



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

PLANNING REPORT - Major Site and Building Plan Review and Conditional Use Permit

TO: Sunfish Lake Planning Commission
Sunfish Lake City Council

FROM: Ryan Grittmann

DATE: March 13, 2019

RE: Sunfish Lake – 357 Salem Church Road– Site and Building Plan Review and Conditional Use Permit

FILE: 211.01 – 19.01

Application Accepted:	February 11, 2019
Planning Commission Date:	March 20, 2019
Tentative City Council Review:	April 2, 2019
60-day Review:	May 7, 2019

BACKGROUND

Ozzie and Shannon Nelson are requesting approval of a Major Site and Building Plan Review and conditional use permit to allow an addition to an existing home at 357 Salem Church Road in the City of Sunfish Lake. The applicants have purchased the subject property; and intend to expand the existing home on the rear of the property. A major site and building plan review is required for building alterations exceeding 1,000 square feet in area. In addition, the applicants are requesting a conditional use permit to have a third accessory structure to install an inground swimming pool. The site currently contains a tennis court and shed, by code, a conditional use permit is required anytime a site exceeds one accessory structure.

The subject property has lake frontage on Sunfish Lake and is subject to both the R-1, Single Family Residential District and Shoreland Overlay District standards of the Zoning Ordinance.

A Major Site and Building Plan Review requires review by the Planning Commission and final approval by the City Council. In addition, a conditional use permit is held to these same standards.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of a home addition at 357 Salem Church Road.
Conditional Use Permit	For construction of a third accessory structure (swimming pool)

Attached for reference:

Exhibit A: Existing Conditions
Exhibit B: Site Plan
Exhibit C: Exterior Model Images
Exhibit D: Building Elevations and Plans
Exhibit E: Raingarden Plan
Exhibit F: Stormwater Management Plan (map only)
Exhibit G: Lighting Samples
Exhibit H: City Engineer Memorandum (dated February 28, 2019 and March 7, 2019)
Exhibit I: Tree Inventory
Exhibit J: Architectural Image

ANALYSIS

Major Site and Building Plan Review

The subject property is zoned R-1, Single Family Residential and lies within the Shoreland Overlay District of Sunfish Lake. 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 acres	3.98 acres (existing condition)	Yes
Front Setback (South)	100 feet	465 feet*	Yes
Side Setback (West)	50 feet	52.5 feet*	Yes
Side Setback (East)	50 feet	52.5 feet	Yes
Rear Setback (North)	N/A	N/A	N/A
Maximum Building Coverage	10%	1.6% (Total parcel) 3.65% (Above water portion of parcel)	Yes
Building Height Limitation (height above average existing grade)	30 feet	20 feet 1 inch (addition portion only)	Yes
Shoreland Overlay District Standards	Required	Proposed	Compliant
Building setback from OHWM	200 feet	230 feet	Yes
Maximum lot coverage by impervious surface	30%	14.12%	Yes
Sewage system setback from OHWM	150 feet	> 600 feet	Yes

**Existing Condition*

Lot Area. The gross area of the platted parcel is 8.94 acres, however once steep slope and wet areas (including the lake) are factored in, the property is approximately 3.98 acres. The lot is a legal conforming lot of record.

Building Height. According to the Ordinance, no building structure shall exceed two and a half stories or 30 feet in height above average existing grade as measured to the highest gable. The roof of the proposed addition is 20 feet, one inch above existing grade. The property will be compliant for building height requirements.

Accessory Structures. Currently, there is a sport court that sits to the south (front) of the existing home; and a large storage shed that also sits to the south of the existing home. The plans indicate that these structures will be left “as-is”. These are existing condition and are allowed to remain on the property. The applicants have applied for a conditional use permit to add a third accessory structure, a swimming pool, which is discussed later in this report.

Architectural Design / Building Materials. As shown on the submitted architectural drawings, the exterior finishes on the proposed home include wood siding; brick (chimney), and asphalt shingles. Brick and wood exterior materials are specifically permitted by ordinance. A more thorough Building Code review will be conducted with the building permit application. If the applicants wish to construct a metal roof, this will require City Council approval.

Placement and Design of Roads, Driveways, and Parking Areas. The existing driveway will remain in place, no alterations of location or material type is proposed.

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 applicants have provided a lighting plan which includes a combination of existing light fixtures and new light fixtures. The new lighting is located around the front porch area as well as patio area on the lake side. As such, it meets the general requirements for lighting. According to the Ordinance, all 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. Upon installation, all lighting shall adhere to this requirement. Due to the distance from the home to the Lake, Staff does not see a problem with this requirement.

Grading, Drainage, and Erosion Control. The slope on the property is minimal. The lot slopes down to Sunfish Lake on the north part of the property. The project will require some modification of existing site grades, including some retaining walls around the property, any retaining wall greater than four feet in height is subject to the review and approval of the City Engineer.

The applicants have a stormwater management plan intended to control potential erosion and sediment movement commonly associated with construction on steep sites. Proposed erosion mitigation measures include identifying and protecting temporary soil stockpile locations, providing protection fencing around proposed well and septic locations, using single or double row construction perimeter silt fencing, implementing erosion control blanket on slopes 5H:1V or steeper, and installing catch basin inlet protection at storm sewer structures. All new runoff from the project will be treated by a raingarden.

The applicants submitted grading, drainage, erosion control and stormwater management plans for review by the City Engineer. The City Engineer provided comments in the reports dated February 28, 2019 and March 7, 2019 (see attached Exhibit H). In regards to the comments made on the March 7 report, the applicant has indicated that there are no wells within 50 feet of the property line.

As a condition of major site plan approval, the applicants must adhere to the City Engineer's recommendations for construction as addressed in his reports.

Landscaping / Tree Preservation. The applicants have submitted a tree preservation and removal plan on a certificate of survey. The plan specifies that four trees within the construction zone (delineated by the perimeter silt fencing), will need to be removed, and trees outside of that zone will be protected by the fencing. Since a total of four mature trees, including white pine, hemlock, and red cedar, will be removed in the construction zone the City Forester has recommended that eight (8) trees be planted in replacement.

The applicants will continue to work with the City Forester after development of the proposed home addition to address the health of site trees, and to further discuss which trees should be a priority for removal or preservation.

It should be noted that no landscaping is proposed within the 200-foot shoreland setback area. The project area extends slightly into the 200-foot setback. Architectural drawings of this area show that the area is intended to be planted with grass once the project is complete. Staff recommends that the encroachment area not be mowed once the project is complete.

Screening. The property is screened from houses to the east and west by existing tree coverage. The existing home is not visible from the street. As stated above, the applicants will work with the City Forester to create a tree replacement plan.

Fences. The site plan shows some existing fencing. Some of the fencing will be removed as part of the project addition. No new fencing is proposed.

Well Pump. The existing well site is to the south of the existing home (front yard). No changes are proposed to the existing well.

Septic System. A new septic system will be built on the far south (front) side of the property away from Sunfish Lake. The system includes primary and alternative septic treatment areas.

As a condition of major site plan approval, the applicants must comply with any recommendations of the City's Septic Specialist pertaining to the treatment of existing septic areas and the installation of new septic on the property. Further, the applicants must demonstrate to the city that a septic permit has been attained for the system that staff has reviewed and recommended approval of.

Fire Safety. The building will not be protected by a fire sprinkler system. The existing driveway is approximately 12 feet wide at its most narrow point. This is an existing condition and will be allowed to remain in place.

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 home addition appears to meet the site and building plan review criteria. The home addition has been designed and sited to minimize impacts on the lake and surrounding properties. It is setback from the lake 230-feet, and its two-story design is anticipated to have minimal visual impact change from the existing building. The home will be screened by existing tree cover and additional tree cover. The attractive design of the home and site adds value to both the property and neighborhood.

This is a sensitive building site due to its proximity to the lake and the topography stretching from the home to the shoreline. Sediment, stormwater, and other construction debris can easily be transported down slopes into nearby waterways. Therefore, it is essential that construction be sensitive to erosion prevention, the protection of lakeside natural systems, and stormwater treatment.

Airport Noise. The subject parcel does not fall under the Aircraft Noise Attenuation District Overlay and is therefore not subject to these regulations.

Conditional Use Permit.

The applicants are requesting conditional use permit approval in order to construct a third accessory structure on the property; specifically, a swimming pool. Staff has reviewed the request against Section 1204.01 of the Sunfish Lake Zoning Ordinance:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

Staff Comment: The Comprehensive Plan Policy includes:

- Development shall respect natural contours, enhancing site orientation while minimizing terrain modification.
- Homes shall conform to height, setback and lot coverage requirements.
- Owner occupancy of homes shall be encouraged.

Staff feels that the proposed project is in conformance with the Comprehensive Plan Housing Policy Section.

2. The proposed use's compatibility with present and future uses of the area.

Staff Comment: The proposed use is for a swimming pool for the property owners and their guests. The Swimming pool will be compatible with other uses in the area and will remain compatible in the future as well.

3. The proposed use's conformity with all performance standards contained herein.

Staff Comment: The swimming pool and surrounding patio area meets the City's requirements for setbacks, and screening. A building code review will be performed by the City Building Official at a later date.

4. The proposed use's effect on the area in which it is proposed.

Staff Comment: The swimming pool is not expected to be visible from adjacent properties and therefore, staff does not anticipate a negative effect on the area or surrounding area.

5. The proposed use's impact upon property values in the area in which it is developed.

Staff Comment: The proposed swimming pool is expected to increase the property values in the area.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

Staff Comment: The use is not expected to impact traffic volumes in the area.

7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Staff Comment: The use is not expected to have an impact on any of these items.

DNR Approval. Minnesota DNR area Hydrologist Jennie Skancke was notified of the proposed project and did not have any follow up comments or concerns.

Neighbor Notifications. All neighbors within 1,000 feet of the subject property were notified of the project. Staff did not receive any comments or concerns from the public as of the date on this report.

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 home addition and third accessory structure at 357 Salem Church Road.

Major Site Plan. Based on the preceding review, City staff recommends approval of the major site and building plans based on findings that the project submittal is meets performance standards within the Sunfish Lake Zoning Ordinance. Staff recommends the following conditions with approval:

1. The applicants adhere to the City Engineer's recommendations for construction as addressed in his reports dated February 28, 2019 and March 7, 2019 (Exhibit H) and address any follow-up recommendations from the City Engineer.
2. The applicants must obtain a permit from the City's Septic Specialist for the installation of the proposed new septic system.
3. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
4. Upon installation, any lights which cast light on residential property or over public water shall not exceed one-foot candle (meter reading) as measured from said property or edge of water abutting the property in question.
5. The applicants shall plant eight (8) trees to replace the four (4) mature trees that are scheduled to be removed, the applicants shall submit a landscaping plan for review and approval by the City Council.
6. A 200-foot "natural area" be maintained in the shoreland setback area once the project is complete.

7. The applicants shall contact planning staff to arrange pre-construction 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.
8. The applicants shall adhere to all recommendations for erosion control.

Conditional Use Permit. Based on the review of the conditional use permit request; staff finds that the applicant seeks to use the property in a reasonable manner that's consistent with other uses in the neighborhood. Staff recommends the following condition with the conditional use permit approval:

1. No overhead lighting shall be used around the pool area. Only underwater lighting shall light the pool as necessary for safety.

c: Cathy Iago, City Clerk
Mike Andrejka, City Building Official
Jeff Sandberg and Brandon Movall, City Engineers
Jim Nayer, City Forester
Tim Kuntz, City Attorney
Ron Wasmund, City Septic Inspector
Dave Dreelan, Fire Chief
Jennie Skancke, Minnesota DNR area Hydrologist
Ozzie and Shannon Nelson, Property Owner
Pat Schumacher, Builder and Project Manager

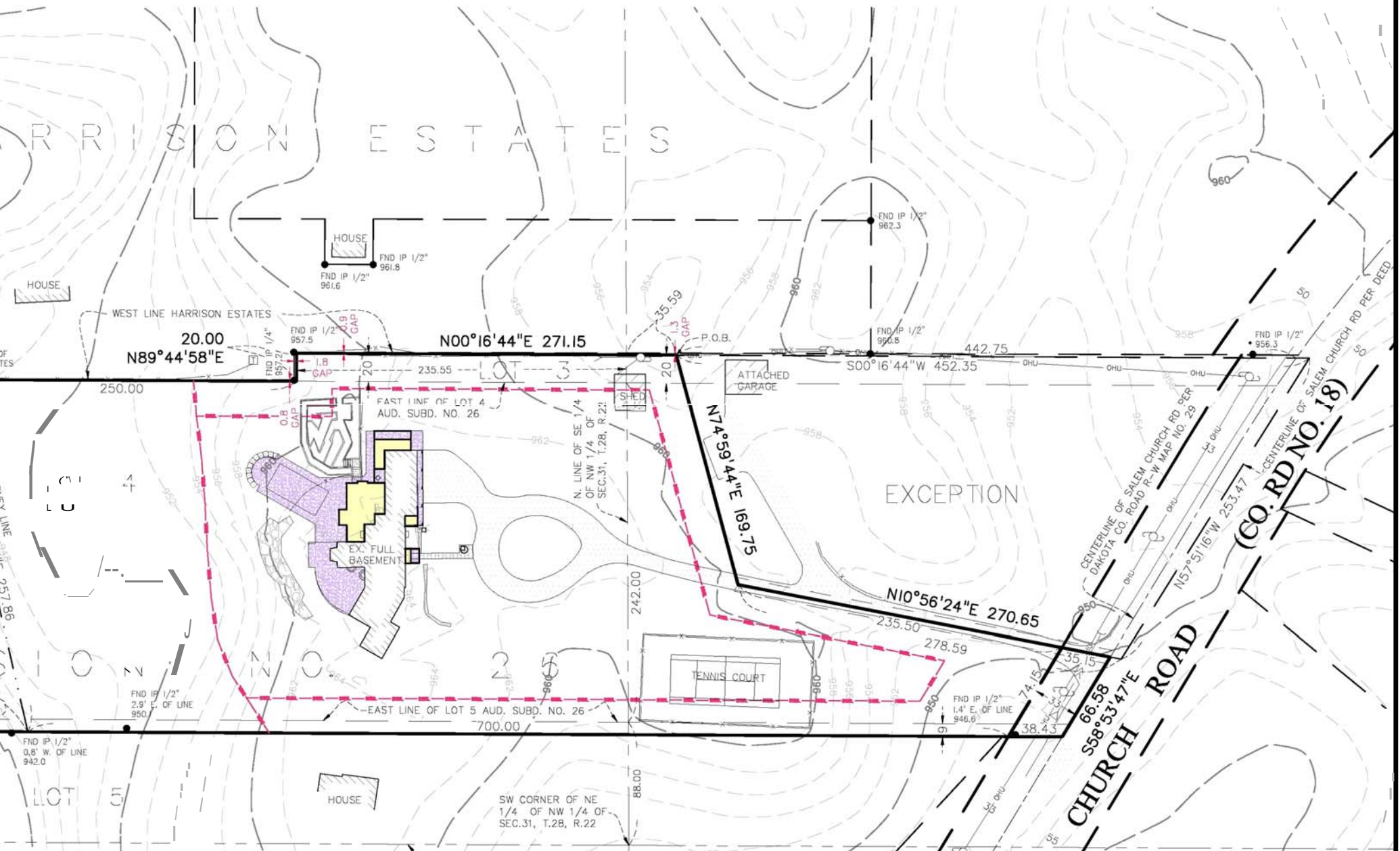
N
O
S
C
A
L
E

N
E
T
Y
M
A
P

ID FIBER OPTIC CABLE
GAS VALVE
GAS INLET
GEARATOR
GUARD POST
HAND HOLE
MANHOLE BOX

WELL
HYDRANT
GATE VALVE
CUB STOP
SIGN
SOL BORING
INLET MID BUCKLE SIGN

OVERHEAD UTILITY
RAILROAD TRACKS
SANITARY SEWER
STORM SEWER
ELECTRIC UNDERGROUND
UTILITY UNDERGROUND
WATER MAIN



961.4
FILL

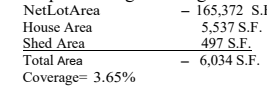
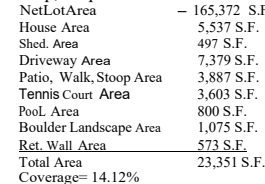
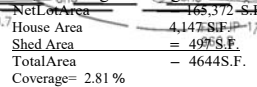
CHAI LUJK FENCE

c'

rEhGIS COURT

.6

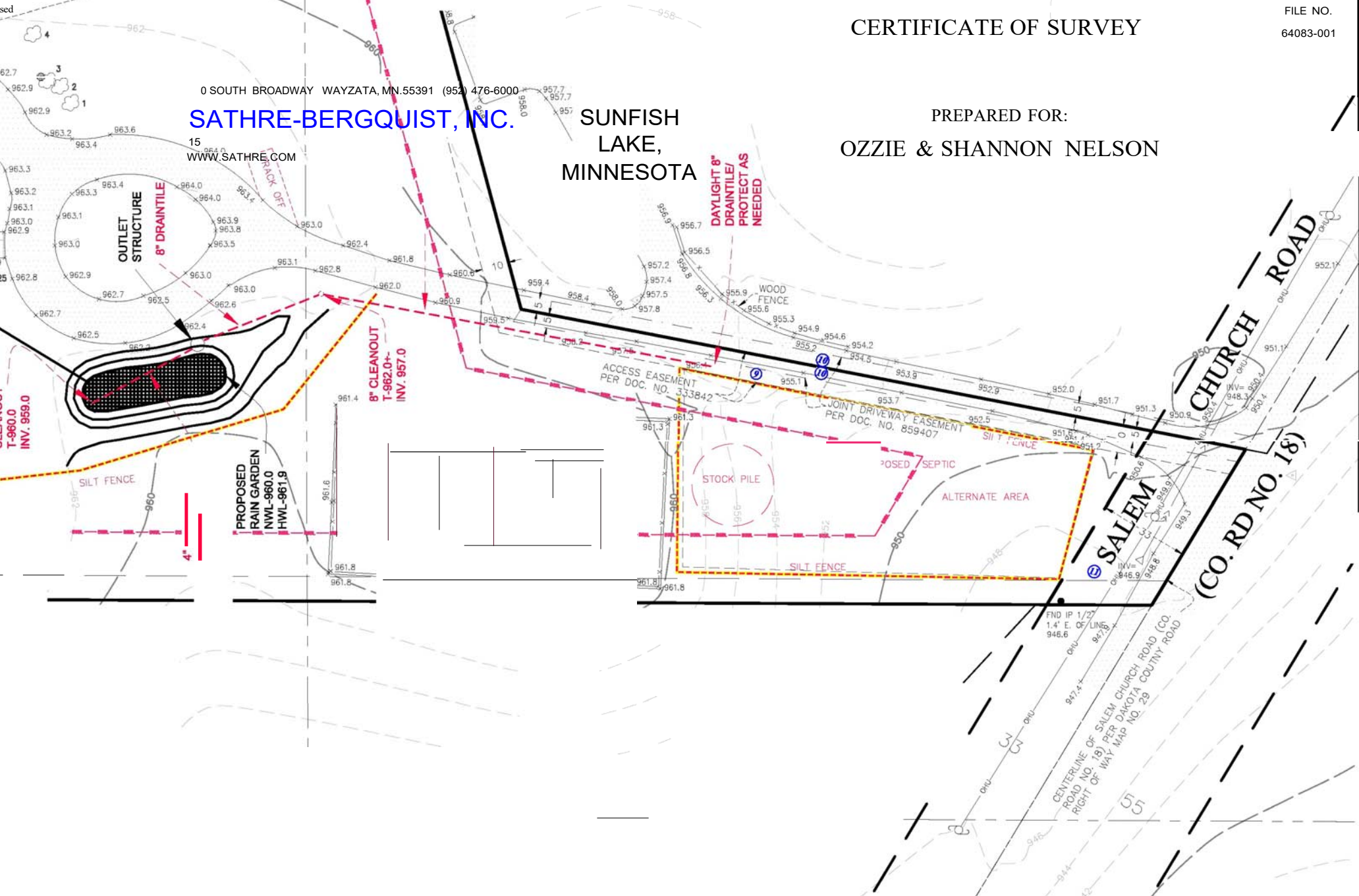
TRF AT FNT ARFA



FILE NO.
64083-001

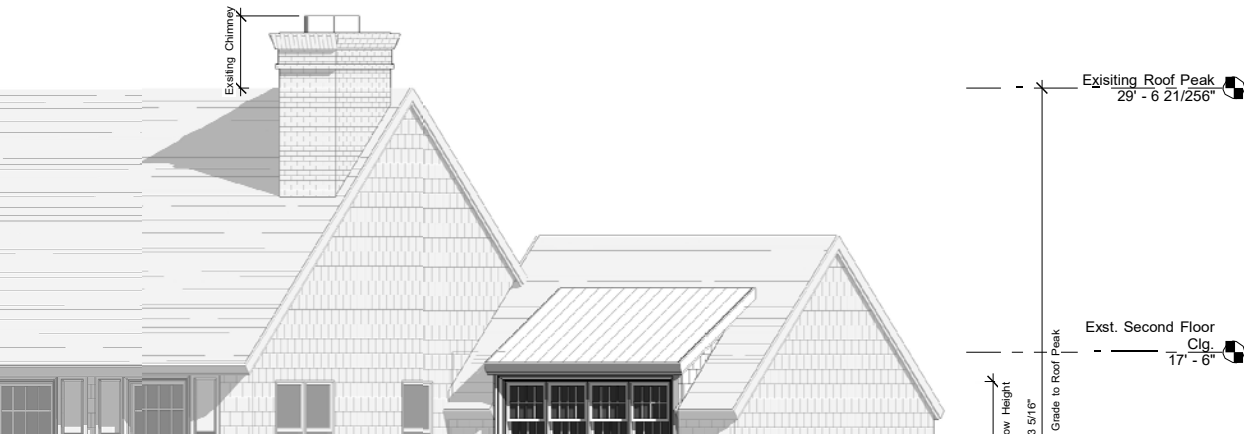
957 SUNFISH
LAKE,
MINNESOTA

PREPARED FOR:
OZZIE & SHANNON NELSON





Front Elevation- Addition Side
1/4" = 1'-0"



ISSUE

1.14.2019

RE-ISSUE

2/8/2019 6:17:06 PM

BUILDER

Nor-Son Custom Builders
700 E Lake Street
Wayzata, MN 55391

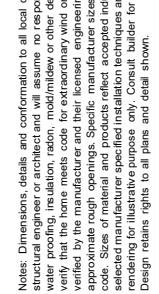


DAVID CHARLEZ DESIGNS

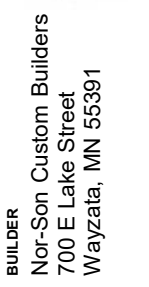
18476 KENRICK AVE. SUITE #202
LAKEVILLE, MN 55044
TEL: 952.428.8200
EM: Dave@DavidCharlezDesigns.com



Notes: Dimensions, details, and conformation to all local codes and regulations shall be the responsibility of the owner. The designer is not responsible for verifying that the home meets code for extraordinary wind or water proofing, insulation, radon, mold/mildew or other details. The designer is not responsible for engineering or verification by the manufacturer and their licensed engineer. Approximate rough openings. Specific manufacturer sizes and code. Sizes of material and products reflect accepted industry standards. The designer is not responsible for the selection of manufacturer specified installation techniques or for the selection of manufacturer specified materials. The designer retains rights to all plans and detail shown.

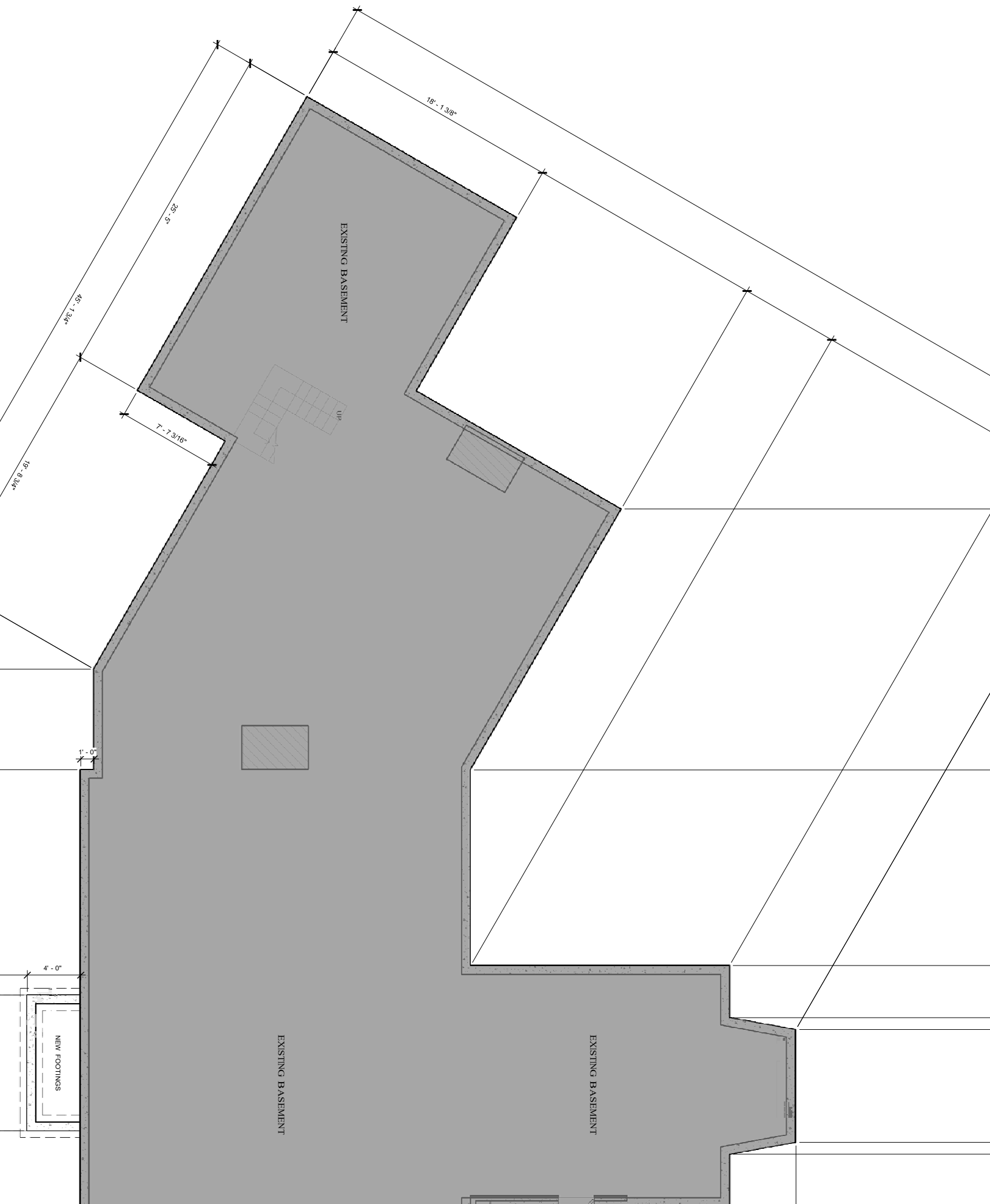


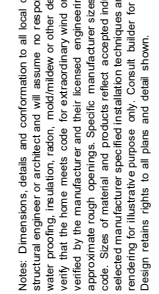
DAVID CHARLEZ DESIGNS
18476 KENRICK AVE. SUITE #202
LAKEVILLE, MN 55044
TEL: 952.428.8200
EM: Dave@DavidCharlezDesigns.com



ISSUE
1.14.2019

RE-ISSUE
2/8/2019 6:17:20 PM





DAVID CHARLEZ DESIGNS

18476 KENRICK AVE. SUITE #202
LAKEVILLE, MN 55044
TEL: 952.428.8200
EM: Dave@DavidCharlezDesigns.com



BUILDER
Nor-Son Custom Builders
700 E Lake Street
Wayzata, MN 55391

ISSUE
1.14.2019

RE-ISSUE
2/8/2019 6:17:39 PM

	FLUORESCENT LIGHT
	VANITY BAR LIGHT
<u>VAN</u>	

② Electrical - Upper Level
1/4" = 1'-0"



PROPOSED RAIN GARDEN
NWL-960.0
HWL-961.9

8" CLEANOUT
T-962.0+/-
INV. 957.0

8" DRAINTILE

DAYLIGHT 8" DRAINTILE/
PROTECT AS NEEDED

TENNIS COURT

ATTACHED GARAGE

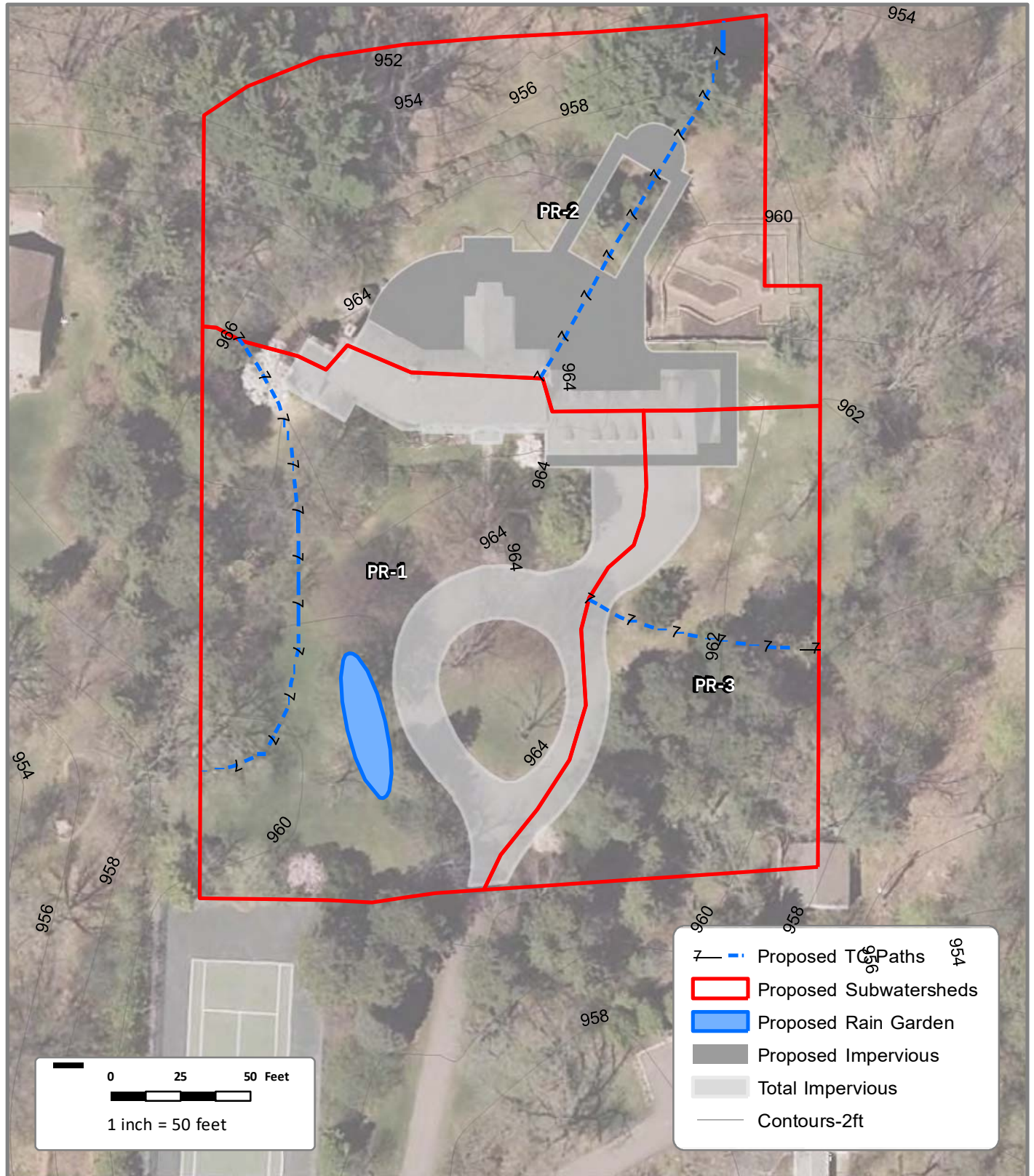
STOCK PILE

TREATMENT AREA

PROPOSED SEPTIC ALTERNATE AREA

CHURCH

RD NO



Coordinate System : NAD 1983 HARN Adj MN Dakota Feet | Edited by: emeerdink | W:\S\Sathre\TEMP_357 Salem Rd\GIS\Figure2_2.20.19.mxd



Locator Map Not to Scale

Figure 2
PROPOSED CONDITIONS MAP
357 SALEM RD RENOVATION
City of Sunfish Lake | Dakota County, MN



Date: 2/20/2019

Exterior lighting Selections

Floor	Photo	Room	location In Room	Showroom	Fixture Type	Manufacturer	Item #	Item Name	Finish	Qty		Wattage
Exterior		Portico	Cenfrng	Filament Lighting	Hanging lantern	Fourteenth Colony Lighting	LM8/S Glass: Seedy (SDY)	Four Light Hanging Lantern	Blackened Copper (DAC)		20.5"H x 14.25' W	4-40W Candles
		Covered Porch	Ceiling	Filament Lighting	Flush Mount	Fourteenth Colony Lighting	3824 Glass: Seedy (SOY)	Light Flush Mount	Blackened Copper (DAC) •finish not pictured		11.5"H x 10.5' W	2-60W Candles
		Hearth Room	Wall Mount	Filament Lighting	Sconce	Re-use homeowner's existing currently located at Front Door (per photo)	Re-use homeowner's existing	Re-use homeowner's existing	Existing	2	16"H x -8"W	Unknown
		Club Room	Wall Mount (flanking the set of doors)	A		Re-use homeowner's existing	Re-use homeowner's existing	Re-use homeowner's existing	Existing	2	x -6"W	Unknown

Photo	Room	Location In Room	Showroom	Fixture Type	Manufacturer	Item #	Item Name	Finish	Qty	Size	Wattage
	Existing Garage	Service Door (above)	N/A		Re-use homeowner's existing	Re-use homeowner's existing	Re-use homeowner's existing	Existing		-22"H x -6"W	Unknown

7

Memorandum

To: Ryan Grittman
Northwest Associated Consultants

From: Brandon Movall, EIT, ENV SP – Graduate Engineer
Kendra Fallon, EIT – Graduate Engineer
WSB

Date: February 28, 2019

Re: Major Site and Building Plan Review, Submittal 02/18/19
357 Salem Church Rd
City of Sunfish Lake, MN
WSB Project No. 013527-000

Project Background

The applicant is proposing to construct an addition onto an existing home, a new pool and new retaining walls along with the necessary grading and stormwater improvements. The following review is only for the engineering, stormwater management, and site grading issues. The building compliance will be handled by the City planners and building inspectors.

The following requirements and comments need to be addressed as the project moves forward:

General Notes

1. Wells within 50 feet of the property lines on adjacent lands should be shown. If there are no wells within the required 50 feet, provide callouts stating that no wells exist within 50 feet of the property lines.
2. Show location of stockpile nearest to the house as identified on previous site plans.
3. Provide dimensions of all stockpiles within the project area.
4. Provide a plan of how the proposed pool will be managed during the winter – if it is to be drained, it cannot drain directly to Sunfish Lake.

Stormwater Management

1. The majority of the new impervious is being added onto the back of the building and is proposed to be discharged directly into Sunfish Lake without treatment. The applicant should route the new impervious to a stormwater BMP prior to discharging into Sunfish Lake to provide the required water quality treatment.
2. Proposed changes to the property do not appear to alter the overall existing drainage patterns. The existing drainage area map should be split into the three drainage areas, similar to what is shown in the proposed conditions drainage area map.
3. From the grading shown in the plans, it appears that the southwest corner of PR-1 will not drain to the proposed rain garden. The PR-1 drainage area should be split to accurately depict the proposed drainage.
4. The Minnesota Stormwater Manual recommends a minimum slope for filtration basin underdrains of 0.5%. Applicant should be update the proposed underdrain to meet this recommendation.

5. The Minnesota Stormwater Manual recommends for filtration basins to have 18" of filter material above the top of the underdrain. The proposed underdrain inverts indicate that only 8" of filter material would sit above the underdrain.
6. The rain garden EOF location and elevations should be added to the plans.
7. The invert elevations for the draitile shown on the plans are inconsistent with what is being modeled in HydroCAD. Applicant should update the model to represent what is shown in the plans.
8. Applicant should update the note within the rain garden detail to state that the exfiltration rate of the filtration basin will be tested at the end of construction to ensure rates are meeting or exceeding the design rate. If the design rate is not being met, the media will be amended until the design rate can be met.
9. The narrative in the stormwater management plan lists a design infiltration rate of 1.6 inches per hour while the HydroCAD model is only using a rate of 1.2 inches per hour. Applicant should update either the HydroCAD model or the narrative to the appropriate rate.

Site Grading

1. Indicate top-of-wall and bottom-of-wall locations and elevations for any proposed retaining wall. Please note that all walls over 3 feet in height will require design by a licensed professional engineer.
2. Ensure the rain garden and pool grading contours are consistent in style and are labeled with what elevation that contour line represents.

Erosion Control and Restoration

1. A separate erosion control plan sheet should be created to show all erosion control and restoration measures.
2. A second line of silt fence should be shown on the north side of the property closest to the lake for redundant protections.
3. Silt fence should be shown around all stock piles.
4. Restoration areas and types (i.e. sod, seed mix) should be identified on the plan. It is recommended to have erosion control blanket on the grading on the north side of the property near the retaining wall due to the steeper slopes near Sunfish Lake.
5. Limits of disturbance should be identified on the plan. If the area of disturbance exceeds one acre, a NPDES permit will need to be obtained prior to construction.

Site Access

1. 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.
2. It is recommended that the Contractor take pictures of the roadway and driveway prior to construction to document the condition of each. These pictures should be taken at a wide enough angle to verify their location.

Conclusion and Recommendations

Based upon our review of the engineering, stormwater management and site grading for 357 Salem Church Rd, 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. 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 new drainage calculations be resubmitted to our office prior to approval. We request that the applicant restate each comment and detail how each comment was addressed.

Memorandum

To: Ryan Grittman
Northwest Associated Consultants

From: Brandon Movall, EIT, ENV SP – Graduate Engineer
Kendra Fallon, EIT – Graduate Engineer
WSB

Date: March 11, 2019

Re: Major Site and Building Plan Review, Resubmittal 03/07/19
357 Salem Church Rd
City of Sunfish Lake, MN
WSB Project No. 013527-000

Project Background

The applicant is proposing to construct an addition onto an existing home, a new pool and new retaining walls along with the necessary grading and stormwater improvements. The following review is only for the engineering, stormwater management, and site grading issues. The building compliance will be handled by the City planners and building inspectors.

The following requirements and comments need to be addressed as the project moves forward:

General Notes

1. As per the review memo dated 02/28/19, "...if there are no wells within the required 50 feet, provide callouts stating that no wells exist within 50 feet of the property lines".
2. All other comments in this section from the review memo mentioned above have been addressed.

Stormwater Management

1. All comments in this section from the review memo dated 02/28/19 have been addressed.

Site Grading

1. All comments in this section from the review memo dated 02/28/19 have been addressed.

Erosion Control and Restoration

1. All comments in this section from the review memo dated 02/28/19 have been addressed.

Site Access

1. All comments in this section from the review memo dated 02/28/19 have been addressed.

Conclusion and Recommendations

Based upon our review of the engineering, stormwater management and site grading for 357 Salem Church Rd, 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. Therefore, we hereby find the proposed plans to be in accordance with City requirements and recommend approval from an engineering standpoint for this project. The well callout must be added to the plans and reviewed by the City Engineer prior to issuing the building permit on the project.

Tree #	Species	DBH	Condition	Stems	X	Y
1	Ginkgo	8.0	Good	1	556190.98	246304.54
2	Yew	13.0	Good	1	556197.05	246308.43
3	Yew	7.0	Good	1	556199.10	246313.08
4	Birch, yellow	8.0	Good	1	556216.30	246318.44
5	Honeylocust	12.0	Good	1	556245.20	246311.45
6	Ash, green	13.0	Good	1	556243.25	246342.73
7	Hickory, shagbark	12.0	Good	1	556269.71	246353.97
8	Redcedar	7.0	Good	1	556250.24	246401.36
9	Redcedar	7.5	Good	1	556248.11	246403.78
10	Hemlock	6.5	Good	1	556189.43	246459.52
11	Redcedar	7.0	Good	1	556177.06	246459.80
12	Yellowwood	22.0	Fair	1	556152.11	246457.30
13	Basswood	26.0	Good	2	556072.23	246426.51
14	Basswood	13.5	Good	1	556067.85	246426.96
15	Hemlock	9.5	Good	1	556069.76	246449.61
16	Yew	12.0	Good	1	556062.35	246424.55
17	Hackberry	22.5	Good	1	556039.82	246424.93
18	Tree lilac	13.0	Good	2	556042.49	246414.67
19	Pine, Austrian	13.0	Fair	1	556044.14	246402.07
20	Hornbeam, American	8.5	Fair	1	556030.40	246395.85
21	Magnolia	15.0	Good	1	556057.96	246395.21
22	Tamarack	16.5	Good	1	556035.69	246364.85
23	Oak, pin	16.5	Good	1	556058.83	246342.47
24	Oak, pin	18.5	Good	1	556073.46	246360.88
25	Basswood	31.5	Good	1	556126.79	246335.69
26	Hemlock	12.5	Good	1	556165.33	246340.43
27	Hornbeam, American	11.5	Good	1	556162.40	246493.83
28	Pine, white	14.0	Good	1	556203.61	246486.44
29	Pine, white	50.0	Good	2	556193.86	246488.40
30	Oak, white	22.0	Good	1	556147.69	246513.78
31	Oak, white	25.0	Good	1	556105.11	246479.37



EXHIBIT J

CITY OF *Sunfish Lake* MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: Ozzie and Shannon Nelson

Request: The applicants request City approval of major site and building plan to construct a home addition at 357 Salem Church Road and add a third accessory structure (swimming pool).

Planning Commission Meeting Date: March 20, 2019

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:

357 SALEM CHURCH ROAD
SUNFISH LAKE, MN 55118

2. The planning report dated March 13, 2019 prepared by Northwest Associated Consultants, Inc. and the engineering reports dated February 28, 2019 and March 7, 2019 prepared by WSB Associates are incorporated herein by reference.
3. The home addition will be over 1,000 square feet in area, which requires Planning Commission review and City Council approval.
4. The Sunfish Lake Planning Commission reviewed the applicant's request for major site and building plan approval at the March 20, 2019 Planning Commission meeting.
5. Upon review of the planning report and application information the Planning Commission found that the proposed site and building plan request meets Ordinance requirements. The following findings support the Planning Commission recommendation for approval:

Major Site and Building Plans:

- a. The subject property and proposed development meet R-1 and Shoreland Overlay District setbacks, building coverage and impervious surface standards.

- b. The proposed development addresses Ordinance requirements pertaining to drive and parking area design, lighting design, grading, drainage and stormwater management, landscaping, and screening.
- c. The proposed home addition meets Ordinance requirements pertaining to building size, height, and material use (with the exception of the roof material which the applicant is seeking City Council approval).
- d. The proposed home meets other applicable Zoning Ordinance criteria.

Conditional Use Permit.

The applicants are requesting conditional use permit approval in order to construct a third accessory structure on the property; specifically, a swimming pool. Staff has reviewed the request against Section 1204.01 of the Sunfish Lake Zoning Ordinance:

- 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.

Based on the review of the above requirements, the Planning Commission finds the project to be in compliance with these requirements.

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.

Approved, subject to the following conditions:

Major Site Plan and Building Review:

1. The applicants adhere to the City Engineer's recommendations for construction as addressed in his reports dated February 28, 2019 and March 7, 2019 (Exhibit H) and address any follow-up recommendations from the City Engineer.
2. The applicants must obtain a permit from the City's Septic Specialist for the installation of the proposed new septic system.
3. The applicants obtain a building permit from the City Building Official prior to commencing any construction of the proposed project.
4. Upon installation, any lights which cast light on residential property or over public water shall not exceed one-foot candle (meter reading) as measured from said property or edge of water abutting the property in question.
5. The applicants shall plant eight (8) trees to replace the four (4) mature trees that are scheduled to be removed, the applicants shall submit a landscaping plan for review and approval by the City Council.
6. A 200-foot "natural area" be maintained in the shoreland setback area once the project is complete.
7. The applicants shall contact planning staff to arrange pre-construction 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.
8. The applicants shall adhere to all recommendations for erosion control.

Conditional Use Permit:

1. No overhead lighting shall be used around the pool area. Only underwater lighting shall light the pool as necessary for safety.

Adopted by the Sunfish Lake Planning Commission this 20th day of March 2019.

City of Sunfish Lake

By: _____
Tom Hendrickson
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk

DRAFT