



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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PLANNING REPORT - Major Site and Building Plan Review and CUP

TO: Sunfish Lake Planning Commission

FROM: Michelle Barness

DATE: May 14, 2014

RE: Sunfish Lake – 240 Salem Church Road – Site and Building Plan Review and CUP

FILE: 211.01 – 14.03

Application Accepted: April 21, 2014
Planning Commission Date: May 21, 2014
Tentative City Council Review: June 3, 2014
60-day Review: June 20, 2014

6/3/14
Council
Agenda
Item
6b

BACKGROUND

Dan and Brenda Vansteenbure are requesting approval of a Major Site and Building Plan Review and Conditional Use Permit (CUP) to allow the construction of a new home, garage, driveway, and accessory structures on the undeveloped lot located at 240 Salem Church Road. CUP approval is required to allow construction of two accessory structures on the subject property, a tennis court and in ground pool. Both a Major Site and Building Plan Review and CUP require review and recommendation by the Planning Commission and final approval by the City Council.

ANALYSIS

The applicants wish to construct a two story home with a walkout basement, and both a main level and lower level garage. The building footprint of the principal structure will be approximately 8,132 square feet. This includes the main floor of the home, an equipment storage room, the main level attached garage, a porte cochere, and a carriage house. The approximate floor areas for the two story home with walkout basement are:

Basement: Living Area and Sports Court	Est. 4,880 square feet
Basement: Garage	Est. 1,387 square feet
Main Level: Living Area, Equipment Storage, Porte Cochere, Carriage House, and Covered Entry	Est. 6,872 square feet
Main Level: Garage	Est. 1,259 square feet
Upper Level: Living Area and Storage	Est. 2,395 square feet
Upper Level: Office	Est. 750 square feet

Total floor area:	Est. 17,543 square feet
Total floor area (excluding basement):	Est. 11,276 square feet

Sunfish Lake Zoning Ordinance Section 1202.02.F defines the gross floor area of a building as the floor area exclusive of the basement or cellar. Our ordinance does not provide a definition that distinguishes basements from cellars; as such the planning commission may exclude the basement from the gross floor area of the house.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of a new house, garage, driveway and accessory structures at 240 Salem Church Road.
Conditional Use Permit	To permit an additional accessory structure on the lot.

Attached for reference:

- Exhibit A: Home renderings and material specifications
- Exhibit B: Certificate of surveys
- Exhibit C: Utility, drainage, erosion control, stormwater management (Sheets C100-C500)
- Exhibit D: Proposed site and landscaping plan (with tree inventory)
- Exhibit E: Details
- Exhibit F: Layout plan reference sheet
- Exhibit G: Floor plans (sport court, lower level, main level, upper level, roof, carriage house, lower garage, office and office roof)
- Exhibit H: Building elevations (north, west, south, east)
- Exhibit I: Building sections (owner's bath/garage, great room/foyer)
- Exhibit J: City Engineer Comments

ISSUES ANALYSIS

Major Site and Building Plan Review

The property at 240 Salem Church Road is zoned R-1, Single Family Residential and falls within the Aircraft Noise Abatement Zone. The following table illustrates the application of the R-1 District requirements to the property.

R-1 District Standards	Required	Proposed	Compliant
Net Lot Area (excluding wet areas and steep slopes)	2.5 acres	2.5 acres	Yes
Lot Width	50 feet (cul-de-sac)/200 feet at front setback	exceeds requirements	Yes
Front Setback (north to private drive)	100 feet	est. 190 feet	Yes
Side Setback (east and west)	50 feet	min. 215 feet	Yes

Rear Setback (south)	50 feet	est. 250 feet	Yes
Front Accessory Setback	100 feet	min. 265 feet	Yes
Side Accessory Setback	25 feet	min. 75 feet	Yes
Rear Accessory Setback	25 feet	min. 200 feet	Yes
Maximum Building Coverage	10%	2%	Yes
Building Height Limitation (height above average existing grade)	30 feet	30 feet	Yes

Lot Area Requirements. As illustrated in the table above, the lot and project in question meet the R-1 District standards for lot area and setbacks.

Building Height. According to the Ordinance, no building structure shall exceed two and a half stories or 30 feet in height above existing grade (measured from the average existing ground level). The average existing ground elevation around the proposed home is 971.125 feet in elevation, so that any new structure should not exceed 1001.125 feet in elevation, or 30 feet. The home has two stories above average existing grade, and the top of the principal building is exactly 1001.125 feet in elevation, meeting the R-1 District height requirements.

Building Materials. The exterior of the home will exhibit a combination of brick, stone, and stucco materials, all approved exterior building finishes. A slate roof will be installed, and the home will sit on a poured concrete foundation. The City Building Inspector has reviewed the plan set and has no comments regarding this application. A more thorough Building Code review will be conducted with the building permit application. The building plans were also reviewed against the Sunfish Lake Design Guidelines, and were found to successfully meet the standards set forth therein. A discussion of proposed improvements in relation to the Design Guidelines is provided in the Site and Building Evaluation Criteria discussion later in this report.

Accessory Buildings, Structures, and Uses. A tennis court and in ground pool are proposed as accessory structures. The in ground pool is approximately 800 square feet in area and is surrounded by a pool deck. The applicants have indicated the intention to install a retractable pool cover for safety purposes immediately following pool installation, as required by Ordinance.

The tennis court is 5,000 square feet in area. No tennis court fencing was proposed on the original site plan set. In conversations with project representatives it has been decided that a fence will be required. Chain link fences up to ten (10) feet in height are permitted to enclose tennis courts with approval of a conditional use permit, which the applicants intend to submit for separate from the current application. The tennis court fence will need to meet fence CUP approval criteria described in Section 1218.01.D. of the Zoning Ordinance.

Accessory buildings, structures, and uses are required to be screened from neighboring properties and the public right-of-way, and the design and positioning of any such

structure shall minimize the impact upon abutting properties. The tennis court is positioned near the east lot line and is within view of Musser Park. Twenty trees will be removed for installation of the tennis court. The applicants are planning on implementing new screening on the east side of the tennis court in the form of eight balsam fir trees, which may be sufficient as a screening buffer once full grown.

An estimated 30 trees will be removed in the vicinity of the pool in the course of home and accessory structure construction. The landscape plan indicates that four medium sized shrubs (hazelnuts typically not exceeding 12 feet in height) and seven small shrubs will be installed south and southeast of the pool. Proposed shrubs provide limited screening in comparison to the sizable amount of mature native trees removed. It is recommended that the applicants consider providing more comprehensive vegetative screening of the pool area and home to the south given the fact that the site sits high in elevation in comparison to properties to the south and west, and may impact views in that direction.

No lighting is currently proposed for either accessory structure. The lighting, of either a temporary or permanent nature, of the pool and tennis court facilities is prohibited within the R-1, Single Family Residential District. Safety lighting may be considered, and should be presented to the City for review and approval.

Placement and Design of Roads, Driveways, and Parking Areas. The proposed driveway and parking areas meet basic design standards listed in Section 1243.05 of the Zoning Ordinance, including providing bituminous surfacing and a buffer of at least 25 feet between the property line and the parking area.

An attached garage and carriage house are proposed on the west side of the home. The driveway approaches a covered porte cochere, which turns into a surface parking/car maneuvering area between 32 – 42 feet in depth along the backside of the attached garage. The drive area extends along the carriage house as well, although that portion of the building cannot serve as a garage (the maximum attached garage size is attained in the identified garage structure). The applicants have indicated that this area will be used for guest parking only, and no car use of the carriage house is intended. The applicants shall meet all other requirements from the City Engineer pertaining to the placement and grading of drive and parking areas.

Lighting. Exterior lighting of homes or property is allowed as necessary for safety purposes provided the impact on surrounding properties is minimized and it is in compliance with Section 1216.06 of the Zoning Ordinance, which states the following:

- Any exterior lighting shall be arranged as to deflect light away from any adjoining residential property;
- Direct or sky-reflected glare (e.g., up lighting and flood lighting) shall not be directed into any adjoining property; and
- The source of lights shall be hooded or controlled in some manner so as not to light adjacent property.

A lighting plan has not been provided, but the applicants have indicated the intent to supply a lighting plan/lighting details for consideration by the City in the course of the current review. Lighting must adhere to the standards described. In addition, upon installation all lights or combination of lights which cast any light on residential property or over public water shall not exceed one foot candle (meter reading) as measured from the edge of water abutting the subject property. This may be demonstrated by providing evidence of at which distance out from proposed light fixtures meter readings will fall below the required one foot candle measurement. Lighting cut sheets can often be attained which provide an analysis of illumination readings at distances out from lighting fixtures.

Grading and Drainage.

Steep Slopes. The proposed grading plan includes a significant amount of work within areas of steep slopes in excess of 12% grade. Slopes in excess of 12% grade are not considered buildable area in the net lot area calculation, and land disturbance on slopes in excess of 18% grade is prohibited unless specifically approved by the City Council upon recommendation of the City Engineer. The applicants shall be required to comply with both steep slope requirements and grading recommendations provided by the City Engineer (see Exhibit J).

Topographic Alteration. With regards to land alteration during development, the Sunfish Lake Design Guidelines provides the following policies:

- Developments be designed to preserve and enhance existing topography, natural vegetation and other natural amenities.
- Slopes which are susceptible to erosion or runoff be maintained in a natural state, or managed to minimize erosion or slippage.
- Development should respect natural contours, enhancing site orientation while minimizing terrain modifications.

The proposed home, garage and parking areas are generally located on buildable area on the lot. However the large scale of the proposed development results in a significant amount of land excavation and disturbance occurring on steep slopes as well. The described land alteration will result in a situation where large areas of steep slopes are exposed and susceptible to erosion in the course of construction. As described, any disturbance of steep slopes requires special approval from the City Council upon recommendation by the City Engineer (see Exhibit J).

The applicants have not provided a description of ground covers to be implemented after final grading and construction has been completed on the site. Planning staff recommends that areas of steep slopes (in excess of 12%) be restored to natural vegetation comparable to that that existed prior to development. Natural cover in steep areas will slow the movement of water downhill and minimize the likelihood of erosion or slippage.

Erosion Control. The applicants have provided information on erosion and sediment control. Erosion control methods include measures such as a silt fence around the

perimeter of the construction area, a rock construction entrance to the site, temporary soil stockpile locations surrounded by silt fence, and erosion control blankets on disturbed slopes of 20% grade or higher. Steep slopes in Sunfish Lake are defined as slope with 12% grade or higher. To protect surrounding vegetation and waterways during the course of construction, planning staff recommends requiring that erosion control blankets be installed on all disturbed slopes of 1V:8.5H or steeper (12% slope). In addition, the project is required to adhere to all required erosion control measures provided in Section 1216.04.F.6 of the Sunfish Lake Zoning Ordinance.

The City Engineer has reviewed the site and building plans and provided additional recommendations for site erosion control measures as outlined in his report (Exhibit J).

Stormwater Management. A Stormwater Pollution Prevention Plan (SWPPP) is required as part of the general permit authorization to discharge stormwater associated with construction activity under the National Pollutant Discharge Elimination System (NPDES). Stormwater measures for this project include implementation of a rain garden along the proposed tennis court, and a stormwater infiltration system adjacent to the home and in ground pool, in addition to a number of associated downspouts, pipes, drains, and catch basins. Information for the SWPPP and proposed stormwater management devices for the project have been provided to the City Engineer for review. The design, location and capacity of stormwater management systems are subject to approval by the City Engineer, and dependent on meeting engineer conditions for drainage and stormwater modeling provided in Exhibit J.

Landscaping/Fencing/Screening.

Fencing. A number of retaining walls are proposed to support earth along the front driveway, the rear drive to the lower garage, and the in ground pool at the rear of the house. Retaining walls four feet in height or taller need to be designed and signed by a registered professional engineer in the State of Minnesota. Plans will need to be provided to the City Engineer's office for review before the final building permit is issued. The City Engineer has further recommendations regarding the installation of new retaining walls as described in his report (see Exhibit J).

If a chain link tennis court fence is proposed, the applicants shall provide locational and design criteria for the proposed fence. Such a fence requires review and approval of a conditional use permit by the City.

Landscaping/Vegetation Alteration. Approximately 140 trees are to be removed from the lot in the course of constructing the home project. The majority of trees to be removed are considered significant based on their size (6" in diameter at 5 feet above the ground). Species of trees to be removed include the hackberry, ash, boxelder, elm, cherry, and oak. After construction the applicant will install 15 balsam fir trees, 6 pagoda dogwood trees, 13 hazelnut shrubs, and several small shrubs (e.g. boxwood). A number of fir trees and dogwood shrubs will act as screening between the proposed home and the neighboring property to the north, and the tennis court and Musser Park to the east. Smaller shrubs will be used along the north and east sides of the carriage

house, in the driveway turn around area, north of the home, east of the pool, and at the lower driveway.

Overall, site landscaping and tree installation is minimal relative to the amount of site vegetation to be removed. Over 140 native trees will be removed from the site and just over 20 trees will be installed. The Sunfish Lake Comprehensive Plan recommends careful review of vegetation removal on development sites, providing the following policies for the protection of natural environments:

- Individual developments shall be designed to preserve existing topography, water bodies, natural vegetation, permanent wetlands, wildlife areas, and other natural amenities.
- Development shall not engage in clear cutting large stands of tree unless appropriate vegetative restoration will take place.
- All development proposals shall address the preservation of existing trees and shall include plans for the provision of new plantings intended to screen the project from existing development on adjacent lots and the public right of way.

With construction of the home, driveway, and accessory structures, areas for replanting are limited to the immediate perimeter of site structures and drives, or larger areas south of the home. Currently very limited plantings are proposed south of the home, where a large stand of trees will be removed for excavation and grading associated with the home and in ground pool.

Planning staff recommends that the City request the applicants implement additional screening trees or tall shrubs in the area south of the home to buffer views of the proposed development from properties to the south. A variety of native deciduous trees similar to those removed (i.e. oaks and hackberries) are recommended, coupled with additional evergreen trees (pine, firs, spruces). If the applicant feels additional tree installation is not necessary, they shall provide an analysis of the impact on views to neighboring properties to the south. In addition, the applicants shall provide a revised landscape plan indicating the type, number, and size of plantings to be installed (a plant schedule), in accordance with Section 1218.03 of the Zoning Ordinance, and shall provide a description of ground covers/mulch to be used where other landscape plantings are not intended.

The City Forester has had the opportunity to walk the site to observe the proposed location for the home, driveway and accessory structures, to form an understanding of the impact of the project on site vegetation. He has indicated that a number of the trees to be removed are ash trees, which are susceptible to emerald ash borer infestations, and as such the City does not have issues with removing them as preventative action. In addition, he described that a number of the trees to be removed have potential health issues. The City Forester has the following recommendations:

- 1) The applicants consider employing a certified arborist for the project, to provide guidance on how to effectively preserve trees to remain during the course of construction.

- 2) The applicants provide an analysis of how views from properties to the south will be impacted with removal of trees in that area.
- 3) Construction shall not occur within the drip line of trees to be preserved or within 50 feet of trees, whatever distance is greater.

Tree protection measures must include marking trees to be saved with a red flag, so as to clearly differentiate them from trees to be removed.

Septic System. The applicants provided the location of a primary septic field on the site. The City Engineer has requested the applicants provide a proposed location and extent of a secondary septic field, and asked that all trees to be impacted by both septic field locations be indicated in project plans. He has provided additional requirements for protection of septic areas, as described in his report (Exhibit J).

Detailed construction plans and applicable permits will be required in conjunction with the building permit application for the septic systems, and the applicant must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed septic areas.

Aircraft Noise Abatement Zone. The applicants have been in correspondence with City Building Inspector David Neameyer regarding building requirements within the Aircraft Noise Abatement Zone. They will provide the inspector construction details meeting noise abatement zone standards with the final building set in time for building permit issuance.

Site and Building Plan Evaluation Criteria. As described in Section 1208.04 of the City Zoning Ordinance, the Planning Commission, as its basis of recommendation, and the City Council, as its basis for decision, shall evaluate the effects of the proposed site and building plans. This review shall include, but is not limited to, the following:

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

Comment: The proposed single family home and accessory structures are permitted uses in the R-1 District, and the building and site plans comply with R-1 District lot area and setback standards. The architecture is of quality design consistent with Sunfish Lake Design Guidelines.

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

Comment: Large areas of existing tree and natural cover will be preserved on the site after development of the proposed home. In addition, the applicants have made an effort to provide stormwater management systems for treating increased runoff resulting from construction on the currently undeveloped site. The large scale of the development does require removal of a significant amount of natural vegetation on the site and will require work on steep slopes. Planning

staff has made recommendations for providing additional screening, natural ground covers, tree protection and erosion control measures, so that the project can better address the following Sunfish Lake Design Guidelines:

- 1) Homes should not obstruct the viewsheds of adjacent property owners nor be of a height that exceeds surrounding natural features where possible.*
- 2) Screening and landscaping should complement existing vegetation and land contours.*
- 3) Slopes which are susceptible to erosion or runoff shall be maintained in a natural state or managed to minimize erosion and slippage.*
- 4) Protect trees and other natural areas during construction.*

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

Comment: The exterior materials of the proposed house and garage meet Ordinance requirements, create aesthetic appeal, and otherwise maintain the character of the locality. Further, proposed architecture addresses requirements of the Sunfish Lake Design Guidelines, including:

- 1) Employing natural building materials and finishes in aesthetically acceptable tones and colors.*
- 2) Build to reflect natural topography (steep up sloping grades to accommodate changes in elevation)*
- 3) Architecture is organized by a clear design concept, and provides asymmetric balance of architectural features, a court yard organization at the front of the home, major architectural elements in the form of a front entry way and back terrace, uses a change of building materials to enhance building features, and provides interesting building features including entry features, balconies, terraces, roof details, window details, etc.*

- 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.

Comment: Future use of the lot shall make it a priority to consider the preservation of natural areas within the lot and the protection of nearby water bodies by minimizing the removal of vegetation and maximizing the control of stormwater runoff, erosion, and any other impactful water-borne substances associated with residential development (fertilizer and pesticides, automobile oils and fluids, etc.).

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

Comment: The proposed home and garage are of high quality design, and as such conform to surrounding high quality development. The applicants have made an effort to maintain a significant amount of tree coverage on the site, which will reduce the impact on neighboring viewsheds. Planning staff has recommended additional screening south of the home to address any potential impacts the large home and accessory structures may have on viewsheds for properties lower in elevation.

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

Comment: The City Engineer has reviewed the proposed site improvements and provided comments in Exhibit J.

Conditional Use Permit Criteria for Multiple Accessory Uses. Application for a conditional use permit for additional accessory structures shall be regulated by Section 1204 of City Zoning Ordinance. Such a conditional use permit may be granted provided that:

- A. There is a demonstrated need and potential for continued use of the structure for the purpose stated.

Comment. Both accessory structures are permitted accessory uses in the R-1 Single Family Residential District. They will be used as recreational facilities operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, and are similar to other recreational facilities on surrounding properties.

- B. No commercial or home occupation activities are conducted on the property.

Comment. This condition is met.

- C. The building has an evident re-use or function related to the principal use.

Comment. This condition is met.

- D. Accessory building shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety and general welfare.

Comment. The design of the in ground pool, including a pool terrace and direct connection to the principal structure, provides an attractive feature on the site. In ground pools are common on surrounding properties, and the requested pool structure does not significantly vary from existing structures on other properties. The treatment of pool water so as to avoid hazards to public safety or natural systems is required. The City Engineer has had an opportunity to review the proposed stormwater treatment systems for the site, including an infiltration field connected to the proposed pool, and has provided his recommendations in

Exhibit J. The applicants are required to address the City Engineer's recommendations as a condition of project approval. As described, the applicants shall provide information regarding tennis court fencing if proposed, and are required to apply for a conditional use permit for said fencing. Additional screening may be required in the case of tennis court fencing.

- E. The provisions of Section 1204.02.F. of this Ordinance shall be considered and a determination made that the proposed activity is in compliance with such criteria.

Comment. The proposed accessory structures appear to meet the standards described in Section 1204.02.F, assuming the described issues pertaining to pool water treatment, and tennis court size and screening are addressed.

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of Major Site and Building Plans and a conditional use permit to allow the construction of a new home and garage at 240 Salem Church Road.

Planning staff recommends approval of both the Major Site and Building Plans and conditional use permit based on finding that the proposal meets R-1 District lot area and setback standards, and is of high quality design in conformance with Sunfish Lake performance standards, and similar in character to development on surrounding properties. This recommendation would be conditioned upon the applicants addressing the following:

1. If a tennis court fence will be implemented, the applicants shall submit plans for the fence to the City with a conditional use permit (CUP) request. Tennis court fences may not exceed 10 feet in height. The fence will need to adhere to fence CUP criteria provided in Section 1218.01.D. of the Zoning Ordinance.
2. Revise plans to show erosion control blankets on all steep slopes (of 12% grade or more) during the course of construction. Demonstrate that post construction plantings on steep slopes are sufficient to slow the movement of stormwater runoff downhill and minimize the likelihood of erosion or slippage in those areas. The City recommends restoring steep slopes to natural vegetation comparable to that that existed prior to development.
3. The City recommends additional screening trees or tall shrubs south of the proposed home to buffer views of the development from properties to the south. A variety of native deciduous trees similar to those removed (i.e. oaks and hackberries) may be used, coupled with additional evergreen trees (pine, firs, spruces). If the applicants feel additional tree installation is not necessary they shall provide an analysis of the impact on viewsheds from neighboring properties to the south for consideration by the City.

4. Provide a revised landscape plan indicating the type, number, and size of plantings to be installed (a plant schedule), and a description of ground covers/mulch to be used where other landscape plantings are not intended.
 5. The applicants shall provide a lighting plan and details for review by the City. Lighting shall meet the requirements of Section 1216.06 of the Zoning Ordinance.
 6. Address the recommendations of the City Forester:
 - a. Consider employing a certified arborist to provide guidance on how to effectively preserve trees to remain during the course of construction. Alternatively, or in addition to this request, provide information as to intended tree protection measures for the project.
 - b. Construction shall not occur within the drip line of trees to be preserved or within 50 feet of trees, whatever distance is greater.
 7. The applicants shall review all comments made by the City Engineer in Exhibit J, and adhere to his recommendations pertaining to site grading, erosion control, stormwater management, tree protection, retaining wall design, and protection of the sanitary sewer and well. Revised plans addressing engineer conditions shall be provided to both the City Planner and Engineer for review prior to issuance of the building permit.
 8. The project is required to adhere to all other applicable erosion control measures provided in Section 1216.04.F.6 of the Sunfish Lake Zoning Ordinance.
 9. The applicants must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed primary and secondary septic areas.
 10. The applicants shall contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.
- c: Sunfish Lake Mayor and City Council
Cathy Iago, City Clerk
David Neameyer, City Building Official
Ron Wasmund, City Septic System Inspector
Don Sterna, City Engineer
Jim Nayer, City Forester
Tim Kuntz, City Attorney
Dan and Brenda Vansteenburgh, Applicants
Adam Burrington, Eskuche Design, Architect



ARTISTIC RENDERINGS ARE REPRESENTATION ONLY.
SEE SCALED ELEVATIONS FOR BIDDING.



SINGLE FAMILY RESIDENCE:
240 SALEM CHURCH ROAD
SUN FISH LAKE, MINNESOTA



- ARCHITECTURAL SHEETS:**
- Existing Site Plan
 - Foundation Plan
 - Foundation Details
 - Grading, Drainage and Erosion Control Plan
 - Utility Plan
 - Water Management System Details
 - Landscaping Plan
 - Sheet Count Floor Plan
 - Main Level Floor Plan
 - Basement Floor Plan
 - Garage Floor Plan
 - Garage House Floor Plan
 - Garage House Section
 - Exterior Elevations
 - Interior Elevations
 - Building Sections
 - Building Details

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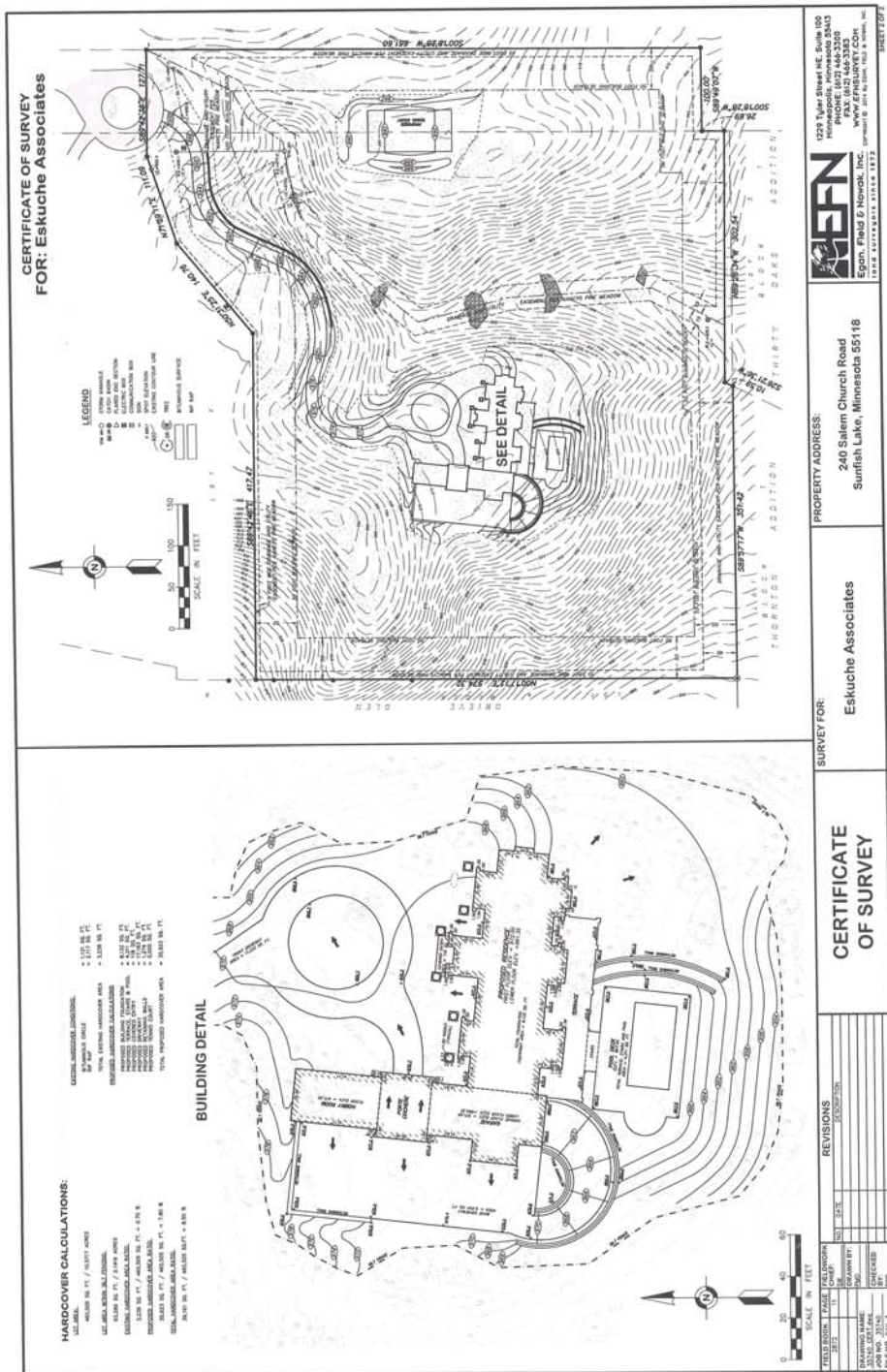
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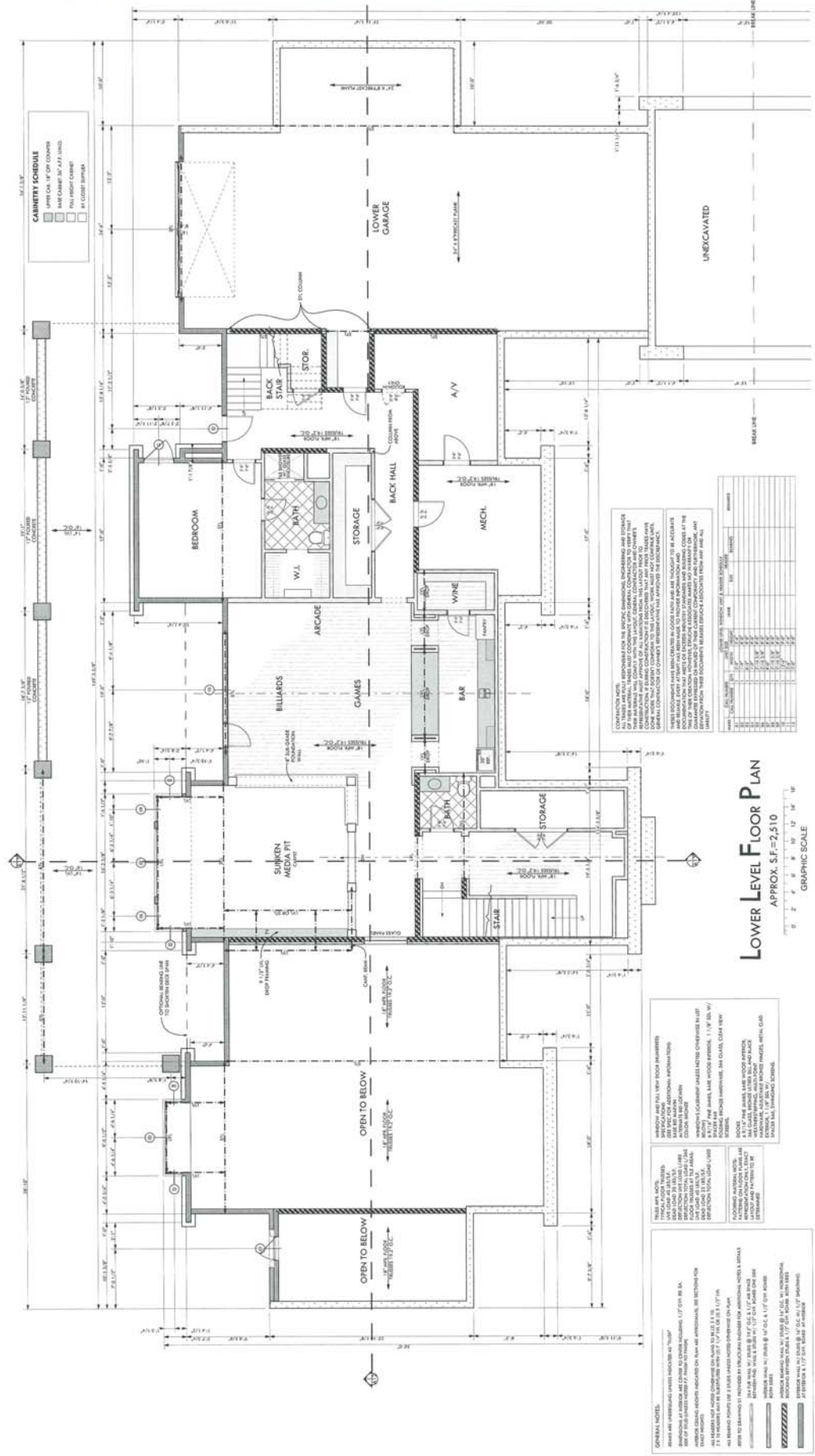
PERMIT SET
21 APRIL 2014

SUN FISH LAKE RESIDENCE



EXHIBIT B



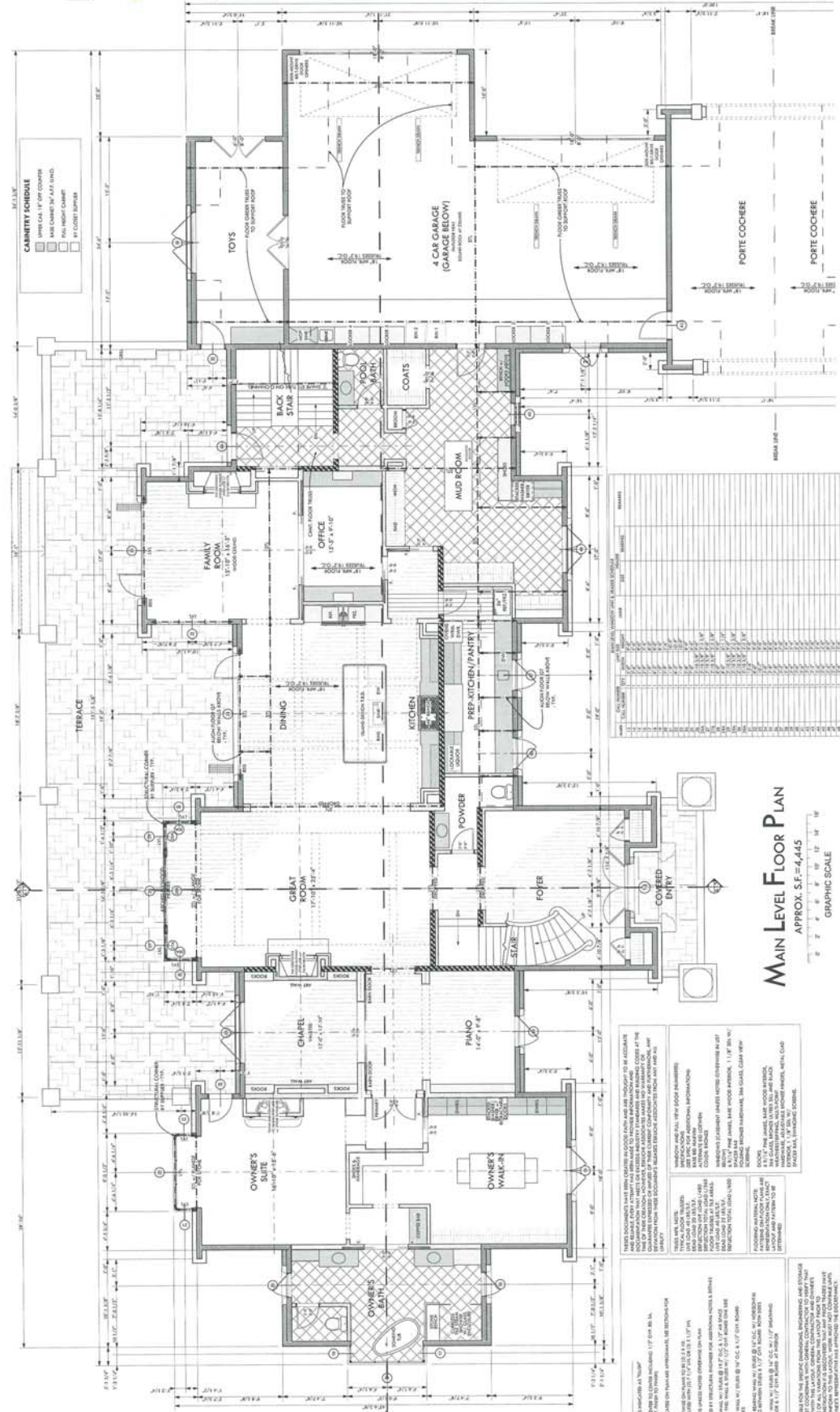


SUN FISH LAKE

240 SALEM CHURCH RD
SUN FISH LAKE, MN

PERMIT SET
21 APRIL 2014

SHEET
A3



GENERAL NOTES:

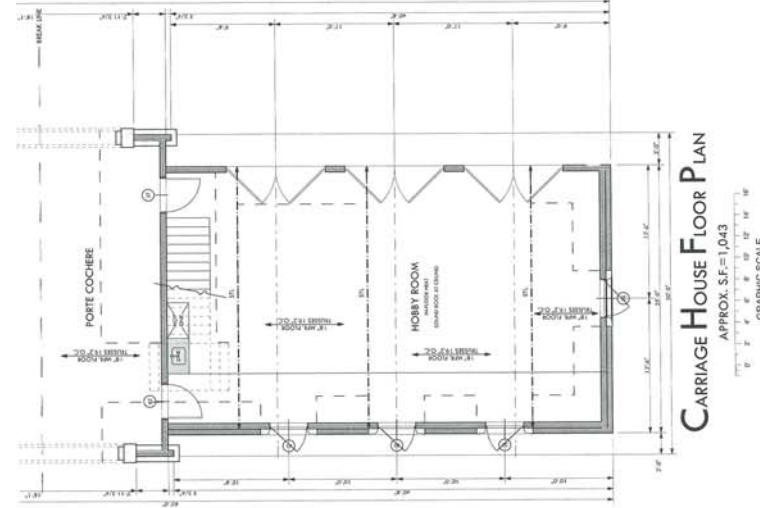
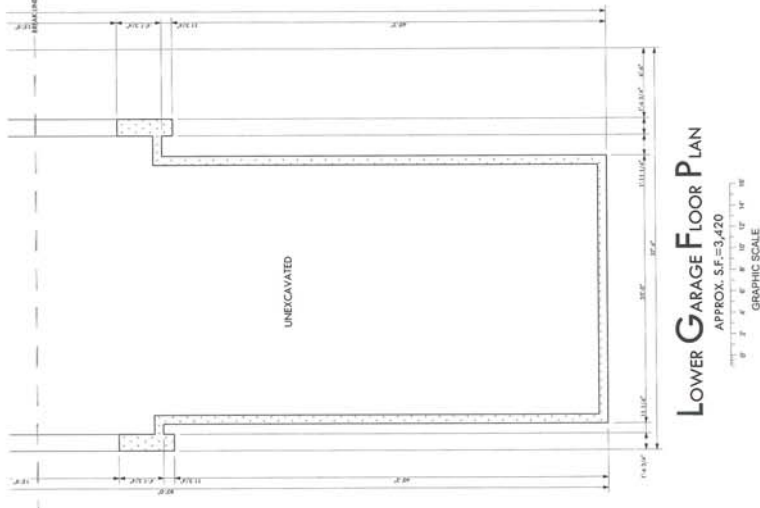
- OWNER'S SUITE: 12'0" x 12'0" (12'0" x 12'0")
- GREAT ROOM: 15'0" x 15'0" (15'0" x 15'0")
- KITCHEN: 10'0" x 10'0" (10'0" x 10'0")
- DINING: 10'0" x 10'0" (10'0" x 10'0")
- FAMILY ROOM: 12'0" x 12'0" (12'0" x 12'0")
- OFFICE: 10'0" x 10'0" (10'0" x 10'0")
- MUD ROOM: 10'0" x 10'0" (10'0" x 10'0")
- FOYER: 10'0" x 10'0" (10'0" x 10'0")
- OWNER'S WALK-IN: 10'0" x 10'0" (10'0" x 10'0")
- OWNER'S BATH: 10'0" x 10'0" (10'0" x 10'0")
- OWNER'S SUITE: 12'0" x 12'0" (12'0" x 12'0")
- GREAT ROOM: 15'0" x 15'0" (15'0" x 15'0")
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- OWNER'S BATH: 10'0" x 10'0" (10'0" x 10'0")
- OWNER'S SUITE: 12'0" x 12'0" (12'0" x 12'0")

NOTES:

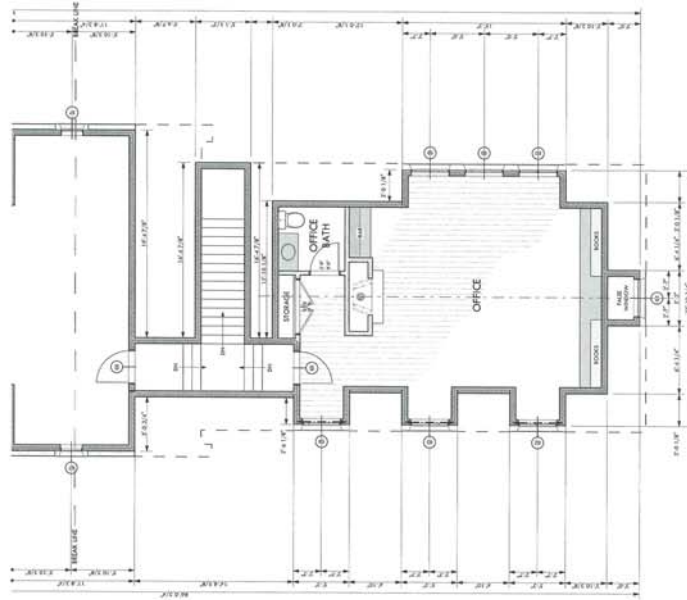
- OWNER'S SUITE: 12'0" x 12'0" (12'0" x 12'0")
- GREAT ROOM: 15'0" x 15'0" (15'0" x 15'0")
- KITCHEN: 10'0" x 10'0" (10'0" x 10'0")
- DINING: 10'0" x 10'0" (10'0" x 10'0")
- FAMILY ROOM: 12'0" x 12'0" (12'0" x 12'0")
- OFFICE: 10'0" x 10'0" (10'0" x 10'0")
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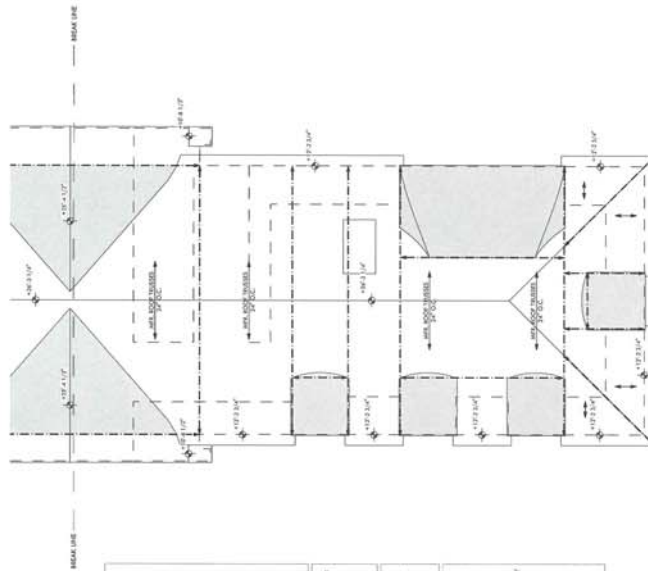
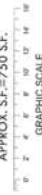
GRAPHIC SCALE



GENERAL NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA BUILDING CODE, 1997 EDITION, AS AMENDED. 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA ELECTRICAL CODE, 1997 EDITION, AS AMENDED. 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA MECHANICAL CODE, 1997 EDITION, AS AMENDED. 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA PLUMBING CODE, 1997 EDITION, AS AMENDED. 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA GAS CODE, 1997 EDITION, AS AMENDED. 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA FIRE CODE, 1997 EDITION, AS AMENDED. 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA SAFETY CODE, 1997 EDITION, AS AMENDED. 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA HEALTH CODE, 1997 EDITION, AS AMENDED. 9. 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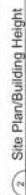


OFFICE FLOOR PLAN
APPROX. S.F.=750 S.F.



Roof Plan

[illegible]



SUN FISH LAKE

240 SALENA CHURCH RD
SUN FISH LAKE, WI

PERMIT SET
21 APRIL 2014

SHEET
A9



WEST ELEVATION

GRAPHIC SCALE

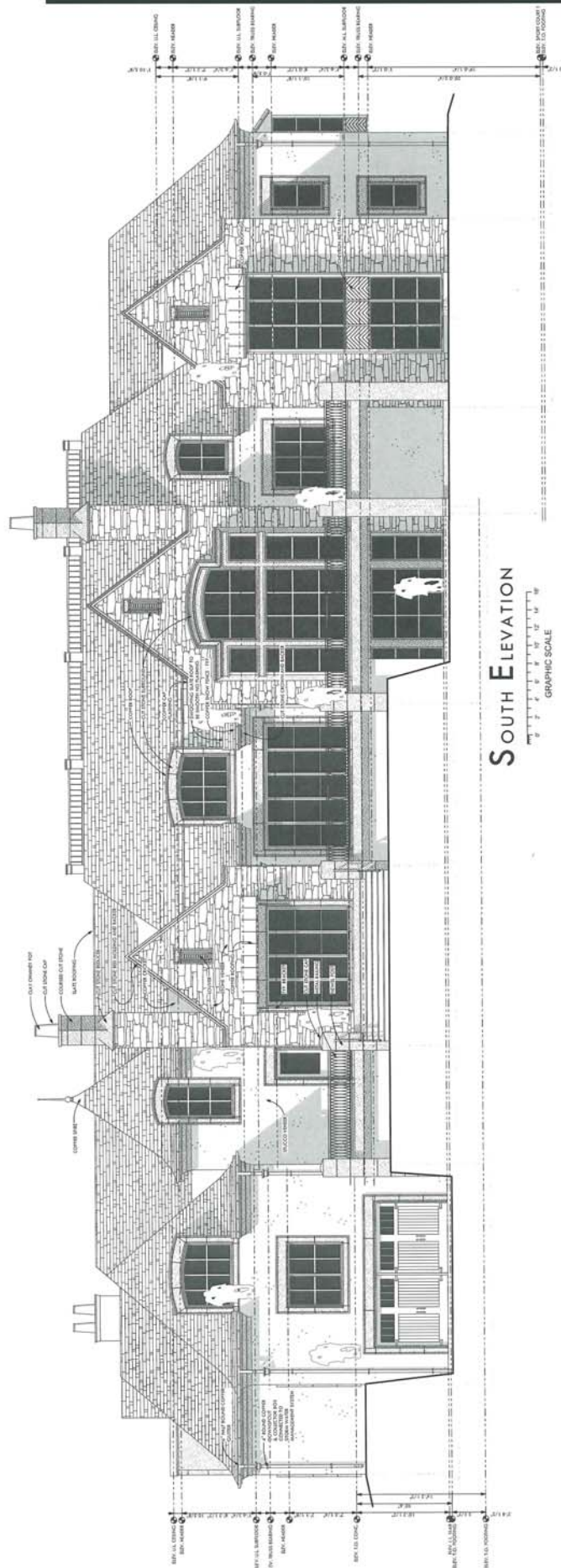
SUN FISH LAKE

240 SALEM CHURCH RD
SUN FISH LAKE, MN

PERMIT SET
21 APRIL 2014

SHEET

A10





Memorandum

To: *Michelle Barness*
Northwest Associated Consultants

From: *Donald W. Sterna, PE*
WSB & Associates, Inc.

Date: *May 6, 2014*

Re: *Site and Building Plan Review*
240 Salem Church Road
City of Sunfish Lake, MN
WSB Project No. 1011-99

Project Background

The applicant is proposing a new home and site grading, including constructing septic drain field system, tennis court and driveways. The site is located off of Salem Church Road and has access off of shared private driveway. The following review is only for the engineering, storm water management, and site grading issues. The building compliance and/or septic and well requirements will be handled by the City planners, and Building and Septic inspectors.

Site Grading

The applicant's proposed site grading for the most part shows a positive slope away from the house foundation, however we have concerns with the following items.

- Sheet C300 grading plan hard to read. Please provide a scalable 11x17 grading plan with existing contours and trees scaled back and proposed contours and elevations darker.
- Is the Certificate of Survey also considered to be part of the grading plan? Please clarify this.
- Provide a signed copy of the grading plans. Remove the words not for construction. We request to review the final plan sets.
- The applicant is proposing retaining walls as part of the project, some of which are 4-feet in height or taller and will need to be designed and signed by a registered professional engineer in the State of Minnesota.
- The 2 tiered wall on the backside of the house appears to be less than 4-feet high, but the tiers are close enough that they could be considered a single wall unit and therefore may need to be designed and signed by a registered professional engineer in the State of Minnesota.
- These above wall plans will need to be provided to the City Engineer's office for review before final building permit is issued.
- A grading plan for the proposed trail to the tennis court must be provided. Drainage through the existing drainage and utility easement must not be restricted.
- The driveway at the existing cul-de-sac tie in area is too close to the existing culvert and the applicant has to propose either moving the driveway or regarding the area and relocating the culvert.
- The wall along the driveway the northeast corner of the site is too close to the existing storm sewer and should be moved away.

- The existing above listed storm sewer systems and drainage paths should not be damaged by the proposed construction, or by vehicles crossing over the existing pipes. The builder's engineer should address any issue associated with the proposed construction on the in place drainage system.
- The contour elevation on the south side of the house where the 954 contour matches in to existing is too steep. Suggest additional contours south of the 954 at the same proposed slope until matching into existing. This may impact further trees downhill. Other revisions to the slope could also be considered.
- Show grading for the septic drain field and tree impacts. Show a secondary drain septic drain field location.

Erosion Control

- Provide a signed copy of the Erosion Control plans. Remove the words not for construction. We request to review the final plan sets.
- The proposed, temporary stockpile location(s) need to be at locations that are within 50 feet of a driving surface for the Sunfish Lake building ordinances, please indicate these locations on the grading plan along with erosion control protection such as silt fence or bio rolls around the perimeter.
- Please consider utilizing riprap or other permanent erosion control devices for the infiltration outlet to the east in order to prevent potential erosion control issues.
- Inlet protection must be provided around all existing culvert and storm sewer openings. Please show these on the plans including any necessary detail drawings for these inlet protection devices.
- A National Pollutant Discharge Elimination System NPDES Construction permit will be required since over an acre of land it to be disturbed. This permit coverage card must be posted onsite.
- Correct erosion control note number 4 making reference to the City of Wayzata.

Drainage and Stormwater Modeling

- Sheet C300 Drainage plans hard to read. Please provide a scalable 11x17 grading plan.
- Provide signed copies on all of the drainage plan sheets. Remove the words not for construction. We request to review the final plan sets.
- The freeboard to the low building opening (underground parking entrance) should be provided for in the site design. The analysis of the trench grate and outlet pipe at the building entrance should be provided that demonstrates that the low building opening freeboard is being provided.
- The Hydrocad stormwater modeling of the underground system should use 40% void space for the storage available in the 1" washed rock around the 48" HPDE pipes. The amount of storage available in the system is significantly less than what is being used in the modeling. The underground system dimensions in the modeling should correspond to the footprint shown on sheet C400.
- The underground system pipe length has 240 lineal feet input while the layout on sheet C400 scales 160' total length (4 X 40'). The modeling input should correspond to the plan layout.
- The underground system outlet in the modeling is a 50' – 2" diameter pipe with an invert elevation of 954.5 which does not correspond to the outlet control structure detail C/C401. The modeling of the system outlet and the plan details should correspond. The modeling will require revisions to correspond with the 2" orifice, overflow weir, and 12" outlet pipe in the plans.
- The conveyance systems on site will need to have 100-year event capacity to deliver runoff to the underground system if the modeling is considered to be accurate. It appears that the pipe conveyance system may not have adequate capacity to deliver the 100-year event discharge to the underground storage. Please provide calculations that demonstrate the proposed system has the capacity to convey the 100-year event as indicated in the modeling.

- The trench drain in front of the lower garage may need a flammable waste trap and may not be able to drain to the infiltration system since drainage and oils from the garage and driveway only have this drain system to provide drainage (no overland route). The applicant should look into this meeting code requirements.
- The storm water retention volume below the outlet elevation of the underground system should be provided for review. The rock void space below the outlet elevation, and approximately 1 foot of the underground pipes should be used for this calculation. The 9.6 sq ft cross sectional area in the submitted data could not be verified as the outlet control structure elevation of 953.9 on sheet C400 or the 954.5 elevation in the modeling do not correspond. The 2,300 sq ft indicated in stormwater rate control and volume summary could not be verified due to this discrepancy.
- The stormwater delineation mapping of the existing and proposed conditions should indicate the discharge points on the property boundaries. The increase in discharge at each point across the property boundary should be reviewed for potential impacts downstream.
- The storm sewer system is passing through the northeast corner of the septic system. It should be verified that this layout of the storm sewer in the septic field acceptable by code.

Sanitary Sewer and Well

- The Contractor should install, prior to any excavation, the protective fencing around the primary and secondary septic drain field to protect them from soil compaction and/or destruction.
- The existing septic system needs to be reviewed by the City's septic inspector for function and capacity to accommodate the proposed building.
- In accordance with the Site Plan Building Permit Application Procedures Checklist, the proposed well must be installed by a licensed well driller according to Minnesota State Rules and Regulations.

Site Access

Since there is a shared driveway, the existing condition of the driveway must be documented prior to construction in case any damage occurs to avoid future issues with the shared users. The Contractor must adhere to axle load limits when delivering material to the site. Any damage to the roadway and City right-of-way shall be repaired to the City's satisfaction by the applicant prior to the issuance of a certificate of occupancy.

Conclusion and Recommendations

Based upon our review of the proposed site and grading plan for the proposed new home at 240 Salem Church Road proposed site and grading plans appear to be consistent with the City's requirements, with the exception of the above-noted items in this memorandum. Therefore, we hereby find the proposed plans not to be in accordance with City requirements and recommend denial from an engineering standpoint for this project until these items are addressed. Please also note that the applicant will need to submit any structural retaining wall design and final wall plans to the City Engineer's office for review prior to issuing a building permit. We are requesting a new set of plans addressing these comments and drainage calculations be resubmitted to our office prior to final issuing of the building permit on the project.

CITY OF Sunfish Lake MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: Dan and Brenda Vansteenburgh

Request: The applicants request City approval of major site and building plans and a conditional use permit to be able to construct a new home, garage, driveway and two accessory structures at 240 Salem Church Rd.

Planning Commission Meeting Date: May 21, 2014

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:

240 SALEM CHURCH ROAD, SUNFISH LAKE, MN 55118
2. The Planning Report dated May 14, 2014 prepared by Northwest Associated Consultants, Inc. is incorporated herein by reference.
3. The City Engineer report dated May 6, 2014 is incorporated herein by reference.
3. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan and conditional use permit approval on May 21, 2014. The Planning Commission recommended approval of major site and building plans to allow the construction of a new home, garage, driveway, and accessory structures at 240 Salem Church Rd., and a conditional use permit to allow construction of two accessory structures (both an in ground pool and a tennis court), based on conditions set forth in the referenced planning and engineering reports.
4. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plans and conditional use permit request meet Ordinance requirements. The following findings support the Planning Commission recommendation for approval:

Major Site and Building Plans:

1. The subject property and proposed development meet R-1 District lot area, width and setback standards.

2. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, screening, and septic system location.
3. The proposed home meets Ordinance requirements pertaining to building size, height, and material use.
4. The proposed building meets the requirements of the Sunfish Lake Design Guidelines.
5. The proposed home meets other applicable Zoning Ordinance criteria.

Conditional Use Permit:

1. There is a demonstrated need and potential for continued use of both requested accessory structures. They will be used as recreational facilities operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, and are similar in size and design to other recreational facilities on surrounding properties.
2. Erosion control and stormwater management measures will be implemented with the proposed development to prevent soil erosion or other possible pollution of public waters, both during and after construction. Silt fence will be provided around the area of the pool and tennis court sites. In addition, stormwater infiltration areas are constructed in the vicinity of the accessory structures, and will treat runoff and water drainage from these uses.
3. The applicants will take measures to screen the proposed accessory structures from neighboring properties by implementing tree plantings at the perimeter of the tennis court, and by maintaining a degree of existing tree coverage downslope from the in ground pool.
4. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
5. The proposed project meets all conditions for major site and building plan approval.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the applicant's major site and building plans and conditional use permit to allow for the construction of a new home, garage, driveway, and two accessory structures on their property.

Approved, subject to the following conditions:

1. When a tennis court fence is to be installed, the applicants shall submit plans for the fence to the City with a conditional use permit (CUP) request. Tennis court fences may not exceed 10 feet in height. The fence will need to adhere to fence CUP criteria provided in Section 1218.01.D. of the Zoning Ordinance.
2. Revise plans to show erosion control blankets on all steep slopes (of 12% grade or more) during the course of construction. Demonstrate that steep slopes will be restored to natural vegetation immediately following construction, to minimize the likelihood of erosion of slopes and to better infiltrate stormwater runoff.
3. Provide a revised landscape plan for approval prior to the issuance of the building permit. The plan shall indicate the type, number, and size of plantings to be installed (a plant schedule), and a description of ground covers/mulch to be used where other landscape plantings are not intended.
4. The applicants shall provide lighting details (corresponding to the submitted lighting plan) for review by the City. Lighting shall meet the requirements of Section 1216.06 of the Zoning Ordinance. No lighting of recreational facilities is permitted (with the exception of safety lighting).
5. Address the recommendations of the City Forester:
 - a. Consider employing a certified arborist to provide guidance on how to effectively preserve trees to remain during the course of construction. Alternatively, verify intended tree protection measures for the project.
 - b. Construction shall not occur within the drip line of trees to be preserved or within 50 feet of trees, whatever distance is greater.
6. The applicants shall adhere to all conditions provided by the City Engineer in his report dated May 6, 2014, pertaining to site grading, erosion control, stormwater management, tree protection, retaining wall design, and protection of the sanitary sewer and well. Revised plans addressing engineer conditions shall be provided to both the City Planner and Engineer for review prior to issuance of the building permit.

7. The project is required to adhere to all other applicable erosion control measures provided in Section 1216.04.F.6 of the Sunfish Lake Zoning Ordinance.
8. The applicants must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed primary and secondary septic areas.
9. The applicants shall contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.
5. The project shall address the following additional grading, drainage, and erosion control measures set forth by the Sunfish Lake Planning Commission, which are based on Comprehensive Plan policies which encourage the protection of sensitive slopes, vegetation, and drainage/wetland areas, and are in response to concerns from Sunfish Lake residents that the project address erosion control issues to protect the quality of on-site and off-site natural areas:
 - a. Adhere to additional recommendations from the City Engineer regarding supplementary erosion control measures on sensitive slopes.
 - b. The City Engineer or a designated representative engineer will monitor erosion control measures on site monthly during construction.

Adopted by the Sunfish Lake Planning Commission this 21st day of May 2014.

City of Sunfish Lake

By: _____
Andrea McCue
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTION APPROVING A MAJOR SITE AND BUILDING REVIEW
FOR A NEW HOME, GARAGE, DRIVEWAY AND ACCESSORY STRUCTURES, AND
A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF AN ADDITIONAL
ACCESSORY STRUCTURE, FOR THE PROPERTY LOCATED AT 240 SALEM
CHURCH ROAD, LEGALLY DESCRIBED AS LOT 4, BLOCK 1, NANCY'S PINE
MEADOW, DAKOTA COUNTY, MINNESOTA.**

WHEREAS, Dan and Brenda Vansteenburgh submitted an application for a major site and building plan review for a new home, garage, driveway, and accessory structures, and a conditional use permit to be able to build two accessory structures, on their undeveloped property located at 240 Salem Church Road, legally described as:

Lot 4, Block 1, Nancy's Pine Meadow, Dakota County, MN

WHEREAS, City staff reviewed the application and judged it to be complete and outlined their review comments in a planning report dated May 14, 2014, prepared by Northwest Associated Consultants, and an engineer's report dated May 6, 2014; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their May 21, 2014 meeting and reviewed the major site and building application and the requested conditional use permit, along with the planning report dated May 14, 2014; and

WHEREAS, upon hearing the staff presentations, applicant testimony, and public testimony, the Planning Commission closed the public hearing and recommend to the City Council approval of the major site and building plans to construct a new home, garage, driveway and accessory structures, and the conditional use permit to allow construction of two accessory structures, whereby the following findings support the Planning Commission recommendation for approval:

Major Site and Building Plans:

1. The subject property and proposed development meet R-1 District lot area, width and setback standards.
2. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, screening, and septic system location.
3. The proposed home meets Ordinance requirements pertaining to building size, height, and material use.

4. The proposed building meets the requirements of the Sunfish Lake Design Guidelines.
5. The proposed home meets other applicable Zoning Ordinance criteria.

Conditional Use Permit:

1. There is a demonstrated need and potential for continued use of both requested accessory structures. They will be used as recreational facilities operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, and are similar in size and design to other recreational facilities on surrounding properties.
2. Erosion control and stormwater management measures will be implemented with the proposed development to prevent soil erosion or other possible pollution of public waters, both during and after construction. Silt fence will be provided around the area of the pool and tennis court sites. In addition, stormwater infiltration areas are constructed in the vicinity of the accessory structures, and will treat runoff and water drainage from these uses.
3. The applicants will take measures to screen the proposed accessory structures from neighboring properties by implementing tree plantings at the perimeter of the tennis court, and by maintaining a degree of existing tree coverage downslope from the in ground pool.
4. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
5. The proposed project meets all conditions for major site and building plan approval.

WHEREAS, the Sunfish Lake City Council considered the application for major site and building plan review and a conditional use permit at their meeting on June 3, 2014 and agrees with the findings of the Planning Commission.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the major site and building plan review and conditional use permit request dated April 21, 2014, for the property legally described as Lot 4, Block 1, Nancy's Pine Meadow, with the following conditions:

1. When a tennis court fence is to be installed, the applicants shall submit plans for the fence to the City with a conditional use permit (CUP) request. Tennis court fences may not exceed 10 feet in height. The fence will need to adhere to fence CUP criteria provided in Section 1218.01.D. of the Zoning Ordinance.
2. Revise plans to show erosion control blankets on all steep slopes (of 12% grade or more) during the course of construction. Demonstrate that steep slopes will be restored to

natural vegetation immediately following construction, to minimize the likelihood of erosion of slopes and to better infiltrate stormwater runoff.

3. Provide a revised landscape plan for approval prior to the issuance of the building permit. The plan shall indicate the type, number, and size of plantings to be installed (a plant schedule), and a description of ground covers/mulch to be used where other landscape plantings are not intended.
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5. Address the recommendations of the City Forester:
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6. The applicants shall adhere to all conditions provided by the City Engineer in his report dated May 6, 2014, pertaining to site grading, erosion control, stormwater management, tree protection, retaining wall design, and protection of the sanitary sewer and well. Revised plans addressing engineer conditions shall be provided to both the City Planner and Engineer for review prior to issuance of the building permit.
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9. The applicants shall contact planning staff to arrange pre- and post-construction site visits, whereby staff can confirm that site and building plans and associated approval conditions have been implemented accordingly. The inspections are separate from other inspections that may be necessary by the City Building Inspector, City Septic System Inspector, City Engineer, or other individuals. The cost of site inspections is \$75.00 each and payment of this amount shall be the responsibility of the property owner.
5. The project shall address the following additional grading, drainage, and erosion control measures set forth by the Sunfish Lake Planning Commission, which are based on Comprehensive Plan policies which encourage the protection of sensitive slopes, vegetation, and drainage/wetland areas, and are in response to concerns from Sunfish Lake residents that the project address erosion control issues to protect the quality of on-site and off-site natural areas:

- a. Adhere to additional recommendations from the City Engineer regarding supplementary erosion control measures on sensitive slopes.
- b. The City Engineer or a designated representative engineer will monitor erosion control measures on site monthly during construction.

This resolution is adopted by the City Council of the City of Sunfish Lake this 3rd day of June 2014.

Molly Park, Mayor

Attest:

Catherine Iago, City Clerk