

Planning Memorandum

To: Sunfish Lake Planning Commission

From: Lori Johnson, City Planner

Date: May 17, 2024

Re: 415 Salem Church Road – Major Site Plan Review
WSB Project No. 0236890-000
SFL No. 06-2024

GENERAL INFORMATION

Applicant: Ken Ronsberg, Performance Pool & Spa

Property Owner: Alexandra & Grant Fitzer

Project Location: 415 Salem Church Road – PID 381175001021

Acreage: 4.69 acres

Existing Land Use: Single-Family Residential

Zoning: Zoned R-1 within Shoreland Overlay District

Surrounding Land Use / Zoning: Surrounded by Single Family Homes/R-1 Zoning on East, North and South of parcel.
West – City of Mendota Heights.

Comprehensive Plan: The City of Sunfish Lake (2040) Comprehensive Plan guides this property for Rural Residential land use.

Deadline for Agency Action:

Application Date:	03.04.2024
60 Days:	05.31.2024
Extension Letter Mailed:	04.29.2024
120 Days:	06.28.2024

Attachments:

- Location Map
- Aerial
- Pool Layout and Landscaping
- Grading and Stormwater Management
- Engineering Comments

CONSIDERATIONS RELATED TO THE REQUEST

1. Overview.

Ken Ronsberg of Performance Pool & Spa, on behalf of Alexandra and Grant Fitzer who are the property owners of 415 Salem Church Road, has made an application for a Major Site Plan and Building Review to allow for the approval to construct an 18 foot by 36 foot in-ground swimming pool. The pool will sit roughly 12 feet from the northeast corner of the existing residence. The pool will be rectangular in shape, with an approximately 1,402 square foot pool deck (made of concrete) surrounding the pool. The applicant will install erosion containment measures to prevent soil loss, such as silt fences and a soil stockpile just northwest of the pool deck.

The pool area will be bordered by a retaining wall with a height not to exceed 42 inches. The retaining wall will primarily run along the western border of the pool deck, separating the deck from the existing fenced vegetable garden. The wall extends south past the eastern side of the home to connect to the front yard by the existing driveway. A similar retaining wall will be installed opposite the western retaining wall to create a walking path connecting the driveway area to the side and rear of the home. Because the proposed pool and pool deck area is over 1,000 square feet in size, the zoning ordinance requires Major Site and Building Plan approval for the project.

2. General Zoning Review—In-Ground Swimming Pool Major Site Plan Review

Setbacks: The new pool and pool deck are set back from the front property line at a distance greater than what is required by the ordinance. The surrounding pool deck area exceeds the required setback from the rear lot line and both side lot line setbacks to meet the standards of both the R-1 and Shoreland Overlay Districts.

Impervious Surface and Building Coverage: The total proposed impervious surface coverage for the lot on which the home is to be located is 5%. The total impervious surface coverage allowed is 30% and this plan meets this requirement.

The total building coverage allowed on the lot cannot be greater than 10% per ordinance requirements. The proposed building coverage on the home lot is 2% which meets ordinance requirements.

Size: The pool that is being constructed is 2,029 square feet. The pool will measure 648 square feet and the surrounding pool deck and stairs will measure 1,381.

Tree Preservation/Landscaping: The Applicant has not indicated that any trees or shrubs shall be removed as a result of the proposed installation. However, the Landscape Plan does indicate that a planting bed shall be installed between the northeast corner of the home and the adjacent retaining wall. An Autumn Blaze Maple tree and additional plantings will be put at the northeast corner of the pool deck to screen part of the retaining wall and blend the land disturbance.

DNR Approval. The Minnesota DNR Area Hydrologist was notified of the proposed request.

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 according to the criteria below:

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

- B. Whether the proposed improvements preserve the character and nature of the surrounding community, including the natural landscape and woodland characteristics of the community.
- C. Whether the proposed improvements are not constructed of unsightly, improper or unsuitable materials.
- 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.
- E. Whether the proposed site and improvements shall have an appearance that will not have an adverse effect upon adjacent residential properties.
- F. Whether the proposed site improvement complies with drainage requirements, as provided in Section 1216.04 of this Ordinance.
- G. Whether the proposed site and improvements are consistent with the purposes of the zoning ordinance and the Property Owner Reference & Development Guide Manual, as established by City Council resolution.

Additional Shoreland Overlay Evaluation Criteria

A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site shall be made to ensure:

- 1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
- 2. The visibility of structures and other facilities as viewed from public waters is limited.
- 3. The site is adequate for water supply and on-site sewage treatment.
- 4. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

The information provided in this staff report and on the proposed plans indicate that all above criteria have been met for major site and building plan approval and shoreland considerations.

No public comments have been received as of the date of the staff report publication.

RECOMMENDATION

Based on the foregoing considerations and applicable ordinances, staff recommends approval of the major site and building plan review for a pool subject to the following findings of fact and conditions of approval:

Findings of Fact:

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

415 Salem Church Road
SUNFISH LAKE, MN 55118
2. The planning report dated May 17, 2024, prepared by WSB is incorporated herein by reference.
3. The Applicant has submitted an application for a major site and building plan.
4. Requests for major site and building plan review require Planning Commission review and City Council approval.
5. Notices for public hearings regarding requests on lots within the Shoreland Overlay district must be sent to the Department of Natural Resources.
6. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan approval at the May 23, 2024 Planning Commission meeting.
7. Upon review of the planning report and application information, the Planning Commission found that the proposed site and building plans meet Ordinance requirements. The following findings support the Planning Commission's recommendation for approval:

Major Site and Building Plans:

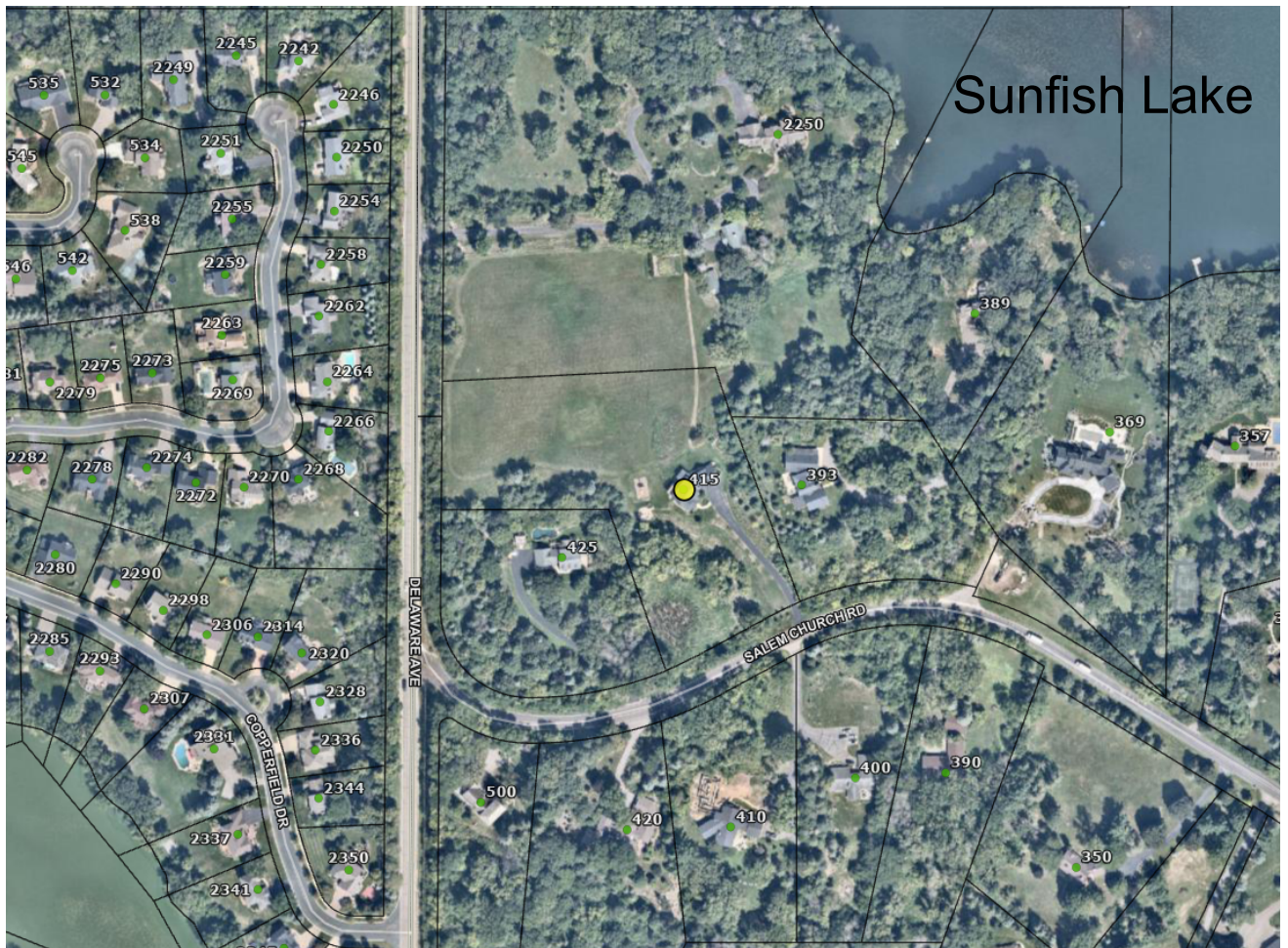
- a. The proposed improvements meet R-1 and Shoreland Overlay District requirements and standards.
- b. The proposed development addresses Ordinance requirements pertaining to grading, drainage and stormwater management, landscaping, and screening.
- c. The proposed home meets Ordinance requirements pertaining to building size, and material use.
- d. The development meets other applicable Zoning Ordinance criteria.

Conditions of Approval:

1. Construction of the pool and all improvements shall occur in substantial conformance with the plans recommended for approval at the May 23, 2024, Planning Commission meeting.
2. The applicant must obtain all other permits as may be required.
3. The applicant shall comply with all applicable federal, state, and local laws, rules and ordinances.

4. 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.
5. 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.
6. 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.
7. By undertaking the activities approved by the requests, the Applicant agrees to all conditions.
8. The improvements to be staked out in the field by the surveyor and reviewed and approved by city staff prior to the start of any construction.
9. All erosion controls identified on the approved plan must be properly installed and inspected by City staff prior to the start of any construction.
10. If site disturbance exceeds one acre, the applicant agrees to apply for a NPDES permit through the MPCA and supply the city with the approved Storm Water Pollution Prevention Plan (SWPPP) and the approved MPCA NPDES permit.
11. All comments in the attached Engineering Memo from the City Engineer must be adhered to with the exception of #5, which has already been submitted. The memo asks for additional information prior to issuance of permits.

Location Map for 415 Salem Church Road

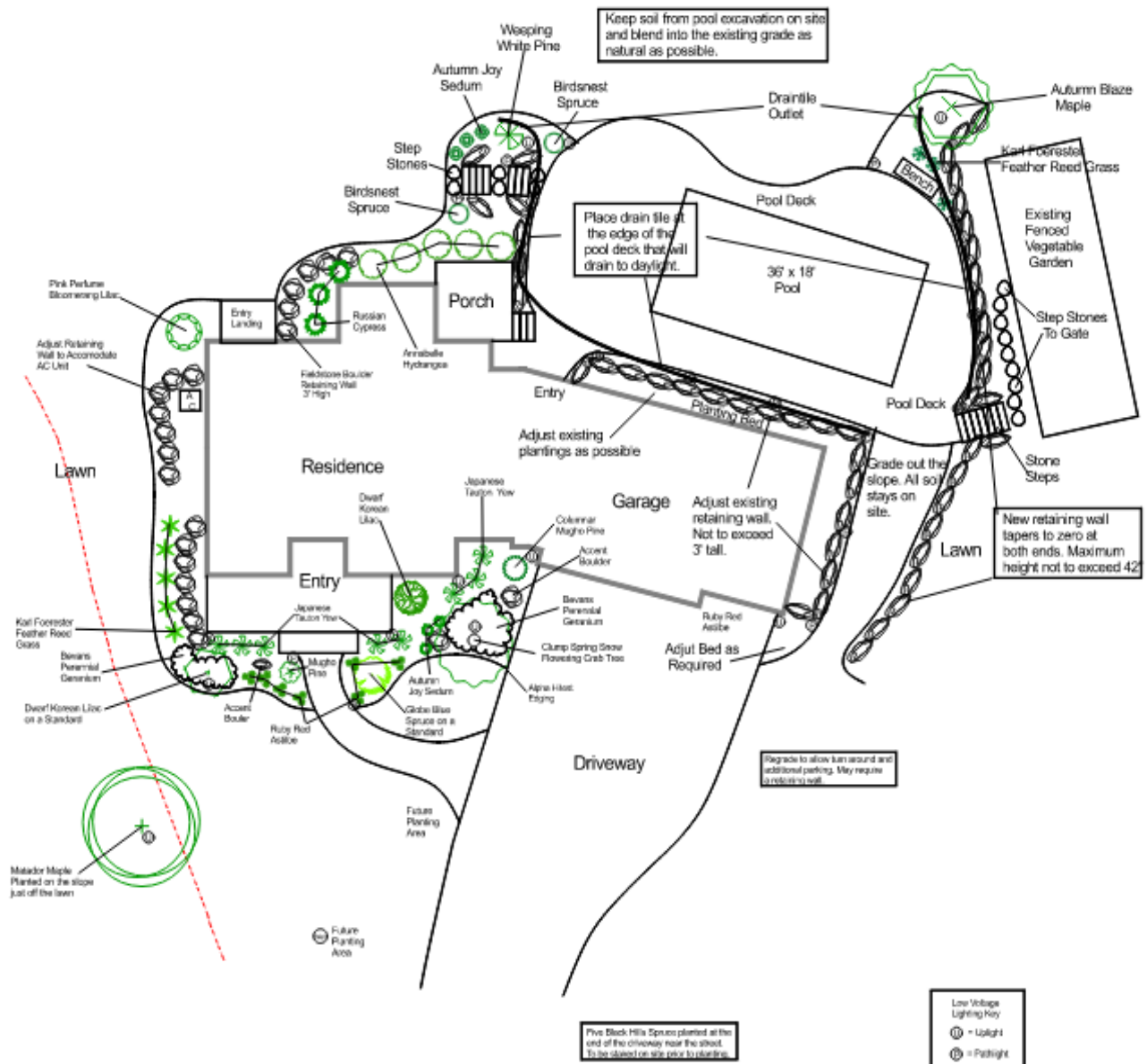


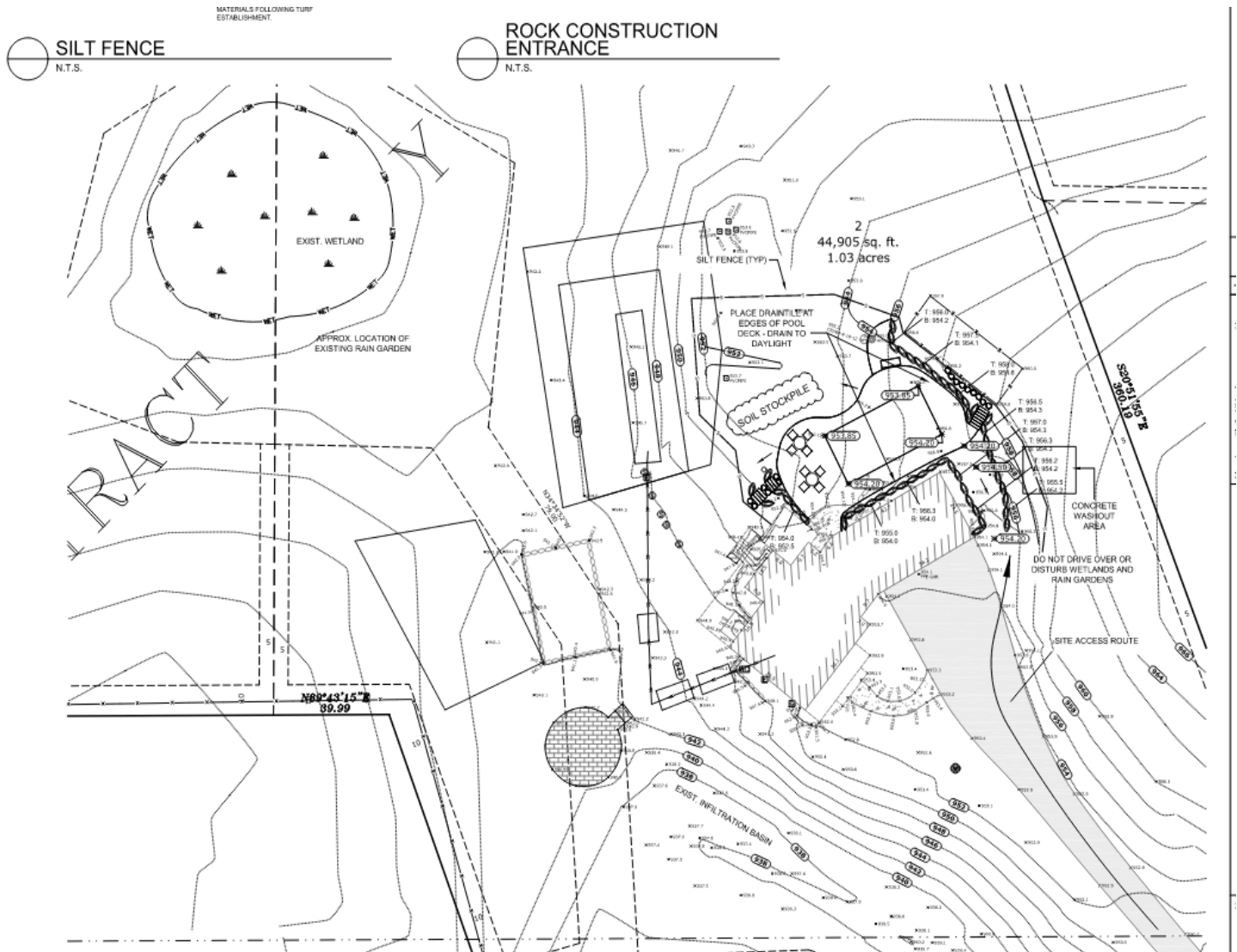


Aerial Map for 415 Salem Church Road



415 Salem Church Road - Pool Layout and Landscaping





Memorandum

To: Lori Johnson, AICP – City Planner

From: Justin Messner, PE – City Engineer
Kris Keller, PE – Project Engineer
Kendra Fallon, PE – Project Engineer

Date: March 22, 2024

Re: 415 Salem Church Road – Major Site Plan Review
City of Sunfish Lake, MN
WSB Project No. 023689-000

Project Background

The Applicant is proposing to construct a new pool with associated surrounding decking and retaining walls adjacent to their existing house at 415 Salem Church Road. This construction will require additional grading and stormwater management. The following review is only for engineering, stormwater management, and site grading issues. The building compliance will be handled by the City planner and building official. Comments are based on the submittal received from the applicant on March 04, 2024. Additional engineering comments may be provided upon revised submittals.

The following requirements and comments need to be addressed for the project to move forward.

- Gray comments are previous comments that have been addressed.
- Black comments are previous comments that have not been addressed.
- Red comments are additional comments regarding the newly submitted materials.

General Notes

1. Provide top of wall and bottom of wall elevations in frequent intervals along the proposed retaining walls. All retaining walls exceeding 42" (measured from footing to top of wall) will need engineered drawings submitted for review by the City of Sunfish Lake Building Official.
2. Provide calculation for total disturbed area for the proposed construction. A NPDES permit is not required if the disturbance area is under one acre. If more than 1 acre is disturbed, this permit will be required along with a Storm Water Pollution Prevention Plan (SWPPP). It is anticipated the site will have under an acre of disturbance based on the grading plan submitted.
3. Provide a management and maintenance plan for draining or discharging of pool water. Management and maintenance plan should align with the Minnesota Pollution Control Agency's Swimming Pool and Hot Tub Water Discharges Best Management Practices and all other local regulations for non-stormwater discharges.
4. Provide hardcover calculations showing amounts of existing and proposed hardcover on the property.
5. The document 'Landscape Plan: Pool Concept' dated 3/4/2024 includes a note to the east of the driveway "Regrade to allow turn around and additional parking. May require a retaining wall". Verify that site disturbance and impervious calculations account for this component of the project. Show detailed grading plans and retaining wall elevations for this component of the project.

Stormwater Management and Storm Sewer Design

1. It is our understanding that the project aims to use existing BMPs to fulfill stormwater requirements for the site, with the BMPs shown on sheet C3-1 of the 'John Roe Property' plan set by Loucks Associates, revised 07/26/2007. The following stormwater calculations should be submitted to confirm the existing BMPs provide the required treatment:
 - a. Volume control is provided for 1" runoff over the new impervious surfaces,
 - b. Proposed peak rate of site runoff shall not exceed the predevelopment peak discharge rate for the 2-, 10-, and 100-year critical storm events,
 - c. Detailed grading plan of expanding existing BMPs, if proposed.
2. Should the existing stormwater BMPs not satisfy stormwater requirements for the project and additional stormwater BMPs are proposed, provide:
 - a. Details on the proposed storm pipe including typical section, pipe size, material, and invert elevations.
 - b. Volume control via stormwater abstraction for 1" runoff over the new impervious surfaces.
 - c. Proposed peak rate of site runoff shall not exceed the existing peak discharge rate for the 2-, 10-, and 100-year critical storm events. Submit rate control calculations and drainage area maps that show this standard is met.
 - d. Any new or modified stormwater facilities shall require an operations and maintenance plan to be submitted to the City. The maintenance plan will define maintenance responsibilities following completion of the project, specify types of maintenance activities, designate who will conduct inspection and maintenance activities, and outline reporting requirements.
3. Note additional comments on the stormwater management may be generated once additional materials required are submitted for review.

Grading, Erosion Control and Restoration

1. See the attached plan for comments related to grading throughout the site.
2. Show proposed access route for construction and excavation equipment.
3. Include note and callout location for concrete washout on site (as applicable).
4. Include note and callout location on plans of soil stockpiles. Soil stockpiles shall not be placed in line of stormwater conveyance or drainage swales. Include perimeter sediment control BMP around soil stockpile.
5. Include note for temporary and permanent stabilization (seeding plan) for disturbed areas.
6. Extend or modify slit fence placement to be around the entire perimeter of the graded and disturbed areas.
7. Include note on plans that the infiltration basin and wetland areas on the site shall not be disturbed during construction. Equipment shall not drive over the infiltration feature as to not compact the soils.
8. An as-built survey will be required upon project completion that demonstrates the improvements were constructed per the approved plans.
9. Include note for inspection schedule, maintenance requirements, and persons responsible for erosion and sediment control BMPs.
10. Upon completion of the as-built, an on-site final inspection with city staff, the builder, and the resident will be required.

Conclusions and Recommendations

Based upon our review of the engineering, stormwater management and site grading for this proposed development, we have determined that the proposed site and grading plans submitted

do not conform to City requirements and recommend the project does not advance to Planning Commission and City Council until the above-mentioned comments are satisfied.

We request a new set of plans addressing these comments and new drainage calculations be resubmitted to our office prior to final approval. **The Applicant should submit a memo that restates each comment from this memorandum and details how each comment was addressed.**