



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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MEMORANDUM

TO: Sunfish Lake Mayor and City Council

FROM: Michelle Barness

DATE: October 29, 2014

RE: Sunfish Lake – Planning Update for November City Council Meeting

NAC FILE: 211.02 - General

11/5/14 CC Mtg.
**Agenda
Item
6b**

October 2014 Planning Commission Meeting

The October Sunfish Lake Planning Commission meeting was cancelled due to a lack of planning and development applications.

Planning and Zoning Assistance

In October, planning staff provided ongoing technical assistance for planning and zoning items at the following locations:

- 2035 Charlton Road (Home demolition and antenna updates)
- 2566 Delaware Avenue (Land use agreement for bonus room space)
- 1 Grieve Glen Lane (Sport court approval conditions and pre-construction preparation)
- Lot 2, Block 1, Windy Hill (Potential land transfer, subdivision and CUP plus review Statutes for non-conforming shoreland lots)
- 45 Salem Church Road (Neighborhood drainage and stormwater management, post approval conditions, pre-construction preparation)
- 240 Salem Church Road (Post approval conditions and pre-construction preparation)
- 295 Salem Church Road (Driveway easement screening)
- 315 Salem Church Road (Chicken keeping permit, approval conditions, approval resolution, and conformance follow-up)

Land Use Agreement for Use of Bonus Room Space for 2566 Delaware Avenue.

The major site and building plans for a new home at 2566 Delaware Avenue were approved by the City at the September 2, 2014 City Council meeting. Since approval, the applicants are requesting to add a small kitchen sink to a kitchenette located in the bonus room space above the home's garage. The kitchenette also contains a microwave and refrigerator, and the bonus room space includes sleeping amenities and toilet facilities. The home is located in a single family district and with the addition of the

sink to the kitchenette, the City wishes to affirm that the bonus room space will not be used as a separate distinct additional single family dwelling.

In conversations with the applicant, the City ascertained that both the main kitchen, as well as the kitchenette in the bonus room, will be used interchangeability by the occupants and there is not any intent on behalf of the Boyles to establish a residence for two separate family units. Further, the kitchenette in the bonus room is incidental to the main kitchen and is not considered a second freestanding kitchen.

The City Attorney has worked with the applicants to create a legal agreement to supplement the original home approval, to ensure that the so-called "bonus room" above the garage is used only as part of the overall single family dwelling in conformance with Zoning Code and is not used as a separate distinct dwelling. The agreement is being provided by the City Attorney for consideration by the Council and will be included in the attorney's Council materials.

November 2014 Planning Commission Meeting

2035 Charlton Road (St. Anne's Church). Crown Castle (on behalf of T-Mobile) has submitted an application for a conditional use permit to allow antenna updates on the cell tower located on the St. Anne's Church property at 2035 Charlton Road. The property is located within the INS, Institutional District. The applicant is proposing antenna updates on the existing tower. No additional service buildings or tower height are being requested. The applicant has provided construction drawings for review, and has also provided a statement from a licensed professional engineering certifying that the requested antenna updates are necessary to meet the need of the wireless system and to provide necessary coverage. In addition, a structural analysis report has been submitted reviewing existing and proposed conditions on the tower. Review of the conditional use permit application will come before the Planning Commission on November 19, 2014.

Animal Ordinance Amendment. At the October 7, 2014 City Council meeting Council directed planning staff to prepare information on an ordinance amendment for animal setbacks similar to the regulations reviewed for precedent communities including Woodland and Minnetonka, Minnesota. The ordinance amendment is intended to establish locational standards for chickens as well as other animals. Council requested staff forgo identifying specific setback distances in the draft ordinance in order to allow the City to decide which distances seem most appropriate. Staff will bring the draft amendment before the Planning Commission for consideration at their November 19, 2014 meeting and will present the amendment and Planning Commission recommendations to the Council at the December 2, 2014 meeting.

cc: Catherine Iago, City Clerk
Tim Kuntz, City Attorney
Don Sterna and Tom Voll, City Engineers
Mike Andrejka, Building Official
Jim Naves, City Forester
Ron Wasmund, Septic System Inspector