

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, MARCH 24, 2025

The Ham Lake Planning Commission met for its regular meeting on Monday, March 24, 2025, in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

MEMBERS PRESENT: Commissioners Brian Pogalz, Jeff Entsminger, David Ross, Dave Ringler and Erin Dixson

MEMBERS ABSENT: Commissioners Kyle Lejonvarn and Jonathan Fisher

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

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

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited by all in attendance.

APPROVAL OF MINUTES:

Motion by Pogalz, seconded by Ringler, to approve the minutes of the March 10, 2025, Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING: None

NEW BUSINESS:

Zahira Agel of Global Distribution Inc. requesting a Certificate of Occupancy to operate a wholesale distribution business for tobacco products and accessories at 14203 Lincoln Street NE

Mr. Sam Salem, manager of Global Distribution Inc., was present. Mr. Salem stated the business is currently located in Blaine; the location in Ham Lake will allow the business to expand. Mr. Salem stated the business consists of the sale of tobacco, tobacco products, premium cigars and accessories. Mr. Salem stated sales are business to business sales; no retail sales will take place at the Lincoln Street NE location. Mr. Salem stated most orders are shipped to customers. Commissioner Ringler completed the inspection, a copy which is on file. Commissioner Ringler stated the building is very large and is currently under renovation. Commissioner Ringler stated he did not observe anything of concern. Commissioner Ringler stated the parking lot does need to be restriped. Chair Pogalz stated Building Official Jones recommends approval of the

Certificate of Occupancy for Global Distribution Inc. **Motion by Ringler, seconded by Dixon, to recommend approval of the Certificate of Occupancy for Global Distribution Inc., as presented by Zahira Aqel, to operate a wholesale distribution business for tobacco products and accessories at 14203 Lincoln Street NE subject to stripping the parking lot by June 1, 2025, business hours of 9:00 am to 5:00 pm Monday through Friday and 9:00 am to 4:00 pm on Saturday, having a maximum of 20 employees, no retail sales at the location, all pallet racking for storage not to exceed ten feet in height, and meeting all City, County and State requirements. All present in favor, motion carried. This application will be placed on the City Council's Monday, April 7, 2025, agenda.**

Commissioner Entsminger removed himself from the table due to his ownership interest in the 13928 Lincoln Street NE parcel.

Glen Harstad, Jeff Harstad and Heather Harstad of Hearth Development requesting Commercial Site Plan approval to construct a 22,000 square foot office/warehouse building at 13928 Lincoln Street NE

Mr. Jeff Harstad was present. Mr. Harstad stated he and his family would like to construct a 22,000 square foot office/warehouse building. Mr. Harstad stated their company, Allstate Distribution, will occupy approximately 7,200 square feet of the building. Mr. Harstad stated Allstate Distribution is currently located at 13941 Lincoln Street NE and intends to use the new building for storage space for their business. Mr. Harstad stated other businesses in the area such as Safety Speed Cut and Unlimited Welding, intend to rent space in the building for storage as well. Mr. Harstad stated approximately three employees will work in the space occupied by Allstate Distribution. Mr. Harstad stated the septic system design, and the number of parking spaces were determined based upon the use of the building being office/warehouse space; there will be no retail business at this location. Mr. Harstad stated they have decided to install a sprinkler system in the building due to the possibility of leasing space to future tenants for the storage of cars or motorcycles. Chair Pogalz asked how the sprinkler system will be designed. Mr. Harstad stated they will drill a large capacity well similar to what NACS drilled so they do not have to have an underground water tank. Chair Pogalz asked Engineer Krugler to comment on the project. Engineer Krugler stated the plans for the 22,000 square foot office/warehouse building on the 2.26-acre lot include a landscape plan. Engineer Krugler stated the Planning Commissioners will need to determine if what is proposed meets the requirements of City Code. Engineer Krugler stated Coon Creek Watershed District has approved the plans. Engineer Krugler stated the current wetland delineation indicates wetland boundaries can be revised. Engineer Krugler stated the applicants can request a public hearing to vacate a portion of the drainage and utility easements that were recorded with the Majestic Oaks Commercial Center plat and dedicate additional drainage and utility easement to protect the revised wetland boundary currently outside of the existing easement. Engineer Krugler stated if the applicants install a sprinkler system that draws water from a well, a backup generator is needed to be compliant with code. Commissioner Dixon completed the inspection, a copy which is on file. Commissioner Dixon stated the parcel is an open lot. Commissioner Dixon spoke with Mr. Harstad and discussed the conditions for approval noted in Building Official Jones' memo. Commissioner Dixon stated they did not discuss landscaping. Commissioner Dixon

stated the landscaping on other commercial lots along Lincoln Street NE is inconsistent. Commissioner Dixon stated the landscaping proposed in the plans includes the planting of some trees and shrubs which will give the lot some curb appeal. Commissioner Dixon asked Mr. Harstad what the hours of operation should be. Mr. Harstad stated there will be no overnight business conducted at the location and business hours would be between 7:01 am to 10:00 pm. Chair Pogalz asked Commissioner Dixon if there was discussion about having no outside storage on the site. Commissioner Dixon stated outside storage had not been discussed but stated no outside storage would be permitted. **Motion by Dixon, seconded by Pogalz, to recommend approval of the request of Glen Harstad, Jeff Harstad and Heather Harstad of Hearth Development for Commercial Site Plan approval to construct a 22,000 square foot office/warehouse building at 13928 Lincoln Street NE subject to the following conditions: the applicants request vacation of a portion of the drainage and utility easement that no longer contains wetlands and dedicate drainage and utility easement over the wetland boundary not protected by the original drainage and utility easement of the Majestic Oaks Commercial Center plat prior to the issuance of a Certificate of Occupancy, operating hours for all tenants are to be between 7:01 am and 10:00 pm, no on-street parking, building occupancy being limited to a maximum of 30 occupants, no delivery trucks blocking Lincoln Street NE, no outside storage, meeting all the requirements of the City Engineer and Building Official and meeting all city, county and state requirements.**

There was discussion about the storage of cars in the building by future tenants and the sprinkler system. Commissioner Dixon revised the motion to include submitting building plans with engineering for the installation of a sprinkler system due to the possibility of future tenants storing cars in the building.

Motion by Dixon, seconded by Pogalz, to recommend approval of the request of Glen Harstad, Jeff Harstad and Heather Harstad of Hearth Development for Commercial Site Plan approval to construct a 22,000 square foot office/warehouse building at 13928 Lincoln Street NE subject to the following conditions: the applicants request vacation of a portion of the drainage and utility easement that no longer contains wetlands and dedicate drainage and utility easement over the wetland boundary not protected by the original drainage and utility easement of the Majestic Oaks Commercial Center plat prior to the issuance of a Certificate of Occupancy, submitting building plans with engineering for the installation of a sprinkler system due to the possibility of future tenants storing cars in the building, operating hours for all tenants are to be between 7:01 am and 10:00 pm, no on-street parking, building occupancy being limited to a maximum of 30 occupants, no delivery trucks blocking Lincoln Street NE, no outside storage, meeting all the requirements of the City Engineer and Building Official and meeting all city, county and state requirements. Commissioners Pogalz, Ringer, Ross, and Dixon voted yes, Commissioner Entsminger abstained from the vote. Motion carried. *This application will be placed on the City Council's Monday, April 7, 2025, agenda.*

Mr. Harstad stated he and Commissioner Dixon discussed a public hearing for a drainage easement that needed to be vacated. Engineer Krugler stated that a separate hearing is required to vacate an easement. Engineer Krugler stated it would be in the best interest of Mr. Harstad, and his family to request a vacation of the drainage easement and work with their engineering firm to obtain a legal description for the easement that will need to be dedicated over the wetland boundary that was not part of the original easement.

Commissioner Entsminger returned to his seat at the table.

Jason Osberg of JD Ham Lake Holdings, LLC, requesting Sketch Plan approval of Kohler Farms, a 39-lot single family residential development in Section 13

Mr. Jason Osberg of Metro Wide Development, members of the Kohler family and Mr. Darren Lazan, President of Landform Development Partners were present. Mr. Lazan spoke on behalf of the applicant. Mr. Lazan stated he and Mr. Osberg formed the partnership, JD Ham Lake Holdings, LLC, the development entity for the Kohler Farms project. Mr. Lazan provided history of some local projects recently completed by JD Ham Lake Holdings, LLC. Mr. Lazan also provided a brief account of the past activity and future plans for the Kohler family property. Mr. Lazan stated septic borings to determine viable septic locations and preliminary findings related to wetlands and flood plain have been done. Mr. Lazan stated they plan to do final Geotech and septic borings and a wetland delineation after sketch plan approval. Mr. Lazan presented the sketch plan of 39 lots on the 113-acre parcel with proposed road connection points. Mr. Lazan stated the primary item to discuss is the connection to Hupp Street NE on the north side of the plat; the proposed cul-de-sac is over the 1,100 feet limit per city code. Mr. Lazan stated existing wetlands restrict where roads can be proposed without significant wetland impacts. Mr. Lazan stated the temporary cul-de-sac on Hupp Street NE created in the Hamlet Estates development consumes 800 feet of the 1,100-foot allowance for a cul-de-sac and ended in a wetland that will now require them to purchase six figures worth of wetland credits to bring Hupp Street NE into the Kohler Farms plat. Mr. Lazan stated various options have been discussed as alternatives to the Hupp Street NE/160th Avenue NE cul-de-sac shown on the sketch plan to avoid wetland impacts that include requesting a variance to allow a cul-de-sac that is more than 1,100 feet in length, creating an access point off of Lexington Avenue NE and constructing a cul-de-sac to the west, shortening the Hupp Street NE cul-de-sac and providing driveway access from Lexington Avenue NE for three lots or constructing a bike trail within the plat to ensure connectivity from the eastside of Hupp Street to the west side on 159th Avenue NE if Alternative A or B are approved by Anoka County. Chair Pogalz asked Engineer Krugler to comment. Engineer Krugler stated the sketch plan consists of 39 lots on 113 acres. Engineer Krugler stated to provide viable septic fields, and allow the proposed lot lines for proposed lots 6 and 7, a lot line adjustment will need to be requested for the 15946 Lexington Avenue NE parcel. Engineer Krugler stated if a lot line adjustment is requested, a secondary septic location will need to be shown for the 15946 Lexington Avenue NE parcel, a septic compliance inspection, that includes soil borings, must be done for same parcel and the survey submitted for the lot line adjustment request must include a 20-foot-wide bike path easement on the west side of Lexington Avenue NE; the bike path easement dedicated with the lot line adjustment will not be credited toward the parkland dedication requirement

for the plat. Engineer Krugler stated Mr. Lazan mentioned possible access options in lieu of the Hupp Street NE cul-de-sac that is shown on the sketch plan. Engineer Krugler stated any proposed access points from Lexington Avenue NE will need to be approved by the Anoka County Highway Department (ACHD). Engineer Krugler stated the applicant has proposed two alternative lot configuration and access options for the northeastern section of the plat which are shown in the upper right corner of the sketch plan. Engineer Krugler stated if either of the alternative options are used in the plat, there has been discussion about requiring a paved bike trail within the plat to ensure neighborhood connectivity from the east side of the plat to 159th Avenue NE or 158th Lane NE. There was discussion about fire/emergency response access only roads. The discussion included examples of fire/emergency access roads on Hanson Boulevard, in a townhome development in Coon Rapids, and on 133rd Avenue NE adjacent to the Majestic Oaks Townhomes Fourth Addition and the possibility of having a fire/emergency access road constructed within the plat. Questions were asked about how access is controlled, who maintains the road, and who pays for maintenance. Mr. Lazan stated fire/emergency access only roads have been approved by ACHD and constructed in other projects his company has done; three were added to the development he and his partner recently finished in Andover. Chair Pogalz asked Mr. Lazan to discuss a connection between Hupp Street NE and 159th Avenue NE. Mr. Lazan stated a connection between those two streets is not shown on the sketch plan because of an extensive wetland complex there. Mr. Lazan stated they do not like the fact that there is not a contiguous road connection from the east to the west side of the plat, but they are trying to minimize potential wetland impacts and expense. Mr. Lazan stated they will reevaluate an interconnection after they receive the results of the wetland delineation. Chair Pogalz asked Engineer Krugler to comment on the Public Works Superintendent's proposal to construct a bike trail to connect the neighborhoods. Engineer Krugler stated that depending on the route chosen, if the only alternative available for the trail is through the wetlands, boardwalks, like those in the Anoka County, Bunker Hills Park, could be constructed over the wetland areas as to prevent impact to wetlands. Engineer Krugler stated a paved trail could be constructed on either side of the wetland with a boardwalk over the wetland in between the paved sections. Engineer Krugler stated constructing the trail may require a reconfiguration of lots. Chair Pogalz stated boardwalks require maintenance, who would be responsible for maintenance. Engineer Krugler stated the city would be responsible for maintenance. Engineer Krugler asked Mr. Lazan what the length of the trail would be. Mr. Lazan estimated that it would be 50 to 60 feet. Mr. Lazan stated the paved bike trail could be constructed from 158th Lane NE to Hupp Street NE with the trail running along the lot line between proposed lots 19 and 20 and proposed lots 7 and 8. Mr. Lazan stated they would attempt to keep the trail at the edge of the wetland to avoid wetland impacts. Mr. Lazan stated the wetland areas identified on the sketch plan are conservative estimates of where the wetlands are located based on historic arial photos. Mr. Lazan stated the wetlands in this plat have been farmed so wetland areas are not obvious. Mr. Lazan stated that once a wetland delineation has been completed, they may find wetland boundaries have changed and construction of a trail, without a boardwalk, or even a road connecting all streets in the plat may be possible. Chair Pogalz stated it was his understanding that once wetland areas had been farmed, there was more latitude on what could be done with those wetland areas. Mr. Lazan stated there is more latitude on wetland sequencing but not on soil corrections and other

related wetland impact expenses. Mr. Lazan stated farmed wetlands are treated a little more favorably as they could be considered a degraded wetland rather than a high-quality wetland, but the soil mitigation and correction process must still be done. Again Mr. Lazan stated they hope to avoid wetland impacts. Chair Pogalz asked how many feet of peat soil is on top of the sand. Chair Pogalz stated, generally, sand is found a couple of feet underneath the peat or black dirt. Chair Pogalz stated there is a cost to soil corrections; soil corrections that may be needed for this development are likely to be like those required or needed in other developments in the area. Chair Pogalz asked Engineer Krugler how a fire/emergency access road would be kept clear and plowed during the winter. Engineer Krugler stated the public works department would need to ensure the fire/emergency access road would be kept clear and plowed. Chair Pogalz asked Engineer Krugler if there would be a ditch between Lexington Avenue NE and the bike trail on the west side of Lexington Avenue NE where the bike lane would be constructed and would the fire/emergency access road require a driveway access point off Lexington Avenue NE. Engineer Krugler stated there would be a ditch to cross between Lexington Avenue NE and the bike trail to the west of Lexington Avenue NE. Chair Pogalz asked Engineer Krugler if the plat could still be modified if the Planning Commission recommended approval of the Kohler Farms sketch plan. Engineer Krugler stated if the proposed lot line adjustment shown on the sketch plan for the 15946 Lexington Avenue NE parcel does not change, and the outer perimeter of the property proposed to be platted does not change, the sketch plan can be recommended for approval. Engineer Krugler stated after additional technical data has been obtained, it is possible that the number of lots could change, or some other modifications will be needed within the plat boundaries. Engineer Krugler stated the Planning Commission will get another opportunity to review the plat at the preliminary plat stage and will have the opportunity to comment or require changes to the plat at that time if needed. Mr. Lazan stated if the city approves the sketch plan, additional engineering work will be done. Mr. Lazan stated that if extensive modifications need to be made after additional engineering is completed, a request to re-review the sketch plan will be submitted. Chair Pogalz asked the commissioners to comment on the potential fire/emergency access road in the northeast section of the plat. Commissioner Entsminger asked Engineer Krugler if the fire/emergency access road was a viable option. Engineer Krugler stated he discussed the fire/emergency access road with the City Attorney who provided potential problems the road could cause. Engineer Krugler stated additional input from the Public Works Superintendent was also needed. Chair Pogalz stated he has concerns about the potential fire/emergency access road. Chair Pogalz stated cul-de-sacs are challenging to plow and adding a fire/emergency access road to the list of areas public works needs to plow and maintain just compounds the issue. Commissioner Entsminger stated the City Engineer and City Attorney should determine if exceeding the maximum length of 1,100 feet for a cul-de-sac or allowing a fire/emergency access road is acceptable, not the Planning Commission. Commissioner Dixon stated the Planning Commission has commented on cul-de-sacs that were in excess of 1,100 feet in the past. Chair Pogalz stated that is true but only if the cul-de-sac proposed was in excess of 1,100 feet was a temporary cul-de-sac. Mr. Lazan again explained the challenges his company has extending Hupp Street NE into the plat and stated if a cul-de-sac was longer than 1,100-feet, activity related to maintenance and service provided to homeowners on that cul-de-sac would be the same whether it was 1,100 feet or longer. Chair Pogalz stated other developers have had to meet code

requirements. Chair Pogalz stated other developers have asked to have cul-de-sacs more than 1,100 feet and the city required them to comply with city requirements; allowing an exception in this case would set precedent for future developments. Chair Pogalz stated it is easy to talk about what could be done related to the cul-de-sac but in the end, it is the city and homeowners that will have to deal with issues later if they arise. Mr. Lazan stated two alternative options for lot configuration and access were proposed on the sketch plan but were not discussed as he believed the fire/emergency access road discussed was an acceptable option after a discussion with staff. Mr. Lazan cited the issues that presented challenges to developing this plat related to meeting city code, ACHD requirements and the composition of the land. Mr. Lazan stated two alternative development options have been proposed for the northeast corner. Chair Pogalz stated the proposed boundaries for the plat are acceptable but has concerns about how the northeast corner of the plat will be developed. Commissioner Dixon asked if the fire/emergency access road option had been presented to the ACHD. Engineer Krugler stated the fire/emergency access road option has been presented to ACHD. Engineer Krugler stated it is his opinion the alternative options will not be acceptable to ACHD. Commissioner Dixon stated all options are hypothetical and that she would like more information before a decision can be made. Commissioner Dixon stated there is no way of knowing if a road can be reconfigured or if it is reasonable to consider a variance for an extra-long cul-de-sac until the wetland delineation is done; it is also unknown if ACHD would allow a fire/emergency access road. Commissioner Entsminger stated there is a cost factor to consider for wetland impacts. Commissioner Dixon stated costs related to addressing the concerns she raised earlier are not a factor for determining what the right option is for the northeast area of the plat. Mr. Lazan asked the commission to consider approving the sketch plan so they can move forward with obtaining additional technical information and discuss the options for the northeast area of the plat with the ACHD. Engineer Krugler stated the feedback he received when he sent the sketch plan to the ACHD gave him the impression that ACHD is going to require compliance with their intersection spacing requirements and the proposed, future improvements on Lexington Avenue NE are going to have an impact on what ACHD allows or does not allow for this plat. Engineer Krugler stated if any access was allowed onto Lexington Avenue NE, it may be a right in, right out access. Commissioner Entsminger asked if Alternative B is a viable option if the developer can obtain approval from the ACHD. Engineer Krugler stated it appears that that would be a viable option, and the cul-de-sac length of Hupp Street would be compliant with the 1,100-foot requirement. **Motion by Pogalz, seconded by Entsminger, to recommend approval of the Sketch Plan, presented by Jason Osberg of JD Ham Lake Holdings, LLC, for a 39-lot single family residential development in Section 13 subject to submitting a lot line adjustment request to the City Council for parcel 15946 Lexington Avenue NE that includes a septic compliance inspection report with soil borings that indicate a suitable secondary septic area on the parcel, dedicating a 20-foot-wide bike trail easement on the east side of the 15946 Lexington Avenue NE parcel, filing the approved lot line adjustment documentation with Anoka County upon city approval, providing proof of filing of the lot line adjustment with Anoka County to the city with the application for preliminary plat approval, obtaining approval from Anoka County Highway Department for access points onto Lexington Avenue NE as proposed in Alternative A or Alternative B or obtaining approval for a fire/emergency access**

road in the northeast section of the plat prior to submitting an application for preliminary plat approval, meeting the requirements noted in the City Engineer's memo dated March 19, 2025, meeting all City, State and County requirements. All present in favor, motion carried. *This application will be placed on the City Council's Monday, April 7, 2025, agenda.*

COMMISSION BUSINESS:

City Council Update

Chair Pogalz informed the Commissioners that the City Council concurred with the Commission's recommendations to approve the sketch plan of Ruds Skogsted. Chair Pogalz will attend the April 7, 2025, City Council meeting.

ADJOURNMENT:

Motion by Dixon, seconded by Ross, to adjourn the Planning Commission meeting at 7:14 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk