

Planning Memorandum

To: Sunfish Lake Planning Commission

From: Ryan Krzos, AICP, City Planner

Date: April 8, 2020
City Planning Commission Meeting April 15, 2020

Re: 2 Sunfish Lane – Major Site Plan Amendment Review
WSB Project No. 12638-000

GENERAL INFORMATION

Applicant:	Tim Johnson, LIVIT Site + Structure, LLC
Property Owner:	Linval Joseph
Project Location:	2 Sunfish Lane, PID# 38-03000-83-020
Existing Land Use / Zoning:	Residential (under construction); Zoned Single-Family Residential District, R-1
Surrounding Land Use / Zoning:	North: Residential; Zoned Single-Family Residential District, R-1 East: Residential, Zoned Single-Family Residential District, R-1 South: Sunfish Lake West: Residential, Zoned Single-Family Residential District, R-1
Comprehensive Plan:	The City of Sunfish Lake (2008) Comprehensive Plan guides this property for Rural Residential land use.
Deadline for Agency Action:	Application Date: 03-10-2020 Additional Information Requested: 03-11-2020 Additional Information Received: 03-25-2020 60 Days: 05-24-2020 Extension Letter Mailed: N/A 120 Days: 07-24-2020

CONSIDERATIONS RELATED TO THE REQUEST

1. Overview.

Tim Johnson (the applicant) has submitted an application on behalf of the property owner, requesting to amend the previously approved major site plan review for 2 Sunfish Lane. A request for an amended site and building plan review may be applied for and administered in a manner similar to the requirements for a new site and building plan approval, which requires Planning Commission review and City Council approval. The amendment proposes the replacement of existing stairs and a retaining wall between the lakeshore and the residential building.

The proposed stairs would be built in the location of the existing wooden stairs in the sloped area between the residential structure and the shoreline of Sunfish Lake. The new stairs would be constructed out of stone to a width of four (4) feet. An option for a handrail is proposed to be installed with construction of the stairs. Images of these materials are included as an attachment to this memo. Existing trees will not be impacted by the project. Erosion control measures in the form of silt fencing would be installed in conjunction with project construction. Lastly, lighting of the stairs is proposed for safety purposes. Said lights would be directed downwards and are not allowed to exceed 1-footcandle at the property line and shoreline. Compliance with lighting standards was included in the conditions of the previous site plan approval.

Additionally, a failing retaining wall is proposed to be rebuilt in the area south of the residence. The replacement wall would be constructed of materials similar to that of wall material that was previously approved.

The proposed project together with the previously approved improvements would total 19,688 square feet in impervious area or 10.07% of the site above the Ordinary High-Water Level. This complies with the 30% maximum impervious coverage requirement.

2. Ordinance Authority

SECTION 1208.06 AMENDED SITE PLAN APPROVAL PROCEDURES state an amended site and building plan may be applied for and administered in a manner similar to the requirement for a new site and building plan approval.

SECTION 1243.03 SHORELAND OVERLAY DISTRICT GENERAL PROVISIONS states:
D. Stairways, Lifts, and Landings: Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts shall be allowed in addition to the accessory limitations as outlined above and shall meet the following design requirements:

1. Stairways and lifts shall not exceed four (4) feet in width.
2. Landings for stairways and lifts shall not exceed thirty-two (32) square feet in area.
3. Canopies or roofs are not allowed on stairways, lifts, or landings.
4. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
5. Stairways, lifts, and landings shall be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water whenever practical.
6. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of sub-items 1 to 5 above are complied with in addition to the requirements of Minnesota Regulations, Chapter 1340.

3. Site Plan Review Criteria

The Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision on major projects, shall evaluate the effects of the proposed site and building plans. This review shall include, but is not limited to the following, with staff's comments provided in *italics*:

A. Whether the proposed improvements are compatible and in harmony with the existing structures in the surrounding community.

The proposed stairs and retaining wall would replace similar structures in their respective footprints. The materials would be similar to those approved elsewhere on the site.

B. Whether the proposed improvements preserve the character and nature of the surrounding community, including the natural landscape and woodland characteristics of the community.

The project would not impact existing trees in the surrounding area. Changes to site grading are not required for these improvements.

C. Whether the proposed improvements are not constructed of unsightly, improper or unsuitable materials.

The proposed improvements are similar in material with those that were approved with the previous site and building plan review.

D. Whether the proposed improvements will not materially adversely affect any natural resources in the community, except when there is no feasible and prudent alternative to the proposed location of the improvements. For purposes of this clause, "natural resources" shall include, but not be limited to, all mineral, animal, botanical, air, water, land, timber, soil, quietude, recreational, historical, scenic and aesthetic resources.

Since the proposed improvements replace existing facilities, the project is not expected to adversely impact natural resources.

E. Whether the proposed site and improvements shall have an appearance that will not have an adverse effect upon adjacent residential properties.

The proposed stairs and retaining wall would replace similar structures in their respective footprints and as such will have minimal visual impact.

F. Whether the proposed site improvement complies with drainage requirements, as provided in Section 1216.04 of this Ordinance.

Drainage will not be impacted, as the improvements will replace facilities in their existing footprints. Erosion control measures will be implemented in conjunction with construction.

G. Whether the proposed site and improvements are consistent with the purposes of this Ordinance and the Property Owner Reference & Development Guide Manual, as established by City Council resolution.

The proposed improvements comply with the general provisions of the Shoreland Overlay District. Compliance with the maximum amount of impervious coverage is achieved with the project design.

RECOMMENDATION

Based on the foregoing considerations and applicable ordinances staff recommends conditional approval of the amended site and building plan subject to the following findings of fact and conditions of approval:

Findings of Fact:

1. The address of the subject property is as follows:

2 SUNFISH LANE SUNFISH LAKE, MN 55118

2. The planning report dated April 8, 2020 prepared by WSB is incorporated herein by reference.
3. A request for an amended site and building plan review may be applied for and administered in a manner similar to that required for a new site and building plan approval, which requires Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan approval at the April 15, 2020 Planning Commission meeting.
5. Upon review of the planning report and application information, the Planning Commission found that the proposed site and building plan request meets Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:
 - a. The subject property and proposed development meet R-1 and Shoreland Overlay District accessory structure requirements, and impervious surface standards.
 - b. The proposed development addresses Ordinance requirements pertaining to grading, drainage and stormwater management, landscaping, and screening.
 - c. The development meets other applicable Zoning Ordinance criteria.

Conditions of Approval:

1. Construction shall occur in substantial conformance with the plans presented at the April 15, 2020 Planning Commission meeting.
2. The conditions of the Site and Building and Conditional Use Permit approvals granted October 2, 2018 shall remain in effect.
3. The applicant must obtain all other permits as may be required.
4. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
5. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
6. All conditions of the site plan review must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
7. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the site plan review must have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.
8. By undertaking the activities approved by the requests, the applicant agrees to all conditions.

Subject Site



CITY OF *Sunfish Lake* MINNESOTA

**Planning Commission
Findings of Fact &
Recommendation
(Approval)**

Applicant's Name: Linval Joseph

Request: The applicants request City approval of an amendment to a major site and building plan approval at 2 Sunfish Lane.

Planning Commission Meeting Date: April 15, 2020

Findings of Fact: Based on review of the application and evidence received, the Sunfish Lake Planning Commission now makes the following findings of fact and recommendation:

1. The address of the subject property is as follows:

2 SUNFISH LANE
SUNFISH LAKE, MN 55118

2. The planning report dated April 8, 2020 prepared by WSB is incorporated herein by reference.
3. A request for an amended site and building plan review may be applied for and administered in a manner similar to that required for a new site and building plan approval, which requires Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for an amended major site and building plan approval at the April 15, 2020 Planning Commission meeting.
5. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plan request meets Ordinance requirements. The following findings support the Planning Commission recommendation for approval:
 - a. The subject property and proposed development meet R-1 and Shoreland Overlay District accessory structure requirements, and impervious surface standards.

- b. The proposed development addresses Ordinance requirements pertaining to lighting design, grading, drainage and stormwater management, landscaping, and screening.
- c. The development meets other applicable Zoning Ordinance criteria.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the applicant's major site and building plans and two conditional use permits.

Approved, subject to the following conditions:

1. Construction shall occur in substantial conformance with the plans presented at the April 15, 2020 Planning Commission meeting.
2. The conditions of the Site and Building and Conditional Use Permit approvals granted October 2, 2018 shall remain in effect.
3. The applicant must obtain all other permits as may be required.
4. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.
5. The applicant must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
6. All conditions of the site plan review must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
7. This Resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the site plan review must have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the development.
8. By undertaking the activities approved by the requests, the applicant agrees to all conditions.

Adopted by the Sunfish Lake Planning Commission this 15th day of April 2020.

City of Sunfish Lake

By: _____
Tom Hendrickson
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk

DRAFT



Project Summary

2 Sunfish Lane Sunfish Lake, MN 55118

Lakeside Stair Project

March 9, 2020

To: Mr. Ryan Krzos,

The scope for the proposed work will include replacing the 2 existing sets of lakeside stairs with new steps. The new stairs will be built with natural stone steps that will not exceed 4' in width. Stair material will have a random depth to each step with the focus of maintaining the 4' width. Both sets of new stairs will be placed in the similar footprint shown on the included landscape and survey plans. Silt fence will be installed along the edge of the lake for erosion protection.

An option for a metal or aluminum hand rail may be requested by the client once the new stairs are set in place. This railing design would have a simple post and top hand rail. Potential railing system would run along one side of the proposed stairs.

Minimal path lights would be added along the proposed stairs for safety reasons. The new fixtures would follow the dark sky compliancy and match the approved landscape lighting at the home. Illumination would be directed at the stairs and not towards the lake or neighboring properties.

Replacing the existing wall on the upper lawn area is also being requested. The current wall is showing signs of failure and is not matching the new homes architecture. The new wall would follow the existing foot print and match the current wall elevations. The new wall material would match the approved wall material at the new home.

Please let us know if there are any questions related to the application, plans or project summary. We appreciate your help and look forward to working with you on this application for improvements.

Thank you.

Tim Johnson

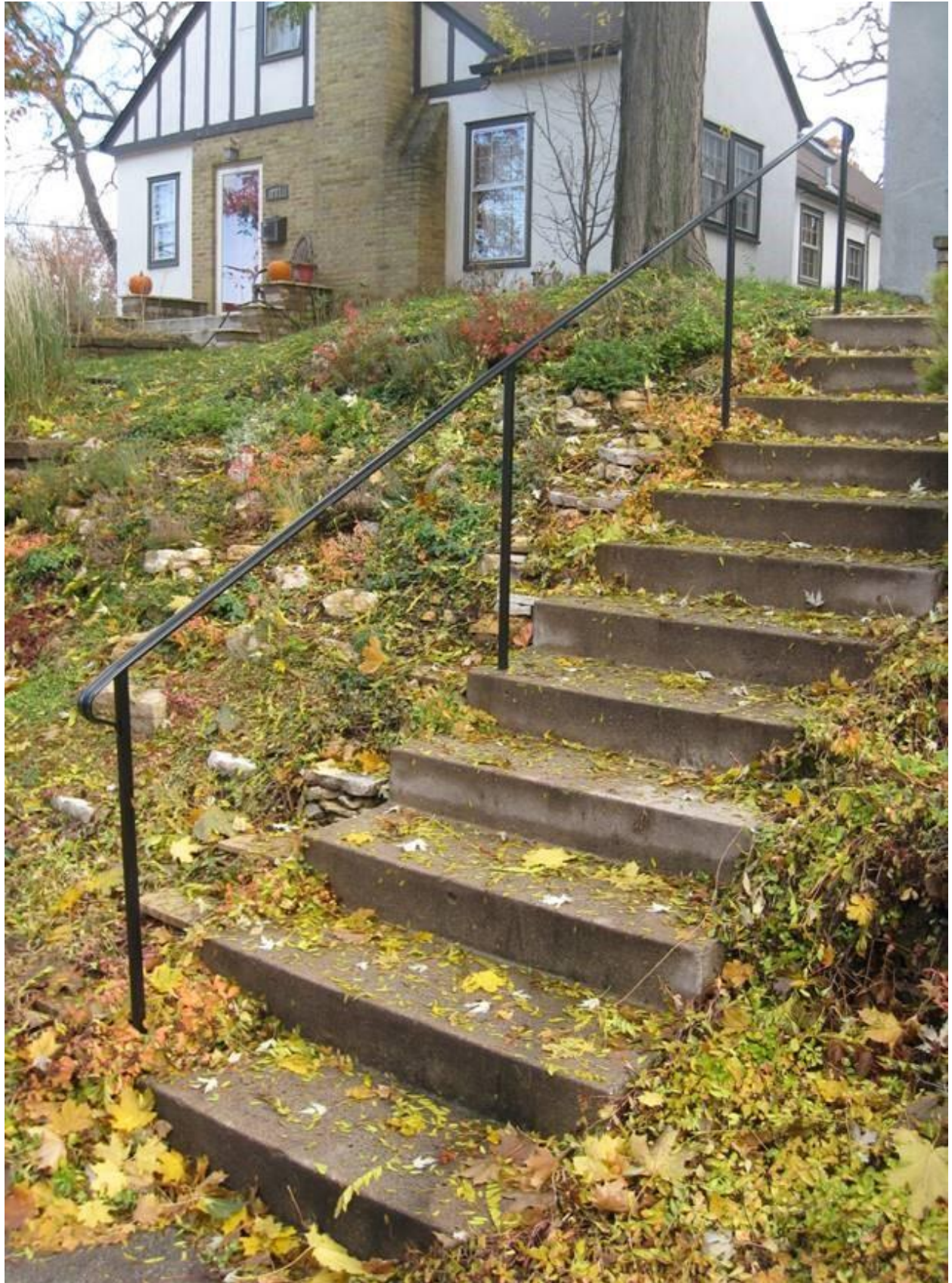
President-Founder

651.755.4513

tjohnson@livitsitestructure.com

PROPOSED MATERIALS





EXISTING CONDITIONS:





2 SUNFISH LANE

SUNFISH LAKE, MINNESOTA

CONTACT:

JOE CROWLEY
ELEVATION HOMES
18312 MINNETONKA BLVD.
WAYZATA, MN 55391
PHONE: 952-346-2495
EMAIL:joe@elevationhomes.com

COUNTY/CITY:

DAKOTA
COUNTY

CITY OF
SUNFISH LAKE

REVISIONS:

DATE	REVISION
07/05/2018	INITIAL ISSUE
08/13/2018	BOUNDARY UPDATES
08/14/2018	GRADING UPDATES
08/27/2018	CITY COMMENT REVS
02/21/2020	ADDITIONAL TOPO
03/10/2020	STEPS/WALL NOTES
03/26/2020	AREA CALCULATIONS

CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Daniel L. Thurmes
Daniel L. Thurmes Registration Number: 25718
Date: 08/13/2018

PROJECT LOCATION:

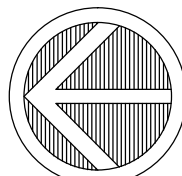
2
SUNFISH LANE

PID#38-03000-83-020

Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dan@cssurvey.net

CORNERSTONE
LAND SURVEYING, INC.

PROPOSED IMPROVEMENTS
SURVEY



TREE INVENTORY

LEGAL DESCRIPTION:

*SEE SHEET 1 OF 2 SHEETS

AREA:

TOTAL LOT AREA: 257,191 SQ. FT. / 5.90 ACRES
LOT AREA TO OHW: 195,464 SQ. FT. / 4.49 ACRES

TITLE NOTES:

*SEE SHEET 1 OF 2 SHEETS FOR EASEMENTS.

ZONING:

ZONING: SINGLE FAMILY RESIDENTIAL
SETBACKS: CURRENT USE:
STREET: 100 FT. PROPERTY IS CURRENTLY
SIDEYARD: 50 FT. A SINGLE FAMILY RESIDENTIAL
REAR: 50 FT. HOME.
OHW: 200 FT.

SURVEY NOTES:

- BEARINGS ARE BASED ON COORDINATES SUPPLIED BY THE DAKOTA COUNTY SURVEYORS OFFICE. BEARINGS ARE DIFFERENT THAN SHOWN ON THE RECORDED PLAT AND DEEDS. ALL INTERIOR ANGLES MATCH THE RECORDED PLAT/DEED ANGLES OR REFLECT FOUND IRON MONUMENTS.
- UNDERGROUND UTILITIES SHOWN WERE NOT RESEARCHED OR LOCATED AS PART OF THIS SURVEY. THERE MAY SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
- DETAILS OF THE BOUNDARY SURVEY ALSO SHOWN ON SHEET 2 OF 2 SHEETS
- ELEVATIONS IN EXISTING AND PROPOSED IMPROVEMENT AREAS IS BASED ON FIELD MEASUREMENT. OUTLYING CONTOURS BASED ON LIDAR DATA ACQUIRED FROM THE MNTPO WEBSITE 7/09/18.

EXISTING IMPROVEMENT AREAS:

HOUSE = 3784 SQ. FT.
SHED = 481 SQ. FT.
DRIVE = 5870 SQ. FT.
STOOP = 55 SQ. FT.
FRONT WALK = 176 SQ. FT.
E. SIDE WALK = 198 SQ. FT.
W. SIDE PATIO = 362 SQ. FT.
REAR WALK = 282 SQ. FT.
REAR PATIO = 810 SQ. FT.
WALLS = 334 SQ. FT.
TOTAL = 12,352 SQ. FT.
% COVERAGE TO OHW = 6.32%

PROPOSED IMPROVEMENT AREAS:

HOUSE = 5205 SQ. FT.
SHED = 481 SQ. FT.
DRIVE = 7159 SQ. FT.
AUTOCOURT = 1330 SQ. FT.
STOOP = 99 SQ. FT.
EGRESS = 24 SQ. FT.
POOL = 861 SQ. FT.
POOL DECK = 2896 SQ. FT.
SPA = 86 SQ. FT.
SPA PATIO = 349 SQ. FT.
STEPPER = 8 SQ. FT.
DECK/STEPS UP = 286 SQ. FT.
FIRE TABLE = 36 SQ. FT.
WALLS = 426 SQ. FT.
BOULDER WALL = 46 SQ. FT.
STONE STEPS = 397 SQ. FT.
TOTAL = 19688 SQ. FT.
% COVERAGE TO OHW = 10.07%

PROPOSED ELEVATIONS:

LOWER LEVEL SLAP = 990.00
BATCAVE SLAB = 989.88
GARAGE FLOOR = 999.38
TOB = 998.87/1000.21
MAIN FLOOR SUB. = 1001.06

UNDERGROUND UTILITIES NOTES:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. GOPHER STATE ONE CALL LOCATE TICKET NUMBER(S) 181913639. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.



FLOOD INFORMATION:

THIS PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON NON-PRINTED FEMA FLOOD INSURANCE RATE MAP NUMBER 27037C0040E HAVING AN EFFECTIVE DATE OF 12/02/2011.

BENCHMARKS

ELEVATIONS BASED ON INFORMATION AS SHOWN ON THE MNDOT GEODETIC WEBSITE. SURVEY DISK 1918 K WITH AN ELEVATION OF 931.83 WAS USED TO ESTABLISH VERTICAL CONTROL FOR THIS SURVEY (NAVD 88)

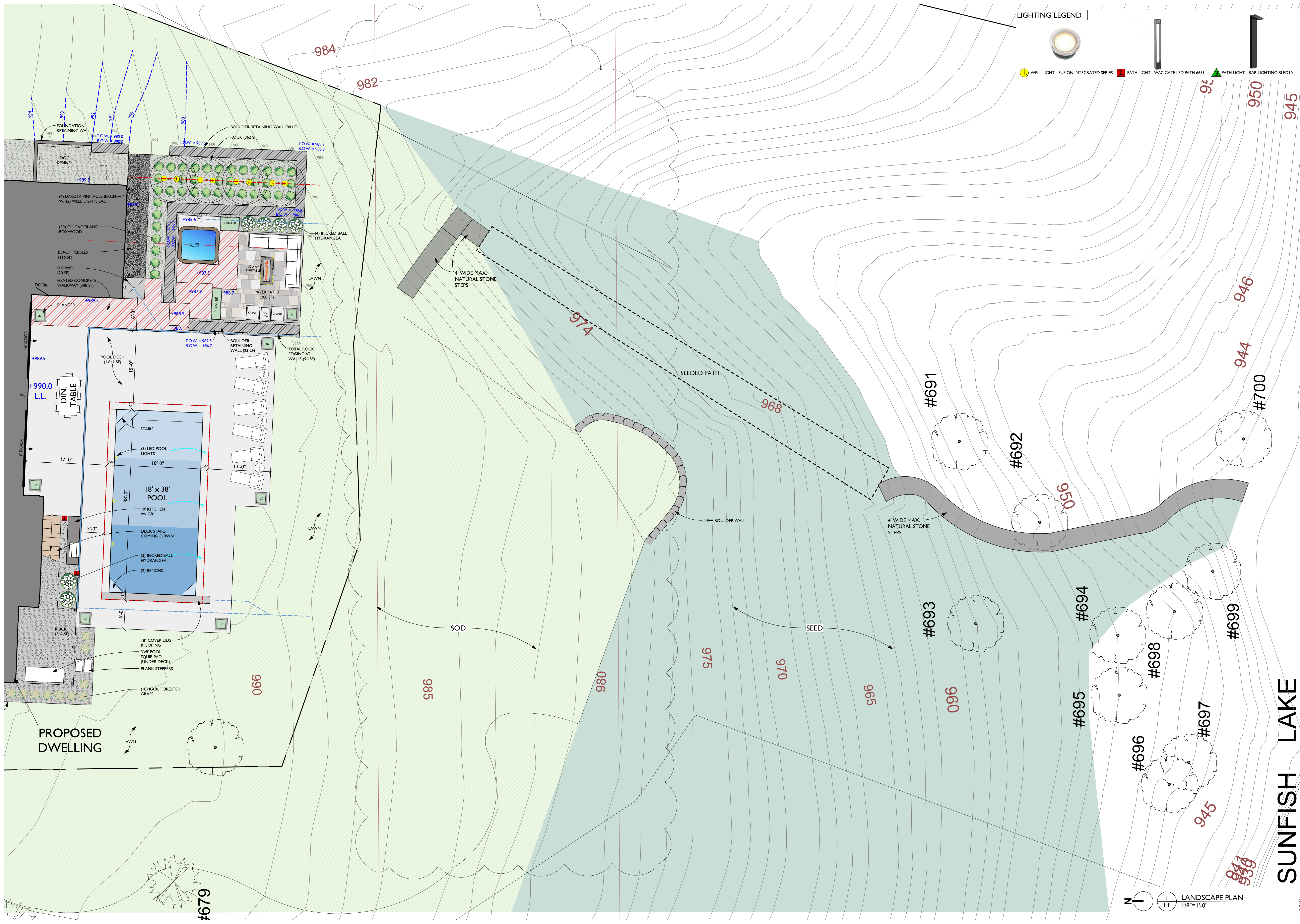
LEGEND:

● FOUND MONUMENT	✱ FIRE DEPT. CONNECTION
○ SET 1/2" IRON PIPE MARKED RLS NO. 25718	✱ CURB STOP
▣ CABLE TV PEDESTAL	✱ WATER WELL
✱ AIR CONDITIONER	✱ WATER MANHOLE
✱ ELECTRIC MANHOLE	✱ WATER METER
✱ ELECTRIC METER	✱ POST INDICATOR VALVE
✱ ELECTRIC PEDESTAL	✱ WATER VALVE
✱ ELECTRIC TRANSFORMER	✱ BOLLARD
✱ LIGHT POLE	✱ FLAG POLE
✱ GUY WIRE	✱ MAIL BOX
✱ POWER POLE	✱ TRAFFIC SIGN
✱ GAS MANHOLE	✱ UNKNOWN MANHOLE
✱ GAS METER	✱ SOIL BORING
✱ TELEPHONE MANHOLE	✱ SPOT ELEVATION
✱ TELEPHONE PEDESTAL	✱ TRAFFIC SIGNAL
✱ SANITARY CLEANOUT	✱ CONIFEROUS TREE
✱ SANITARY MANHOLE	✱ DECIDUOUS TREE
✱ CATCH BASIN	✱ TREE TO BE REMOVED
✱ STORM DRAIN	✱ TREE TO BE REMOVED DUE TO HEALTH CONCERN
✱ STORM MANHOLE	✱ PROPOSED CONTOUR
✱ UNDERGROUND ELECTRIC	✱ PROPOSED SPOT ELEVATION
✱ UNDERGROUND CABLE TV	✱ PROPOSED DRAINAGE
✱ UNDERGROUND FIBER OPTIC	
✱ UNDERGROUND TELEPHONE	
✱ OVERHEAD UTILITY	
✱ UNDERGROUND GAS	
✱ STORM SEWER	
✱ FENCE	
✱ CURB (TYPICAL)	
1230 CONTOURS	

LEGEND:

-HOUSE PLANS AND HOUSE ELEVATIONS PER ELEVATION HOMES 08/10/18.
-SITE PLAN AND ELEVATIONS PER PIERCE PINI ENGINEERING 08/14/18
AND JOHNSON DESIGN BUILD, INC. 08/13/18
*CONTRACTORS TO VERIFY ALL INFORMATION WITH FINAL ARCHITECTURAL, ENGINEERING AND LANDSCAPE DESIGN PLANS PRIOR TO CONSTRUCTION.

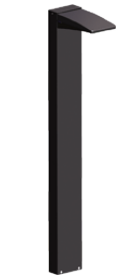
*TREE LOCATIONS LIMITED TO THOSE FALLING WITHIN THE VICINITY OF CONSTRUCTION AND LANDSCAPE AREAS.



LIGHTING LEGEND


WELL LIGHT - FUSION INTEGRATED SERIES


PATH LIGHT - WAC GATE LED PATH 6651


PATH LIGHT - RAB LIGHTING BLED10

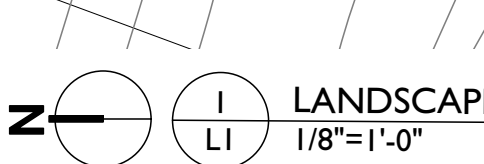

651.755.4513
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This drawing contains
proprietary information
which belongs to LIVIT Site +
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PROPOSED LANDSCAPE PLAN FOR
PRIVATE RESIDENCE
2 SUNFISH LN
SUNFISH LAKE, MN

ISSUE/REVISIONS
DATE: 08-08-18
08-13-18
05-21-19
06-17-19
06-24-19
03-09-20
ISSUE: BASE MAP
SUBMISSION
REVIEW PLAN
REVIEW PLAN
REVIEW PLAN
HILLSIDE STEPS

LANDSCAPE PLAN


LANDSCAPE PLAN
1/8"=1'-0"