BAXTER

"A Growing Community"

LONG RANGE PLANNING COMMISSION
August 10, 2015
6:00 p.m.

1. Call to Order
2. Approval of Minutes of April 27, 2015
3. Comprehensive Plan Update
4. Land Use Map Amendment - Potlatch property located south of Mapleton Road and along the westerly boundary of the City of Baxter
5. Comprehensive Plan Goal/Policy Amendment – private multi-purpose community center use
6. Review of Long Range Planning Commission Duties – Post Comprehensive Plan Update
7. Adjourn

LONG RANGE PLANNING COMMISSION MEETING
April 27, 2015

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, Jim Kalkofen, Cathy Clark and Council Liaison Todd Holman

MEMBERS ABSENT: Lori Rubin, Bob Ryan and Mark Cross

STAFF PRESENT: Community Development (CD) Director Josh Doty

OTHERS: Rod Osterloh

Approval of Minutes
Motion by Commissioner Ylimeini, second by Commissioner Clark to approve the minutes of the January 26, 2015 meetings. Motion carried unanimously.

Comprehensive Plan Update
CD Director Doty updated the Commission on meetings since the Commissions last meeting where the LRPC recommended approval of the comprehensive plan and forwarded it to the City Council. There was a work session held with the City Council followed by a meeting with Potlatch, Baxter Mainstream, Council Liaison Holman, Commissioner Cross, Chair Donnay, the City Attorney and staff at the Northland Arboretum. Good conversation came out of the meeting. The specific discussion was regarding the Baxter Mainstreet LLC Property and four Potlatch properties. Following that meeting, another discussion was held at a City Council work session. The Council agreed to allow Baxter Mainstreet to submit a PUD Sketch application in advance of the Comprehensive Plan. In addition, the City Council agreed to change the future land use plan for three of the four properties requested by Potlatch. CD Director Doty reviewed the land use changes. The fourth area that the Council did not agree with was land south of Mapleton Road on the west end of the City. Potlatch requested Low Density Residential and the plan guides the area as Rural Residential. The City Council is not in favor of the low density for this area. Staff has received a PUD sketch application from Baxter Mainstreet and it will be on the May 5, 2015 City Council agenda.

Chair Donnay asked if there were any questions of CD Director Doty at this point. Commissioner Ylimeini asked if Potlatch was asking for the same type of mixed-used that was being proposed on the former golf course property. CD Director Doty indicated that was correct, the mix-use district would allow commercial and residential to mix and the gateway district would be removed. He further explained the PUD qualification within the comprehensive plan.

Council Liaison Holman asked CD Director Doty about Navillius Land Co. and if he had reached out to them and how did they feel about the Land Use classification change near Hinkley Road. CD Director Doty stated that he did reach out to Navillius and they did not seem have a strong position either way between residential or industrial land but requested more time to consider the matter. Council Liaison Holman asked Commissioner Ylimeini what his thought was, Commission Ylimeini stated that more industrial is needed for additional "wiggle room" for growth and that there is enough residential in Baxter. CD Director Doty stated that he had spoken to a few of the neighbors and one stated that if the change is made to industrial that it include his land as well. Staff has not been able to connect with the other residential property owner south of Hinkley Road. The Commission reviewed the aerial and where the additional industrial land would be created.

The Commission discussed the amount of industrial that could be considered. It was recommended to add the Navillus land and the requested parcels as industrial.

Motion by Commissioner Ylimeini, to recommend approval of the zoning of the 3 parcels as suggested/requested by the City Council. Motion failed for a lack of a second.

CD Director Doty suggested that the Commissions comments are part of the record but that a motion is not needed because it is not a specific item on the agenda. Commissioner Kalkofen asked Council Liaison Holman if it was common practice to rezone a residential property to industrial if there is a person living on the property. Council Liaison Holman stated that they have tried to contact the land owners to be respectful. He further stated that it could go either way in the future. Chair Donnay confirmed that two of the three land owners had been contacted and responded. Council Liaison Holman stated that his understanding is that Mr. Sullivan is pondering if R-3 is more profitable than industrial.

Commissioner Ylimeini stated that industrial will bring higher paying jobs. Commissioner Clark stated that she needed more information to consider the change as this was the first she was hearing of it and Chair Donnay stated that he agreed with Council Liaison Holman that movement of this type does not happen overly fast.

Chair Donnay referred to the aerial and located the 3 Potlatch parcels in the proposed Gateway area, his understanding was that this Commission did not want a bunch of apartment buildings to be the first thing that people saw when entering the City and now that appears to be the request. He asked if the Council had any comments on that. CD Director Doty indicated that the support for High Density Residential use is because the buildings could be positioned on larger lots to allow for more open space. Chair Donnay was looking for a response that stated better architectural appeal, landscaping and higher setbacks. CD Director Doty indicated that he had held conversation earlier in the day with Mr. Rod Osterloh (who was in the audience) regarding that very topic, which is the next agenda item.

Residential Gateway Standards-Comprehensive Plan Update

CD Director Doty stated that one of the items that came out of the small group property owner meeting with Potlatch and Baxter Mainstreet LLC was for the City to consider gateway standards for residential properties. CD Director Doty gave the Commission an overview of the discussion of adding gateway standards to residential areas. He reviewed the staff report in a slide presentation. He said that the Stantec presentation one year ago regarding the business gateway included four primary standards. He discussed the difference between residential and business gateway district related to these four standards. The locations were discussed as to where the residential standards could be located and what the standards are possibilities. CD Director Doty stated that when apartments are constructed, there are development plans and landscaping plans that would require approval of staff. These plans usually contain green space that offer visual appeal. When single family homes are built the green spaces usually contain personal items such as sheds, boats and other types of personal items. Commissioner Ylimeini stated that his concern is the buffering, if a single family house goes along the 371 corridor, it is a 4 lane road that does not sleep, the next problem will be the noise and then walls will be constructed at the cities expense later down the road. He would like to see that prevented. Council Liaison Holman stated that in earlier discussions with Mr. Paul Paige, Potlatch representative, brought up the economics of apartments verses single family homes. Chair Donnay and Commissioner Ylimeini agreed that the buffer area needs to remain large, untouched and natural. Council Liaison Holman stated that higher density residential needs some type of feature to build around, such as the Paul Bunyan Trail or water features to make the area more appealing. CD Director Doty stated that whatever standards the Commission decides to go with, the property owners do require use of their properties. CD Director Doty stated that the primary outcome of this meeting is for the Commission to identify if they want to consider residential gateway standards. If so, a

secondary priority would be the locations where residential gateway standards should be considered so that this can be passed onto the City Council.

Commissioner Ylimeini asked for clarification on the Navillus land location and current zoning. CD Director Doty stated that the property goes all the way down to the river and is zoned mostly R-1 and R-S. Commissioner Ylimeini stated that it appears more feasible to build a higher density setting. CD Director Doty stated that the landowner wants to sell his property but there is not city water and sewer available to all locations and they would like create larger lots with well and septic. He stated that that doesn't match the City's plant for that area. CD Director Doty said that currently, there are vacant city lots available. Commissioner Ylimeini asked if there was a higher density need in that area. CD Director Doty stated that it is possible but wasn't sure of the needs. The Commission had detailed conversation about the buffer zone, residential homes verses high density residential. The commission discussed the idea that perhaps more land could be preserved with the gateway for high density residential.

CD Director Doty asked if the Commission had interest in residential gateway standards. Chair Donnay asked the Commission for their opinion. Commissioner Ylimeini thought that on a high density residential development there should be standards. He also stated that plating individual lots would be hard to maintain standards. CD Director Doty said both medium and high density districts are possible because there is typically common space with homeowners associations. CD Director Doty stated he has seen single family developments with outlots become an issue if residents have no other reason for an association and don't want to pay insurance costs. Commissioner Kalkofen agreed that there should be some standards for the whole corridor and Chair Donnay agreed and added that the standards don't have to be too strict to give some sense of place and organization to the gateway. You just have to have the vision to do it and now is the time. CD Director Doty asked if there was consensus from the group to have gateway design standards from County Road 48 south, including any commercial and mixed use. The Commission agreed that they want to see planned and orderly standards for the entire gateway corridor, no matter what it is zoned. CD Director Doty asked if the Commission wanted to discuss the specific design standards at this time or identify in the plan that gateway standards shall be established. The Commission decided to just get the direction for gateway standards into the comprehensive plan.

The Commission reviewed the western area of Baxter and the gateway property being mixed use with medium density and low density around. There was a lot of conversation about the railroad and setbacks for the gateway district. Commissioner Ylimeini could not see a reason for an additional buffer on the south side of Hwy. 210 due to the railroad buffer. He can see the need on the north side but not the south. The Commission agreed with Commissioner Ylimeini. The discussion switched to the north side of Highway 210. Commissioner Clark asked what the MNDot 4-lane transportation plan is for the west area of Hwy 210. CD Director Doty stated he was not aware of any immediate plans to expand this highway. The Commission stated support of gateway design standards on the north side of Highway 210. The Commission held conversation regarding what could be allowed in a mixed use setting. The Commission clarified that gateway design standards need to stay in place with mixed use or any other zoning district. CD Director Doty stated that design would be forth coming at a later time.

Other Business

Chair Donnay asked if this Commission is now on hiatus until another comprehensive plan update is needed. CD Director Doty stated that this Commission has been written into the regulations and would continue if there is rezoning or comprehensive plan amendment is requested. Chair Donnay asked that the Mayor advise this Commission of how often they would be meeting and the longevity of the Commission, as when they all signed on it was to be for roughly one year of service. CD Director Doty indicated that he will pass those comments along to the Mayor.

The next meeting is scheduled for May 18, 2015 at 6:00 p.m., one week earlier than the regular scheduled meeting due to City Hall being closed on Memorial Day, May 25, 2015.

Adjournment

Motion by Commissioner Kalkofen, second by Commissioner Clark to adjourn the meeting at 7:40 p.m.

Approved By:

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Chair Kevin Donnay

Submitted By:

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Shanna Newman
CD Technical Clerk

Agenda Item 4

BAXTER

"A Growing Community"

TO: Baxter Long Range Planning Commission

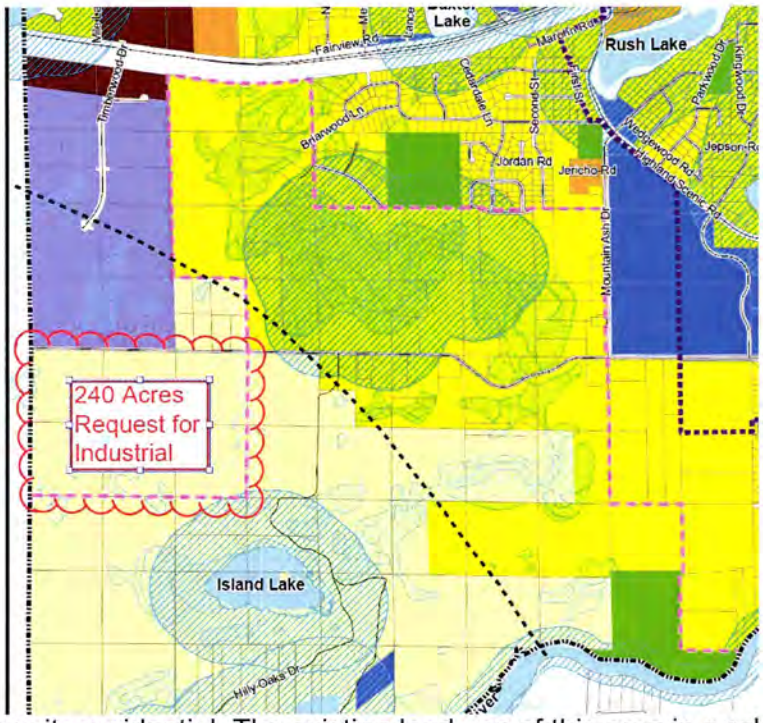
FROM: Joshua Doty, Community Development Director

DATE: August 7, 2015 for the August 10, 2015 Long Range Planning Commission Meeting

SUBJECT: **Comprehensive Plan Update – Potlatch Property**

Background

Prior to the City Council's final approval of the Comprehensive Plan Update, the Council heard a request from Potlatch for industrial land use of 240 acres south of Mapleton Road on the west side of the City. Previously, Potlatch had requested land use changes for four of their properties, of which, the City agreed to three of the four requests. The fourth (subject property) included a request for low density residential. Given the property is located within the ACUB, Army Compatible Use boundary, the Long Range Planning Commission and City Council was not supportive of low density residential land use. The applicant is requesting that the City consider industrial land use for the property.



The applicant has identified that investment has been made in a sewer and water improvements north of Mapleton Road to allow future development of this area, as was planned in the AUAR for this property.

Analysis

Staff notes that as part of consideration for a new land use for a site area, the City should consider the planned land use in the area. Staff notes that the property is on the South side of Mapleton Road. Therefore, the land to the east and south includes a rural area of the City. There are no business districts currently planned for any property south of Mapleton Road in the City. The property to the northeast is planned for rural and low density residential. The existing land use of this area is rural but could change to low density in the future as the City expands with municipal services to the southwest. The property to the west is Sylvan township. The existing land use includes residential use. The property to the north is

currently undeveloped Potlatch property, which was planned for future industrial land use as part of the Comprehensive Plan Update.

Findings

Staff finds that given the surrounding existing and future surrounding land uses, staff is not supportive of industrial land use for the subject 240 acres and recommends that the subject property remain rural. Although the property owner has invested in infrastructure in the area, staff notes that there is currently one industrial building constructed in 300 acres of industrial property. Staff notes that, creating 240 acres of additional industrial property would create nearly a square mile of vacant industrial property in the City. Staff finds that the property owner has opportunity with the existing 300 acres of industrial land.

Recommendation

Staff recommends that the 240 acres south of Mapleton Road remain rural, as indicated in the current land use plan.

#5

City of Baxter
Comprehensive Plan Update
Chapter 2- Managing Growth and Development

Goal 3: Support, enhance and expand existing businesses and promote new businesses to Baxter.

Key planning theme:
Managing growth and development

Rationale: Existing local businesses understand the issues and advantages to Baxter and the larger Baxter/Brainerd location and most job creation occurs from existing businesses. By working closely with the local business community, the City will be able to understand and respond to changes in the market place quickly and effectively.

Policies:

1. Continue promoting new businesses to help fill niches and to enhance choices within the City.

2. Through land use and financial tools/incentives, create opportunities to meet market demand for industrial, business park, medical service and professional office development to expand the number of livable wage jobs in Baxter.

3. Promote programs and efforts to bring new businesses to Baxter and support improving, maintaining and expanding existing jobs.

4. The City supports the concept of a muti-purpose private community center use.

10-7-2: COMPREHENSIVE PLAN AMENDMENTS:

A. Power To Amend: The city council may adopt amendments to this comprehensive plan. Comprehensive plan amendments shall only be used as a means to reflect changes in conditions and/or the goals and policies of the city.

B. Comprehensive Plan Amendments: An application for a comprehensive plan amendment shall be approved or denied pursuant to Minnesota statutes chapter 462.357.

1. Filing: A comprehensive plan amendment application shall be filed with the planning and zoning administrator on an official application form. The application shall be accompanied by the fee as set forth in this code. The application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the planning and zoning administrator, fully describing the proposed amendment. The application shall be considered as being officially submitted and complete when the applicant has complied with all the specified submittal requirements, as described in this section.

2. Staff Analysis: Upon receiving a complete application, as determined by staff review, the planning and zoning administrator shall refer copies of the comprehensive plan amendment application to the city staff and other applicable public agencies as needed in order to receive written comments. The planning and zoning administrator shall instruct the appropriate staff person to: a) coordinate an analysis of the application, b) prepare technical reports, and c) assist in preparing a recommendation to the long range planning commission and city council.

3. Public Hearing Notice: Upon completion of staff's analysis of the application, the planning and zoning administrator, when required, shall set a public hearing date for an upcoming long range planning commission meeting. Notice of the hearing, including a description of the request and the legal description of the property, shall be published in the city's official newspaper, "The Brainerd Daily Dispatch", at least ten (10) days prior to the hearing. Written notification of the hearing shall also be mailed to all property owners located within five hundred feet (500') of the site at least ten (10) days prior to the hearing. Failure of a property owner to receive mailed notice or defects in the notice shall not invalidate the proceedings.

4. Long Range Planning Commission Consideration: The long range planning commission shall consider the application, as follows:

a. Long range planning commission shall review the request and conduct the official public hearing. At the public hearing, all persons interested in the proposed amendment shall be heard.

b. The applicant or representatives thereof may appear before the long range planning commission to present information and answer questions concerning the proposal.

c. Long range planning commission and staff shall have the authority to request additional information from the applicant concerning the proposal, as deemed necessary to formulate a recommendation on the proposal.

d. The city should consider the following issues when reviewing a comprehensive plan amendment request:

(1) The extent to which the location criteria of applicable existing or proposed land use plan classifications are satisfied.

(2) Evidence submitted by the applicant demonstrating the reason(s) that the plan should be changed, including, but not limited to, whether new information has become available since the comprehensive plan was adopted that supports reexamination of the plan, or that existing or proposed development offers new opportunities or constraints that were not previously considered by the plan.

(3) Whether or not the change is needed to allow reasonable development of the site.

(4) The relationship of the proposed amendment to the supply and demand for particular land uses within the city and the immediate vicinity of the site.

(5) A demonstration by the applicant that the proposed amendment has merit beyond the interests of the proponent.

(6) The possible impacts of the amendment on all specific elements of the comprehensive plan as may be applicable.

(7) Consideration of the impact of the proposed amendment upon current and future special assessments and utility area charges, future property tax assessments or other fiscal impacts upon the city.

5. City Council Consideration: The city council shall consider a comprehensive plan application, as follows:

a. Upon receiving the reports and recommendations of the long range planning commission and staff, the city administrator shall schedule the application for city council consideration. The council shall have the option of receiving additional testimony on the matter if they so choose.

b. The council shall either approve or deny the application. Failure of the council to act within one hundred twenty (120) days of submission of the application is deemed approval of such application, unless the applicant agrees to an extension.

c. Approval of a comprehensive plan amendment by the city council shall require passage by a four-fifths ($^4/_5$) vote of all its members. The council may require plan revisions and may impose conditions upon approval, as deemed necessary to protect the health, safety, and general welfare of the city.

6. Effect Of Denial: If a comprehensive plan application is denied by the city council, the long range planning commission or city council shall not consider a similar application for the same amendment for at least six (6) months from the date of its denial. (Ord. 2014-24, 10-21-2014)

#6

CITY OF BAXTER, MINNESOTA
ORDINANCE 2013-04

AN ORDINANCE AMENDING THE TEXT OF TITLE 11, ENTITLED BAXTER ZONING REGULATIONS; AND TITLE 2, ENTITLED BOARDS AND COMMISSIONS, OF THE BAXTER CITY CODE

THE CITY OF BAXTER ORDAINS:

SECTION 1. The text of Title 11 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting Sections 10-11-2, 10-11-3 and 10-11-4 in their entirety.

SECTION 2. The text of Title 2 (Boards and Commissions) of the Baxter City Code is hereby amended by incorporating the following chapters:

CHAPTER 1. PLANNING AND ZONING COMMISSION

ESTABLISHMENT:
There is hereby established a Planning and Zoning Commission, hereinafter referred to as the "Commission".

PURPOSE:

The Planning and Zoning Commission serves as the city's planning agency and board of appeals and adjustments and shall have the powers and duties given these bodies by M.S. § 462.357, M.S. § 462.358, and M.S. § 462.359, as may be amended from time to time.

DUTIES:

The Commission shall hold meetings of its members and hold necessary public meetings and hearings to carry out the purposes and duties established in this Chapter, to consider matters as referred to the commission by the Council, or initiated by the members of the Commission and deemed necessary to carry out the purposes and duties established in this Chapter. Such duties shall include:

(1) To establish procedures for guiding actions affecting development in the city and its environs;

(2) To prepare and recommend to the Council practical means to implement the objectives of the comprehensive plan, which may include ordinances establishing zoning regulations, regulations for the subdivision of land, site plan regulations, sanitary codes, building standards and official maps;

(3) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan and development ordinances;

(4) To keep the City Council informed and advised on development matters;

(5) To perform other duties which may be assigned by the Council.

CHAPTER 2. LONG RANGE PLANNING COMMISSION

ESTABLISHMENT:

There is hereby established a Long Range Planning Commission, hereinafter referred to as the "Commission".

COMPOSITION:

The Long Range Planning Commission shall consist of the chairs or designee, of the Planning and Zoning Commission, Utilities Commission, Parks and Trails Commission, Architectural Review Commission, president of the Economic Development Authority, a citizen representative, and a city council member.

PURPOSE:

The Long Range Planning Commission serves as the city's planning agency and shall have the powers and duties given planning agencies by M.S. § 462.355 and M.S. § 462.356, as may be amended from time to time.

DUTIES:

The Commission shall hold meetings of its members and hold necessary public meetings and hearings to carry out the purposes and duties established in this Chapter, to consider matters as referred to the commission by the Council, or initiated by the members of the Commission and deemed necessary to carry out the purposes and duties established in this Chapter. Such duties shall include:

(1) To acquire and maintain in current form such basic information and background data as is necessary for an understanding of past trends, present conditions and forces at work to cause changes in these conditions;

(2) To prepare and keep current a comprehensive plan for meeting present requirements and such future needs as may be foreseen;

(3) To establish principles, policies and plans for guiding action affecting the development of the city and its environs;

(4) To recommend to the Council practical means to implement the objectives of the comprehensive plan, which may include ordinances establishing zoning regulations, regulations for the subdivision of land, site plan regulations, sanitary codes, building standards and official maps;

(6) To advise the Council on matters which have an impact on existing plans and the future development of the city, including, but not limited to plans of other jurisdictions, major public improvements, and annexations;

(7) To keep the City Council and the general public informed and advised on planning and development matters;

(8) To conduct such public meetings and hearings as may be required to gather information necessary for the drafting, establishment, maintenance and administration of the comprehensive plan;

(9) To establish public committees for the purpose of collecting and compiling information necessary for the comprehensive plan or for the purpose of promoting the accomplishment of the plan in whole or in part, as authorized by the City Council;

(10) To perform other duties which may be assigned by the City Council.

Section 3. Effective Date. This amendment shall take effect upon its passage.

Whereupon, said Ordinance is hereby declared adopted on this 19th day of March 2013.

_____
Darrel Olson, Mayor

ATTEST:

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City Seal

Gordon Heitke, City Administrator