

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, OCTOBER 11, 2021

The Ham Lake Planning Commission met for its regular meeting on Monday, October 11, 2021 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Kyle Lejonvarn, Dave Ringler Scott Heaton, Jonathan Fisher and Jeff Entsminger

MEMBERS ABSENT: Commissioners Brian Pogalz and Erin Dixon

OTHERS PRESENT: City Engineer, Tom Collins and Building and Zoning Clerk, Jennifer Bohr

CALL TO ORDER: Commissioner Lejonvarn called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Ringler, seconded by Entsminger, to approve the minutes of the September 27, 2021 Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING:

John Anderson, JDA Design Architects Inc., on behalf of Richland Refrigerated Solutions, LLC, requesting an amendment to the Conditional Use Permit to expand the graveled truck parking area at 1305 159th Avenue NE

John Anderson from JDA Design Architects Inc. was present. Mr. Anderson stated the owner of Richland Refrigerated Solutions, LLC (RRS) moved to 1305 159th Avenue NE earlier this year with the intention of expanding his growing business. Mr. Anderson stated the business has obtained a permit from Coon Creek Watershed District (CCWD) with some conditions, has completed a wetland delineation, obtained a current survey and provided a site plan.

Commissioner Lejonvarn opened the public hearing at 6:02 p.m. and asked for public comment.

John and Alisa Kiffmeyer, 1121 160th Lane NE, stated they live just northwest of the RRS property and share a property line on the east side of their lot with RRS. Mr. Kiffmeyer stated he and his wife have lived at this property since 1996; they have had trees to provide screening on the eastern property line since that time. Mrs. Kiffmeyer stated that they submitted a letter, with pictures, noting their concerns related to the glare from lights at the back of RRS's building that shine into their windows at night and the increased noise level from the business and Highway 65 since RRS removed the trees near their property line. Mr. Kiffmeyer asked if the trucks will be coming and going from the business 24 hours a day, 7 days a week. Mrs. Kiffmeyer stated they would like to know what is going to happen next and asked if a wall was going to be constructed between their property and RRS's and could the lights be turned downward.

Mr. Anderson stated the Conditional Use Permit stipulates operating hours which are 7:00 a.m. to 6:00 p.m.; if trucks operate on Saturdays, it would only be in the morning. Mr. Anderson stated it is an over the road trucking operation; trucks arrive, load and depart or if they arrive later in the day, the trucks are parked and the drivers go home.

Commissioner Lejonvarn closed the public hearing at 6:08 p.m.

Commissioner Lejonvarn completed the inspection, a copy which is on file. Commissioner Lejonvarn stated he spoke with Mr. Anderson and Mr. Ibrahim about the brightness of the lights at the back of the building. Commissioner Lejonvarn stated they discussed adjusting the lights downward to limit the light's effect on neighboring properties. Commissioner Lejonvarn asked Building and Zoning Clerk Bohr to comment on the Anoka County Sheriff's Department's inspection of the lighting at the location. Building and Zoning Clerk Bohr stated the deputy's observation determined the light cast onto Mr. and Mrs. Kiffmeyer's property did not violate Section 9-220.1.g of the City Code. Commissioner Lejonvarn stated there currently is no screening between RRS's property and the Kiffmeyer's property; some type of opaque or mesh fencing should be constructed on RRS's western property line. Commissioner Lejonvarn stated CCWD does not want more than an acre covered in Class 5 material; Mr. Anderson noted the "paving (gravel) will not be disturbing more than 1 acre of land" in his email message dated September 13, 2021. Commissioner Lejonvarn asked Engineer Collins to comment on the project. Engineer Collins stated the CCWD did approve a permit to place gravel on approximately .64 acres or 28,000 square feet of the property; if the graveled area exceeds one acre, the cumulative impacts would require a National Pollution Discharge Elimination Permit (NPDES) from the Minnesota Pollution Control agency. Engineer Collins stated the narrative submitted indicates eleven of the fifteen parking spaces shown on the site plan are needed for employee parking. Engineer Collins asked if there is an adequate number of parking spaces. Commissioner Lejonvarn stated he discussed activity at the site, including parking that may be needed for customers utilizing the maintenance and repair services, with Mr. Anderson and Mr. Ibrahim. Mr. Anderson and Mr. Ibrahim stated RRS can provide maintenance and repair services to the public but the focus has been on maintaining fleet vehicles. Commissioner Entsminger asked if some spruce trees could be planted on the back side of the fence. Engineer Collins stated the proposed fence location is very close to the wetland boundary; it would be difficult to get trees to grow in that area or if trees were planted, they would grow into the fence. The Commissioners

discussed the type, height and location of screening and fencing to be constructed on RRS's western property line. The Commissioners determined the fence should be opaque, or a type of fence acceptable to the Building Official, and should be at least eight feet high. **Motion by Lejonvarn to recommend approval of an amendment to the Conditional Use Permit issued to Richland Refrigerated Solutions, LLC to expand the graveled truck parking area at 1305 159th Avenue NE with Class 5 material for parking up to 48 semi-trucks and trailers as noted on the site plan, adjusting lights facing residential property downward, constructing a fence at least eight feet high of a material acceptable to the Building Official along property lines bordering residentially zoned parcels, completing all conditions of the amended Conditional Use Permit within 90 days of City Council approval and meeting all City, State and County requirements.** Commissioner Heaton asked if all the conditions listed on the original Conditional Use Permit continued to apply. Commissioner Lejonvarn confirmed that they did. Commissioner Fisher asked Mr. Anderson if the recommended conditions for the amended Conditional Use Permit were acceptable. Mr. Anderson stated 90 days is "plenty of time"; they intend to have gravel delivered the day after City Council approval is received. **The motion was seconded by Fisher. All present in favor, motion carried.** *This item will be placed on the October 18, 2021 City Council Agenda.*

NEW BUSINESS: None

COMMISSION BUSINESS:

City Council Update

Commissioner Heaton stated there was a public hearing for an assessment roll for the improvement of 155th Avenue NE that generated a lot of discussion. Commissioner Heaton stated the City Council discussed the recommended changes to Home Occupation Permits the most and asked the City Attorney to draft and submit modifications to the Home Occupation Permit code. Commissioner Entsminger will be attending the October 18, 2021 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:31 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk