

MEETING MINUTES (Final)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 10/24/2024

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: – Andy Sorenson - Chairperson, Michael Kraemer, Casey Muhm, Michael McKenzie, Michelle Maiers-Atakpu

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Suzie Mahoney, Larry Mahoney, Emily Morehead

1. TO ORDER: Sorenson called meeting to order at 7:00 PM.
2. PUBLIC FORUM
 - a. Larry and Suzie Mahoney 479 Lake Ave spoke about their concern over the deck modification permit granted to 483 Lake Ave. The Mahoney's indicated they had filed a complaint with the City Council on October 8, 2024 about the deck modification permit. The Mahoneys inquired if the Planning Commission had any recommendations on how they could contest the permit and stop the current construction. Planning Commission Chairman Andy Sorenson informed the Mahoneys that the Planning Commission had no jurisdiction over the matter since the Commission had no involvement in the review and approval of the any element of the permit.
3. APPROVE AGENDA
 - a. Motion by Maiers-Atakpu, 2nd by Muhm, 2nd to approve agenda. Vote: Yes -5, No – 0. Motion passed.
4. REGULAR AGENDA
 - a. Item A – Review/Approve August 22, 2024 Planning Commission Meeting Minutes.
 - i. Motion by Muhm, 2nd by Maiers-Atakpu to approve the minutes. Vote: Yes – 5, No – 0, Motion passed.
 - b. Item B – 4 Five Oaks Lane Concept Plan Review.
 - i. Planning Commission was asked to provide preliminary comments on a concept plan to extend the garage/master bedroom addition from the face of the walkout garage 30' to within 21' – 4" of the city street ROW. The face of the current structure is 51' – 4" from the ROW. City Code 302.020 STRUCTURE LOCATION REQUIREMENTS dated 09/02/2023 sets structure set back from city streets at 30'.
 - ii. **Action Taken:** The Planning Commission not finding circumstances of code imposed undo hardship suggested current plan was not in compliance with City Code and that the property owners work with

their architect to bring the proposed addition design in compliance with existing City Code.

c. Item C – Ordinance 2024-11-01 (302.055) Run Off Changes

- i. Planning Commission was asked to review draft language of Ordinance 2024-11-01 LAND DISTURBANCE ACTIVITY STANDARDS related to site runoff considerations. The previous ordinance sited *“No increase in runoff **rate** shall occur.”* The proposed language changed that threshold to *“in the opinion of the City Engineer, the construction or modifications do not cause significant adverse effects on adjacent properties (including City property) due to stormwater runoff, including but not limited to erosion, flooding, or damage to structures or landscaping. Calculations for this section shall be based on a 24-hour, 10-year storm event as defined by local meteorological data.”*
- ii. **Action Taken/ Recommendation:** The Planning Commission accepted the language modification with the caveat that the engineer’s analysis on properties lying within or effecting land locked basins (i.e. no outlet) shall include an evaluation of the potential impacts to surrounding property from a 48 hr – 100 year probability event. Advisory Vote: Yes – 4, No – 0.

ADJOURN 7:49 PM

- d. Motion by Maiers-Atakpu , 2nd by Muhm to adjourn meeting. Vote: Yes - 5, No – 0. Motion passed.