



NORTHWEST ASSOCIATED CONSULTANTS, INC.

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PLANNING REPORT - Major Site and Building Plan Review – 369 Salem Church Road

TO: Sunfish Lake Planning Commission
Sunfish Lake Mayor and City Council

FROM: Ryan Grittmann

DATE: August 14, 2019

RE: Sunfish Lake – 369 Salem Church Road – Major Site and Building Plan Review

FILE: 211.01 – 19.07

Application Accepted:	July 15, 2019
Planning Commission Date:	August 21, 2019
Tentative City Council Review:	September 3, 2019
60-day Review:	October 1, 2019

BACKGROUND

James and Sharon Adams are requesting approval of a Major Site and Building Plan Review to allow the construction of a new home at 369 Salem Church Road in the City of Sunfish Lake. The applicants have purchased the subject property and wish to demolish the existing home; and build a new home at approximately the same location on the site. A major site and building plan review is required for building alterations exceeding 1,000 square feet in area.

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.

APPROVALS REQUIRED	
Major Site and Building Plan Review	To permit the construction of a new home at 369 Salem Church Road.

Attached for reference:

Exhibit A: Existing Conditions
Exhibit B: Site Plan
Exhibit C: Building Elevations and Plans
Exhibit D: Landscape Plan
Exhibit E: Stormwater Management Plan
Exhibit F: City Engineer Memorandum (dated August 14, 2019)
Exhibit G: Lighting Plan; and Fixture Cut Sheets

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	3.91 acres (existing condition)	Yes
Front Setback (south)	100 feet	265 feet	Yes
Side Setback (east)	50 feet	80.9 feet	Yes
Side Setback (west)	50 feet	117.3 feet	Yes
Rear Setback (north)	50 feet	254.9 feet	Yes
Maximum Building Coverage	10%	1.9% (Total parcel) 2.7% (Above water portion of parcel)	Yes
Building Height Limitation (height above average existing grade)	30 feet	30 feet (approx.)	Yes
Shoreland Overlay District Standards	Required	Proposed	Compliant
Building setback from OHWM	200 feet	254.9 feet	Yes
Maximum lot coverage by impervious surface	30%	8.69%	Yes
Sewage system setback from OHWM	150 feet	>250 feet	Yes

Lot Area. The gross area of the two parcels is 6.74 acres, however once steep slope and wet areas (including the lake) are factored in, the property is approximately 3.91 acres of buildable land. The lot is a 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. Staff has calculated the average existing grade at 958.85 feet. The highest gable of the proposed two-story structure appears to be around 988.85 feet. The applicant shall verify this as a condition of approval.

Accessory Structures. The applicants are proposing a swimming pool as part of the project. Currently, there is an existing shed on the property that measures 325 square feet. The applicant has indicated that the shed will be removed. Thus, the property will have one accessory structure when the project is complete. Therefore, no conditional use permit is necessary for a second accessory structure.

Architectural Design / Building Materials. As shown on the submitted building elevations, the exterior finishes on the proposed home include asphalt shingles and stone siding. The applicant has verified that the lap siding will be cement fiber. Stone and cement fiber exterior materials are specifically permitted by ordinance. The foundation of the building will be poured concrete. A more thorough Building Code review will be conducted with the building permit application.

Placement and Design of Roads, Driveways, and Parking Areas. The site has an existing shared driveway that runs along the west border of the property. The driveway will change location slightly to accommodate the new home which will be further back from the lake and centered on the property. The driveway will be constructed of bituminous material. Fire access is discussed later in this report.

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 variety of landscaping lights. The applicant has indicated that they will have an updated plan with lighting fixtures around the garage area and pool area for review at the Planning Commission Meeting. 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 additional requirement.

Grading, Drainage, and Erosion Control. The home is being located in the center of the property. The lot slopes down to Sunfish Lake on the north part of the property. The project will require some modification of existing site grades.

The applicants have a stormwater pollution prevention plan intended to control potential erosion and sediment movement commonly associated with construction on sensitive 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.

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 July 30, 2019 (see attached Exhibit F).

As a condition of major site plan approval, the applicants must adhere to any follow up recommendations from the City Engineer.

Landscaping / Tree Preservation. The applicants have submitted a landscape plan that illustrates the location, type and size of trees to be planted after construction.

The applicant has also submitted a tree removal and preservation plan on a certificate of survey. The plan specifies that 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. A total of 77 trees, including pine, cedar, maple, oak, ash, and others, will be removed in the construction zone. The plan shows 67 trees to be planted in replacement. The replacement trees include conifers, shade trees, and ornamental trees.

The City Forester previously walked the site to observe the tree removal and preservation plan. The City Forester noted that trees that plan to be protected in the construction zone should have protection fencing around the dripline of the trees in order to preserve them.

The City Forester did not recommend any changes to the tree replacement plan. The applicants will continue to work with the City Forester after development of the proposed home to address the health of site trees, and to further discuss which trees should be a priority for removal or preservation.

With regards to removal of vegetation within the shoreland setback area, Ordinance Section 1243.04.A.2 states:

2. Removal or alteration of vegetation within two-hundred (200) feet of the ordinary high-water mark (the required building setback area) is only allowed subject to the following standards:
 - a. Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes (12 percent or greater) is prohibited.
 - b. Preservation of the majority of natural lakefront vegetation shall be required. Mowed lawns within 100 feet of the ordinary high-water mark may only be permitted in an area which encompasses up to twenty (20) percent of the shore impact zone.
 - (1) Lots existing at the time of Ordinance passage which contain mowed areas in excess of this requirement may be allowed to continue in the same manner, but under no circumstances may mowed turf areas be increased beyond that which exists or the limitations specified herein.

The applicants are proposing a mowed path to the lake. Paths to the lake are allowed for lake access. Aerial photos of the site show an existing path in this location.

Screening. The property is well screened from houses to the west but not the east. This is due to the existing home on the site that's scheduled for demolition. The applicants are proposing conifer trees to help with the screening on the east, west, and south sides of the property. The home will not be visible from the street.

Well Pump. The proposed well site is to the west of the proposed home. This is subject to further review and approval of the City Septic Inspector and the City Engineer.

Septic System. An existing septic system will be maintained on the east side of the property away from Sunfish Lake. The system includes primary and alternative septic treatment areas. The septic system was installed recently to serve the existing home. The applicants are proposing to use the existing septic system with the new home. The City Septic Inspector was provided a set of site and building plans and did not offer any further comments or questions.

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 the plans.

Fire Safety. The building will not be protected by a fire sprinkler system. The proposed driveway will be 15 feet wide to accommodate a fire truck. This is consistent with the City's required width for fire truck access. The driveway will be constructed of pavers and bituminous material. The Fire Chief was provided a set of site and building plans and did not offer any comments or concerns.

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

DNR Approval. Minnesota DNR area Hydrologist Jennie Skancke was notified of the proposed request and was provided a copy of the site and building plans. The Hydrologist did not offer any further comments or concerns.

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

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 appears to meet the site and building plan review criteria. The home has been designed and sited to minimize impacts on the lake and surrounding properties. It is setback from the lake 254.9-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 steep 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.

SUMMARY AND RECOMMENDATION

Major Site and Building Plan Review. The applicants are requesting approval of Major Site and Building to allow the construction of a new home at 369 Salem Church Road. Major site and building plans require Planning Commission review and recommendation and City Council approval.

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

1. The applicants adhere to 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 septic system. The applicants shall verify permit issuance prior to City Council consideration of the application.
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 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.
6. The applicants shall adhere to all recommendations for erosion control.
7. The applicant shall verify that the highest gable is at an elevation of 988.85 feet.

c: Cathy Iago, City Clerk
Mike Andrejka, City Building Official
Jeff Sandberg and Brandon Movall, City Engineers
Jim Naves, City Forester
Tim Kuntz, City Attorney
Ron Wasmund, City Septic Inspector
Dave Dreelan, Fire Chief
Jennie Skancke, Minnesota DNR area Hydrologist
James and Sharon Adams, Property Owner
John Kraemer – JK and Sons – Builder, and Applicant

CITY OF *Sunfish Lake* MINNESOTA

Planning Commission Findings of Fact & Recommendation (Approval)

Applicant's Name: James and Sharon Adams

Request: The applicants request City approval of major site and building plan to construct a new home at 369 Salem Church Road.

Planning Commission Meeting Date: August 21, 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:

369 SALEM CHURCH ROAD
SUNFISH LAKE, MN 55120
2. The planning report dated August 14, 2019 prepared by Northwest Associated Consultants, Inc. and the engineering report dated August 13, 2019 prepared by WSB Associates are incorporated herein by reference.
3. The home will be more than 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 August 21, 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 District setback and shoreland setback requirements, and home footprint 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 meets Ordinance requirements pertaining to building size, height, and material use.
- d. The proposed home meets other applicable Zoning Ordinance criteria.

Recommendation:

Based on the foregoing considerations and applicable ordinances, the Planning Commission recommends approval of the applicant's major site and building plans.

Approved, subject to the following conditions:

1.

Adopted by the Sunfish Lake Planning Commission this 21st day of August 2019.

City of Sunfish Lake

By: _____
Tom Hendrickson
Planning Commission Chair

ATTEST

Catherine Iago, City Clerk