



**LONG RANGE PLANNING COMMISSION**  
**July 25, 2016**  
**6:00 p.m.**

1. Call to Order
2. Approval of Minutes of June 27, 2016
3. Dellwood Planning Area
4. Adjourn

**LONG RANGE PLANNING COMMISSION MEETING**  
**June 27, 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 Cathy Clark, Bob Ryan, Mark Cross, Lori Rubin, Jim Kalkofen, and Council Liaison Todd Holman

MEMBERS ABSENT: Rock Ylimeini

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

OTHERS: Judy & Mark Zahn, Craig Reikofski, Greg & Nancy Slad, Jean & Randy Mertes, Robert Nelms and Kris & Rick Olson

**Approval of Minutes**

Motion by Commissioner Ryan, second by Commissioner Rubin to approve the minutes of the May 23, 2016 meetings. Motion carried unanimously.

**Dellwood Area Neighborhood Meeting**

Chair Donnay stated that each person on the Commission is a Baxter resident appointed to this Commission by the Baxter City Council. Chair Donnay then turned the floor over to CD Director Doty.

CD Director Doty gave a brief presentation of the area in a PowerPoint presentation. After the presentation the Commission and audience members reviewed several maps and generated questions, concerns and comments related to the area.

Chair Donnay asked anyone that would like to speak regarding this area to please come forward to the podium.

Mr. Robert Nelms 7761 Whispering Woods Lane- Stated that he is surrounded by Menards property, with the store and holding pond. He would like to be zoned commercial as that is what is surrounding him. Mr. Nelms indicated that it would be a better sale for him and a better tax base for Baxter.

Judy Zahn 15410 Dellwood Drive- indicated where her husband and her live and the additional property they own at the end of the cul-de-sac. She gave history of the purchase 20 years ago, the location of their pole barn with a car lift located inside for retirement income and with the land being a portion of their planned retirement funds when they sold it as a commercial piece of property. She handed out packets of information regarding previous zoning and the current zoning per the County. Mrs. Zahn indicated that in 2011 there was a rezoning of their property and without their knowledge, they lost the commercial zoning. She included the 2008 meeting notes and maps that took place during the Baxter Long Range Planning Commission meetings, current and past County documents. She indicated concern for the recent comments that the 2008 documents were old and outdated. Mrs. Zahn stated that in 2008 there was negotiating to keep the property commercial and that is now not being recognized, she has concerns that this Commission is going to do the same thing by not honoring past conversations. She further pointed out residents around her that want commercial and the location of the road being proposed to bring water and sewer to them. Mrs. Zahn indicated that road is going to tie into Novotny and Dellwood making it a frontage road. They don't want to be the "buffer" property, they want commercial.

Mr. Craig Reikofski 15532 Dellwood Dr.- would like to see a portion of his property zoned C-2 commercial and a smaller area that he owns being zoned OS. His neighbor to the south is Hart, the dogs start barking at roughly 8:00 am and he is concerned that an OS office building would have an issue with the barking and may make it a harder sell than a commercial use.

Mrs. Zahn reproached and stated she meant to address the Hart neighbor. They were there prior to Hart coming in and it will be harder to sell with Hart as a neighbor.

Chair Donnay asked if there was anyone else to speak, there was not, he asked CD Director Doty to explain the next step.

CD Director Doty stated that this information will be gathered, a few options will be put together by staff and a report will go to this Commission at the next regular meeting scheduled for July 25, 2016. That meeting will be a public hearing where a potential decision could be made and forwarded on to the Council for approval.

An audience member asked about the hunting map and making hunting available on a portion of their land. CD Director Doty stated that the hunting map is going to be reviewed at the next Long Range Planning Commission meeting and the Baxter Chief of Police will be at that meeting as well.

Commissioner Kalkofen asked what the three property owners that spoke are currently zoned, CD Director Doty stated residential.

**Other Business**

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

**Adjournment**

Motion by Commissioner Ryan, second by Commissioner Clark to adjourn the meeting at 6:28 p.m.

Approved By:

Submitted By:

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Chair Kevin Donnay

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Shanna Newman  
CD Administrative Assistant



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**TO:** Baxter Long Range Planning Commission

**FROM:** Joshua Doty, Community Development Director

**DATE:** July 25, 2016 Long Range Planning Commission Meeting

**SUBJECT:** Dellwood Drive Planning Area

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### **Background and Request**

On June 27, 2016, the City of Baxter held a neighborhood meeting regarding the Dellwood Drive Planning Area. The neighborhood meeting was intended to receive feedback from the affected property owners in the affected area. Staff has gathered the information heard at the meeting and has provided land use option that summarizes what was heard. Staff has also produced other land use options for consideration. Staff requests that the Long Range Planning Commission review the options and then direct staff to hold an official public hearing at a following Long Range Planning Commission meeting.

### **Annexation 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 prove a tax base for the improvement of Mertens Drive and Whispering Woods Lane.

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)

### Planning Area Site Background

- 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

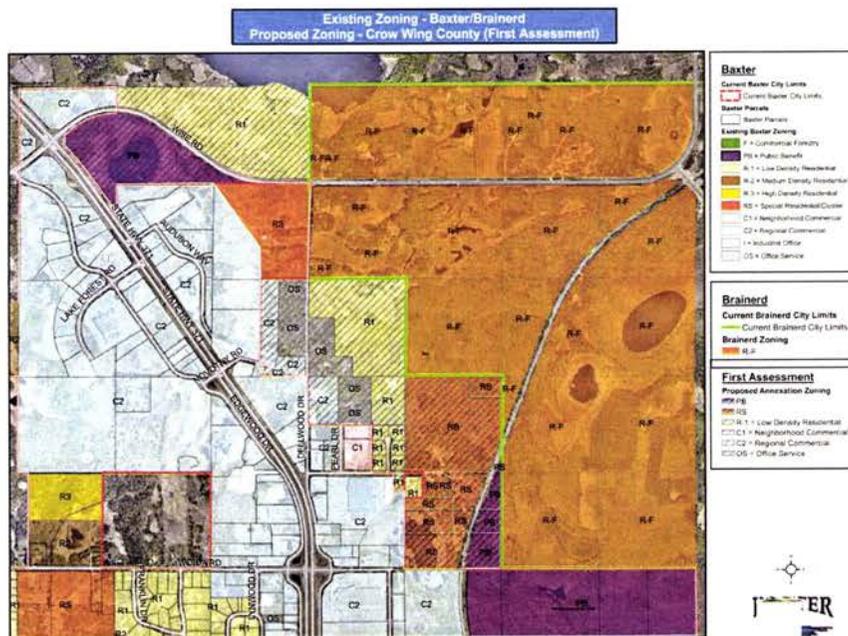
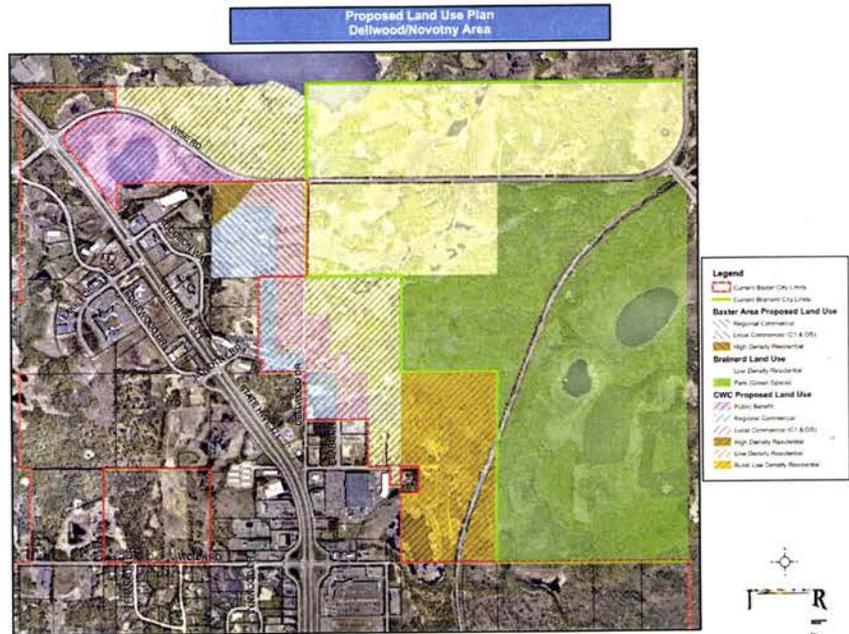
The previous County zoning of the property included two districts, the Rural Residential 1 district allowing 1 acre lots and the Public Lands zone. The Rural Residential zone was applied to all of the lots except for the public property located at the central northeast corner of the site.

- Public Lands
- Agricultural/Forestry District
- Airport District
- Commercial District 1
- Commercial District 2
- Commercial/Heavy Industrial District
- Commercial/Light Industrial District
- Rural Residential - 20
- Rural Residential - 10
- Rural Residential - 5
- Rural Residential - 2.5
- Rural Residential - 1
- Sensitive Shoreland District
- Shoreland District
- 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.

**Land Use Options**

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

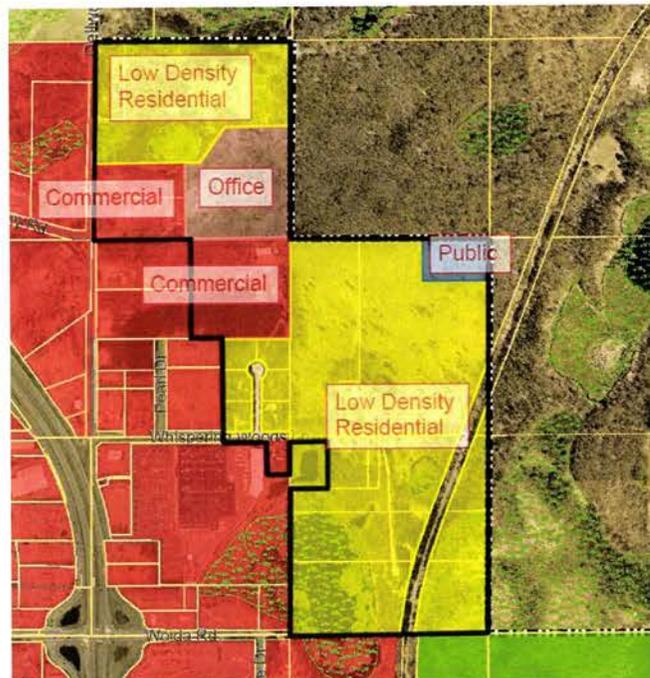
- Public comments
- Land use surrounding the Planning Area
- Existing conditions of the land
- Availability of utilities
- Transportation System
- Existing development pattern
- Past land use study's/designations, such as the previous County zoning, the 2008 Land Use Study, and the City's Comprehensive Plan.

Below are four land use options and a description of the land uses.

### Land Use Option One

Land Use Option One is a representation of land owner requests that the Long Range Planning Commission heard at the June 26, 2016 Neighborhood Meeting. Specifically, low density residential was requested on the North and East sides of the planning area. Commercial and Office was also requested in the North-central portion of the planning area.

Staff notes that the boundary shown between Office and Low Density Residential follows a natural boundary of wetland area. Although there are no requirements that a wetland boundary must also be a land use boundary, they can provide logical buffer or transition between land uses.

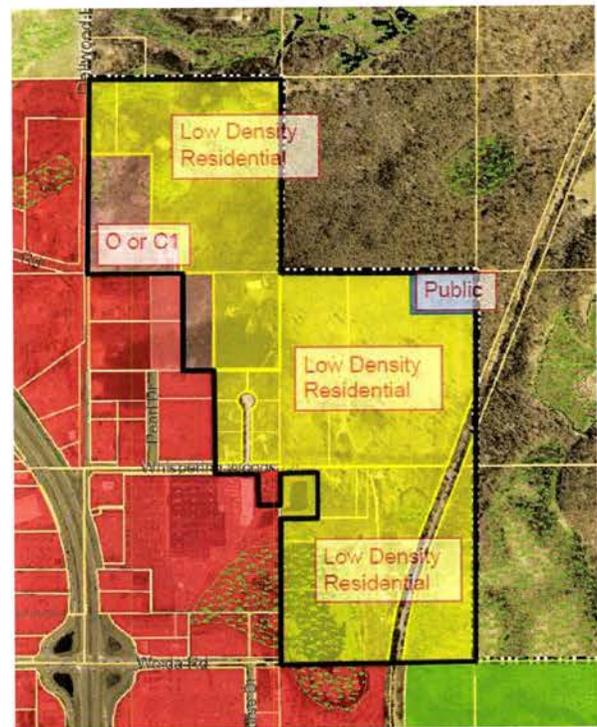


Staff notes that the property owner of the red bubbled property (noted to the left) had requested commercial land use for their properties. Staff notes that the property owns the one (bubbled) lot on the Mertens Drive cul-de-sac and the larger lot to the North identified with commercial land use. Staff points out this cul-de-sac property for specific discussion by the Long Range Planning Commission. Staff notes that although Commercial was requested for their properties, it is not customary to have one smaller commercial property on a cul-de-sac street with residential homes. Therefore, staff would support a residential land use for the smaller lot but would not support Commercial for

the smaller lot. In addition, if Commercial land use is planned for their larger lot to the North, then access to serve this larger property should come from Pearl Drive or Dellwood Drive.

### Land Use Option Two

Land Use Option Two includes a representation of the 2008 land use study that was completed. The 2008 Land Use Study included a transition approach to land use, moving from commercial, to C-1 or Office use, to Low Density Residential. Staff notes that one of the land use recommendations in 2008 was for the land Northeast of the North end of Pearl Drive to be either C-1 or Office. Staff notes that a portion of that property was in the City prior to the annexation and is already guided for commercial use and zoned C-2. Therefore, if the City would like to follow the exact land use that was discussed in 2008, the City would need to ultimately rezone the portion of land that is already in the City from C-2 to C-1 or Office Service. Lastly, staff notes that in terms of Land Use, the Long Range Planning Commission should ultimately indicate if the land labeled "O or C1" is intended to be Office or Neighborhood Commercial.



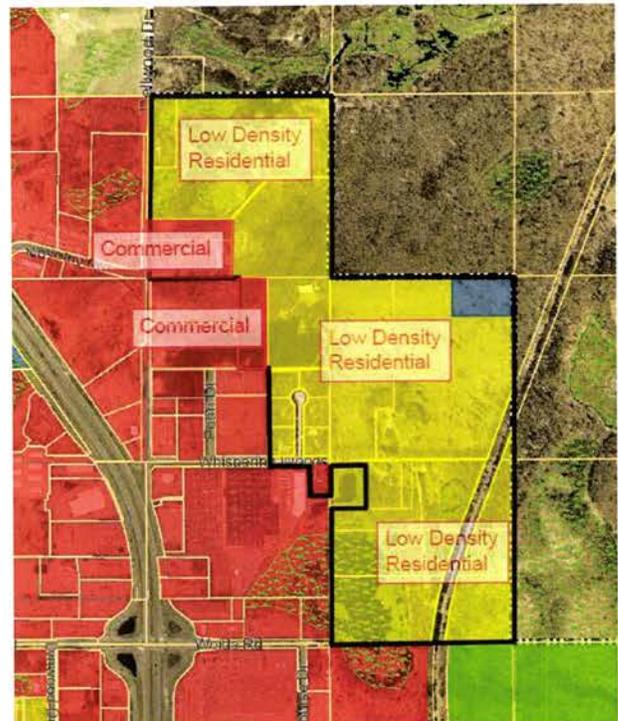
### Land Use Option Three

Land Use Option Three includes the same residential low density layout as Option 1. However, Option Three includes Commercial land Use for the property north of Pearl Drive and proposes Office Use for the Property North of Mertens Drive. Staff notes that this is option maintains a transition approach to land use but offers more business district property than is offered in Land Use Option number Two. Staff notes that the Comprehensive Plan amendment process does not officially zone property. That action will come after the Comprehensive Plan Update with a separate public hearing. However, staff notes that for the land guided Office under Option 3, an alternate land use could be C-1, Neighborhood Commercial. Staff notes that if Neighborhood Commercial is the the desired land use for this property, that the land should be guided commercial and that the public hearing record should indicate that the anticipated future zoning of the property should be C-1.



### Land Use Option Four

Land Use Option Four includes the same Land Use pattern as Option Three, except that the Office area North of Mertens Drive is shown as Low Density Residential. Staff notes that this option is not the desired land use requested by the property owners. However the land use does provide a more consistent line /separation from commercial to residential land use that exists to Northwest and South of the Planning area. Staff notes that Land Use option Four is could be supported if there is concern about having too much commercial depth from State Highway 371.



### **Findings and Conclusions**

Staff recognizes that there are many land use options and combinations that could be established for the planning area. Staff also recognizes that public comments need to be part of the process before the City establishes future land use for this area of the City. The land uses that are ultimately selected for the planning area should consider not only land owner wishes but also the existing development pattern of the area and the and the existing conditions of the planning area and surrounding property.

Staff notes that the depth of higher intensity Commercial Land Use from State Highway 371 should be considered together with the property owner's request for commercial. Therefore, staff would support either Land Use Option Three or Four. Staff's recommendation could also change based on new information.

### **Recommendation**

Staff recommends that the Long Range Planning Commission review the options and then direct staff to publish and send property notices for an official public hearing at your next Long Range Planning Commission meeting.