



LONG RANGE PLANNING COMMISSION
June 27, 2016
6:00 p.m.

1. Call to Order
2. Approval of Minutes of May 23, 2016
3. Dellwood Planning Area Neighborhood Meeting
 - A. Welcome/Introduction
 - B. Brief Presentation
 - C. Review of Maps
 - D. Comments and Questions
4. Adjourn

LONG RANGE PLANNING COMMISSION MEETING
May 23, 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, Lori Rubin, Jim Kalkofen, and Council Liaison Todd Holman

MEMBERS ABSENT: Cathy Clark

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS: Judy & Mark Zahn, Craig Reikofski and Kris & Rick Olson

Approval of Minutes

Motion by Commissioner Ylimeini, second by Commissioner Ryan to approve the minutes of the February 22, 2016 meetings. Motion carried unanimously .

Dellwood Annexation Planning Area-Comprehensive Plan Amendment

Planner Gindele stated that in March of this year the Dellwood Drive annexation took place. In the packet is a report that outlines the Dellwood Drive annexation area that is being discussed tonight. The property consists of 138 acres, having 21 lots of record, 13 single family homes, one business, one public piece of land and a small section of the Paul Bunyan Trail. The report listed background information on the existing conditions, land use, wetland area, topography, utilities, previous county zoning, the 2008 land use study for the annexed area and the public planning options for this item.

Chair Donnay asked where Menards is located in relation to the annexed area; he also asked if the storm water retention pond is separated by a newly annexed piece of property. Staff indicated that was correct. Commissioner Kalkofen asked where the homes are located within the annexation; the houses were shown on an overhead map.

While Planner Gindele was explaining the previous Crow Wing County zoning that was given the annexed property, an audience member stated that the County land was previously a gravel pit and that the map being shown is only current from 2010-2015. Prior to that time, all of the properties mentioned were zoned commercial. The audience member stated that they were not informed of losing their commercial zoning. They are currently being taxed as residential being that is the use of the property at this time.

Planner Gindele resumed review of the packet and highlighted the 2008 land use study. An audience member disputed the map, CD Director Doty indicated that these maps currently being discussed in the report are not approved maps, just prior history for the Commission to understand previous discussions. Planner Gindele explained land use verses proposed zoning in more depth.

CD Director Doty revised a map during the meeting to allow for better clarity of the annexed area for the Commission .

CD Director Doty stated that the update of the road did include some utilities but not all properties are currently going to be serviced at this time. There were additional utility maps handed out to the audience.

Planner Gindele reviewed the different options for the public hearing formats with the Commission. Commissioner Cross stated that it would be best to hold a neighborhood meeting and then have staff development recommendations based on the feedback from the residents. Then at a later date, hold a public hearing with the Commission. CD Director Doty stated that whenever annexation takes place the city is tasked with having the land use determined in a one year time frame. CD Director Doty explained the most recent annexation of property on Inglewood Dr. and how that procedure took place. It was suggested to have the 2009 County zoning map to see what the differences were in this area. It was also suggested to have larger maps to review that were easier to read.

Council Liaison Holman asked CD Director Doty if the new FEMA flood plain maps indicated any flood plain changes for the annexed properties. Director Doty stated that the annexed properties were not included in Baxter's review of the updated flood plain maps as those properties were not yet annexed into Baxter and that the deadline to appeal the revisions had already passed. CD Director Doty pulled up a current flood plain map and found a small location of flood plain over the retention pond near Menards.

An audience member asked if the City has one year from the annexation date or a different approved date to complete the zoning. The answer was one year from the date of annexation ; in this case it would be March 2017.

Chair Donnay asked if a recommendation is needed to move forward with planning the neighborhood meeting. It was determined that a motion is not needed. The Commission decided that June 27, 2016 would be the meeting date for the neighborhood meeting to be held at the Long Range Planning Commission meeting at 6:00 pm. Staff indicated that this would be an open form type setting with maps and stations and public comment also being heard at that time. CD Director Doty summed it up in a brief presentation , allow people to break away and look at the maps and then return to the meeting format with comments and questions for the Commission to hear. Commissioner Kalkofen confirmed that the public hearing would take place during another meeting on a different date after the neighborhood meeting and ask if a recommendation from the Commission would be appropriate at that time or at a later meeting date. CD Director Doty stated that if the public hearing meeting goes well, then at that time the Commission could approve the land use designations onto Planning and Zoning and Council, however, if the meeting did not go well then additional meetings could be held to further discuss the zoning issues. An audience member asked if that means the next meeting would be an approval. Staff and the Commission indicated that it would not be approved at the next meeting.

A question was asked about where the annexed property owners would go to look at the different land use maps to help them understand what each district is and what the allowed uses are in each district. CD Director Doty stated that he and Planner Gindele would assist with locating and answering questions regarding the land use maps.

Commissioner Ryan stated that as they were going through the last annexation everyone kept hearing that it was an "orderly" annexation and later it was found that several people did not want to be annexed into the City. He asked if this is the same situation, where there were some that did not want to be annexed in. Staff indicated that was correct, there are several that did not want to be annexed in this time and were anyway. Commissioner Ryan stated that it would be better to know how these residents feel about the annexation instead of a blind side.

An audience member provided an additional map and information indicating that the County had taken away their commercial zoning by mistake . She also stated that they were present in 2008 when the previous maps were presented to the property owners. CD Director Doty took the information for the record and requested that this information is brought forward to the public hearing meeting.

Inaudible comment from audience regarding how zoning affects taxes.

A comment was made from the audience that it doesn't matter what the land owners want, that this Commission has already made up their mind and will move forward with what the City wants, he asked if that was correct? CD Director Doty stated with the annexation aside, the whole point of this Commission is to figure out a public process to help plan the future of these properties. He stated that a public hearing process is trying to be determined with this Commission, so each person can have a say, not that everyone will agree in the long run, but it is an attempt to hear the public.

Commissioner Cross stated that the Inglewood annexation was just completed and this Commission listened to the land owners and most of them got what they were asking for, with the exception of one who wanted all commercial. The audience member asked for the exact situation. Commissioner Cross stated that land owner had several different parcels and wanted all of them commercial, a few did go commercial and the others were butting up next to residential and several agreed that commercial should not go next to single family dwellings. He further stated that different uses were given after hearing the land owners point of view.

Other Business

The next meeting is scheduled for June 27, 2016 at 6:00 p.m.

Adjournment

Motion by Commissioner Kalkofen, second by Commissioner Cross to adjourn the meeting at 6:50 p.m.

Approved By:

Submitted By:

Chair Kevin Donnay

Shanna Newman
CD Administrative Assistant

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"A Growing Community"

TO: Baxter Long Range Planning Commission

FROM: Matthew Gindele, Planner &
Joshua Doty, Community Development Director

DATE: June 27, 2016 Long Range Planning Commission Meeting

SUBJECT: Dellwood Drive Annexation Area

Background

In March, 2016, the City of Baxter and Crow Wing County agreed to an orderly annexation of land into the City of Baxter. The annexed property includes land east of Highway 371 along Dellwood Drive from Novotny Road to Wise Rd (CSAH 49). The annexation was related to the future reconstruction and maintenance of Dellwood Drive. Specifically, a portion of Dellwood Drive that extends North beyond Baxter City Limits through unorganized territory is currently built to a 5-ton design during springtime road restrictions and is in rough shape. The Crow Wing County Highway Department planned to reconstruct the road in 2016 and was awarded a grant for 75% of the cost that was part of a joint application with the cities of Baxter and Brainerd. Since the road currently functions more as a collector City roadway than a township road, the County indicated that it would like to turn the road over to the City for regular maintenance after it is reconstructed. The City agreed to take over the responsibility for this new roadway together with an annexation of land along Dellwood to recover some of the maintenance costs. It was decided that additional lands existing in a pocket of unorganized territory surrounded by the municipal boundaries of Baxter and Brainerd should also be annexed to provide a tax base for the improvement of Mertens Drive and Whispering Woods Lane.

LRPC Objectives

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)

The purpose of this memo is to kickoff discussion of this property with the Long Range Planning Commission to: 1) introduce the annexed land to the Long Range Planning Commission by providing supporting information about the property and 2) to have the Long Range Planning Commission recommend a process moving forward to amend the Comprehensive Plan as needed to provide future land use and ultimately zoning districts for this new area of the City.

Background Information

- Existing Conditions and Land Use

The subject property annexed into the City of Baxter is approximately 138 acres. The property includes approximately 21 lots of record. The land includes 13 single family homes and one business. A large portion of the acreage includes vacant privately owned wooded property; there is also one publicly owned parcel of vacant wooded property owned by Crow Wing County. A small section of the Paul Bunyan Trail also runs through the east side of the site from north to south.



- Wetland Areas

The wetland inventory pictured to the right indicates that there are seven separate wetland basins spread throughout the site totaling approximately 24 acres within the annexed area. The largest basin is located in the southwest portion of the site with approximately 9.5 acres lying within the annexed area and functions as a storm water treatment pond.



- Topography

The topography across the site is varied with moderately rolling hills on the north and west portions of the site gradually shifting to more prominent hills as on the south and east portions. Although there is 46 feet of elevation change found within the site area, the land in the central northeast corner of the site has the highest elevation and most significant elevation change including approximately 38 feet of slope.

- Utilities

One of the key areas of discussion as it relates to future land use designations and zoning of the subject property relates to utilities. The reconstruction of Dellwood Drive North of Novotny Road does not include utilities. However, the City did complete a project this year to provide utilities along Dellwood Drive South of Novotny Road. The land Northeast of Dellwood and Novotny Road can be serviced from this intersection. The annexed land to the south can be serviced from Whispering Woods Lane. A lift station would be needed East of Whispering Woods Lane to provide sanitary sewer service.



Municipal sanitary sewer and water services are generally available to serve the 138 acre site area. It should be noted that the City's present commercial and urban residential districts requires City water and sewer service to allow development. The City should consider public service requirements when applying zoning to the subject properties.

- Previous County Zoning

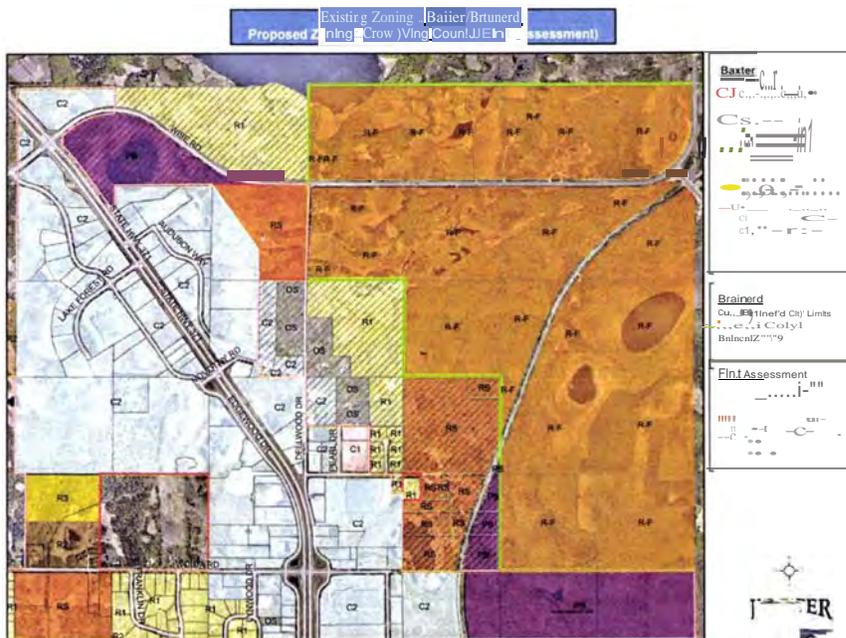
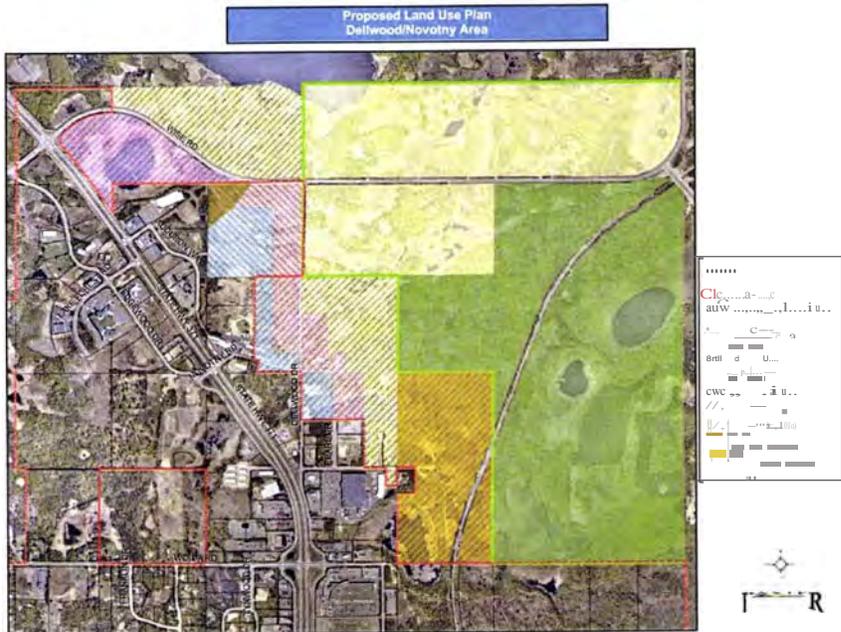
The previous County zoning of the property included two districts, the Rural Residential 1 district allowing 1 acre lots and the Public Lands zone. The Rural Residential zone was applied to all of the lots except for the public property located at the central northeast corner of the site.

- D Public Lands
- Agricultural/Forestry District
- [:] Airport District
- Commercial District 1
- Commercial District 2
- Commercial/Heavy Industrial District
- Commercial/Light Industrial District
- D Rural Residential - 20
- D Rural Residential - 10
- Rural Residential - 5
- D Rural Residential - 2.5
- Rural Residential - 1
- Sensitive Shoreland District
- D Shoreland District
- D Urban Growth District
- Waterfront Commercial



- Previous Land Use Study

In 2008 a land use study was completed for this area to determine what the future land use and zoning possibly could be when it is annexed. The results of that study suggest a tiered land use approach extending out from Highway 371 with a regional commercial land use designation on the west side of the annexed area, local commercial/office toward the center and low density residential on the east side; the plan also shows rural low density residential in the farthest southeast portion of the site.



The proposed zoning follows the same tiered pattern with the applicable zoning districts matching up with the proposed land use. C-2 Regional Commercial is proposed on the west side closest to 371, OS Office Service toward the center, and R-1 Residential on the east side. The farthest southeast portion of the site shows primarily Special Residential with the small portion lying east of the Paul Bunyan Trail adjacent to the Arboretum shown as Public Benefit.

Public Process Options

To amend the City's Comprehensive Plan, a public hearing must be held by the Long Range Planning Commission, with notice sent to all property owners within 500 feet of the subject property. Once the LRPC makes a recommendation, final action would be taken by the City Council. Likewise, to establish zoning for the property, a public hearing must be held by the

Planning and Zoning Commission , with the same 500-foot notice requirement and final action taken by the City Council.

The LRPC should note that not all property owners may be in favor of the decision for their property to be annexed into the City. Therefore , the LRPC should consider how much detail should be prepared in advance of inviting the affected property owners in for a public meeting or public hearing. Some options for the LRPC to consider are as follows :

- 1) Direct staff to develop a staff recommendation for amendments to the Comprehensive Plan and Zoning Ordinance and schedule a Public Hearing with the LRPC with the neighbors invited to the hearing.
- 2) Direct staff to develop a staff recommendation for amendments to the Comprehensive Plan and Zoning Ordinance and schedule a neighborhood meeting at a LRPC meeting where staff presents a recommendation or recommended options of how the Comprehensive Plan and Zoning ordinance could be amended. Then hold a Public Hearing at a later date for the LRPC to make a recommendation on how the Comprehensive Plan and Zoning Ordinance should be amended .
- 3) Direct staff to schedule a neighborhood meeting at a LRPC meeting without a recommendation from staff. This option would allow the LRPC to hear what neighbors would like to see happen with their properties. Then hold a LRPC Public Hearing at a later date for staff to present recommendations or recommended options of how the Comprehensive Plan and Zoning Ordinance should be amended .
- 4) Direct staff toward a different public process that is not identified in the options above.

Attachments

1. Annexation Boundary Map
2. Wetland Inventory Map
3. Contour Map
4. Previous County Zoning Map
5. Water and Sewer Maps
6. Future Land Use Map
7. Zoning Map

2016 Dellwood Annexation Boundary



Legend

- Streets
- Parcels
- Land Use Cases
- Encumbrances
- t** Municipal Boundaries
- Historical Parcels
- 2013 Imagery
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Notes

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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.
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2016 Dellwood Annexation Wetlands

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Legend

- Streets
- Parcels
- National Wetland Inventory
 - Lake
 - Wetland
 - River
- Land Use Cases
- Encumbrances
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- Historical Parcels
- 2013 Imagery
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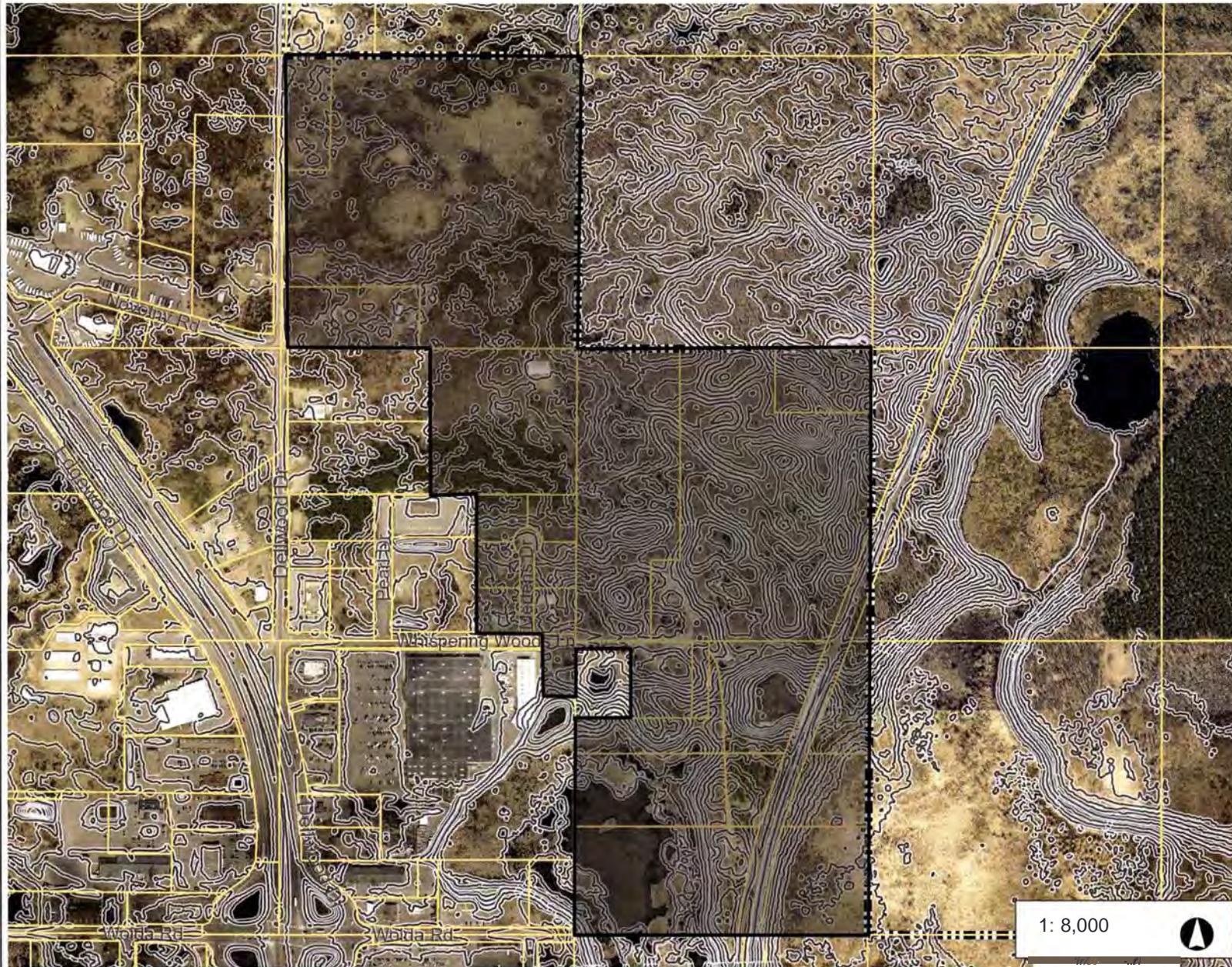
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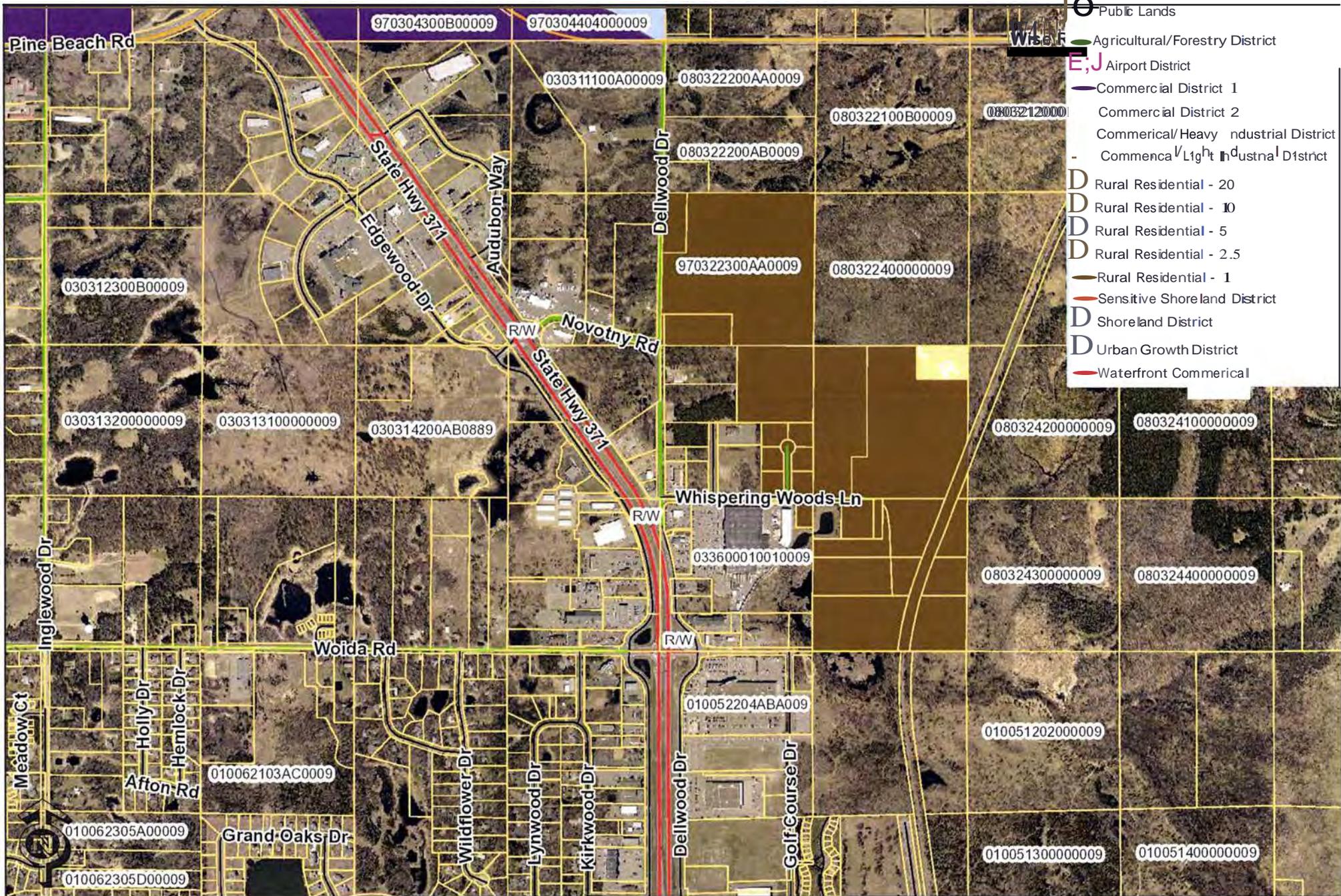
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- Parcels
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- Municipal Boundaries
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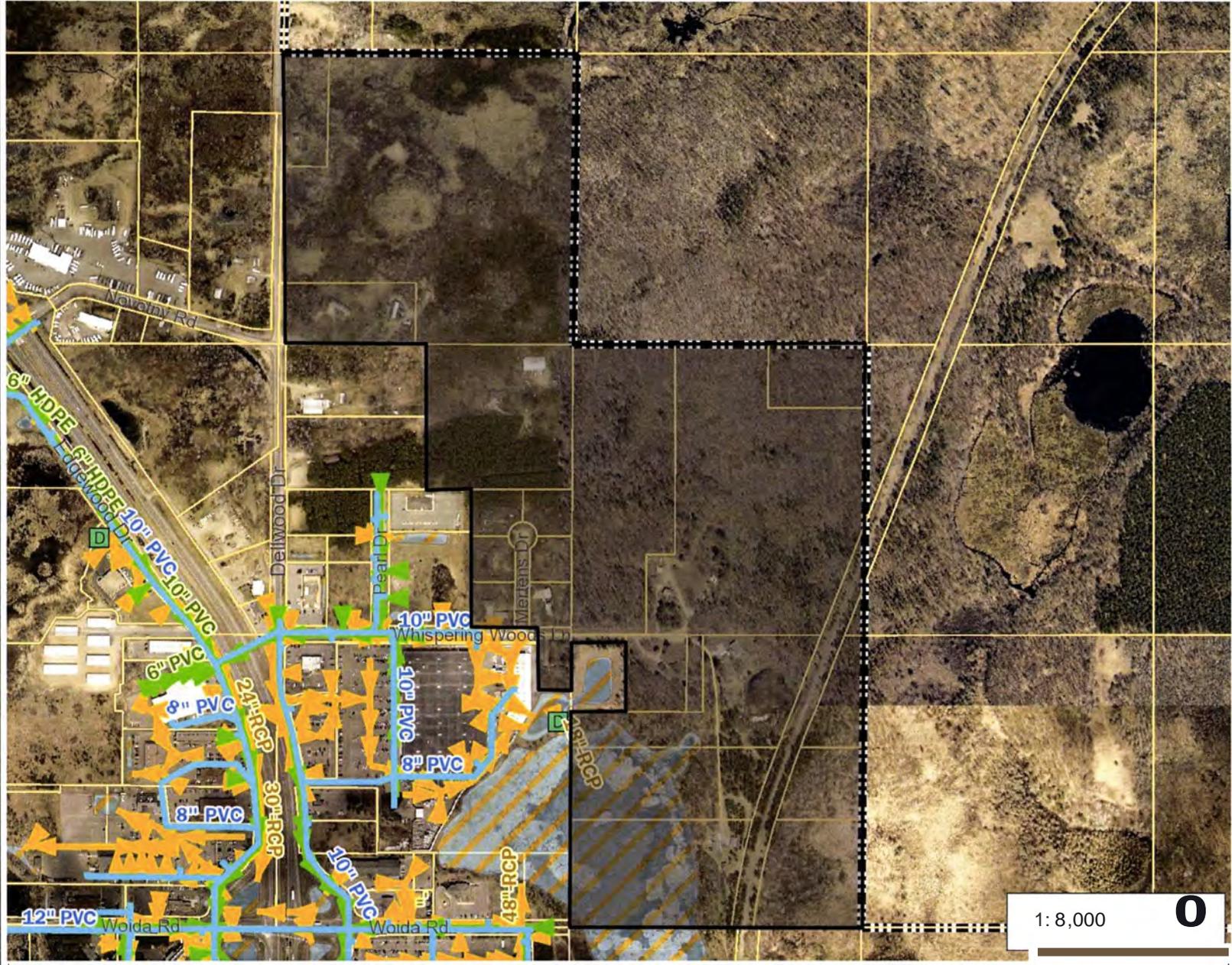
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2016 Dellwood Annex Zoning

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2016 Dellwood Annexation Utilities



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- Water Mains
- ▶ Sewer Pressurized Mains
- ▶ Sewer Gravity Mains
- Storm Network Structures
<all other values>
- Discharge Structure
- Diversion Chamber
- Diversion Point
- (J) Junction Chamber
- Lift Station
- Production Well
- Pump Station
- Split Manhole
- Storage Basin
- Tide Chamber
- Treatment Plant
- Storm Gravity Mains
- Storm Virtual Drainlines
- Storm Open Drains
- Storm Detention Areas
- Streets
- Parcels
- Land Use Cases
- Encumbrances
- Municipal Boundaries
- Historical Parcels
- 2013 Imagery
- Red: Band_1

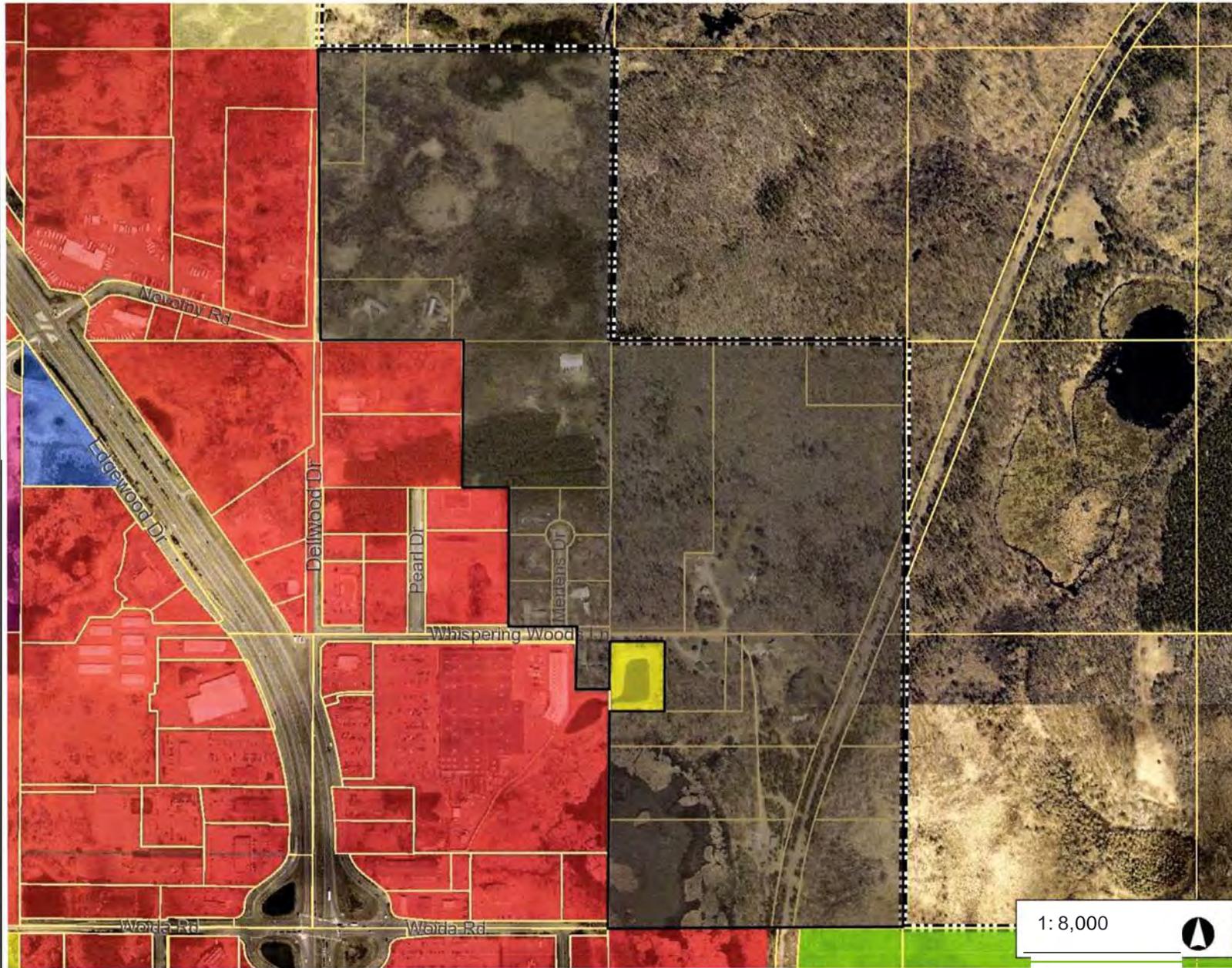
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City of Baxter

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Legend

- Streets
- Parcels
- Land Use Cases
- Encumbrances
- Future Land Use
 - Rural Residential
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - II Commercial
 - II Business Gateway
 - Office Service
 - Mixed Use
 - General Industrial
 - Public/Semi-Public/Institutional
 - Parks/Greenway
 - Railroad
 - Open Water
 - NWIWetland
- 7i Municipal Boundaries
- Historical Parcels
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Notes

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Legend

- Streets
- Parcels
- Land Use Cases
- Encumbrances
- Zoning Districts
 - F = Commercial Forestry
 - PB = Public Benefit
 - (J) R-1 = Low Density Residential
 - R-2 = Medium Density Residential
 - R-3 = High Density Residential
 - RS = Special Residential/Cluster
 - C1 = Neighborhood Commercial
 - C2 = Regional Commercial
 - I = Industrial Office
 - OS = Office Service
- Municipal Boundaries
- Historical Parcels
- 2013 Imagery
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

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