



CITY OF HAM LAKE

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

CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, AUGUST 22, 2022

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: July 25, 2022

PUBLIC HEARINGS:

6:01 p.m. Chad Bakkene requesting a Special Home Occupation Permit to operate Bakkene Machining and Service, a machine and fabrication shop, at 18046 Concord Drive NE (06-32-23-12-0017).

Dave

NEW BUSINESS:

1. None

COMMISSION BUSINESS:

1. City Council Update - None

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, JULY 25, 2022

The Ham Lake Planning Commission met for its regular meeting on Monday, July 25, 2022 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Chair Brian Pogalz and Commissioners, Scott Heaton, Jeff Entsminger, Jonathan Fisher and Erin Dixson

MEMBERS ABSENT: Commissioners Dave Ringler and Kyle Lejonvarn

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

CALL TO ORDER: Chair Pogalz called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Dixson, seconded by Entsminger, to approve the minutes of the July 11, 2022 Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING: None

NEW BUSINESS:

Kris Daniels, Happy Beans, LLC, requesting Commercial Site Plan approval to construct Scooter's Coffee, a 664 square foot drive-thru retail coffee shop, at 16310 Highway 65 NE

Kris and Louise Daniels were present. Mr. Daniels stated Scooter's Coffee started in 1998 and is a franchise organization based in Omaha, NE. Mr. Daniels stated most of Scooter's Coffee locations are drive-thru only, which is what the Ham Lake location will be. Mr. Daniels stated Scooter's Coffee has 450 locations which are primarily in Nebraska, South Dakota and Iowa; the first Minnesota store was constructed in Maplewood. Mr. Daniels stated the Ham Lake location will be a 664 square foot kiosk with two drive-thru lanes and will employ approximately 20 people with 3-4 employees working per shift. Mr. Daniels stated Scooter's Coffee focuses on speed of service with a goal of serving customers within three minutes of them placing their order or serving 100 clients per hour. Commissioner Heaton asked Mr. Daniels why he chose Ham Lake.

Mr. Daniels stated he initially sought a location in the northeastern metro area; it was difficult to find a suitable location and a location the parent company would approve of there. Mr. Daniels stated the site along Highway 65 NE, the size of the community and the fact that the next closest drive-thru coffee shop is Starbucks seven miles to the south in Blaine is what drew him to Ham Lake. Chair Pogalz asked Engineer Krugler to comment on the project. Engineer Krugler stated the existing Red Ox Café will be demolished; the existing well and septic system will be utilized. Engineer Krugler stated arsenic treatment of the well is required as a recent laboratory water test indicated the arsenic level in the well exceeds the allowable maximum contamination levels. Engineer Krugler stated treatment of the well may result in additional water usage and flow to the septic system. Engineer Krugler stated the Building Official, Mark Jones, is requiring a septic compliance inspection for the existing septic system; the compliance inspection must show that the septic system is sized to meet all the needs of the business including any water treatment for arsenic, iron, or other elements or contaminants. Engineer Krugler stated plans have been submitted to the Anoka County Highway Department (ACHD) and MnDOT; comments are pending. Engineer Krugler stated a drainage permit from MnDOT is needed as well as a right-of-way permit from ACHD; the Coon Creek Watershed District is not requiring a permit. Commissioner Entsminger stated ACHD typically requires turn and bypass lanes; could this business generate enough stacked up traffic to cause an issue with the flow of traffic on Highway 65 NE. Engineer Krugler stated he expects ACHD to comment on potential traffic concerns as 15,000 cars travel to the north and to the south on Highway 65 NE each day. Commissioner Heaton asked if the ACHD had any plans to improve the intersection on the west side of Highway 65 NE. Engineer Krugler stated the City has plans to construct a backage road to the west of Dollar General, south of Constance Boulevard NE, in the future, if the City can obtain the land to construct the road. Mr. Daniels stated in his communication with ACHD, they have stated the north shoulder of Constance Boulevard NE is wide; if the stacking of cars becomes a problem, that shoulder may be designated as a turning lane. Mr. Daniels stated the goal is to provide optimal speed of service at the kiosk to keep cars moving. Engineer Krugler stated small traffic disruptions on Highway 65 NE tend to have a large impact on traffic flow; the ACHD and MnDOT will need to evaluate the plans, determine the impact on traffic and what action needs to be taken. The commission briefly discussed the results of the arsenic levels noted on the laboratory water test results. Chair Pogalz completed the inspection, a copy which is on file. Chair Pogalz stated he has some concerns with the adjacent asphalt to the north and garbage truck access to trash enclosure area. Chair Pogalz stated Victory Auto Service and Glass to the north currently has cars parked along the property line and has other areas coned off to prevent vehicles from driving through the lot to the Red Ox Café. Chair Pogalz stated Mr. Daniels plans to discuss access to the coffee shop from the north with the owner of Victory Auto Service and Glass after the plans receive City Council approval. **Motion by Pogalz, seconded by Fisher, to recommend approval of the commercial site plan to construct Scooter's Coffee, a 664 square foot drive-thru retail coffee shop, at 16310 Highway 65 NE contingent on receipt of a compliance inspection that meets the approval of the Building Official showing that the septic is sized to meet all needs including any water treatment for arsenic, iron or other treatment needs, the issuance of a MnDOT drainage permit, the issuance of a ACHD right-of-way permit, subject to meeting the requirements of the City Building Official and the**

City Engineer and meeting all City, State and County requirements. All present in favor, motion carried. *This item will be placed on the August 1, 2022 City Council Agenda.*

COMMISSION BUSINESS:

City Council Update

A commissioner was not present at the July 18, 2022 City Council meeting; no update was given. A Planning Commissioner will not be present at the August 1, 2022 City Council meeting.

ADJOURNMENT:

Motion by Heaton, seconded by Fisher, to adjourn the Planning Commission meeting at 6:22 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk

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

MTG DATE: 8/22/2022

INSPECTION ISSUED TO: Dave Ringler

APPLICANT/CONTACT: Chad Bakkene

TELEPHONE NUMBER: 651-206-2076 or chad@bakkeneservices.com

BUSINESS/PLAT NAME: Bakkene Machining and Service

ADDRESS/LOCATION OF INSPECTION: 18046 Concord Dr NE

APPLICATION FOR: Special Home Occupation Permit

RECOMMENDATION: _____

DATE: _____

PLANNING COMMISSIONER SIGNATURE: _____



RECEIVED
 AUG 03 2022
 By:

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 ^{8/1/22} 8/3/22

Date of Receipt 8-3-2022
 Receipt # 93635

Meeting Appearance Dates:
 Planning Commission 8-22-22

City Council _____

Please check request(s):

- | | |
|---|--|
| <input type="checkbox"/> Metes & Bounds Conveyance | <input type="checkbox"/> Commercial Building Site |
| <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Certificate of Occupancy |
| <input type="checkbox"/> Preliminary Plat Approval* | <input checked="" type="checkbox"/> Home Occupation Permit (Special) |
| <input type="checkbox"/> Final Plat Approval | <input type="checkbox"/> Conditional Use Permit (New)* |
| <input type="checkbox"/> Rezoning* | <input type="checkbox"/> Conditional Use Permit (Renewal) |
| <input type="checkbox"/> Multiple Dog License* | <input type="checkbox"/> 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: Bakkene Machining and Service

Address/Location of property: 18046 Concord Dr. Ne.

Legal Description of property: Lot 1 Block 1 Concord Woods

PIN # 06-32-23-12-0017 Current Zoning R-1 Proposed Zoning no change

Notes: See attached narrative

Applicant's Name: Chad Bakkene

Business Name: Bakkene Machining and Service

Address 18046 Concord Dr. Ne.

City Ham Lake State Mn Zip Code 55304

Phone _____ Cell Phone 651-206-2076 Fax _____

Email address Chad@bakkeneservices.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 Chad Bakkene DATE 8/3/22

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission _____
 City Council _____

PROPERTY TAXES CURRENT YES NO



CITY OF HAM LAKE

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

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a Public Hearing shall be held before the Ham Lake Planning Commission on Monday, August 22, 2022 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Chad Bakkene requesting a Special Home Occupation Permit to operate Bakkene Machining and Service (a machining and fabricating business) at 18046 Concord Drive NE, a parcel of land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PIN# 06-32-23-12-0017

LOTS 1 & 1A BLOCK 1 CONCORD WOODS

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

DATED: August 12, 2022

Jennifer Bohr
Building & Zoning Clerk
City of Ham Lake

Anoka County Parcel Viewer



Parcel Information: Approx. Acres: 2.19
06-32-23-12-0017 Commissioner: JULIE BRAASTAD
18046 CONCORD DR NE
HAM LAKE
MN 55304
Plat: CONCORD WOODS

Owner Information:
BAKKENE, CHAD
18046 CONCORD DR NE
HAM LAKE
MN
55304



Meeting Date: August 22, 2022

CITY OF HAM LAKE

STAFF REPORT

To: Members of the Planning Commission

From: Mark Jones, Building and Zoning Official

Subject: Special Home Occupation Permit Request for Chad Bakkene 18046 Concord Dr NE

Introduction/Discussion:

Chad Bakkene is requesting a Special Home Occupation Permit to operate a fabrication/machine shop and repair and service business, with gunsmithing. At this time Mr. Bakkene provides offsite repair service for commercial printing businesses; he has been employed for 30 years as a maintenance machinist in the printing industry. Per Mr. Bakkene, this would be a full-time, one-person shop running Computer Numerical Control (CNC) equipment to fabricate parts. Mr. Bakkene is in the process in obtaining his Federal Firearms License to open the gunsmithing service. Printing equipment needing repair will be delivered by trucks larger than normal delivery trucks seen for residential delivers. All meetings with customers are to be off site.

9-350.3 Special Home Occupation, Permits 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. no outside storage which is visible from nearby properties or public ways and no customer traffic

Recommendation:

In discussions with Joe Murphy, Home Occupation and Special Home Occupation intent was to be related to a residential use only not a commercial or industrial use. Running CNC equipment for fabrication of parts, other than for gunsmithing, could be considered a commercial use. Allowing delivery of equipment for repair would also be a commercial use. I recommend approval of a Special Home Occupation Permit for Chad Bakkene subject to meeting all state and county requirements for gunsmithing only. No obvious outward indicia of the activities being carried on under the Special Home Occupation Permit, no customer traffic, no noise generated which is audible to nearby properties, no odor, no outside storage which is visible from nearby properties or public ways and meeting all applicable city requirements.

Special Home Occupation Permit Request Narrative

Chad Bakkene

18046 Concord Dr. Ne.

Ham Lake, Mn. 55304

Property is on the west side of tee at 181st and Concord Dr. ne.

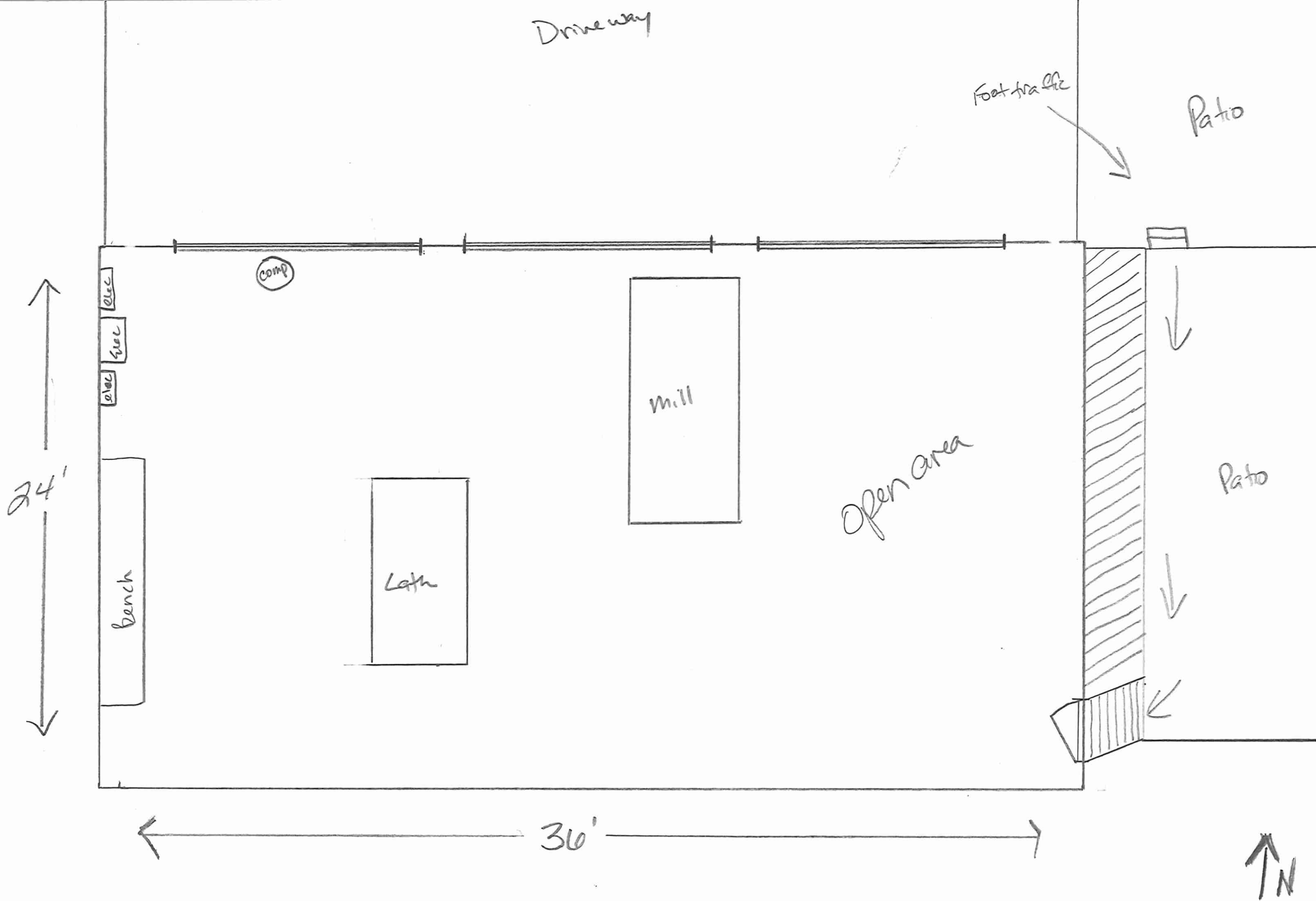
Zoned R-1

8/01/22

Requesting a Special Home Occupation Permit for a full time one-person, garage-based machine shop, fabrication, repair/service business and FFL holder(gunsmithing).

- Machining/fabricating side of business will primarily be short run for products designed and made in house, gunsmithing, and support for service side of business, which will include off-site service/repair for the commercial offset printing industry(30 years as a Maintenance Machinist in printing industry), transitioning to all in house machining & gunsmithing, hopefully in the next 2-3 years.
- Customer meetings will off site.
- Deliveries will typically be UPS/Fed Ex with the occasional(a few times per year?) piece of equipment delivered via large truck. Material used on site will be picked up by me.
- Shipping of products will be done off site(UPS Store/FedEx location/Post Office) until enough business allows for pickup from premise as needed(up to once daily during normal business hours/day).
- Garage is 24'x36' with 2/3rds being for machines, workbenches, toolboxes and storage cabinets. The other 1/3 left open for fabricating or equipment repair.
- Storage of machining chips will be stored in barrels in pole barn until being taken to the scrap yard by me.
- Noise from the business will be minimal. 1 CNC lathe, 1 CNC machining center and the space is fully insulated and sheet rocked. Doors/windows rarely open as the space is temperature controlled. An exhaust fan, per mechanical code to be added for use while welding.
- Operation hours will be typical of a small business, from early morning to late evening(7am - 9/10pm), depending on need, 7 days a week sometimes, but more typically 8/9AM -7PMish.
- No non-residence employees.
- 3-5 year goal is to be able to replace aging pole barn at the back of the property with a new building and move the business into it.







485'

275'

180TH LN NE
375'

400'

CONCORD DR NE

9-350 Home Occupation Permits

A *Home Occupation* is an occupant-owned enterprise carried on in a residential dwelling, which 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. This requirement for a *Home Occupation* permit shall not apply to any enterprise consisting of activities carried out entirely within the dwelling, where all employees live at the residence, where no specialized chemicals are used by the business, where there is no customer traffic, and where there are no physical deliveries requiring vehicles larger than normal small parcel delivery services (USPS, UPS, FedEx, etc).

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.