO.	DATE	REVISION



1 SILT FENCE DETAILS  
3 TO PREVENT AREAS FROM SHEET FLOW (SEE SPEC. 3046)



GENERAL NOTES:  
1. VERIFY BUILDING DIMENSIONS WITH ARCHITECTURAL PLANS.  
2. PERVIOUS AREAS SHALL BE STABILIZED WITH EITHER SEED AND EROSION CONTROL BLANKET OR SOG.  
REFERENCE NOTES:  
① INFORMATION WAS PROVIDED BY THE COON CREEK WATERSHED DISTRICT.

Mar 04, 2021 - 10:41am  
 R:\Projects\137th Ave\137th Ave.dwg

DATE	REVISION
3/27/21	REVISED EROSION AND EMERGENCY OUSERSLOW ELEVATIONS

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

*Timothy A. Lorenz*  
 TIMOTHY A. LORENZ, P.E.  
 Date 2/15/21 Lic. No. 43362

DESIGN BY:  
TAE  
CHECK BY:  
TAE  
IN CHARGE:  
CAJ



**Hakanson Anderson**  
 Civil Engineers and Land Surveyors  
 3501 Thurston Ave., Anoka, Minnesota 55303  
 763-427-5860 FAX 763-427-0520  
 www.hakanson-anderson.com

STORAGE BUILDING AT  
 3011 137TH AVENUE

GRADING AND EROSION CONTROL PLAN

CITY OF HAM LAKE, MINNESOTA

SHEET 3  
 OF 3  
 SHEETS



**COON CREEK WATERSHED DISTRICT  
PERMIT REVIEW**

**MEETING DATE:** March 22, 2021  
**AGENDA NUMBER:** 18  
**FILE NUMBER:** 21-041  
**ITEM:** Young Outbuilding

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**RECOMMENDATION:** Approve with 3 Conditions and 0 Stipulations

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**APPLICANT:** Jeff Young  
3011 137<sup>th</sup> Ave NE  
Ham Lake, MN 55304

**PURPOSE:** Construction of a 34x44 foot outbuilding

**LOCATION:** 3011 137<sup>th</sup> Ave NE, Ham Lake, MN 55304

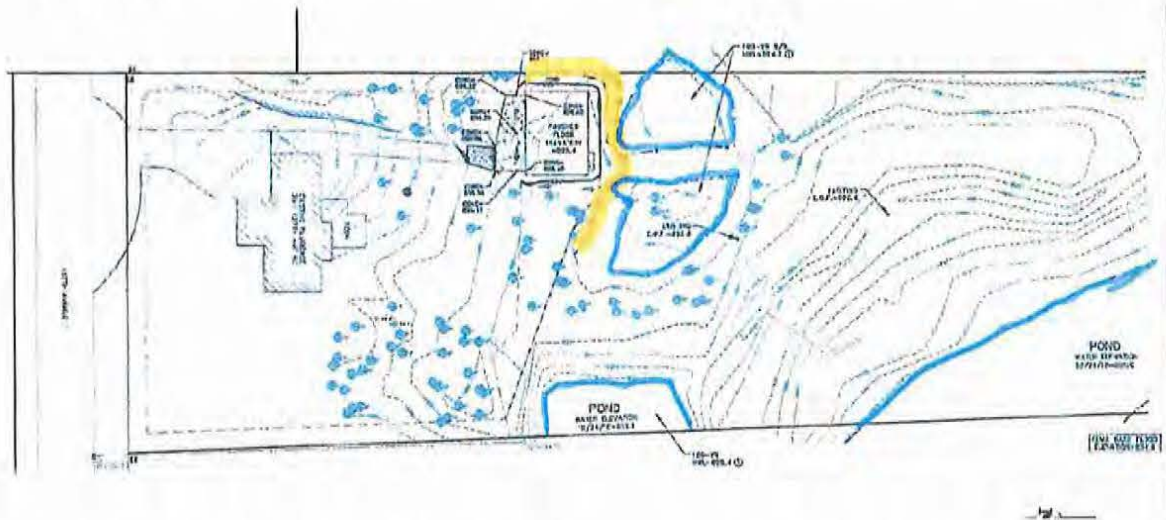


**APPLICABILITY:**

1. Within 1 mile of an impaired waters.
2. Any work in or adjacent to wetlands, lakes or water courses
3. The lands and waters that have been, or may be covered by the regional flood.
4. High infiltration soils
5. Highly erodible soils

**EXHIBITS:**

1. Construction Plan set (4 sheets); by Hakanson Anderson, dated 3/4/2021, received 3/8/2021.



**PREVIOUS ACTION TAKEN:** This is a new application. This project was proposed in 2018 by the same applicant, but withdrawn. This project references the wetland delineation from PAN 18-161.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has not received a general review during a pre-application meeting.

**Ditches:** There is a public ditch on the property. The public ditch is County Ditch 59-4 according to the public drainage map. The approved elevations through this property are 887.8 ft MSL at the downstream end and 887.9 ft MSL at the upstream end. Existing elevations are 887.9 ft MSL at the downstream end and 887.9 ft MSL at the upstream end. Existing elevations and condition of the ditch are good and represent a <1% variance from the as-built elevations.

The ditch is a 4th order stream. The ditch serves the primary role of agricultural drainage and storm water conveyance. The ditch serves approximately 100 acres of agricultural land. Land use in the area is toward rural residential. There are no flooding concerns upstream and/or downstream.

The ditch has been inspected. Existing elevations, slopes and condition of ditch are good. The ditch is not in need of repair. Alternatives to repair and additional drainage have been considered and reviewed.

**Ditch Hydraulics:** A crossing of a ditch is not proposed.

**Erosion and Sediment Control:** Soil affected by the proposal is Zimmerman.

- Stabilizing vegetation is not proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have not been proposed to be fitted with sediment-trapping measures to prevent soil loss and do not have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are not protected from sediment deposition. Double row of perimeter control at wetlands is not provided.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
- Stabilization adequate to prevent erosion has not been provided at the outlets of all storm sewer pipes and does not need to
- All storm sewer inlets are not protected from sediment-laden water during construction and do not need to be.
- All work adjacent to water or related resource has not taken precautions to contain sediment, and stabilize the work area during construction. There are no proposed basins or swales as a part of this project.
- Provisions have not been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have not been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does not provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water does not exist on site. The project does not require dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain:** There is floodplain on the property according to the District model and FEMA. The District's floodplain elevation is at 893.6 feet. The project does not propose to place fill within the floodplain.

High Water Flooding: Information has been provided to substantiate low floor elevations. Low floor elevations meet the criteria for the City of Ham Lake; 1 ft above mottled soil or 100 yr.

**Groundwater:** Geotechnical information is not required for this project.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant has not applied to the City. The City has not completed the review of the plans.

The City has no water resources concerns with the project at this time. The City will require the applicant to vacate a portion of a Drainage and Utility Easement.

**Maintenance:** There are no Stormwater Treatment Practices proposed as part of this project.

Easements: The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The District's 1-inch infiltration requirement is achieved via overland flow.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated by overland flow. All work adjacent to wetlands, waterbodies and water conveyance systems are not protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

Impairments: This project is within one (1) mile of an Impaired Water. The Impaired Water is Coon Creek. Coon Creek is impaired for Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious surfaces proposed as part of this project.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on October 5, 2018. The wetland boundary has been checked and approved on 12/6/2018.

The wetland is not a DNR protected water.

No wetland impacts are proposed as a part of this project.

**Wetland Replacement Plan:** A wetland replacement plan has not been submitted and is not required.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** \$2,017.00

**Wetland Escrow:** \$N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<b>ISSUE</b>	<b>NEED</b>
<b>Escrows:</b> $\$2,000 + (0.034\text{ac} * \$500/\text{ac} = \$2,017.00$	1. Receipt of escrows.
<b>Planning &amp; Zoning:</b> Out building is proposed within an existing Drainage & Utility Easement.	2. If vacation of the easement is required, provide proof of vacation or documentation from the City of Ham Lake that the proposed location is allowable.
<p><b>Soils &amp; Erosion Control:</b> District requires all stabilization vegetation be within seven (7) days of rough grading or inactivity.</p> <p>Soil stockpiles have not been proposed to be fitted with sediment-trapping measures to prevent soil loss and do not have a note to stabilize within seven (7) days of inactivity.</p> <p>Adjacent properties and stormwater ponds are not protected from sediment deposition.</p>	<p>3. Update construction plans to include the following:</p> <ul style="list-style-type: none"> <li>a. Update construction plans to stabilize vegetation within 7 days of rough grading or inactivity.</li> <li>b. Update construction plans to stabilize soil stock piles within 7 days of rough grading or inactivity.</li> <li>c. Provide double row of silt fence at wetlands.</li> </ul>

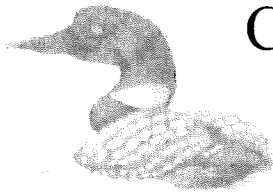
<p>Provisions have not been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.</p> <p>Provisions have not been made for cleaning road surfaces where sediment is transported by the end of the day.</p> <p>The erosion and sediment control plan does not provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.</p>	<ul style="list-style-type: none"><li>d. Provide note on erosion control plan to minimize transport of sediment (mud) by runoff or vehicle tracking onto paved surfaces.</li><li>e. Provide note on erosion control plan that provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.</li><li>f. Provide note on the erosion and sediment control plan to provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.</li></ul>
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**RECOMMENDATION:** Approve with 3 Conditions and no Stipulations.

**Conditions:**

1. Receipt of escrows.
2. If vacation of the easement is required, provide proof of vacation or documentation from the City of Ham Lake that the proposed location is allowable.
3. Update construction plans to include the following:
  - a. Update construction plans to stabilize vegetation within 7 days of rough grading or inactivity.
  - b. Update construction plans to stabilize soil stock piles within 7 days of rough grading or inactivity.
  - c. Provide double row of silt fence at wetlands.
  - d. Provide note on erosion control plan to minimize transport of sediment (mud) by runoff or vehicle tracking onto paved surfaces.
  - e. Provide note on erosion control plan that provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
  - f. Provide note on the erosion and sediment control plan to provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.

**Stipulations:** None



# CITY OF HAM LAKE

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

## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, APRIL 5, 2021

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, April 5, 2021 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Mayor Mike Van Kirk and Councilmembers, Jim Doyle, Gary Kirkeide, Brian Kirkham and Jesse Wilken

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator Denise Webster; and Deputy City Clerk, Dawnette Shimek

### **1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance**

Mayor Van Kirk called the meeting to order and the Pledge of Allegiance was recited by all in attendance.

### **3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS**

Mayor Van Kirk read a copy of the Resolutions and the City Council congratulated the firefighters on their retirement and for their years of service to the Ham Lake Fire Department.

#### **3.1 Approval of Resolution No. 21-08 and acceptance of the retirement of Fred Trosvik after 44 active years of service to the Ham Lake Fire Department**

**Motion by Van Kirk, seconded by Doyle, to approve Resolution No. 21-08, congratulating Fred Trosvik for his 44 active years of service to the Ham Lake Fire Department. All in favor, motion carried.**

Anoka County Commissioner, Julie Braastad, presented Fred Trosvik with a certificate of thanks from the Anoka County Board of Commissioners and congratulated him for his years of service.

#### **3.2 Approval of Resolution No. 21-09 and acceptance of the retirement of Shane Puro after 25 active years of service to the Ham Lake Fire Department**

**Motion by Van Kirk, seconded by Doyle, to approve Resolution No. 21-09, congratulating Shane Puro for his 25 active years of service to the Ham Lake Fire Department. All in favor, motion carried.**

#### **3.3 Approval of Resolution No. 21-10 and acceptance of the retirement of Richard Graf after 13 active years of service to the Ham Lake Fire Department**

**Motion by Van Kirk, seconded by Doyle, to approve Resolution No. 21-10, congratulating Richard Graf or his 13 active years of service to the Ham Lake Fire Department. All in favor, motion carried.**

#### **3.4 Approval of Resolution No. 21-11 and acceptance of the retirement of Kevin Johnson after 13 active years of service to the Ham Lake Fire Department**



**Motion by Van Kirk, seconded by Doyle, to approve Resolution No. 21-08, congratulating Kevin Johnson for his 13 active years of service to the Ham Lake Fire Department. All in favor, motion carried.**

#### **4.0 CONSENT AGENDA**

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

- 4.1 Approval of minutes of March 15, 2021
- 4.2 Approval of claims in the amount of \$139,203.19
- 4.3 Approval of Resolution No. 21-12 scheduling a public hearing to vacate a portion of the drainage and utility easement on Lot 1, Block 1, Hidden Forest West 2<sup>nd</sup> Addition (3011 137<sup>th</sup> Avenue NE)
- 4.4 Approval of Ordinance No. 21-03 amending Article 9, Section 9-350 and Article 11, Section 11-340 regarding Home Occupation Permits of the Ham Lake City Code
- 4.5 Approval to award seal coating, striping/symbols and crack sealing to the low bidders, Pearson Bros., Sir Line-A-Lot and Northwest Asphalt & Maintenance
- 4.6 Approval of an Off-Site Gambling Permit for the Ham Lake Chamber of Commerce to conduct bingo and pull-tabs on May 1, 2021 at Acapulco Mexican Restaurant, 18015 Ulysses Street NE, Suite 1000

**Motion by Kirkeide, seconded by Kirkham, to approve the Consent Agenda as written. All in favor, motion carried.**

#### **2.0 PUBLIC COMMENT – None**

#### **5.0 PLANNING COMMISSION RECOMMENDATIONS**

- 5.1 John Anderson, JDA Design Architects Inc., on behalf of Richland Refrigerated Solutions, LLC, requesting a Conditional Use Permit to operate Richland Refrigerated Solutions, LLC at 1305 159<sup>th</sup> Avenue NE

**Motion by Van Kirk, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve a Conditional Use Permit as requested by John Anderson, JDA Design Architects Inc., on behalf of Richland Refrigerated Solutions, LLC, to operate Richland Refrigerated Solutions, LLC at 1305 159<sup>th</sup> Avenue NE subject to submitting an updated site plan by end of business on March 23, 2021 showing employee parking spaces at the rear of the building on a paved surface as required by Article 9-220.6a.iii, striping the parking lot including painting hash marks for the handicap parking area for van accessibility, installing handicap parking signs, parking no more than 18 semi-tractor trailers at the site, no parking on the grass or sand areas, repairing the driveway apron, signing a license agreement with the City for parking spaces encroaching into the drainage and utility easement near 159<sup>th</sup> Avenue NE, repairing the screening on the front gate, making sure all exterior lighting is in working order and complies with Article 9-220.1g, business hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday, no idling of trucks before 7:00 a.m., limiting maintenance and repair services to truck and trailer repair only for RRS's fleet and the general public, no outside storage of liquids, oil, contaminants, tires or truck parts, no storage of inoperable trucks or trailers, completing all site maintenance and repairs noted within 60 days of City Council approval of the Conditional Use Permit, and meeting all City, State and County requirements. All in favor, motion carried.**

5.2 Gary Braastad requesting Commercial Site Plan approval for a proposed 11,622 square foot building on Outlot 1 of Marshall Manor (PIN# 29-32-23-42-0039)

Gary Braastad was present before the City Council and stated that he has relocated the ditch that runs through the property and prepared a building pad for a 11,622 square foot commercial building. **Motion by Doyle, seconded by Kirkeide, to concur with the recommendation of the Planning Commission and approve the application by Gary Braastad, requesting Commercial Site Plan approval for a proposed 11,622 square foot building on Outlot 1 of Marshall Manor, PID# 29-32-23-42-0039, as presented, subject to meeting all site, building and usage standards for Mercantile Districts/Commercial Development (CD-1) zoning district as outlined in Articles 9-220 through 9-220.2 and meeting all City, State and County requirements. All in favor, motion carried**

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

**Motion by Kirkham, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the Final Plat of Radisson Sunset Estates (7 single family residential lots) located in Section 21 (15203 Radisson Road 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.**

6.0 **ECONOMIC DEVELOPMENT AUTHORITY – None**

7.0 **APPEARANCES**

7.1 Holly Fischer, Director of Operations at DaVinci Academy – Discussion of reduced School Zone Speed Limit signage

Holly Fischer, Director of Operations at DaVinci Academy of Arts & Science located at 532 Bunker Lake Boulevard NE, was present before the City Council. Ms. Fischer is requesting school speed zone signage on Jefferson Street NE, not for walkers, but to make people more aware of the increased turning vehicles during morning and afternoon high traffic times. Ms. Fischer stated that the request for school zone signage was denied when the school was constructed. Ms. Fischer stated that there have been two accidents on Jefferson Street NE in the last month. Engineer Collins stated that the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD) governs the sign policy for sign placement. A City has the authority to reduce the speed limit in a school zone based on Minnesota Statutes and MUTCD. Discussion followed regarding reducing the speed limit to 20 mph and notifying drivers with flashing lights during high volume traffic times; and placing temporary signage to alert drivers that there will be a reduced speed limit in the future. **It was the consensus of the City Council to place discussion of a reduced School Zone Speed Limit signage on Jefferson Street NE for DaVinci Academy on the next agenda.**

8.0 **CITY ATTORNEY – None**

9.0 **CITY ENGINEER – None**

10.0 **CITY ADMINISTRATOR – None**

11.0 **COUNCIL BUSINESS**

11.1 Committee Reports - None

11.2 Announcements and future agenda items

Councilmember Kirkeide stated that the NorthStar Commuter Rail ridership is down 96% and costs \$1,000,000 a month to run. Discussion followed. **It was the consensus of the City Council to place supporting the elimination of the NorthStar Commuter Rail on the next agenda.**

**Motion by Kirkeide, seconded by Doyle, to adjourn the meeting at 6:28 p.m. All in favor, motion carried.**

---

Dawnette Shimek, Deputy City Clerk

**CITY OF HAM LAKE  
CLAIMS SUBMITTED TO COUNCIL  
April 19, 2021**

**CITY OF HAM LAKE**

<b>EFTS, CHECKS, AND BANK DRAFTS</b>	<b>4/8/21 - 4/21/21</b>	
EFT	# 1427 - 1433	\$ 63,017.18
CHECKS	# 62796 - 62836	\$ 376,169.98
BANK DRAFTS	DFT0002198 - DFT0002203	\$ 21,914.26
<b>TOTAL EFTS, CHECKS, AND BANK DRAFTS</b>		<u>\$ 461,101.42</u>
<b>PAYROLL CHECKS</b>		
04/09/21		\$ 32,597.62
		\$ -
<b>TOTAL PAYROLL CHECKS</b>		<u>\$ 32,597.62</u>
<b>TRUST CHECKS</b>	#5645 - 5646	\$ 300.00
<b>TOTAL OF ALL PAYMENTS</b>		<u>\$ 493,999.04</u>

**VOID CHECKS**  
EFT  
CHECKS  
TRUST CHECKS

**APPROVED BY THE HAM LAKE CITY COUNCIL THIS 19TH DAY OF APRIL 2021**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER



Payment Dates 4/8/2021 - 4/21/2021

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1427	OPTUM BANK - 6011	Health Savings Account-6011	Flexible spending	100-21705	54.17
1428	WELLS FARGO - 6003	Health Savings Account-6003	Flexible spending	100-21705	125.00
1429	O'REILLY AUTOMOTIVE STORE	#97 Coolant Filter	Vehicle parts & supplies	100-43101-2340	19.13
1429	O'REILLY AUTOMOTIVE STORE	#47 - Tire Valve	Vehicle parts & supplies	100-43101-2340	5.94
1429	O'REILLY AUTOMOTIVE STORE	Clip Nut	Operating supplies	100-43101-2290	3.99
1429	O'REILLY AUTOMOTIVE STORE	#48 Battery and Filter	Vehicle parts & supplies	100-43101-2340	185.49
1430	RFC ENGINEERING, INC.	147TH, ABERDEEN - HASTING	Engineering	431-43301-3135	21.71
1430	RFC ENGINEERING, INC.	149TH, RADISSON - XYLITE	Engineering	431-43301-3135	49.27
1430	RFC ENGINEERING, INC.	ABERDEEN, 144TH - 145TH	Engineering	431-43301-3135	2,469.37
1430	RFC ENGINEERING, INC.	155TH, NAPLES - LEXINGTON	Engineering	431-43301-3135	220.62
1430	RFC ENGINEERING, INC.	165TH, FRAIZER, 167TH	Engineering	431-43301-3135	26.90
1430	RFC ENGINEERING, INC.	SODERVILLE DRIVE	Engineering	431-43301-3135	89.92
1430	RFC ENGINEERING, INC.	TWIN BIRCH ACRES	Engineering	431-43301-3135	5,063.44
1430	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	20,841.11
1430	RFC ENGINEERING, INC.	159th Ave W of Lincoln ROW	Engineering	100-41101-3135	53.80
1430	RFC ENGINEERING, INC.	City Code Update	Engineering	100-41101-3135	107.61
1430	RFC ENGINEERING, INC.	Council Meeting	Engineering	100-41101-3135	40.35
1430	RFC ENGINEERING, INC.	2109-2020 Assets	Engineering	100-41101-3135	1,147.64
1430	RFC ENGINEERING, INC.	Road Committee Meeting	Engineering	100-41101-3135	134.51
1430	RFC ENGINEERING, INC.	Anoka County GIS Data	Engineering	100-41101-3135	16.19
1430	RFC ENGINEERING, INC.	Base Map	Engineering	100-41101-3135	37.70
1430	RFC ENGINEERING, INC.	Comp Plan Update	Engineering-comprehensive p	100-41101-3136	26.90
1430	RFC ENGINEERING, INC.	Zoning Map	Engineering	100-41601-3135	10.79
1430	RFC ENGINEERING, INC.	L8B1 Eagle Ridge Estates	Engineering	100-41601-3135	13.45
1430	RFC ENGINEERING, INC.	Planning Committee Meeting	Engineering	100-41601-3135	80.71
1430	RFC ENGINEERING, INC.	TH 65 Access Planning	Engineering	100-41601-3135	174.86
1430	RFC ENGINEERING, INC.	Planning/Potential Dev Assis	Engineering	100-41601-3135	349.72
1430	RFC ENGINEERING, INC.	Planning/Potential Dev Assist	Engineering	100-41601-3135	201.76
1430	RFC ENGINEERING, INC.	3317 Interlachen Dr	Engineering	100-42401-3135	13.45
1430	RFC ENGINEERING, INC.	L1B1 HFW 2nd	Engineering	100-42401-3135	295.92
1430	RFC ENGINEERING, INC.	2202 Constance Blvd Dev	Engineering	100-42401-3135	80.70
1430	RFC ENGINEERING, INC.	16847 Lexington Ave FEMA L	Engineering	100-42401-3135	35.07
1430	RFC ENGINEERING, INC.	L4B1 Stopher Addtions FEMA	Engineering	100-42401-3135	16.19
1430	RFC ENGINEERING, INC.	Ham Lake Bldg Permits	Engineering	100-42401-3135	242.11
1430	RFC ENGINEERING, INC.	Thoroughfare Plan	Engineering	100-43101-3135	40.35
1430	RFC ENGINEERING, INC.	5-Year Plan	Engineering	100-43101-3135	67.25
1430	RFC ENGINEERING, INC.	Public Works Traffic Sign Polic	Engineering	100-43101-3135	712.90
1430	RFC ENGINEERING, INC.	Balitmore St, N of 153rd - Dra	Engineering	100-43103-3135	36.95
1430	RFC ENGINEERING, INC.	Drainage Issue - S Portion of S	Engineering	100-43103-3135	147.80
1430	RFC ENGINEERING, INC.	CCWD Flood Zone Review	Engineering	100-43201-3135	13.45
1430	RFC ENGINEERING, INC.	CCWD Rules Amendments	Engineering	100-43201-3135	98.54
1430	RFC ENGINEERING, INC.	Park & Tree Map	Engineering	100-44101-3135	16.19
1430	RFC ENGINEERING, INC.	139th LN Calvert E of Lexingto	Engineering	230-43201-3135	321.93
1430	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	886.53
1430	RFC ENGINEERING, INC.	E Front Rd CSAH 18 - 171st	Engineering	431-43301-3135	7,006.54
1430	RFC ENGINEERING, INC.	Swedish Drive ROW	Engineering	431-43301-3135	13.45
1430	RFC ENGINEERING, INC.	2021 Rehab	Engineering	431-43301-3135	403.53
1430	RFC ENGINEERING, INC.	Copart - Eveleth	Engineering	431-43301-3135	53.80
1430	RFC ENGINEERING, INC.	Lund's Lakeview Forest Tree R	Engineering	431-43301-3135	2,670.26
1430	RFC ENGINEERING, INC.	Bunker, Jefferson - TH65	Engineering	431-43301-3135	726.36
1430	RFC ENGINEERING, INC.	181st, Concord - Hwy 65	Engineering	431-43301-3135	94.15
1430	RFC ENGINEERING, INC.	Soderville Park Expansion	Engineering	440-44103-3135	26.90
1430	RFC ENGINEERING, INC.	Solid RockLabels	Engineering	890-90001-3135	12.50
1430	RFC ENGINEERING, INC.	Enchanted Estates 3rd	Engineering	890-90001-3135	94.16

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1430	RFC ENGINEERING, INC.	Radisson Road Lot Line Adj	Engineering	890-90001-3135	13.45
1430	RFC ENGINEERING, INC.	Nettas Preserves	Engineering	890-90001-3135	40.35
1430	RFC ENGINEERING, INC.	Gunner Insulation Labels	Engineering	890-90001-3135	12.50
1430	RFC ENGINEERING, INC.	Split Rock Coffee - Comm Site	Engineering	890-90001-3135	40.35
1430	RFC ENGINEERING, INC.	Vacation 3011-137th Ave Lab	Engineering	890-90001-3135	25.00
1430	RFC ENGINEERING, INC.	Tactical Solutions Labels	Engineering	890-90001-3135	25.00
1430	RFC ENGINEERING, INC.	Richland Refrigeration Solutio	Engineering	890-90001-3135	25.00
1430	RFC ENGINEERING, INC.	A & A Companies Labels	Engineering	890-90001-3135	25.00
1430	RFC ENGINEERING, INC.	Braastad Landscaping	Engineering	890-90001-3135	722.47
1430	RFC ENGINEERING, INC.	Hidden Forest E 3rd	Engineering	890-90001-3135	2,269.37
1430	RFC ENGINEERING, INC.	Air Mechanical Expansion	Engineering	890-90001-3135	83.55
1430	RFC ENGINEERING, INC.	Everwood FriendsLabels	Engineering	890-90001-3135	25.00
1430	RFC ENGINEERING, INC.	Flamingo Terrace Expansion	Engineering	890-90001-3135	732.53
1430	RFC ENGINEERING, INC.	Evergreen Estates	Engineering	890-90001-3135	1,565.31
1430	RFC ENGINEERING, INC.	Growing Generations Daycare	Engineering	890-90001-3135	1,695.83
1430	RFC ENGINEERING, INC.	Crosstown Rolling Acres 3rd	Engineering	890-90001-3135	2,212.99
1430	RFC ENGINEERING, INC.	Constance Blvd Terrace	Engineering	890-90001-3135	215.21
1430	RFC ENGINEERING, INC.	Holiday Station Store	Engineering	890-90001-3135	1,984.61
1430	RFC ENGINEERING, INC.	Radisson Sunset Estates	Engineering	890-90001-3135	443.88
1430	RFC ENGINEERING, INC.	Richland Refrigeration Solutio	Engineering	890-90001-3135	416.98
1430	RFC ENGINEERING, INC.	927 Andover Blvd - Fill Permit	Engineering	890-90001-3135	376.63
1430	RFC ENGINEERING, INC.	Creekside Estates	Engineering	890-90001-3135	339.08
1430	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	1,856.22
1430	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2021	Engineering	431-43301-3135	67.26
1430	RFC ENGINEERING, INC.	MSA Group Billing	Engineering	431-43301-3135	1,943.08
1433	WRUCK SEWER & PORTABLE	SANITIZER STAND	Equipment rentals	100-41701-3320	25.00
1433	WRUCK SEWER & PORTABLE	LION'S PLAYGROUND RENTAL	Rentals-other	100-44101-3390	45.50
1433	WRUCK SEWER & PORTABLE	HAM LAKE BOAT LANDING TO	Rentals-other	100-44101-3390	45.50
1433	WRUCK SEWER & PORTABLE	SLEDDING HILL	Rentals-other	100-44101-3390	45.50
62796	SAFEASSURE CONSULTANTS, I	SAFETY TRAINING	Safety program	100-41701-3160	1,264.00
62796	SAFEASSURE CONSULTANTS, I	SAFETY TRAINING (MBFTE GR	Grant expenditures	100-42201-3930	673.00
62796	SAFEASSURE CONSULTANTS, I	SAFETY TRAINING	Safety program	100-43101-3160	1,467.70
62796	SAFEASSURE CONSULTANTS, I	SAFETY TRAINING	Safety program	100-44101-3160	673.00
62797	ACE SOLID WASTE INC	APRIL ORGANICS	Waste management & recycli	231-43601-3630	295.69
62798	AKER DOOR SALES INC	CHAIN DRIVE GEAR KIT	Building repair & maintenanc	100-42202-3420	30.00
62799	ALL CITY ELEVATOR INC	2ND QTR MAINTENANCE	Building repair & maintenanc	100-41702-3420	195.00
62800	ANOKA COUNTY PROPERTY	HAM LAKE BOAT LAUNCH	Waste management & recycli	100-44102-3630	53.24
62801	ANOKA COUNTY PROPERTY	DANE ALLEN SEPTIC LICENSE	Reimbursable expense	100-48101-4150	46.00
62801	ANOKA COUNTY PROPERTY	ROW VACATION - ABERDEEN,	Filing fees	431-43301-3980	46.00
62802	ANOKA COUNTY PROPERTY	FIRE #2 WASTE MANAGEMEN	Waste management & recycli	100-42202-3630	77.77
62803	ANOKA COUNTY PROPERTY	HAM LAKE PARK WASTE MAN	Waste management & recycli	100-44102-3630	69.14
62804	ANOKA COUNTY PROPERTY	PW WASTE MANAGEMENT	Waste management & recycli	100-43104-3630	38.88
62804	ANOKA COUNTY PROPERTY	LION'S WASTE MANAGEMENT	Waste management & recycli	100-44102-3630	38.89
62805	ANOKA COUNTY PROPERTY	CITY HALL WASTE MANAGEM	Waste management & recycli	100-41702-3630	90.86
62805	ANOKA COUNTY PROPERTY	FIRE #1 WASTE MANAGEMEN	Waste management & recycli	100-42202-3630	90.86
62805	ANOKA COUNTY PROPERTY	SR CENTER WASTE MANAGE	Waste management & recycli	100-44202-3630	90.86
62806	ANOKA COUNTY TREASURY D	2nd Quarter Police Contract	Police protection	100-42101-3155	288,998.50
62807	ASPEN MILLS INC	PANTS - DL	Clothing & personal protectiv	100-42201-2210	49.95
62808	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	450.10
62808	CENTERPOINT ENERGY	NOV'20 - MAR'21 FIRE #1	Natural gas	100-42202-3620	819.81
62808	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	410.61
62808	CENTERPOINT ENERGY	OCT'20 - MAR'21 PW	Natural gas	100-43104-3620	4,484.92
62808	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	72.35
62808	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	391.36
62808	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	242.36
62809	CITY OF COLUMBUS	MARCH SIGNAL LEXINGTON &	Electricity	100-43401-3610	23.41
62810	CITY OF ROSEVILLE	2021 DW LASERFICHE & ADO	Software licenses & upgrades	100-41201-2510	19.33
62810	CITY OF ROSEVILLE	2021 DS, SHARED LASERFICHE	Software licenses & upgrades	100-41301-2510	477.58
62810	CITY OF ROSEVILLE	2021 AW, SK LASERFICHE & A	Software licenses & upgrades	100-41401-2510	24.92
62810	CITY OF ROSEVILLE	2021 JB LASERFICHE & ADOBE	Software licenses & upgrades	100-41601-2510	19.33

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-41701-3210	115.83
62810	CITY OF ROSEVILLE	IT SERVICE	Computer & software support	100-41707-3120	3,499.60
62810	CITY OF ROSEVILLE	2021 TM LASERFICHE & ADOB	Software licenses & upgrades	100-42201-2510	24.92
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42201-3210	64.25
62810	CITY OF ROSEVILLE	2021 NW, TD LASERFICHE & A	Software licenses & upgrades	100-42401-2510	44.25
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42401-3210	102.83
62810	CITY OF ROSEVILLE	2021 JW ADOBE LICENSE	Software licenses & upgrades	100-43101-2510	5.58
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-43101-3210	64.25
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44101-3210	12.83
62810	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44201-3210	51.42
62811	CORPORATE 4 INS AGENCY	COMMERCIAL POLICY 4/21 - 4	Other professional services	100-41701-3190	2,000.00
62812	CUSTOM CAP & TIRE	#47 Tires	Vehicle parts & supplies	100-43101-2340	636.00
62812	CUSTOM CAP & TIRE	#106 Tires	Vehicle parts & supplies	100-43101-2340	260.00
62813	DEHN OIL CO	255 GAL GASOLINE	Fuel	100-43101-2230	628.58
62813	DEHN OIL CO	255 GAL DIESEL	Fuel	100-43101-2230	594.15
62814	ECM PUBLISHERS INC	PW SEASONAL HELP WANTED	Advertising for employment	100-43101-3910	123.60
62814	ECM PUBLISHERS INC	TEMP BUILDING INSPECTOR H	Advertising for employment	100-42401-3910	146.60
62815	EMERGENCY APPARATUS MTC	E2 - Fix valve and door crack	Fire apparatus repair & maint	100-42201-3450	1,422.55
62815	EMERGENCY APPARATUS MTC	R2 - Diagonstics	Fire apparatus repair & maint	100-42201-3450	456.60
62816	FIRST ADVANTAGE LNS OCC H	Drug Testing	Personnel testing & recruitme	100-42201-3150	5.34
62816	FIRST ADVANTAGE LNS OCC H	Annual Enrollment - JW	Personnel testing & recruitme	100-43101-3150	34.19
62816	FIRST ADVANTAGE LNS OCC H	Annual Enrollment - CH	Personnel testing & recruitme	100-43101-3150	34.19
62817	FLEETPRIDE	FILTER	Operating supplies	100-43101-2290	14.86
62818	GRATITUDE FARMS	MARCH ANIMAL CONTROL	Other professional services	100-42501-3190	250.00
62819	HAM LAKE HARDWARE INC	Plug	Operating supplies	100-43101-2290	5.98
62820	HAM LAKE HAULERS INC	1ST QTR RECYCLING	Waste management & recycli	231-43601-3630	8,127.50
62821	JEFFERSON FIRE & SAFETY	Streamlight Survivor LED	Small tools	100-42201-2410	450.00
62821	JEFFERSON FIRE & SAFETY	BALE HANDLES	Equipment parts & supplies	100-42201-2320	114.19
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-41101-1510	44.07
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-41201-1510	470.18
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-41301-1510	336.75
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-41401-1510	568.83
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-41601-1510	247.69
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-42201-1510	18,175.66
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-42401-1510	908.32
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-43101-1510	12,520.08
62822	LEAGUE OF MN CITIES INS. TR	WORK COMP	Worker's comp insurance	100-44101-1510	2,357.42
62823	LINCOLN NATIONAL LIFE INSU	April LT Disability	Other payroll deductions	100-21706	376.85
62823	LINCOLN NATIONAL LIFE INSU	April ST Disability	Other payroll deductions	100-21706	618.09
62824	MARK KOLLMANN	LOWES - SHOP TOWELS	Operating supplies	100-42201-2290	11.07
62825	MEDTOX LABORATORIES	DRUG TESTING	Personnel testing & recruitme	100-42201-3150	32.46
62826	MINNESOTA OCCUPATIONAL	PHYSICALS - BH, CS	Personnel testing & recruitme	100-42201-3150	1,164.00
62827	MN DEPARTMENT OF LABOR	1ST QTR SURCHARGE	Surcharge	100-22801	2,725.52
62828	MN PEIP	HEALTH INSURANCE	Flexible spending	100-21705	12,654.38
62829	NORSEMAN AWARDS & ENGR	ENGRAVED PLATES	Office supplies	100-42201-2110	32.85
62830	PREMIUM WATERS INC	MAR WATER COOLER RENTAL	Equipment rentals	100-41701-3320	14.00
62830	PREMIUM WATERS INC	MARCH WATER	Equipment rentals	100-41701-3320	21.75
62831	S & S INDUSTRIAL SUPPLY INC	O Ring	Operating supplies	100-43101-2290	2.26
62832	SANDRA FLAHERTY	SRWMO MEETINGS (1/7, 2/4)	Advisory/representative	100-43201-1610	60.00
62832	SANDRA FLAHERTY	URRWMO MEETINGS (1/5, 3/	Advisory/representative	100-43201-1610	60.00
62833	SMITH BROTHERS DECORATIN	Sheriff's Office Painting	Capital assets	412-41702-5110	18.57
62833	SMITH BROTHERS DECORATIN	Sheriff's Office - Paint	Capital assets	412-41702-5110	218.95
62833	SMITH BROTHERS DECORATIN	Sheriff's Office - Paint and Sup	Capital assets	412-41702-5110	19.69
62834	TDS METROCOM INC	763-434-0454 ELEVATOR	Phones/radios/pagers	100-41701-3210	39.90
62834	TDS METROCOM INC	763-434-9605 FIRE #2	Phones/radios/pagers	100-42201-3210	37.90
62835	WITMER PUBLIC SAFETY GRO	UNIFORM PINS	Clothing & personal protectiv	100-42201-2210	191.20
62835	WITMER PUBLIC SAFETY GRO	HELMET DECALS	Clothing & personal protectiv	100-42201-2210	25.49
62835	WITMER PUBLIC SAFETY GRO	HELMET DECALS	Clothing & personal protectiv	100-42201-2210	13.49
62835	WITMER PUBLIC SAFETY GRO	HELMET DECALS	Clothing & personal protectiv	100-42201-2210	175.05
62836	ZARNOTH BRUSH WORKS, INC	Sweeper Brooms	Street sweeping	100-43101-2610	1,012.00

Council Approval List

Payment Dates: 4/8/2021 - 4/21/2021

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
DFT0002198	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,285.00
DFT0002198	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002199	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	4,307.74
DFT0002199	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,382.60
DFT0002199	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	5,418.92
DFT0002200	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,141.69
DFT0002201	PERA	Retirement-Coordinated	PERA	100-21703	6,040.18
DFT0002201	PERA	Retirement-Police & Fire	PERA	100-21703	1,171.85
DFT0002203	MN STATE DEPT OF REVENUE-	MARCH 2021 FUEL TAX	Fuel	100-43101-2230	116.28
<b>Grand Total:</b>					<b>461,101.42</b>



## Report Summary

### Fund Summary

Fund	Payment Amount
100 - GENERAL	395,982.14
230 - FUTURE DRAINAGE	1,208.46
231 - RECYCLING	8,423.19
412 - BUILDING	257.21
431 - REVOLVING STREET	41,806.77
440 - PARK & BEACH LAND	26.90
890 - TRUST FUND	13,396.75
<b>Grand Total:</b>	<b>461,101.42</b>

### Account Summary

Account Number	Account Name	Payment Amount
100-21701	Federal WH/FICA/MC	11,109.26
100-21702	State W/H	2,141.69
100-21703	PERA	7,212.03
100-21704	Deferred compensation	1,335.00
100-21705	Flexible spending	12,833.55
100-21706	Other payroll deductions	994.94
100-22801	Surcharge	2,725.52
100-41101-1510	Worker's comp insuranc	44.07
100-41101-3135	Engineering	1,537.80
100-41101-3136	Engineering-comprehen	26.90
100-41201-1510	Worker's comp insuranc	470.18
100-41201-2510	Software licenses & upgr	19.33
100-41301-1510	Worker's comp insuranc	336.75
100-41301-2510	Software licenses & upgr	477.58
100-41401-1510	Worker's comp insuranc	568.83
100-41401-2510	Software licenses & upgr	24.92
100-41601-1510	Worker's comp insuranc	247.69
100-41601-2510	Software licenses & upgr	19.33
100-41601-3135	Engineering	831.29
100-41701-3160	Safety program	1,264.00
100-41701-3190	Other professional servi	2,000.00
100-41701-3210	Phones/radios/pagers	155.73
100-41701-3320	Equipment rentals	60.75
100-41702-3420	Building repair & mainte	195.00
100-41702-3620	Natural gas	450.10
100-41702-3630	Waste management & r	90.86
100-41707-3120	Computer & software su	3,499.60
100-42101-3155	Police protection	288,998.50
100-42201-1510	Worker's comp insuranc	18,175.66
100-42201-2110	Office supplies	32.85
100-42201-2210	Clothing & personal prot	455.18
100-42201-2290	Operating supplies	11.07
100-42201-2320	Equipment parts & suppl	114.19
100-42201-2410	Small tools	450.00
100-42201-2510	Software licenses & upgr	24.92
100-42201-3150	Personnel testing & recr	1,201.80
100-42201-3210	Phones/radios/pagers	102.15
100-42201-3450	Fire apparatus repair &	1,879.15
100-42201-3930	Grant expenditures	673.00
100-42202-3420	Building repair & mainte	30.00
100-42202-3620	Natural gas	1,230.42
100-42202-3630	Waste management & r	168.63
100-42401-1510	Worker's comp insuranc	908.32
100-42401-2510	Software licenses & upgr	44.25
100-42401-3135	Engineering	683.44
100-42401-3210	Phones/radios/pagers	102.83

**Account Summary**

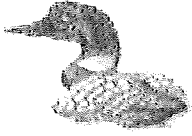
Account Number	Account Name	Payment Amount
100-42401-3910	Advertising for employm	146.60
100-42501-3190	Other professional servi	250.00
100-43101-1510	Worker's comp insuranc	12,520.08
100-43101-2230	Fuel	1,339.01
100-43101-2290	Operating supplies	27.09
100-43101-2340	Vehicle parts & supplies	1,106.56
100-43101-2510	Software licenses & upgr	5.58
100-43101-2610	Street sweeping	1,012.00
100-43101-3135	Engineering	820.50
100-43101-3150	Personnel testing & recr	68.38
100-43101-3160	Safety program	1,467.70
100-43101-3210	Phones/radios/pagers	64.25
100-43101-3910	Advertising for employm	123.60
100-43103-3135	Engineering	184.75
100-43104-3620	Natural gas	4,484.92
100-43104-3630	Waste management & r	38.88
100-43201-1610	Advisory/representative	120.00
100-43201-3135	Engineering	111.99
100-43401-3610	Electricity	23.41
100-43501-3135	Engineering	1,856.22
100-44101-1510	Worker's comp insuranc	2,357.42
100-44101-3135	Engineering	16.19
100-44101-3160	Safety program	673.00
100-44101-3210	Phones/radios/pagers	12.83
100-44101-3390	Rentals-other	136.50
100-44102-3620	Natural gas	463.71
100-44102-3630	Waste management & r	161.27
100-44201-3210	Phones/radios/pagers	51.42
100-44202-3620	Natural gas	242.36
100-44202-3630	Waste management & r	90.86
100-48101-4150	Reimbursable expense	46.00
230-43201-3135	Engineering	1,208.46
231-43601-3630	Waste management & r	8,423.19
412-41702-5110	Capital assets	257.21
431-43301-3135	Engineering	41,760.77
431-43301-3980	Filing fees	46.00
440-44103-3135	Engineering	26.90
890-90001-3135	Engineering	13,396.75
	<b>Grand Total:</b>	<b>461,101.42</b>

**Project Account Summary**

Project Account Key	Payment Amount
**None**	405,871.00
200511-100	21.71
200512-100	49.27
200912-100	2,469.37
200912-160	46.00
200922-100	53.80
201102.033-100	726.36
201302.089-100	220.62
201402.136-100	26.90
201709-100	89.92
201805-100	5,130.70
201907-100	23,511.37
202002.057-100	94.15
202002.083-100	7,006.54
Comp Plan-100	26.90
MISC-100	2,360.06

**Project Account Summary**

<b>Project Account Key</b>	<b>Payment Amount</b>
Trust-110	5,259.34
Trust-200	516.98
Trust-210	7,180.35
Trust-305	25.00
Trust-315	13.45
Trust-325	376.63
Trust-340	25.00
<b>Grand Total:</b>	<b>461,101.42</b>



City of Ham Lake, MN

# EFT Payroll Check Register Report Summary

Pay Period: 3/21/2021-4/3/2021

Packet: PYPKT01145 - PPE 4/3/21 PAID 4/9/21

Payroll Set: City of Ham Lake - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	33	32,597.62
<b>Total</b>	<b>33</b>	<b>32,597.62</b>

10:40 AM

04/15/21

Accrual Basis

CITY OF HAM LAKE-TRUST  
MONTHLY CHECK REGISTER

April 8 - 15, 2021

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Type	Date	Num	Name Contact	Memo	Amount
Apr 8 - 15, 21					
Check	04/08/2021	5645	JULIE BOETTCHER	4/3/21 LION'S PARK DEPOSIT	-150.00
Check	04/08/2021	5646	JODI JOHNSON	4/6/21 LION'S PARK DEPOSIT	-150.00
Apr 8 - 15, 21					<u>-300.00</u>

**ORDINANCE NO. 21-XX**

**AN ORDINANCE AMENDING A PORTION OF CHAPTER 9 OF THE CITY OF HAM LAKE, COUNTY OF ANOKA, STATE OF MINNESOTA.**

**The City Council of the City of Ham Lake does hereby ordain as follows, pursuant to Article 9 of the Ham Lake City Code.**

That the zoning classification for the following described property situated in the City of Ham Lake, Anoka County, Minnesota is hereby designated R-1 (Single Family Residential) (Radisson Sunset Estates).

The land referred to herein is situated in the State of Minnesota, Anoka County described as follows:

The Northwest Quarter of the Southeast Quarter of Section 21, Township 32, Range 23 of the Fourth Principle Meridian, Anoka County, Minnesota. Except for the following:

The North 907.00 feet of the East 721.00 feet of the Northwest Quarter of the Southeast Quarter of Section 21, Township 32, Range 23, Anoka County, Minnesota, as measured along the North and East lines respectively.

AND

That part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 32, Range 23, lying North of the South 1276 feet thereof as measured at right angles to the South line of said Southwest Quarter of the Southeast Quarter, Anoka County, Minnesota.

**Presented to the Ham Lake City Council on October 19, 2020 and adopted by a unanimous vote this 19th day of April, 2021.**

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**Michael G. Van Kirk, Mayor**

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**Denise Webster, City Clerk**

**RESOLUTION NO. 21-XX**

**CITY OF HAM LAKE  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION SUPPORTING THE TERMINATION OF THE NORTHSTAR  
COMMUTER RAIL LINE**

**WHEREAS**, the City of Ham Lake is an Anoka County municipality, and as such is a rapidly growing and important segment of the Twin Cities Metropolitan Region; and

**WHEREAS**, recently introduced legislation at the Minnesota State Legislature, HF 1993 and SF 2244, proposes to immediately terminate all services related to Northstar Commuter Rail Service (“Northstar”) and to dispose of all assets related to Northstar; and

**WHEREAS**, the Ham Lake City Council members believe that the residents of Ham Lake receive virtually no benefit from the existing Northstar service, yet are financially obligated to contribute to Northstar’s ongoing operational costs; and

**WHEREAS**, the Ham Lake City Council members believe that the limited ridership for the existing Northstar service does not justify the ongoing operational costs; and

**WHEREAS**, the Ham Lake City Council members believe that the Northstar service has been ineffective in reducing traffic congestion and that upgrading highways should be a higher priority than a commuter rail line.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Ham Lake supports HF 1993 and SF 2244 and calls for the immediate termination of Northstar.

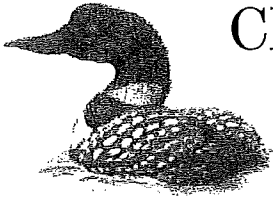
Adopted by the City Council of the City of Ham Lake this 19th day of April, 2021.

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Michael G. Van Kirk  
Mayor

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Denise Webster  
City Clerk



# CITY OF HAM LAKE

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

Receipt # 89593  
Fee \$100.00

## CITY OF HAM LAKE LARGE ASSEMBLY LICENSE APPLICATION

Name of Organization Ham Lake Area Chamber of Commerce

Contact Person (1) Kari Lund Phone 763 434 3011

Contact Person (2) \_\_\_\_\_ Phone \_\_\_\_\_

Contact Person (3) \_\_\_\_\_ Phone \_\_\_\_\_

Applicant's Address 15544 Central Ave NE Ham Lake MN 55304  
Street Address City State Zip

Name and Address of Person(s) Responsible for Payment of Bills: Kari Lund  
15544 Central Ave NE Ham Lake MN 55304  
Street Address City State Zip

I, Kari Lund hereby make application on behalf of Ham Lake Chamber of Commerce

Corporation  Partnership  Society, Group of Association  Other \_\_\_\_\_

(In the case of a corporation or LLC, a certified copy of the Articles of Incorporation/Organization together with the name, date of birth, residence, and mailing address of each person holding 10 percent or more of the stock or membership of said corporation or LLC.)

to the City of Ham Lake for a license to permit the lawful assembly of over 200 persons on the following described property:

Ham Lake Lions Park + Ham Lake City Hall Parking Lots  
1220 157th Ave NE + 15544 Central Ave NE

The nature and purpose of the assembly will be as follows:

Ham Lake Freedom Festival Community Event Fireworks, Kid activities  
10k Rock + Roll, Bingo, Food + Alcohol Vendors, Live music, Inflatables.

The assembly will be held on the 3rd day of July, 2021,

between the hours of 2 AM/PM (Circle One) and 11 AM/PM (Circle One)

The maximum number of persons I will permit to attend are 2500 persons. The maximum number of event tickets to be sold, if applicable n/a.

OUTDOOR MUSIC. Will there be outdoor music?  yes  no

If yes, please describe: \_\_\_\_\_

Outdoor music: Start Time 7:30 AM/PM (Circle One) End Time 10:00 AM/PM (Circle One)



1) MY PLANS FOR FENCING the location of the assembly and the gates contained in such fence:

none

2) MY PLANS FOR SUPPLYING POTABLE WATER, including the source, amount available, and location of outlets:

All food vendors will have water for sale. Buck + Bull will have water stations.

3) MY PLANS FOR PROVIDING TOILET AND LAVATORY FACILITIES including the source, number, location, type, and means of disposing of waste. Advise of number of portable restrooms to be supplied on premises:

Onsite restrooms at the pavilion and will rent 3 additional porta potties from Wreck.

4) MY PLANS FOR HOLDING, collecting and disposing of solid waste material:

garbage + recycling containers onsite

5) MY PLANS TO PROVIDE FOR MEDICAL FACILITIES, including the location and the construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service:

Buck + Bull will provide medical facilities for their event  
otherwise call 911

6) MY PLANS, IF ANY, TO ILLUMINATE the location of the assembly, including the amount of power and the location of lights:

no additional lights - will only be using lights already on in the park and pavilion

7) MY PLANS FOR PARKING VEHICLES, including size and location of lots, points of highway access and interior roads including routes between highway access and parking lots:

Ham Lake city hall, Ham Lake senior center, Ham Lake lions park  
contact ALSO for assistance w/ traffic after fireworks and during race

8) MY PLANS FOR TELEPHONE SERVICE, including the source, number and location of telephones:

cell phone

9) MY PLANS FOR SECURITY, including the number of guards, their employment, their names, addresses, credentials, and hours of availability:

contact ALSO for assistance w/ traffic

10) MY PLANS FOR FIRE PROTECTION:

call 911. Fire works have their own protection

11) MY PLANS FOR SOUND CONTROL AND SOUND AMPLIFICATION, if any, including number of location and power of amplifiers and speakers:

Brigs + Buck will have portable PA systems. Band is supplying their own PA and will use outlets in pavillion

12) MY PLANS FOR FOOD CONCESSIONS and concessionaires who will be allowed to operate on the grounds, including the names and addresses of all concessionaires and their license or permit numbers:

NOTE: All vendors must obtain a Vendors Permit from the City at least 10 days prior to the event.

will have no more than 5 vendors. There are not fully determined yet - I will submit all finishes + etc to you prior to event  
(1) Route 65 Pub + Grub (2) Menzetti's + up to 3 dessert vendors

13) MY PLANS FOR AREA TRAFFIC CONTROL FOR egress from and exit onto public roads and highways:

Contact ACO

14) MY PLANS FOR COMPLYING WITH THE INSURANCE REQUIREMENT (Article 7-622 (F):

we have a rider that covers this event with city of Ham Lake listed on it

15) I HAVE ATTACHED A SITE PLAN DRAWN AT A SCALE OF 1-INCH = 50-FEET. ✓

(The site plan shows the dimensioned locations of all activities, structures, parking and driveways, concession areas, rest rooms/toilet facilities, vendor booths, tents or other vend or areas, and any other physical features to be involved.)

16) I ACKNOWLEDGE THAT I HAVE RECEIVED AND READ ARTICLE 7-620 OF THE HAM LAKE CITY CODE pertaining to Large Assemblies rules/regulations.

I, Kari Lund being duly sworn upon oath, hereby make application for a license to permit a large assembly in the City of Ham Lake, Minnesota.

Applicant know the contents of this application and supporting affidavits and that the statements herein are true of his/her own knowledge, save as to such as are herein stated information and belief, and as to those, he/she believes them to be true.

APPLICANT:

[Signature]  
Signature

3/22/2021  
Date

OWNER OF RECORD of the above-described property, if different than applicant, must grant permission to hold an assembly of 200 or more persons by signing this form.

PROPERTY OWNER: (if different that applicant).

Signature

Date

**APPROVED WITH THESE CONTINGENCIES:**

All food vendors must obtain Permit from Anoka County, and Transient Sales merchants must obtain License for the City of Ham Lake.

Applicant must pay the City for \_\_\_\_\_ Police Officers.

Applicant must provide \_\_\_\_\_ portable restrooms.

Applicants must install barricades and remove barricades.

Applicant is responsible for picking up litter from the park immediately after the event.

The hours of outdoor music are limited to \_\_\_\_\_ to \_\_\_\_\_.

Other:

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**APPROVAL OF THE LARGE ASSEMBLY PERMIT**

Approved by the Planning Commission Date \_\_\_\_\_

\_\_\_\_\_  
Approved by the Anoka County Sheriff's Office Date \_\_\_\_\_

Referred to and Approved by \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
City Administrator

Approved by the Ham Lake City Council on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



**NOTICE TO ALL APPLICANTS FOR MUNICIPAL  
PERMITS, LICENSES,  
OR OTHER MUNICIPAL ACTION**

1. ***If you are requesting municipal action on any request for any of the above, you will be required to furnish certain information about yourself, the project you are involved in, or other matters pertaining to the subject. Some of the information you are asked to provide is classified by state law as either private or confidential. Private data is information which generally cannot be given to the public but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data.***
  
2. ***The purpose of this information is to enable the City Staff, Commissions, Council or other government agencies to evaluate relevant factors in considering your request. You are not legally required to provide this information. If you do not provide the requested information, the City may not act upon your request.***
  
3. ***The information you supply will be public and available to any entity requesting to inspect the information.***

**DATA PRACTICES ADVISORY  
TENNESSEN WARNING**

REQUIRED BY MINNESOTA STATUTES CHAPTER 13.04

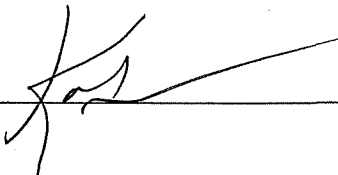
SIGNED BY \_\_\_\_\_  
*[Handwritten Signature]*  
COMPANY/TITLE: Ham Lake Chamber of Commerce  
*Executive Director*  
DATE: 3/22/21

CITY OF HAM LAKE

ACKNOWLEDGMENT OF RESPONSIBILITY  
TO REIMBURSE EXPENSES

The undersigned, Kari Lund, having applied to the City of Ham Lake for consideration of a planning and zoning request, or any other permit, license, or action requiring review and/or approval of the City, as follows: Large Assembly permit

acknowledges that the sum of \$ 100, has been deposited with the City of Ham Lake to reimburse the City of Ham Lake for any out of pocket expenses incurred by the City in reviewing the proposal, including but not limited to a staff review fee, any signage required by ordinance, and City Engineer and City Attorney's fees for their review, in amounts which are not known to the City at this time. The applicant acknowledges that it is the responsibility of the undersigned to reimburse the City for any such engineering or attorney's fees incurred in review of the applicant's request, or any other expenses incurred by the City in connection with this requires, and further acknowledges that in the event that the undersigned fails to promptly remit any amounts incurred by the City in excess of the deposit, the City shall have the right to discontinue further consideration or action upon the undersigned's request, shall have the right to rescind any approvals, withdraw any permits, licenses or other consents, shall have the right to vacate any street or road, plat or other dedication, and the undersigned waives the right to claim damages arising out of any such act by the City. Furthermore, the applicant agrees that in the event that the City is required to take legal action in order to effect recovery of any of the expenses incurred by the City from the undersigned, the City shall be entitled, in addition to principle and interest, to recover its reasonable attorney's fees incurred in collecting said sums from the undersigned.

Applicant Signature  Dated 3/22/21

The following statement must be signed if the applicant is not the property owner:

\_\_\_\_\_, as owner of the property involved in the foregoing application, agrees to be jointly and severally liable for payment of the foregoing fees.

Property Owner Signature \_\_\_\_\_ Dated \_\_\_\_\_



**Purple: Pavilion**

- Stage set up by noon
- 3pm – Bingo Setup
- 3pm – Ruck n Roll presented by Ascension Fitness. **See other map for the Ruck 'n Roll Route.**
- 3-8pm Business Expo and Artisan Market
- 4-7pm Bingo and Pull tabs
- 4-10pm Food and Beverage Vendors
- 7-7:30pm Band Sound Check
- 7:30-10pm Band

**Blue: Space between pavilion and playground**

- Inflatable obstacle course 5-9pm (\*need electric)

**Red: Lane to be left open for inflatable and band pickup/drop off**

**Green: Fireworks set up and area where they are lit**

**Yellow: 5 food/drink vendors numbered top to bottom. Area is parking spaces west of pavilion and will have them face the pavilion so lines don't extend into parking lot driving area.**

1. Route 65 Pub n Grub
2. Mansetti's
3. TBD – dessert vendor
4. TBD – dessert vendor
5. TBD - dessert vendor

**Orange: approximately 10 business expo/artisan craft vendors along the path by the pond.**

Registration begins at 2pm with the Ruck from 3-5pm. They will start and finish at City Hall and use the route as indicated on second map.

Route for Rock n Roll Run





**CITY OF HAM LAKE**

***MEMO***

**To:** Mayor and Councilmembers  
Denise Webster, City Administrator

**From:** Andrea Worcester, Finance/Human Resource Director

**Subject:** Approval of Auditing Services performed by BerganKDV, Ltd.

**Introduction:**

On November 5<sup>th</sup>, 2018 Council accepted a proposal from BerganKDV, Ltd. to complete auditing services for the City for 2018, 2019, and 2020. This contract is now up for renewal. The new proposed contract would cover the annual auditing services of basic financial statements as well as any single audits needed on federal grant funding over \$750,000 through 2023.

Bergan KDV successfully completed their prior services under the expiring contract and continue to meet the criteria set forth in the RFP from 2018. They audit approximately 52 cities and 20 fire relief associations, with 13 of their cities receiving the certificate of achievement for the Comprehensive Annual Financial Report. They have 18 staff members who are dedicated to providing governmental services.

The following is a summary of the proposed fees for the next three years:

- Year ending 2021
  - \$22,450 for basic financial statement audit
  - \$3,750 for a single audit on major federal funding
- Year ending 2022
  - \$22,980 for basic financial statement audit
  - \$3,850 for a single audit on major federal funding
- Year ending 2023
  - \$23,530 for basic financial statement audit
  - \$3,950 for a single audit on major federal funding

**Recommendations:**

I recommend Council accept the contract renewal from BerganKDV, Ltd. for auditing services.



January 19, 2021

Members of the City Council  
Ms. Andrea Worcester, Finance/Human Resources Director  
City of Ham Lake  
15544 Central Avenue NE  
Ham Lake, MN 55304

Dear Ms. Worcester:

This letter is to provide the proposed audit fees for a three-year period for the audit of the financial statements as of and for the year ended December 31, 2021, December 31, 2022, and December 31, 2023. These fees include the drafting of the financial statements and schedule of federal awards, if applicable. Our proposed fees are as follows:

December 31, 2021

- \$ 22,450 for the audit of the City's basic financial statements
- \$ 3,750 for the single audit of each major federal program, if applicable.

December 31, 2022

- \$ 22,980 for the audit of the City's basic financial statements
- \$ 3,850 for the single audit of each major federal program, if applicable

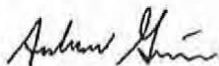
December 31, 2023

- \$ 23,530 for the audit of the City's basic financial statements
- \$ 3,950 for the single audit of each major federal program, if applicable

With the City Council's approval of the services and fees as outlined above, we will send an engagement letter each fiscal year that will confirm and summarize the understanding of the terms and objectives of our engagement.

We appreciate the opportunity to be of service to you. If you have any questions, please let us know.

Sincerely,



Andrew Grice, CPA  
Government Audit Partner  
BerganKDV



Meeting Date: April 19th, 2021

**CITY OF HAM LAKE**

***STAFF REPORT***

**To: Mayor and Councilmembers**

**From: Andrea Worcester, Finance/Human Resource Director**

**Subject: Twin Cities Gateway Grant Agreement**

**Introduction/Discussion:** Twin Cities Gateway (TCG) has informed us that Ham Lake is eligible to receive \$3,500 for marketing and promotional expenses to increase participation to an event happening within the City or to enhance an event that is happening within the City.

The necessary invoices for the expenditures and the reimbursement requests will be added to a future Council's bill list for approval once the grant is received.

**Recommendation:** I recommend approval of the 2021 Member City Grant Agreement with Twin Cities Gateway.



## Ham Lake 2021 Member City Grant Agreement

This Agreement between the City of Ham Lake, 15544 Central Avenue NE, Ham Lake, MN 55304 there in after the "City," and Twin Cities Gateway, a Minnesota non-profit corporation, 10801 Town Square Drive, Blaine, MN 55449, hereinafter the "Bureau," contains the terms and conditions for a grant to the City in the amount of \$3,500 from the Bureau to the City.

**Whereas** the grant funding provided is based on local option lodging taxes collected by the City and the eight other member cities of the Bureau and

**Whereas** the City agrees to expend the grant funding in compliance with MN Statute 469.10 which states that gross proceeds from any tax imposed shall be used for the purpose of marketing and promoting the City as a tourist or convention center and

**Whereas** the Bureau has specified that grant funds must be used for advertising, marketing, and promotional efforts to increase participation, attendance, or visitation to an event, activity, or facility located within the City, and / or to add new activities to enhance existing events, and

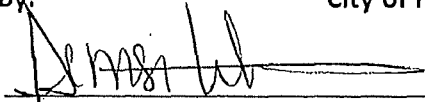
**Whereas** the Bureau specifies that advertising, marketing, and promotional efforts for which said grant funding is used must extend beyond the borders, or boundaries of the City and

**Whereas it is agreed that prior to December 31, 2021, the City of Ham Lake will provide an overview of how the Bureau grant funding was used, as well as provide documentation of expenses via copies of actual receipts or invoices in accordance with this Agreement and**

Now by execution of this Agreement, the City and the Bureau agree to and approve the terms.

By: \_\_\_\_\_ City of Ham Lake

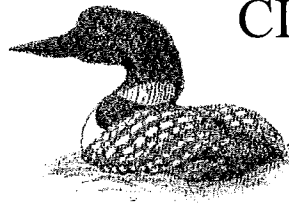
By: Al Stauffacher/ Twin Cities Gateway



\_\_\_\_\_  
Signature

Date: 3/29/2021

Date: \_\_\_\_\_



# 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 MINUTES MONDAY, APRIL 12, 2021

The Ham Lake Planning Commission met for its regular meeting on Monday, April 12, 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, Kyle Lejonvarn, Erin Dixson, Dave Ringler, Scott Heaton, Jonathan Fisher, and Jeff Entsminger

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Engineer, Tom Collins, Building and Zoning 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 Ringler, to approve the minutes of the March 22, 2021 Planning Commission meeting as written. All in favor, motion carried.**

**PUBLIC HEARINGS:**

Alexander Hattstrom requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC at 14350 Ural Street NE

Alexander Hattstrom was present. Mr. Hattstrom stated he will be operating a coating, painting and refinishing business in a detached accessory building on his property. Mr. Hattstrom stated he will primarily be using a product called Cerakote, a ceramic based enamel paint, that can be applied to a variety of substrates including metals, polymers, glass, ceramics and wood. Mr. Hattstrom stated his focus is to coat firearms, sporting goods and other consumer products. Commissioner Lejonvarn completed the inspection, a copy which is on file. Commissioner Lejonvarn stated a hard surface driveway needs to be constructed from the edge of the current driveway to the accessory building and an exhaust system needs to be installed for the paint spray booth. Commissioner Lejonvarn stated Mr. Hattstrom is in the midst of construction; the air compressor was not hooked up so he was not able to determine if the noise generated by the compressor would be audible to neighbors. Commissioner Lejonvarn stated Mr. Hattstrom has applied for a Federal Firearms License but is awaiting its issuance. Commissioner Lejonvarn stated

he informed Mr. Hattstrom that no customer traffic was permitted; Mr. Hattstrom stated he would meet customers at a local business or have items shipped to him by customers. Commissioner Ringler asked if a permit had been obtained for the garage heater; Mr. Hattstrom stated he has applied for a permit for the heater.

**Chair Pogalz opened the public hearing at 6:07 p.m. and asked for public comment.**

Jerry Anderson, 3723 146<sup>th</sup> Avenue NE stated he is in support of the business; he has operated a paint shop himself. Mr. Anderson asked how waste from the products used will be disposed of.

Mr. Hattstrom stated he will be using two chemicals, Simple Green, an all-natural, organic, chemical-free cleaner, to degrease products before coating them and Cerakote. Mr. Hattstrom stated Cerakote is like epoxy where it must be applied within an hour of mixing before it hardens. Mr. Hattstrom stated he will be mixing the volume of Cerakote needed for each project; he expects very little waste product. Chair Pogalz asked if it is similar to paint where it can be disposed of in a garbage can after it has dried. Mr. Hattstrom stated Cerakote has properties very similar to paint. Mr. Hattstrom stated he has found he can dispose of any waste generated at the Elk River Hazardous Waste Disposal site. Commissioner Entsminger asked if the coating was sprayed on in a paint booth and air dried or dried via an electronic process. Mr. Hattstrom stated there are two types of Cerakote, the C-series is air cooled and the H-series is heated to approximately 300 degrees to cure the coating; he will be using both products.

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

Chair Pogalz asked the Commissioners if they had questions or required further discussion on this application; there were no additional questions or comments. **Motion by Lejonvarn, seconded by Ringler, to recommend approval of a Special Home Occupation Permit as requested by Alexander Hattstrom to operate Tactical Finishes, LLC at 14350 Ural Street NE, subject to meeting the guidelines for Special Home Occupation Permits per Article 9-350.3, completing the hard surface driveway between the existing driveway and accessory building, installation of a proper exhaust system meeting Minnesota Mechanical Code requirements, obtaining a permit for the garage heater, maintaining Safety Data Sheets (SDS) on-site for chemicals and paint products used, disposing of products used in an environmentally sound manner, no coating or selling of automotive parts or accessories, no discharging of firearms on-site, no on-street parking, generating no noise that is audible to neighboring properties, no outdoor storage, operating hours of 8:00 a.m. to 3:30 p.m. seven days a week, obtaining a Federal Firearms License and providing a copy of the license to the City before assembling or coating any firearms, completion of required actions by June 1, 2021 and meeting all City, State and County requirements. All in favor, motion carried. *This item will be placed on the April 19, 2021 City Council Agenda.***

Benjamin Cedarberg of Cedar Hill Group, LLC, requesting a Conditional Use Permit to operate Everwood Friends at 4453 Crosstown Boulevard NE

Benjamin Cedarberg was present. Mr. Cedarberg stated he and his wife operate a business which manufactures heirloom quality, maple, wooden children's blocks and sells them online. Mr. Cedarberg stated they create the wooden products, warehouse the finished goods and pack and ship the blocks from the Crosstown Boulevard NE location. Commissioner Dixon completed the inspection, a copy which is on file. Commissioner Dixon stated Mr. Cedarberg is currently using a driveway that goes through the 4425 Crosstown Boulevard NE property; that driveway is going to be vacated so he will then utilize the driveway to the east that provides access to the 4453 Crosstown Boulevard NE property. Commissioner Dixon stated the parking area is gravel. Commissioner Dixon stated she asked Mr. Cedarberg how he intended to dispose of sawdust, shavings and trimmings and Mr. Cedarberg stated the property owner wants to utilize the sawdust on the property so he will be taking the bulk of the waste; any additional waste will be placed in a dumpster for disposal. Commissioner Dixon stated no customers will come to the site as all sales are done online and traffic for shipping and delivery of raw materials occurs a few times per week. Commissioner Lejonvarn asked if the parking area was hard surfaced. Commissioner Dixon stated the surface was gravel. Building and Zoning Official, Mark Jones stated if the business is not open to the public, the Code is silent on the type of surface required for parking. There was some discussion among the Commissioners about the parking surface; it was determined if the City Code does not clearly define parking surface requirements discretion can be used to determine an acceptable surface and if there will be no customers or visitors coming on-site, a gravel parking surface could be considered acceptable.

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

**Motion by Dixon, seconded by Fisher, to recommend approval of a Conditional Use Permit as requested by Benjamin Cedarberg to operate Everwood Friends at 4453 Crosstown Boulevard NE, subject to meeting the guidelines outlined in Article 9, Section 9-210.32.vii related to generating no noise which would violate the standards for residential uses found in the Minnesota Pollution Control Agency regulations, generating no odors, fumes, vibrations or light beyond the property lines, no on-site retail sales, any construction or building modifications meeting all chapters of the Minnesota State Building Code, no accumulation of sawdust, or wood shaving or trimmings on-site, business hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, and meeting all City, State and County requirements. All in favor, motion carried. *This item will be placed on the April 19, 2021 City Council Agenda.***

Anton Vovk requesting a Conditional Use Permit to operate A & A Companies, an auto repair shop, at 13408 Highway 65 NE

Mr. Anton Vovk was present. Mr. Vovk stated he operates an auto repair business providing automotive diagnostics, maintenance and engine, transmission, suspension, brake and body repair. Commissioner Lejonvarn asked if Mr. Vovk planned to do any painting of vehicles. Mr. Vovk stated he would not be painting any vehicles. Commissioner

Entsminger completed the inspection, a copy which is on file. Commissioner Entsminger stated he talked with Mr. Vovk about painting; he understands this is not permitted. Commissioner Entsminger stated he also spoke with Mr. Vovk about the need to keep the road easement along the north side of the building clear due to it being the only access to Jetson Inc. at 13414 Highway 65 NE as well as not parking any damaged cars or cars in need of repair nor storing anything outside of the unit he is working from. Commissioner Ringler stated the memo from Building and Zoning Official Jones stated damaged cars have been parked in spaces on the north side of the building; what action is being taken to address that issue. Commissioner Entsminger stated he spoke with Building and Zoning Official Jones about the parking and storage issues on the north side of the building; Building and Zoning Official Jones is currently doing annual Conditional Use Permit (CUP) inspections at the site and is addressing issues related to outside storage, parking and any other violations he discovers.

**Chair Pogalz opened the public hearing at 6:26 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:26 p.m.**

Anthony Revutskiy, property owner at 13408 Highway 65 NE, was present. Chair Pogalz asked Mr. Revutskiy to comment on how well his tenants are complying with the conditions of their CUP's and parking requirements. Mr. Revutskiy stated he has to address some issues from time to time but overall things are better than they used to be. Mr. Revutskiy stated he has talked with the owner of Jetson's Inc. about posting no parking signs along the road easement to help correct the issue of vehicles blocking the roadway.

Chair Pogalz asked the Commissioners if they had questions or required further discussion on this application; there were no additional questions or comments. **Motion by Entsminger, seconded by Fisher, to recommend approval of the application by Anton Vovk, requesting a Conditional Use Permit to operate A & A Companies at 13408 Highway 65 NE subject to the following conditions: (1) No motor vehicle sales (2) Allocating a total of thirteen parking spaces; three in front of the suite the business is renting (#109) for employee parking during business hours only and ten in the fenced area as presented on the site plan (3) All parking to be on hard surface in designated areas as shown on the site plan (4) A maximum of three employees (5) No outside storage of liquids, tires, parts, etc. (6) All repairs to be done inside the building (repairs include general auto maintenance and mechanical work such as replacing brakes, headlights and bulbs; all fluids to be contained and disposed of according to County and State requirements (7) No painting at this location (8) Hours of operation to be 9:00 a.m. to 6:00 p.m., Monday through Saturday (9) Security Lighting required (10) Maintain an open fire lane on the north side of the building (11) Meeting all City, State and County requirements. All in favor, motion carried. *This item will be placed on the April 19, 2021 City Council Agenda.***

William Dwyer requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE

Pat Dwyer was present. Mr. Dwyer stated Gunner Insulation is an insulation installation and general contracting company. Mr. Dwyer stated the company is leasing units one and two of the building and they have twenty to twenty-five employees. Commissioner Heaton completed the inspection, a copy which is on file. Commissioner Heaton stated the front parking lot is striped and has designated handicap parking spaces. Commissioner Heaton stated insulation materials, various tools and insulation equipment are stored in the warehouse area; employees come to the building in the morning but then drive company trucks to job sites; the company's fleet of ten trucks are parked outside behind the building. Commissioner Lejonvarn asked if there was lighting in the back of the building. Mr. Dwyer stated there are wall packs in the back. Commissioner Heaton stated there is residential property to the west of the building but does not feel the business activity would be disruptive to the nearby residents.

**Chair Pogalz opened the public hearing at 6:39 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:39 p.m.**

**Motion by Heaton, seconded by Ringler, to recommend approval of the application by William Dwyer, requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE subject to the following conditions: operating hours of 6:30 a.m. to 7:30 p.m. Monday through Friday with occasional Saturdays, no outside storage of materials, parking per site plan for passenger vehicles in front of the building and company trucks in the back of the building, and meeting all City, State and County requirements. All in favor, motion carried. *This item will be placed on the April 19, 2021 City Council Agenda.***

Harlan Worsham requesting a Conditional Use Permit to operate Solid Rock Construction at 14665 Buchanan Street NE

Harlan Worsham was present. Mr. Worsham stated Solid Rock Construction specializes in commercial and residential interior and exterior remodeling and new construction; the company has thirteen employees and many subcontractors most of which drive a company vehicle and work off-site at job locations. Commissioner Heaton completed the inspection, a copy which is on file. Commissioner Heaton stated Solid Rock Construction is leasing unit four. Commissioner Heaton stated the usage of the building is similar to that of Gunner Insulation as there are offices at the front of the building and materials, tools and equipment are stored in the warehouse area. Commissioner Lejonvarn asked if the parking lot in the back of the building was striped. Commissioner Heaton stated he didn't believe the parking lot in the back was striped.

**Chair Pogalz opened the public hearing at 6:42 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:43 p.m.**

**Motion by Heaton, seconded by Fisher, to recommend approval of the application by Harlan Worsham, requesting a Conditional Use Permit to operate Solid Rock Construction at 14665 Buchanan Street NE subject to the following conditions: operating hours of 7:00 a.m. to 7:00 p.m. Monday through Friday with occasional Saturdays, no outside storage of materials, parking per site plan for passenger vehicles in front of the building and company trucks in the back of the building,**



**and meeting all City, State and County requirements. All in favor, motion carried.**  
*This item will be placed on the April 19, 2021 City Council Agenda.*

**NEW BUSINESS:**

Andrew Berg requesting a Certificate of Occupancy to operate Latitude Studios Co. at 14665 Buchanan Street NE

Andrew Berg was present. Mr. Berg stated he is just starting Latitude Studios Co. Mr. Berg stated he will manufacture backyard office studios, sheds and gazebos (that are fully heated and cooled) by repurposing shipping containers. Mr. Berg stated he will have some floor models for customers to see on-site but will custom manufacture other units. Mr. Berg stated at present he is the only employee but hopes to have up to eight employees in the future. Commissioner Heaton completed the inspection, a copy which is on file. Commissioner Heaton stated Mr. Berg has a great business concept. **Motion by Heaton, seconded by Ringler, to recommend approval of the Certificate of Occupancy requested by Andrew Berg to operate Latitude Studios Co. at 14665 Buchanan Street NE (Unit 3) subject to the following conditions: operating hours of 7:00 a.m. to 7:30 p.m. Monday through Saturday, no outside storage, deliveries occurring between the hours of 7:30 a.m. to 7:30 p.m. Monday through Saturday, and meeting all City, State and County requirements. All in favor, motion carried.**  
*This item will be placed on the April 19, 2021 City Council Agenda.*

Holiday Stationstores LLC requesting Sketch Plan approval for a Minor Plat in Section 5  
Jim Goepfner, Real Estate Development Manager and Denny Honsa of Honsa Surveying were present. Mr. Goepfner stated Holiday Stationstores intends to raze the current Holiday store and construct a new store and parking lot which will provide a new, more user-friendly convenience store space, ten gas pumps, a diesel fueling island and car wash. Mr. Goepfner stated the store brand will be Circle K a brand of Alimentation Couche-Tard which acquired Holiday in 2017. Mr. Goepfner provided images of the current site as well as the future site. Mr. Honsa provided an explanation of the sketch plan, including future street construction plans and land that will be dedicated to the City by Holiday for a trail that will run between Soderville Park and Chisholm Street NE. Mr. Honsa stated an additional outlot will be created to allow for future development of four to five residential lots in the southeast portion of the property. Commissioner Lejonvarn asked if the trail would be paved. Engineer Collins stated commercial plats do not have parkland requirements but Holiday has elected to dedicate land for a trail as it is in close proximity to the park which has no concession stand; once the development is platted, discussions and recommendations can be made for trail construction with funds from the Park and Beach fund. Commissioner Heaton asked what type of water treatment system the new store would have. Engineer Collins stated it is going to be a septic system. Chair Pogalz asked Engineer Collins to review his April 7, 2021 memo. Engineer Collins stated the proposed plat is located within the Commercial/Industrial Planned Unit Development Overlay District (CPOD) and future submissions must meet the procedural requirements of Article 9-420. Engineer Collins stated this plat will contain two zoning districts, Commercial Tier 1 (CD-1) and Residential Single Family (R-1) and will follow minor plat procedures. Engineer Collins stated Outlot A on the sketch plan will need to be separated into two outlots, with the westerly outlot being zoned CD-1 and the easterly R-1. Engineer Collins stated that a commercial site plan will be reviewed by the Planning Commission

in the future. **Motion by Pogalz, seconded by Fisher, to recommend approval of the Sketch Plan as presented by Holiday Stationstores LLC for a minor plat in Section 5 subject to meeting the recommendations of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried. *This item will be placed on the April 19, 2021 City Council Agenda.***

**COMMISSION BUSINESS:**

City Council Update

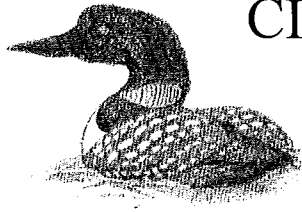
Commissioner Entsminger attended the April 5, 2021 City Council meeting. Commissioner Lejonvarn will be attending the April 19, 2021 City Council meeting.

**ADJOURNMENT:**

**Motion by Heaton, seconded by Dixson, to adjourn the Planning Commission meeting at 7:07 p.m. All 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

## CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, APRIL 12, 2021

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

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** March 22, 2021

### **PUBLIC HEARINGS:**

- 6:01 p.m.** Alexander Hattstrom requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC at 14350 Ural Street NE
- 6:01 p.m.** Benjamin Cedarberg of Cedar Hill Group, LLC, requesting a Conditional Use Permit to operate Everwood Friends at 4453 Crosstown Boulevard NE
- 6:01 p.m.** Anton Vovk requesting a Conditional Use Permit to operate A & A Companies, an auto repair shop, at 13408 Highway 65 NE
- 6:01 p.m.** William Dwyer requesting a Conditional Use Permit to operate Gunner Insulation at 14665 Buchanan Street NE
- 6:01 p.m.** Harlan Worsham requesting a Conditional Use Permit to operate Solid Rock Construction at 14664 Buchanan Street NE

### **NEW BUSINESS:**

1. Andrew Berg requesting a Certificate of Occupancy to operate Latitude Studios Co. at 14665 Buchanan Street NE
2. Holiday Stationstores LLC requesting Sketch Plan approval for a Minor Plat in Section 5

### **COMMISSION BUSINESS:**

1. City Council Update



# 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 3/12/2021

Date of Receipt 3-16-2021  
Receipt # 89422

Meeting Appearance Dates:  
Planning Commission 4-12-2021

City Council 4-19-2021

### Please check request(s):

- Metes & Bounds Conveyance
- Sketch Plan
- Preliminary Plat Approval\*
- Final Plat Approval
- Rezoning\*
- Private Kennel License\*

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit (Special)
- 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: Tactical Finishes, LLC

Address/Location of property: 14350 Ural St. NE, Ham Lake, MN 55304

Legal Description of property: 74175 - Patricia's Wilderness Est, Lot 1, Block 2

PIN # 26-32-23-31-0004 Current Zoning R-1 Proposed Zoning —

Notes: Coating, painting, refinishing business

Applicant's Name: Alexander John Hattstrom

Business Name: Tactical Finishes, LLC

Address 14350 Ural St. NE

City Ham Lake State MN Zip Code 55304

Phone 763-567-8991 Cell Phone 763-567-8991 Fax —

Email address hattstrom2018@outlook.com

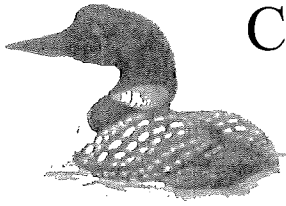
*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

SIGNATURE Alexander Hattstrom DATE 3/12/2021

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council —

PROPERTY TAXES CURRENT  YES  NO



# 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, April 12, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Alexander John Hattstrom requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC (a coating/painting/refinishing business) at 14350 Ural Street NE, a parcel of land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PIN# 26-32-23-31-0004

PATRICIAS WILDERNESS ESTATES LOT 1 BLK 2, SUBJ TO EASE AS SHOWN ON PLAT

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

DATED: April 2, 2021

Jennifer Bohr  
Building & Zoning Clerk  
City of Ham Lake

-PLEASE SEE REVERSE SIDE FOR SITE MAP-



14350 Ural Street NE





Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To: Planning Commission**

**From: Mark Jones, Zoning & Building Official**

**Subject: Special Home Occupation Permit for Tactical Finishes, LLC at 14350 Ural Street NE**

**Introduction:**

Mr. Hattstrom is requesting a Special Home Occupation Permit to operate Tactical Finishes, LLC, a business that will coat, paint and refinish various items, including firearms.

The parcel is zoned R-1. Consideration will need to be given to the type of conditions that will need to be recommended on usage/usage limitations as defined in Article 9, Section 9-350.3. I have informed him that no automotive parts or accessories can be refinished, coated or sold from this location.

Mr. Hattstrom has applied for a Federal Firearms License (FFL) which has yet to be issued. Mr. Hattstrom must have the FFL and provide a copy to the City before working with any firearms.

The Code for Special Home Occupation Permits states there is to be no customer traffic. Home Occupation Permits allow traffic if not in excess of that normally generated by a residential dwelling. Mr. Hattstrom's narrative indicates there will be some customer traffic. This needs to be discussed.

He is aware that he needs to extend the hard surface driveway/walkway between his current driveway and the shop and anticipates this will be completed in June.

A proper exhaust system must be installed and meet Minnesota mechanical code requirements.

If a heater or furnace is to be installed in the garage, Mr. Hattstrom must apply for the proper permits.

Safety Data Sheets (SDS) must be available on-site for all coatings and chemicals used.

**Discussion:** This information is provided for commission consideration and discussion.



## **Tactical Finishes, LLC Business Plan**

Tactical Finishes, LLC is a new start-up business proposed to operate at a single-family residential property located at 14350 Ural St. NE, Ham Lake, MN 55304. Tactical Finishes has been registered with the state as a Limited Liability Company (pending approval) on 3/12/2021. The business will be a partnership with husband/wife owners Alexander Hattstrom and Elizabeth Hattstrom, who both own the property at the above location. Alexander Hattstrom and Elizabeth Hattstrom will be the sole employees of the business.

Tactical Finishes will be operating exclusively from the inside of an existing detached shop located on the east side of the above property. The shop measures approximately 50 feet deep, by 25 feet wide, for an approximate square footage of 1,250 feet. The shop is sheet rocked/insulated, has 100 amp electric service, and is heated. All business activity (work, storage, etc.) will be conducted from inside of the shop. No signs of business activity will be visible outside of the shop.

The property in which Tactical Finishes is proposed to operate on has adequate exterior lighting and parking. A 19'x19' concrete parking pad connected to the main driveway will serve as customer parking in addition to the long driveway. An improved surface parking area connecting the shop and the driveway will be constructed, likely in 2021, and will serve as additional parking for disabled persons and others. Tactical Finishes expects minimal foot and vehicle traffic as most of the business will be conducted by appointment or via online internet sales. No on-street parking will occur. Vehicle traffic will likely be short-term in nature only to facilitate dropping off and picking up of completed products.

The nature of the business is to change the aesthetic appearance (color, pattern, texture, design) of a variety of products using a ceramic-based coating called Cerakote. Cerakote is a ceramic based enamel paint that can be applied to a variety of substrates including metals, polymers, glass, ceramics, and wood.. Cerakote is low-odor, and no emissions will escape the shop in which the business is conducted from. Filters will be installed inside the shop that absorb any overspray of the Cerakote from within the spray booth. No fumes will be exhausted outside of the shop. The business is expected to produce little waste and any chemicals (i.e acetone) will be disposed of properly per local, state, and federal regulations.

Cerakote is typically applied to a product that has been sandblasted, degreased using common acetone degreaser, and sprayed using a spray-gun powered by an air compressor. Cerakote can be air dried or cured in an electric convection oven. Notable equipment used by the business will include; an 80 gallon 5hp 2-stage air compressor, an electric convection oven, and a sand-blast cabinet. The air compressor will be mounted to the concrete foundation of the

shop using anti-vibration pads. The compressor will actively run seldomly and only during business hours (8AM-3:30PM). The air compressor cannot be heard from outside of the property in which it is located.

The primary product Tactical Finishes will be coating with Cerakote are firearms and firearm accessories. Tactical Finishes will obtain a Federal Firearms License (FFL) from the Bureau of Alcohol, Tobacco, and Firearms, as required by federal law. No discharging of firearms will occur at the above property. Tactical Finishes also intends on assembling firearms and firearm accessories using parts manufactured by other firearms manufacturers on a small scale for resale and to order. Secondary products that Tactical Finishes will be coating are consumer products.

In conclusion, we believe this business is suitable for operating out of the residentially zoned area in which it is proposed due to the following; completely contained within the privacy of a detached shop, no outside storage requirements, little foot/vehicle traffic, and no disturbing sounds/odors/etc, detectable by neighboring properties or the public. Thank you for your consideration and if there are any questions please contact us at the below methods.

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Alexander J. Hattstrom

Owner, Tactical Finishes, LLC

March 12, 2021

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Elizabeth M. Hattstrom

Owner, Tactical Finishes, LLC.

March 12, 2021

## Jennifer Bohr

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**From:** Alex Hattstrom <Hattstrom2018@outlook.com>  
**Sent:** Monday, March 22, 2021 4:02 PM  
**To:** Jennifer Bohr  
**Subject:** RE: Special Home Occupation Permit Application

Hi Jennifer,

I just wanted to let you know I hired a contractor to put an asphalt driveway down that connects the driveway to the shop. The contractor said he can put class 5 gravel down once the city permit is obtained, but the weather is still too cool to put the asphalt down right now. He estimated sometime in May, maybe June, it will be warm enough to get the actual asphalt put down.

Just thought I'd give you the update.

Thanks!

Alex Hattstrom  
14350 Ural St. NE  
Ham Lake  
[Hattstrom2018@outlook.com](mailto:Hattstrom2018@outlook.com)  
763-567-8991

Sent from [Mail](#) for Windows 10

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**From:** [Alex Hattstrom](#)  
**Sent:** Thursday, March 18, 2021 10:43 AM  
**To:** [Jennifer Bohr](#)  
**Subject:** RE: Special Home Occupation Permit Application

Okay sounds good. I will continue to work on hiring a contractor for the driveway addition. The FFL has been submitted and I spoke to the Investigator that reached out to you last October. She is going to keep an eye out for the application to expedite the process since most of the work has already been completed the first time around.

Thank you for getting me on the schedule for the planning commission meeting.

Thank you!

Alex

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**From:** [Jennifer Bohr](#)  
**Sent:** Thursday, March 18, 2021 10:40 AM  
**To:** '[Alex Hattstrom](#)'  
**Subject:** RE: Special Home Occupation Permit Application

Alex,

Thank you for the additional information.

# SHOP

Gun Safe

Workdesk(s)

degreasing Station

Sandblast Cabir

Covered Patio

50 ft.

Paint Booth

Oven

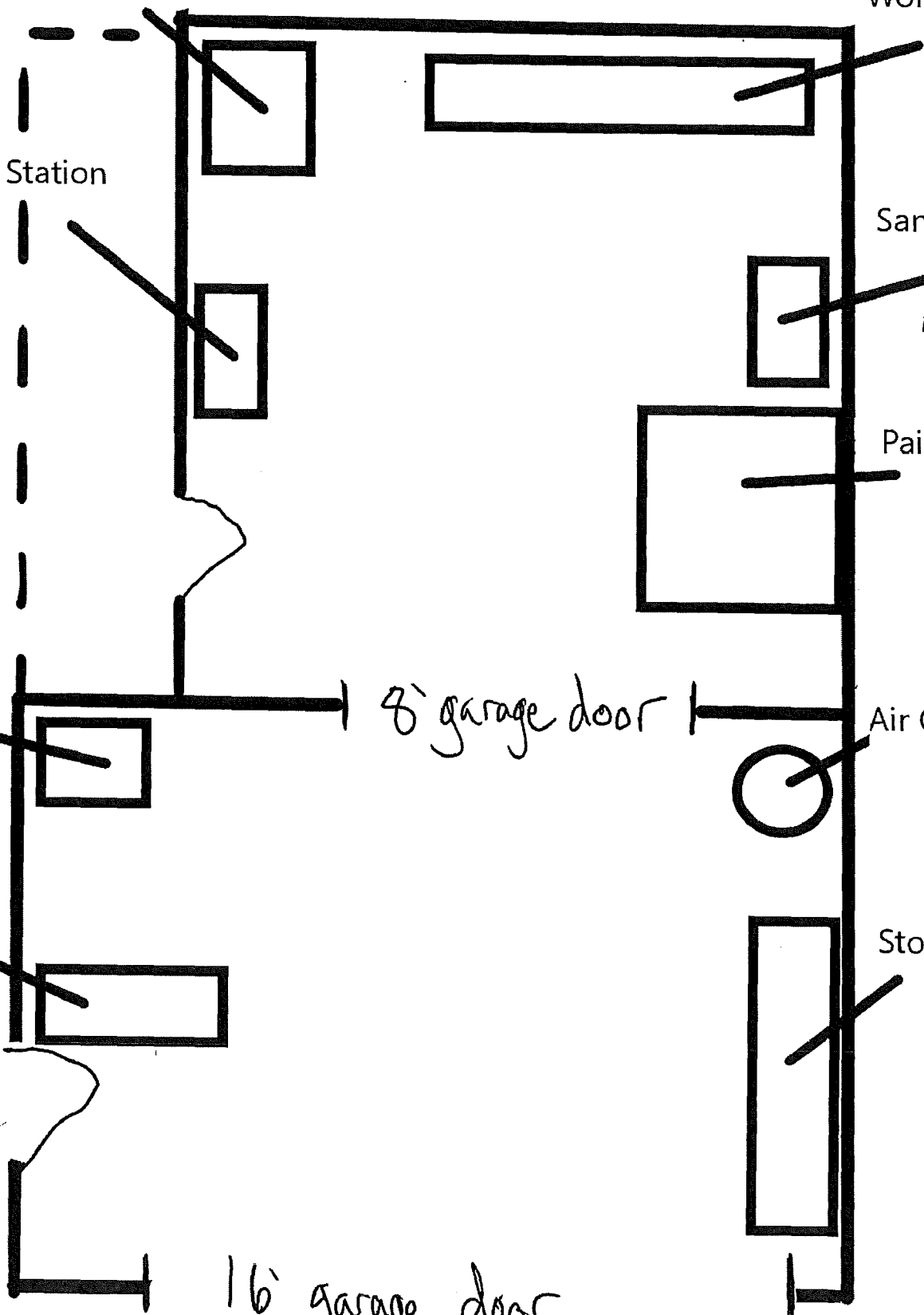
8' garage door

Air Compressor

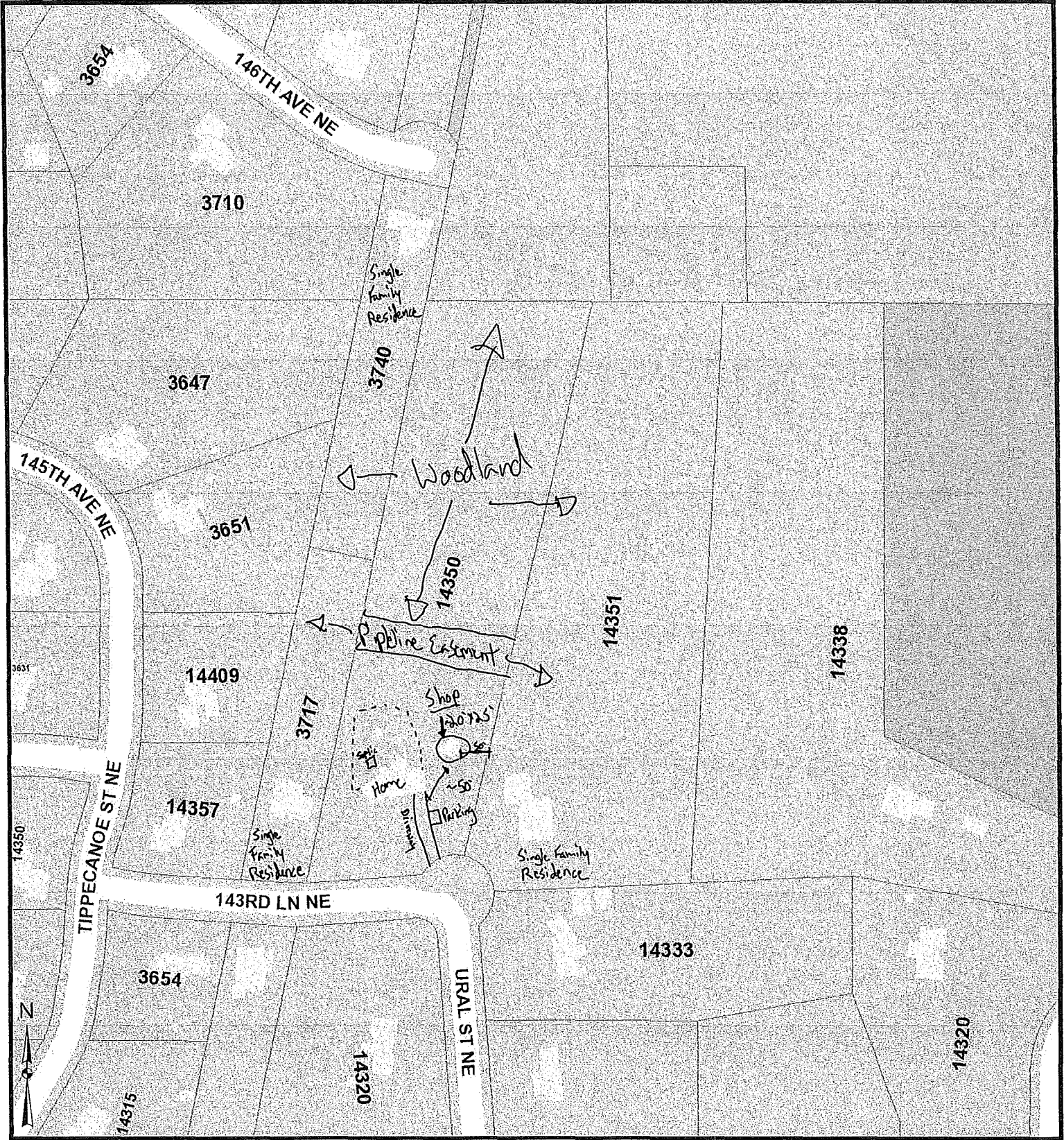
Desk

Storage

16' garage door



# Anoka County Parcel Viewer



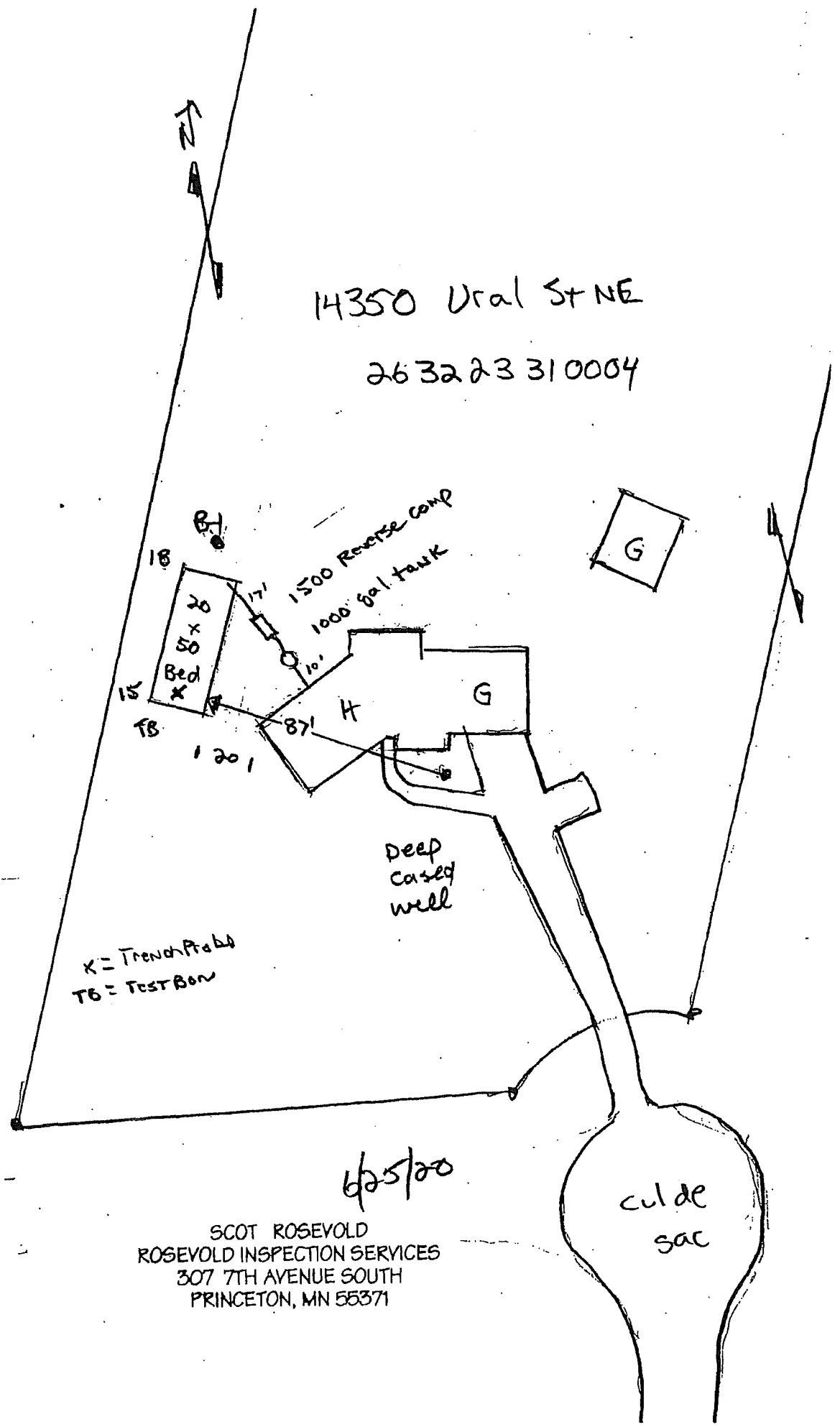
**Parcel Information:**      Approx. Acres: 4.99  
 26-32-23-31-0004      Commissioner: JULIE BRAASTAD  
 14350 URAL ST NE  
 HAM LAKE  
 MN 55304  
 Plat: PATRICIA'S WILDERNESS ESTATES

**Owner Information:**  
 PAUL GREG      Alexander Mattstrom  
 14350 URAL ST NE  
 HAM LAKE      \* Legend \*  
 MN      - - - Fence  
 55304      □ 19'x19' Parking Pad (concrete)

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

14350 Ural St NE

263223310004



K = Trench Pad  
TB = Test Ben

6/25/00

SCOT ROSEVOLD  
ROSEVOLD INSPECTION SERVICES  
307 7TH AVENUE SOUTH  
PRINCETON, MN 55371

cul de  
sac

### **9-350 Home Occupation Permits**

A *Home Occupation* is a for-profit enterprise carried on in a residential dwelling, under circumstances in which there is no outward indication of the existence of the enterprise visible or otherwise detectable from outside the premises, and which otherwise meets the criteria specified below. A *Home Occupation* permit may be issued by the City Council after review and recommendation by the *Planning Commission*, and subject to any conditions imposed by the City Council. A *Home Occupation* permit may be revoked by the City Council, after affording due process of law to the applicant, if the conditions of issuance or any other ordinance feature are violated.

**9-350.1 Criteria** The following criteria must be observed for any usage to qualify for a Home Occupation Permit.

- a) **Incidental Usage** The usage must be clearly incidental and subservient to the usage of the premises as a dwelling, and may not occupy a significant portion of the dwelling unit living space;
- b) **Indoors** All activities must be carried on indoors. No outside storage, except the parking of motor vehicles, shall be permitted;
- c) **Parking** No on-street parking shall be generated, and no more than a total of four passenger motor vehicles may be parked at the premises in conjunction with the occupation, including employee and customer parking. All parking shall be on paved surfaces;
- d) **Employees** No more than one employee who does not live at the residence shall be permitted;
- e) **Traffic** The activity may not generate any traffic in excess of that normally generated by a residential dwelling unit;
- f) **Nuisance and Compliance** The usage shall not generate any nuisance, and the landowner shall at all times be compliant with all other municipal codes, and the regulations of all other jurisdictions;

**9-350.2 Annual Review** All *Home Occupation* permits shall be reviewed annually by the City Staff, and shall automatically be renewed unless complaints have been received, in which case the permit shall be re-submitted to the *Planning Commission* for review and recommendation to the City Council.

**9-350.3 Special Home Occupation Permits** A party desiring to conduct a Home Occupation in a Garage or Accessory Building under conditions meeting the remaining requirements of Article 9-350 may apply for a Special Home Occupation Permit under the following procedure:

- a) The applicant shall submit a site plan drawn to scale showing the locations and dimensions of all buildings and driveways on the

premises, and identifying the location where the Home Occupation activity will take place.

**b)** The applicant shall submit a narrative in sufficient detail to describe all aspects of the activity to be conducted and the locations of all such activity.

**c)** The Planning Commission shall conduct a Public Hearing on the proposed application, with mailed notice to all resident whose property lines come within 750 feet of the property lines of the applicant's lot, and published notice at least ten days prior to the hearing.

**d)** Following the Public Hearing, the Planning Commission shall make recommendations to the City Council, including such conditions as are deemed appropriate.

Notwithstanding any provision in Article 9-350.1 (a) to the contrary, a Special Home Occupation shall be mainly confined to the Garage or Accessory Building. A Special Home Occupation Permit shall be subject to the same provisions for revocation as Home Occupation Permits. In addition, notwithstanding any provision in Article 9-350.1 to the contrary, a Special Home Occupation may include uses that are normally not found in residential dwellings, as long as there are no obvious outward indicia of the activities being carried on under the Special Home Occupation Permit, no noise generated which is audible to nearby properties, no odor or vibration generated that is detectable to nearby properties, no outside storage which is visible from nearby properties or public ways and no customer traffic.

Special Home Occupations may involve up to one commercial delivery/pickup by outside delivery service van (such as UPS or Federal Express) or postal vehicle per day. Deliveries of goods produced at the site may be limited in scope and frequency by the approval process, including specifying the type of delivery vehicles that can be used, and including prohibition on commercial logos being displayed on delivery vehicles.





# 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 3/29/2021

Date of Receipt 3-29-2021  
Receipt # 89503

Meeting Appearance Dates:  
Planning Commission 4-12-2021

City Council 4-19-2021

**Please check request(s):**

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

- Commercial Building Permit
- 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: Cedar Hill Group, LLC / Everwood Friends

Address/Location of property: 4453 Crosstown Blvd NE

Legal Description of property: see attached

PIN # 12-32-23-21-0019 Current Zoning R-A Proposed Zoning —

Notes: For Everwood Friends wood toy production

Applicant's Name: Benjamin M Cedarberg

Business Name: Cedar Hill Group, LLC

Address 15896 Olive St NW

City Andover State MN Zip Code 55304

Phone \_\_\_\_\_ Cell Phone 763 772 2887 Fax \_\_\_\_\_

Email address everwoodFriends@gmail.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.*

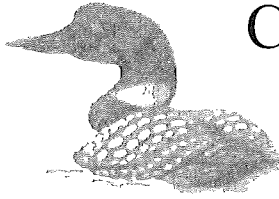
SIGNATURE [Handwritten Signature]

DATE 3/29/2021

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT YES NO



# 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, April 12, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Benjamin Cedarberg requesting a Conditional Use Permit to operate Everwood Friends (wooden toy production shop) at 4453 Crosstown Boulevard NE, a parcel of land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PIN #12-32-23-21-0019

E1/2 OF W1/4 OF NE1/4 OF NW1/4 OF SEC 12 TWP 32 RGE 23, EX S 220 FT THEREOF, TOG/W W 216.73 FT OF THAT PRT OF E3/4 OF SD 1/4 1/4 LYG S OF N1/3 OF SD 1/4 1/4, EX S 220 FT OF W 36.89 FT THEREOF, & ALSO EX RD, SUBJ TO EASE OF REC

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

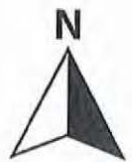
DATED: April 2, 2021

Jennifer Bohr  
Building and Zoning Clerk  
City of Ham Lake

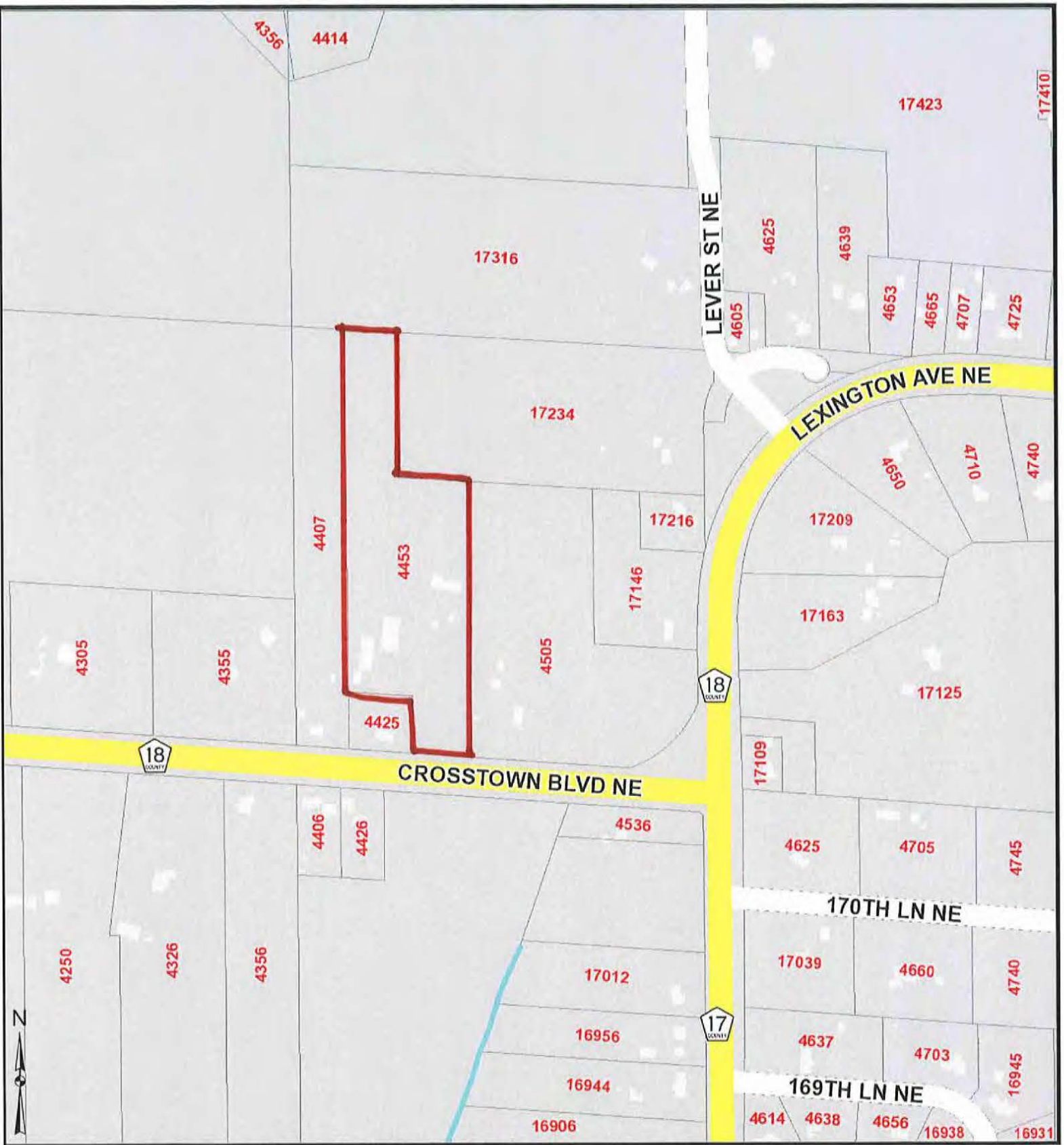
-PLEASE SEE REVERSE SIDE FOR SITE MAP-



4453 Crosstown Boulevard NE



# Anoka County Parcel Viewer



**Parcel Information:**    Approx. Acres: 8.21264151  
 12-32-23-21-0019    Commissioner: JULIE BRAASTAD  
 4453 CROSTOWN BLVD NE  
 HAM LAKE  
 MN 55304  
 Plat:

**Owner Information:**



Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To: Planning Commission**

**From: Mark Jones, Zoning & Building Official**

**Subject: Conditional Use Permit for Everwood Friends at 4453 Constance Boulevard NE**

**Introduction:**

Mr. Cedarberg is requesting a Conditional Use Permit to operate Everwood Friends, a wooden toy production business.

The building he is leasing is on a parcel zoned R-A. Consideration will need to be given to the type of conditions that will need to be recommended on usage/usage limitations as defined in Article 9, Section 9-210.32.

Any construction and modification to the building must meet all chapters of the Minnesota State Building Code.

The waste (sawdust, shavings and trimmings) generated from woodworking needs to be managed and disposed of properly. Terms and conditions for the disposal of the wood waste should be discussed and applied to the permit.

**Discussion:** This information is provided for commission consideration and discussion.

**Business Name:**

Cedar Hill Group, LLC / Everwood Friends

**Property:**

4453 Crosstown Blvd NE

Ham Lake, MN 55304

**Property legal description:**

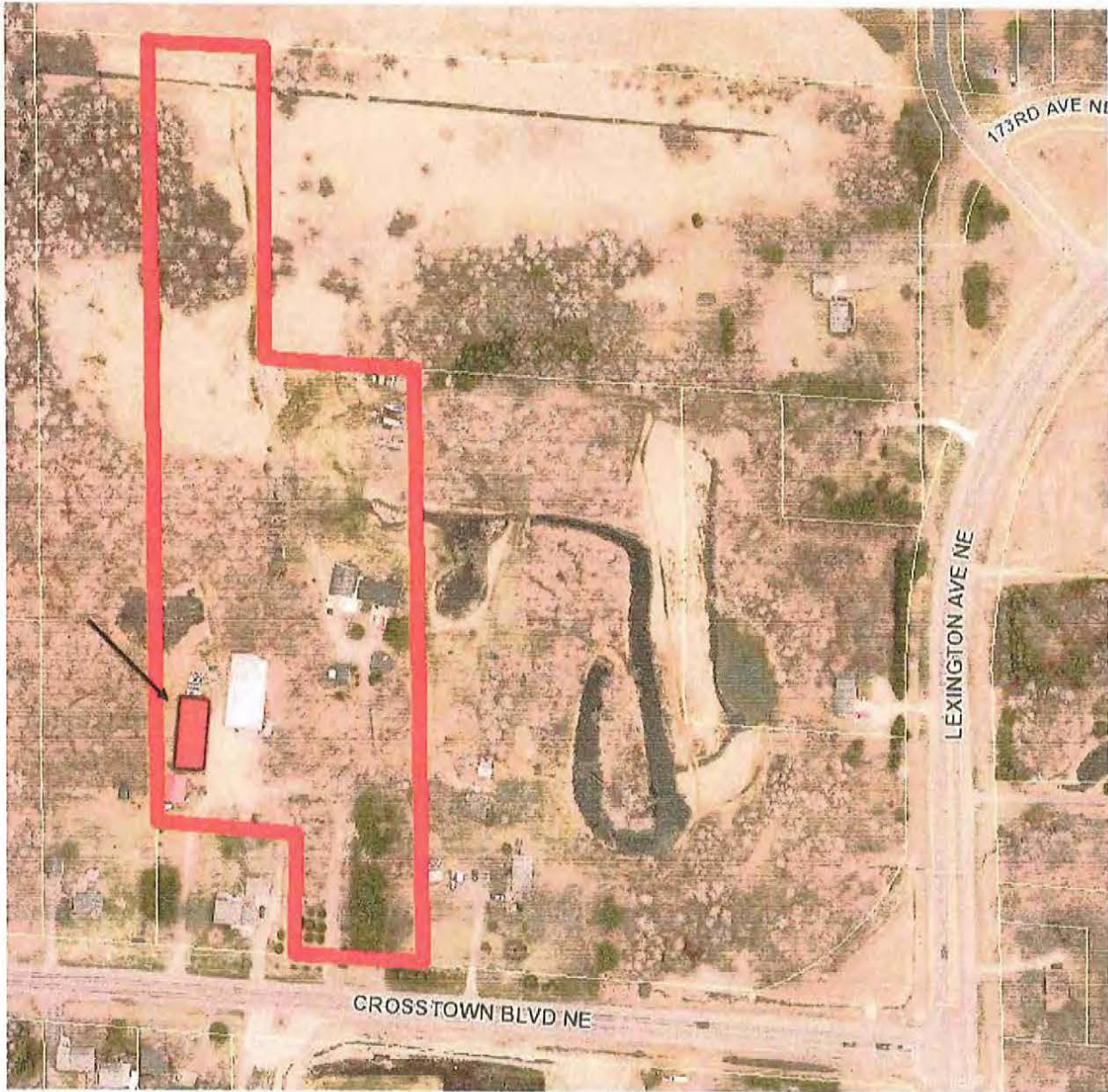
E1/ 2 OF W1/ 4 OF NE1/ 4 OF NW1/ 4 OF SEC 12 TWP 32 RGE 23, EX S 220 FT THEREOF, TOG/ W W  
216.73 FT OF THAT PRT OF E3/ 4 OF SD 1/ 4 1/ 4 LYG S OF N1/ 3 OF SD 1/ 4 1/ 4, EX S 220 FT OF W 36. 89  
FT THEREOF, & ALSO EX RD, SUBJ TO EASE OF REC

**Business Narrative:**

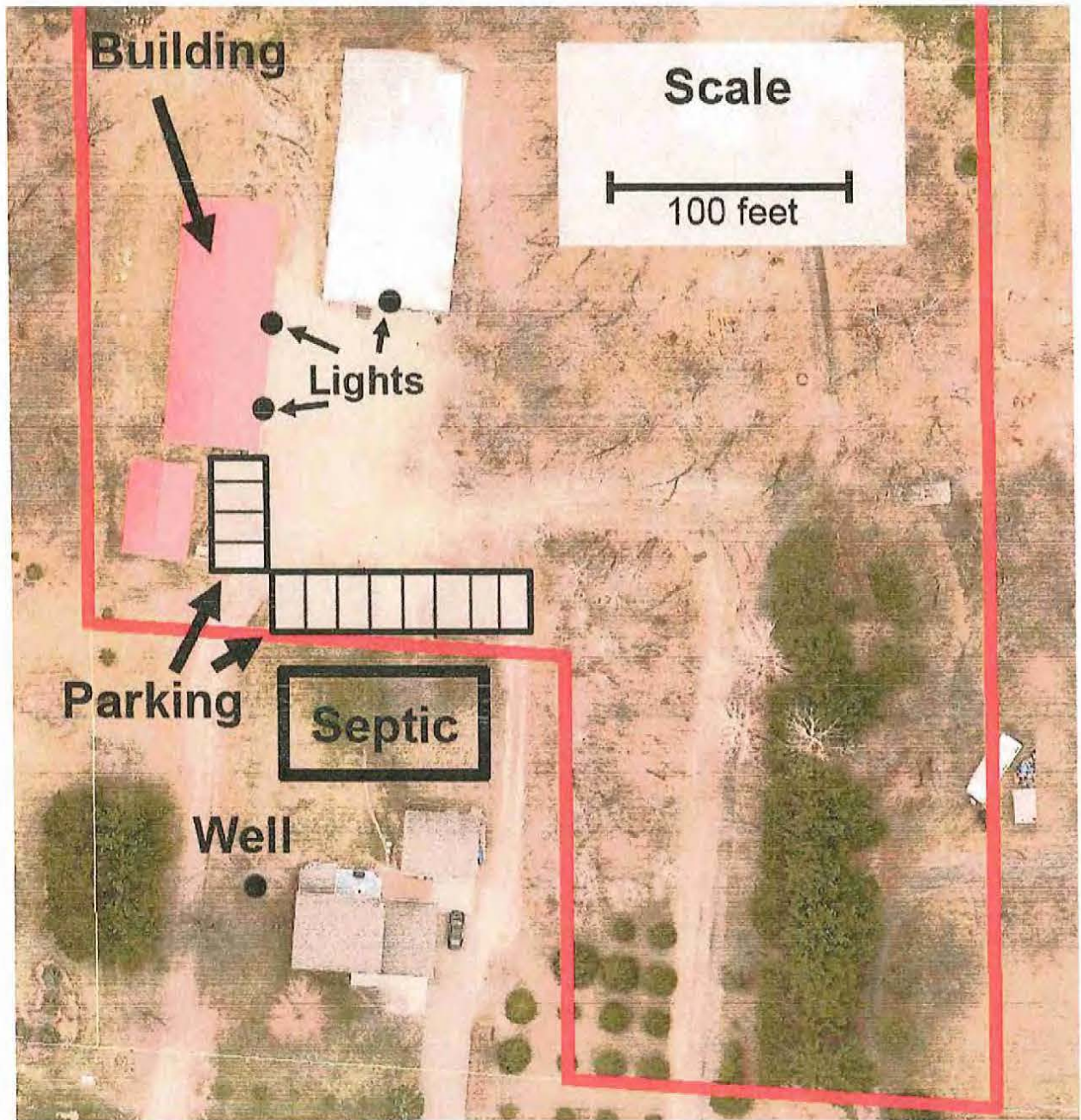
- Nature of business:
  - o Crafting wood toy building blocks for sale via the Internet under the brand "Everwood Friends"
- Operations at this location:
  - o Woodworking, including crafting of toy building blocks
  - o Indoor warehousing of finished goods
  - o Sawdust and woodchips collected with interior dust collectors and either disposed of in dumpster or composted on the property.
- Hours of operation: Monday - Saturday 8am-6pm
- Employees: 1-5 per shift
- Anticipated traffic:
  - o Deliveries a few times per week by FedEx/UPS/lumber supplier
  - o No customers, visitors, or other public access. (All products delivered to customers by UPS/USPS, shipped from off-site warehouse.)

**Site Plan:**

Property overview:

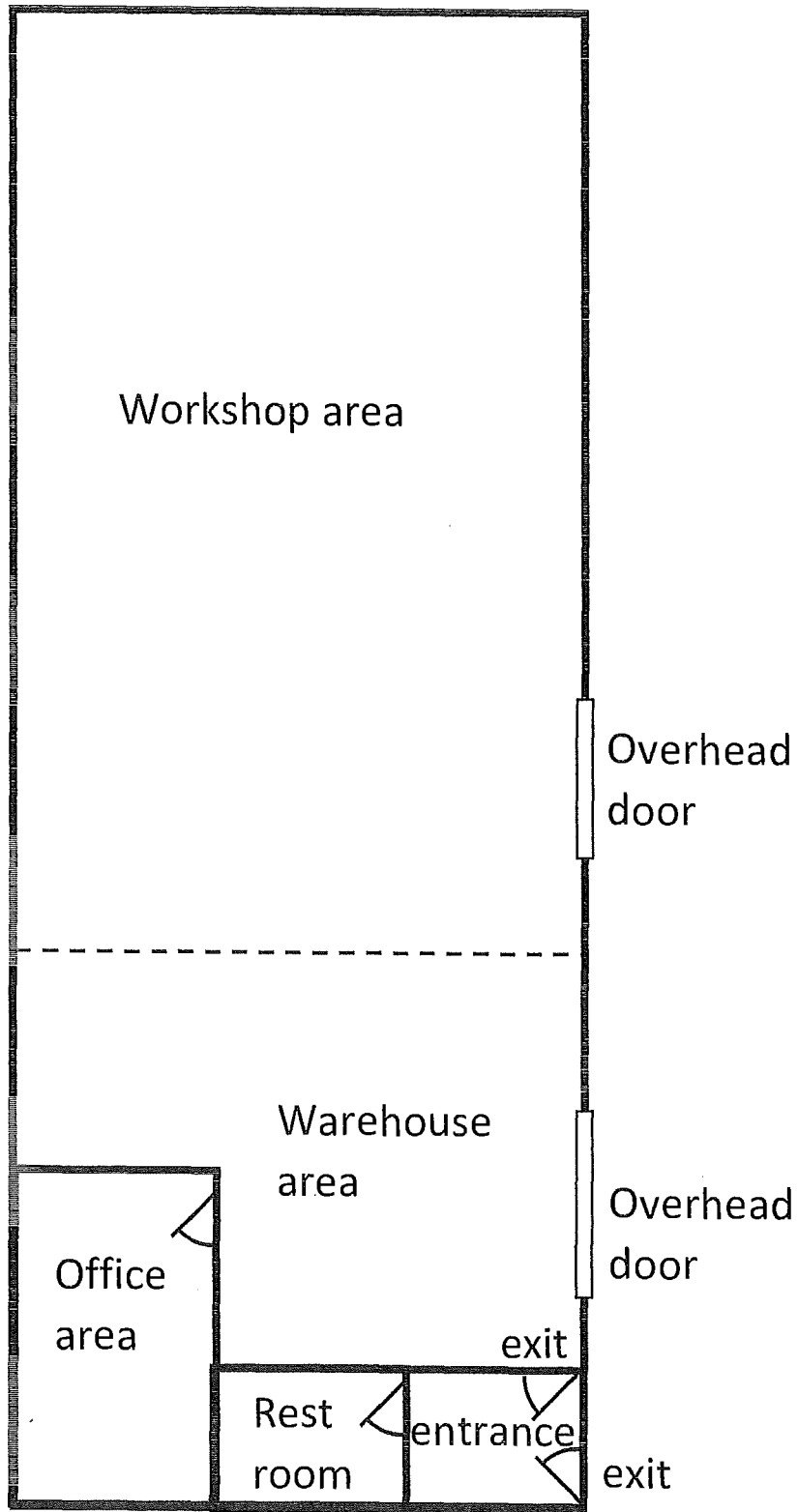


Building/parking detail:





Building interior use:



**9-210.3 Rural Single Family Residential (R-A)** R-A districts are intended for residential dwellings occupied by a single housekeeping unit, located in unplatted areas.

**9-210.31 Permitted Uses:** The following shall be permitted uses in the R-A Districts:

- a) All permitted uses in the R-1 District
- b) Sod Farming
- c) Horticulture
- d) Sales of Produce grown on the site
- e) Maintaining Horses, Donkeys or Mules pursuant to Article 5-200 of the Ham Lake City Code;

**9-210.32 Conditional Uses:** The following shall apply to Conditional Uses in the R-A Districts.

- a) General Requirements for Conditional Uses
  - i) Road Frontage: The lot upon which the conditional use is proposed must contain at least 200 feet of frontage on a public road; and
  - ii) Setback: The building and/or perimeter area of the land upon which activity for which the conditional use permit is proposed is set back at least fifty (50) feet from all lot lines, and
  - iii) Screening: If deemed appropriate by the City Council after review and recommendation of the Planning Commission, an adequate screening barrier of a type and composition acceptable to the City shall be provided.
  - iv) Small Lots: Notwithstanding the following, for R-A lots of three acres or less in size, as measured from the centerline of adjacent roadways, the only Permitted Uses, Conditional Uses and Temporary Conditional Uses allowed shall be those in the R-1 zoning district.
- b) Listing of Conditional Uses: The following *Conditional Uses* shall apply in the R-A Districts:
  - i) All *Conditional Uses* in the R-1 District
  - ii) Public Dog Kennels meeting the requirements of Article 5-163
  - iii) The raising of Livestock, Poultry, or other animals as outlined in Article 5-300 Animal Permits
  - iv) Cemeteries
  - v) Excavation or mining pursuant to permits issued under Article 11-600 of the Ham Lake City Code, but only within Mining Overlay Districts as defined therein

vi) *Farm Wineries* under Article 9-330.4 of the Ham Lake City Code

vii) Other Small Businesses which:

aa) Generate no noise which would violate the standards for residential land uses as found in the regulations of the Minnesota Pollution Control Agency, as expressed therein, which regulations are hereby adopted by reference insofar as they pertain to permitted decibel levels adjacent to or near residential properties, and

bb) Generate no odors, fumes, vibrations or light beyond the property lines, and

cc) Are largely screened from outside view, and

dd) Accommodate all parking on-site, and

ee) Do not generate unreasonable customer traffic, and

ff) Do not engage in on-site retail sales

### **9-310 Conditional Use Permits**

A *Conditional Use Permit* is a permit issued after approval by the City Council, which allows a particular parcel to be used for a purpose other than a *permitted use* in a given zoning category. Additional provisions for certain types of *Conditional Use Permits* are found in Article 9- 330 of this code. The following specific terms and conditions shall apply to *Conditional Use Permits*:

**9-310.1 General Guidelines for Issuance** No *Conditional Use Permit* shall be issued unless the usage meets the criteria outlined in Article 9-110. In addition, a *Conditional Use Permit* may be denied if the City Council finds:

- i) that the proposed usage is visually or otherwise incompatible with adjoining pre-existing land uses; or
- ii) that the proposed usage would create unsafe traffic conditions; or
- iii) that the proposed usage would result in noise, light glare, vibrations, fumes or other environmental conditions that would disturb adjoining pre-existing land uses; or
- iv) that the proposed usage would otherwise be harmful to public health, safety or welfare.

**9-310.2 Procedure for Issuance** Application for a *Conditional Use Permit* shall be made on forms prescribed by the *Zoning Officer*, and shall be accompanied by such fees as the City Council may from time to time require. The *Zoning Officer* may request such additional information or data from the applicant as the *Zoning Officer* deems appropriate, prior to scheduling a public hearing. Once all submissions are complete, the *Zoning Officer* shall publish notice in the manner provided by statute of a public hearing to be held before the *Planning Commission*, which shall make recommendations to the City Council after reviewing the application and conducting the public hearing. The public hearing may be continued or recessed in the discretion of the *Planning Commission*. The City Council may attach such conditions to the issuance of *Conditional Use Permit* as it deems appropriate. If the application is denied, notice of the reasons for denial, including specific findings of fact, shall be given in the manner provided by law.

### **9-310.3 Renewal and Revocation**

**9-310.31 Duration** A *Conditional Use Permit* shall be issued for a period of one year.

**9-310.32 Administrative Renewal** A *Conditional Use Permit* may be renewed by administrative action under the following conditions:

- a) City Staff shall keep a record of the expiration dates of all *Conditional Use Permits*, and shall conduct an annual inspection of the premises housing the *Conditional Use Permit* to verify ongoing compliance with the conditions of the Permit.

- b) If the annual inspection discloses no ongoing violations of the conditions of the Permit, the City Administrator shall approve the renewal, and make a notation in the Permit file as to such approval. Subject to the provisions of Article 9-310.33, the City Administrator may also approve a renewal where the annual inspection reveals an ongoing violation of the conditions of the Permit, if the violation is promptly cured by the Permit holder.
- c) No renewal fee shall be charged for renewal by administrative action.

**9-310.33 Renewal by City Council Action** Renewal of a Conditional Use Permit by approval of the City Council, after Planning Commission review, shall be required in the following instances:

- a) If the Permit holder requests a material change in the conditions of the Permit; or
- b) If the City staff has documented more than two violations of the conditions of a *Conditional Use Permit* within any given calendar year; or
- c) If the City staff has documented a violation that constituted an immediate threat to public health or safety, requiring the imposition of additional conditions to the permit to lessen the likelihood of a repeat of the violation.
- d) The holder of a Permit requiring renewal by City Council action shall be required to reimburse the City for any expense incurred in renewing the permit.

**9-310.34 Revocation** The City Council may, by resolution, revoke a *Conditional Use Permit* if, after conducting a review which affords reasonable due process of law to the permit holder, the City Council finds:

- a) That the conditions of the permit have been repeatedly violated in the preceding twelve months, and that there is a substantial likelihood that repeated violations will continue to occur; or
- b) That there is an ongoing violation of the permit that has not been cured; or
- c) That there are one or more conditions present at the location covered by the Permit that presents an ongoing threat to public health or safety.



# 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 03/22/21

Date of Receipt 3-22-2021  
Receipt # 89456

Meeting Appearance Dates:  
Planning Commission 4/12/2021

City Council 4-19-2021

**Please check request(s):**

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

- Commercial Building Permit
- 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: A & A companies

Address/Location of property: 13408 Hwy 65 NE Unit #109

Legal Description of property: \_\_\_\_\_

PIN # 32-32-23-34-0006, 0039 + 0005 Current Zoning CO-1 Proposed Zoning \_\_\_\_\_

Notes: CUP - Automotive Repair in Suite 109

Applicant's Name: ANTON VOVK

Business Name: A & A companies

Address 13408 Hwy 65 NE Unit #109

City Ham Lake State MN Zip Code 55304

Phone 612-205-1036 Cell Phone 612-229-5274 Fax \_\_\_\_\_

Email address DanielVovk3@gmail.com

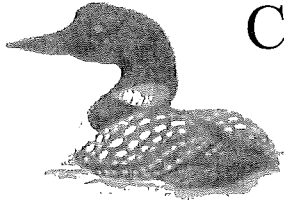
*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

SIGNATURE [Signature] DATE 03/22/21

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT YES NO



# 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, April 12, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE, for the purpose of considering the application of Anton Vovk requesting a Conditional Use Permit to operate A & A Companies (automotive repair) at 13408 Highway 65 NE, such land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

32-32-23-34-0005

THAT PRT OF N 1/2 OF SE 1/4 OF SW 1/4 OF SEC 32 TWP 32 RGE 23 DESC AS FOL, BEG AT SE COR OF N 1/2 OF SD 1/4 1/4, TH N ALG E LINE 118 FT TO POB, TH W 369 FT, TH N 69 FT, TH E 369 FT, TH S 69 FT TO POB, EX RD SUBJ TO EASE OF REC

32-32-23-34-0006

THAT PRT OF N 1/2 OF SE 1/4 OF SW 1/4 OF SEC 32 TWP 32 RGE 23 DESC AS FOL, BEG AT SE COR OF N 1/2, TH N 118 FT ALG E LINE, TH W 369 FT, TH S 118 FT, TH E 369 FT TO POB, EX RD SUBJ TO EASE OF REC

32-32-23-34-0039

LOTS 13, 14, & 15 BLK 1 LARSON ADD, EX RD SUBJ TO EASE OF REC

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

DATED: April 2, 2021

Jennifer Bohr  
Building & Zoning Clerk  
City of Ham Lake

-PLEASE SEE REVERSE SIDE FOR SITE MAP-



13408 Highway 65 NE





# Anoka County Parcel Viewer



CENTRAL AVENUE

133RD LN NE

**Parcel Information:**

32-32-23-34-0006  
13408 HIGHWAY 65 NE  
HAM LAKE  
MN 55304  
Plat:

Approx. Acres: 0.73

Commissioner: JULIE BRAASTAD

**Owner Information:**

THE MONEY MAN LLC  
9617 OAK RIDGE TRAIL  
MINNETONKA  
MN  
55305



Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To: Planning Commission**

**From: Mark Jones, Zoning & Building Official**

**Subject: Conditional Use Permit for A & A Companies at 13408 Highway 65 NE**

**Introduction:**

Mr. Vovk is requesting a Conditional Use Permit to operate A & A Companies, an automotive repair business, at 13408 Highway 65 NE.

Conditions for this permit can be similar to previously issued CUP's at this address. I have a concern related to the parking spaces requested in front of Suite 109. Other auto repair businesses have parked damaged cars in spaces on this side of the building and have also blocked access to Jetson Inc., a steel fabrication business located at 13414 Highway 65 NE which is directly west of the two northern parcels of 13408 Highway 65 NE. The road easement on the north side of the building is the only access the 13414 Highway 65 NE parcel. I do not recommend allowing parking in front of Suite 109. If parking is allowed in that area, it should be employee or customer parking only.

**Discussion:** This information is provided for commission consideration and discussion.

## **A & A Companies**

Anton Vovk  
13408 Hwy 65 NE Unit #109  
Ham Lake MN 55304

### **Service**

- Body Repair
- Engine/transmission repair
- Maintenance
- Automotive Diagnosis
- Brake Repair
- Suspension repair

### **Hours/Employees**

Hours of operation: Monday-Saturday 9AM-6PM

1 Full time and 1 Part time employees

4-6-2021

Former plan from 7/20/20

As of:

- A & A Auto #109
- TN Auto #112
- Pristine Auto Repair #115
- MD Auto #108 Auto Repair
- Eagle Bx W C #116
- Mendez Auto #107
- Mechanic



North

Service Road

13408 HWY 6

FRONT

P Service 1251

total 78sq.

Mendez

Pristine

Mendez

Orlando

Good

Hand washed

Pristine in progress

REST OFFICE

RECEPTION

Not done yet  
 Cars in repair  
 Still work  
 Done on repair  
 Done on repair  
 Done on repair  
 Done on repair

10x20 parking Spaces

Gas Station

Power & Gas Supply

#110

#109

#108

#107

#106

#114

#115

#116

#113

#112

#111

28 SP

#109

#110

#111

#112

#113

#114

#115

#116

107

107

107

Mendez

**VIOLATION OF THE TERMS OR CONDITIONS OF THIS PERMIT MAY BE GROUNDS FOR REVOCATION OF THE PERMIT PURSUANT TO SECTION 9-310.34 OF THE ZONING CODE, A COPY OF WHICH IS HERETO ATTACHED.**

**Motion by Kirkham, seconded by Kirkeide, to concur with the Planning Commission's recommendation and approve the application, as presented, by Nicholas Krause, requesting a Conditional Use Permit to operate TN Automotive at 13408 Highway 65 NE, subject to the following conditions:**

- (1) No motor vehicle sales
- (2) Allocating a total of seven parking spaces; three in front of the suite the business is renting (#112) for customer parking during business hours only and four in the fenced area as presented on the site plan
- (3) All parking to be on hard surface in designated areas as shown on the site plan
- (4) A maximum of three employees
- (5) No outside storage of liquids, tires, parts, etc.
- (6) All repairs to be done inside the building (repairs include general auto maintenance and mechanical work such as replacing brakes, headlights and bulbs; all fluids to be contained and disposed of according to County and State requirements
- (7) No painting at this location
- (8) Hours of operation to be 7:00 a.m. to 7:00 p.m., Monday through Saturday and 9:00 a.m. to 2:00 p.m. on Sunday
- (9) Security Lighting required
- (10) Maintain an open fire lane on the north side of the building
- (11) Meeting all City, State and County requirements.

**All present in favor, motion carried.**

July 20, 2020

*Example of Conditions  
of another CUP at  
13408 Highway 65*

### **9-310 Conditional Use Permits**

A *Conditional Use Permit* is a permit issued after approval by the City Council, which allows a particular parcel to be used for a purpose other than a *permitted use* in a given zoning category. Additional provisions for certain types of *Conditional Use Permits* are found in Article 9- 330 of this code. The following specific terms and conditions shall apply to *Conditional Use Permits*:

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- ii) that the proposed usage would create unsafe traffic conditions; or
- iii) that the proposed usage would result in noise, light glare, vibrations, fumes or other environmental conditions that would disturb adjoining pre-existing land uses; or
- iv) that the proposed usage would otherwise be harmful to public health, safety or welfare.

**9-310.2 Procedure for Issuance** Application for a *Conditional Use Permit* shall be made on forms prescribed by the *Zoning Officer*, and shall be accompanied by such fees as the City Council may from time to time require. The *Zoning Officer* may request such additional information or data from the applicant as the *Zoning Officer* deems appropriate, prior to scheduling a public hearing. Once all submissions are complete, the *Zoning Officer* shall publish notice in the manner provided by statute of a public hearing to be held before the *Planning Commission*, which shall make recommendations to the City Council after reviewing the application and conducting the public hearing. The public hearing may be continued or recessed in the discretion of the *Planning Commission*. The City Council may attach such conditions to the issuance of *Conditional Use Permit* as it deems appropriate. If the application is denied, notice of the reasons for denial, including specific findings of fact, shall be given in the manner provided by law.

### **9-310.3 Renewal and Revocation**

**9-310.31 Duration** A *Conditional Use Permit* shall be issued for a period of one year.

**9-310.32 Administrative Renewal** A *Conditional Use Permit* may be renewed by administrative action under the following conditions:

- a) City Staff shall keep a record of the expiration dates of all *Conditional Use Permits*, and shall conduct an annual inspection of the premises housing the *Conditional Use Permit* to verify ongoing compliance with the conditions of the Permit.

- b) If the annual inspection discloses no ongoing violations of the conditions of the Permit, the City Administrator shall approve the renewal, and make a notation in the Permit file as to such approval. Subject to the provisions of Article 9-310.33, the City Administrator may also approve a renewal where the annual inspection reveals an ongoing violation of the conditions of the Permit, if the violation is promptly cured by the Permit holder.
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- a) If the Permit holder requests a material change in the conditions of the Permit; or
- b) If the City staff has documented more than two violations of the conditions of a *Conditional Use Permit* within any given calendar year; or
- c) If the City staff has documented a violation that constituted an immediate threat to public health or safety, requiring the imposition of additional conditions to the permit to lessen the likelihood of a repeat of the violation.
- d) The holder of a Permit requiring renewal by City Council action shall be required to reimburse the City for any expense incurred in renewing the permit.

**9-310.34 Revocation** The City Council may, by resolution, revoke a *Conditional Use Permit* if, after conducting a review which affords reasonable due process of law to the permit holder, the City Council finds:

- a) That the conditions of the permit have been repeatedly violated in the preceding twelve months, and that there is a substantial likelihood that repeated violations will continue to occur; or
- b) That there is an ongoing violation of the permit that has not been cured; or
- c) That there are one or more conditions present at the location covered by the Permit that presents an ongoing threat to public health or safety.



# 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 3/10/21

Date of Receipt 3-30-21  
Receipt # 89519

Meeting Appearance Dates:  
Planning Commission 4-12-2021

City Council 4-19-2021

Please check request(s):

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

- Commercial Building Permit
- 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: Gunner Insulation

Address/Location of property: 14665 Buchanan St. NE Ham Lake 55304

Legal Description of property: L1/B1 Coon Creeke Comm Park

PIN # 29-32-23-24-0005 Current Zoning CO-2 Proposed Zoning —

Notes: Office/Warehouse

Applicant's Name: Stephanie Parker

Business Name: Gunner Insulation Co.

Address 14665 Buchanan St NE

City Ham Lake State Mn Zip Code 55304

Phone 763 355 5460 Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email address Steph@homeinsulators.us

*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.*

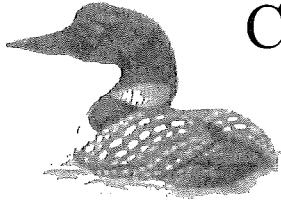
SIGNATURE Stephanie Parker DATE 2/19/21

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT YES NO





# 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, April 12, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of William Dwyer requesting a Conditional Use Permit to operate Gunner Insulation, an insulation installation business, occupying a suite in an office warehouse building, at 14665 Buchanan Street NE, a parcel of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PID# 29-32-23-24-0005

LOT 1 BLK 1 COON CREEK COMMERCIAL PARK

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

DATED: April 2, 2021

Jennifer Bohr  
Building & Zoning Clerk  
City of Ham Lake

-PLEASE SEE REVERSE SIDE FOR SITE MAP-



14665 Buchanan St NE







Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To:** Planning Commission

**From:** Mark Jones, Zoning & Building Official

**Subject:** Conditional Use Permits for **Gunner Insulation** and Solid Rock Construction

**Introduction:**

In February 2020, the City Council approved a Commercial Site Plan submitted by Jeff Entsminger for a multi-tenant building at 14665 Buchanan Street NE. Conditions of site plan approval were that a Certificate of Occupancy was to be obtained by each tenant leasing space in the building to help monitor water usage to ensure the septic system capacity is adequate and the building owner was to provide a diagram showing parking stalls designated to each tenant to ensure there are adequate parking spaces. When the City learned the building was occupied, and was provided information on the tenant usage of the suites, it was determined City Code related to Office/Warehouses Section 9-220.1.3 applied.

The building is in the CD-2 zoning district. Consideration will need to be given to the type of conditions that will need to be recommended on usage per the standards outlined in Article 9, Section 9-220.1.

**Discussion:** This information is provided for commission consideration and discussion.

# GUNNER

INSULATION COMPANY, LLC

14665 Buchanan St NE

Ham Lake, MN 55304

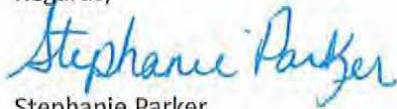
Gunner Insulation Company LLC is an insulation installation business serving both residential and commercial customers in the Twin Cities metro. Gunner has 20-25 employees. Our hours are regularly 6:30am – 4pm, occasional Saturdays.

Gunner Insulation located at 14665 Buchanan St NE Ham Lake MN 55304 has office staff, warehouse staff and field staff. There are 2 people in the warehouse, 6 people in the office area and the rest of the employees are in the field for the most part daily. Our warehouse space is 60X60 and has insulation materials, various tools, and insulation equipment. We occupy suite 1 and 2 of the building. Our office space is approx. 20X60 and has office staff occupying Monday through Friday 6:30am – 4pm during business hours. We have ample outdoor parking for our fleet of 10 trucks. (See attached photos).

We have an aluminum sign 4X8 with company name and logo that will be requested to hang on the front of our suites.

We are looking forward to being a part of the Ham Lake community.

Regards,



Stephanie Parker

Office Administrator



William Dwyer

Owner

1

Unit 1  
Gunner  
Insulation  
Unit 2

Unit 3

Unit 4

WETLAND  
100 YR HWL = 884.7

8,119 Sq.Ft.

CB  
128

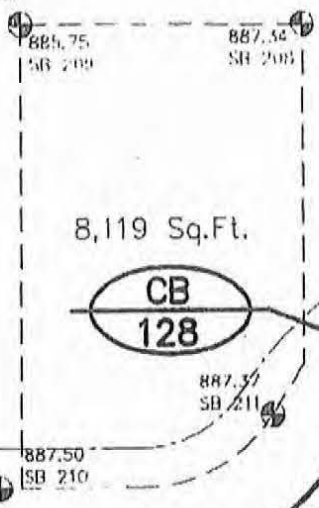
FES

CULVERT #1

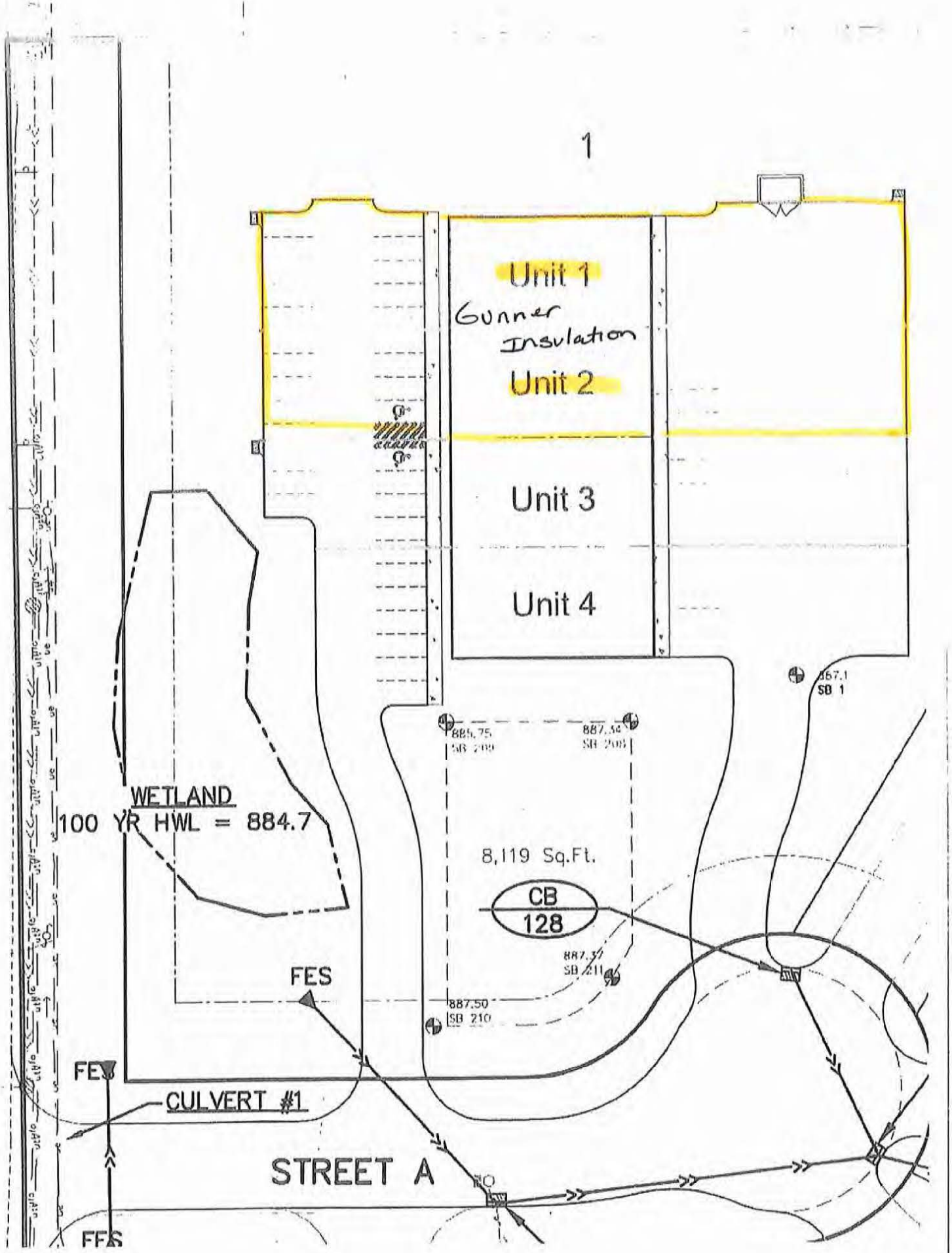
STREET A

FEV

FFS



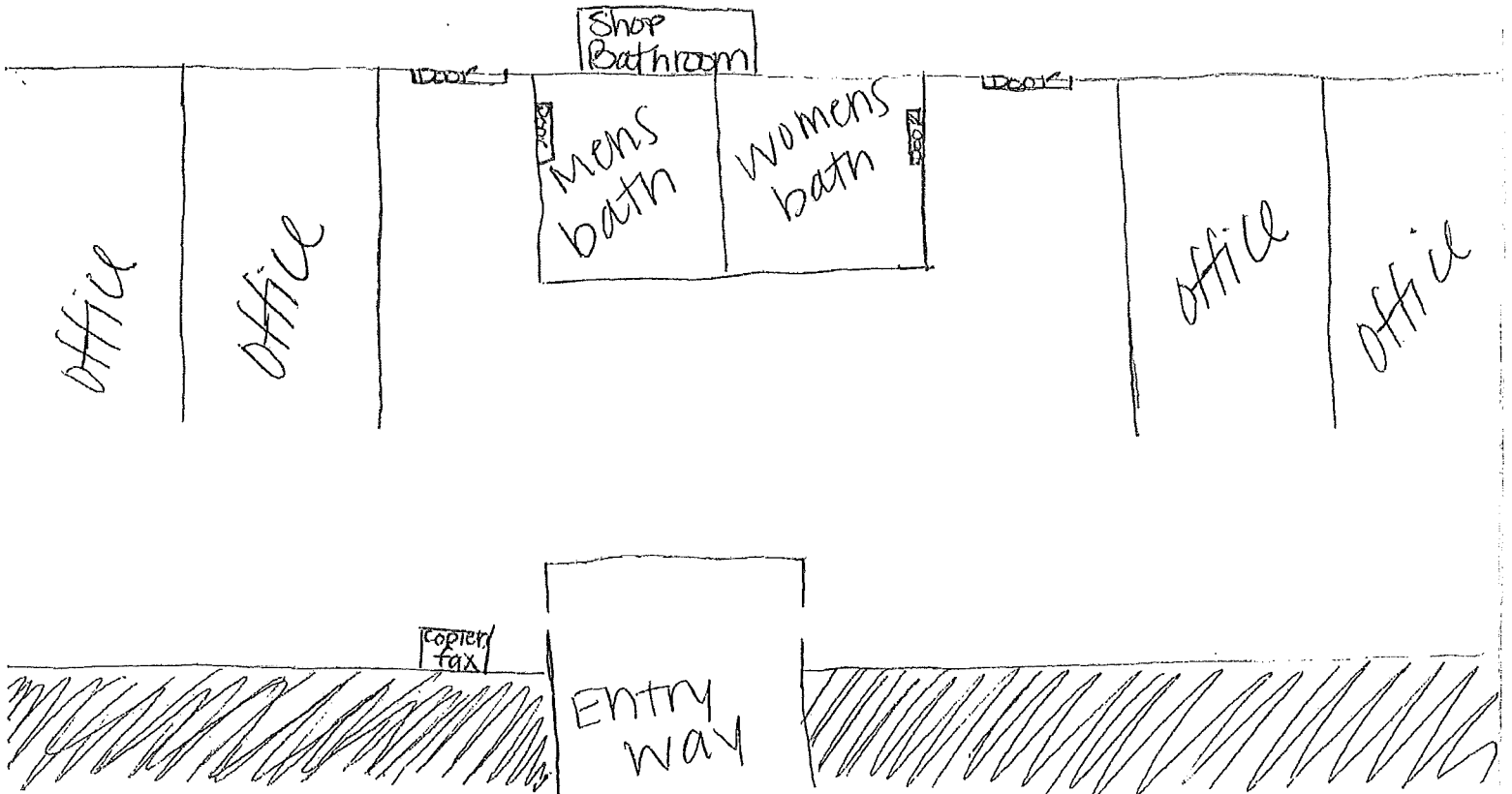
467.1  
SB 1



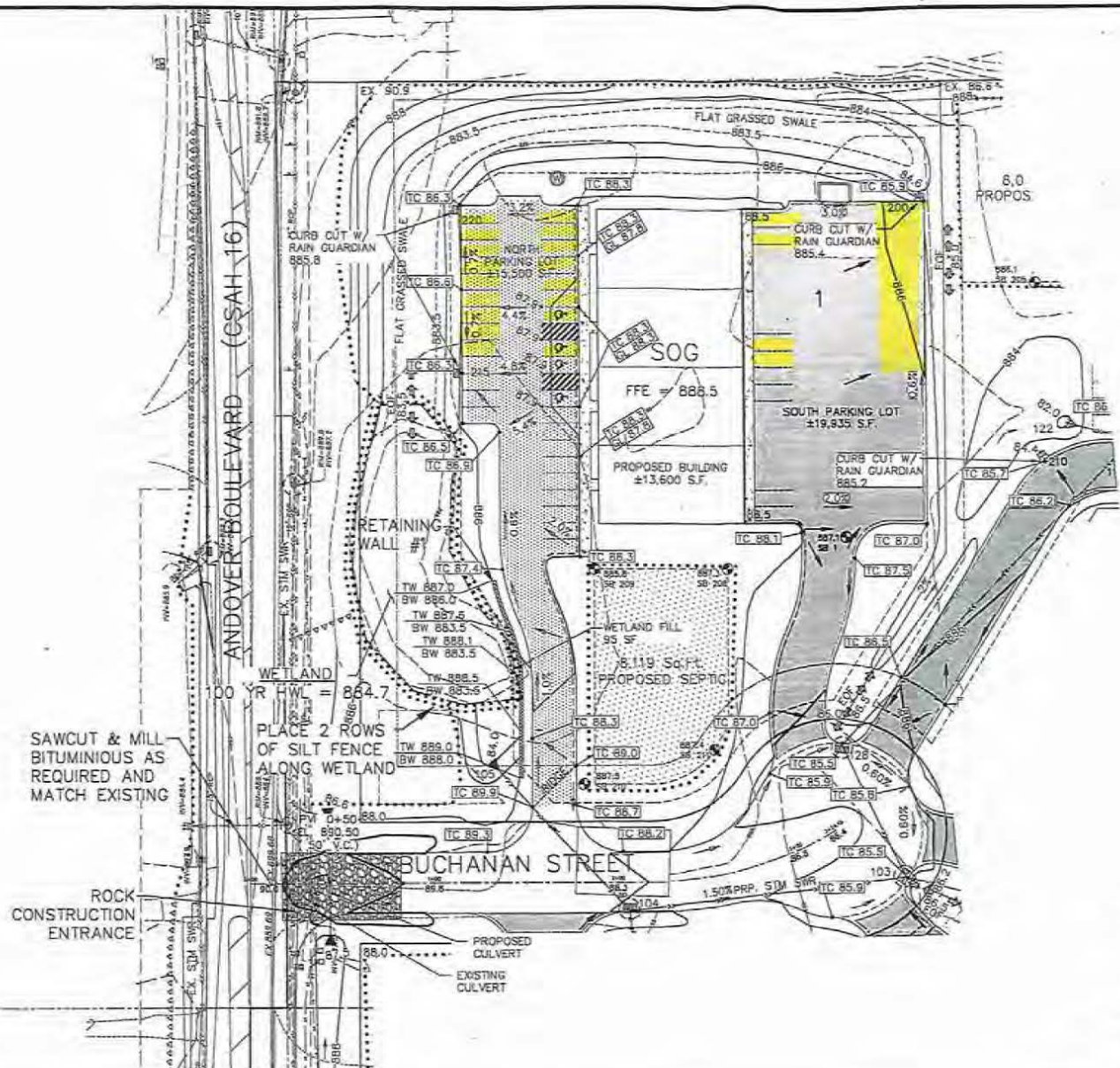
Garage Door | Door |

Door | Garage Door |

40 x 60 - SHOP







	EXISTING	PROPOSED
PROPERTY LINE	---	---
EXISTENT LINE	---	---
CURB LINE	---	---
TOP-OUT CURB	---	---
INTERIORS	---	---
CONCRETE	---	---
CASTARY CONER	---	---
STONE CONER	---	---
DEBRITE	---	---
WATER MARK	---	---
OVERHEAD UTILITY	---	---
STEEL DITCH BUSH	---	---
STEEL MAYPOLE	---	---
OUTLET CONTROL STRUCTURE	---	---
MANHOLE	---	---
FOOTWAY	---	---
DATE VALVE	---	---
TELEPHONE BOX	---	---
TELEPHONE BOX	---	---
UTILITY POLE	---	---
RETAINING WALL	---	---
FENCE	---	---
TOP CONTOUR	---	---
WETLAND LINE	---	---
WETLAND FLOODPLAIN	---	---
FINAL FLOODPLAIN	---	---
SPOT ELEVATION	---	---
EMERGENCY OVERFLOW	---	---
SILT FENCE	---	---
TRICE FENCE	---	---
CRACKING LAINE	---	---
WETLAND	---	---
MAINTENANCE AREA	---	---
SEPTIC AREA	---	---
WETLAND	---	---
WELL	---	---
LIGHT POLE	---	---
FLAG POLE	---	---
ELECTRIC BOX	---	---
TELEPHONE BOX	---	---
TELEVISION BOX	---	---
BOX	---	---
CONCRETE SOIL BORING	---	---
SEPTIC SOIL BORING	---	---

- NOTES**
- A POST CONSTRUCTION TEST ON THE WETLAND BUFFER SHALL BE PERFORMED BY EITHER A SOURCE OR UNPOLLUTED TEST SOIL IN EACH BASIN OR BY FILLING THE BASIN TO A MINIMUM DEPTH OF 6 INCHES AND MONITORING THE DEPRESSION TIME. THE COOK CREEK WETLAND DISTRICT SHALL BE NOTIFIED PRIOR TO THE TEST TO WITNESS THE RESULTS.
  - ALL MATCH POINTS AND PAYMENT PATCHES TO BE SHOWN AT FULL DEPTH. SOUP AREA TO BE CROPPED WITHIN 7 DAYS AFTER COMPLETION OF ROAD GRADING OR PAVEMENT.
  - SEWERING SHALL BE INSTALLED. SEE SCHEDULES FOR ORGANIZATION ELEVATIONS.
  - ALL SETBACK AREAS TO BE REGRADED AFTER GRADING IS COMPLETE. BUILDING & PARKING LAYOUTS SHOWN ARE CONCEPTUAL. EACH LOT SHALL VERIFY CONFORMANCE WITH OTHER WATER MANAGEMENT PLAN AND FINAL SITE PLANS AS THEY DEVELOP.
  - ALL CONTRACTORS MUST FOLLOW THE STATE RECOMMENDATIONS FOR THE NATIONAL HERITAGE REVIEW OF THE SITE. BURNING TURTLES HAVE BEEN FOUND IN THE VICINITY OF THIS SITE. A FLYER WITH CONSTRUCTION RECOMMENDATIONS SHALL BE PROVIDED.

**WETLAND SUMMARY**

WETLAND FILL	= 95 SF
<b>TOTAL WETLAND IMPACT</b>	<b>= 95 SF</b>

THE 0.5 WADING DEPTH OF UP TO 100 SQUARE FEET OF WETLAND IMPACT IS MET. THEREFORE, NO WETLAND REPLACEMENT OR CREDIT PACKAGE WILL BE REQUIRED.

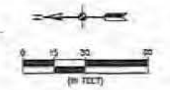
SAWCUT & MILL BITUMINIOUS AS REQUIRED AND MATCH EXISTING

PLACE 2 ROWS OF SILT FENCE ALONG WETLAND

ROCK CONSTRUCTION ENTRANCE

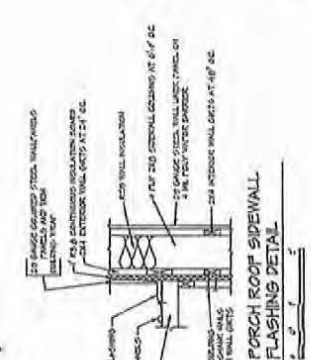
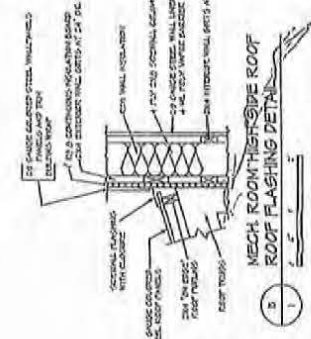
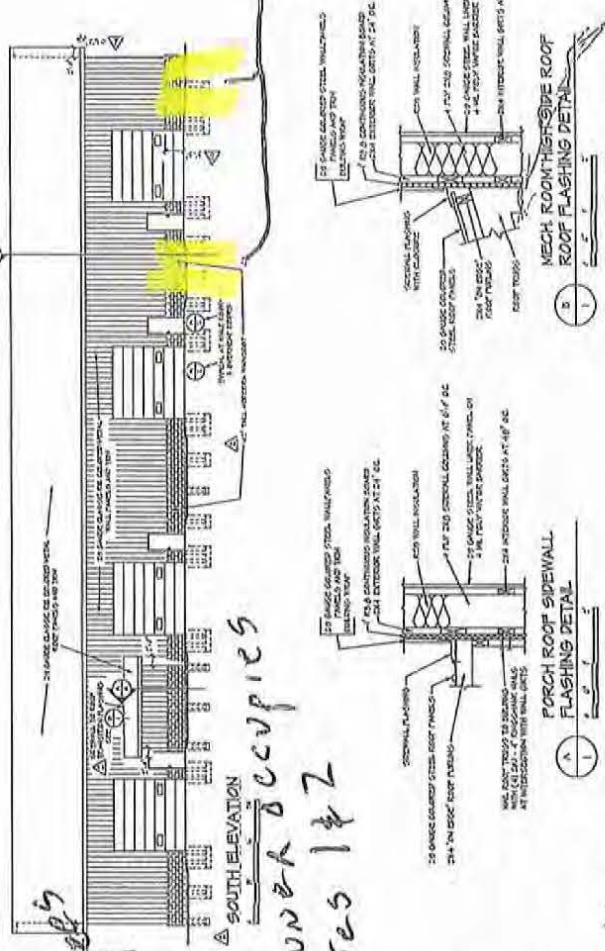
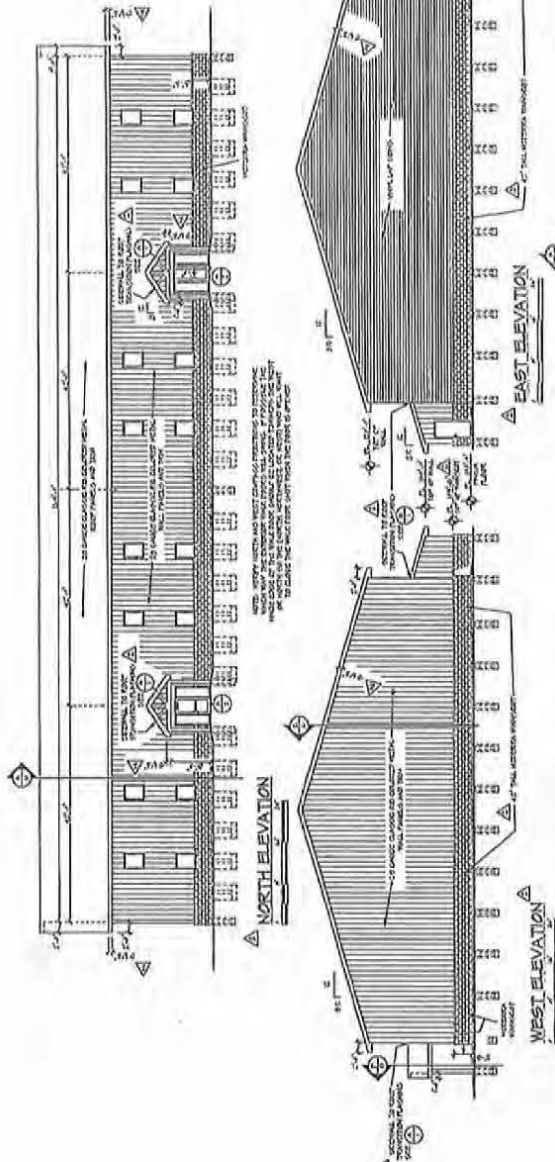


**811**  
Know what's below.  
Call before you dig.



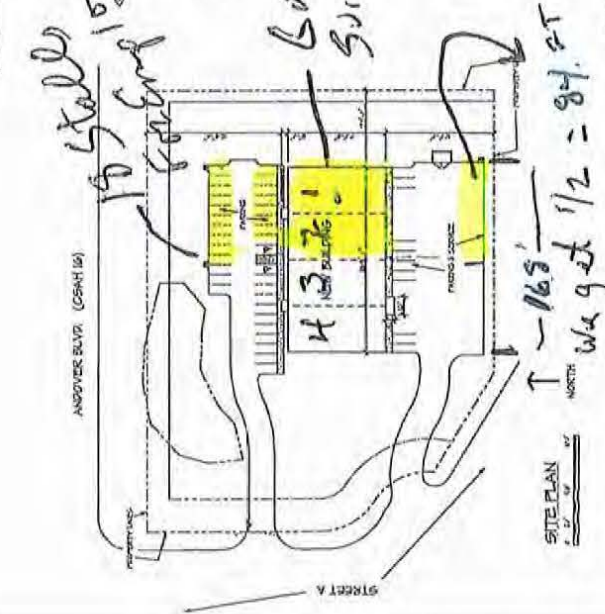
**BENCHMARK**

1. Anoka County Benchmark No. 2252
2. State Benchmark No. 2275
3. State Benchmark No. 2276
4. State Benchmark No. 2277
5. State Benchmark No. 2278



**BUILDING CODE DATA**  
 Building: Commercial, General Land  
 All New York Outdoor Maintenance - Glass, Lath, Aluminum  
 Size: 10,000 sq ft  
 Date: 11/11/19  
 Project: 19-011  
 Drawing: 19-011-01

**GENERAL NOTES:**  
 1. All work shall be in accordance with the latest editions of the Building Code of the City of New York and the applicable provisions of the Uniform Code of Building Regulations (UCBR).  
 2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.  
 3. The contractor shall be responsible for coordinating with all other trades and subcontractors to ensure a smooth and timely construction process.  
 4. The contractor shall be responsible for maintaining the site in a safe and clean condition at all times.



*Handwritten:* 4 additional parking stalls

*Handwritten:* Gunner occupies suites 1 & 2

*Handwritten:* 168' width  
 84' x 1/2 = 84' ft

*Handwritten:* = 10 PARKING STALLS

*Large Handwritten:* 18 Employee PARKING  
 14 TRUCK PARKING (We have a fleet of 10 Trucks)

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**City Code Reference for Conditional Use Permit  
Applications for Gunner Insulation and Solid Rock  
Construction at 14665 Buchanan Street NE and  
Certificate of Occupancy Application for Latitude  
Studios Co.**

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**9-220 Mercantile Districts** The land uses described in Article 9-220 are intended to be applicable to developments which utilize subsurface sewage treatment systems (SSTS), and to developments which use approved combined sewage treatment systems. All building permits and Certificates of Occupancy in the Mercantile Districts shall require the review and approval of the City Council, after review and recommendation by the Planning Commission, excepting building permits and/or certificates of occupancy being issued for an alteration to an existing structure under circumstances in which the land use will be unchanged, and in which the alteration will not materially affect parking requirements, stormwater runoff, traffic, sewage treatment needs or aesthetics.

**9-220.1 Standards Common to All Mercantile Districts** The following standards shall apply to all of the mercantile districts as listed in Article 9-220.

- a) Paving** All parking lots, drives and surfaces upon which the public shall have access shall be paved according to specifications to be established by the city's engineer;
- b) Drainage** Surface water drainage and ponding needs shall be implemented in the manner directed by the city's engineer;
- c) Landscaping** Landscaping shall be implemented in the manner provided in Article 11-1800;
- d) Setbacks for Paved Areas** There shall be a ten foot setback between any lot line and the back of curb of any parking lot or driveway, and a six foot setback between the back of curb of any parking lot and any building;
- e) Buffering** When any mercantile land use is located adjacent to a residential area, it shall be screened by opaque fencing, vegetation, or both;
- f) Refuse Containers** Refuse containers shall be stored in locations which are completely screened from outside view; hazardous materials shall be stored and disposed of in the manner provided by law;
- g) Parking Lots and Lighting** Off-street parking shall be provided for all patrons and employees. The *Zoning Officer* shall maintain a schedule of parking requirements, to be ratified from time to time by resolution of the City Council, to serve as the general guideline for

the establishment of parking requirements, subject to modification by the City Council where merited. Security lighting shall be permitted, and may be required on review of site plans, but shall be directed away from adjacent properties. No light or combination of lights that cast light upon a Residential Land Use shall exceed 4 foot candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway.

**h) Off-Street Loading** All deliveries and bulk pickups of merchandise, inventory and supplies shall be made to loading facilities preferably located in the rear of the building, which loading facilities shall be sufficient to enable the prompt and safe transfer of goods.

**i) Signage** All signage shall conform to the provisions of Article 11-300.

**j) Special Considerations** Notwithstanding the limitations as to building styles, construction types and exterior treatments, the City Council, after Planning Commission review, may depart from strict adherence to the standards found in Article 9-220, where special conditions merit such departure, and where certain standards are met. Such special conditions and standards may include, without limitation, the following items.

**i)** The departure is not being requested for purely economic reasons;

**ii)** The nature of the business is such that it requires a specific type of building construction in order to improve the business function, such as requirements for sunlight, specialty equipment, interior lighting or the like;

**iii)** The business is a permitted or conditional use in the zoning district;

**iv)** The applicant proposes the usage of special aesthetic treatments which provide a superior exterior view, such as landscaping, vegetation screening, berming, or the like;

**v)** The property contains unusual topography, mature vegetation or other features which can be preserved or enhanced to produce an overall superior appearance;

**vi)** The property contains unusual accessibility problems to or from adjacent roadways;

**vii)** The applicant offers to implement more stringent design limitations in certain site plan features than would normally be

required, in exchange for being permitted less stringent design limitations in other site plan features.

**k) Outside Storage** Outside storage and activities for areas zoned CD-3, CD-4, Industrial Park (I-P) and Light Industrial (I-1) shall be as specifically detailed in the Code Sections dealing with those land uses (Articles 9-220.4 through 9-220.7). For areas zoned CD-1 and CD-2, the following provisions shall apply to outside storage, excepting Fireworks sales and storage, which are governed by the provisions of Article 9-330.6. **Unless specifically permitted by this Article 220.1(k), no Outside Storage shall be allowed in any area zoned CD-1 or CD-2.**

1) **Definitions**

**aa) Outside Storage** – personal property (not fixtures) that are located within the Approved Property Lines of any parcel bearing a CD zoning classification, but which are found outside of an enclosed, roofed building (including temporary structures). Outside Storage does not include Refuse Containers, customer vehicles, employee vehicles parked while the employee is on duty, delivery vehicles while in the process of delivery or pickup, construction materials or vehicles being used in an active construction project on the parcel, legal signs or banners, or legal temporary structures. Except where specifically excepted, Outside Storage does include inventory of the business occupying the parcel.

**bb) Inventory** - goods, except Vehicle Inventory, that are offered for sale in the ordinary course of business of any business occupying the parcel. For auto repair shops, inventory shall also be deemed to mean passenger vehicles or pickup trucks awaiting repair services.

**cc) Vehicle Inventory** – Automobiles, Trucks, Trailers, Manufactured Homes, Recreational Vehicles, Campers, Camper Tops, Truck Toppers, Boats or other wheeled conveyances that are offered for retail sale at a legal business location whose primary business is the retail sale of one or more of the above items. Rental equipment that may be offered for sale is not Vehicle Inventory. Vehicle Inventory that bears obvious signs that the vehicle is not presently capable of being legally operated or conveyed on a public road is not Vehicle Inventory, including, but not limited to vehicles lacking wheels or inflated tires, operable drive train components, broken windows or lights, required current vehicle registration, missing body parts, such as fenders, doors, hood lids, trunk lids, bumpers, lights or trim.

**dd) Aesthetically Screened Outside Storage** - Inventory or Vehicle Inventory behind an opaque barrier constructed of masonry or brick, attached to and matching or complementary to the main building, and

of sufficient height and design so as to give the appearance that the barrier is a part of the main building. No object shall be stored inside of such a barrier if the object protrudes above the height of the barrier. Any gates through the barrier shall be opaque and of aesthetic design.

**ee) Limited Outdoor Displays** - Temporary displays of merchandise which are normally sold or displayed from within an enclosed retail store locations, but which are temporarily placed not more than ten feet from an outside wall of the main retail sales building during business hours, and then returned to inside storage during non-business hours.”

**ff) Improvement Stores** – Businesses that have as their primary source of revenue the retail sale of plants, seeds, landscaping supplies, produce, or yard statuary.

**gg) 24-Hour Convenience Stores** – Businesses that sell gasoline at retail, and, from the same store location, also sell groceries, auto supplies, sundries, over-the-counter medications and personal products, sundries and other items for human consumption, and which remain open for business at all times of every day.

**hh) Approved Property Lines** – Are the outside perimeter of the real estate parcel or parcels which were shown on the site plan used for the initial municipal approval of a certificate of occupancy or conditional use permit for a particular operation.

**ii) Pool Stores** – retail stores that engage in the retail sales of above ground or below ground recreational swimming pools that contain electric filtration devices providing water circulation and filtration in the pool, and under conditions where an inventory of above ground or in ground swimming pools is maintained, connected by water and electricity to a source originating in a permanent retail building located on the same parcel. A Pool Store shall not be considered a retail store for the purposes of determining permitted uses under Article 9-220.2 (b) or 9-220.3(b).

**jj) Screened Outside Storage** – is Inventory or Vehicle Inventory behind an opaque barrier constructed of wood, metal, plastic, masonry, brick or earthen berm, or which is behind an opaque barrier composed of existing buildings or other structures on the property, or which is behind a semi-opaque barrier of vegetation that substantially conceals the storage from outside view.

## **2) Permitted Outside Storage**

**aa)** Vehicle Inventory is permitted Outside Storage on any CD-1 or CD-2 parcel in connection with a business that is legally permitted to sell Vehicle Inventory. If specifically permitted by the conditions of any Conditional Use Permit or Temporary Conditional Use Permit for

any such parcel, vehicles that do not meet the definition of Vehicle Inventory may also be permitted Outside Storage.

**bb)** Aesthetically Screened Outside Storage is permitted outside storage if used as a condition of approval of any site plan, Conditional Use Permit or Temporary Conditional Use Permit on any CD-1 or CD-2 parcel in connection with the new construction of a main commercial building on the parcel.

**cc)** Limited Outdoor Displays are permitted Outside Storage in both the CD-1 and CD-2 districts. If the business is a 24-Hour Convenience Store, the Limited Outdoor Display need not be moved indoors, but the business shall at all times maintain a clear pedestrian path on sidewalks that is at least 36 inches in width.

**dd)** Inventory is permitted Outside Storage for Improvement Stores and Manufactured/Prefabricated Structure Sales but must be separately identified on the initial site plan submitted with the initial request for certificate of occupancy or conditional use permit, and must be stored only in conformance with that site plan. Bins or containers housing the Inventory shall also be permitted Outside Storage for Improvement Stores and Manufactured/Prefabricated Structure Sales as shall be other items necessarily incident to the storage, maintenance or protection of the Inventory.

**ee)** No Outside Storage shall be permitted for any business unless the storage is within the Approved Property Lines.

**ff)** Pool Stores may display above ground or below ground swimming pools as Permitted Outside Storage only on property under conditional use permit, subject to conditions to be established by the City Council, which must include, at a minimum, the following:

- 1) Pool water must be maintained in a sanitary condition;
- 2) Below ground pools must be surrounded by code-compliant fencing;
- 3) Above ground pools must be constructed in a code-compliant method relative to either fencing or sufficient elevation to prevent accidental entry into the pool;
- 4) Adequate security fencing around the storage display area must be installed to discourage after-hours entry into the pool storage area;
- 5) Reasonable screening from outside view shall be installed;
- 6) All sources of water and electricity shall be connected to the pools in a code-compliant manner;
- 7) Only pools that are intended for use with circulating filters shall be permitted outside; no "kiddy pools", wading pools or inflatable pools shall be permitted to be displayed outside.
- 8) Winter storage of outside pools shall be done in a manner that covers the pool surface and prevents the accidental entry into the pool;

**gg)** Screened Outside Storage is permitted outside storage if used as a condition of approval of any site plan, Conditional Use Permit or Temporary Conditional Use Permit on any CD-1 or CD-2 parcel involving pre-existing main buildings or structures that:

- 1) Historically utilized outside storage in connection with business operating on the property, and which uses were never abandoned;
- 2) Do not involve replacement or major remodeling of the existing structures, but utilizes the existing structures for the business to be operated;

Approval of Screened Outside Storage is discretionary with the City Council.

**i) Revocation** All permits and certificates of occupancy issued in the mercantile districts are subject to revocation under the provisions of Article 9-240.

**3) Office/Warehouses** Office/Warehouse is a term given to a structure that is designed to have office space in front, behind which is situated an open bay or bays, with the office and bay space to be occupied by a single business. The office space and the bay space may also include area for retail sales. The bay space may also be used for manufacturing, other industrial activity, or warehousing. Building Permits may be issued for Office/Warehouses in any Mercantile District as found in Article 9-220. However, specific uses within each Office/Warehouse are subject to the Permitted Use, Conditional Use and Temporary Conditional Use restrictions for the given zoning district in which the Office/Warehouse is constructed. The issuance of a building permit for an Office/Warehouse does not confer upon the property owner the right to use any portion of the structure in a manner inconsistent with the use restrictions for the zoning district in which the structure is located. All new tenants or occupants of any Office/Warehouse must observe the same conditions for site plan or other approval, as would any other occupant. Further, if the zoning district in which the Office/Warehouse is to be constructed contains restrictions on building materials or design, those restrictions must be followed.

### **9-220.2 Commercial Development 1 (CD-1)**

The CD-1 zone is intended to apply to certain commercial uses on lands abutting the city's only major thoroughfare, Trunk Highway 65. In that these lands have high visibility to the traveling public, it is considered important to the preservation of land values in general, as well as important to the continuing ability of the city to generate the establishment of quality commercial development and the concomitant tax and employment base, that structures in the CD-1 zones observe specific construction and aesthetic standards, which are listed below. No usage shall be permitted in



the CD-1 zone which does not observe the standards found in Article 9-220.2 (a) below.

**a) Standards for Site and Building Construction**

- i) Except for structures housing public utility feature, no metal or pole-type building shall be permitted;
- ii) Exterior wall surfaces shall be of brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding;
- iii) No galvanized surfaces shall be permitted, either on roofs or siding;
- iv) All roofs shall be colored and shall incorporate a minimum 18-inch soffit on the eave edge of the roof;
- v) All roofs shall have a minimum 12-inch overhang on the gable ends;
- vi) All roofs have a 9.5 inch fascia;
- vii) Standing metal seam roofing shall be permitted (Minimum 24 gauge, non-galvanized);

**b) Permitted Uses (Including uses that are ancillary to the main use)**

- Clubs and Lodges
- Medical Facilities
  - Assisted Living Facilities
  - Chiropractic
  - Clinics of all medical disciplines
  - Dental
  - Diagnostic Facilities
  - Hospitals
  - Laboratories
  - Nursing Homes
  - Treatment Rooms and Centers
  - Veterinary Clinics
- Hotels, Motels and Lodging Houses under Article 11-1100
- Offices and Office Buildings
- Park and Ride Lots
- Post Offices
- Public Utilities (metal or pole type construction allowed)
- Recreational Facilities (indoor unless noted)
  - Batting Cages
  - Billiard Parlors
  - Bowling Alleys
  - Dance/Gymnastic Studios
  - Health Clubs
  - Martial Arts Studios
  - Miniature Golf Courses (outdoor)

- Paintball or Laser Tag Facilities
- Parks (outdoor/publicly owned)
- Roller Skating Facilities
- Shooting Range
- Skateboard Facilities
- Virtual Golf Facilities
- Restaurants, including liquor service
- Retail Facilities - engaged in the sale of goods (Excluding Motor Vehicle/ Boat/RV/Camper Sales), from freestanding one-store locations, shopping centers, strip malls or enclosed malls, including, but not limited to:
  - Antique Stores
  - Appliance Stores
  - Automobile Parts Stores (new parts only)
  - Bakeries
  - Bicycle Stores
  - "Big Box" Stores (subject to Article 9-400)
  - Book Stores
  - Butcher Shops/Meat Markets
  - Camera Stores
  - Candy Stores
  - Carpet Stores
  - Clothing Stores
  - Coin Stores
  - Convenience Stores
  - Cosmetic Stores
  - Discount Stores
  - E-Cig Stores
  - Electrical, HVAC and Plumbing Equipment Stores
  - Electronics Stores
  - Fireworks (under Article 9-330.6)
  - Floral Stores
  - Furniture Stores
  - Gift Shop
  - Grocery Stores
  - Hardware Stores
  - Health Stores
  - Hobby/Game Stores
  - Housewares Stores
  - Improvement Stores (Lawn & Garden) as defined in Article 9-220.1 (k)(1)(ff)
  - Jewelry Stores
  - Liquor Stores

- Luggage Stores
- Music Stores
- Office Supply Stores
- Optical Supply Stores
- Paint/Wallpaper Stores
- Pet Stores
- Petroleum product sales (excluding vehicle repair)
- Pharmacies
- Shoe Stores
- Sporting Goods Stores
- Souvenir Stores
- Thrift Stores
- Tobacco Stores
- Video Stores
- Schools and Colleges
- Service Businesses
  - Appliance Repair Shops
  - Barber Shops
  - Beauty Shops
  - Car Washes
  - Day Cares (licensed)
  - Dry Cleaners
  - Electronics Repair Shops
  - Financial Institutions
  - Funeral Homes
  - Government Buildings
  - Insurance Agencies
  - Law Offices
  - Locksmiths
  - Manicure/Pedicure/Nail Care shops
  - Pet Grooming Shops
  - Photography Studios
  - Print Shops
  - Shoe Repair Shops
  - Specialty Retail Shops
  - Tailor Shops
  - Tanning Facilities
  - Travel Agencies
- Small Engine Sales and Repair
  - Air Compressors
  - Chain Saws
  - Garden Tractors
  - Lawn Mowers

- Leaf Blowers
- Other Motorized Gardening Equipment
- Power Rakes
- Power Washers
- Rototillers
- Shop Vacs
- Snowblowers
- Woodchippers
- Woodsplitters
- Theatres
- Worship Centers and ancillary features owned by the entity that owns the Worship Center, including classrooms, recreational features, residences for staff, offices and kitchen/dining.

**c) Conditional Uses**

- Automobile Repair Shops (Passenger Vehicles, Pickup Trucks, ATVs, Snowmobiles, Motorcycles, Jet-skis, Boats and other Marine Equipment)
- Equipment Rental Businesses
- Light Manufacturing, defined as follows:  
The fabrication or processing of goods for sale to retailers, wholesalers, other manufacturers or at retail that takes place entire within an enclosed building and that meets the following criteria:
  - a) The business does not generate any noise, odor or vibration detectable from adjoining properties, other than that which occurs in the normal course of business during shipping and receiving activities;
  - b) There is no outside storage of any item except Aesthetically Screened Outside Storage as defined in Article 9-220(k)(1)(dd) of this Code.
  - c) No outside cranes or booms are located on the site;
  - d) Retail sales of the business products can occur on the premises if the commodities are the commodities manufactured on site.
- Manufactured/Prefabricated Structure Sales (including, without limitation, housing units, gazebos, storage sheds, playhouses, screened porches, and shelters) together with incidental furnishings such as lawn chairs and picnic tables
- New Vehicle Sales (must have indoor showroom) limited to the following:
  - **Note:** Where the word “vehicle” is used, the term is hereby defined to exclude manufactured homes, busses, semi-tractors, semi-trailers over 30 feet in length, and heavy

construction equipment, such as bulldozers, backhoes, road graders, earth moving equipment, cranes and excavators.

- ATV's (all-terrain vehicles)
- Automobiles
- Boats
- Campers
- Golf Carts
- Motorcycles, Motorbikes and Scooters
- Recreational Vehicles
- Snowmobiles
- Commercial Trucks
- Pickup Trucks
- Trailers less than 30 feet in length
- Office Warehouses
- Pool Stores
- Residential Treatment Centers
- Service Businesses
  - Landscaping
- Sexually Oriented Business under Article 9-330.3
- Self-Storage Facilities, limited to properties on which self-storage facilities were in existence as of January 1, 2014. "Properties" as used herein is intended to include "Expansion Parcels", which are tax parcels that were on said date contiguous to and in common ownership or control with the parcel on which self-storage facilities were in use on said date and which were lacking a permanent structure/usage and/or providing a parking area or driveway serving the parcel on which the self-storage units were located. Expansion Parcels do not include parcels that are separated by public roads from the parcel on which the self-storage units were located on said date. It is the intent of this language that the self-storage use be permitted to expand onto the Expansion Parcels if a Conditional Use Permit for such expansion is approved. Notwithstanding these provisions, all self-storage uses shall be considered non-conforming uses and if abandoned or damaged and unrepaired, are subject to the same criteria for termination of allowed usage status as for other non-conforming uses as provided in Article 9-150.1 of this Code.
- Temporary Commercial Structures under Article 9-330.7
- Therapeutic Massage under Article 9-330.5
- Transportation Facilities
- Used Vehicle Sales limited as follows
  - Collector Cars
  - Motor Homes and Recreational Vehicle Trailer Sales\*

\*(A "Trailer", for the purposes of this code, shall mean a conveyance which is primarily designed to be towed behind a motor vehicle on public highways for usage in camping at bona fide campgrounds or RV parks. The conveyance commonly known in the industry as a "Park Model" is not to be considered a Trailer.)

- Facilities that meet the following criteria:
- The lot on which the use is proposed is presently and lawfully used by a business whose primary business is in the automotive industry such as automobile specialty shop, auto repair or recreational vehicle sales lot; and
- The sales are limited to passenger cars and pickup trucks; and
- The primary business activity in the automotive industry that qualified the lot to be used for Used Vehicle Sales must continue to be the primary business activity on the lot; Used Vehicle Sales shall be an incidental use only, and shall not replace the primary business activity; or
- The used vehicle inventory is part of the overall inventory of a New Vehicle Sales operation, limited to vehicles that have been taken in trade by the owner

**d) Temporary Conditional Uses Only**

Certain modular housing sales lots may be allowed as Temporary Conditional Uses in the CD-1 areas under the following limited conditions:

- i)** The permit shall be for no longer than five years;
- ii)** No housing units shall be permitted which are manufactured homes, which were at one time manufactured homes, or which could become manufactured homes with the addition of wheels installed in a pre-engineered or pre-planned receptacle. It is the intention of this usage that the only housing units permitted for display in such areas are single family dwellings of wood frame construction, designed for placement on a permanent foundation in a typical single family residential neighborhood, and not designed for or commonly found in mobile home parks.
- iii)** A single housing unit may be used as a sales office.
- iv)** Marketing of housing units shall be only to consumer-homeowners, and not to retailers or wholesalers;
- v)** All units shall be placed on concrete blocks, at least two courses in height, giving the appearance of a full basement.
- vi)** All units shall be completely finished on the exterior to give the appearance that the unit is inhabited as a part of a quality single family neighborhood. Units may be assembled from pre-constructed component parts on site, but may not be constructed from scratch on the site. Assembly of any display unit shall be complete (weather permitting) within 14 days after commencement of assembly. Each display unit shall obtain a building

permit from the City prior to commencement of assembly. A display unit, once in place, shall not be replaced for at least 24 months.

**vii)** All surfaces upon which the public is expected to drive, park or walk shall be paved with bituminous or concrete material according to specifications to be established by the City's engineer.

**viii)** All display units shall have an attached garage for two cars or more.

**ix)** A Site Plan shall be reviewed and approved by the City Council, after review and comment by the Planning Commission, which plan shall limit the number of units to be displayed, provide a landscaping plan, show the locations of all drives, walkways and parking areas, and provide photographic samples of the styles of units to be displayed.

**x)** The City Council may attach such other conditions to the Temporary Conditional Use Permit as are deemed appropriate or necessary to protect public safety, health or welfare, or to protect nearby property values.

### **9-220.3 Commercial Development II (CD-2)**

The CD-2 Districts are located adjacent to the CD-1 Districts, and constitute a second tier of commercial activities along the T.H. 65 corridor. These districts also have importance in presenting a visually pleasing image to the traveling public, but are less visible from the T.H. 65 roadway than the CD-1 districts.

#### **a) Standards for Site and Building Construction**

**i)** Metal or pole-type buildings shall be permitted if surfaces meet the requirements of ii below, and, provided that no galvanized surface may appear, all roofs shall be colored and incorporate a minimum 18 inch soffit on eave edges, 12 inch overhang on gable ends, and 6 inch fascia.

**ii)** Modern metal paneling or architectural metal panel may be used for roof and exterior wall surfaces. On all exterior wall surfaces, the surface may be modern metal paneling, used in combination with brick, decorative masonry, stone, precast panel, architectural concrete, architectural panel, glass, stucco or wood framed with horizontal lap siding;

Modern metal paneling may be used for roof and exterior wall surfaces, provided that on the wall sides facing T.H.65, no more than 25% of the surface area may be modern metal paneling, with the remaining portion of these surfaces being brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding; For other wall surfaces, there shall be a wainscot at least 42 inches in height which is composed of brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding;

#### **b) Permitted Uses (Including uses that are ancillary to the main use)**

- All Permitted Uses in the CD-1 District

- Broadcasting Studios
- Building Supply Yards/Lumber Yards
- Enclosed Storage and Warehousing
- Landscaping Businesses
- Manufacturing involving no non-enclosed storage
- Public Utilities (metal or pole type construction allowed)
- Research laboratories
- Used Vehicle Sales - limited to the following:
  - ATV's (all-terrain vehicles)
  - Automobiles
  - Boats
  - Campers
  - Golf Carts
  - Motorcycles, Motorbikes and Scooters
  - Recreational Vehicles
  - Snowmobiles
  - Commercial Trucks
  - Pickup Trucks
  - Trailers less than 30 feet in length
- Utility Companies

**c) Conditional Uses**

- All conditional uses or temporary conditional uses in the CD-1 District
- Flea Markets under Article 11-1500
- Kennels
- Pawn Shops under Article 11-1300
- Truck Terminals – as defined as a location where commercial trucks are parked and/or stored
- Self-storage facilities, but not including the limitations and conditions imposed for such facilities as found in Article 9-220.2 (c).
- Concrete Masonry





# CITY OF HAM LAKE

15544 Central Avenue NE

Ham Lake, MN 55304

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

## PLANNING REQUEST

Date of Application 3-24-2021

Date of Receipt 3-29-2021  
Receipt # 89499

Meeting Appearance Dates:  
Planning Commission 4-12-2021

City Council 4-19-2021

### Please check request(s):

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

- Commercial Building Permit
- 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: Solid Rock Construction

Address/Location of property: 14665 Buchanan St NE #4, Ham Lake

Legal Description of property: L1/B1 Coon Creek Comm Park

PIN # 29-32-23-24-0005 Current Zoning CD-2 Proposed Zoning ---

Notes: Office / Warehouse

Applicant's Name: Harlan Worsham

Business Name: Solid Rock Construction

Address 14665 Buchanan St NE #4

City Ham Lake State MN Zip Code 55304

Phone 763-270-5058 Cell Phone 612-242-2010 Fax 763-445-2010

Email address Service@srcmn.com

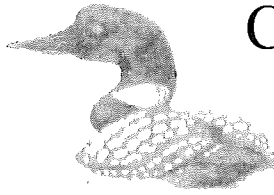
*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

SIGNATURE [Signature] DATE 3/24/21

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT  YES  NO



# 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, April 12, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Harlan Worsham requesting a Conditional Use Permit to operate Solid Rock Construction, a construction company, occupying a suite in an office warehouse building at 14665 Buchanan Street NE, a parcel of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PID# 29-32-23-24-0005

LOT 1 BLK 1 COON CREEK COMMERCIAL PARK

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

DATED: April 2, 2021

Jennifer Bohr  
Building & Zoning Clerk  
City of Ham Lake

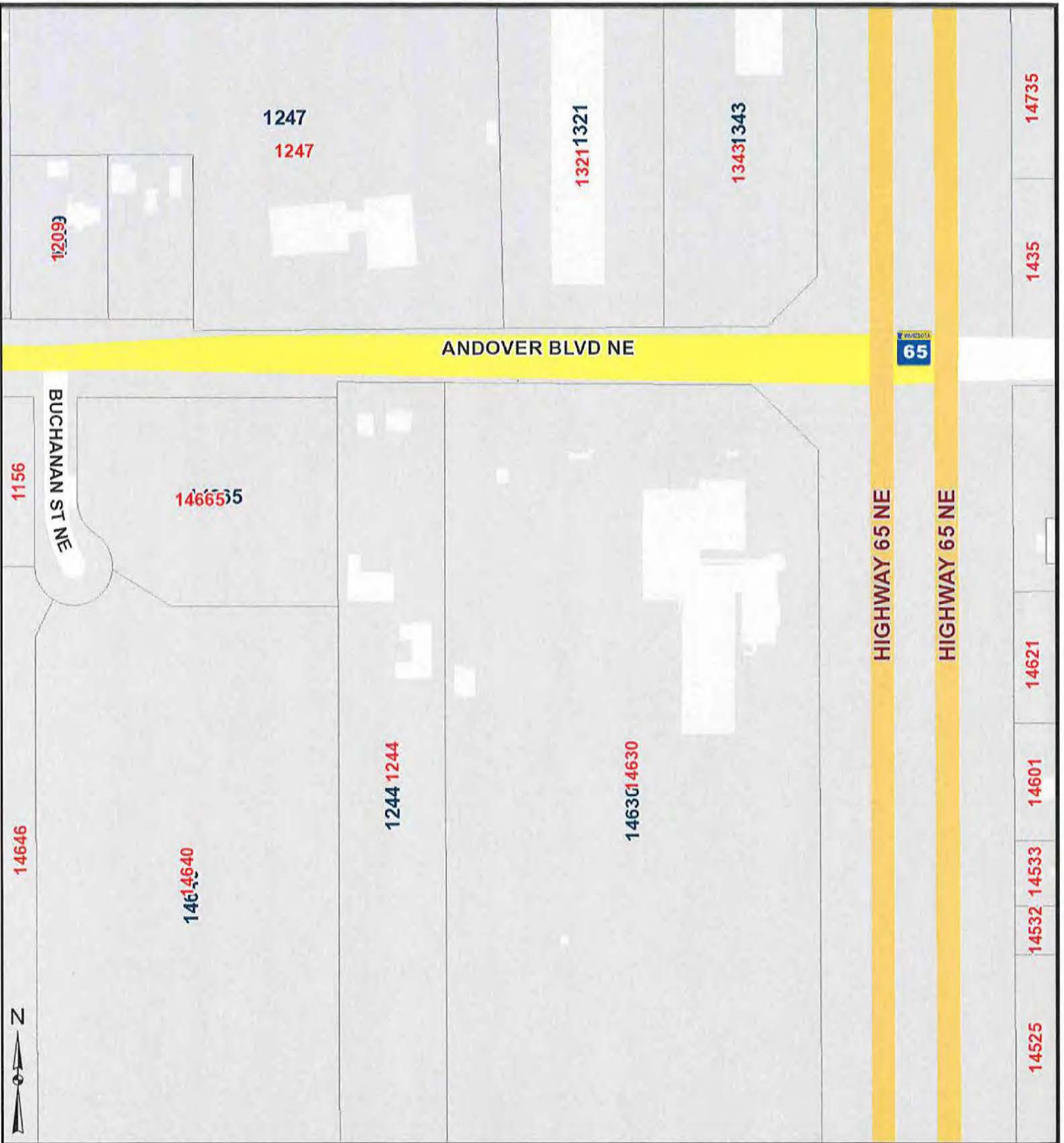
-PLEASE SEE REVERSE SIDE FOR SITE MAP-



14665 Buchanan St NE



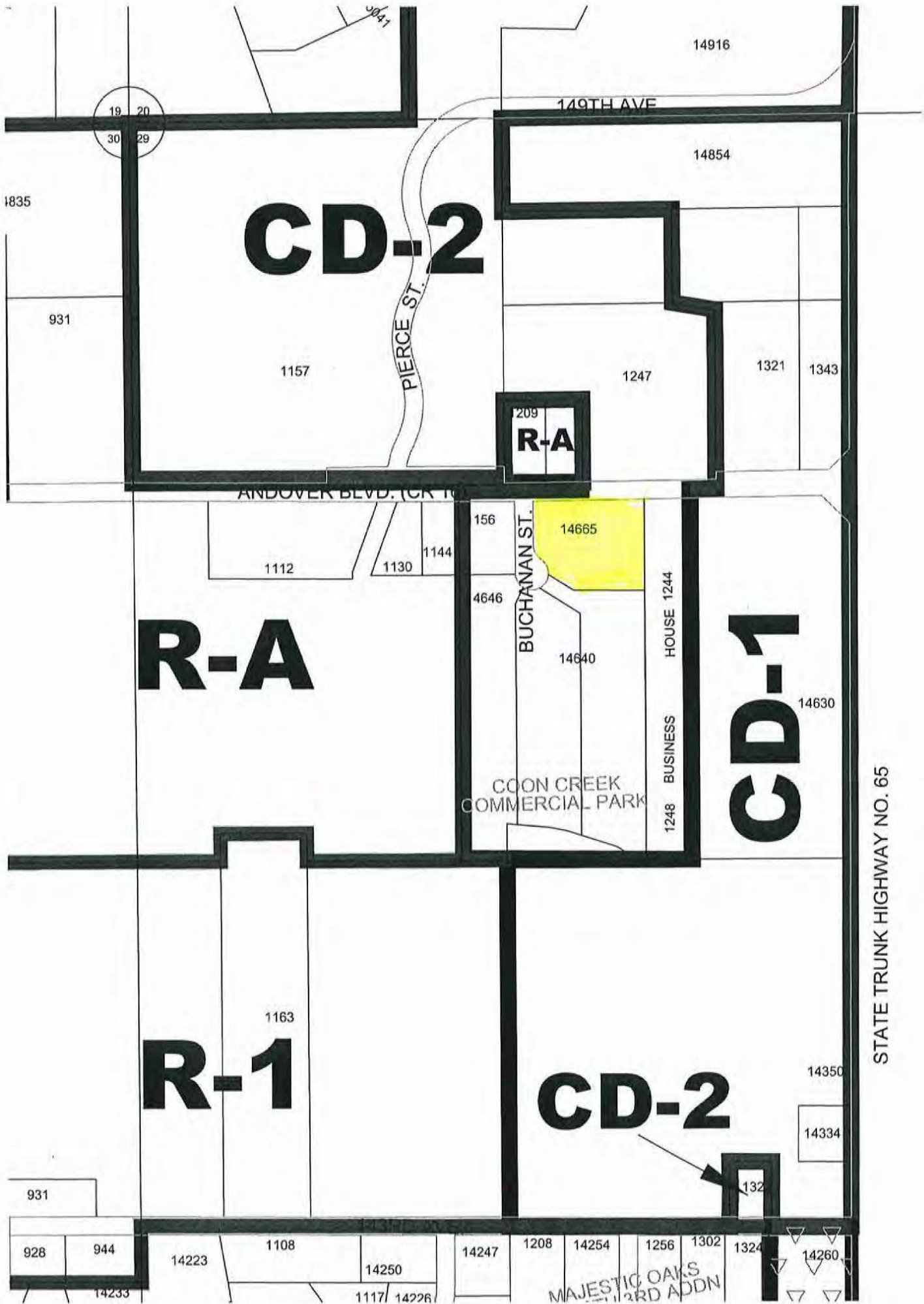
# Anoka County Parcel Viewer



**Parcel Information:** Approx. Acres: 2.75103098  
 29-32-23-24-0005 Commissioner: JULIE BRAASTAD  
 14665 BUCHANAN ST NE  
 HAM LAKE  
 MN 55304  
 Plat: COON CREEK COMMERCIAL PARK

**Owner Information:**





STATE TRUNK HIGHWAY NO. 65

**CD-2**

**R-A**

**R-1**

**CD-1**

**CD-2**

**R-A**

MAJESTIC OAKS  
- 1/2 RD ADDN

19 20  
30 29

14916

149TH AVE

14854

1835

931

1157

PIERCE ST.

1247

1321

1343

ANDOVER BLVD. (CR T)

209

1112

1130

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156

14665

BUCHANAN ST.

4646

14640

1248 BUSINESS HOUSE 1244

14630

COON CREEK COMMERCIAL PARK

14350

14334

931

928

944

14223

1108

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14247

1208

14254

1256

1302

1324

14260

14233

1117

14226

132

▽  
▽  
▽  
▽  
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Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To: Planning Commission**

**From: Mark Jones, Zoning & Building Official**

**Subject: Conditional Use Permits for Gunner Insulation and Solid Rock Construction**

**Introduction:**

In February 2020, the City Council approved a Commercial Site Plan submitted by Jeff Entsminger for a multi-tenant building at 14665 Buchanan Street NE. Conditions of site plan approval were that a Certificate of Occupancy was to be obtained by each tenant leasing space in the building to help monitor water usage to ensure the septic system capacity is adequate and the building owner was to provide a diagram showing parking stalls designated to each tenant to ensure there are adequate parking spaces. When the City learned the building was occupied, and was provided information on the tenant usage of the suites, it was determined City Code related to Office/Warehouses Section 9-220.1.3 applied.

The building is in the CD-2 zoning district. Consideration will need to be given to the type of conditions that will need to be recommended on usage per the standards outlined in Article 9, Section 9-220.1.

**Discussion:** This information is provided for commission consideration and discussion.



Harlan L Worsham  
Harlan R Worsham  
Office 763-270-5058  
14665 Buchanan St NE  
Ham Lake, MN 55304  
service@srcmn.com

Solid Rock Construction is a family owned and operated construction company servicing the Minneapolis/St. Paul metro and surrounding areas.

We specialize in commercial and residential interior and exterior remodeling, and new construction.

Our hours of operation are Monday – Friday from 8:00 am to 5:00 pm.

Our building owned by JBR Ham Lake, LLC and is a pole type construction. The office area is 760 square feet and the back garage is 3,000 square feet. There are two other renters currently in this building as well.

We have 13 employees and many subcontractors. Most of our employees drive a company vehicle and work offsite at job locations.

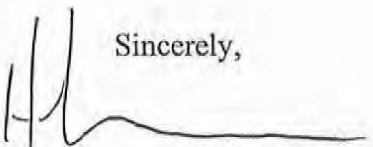
The front of our building is the main office where we have anywhere from 3-6 office people working. The upstairs is being used for a kitchen area as well as a showroom for our occasional customers that may come in to look at selections (also available online). There is a large, heated garage in the back for the storage of construction materials, staging items, and various tools.

The front exterior (directly in front of the main office area) is the parking lot where approximately 3-4 cars are at any given time. On a very occasional basis, there may be a few more if we have customers or a few employees here picking up materials. Currently, due to Covid, we have not been meeting as a group since March of 2020.

The rear exterior (directly behind the garage area) is where delivery vehicles go to drop off larger materials.

We currently do not have a sign on the property, but plan to put one up on the side building in the near future.

We are happy to be back in Ham Lake!

Sincerely,  


Harlan Worsham, President/Owner

1

Unit 1

Unit 2

Unit 3

Solid Rock  
Unit 4  
Const

WETLAND

100 YR HWL = 884.7

8,119 Sq.Ft.

CB  
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885.75  
SB 209

887.54  
SB 208

887.37  
SB 211

887.50  
SB 210

887.1  
SB 1

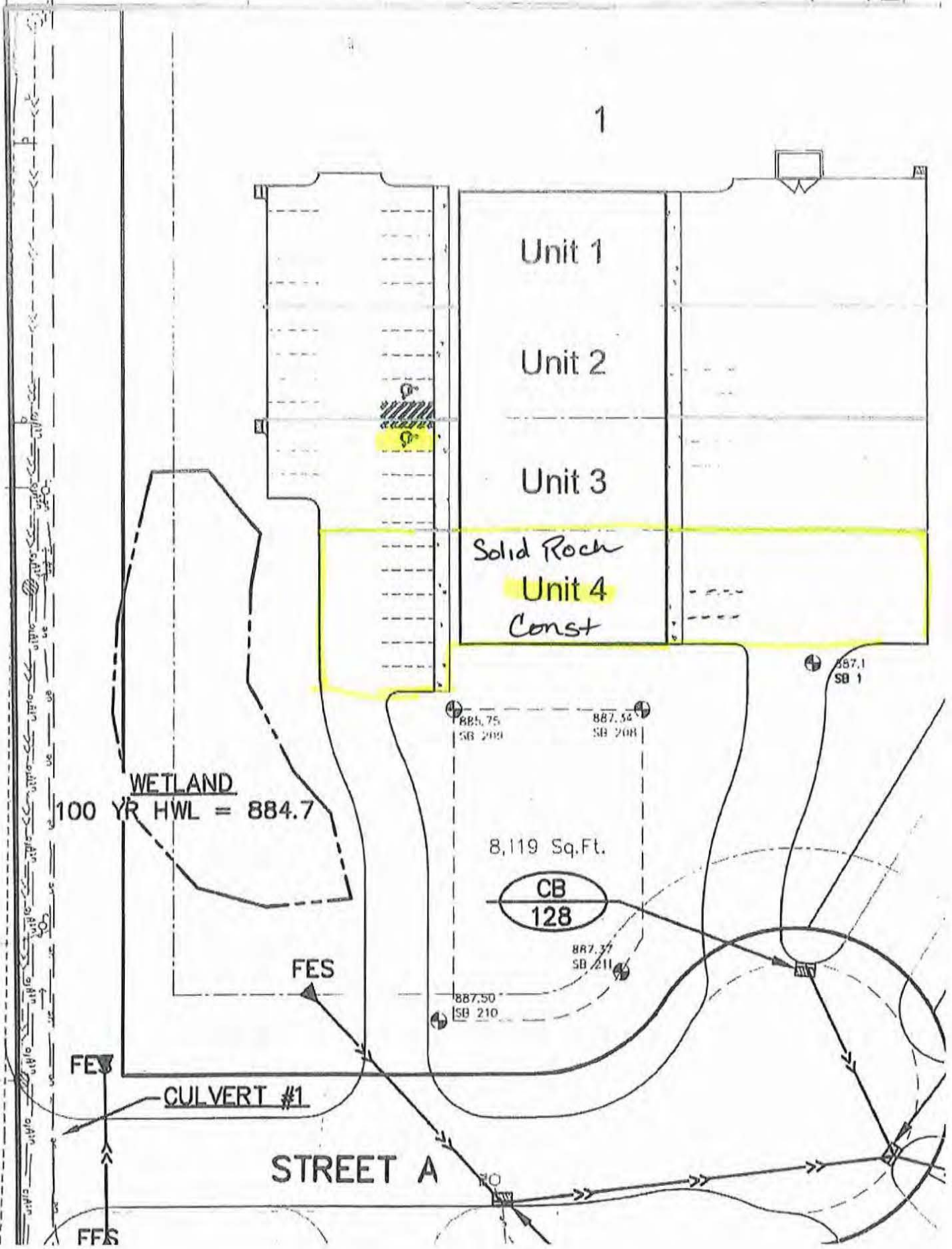
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CULVERT #1

STREET A

FES





Buchanan St NE

drive way to back

main drive way

delivery way

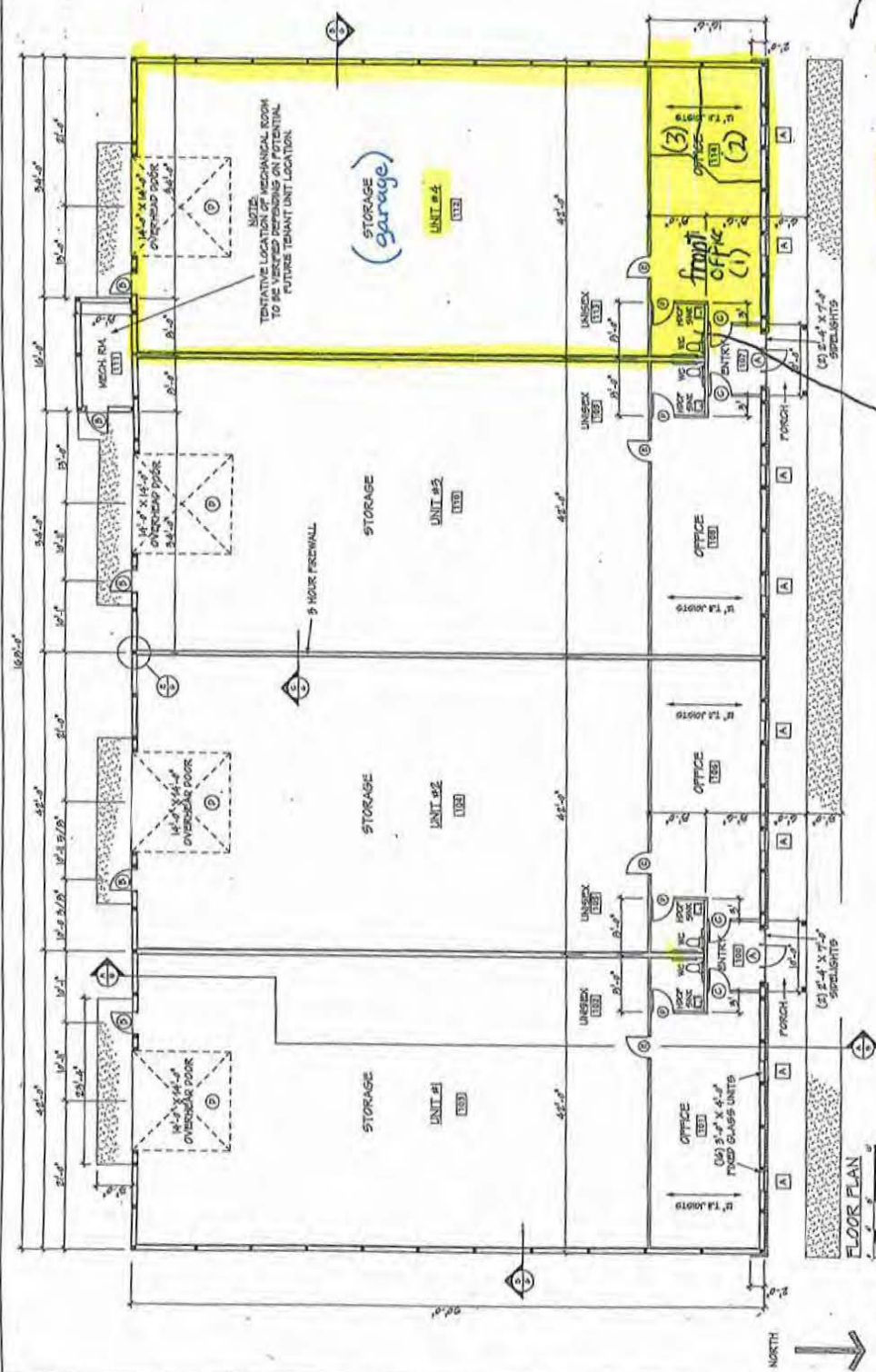
UNIT 4  
Solid Rock  
Construction

Entrance

parking lot

grass area

Andover Blvd



FLOOR PLAN  
ROOM FINISH SCHEDULE

NOTE:  
TENTATIVE LOCATION OF MECHANICAL ROOM  
TO BE DETERMINED BY MECHANICAL ENGINEER  
FUTURE TENANT UNIT LOCATION.

(STORAGE garage)

UNIT #4

UNIT #2

UNIT #1

OFFICE (1)

OFFICE (2)

OFFICE (3)

OFFICE (4)

OFFICE (5)

OFFICE (6)

OFFICE (7)

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OFFICE (163)



# CITY OF HAM LAKE

15544 Central Avenue NE

Ham Lake, MN 55304

## PLANNING REQUEST

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

Date of Application March 23<sup>rd</sup>, 2021

Date of Receipt 3-23-2021  
Receipt # 89470

Meeting Appearance Dates:  
Planning Commission 4-12-2021

City Council 4-19-2021

### Please check request(s):

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

- Commercial Building Permit
- Certificate of Occupancy
- Home Occupation Permit
- Conditional Use Permit (New)\* AB 3/23/21
- 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: Latitude Studios Co.

Address/Location of property: 14665 Buchanan St. NE Suite 3

Legal Description of property: \_\_\_\_\_

PIN # 29-32-23-24-0005 Current Zoning CO-2 Proposed Zoning CO-2

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

Applicant's Name: Andrew Berg

Business Name: Latitude Studios Co.

Address 14665 Buchanan St. NE Suite 3

City Ham Lake State MN Zip Code 55304

Phone \_\_\_\_\_ Cell Phone 612-590-4250 Fax \_\_\_\_\_

Email address andyb@latitude-studios.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.*

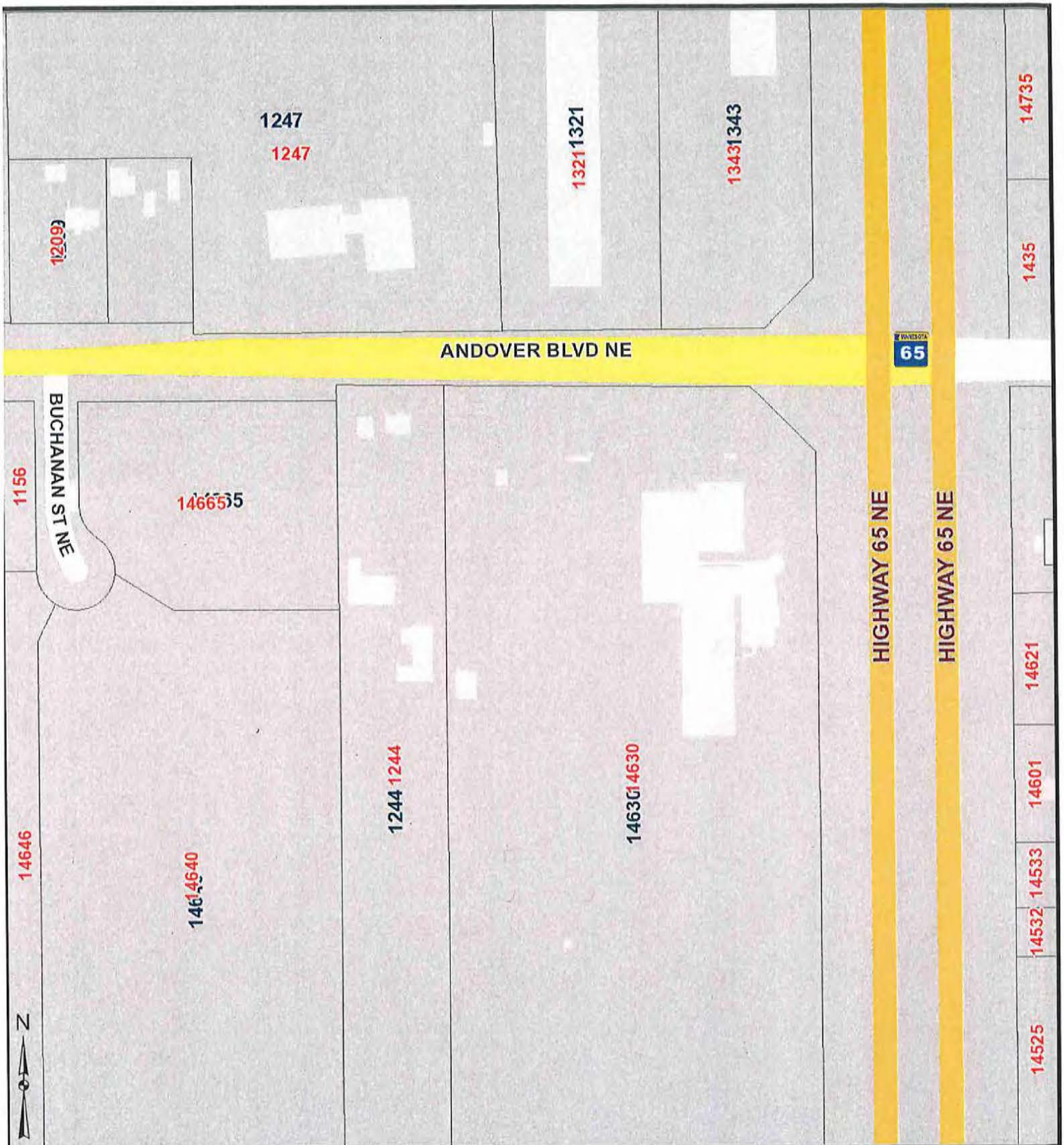
SIGNATURE Andrew Berg DATE 3/11/21

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT  YES  NO

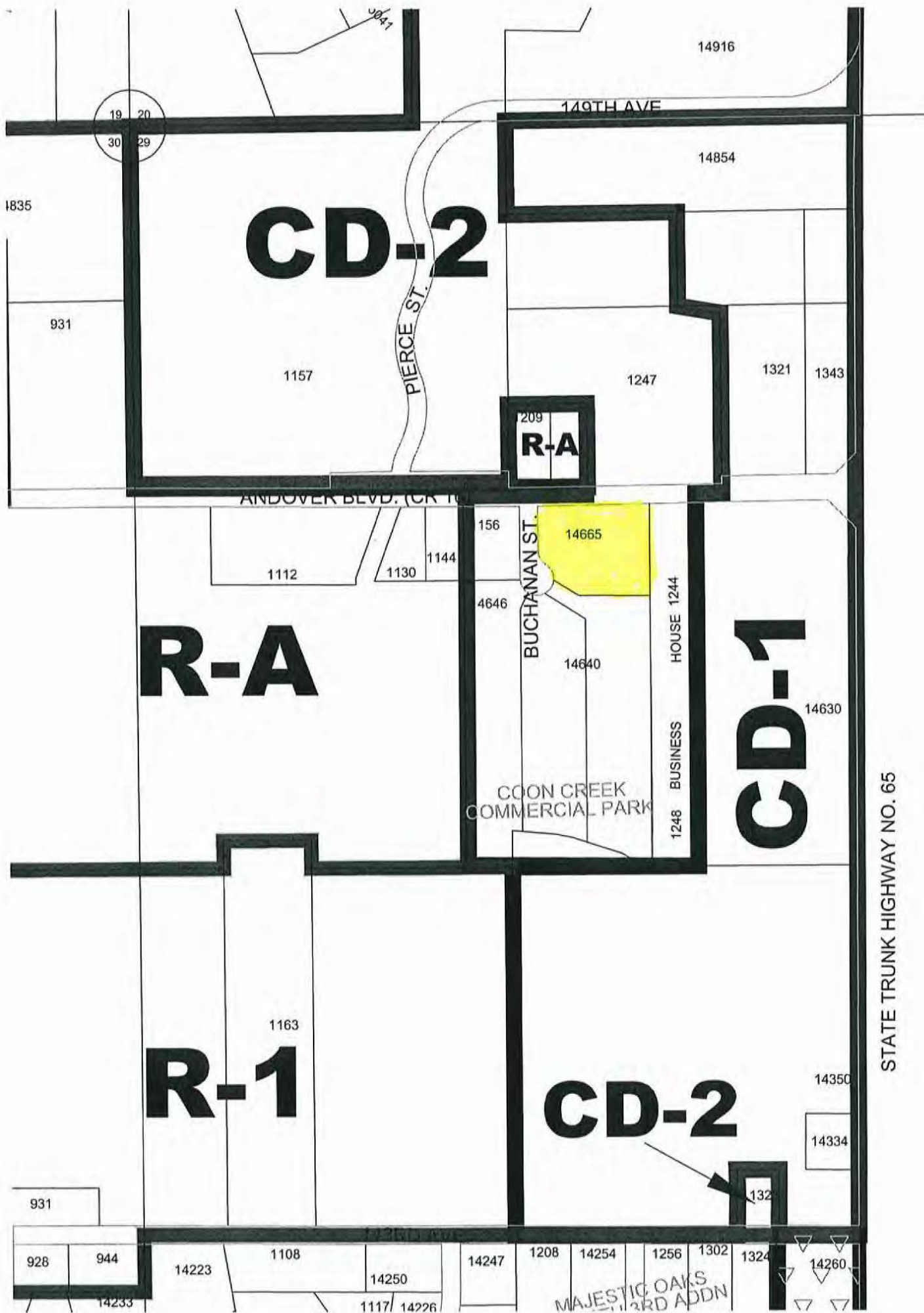
# Anoka County Parcel Viewer



**Parcel Information:** Approx. Acres: 2.75103098  
 29-32-23-24-0005 Commissioner: JULIE BRAASTAD  
 14665 BUCHANAN ST NE  
 HAM LAKE  
 MN 55304  
 Plat: COON CREEK COMMERCIAL PARK

**Owner Information:**





19 20  
30 29

14916

149TH AVE

14854

**CD-2**

1835

931

1157

PIERCE ST.

1247

1321

1343

209

**R-A**

ANDOVER BLVD. (CR T)

156

14665

1112

1130

1144

BUCHANAN ST.

4646

14640

1248 BUSINESS HOUSE 1244

**R-A**

**CD-1**

14630

COON CREEK COMMERCIAL PARK

**R-1**

1163

**CD-2**

14350

14334

132

931

928

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14250

14247

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14254

1256

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14260

14233

1117/ 14226

MAJESTIC OAKS  
3RD ADDN

STATE TRUNK HIGHWAY NO. 65

Meeting Date: 04/12/2021

**CITY OF HAM LAKE**  
**STAFF REPORT**

**To: Planning Commission**

**From: Mark Jones, Zoning & Building Official**

**Subject: Certificate of Occupancy for Latitude Studios Co., 14665 Buchanan Street NE, Unit 3**

**Introduction:**

In February 2020, the City Council approved a Commercial Site Plan submitted by Jeff Entsminger for a multi-tenant building at 14665 Buchanan Street NE. Conditions of site plan approval were that a Certificate of Occupancy was to be obtained by each tenant leasing space in the building to help monitor water usage to ensure the septic system capacity is adequate and the building owner was to provide a diagram showing parking stalls designated to each tenant to ensure there are adequate parking spaces.

Latitude Studios Co. manufactures small, prefabricated structures. The business is considered a permitted use (Manufacturing involving no non-enclosed storage) in the CD-2 zoning district.

Consideration will need to be given to the type of conditions that will need to be recommended on usage per the standards outlined in Article 9, Section 9-220.1.

**Discussion:** This information is provided for commission consideration and discussion.



ROOM FOR FREEDOM

14665 Buchanan Street NE – Suite 3  
Ham Lake, MN 55304

Latitude Studios Co. will be manufacturing small, prefabricated structures and then delivering them to customers. The structures will range in size from 8'x10' up to 8'x20' and utilized as backyard office studios, gazebos, storage sheds or other similar accessory structures. The manufacturing and material storage will occur within the building.

Latitude Studios currently has one employee and anticipates up to 8 within the space. Customers will have the option to schedule an appointment and tour the floor models located within the building and then place an order. Therefore, it is not anticipated that there will be more than 2 spaces utilized for customer parking.

Most customer meetings will occur between 8:00 AM and 6:00 PM Monday through Saturday. A majority of the manufacturing and material deliveries will occur between the hours of 7:30 AM and 7:30 PM Monday through Saturday.

Latitude Studios Co. is excited and proud to be a small business in Ham Lake.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Berg". The signature is fluid and cursive.

Andrew Berg - President

Delivery Equipment Parking

1

Unit 1

Unit 2

Latitude Studios

Unit 3

Unit 4

WETLAND

100 YR HWL = 884.7

8,119 Sq.Ft.

CB 128

887.1 SB 1

885.75 SB 209

887.34 SB 208

887.37 SB 211

887.50 SB 210

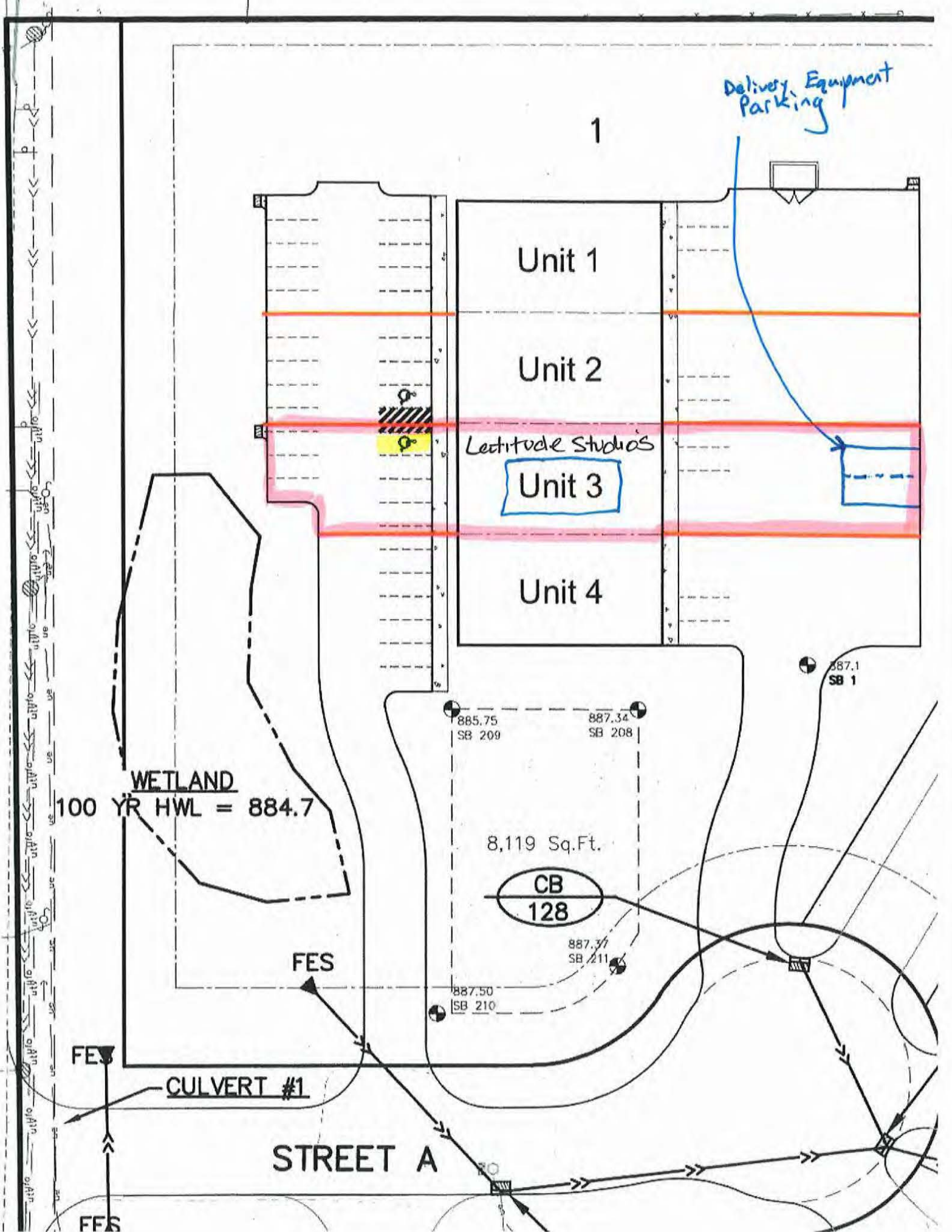
FES

FES

CULVERT #1

STREET A

FES









# 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 March 10, 2021

Date of Receipt 3-15-2021  
Receipt # 89417

**Meeting Appearance Dates:**

Planning Commission 4-12-2021

City Council 4-19-2021

**Please check request(s):**

Metes & Bounds Conveyance

Sketch Plan

Preliminary Plat Approval\*

Final Plat Approval

Rezoning\*

Multiple Dog License\*

Commercial Building Permit

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: Holiday Stationstores

Address/Location of property: 1442 Crosstown Blvd. NE

Legal Description of property: See included Preliminary Plat

PIN # 05-32-23-43-0012 & 05-32-23-43-0016 Current Zoning CD-1 <sup>CO-2 + R-1</sup> Proposed Zoning PUD

Notes: PIN's 05-32-23-0002, -0003, -0004, -0005, -0014 & -0017

Applicant's Name: Jim Goepner

Business Name: Holiday Stationstores LLC

Address 4567 American Boulevard West

City Bloomington State MN Zip Code 55437-1123

Phone 952-830-8080 Cell Phone 612-385-7848 Fax \_\_\_\_\_

Email address jim.goepner@holidaycompanies.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 Jim Goepner

DATE 3/12/2021

**- FOR STAFF USE ONLY -**

ACTION BY: Planning Commission 4-12-2021  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT  YES  NO

## Memorandum

Date: April 7, 2021  
To: Planning Commissioners  
From: Tom Collins, City Engineer  
Subject: Holiday Station Store Ham Lake Sketch Plan

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**Introduction:**

The proposed one lot development and outlot is located on the 26.98-acre area of parcels 05-32-23-43-0002 (1528 Crosstown Boulevard), -0003 (1536 Crosstown Boulevard), -0004, -0005, -0012 (1442 Crosstown Boulevard), -0014, -0016 (17438 Baltimore Street) and -0017 (17331 Highway 65). The 26.98 acres includes 0.48 acres of Crosstown Boulevard right-of-way. The current zoning is Commercial Development Tier 1 (CD-1), Commercial Development Tier 2 (CD-2) and Single Family Residential (R-1), per the attached 500 scale zoning map. A 200-scale half section map and aerial photo are also attached.

**Discussion:**

The proposed subdivision falls under the Minor Plat portion of City Code Section 10-102. Consideration of approving both the preliminary and final plat will be before the Planning Commission at the same meeting, following the public hearing.

The area of proposed Lot 1, excluding Crosstown Boulevard right-of-way, is 6.52 acres, and the area of Outlot A, excluding Crosstown Boulevard right-of-way, is 19.98 acres. The surveyor has acknowledged that there is an area discrepancy from the A.L.T.A. Survey, which is due to a description concern of Anoka County for right-of-way that was taken in fee title.

Lot 1 is to be improved in two phases, per the Demo Plan. The first phase will be the removal of all improvements associated with the former VFW at 17438 Baltimore Street and construction of the new Holiday Station Store. The second phase will be the removal of the existing Holiday Station Store and adjacent pavement. Site Plan approval of the Holiday Station Store plans will be on a future Planning Commission agenda for consideration of recommending approval.

Per the attached Section 9-400 of City Code, the proposed plat is located within the Commercial/Industrial Planned Unit Development Overlay District (CPOD). The application falls under Part II – Redevelopment or Remodeling of existing Lands or Structures, since there are pre-existing structures. Because the project will plat will create 11,000 square feet or more of impervious drainage surfaces per 9-440B, a Planned Unit Development (PUD) is required per 9-410. The PUD Procedural Requirements are per 9-420.

Non-existing Chisholm Street and Baltimore Street from Crosstown Boulevard south to 171<sup>st</sup> Avenue, per the attached Thoroughfare Map, is designated as a municipal state aid (MSA) route. Holiday Station Store will be constructing the northerly 375 feet +/- adjacent to Lot 1, Block 1.

Per the attached 2008 letter from the City Administrator, right-of-way dedication is required for the remainder of the non-existing municipal state aid route thru Outlot A. Holiday Station Store will also record a deed for the easterly temporary cul-de-sac right-of-way on the southerly portion of Chisholm Street being constructed with the plat, per the attached Road Easement exhibit.

Lot 1, Block 1 will remain CD-1 zoning. Per the attached 2008 City Administrator letter the City does not allow "split zoning" of single parcels of land, so Outlot A needs to be separated into two outlots, with the westerly outlot being zoned CD-1 and the easterly zoned R-1. The R-1 zoning was designated due to the 4-lot residential development per the attached preliminary plat and unrecorded final plat of Krawiecki Addition.

The Krawiecki Addition included the dedication of a 1.33-acre park in the northeast portion of the parcels, which is directly adjacent to the 18+ acre Soderville Park. The 1.33 acres is that portion of the Holiday Station Stores parcels located on the east side of County Ditch 58-3-1. The future development of Outlot B will require this parkland dedication. Holiday Station Stores is volunteering the dedication of a 20-foot-wide trail easement from the Chisholm Street right-of-way to Soderville Park, per the attached Trail Easement exhibit.

The Holiday Station Stores Ham Lake Final Plat shows that the Baltimore Street right-of-way has been vacated, which is not correct. A public hearing will be scheduled for the vacation of the Baltimore Street right-of-way either after that portion of Chisholm Street adjacent to Lot 1 is constructed or after parcel -0012 and parcel -0016 are combined into one parcel.

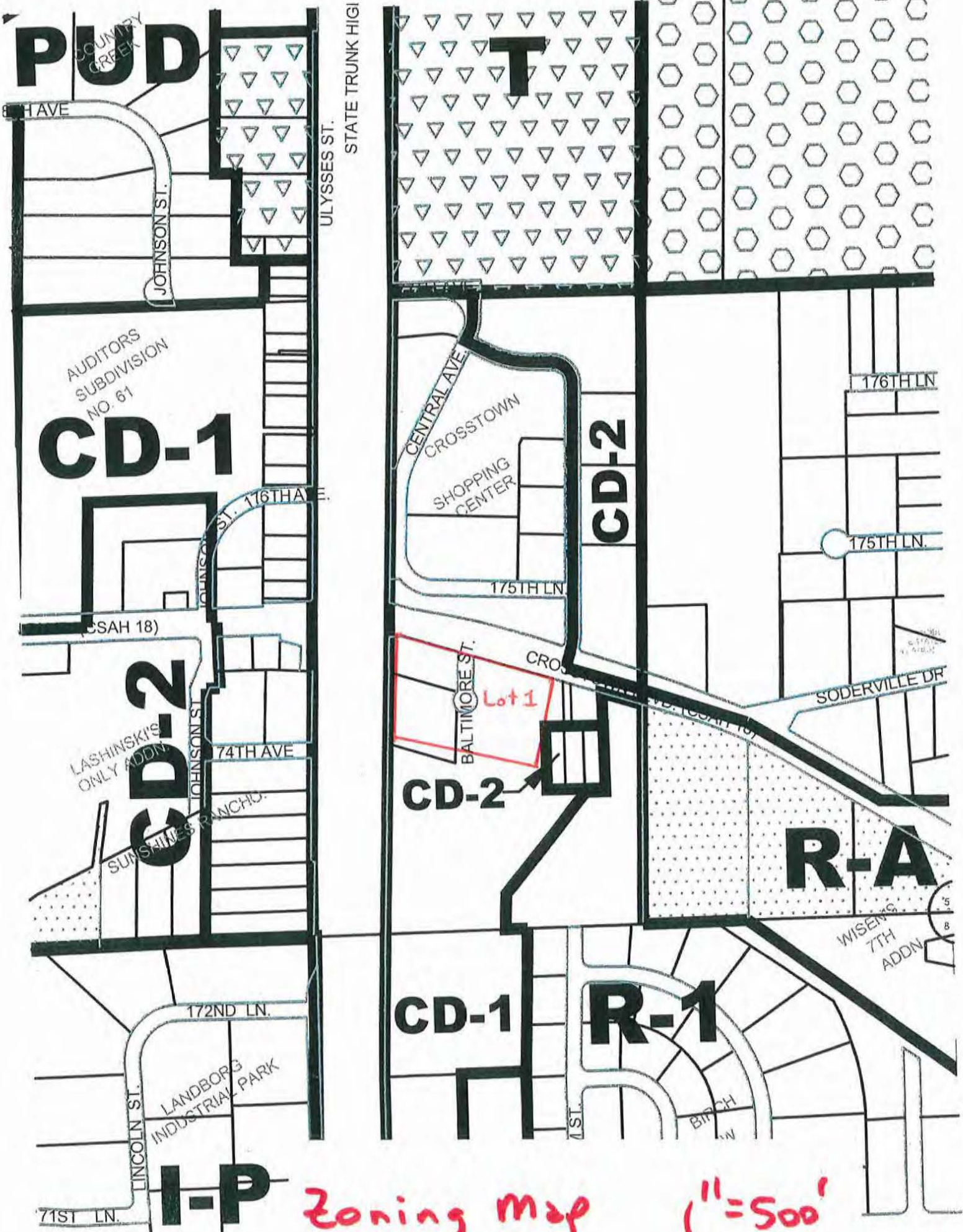
A 100-foot-wide drainage and utility easement is required over County Ditch 58-3-1. Portions of the parcels adjacent to County Ditch 58-3-1 are designated as a FEMA Zone A 100-year flood boundary, although it is not anticipated that future FEMA letter of map amendments will be needed. Coon Creek Watershed District approval is required. Per the attached Natural Heritage Information System review letter (#ERDB 20210144), a botanical survey is required. Anoka County Highway Department approval is required.

The parcels are not located within any of the 20 natural resource clusters identified in the Anoka Conservation District's April 2008 Natural Resources Inventory and Assessment (NRIA). The NRIA is Appendix S of the Storm Water Pollution Prevention Plan (<ftp://ftp.rfcengineering.com/SWPPP.pdf>).

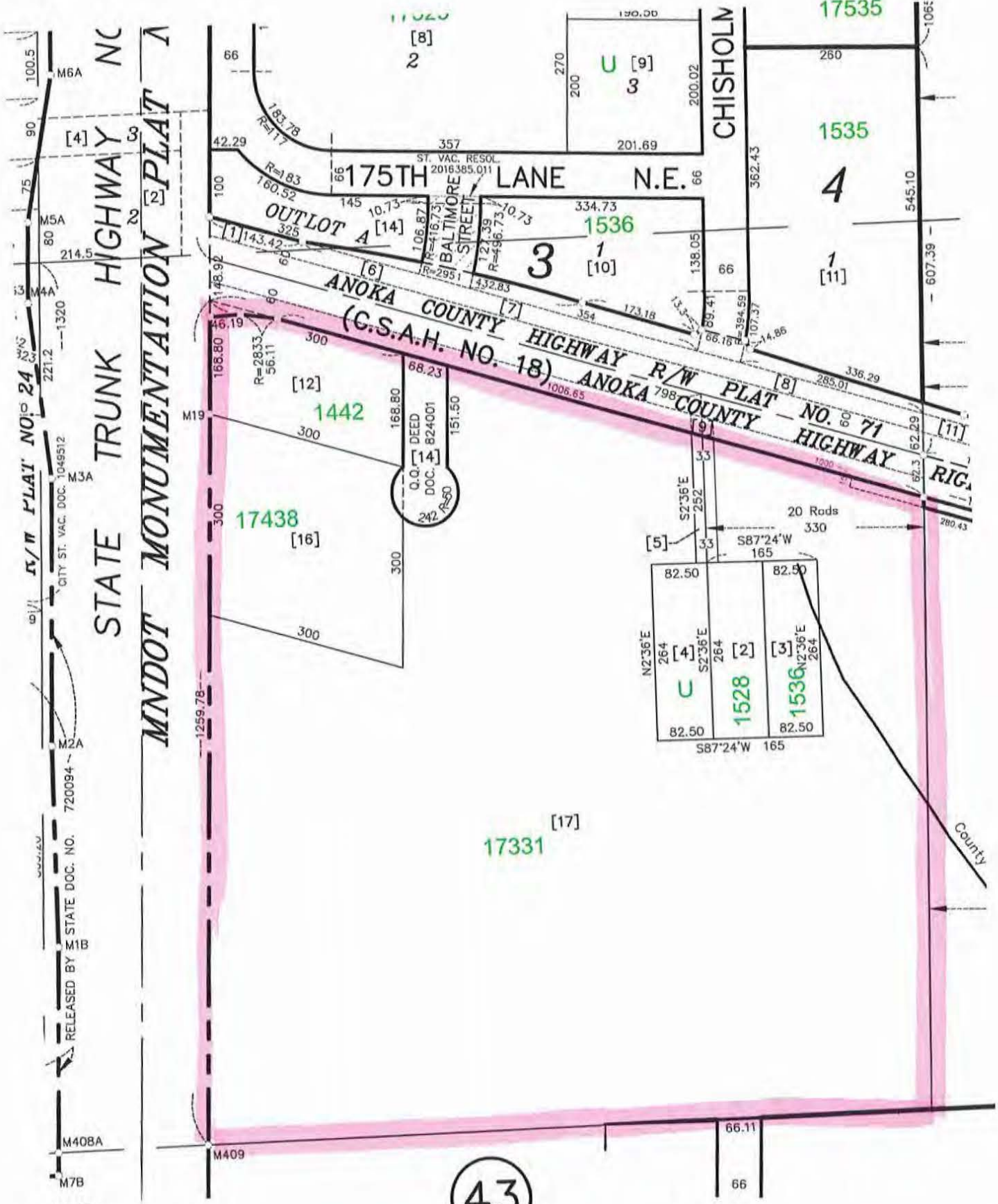
**Recommendations:**

It is recommended that the Sketch Plan of Holiday Station Store Ham Lake be recommended for approval, conditioned on the following:

- Separating out Outlot A into two outlots, with the westerly outlot being zoned CD-1 and the easterly zoned R-1.
- Future submittals meeting the 9-420 PUD Procedural Requirements of City Code.
- The final plat is to include the dedication of right-of-way for the municipal state aid route thru the outlots.



*Zoning map 1"=500'*



15

43

Half-Section 1" = 200'



Aerial Photo 1"=200'













**LEGEND**

- PNE HYDRAUT
- WATER WALK
- MANHOLE
- GATOR MARK
- FORDPOLE
- LIGHT POLE
- GUY
- TRANSFORMER
- ELECTRIC METER
- TV RECEIVING
- TELEPHONE POUCH
- AIR CONDENSER
- HAND HOLE
- SCAMPIRE
- GAS METER
- SAFETY DEVICE
- STONE ELDER
- WATERMAN
- UNDERGROUND GAS MAIN
- UNDERGROUND TELEPHONE
- UNDERGROUND ELECTRIC
- UNDERGROUND CABLE TV
- UNDERGROUND LIGHT LANE
- IRON WAREHOUSE FOUND
- IRON PIPE WAREHOUSE SIT
- EXISTING OPT. ELEVATION
- ZEN. MARK
- SIGN
- CONCRETE TREE
- CONCRETE TREE
- DITCHES TREE AND BRUSH LAKE
- DITCHES PLANT AND SCREW
- DITCHES FRENCH DRAIN
- CUB. CLIMB STOP
- CLEAN OUT
- LIGHTHOUSE WALL
- MARIJUANA CHILL
- AUTO SPRINKLER
- INDUSTRIAL ROOF
- ROOF
- WATER SPRAY
- TRENCH DRAIN
- TRAFFIC CONTROL PANEL
- STUMP REMOVAL
- SAWLIFT BOOM
- SAWLIFT
- ELECTRIC POUCH
- FLEET POLE
- ENDING UTC
- WALKER
- ROOF DRAIN
- TRANSMISSION TOWER
- HOT PIPE
- WELL
- DITCHES ELEC. LANE
- DITCHES FENCE LANE
- DITCHES FENCE OFFICE
- DITCHES GAS LANE
- DITCHES SAFETY DEVICE
- DITCHES STONE SENIOR
- DITCHES TELEPHONE LANE
- DITCHES TV LANE
- DITCHES UNDERG. UTI.
- DITCHES WATERMAN
- DITCHES WETLAND
- DITCHES WRECKAGE
- DITCHES WALK ROAD

**BENCHMARK**

TOP OF LIGHT POLE EAST  
WEST ENTRANCE  
ELEVATION = 811.08



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**ALTA SURVEY FOR: HOLIDAY STORES**

1528, 1536 AND 1442 CROSSTOWN BLVD NE AND 17331 AND 17438 HIGHWAY 65NE, CITY OF HAM LAKE, ANOKA COUNTY, MINNESOTA, 55304



JOB NO. 127104  
SHEET 3 OF 7 SHEETS

**HONSA SURVEYING**  
1992 PACIFIC AVENUE, EAGAN, MN 55123 (651) 482-8723

**LEGEND**

- ..... FIRE HYDRANT
- ..... WATER TAP
- ..... MANHOLE
- ..... CATCH BASIN
- ..... PUMP/POLE
- ..... LIGHT POLE
- ..... GP
- ..... TRANSFORMER
- ..... ELECTRIC METER
- ..... TV FERRITE
- ..... TELEPHONE FERRITE
- ..... AIR CONDENSER
- ..... HANG HOLE
- ..... SCRAP/PILE
- ..... GAS METER
- ..... SANITARY SEWER
- ..... STORM SEWER
- ..... WOODPILE
- ..... UNDERGROUND GAS LINE
- ..... UNDERGROUND TELEPHONE
- ..... UNDERGROUND ELECTRIC
- ..... UNDERGROUND CABLE TV
- ..... UNDERGROUND UTILITY LINES
- ..... IRON MONUMENT FOUND
- ..... IRON PIPE MONUMENT SET
- ..... EXISTING LIGHT ELEVATION
- ..... SOL BURN
- ..... SAND
- ..... REDWOOD TREE
- ..... CONIFEROUS TREE
- ..... DENOTES TREE AND BRANCH LIMIT
- ..... DENOTES PLANTING NO SECTION
- ..... DENOTES FRENCH DRAIN
- ..... CURB STOP
- ..... ELEVATION BUT
- ..... WATERING WELL
- ..... SPRING WELL
- ..... AUTO SPRINKLER
- ..... SANITARY HOOP
- ..... BENCH
- ..... WATER SPOUT
- ..... TRENCH DRAIN
- ..... TRAFFIC CONTROL PANEL
- ..... FISH BENCH
- ..... KILLING SHED
- ..... TELEPHONE
- ..... ELECTRIC FERRITE
- ..... FLAG POLE
- ..... BRASS LIT
- ..... WALKER
- ..... ROOF DRAIN
- ..... TRANSDUCER TRENCH
- ..... VOTE PIPE
- ..... WELL

- ..... DENOTES ELEC. LINE
- ..... DENOTES FENCE LINE
- ..... DENOTES FLOOR OFFICE
- ..... DENOTES GAS LINE
- ..... DENOTES SANITARY SEWER
- ..... DENOTES STORM SEWER
- ..... DENOTES TELEPHONE LINE
- ..... DENOTES TV LINE
- ..... DENOTES OVERHEAD UTL
- ..... DENOTES WATERMAIN
- ..... DENOTES WIRELAND
- ..... DENOTES FUELING
- ..... DENOTES RAIL ROAD

**BENCHMARK**

TOP OF LIGHT POLE EAST  
WEST ENTRANCE  
ELEVATION = 911.38

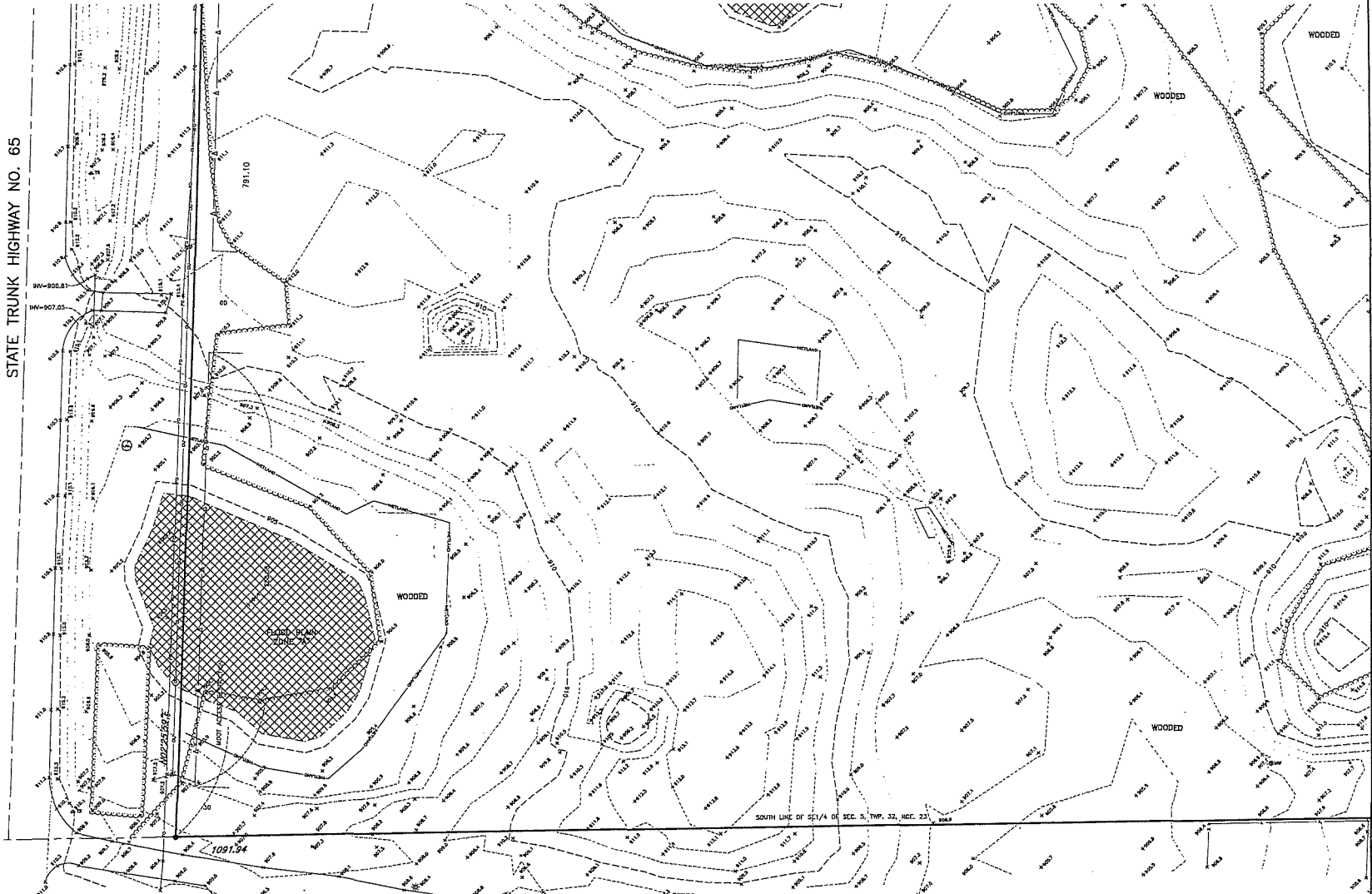


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1528, 1536 AND 1442 CROSSTOWN BLVD NE AND 17381 AND 17438 HIGHWAY 65NE, CITY OF HAM LAKE, ANOKA COUNTY, MINNESOTA, 55304



JOB NO. 127104  
SHEET 4 OF 7 SHEETS

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1302 PACIFIC AVENUE, COKAL, MN 55122 (651) 492-0725

**LEGEND**

- ..... FIRE HYDRANT
- ..... WATER VALVE
- ..... MANHOLE
- ..... GATOR DASH
- ⊥ ..... POWERPOLE
- ⊥ ..... LIGHT POLE
- ⊥ ..... STP
- ⊥ ..... TRANSFORMER
- ⊥ ..... ELECTRIC METER
- ⊥ ..... TV FERRISAL
- ⊥ ..... TELEPHONE FERRISAL
- ⊥ ..... AIR CONDITIONER
- ⊥ ..... HAND HOLE
- ..... EDDYMARKER
- ..... GAS METER
- ⊥ ..... SANITARY SEWER
- ⊥ ..... STORM SEWER
- ⊥ ..... WOODMAN
- ⊥ ..... UNDERGROUND GAS MAIN
- ⊥ ..... UNDERGROUND TELEPHONE
- ⊥ ..... UNDERGROUND ELECTRIC
- ⊥ ..... UNDERGROUND CABLE TV
- ⊥ ..... UNDERGROUND UTILITY LINES
- ⊥ ..... HIGH MONUMENT FOUND
- ⊥ ..... HIGH PIPE MONUMENT SET
- ⊥ ..... EXISTING SPOT ELEVATION
- ⊥ ..... SOL. SURVEY
- ⊥ ..... SIGN
- ⊥ ..... FERRISMAN TREE
- ⊥ ..... CONIFERUS TREE
- ⊥ ..... DENOTES TREE AND BRUSH LINES
- ⊥ ..... DENOTES PLANTING AND SECTION
- ⊥ ..... DENOTES FRENCH DRAIN
- ⊥ ..... CURB STOP
- ⊥ ..... CLEAN RY
- ⊥ ..... UNDERGROUND WELL
- ⊥ ..... SPRING WELL
- ⊥ ..... AUTO SPRINKLER
- ⊥ ..... MANHOLE HOOP
- ⊥ ..... BRUSH
- ⊥ ..... WATER SPRAY
- ⊥ ..... FRENCH DRAIN
- ⊥ ..... TRAFFIC CONTROL PANEL
- ⊥ ..... FIRE HYDRANT
- ⊥ ..... WATER OIL
- ⊥ ..... TELEPHONE
- ⊥ ..... ELECTRIC FERRISAL
- ⊥ ..... ROAD PILE
- ⊥ ..... BRONZO LITE
- ⊥ ..... MARKS
- ⊥ ..... ROOF MARK
- ⊥ ..... TRANSMISSION TOWER
- ⊥ ..... VOLT FEE
- ⊥ ..... WELL

- ..... DENOTES REC. LINE
- ..... DENOTES FENCE LINE
- ..... DENOTES FINDER OPTIC
- ..... DENOTES GAS LINE
- ..... DENOTES SANITARY SEWER
- ..... DENOTES STORM SEWER
- ..... DENOTES TELEPHONE LINE
- ..... DENOTES TV LINE
- ..... DENOTES OVERHEAD UTL.
- ..... DENOTES WATERMAN
- ..... DENOTES WETLAND
- ..... DENOTES FRESHWATER
- ..... DENOTES SAND ROAD

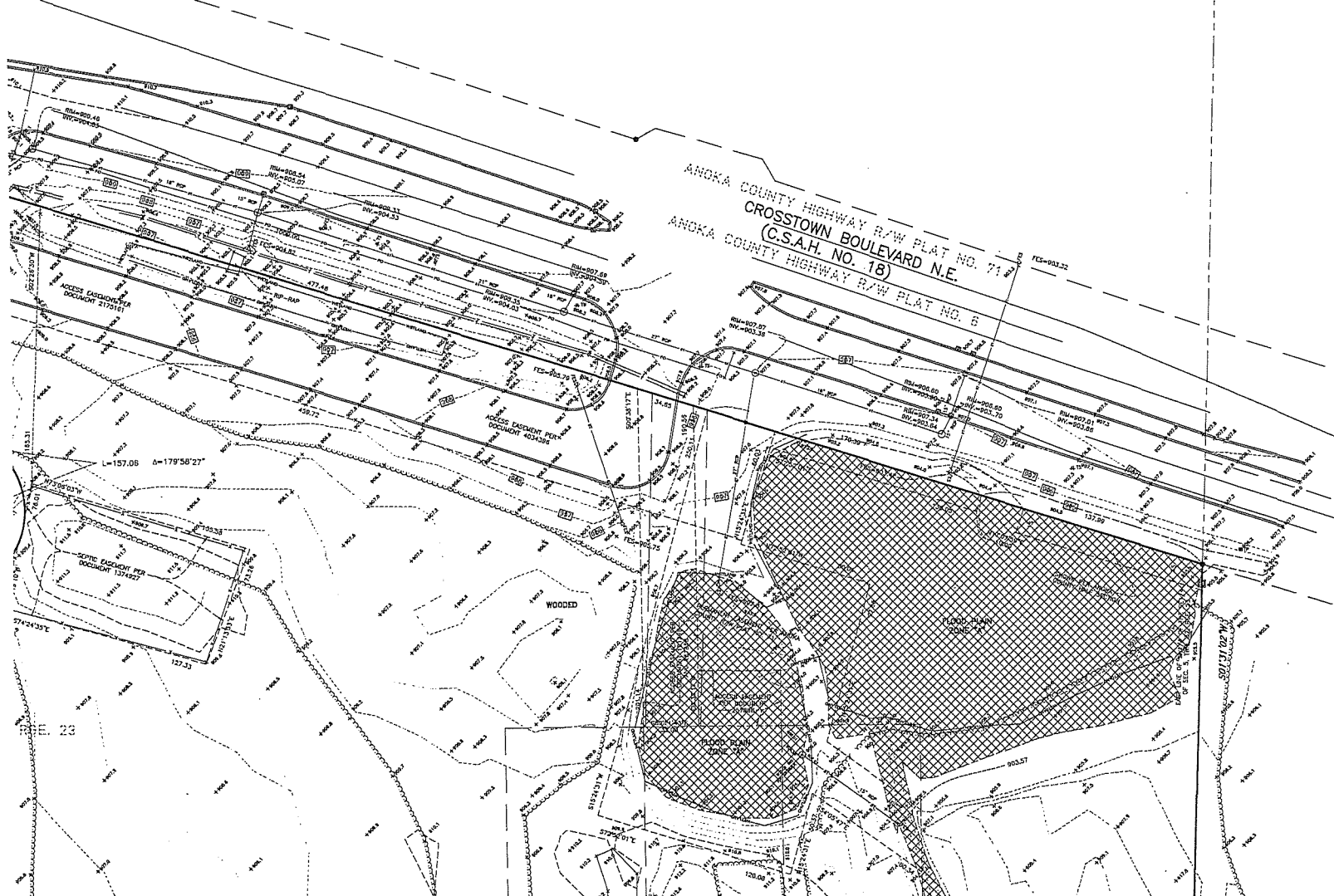
**BENCHMARK**

TOP OF LIGHT POLE EAST  
WEST ENTRANCE  
ELEVATION = 911.25



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1528, 1536 AND 1442 CROSSTOWN BLVD NE AND 17331 AND 17438 HIGHWAY 65NE, CITY OF HAM LAKE, ANOKA COUNTY, MINNESOTA, 55304



JOB NO. 127104  
SHEET 5 OF 7 SHEETS

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# ALTA SURVEY FOR: HOLIDAY STORES

1528, 1536 AND 1442 CROSTOWN BLVD NE AND 17831 AND 17438 HIGHWAY 65NE, CITY OF HAM LAKE, ANOKA COUNTY, MINNESOTA, 55304

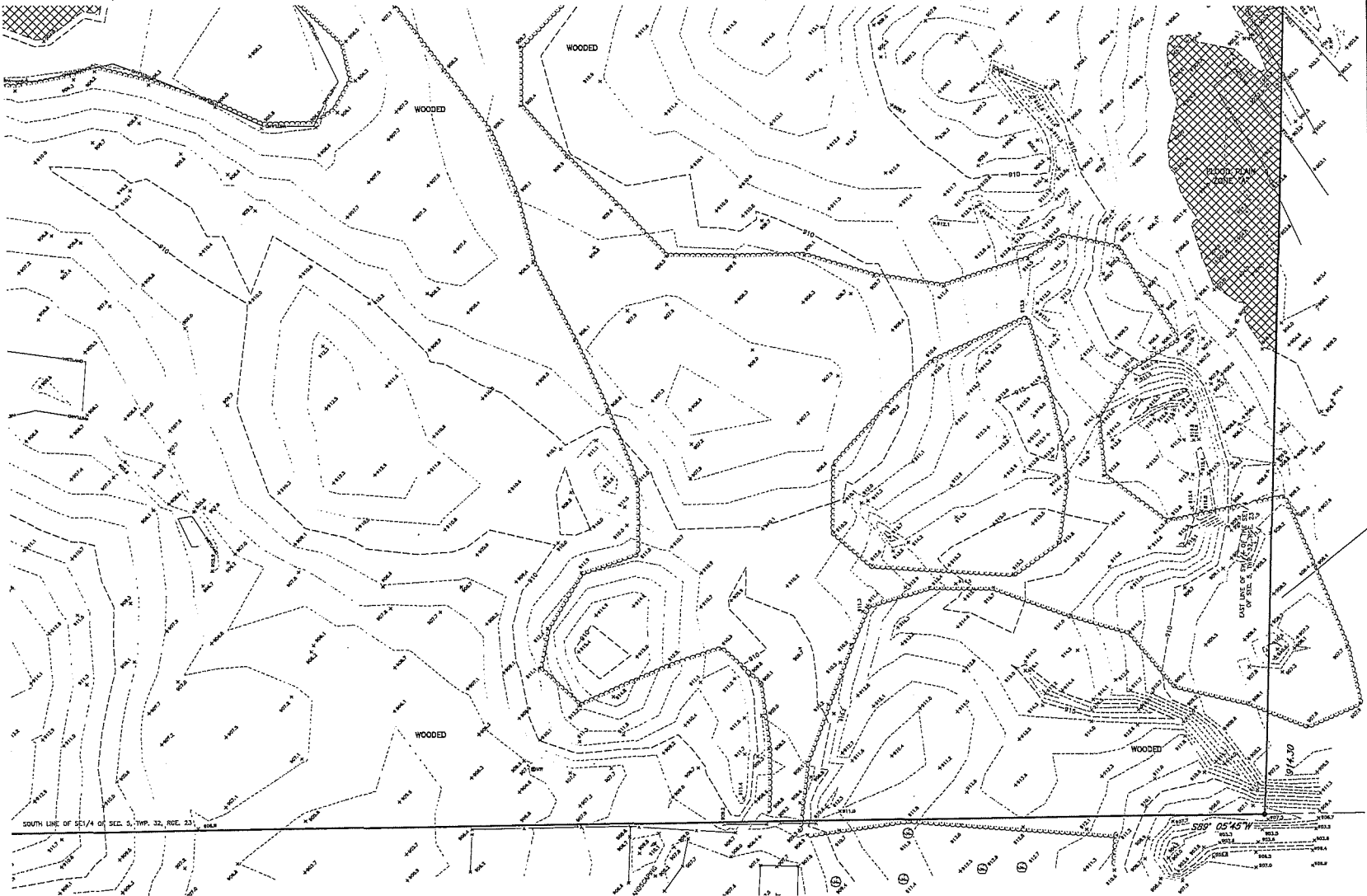
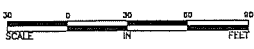
## LEGEND

- PNE HYDRANT
- WATER VALVE
- MANHOLE
- GUSH BOX
- POWERPOLE
- LIGHT POLE
- COP
- TRANSFORMER
- ELECTRIC METER
- TV METER
- TELEPHONE POCKET
- AIR CONDITIONER
- HAND HOLE
- SEWAGE
- GAS METER
- SMOKESTACK
- STUMP
- WOODPILE
- UNDERGROUND GAS MAIN
- UNDERGROUND TELEPHONE
- UNDERGROUND ELECTRIC
- UNDERGROUND CABLE TV
- OVERHEAD UTILITY LINES
- SIGN MONUMENT FOUND
- SIGN PIPE MONUMENT SET
- EXISTING SPOT ELEVATION
- SOIL BORING
- TREE
- CONCRETE TREE
- CONCRETE TREE AND BRUSH LIMITS
- CONCRETE FLAGGED D&G SECTION
- CONCRETE FRENCH DRAIN
- CURB STOP
- GROUND NAIL
- CONCRETE WELL
- SANITARY CHILL
- AIRS BRIGADE
- SANITARY HOOP
- SINK
- WATER SPRAY
- FRENCH DRAIN
- TRAFFIC CONTROL PANEL
- FRESH WATER
- SANITARY BOX
- TELEPHONE
- ELECTRIC POCKET
- FLAG POLE
- GROUND LIT
- MANHOLE
- ROOF DRAIN
- TRANSFORMER TOWER
- VENT PIPE
- MILL

- DENOTES ELEC. LINE
- DENOTES FENCE LINE
- DENOTES FIBER OPTIC
- DENOTES GAS LINE
- DENOTES SANITARY SEWER
- DENOTES STORM SEWER
- DENOTES TELEPHONE LINE
- DENOTES TV LINE
- DENOTES OVERHEAD UTIL.
- DENOTES WATERMAIN
- DENOTES WETLAND
- DENOTES RAIL ROAD

### BENCHMARK

TOP OF LIGHT POLE EAST  
NORTH ENTRANCE  
ELEVATION = 911.26



SOUTH LINE OF SE1/4 OF SEC. 6, TWP. 32, RGE. 23

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SHEET 7 OF 7 SHEETS

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**9-370.7 Usage** *Accessory Buildings and yard sheds* shall be used only for purposes related to the residential use of the parcel, and shall not be used for the conducting of any business or the storage of any business-related property, such as business equipment, business inventory or business supplies.

**9-370.8 Farm Buildings** A *Farm Building* is a structure located on land zoned R-A, which is not a *dwelling unit*. No *Farm Building* may be constructed at a distance closer than 100 feet from any lot line.

**9-380** *Repealed and deleted May 16, 2016 per Ordinance 16-04.*

**9-390 Opt-Out of Temporary Family Health Care Dwellings Requirements**

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Ham Lake opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings. This Ordinance shall be effective immediately upon its passage and publication.

 **9-400 Establishment of Commercial/Industrial Planned Unit Development Overlay District ("CPOD")**

**A. Establishment of CPOD District.** There is hereby established a CPOD District. All parcels in the City of Ham Lake that have a zoning classification of CD-1 or CD-2, and that lie within one mile of the right-of-way of TH 65 shall be subject to this classification. The present zoning category of CD-1 or CD-2 shall not change, but the City Council may, by ordinance, "overlay" certain selected parcels with the CPOD classification. When so done, such parcels shall remain subject to all of the requirements of the CD-1 or CD-2 District, but shall also be subject to the requirements of the CPOD overlay district. If any of the provisions of the CPOD district conflict with the provisions of the CD-1 or CD-1 districts, the provisions for the CPOD district shall supersede the provisions for the CD-1 and CD-2 districts.

**B. Preliminary Submission Requirements.** The proponent of any proposed land use with a CPOD shall submit to the City an application for preliminary review (the "Preliminary Site Plan") containing a sketch prepared by a registered land surveyor, engineer or architect at a scale capable of displaying the entire proposed development on a sheet that is 36 inches wide by 24 inches high, displaying the perimeter of the parcel to be developed, along with a footprint of all structures, driveways, parking areas and other areas of impervious surface to be created, along with a narrative that

describes the nature of the proposed land uses. If the structures are to be used for rental to unknown tenants, the general nature of the businesses anticipated for tenancies shall be described in sufficient detail to enable the City to apply motor vehicle trip generation statistics to make a preliminary estimate of traffic to be generated by the proposal. The site plan shall also display topographic contours at intervals of four feet or less.

- C. Review Deposit and Agreement.** The Preliminary Site plan shall be accompanied by a cash deposit of \$5,000.00 to defray municipal review costs, and the applicant shall execute the City's contract agreeing to reimburse the City for any additional costs in reviewing or processing the application. Any portion of the deposit or any future deposit not actually used for municipal review costs shall be refunded to the applicant at the time of final disposition of the application.
- D. "60-Day Rule" and Subdivision Approval Requirements.** In that Minnesota Statutes Chapters 15.99 and 462.358 impose certain mandatory review deadlines for zoning and subdivision decisions, it shall be the policy of the City to process requests received under this portion of the code as rapidly as possible. However, due to the fact that some requirements of the applicant cannot possibly be known until after the City Council has made its listing of requirements under Article 9-423, it is the applicant's responsibility to anticipate and to plan for the preparation of some or all of the items (in particular the EAW, traffic study and noise study) that may be required by the City Council. Failure of the applicant to submit such items in time to enable the City to comply with the decisions required under the aforementioned statutes shall be grounds for the City to deny the request by reason of untimely submission of needed data.

#### **PART I. Vacant Land Development**

The following provisions shall apply exclusively to requests for subdivision, site plan or building permits sought for lands which at the time of application, do not contain any existing structures.

##### **9-410 Parcels Requiring a Planned Unit Development (PUD) Submission**

The Preliminary Site Plan shall be reviewed by City Staff and such consultants as the City Staff shall choose to engage, and a decision made by staff within 15 business days after submission of the application. Any proposal that meets one or more of the following criteria shall be required to submit the proposal as a PUD, under Article 9-420 below.

- a) A project that will generate 1,440 or more one-way daily motor vehicle trips;

- b) A project that will create 11,000 square feet or more of impervious drainage surfaces;
- c) A project abutting residentially zoned land;
- d) A project abutting any park;
- e) A project containing or abutting any parcel of record containing lands deemed by City staff to contain or likely to contain designated wetlands;

If a project is found by City staff not to meet any of the above criteria, the proposal shall be processed and proceed in the same manner as other proposals in the CD-1 and CD-2 zoning districts. If a project does meet any of the above criteria, then the project shall be deemed to require the creation of permanent divisions of land areas (tracts) reserved for public road rights of way, drainage features, or buffer areas, and shall therefore be deemed to be subdivisions of land within the meaning of Minnesota Statutes Chapter 462.358, in that the project will require the separation of the main parcel into two or more tracts.

#### **9-420 PUD Procedural Requirements**

Once a project has been determined by City Staff to require a PUD submission, the applicant shall be notified in writing, and shall be required to proceed under the following provisions.

#### **9-421 Platting Required**

The area within the perimeter of the proposed development shall be submitted as a plat under Article 10 of the City Code. The applicant shall submit a sketch plan of the plat, showing the locations of all areas to be designated as separate tracts to house drainage easements, utility easements, roadway easements and the residential setback and buffer easement required under any portion of the Ham Lake City Code.

#### **9-422 Site Plan**

At the time of submission of the plat, the applicant shall also submit a detailed site plan of the proposed development that displays, at a scale designated by the City's engineer, the following information:

- i. The location of all structures to be constructed;
- ii. The locations of all parking areas and drives;
- iii. The location of an SSTS;
- iv. The location of all loading docks or other delivery areas;
- v. The location of all exterior lighting facilities;
- vi. A landscaping plan;
- vii. The location of all drainage holding ponds and desiltation ponds;
- viii. Proposed provisions for screening where the project abuts residential property or parks;

- ix. The locations of all trash receptacle areas;
- x. The locations of all security or other fencing, including height and materials to be used;

**9-423 Preliminary Review**

The Site Plan shall be reviewed by the Planning Commission and City Council at the same time that the sketch plan for the plat is reviewed. After recommendations from the Planning Commission, the City Council shall adopt a list of requirements, supported by written findings of fact that address the following:

- a) The need for dedication of any public roads, drainage easements, scenic easements, utility easements or other public dedications not already shown on the sketch plan;
- b) The need for a detailed traffic study to determine the impact of the proposal on nearby roadways and signalized intersections;
- c) The need for any buffering or screening measures from nearby residential areas that are in addition to those proposed by the original Site Plan;
- d) The need for any noise studies;
- e) The need for the acquisition of any public right of way or easements of any kind outside of the perimeter of the proposed development, and as to such needs, whether or not the acquisition would be considered in furtherance of a public purpose;
- f) The need for an Environmental Assessment Worksheet;
- g) The need for any other additional data or detail deemed necessary for proper final review of the project.

**9-424 Public Hearing**

At the time that the Public Hearing for Preliminary Plat approval is conducted, the Planning Commission shall simultaneously hold a public hearing on the Site Plan. However, no public hearing shall be scheduled until the City has received all of the information required under Article 9-423.

**9-425 Decision**

Within the time required by law, the City Council shall make a decision on approval or denial of the Site Plan. The approval of the Site Plan shall be deemed to be an approval of the Preliminary Plat, although separate additional conditions may be attached to approval of the Preliminary Plat. Disapproval of the Site Plan shall be deemed a disapproval of the Preliminary Plat, although separate conditions may be cited for the disapproval of the Preliminary Plat. If approved, the conditions of approval shall be stated in the motion granting the approval.

**9-430 Development Agreement**

Within 30 days after approval of the Preliminary Plat, the City shall prepare and submit to the applicant a Development Agreement for the project. The Development Agreement shall set forth the conditions that the applicant must meet, as expressed in the approval motion under Article 9-425. Those conditions may include, without limitation, the following:

**A. Drainage Features**

Construction by the applicant of drainage facilities, including ditches, pipes, culverts, swales, holding ponds and desiltation ponds on or off of the site;

**B. Traffic Controls**

Construction by the applicant of turn lanes on public roads or highways, and/or contribution to the cost of intersection improvements, including signalization, at entrances to the site or at nearby intersections of public roads;

**C. Sewer Connectivity**

Design of connections to an SSTS that are readily convertible to reconnection to a public or private common sewer system at such time as such a system is ever constructed, along with an assessment agreement in which the applicant and successors in title agree not to contest special assessments (levied under Minnesota Statutes Chapter 429) in a sum certain, to go toward the cost of any public sewer system that may be constructed within five years of the date of the Development Agreement.

**D. Reimbursement for Eminent Domain Proceedings**

If acquisition of land or easements is found to be in furtherance of a public purpose, an agreement to contribute a reasonable sum to reimburse the City for the costs of eminent domain proceedings necessary to advance such purposes.

**E. Buffering and Screening**

Construction by the applicant of adequate buffering or screening devices designed to shield and protect adjacent residentially zoned properties from noise, light intrusion from the development, and from visibility to the development.

**F. Tree Preservation**

A tree preservation plan designed to conserve existing forests or trees not being removed for the project, and designed to prevent tree disease.

**G. Wetland and Habitat Protection**

Construction of physical features or employment of construction techniques designed to prevent or minimize harm to wildlife habitat or adverse impacts upon wetlands on or off the site.

**H. Groundwater**

Construction of SSTS and ponding in a manner that does not threaten the elevation of groundwater and that does not threaten to contaminate groundwater.

**I. Pedestrian Traffic**

Construction of trails or paths to enhance pedestrian access through or into the proposed site.

**J. Accommodation of Future Development**

Construction, dedication or reservation of land areas that are needed to accommodate roads, drainage, utility easements or other features of anticipated future development of adjacent lands.

**K. Aesthetics and Landscaping**

Construction designs and landscaping features designed to make the development preserve property values on adjacent properties.

The Development Agreement may also require the posting of security in the manner provided by City policy to insure the timely and proper implementation of any of the foregoing elements.

**PART II. Redevelopment or Remodeling of Existing Lands or Structures**

**9-440 Replatting or Redevelopment**

Projects within a CPOD that require replatting of existing platted lands, or that require building permit issuance on any parcel of land that contain a pre-existing structure or structures, shall be required to submit an application containing the information required in Article 9-400 (B), except for topographic data. Such projects shall not be required to fall under the PUD submission requirements unless the project will either:

- A. Result in a project that will generate 1,440 or more one-way motor vehicle trips in excess of the trip generation then currently being generated at the site; or
- B. Result in a project that will create 11,000 square feet or more of impervious drainage surfaces than that which is then currently present on the site.

**PART III. INITIAL DESIGNATION OF OVERLAY LANDS**

The following lands are hereby overlaid with the CPOD designation:

The West Half of the Northwest Quarter of Section 4

The Northeast Quarter of Section 5

The Northwest Quarter of Section 5, except that part platted as Rustic Acres, and except Lots 1-8, Block 1, and Lots 1-4, Block 2, Country Creek

The West Half of the Southeast Quarter of Section 5

The East Half of the Southwest Quarter of Section 5

The West Half of the East Half of the Southeast Quarter of Section 5 lying northerly of Anoka County Highway Plat No. 6 and Soderville Drive

The Northeast Quarter of the Northwest Quarter of Section 8  
That part of the Northeast Quarter of Section 8 Lying West of Birch View Acres  
Plat

**9-500 Transition Zones in CD-1 and CD-2 Districts**

**9-510 Preamble** It is recognized that there are numerous large (and/or adjacent smaller) under-utilized commercial or commercial-eligible parcels in the Trunk Highway 65 Corridor that have not obtained their highest and best commercial usages. Some of these parcels were formerly occupied by businesses, some are currently occupied by businesses, some are vacant, and some are or were in agricultural use. Such parcels, if required to strictly observe the requirements of CD-1 and CD-2 zoning, will remain vacant and/or under-utilized indefinitely. It is the purpose of this Article 9-500 to identify such parcels and permit a more liberal usage of Conditional Use Permit activity thereon, to promote increased commerce, tax base and employment.

**9-520 Transition Zones** The following lands are hereby designated Transition Zones. This is not a separate zoning category, but shall embrace lands that are or will be zoned CD-1 or CD-2, and provide for Conditional Use Permits within these zones that differ from the Conditional Use Permit provisions found elsewhere in the City Code. Any of the following parcels that are also in the CPOD Overlay Districts created by Article 9-400 of this Code shall be exempt from the provision of Article 9-400 if a development plan is proposed under the auspices of this Article 9-500.

**North Area**

PIN 05-32-23-11-0002  
PIN 05-32-23-11-0003  
PIN 05-32-23-12-0001  
PIN 05-32-23-13-0001  
PIN 05-32-23-14-0002  
PIN 05-32-23-14-0003

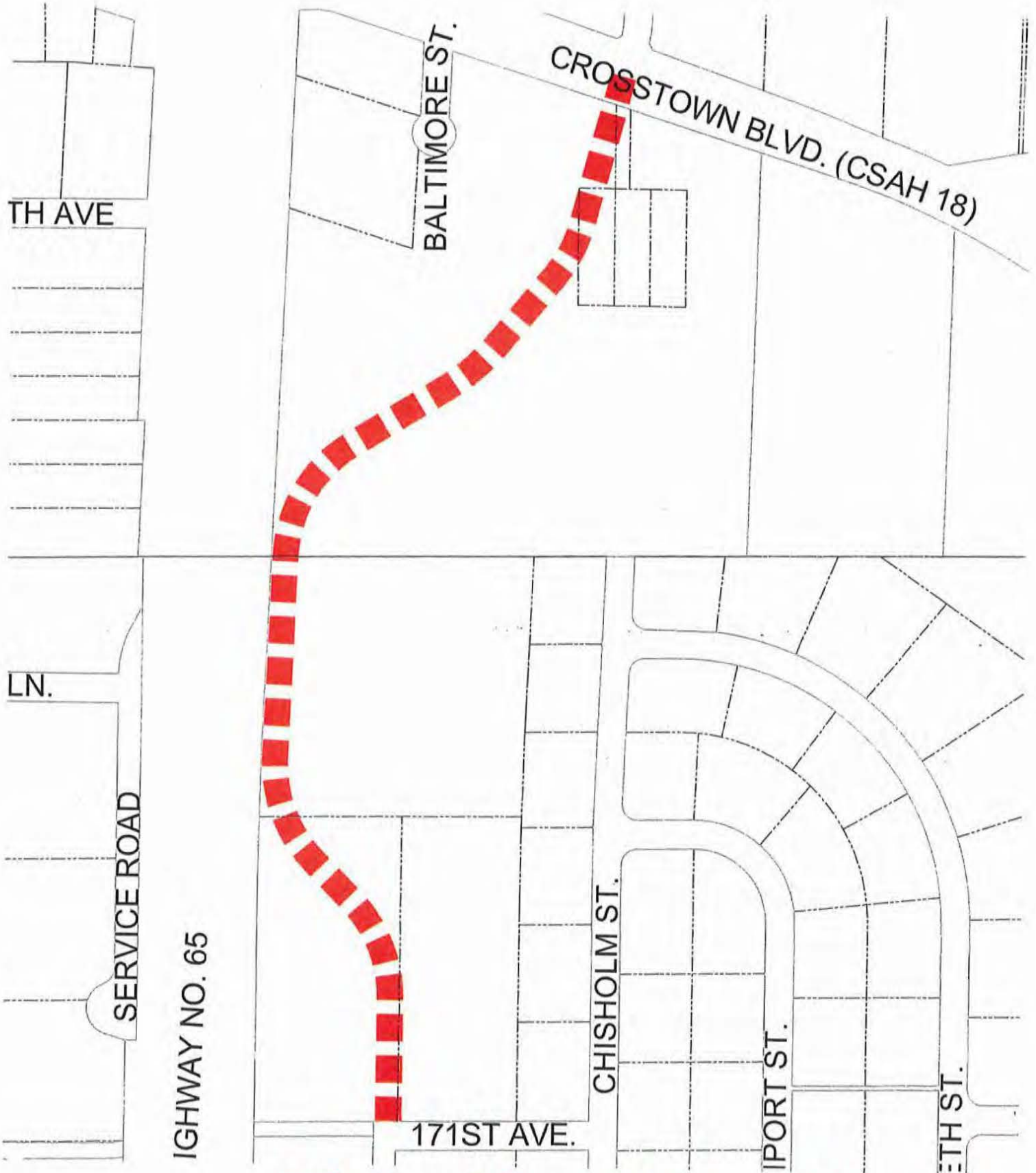
**Central Area**

PIN 29-32-23-34-0002  
PIN 29-32-23-34-0006  
PIN 29-32-23-43-0017

**South Area**

PIN 32-32-23-42-0002  
PIN 32-32-23-42-0003  
PIN 32-32-23-42-0004  
PIN 32-32-23-42-0005  
PIN 32-32-23-41-0006





TH AVE

BALTIMORE ST.

CROSTOWN BLVD. (CSAH 18)

LN.

SERVICE ROAD

IGHWAY NO. 65

171ST AVE.

CHISHOLM ST.

IPORT ST.

5TH ST.

Thoroughfare Map 1" = 300'



# CITY OF HAM LAKE

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

**Memo to: Ham Lake Planning Commission**

**From: Doris Nivala, City Administrator**

**Date: March 25, 2008**

**Re: Krawiecki/Holiday**

City staff, along with City Engineer Tom Collins and City Attorney Bill Dorn, have reviewed the concept proposals from Holiday Stationstores and Dan Krawiecki. We have not received a formal application for any particular approval, but have looked at the informal proposals in light of our ordinances and policies. This memo is intended for use by the developer as well as the Planning Commission if and when we do receive a formal sketch plan or site plan or both.

## 1. Subdivision and Road Alignment

The attached sketch was traced from the most recent proposal from the developer. It was not prepared by the developer.

### **A. Streets**

Aberdeen Street is placed as far west as possible. In that the developer has no firm handle on what will eventually develop on the east side of the new service road, this configuration gives the maximum amount of flexibility.

The Developer should be required to construct Chisholm Street to MSA standards through its intersection with Baltimore Street, and to construct Baltimore Street to City standards to Chisholm Street. West and south of the intersection of Chisholm and Baltimore, the service road should be dedicated in the plat, but need not be constructed at this time. When Outlot A is developed, the developer of Outlot A will be required to construct Aberdeen Street to MSA Standards from the south property line to the Chisholm/Baltimore intersection.

### **B. Lots and Land Uses**

Lot 1, Block 1 should occupy the entire area bounded by Baltimore, Crosstown and Chisholm. There may be a need for a drainage easement in the south portion of the

parcel, but even though Holiday may not need this entire parcel for their new store, it is not feasible to have a small and unusable lot in the south portion of this triangle.

Outlot A is the area east of the service road that is zoned CD-1. Outlot B is the area east of the service road that is zoned R-1. The City does not allow "split zoning" of single parcels of land, as it creates confusion and may endow a property owner with legal rights that are not consistent with the intended zoning. Outlot B does have the ability to tie into Chisholm Street to the south. At the time that the sketch was made, it was not known with certainty where the zoning line exists, but this zoning district line will be the dividing line between Outlot A and Outlot B.

If the developer at some time in the future chooses to request a zoning change for either Outlot A or Outlot B, they are certainly free to do so, and the creation of these outlots does not bind either the City or the Developer to any future development plan. A zoning change for Outlot B to a commercial status would require a 4/5 vote of the City Council.

The land west of Baltimore/Aberdeen consists of three parcels that would be exceptions. They would continue to house the old Holiday store, the VFW, and an area south of the VFW for a relocated ISTS for the VFW. It is not known at present if this ISTS area is sufficiently large or otherwise suitable for ISTS, so the alignment of Aberdeen may have to be shifted to accommodate the ISTS. In addition, it is unknown whether the developer and the VFW have reached any accord on a relocated ISTS. At present, the VFW ISTS is located to the east of the VFW parcel.

At the present time, there are three small separate parcels of record located east of what is shown on the sketch as Chisholm Street. These parcels house three dwelling units and various outbuildings. There is another occupied dwelling south of the VFW parcel. The developer owns all but one of the separate parcels of record.

The residential uses in this area are non-conforming uses. The developer may not expand or enlarge these uses, and the City's policy should likewise be intended to discourage expansion of non-conforming uses. For this reason, the subdivision should not be allowed unless it eliminates the separate parcels and significantly reduces the non-conforming uses. It is therefore recommended that the developer be required to acquire or otherwise join all of the separate parcels into Outlot A, and that all single family uses except one home with permitted outbuildings be eliminated (razed). The one home would be located east of Chisholm, and would take its driveway access to Crosstown (as it does at present) until Chisholm is constructed, at which time it would take its driveway access from Chisholm. Anoka County is presently replacing the driveway to this house as a part of their Crosstown/65 intersection reconstruction, and the new driveway will be gravel. Since no new home construction or alteration of the area east of the service road

is being requested, and since Chisholm Street will eventually overlap a large portion of the driveway, it is not recommended that paving of the driveway be required. When the driveway change is made to connect to Chisholm, it would have to be paved.

Holiday has indicated that it intends to remove the gas tanks and canopies from the existing store, and will retrofit the existing building as necessary to house a new occupant engaged in a business other than petroleum and convenience products.

## **2. Signage Issues**

There is a freestanding pylon sign on the existing Holiday site. Holiday wishes to retain this sign. There is a similarly situated Burger King sign just to the north. All of the land on the north side of Crosstown is owned by related companies, and the Burger King and Holiday signs are both grandfathered. In addition, changes to the sign ordinance regarding constitutional sign content issues resulted in the elimination of the requirement that a sign can only advertise a business located on that parcel. Therefore, removal of the existing Holiday pylon sign would not be required. However, the square footage of signage on the pylon sign would count against the total square footage of signage allowed for the old Holiday store parcel.

## **3. Drainage Issues**

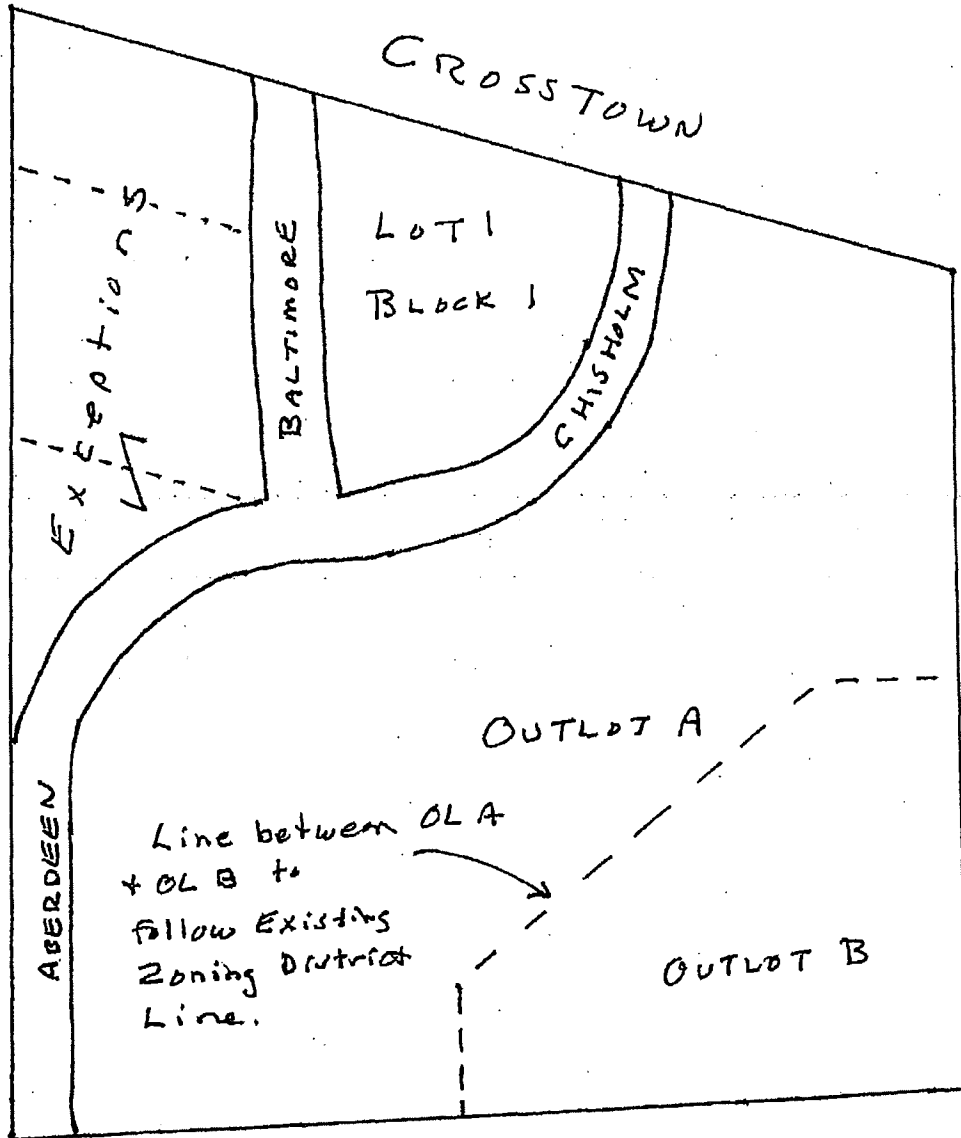
Drainage easements must be dedicated in the plat to accommodate the eventual MSA design for the entire service road. Wetland delineation must be completed as required by the Coon Creek Watershed District.

## **4. Miscellaneous**

The developer will have to comply with the CPOD designation for this parcel, as well as all other requirements of the code.

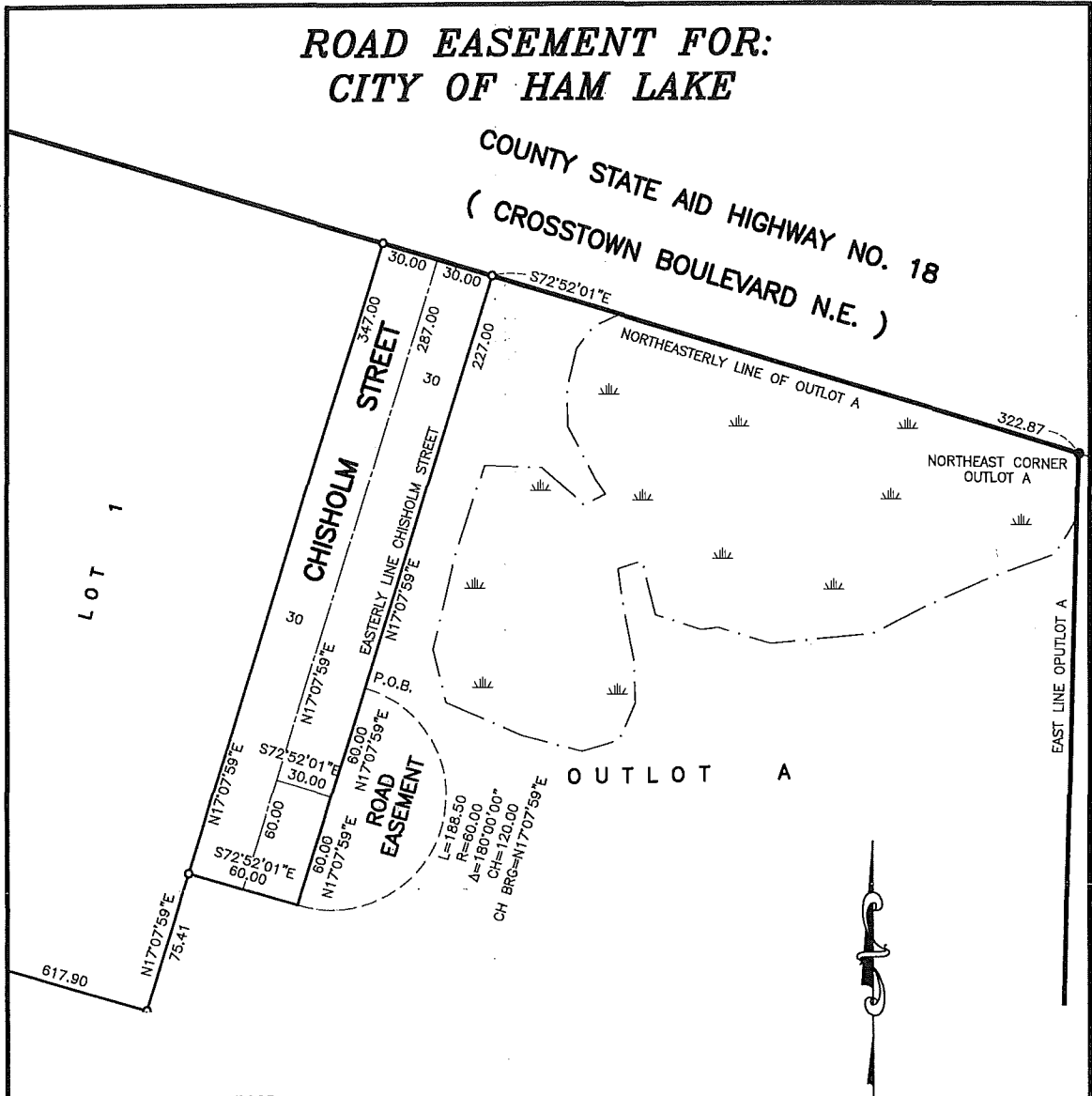
NORTH ↑

TH 65



# ROAD EASEMENT FOR: CITY OF HAM LAKE

COUNTY STATE AID HIGHWAY NO. 18  
( CROSSTOWN BOULEVARD N.E. )



**LEGAL DESCRIPTION:**

ALL THAT PART OF OUTLOT "A", HOLIDAY STATION STORE HAM LAKE ACCORDING TO THE PLAT ON FILE AN OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, ANOKA COUNTY, MINNESOTA IS DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTHEAST CORNER OF SAID OUTLOT "A", HOLIDAY STATION STORE HAM LAKE; THENCE NORTH 72 DEGREES 52 MINUTES 01 SECONDS WEST ASSUMED BEARING ALONG THE NORTHEASTERLY LINE SAID OUTLOT "A" A DISTANCE OF 322.87 FEET TO THE EASTERLY LINE OF CHISHOLM STREET; THENCE SOUTH 17 DEGREES 07 MINUTES 59 SECONDS WEST ALONG SAID CHISHOLM STREET A DISTANCE OF 227.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 17 DEGREES 07 MINUTES 59 SECONDS WEST ALONG SAID CHISHOLM STREET A DISTANCE OF 180.00 FEET; THENCE EASTERLY, NORTHERLY AND WESTERLY ALONG A NONTANGENTIAL CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 180 DEGREES 00 MINUTES 00 SECONDS, AN ARC LENGTH OF 188.50 FEET, A CHORD LENGTH OF 120.00 FEET AND A CHORD BEARING OF NORTH 17 DEGREES 07 MINUTES 59 SECONDS EAST TO THE POINT OF BEGINNING AND THERE TERMINATING.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNED THE 18TH OF MARCH 2021.

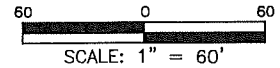
*Dennis M. Honsa*

DENNIS M. HONSA  
MINNESOTA LICENSE No. 22440  
FOR: HONSA SURVEYING

ALTERATIONS TO THIS DRAWING ARE PROHIBITED WITHOUT THE EXPRESS WRITTEN PERMISSION OF HONSA SURVEYING COPYRIGHT 2021.

**LEGEND**

- ⊙ . . . . . FIRE HYDRANT
- ⊗ . . . . . WATER VALVE
- . . . . . MANHOLE
- ▣ . . . . . CATCH BASIN
- ⊕ . . . . . POWERPOLE
- ⊛ . . . . . LIGHT POLE
- . . . . . IRON MONUMENT FOUND
- . . . . . IRON PIPE MONUMENT SET
- 20.25' x . . . . . EXISTING SPOT ELEVATION



JOB NO: HOLIDAY ROAD HAM LAKE

**HONSA SURVEYING**

1592 PACIFIC AVENUE, EAGAN, MN 55122 (651) 492-6725

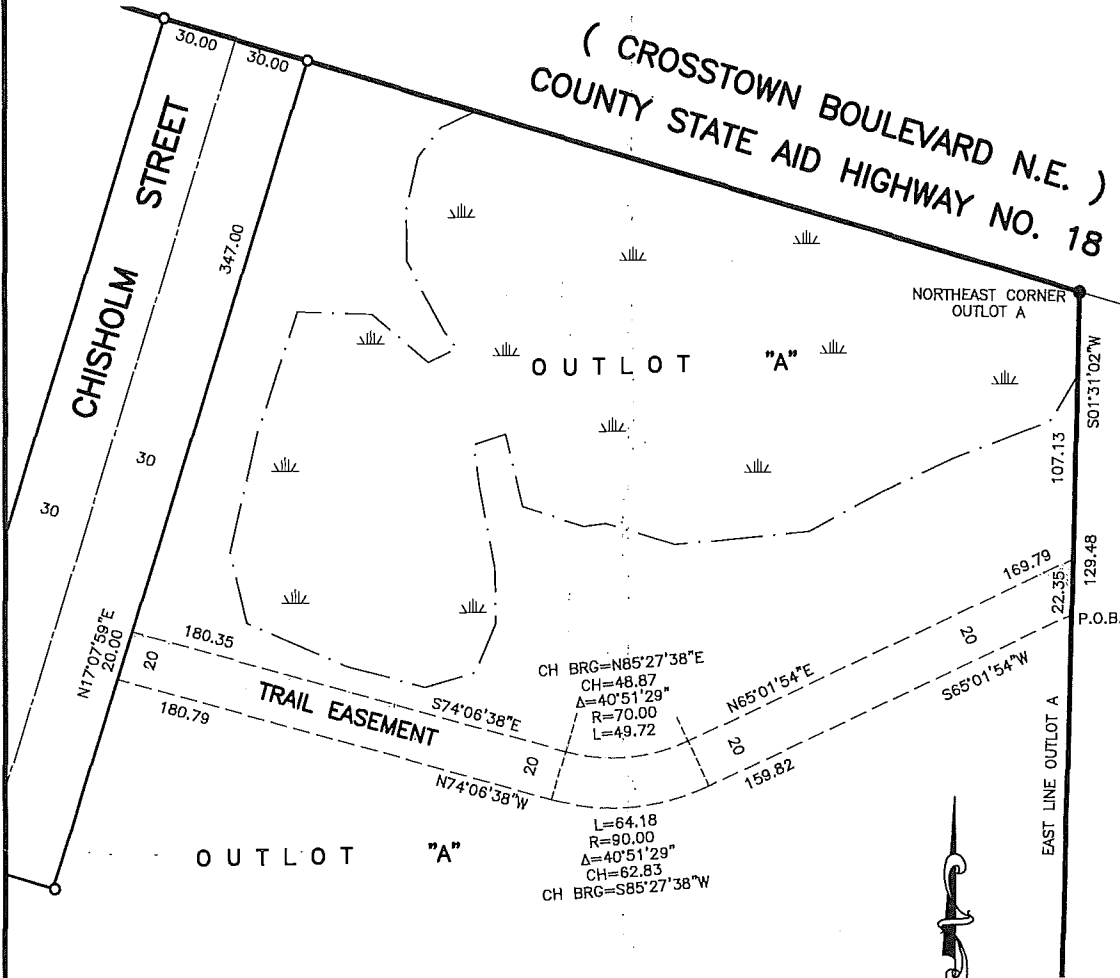






# TRAIL EASEMENT FOR: CITY OF HAM LAKE

( CROSSTOWN BOULEVARD N.E. )  
COUNTY STATE AID HIGHWAY NO. 18



**LEGAL DESCRIPTION:**

ALL THAT PART OF OUTLOT "A", HOLIDAY STATION STORE HAM LAKE ACCORDING TO THE PLAT ON FILE AN OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, ANOKA COUNTY, MINNESOTA IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID OUTLOT "A," HOLIDAY STATION STORE HAM LAKE; THENCE SOUTH 01 DEGREES 31 MINUTES 02 SECONDS WEST ASSUMED BEARING ALONG THE EAST LINE SAID OUTLOT "A" A DISTANCE OF 129.48 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 65 DEGREES 01 MINUTES 54 SECONDS WEST A DISTANCE OF 159.82 FEET; THENCE WESTERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 40 DEGREES 51 MINUTES 29 SECONDS, AN ARC LENGTH OF 64.18 FEET, A CHORD LENGTH OF 62.83 FEET AND A CHORD BEARING OF SOUTH 85 DEGREES 27 MINUTES 38 SECONDS WEST; THENCE NORTH 74 DEGREES 06 MINUTES 38 SECONDS WEST AND TANGENT TO SAID CURVE A DISTANCE OF 180.79 FEET TO CHISHOLM STREET; THENCE NORTH 17 DEGREES 07 MINUTES 59 SECONDS EAST ALONG SAID CHISHOLM STREET A DISTANCE OF 20.00 FEET; THENCE SOUTH 74 DEGREES 06 MINUTES 38 SECONDS EAST A DISTANCE OF 180.35 FEET; THENCE EASTERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 40 DEGREES 51 MINUTES 29 SECONDS, AN ARC LENGTH OF 49.72 FEET, A CHORD LENGTH OF 48.87 FEET AND A CHORD BEARING OF NORTH 85 DEGREES 27 MINUTES 38 SECONDS EAST; THENCE NORTH 65 DEGREES 01 MINUTES 54 SECONDS EAST AND TANGENT TO SAID CURVE A DISTANCE OF 169.79 FEET TO THE EAST LINE OF SAID OUTLOT "A"; THENCE SOUTH 01 DEGREES 31 MINUTES 02 SECONDS WEST ALONG THE EAST LINE SAID OUTLOT "A" A DISTANCE OF 22.35 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING.

**CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

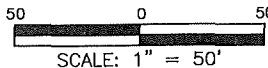
SIGNED THE 17TH OF MARCH 2021.

*Dennis M. Honsa*

DENNIS M. HONSA  
MINNESOTA LICENSE No. 22440  
FOR: HONSA SURVEYING

**LEGEND**

- ⊙ . . . . . FIRE HYDRANT
- ⊗ . . . . . WATER VALVE
- . . . . . MANHOLE
- ⊠ . . . . . CATCH BASIN
- ⊙ . . . . . POWERPOLE
- ⊙ . . . . . LIGHT POLE
- . . . . . IRON MONUMENT FOUND
- . . . . . IRON PIPE MONUMENT SET
- ⋆ . . . . . EXISTING SPOT ELEVATION



JOB NO: HOLIDAY TRAIL HAM LAKE

**HONSA SURVEYING**

1592 PACIFIC AVENUE, EAGAN, MN 55122 (651) 492-6725

ALTERATIONS TO THIS DRAWING ARE PROHIBITED WITHOUT THE EXPRESS WRITTEN PERMISSION OF HONSA SURVEYING COPYRIGHT 2021.



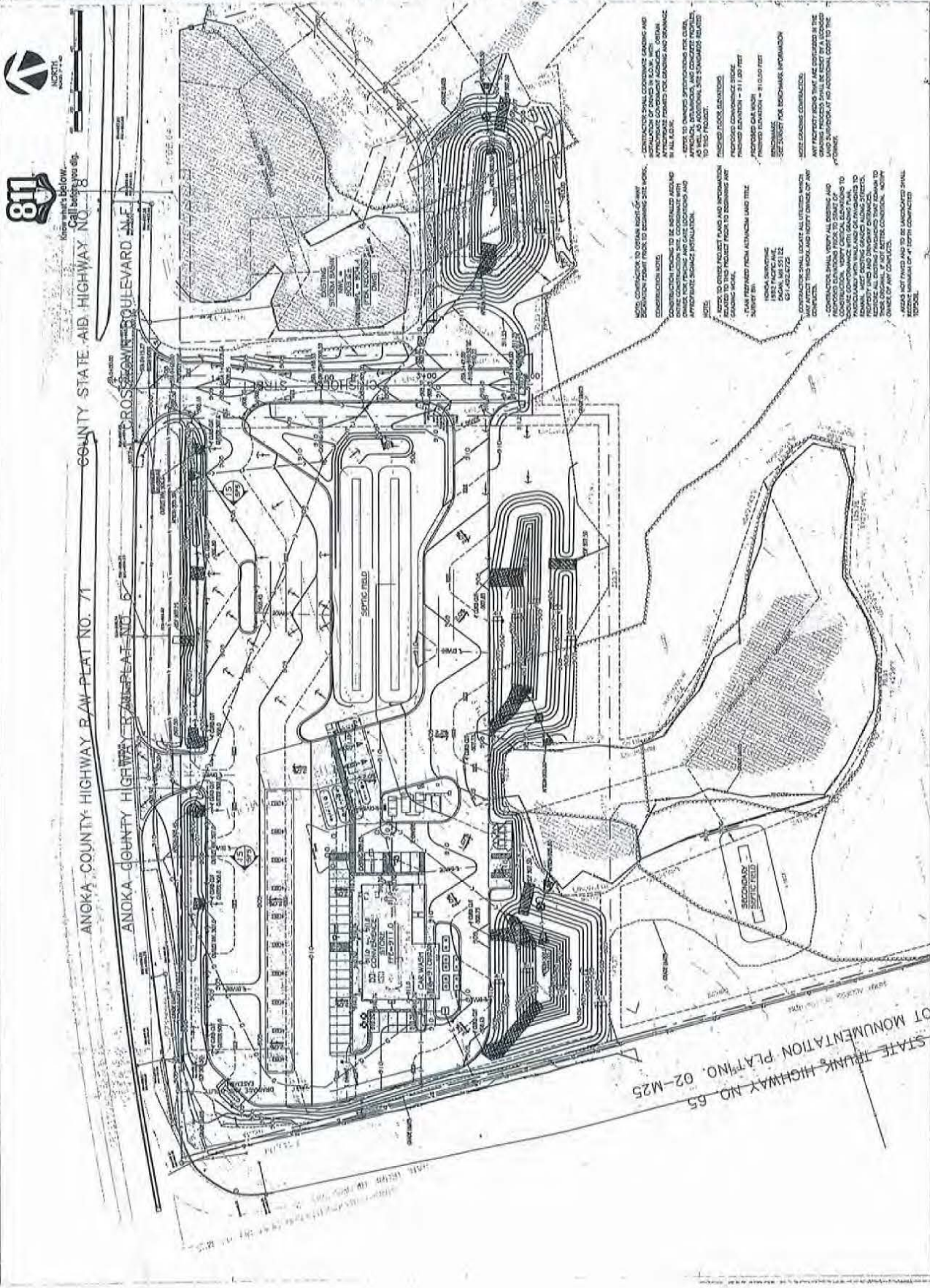
Identify below:  
Call before dig.

ANGKA COUNTY: HIGHWAY BAW PLAT NO. 71

ANGKA COUNTY: HIGHWAY BAW PLAT NO. 6

CROSSWIND BOULEVARD

COUNTY STATE AID HIGHWAY NO. 8



**INSITES**  
1111 FINCH AVE. SUITE 200  
MINNETONKA, MN 55345  
TEL: 952.895.1111  
WWW.INSITES.COM

DATE	10/15/2010
PROJECT	CIRCLE K STORES INC.
PROJECT MANAGER	DAVID J. HANSEN
DESIGNER	DAVID J. HANSEN
CHECKER	DAVID J. HANSEN
APPROVED	DAVID J. HANSEN
SCALE	AS SHOWN
SHEET NO.	20-018
TOTAL SHEETS	20

**PROFESSIONAL SEAL**  
DAVID J. HANSEN  
REGISTERED PROFESSIONAL ENGINEER  
NO. 10000  
STATE OF MINNESOTA  
EXPIRES 12/31/2012

**CIRCLE K STORES INC.**  
HAM LAKE  
MINNESOTA  
1442 CROSSWIND BLVD  
SUITE 100  
HAM LAKE, MN



**CIRCLE K STORES INC.**  
PROJECT NUMBER  
20-018  
SHEET TITLE

**GRADE PLAN**  
SHEET NUMBER  
**SP2.0**  
INSITES INC.

CONTRACTOR TO OBTAIN COPY OF ANY SURVEY DATA FROM THE SURVEYING FIRM TO VERIFY THE LOCATION OF ALL UTILITIES AND TO BE SHOWN ON THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES AND TO BE SHOWN ON THE PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES AND TO BE SHOWN ON THE PLAN.

**CONSTRUCTION NOTES:**  
- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS.  
- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS.  
- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS.

**NOTES:**  
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- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS.



Minnesota Department of Natural Resources  
Division of Ecological & Water Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155-4025

December 21, 2020

Correspondence # ERDB 20210144

Kenneth Meek  
Earth Science Associates, Inc.  
37445 Grand Avenue  
North Branch, MN 55056

RE: Natural Heritage Review of the proposed Holiday Ham Lake Expansion,  
T32N R23W Section 5; Anoka County

Dear Kenneth Meek,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, rare features have been documented within the search area (for details, please visit the [Rare Species Guide Website](#) for more information on the biology, habitat use, and conservation measures of these rare species). Please note that the following rare features may be adversely affected by the proposed project:

- Lance-leaf violets (*Viola lanceolata* var. *lanceolata*) and *Rubus fulleri*, a species of bristle-berry, both state-listed threatened species, have been documented recently in the vicinity of the proposed project. Minnesota's Endangered Species Statute (*Minnesota Statutes*, section 84.0895) and associated Rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the take of endangered or threatened plants or animals, including their parts or seeds, without a permit. Given the protected status of this species, **we recommend a qualified surveyor (see attached list) conduct an assessment to determine whether any potential habitat for this species exists within the project footprint.** If it is determined these areas provide suitable habitat for this rare plant, a botanical survey will be needed prior to any construction activities. Surveys must follow the standards contained in the attached Rare Species Survey Process and Rare Plant Guidance. Project planning should take into account that any botanical survey needs to be conducted during the appropriate time of the year, which may be limited. Please consult with

the Endangered Species Environmental Review Coordinator, Lisa Joyal (Lisa.Joyal@state.mn.us), regarding this process.

- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been reported in the vicinity of the proposed project. Blanding's turtles use upland areas up to and over a mile distant from wetlands, waterbodies, and watercourses. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Factors believed to contribute to the decline of this species include collisions with vehicles, wetland drainage and degradation, and the development of upland habitat. Any added fatality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels.

For additional information, see the [Blanding's turtle fact sheet](#), which describes the habitat use and life history of this species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare turtle. **Refer to the first list of recommendations for your project.** If greater protection for turtles is desired, the second list of additional recommendations can also be implemented. The use of [erosion control](#) blanket shall be limited to 'bio-netting' or 'naturalnetting' types, and specifically not products containing plastic mesh netting or other plastic components. Also be aware that hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. These loose fibers could potentially re-suspend and make their way into Public Waters. As such, please review mulch products and not allow any materials with synthetic (plastic) fiber additives in areas that drain to Public Waters.

The [Blanding's turtle flyer](#) should be given to all contractors working in the area. If Blanding's turtles are encountered on site, remember Minnesota's Endangered Species Statute (*Minnesota Statutes*, section 84.0895) and associated Rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. If turtles are in imminent danger they must be moved by hand out of harm's way, otherwise they are to be left undisturbed. Report any sightings to the DNR Nongame Specialist, Erica Hoaglund at 651-259-5772 or Erica.Hoaglund@state.mn.us.

- To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online [Information for Planning and Consultation \(IPaC\) tool](#).

#### *Environmental Review and Permitting*

- Please include a copy of this letter in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water

Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or construction has not occurred within one year as additional review may be required.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. For information on the environmental review process or other natural resource concerns, you may contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,



Samantha Bump  
Natural Heritage Review Specialist  
Samantha.Bump@state.mn.us

Links: Rare Species Guide  
<http://www.dnr.state.mn.us/rsg/index.html>  
DNR Regional Environmental Assessment Ecologist Contact Info  
[http://www.dnr.state.mn.us/eco/ereview/erp\\_regioncontacts.html](http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html)  
USFWS IPaC Tool  
<https://ecos.fws.gov/ipac/>  
Blanding's Turtle Fact Sheet  
[http://files.dnr.state.mn.us/natural\\_resources/animals/reptiles\\_amphibians/turtles/blandings\\_turtle/factsheet.pdf](http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/factsheet.pdf)  
Blanding's Turtle Flyer  
[http://files.dnr.state.mn.us/natural\\_resources/animals/reptiles\\_amphibians/turtles/blandings\\_turtle/flyer.pdf](http://files.dnr.state.mn.us/natural_resources/animals/reptiles_amphibians/turtles/blandings_turtle/flyer.pdf)  
Wildlife Friendly Erosion Control  
<http://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>  
Cc: Erica Hoaglund, Melissa Collins, Leslie Parris

## Dawnette Shimek

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**From:** Jesse Wilken  
**Sent:** Wednesday, April 14, 2021 10:39 AM  
**To:** Denise Webster; Dawnette Shimek  
**Subject:** Re: Council Agenda Item

This is coming from 14665 Buchanan and the office/warehouse CUP requirement. I believe that it could remain a CUP for CD-1 but be added as a permitted use for CD-2.

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**From:** Denise Webster  
**Sent:** Tuesday, April 13, 2021 12:21 PM  
**To:** Jesse Wilken; Dawnette Shimek  
**Subject:** RE: Council Agenda Item

Absolutely, are you thinking of a specific use you would like added to CD-1 or CD-2?

Denise Webster, City Administrator  
City of Ham Lake  
15544 Central Avenue NE  
Ham Lake, MN 55304  
(763) 235-1680  
Monday-Thursday: 7:00 a.m. to 4:30 p.m.  
Friday: 7:00 a.m. to Noon  
[dwebster@ci.ham-lake.mn.us](mailto:dwebster@ci.ham-lake.mn.us)



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**From:** Jesse Wilken  
**Sent:** Tuesday, April 13, 2021 11:45 AM  
**To:** Denise Webster <DWebster@ci.ham-lake.mn.us>; Dawnette Shimek <DShimek@ci.ham-lake.mn.us>  
**Subject:** Council Agenda Item

Good Morning,

Could I get a discussion added to the upcoming council meeting agenda regarding city code 9-220? Specifically I would like to discuss CD-1 and C-2 permitted uses and conditional uses, but if we are able to leave it more general and just have the discussion based on 9-220, that might be easier.

I did discuss this with Gary already since he is on the code committee, and he told me to have a discussion added to the agenda and based on the council's thoughts, we would then push it to the Planning Committee with our recommendations.

Thank you,

Jesse Wilken

**Excerpt from Article 9 of the Ham Lake City Code (4/13/2021)**

**9-220 Mercantile Districts** The land uses described in Article 9-220 are intended to be applicable to developments which utilize subsurface sewage treatment systems (SSTS), and to developments which use approved combined sewage treatment systems. All building permits and Certificates of Occupancy in the Mercantile Districts shall require the review and approval of the City Council, after review and recommendation by the Planning Commission, excepting building permits and/or certificates of occupancy being issued for an alteration to an existing structure under circumstances in which the land use will be unchanged, and in which the alteration will not materially affect parking requirements, stormwater runoff, traffic, sewage treatment needs or aesthetics.

**9-220.1 Standards Common to All Mercantile Districts** The following standards shall apply to all of the mercantile districts as listed in Article 9-220.

- a) **Paving** All parking lots, drives and surfaces upon which the public shall have access shall be paved according to specifications to be established by the city's engineer;
- b) **Drainage** Surface water drainage and ponding needs shall be implemented in the manner directed by the city's engineer;
- c) **Landscaping** Landscaping shall be implemented in the manner provided in Article 11-1800;
- d) **Setbacks for Paved Areas** There shall be a ten foot setback between any lot line and the back of curb of any parking lot or driveway, and a six foot setback between the back of curb of any parking lot and any building;
- e) **Buffering** When any mercantile land use is located adjacent to a residential area, it shall be screened by opaque fencing, vegetation, or both;
- f) **Refuse Containers** Refuse containers shall be stored in locations which are completely screened from outside view; hazardous materials shall be stored and disposed of in the manner provided by law;
- g) **Parking Lots and Lighting** Off-street parking shall be provided for all patrons and employees. The *Zoning Officer* shall maintain a schedule of parking requirements, to be ratified from time to time by resolution of the City Council, to serve as the general guideline for the establishment of parking requirements, subject to modification by the City Council where merited. Security lighting shall be permitted, and may be required on review of site plans, but shall be directed away from adjacent properties. No light or combination of lights that cast light upon a Residential Land Use shall exceed 4 foot candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway.

**h) Off-Street Loading** All deliveries and bulk pickups of merchandise, inventory and supplies shall be made to loading facilities preferably located in the rear of the building, which loading facilities shall be sufficient to enable the prompt and safe transfer of goods.

**i) Signage** All signage shall conform to the provisions of Article 11-300.

**j) Special Considerations** Notwithstanding the limitations as to building styles, construction types and exterior treatments, the City Council, after Planning Commission review, may depart from strict adherence to the standards found in Article 9-220, where special conditions merit such departure, and where certain standards are met. Such special conditions and standards may include, without limitation, the following items.

**i)** The departure is not being requested for purely economic reasons;

**ii)** The nature of the business is such that it requires a specific type of building construction in order to improve the business function, such as requirements for sunlight, specialty equipment, interior lighting or the like;

**iii)** The business is a permitted or conditional use in the zoning district;

**iv)** The applicant proposes the usage of special aesthetic treatments which provide a superior exterior view, such as landscaping, vegetation screening, berming, or the like;

**v)** The property contains unusual topography, mature vegetation or other features which can be preserved or enhanced to produce an overall superior appearance;

**vi)** The property contains unusual accessibility problems to or from adjacent roadways;

**vii)** The applicant offers to implement more stringent design limitations in certain site plan features than would normally be required, in exchange for being permitted less stringent design limitations in other site plan features.

**k) Outside Storage** Outside storage and activities for areas zoned CD-3, CD-4, Industrial Park (I-P) and Light Industrial (I-1) shall be as specifically detailed in the Code Sections dealing with those land uses (Articles 9-220.4 through 9-220.7). For areas zoned CD-1 and CD-2, the following provisions shall apply to outside storage,



excepting Fireworks sales and storage, which are governed by the provisions of Article 9-330.6. **Unless specifically permitted by this Article 220.1(k), no Outside Storage shall be allowed in any area zoned CD-1 or CD-2.**

1) **Definitions**

**aa) Outside Storage** – personal property (not fixtures) that are located within the Approved Property Lines of any parcel bearing a CD zoning classification, but which are found outside of an enclosed, roofed building (including temporary structures). Outside Storage does not include Refuse Containers, customer vehicles, employee vehicles parked while the employee is on duty, delivery vehicles while in the process of delivery or pickup, construction materials or vehicles being used in an active construction project on the parcel, legal signs or banners, or legal temporary structures. Except where specifically excepted, Outside Storage does include inventory of the business occupying the parcel.

**bb) Inventory** - goods, except Vehicle Inventory, that are offered for sale in the ordinary course of business of any business occupying the parcel. For auto repair shops, inventory shall also be deemed to mean passenger vehicles or pickup trucks awaiting repair services.

**cc) Vehicle Inventory** – Automobiles, Trucks, Trailers, Manufactured Homes, Recreational Vehicles, Campers, Camper Tops, Truck Toppers, Boats or other wheeled conveyances that are offered for retail sale at a legal business location whose primary business is the retail sale of one or more of the above items. Rental equipment that may be offered for sale is not Vehicle Inventory. Vehicle Inventory that bears obvious signs that the vehicle is not presently capable of being legally operated or conveyed on a public road is not Vehicle Inventory, including, but not limited to vehicles lacking wheels or inflated tires, operable drive train components, broken windows or lights, required current vehicle registration, missing body parts, such as fenders, doors, hood lids, trunk lids, bumpers, lights or trim.

**dd) Aesthetically Screened Outside Storage** - Inventory or Vehicle Inventory behind an opaque barrier constructed of masonry or brick, attached to and matching or complementary to the main building, and of sufficient height and design so as to give the appearance that the barrier is a part of the main building. No object shall be stored inside of such a barrier if the object protrudes above the height of the barrier. Any gates through the barrier shall be opaque and of aesthetic design.

**ee) Limited Outdoor Displays** - Temporary displays of merchandise which are normally sold or displayed from within an enclosed retail store locations, but which are temporarily placed not

more than ten feet from an outside wall of the main retail sales building during business hours, and then returned to inside storage during non-business hours.”

**ff) Improvement Stores** – Businesses that have as their primary source of revenue the retail sale of plants, seeds, landscaping supplies, produce, or yard statuary.

**gg) 24-Hour Convenience Stores** – Businesses that sell gasoline at retail, and, from the same store location, also sell groceries, auto supplies, sundries, over-the-counter medications and personal products, sundries and other items for human consumption, and which remain open for business at all times of every day.

**hh) Approved Property Lines** – Are the outside perimeter of the real estate parcel or parcels which were shown on the site plan used for the initial municipal approval of a certificate of occupancy or conditional use permit for a particular operation.

**ii) Pool Stores** – retail stores that engage in the retail sales of above ground or below ground recreational swimming pools that contain electric filtration devices providing water circulation and filtration in the pool, and under conditions where an inventory of above ground or in ground swimming pools is maintained, connected by water and electricity to a source originating in a permanent retail building located on the same parcel. A Pool Store shall not be considered a retail store for the purposes of determining permitted uses under Article 9-220.2 (b) or 9-220.3(b).

**jj) Screened Outside Storage** – is Inventory or Vehicle Inventory behind an opaque barrier constructed of wood, metal, plastic, masonry, brick or earthen berm, or which is behind an opaque barrier composed of existing buildings or other structures on the property, or which is behind a semi-opaque barrier of vegetation that substantially conceals the storage from outside view.

## 2) Permitted Outside Storage

**aa)** Vehicle Inventory is permitted Outside Storage on any CD-1 or CD-2 parcel in connection with a business that is legally permitted to sell Vehicle Inventory. If specifically permitted by the conditions of any Conditional Use Permit or Temporary Conditional Use Permit for any such parcel, vehicles that do not meet the definition of Vehicle Inventory may also be permitted Outside Storage.

**bb)** Aesthetically Screened Outside Storage is permitted outside storage if used as a condition of approval of any site plan, Conditional Use Permit or Temporary Conditional Use Permit on any CD-1 or CD-2 parcel in connection with the new construction of a main commercial building on the parcel.

**cc)** Limited Outdoor Displays are permitted Outside Storage in both the CD-1 and CD-2 districts. If the business is a 24-Hour Convenience Store, the Limited Outdoor Display need not be moved indoors, but the business shall at all times maintain a clear pedestrian path on sidewalks that is at least 36 inches in width.

**(dd)** Inventory is permitted Outside Storage for Improvement Stores and Manufactured/Prefabricated Structure Sales but must be separately identified on the initial site plan submitted with the initial request for certificate of occupancy or conditional use permit, and must be stored only in conformance with that site plan. Bins or containers housing the Inventory shall also be permitted Outside Storage for Improvement Stores and Manufactured/Prefabricated Structure Sales as shall be other items necessarily incident to the storage, maintenance or protection of the Inventory.

**ee)** No Outside Storage shall be permitted for any business unless the storage is within the Approved Property Lines.

**ff)** Pool Stores may display above ground or below ground swimming pools as Permitted Outside Storage only on property under conditional use permit, subject to conditions to be established by the City Council, which must include, at a minimum, the following:

- 1) Pool water must be maintained in a sanitary condition;
- 2) Below ground pools must be surrounded by code-compliant fencing;
- 3) Above ground pools must be constructed in a code-compliant method relative to either fencing or sufficient elevation to prevent accidental entry into the pool;
- 4) Adequate security fencing around the storage display area must be installed to discourage after-hours entry into the pool storage area;
- 5) Reasonable screening from outside view shall be installed;
- 6) All sources of water and electricity shall be connected to the pools in a code-compliant manner;
- 7) Only pools that are intended for use with circulating filters shall be permitted outside; no "kiddy pools", wading pools or inflatable pools shall be permitted to be displayed outside.
- 8) Winter storage of outside pools shall be done in a manner that covers the pool surface and prevents the accidental entry into the pool;

**gg)** Screened Outside Storage is permitted outside storage if used as a condition of approval of any site plan, Conditional Use Permit or Temporary Conditional Use Permit on any CD-1 or CD-2 parcel involving pre-existing main buildings or structures that:

- 1) Historically utilized outside storage in connection with business operating on the property, and which uses were never abandoned;

- 2) Do not involve replacement or major remodeling of the existing structures, but utilizes the existing structures for the business to be operated;

Approval of Screened Outside Storage is discretionary with the City Council.

**i) Revocation** All permits and certificates of occupancy issued in the mercantile districts are subject to revocation under the provisions of Article 9-240.

**3) Office/Warehouses** Office/Warehouse is a term given to a structure that is designed to have office space in front, behind which is situated an open bay or bays, with the office and bay space to be occupied by a single business. The office space and the bay space may also include area for retail sales. The bay space may also be used for manufacturing, other industrial activity, or warehousing. Building Permits may be issued for Office/Warehouses in any Mercantile District as found in Article 9-220. However, specific uses within each Office/Warehouse are subject to the Permitted Use, Conditional Use and Temporary Conditional Use restrictions for the given zoning district in which the Office/Warehouse is constructed. The issuance of a building permit for an Office/Warehouse does not confer upon the property owner the right to use any portion of the structure in a manner inconsistent with the use restrictions for the zoning district in which the structure is located. All new tenants or occupants of any Office/Warehouse must observe the same conditions for site plan or other approval, as would any other occupant. Further, if the zoning district in which the Office/Warehouse is to be constructed contains restrictions on building materials or design, those restrictions must be followed.

**9-220.2 Commercial Development 1 (CD-1)**

The CD-1 zone is intended to apply to certain commercial uses on lands abutting the city's only major thoroughfare, Trunk Highway 65. In that these lands have high visibility to the traveling public, it is considered important to the preservation of land values in general, as well as important to the continuing ability of the city to generate the establishment of quality commercial development and the concomitant tax and employment base, that structures in the CD-1 zones observe specific construction and aesthetic standards, which are listed below. No usage shall be permitted in the CD-1 zone which does not observe the standards found in Article 9-220.2 (a) below.

**a) Standards for Site and Building Construction**

- i) Except for structures housing public utility feature, no metal or pole-type building shall be permitted;

- ii) Exterior wall surfaces shall be of brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding;
- iii) No galvanized surfaces shall be permitted, either on roofs or siding;
- iv) All roofs shall be colored and shall incorporate a minimum 18-inch soffit on the eave edge of the roof;
- v) All roofs shall have a minimum 12-inch overhang on the gable ends;
- vi) All roofs have a 9.5 inch fascia;
- vii) Standing metal seam roofing shall be permitted (Minimum 24 gauge, non-galvanized);

**b) Permitted Uses (Including uses that are ancillary to the main use)**

- Clubs and Lodges
- Medical Facilities
  - Assisted Living Facilities
  - Chiropractic
  - Clinics of all medical disciplines
  - Dental
  - Diagnostic Facilities
  - Hospitals
  - Laboratories
  - Nursing Homes
  - Treatment Rooms and Centers
  - Veterinary Clinics
- Hotels, Motels and Lodging Houses under Article 11-1100
- Offices and Office Buildings
- Park and Ride Lots
- Post Offices
- Public Utilities (metal or pole type construction allowed)
- Recreational Facilities (indoor unless noted)
  - Batting Cages
  - Billiard Parlors
  - Bowling Alleys
  - Dance/Gymnastic Studios
  - Health Clubs
  - Martial Arts Studios
  - Miniature Golf Courses (outdoor)
  - Paintball or Laser Tag Facilities
  - Parks (outdoor/publicly owned)
  - Roller Skating Facilities
  - Shooting Range
  - Skateboard Facilities
  - Virtual Golf Facilities

- Restaurants, including liquor service
- Retail Facilities - engaged in the sale of goods (Excluding Motor Vehicle/ Boat/RV/Camper Sales), from freestanding one-store locations, shopping centers, strip malls or enclosed malls, including, but not limited to:
  - Antique Stores
  - Appliance Stores
  - Automobile Parts Stores (new parts only)
  - Bakeries
  - Bicycle Stores
  - "Big Box" Stores (subject to Article 9-400)
  - Book Stores
  - Butcher Shops/Meat Markets
  - Camera Stores
  - Candy Stores
  - Carpet Stores
  - Clothing Stores
  - Coin Stores
  - Convenience Stores
  - Cosmetic Stores
  - Discount Stores
  - E-Cig Stores
  - Electrical, HVAC and Plumbing Equipment Stores
  - Electronics Stores
  - Fireworks (under Article 9-330.6)
  - Floral Stores
  - Furniture Stores
  - Gift Shop
  - Grocery Stores
  - Hardware Stores
  - Health Stores
  - Hobby/Game Stores
  - Housewares Stores
  - Improvement Stores (Lawn & Garden) as defined in Article 9-220.1 (k)(1)(ff)
  - Jewelry Stores
  - Liquor Stores
  - Luggage Stores
  - Music Stores
  - Office Supply Stores
  - Optical Supply Stores
  - Paint/Wallpaper Stores
  - Pet Stores

- Petroleum product sales (excluding vehicle repair)
- Pharmacies
- Shoe Stores
- Sporting Goods Stores
- Souvenir Stores
- Thrift Stores
- Tobacco Stores
- Video Stores
- Schools and Colleges
- Service Businesses
  - Appliance Repair Shops
  - Barber Shops
  - Beauty Shops
  - Car Washes
  - Day Cares (licensed)
  - Dry Cleaners
  - Electronics Repair Shops
  - Financial Institutions
  - Funeral Homes
  - Government Buildings
  - Insurance Agencies
  - Law Offices
  - Locksmiths
  - Manicure/Pedicure/Nail Care shops
  - Pet Grooming Shops
  - Photography Studios
  - Print Shops
  - Shoe Repair Shops
  - Specialty Retail Shops
  - Tailor Shops
  - Tanning Facilities
  - Travel Agencies
- Small Engine Sales and Repair
  - Air Compressors
  - Chain Saws
  - Garden Tractors
  - Lawn Mowers
  - Leaf Blowers
  - Other Motorized Gardening Equipment .
  - Power Rakes
  - Power Washers
  - Rototillers
  - Shop Vacs

- Snowblowers
- Woodchippers
- Woodsplitters
- Theatres
- Worship Centers and ancillary features owned by the entity that owns the Worship Center, including classrooms, recreational features, residences for staff, offices and kitchen/dining.

**c) Conditional Uses**

- Automobile Repair Shops (Passenger Vehicles, Pickup Trucks, ATVs, Snowmobiles, Motorcycles, Jet-skis, Boats and other Marine Equipment)
- Equipment Rental Businesses
- Light Manufacturing, defined as follows:  
The fabrication or processing of goods for sale to retailers, wholesalers, other manufacturers or at retail that takes place entire within an enclosed building and that meets the following criteria:
  - a) The business does not generate any noise, odor or vibration detectable from adjoining properties, other than that which occurs in the normal course of business during shipping and receiving activities;
  - b) There is no outside storage of any item except Aesthetically Screened Outside Storage as defined in Article 9-220(k)(1)(dd) of this Code.
  - c) No outside cranes or booms are located on the site;
  - d) Retail sales of the business products can occur on the premises if the commodities are the commodities manufactured on site.
- Manufactured/Prefabricated Structure Sales (including, without limitation, housing units, gazebos, storage sheds, playhouses, screened porches, and shelters) together with incidental furnishings such as lawn chairs and picnic tables
- New Vehicle Sales (must have indoor showroom) limited to the following:
  - **Note:** Where the word “vehicle” is used, the term is hereby defined to exclude manufactured homes, busses, semi-tractors, semi-trailers over 30 feet in length, and heavy construction equipment, such as bulldozers, backhoes, road graders, earth moving equipment, cranes and excavators.
  - ATV's (all-terrain vehicles)
  - Automobiles
  - Boats
  - Campers



- Golf Carts
- Motorcycles, Motorbikes and Scooters
- Recreational Vehicles
- Snowmobiles
- Commercial Trucks
- Pickup Trucks
- Trailers less than 30 feet in length
- Office Warehouses
- Pool Stores
- Residential Treatment Centers
- Service Businesses
  - Landscaping
- Sexually Oriented Business under Article 9-330.3
- Self-Storage Facilities, limited to properties on which self-storage facilities were in existence as of January 1, 2014. "Properties" as used herein is intended to include "Expansion Parcels", which are tax parcels that were on said date contiguous to and in common ownership or control with the parcel on which self-storage facilities were in use on said date and which were lacking a permanent structure/usage and/or providing a parking area or driveway serving the parcel on which the self-storage units were located. Expansion Parcels do not include parcels that are separated by public roads from the parcel on which the self-storage units were located on said date. It is the intent of this language that the self-storage use be permitted to expand onto the Expansion Parcels if a Conditional Use Permit for such expansion is approved. Notwithstanding these provisions, all self-storage uses shall be considered non-conforming uses and if abandoned or damaged and unrepaired, are subject to the same criteria for termination of allowed usage status as for other non-conforming uses as provided in Article 9-150.1 of this Code.
- Temporary Commercial Structures under Article 9-330.7
- Therapeutic Massage under Article 9-330.5
- Transportation Facilities
- Used Vehicle Sales limited as follows
  - Collector Cars
  - Motor Homes and Recreational Vehicle Trailer Sales\*
    - \*(A "Trailer", for the purposes of this code, shall mean a conveyance which is primarily designed to be towed behind a motor vehicle on public highways for usage in camping at bona fide campgrounds or RV parks. The conveyance commonly known in the industry as a "Park Model" is not to be considered a Trailer.)

- Facilities that meet the following criteria:
- The lot on which the use is proposed is presently and lawfully used by a business whose primary business is in the automotive industry such as automobile specialty shop, auto repair or recreational vehicle sales lot; and
- The sales are limited to passenger cars and pickup trucks; and
- The primary business activity in the automotive industry that qualified the lot to be used for Used Vehicle Sales must continue to be the primary business activity on the lot; Used Vehicle Sales shall be an incidental use only, and shall not replace the primary business activity; or
- The used vehicle inventory is part of the overall inventory of a New Vehicle Sales operation, limited to vehicles that have been taken in trade by the owner

**d) Temporary Conditional Uses Only**

Certain modular housing sales lots may be allowed as Temporary Conditional Uses in the CD-1 areas under the following limited conditions:

- i) The permit shall be for no longer than five years;
- ii) No housing units shall be permitted which are manufactured homes, which were at one time manufactured homes, or which could become manufactured homes with the addition of wheels installed in a pre-engineered or pre-planned receptacle. It is the intention of this usage that the only housing units permitted for display in such areas are single family dwellings of wood frame construction, designed for placement on a permanent foundation in a typical single family residential neighborhood, and not designed for or commonly found in mobile home parks.
- iii) A single housing unit may be used as a sales office.
- iv) Marketing of housing units shall be only to consumer-homeowners, and not to retailers or wholesalers;
- v) All units shall be placed on concrete blocks, at least two courses in height, giving the appearance of a full basement.
- vi) All units shall be completely finished on the exterior to give the appearance that the unit is inhabited as a part of a quality single family neighborhood. Units may be assembled from pre-constructed component parts on site, but may not be constructed from scratch on the site. Assembly of any display unit shall be complete (weather permitting) within 14 days after commencement of assembly. Each display unit shall obtain a building permit from the City prior to commencement of assembly. A display unit, once in place, shall not be replaced for at least 24 months.
- vii) All surfaces upon which the public is expected to drive, park or walk shall be paved with bituminous or concrete material according to specifications to be established by the City's engineer.
- viii) All display units shall have an attached garage for two cars or more.

ix) A Site Plan shall be reviewed and approved by the City Council, after review and comment by the Planning Commission, which plan shall limit the number of units to be displayed, provide a landscaping plan, show the locations of all drives, walkways and parking areas, and provide photographic samples of the styles of units to be displayed.

x) The City Council may attach such other conditions to the Temporary Conditional Use Permit as are deemed appropriate or necessary to protect public safety, health or welfare, or to protect nearby property values.

### **9-220.3 Commercial Development II (CD-2)**

The CD-2 Districts are located adjacent to the CD-1 Districts, and constitute a second tier of commercial activities along the T.H. 65 corridor. These districts also have importance in presenting a visually pleasing image to the traveling public, but are less visible from the T.H. 65 roadway than the CD-1 districts.

#### **a) Standards for Site and Building Construction**

i) Metal or pole-type buildings shall be permitted if surfaces meet the requirements of ii below, and, provided that no galvanized surface may appear, all roofs shall be colored and incorporate a minimum 18 inch soffit on eave edges, 12 inch overhang on gable ends, and 6 inch fascia.

ii) Modern metal paneling or architectural metal panel may be used for roof and exterior wall surfaces. On all exterior wall surfaces, the surface may be modern metal paneling, used in combination with brick, decorative masonry, stone, precast panel, architectural concrete, architectural panel, glass, stucco or wood framed with horizontal lap siding;

Modern metal paneling may be used for roof and exterior wall surfaces, provided that on the wall sides facing T.H.65, no more than 25% of the surface area may be modern metal paneling, with the remaining portion of these surfaces being brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding; For other wall surfaces, there shall be a wainscot at least 42 inches in height which is composed of brick, decorative masonry, stone, precast panel, architectural concrete, glass, stucco or wood framed with horizontal lap siding;

#### **b) Permitted Uses (Including uses that are ancillary to the main use)**

- All Permitted Uses in the CD-1 District
- Broadcasting Studios
- Building Supply Yards/Lumber Yards
- Enclosed Storage and Warehousing
- Landscaping Businesses
- Manufacturing involving no non-enclosed storage

- Public Utilities (metal or pole type construction allowed)
- Research laboratories
- Used Vehicle Sales - limited to the following:
  - ATV's (all-terrain vehicles)
  - Automobiles
  - Boats
  - Campers
  - Golf Carts
  - Motorcycles, Motorbikes and Scooters
  - Recreational Vehicles
  - Snowmobiles
  - Commercial Trucks
  - Pickup Trucks
  - Trailers less than 30 feet in length
- Utility Companies

**c) Conditional Uses**

- All conditional uses or temporary conditional uses in the CD-1 District
- Flea Markets under Article 11-1500
- Kennels
- Pawn Shops under Article 11-1300
- Truck Terminals – as defined as a location where commercial trucks are parked and/or stored
- Self-storage facilities, but not including the limitations and conditions imposed for such facilities as found in Article 9-220.2 (c).
- Concrete Masonry

**9-220.4 Commercial Development III (CD-3)**

The CD-3 zones are areas of the City that are located outside of the TH 65 Corridor, which are suitable for certain institutional activities; neighborhood retail, or which operate under historic permits, and which involve no outside storage of supplies, equipment or inventory excepting motor vehicles used in the business (unless specifically allowed by historic permit) and except as stated below:

**a) Permitted Uses (Including uses that are ancillary to the main use)**

- Campgrounds (may include outside storage of firewood, equipment, picnic tables and other items common to a campground environment)
- Churches, including ancillary structures such as classrooms, offices, recreational facilities, parsonages or other dwellings for occupancy by church staff
- Convenience Stores including outdoor displays and

- inventory
- Financial Institutions
- Governmental, Business and Professional Offices
- Land Uses Specifically Authorized by Development
- Agreements in effect in whole or in part prior to January 1, 2000
- Licensed Day Care Centers
- Medical Clinics, including general medicine, specialty medicine, dental, optical and chiropractic
- Off Sale Liquor Stores
- Personal Services, including Beauty Shops and Barber Shops
- Petroleum Products Sales including outdoor displays and inventory
- Plant Nurseries, Garden Centers and Produce Markets (including limited outdoor display)
- Veterinary Clinics

**b) Conditional Uses**

- None

**9-220.5 Commercial Development IV (CD-4)**

The CD-4 zones are areas of the City that are located outside of the TH 65 Corridor, which are suitable for certain light industrial or construction trades, and which involve no outside storage of supplies, equipment or inventory excepting motor vehicles used in the business.

**a) Permitted Uses (Including uses that are ancillary to the main use)**

- Electrical, HVAC, Plumbing, Septic Contracting Businesses
- Indoor Storage
- Light Assembly
- Light Manufacturing or Re-Manufacturing
- Office/Warehouse
- Personal Services, including Beauty Shops and Barber Shops
- Small Retail Sales Facilities

**b) Conditional Uses**

- None

**9-220.6 Industrial Park (I-P)** This zoning category shall apply to mercantile parcels which are intended for manufacturing, warehousing,

machining, tooling, fabricating, assembly, processing, equipment storage, storage of raw materials or supplies, and the like, as opposed to mercantile parcels used primarily for office or retail activities. Limited office space activity may occur in an Industrial Park, but only as incidental to the main industrial usage of a given parcel.

a) **Physical Requirements**

i) **Building Materials** All building construction shall be of masonry or of products made from concrete or materials related to concrete. Metal framed with architectural panel shall be allowed, but no other metal buildings shall be allowed in any I-P District.

ii) **Screening** Any I-P area developed after the effective date of this ordinance which is adjacent to land which is now or which is intended to become a residential land use shall be completely fenced by attractive, opaque fencing of sufficient height to completely screen all future activities within I-P area. Opaque fencing shall be deemed to mean only solid wood or solid metal components. Fence height shall be as determined upon site plan review by the *Planning Commission*, which may also require different screening material, including earthen berming.

iii) **Paving** All drives, parking lots or sidewalks which will be utilized by the general public or by employees of the business shall be paved in accord with standards established by the City's engineer. Equipment storage areas may be surfaced with Class V or other material if the area so surfaced is not to be open to the general public.

iv) **Landscaping** Article 11-1800 of this code shall apply to landscaping in I-P areas.

b) **Usage Limitations** All uses in the I-P areas shall be subject to the same review procedures as are found in Article 9-220 for Mercantile Areas. The following specific usage limitations shall apply to the I-P areas:

i) **Outside Storage** All outside storage shall be fenced for security purposes. Trash containers or accumulations of waste or debris of any kind shall be completely screened from view from outside the lot. All waste and debris shall be properly and promptly disposed of, storage of such material being allowed only for the time interval reasonably necessary to arrange for regular disposal service. During hours in which the business activity within the main building is not being conducted, all storage areas shall be gated and locked. Machinery and vehicles stored on the premises shall be secured so as not to be readily operable or moveable during non-business hours. No unregistered motor vehicles or inoperable vehicle or machinery shall remain on the premises.

ii) **Semi-Trailers, Large Trucks and Truck-Tractors** Semi-trailers may be stored within the fenced area of an I-P lot, provided that each semi-trailer shall be fully licensed and road-worthy. The use of

dilapidated, inoperable or otherwise non-functioning semi-trailers for warehousing or other purposes shall be prohibited. Large trucks and truck-tractors may likewise be stored within the fenced area, but shall likewise be fully and currently licensed and operable. Each semi-trailer shall have a parking stall with minimum dimensions of 12 feet by 125 feet.

**iii) Noise** Noise generated from lots in the I-P areas that are audible in *Residential Land Uses* shall not exceed standards as established by the Minnesota Pollution Control Agency.

**iv) Lighting** No light or combination of lights that cast light upon a *Residential Land Use* shall exceed 4 foot candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway.

**v) Fumes and Odor** Fumes and odors generated from lots in the I-P districts shall not exceed published standards as established by the United States Environmental Protection Agency, herein adopted by reference.

(c) **Permitted Uses**

- Assembly Businesses
- Cabinetry Assembly/Manufacturing Shops
- Construction Companies
- Electrical Companies
- Equipment Rental Businesses (large industrial equipment)
- Equipment Repair or Service Businesses
- Fabricating Companies
- Government Storage/Repair Centers
- Machine Shops
- Manufacturing Plants (Excepting Bituminous or Concrete)
- Motor Vehicle Sales - limited to the following:
  - ATV's (all-terrain vehicles)
  - Automobiles
  - Boats
  - Campers
  - Golf Carts
  - Motorcycles, Motorbikes and Scooters
  - Recreational Vehicles
  - Snowmobiles
  - Commercial Trucks
  - Pickup Trucks
  - Trailers less than 30 feet in length
- Plumbing and HVAC Companies
- Public Utilities (metal or pole type construction allowed)
- Textile Companies

- Tooling Companies
- Utility Companies
- Warehouses

**(d) Conditional Uses**

- Bituminous or Ready-Mix Concrete Plants
- Chemical/Paint Companies
- Uses which are normally permitted but which involve some retail sales
- Heavy Equipment Sales
- Trucking Companies
- Transfer Stations for Demolition Debris under the following conditions:
  - 1)** The Transfer Station is fully licensed/permitted by appropriate county, state and federal agencies having jurisdiction over its activities;
  - 2)** The term "Demolition Debris" refers only to concrete, stone, asphalt, wood, plastic, metal or composites. No shingles, putrescible items or hazardous materials shall be intentionally processed at the Transfer Station. Any putrescible items or hazardous materials found to be on the premise shall be handled and disposed of properly and legally.
  - 3)** The location of the actual site within the I-P area is in a sufficiently remote and screened portion of the area so as to eliminate disturbance of nearby existing or possible future residential neighborhoods through noise, light, vibration, odor, fumes, unsightliness or dust.
  - 4)** The activities at the Transfer Station shall be limited to the reception of Demolition Debris on roll-off containers or dump trucks, all contents of which are to be placed on the floor of a completely enclosed building, where the materials will be sorted and re-shipped to recyclers or landfills, in a manner consistent with all applicable regulations and codes. No outside storage of demolition debris will be permitted.

**9-220.7 Light Industrial (I-1)** I-1 zones are areas which are used for limited manufacturing purposes, involving frequent truck traffic for pickup and delivery of products and materials, and which require a significant portion of the manufacturing process to occur outside of enclosed buildings.

**a) Permitted Uses**

- Ready Mix Concrete Plants
- Priestesses Concrete Plants
- Monument Companies



**b) *Conditional Uses or Temporary Conditional Uses***

- None

**9-220.8 Commercial Development V (CD-5)**

The CD-5 Zones are areas of the City that were designated a Multiple Use Options areas in Chapter 4, paragraph 4.7 of the 2005 Ham Lake Comprehensive Plan which are specifically designated by action of the Ham Lake City Council for rezoning to the CD-5 classification, and may also include other lands that are zoned R-A but which are found to either be located in close proximity to the intersections of minor or major arterials, or which abut other land that has been rezoned to the CD-5 classification. Because CD-5 lands will often be found near existing residential areas, or areas expected to develop into residential land uses, building construction, screening and landscaping are to be of upscale quality, and ongoing grounds maintenance given high priority.

**a) Permitted Uses**

- Medical/Dental Clinics or Facilities
- Governmental, business and professional offices
- Parks
- Financial institutions
- Veterinary clinics
- Uses ancillary or incident to the above

**b) Conditional Uses**

The following uses shall be allowed by Conditional Use Permit or Temporary Conditional Use Permit only, after fulfillment of the requirements hereafter outlined.

- Office Warehouses meeting the requirements outlined in Article 9-220.1 and this Article of the Ham Lake City Code
- All Permitted Uses found in areas zoned CD-1 and CD-2 not permitted above, except Fireworks Sales
- Non-profit clubs, lodges or halls
- Institutional Uses (Governmental, Educational and Religious)
- Commercial Recreational Facilities
- Construction Companies
- Enclosed Storage and Warehousing
- Broadcasting Studios and Facilities
- Office Buildings
- Movie Theaters
- Convenience stores

**c) Building, Outside Storage, Screening and Fencing Standards**

All buildings constructed in the CD-5 districts shall meet the same standards as for buildings in the CD-1 zoning districts, as found in Article 9-220.2(a) of this Code. Outside storage shall meet the same standards as for uses in the CD-1 zoning districts, as found in Article 9-220.1(k) of this Code, in particular as regards screening attached to main buildings. Perimeter fencing shall be opaque and of such quality and appearance as is dictated by the conditions of approval of the Conditional Use Permit, but perimeter fencing may be up to eight feet in height, not counting the height of any beam upon which a perimeter fence may be constructed.

**d) Maintenance Standards**

The development agreement for each project approved in a CD-5 zone shall include a maintenance covenant guaranteeing the ongoing maintenance of all buildings, fences, screens, landscaping, paving, curbing or other property improvements. The maintenance covenant shall be assured by an ongoing cash security deposit, Letter of Credit or by an Assessment Agreement permitting the City to complete any unperformed maintenance and to assess the cost thereof against the appropriate property.

**e) Application Procedure**

The initial application for a change to CD-5 zoning shall include the following, which is to be prepared by a registered land surveyor, registered civil engineer or registered architect:

- i) If the area is to be subdivided, a sketch plan for platting meeting the requirements of Article 10 of the City Code shall be provided;
- ii) A site plan for each parcel proposed for development that includes:
  - aa) The maximum perimeter of the footprint for every building to be constructed;
  - bb) The locations of all parking and drive areas;
  - cc) The locations of all ISTS and wells;
  - dd) The locations of all outside storage areas;
  - ee) The locations of all fencing and screening;
  - ff) The location of all landscaped or open areas and ponding.
- iii) For each proposed parcel, a narrative that states the range of specific land uses to which each parcel may be devoted. If Office-Warehouses are proposed, the range of potential land uses shall be given for each bay in each Office-Warehouse.
- iv) An identification of any variances that will be requested in the project.

**f) Conceptual Approval**

Following receipt of all of the items required in the application process, the proposal shall be reviewed by the Planning Commission, and then given conceptual approval, conditional approval or rejection by the City Council. Conceptual approval shall confer no "substantial reliance" or other developmental rights on the applicant, and is intended only as a measure of the initial reaction of the appointed and elected officials of the City to the proposed concept. However, in that the eventual rezoning of the property from R-A to CD-5 would require 4 or more affirmative votes of the City Council, Conceptual Approval shall also require 4 or more affirmative votes of the Ham Lake City Council.

**g) Public Input**

Following Conceptual Approval, the applicant shall submit the following more detailed project plans:

- i) Professionally prepared renderings of the outside plan view of all sides of each parcel proposed by the Developer, noting screening heights. These drawings should accurately portray the future view to the property from all adjoining roads and parcels, and should accurately portray the portions of all areas screened from view;
- ii) A detailed landscaping plan showing the location, size and species of all plantings;
- iii) A colored site plan detailing the locations of all structures, roads, drives, parking stalls, turn lanes or other infrastructure improvements, open areas and ponding.
- iv) A traffic study prepared by a registered professional engineer showing the peak traffic consequences of the project, assuming the most traffic-intensive land uses from the range of land uses reported, and assessing the effect of such traffic on adjacent roads, neighborhoods, and intersections.
- iv) For any land uses proposed that are likely to store or frequently have on site any diesel engine vehicles (except non-business passenger vehicles and pickup trucks), self-propelled construction equipment, other noise-generating motors or devices, or which have loading dock facilities for semi-tractor/trailer deliveries or pickups, a noise study prepared by a qualified acoustical expert predicting the estimated noise levels to be experienced by adjoining properties (except roadways) for a distance of 500 feet from each parcel proposed.
- v) A lighting plan showing the location and illumination pattern of all proposed lighting on each parcel;

Upon submission of all of the above, the City Council shall order the conducting of a public hearing on the proposal. In its order for hearing, the City Council shall designate who shall conduct the public hearing (City Council, Planning Commission or both) and what degree and coverage of

notice to give to nearby properties, but not to be less notice than is required by law. The City Council may require more than one public hearing, or may recess any public hearing for continuation.

**h) Action Following Public Hearing**

The public hearing, once conducted, shall be deemed to be the public hearing required by Minnesota Statutes Chapter 462.357 (subd. 3) for Zoning Changes and to be the public hearing required by Article 10-204 of this Code at the Preliminary Plat stage of any subdivision. Notwithstanding the provisions of Article 10-204, for plats submitted in areas proposed for rezoning to the CD-5 classification, some or all of the items normally required for submission before the public hearing (as detailed in Article 10-204 (A) and (B) may, in the discretion of the City's engineer, be submitted following the public hearing. Following the public hearing, the City Council (after review and recommendation by the Planning Commission if appropriate) shall adopt a resolution either rejecting the rezoning or conditionally approving the rezoning, but such approval always conditioned on the successful completion of any remaining subdivision work and execution of an approved development agreement. If the City Council determines to reject the proposed rezoning, the rejection shall be deemed to also be a rejection of the proposed subdivision, if any.

**i) Preliminary Plat Approval**

If a subdivision is involved, then following the public hearing, and assuming a conditional approval of the rezoning request, the applicant shall submit the remaining items as required in Article 10-204 of the City Code for Preliminary Plat Approval. The City Council, shall act on the Preliminary Plat Approval after Planning Commission review and recommendation.

**j) Final Approval of Subdivision and Rezoning**

Following conditional rezoning approval and preliminary plat approval, the City's attorney shall prepare a written development agreement embodying all of the terms and conditions of all previous approvals, and all of the other requirements of this code. Upon approval of the agreement by the City Council, the City Council shall grant final plat and rezoning approval, subject to the execution of the development agreement, including the posting of all required security and municipal fees or deposits, within thirty days after City Council approval. If the applicant fails to execute an approved development agreement within 30 days of City Council approval, then the City Council shall move to reject both the zoning request and the subdivision request.

**k) Deadlines for Filing and Completion; Security**

The following timelines shall apply to the development of properties developed in the CD-5 districts. The Development Agreement may provide for the posting of reasonable security to guarantee the proper and timely completion of all improvements.

1. Projects involving subdivision:
  - aa) The plat must be filed within ninety days of the date of final approval.
  - bb) All infrastructure improvements in the subdivision must be completed within one year of the date of filing of the plat, except the second lift of bituminous paving, which shall be completed within a time frame established by the City's engineer.
  - cc) Office-warehouses may not be constructed as separate bays, and all bays of a given office-warehouse must be constructed together, in one construction season.
  - dd) The applicant shall observe an absorption rate of not less than one building unit each six months until all lots in the subdivision have been sold and improved with a building. The City shall grant reasonable extensions to this absorption rate where market conditions warrant.
2. Where no subdivision of land is involved, the applicant shall apply for a building permit for all structures proposed in the project within 90 days after final approval, and all site improvements, including completion of all buildings, shall be complete within one year of the date of issuance of the building permit.

**9-220.9 Traditional Use Overlay Districts (TOD)** TOD districts are areas that carry a CD-1 or CD-2 zoning category, but which have been specially designated for the exceptions stated in this section by reason of having historically carried on a specific land use or land uses that have involved a significant investment in infrastructure and/or buildings. Properties included in the following designation as qualifying for TOD treatment (see Article 9-220.94) were properties in the CD-1 and CD-2 zoning districts which carried an estimated value for improvements to real estate that were at least 50% of total market value on Anoka County property tax records for the year of enactment of this Article (2010), or, if contiguous parcels were owned by the same party and the aggregate of the two parcels met the above criteria, then both parcels were included for TOD treatment. If the owner of any property in a CD-1 or CD-2 zoning district that is not included in the initial designation for TOD treatment wishes to have their property included, a condition of approval will be that the owner demonstrate to the satisfaction of the Ham Lake City Council that the value of improvements on the parcel is at least 50% of the total market value expressed on County Tax records for the year in which application is made.

**9-220.91 Permitted Uses, Conditional Uses and Temporary Conditional Uses**

The uses detailed in Article 9-220.3 (b) and (c) shall apply to TOD districts, regardless of whether the underlying zoning in such districts is CD-1 or CD-2.

**9-220.92 Exemption from Certain Building Standards**

The owner of a parcel carrying the TOD designation shall not be required, as a condition of approval of any site plan or building permit, to upgrade existing

facilities to meet building standards found in Articles 9-220.2(a) or 9-220.3 (a). New structures constructed on such parcels, such as expansions of existing buildings, may also be exempted from such standards on approval of the City Council if the adherence to the exterior appearance standards required by the foregoing code sections would not significantly improve the overall aesthetic appearance of the property.

**9-220.93 Exemption from Certain Site Standards**

The provisions of Article 9-220.1 (c), (e) and (h) shall not apply to Parcels carrying the TOD designation.

**9-220.94 Designation of Specific Parcels**

Parcels carrying the TOD overlay designation shall be identified by PID number, and shall include the following:

- 17-32-23-21-0005
- 17-32-23-21-0022
- 17-32-23-12-0006
- 17-32-23-12-0007
- 17-32-23-12-0008
- 20-32-23-42-0004
- 20-32-23-13-0011