

BAXTER



"A Growing Community"

LONG RANGE PLANNING COMMISSION

February 22, 2016

6:00 p.m.

1. Call to Order
2. Approval of Minutes of January 25, 2016
3. Inglewood Planning Area – Comprehensive Plan Amendment
4. City Land Sale – Property located at Conservation Drive and Excelsior Road
5. Wildlife Management Areas
6. Adjourn

LONG RANGE PLANNING COMMISSION MEETING
January 25, 2016

The Long Range Planning Commission meeting was called to order at 6:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners Rock Ylimeini, Bob Ryan, Mark Cross, Jim Kalkofen, Cathy Clark and Council Liaison Todd Holman

MEMBERS ABSENT: Lori Rubin

STAFF PRESENT: Community Development (CD) Director Josh Doty, City Administrator Gordon Heitke and Planner Matthew Gindele

OTHERS: Dave & Carolyn Foss, Dean Hanson, Cheryl & Gary Andres, Christine Reisz, Dave Olfers and Rod Osterloh

Approval of Minutes

Motion by Commissioner Ryan, second by Commissioner Ylimeini to approve the minutes of the December 7, 2015 meetings. Motion carried unanimously.

Inglewood Drive Planning Area-Comprehensive Plan Amendment

CD Director Doty stated the neighborhood meeting was held at the last meeting, tonight is the public hearing to determine the land use for the newly annexed property. CD Director Doty gave the history of the annexation with the Inglewood Road project being completed and turned over to the City from the County. He reviewed the feedback received from the neighborhood meeting.

CD Director Doty stated that there are three land use options, they were:

1-Commercial/Industrial district for the north portion of the land and low density residential for the remaining land. The existing businesses are that of light industrial nature, with this commercial/industrial zone it would allow the use and not become a non-conforming use.

2-Commercial/Industrial for the north portion of the land, with medium density and low density residential for the remaining land.

3- Commercial/Industrial for the north portion of the land, with medium density in two different location, including the land north of the water tower and low density residential for the remaining land. At the previous meeting the landowner of the 11 acres requested medium or high density residential for the property located north of the water tower, this option would allow for medium density, as requested.

CD Director Doty noted that the Commercial/Industrial District is a new district and that the Zoning Code would need to be amended in addition to the Comprehensive Plan and that a public hearing would need to be held at the Planning Commission to zone the property. The City does have both commercial and industrial zones, however, not one that is a shared zone. He further explained that this district

would recognize the existing structures on site and allow for a 20% expansion of those structures on existing well and septic systems within the commercial/industrial zone. However, any new developments in this area would need to have city water and sewer.

CD Director Doty reviewed the additional items required for the comprehensive plan amendment. The amendments would be to the City's Functional Classification and Long Range Transportation Plan, Water Plan and Sanitary Sewer Plan to incorporate the annexed area.

CD Director Doty asked for any questions regarding his presentation and noted that staff is looking for approval of the items discussed tonight. He did note that Mr. Tom Bercher, landowner, called and asked that his concerns were included in the meeting. Mr. Bercher's concerns were that development cannot occur without city water and sewer; he also asked the Commission to consider including his property that is shown as low density residential along Inglewood Drive for a commercial/industrial land use instead. Staff noted that the land shown as low density residential has a wetland on it and would make it difficult to support a business. Mr. Bercher informed staff that he has documentation indicating that the wetland is incidental and is not a true wetland and can be filled.

Chair Donnay asked if there were any questions of staff. Commissioner Ylimeini asked what an "incidental wetland" is. CD Director Doty stated that an incidental wetland is a wetland that was created as an unintentional result of some sort of development. Doty indicated that the owner had not provided the paperwork for staff to review, however his understanding is that the former owner dug up the ground for fill for a roadway, which created the wetland. CD Director Doty would check with the County for guidance after reviewing the paperwork, if received.

Commissioner Kalkofen asked how staff came up with the 20% allowed expansion. CD Director Doty replied that the concept was to allow some expansion but also consider the growth plan the city currently has for city services to this area. 20% was what staff determined to be reasonable, however that number can be changed.

Chair Donnay stated that the floor was now open at 6:22 p.m. for the public hearing and asked those present if they would like to speak.

Mr. Rod Osterloh approached the Commission in representation of Mr. Tom Bercher's property. Mr. Osterloh stated that everyone agreed the road needed to be updated. The concern is that now that the annexation has taken place there is hardship placed on a few of the land owners whom originally thought this land was going to stay in the county. The landowner is now concerned because the land is unsellable and unbuildable until City services are available. Mr. Osterloh stated that it could be 20 years before that land sees city services. Commissioner Cross asked for clarification regarding the lot that Mr. Osterloh is deeming unsellable and unbuildable; Mr. Osterloh pointed it out on the map. Mr. Osterloh was asked by Chair Donnay how long Mr. Bercher owned the property in question; Mr. Osterloh indicated over 20 years. Mr. Osterloh asked that the other three parcels that Mr. Bercher owns also be considered for commercial. Commissioner Ylimeini asked what the county had that land previously listed as, CD Director Doty indicated that it was rural residential. Mr. Osterloh asked if it was surrounded by commercial, it was in fact surrounded by commercial. It was asked what the AUAR map listed this property, it was considered office area, however the land was not developed based on the AUAR and has since expired.

Mr. Osterloh asked for an explanation of why a bank, convenience store or drug store with a drive-thru are prohibited uses as all are typically built with drive-thru features. He also asked for clarification on "ministorage" in the language for the proposed commercial/industrial zoning district; Item F seemed contradictory when it calls out allowed septic or city water/sewer. Chair Donnay asked CD Director Doty to explain why drive-throughs are not a permitted use with businesses that almost always include them. CD Director Doty indicated that they are allowed in other districts in the city as conditional uses rather than permitted uses but that staff didn't think this area was suitable for businesses with drive-throughs since it has a rural residential character to it. Doty stated that CUP requirements for drive-throughs are in place due to stacking of the vehicles and allowing them only by conditional use permit allows the city to make sure they are properly designed and screened so as to minimize negative effects on neighboring properties and roadways. CD Director Doty stated that if the Commission had thoughts one way or the other about allowing drive-throughs their input was certainly welcome but the Planning Commission will ultimately hold the public hearing to adopt the language for this new zoning district; any input the LRPC has regarding the issue would be forwarded to the Planning Commission.

Mr. Dean Hanson, Brainerd Area Investments has land along County Road 77 that is proposed as commercial which he agrees with. His concern is that there are no city services to those properties. He asked if he can sell them as they are or if he has to wait until city water and sewer is available. CD Director Doty explained that the property is vacant land and would require city water and sewer prior to a new building being placed on the property. The property is close to the Dondelinger Car dealerships and services could be extended, however, there is no plan to extend services at this time. Mr. Hanson stated that anyone who purchased this property and wished to build on it prior to city services being extended would need to pay for new services; CD Director Doty stated that was correct. Mr. Hanson expressed concern about losing value in the land due to the cost of city services. Council Liaison Holman stated that this area was on the list to receive services in the future but a date has not been assigned.

With no other comments, Chair Donnay closed the public hearing at 6:36 p.m. CD Director Doty reiterated that the City does not have a practice of allowing well and septic versus city services, as the intent is to have the commercial properties on city services.

Commissioner Ryan asked what the weight restrictions were on the completed portion of Inglewood Dr. The road was constructed to be a 10 ton road. Commissioner Ryan asked if staff had analyzed a maximum buildout scenario for the commercial and residential areas on this road in terms of acreage. CD Director Doty indicated that staff had not done the calculations as there were three different options. CD Director Doty stated that medium density could vary but the maximum allowed density is 7 units per acre and there is roughly 100 gross acres. Doty also noted that other medium density developments developed at a lesser density than the maximum allowed.

Chair Donnay indicated that the Commission has a few choices to choose from: approve the recommendation of staff, approve other options, or table this for additional information as requested by Commissioner Ryan. Commissioner Ylimeini indicated that he had a tough time with commercial land not being able to be constructed on due to the lack of city services, as it does put a hardship on the landowner. However, he also understands the need for city services as he is on the Utilities Commission. Commissioner Cross stated that there are other properties that do not have well and septic

and that does not keep developers from building a commercial property and being required to hook up, such as Menards did as a developer driven project. Commission Ylimeini's main concern was that this was an annexed area, where previously they could have built without hooking up. Commissioner Ylimeini asked if this was a forced annexation; CD Director Doty indicated that it was an orderly annexation that was spurred by the Inglewood Road improvement project. CD Director Doty gave a brief background of how the annexation played out. He explained that Inglewood Drive needed to be improved and the only way for the City to get upgrades to the roadway was to take over the road from the County, which resulted in an annexation. The City and County agreed to the annexation. Commissioner Cross indicated that the same process will take place with the Dellwood Drive project near HART. Commissioner Ryan asked if anyone opposed the annexation, CD Director Doty indicated that he was not at the meeting and did not have the information available at this time. Council Liaison Holman indicated that he was present and Mr. Bercher was opposed to being annexed as were a few others. He further explained that the conversation was similar to the conversation currently taking place as not everyone would be happy with the outcome.

Commissioner Ryan confirmed that staff is asking for Option 3 to be approved. He asked CD Director Doty to return to Option 3, he then asked, as a current tax paying resident, would a person really want to live across from the 31 acres that could be developed to a maximum build-out with an apartment building instead of single family homes and more potential for a maximum build-out with additional apartment buildings to the south and commercial to the north of the property. Commissioner Ryan stated that there is going to be a lot more traffic that is going to go through the neighborhoods to the south. He understands Commissioner Ylimeini's concern but also agrees with the way the city is currently moving with commercial property. Chair Donnay asked why this is proposed the way it currently is. CD Director Doty indicated that medium density would not support apartment buildings, they would have to request a higher density zoning and land use for apartment use. CD Director Doty indicated that staff looked at the surrounding areas and the existing wetlands on this property suggested that residential use would be more viable than commercial. CD Director Doty stated that residential neighbors can be good neighbors to a business if developed right. CD Director Doty asked if he was hearing more support for Option 1 verses Option 3, which allows for more single family residential.

CD Director Doty clarified the residential ordinances by stating that a low density residential allows for a single home to be constructed with well and septic on each lot guided as such regardless of how many acres it is as long as it meets the minimum lot size for the R-1 zoning district. It's when there are additional lots created from a subdivision, the subdivision requires city services. If a property is zoned medium density then a single family home cannot be placed on the property as it is intended for multi-family use and would not be allowed with well and septic.

Chair Donnay stated that there are enough questions that a motion to table this may be in order to allow more options.

Motion by Commissioner Ylimeini, seconded by Commissioner Kalkofen to table the Inglewood Planning area until the next meeting.

CD Director Doty stated that he would like the Commission to give staff more direction for staff to move in and research. The Commission and staff reviewed the map and discussed the requirements to hook-up to city services in the regulations.

Chair Donnay would like to see proposed utilities around the site and when they would be extended, layout for medium and low density residential developments on the east side, what it would look like with additional commercial on the property to the northwest and why it would or why it would not work (Bercher's 3 properties). Commissioner Cross noted that when Inglewood was being rebuilt, utilities were not going to be put in place for 15 years or so. He is leaning on Option 1, knowing the cost of services. He stated that if someone bought the 40 acres in the northeast portion of the annexed area, they already have the potential to hook up to city services.

The Commission reviewed the wetland map and showed understanding as to why the property that staff recommended for medium density would be better served as medium density rather than as low density or commercial. There is a thin draw of land between two wetlands that is not wide enough to fit a public street with single family lots or commercial lots on both sides of the road but could be suitable for medium or high density residential. It was noted that the wetland could also be used as a buffer from the proposed commercial area to the north.

CD Director Doty stated that when talking about creating larger new commercial area, there are additional items to consider, such as additional roads needed, the marketability of property if there is not visible from any major roadway. Those items need to be considered as well.

Motion carried unanimously.

Wildlife Management Areas

CD Director Doty gave a brief update to the Commission regarding the Department of Natural Resources' (DNR) request to establish up to two new Wildlife Management Areas (WMAs) within the City of Baxter in the southwest corner of the city. During a recent Council work session, the Council received a presentation from Ms. Christine Reisz with the DNR. The City Council directed staff to present this information to the Long Range Planning Commission for recommendation. CD Director Doty reviewed the information in the packet with the Commission. CD Director Doty stated the two primary areas of interest are off Mapleton Rd. with two small shallow water lakes (Island Lake to the south and unnamed Lake 18-382 to the north, also known as Rice Lake), each lake having a single property owner and both owners are willing to sell the property. He also stated that hunting areas were of concern being that the City has minimum distance requirements from occupied structures in which citizens are allowed to discharge firearms. As such, it was determined that, at a minimum, only archery hunting would be allowed at the proposed Rice Lake site and no firearms including shotguns, rifles, and muzzleloaders.

CD Director Doty reviewed a map showing the potential growth in the area requested for WMAs in Baxter. He spoke of how WMAs can affect the growth of these areas with a positive and negative impact.

Ms. Reisz stated that the Potlatch land surrounding the proposed southern site on Island Lake is of interest as it goes all the way to Mapleton Rd. and a small gravel parking lot would likely be located off Mapleton Rd. but that deal would have to be made with Potlatch. CD Director Doty noted that there is a trail proposed to go through the potential WMA area. The question is how trails work around a WMA

area, noting that a trail could be placed along the perimeter. CD Director Doty noted that there are a lot of positives to WMAs such as green space and wildlife habitat preservation, however, there is also a loss in tax base that comes along with them. Chair Donnay asked how many acres were being proposed for a WMA. Ms. Reisez stated that the northern site was 190 and the southern site was 120 acres with the potential to add up to 551 additional acres of land that Potlatch currently owns.

Commissioner Kalkofen and CD Director Doty indicated that there is a lot of interest in the powerline corridor for a motorized and non-motorized trail. This area is in the parks portion of the comprehensive plan.

Chair Donnay asked the DNR to share their presentation with the Commission. Ms. Christine Reisz and Mr. Dave Olfers, with the DNR, approached the podium and introduced themselves to the Commission. Ms. Reisz stated that many people do not know what a WMA is or why they are established. She referenced the informational piece included in the packet. Ms. Reisz stated that it is an area to maintain wildlife and is open to hunting, berry picking, mushroom picking, snowshoeing, bird viewing and walking. The WMA does not typically allow motorized vehicles. The DNR will place signs indicating that the area is a WMA with the rules and regulations posted. The WMA would protect the wild rice population around/in the lakes. Ms. Reisz indicated that they only approach those that are interested in selling property. She stated that the DNR would like the City's support in requesting a WMA. She indicated that they still have to gain the County approval as well, prior to purchasing the property.

Commissioner Kalkofen stated that the Parks Commission has been looking to expand the Mississippi Overlook Park (MOP) and this WMA would fit in nicely with the park, less the hunting piece. CD Director Doty stated that in the comprehensive plan there are three goals for the MOP area, expand the park to improve access, expand the park to preserve Mississippi River frontage and develop trail access from the Forestview Middle School to the park.

Commissioner Cross stated that he has a concern with taking a large area of land out of City control and giving the control to the state. He understands the reason behind wanting a WMA and is a hunter himself, however he is questioning what else, other than deer, could be hunted on that land. He questioned whether birds could be hunted. CD Director Doty stated that any animal could be hunted as long as it is in season and is harvested in a legal manner. Currently it would be up to the property owners to grant permission to citizens to hunt on their property. Commissioner Cross also noted that if utilities were added, that area could potentially be a rural residential area in the future when Baxter has infilled and needs to expand.

Commissioner Ylimeini asked about the number of WMA's in other cities. Mr. Olfers stated that there are not many but there are a few. Grand Rapids has a 300-acre WMA that functions more like a park. He stated that down in the cities, Dakota County is trying to preserve green space. Mr. Olfers stated that they would like to work with the City to make sure the City is interested in a WMA and that items like roads and trails are worked out up front. Chair Donnay asked if there is a way to "undo" a WMA if, in the future the City finds that it just isn't working or that the southern area is ready for development. Mr. Olfers stated that it can be undone however it is not an easy process and does take time.

Council Liaison Holman stated that there has been conversation about how big a WMA area really needs to be to be a viable WMA. Ms. Reisz stated that there is not a definite size, however, 120 acres is not big enough to support the upland hunting.

Commissioner Clark stated that she echo's Commissioner Cross's concern with the land being turned over to the state, taken off the tax roll and being painful to undo and return the land to the city, especially when she just read an article this past weekend regarding hunting and that it is on a downward turn. She stated her concern about missing potential growth of the City and that she could not support the process without more demographics.

Commissioner Ryan asked what it would take in the future if a road or power line would need to run through the WMA. Mr. Olfers stated that a permit would be required and the cost would fall on the entity requesting the permit. Mr. Olfers stated that the road(s) would be difficult because it would take away from the wildlife habitat. Olfers stated that the DNR, and he assumes the City as well, is not real interested in wasting a lot of time and money in the future to cut up a WMA with lots of trails and roads as it would diminish the purpose of the WMA. He stated that it would be beneficial to all parties to flush those issues out ahead of time when the WMA is being planned.

Commissioner Ylimeini asked that the wetland overlay map be placed over the property in question. Commissioner Ylimeini stated that it is more expensive to run utilities through a wetland. He also stated that he couldn't see that area developing for 50 years. Commissioner Ylimeini stated that he is torn, because the reason for the decline in hunting is the lack of public land but the flip side is the limitations placed on the City for growth with a WMA in place.

Commissioner Cross stated that once the wetland map was overlaid it was easier for him to understand the request. The wetland boundary doesn't cover the entire WMA boundary and he would have a better feeling for the request if it was just wetlands. The Commission discussed the upland areas and the wetland areas proposed for the WMA and the potential development areas.

Council Liaison Holman asked if the two proposed WMAs are tied together or if one could be approved without the other if the City needed more time to discuss the other one. Mr. Olfers stated that nothing is tied together at this point and stated that he doesn't have a good answer for that question. Council Liaison Holman stated that it sounds to him like the southern piece is the main area of concern. Commissioner Kalkofen added that he likes the WMA areas closer to the school as it could be a teaching tool for hunting and trapping.

Commissioner Cross asked if there would be the ability to trap on the WMA, if so how would that affect those that would like to walk their dogs in that area. Ms. Reisz stated that the owners would need to keep their pets on a leash as to keep from having the dog end up in a trap.

Chair Donnay asked CD Director Doty for direction regarding this topic. CD Director Doty stated that the Council was looking for a recommendation on this item. There are several options: the Commission could identify if there is or is not support for WMA's in Baxter or we need more time and information. CD Director Doty stated that if the Commission wants a road/utility study it would take more time and there would be a cost for the study. He indicated that a complete study of the southern portion of Baxter would require an engineering firm to undertake the project and that having it done by June would be

challenging. Chair Donnay stated that the Commission could agree to the north area and not the south area.

Motion by Commissioner Kalkofen, second by Commissioner Ylimeini to approve the Rice Lake (north area) WMA and require additional information/study for the remaining southern Island lake area of Baxter.

Discussion:

Commissioner Ryan asked for clarification regarding information for the southern area. He stated that if there is any cost associated with the answers on the City's behalf he is not in favor of the motion. Commissioner Ryan indicated that he is a huge hunter but does not see this area being viable hunting ground. CD Director Doty added that the northerly piece could impact cost to the city because Mapleton Road will need to be widened and additional cost could be incurred to obtain right of way and easements.

Commissioner Ylimeini asked if the 315 acres is a viable wildlife area and if there could be an unpaved trail for use throughout the WMA area. Mr. Olfers stated that trails are typically not cohesive with a WMA and that if the City has any intention of a trail in the area it should be talked about ahead of approving a WMA.

Council Liaison Holman stated that when this came forward to the Council, it was asked if there was going to be a neighborhood meeting, as the city has done this in the past to let the residents know what is going on around them and to get their input. This Commission needs to acknowledge the area in order to inform the public.

Commissioner Clark asked if she could clarify the request. Currently there are willing sellers, an opportunity of convenience, a number of interest groups would be willing to get behind this type of activity but what is the intended purpose, what goals are expected of the "yellow box" (area in question), what are advantages and disadvantages of a WMA in the long run? She indicated that a few people will make money off the sale of the land, but what does that leave the greater good. Chair Donnay understood where Commissioner Clark was coming from and asked if those questions were to be added to the request for answers. Chair Donnay asked the DNR if there are options other than the WMA program but short of calling it a state park. Mr. Olfers stated that it would take some time to pull that information together.

Commissioner Ryan asked if the DNR representatives have run into easement/right of way issues in the past. Mr. Olfers indicated that he had not run into this situation in the past and did not know the timeframe for this type of situation. Commissioner Ryan stated that in past practice with the DNR the city has waited months for an answer and would like to know the timeframe for the right of way issue to be resolved.

Motion to amend the original motion by Commissioner Cross, second by Commissioner Ylimeini to approve the Rice Lake (north area) WMA with a stipulation that additional right of way for the future expansion of Mapleton Rd is dedicated; additional information/study for the remaining southern WMA areas shall still be required. Motion carried with Ryan and Clark opposed (5-2)

Chair Donnay asked if there is enough time for staff to complete the task and answer all of the questions. CD Director Doty stated that staff will try to cover all that they can however there are limits when cost is involved. He stated that staff would bring back as much information as possible without cost being incurred. Commissioner Ylimeini stated that the Public Works Department might have a few studies for the southern part of Baxter that may be of some assistance.

City Land Sale-Property located at Conservation Drive and Excelsior Road

CD Director Doty stated that this is a request to consider a city land sale to the County in order for the Northland Arboretum to place a permanent sign on the property located on the corner of Conservation Drive and Excelsior Road. This would give the Arboretum a sign at the entrance to the Arboretum. Currently the sign ordinance does not allow for offsite signage, therefore, the land sale is required to allow the sign. Per ordinance, it is the Long Range Planning Commission's task to make sure the land sale meets the comprehensive plan guidelines. The City would sell the land to the County since the County also owns the land that the Northland Arboretum building is on. The City would keep all easements and ponding in place and only allow a sliver of land that the Arboretum would be able to place a sign on the property. Staff felt that if the Commission is supportive of the land sale and is consistent with the comprehensive plan, then staff would move forward with a resolution and Council approval. Staff is supportive of the land sale.

Commissioner Cross is concerned about selling a piece of land that has a large city holding pond and would like to see what is left of the land after all of the easements are taken into consideration. Commissioner Ylimeini expressed concern over the need for signage, as they could place a state regulated type sign versus a pylon type sign. CD Director Doty stated that this is not a city park and would have to address that question to the City Attorney. CD Director Doty stated that the request is for more than a directional sign, they wish to have a reader board/LED sign indicating events at their location.

Motion by Commissioner Cross, seconded by Commissioner Ylimeini to table the City land sale to the County for further information/discussion.

Chair Donnay asked if there is an opportunity to have a workshop type setting other than a public meeting in order to discuss items more thoroughly and ask questions without feeling awkward. Commissioner Ryan clarified if Chair Donnay was asking if there is a way to hammer out some of the details prior to a hearing. Commissioner Cross indicated that Council does have workshop settings in order for staff to provide information prior to the meeting; however, it is still a public meeting and is open to the public. Commissioner Clark agreed that it is a tough situation to be in when there are members in the audience pleading their case.

Other Business

The next meeting is scheduled for February 25, 2016 at 6:00 p.m.

Adjournment

Motion by Commissioner Clark, second by Commissioner Cross to adjourn the meeting at 9:00 p.m.

Approved By:

Submitted By:

Chair Kevin Donnay

Shanna Newman
CD Administrative Assistant



TO: Baxter Long Range Planning Commission

FROM: Joshua Doty, Community Development Director

DATE: February 19, 2016 for the February 22, 2016 Long Range Planning Commission Meeting

SUBJECT: Inglewood Drive Area Comprehensive Plan Amendment

Background

The City is requesting approval of Comprehensive Plan Amendments for the Inglewood Planning Area including a revised Future Land Use map, revisions to the Future Land Use table, revisions to the Functional Classification and Future Transportation Plan, revisions to the Water Plan and revisions to the Sanitary Sewer Plan.

In July, 2015, the City of Baxter and Crow Wing County agreed to an orderly annexation of land to the City of Baxter. The annexed property includes land on the east and west sides of Inglewood Drive from Woida Road to Pine Beach Road. The annexation was related to the recently completed reconstruction of Inglewood Drive. Specifically, the roadway was built to a 10-ton design with specifications consistent with the load limits for Inglewood drive to the south within the City of Baxter. Since the road (after construction) functions more as an arterial City roadway than a County road, the City agreed to take over the responsibility for this new roadway together with an annexation of land on the east and west sides of Inglewood Drive.

Since the annexation occurred after the City updated the Comprehensive Plan, the City has not planned for this area within the Comprehensive Plan. The City zoning ordinance states the following related to annexed lands:

Annexations: Areas annexed to the city shall be placed in the zoning district closest to the definition of their existing zoning, pending study of the area by the long range planning commission. The long range planning commission shall recommend the proper zoning classification to the city council within twelve (12) months of the date of annexation of such area. (Ord. 2006-21, 8-1-2006)

January 25, 2016 Comprehensive Plan Amendments Hearing

On January 25, 2016, the Long Range Planning Commission held a public hearing for comprehensive plan amendments for the Inglewood Drive Area and tabled the item to the February 22, 2016 meeting. The Commission received comments regarding two property owners (Tom Bercher and Brainerd Investments). Regarding Mr. Bercher's property alternative land use was requested for his properties North of Peace Road. It was also explained that the

property owner has documentation that the wetlands on Mr. Bercher's properties are incidental and can be filled. Since the meeting, staff received the documentation regarding the wetlands, which is attached to this report for the Commission's review. Lastly, Mr. Bercher's representative explained that the proposed approach to allow development only with City services makes the property undevelopable. The Commission also heard from Brainerd investments, who owns two properties at the southeast corner of Pine Beach Road and Inglewood Drive. Brainerd Investments did not have a concern with the future land use designation but shared a similar concerns regarding the restriction of development without City services.

The LRPC requested that staff provide information showing where City services are currently located. The aerial photo to the right shows the planning area and City sewer service in blue and water service in green. The LRPC also requested additional land use options. Staff has developed three new land use options for consideration (options 4, 5, & 6) in the "Land Use Options" section of this staff report below. Staff has also added the location of the City Services to these options for the Commission's review.



At this time, staff has not drafted a zoning district allowing development of new business use with private well and septic systems and does not recommend this type of a district. The city's longstanding approach to development of business properties is with municipal services. If the Long Range Planning Commission finds that an exception is warranted could recommend a departure from the City-wide practice to the City Council.

December 7, 2015 Open House

On December 7, 2015, the Long Range Planning Commission held an open house to provide presentation on the area with information provided regarding: 1) existing conditions, 2) wetlands 3) topography, 4) utilities, 5) previous county zoning and 6) the North Baxter AUAR. Staff used these factors to propose two land use options for the area. The Open House was intended to receive feedback from anyone who had comments regarding the long range planning for this new land area in the City of Baxter. The City spoke with several residents within the planning area. All of which were interested in the ability to sell their properties in the future. One resident spoke to request medium or high density land use for their family property located north and northeast of the City water tower property at the northeast corner of Inglewood Drive and Woida Road.

Background

In July, 2015, the City of Baxter and Crow Wing County agreed to an orderly annexation of land to the City of Baxter. The annexed property includes land on the east and west sides of Inglewood Drive from Woida Road to Pine Beach Road. The annexation was related to the

recently completed reconstruction of Inglewood Drive. Specifically, the roadway was built to a 10-ton design with specifications consistent with the load limits for Inglewood drive to the south within the City of Baxter. Since the road (after construction) functions more as an arterial City roadway than a County road, the City agreed to take over the responsibility for this new roadway together with an annexation of land on the east and west sides of Inglewood Drive.

Since the annexation occurred after the City updated the Comprehensive Plan, the City has not planned for this area within the Comprehensive Plan. The City zoning ordinance states the following related to annexed lands:

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Land Use Options

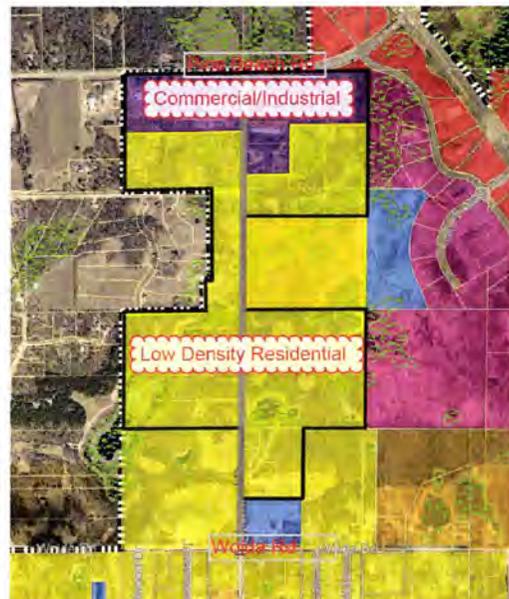
A comprehensive plan is a long-range vision and guide for the entire community. The future land use plan for the Inglewood Planning Area should work together with the City's recently approved Comprehensive Plan. When considering future land use the City should consider the following:

- Public comments
- Land use surrounding the Planning Area
- Existing conditions of the land
- Availability of utilities
- Transportation System
- Existing development pattern
- Past land use study's/designations, such as the previous County zoning, North Baxter AUAR, and the City's Comprehensive Plan.

Land Use Options One and Two (below) were the options presented at the open. Based on the comments heard at the Open House, staff has added a third option for the LRPC's consideration.

Land Use Option One

Land Use Option One includes the establishment of a new land use designation of "Commercial/Industrial" for the north portion of the site. This designation would require that a new zoning district is also created. There are 11 properties within this land area. Of which, there are five business properties, four vacant properties, and two single family homes on the east side of the site. Staff finds that the existing businesses are of a light industrial nature. Therefore, planning a non-industrial land use would make the existing buildings non-conforming. Therefore, the approach to provide a Commercial/Industrial land use would allow the existing businesses to be conforming, while also

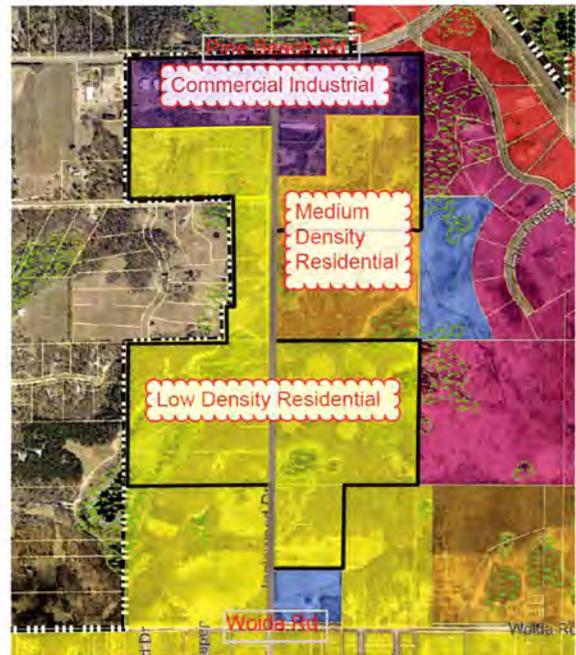


allowing the introduction of commercial and office uses, which falls in line with the previous AUAR for the property.

Land Use Option One includes low density residential for the remaining land. Staff finds that planning for business districts should be in blocks of land with a transportation system to allow more of a direct access towards major arterial roads, such as Highway 371. This option recognizes that with the exception of Inglewood Drive, the properties identified as Low Density Residential are more isolated from Highway 371. Staff also notes that this option includes a re-guiding of property that outside of the planning area in the west/central portion of the site. This land was planned as Medium Density Residential and is now shown as low density residential to be consistent with the surrounding Low Density Residential Land Use.

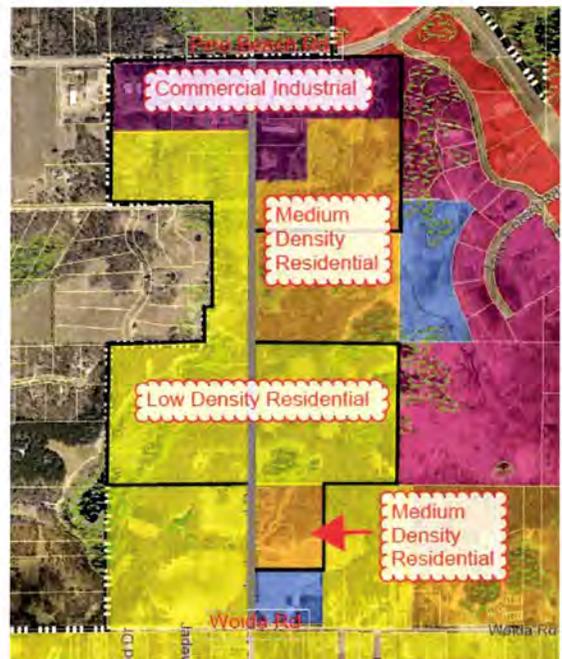
Land Use Option Two

Land Use Option Two includes the same "Commercial/Industrial" land use area for the northern portion of the site as shown in Option One. Option Two includes Medium Density Residential south of the Business District. This land use designation allows for a transition from higher business use to lower density residential areas. In addition, this option maintains the medium density residential that exists for the land outside of the planning area in the east/central portion of the site. Staff also considered Medium Density for the land southwest of the Commercial Industrial district. However, the position of an existing wetland does not make this property as conducive to medium density residential development.



Land Use Option Three

Land Use Option Three includes the same "Commercial/Industrial" land use area for the north portion of the site as shown in Option One. Option Three also includes the same Medium Density Residential south of the Business District and low density for the remainder of the properties in the planning area, as identified with option two with one exception. Land Use Option three introduces an approximately 11 acre node of Medium Density residential for the land located north of the City water tower property. The medium density designation considers the request by the property owner for medium or high density residential.



Staff notes that as you look at the existing land use in Baxter, the City has successfully established smaller acre tracts of medium density that is surrounded by low density residential development,

which would be the case with this option. Staff notes that north of the 11 acres is a wetland which would provide a transition from medium to low density residential. In addition, west of the 11 acres is Inglewood Drive and South of the 11 acres is the City water tower property. Therefore, the only immediate transition from medium to low density development is to the west.

Staff notes that the owner of the 11 acres also owns the larger parcel of immediately to the West. Staff considered the idea of continuing the medium and high density land use that was established further to the East. Staff notes that the High Density to Medium Density approach was established to transition density from north to south from the mixed use area to the north. Staff notes that the mixed use property is not adjacent to the property east of the 11 acres. Therefore, although this could be a reasonable approach to land use for this area, staff finds that this land area could also remain low density residential at this time. Staff was also concerned with the amount of medium and high density land use that could be established if this transition approach was continued from the East to the City water tower property. Under this scenario, there would be medium density as the sole land use for all of the land north of Woida Road from the commercial land near Highway 371 to the City water tower property. Staff further notes that the land east of the 11 acres is not in the planning area. Therefore, if the City would like staff to look at changing land use in this area from low density, that would need to occur through a separate planning process where all four of the directly affected property owners would be notified together with surrounding properties.



Land Use Option Four



Land Use Option Four includes an expansion of Commercial Industrial for three properties north of Peace Road and West of Inglewood Drive. Given that the wetland can be filled, the land would have enough depth off Inglewood Drive for Commercial Industrial land use.

Land Use Option Five



Land Use Option Five includes an expansion of Commercial Industrial to add all of the properties north of Peace Road and West of Inglewood Drive. This option would allow the southeasterly 10 acres to of this 40 to be consistent with the remainder of the Commercial Industrial land.

Land Use Option Six



Land Use Option six includes an expansion of Commercial Industrial to add all of the properties northeast and north of Peace Road. This option would allow 80 acres of land into the Commercial Industrial District. For a comparison, this includes a business district land area equal to half of the City's industrial property on College Road.

Land Use Descriptions

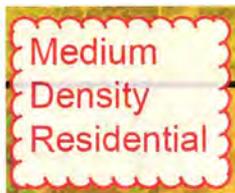


Staff has drafted an Annexed Commercial Industrial zoning district (attached) for property owners and the City to review a draft of what the allowed uses and requirements could be for development within the district. The Commercial Industrial zoning district is a combination of the City's existing Industrial Office Zone and the City's existing Neighborhood Commercial Zone. Higher intensity uses, such as distribution center, bus terminals, funeral homes, and outside storage for front yard areas have been removed from the draft zoning district. The city also removed residential care facilities such as nursing homes, assisted living and similar health hospital facilities from the district.

The draft zoning district defines this district as an area for future urban services. As is the case with other business districts in the City of Baxter, the draft Annexed Commercial Industrial Zoning District requires that new development shall only be allowed when a full range of municipal services and facilities are available to serve the site. However, to recognize the existing buildings that are already developed, the draft district allows existing buildings on private well and septic systems to expand up to 20 percent of the total ground floor area that existed on the property, as of the date of this chapter. Any expansion would but subject to all other requirements of the City Code.

In addition to the draft zoning district, the Comprehensive Plan land use table has been amended to reflect the Commercial Industrial designation as follows:

Business Gateway	The Business Gateway land use is intended to provide for office, light industrial and limited retail uses that create a high quality, attractive "north woods" image at the City's southeast and west gateways on Highways 371 and 210.	Will need a new Business Gateway zoning district
<u>Annexed Commercial/Industrial</u>	<u>The Annexed Commercial/Industrial district is intended to allow existing light industrial and commercial uses in annexed areas of the city to continue as permitted uses and allow them to expand on well and septic until city services become available.</u>	<u>Will need a new Annexed Commercial/Industrial zoning district</u>
General Industrial	Industrial related businesses including manufacturing, warehousing, automotive, trucking, wholesaling, and other related industrial uses. Medium and heavy industrial uses.	District has two tiers of design standards.



Medium Density Residential allows twin and townhome development, multiplex development, and row-homes at a maximum density of 7 units per acre. The R-2, Medium Density Zoning District is applied to property shown as Medium Density Residential on the Future Land Use Plan. The City's existing R-2 Zoning District requires municipal services to serve development.



Low Density Residential allows single-family detached (and two-family units by PUD) residential development at a maximum density of 3 units per acre. The R-1, Low Density Residential Zoning District is applied to property shown as Low Density Residential on the Future Land Use Plan. The R-1 zoning district requires municipal services to allow development/subdivision. The exception is that one new single family home may be constructed on a private well and septic system per existing property, provided the home is not in proximity to existing services, as defined by the City Code.

Related Comprehensive Plan Amendments

In addition to planning for land use, staff notes that other Comprehensive Plan Amendments are also needed related to the Planning Area. Staff notes that planning for this new land area also requires that the City re-evaluate other sections of the Comprehensive Plan. Specifically, the City finds that revisions are needed to the City's Functional Classification and Long Range Transportation Plan, Water Plan, and Sanitary Sewer Plan. Staff finds that there are no new roads or Functional Classification changes that are required with the Future Transportation Plan. However, the map has been updated to show the new Baxter land area within the City's boundary. Staff finds that changes were needed with the water and sanitary sewer plans. Specifically, the City needed to study this new land area to ensure that the new land could be served in the future with City water and sewer service. WSN (the author of the original plans) has this area of the City and revised the plans show how this area of the city can be served in the future with water and sewer services. The three draft plans are attached for your review.

Findings and Conclusions

Staff finds that when considering future land use for properties, that a review of the existing and planned future development pattern of the area together with a review of existing conditions of properties helps to guide the City to recommend one land use designation over another. However, staff also finds that there are still many options that could be considered by the LRPC. Therefore, any of the six future land use options or other options could be reasonably recommended. Lastly, staff notes that feedback from the public also must be part of the process before the City establishes future land use for this area of the City.

Recommendation

Staff recommends approval of the attached resolution approving Comprehensive Plan Amendments for the Inglewood Planning Area including Option Three for Future Land Use, revisions to the Future Land Use table, revisions to the Functional Classification and Future Transportation Plan, revisions to the Water Plan and revisions to the Sanitary Sewer Plan.

Attachments

1. Resolution 16-___ Approving Comprehensive Plan amendment
2. Draft Functional Classification and Future Transportation Plan
3. Draft Water Plan
4. Draft Sanitary Sewer Plan
5. Draft Annexed Commercial Industrial Zoning District

**CITY OF BAXTER, MINNESOTA
RESOLUTION 16-_____**

**A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO ESTABLISH
FUTURE LAND USE FOR PROPERTIES RECENTLY ANNEXED INTO THE CITY OF
BAXTER LOCATED ON THE EAST AND WEST SIDES OF INGLEWOOD ROAD FROM PINE
BEACH ROAD TO WOIDA ROAD AND TO ALLOW OTHER RELATED COMPREHNSIVE
PLAN AMENDMENTS**

WHEREAS, The City of Baxter has requested Comprehensive Plan Amendments to plan for newly annexed land into the city; and

WHEREAS, the properties that are specifically affected by the amendments are more specifically described as follows:

030361100B00009	030361100BA0009	030361100A00009
030361100C00009	030361100BE0009	030361100BB0009
030361100BC0009	030361100BD0009	032440020080009
0324400090A0009	032440020090009	030364100A00009
030364100F00009	030364100B00009	030364100E00009
030364100C00009	030364100D00009	030312200CCB009
030312200CB0009	030312200BB0009	030312200BAC009
030312200AA0009	030312200CD0009	030312200CCC009
030312300AB0009	030312300AA0009	030312300B00009
0303123200000009	030313300B00009	030313300ABC009
030313300ABD009		

WHEREAS, the Long Range Planning Commission has reviewed the proposed Comprehensive Plan Amendments at a duly called public hearing on January 25, 2016 and tabled the hearing to their February 22, 2016 meeting;

WHEREAS, the Long Range Planning Commission has reviewed the proposed Comprehensive Plan Amendments at a duly called public hearing on February 22, 2016 and recommends approval;

WHEREAS, the City Council considered the Long Range Planning Commission recommendation at their March 3, 2016 meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the Comprehensive Plan Amendment to establish future land use for properties recently annexed into the City of Baxter located on the East and West sides of Inglewood Drive between Pine Beach Road and Woida Road and to allow other related amendments to the Comprehensive Plan, based upon the finding the following findings:

1. The future land use for the properties would not negatively impact other elements of the existing Comprehensive Plan except for related map and text amendment to items such as the land use designations table, Functional Classification and Future Transportation Plan, Water Plan and Sewer Plan.
2. The proposed future land use would be compatible with the future land use and zoning of the surrounding properties.

Whereupon, said Resolution is hereby declared adopted on this 3rd day of March 2016.

Darrel Olson, Mayor

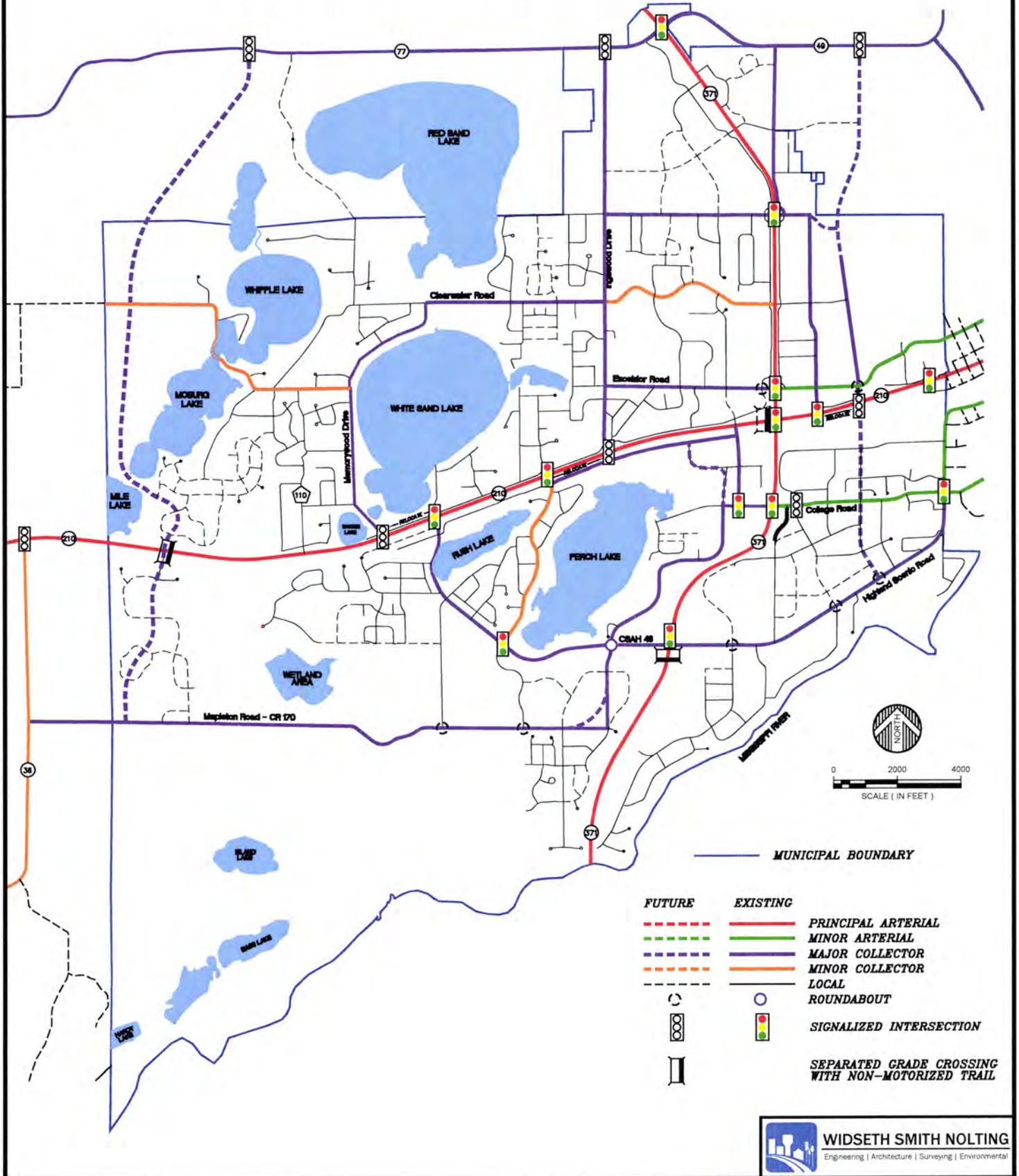
ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

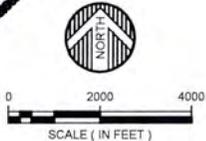
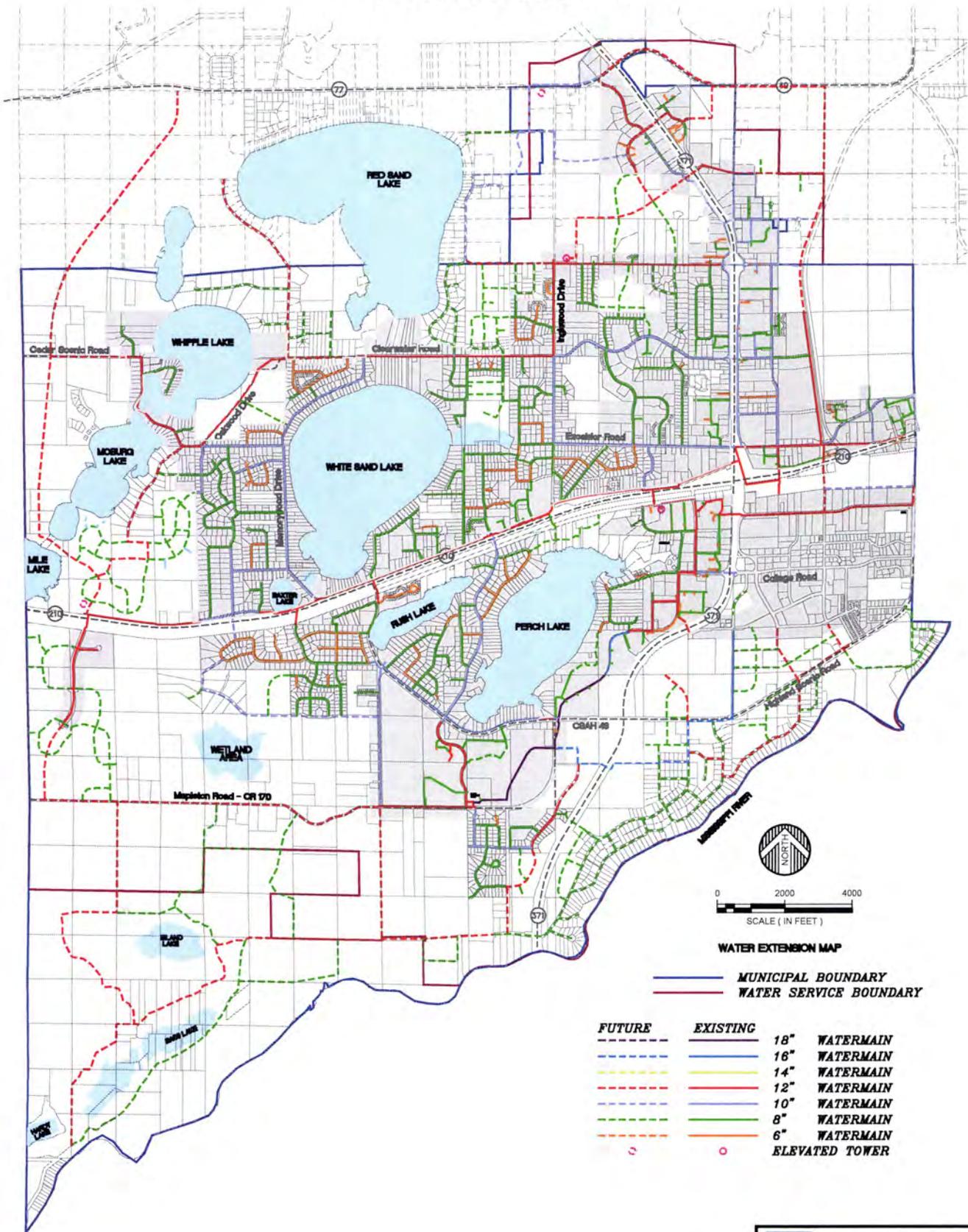
CITY OF BAXTER

LONG RANGE TRANSPORTATION AND FUNCTIONAL CLASSIFICATION STREET MAP



- | FUTURE | EXISTING | |
|--------|----------|--|
| | | PRINCIPAL ARTERIAL |
| | | MINOR ARTERIAL |
| | | MAJOR COLLECTOR |
| | | MINOR COLLECTOR |
| | | LOCAL |
| | | ROUNDABOUT |
| | | SIGNALIZED INTERSECTION |
| | | SEPARATED GRADE CROSSING
WITH NON-MOTORIZED TRAIL |

CITY OF BAXTER WATER SYSTEM MAP

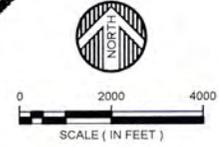
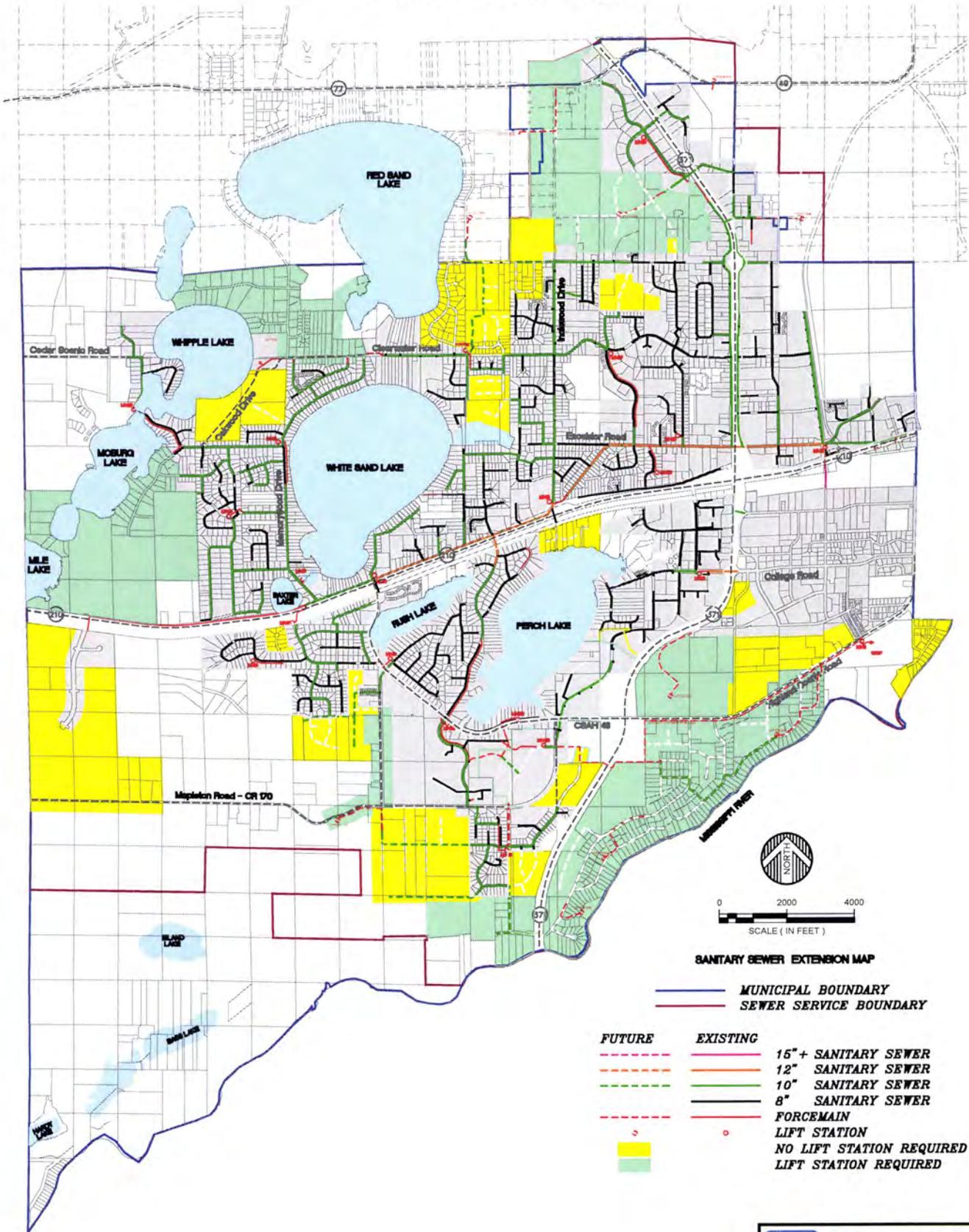


WATER EXTENSION MAP

— MUNICIPAL BOUNDARY
 - - - WATER SERVICE BOUNDARY

FUTURE	EXISTING	SIZE	TYPE
- - - (Blue)	— (Blue)	18"	WATERMAIN
- - - (Green)	— (Green)	16"	WATERMAIN
- - - (Yellow)	— (Yellow)	14"	WATERMAIN
- - - (Red)	— (Red)	12"	WATERMAIN
- - - (Purple)	— (Purple)	10"	WATERMAIN
- - - (Light Green)	— (Light Green)	8"	WATERMAIN
- - - (Orange)	— (Orange)	6"	WATERMAIN
○ (Red)	○ (Blue)		ELEVATED TOWER

CITY OF BAXTER SANITARY SEWER MAP



SANITARY SEWER EXTENSION MAP

- MUNICIPAL BOUNDARY
- SEWER SERVICE BOUNDARY

- | <i>FUTURE</i> | <i>EXISTING</i> | |
|---|---------------------------------------|--------------------------|
| - - - | — | 15" + SANITARY SEWER |
| - - - | — | 12" SANITARY SEWER |
| - - - | — | 10" SANITARY SEWER |
| - - - | — | 8" SANITARY SEWER |
| - - - | — | FORCEMAIN |
| ■ | ● | LIFT STATION |
| | | NO LIFT STATION REQUIRED |
| | | LIFT STATION REQUIRED |

Annexed Commercial Industrial District

10-3X-1: PERMITTED USES:

Brewery.

Civic buildings, city halls, fire stations, public works and the like.

Commercial recreation, indoor (e.g., bowling alleys, roller rinks and the like).

Contractor operations, lumberyard/building material sales and the like.

Essential services and structures.

Food processing or ice, cold storage plants, bottling works and the like.

Laboratories and research facilities.

Laundry, dry cleaning and dyeing plants.

Manufacturing or assembly of products that produces no exterior noise, glare, fumes, byproducts or wastes or creates other objectionable impact on the environment.

Motor vehicle detailing shops.

Offices, professional and medical.

Radio and television stations or studios.

Studios; art.

Warehousing, wholesale offices and showrooms, excluding explosives and hazardous waste.

The following uses with a ground floor footprint of thirty thousand (30,000) square feet or less:

Bakeries; retail.

Banks, savings and loans, credit unions and the like (without drive-through).

Barbershops, beauty shops; other personal service uses.

Civic buildings such as city halls, fire stations and the like (without outside storage).

Clinics including multispecialty outpatient clinic.

Convenience stores (without motor fuel stations).

Copy/printing services (excluding printing presses and publishing facilities).

Drugstores and pharmacies (without drive-through).

Dry cleaning and laundry pick ups, self-service laundromats, incidental pressing, tailoring, repair and

the like (without dry cleaning processing).

Essential services.

Fitness centers and fitness related studios such as karate, yoga, dance and the like (less than 5,000 square feet in size).

Florists, hobby, craft or variety stores and the like.

Hardware stores.

Restaurants (without drive-through).

Studios; art related.

Retail goods and services of a similar nature, as determined by the zoning administrator.

10-3X-2: ACCESSORY USES:

No accessory structure or use of land shall be permitted except for one or more of the following uses:

Accessory uses incidental and customary to uses allowed in section 10-3I-1 of this article in the I district, including retail, shall not occupy more than thirty percent (30%) of the gross floor area of the principal use.

Accessory structures as regulated by section 10-5-9, "Accessory Structures", of this title.

Adult use, accessory pursuant to title 3, chapter 4 of this code.

Licensed brewer taproom as an accessory to a brewery with limited accessory retail space provided:

- A. The seating for the retail space is limited to no more than twelve (12) seats.
- B. The retail space is limited to four hundred (400) square feet.
- C. The on-sale of any liquor is limited to beer brewed on site as allowed by a valid liquor license(s).
- D. The off-sale of any liquor is limited to beer brewed on site as allowed by a valid liquor license(s).
- E. The hours of both on-sale and off-sale liquor are limited to the legal hours of off-sale liquor. Off-sale liquor must be removed from the premises before the applicable off-sale closing time.
- F. There must be adequate street capacity as determined by the city (for the purposes of determining adequate street capacity, the property must be served by an urban collector street or greater capacity road).
- G. Any required state, or city licenses are obtained and remain valid for the respective use.
- H. That there is not another brewer taproom within one thousand three hundred twenty feet (1,320') ($\frac{1}{4}$ mile) as measured between the main front entrances following the route of ordinary pedestrian travel.

I. There is adequate screening in compliance with section 10-4-8, "Screening/Landscaping/Fencing", of this title.

Off street parking, loading and service entrances as regulated in sections 10-5-2, "Off Street Parking", and 10-5-3, "Loading Spaces", of this title.

Signs as regulated by section 10-5-1, "Signs", of this title. (Ord. 2014-19, 6-17-2014)

Wireless communications towers as accessory to a permitted principal use subject to title 9, chapter 4 of this code including section 9-4-3 of this code. (Ord. 2013-20, 11-19-2013)

10-3X-3: CONDITIONAL USES:

The following are conditional uses, subject to the conditions outlined in section 10-7-4 of this title and the specific standards and criteria that may be cited for a specific use:

Adult use, principal pursuant to title 3, chapter 4 of this code.

Car washes.

- A. The site shall provide stacking space for the car wash. The amount of stacking space shall take into account the type of car wash and the amount of time it takes to wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.
- B. The exit from the car wash shall have a drainage system which is subject to the approval of the city and gives special consideration to the prevention of ice buildup during winter months.
- C. Hours of operation shall be limited to between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. daily.
- D. A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area.

Daycare facility provided:

- A. Unless exempted by the zoning administrator, where an outdoor play area of a daycare facility abuts any commercial or industrial use or zone, or public right of way, the daycare facility shall provide screening along the shared boundary of such uses, zones or public rights of way. All of the required fencing and screening shall comply with section 10-4-8, "Screening/Landscaping/Fencing", of this title.
- B. There shall be adequate off street parking which shall be located separately from any outdoor play area. Parking areas shall be screened from view of surrounding and adjoining residential uses in compliance with section 10-5-2, "Off Street Parking", of this title.
- C. When a daycare facility is an accessory use within a structure containing another principal use, parking for each use shall be calculated separately for determining the total off street parking spaces required. An exception to this requirement may be granted by the zoning administrator in instances where no increase in off street parking demand will result.
- D. Off street loading space in compliance with section 10-5-3, "Loading Spaces", of this title.

- E. All signing and informational or visual communication devices shall be in compliance with section 10-5-1, "Signs", of this title.
- F. The structure and operation shall be in compliance with state of Minnesota department of human services regulations and shall be licensed accordingly.

Ministorage/self-storage facilities:

- A. Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity, except as allowed by this section.
- B. Combining office and/or retail space with a self-service storage facility may be allowed by conditional use permit.
- C. Storage of hazardous or flammable materials is prohibited.
- D. No exterior storage is allowed.
- E. The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street and property lines.
- F. An on site manager is allowed only where adequate sanitary facilities are provided, either through use of a septic system or through connection to the public sanitary sewer system.

Motor fuel stations in compliance with section 10-5-8, "Motor Fuel Stations", of this title and the following:

- A. Application Requirements: That the area and location of space devoted to nonautomotive merchandise sales shall be specified in the application and in the conditional use permit. Exterior sales or storage shall be only as allowed by the conditional use permit and shall be limited to ten percent (10%) of the gross floor area of its associated principal use.
- B. Separation Of Spaces: The off street loading space(s) and building access for delivery of goods shall be separate from customer parking and entrances and shall not cause conflicts with customer vehicles and pedestrian movements.
- C. Installations: Motor fuel facilities shall be installed in accordance with state and city standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
- D. Compliance: All buildings, canopies, and pump islands shall be located to comply with the minimum setback requirements of the C1 district.
- E. Canopy Lighting: All canopy lighting for motor fuel station pump islands shall be recessed or shielded to provide a ninety degree (90°) cutoff. Illumination levels for pump islands shall not exceed thirty (30) foot-candles.

F. Litter Control: The operation shall be responsible for litter control within three hundred feet (300') of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on site to facilitate litter control.

Motor vehicle, boat or equipment repair.

- A. All servicing of vehicles and equipment shall occur entirely within the principal structure.
- B. To the extent required by state law and regulations, painting shall be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust, or other particulated matter.
- C. Storage and use of all flammable materials, including liquid and rags, shall conform with applicable provisions of the Minnesota uniform fire code.
- D. Parking, driveway, and circulation standards and requirements shall be subject to sections 10-5-2, "Off Street Parking", and 10-5-3, "Loading Spaces", of this title and the review and approval of the city and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and semitrailer/tractor trucks.
- E. The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building.
- F. The sale of products other than those specifically mentioned in this subsection 10-31-2A shall be subject to a separate conditional use permit.

Multi-business signs, as regulated in section 10-5-1, "Signs", of this title.

Open storage in a side or rear yard, accessory to a principal use.

- A. All applicable federal, state and/or county permits are obtained.
- B. Storage area is blacktop or concrete surfaced unless specifically approved by the city council.
- C. The storage area does not take up parking space or loading space as required for conformity to this chapter.
- D. The storage area is screened from public streets and surrounding properties.

Veterinary; related indoor kennels provided:

- A. All pens or cages must be completely enclosed within a building with the exception of incidental run areas that shall be limited to ten percent (10%) of the gross floor area of its associated principal use, to a maximum of five thousand (5,000) square feet.
- B. All indoor activities shall include soundproofing and odor control.
- C. When abutting a residential use or district, the property shall be screened and landscaped in accordance with section 10-4-8, "Screening/Landscaping/Fencing", of this title.

Wireless communication towers as accessory to a permitted principal use subject to title 9, chapter 4 of this code. (Ord. 2014-19, 6-17-2014)

10-3X-4: INTERIM USES:  

The following are interim uses, subject to the conditions outlined in chapter 7 of this title, interim uses and the specific standards and criteria that may be cited for a specific use:

Buildings temporarily located for purposes of construction on the premises for a period not to exceed time necessary to complete said construction.

A. All building and safety codes are met. (Ord. 2013-20, 11-19-2013)

10-3X-5: LOT AREA, HEIGHT, LOT WIDTH, AND YARD REQUIREMENTS:  

A. Minimum Area Requirements: The following requirements shall be required in the C-I district. New development shall only be allowed when a full range of municipal services and facilities are available to serve the site. Properties may be subject to special requirements as noted in article L, "SL Shore Land Overlay District", of this chapter. Existing buildings on private well and septic systems may be allowed to expand up to 20 percent of the total ground floor area that existed on the property, as of the date of this chapter, provided that all other requirements of the City Code are met with the expansion.

		With Public Sewer And Water
Minimum lot size		20,000 square feet
Minimum lot width		100 feet interior 120 feet corner
Minimum principal structure setbacks:		
	Front yard	35 feet
	Side yard	10 feet interior 35 feet abutting corner
	Rear yard	30 feet
Accessory structures		10 feet
Maximum lot coverage		50 percent

Maximum building height	45 feet
Maximum impervious surface (other than shore land overlay district)	88 percent
Maximum impervious surface (shore land overlay district)	25 percent

B. Fence, Screen Required: Whenever a CI district abuts an R district, a fence or compact evergreen screen is required pursuant to section 10-4-8, "Screening/Landscaping/Fencing", of this title. (Ord. 2014-19, 6-17-2014)



TO: Baxter Planning and Zoning Commission

FROM: Joshua Doty, Community Development Director

DATE: February 19, 2016 for the February 22, 2016 Long Range Planning Commission Meeting

REQUEST: **PUBLIC MEETING. City Land Sale** for the Northland Arboretum to have a sign located at the corner of Conservation Drive and Excelsior Road

APPLICANT: City of Baxter

1. Application Request

City staff received a request for from the Northland Arboretum to have a permanent sign located at the corner of Conservation Drive and Excelsior Road. The City owns this property for Conservation Drive and for the storm water pond located at the northeast corner of Conservation Drive and Excelsior Road. The City cannot permit the arboretum to have an off-site advertising sign on the City property. Therefore, the City is considering a sale of this land to allow the sign, while keeping easements on the remainder of the property for the roadway, the ponding area and utilities. Prior to selling city-owned land, state law requires that the city determine if the land sale is consistent with the City's Comprehensive Plan.

2. January 25, 2016 Meeting

On January 25, 2016, the Long Range Planning Commission tabled this request until the City received the engineering request for the proposed land sale. The engineer provided two options for consideration, a baseline survey option and a platting option. Attached is the engineering proposal with the two options, as requested by the LRPC.

3. Background

The Northland Arboretum building is located on a property owned by Crow Wing County. The Northland Arboretum has a long term lease with the County. The City of Baxter owns a separate property south of the Arboretum building property adjacent to Excelsior Road where Conservation Drive and the City storm water pond is located. The subject proposal would include the sale of the City property to Crow Wing County. The County would then establish a long term lease of this property with the Northland Arboretum. As part of the transaction, the City would ensure that except for an area for a sign, that the land would be entirely covered with a right-of-way, ponding and utility easement so that the City maintains control of the existing infrastructure on the property.

4. Long Range Planning Commission Role

The City Council will make the final decision regarding the land sale. However, before sending the land sale forward to the City Council, the Long Range Planning Commission is required to review the request to see if the proposed land sale is consistent with the comprehensive plan.

Staff Findings

The applicant could construct a permanent sign on their property located north of the City property. However, the sign would need to be located north of the City storm water pond, which over 325 feet from the intersection of Conservation Drive and Excelsior Road. Therefore, staff finds that selling the property is the only feasible way for the Northland Arboretum to have a sign that is visible from Excelsior Road. Staff also finds that if the City creates an easement for right-of-way, ponding and utilities over the entire property (except for the sign area), that the City can maintain the existing public infrastructure on the property.

The Comprehensive Plan states that the Northland Arboretum "is an integral part of the City's stormwater management. The City of Baxter is committed to the sustainability of the Arboretum and engaging in planning, developing, preserving and enhancing the facility. Staff therefore, finds that the sale of the land to allow the Northland Arboretum to have a permanent sign is consistent with the City's Comprehensive Plan.

5. Recommendation

Staff recommends that the Long Range Planning Commission recommend approval of the resolution approving finding that the land sale is consistent with the City's Comprehensive Plan.

Attachments

1. Draft Resolution
2. Site Aerial Photo
3. Surveying Services from SEH

**CITY OF BAXTER, MINNESOTA
RESOLUTION 16-_____**

**A RESOLUTION APPROVING FINDINGS OF FACT FOR THE SALE OF CITY OF BAXTER
LAND FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CONSERVATION
DRIVE AND EXCELSIOR ROAD**

WHEREAS, the City of Baxter is initiating a land sale of City property to Crow Wing County and for Crow Wing County to lease the land to the Northland Arboretum to allow a sign to be constructed on the property for the Northland Arboretum; and

WHEREAS, the Long Range Planning Commission reviewed the request for sale of the City land at their January 25, 2016 meeting and tabled the request to their February 22, 2016 meeting; and

WHEREAS, the Long Range Planning Commission reviewed the request for sale of the City land at their February 22, 2016 meeting and recommends approval; and

WHEREAS, the City Council reviewed the proposed land sale at a duly called public meeting and recommends approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the land sale, based upon the finding the following findings:

1. That the proposed land sale would be consistent with State law and the City's Comprehensive Plan, and compatible with other provisions of the City Code.
2. The land sale to Crow Wing County would include a long term lease to the Northland Arboretum to allow the Arboretum to construct a permanent sign on the property, in compliance with City requirements.

Whereupon, said Resolution is hereby declared adopted on this ____ day of ____ 2016.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal



401.2
0
200.60
401.2 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1 : 2,407



Legend

- Streets
- Locations
 - Current
 - Pending
 - Vacant
 - Retired
 - Other
- Parcels
- Land Use Cases
- Encumbrances
- Municipal Boundaries
- Historical Parcels

Notes

**Surveying Services for the proposed Arboretum Sign at the Excelsior
Road/Conservation Drive intersection with two options**

Certificate of Survey Option

Excelsior Pond area East (Arboretum)

Scope

- GSOC utility Ticket
- Field Locate utilities, pond and road extents
- Locate agreed up sign location
- Prepare Exhibit and Description for vacation of R/W
- Prepare 1 concept drawing
- Draft Certificate of Survey
- Set permanent iron monuments

Assumptions

- No wetland delineation is needed per email from Mitch Brinks - County
- The City of Baxter will address and work with Movies 10 on the existing deed restriction
- Field work in non-winter conditions

Hours

- 20 hours – drafting Exhibit and Certificate of Survey, and research
- 8 hours – 1 man field crew
- 3 hours – PLS review of Exhibit and Certificate of Survey
- \$30 – Mileage
- \$50 – Truck
- \$200 – Equipment

Schedule

We proposed to complete the Vacation Exhibit within 4 weeks of a signed contract

We propose to complete the Certificate of Survey within 2 weeks of completing the Vacation Exhibit

Fee: \$3700

Platting Option

Excelsior Pond area East (Arboretum)

Scope

- GSOC Utility Ticket
- Review Title Commitment
- Field locate utilities, pond and road extents
- Locate agreed upon sign location
- Prepare Exhibit and Description of vacation of R/W
- Prepare plat dedication
- Draft Preliminary Plat showing 1 lot, encumbered by easement, except for sign location
- Draft Final Plat
- County Surveyor plat review
- External plat review
- Set permanent iron monument at all plat corners
- Attend miscellaneous City and County meetings
- Mylar reproductions

Assumptions

- The plat will consist of 1 lot and block
- 1 concept design will be prepared, additional concepts will be billed hourly
- The City will address and work with Movies 10 on the existing deed restriction
- No wetland delineation is need per email from Mitch Brinks - County
- Field work in non-winter conditions

Hours

- 42 hours – drafting, meetings, revisions, research, Title Commitment review
- 8 hours – 1 man field crew
- 10 hours – PLS review
- 4 hours – Plat closure computations (Chris Larsen)
- \$30 – Mileage
- \$50 – Truck
- \$200 – Equipment
- \$500 – Mylar reproductions

Schedule

We proposed to complete the Vacation Exhibit within 4 weeks of a signed contract

We proposed to complete the Preliminary plat within 4 weeks of completing the Vacation Exhibit

We propose to submit the Final Plat within 3 weeks of preliminary plat approval

Fee: \$7400

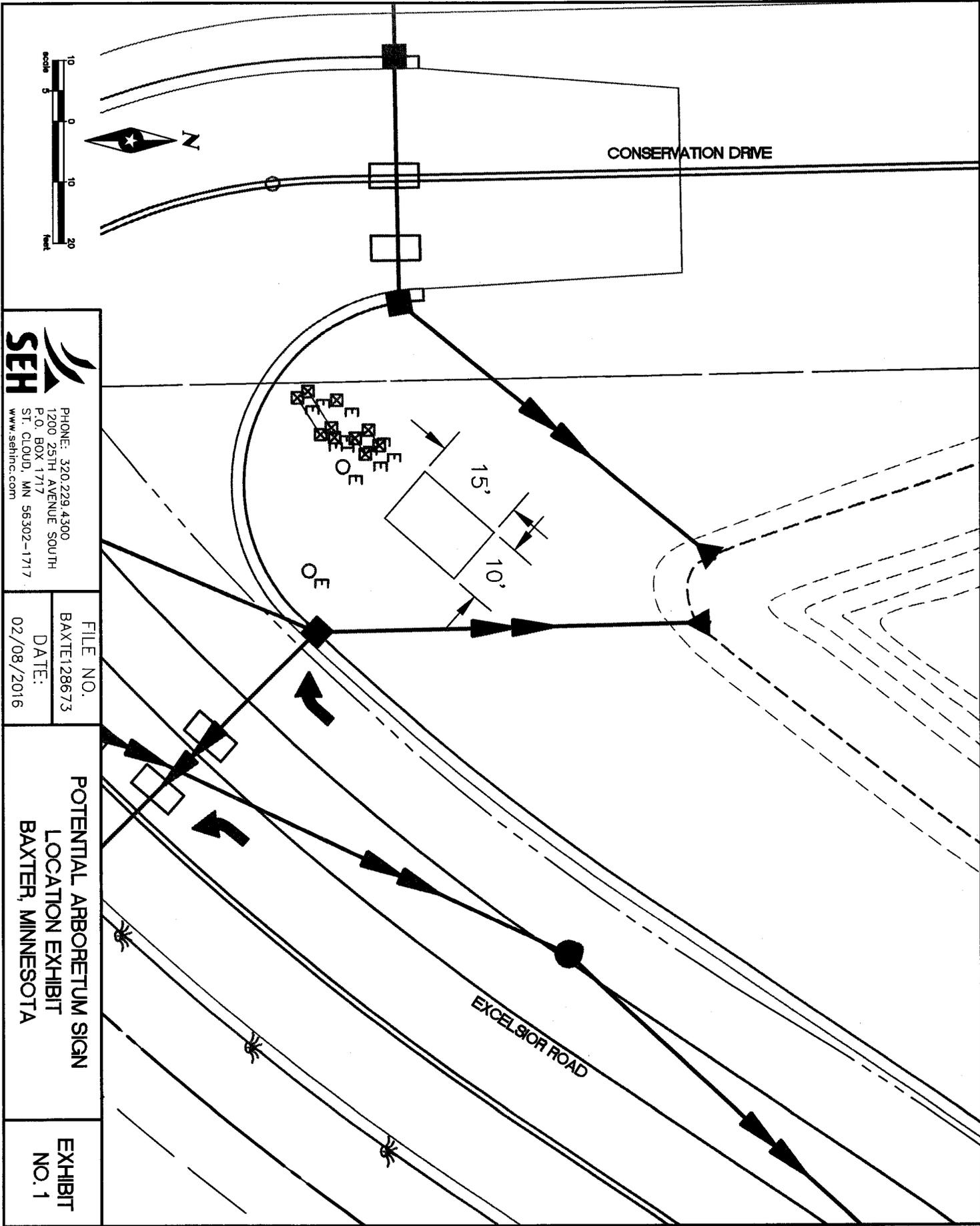
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FILE NO.
BAXTE128673
DATE:
02/08/2016

POTENTIAL ARBORETUM SIGN
LOCATION EXHIBIT
BAXTER, MINNESOTA

EXHIBIT
NO. 1



TO: Baxter Long Range Planning Commission

FROM: Joshua Doty, Community Development Director

DATE: February 19, 2016 for the February 22, 2016 Long Range Planning Commission Meeting

SUBJECT: Wildlife Management Areas

Wildlife Management Areas Update

After the July 25, 2016 Long Range Planning Commission meeting, Dave Olfelt, Region 2 Regional Wildlife Manager (who spoke at your last meeting), contacted staff regarding Wildlife Management Areas. He indicated that at this time, they are going to step back from the WMA request for Baxter. Dave explained that they are still very interested in Southwest Baxter for future projects. They recognize the unique natural resources within this area of the City and don't want to jeopardize the potential of future projects by pushing a WMA request forward with a summer of 2016 deadline for funding. Dave mentioned that DNR staff recognizes that the City would need adequate time for a larger planning process to consider this type of request.