

CITY OF *Sunfish Lake* MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: Michael and Crystal Boyle

Request: The applicants request City approval of major site and building plans and three conditional use permits to be able to construct a new home, garage, and pool terrace at 2566 Delaware Avenue.

Planning Commission Meeting Date: August 20, 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:

2566 DELAWARE AVENUE, SUNFISH LAKE, MN 55118
2. The Planning Report dated July 9, 2014 and the report addendum dated August 13, 2014 prepared by Northwest Associated Consultants, Inc. are incorporated herein by reference.
3. The City Engineer report dated July 25, 2014 and the City Engineer email memo dated August 11, 2014 are incorporated herein by reference.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan and conditional use permit approval at both the July 16 and the August 20, 2014 Planning Commission meetings.
5. At the July 16, 2014 meeting the Planning Commission tabled consideration of the application until new grading, drainage and stormwater information could be reviewed by the City Engineer.
6. At the August 20, 2014 meeting, the Planning Commission heard information pertaining to revised plans and the review of grading, drainage, and stormwater information by the City Engineer, and recommended approval of major site and building plans to allow the construction of a new home, garage, and pool terrace at 2566 Delaware Avenue, a conditional use permit to allow construction of a pool as a second accessory structure on the property, a conditional use permit to allow construction of the pool between the principal structure and the setback from Hornbeam Lake, and a conditional use permit to allow redevelopment of a

substandard sized lot, based on conditions set forth in the referenced planning and engineering reports.

5. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plans and conditional use permit requests 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 and Shoreland Overlay District setback, building coverage and impervious surface standards.
2. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, and screening.
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 to Construct a Pool as a Second Accessory Structure on the Subject Property, in Addition to an Existing Detached Porch:

1. There is a demonstrated need and potential for continued use of the requested pool and pool terrace area. This recreational facility will be operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, and is similar in size and design to other recreational facilities on surrounding properties.
2. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
3. The proposed pool meets all other Zoning Ordinance standards.

Conditional Use Permit to Construct a Pool Between the Principal Structure and the Setback from Hornbeam Lake:

1. 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 pool terrace area. In addition, the underground stormwater treatment system will treat runoff and water drainage from the pool area and other areas of the site.

2. The pool is not anticipated to be viewed from Hornbeam Lake given the significant amount of existing tree coverage to remain between the home location and lake post construction.

Conditional Use Permit to Allow Redevelopment of a Substandard Sized Lot (as Pertains to Net Lot Area):

1. The existing home on the subject parcel was built in 1957, prior to the creation of the net lot area Ordinance. As such, the lot would have been legally established at the time of its creation.
2. The subject property is similar in size to adjacent lots, can provide for a well and septic system treatment, allows for a home and site structures meeting setback and performance standards, and has frontage on a private road.
3. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.

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 permits to allow for the construction of a new home, garage, and pool/pool terrace area on their property.

Approved, subject to the following conditions:

1. The in ground pool shall be constructed with a retractable safety cover.
2. The applicants are required to provide the City Building Inspector information demonstrating that construction details meet noise abatement zoning standards provided in Zoning Ordinance Section 1245 prior to building permit issuance.
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).
4. Demonstrate that upon installation lighting fixtures will not create glare exceeding one (1) foot candle (meter reading) as measured from property lines or the edge of water abutting the subject property. No lighting of recreational facilities is permitted (with the exception of safety lighting).

5. The applicants must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed secondary septic area, and the treatment of the existing septic system on the parcel.
6. 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.
7. Address remaining septic system/well, site access, grading and erosion control comments provided by the City Engineer in the report dated July 25, 2014, including:
 - a. The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
 - b. 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. These plans will need to be provided to the City Engineer's office for review before final building permit is issued.
 - c. In the course of abandoning the existing septic system tank and rebuild a new system, the applicant will need to ensure the tanks are pumped out, and the bottom concrete slab must be broken up and backfilled with suitable grading material to allow for drainage to pass through.
 - d. The Contractor will need to install, prior to any excavation, the protective fencing around the secondary septic drain field, as well as around the existing and proposed well locations to protect them from soil compaction and/or destruction.
 - e. The applicant will need to abandon the well in accordance with Minnesota State Rules and Regulations and have the work completed by a contractor that is certified well abandoning procedures. A copy of any well abandonment certification needs to be provided to the City engineer and planner's office for their files.

- f. The proposed well must also be specified and installed by a licensed well driller according to Minnesota State Rules and Regulations. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified. Permission/notification should be acquired from the adjacent property owners who use this driveway for property access.

Adopted by the Sunfish Lake Planning Commission this 20th day of August 2014.

City of Sunfish Lake

By: _____

Andrea McCue
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk



MEMORANDUM - Addendum

TO: Sunfish Lake Planning Commission

FROM: Michelle Barness

DATE: August 13, 2014

RE: Sunfish Lake – Boyle – Major Plan Review and CUP; 2566 Delaware Avenue

FILE: 211.01- 14.07

Grading, Drainage, and Stormwater Management

Consideration of Michael and Crystal Boyles request for a major plan review and conditional use permits to permit construction of a new home and accessory structures at 2566 Delaware Avenue was tabled for consideration at the upcoming August 20, 2014 Planning Commission meeting. The applicants were required to provide additional grading, drainage, stormwater management and erosion control information to the City Engineer for review. The applicants have done so, and have been in correspondence with the City Engineer in addressing final engineering conditions for the project. The City Engineers report dated July 25, 2014 and a follow-up email dated August 11, 2014 have been included with this addendum for consideration. The August 11, 2012 email indicates that the City Engineer recommends approval of the drainage/stormwater management plans and the project in general, given that final septic system/well, site access, grading, and erosion control comments in the July 24th report be addressed in time for building permit issuance.

Revised Plans

The applicants have provided a revised survey and grading, drainage, and erosion control plan addressing engineering conditions. In addition, revised building layout plans have been provided to demonstrate that: 1) the garage has been reduced in size to adhere to the requirement that attached garages not exceed 1,250 square feet in area, and 2) that a separate bonus room space above the attached garage has been adjusted to avoid designation as a “separate dwelling.” Sunfish Lake has only a single family residential zoning district, and as such a multi-family dwelling is not permitted. A multi-family dwelling would include a single family home with a “mother-in-law” type

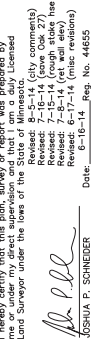
space providing accommodations that would cause it to be classified as a separate dwelling. In discussion with the City Attorney, a separate dwelling is a space that provides sleeping, toilet and kitchen facilities, and is otherwise spatially or functionally separated from the remainder of the home. The applicants revised plans for the bonus room space above the garage remove sink facilities from a proposed kitchenette, and directly connect the bonus room space to the remainder of the home, creating functional and spatial continuity between the different areas. These revisions are sufficient to address the Sunfish Lake requirement for single family dwellings in the community. No additional changes are required for adherence with City policy.

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 Naves, City Forester
Tim Kuntz, City Attorney
Crystal and Michael Boyle, Applicants
John Sonnek, Charles Cudd De Novo
Jennie Skancke, Dakota County Hydrologist, MnDNR

FOR: CHARLES CUDD DENOVO, LLC
PROPERTY ADDRESS: 2566 DELAWARE AVENUE, SUNFISH LAKE, MN

(Per Abstract of Title from Dakota County Abstract Company, Dated September 15, 1987)

The North 300 feet of the South 750 feet of the West 50 acres of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of Section Thirty-one (31), Township Twenty-eight (28), Range Twenty-two (22), except the west 735 feet thereof.

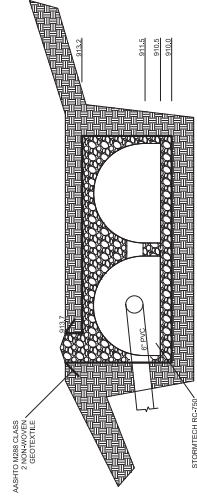
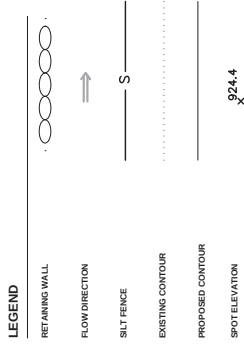


I hereby certify that this plan, survey or report was prepared by
me or under my direct supervision and that I am a duly Licensed
Land Surveyor under the laws of the State of Minnesota.

Revised: 8-5-14 (city comments)
Revised: 7-16-14 (save Oak 27)
Revised: 7-15-14 (rough stoks hse)
Revised: 7-8-14 (ret wall elev)
Revised: 6-17-14 (misc revisions)

Date: 6-16-14 Req. No. 44655

JOSHUA P. SCHNEIDER



UNDERGROUND STORAGE AREA X-SECTION

PROJECT
BOYLE PROPERTY

LOCATION
2666 DELAWARE AVE
SUNFISH LAKE, MN
SHEET

DATE REVISION
07/20/14 CITY COMMENTS
08/06/14 CITY COMMENTS

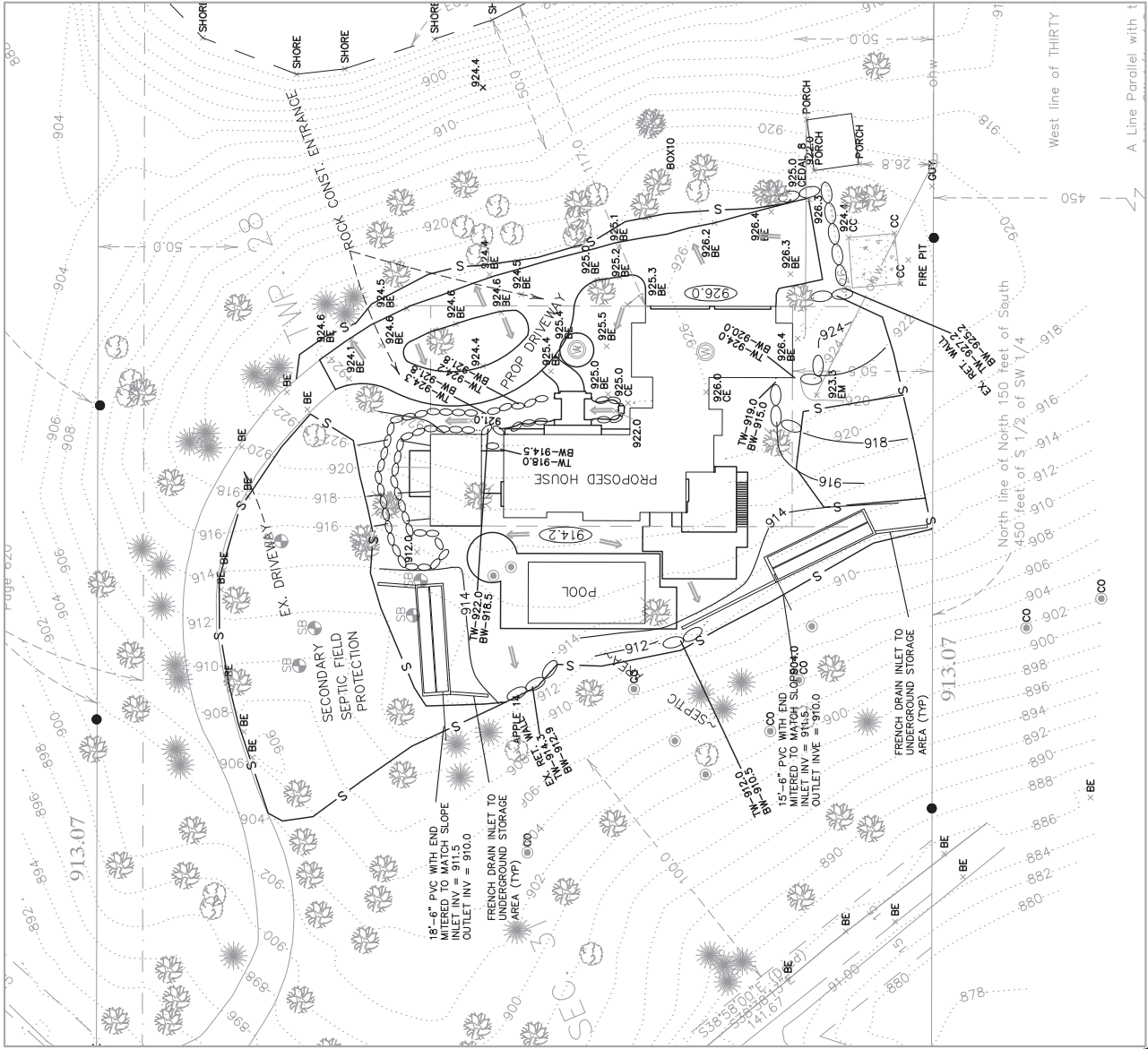
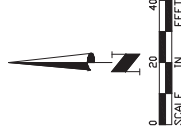
I HEREBY CERTIFY THAT THIS PLAN,
SPECIFICATION, AND REPORT WERE
PREPARED BY ME OR UNDER MY
SUPERVISION AND THAT I AM A
LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 07/08/14
REGISTRATION NUMBER: 44228

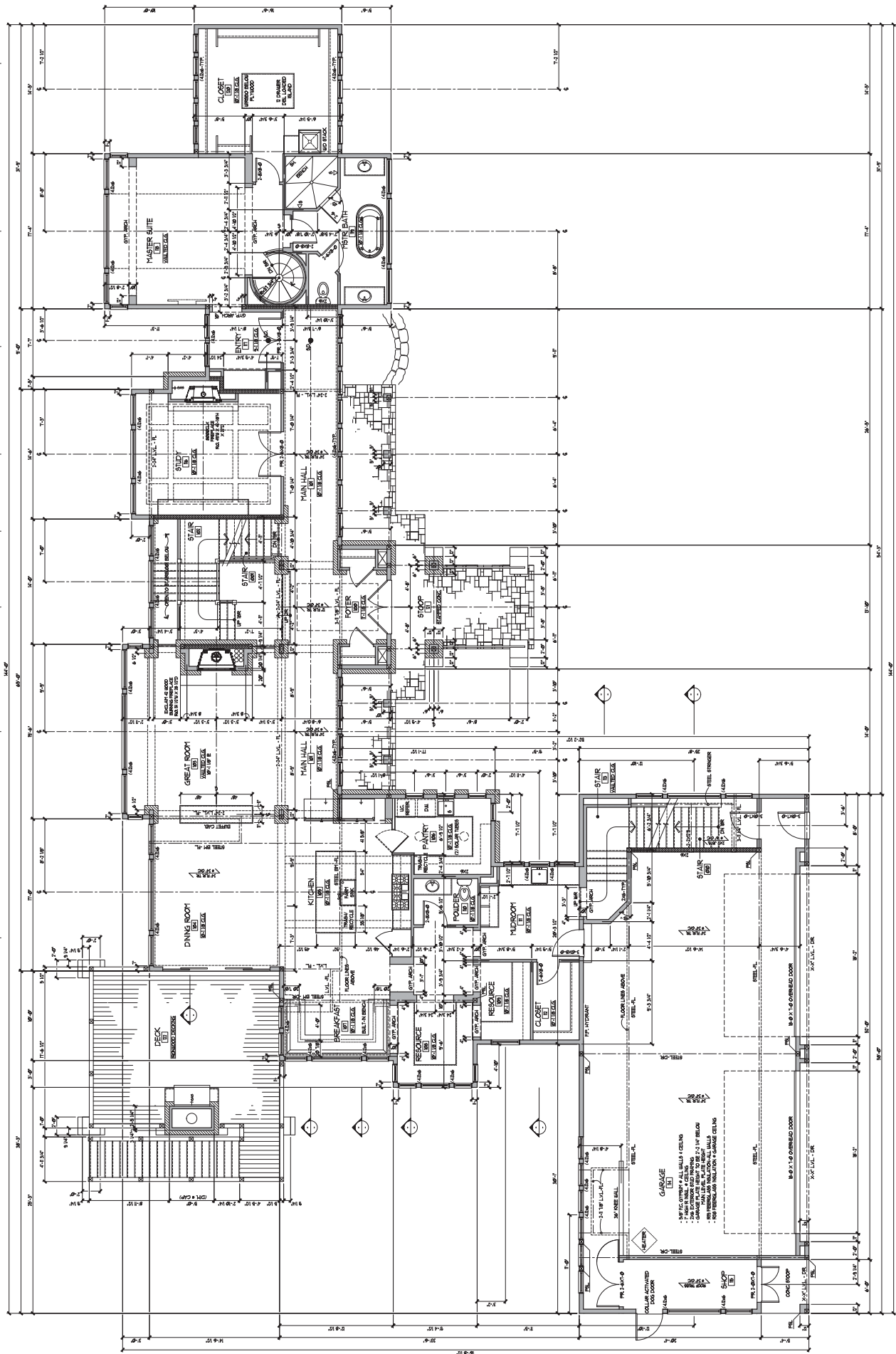
DRAWN BY
NWA/HOUSE D NASH

DATE
03 JUNE 2014

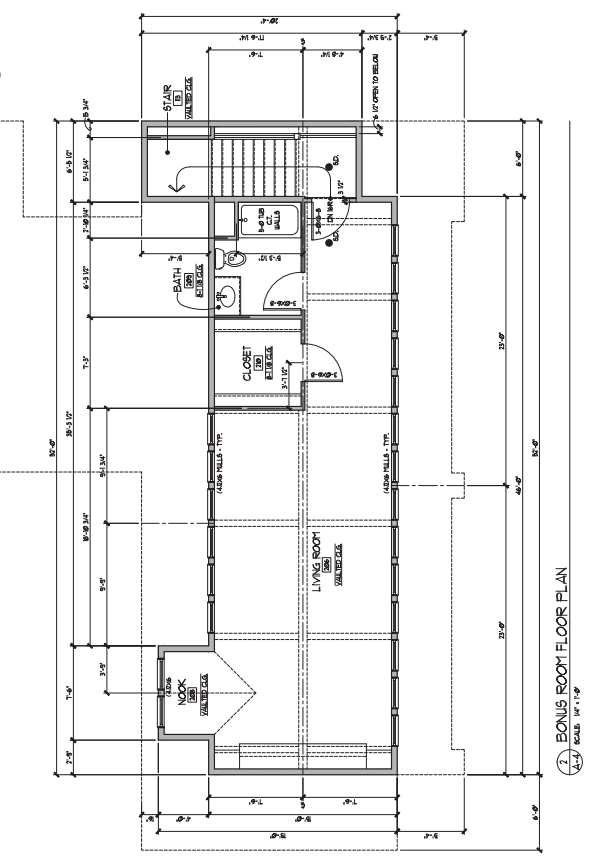
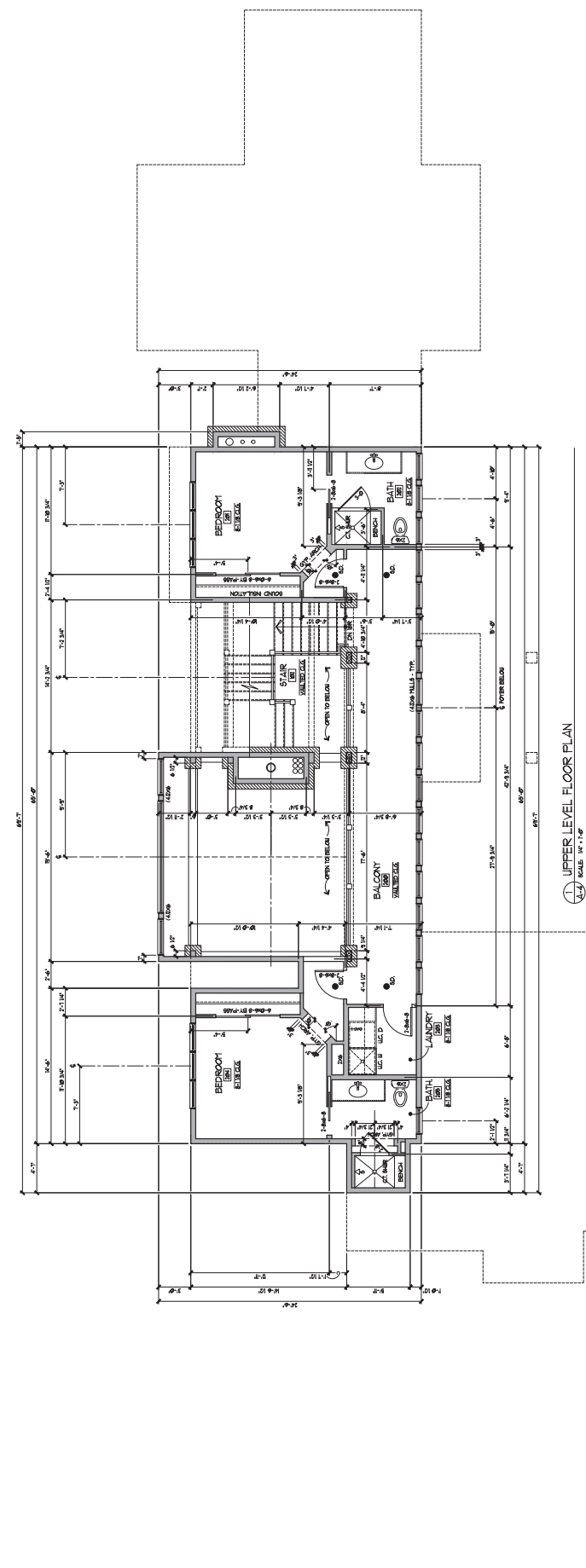
SHEET NUMBER
C.1







MAIN LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"



Memorandum

To: *Michelle Barness, City Planner
Northwest Associated Consultants*

From: *Don Sterna, PE, City Engineer
Tom Voll, PE, Project Manager
WSB & Associates, Inc.*

Date: *July 25, 2014*

Re: *2566 Delaware Avenue
New House Construction
City of Sunfish Lake, MN
WSB Project No. 2182-060*

Background

Below is our review of the building application for a major site and building plan review and a conditional use permits (CUPs) for 2566 Delaware Avenue. The property is located between Hornbeam Lake and Wood Duck Pond. The applicants propose demolishing the existing home on the property to construct a new home and attached garage in approximately the same location. The applicants are proposing an in ground swimming pool in addition to an existing detached porch structure.

In accordance with the Site Plan Building Permit Application Procedures Checklist the following items need to be provided:

Grading / Erosion Control

- The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
- Locations and dimensions of all temporary soil or dirt stockpiles, including necessary erosion control protection such as silt fence or bio-rolls.
- 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. These plans will need to be provided to the City Engineer's office for review before final building permit is issued.

Drainage / Stormwater Management

- The stormwater management plan provided did not include the entire modeling results of the proposed underground systems. The stormwater management plan will need to be

updated to include the entire modeling input and output of the proposed underground systems. The stormwater management plan modeling is incomplete and have included comments concerning the storm water management plan below.

- The stormwater management plan did not include a drainage area map of the existing and proposed conditions for the site. The stormwater management plans should include a drainage area map of the existing and proposed conditions. The tributary area to each underground system could not be verified based on the mapping provided. The drainage areas to each underground system are one half of the total area which could not be verified based on the mapping provided.
- The infiltration volume of the proposed underground system could not be verified. The entire modeling input and design of the systems is needed to verify the volume of water being trapped and infiltrated.
- How will the entire 100-year event runoff from the 21,300 sqft drainage area in the model be directed and intercepted by the underground systems? The grading plan should define the inlet locations and capacity to the underground systems. The drainage areas to each underground system should be delineated.
- The existing impervious area of 8,564 sqft shown on the Ex.1 does not match the 8,608 sqft area in the stormwater management plan narrative. The impervious areas should match.
- The stormwater modeling of the 2-year event should use 2.8-inch of rainfall as indicated in the City SWMP. The modeling input and table in the project SWMP should be updated.
- Section IV of the stormwater management plan for the site indicates that rain gardens are being used on site. The narrative should be verified with the proposed plans for the site. The plans did not illustrate rain gardens over the underground systems.

Sanitary Sewer and Well

- It appears the applicant proposes to abandon the existing septic system tank and rebuild a new system as part of the new home construction. The applicant will need to ensure the tanks are pumped out, and the bottom concrete slab must be broken up and backfilled with suitable grading material to allow for drainage to pass through.
- The Contractor will need to install, prior to any excavation, the protective fencing around the secondary septic drain field, as well as around the existing and proposed well locations to protect them from soil compaction and/or destruction. This must be shown on the site plans.
- If an existing well adjacent to the old house is abandoned, the applicant will need to abandon the well in accordance with Minnesota State Rules and Regulations and have the work completed by a contractor that is certified well abandoning procedures. A copy of any well abandonment certification needs to be provided to the City engineer and planner's office for their files.
- The proposed well must also be specified and installed by a licensed well driller according to Minnesota State Rules and Regulations.

Site Access

The access to the property will be through a private shared driveway. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified. Permission/notification should be acquired from the adjacent property owners who use this driveway for property access.

Recommendation

Based upon our review of the proposed site and grading plan for the 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. Storm water management improvements plans must be modified to show how these are to be handled. 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. 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.

If you have any questions or comments regarding the review, please contact me direct at 763- 287-7189 or Tom Voll at 763-287-7175.

Michelle Barness

From: Ted Witkowski [TWitkowski@wsbeng.com]
Sent: Monday, August 11, 2014 4:17 PM
To: Michelle Barness
Cc: Don Sterna; Tom Voll
Subject: RE: 2566 Delaware Ave. drainage plans and calcs
Attachments: 2566 Delaware BP Review 7-25-14.docx

Hi Michelle,

The stormwater management plan for the Boyle Property located at 2566 – Delaware is in conformance with the City policies and standards. The drainage and stormwater comments in the attached memorandum have been addressed.

We recommend approval of the proposed stormwater management plan improvements at the upcoming planning commission meeting.

The developer should comply with all of the sanitary sewer/ well review comments, site access comments, and Grading /Erosion control comments included in the July 25th memorandum. (see Attached) If the developer complies with these conditions the plan is recommended for approval.

If you have any questions feel free to contact Don Sterna or me.

Thanks
Ted

Ted Witkowski
Water Resources Engineering Specialist, Technical Associate
d: 763-287-7165
WSB & Associates, Inc. | 701 Xenia Avenue South, Suite 300 | Minneapolis, MN
55416



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commercial
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From: Michelle Barness [mailto:mbarness@nacplanning.com]
Sent: Monday, August 11, 2014 11:48 AM
To: Ted Witkowski
Cc: Don Sterna; Tom Voll
Subject: RE: 2566 Delaware Ave. drainage plans and calcs

Thanks for your response Ted. I need final recommendations on any Sunfish Lake projects by tomorrow morning to be able to include the engineer review in the report we forward to the Sunfish Lake Planning Commission.



MEMORANDUM

TO: Sunfish Lake Planning Commission

FROM: Michelle Barness

DATE: July 9, 2014

RE: Sunfish Lake – Boyle – Major Site and Building Plans & CUPs; 2566 Delaware Avenue

FILE: 211.01- 14.07

In the course of pre-application discussions with the applicant, the City indicated that grading, drainage, and stormwater management information is required for review, and that the City Engineer is available to answer questions pertaining to these submissions for the project in question. In addition, requirements for site and building plan submission are provided in both the Sunfish Lake Zoning Ordinance and via pre-application materials provided to applicants. The applicants did not submit all required information, and were contacted by City staff within one work week with the request that additional grading, drainage, and stormwater management information be provided for review. The City Engineer has yet to have received the requested information, and as such cannot provide final review and recommendations on the project.

City staff recommends tabling consideration of the proposed setback variance to permit construction of a garage addition on the subject property until the following Planning Commission meeting on August 20, 2014. Planning staff is providing the attached report, which reviews the applicant's current site and building plan submittal and provides an analysis of the conditional use permit requests, with the understanding that final consideration of the project will be moved to the August Planning Commission meeting.



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

PLANNING REPORT - Major Site and Building Plan Review and CUPs

TO: Sunfish Lake Planning Commission

FROM: Michelle Barness

DATE: July 9, 2014

RE: Sunfish Lake – 2566 Delaware Avenue – Site and Building Plan Review and CUPs

FILE: 211.01 – 14.07

Application Accepted:	June 16, 2014
Planning Commission Date:	July 16, 2014
Tentative City Council Review:	August 5, 2014
60-day Review:	August 15, 2014

BACKGROUND

Crystal and Michael Boyle are requesting approval of a Major Site and Building Plan Review and Conditional Use Permits (CUPs) to allow the construction of a new home and accessory structure on their property located at 2566 Delaware Avenue. The property is located between Hornbeam Lake and Wood Duck Pond, and falls within both the R-1 Single Family Residential and Shoreland Overlay Districts. The applicants propose demolishing the existing home on the property to construct a new home and attached garage in approximately the same location. The lot is legally non-conforming as pertains to net lot area, and a CUP must be approved to permit redevelopment of the substandard size lot for a single family residence.

The applicants are proposing an in ground swimming pool and terrace area located between the proposed home and the required setback from the Ordinary High Water Mark of Hornbeam Lake. The pool will be a second accessory structure on the lot in addition to an existing detached porch. According to Section 1217.01.D. of the Zoning Ordinance, no permit shall be issued for the construction of more than one accessory building and/or structure except by conditional use permit, which the applicants are requesting. In addition, Shoreland District Section 1243.03.C. Accessory Structure Requirements only permits pools between the principal structure and the OHWM as a conditional use. As such, the applicants are also requesting a CUP to place the pool in the front yard between the home and the lake.

The Major Site and Building Plan Review and CUPs require review and recommendation by the Planning Commission and final approval by the City Council.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of a new house, garage, and accessory structure at 2566 Delaware Avenue.
Conditional Use Permit	To permit a second accessory structure on the lot.
Conditional Use Permit	To permit a legally non-conforming substandard sized lot to be developed for single family use.
Conditional Use Permit	To permit a pool terrace between the principal structure and the setback from the Ordinary High Water Mark.

Attached for reference:

- Exhibit A: Architectural summary
- Exhibit B: Boundary and topographic survey (existing)
- Exhibit C: Certificate of survey (proposed)
- Exhibit D: Floor plans (lower level, main level, and upper level)
- Exhibit E: Building elevations & perspectives (front, right, left, back)
- Exhibit F: Layout/landscape plan
- Exhibit G: Lighting cut sheets (preliminary)
- Exhibit H: City Engineer memo (dated July 8, 2014)

ANALYSIS

The applicants wish to construct a two story home with a walkout basement and an attached garage. The main level building footprint of the home will be approximately 4,550 square feet, including the garage. The floor area of the home is:

Lower Level (Basement)*	4,474 square feet
Main Level	3,215 square feet
Garage (attached, main level)	1,335 square feet
Upper Level	865 square feet
Total floor area:	9,889 square feet
Gross floor area (including garage, excluding basement):	5,415 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.

Major Site and Building Plan Review

The property at 2566 Delaware Avenue is zoned R-1, Single Family Residential and Shoreland Overlay District. The following table illustrates the application of district requirements to the property.

R-1 District Standards	Required	Proposed	Compliant
Net Lot Area (excluding wet areas and steep slopes)	2.5 ac	1.61 ac	No*
Front Setback (west towards private drive)	100 ft.	est.165 ft.	Yes
Rear Setback (east)	50 ft.	117 ft.	Yes
Front Accessory Setback (west)	100 ft.	130 ft.	Yes
Side Accessory Setback	25 ft.	exceeds 25 ft.	Yes
Rear Accessory Setback	25 ft.	exceeds 25 ft.	Yes
Maximum Building Coverage	10%	2%	Yes
Building Height Limitation (height above average existing grade)	30 ft.	30 ft.	Yes
Shoreland Overlay District Standards	Required	Proposed	Compliant
Frontage on private road	200 ft.	exceeds 200 ft.	Yes
Lot width at building setback line	200 ft.	exceeds 200 ft.	Yes
Lot width at OHWM* of abutting water body	150 ft.	exceeds 150 ft.	Yes
Building setback from OHWM*	200 ft.	exceeds requirements	Yes
Maximum lot coverage by impervious surface	30%	10.5%	Yes
Surface building side yard setback	50 ft.	50 – 74 ft.	Yes
Sewage system setback from OHWM*	150 feet	exceeds 150 ft.	Yes

*The applicants are requesting a Conditional Use Permit to be able to construct a single family residence on a legally non-conforming substandard sized parcel (as pertains to net lot area).

Lot Area Requirements. The gross size of the subject parcel is 6.27 acres, 5 acres of which is above the Ordinary High Water Mark of Hornbeam Lake. Zoning Ordinance Section 1241.06 requires a minimum net lot area of 2.5 acres, excluding “wetlands, land seasonally flooded on an annual basis, land containing drainage ways and/or surface water or land containing aquatic vegetation, and land in excess of twelve (12) percent slope.” The net lot area of the property is only 1.61 acres, making it a legally non-conforming property. Non-conforming lots may be redeveloped for single family use with approval of a conditional use permit, which is being requested. Conditional use criteria for the request will be reviewed further in this report.

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 922 feet in elevation, so that any new structure should not exceed 952 feet in elevation, or 30 feet. The home meets this requirement, with a roof peak at exactly 30 feet above average existing grade.

Building Materials. The exterior of the home will be finished with a combination of standing seam metal roofing, board and batten redwood siding, and natural stone masonry brick, all approved exterior building finishes. The applicants will reuse and match redwood siding from the existing house.

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.

Accessory Buildings, Structures, and Uses. An attached garage approximately 1,335 square feet in area is proposed with the home. Ordinance permits attached garages up to 1,250 square feet in area. The applicants are required to provide revised plans illustrating that the attached garage does not exceed the permitted size.

An attached deck is proposed on the main level of the home facing west, with a covered patio directly below at the lower level. These accessory structures are integral to the home and meet principal building setbacks.

The applicants are proposing a pool terrace area, including an in ground pool, a hot tub, a patio and ground level water feature. The pool terrace maintains the required accessory setback from lot lines. No pool security fencing is currently proposed. The City permits pools to be constructed with a protective safety feature such as a retractable cover as an alternative to a fence, which will be required as a condition of approval.

The applicants have not provided a proposal for the treatment of pool water on the site. The pumping of pool water shall be directed away from the lake and associated drainage/cleaning equipment shall be stored out of sight after each use. The City Engineer may provide additional feedback on the treatment of pool water to protect nearby waterways.

The attached deck/patio and the pool terrace area maintain a minimum 300 ft. buffer from nearby properties. In addition, the accessory uses are screened by existing tree cover on the site, the majority of which will be maintained post construction.

Placement and Design of Roads, Driveways, and Parking Areas. The new home will be positioned where the existing home sits on the site. As such, the existing driveway and parking areas will change little. Surfacing of new drives will match existing asphalt, and drive areas will continue to maintain required setbacks from property lines.

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. The lighting of the pool terrace is prohibited, with the exception of safety lighting.

A lighting plan has not been provided, but the applicants have indicated that lighting will likely be focused around entries to the home and will be limited to safety/security lighting in conformance with City standards. Several lighting cut sheets demonstrating the type of fixtures the applicants may pursue have been provided for consideration. The lighting is hooded and has the potential to implement “dark sky” compliant lamps. No up lighting or flood lighting is proposed. Based on the information provided, proposed lighting will adhere to City requirements. If the applicants choose lighting significantly different from what is currently being considered, they shall provide information on new lighting to the City for consideration.

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.

The City Engineer has been provided a partial set of grading, drainage and stormwater management plans for review, and is awaiting submission of additional information to make final recommendations on these issues with regards to the proposed project. The following is an analysis of grading and drainage issues to date.

Steep Slopes and Topographic Alteration. The subject property hosts extensive areas of steep slopes. The proposed home has been located to minimize the need for grading and excavation of steep areas by being located where the existing home sits. Nonetheless, the proposed grading plan includes some work near slopes in excess of 12% grade. The applicants shall be required to comply with grading recommendations provided by the City Engineer for minimizing negative impacts to site slopes and vegetation.

Erosion Control. Silt/tree protection fence will be provided around the proposed septic area, downslope east of the proposed home towards Wood Duck Pond and downslope south - southwest of the proposed home towards Hornbeam Lake. A rock construction entrance will be implemented where the new driveway area begins to reduce tracking of sediment off site, and a soil stockpile will be located in the same area to contain extra soil in the course of construction. The applicants shall provide evidence that straw bales or silt fence barriers will be provided around the stock pile location to prevent dirt moving downslope to the pond.

The project is required to adhere to all erosion control measures provided in Section 1216.04.F.6 of the Sunfish Lake Zoning Ordinance, and must adhere to any recommendations from the City Engineer pertaining to site erosion control.

Stormwater Management. The applicants have proposed a decorative water feature to help manage stormwater on the site. The feature begins on the front side of the home and wraps around the home to the pool terrace. No details have been provided on the design of the feature. The design, location and capacity of stormwater management systems are subject to approval by the City Engineer.

Landscaping/Fencing/Screening.

Fencing. Retaining walls are proposed in several areas adjacent to the proposed home. No other fencing is proposed. 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.

Landscaping/Vegetation Alteration. Five trees are to be removed from the lot in the course of constructing the home project. They include three oak trees and two birch trees; all considered significant based on their size (6" in diameter at 5 feet above the ground). The subject property has a significant amount of existing tree coverage, a majority of which will be preserved after construction. The applicants have indicated the intent to employ tree protection measures in accordance with Ordinance requirements.

Shrub and perennial plantings are proposed in landscaping beds adjacent to the home and pool terrace. All other disturbed areas are to be restored to sod after construction. No new trees are proposed.

The City Forester has had the opportunity to review site plans and has no further recommendations on the project.

High Water Elevation. The lowest floor of the proposed home is placed at a level at least three (3) feet above the highest known water level of Hornbeam Lake.

Septic System. There is an existing septic area southwest of the home site, and the applicants have provided the location for a secondary septic field on the property. Silt fence is proposed around the perimeter of the secondary field location to protect it during the course of construction.

The City Septic Specialist has had an opportunity to review site and building plans, soil information, and septic proposals, and has no further recommendations at this time. The applicants are required to pursue a permit for septic improvements with the City Septic Inspector and must adhere to any recommendations he makes pertaining to the treatment of existing septic areas and the installation of new septic on the property.

Aircraft Noise Abatement Zone. The applicants are required to provide the City Building 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.
- 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 the Zoning Ordinance.

The proposed single family home and accessory structures are permitted uses in the Shoreland Overlay and R-1 zoning districts, and the site and building plans comply with district setback, building height, hard surface, and impervious surface standards. The architecture is of quality design consistent with Sunfish Lake Design Guidelines and neighboring structures.

The development has been planned to have minimal impact on the site. The location of the new home in the same general area as the existing home reduces the need for grading, excavation and vegetation removal. Only 5 trees are proposed to be removed for the project, and a significant number of trees are to remain onsite, which will provide vegetative screening of the new home and accessory areas.

The project will implement silt fence around the perimeter of construction areas to prevent pollution of nearby water bodies by sediment runoff. The City Engineer has requested submission of additional grading, drainage, and stormwater management

information to make a determination that the proposed project is in conformance with Ordinance requirements. He will provide final recommendations upon submission.

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.).

Conditional Use Permit Criteria. The applicants are requesting approval of three conditional use permits, for:

- 1) A second accessory structure on the property (an in ground pool, in addition to an existing detached porch).
- 2) To be able to build a single family residence on a legally non-conforming substandard sized lot.
- 3) To be able to locate the pool terrace between the principal structure on the lot and the setback from the Ordinary High Water Mark.

Section 1204.02.F. of the Ordinance asks the Planning Commission and City Council to consider possible adverse effects of the proposed conditional use, to be based upon the following factors:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
2. The proposed use's compatibility with present and future uses of the area.
3. The proposed use's conformity with all performance standards contained herein.
4. The proposed use's effect on the area in which it is proposed.
5. The proposed use's impact upon property values in the area in which it is developed.
6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

In addition, each conditional use must adhere to the specific criteria below:

Accessory Ordinance Conditional Use Permit Criteria. The applicants are proposing an in ground swimming pool in addition to an existing detached porch. Application for a CUP for additional accessory structures is regulated by Section

1217.04 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.
- B. No commercial or home occupation activities are conducted on the property.
- C. The building has an evident re-use or function related to the principal use.
- 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.
- 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.

The pool is a permitted accessory uses in the R-1 and Shoreland Overlay Districts. It will be used as recreational facility operated for the enjoyment and convenience of the residents of the principal use and their occasional guests. The design of the pool terrace area provides an attractive feature on the site, and is similar in quality to pool facilities on other properties. The pool adheres to accessory size requirements for the Shoreland District. The pool adheres to the provisions of Section 1204.02.F. of this Ordinance.

To prevent negative impacts to site natural systems or nearby waterways, the applicants shall provide a plan for the treatment of pool water for review by the City Engineer.

Shoreland Overlay District Conditional Use Permit Criteria. The Shoreland Overlay District allows a pool to be located between the principal structure and the setback from the Ordinary High Water Mark with approval of a CUP. A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site shall be made in consideration of CUP approval 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 area for pool construction will be enclosed by silt fence during construction. Soil excavated for the pool will be contained in a soil stockpile east of the proposed home. The soil stockpile location shall also be required to be contained within straw bales or silt fencing, and shall be mulched or planted with vegetative cover should the soil sit for longer than 7 days. The pool is not anticipated to be viewed from Hornbeam Lake given the significant amount of existing tree coverage to remain between the home location and lake post construction.

Non-Conforming Use Conditional Use Permit Criteria. The subject property is legally non-conforming as pertains to net lot area. Legal, non-conforming, vacant, or redeveloped substandard sized lots of record may be developed for single family detached uses upon approval of a conditional use permit, provided that:

- a. The lot in question was legally established in accordance with Ordinance requirements existing at the time of its creation and is a separate, distinct tax parcel.
- b. The lot in question is similar in size and characteristics to and not highly divergent from other lots immediately abutting or in the adjacent area.
- c. The lot in question has frontage on a public or private street.
- d. Public health concerns (potable water and sanitary sewer) can be adequately addressed.
- e. The setback and yard requirements as determined by the City Council can be achieved while simultaneously resulting in development which complies with the character and quality of the immediate area and the objectives of the City's Comprehensive Plan and Zoning Ordinance.
- f. The lot in question and related potential development is evaluated based upon criteria outlined in Section 1204, Subd. 2.F. and is found to be acceptable per these standards.

The existing home on the subject parcel was built in 1957, prior to the creation of the net lot area Ordinance. As such, the lot would have been legally established at the time of its creation. It is similar in size to adjacent lots, can provide for a well and septic system treatment, allows for a home and site structures meeting setback and performance standards, has frontage on a private road, and meets Section 1204 CUP criteria.

SUMMARY AND RECOMMENDATION

The applicants are requesting approval of Major Site and Building Plans and conditional use permits to allow the construction of a new home, garage, and pool terrace at 2566 Delaware Avenue. The City has requested and is awaiting receipt of additional information pertaining to grading, drainage, and stormwater management on the site with the proposed project. The City Engineer is unable to complete his review until

plans are received, and as such staff is recommending consideration of the project be tabled until the following Planning Commission meeting.

Pending receipt of the requested plans and consideration of final recommendations from the City Engineer, planning staff recommends approval of the Major Site and Building Plans and three conditional use permits. This recommendation is based on the finding that the proposal is able to meet R-1 and Shoreland Overlay District setback, building height, and impervious surface standards, is of high quality design in conformance with Sunfish Lake performance and design standards, and is similar in character to development on surrounding properties. This recommendation would be conditioned upon the applicants addressing the following:

1. Provide a revised layout plan illustrating that the attached garage does not exceed the permitted size of 1,250 square feet.
2. The in ground pool shall be constructed with a retractable safety cover.
3. To prevent negative impacts to site natural systems or nearby waterways, provide a plan for the treatment of pool water for review by the City Engineer. Pool water is required to be directed away from Hornbeam Lake and Wood Duck Pond.
4. The applicants are required to provide the City Building Inspector information demonstrating that construction details meet noise abatement zoning standards provided in Zoning Ordinance Section 1245 prior to building permit issuance.
5. Provide a revised grading plan illustrating that straw bales or silt fence barriers will be provided around the stock pile location to prevent dirt moving downslope to the pond.
6. Demonstrate that upon installation lighting fixtures will not create glare exceeding one (1) foot candle (meter reading) as measured from property lines or the edge of water abutting the subject property.
7. The applicants must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed secondary septic area, and the treatment of the existing septic system on the parcel.
8. The applicants provide the following grading, drainage, and stormwater management information to the City Engineer for review and approval prior to the August 20, 2014 Planning Commission meeting:
 - a. The location and dimensions of existing storm water drainage systems and natural overland drainage patterns (drainage map), including a calculation (by a qualified engineer) of storm water runoff before construction.

- b. A drainage plan (map) of the developed site, prepared by a qualified engineer, delineating in which direction and at what rate stormwater runoff will be conveyed from the site and setting forth the areas of the site where stormwater will be allowed to collect.
 - c. Demonstration of capability for retention of stormwater runoff as described in the City Engineer memo dated July 8th, 2014 (see Exhibit H).
 - d. The setback line from Wood Duck Pond must be determined from the delineated wetland line and NOT the survey shot of the water at the time of survey. The SB shown on submitted plans is inaccurate according to this measurement, and should be modified with a note on the assumption or deleted.
 - e. Provide top and bottom wall elevations on all retaining walls. Some appear over 4' high and required to be designed by a professional engineer.
 - f. Provide overall disturbed site area. If over an acre NPDES permit is required.
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.
- 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 Naves, City Forester
 Tim Kuntz, City Attorney
 Crystal and Michael Boyle, Applicants
 John Sonnek, Charles Cudd De Novo

Architectural Summary

The project described herein is located at 2566 Delaware Avenue, Sunfish Lake, MN. Michael and Crystal Boyle, members of the sunfish lake community, look to build a new architectural home on their current property.

The existing home will be scheduled for demolition, and a new structure will be built in the same location as the existing home.

Because the new house is being built in the same location of the existing house and has a similar shape footprint the removal of trees on site has been minimized to five, as seen on the proposed building survey and architectural landscape plan. Extensive tree protection measures will be taken to ensure that existing trees will be protected to meet Sunfish Lakes Zoning Ordinances but also to maintain the existing level of natural privacy that they provide for the existing and proposed structures.

For the very same reason tree removal has been minimized, the storm water management will remain similar to the existing conditions. Due to a slight increase in existing hardcover from the enlarged footprint, new pool and patio, the existing site runoff will be upgraded with an underground storm water management system that will be disguised as a water feature described below.

The exterior finishes will be a combination of standing seam metal roofing, board and batten redwood siding, and natural stone masonry. All of the existing redwood siding will be removed before demolition, milled and re-used on the new home.

The building height for the new two story home has been calculated by taking existing grade spot elevations at each corner of the proposed house, 37 points in total, and calculating the average which was determined to be an elevation of 922.00'. Following the Sunfish Lake Zoning Ordinance the new building height has been designed to fall below the elevation of 952.00', which is the average existing grade plus 30 feet.

A new well is proposed to be located near between the garage and the main entrance to the house.

Exterior lighting will be limited to safety/security lighting and will conform to the Sunfish Lake Lighting standards. Light fixtures have yet to be selected by the homeowners and will be presented to the Planning commission and City Council before purchase. Attached are a few examples for your review.

The attached landscape plan shows the extents of proposed hard cover and storm water management. The landscaping will consist of sodding all naturally graded areas up to the edge of proposed hardscapes, such as pool deck and adjacent patio. A water feature will added to provide a means to control excessive storm water runoff and protect existing natural ecosystems.

Please refer to the building survey for more information regarding the project described above. The survey will indicate

There are no existing structures located on the adjacent properties within 50' of the property bounds.

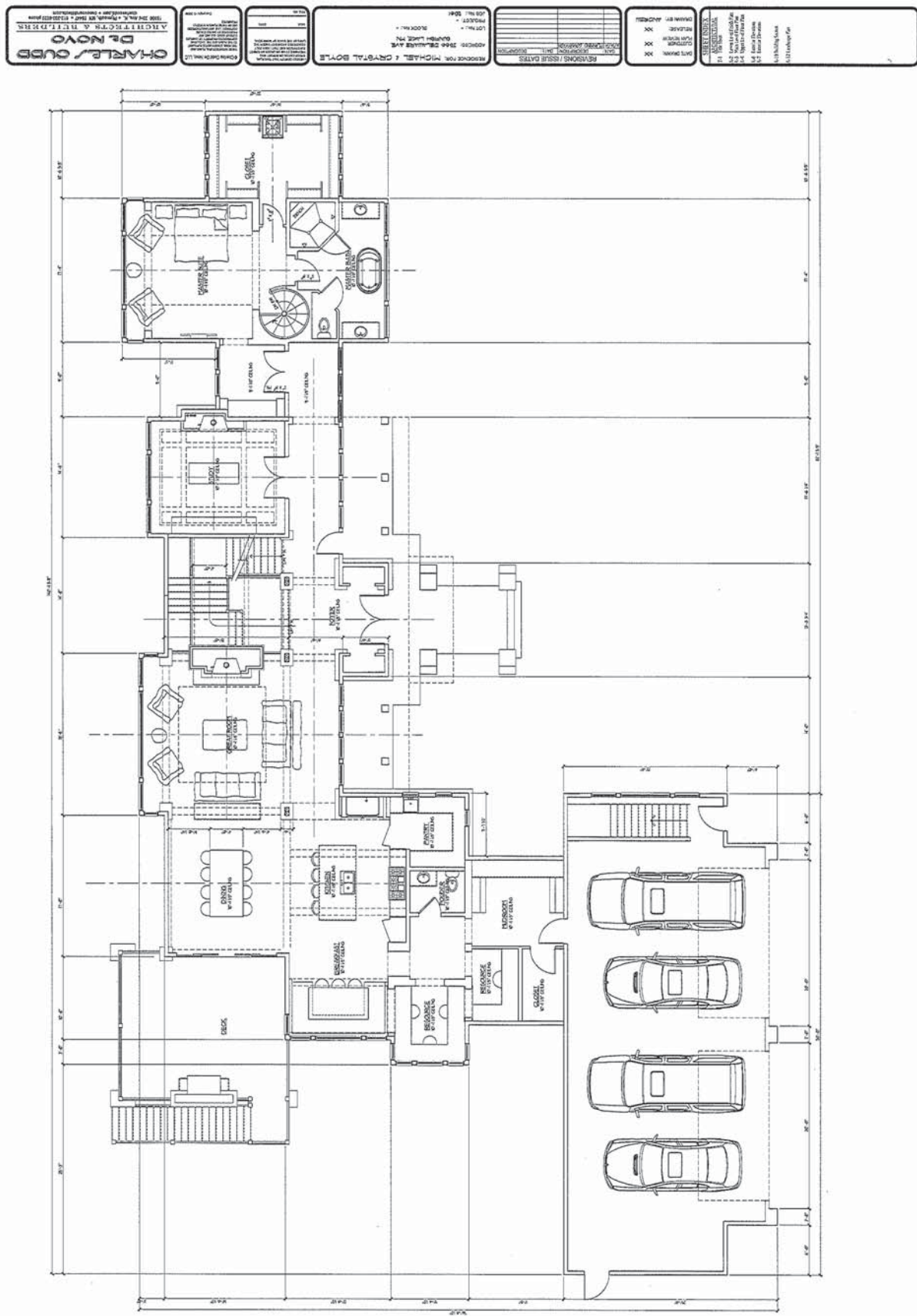
FOR: CHARLES CUDD DENOVO, LLC
PROPERTY ADDRESS: 2566 DELAWARE AVENUE, SUNFISH LAKE, MN

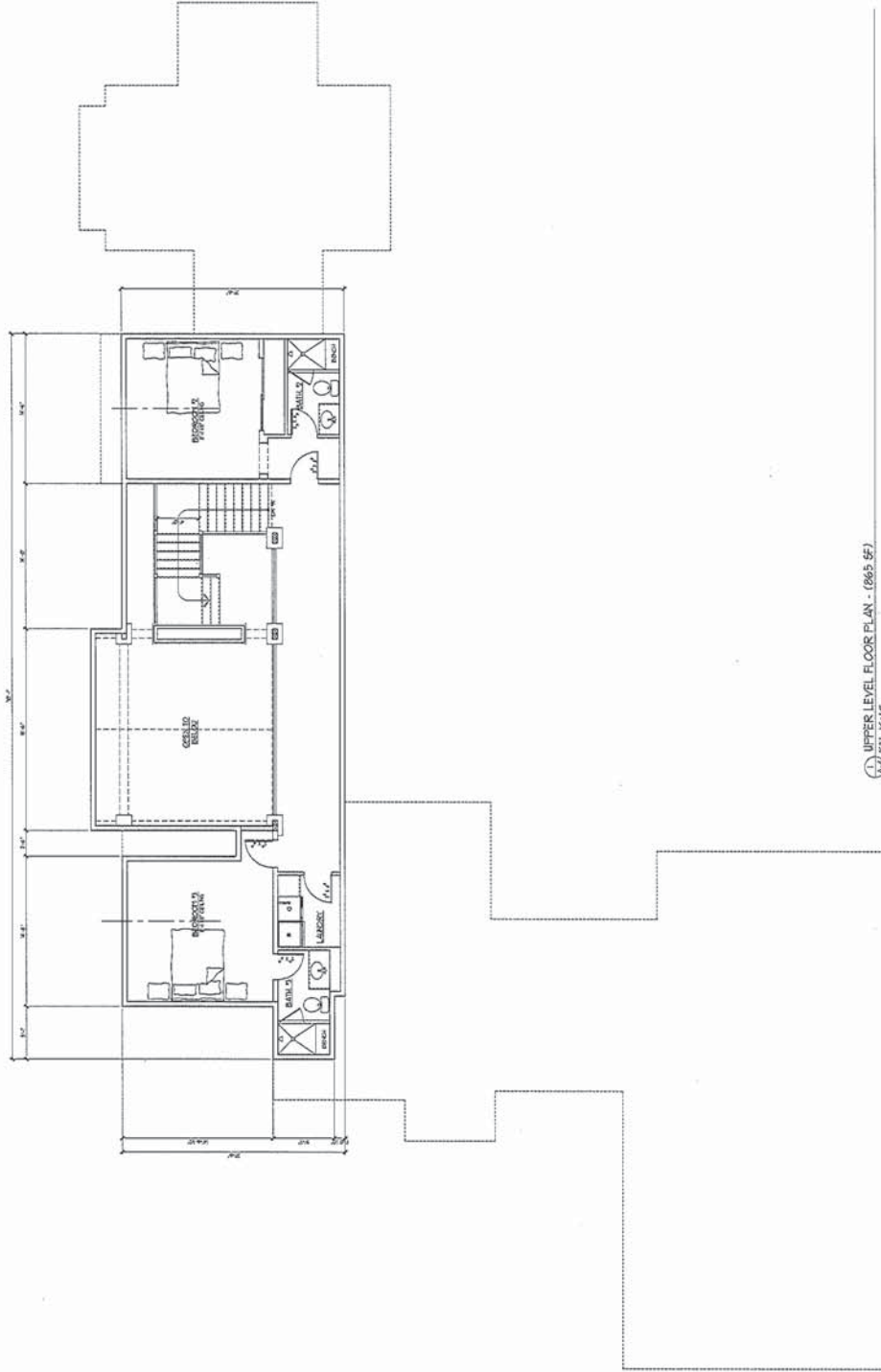
DESCRIPTION OF PROPERTY SURVEYED

[For Abstract of Title from Dakota County Assessor's Company; Record September 15, 1907]

The Bureau 300' west of the South 700' feet of the past 80 acres of the South 100' 1/2 of the Southwest Quarter (SW 1/4) of Section Thirty-one (31), Township Twenty-north (20N), Range Sixty-four (64R), T20N, R64E, S11E, contains 125 acres, more or less, and is more particularly described as follows:







SITE PLAN REVIEW
06/16/14

A-4
SHEET NO.

EXHIBIT D

[illegible]

CHARLES BOYLE ARCHITECTS

1000 2nd Ave. S. Suite 100, Minneapolis, MN 55404

612.338.1111

PROJECT: 1000 2nd Ave. S. Suite 100, Minneapolis, MN 55404

ARCHITECT: CHARLES BOYLE ARCHITECTS

DATE: 06/16/14

REVISIONS

NO.	DATE	DESCRIPTION
1	06/16/14	ISSUED FOR PERMIT

EXTERIOR MATERIAL SELECTIONS

STONE: BROWN STONE (SEE SPECIFICATIONS)

BRICK: RED BRICK (SEE SPECIFICATIONS)

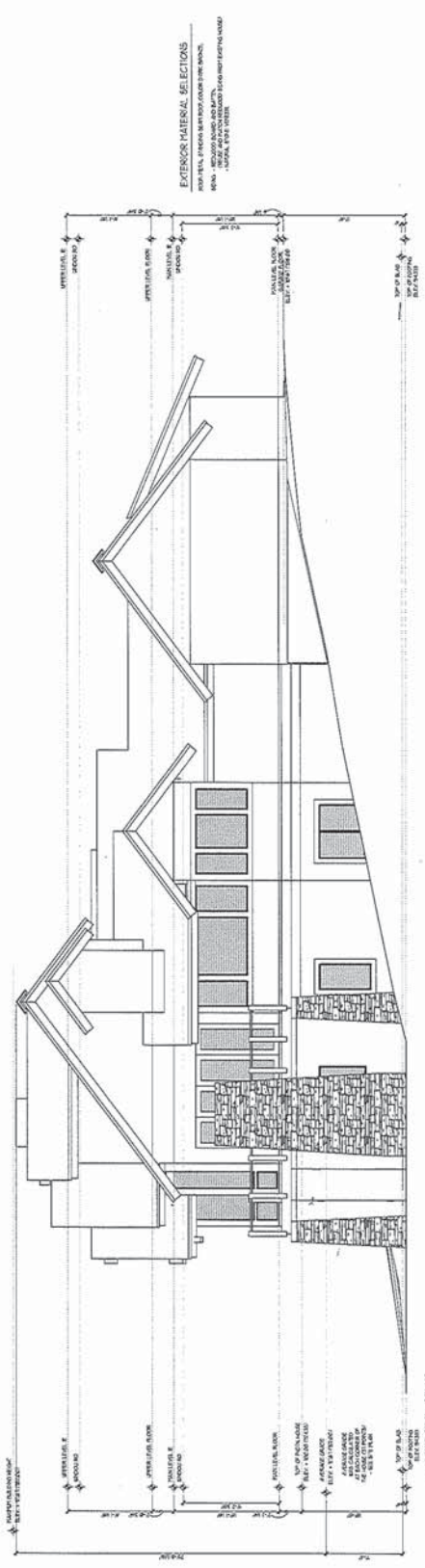
PAINT: WHITE (SEE SPECIFICATIONS)

ROOF: ASPH/FLT (SEE SPECIFICATIONS)

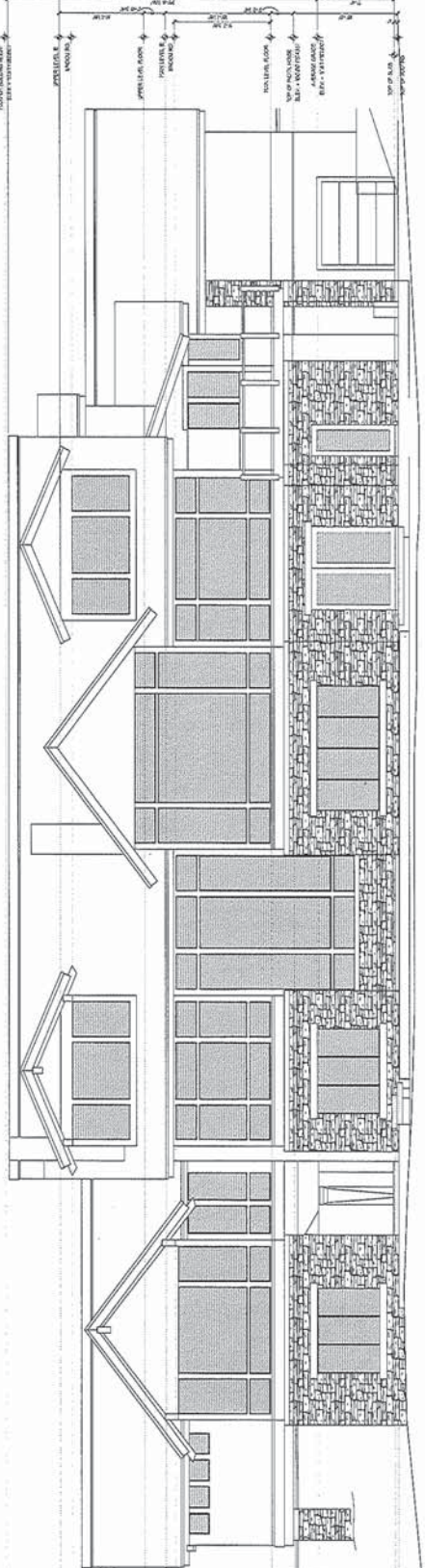
SHEET NUMBER
06/16/14

A-7
SHEET NO.

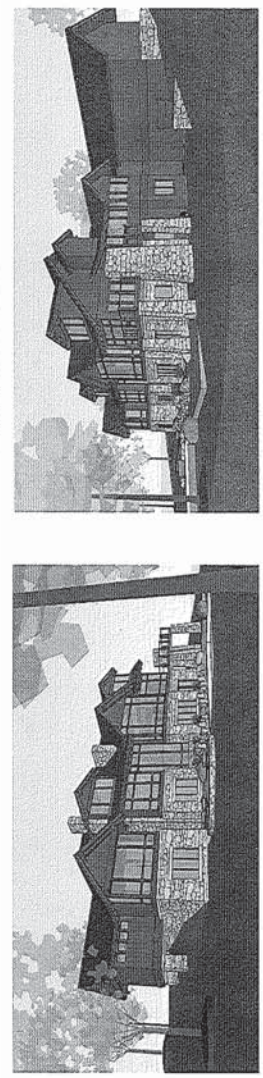
EXHIBIT E



1 LEFT ELEVATION
SCALE: 1/4" = 1'-0"



2 BACK ELEVATION
SCALE: 1/4" = 1'-0"





2232 OZ
2232 OZ-GU24



2234 OZ
2234 OZ-GU24



2230 OZ
2230 OZ-GU24



2231 OZ
2231 OZ-GU24



MANHATTAN Olde Bronze (OZ)

ITEM	WIDTH/ DIA.	HEIGHT	EXT.	TOP TO OUTLET	BACK PLATE/CANOPY	WIRE/ CHAIN	BULBS	GU24 Energy efficient socket accepts LED, Dark Sky and Fluorescent lamps.	LED Includes integrated high efficiency LED light source.	LED LIGHT ENGINE	AVAILABLE FINISHES
2230 OZ	7 1/4" W	11 3/4"	8"	2 1/2"	4 1/2" W, 5 3/4" H Back Plate		1-100w Med.	2230 OZ-GU24	2230 OZ-LED	UNI-60	OZ
2231 OZ	11 1/4" W	21 1/2"			3" Dia. Post Fitter		1-100w Med.	2231 OZ-GU24	2231 OZ-LED	UNI-100	OZ
2232 OZ	11 1/4" W	19 1/4"				6', 5'	1-100w Med.	2232 OZ-GU24	2232 OZ-LED	UNI-100	OZ
2234 OZ	9 1/4" W	15"	10 1/4"	3 1/4"	5 1/4" W, 8" H Back Plate		1-100w Med.	2234 OZ-GU24	2234 OZ-LED	UNI-100	OZ
2235 OZ	11 1/4" W	18 1/2"	12 1/2"	3 3/4"	7 1/4" W, 12" H Back Plate		1-100w Med.	2235 OZ-GU24	2235 OZ-LED	UNI-100	OZ

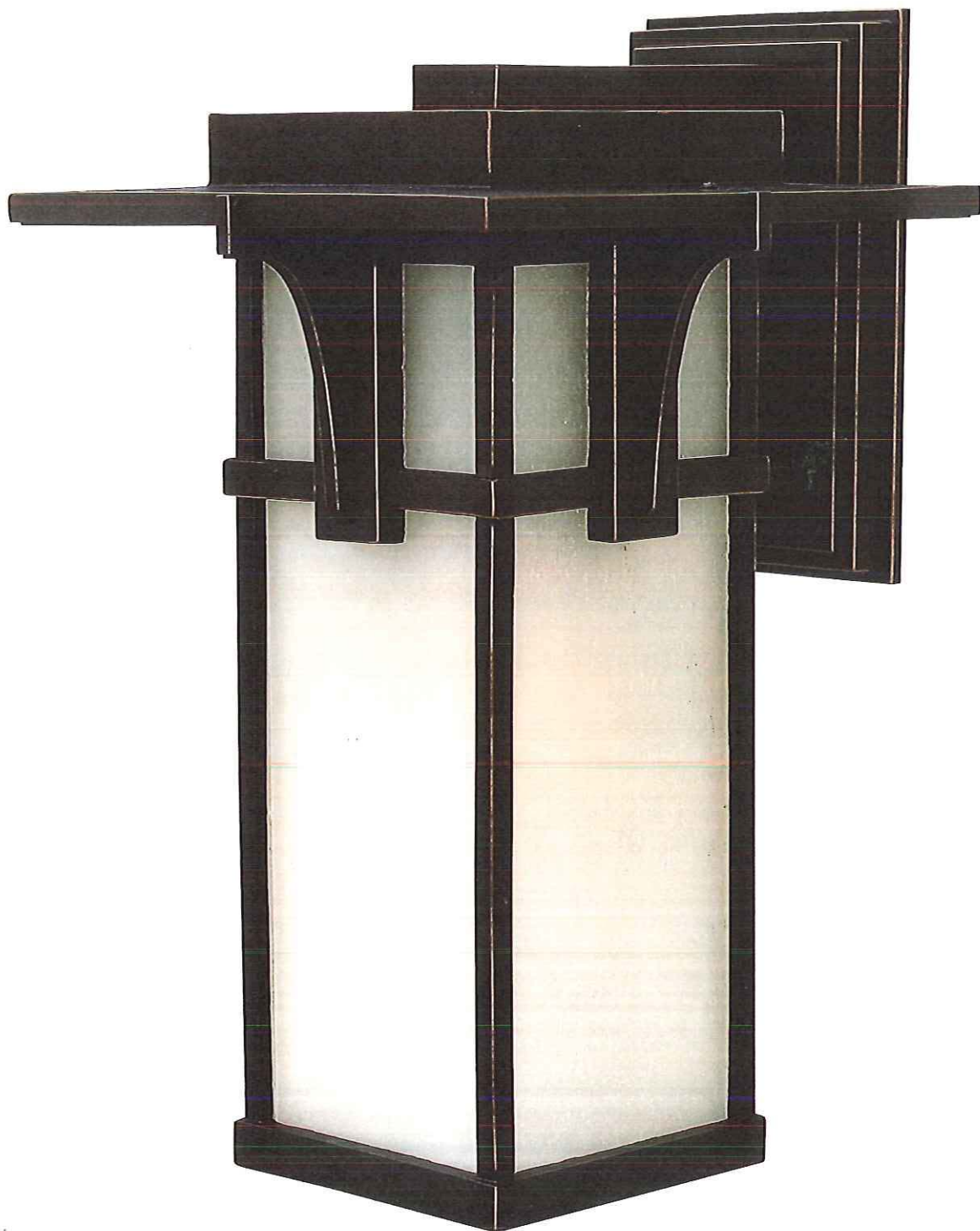
For posts and pier mounts, see pages 613-614. For Fluorescent/GU24 lamps and LED specifications, see pages 412-413.
When fitted with DSL-40, this item is Dark Sky compliant, see pages 412-413.

For Eco Details, see pages 412-413. For an explanation of icons, see page 8.

MANHATTAN™

Manhattan is a classic update to the traditional train station lantern. The hand-painted Olde Bronze finish complements the clean lines of its durable die cast construction.

FINISH Olde Bronze
GLASS Etched Seedy



2235 OZ
2235 OZ-GU24



2235 OZ-LED



EXHIBIT G



1282 VZ



4171 VZ



1280 VZ



1286 VZ



1284 VZ



1281 VZ

THISTLEDOWN Victorian Bronze (VZ)

ITEM	WIDTH/ DIA.	HEIGHT	EXT.	TOPTO OUTLET	BACK PLATE/CANOPY	WIRE/ CHAIN	BULBS	AVAILABLE FINISHES
1280 VZ	8½" W	13¼"	10"	7"	5" W, 9" H Back Plate		1-60w Med.	VZ
1281 VZ	12¾" Dia.	22½"			3" Dia. Post Fitter		1-100w Med.	VZ
1282 VZ	12¾" Dia.	20¾"			5¾" Dia. Canopy	6', 5'	1-100w Med.	VZ
1284 VZ	10½" W	16"	11½"	8½"	5" W, 9" H Back Plate		1-75w Med.	VZ
1285 VZ	12¾" W	20½"	14¾"	11"	5" W, 12" H Back Plate		1-100w Med.	VZ
1286 VZ	6½" W	9¾"	7½"	5¼"	5" W, 7" H Back Plate		1-60w Med.	VZ
4171 VZ	15¼" Dia.	8"					3-60w Med.	VZ

For posts and pier mounts, see pages 613-614. When fitted with DSL-40, this item is Dark Sky compliant, see pages 412-413.

For Eco Details, see pages 412-413.

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EXHIBIT G

THISTLEDOWN™

Thistledown is an updated traditional design with smooth, flowing transitions that blend into an industrial yoke-mount center stem. Solid aluminum construction in a Victorian Bronze finish complements its amber linen glass for a warm elegance.

FINISH Victorian Bronze

GLASS Amber Linen



Thistledown Chandeliers,
pages 130-132



Thistledown path lights are
available in the Hinkley
Landscape Lighting catalog.



1285 VZ

INTELLIGENT LIGHTING Hinkley is dedicated to staying at the forefront of technology, utilizing the latest expertise and components so we can continue to serve as protective stewards of our environment. Look for the following icons throughout the Hinkley Outdoor section to identify our Eco-Options:

DARK SKY

SELECT HINKLEY OUTDOOR LANTERNS COME STANDARD DARK SKY COMPLIANT. ADDITIONAL ITEMS INDICATED AS SUCH CAN BE FITTED WITH THE LED DSLG-40 TO CONVERT TO DARK SKY.
(Specs below)

FOR HINKLEY

GU24

WHEN ORDERING HINKLEY OUTDOOR LANTERNS WITH -GU24, THE LANTERN WILL COME STANDARD WITH A GU24 SOCKET THAT WILL ACCEPT COMPACT FLUORESCENT BULBS (NOT INCLUDED). THESE ITEMS CAN ALSO BE FITTED WITH THE LED DSLG-40 TO CONVERT TO LED. ONLY ITEMS INDICATED AS SUCH WILL BECOME DARK SKY COMPLIANT WHEN FITTED WITH THIS BULB.
(Specs below)

LED

WHEN ORDERING HINKLEY OUTDOOR LANTERNS WITH -LED, THE LANTERN WILL COME STANDARD WITH AN INTEGRATED LED ENGINE.
(Specs below)



00GU2413



00GU2418



00GU2426



EB-04A



DSL-40



DSLM-40



COL-35



UNI-60™
UNI-75™
UNI-100™

U.S. Patent Pending

LAMPS Available to Purchase

ITEM	DESCRIPTION	LUMENS	COLOR TEMP.	CRI	WATTS CONSUMED	INCANDESCENT EQUIVALENCY	DIMMABLE	LIFESPAN
00GU2413	13w Compact Fluorescent Spiral Bulb	850	2700k	80	13w	60w		10,000 Hrs.
00GU2418	18w Compact Fluorescent Spiral Bulb	1380	2700k	82	18w	75w		10,000 Hrs.
00GU2426	26w Compact Fluorescent Spiral Bulb	1850	2700k	84	26w	100w		10,000 Hrs.
DSL-40	Full Cut-Off LED GU-24 Lamp	400	3000k	80	5w	40w		35,000 Hrs.
DSLM-40	Full Cut-Off LED E26 Lamp	400	3000k	80	5w	40w		35,000 Hrs.
EB-04A	E26 to GU24 Adapter							

INTEGRATED LED SPECIFICATIONS Not Available to Purchase

ITEM	DESCRIPTION	LUMENS	COLOR TEMP.	CRI	WATTS CONSUMED	INCANDESCENT EQUIVALENCY	DIMMABLE	LIFESPAN
COL-35	Medium Flood Integrated LED	320	3000k	83	4.5w	35w	*	60,000 Hrs.
UNI-60™	Integrated LED Engine	800	3000k	80	9w	60w		40,000 Hrs.
UNI-75™	Integrated LED Engine	1000	3000k	80	12w	75w		40,000 Hrs.
UNI-100™	Integrated LED Engine	1200	3000k	80	14w	100w		40,000 Hrs.

Pullman's mid-century modern design combines elements of a theater stage light with a dash of nautical chic. Pullman may be tilted for added flexibility.

Oil Rubbed Bronze FINISH

PULLMAN™

DARK SKY 



2214 OZ
2214 OZ-GU24



2210 OZ
2210 OZ-GU24



PULLMAN Oil Rubbed Bronze (OZ)

ITEM	WIDTH	HEIGHT	EXT.	TOP TO OUTLET	BACK PLATE	BULBS	ECO-OPTIONS				
							GU24  Energy efficient socket accepts LED, Dark Sky and Fluorescent lamps.	LED  Includes high efficiency LED light source.	LED LIGHT ENGINE	LED WATTAGE	AVAILABLE FINISHES
2210 OZ	7 1/4"	10 1/2"	8 1/4"	4 1/4"	4 1/2" W, 8 1/4" H	1-100w Med.	2210 GS-GU24	2210 GS-LED2*	LESM-100*	14w	GS, OZ
2214 OZ	10"	13 1/2"	10 3/4"	4 1/4"	4 1/2" W, 8 1/4" H	1-100w Med.	2214 GS-GU24	2214 GS-LED2*	LESM-100*	14w	GS, OZ

Pullman comes standard Dark Sky compliant. For Fluorescent/GU24 lamps and LED specifications, see page S126. *U.S. and Foreign Patents Pending.

For Eco Details, see page S126. For an explanation of icons, see page S001.

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EXHIBIT G

Matching Family



See entire matching Incandescent Lanterns on pages 608-609.



C 49228 OZ LED



D 49227 OZ LED

Open Filigree
Lantern Back

LED OUTDOOR

LED Equivalencies

9.4W	Light equivalent to a 40W incandescent bulb	78% energy savings
12.1W	Light equivalent to a 60W incandescent bulb	81% energy savings

Cast Aluminum construction

Dark Sky Compliant



	LED ITEM	LIGHT SOURCE	W	H	EXT.	HCWO	
A	49229 OZ LED	12.1W	10	25	12.25	8.75	
B	49226 OZ LED	9.4W	5.5	14.5	7.25	4.5	
C	49228 OZ LED	12.1W	8.5	22	10.5	7.5	
D	49227 OZ LED	9.4W	7	18	9	5.75	

NOTES

Measurements shown in inches. U.S. Patent Pending LED Light Source included

Franceasi™ LED

Olde Bronze® Finish



A 49229 OZ LED



B 49226 OZ LED

EXHIBIT G

Michelle Barness

From: Tom Voll [TVoll@wsbeng.com]
Sent: Tuesday, July 08, 2014 4:17 PM
To: Michelle Barness
Cc: Don Sterna
Subject: RE: Sunfish Lake items - 345 Salem Church Rd and 2566 Delaware Ave - application review status

Hi Michelle,

Per our phone conversation below is a summary of the status of these applications:

345 Salem Church Rd:

- Per our email on 6/24/14 we requested the following:
- Given the amount of changes and history of the site and the unknowns for us to determine what's going on with the site, we would like to see a survey per the City's requirements.
- The survey should show how the proposed construction will be impacting the site including trees which from the aerial photos it appears they will be removing.
- The City policy is for them to provide this information in addition to the existing/proposed drainage calculations given the fact that hard surface will increase with the current application.
- It appears the construction is sufficiently far away from the lake where this buffer requirement shouldn't be an issue, but we may still request this information once we see the proposed site and survey.
- **I have not received anything from the applicant yet for these items.**
- Our recommendation is this application be tabled until its provided. We need at least week to review the materials.

2566 Delaware Ave:

- Per our email on 6/23/14 we requested the following:
- Location and dimensions of existing storm water drainage systems and natural overland drainage patterns (drainage map), including a calculation (by a qualified engineer) of storm water runoff before construction.
- A drainage plan (map) of the developed site, prepared by a qualified engineer, delineating in which direction and at what rate stormwater runoff will be conveyed from the site and setting forth the areas of the site where stormwater will be allowed to collect.
- The volume control standards for the City of Sunfish Lake are outlined in Policy 14 of the Water Quantity Section of the CSWMP. The policy requires retention of 0.5" of runoff from new impervious surfaces for new development or redevelopment.
- The MPCA (state rules) requires 1.0" of runoff volume retention over the new impervious if the project total is greater than one acre of new impervious surface (doesn't seem to be the case for this project).
- The setback line from Wood Duck Pond is determined from the delineated wetland line and NOT the survey shot of the water at the time of survey. This SB shown on their plans line is inaccurate and should be modified with a note on their assumption or deleted.
- However it appears all proposed features are sufficiently far away that the setback won't be an issue and a formal delineation of the Wood Duck Pond is not going to be required.
- From the City storm comp plan the NWL of Wood Duck Pond is 889.7 and HWL of 892.3 with an natural overflow elevation of 902.5. So even if we use an elevation of 902.5 we should be ok with the proposed improvements being beyond any setback line established.
- Provide calculations on how the architect arrived at the average existing house grade elevation of 922. Our calculations are coming up with an average elevation of 920.5. – RECEIVED THIS INFORMATION ON 7/2/14
- Provide top and bottom wall elevations on all retaining walls. Some appear over 4' high and required to be designed by a professional engineer.
- Provide overall disturbed site area. If over an acre NPDES permit is required.

- We have only received the average grade information (on 7/2/14) from the applicant since our request for additional information on 6/23/14.
- We have briefly reviewed the site plan, but are holding off on our review comments until the above information is submitted.
- Our recommendation is this application be tabled until its provided. We need at least week to review the materials.

Thanks,

Tom Voll, PE
 Senior Project Manager
 d: 763-287-7175 | c: 612-360-1302
 WSB & Associates, Inc. | 701 Xenia Avenue South, Suite 300 | Minneapolis, MN 55416



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From: Michelle Barness [mailto:mbarness@nacplanning.com]
Sent: Tuesday, July 08, 2014 9:22 AM
To: Tom Voll
Subject: Sunfish Lake items

Hi Tom,

Were you contacted by Keither Heaver (345 Salem Church Rd.) or Andrew Volkenant (2566 Delaware Ave.) with the revised plans/additional information you required? I urged them to get you that information immediately following your prelim review. Can you provide me your review of those projects as they stand? I will include it in the mailing I am preparing for the PC this afternoon.

Thanks,
 Michelle

Michelle Barness, Sunfish Lake City Planner
 Northwest Associated Consultants, Inc.
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 Golden Valley, MN 55422
 t: 763.231.2555
 f: 763.231.2561
mbarness@nacplanning.com

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A MAJOR SITE AND BUILDING REVIEW
FOR A NEW HOME AND POOL TERRACE, A CONDITIONAL USE PERMIT TO
ALLOW CONSTRUCTION OF A SECOND ACCESSORY STRUCTURE, A
CONDITIONAL USE PERMIT TO ALLOW A POOL TO BE LOCATED BETWEEN
THE HOME AND THE SETBACK FROM THE ORDINANCY HIGH WATER MARK
OF HORNBEAM LAKE, AND A CONDITIONAL USE PERMIT TO ALLOW
REDEVELOPMENT OF A SUBSTANDARD SIZED LOT AS PERTAINS TO NET LOT
AREA, FOR THE PROPERTY LOCATED AT 2566 DELAWARE AVENUE, LEGALLY
DESCRIBED AS THE NORTH 300 FEET OF THE SOUTH 750 FEET OF THE WEST
50 ACRES OF THE SOUTH HALF (S ½) OF THE SOUTHWEST QUARTER (SW ¼) OF
SECTION THIRTY-ONE (31), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-
TWO (22), EXCEPT THE WEST 735 FEET THEREOF.**

WHEREAS, Michael and Crystal Boyle submitted an application for a major site and building plan review for a new home and pool terrace, a conditional use permit to allow a second accessory structure, a conditional use permit to allow the placement of a pool between the home and the setback from the ordinary high water mark of Hornbeam Lake, and a conditional use permit to allow redevelopment of a substandard sized lot as pertains to net lot area, on their property located at 2566 Delaware Avenue, legally described as:

The North 300 Feet Of The South 750 Feet Of The West 50 Acres Of The South Half (S ½) Of The Southwest Quarter (SW ¼) Of Section Thirty-One (31), Township Twenty-Eight (28), Range Twenty-Two (22), Except The West 735 Feet Thereof.

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated July 9, 2014 and a report addendum dated August 13, 2014, prepared by Northwest Associated Consultants, and an engineer's report dated July 25, 2014; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their August 20, 2014 meeting and reviewed the major site and building application and the requested conditional use permits, along with the planning report dated July 9, 2014 and the report addendum dated August 13, 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 and pool terrace, the conditional use permit to allow construction of a second accessory structure, the conditional use permit to allow the placement of a pool between the home and the setback from the ordinary high water mark of Hornbeam Lake, and the conditional use permit to allow redevelopment of a substandard sized

lot as pertains to net lot area, 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 and Shoreland Overlay District setback, building coverage and impervious surface standards.
2. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, and screening.
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 to Construct a Pool as a Second Accessory Structure on the Subject Property, in Addition to an Existing Detached Porch:

1. There is a demonstrated need and potential for continued use of the requested pool and pool terrace area. This recreational facility will be operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, and is similar in size and design to other recreational facilities on surrounding properties.
2. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.
3. The proposed pool meets all other Zoning Ordinance standards.

Conditional Use Permit to Construct a Pool between the Principal Structure and the Setback from Hornbeam Lake:

1. 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 pool terrace area. In addition, the underground stormwater treatment system will treat runoff and water drainage from the pool area and other areas of the site.
2. The pool is not anticipated to be viewed from Hornbeam Lake given the significant amount of existing tree coverage to remain between the home location and lake post construction.

Conditional Use Permit to Allow Redevelopment of a Substandard Sized Lot (as Pertains to Net Lot Area):

1. The existing home on the subject parcel was built in 1957, prior to the creation of the net lot area Ordinance. As such, the lot would have been legally established at the time of its creation.
2. The subject property is similar in size to adjacent lots, can provide for a well and septic system treatment, allows for a home and site structures meeting setback and performance standards, and has frontage on a private road.
3. The project satisfies the criteria for a conditional use permit provided in Section 1204.02.F of the Zoning Ordinance.

WHEREAS, the Sunfish Lake City Council considered the application for major site and building plan review and conditional use permits at their meeting on September 2, 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 requests dated June 16, 2014, for the property legally described as the north 300 feet of the south 750 feet of the west 50 acres of the south half (S ½) of the southwest quarter (SW ¼) of section thirty-one (31), township twenty-eight (28), range twenty-two (22), except the west 735 feet thereof, with the following conditions:

1. The in ground pool shall be constructed with a retractable safety cover.
2. The applicants are required to provide the City Building Inspector information demonstrating that construction details meet noise abatement zoning standards provided in Zoning Ordinance Section 1245 prior to building permit issuance.
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).
4. Demonstrate that upon installation lighting fixtures will not create glare exceeding one (1) foot candle (meter reading) as measured from property lines or the edge of water abutting the subject property. No lighting of recreational facilities is permitted (with the exception of safety lighting).
5. The applicants must comply with the recommendations of the City Septic Systems Specialist pertaining to the location and installation of the proposed secondary septic area, and the treatment of the existing septic system on the parcel.
6. 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.

7. Address remaining septic system/well, site access, grading and erosion control comments provided by the City Engineer in the report dated July 25, 2014, including:
 - a. The debris from the construction should be placed in a dumpster to contain the demolish debris. Other Best Management Practices for erosion control and sediment control may be needed as site development progresses.
 - b. 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. These plans will need to be provided to the City Engineer's office for review before final building permit is issued.
 - c. In the course of abandoning the existing septic system tank and rebuild a new system, the applicant will need to ensure the tanks are pumped out, and the bottom concrete slab must be broken up and backfilled with suitable grading material to allow for drainage to pass through.
 - d. The Contractor will need to install, prior to any excavation, the protective fencing around the secondary septic drain field, as well as around the existing and proposed well locations to protect them from soil compaction and/or destruction.
 - e. The applicant will need to abandon the well in accordance with Minnesota State Rules and Regulations and have the work completed by a contractor that is certified well abandoning procedures. A copy of any well abandonment certification needs to be provided to the City engineer and planner's office for their files.
 - f. The proposed well must also be specified and installed by a licensed well driller according to Minnesota State Rules and Regulations. The condition of the shared driveway pavement should be video recorded prior to construction so that in the event any construction traffic causes damage, it can be verified. Permission/notification should be acquired from the adjacent property owners who use this driveway for property access.

This resolution is adopted by the City Council of the City of Sunfish Lake this 2nd day of September 2014.

Molly Park, Mayor

Attest:

Catherine Iago, City Clerk