

CITY OF HAM LAKE
PLANNING COMMISSION MINUTES
MONDAY, AUGUST 25, 2025

The Ham Lake Planning Commission met for its regular meeting on Monday, August 25, 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, Kyle Lejonvarn, Dave Ringler, David Ross and Erin Dixon

MEMBERS ABSENT: Commissioners Jeff Entsminger and Jonathan Fisher

OTHERS PRESENT: Attorney Mark Berglund, Building and Zoning Official Mark Jones, 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 Dixon, seconded by Ringler, to approve the minutes of the August 11, 2025, Planning Commission meeting as written. All present in favor, motion carried.

PUBLIC HEARING:

John Markquart of Markquart Ham Lake, LLC, requesting an amendment to the Conditional Use Permit to revise hours of operation for North Country RV at 14525 Highway 65 NE.

Mr. John Markquart was not present. Commissioner Dixon completed the inspection, a copy which is on file. Commissioner Dixon stated the applicant has requested a change to the business hours listed on the existing Conditional Use Permit (CUP). Commissioner Dixon stated the applicant requested longer business hours on Saturday and some business hours on Sunday. Commissioner Dixon stated per state statute, no motor vehicle sales are permitted on Sundays; campers are considered motor vehicles per the definition in state statute. Commissioner Dixon stated there were several terms and conditions listed on the existing CUP and a few other terms should be modified. Commissioner Lejonvarn asked if the applicant had commented on needing business hours later than 8:00 p.m. and would sales hours be different than service hours. Commissioner Lejonvarn stated he is concerned about noise that could be generated

from the services bays due to the business being adjacent to residential lots. Commissioner Dixon stated the applicant did not ask for longer hours nor did he comment on differing hours between sales and service. Chair Pogalz stated during the commercial site plan review, Mr. Markquart stated hours may be shorter in winter months when sales are slow.

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

Faith Roberts, 14601 and 14604 Highway 65 NE

Ms. Roberts stated her property is directly north of the North Country RV parcel. Ms. Roberts stated she has never had an issue related to noise or business activity from the North Country RV.

Chair Pogalz closed the public hearing at 6:07 p.m.

Motion by Dixon, seconded by Lejonvarn, to recommend approval of an amendment to the Conditional Use Permit to revise hours of operation for North Country RV at 14525 Highway 65 NE as requested by John Markquart of Markquart Ham Lake, LLC, and the revision of some of the existing terms per the following:

- 1) Signage in customer restricted areas to be posted every 50 feet and on all corners and, if signage is deemed not to be working, that the City reserves the right to require paving or fencing of these areas.**
- 2) The City reserves the right to address noise complaints.**
- 3) The Aberdeen Street NE access is an exit only access.**
- 4) The City reserves the right to alter access of 145th Lane NE and Aberdeen Street NE.**
- 5) A double row of 4-foot conifer trees to be planted and maintained along Aberdeen Street NE.**
- 6) Fencing to be maintained ~~repaired~~ along the entire perimeter of the property.**
- 7) The trash enclosure to be screened.**
- 8) No engine repair is to be done on site.**
- 9) Severely damaged vehicles be kept inside the facility or completely screened or covered and that there will be a maximum of 2 damaged vehicles on the lot at any one time.**
- ~~10) Signage facing the residential area to be removed.~~**
- 11) Hours of operation will be 7:01 a.m. ~~9:00 a.m.~~ to 8:00 p.m. Monday through Saturday.**
- 12) Meeting all City, State and County Codes.**

All present in favor, motion carried. *This application will be placed on the City Council's Tuesday, September 2, 2025, agenda.*

PUBLIC HEARING:

Abraham Alwan of Exotic Automotives LLC, requesting a Conditional Use Permit to operate a service, repair and auto body shop at 16909 Baltimore Street NE

Mr. Abraham Alwan and Mr. Hany Omar were present. Mr. Omar spoke on Mr. Alwan's behalf. Mr. Omar stated he purchased the property several years ago with the intent of having multiple used car dealerships operating from the location along with mechanical

services. Mr. Omar stated Mr. Alwan would like to have the ability to repair cars onsite, which would include mechanical service as well as auto body work. Mr. Omar stated the paint booth has not been set up yet. Mr. Omar stated once they obtain approval for Mr. Alwan to do service, repair and auto body work, they will apply for the proper licensing. Commissioner Ross completed the inspection, a copy which is on file. Commissioner Ross stated he met with Mr. Alwan, inspected the site and all components of their operations. Commissioner Lejonvarn asked if Commissioner Ross observed any indication of stored chemicals or painting of cars. Commissioner Ross stated he did not. Commissioner Ross stated the paint booth has not yet been constructed. Commissioner Ross stated the building is large, six cars can be stored inside, and the sales area is separated from the service area. Building and Zoning Official Jones stated the applicant will need to apply for a mechanical permit to construct a spray booth, a fire suppression system is needed in the spray booth, make up air will be required, and the applicant must comply with all city and state codes.

Chair Pogalz opened the public hearing at 6:13 p.m. and asked for public comment; with there being none, Chair Pogalz closed the public hearing at 6:13 p.m.

Motion by Ross, seconded by Dixon, to recommend approval of a Conditional Use Permit, as requested by Abraham Alwan of Exotic Automotives LLC, to operate a service, repair and auto body shop at 16909 Baltimore Street NE subject to:

- 1. That all damaged vehicles be parked within the screened area and that a 12-foot drive aisle be maintained between rows of cars and at the end of each row, on the gate side, of the screened in area.**
- 2. No outside storage of liquids, tires, parts, etc.**
- 3. No “parts” cars (vehicles bought for the sole purposes of removing parts for other vehicles)**
- 4. All repairs need to be done inside the building. This includes any type of repair work such as body work or replacement of headlights, etc.**
- 5. All fluids to be contained and disposed of according to State and County requirements.**
- 6. That proper screening be provided between commercial and residential property and that the primary and secondary septic area and septic tanks be protected.**
- 7. That all auto sales activities be kept separate from the auto repair, and all requirements of Article 7-900 be adhered to for auto sales.**
- 8. Exotic Automotives LLC provide a minimum of four parking stalls for employees, and four parking stalls for customers. The handicap parking space(s) must be property marked.**
- 9. Exotic Automotives LLC hours of operation are to be, Monday through Friday 10:00 a.m. to 7:00 p.m., and Saturday 10:00 a.m. to 5:00 p.m.**
- 10. Meeting all City, County, and State requirements.**

All present in favor, motion carried. *This application will be placed on the City Council's Tuesday, September 2, 2025, agenda.*

PUBLIC HEARING:

Darren Lazan of Landform Professional Services, LLC, on behalf of Jason Osberg, JD Ham Lake Holdings, LLC, requesting preliminary plat approval and rezoning of portions of land from R-A (Rural Single Family Residential) to R-1 (Single Family Residential) for Kohler Farms, a 43-lot single family residential development in Section 13

Mr. Darren Lazan and Mr. Jason Osberg were present. Mr. Lazan spoke on behalf of the project. Mr. Lazan provided background on their company's subdivision development history and some details on the Kohler Farms plat. Mr. Lazan stated they will be creating ponds within the plat and plan to excavate them to a depth of five feet below ground water level; several homes will have backyards that will have access to the ponds. Mr. Lazan stated the ponds, and chains of hydrology, will positively affect the floodplain in the immediate area, primarily on the north and west sides of the project. Mr. Lazan stated the floodplain will be lowered approximately 1.8 feet resulting in a substantial amount of buildable land. Mr. Lazan stated a few lots will be custom graded lots. Mr. Lazan stated they are trying to move the project forward as quickly as they can to close as many lot sales as they can. Mr. Lazan expressed gratitude for all the help and direction provided by city staff, the City Engineer and the Planning Commission to date. Mr. Lazan stated he would like to discuss a couple of the comments on the City Engineer's most recent review letter related to trails and the temporary construction access off of Lexington Avenue NE as well as steps taken thus far in the Kohler Farms platting process. Mr. Lazan stated the Coon Creek Watershed District (CCWD) is still reviewing plans for the plat. Mr. Lazan stated he believes outstanding items listed in the City Engineer's review letter will change once they receive feedback from CCWD. Mr. Lazan stated his team has been following the guidelines provided on plat checklists for the city found on the RFC Engineering website. Mr. Lazan stated he and his partner believe they have satisfied the requirements for the preliminary plat based on the checklists and are requesting conditional approval of the Kohler Farms preliminary plat. Chair Pogalz asked if dewatering would be necessary on the site if digging is done below the water table, and how will that affect existing wells. Mr. Lazan stated dewatering may be necessary, and if dewatering is necessary, the maximum depth of the dewatering would be to depth of ten feet. Chair Pogalz stated residents in the area are concerned about their wells due to the issue Blaine created when they opened three large wells a few years ago causing some Ham Lake residents' wells to go dry. Chair Pogalz asked Mr. Lazan what was at stake if a recommendation for approval of the preliminary plat was not received at this meeting. Mr. Lazan stated approval would allow them to take the next steps in completing plans for the plat; not receiving a recommendation for approval tonight will extend the timeline for completing various tasks and breaking ground. Commissioner Ringler stated there has been discussion about city preliminary plat, grading drainage and erosion control and construction and checklists and the CCWD review. Commissioner Ringler asked for clarification on why recommendation for preliminary plat approval should not be made if the guidelines on the checklist were followed. Engineer Krugler stated a CCWD permit is required before the developer can break ground. Engineer Krugler stated preliminary plat documents should be plans ready for construction. Engineer Krugler stated the current set of plans under review indicate grading issues that could require a change in the proposed type of home to be constructed on a lot, could change the livability plans or change the grade between proposed homes potentially reducing the number of lots that could be created. Engineer Krugler stated he has reviewed several plats that were

approved in the past and found the preliminary plat documents for those plats met all requirements and the final plat was approved shortly after. Engineer Krugler stated the CCWD just started reviewing the plans for Kohler Farms and their feedback will likely require some modifications to the plans. Engineer Krugler stated there are too many unanswered questions at this time, hence he has recommended tabling the plat until additional modifications, that meet Code and engineering requirements, are made. Engineer Krugler stated Mr. Lazan has asked if a trail could be constructed on the property line, partially within drainage and utility easements on two lots. Commissioner Lejonvarn asked how many lots would be impacted by the bike trail if it was constructed on the property line. Engineer Krugler stated four. Engineer Krugler stated trails constructed in previous developments have been on one lot and were not on a property line or within a drainage and utility easement. Engineer Krugler stated if the developer opts to construct the trail within the development on the property line, the developer will get credit for the paving of the trail but will not get credit toward the parkland dedication requirement due to being within drainage and utility easements. Mr. Lazan stated it is acceptable to him to get credit for paving a trail on the property line without receiving credit toward the parkland dedication requirement. There was discussion about how drainage would be managed on the trail. Commissioner Ringler stated the discussion has helped him determine that there are enough issues to work through, including finalizing the grading plan, to table this matter. Attorney Berglund stated the preliminary plat is currently under review; review of the final plat to be sometime in the future. Attorney Berglund stated Engineer Krugler referenced City Code earlier; there are a few *shalls* in the Code that have not been met. Attorney Berglund stated statutory interpretation of *shall* is that it must be done before a project can be advanced to the next phase. Attorney Berglund stated checklists are guides but ultimately the requirements of the Code must be met. Attorney Berglund stated Article 10-204 of the Code, Preliminary Plat, states the preliminary plat shall be a final subdivision design. Attorney Berglund stated Engineer Krugler has concerns that the incomplete grading elements may change the plat design or may change the number of lots. Attorney Berglund stated, per the Code, the preliminary plat shall be a final subdivision design. Attorney Berglund stated the other *shall* is that city staff shall have submitted the preliminary plat drawing and other related documents to all other agencies or entities necessary to review and comment on the plat, and shall either have received replies from each, or, if thirty days have elapsed since submission, the failure to have replied shall be deemed to be an approval by the entity. Attorney Berglund stated staff has sent the plans to the agencies, we are currently within the 30-day period and the CCWD has not reviewed or commented on the plans. Attorney Berglund stated because all comments have not yet been received, and there is potential for the design of the plat to change, the preliminary plat plans may not reflect the final plat design. Attorney Berglund stated work toward completing all preliminary plat requirements can continue, and ultimately the timeline for final plat approval may not be any different than if the preliminary plat was recommended for approval at this meeting. Mr. Lazan asked if the Planning Commission, or City Council, acted after the 30-day comment period. Attorney Berglund stated the Planning Commission will review the preliminary plat again and then the City Council would review the preliminary plat. Mr. Lazan presented a line of reasoning related to his interpretation of what should be considered at the final plat. Attorney Berglund cautioned Mr. Lazan on his interpretation of the final plat and stated this is not the final plat – correct? Mr. Lazan stated it was not

the final plat. Engineer Krugler asked Mr. Lazan if he had received any feedback on the plat from the CCWD. Mr. Lazan stated he had not. Mr. Lazan stated an application was submitted to the CCWD two months ago, but he asked the CCWD not to review the plans until the City Engineer had done a couple reviews of them. Mr. Lazan stated he is concerned about changes to the plat that may be required by the CCWD and the impact those requirements would have on the project timeline. Chair Pogalz stated the points of concern are understood, but the Planning Commission must follow the rules and code requirements before making a recommendation to approve a project. Chair Pogalz stated other developers have had to comply with the same requirements. Commissioner Lejonvarn asked who would be responsible if any wells in the area were impacted or dried up due to the development of this plat. Building and Zoning Official Jones stated the City of Blaine drew a very large volume of water from a deep aquifer which caused the issue; the wells in the Kohler Farms development will draw from ground water which should not create an issue. Engineer Krugler stated there will be one well per home which will be on parcels of one acre or larger; the aquifers in the area should have sufficient water for regular household usage. There was discussion about the proposed temporary construction access off Lexington Avenue NE where all construction traffic will be directed to. Chair Pogalz asked Building and Zoning Official Jones if he had any comments on the plat. Building and Zoning Official Jones stated the issues related to grading and low elevations are of concern to him and those issues need to be addressed now to avoid problems when homes are constructed in the future.

Chair Pogalz opened the public hearing at 7:06 p.m. and asked for public comment.

Michelle Naughton, 4130 159th Avenue NE

Ms. Naughton expressed concerns related to traffic flow and safety, snow removal and city resources and emergency response. Ms. Naughton stated she understood there would be more development in the area when her home was constructed but did not expect the development to be a project the size of Kohler Farms. Ms. Naughton expressed concern about increased traffic on existing neighborhood roads due to no new outlets being created. Ms. Naughton stated 155th Avenue NE recently required an infrastructure assessment and upgrade to handle increased traffic that it was not designed for. Ms. Naughton stated she felt 155th Avenue NE, Austin Street NE, Yalta Street NE, Wake Street NE and Cord Street NE may all have the same problem. Ms. Naughton stated when the Enchanted Estates subdivision was developed, the addition of Cord Street NE was required to better manage traffic. Ms. Naughton asked why Kohler Farms is allowed to move forward without similar consideration. Ms. Naughton stated adding more cul-de-sacs, or more dead-end streets, will increase the time and resources needed to plow and maintain the streets, increasing long-term costs for the city and service delays for residents. Ms. Naughton stated a more serious matter to consider is emergency response. Ms. Naughton stated that the size of the Kohler Farms development, that includes several dead-end streets, may increase response times for emergency services. Ms. Naughton stated wetlands on the Kohler Farms site appear to be making connectivity within the development complicated and it appears the wetlands have not been fully assessed. Ms. Naughton stated residents, and the Planning Commission deserve to see the full environmental realities before approving a design that could compromise safety, infrastructure and the integrity of the neighborhood. Ms.

Naughton expressed concern that not all neighbors were notified of the hearing. Ms. Naughton urged the Planning Commission not to approve the Kohler Farms plat until wetlands were further assessed, additional access points were secured and the broader impacts on safety, snow removal and infrastructure were addressed.

Christopher Bailey, 4113 159th Avenue NE

Mr. Bailey stated he also has the same concerns as Ms. Naughton. Mr. Bailey stated one of the things that brought him and his wife to the area were the protective covenants that brought uniformity to the neighborhood, ensured cohesive development and maintained property values. Mr. Bailey stated he has not seen anything that would ensure standards of development for Kohler Farms. Mr. Bailey stated he is very concerned about the amount of construction traffic the new development will generate. Mr. Bailey is concerned that the roads in the existing developments are not constructed to handle the increased traffic and large trucks. Mr. Bailey stated he has small children. Mr. Bailey stated he is concerned about their safety as there are no sidewalks to walk or ride bikes on. Mr. Bailey stated many vehicles speed through the neighborhood now and he is concerned the speeding will get worse. Mr. Bailey stated he noticed the developers are not being required to provide park space and that the new development will use the small park in the Enchanted Estates subdivision. Mr. Bailey stated the Enchanted Estates Park is a very small park with a lot of open grassy area; the park is not a very significant park space for 43 more families. Mr. Bailey stated he is also concerned about the impact the increased population will have on schools and class sizes. Mr. Bailey asked what is being discussed related to ensuring the city's infrastructure can support the growth in the city.

Diana Olsen, 15729 Lexington Avenue NE

Ms. Olsen stated she hears a lot of talk about the wetlands. Ms. Olsen stated she is wondering what happened to the wetlands as they are not visible like they used to be. Ms. Olsen stated she is concerned about the wells in the area; every time there is new development in the area the water level in the wells gets low and the water quality gets worse in that she notices more rust and more sediment in the water. Ms. Olsen stated the developer claims the wells that will be put in will not affect existing wells, but they do, every time. Ms. Olsen stated no one takes responsibility for what happens to wells on land homeowners have had for 60 years. Ms. Olsen asked why every piece of nature must have a house put on it. Ms. Olsen asked the Planning Commission to consider not approving the plans and consider less housing in Ham Lake. Ms. Olsen stated there is a reason people move to Ham Lake and that is because they want to be in a rural area.

Chair Pogalz stated he understands Ham Lake has been more rural in the past and that some people are against development. Chair Pogalz stated that the people who own the land have the right to develop it if the development is permitted in that zoning district. Chair Pogalz stated that well drilling is overseen by the DNR and if any residents have issues with their wells, they should contact the DNR. Chair Pogalz stated the Planning Commission, nor the City of Ham Lake, control or get involved in how the school district designates school assignments or class sizes. Chair Pogalz stated city staff monitor and determine when land should be dedicated for a park. Chair Pogalz stated it was determined that money would be accepted in lieu of park land for this development. Chair Pogalz stated the City of Ham Lake does not require covenants for development;

covenants are created by developers. Chair Pogalz stated property owners can construct whatever style house they want if they meet applicable code. Chair Pogalz stated notifications for public hearings are sent to residents within the distance required by State Statute. Chair Pogalz stated the concern regarding traffic is one that is discussed with each new development. Chair Pogalz acknowledged that anyone that has children is concerned about how traffic may impact their safety. Chair Pogalz stated the developments each of us live in were not there at one time. Chair Pogalz stated these developments all created additional traffic in their area and the traffic is accepted. Chair Pogalz stated neighboring communities, such as Blaine, have hundreds of new units in the same development; residents there have been able to adjust. Chair Pogalz stated Ham Lake is a community that is growing, and traffic will continue to increase.

Chair Pogalz closed the public hearing at 7:22 p.m.

Motion by Ringler, seconded by Ross, to table the request for Preliminary Plat and rezoning of portions of land from R-A (Rural Single Family Residential) to R-1 (Single Family Residential) for Kohler Farms, a 43-lot single family residential development in Section 13, submitted by Darren Lazan of Landform Professional Services, LLC, on behalf of Jason Osberg, JD Ham Lake Holdings, LLC, to allow time for the developer to finalize the grading plan, ensure all lots meet the one-foot soil separation required by City Code, obtain approval from the Coon Creek Watershed District, meet all requirements of the City Engineer and meet all City, County and State requirements. All present in favor, motion carried.

Chair Pogalz asked what the next step is for the developer. Building and Zoning Clerk Bohr stated the developer will continue to work with the City Engineer to ensure the plans meet the City Engineer's requirements and the Code. Building and Zoning Clerk Bohr stated once the plans meet the City Engineer's requirements, the Planning Commission will review the updated Preliminary Plat. Building and Zoning Clerk Bohr stated the plans are currently under review by outside agencies; they have until September 18th to submit comments or request additional time to comment. Engineer Krugler asked if all agencies responded before the September 18th deadline, and if the plans meet all requirements, could the Planning Commission review the updated preliminary plat before September 18th. Building and Zoning Clerk Bohr stated that would be possible.

NEW BUSINESS:

Joseph Radach of Contour Development LLC, requesting Final Plat approval, for Elwell Farms (50 Single Family Residential lots and 8 outlots) in Section 36

Mr. Joseph Radach was present. Mr. Jesse Neumann from Design Earth Contracting and Steve Jones with Keller Williams were also in attendance. Mr. Radach stated the first final plat submission consists of 50 lots. Mr. Radach stated he would like to discuss parkland dedication requirements and the \$9,000 escrow requirement for custom graded lots. Mr. Radach asked if money paid for parkland dedication during the first phase of development would it be returned to them once they dedicate park land and build the park. Mr. Radach stated he did not understand why escrow for custom graded lots was necessary when the builders constructing the home on those lots would be submitting construction plans to the Building and Zoning Official for review and approval. Engineer

Krugler stated that because no parkland or trails are being dedicated during the first phase of development, parkland dedication fees will need to be paid. Engineer Krugler stated, generally, platted developments have a building pad in place at a certain elevation when a contractor begins constructing a new home. Engineer Krugler stated Article 10-302(B) states if a building pad is not created, the developer must put money in escrow to ensure a building pad is created, at the proper elevation, on the lot. Commissioner Lejonvarn asked Mr. Radach if building contractors were going to determine where building pads were to be located on the custom graded lots. Mr. Radach stated the lots that are to be custom graded, are unique and have a lot of trees. Mr. Radach stated they want to maintain the value of the lots and allow whoever purchases the lot to determine where they would like the building pad to be. Chair Pogalz asked Engineer Krugler if he had any additional comments. Engineer Krugler stated any temporary cul-de-sacs will need to be vacated and removed, all easements across the 18 parcels must be vacated, released or properly confined at the developer's expense. Mr. Radach stated they recently closed on the property and the easements have been addressed; documentation will be submitted confirming this. Engineer Krugler stated outlots A and B must be combined with parcel 36-32-23-12-0004; agreements and the lot combination request must be filed with Anoka County before any building permits will be issued. Engineer Krugler stated outlots D and G must be restricted through the Development Agreement so that no building permits will be issued on those parcels. Engineer Krugler stated the remaining outlots have proven livability. Engineer Krugler stated the existing buildings within the proposed Lot 2, Block 2 are proposed to be razed; the developer must apply for a demolition permit and remove the existing septic system per MPCA Rule 7080.2500. Engineer Krugler stated there are a few conditions that must be met to release the right of trespass document on file for Red Fox Hollow. Mr. Radach asked what was involved in obtaining a demolition permit. Building and Zoning Official explained the process and requirements for a demolition permit. Engineer Krugler stated no FEMA letters of map amendment are required, the Coon Creek Watershed District has approved the plans, a septic certification confirms all lots will support two standard septic systems in accordance with Minnesota rules 7080 and a taking permit has been obtained for the Blunt-Lobed Grape Fern, other remaining threatened plants identified by the rare plant survey are not to be disturbed. **Motion by Pogalz, seconded by Lejonvarn, to recommend approval of Final Plat approval, for Elwell Farms (50 Single Family Residential lots and 8 outlots) in Section 36 as requested by Joseph Radach of Contour Development subject to: vacating, releasing or properly confining 14 easements across the 18 parcels prior to filing the final plat with Anoka County and providing documentation of the vacations, releases or confinements with the City before any building permits will be issued. signing an encroachment agreement with Flint Hills Resources for the street and storm sewer crossing the Minnesota Pipeline Easement, signing an encroachment agreement from the city for a septic line crossing an easement on propose Lot 29 of Block 3, combining outlots A and B with parcel 36-32-23-12-0004 and providing the city with proof of recording before any building permits will be issued, no building permits will be issued for outlots D and G, obtaining a demolition permit to demolish the existing buildings and removing the existing septic system on Lot 2, Block 2, depositing \$9,000 per lot for custom graded lots which are Lots 11, 12, 16 and 17 of Block 3, Lots 7,8 and 9 of Block 4, paying parkland dedication fees of \$2,500 per lot, meeting the**

requirements of the City Engineer, meeting all City, State and County requirements. All present in favor, motion carried. *This application will be placed on the City Council's Tuesday, September 2, 2025, agenda.*

Building and Zoning Official Jones stated there is one more item to discuss related to this development. Building and Zoning Official Jones stated there has been discussion on allowing a limited amount of building permits, or three building permits, for model homes only, until the curb, first lift of pavement and utilities were in place. Chair Pogalz stated he has seen dirt movement and the pipe getting installed within the development. Mr. Jesse Neumann stated most of the site will have Class V within three weeks; the only concern is the installation of dry utilities (electricity and gas) which may be put in place in October. Mr. Neumann stated builders constructing the model homes will be using generators. There was discussion on what code requirements were for utilities and if a certificate of occupancy could be withheld if utilities were not in place when construction was complete. Attorney Berglund stated limiting building permits to model homes was part of a previous discussion and is not a surprise, so an amendment to the motion can be made. Mr. Radach asked for clarification on how the motion was going to be amended. Building and Zoning Official Jones stated the amendment to the motion will be adding that three permits will be issued for model homes and no other building permits will be issued until curb, the first lift of asphalt and utilities are in place. Mr. Radach asked if additional building permits could be allowed. Attorney Berglund stated three permits for model homes will be allowed to avoid any potential issues for the city and future homeowners. Mr. Radach again asked for an allowance of more than three permits for model homes. Building and Zoning Official Jones stated this was discussed, and agreed upon by all, including Mr. Radach. Mr. Radach stated he did not think the restriction on building permits would be a problem.

Motion to amend the previous motion by Pogalz, seconded by Lejonvarn, to add: allowing up to three building permits for model homes prior to curb, first lift of asphalt, power, gas and storm sewer being fully installed and operational, All present in favor, motion carried. *This application will be placed on the City Council's Tuesday, September 2, 2025, agenda.*

COMMISSION BUSINESS:

City Council Update

Chair Pogalz stated the City Council concurred with the Commission's recommendations to approve the Certificate of Occupancy for Nishan Auction and Sales LLC and the Commercial Site Plan for Markquart Ham Lake, LLC or North Country RV. There will not be a Planning Commissioner present at the September 2, 2025, City Council meeting.

ADJOURNMENT:

Motion by Dixon, seconded by Lejonvarn, to adjourn the Planning Commission meeting at 7:55 p.m. All present in favor, motion carried.

Jennifer Bohr
Building and Zoning Clerk