



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
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TRANSMITTAL

DATE: November 28, 2018		
TO: Sunfish Lake Mayor and City Council Catherine Iago Tim Kuntz Brandon Movall, Jeff Sandberg Mike Andrejka Jim Naves Ron Wasmund Dave Dreelan		NUMBER OF PAGES INCLUDING COVER:
FROM: Ryan Gritman		
QUANTITY:	MATERIAL/DESCRIPTION: Sunfish Lake December 4, 2018 City Council Meeting: Agenda Item 6a, Planner's Report	DATED:
SENT VIA: ☐ Fax ☒ Mail ☒ Email ☐ Delivery		
REMARKS: Agenda Items: 6a. Planner's Report		
CITY/PROJECT NAME: Sunfish Lake - General		
JOB NUMBER: 211.02		



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MEMORANDUM

TO: Sunfish Lake Mayor and City Council
FROM: Ryan Gritman
DATE: November 28, 2018
RE: Sunfish Lake – Planning Update for October City Council Meeting
NAC FILE: 211.02 - General

**12/4/18 CC
Mtg.
Agenda Item
6a**

November Planning Commission Meeting

The November Planning Commission Meeting was cancelled due to a lack of agenda items. As of the date on this memo, there are no agenda items for the December meeting.

Additional Planning Updates

Chicken Renewal Permit – 315 Salem Church Road. At the direction of the mayor, a letter was sent to the property owners at this address stating that their chicken keeping permit is expired and no longer valid. Staff has not had any additional correspondence with the property owners.

2019 Application and Meeting Schedule. Attached to this memo is the proposed application and meeting schedule for 2019. The City attorney has prepared a resolution for adopting the schedule. There are no holidays or non-meeting days to schedule around at this time. Staff is recommending approval of the 2019 schedule.

Conditional Use Permit Amendment – 331 Salem Church Road Resolution. Staff has prepared the resolution for amending the conditions of approval for 331 Salem Church Road. Staff is recommending approval of the resolution.

2 Sunfish Lane – Resolution. Staff has amended the resolution for 2 Sunfish Lane at the direction of the City Council. The Council made one change to the resolution related to landscaping requirements for the new home construction at this site. Staff has made the change and has brought the updated resolution. Staff is recommending that the Council adopt the updated resolution.

c: Catherine Iago, City Clerk
Tim Kuntz, City Attorney
Jeff Sandberg and Brandon Movall, City Engineers
Mike Andrejka, Building Official
Jim Naves, City Forester
Ron Wasmund, Septic System Inspector
Dave Dreelan, Fire Chief

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

RESOLUTION NO. 18-____

**RESOLUTION APPROVING AN AMENDMENT TO THE CONDITIONS OF
APPROVAL FOR A SHORELAND SETBACK VARIANCE, AND A SIDE YARD
SETBACK VARIANCE TO PERMIT CONSTRUCTION OF A GARAGE EXPANSION
AND SECOND FLOOR LIVING SPACE FOR THE PROPERTY LOCATED AT 331
SALEM CHURCH ROAD, SUNFISH LAKE, DAKOTA COUNTY, MINNESOTA.**

WHEREAS, Sena Kihitir has received a variance approval for a shoreland setback variance, and side yard setback variance with Resolution 16-14 to permit construction of a garage expansion, bedroom, bathroom, laundry room, and workout room at the property located at 331 Salem Church Road, legally described as:

PT OF NE 1/4 OF NW 1/4 LYING N OF S 240 FT W OF E 328 FT & E OF FOL DESC LINE COM NE COR OF HARRISON ESTATES E 287.81 FT TO BEG S 0D30M 43S W 586 FT S 0D36M50S W 137.61 FT S 30D52M58S E 78.48 FT S 8D43M50S W 290.41 FT TO INT WITH N LINE OF S 240 FT & THERE TERM & UND 1/5 INTEREST IN PRIVATE DRIVE AS DESC IN DOC # 557303 & OUTLOT A LINDEKE ADDITION

WHEREAS, City staff reviewed the application for the variance amendment and outlined their review comments in a planning report dated October 10, 2018 prepared by Northwest Associated Consultants.

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their October 17, 2018 meeting and reviewed the application for a variance amendment, along with the referenced staff reports and comments; and

WHEREAS, upon hearing the staff presentations, and applicant testimony, the Planning Commission closed the public hearing and recommend to the City Council approval of the amendment to the shoreland variance request, and side yard variance request that allowed the construction of a garage addition and second floor living space, on a vote of 3 to 0 whereby the following findings support the Planning Commission recommendation for approval:

1. The applicant has stated that the existing color is outdated.
2. The applicant has stated that the existing paint is old and has faded unevenly around the home; making matching the color difficult.

WHEREAS, the Sunfish Lake City Council considered the application for an amendment to the conditions of approval for a shoreland setback variance, and side yard variance at their meeting on November 13, 2018 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 repeals the condition of approval as follows:

2. The exterior building materials used must match existing exterior building materials in material type and color.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the addition of the following condition of approval:

1. The repainting of the home be completed by August 31, 2019, and;
2. The main color of the existing home siding and the addition siding be painted the same color to be chosen by the applicant.

This resolution is adopted by the City Council of the City of Sunfish Lake this 13th day of November 2018.

Attest:

Dan O'Leary, Mayor

Catherine Iago, City Clerk

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A SECOND
ACCESSORY STRUCTURE, A CONDITIONAL USE PERMIT FOR GARAGE SPACE
EXCEEDING 1,250 SQUARE FEET, AND MAJOR SITE AND BUILDING PLANS FOR
THE PROPERTY LOCATED AT 2 SUNFISH LANE, SUNFISH LAKE, DAKOTA
COUNTY, MINNESOTA.**

WHEREAS, Elevation Homes submitted an application for major site and building plans and two conditional use permits for the construction of a new home on the property located at 2 Sunfish Lane, legally described as:

SECTION 30 TWN 28 RANGE 22 PT OF S 1/2 OF SE 1/4 BEG 2615.1 FT W OF SE COR N 638.10 FT N 64D33M E 186.78 FT N 18D14M E 163.58 FT TO INT WITH NW'LY EXT OF N'LY LINE OF KNUTSON ADD SE'LY ON SAID EXT OF N'LY LINE TO W LINE OF PLAT S'LY ON SAID W LINE TO S LINE SE 1/4 W 181.35 FT TO BEG ALSO PT OF LOTS 1 & 2 AUDITORS SUBDIVISION NO 41 COM 2615.1 FT W OF NE COR SECTION 31 S 300 FT E 181.35 FT N 300 FT TO N LINE SAID SEC 31 W 181.35 FT TO BEG 30 28 22

WHEREAS, City staff reviewed the application and outlined their review comments in a planning report dated September 11, 2018 prepared by Northwest Associated Consultants and engineering report dated August 22, 2018 and August 28, 2018 prepared by WSB & Associates; and

WHEREAS, the Sunfish Lake Planning Commission held a public hearing at their September 19, 2018 meeting and reviewed the two (2) conditional use permits and major site and building plan application, along with the referenced staff reports; 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 two (2) conditional use permits and major site and building plans to allow construction of the applicant's proposed new home, 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 setbacks, 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 home meets other applicable Zoning Ordinance criteria.

Conditional Use Permit for a Second Accessory Structure:

5. The planning report dated September 11, 2018 prepared by Northwest Associated Consultants, Inc. and the engineering reports dated August 22, 2018 and August 28, 2018 prepared by WSB Associates are incorporated herein by reference.
6. The swimming pool will be the second accessory structure on the property, which requires Planning Commission review and City Council approval.
7. The Sunfish Lake Planning Commission reviewed the applicant's request for a second accessory structure at the September 19, 2018 Planning Commission meeting.
8. Upon review of the planning report and application information the Planning Commission found that the proposed conditional use permit for a second accessory structure meets Ordinance requirements. The following findings support the Planning Commission recommendation for approval:
 - a. The subject property and proposed development meet R-1 and Shoreland Overlay District setback, building coverage, and impervious surface standards.
 - b. The proposed swimming pool addresses Ordinance requirements pertaining to, lighting design, grading, drainage and stormwater management, landscaping, and screening.
 - c. The proposed swimming pool meets other applicable Zoning Ordinance criteria.

Conditional Use Permit for attached garage space exceeding 1,250 square feet:

9. The planning report dated September 11, 2018 prepared by Northwest Associated Consultants, Inc. and the engineering reports dated August 22, 2018 and August 28, 2018 prepared by WSB Associates are incorporated herein by reference.
10. The garage space will be over 1,250 square feet in area, which requires Planning Commission review and City Council approval.
11. The Sunfish Lake Planning Commission reviewed the applicant's request for garage space exceeding 1,250 square feet at the September 19, 2018 Planning Commission meeting.

12. Upon review of the planning report and application information the Planning Commission found that the proposed conditional use permit for garage space exceeding 1,250 square feet meets Ordinance requirements. The following findings support the Planning Commission recommendation for approval:
 - 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 structure meets Ordinance requirements pertaining to building size, height, and material use.
 - d. The proposed home meets other applicable Zoning Ordinance criteria.

WHEREAS, the Sunfish Lake City Council considered the application for two (2) conditional use permits, and major site and building plan review at their meeting on October 2, 2018 and agrees with the findings of the Planning Commission.

WHEREAS, the Sunfish Lake City Council considered this resolution at their regularly scheduled meeting on December 4, 2018.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Sunfish Lake hereby approves the major site and building plans and the two (2) conditional use permit requests dated August 13, 2018 for 2 Sunfish Lane with the following conditions:

1. The applicant adheres to the City Engineer's recommendations for construction as addressed in his final report dated August 28, 2018 and addresses any follow-up recommendations from the City Engineer.
2. The applicant submits engineered plans for all retaining walls that are (4) four feet in height or higher.
3. The applicant obtains a permit from the City's Septic Specialist for the installation of the proposed septic system.
4. The applicant obtains a building permit from the City Building Official prior to commencing any construction of the proposed project.
5. 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.

6. The applicant works with the City Forrester to address any concerns related to tree preservation during and after construction.
7. The applicant 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 applicant shall adhere to all recommendations for erosion control.
9. The applicant plant (4) four conifer trees of any species other than Colorado Spruce. Said trees shall be (6) six feet in height at the time of planting to replace the existing conifers on the northwest side of the home. The applicant shall work with the City Forrester to ensure the proper placement of the trees.

Conditional Use Permit – Second Accessory Structure:

10. The shed be renovated to match the new home in material type, color, and roof design.

Conditional Use Permit – Garage Space Exceeding 1,250 square feet:

11. All garage, shed, and shop space can only be used for the personal enjoyment of the property owner and their guests, no home occupation may be conducted in or around any of the garage spaces.

This resolution is adopted by the City Council of the City of Sunfish Lake this 4th day of December, 2018.

Attest:

Dan O'Leary, Mayor

Catherine Iago, City Clerk

CITY OF *Sunfish Lake* – 2019 APPLICATION SCHEDULE*

COMPLETE APPLICATION DUE IN PLANNER'S OFFICE	PLANNER FORWARDS APPLICATION MATERIALS TO CITY STAFF	ALL CITY CONSULTANTS' REPORTS / COMMENTS DUE IN PLANNER'S OFFICE	PUBLISH/MAIL PROPERTY OWNER NOTICES AND/OR PUBLIC HEARING NOTICES	PC PACKET MAILED OUT	PLANNING COMMISSION MEETING	CITY COUNCIL MEETING
MONDAY 4:30 PM	TUESDAY 4:30 PM	TUESDAY 4:30 PM	WEDNESDAY 3:00 PM	WEDNESDAY 4:30 PM	WEDNESDAY 7:00 PM	TUESDAY 7:00 PM
12/10/2018	12/11/2018	12/26/2018	1/2/2019	1/9/2019	1/16/2019	2/5/2019
1/14/2019	1/15/2019	1/29/2019	2/6/2019	2/13/2019	2/20/2019	3/5/2019
2/11/2019	2/12/2019	2/26/2019	3/6/2019	3/13/2019	3/20/2019	4/2/2019
3/11/2019	3/12/2019	3/26/2019	4/3/2019	4/10/2019	4/17/2019	5/7/2019
4/8/2019	4/9/2019	4/23/2019	5/1/2019	5/8/2019	5/15/2019	6/4/2019
5/13/2019	5/14/2019	5/28/2019	6/5/2019	6/12/2019	6/19/2019	7/2/2019
6/10/2019	6/11/2019	6/25/2019	7/3/2019 ²	7/10/2019	7/17/2019	8/6/2019
7/15/2019	7/16/2019	7/30/2019	8/7/2019	8/14/2019	8/21/2019	9/3/2019
8/12/2019	8/13/2019	8/27/2019	9/4/2019	9/11/2019	9/18/2019	10/12/2019
9/9/2019	9/10/2019	9/24/2019	10/2/2019	10/9/2019	10/16/2019	11/12/2018 ¹
10/14/2019	10/15/2019	10/29/2019	11/6/2019	11/13/2019	11/20/2019	12/3/2019
11/11/2019	11/12/2019	11/26/2019	12/4/2019	12/11/2019	12/18/2019	1/7/2020

* Applies to all Major Review, CUP, IUP, Text Amendment, Rezoning and Variance Applications

¹denotes meeting moved back one week due to election

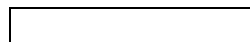
²denotes deadline may change due to holiday

NOTE: This schedule will be followed without exception. Incomplete applications, missing meeting dates or project due dates will result in the review of the request being delayed.

Pursuant to Minnesota State Statutes, Section 15.99, as amended, supplemented or replaced from time to time, the City is permitted fifteen (15) business days to review materials submitted and determine whether an application is complete. Submittal of application materials on the complete application deadline does not guarantee placement on the upcoming Planning Commission agenda.



- Staff/Consultant Dates



- Applicant Dates