

**LONG RANGE PLANNING COMMISSION MEETING**  
**September 26, 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, Rock Ylimeini and Council Liaison Todd Holman

MEMBERS ABSENT: Lori Rubin

STAFF PRESENT: Community Development (CD) Director Josh Doty

OTHERS: Craig Reikofski, Jesse Hopkins and Mark and Judy Zahn

**Approval of Minutes**

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

**Dellwood Area Comprehensive Plan Amendment**

Chair Donnay stated that in the August 22, 2016 meeting a recommendation was made to City Council and on September 6, 2016 the Dellwood portion was tabled due to a lack of a super majority vote and it was asked that staff bring it back to the Long Range Planning Commission for a second look at the two options and further discussion.

Chair Donnay asked Commissioner Cross and Council Liaison Holman to fill the Commission in on what the Council is looking for from the Commission. Commissioner Cross indicated that during the council meeting a few additional slides were added that showed what is taking place on the Brainerd side of the land. Council Liaison Holman stated that there was a 3-5 vote on the action, however the vote needed to be a super majority vote. He indicated that he and Council Member Barrows were the two that thought there should be more discussion. Council Liaison Holman also informed the Commission that Brainerd City Administrator Jim Thoreen was present at the LRPC the meeting, he didn't speak or introduce himself, but he was present to represent Brainerd. He indicated that the Brainerd side of the story really did not get told even though this location borders both Cities. Council Liaison Holman stated that he had put a slide show together to show the Commission more information. The slides showed the 371 corridor, Brainerd Comprehensive Plan showed current and present use, the future use being a park setting along that area, the transportation section and that layout, nothing showing a future connection/major corridor, the City of Baxter Comprehensive Plan and what we show for that area. Council Liaison Holman stated that he started with the City of Baxter in 1999 as a Planner and prior to that he had worked in the County. When Menards came to town he was learning as he went, and the comprehensive plan allowed for commercial use with a conditional use permit (CUP). He indicated that he owns some of the issues that are present because he was the Planner and there was little known about how to control the lighting/noise/trucks for the residents other than the wall. There was a gentlemen that stated the City took away the sunset, it struck him hard and he still thinks about that. He further stated that it was a minority vote at Council and it was not meant to discourage this Commission, just to bring that additional information to the Commission for them to review. Council Liaison Holman also stated that the PUD process wasn't really discussed prior to the option being chosen. He also stated that Baxter and Brainerd should have come together to discuss this area, as both comprehensive plan calls for "working with your neighbors". He wrapped up his presentation with discussion on transportation, working with the residents and working on a wetland permit approval or a collector road possibility. Council Liaison Holman stated that he was asked by Chair Donnay why he didn't bring this up earlier, he responded that he thought the Brainerd representative

would have stated/made a comment and that his role as a Council Liaison is to list and bring information back from this Commission to the Council. He apologized for not speaking sooner and having to have an additional meeting to resolve this amendment.

Chair Donnay asked CD Director Doty if there was anything else that staff needed to add. CD Director Doty stated that he does not have anything new and noted that the Commission is not being asked to vote tonight.

Commissioner Ylimeini asked CD Director Doty if the architectural standards have changed since 1999 when Menards was built. CD Director Doty indicated that there have been many ordinance amendments since that time. Commissioner Ylimeini asked if there were more screening now than in 1999, CD Director Doty indicated that yes, there is more screening requirements.

Commissioner Ylimeini indicated that the Cypress Road project should continue to Woida Road. He stated that there are always opticals in building a road. He stated that right now Baxter has a "road to nowhere". Commissioner Ryan stated that we are here because of a road, that road is going to happen, everyone has known about that road for over 10 years and was not built by the city, but was paid for by the developer, who is no longer involved. He brought up the signage issue, access issue and the tiers being possibly 4-5 tiers back from a road. He asked what if the City of Brainerd had a park there already, what if it were one of the Baxter parks, would this Commission still look at the land being commercial. Commissioner Ylimeini stated that Brainerd does not show a road going to that park, Commissioner Ryan indicated that was his point. Commissioner Ylimeini stated that they must have been looking at Baxter's comprehensive plan as a way to get there.

Commissioner Cross stated that there are a lot of different types of commercial that could go in, that the developers can be tasked with putting the infrastructure in, just as Menards did. Commissioner Ryan stated that the Menards building was a re-zone in order for them to build in that location and they agreed. Once it is colored red as commercial, the potential is still there for a developer to buy a rezoned parcel and expect the City to have utilities brought to it. Commissioner Ylimeini stated that there is utilities there, just not extended into the property. He further stated that Baxter has never brought utilities onto anyone's lot/parcel, that is their responsibility.

CD Director Doty stated that he would just add that utilities are close, however not all are touching every property.

Mr. Craig Reikofski, 15532 Dellwood Dr. (current landowner) asked CD Director Doty if he could put the slide back up with the Brainerd park showing. He asked how they are going to make his 40 acres a park, they haven't approached him to purchase. He indicated that they logged an area a few years ago but that is it. Mr. Reikoski indicated that the Commission can disregard the idea of his land becoming a park.

Mr. Reikofski showed the Commission his property and stated that if the property was zoned residential he would have to build a road to the residential lots between two commercial lots. He asked CD Director Doty for clarification regarding his land. His home and contacting business are on one lot, making it legally non-conforming. CD Director Doty stated he is grandfathered in, however it does not allow for any expansion, it would be problematic. Mr. Reikofski stated that he is not allowed to build another pole barn, the regulations are forcing him to move. Mr. Reikofski asked Commissioner Ryan for clarification on the road situation. Commissioner Ryan indicated that there will be a road that will go through that area.

Chair Donnay stated that the Commissions job is to look forward at the development in Baxter. He stated that when there is a "red" box on a parcel of land, that means several different commercial opportunities can go onto the parcel and with the flexibility of a PUD or CUP application could make the project move forward. He asked CD Director Doty is that correct, CD Director Doty stated commercial zoning does not necessarily

require a PUD or CUP but those applications could be proposed. He indicated that the color is what is intended to show how the City wants the land to develop.

Commissioner Ylimeini stated that he wondered if when Brainerd was doing their comprehensive plan, maybe it was just labeled park/green space because they did not know what to do with the property at that time.

Commissioner Clark stated that she does not have the history of this area as some of the other Commissioners have, therefore she is speaking as a resident that has traveled to many different areas. She looked at this area as a “vision” and sees it being Commercial. She does not see it as residential. She also suggested that in the future, Brainerd and Baxter should be discussing these situation with each other. Commissioner Clark stated that if she would have known the Brainerd City Administrator was in the audience, she would have asked the questions, in the future she would like to see communication take place and she is willing to participate in making that happen. She expressed that driving up and looking at the location made her agree with the commercial zoning.

Chair Donnay indicated that the notes/minutes moving forward will hopefully assist the Council with their approval.

### **Vacation Home Rentals**

Chair Donnay asked CD Director Doty to elaborate. CD Director Doty referenced his staff report and the complaint received. He explained that the complaint was that there is extra people, cars, high turnover and a festive activity more so than normal. CD Director Doty walked the Commission through the number of rentals in Baxter. He indicated that out of 970 rentals, staff could only find 3 vacation rentals in Baxter around the lakes on several vacation rental websites. CD Director Doty stated that there are a lot more vacation rentals in other areas around Baxter. He asked if there was any interest in researching a vacation rental ordinance or if it is something that Baxter does not want to regulate.

Commissioner Ylimeini stated that he thinks that the City should stay out of it, one complaint is nothing. He does not think it is a big deal and it does not need to be regulated. Commissioner Cross disagreed and stated that it puts strain on the lakes, infrastructure, and it is a totally different class than residential, it’s more of a resort. Commissioner Clark agreed with Commissioner Cross, however she agreed that one complaint is not a big deal, but it should be looked at in case it becomes a bigger issue. Commissioner Ryan agreed with Commissioner Cross and Clark. He indicated that these are small recreation lakes for the City of Baxter residents to enjoy and if the residents trash the lake it is their fault, not someone that does not pay taxes in the City. Commissioner Ryan stated that the weekly deal is a commercial use and they should be paying a higher commercial rate, he noted the one right down the road on Memorywood. Commissioner Ylimeini stated that if there is a public access on the lake than anyone can use that lake, there is no way to police the access. Commissioner Ryan also agreed with the public access, he too has taken his boat to White Sand Lake and has noted that it is really well maintained by the residents. Commissioner Cross stated that he has seen regulations on jet ski’s at rental vacations in other cities that he has built in.

Chair Donnay stated staff should research the this topic. The Commission agreed that it could be as easy as modify the current rental regulations.

### **Other Business**

The next meeting is scheduled for October 24, 2016 at 6:00 p.m.

### **Adjournment**

Motion by Commissioner Clark, second by Commissioner Y to adjourn the meeting at 7:19 p.m.  
Motion carried unanimously.

Approved By:

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Chair Kevin Donnay

Submitted By:

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Shanna Newman  
CD Administrative Assistant