



**MEETING OF THE PLANNING
COMMISSION**

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
June 3rd, 2026, @ 7 pm**

MEMBERS

Andy Sorenson, Chair
Ben Wikstrom, City Planner
Casey Muhm, Member
Michael McKenzie, Member
Michelle Maiers, Member
Mike Kraemer, Secretary
Jennifer Arsenault, Planning Liaison

CALL TO ORDER

ROLL CALL

APPROVE PRIOR MEETING MINUTES

OPEN PUBLIC FORUM

PRESENTATIONS FOR REVIEW OF PLANNING COMMITTEE

1. CUP-309 Wildwood Ave (memo attached and for review and approval) pgs. 1-10
 - A) Review memo
 - B) Discuss project and options
 - C) Recommend Approval with findings and conditions or Denial with findings

2. 315 Wildwood Ave-Concept Review (concept-review only) pgs. 11-18

ADJOURN

memo

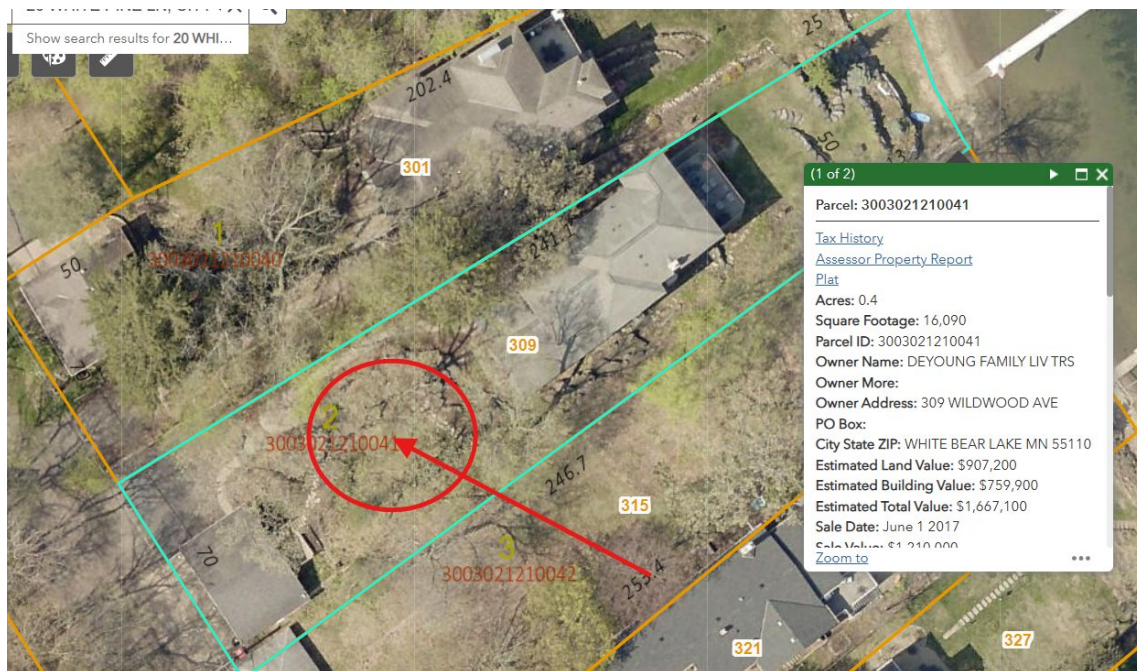
To: Birchwood Village Planning Commission
 From: Ben Wikstrom, Planning Consultant
 CC:
 Date: June 3, 2026 Meeting
 Re: Conditional Use Permit Application – **309 Wildwood Avenue**

Application and Background

Darren and Amy DeYoung have applied for a Conditional Use Permit to allow landscape work on their property at 309 Wildwood Avenue. Because of the area (volume) of land disturbance proposed, approval of a Conditional Use Permit is required.

A survey from 2002 is attached to this memo for reference, as are the plans for the project.

The aerial image below (from Washington County GIS) shows the property, with the proposed work area limits roughly depicted by the red circle.



Proposed Project

The project narrative has come in the form of emails between the City Engineer and the applicant. From those emails, a description of the proposed work:

I am helping Amy and Darren DeYoung at 309 Wildwood Drive update their landscape around the front yard (between the detached garage and the residence) where they had lost about 3 trees in recent years and are just looking to modify the landscape in that area in the absence of these trees and convert the landscape from full-shade to mostly sun in this area, and establish a useful front yard area for some family activities (area for dog and more leveled space to play bag toss and other activities with a more flattened area).

The work that would be done with the trees removed would entail dropping the grade about 12-18" on the East side of the front yard, grading that soil to the west and add some additional fill and topsoil to make a more gradually sloping yard that can be established with turf grass.

There would be right about 40 CY of soil added as the grades get blended across the front yard with the retaining wall adjusted and the deck stairs removed and re-set to the height toward the deck being raised about 12-18" after the grades are lowered on the Eastern half of the lot.

...In general, there will be less of a slope in this front yard area pitching to the detached garage, as we smoothen the front yard out and further grind down the stumps to remove the mounded areas where the trees had been removed.

I also have a Master Plan for this site that references the contour map from the GIS information on the site. The grading is going to all occur within a 2' contour interval from one end of this area to the other (closest to the house on the top of the terraces goes down in height about 12-18" while we raise the grade on the garage area 12-18" as you can build more soil along the garage foundation to smoothen it all out without the tress in this area).

Photos of the existing site, with notes:

Facing east, toward house/lake (existing conditions)



Facing west, toward garage/street



Facing south, toward 315 Wildwood vacant lot (panoramic view)



Facing east, toward house/lake



Conditional Use Permit – Pertinent Ordinance Language, Requirements, and Standards

301.070

CONDITIONAL USES.

Certain accessory uses permitted within the City have greater than usual chances to present safety hazards, impact on neighboring people and property, and nuisance situations. Because of these greater effects, the City requires these uses to be covered under Conditional Use Permits. Applications for Conditional Use Permits must comply with all provisions of Section 306. CONDITIONAL USE PERMITS.

1. A Conditional Use Permit shall be required for the following projects:

b. Any land disturbance activity where such work involves an area greater than four hundred (400) square feet and/or more than fifty (50) cubic yards in volume. See Note at end of Section 301.070.

306.020.

CONDITIONAL USE REQUIREMENTS AND STANDARDS.

Applications for Conditional Uses must include Required Information and demonstrate that the Requirements and Standards for each Conditional Use will be met. See Section 301.070 for uses requiring Conditional Use Permits.

306.030.

CONDITIONAL USE PERMIT FOR LAND DISTURBANCE ACTIVITY.

1. Purpose. The purpose of Section 306.030 is to control or eliminate storm water runoff, soil erosion, and sedimentation in the City and adjacent jurisdictions.

2. No permit for any land disturbance activity shall be granted until the applicant obtains all necessary approvals from the Department of Natural Resources, the Rice Creek Watershed District, the White Bear Lake Conservation District, and any Agency, Department or Government entity which has jurisdiction over the project.

3. Required Information in Application for Land Disturbance Activity

a. Plans: Existing, Construction, and Final Site Plans must include detail on how the applicant intends to control and minimize erosion and storm water runoff and to follow Section 302.050 IMPERVIOUS SURFACES and Section 302.055 LAND DISTURBANCE ACTIVITY STANDARDS. A combination of successive Best Management Practices may be used to achieve the standards and requirements.

Existing Site Plan: A map of existing site conditions showing the site and immediately adjacent areas, including:

1. The name and address of the applicant, date and scale of drawings, and number of sheets.
2. Location of the tract on map of the City of Birchwood Village.
3. Existing topography with a contour interval appropriate to the topography of the land, but in no case having a contour interval greater than two (2) feet. Include designation of areas that have the potential for serious erosion problems, e.g. slope of greater than twelve (12) percent.
4. A delineation of all streams, public waters, and wetlands located on and immediately adjacent to the site and any classification given to the water bodies by the Minnesota

Department of Natural Resources, The Minnesota Pollution Control Agency, and/or the U.S. Army Corps of Engineers.

5. Location and dimensions of existing storm water drainage systems and natural drainage patterns on and immediately adjacent to the site with delineation of the direction rate at which storm water is conveyed from the site and identification of the receiving streams, public waters, wetland, and/or on-site locations.
6. A description of the soils of the site, including a map indicating soil types of the areas to be disturbed.
7. Location of existing vegetative cover.
8. Locations of highest known water levels of adjoining lakes, ponds, and wetlands.
9. Location and size of existing structures. Site Construction Plan.

A site construction plan including:

1. Locations, dimensions, and volumes of all proposed land disturbance activities including any vegetation proposed for removal.
2. Locations and dimensions of all temporary soil and construction material stockpiles.
3. Locations and dimensions of all construction site erosion control and permanent stabilization measures to meet City and State Codes both during and after the construction process.
4. Schedule of anticipated starting and ending dates of each land disturbance activity and construction site erosion control, storm water runoff control, and inspection and maintenance activity.

Plan of Final Site Conditions. A plan of final site conditions at the same scale as the existing site map showing the site changes including:

1. Finished grading shown at same contour interval as provided above to clearly indicate proposed changes, pre-existing topography, and final conditions.
2. A landscape plan including dimensions, locations, type, and description of all proposed landscape materials which will be on the site.
3. A drainage plan of the developed site including final storm water drainage systems and natural drainage patterns on and immediately adjacent to the site with delineation of the direction in which storm water is conveyed from the site.
4. The proposed size, alignment, and intended uses of all structures to be on the site.
5. Location and sizes of all areas which will be paved or covered with other impervious material including a description of the materials used.
6. Location of any fill or excavation on slopes greater than twelve (12) percent for review for permanent slope stability.
7. Any other information which would help the City in reviewing the plan.

b. Demonstration that the work will not adversely affect the water or wildlife of lakes, ponds, or wetlands into which water from the altered land will drain, or adversely affect adjacent parcels of land.

c. Exception: The Building Official may waive the submission of construction documents and other data if the nature of the work applied for is such that reviewing of this information is not necessary to obtain compliance with the code.

Staff Comments

The proposed work is relatively minor in scope and impact, especially considering its location away from the lake and between the house and garage. The applicant has provided calculations to City staff showing that the impervious surface on the property will not increase, and a condition of approval states that no increase is allowed with this project (additional impervious would require further review and approval).

The City Engineer has worked closely with the applicant to ensure that the drainage on the site will not change with the altered contours, and the contractor is working on a revised grading plan to address the Engineer's concerns about the original plan. A condition of approval recommended by staff is that no construction may commence until the grading plan has been approved by the City Engineer.

The application narrative above outlines the scope of the work, which is within the requirements of the ordinance.

Staff Recommendation

As with any conditional use permit, general findings are laid out based on ordinance requirements. The ordinance criteria for CUPs are as follows:

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. That the proposed action will not:
 - a. Impair an adequate supply of light and air to adjacent property,
 - b. Unreasonably diminish or impair established property values within the surrounding area,
 - c. In any other respect impair the public health, safety or welfare or the residents of the City.
 - d. Depreciate values in the area.
 - e. Over-burden neither the existing public services nor the capacity of the City to serve the area.
 - f. Alter traffic generation beyond the capabilities of the streets serving the site.

The project meets all of the applicable criteria. Based on the plans and detail provided and pending approval of the grading plan by the City Engineer, staff recommends approval of the Conditional Use Permit for 309 Wildwood Avenue, with the conditions listed below.

Recommended Conditions

1. No construction shall commence prior to the City Engineer's approval of a grading and drainage plan submitted by the applicant.
2. No increase in impervious surface is allowed by this Conditional Use Permit.
3. Prior to construction, the property lines shall be staked to ensure that all construction is contained within the property boundaries.
4. Each CUP issued by the City shall be recorded with the County Recorder (Code Section 306.080.9).
5. A Conditional Use Permit shall become null and void one year after it was granted, unless made use of within the year, or a longer period of time if prescribed by the Council at the time the permit is issued (Code Section 306.090.2).

6. If approved, the CUP is subject to the following conditions:
 - a. The Council may require posting of a bond or other guarantee to insure compliance with its conditions (Code Section 306.080.8).
 - b. All application materials, maps, drawings and descriptive information submitted with this application shall become part of the CUP.
 - c. Land alteration may not cause adverse impact upon abutting property.
7. No permit for any land disturbance activity shall be granted until the applicant obtains all necessary approvals from the Department of Natural Resources, the Rice Creek Watershed District, the White Bear Lake Conservation District, and any Agency, Department or Government entity which has jurisdiction over the project.
8. Any other conditions as required by the City Engineer or City Council.

Email from City Engineer to Applicant (05-28-26):

Darren,

Just to recap our phone call conversation from yesterday. We just need a grading plan (also known in the CUP section as a final site conditions). With tomorrow's site visit, I was going to note an issue with sending water between the two garages and make a recommendation of hiring a surveyor or landscaper to finish this out. The landscaping plan does not show an existing retaining wall between your garage and the 315's property. That causes problems with the concept you submitted to send water that way. It will be difficult to manage drainage between the two garages being so close together. Additionally, the distance between your garage and property line is different from the landscaping plan (landscaping plan shows 5.5') and the survey you got from city hall (survey shows 3.2'). Drainage will have to go to the other side of the garage (similar to how it does now just more flat). The city will require the property line be staked out with the wall construction being close to the property line (for verification that the work stays within your property). Ideally, do not touch any impervious (if that has not been mentioned from past conversations) because that will cause a review of that also, which we don't want.

As for the PC meeting next week, Ben's report will recommend to approve conditionally pending my approval of the final site plan. This way, we can get past the public comment period. After that, it will mainly just be my time spent reviewing and a final site visit once construction is complete.

Thanks,

Marcus Johnson, PE (MN)
Municipal Project Engineer | Associate
Bolton & Menk, Inc.

CERTIFICATE OF SURVEY

for:

GREG BARTZ

All additions or deviations must receive prior approval.

WHITE BEAR LAKE

CROSS IN CONCRETE

56.30

50.00

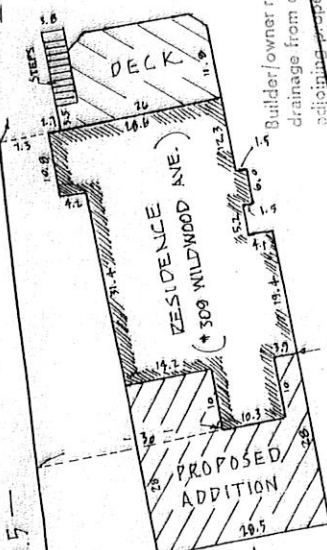
10.00

IRON

N

Builder/owner responsible for positive drainage from entire lot and across all adjoining properties - review drainage easements before starting house construction or yard landscaping.

Separate permits are required for plumbing, heating and electrical installations.



241.5

246.7

14,397[±] OF TOTAL SURFACE

USED NEW SPACE 3490[±]

25% OF 14,397[±] = APPROX 3600

PROVIDE
EROSION
CONTROL

SCALE = 1" = 20'

CHAR-MAR CORPORATION

(651) 704-0823

(651) 426-8750

(612) 237-3811

(612) 237-3812

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.

Dated this 17th day of AUGUST, 2001.

By: *Greg Bartz*

Surveyor, Minnesota License No. 6122

DESCRIPTION:

LOT 2, BLOCK 6, 1ST
LAKEWOOD PARK
ADDITION

WILDWOOD AVENUE
(BLACK TOP)

BLACK TOP DRIVE

PARKING

3 STALL GARAGE

CONCRETE

DRIVEWAY

RETAINING WALL

IRON

DECK

STEPS

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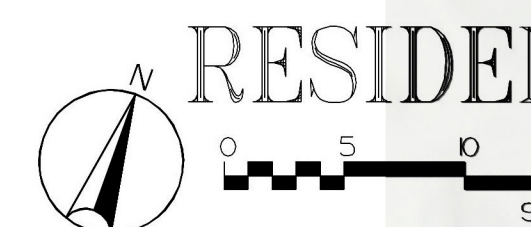
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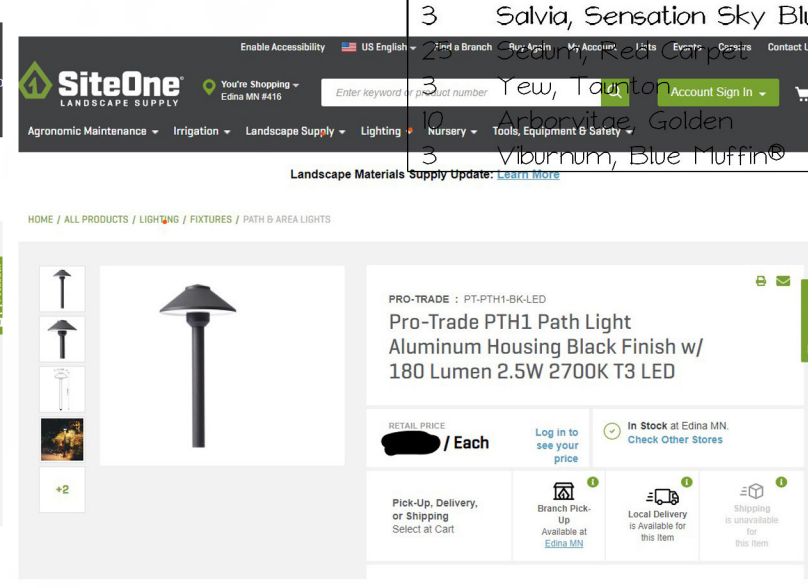
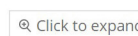
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Supers, Zigzag	#1 Cont.
thus, Firewitch	#1 Cont.
anium, Rozanne®	#1 Cont.
thera, Forever® Purple	#1 Cont.
la, Gold Standard	#1 Cont.
la, Hadespen Blue	#1 Cont.
er, Lime Glow	#3 Cont.
ovska, Blue Jean Baby	#1 Cont.
un, Red Carpet	6-Pak



DEYOUNG RESIDENCE
FRONT YARD RENOVATION
LANDSCAPE PLAN CONCEPT -
DRAFT FOR REVIEW
VERS. 5-17-2026 - PLANTING PLAN
309 WILDWOOD DR.,
BIRCHWOOD VILLAGE, MN 55110

memo

To: Birchwood Village Planning Commission
 Alan Kantrud, City Administrator

From: Ben Wikstrom, Planning Consultant

CC:

Date: June 3, 2026 Meeting

Re: Concept Plan Review – 315 Wildwood Avenue Building Height Variance

Jeff Welle of Divine Custom Homes, on behalf of property owners Joe and Andrea Holka, is requesting feedback from the Planning Commission regarding a potential variance application. The proposed project is construction of a single-family home at 315 Wildwood Avenue, and the variance would be for the maximum height of the structure.

The ordinance allows a maximum height of 35' from the lowest grade to the highest point of the structure, as excerpted here:

302.045 4. Tallest Point Limitation

Regardless of the structure height limitations for principal structures specified in section 302.045 subsection 2 above, the vertical distance from the lowest level of where grade meets a structure to tallest point of that structure shall not exceed 35 feet.

Mr. Welle has submitted elevations for the house, as well as an updated survey showing existing and proposed conditions. Things to keep in mind as you review the plans and the survey:

- The maximum height of the structure is 39.0'. The highest roof is set back 6' further from the lake than the forward-most portion of the house, which appears to be near the 35-foot maximum.
- The proposed house is significantly behind the required setback from the Ordinary High Water Line; the closest point of the house is 93.9' from the OHWL, while a proposed deck is 83.4' from the line. The ordinance requires a 50-foot setback from the OHWL.
- The proposed house is roughly in line with the setbacks of the adjacent homes (see survey); the existing home at 309 Wildwood Avenue is closer to the lake, while 321 Wildwood Avenue is further from the lake than this proposed house; a line between those two immediate neighbors would be the approximate building line of the house at 315 Wildwood Avenue.
- The existing grades/contours are shown on the survey, and are the basis for the practical difficulty on the property.

- Mr. Welle will describe the type of construction, the ceiling heights, joist design, etc. at the meeting.
- Other items that will be considered from the survey and proposed construction are as follows:
 - The proposed impervious surface on the property is below 30% but above 25%, which will require mitigation by means approved by the City Engineer.
 - The proposed retaining walls on the site include walls higher than 4' leading to the garage; retaining walls that are "part of a building" may be higher than 4' (would still require engineering) without the need for a variance. Staff will work with the applicant to determine the design and the appropriate entitlements.
 - The proposed deck must maintain the required side-yard setback of 10'; the conceptual design shows the corner of the house to be 10.0' and the deck to be slightly closer to the angled lot line.
 - The survey will be studied in further detail when the house design is finalized.

No action from the commission is required at this meeting after concept plan review. The purpose of the review is to provide feedback to the applicant regarding the potential variance. Mr. Welle will be present at the meeting, as may be the property owners.

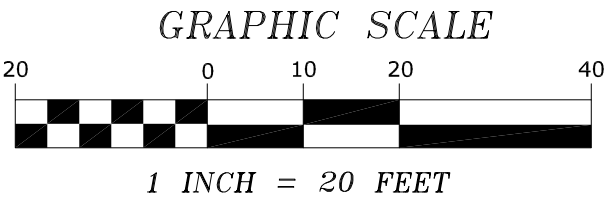
The elevations and floor plans, as well as the survey, are attached to this memo.

CERTIFICATE OF SURVEY

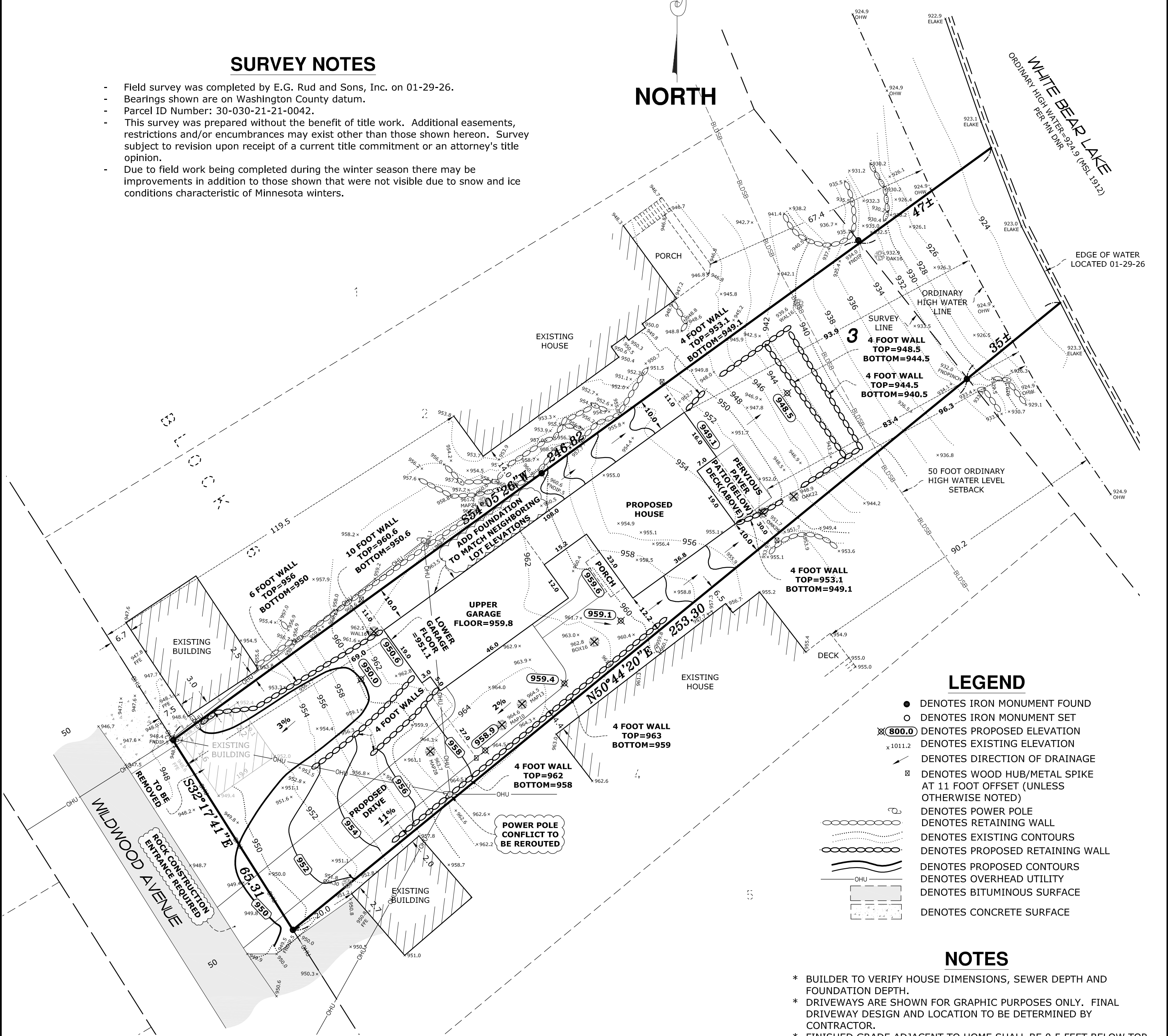
~for~ **DIVINE CUSTOM HOMES**
~of~ **315 WILDWOOD AVE**
BIRCHWOOD, MN

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 01-29-26.
- Bearings shown are on Washington County datum.
- Parcel ID Number: 30-030-21-21-0042.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.



NORTH



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊗(800.0) DENOTES PROPOSED ELEVATION
- ⊗1011.2 DENOTES EXISTING ELEVATION
- ↘ DENOTES DIRECTION OF DRAINAGE
- ⊗ DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
- ⊗ DENOTES POWER POLE
- ⊗ DENOTES RETAINING WALL
- ⊗ DENOTES EXISTING CONTOURS
- ⊗ DENOTES PROPOSED RETAINING WALL
- ⊗ DENOTES PROPOSED CONTOURS
- OHU DENOTES OVERHEAD UTILITY
- ⊗ DENOTES BITUMINOUS SURFACE
- ⊗ DENOTES CONCRETE SURFACE

NOTES

- * BUILDER TO VERIFY HOUSE DIMENSIONS, SEWER DEPTH AND FOUNDATION DEPTH.
- * DRIVEWAYS ARE SHOWN FOR GRAPHIC PURPOSES ONLY. FINAL DRIVEWAY DESIGN AND LOCATION TO BE DETERMINED BY CONTRACTOR.
- * FINISHED GRADE ADJACENT TO HOME SHALL BE 0.5 FEET BELOW TOP OF BLOCK EXCEPT AT DRIVEWAY AND PATIO.

Lot 3, Block 6, LAKEWOOD PARK FIRST DIVISION,
Washington County, Minnesota.

DIAG: 57.00 X 108.00 = 122.12
(11 FOOT POURED WALL WALKOUT)

PROPOSED ELEVATIONS

TOP OF WALL = 960.1
UPPER GARAGE FLOOR = 959.8
LOWER GARAGE FLOOR = 951.1
LOWEST FLOOR = 949.6
TOP OF LOWER FOOTING = 949.1

TREE DETAIL

- ⊗ DENOTES ELEVATION
- ⊗ DENOTES TREE QUANTITY
- ⊗ DENOTES TREE SIZE IN INCHES
- ⊗ DENOTES TREE TYPE
- ⊗ DENOTES TREE TO BE REMOVED

PROPOSED IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA (ABOVE OHW) 15,497 SF (0.36 Acres)

EXISTING GARAGE (TO BE REMOVED) 380 SF
PROPOSED HOUSE, GARAGE, PORCH 2,807 SF
PROPOSED DRIVEWAY 1,720 SF
PROPOSED WALK 119 SF
TOTAL IMPERVIOUS SURFACE 4,646 SF
PERCENT IMPERVIOUS 29.97%

(PERVIOUS PAVER PATIO NOT INCLUDED IN CALCS.)



E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

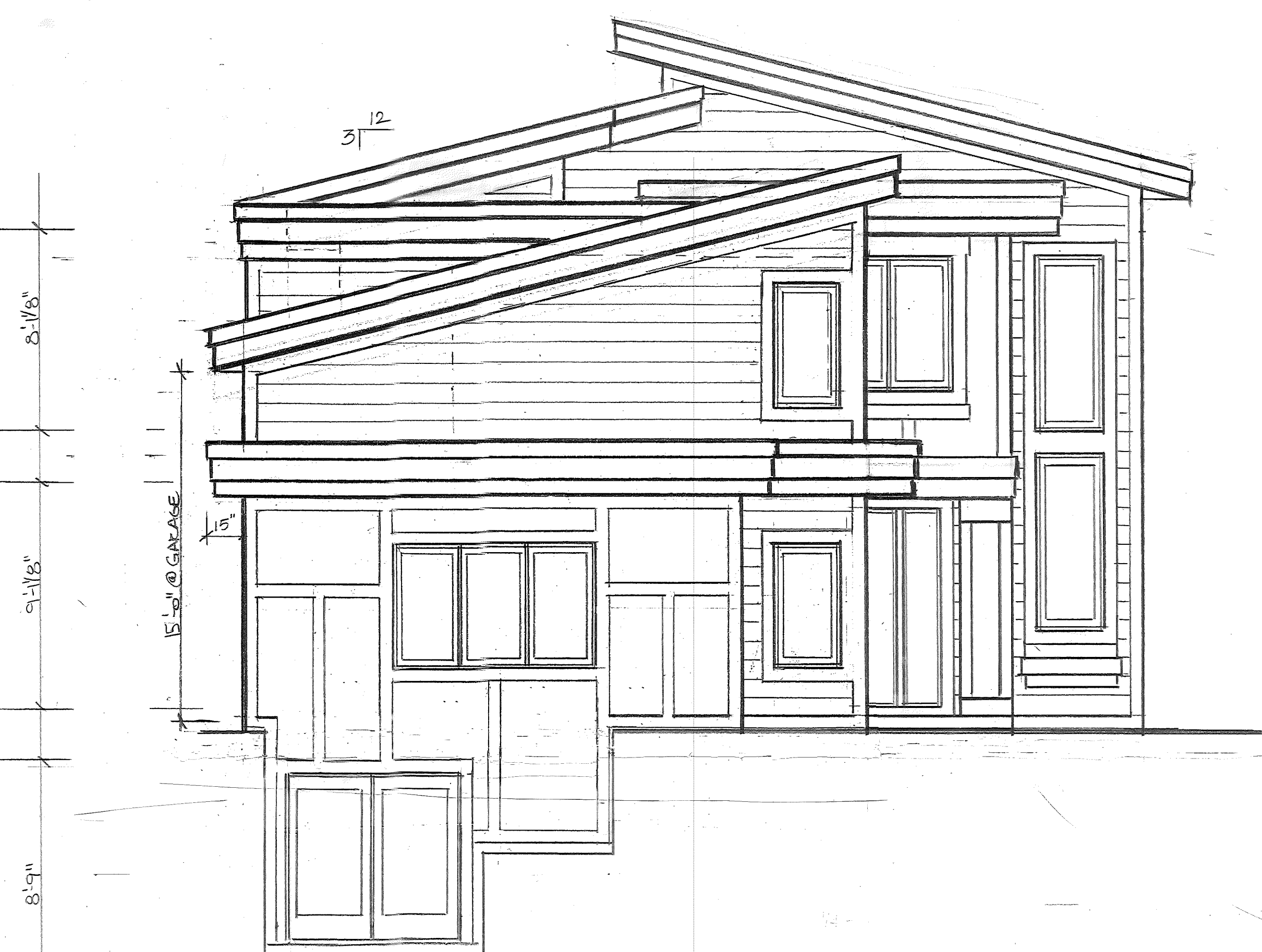
JASON E. RUD
Date: 5/5/2026 License No. 41578

DRAWN BY:	RAF	JOB NO:	260059HS	DATE:	02-12-26
CHECK BY:	JER	FIELD CREW:	DT/CT		
1	04-21-26	NEW HOUSE PLAN		RAF	
2	05-05-26	UPDATE IMPERVIOUS CALCS.		RAF	
3					
NO.	DATE	DESCRIPTION		BY	

REVISIONS	BY



REAR ELEVATION
(FROM LAKE) 1/4"=1'-0"

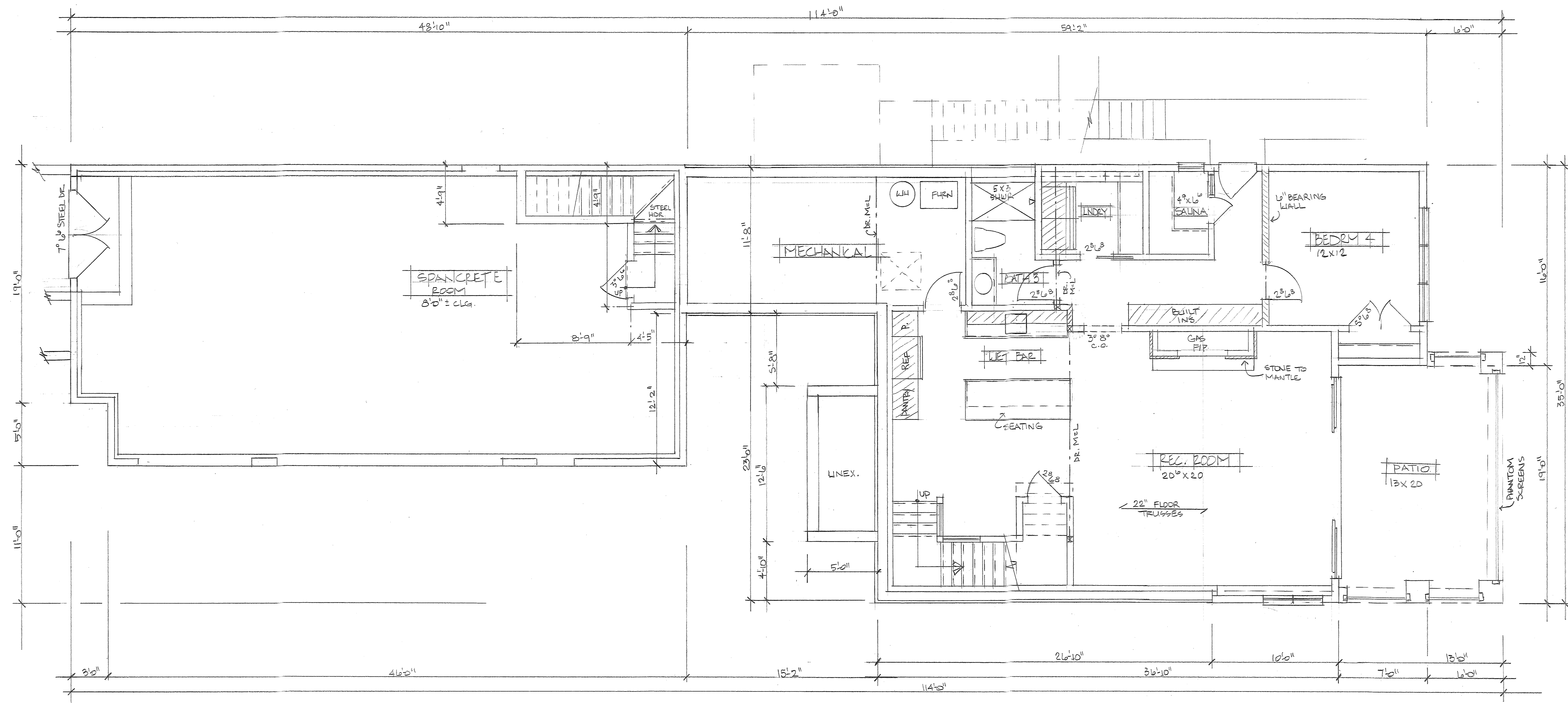


FRONT ELEVATION
(FROM ROAD)

JOE & ANDREA HOLKA

Date	1-23-26
Scale	1/4"=1'-0"
Drawn	TS
Job	
Sheet	
Of	Sheets 4

REVISIONS	BY



LOWER LEVEL PLAN

9'-0" FDN. WALLS
1350 SQ. FT.

1/4"=1'-0"

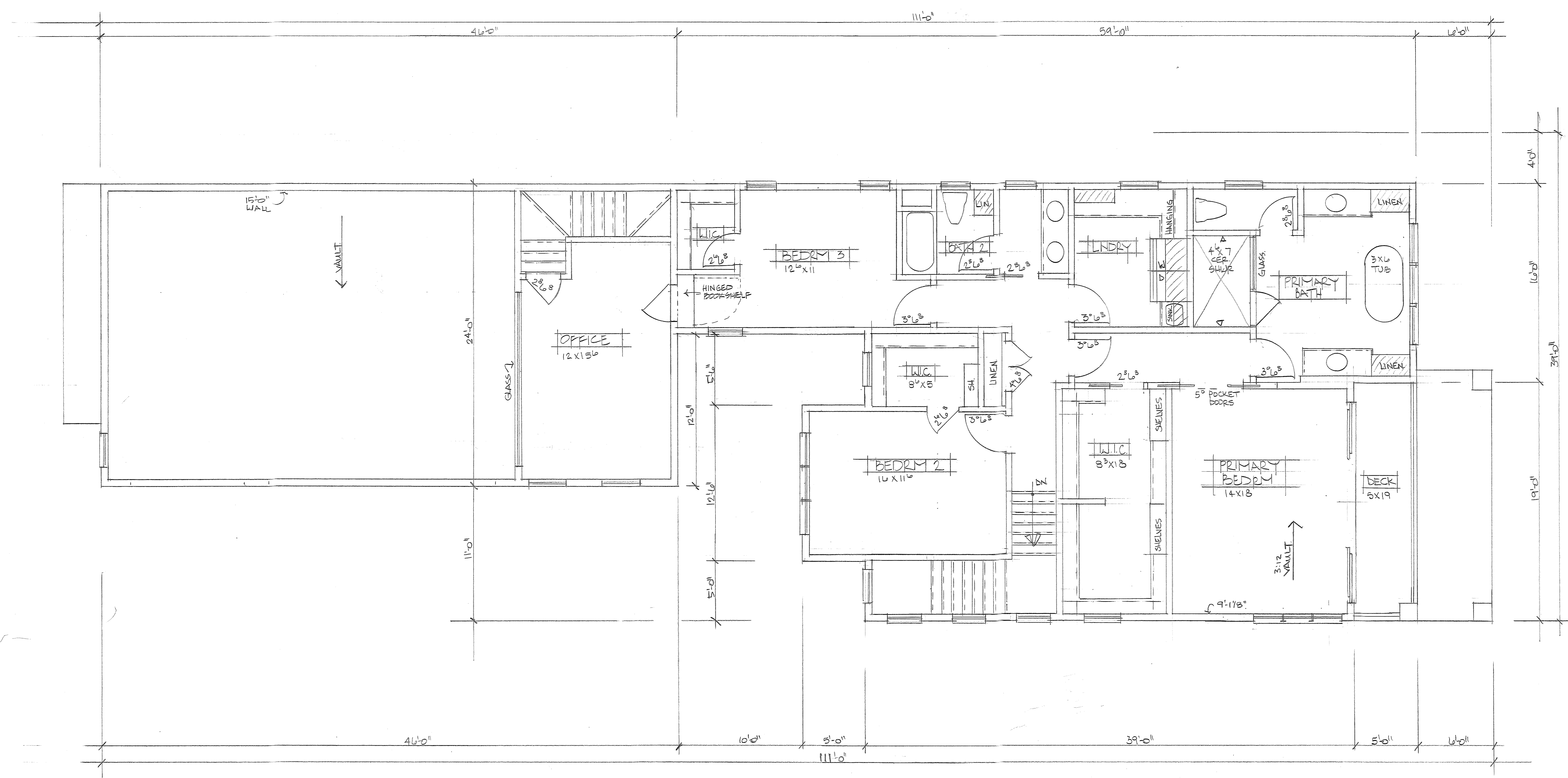
JOE & ANDREA HOLKA

Date	1-23-26
Scale	1/4"=1'-0"
Drawn	TS
Job	
Sheet	
Of 2	Sheets 4

REVISIONS	BY

JOE + ANDREA HOLKA

Date	1-23-26
Scale	1/4"=1'-0"
Drawn	TS
Job	
Sheet	
Of	4 Sheets 4



UPPER LEVEL FLOOR PLAN
1693 SQ. FT.
8'-11/8" CLGS.
1/4"=1'-0"