

CITY OF HAM LAKE  
PLANNING COMMISSION MINUTES  
MONDAY, MARCH 26, 2018

The Ham Lake Planning Commission met for its regular meeting on Monday, March 26, 2018 in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Commissioners Jeff Entsminger, Jonathan Fisher, Scott Heaton, Kyle Lejonvarn, Brian Pogalz and Dave Ringler. Commissioner Erin Dixson arrived at 6:02 as noted in the minutes.

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Engineer, Tom Collins and Zoning Official/Building Clerk, Dawnette Shimek

**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.

Chair Pogalz introduced Commissioner Jeff Entsminger to the Planning Commission. Commissioner Entsminger stated that he has lived in Ham Lake for 48 years and also runs a business in Ham Lake. Commissioner Entsminger added that he looks forward to working with the Planning Commission and City Council.

Commissioner Dixson arrived at 6:02 p.m.

**APPROVAL OF MINUTES:**

**Motion by Lejonvarn, seconded by Fisher, to approve the minutes, as written, of the March 12, 2018 Planning Commission meeting. All in favor, motion carried.**

**PUBLIC HEARING:**

R & B Development and The Lecy Group requesting Preliminary Plat approval and Rezoning to R-1 (single family residential) the 19 lot development of Gallagher Shores in Section 16.

Roy Lecy, from The Lecy Group, was present before the Planning Commission representing R & B Development requesting Preliminary Plat approval and Rezoning to R-1 (single family residential) the 19 lot development of Gallagher Shores in Section 16. Engineer Collins stated that all of the lots meet the City Code requirements and has received approval from the Coon Creek Watershed District. Engineer Collins stated that the Highway Department has reviewed the plat and is requiring construction of an east bound right turn lane and a west bound bypass lane at Nassau Street NE. Engineer Collins stated that the Park and Tree Commissions recommendation was to accept monies in lieu of parkland. Engineer Collins stated that a landscape plan is in conformance with City Code and shows the proposed screening for Lot 8, Block 1, such that the structure is substantially screened from the water so that double the 100-foot setback is not required.

**Chair Pogalz opened the public hearing for comment at 6:05 p.m. and asked for public comment.**

Laurie Gallagher-Babcock, 2120 Constance Boulevard NE, questioned the street layout. Engineer Collins showed the possible future layout with the street connection to the east. Ms. Babcock had questions about who would maintain the 20' wide access to the storm water pond. Engineer Collins stated that the access would be for the City's Public Works Department to access and maintain the ponds in the development. Engineer Collins stated the easement would not be plowed in the winter. Ms. Babcock asked why there are three different street names for the road in the development. Engineer Collins stated that the streets are named in accordance with the Anoka County grid. Ms. Babcock asked about the driveway access to her property and Engineer Collins said there would be a deed to access the driveway and the City will require it in the Development Agreement.

Chuck Sader, 16117 Jenkins Street NE, stated that he would like to make sure that construction traffic would not access Kenyon Street NE. Mr. Sader asked if there would be a public easement from the cul-de-sac to the lake. Mr. Sader stated that last summer he visited City Hall to talk to the Fire Chief about a huge pile of trees that were being burned unattended on the property and causing a lot of unpleasant smoke and polluting the air. Mr. Sader said he hopes that they would not be allowed to burn again.

Mr. Lecy, representing R & B Development, stated that a driveway easement will be part of the development agreement and the developer will construct the driveway easement along the east sides of Lots 1 and 4, Block 1, and the property owner to the east (Babcocks) will maintain the driveway.

Mr. Lecy stated that construction traffic will be through the property and not through Kenyon Street NE to the west.

Engineer Collins stated that there will not be a public access to the lake from this development.

Laurie Gallagher-Babcock, 2120 Constance Boulevard NE, asked if the two existing ponds will remain. Engineer Collins stated that they will remain undisturbed and the main storm water pond outlets to one of the ponds with the natural overflow to the lake. Commissioner Pogalz further explained that there will be a piped outlet from the smaller pond that will act as an emergency overflow over Lot 8 to Ham Lake in the case of a 100-year event.

Chuck Sader, 16117 Jenkins Street NE, asked what will happen when the trees on the property are taken down, would they be required to haul them away and be sensitive to neighbors and not allow them to burn. Chair Pogalz stated that most often the trees would be taken off-site and chipped.

Matthew Pahl, 1958 North Ham Lake Drive, stated concerns with the home Lot 10, Block 1, being constructed so close to the pond. Engineer Collins stated that the Coon Creek Watershed District requires a 25-foot buffer to catch any and all run-off.

**Chair Pogalz asked for further public comment and with there being none, he closed the public hearing at 6:35 p.m.**

Commissioner Ringler completed the inspection, a copy of which is on file, and stated that the property is well suited for building.

**Motion by Ringler, Seconded by Fisher, to recommend approval of the Preliminary Plat and Rezoning to R-1 (single family residential) the development of Gallagher Shores consisting of 19 lots in Section 16 as submitted by R & B Development and presented by Roy Lecy of The Lecy Group, subject to the following: meeting the recommendations of the City Engineer; when trees are taken down during construction that they are not allowed to be burned; construction traffic not be allowed to use Kenyon Street NE and to meeting all City, State and County requirements. All in favor, motion carried.** This application will be placed on the City Council's April 2, 2018 agenda.

**NEW BUSINESS:**

Kerry Gerard, Whitetail Crossing Investments, LLC, requesting Final Plat approval for Whitetail Crossing 2<sup>nd</sup> Addition (12 single family residential lots) in Section 19.

Kerry Gerard was present before the Planning Commission requesting Final Plat approval of Whitetail Crossing 2<sup>nd</sup> Addition in Section 19. Mr. Gerard stated that he wants to start construction in the spring. Engineer Collins stated that the Final Plat layout of 12 single family residential lots is the same as was approved when the Preliminary Plat was presented. Discussion followed regarding drainage and the trail easement.

**Motion by Heaton, seconded by Fisher, to recommend approval of the Final Plat of Whitetail Crossing 2<sup>nd</sup> Addition in Section 19 for 12 Single Family Residential Lots as presented, subject to meeting the requirements of the City Engineer and**

**all State, County and City requirements. All in favor, motion carried.** This application will be placed on the April 2, 2018 City Council agenda.

Brook Parent (not present), Parent Custom Homes, LLC, representing Made to Move Chiropractic requesting to operate at 13654 Van Buren Street NE, Suite 200.

Commissioner Fisher completed the inspection, a copy of which is on file, and stated that he sees no obstacles for operating a chiropractic business at this location. Discussion followed regarding issuance of a Temporary Certificate of Occupancy until the building permit for the main building receives a final inspection as there are some issues with city and watershed requirements that need to be corrected.

**Motion by Fisher, seconded by Dixson, to recommend approval of a Temporary Certificate of Occupancy for Made to Move Chiropractic to operate at 13654 Van Buren Street NE, Suite 200, as submitted by Parent Custom Homes, LLC, with a Certificate of Occupancy being issued upon the primary building construction permit for Parent Custom Homes LLC passing a final inspection and subject to meeting all State, County and City requirements. All in favor, motion carried.** This application will be placed on the April 2, 2018 City Council agenda.

**COMMISSION BUSINESS:**

City Council Update

Commissioner Pogalz updated the Planning Commission on action taken at the City Council's March 19, 2018 meeting. The Planning Commission discussed that when the City Council makes a motion to approve the Planning Commission recommendations, that the applicant be given time to address the City Council if they have any comments or questions. Commissioner Lejonvarn will be attending the City Council's Monday, April 2, 2018 meeting.

**ADJOURNMENT:**

**Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:56 p.m. All in favor, motion carried.**

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Dawnette Shimek  
Zoning Official/Building Clerk