



## MEMORANDUM

TO: Sunfish Lake Mayor and City Council

FROM: Alan Brixius

DATE: April 29, 2015

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

NAC FILE: 211.02 - General

5/5/15 CC Mtg.  
**Agenda  
Item  
6a**

### **April 2015 Planning Commission Meeting**

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

### **Planning and Zoning Inquiries**

32 55<sup>th</sup> Street West - Rezoning Inquiry. The City was contacted regarding the potential rezoning of the property located at 32 55<sup>th</sup> Street West. The property is bounded on the north by First Calvary Baptist Church, on the east by Southside Baptist Church, on the south by residential property, and on the west by I-494. It is zoned R-1, Single Family Residential, and the property owners have concerns regarding being able to sell the property for residential use due to the impact of its adjacency to the institutional properties, and to I-494 and South Robert Trail (T.H. 3).

The property owners inquired as to whether the property may be rezoned to permit a use such as a church, a childcare center, a senior living facility or health care facility. The INS, Institutional District is the only other zoning district in Sunfish Lake, and is what the property could potentially be rezoned to. The primary objective of uses within the INS District is the provision of services, frequently on a non-profit basis. Currently religious institutions are permitted uses in the INS District. Day care as an accessory use within a religious institutional building is allowed by conditional use permit, however senior living and health care facilities are not permitted at all.

The City could consider a request to permit additional service type uses in the INS District, such as a non-profit health care clinic or organization. However, a use amendment to the INS District to incorporate a multiple family living arrangement (e.g. senior living facility) does not conform to the 2008 Sunfish Lake Comprehensive Plan,

which does not guide for multiple family development due to a lack of public sewer and water infrastructure in the community.

For the City to consider rezoning the subject property to INS Institutional District, planning staff recommends the City request the property owners demonstrate how the subject parcel may be developed for religious institution use, as this is the only use currently permitted in the INS District aside from wireless towers and antennas. If the property owners prefer a different use of the subject property, they would need to propose a service-oriented and/or non-profit use for the property, and request an amendment to the INS District to allow the use, prior to making a rezoning request.

Planning staff requests initial feedback from the City Council on a potential rezoning of the parcel located at 32 55<sup>th</sup> Street West, and potential institutional uses for the property that the City would consider. After receiving feedback, planning and engineering staff can sit down with the property owners to discuss potential uses of the property in more detail and provide specific guidance on what City approval would be required in moving ahead.

### **May 2015 Planning Commission Meeting**

325 Salem Church Road – Major Site and Building Plan Review. Tom Schlehuber has submitted an application for a major plan review for building additions and site improvements on the property located at 325 Salem Church Road. The property is zoned R-1, Single Family Residential and Shoreland Overlay District. The applicants have filed two separate development applications with two site plans.

The first application is for a major site and building plan review. The applicants are purchasing the property and wish to make the following site alterations:

1. Remove the existing attached garage and replace it with a larger (1,250 square foot) garage with second floor living space. This expands the house footprint.
2. Relocate the garage entrance from the west side of the garage to the south side of the garage. Existing pavement will be removed west of the garage and new expanded pavement will be added to the south of the garage.

As a separate application, the applicants have requested a variance from the 200 foot shoreline setback to allow a circle driveway. The proposed circle drive is located within 168 feet of the OHWL of Sunfish Lake. The applicants wish to create a circle driveway to provide convenient guest access to the front of the home. They have made separate applications to allow the site and building plan to proceed in the event that the variance is not approved.

Building Material Discussion. The City reviews exterior building materials as part of the site and building plan review process. These materials are reviewed against Zoning Ordinance Section 1219.03.B. which lists several specifically approved materials, while permitting materials similar in grade and quality with approval from the City Council.

The diversity of quality building materials available has increased significantly in recent years, which is reflected in the variety of building plan proposals the City has received. To provide more clarity regarding what quality building materials may be permitted in the community (even if not specifically listed in the Ordinance) Mayor Park, City Building Official Mike Andrejka and the Planning Commission will discuss the topic at the Planning Commission meeting in May. The discussion will likely include review of actual building material samples and will consider input from the Building Official on what materials may be suitable in the community. A report of the Planning Commission's discussion on the issue will be provided to the City Council at the June meeting.

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