

LONG RANGE PLANNING COMMISSION MINUTES
April 14, 2014

The meeting of the City of Baxter Long Range Planning Commission was called to order at 6:05 p.m. by Chair Kevin Donnay.

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

MEMBERS ABSENT: Rock Ylimeini

STAFF PRESENT: City Administrator Gordon Heitke, CD Director Josh Doty and Consulting Planner Phil Carlson

OTHERS: Darrell Pulak and Rod Osterloh

Approval of Minutes

Motion by Commissioner Ryan, second by Commissioner Cross to approve the minutes of the February 24, 2014 meeting. Motion carried unanimously.

Zoning Classification Change from C-2 to R-3 on Clearwater Road

Chair Donnay asked Mr. Phil Carlson of Stantec to explain the application to the Commission. He reviewed the information included in the packet and the location of the property. He explained the uses of the property around the proposed zoning change as commercial to the east, a single family planned unit development (PUD) that is zoned commercial to the south, single family homes to the west and vacate office service lots to the north. He stated that given the surrounding the land uses, that the commission could go either way for this proposed location.

Commissioner Cross stated that when there is a Kuepers project he abstains from the vote and if there are any questions on the project, he will move to the podium to answer questions as a representative of Kuepers.

Chair Donnay stated that he would like to know how it affects this Commission and the comprehensive plan and where this application is within City Hall. CD Director Doty indicated that the application includes a plat and a rezoning request. The Planning and Zoning Commission tabled the rezoning portion of the application until the Long Range Planning Commission could review the rezoning. Then in May, the complete application will go back to Planning and Zoning and Utilities Commissions with a recommendation from the Long Range Planning Commission on the rezoning. Chair Donnay confirmed that this Commission is reviewing the rezoning to make sure it works within the comprehensive plan. CD Director Doty indicated that was correct. Council Liaison Holman asked staff to explain what more the Commission does, as there are new members that have not been involved in other aspects of this Commission's duties. CD Director Doty explained that any change to the comprehensive plan will come in front of this Commission to make sure it is cohesive.

CD Director Doty explained the Baxter Woods PUD that is located south of the subject property. No construction of the project has occurred. However, the developer's agreement has a 15 year expiration, which would expire in 2019 or 2020 and that the plat for the project was recorded, therefore it could still be built.

Commissioner Ryan asked if everyone had looked at the aerial showing the fire substation, he want to make sure the Commission was aware of the future plans for the road connection and fire substation.

Motion by Commissioner Rubin, seconded by Commissioner Ryan to change the zoning classification from C-2 to R-3 located west of 7393 Clearwater Rd. on lots legally described as: Lots 1-4, Block 1, Clearwater Addition to Baxter.

Prior to the vote Commissioner Ryan stated that commercial property is of value in Baxter and there isn't a lot of it left in the city. If we take C-1/C-2 out of our inventory, where are we going to regain that commercial property elsewhere. He asked if staff has an inventory of apartments in the City and how full are the apartment buildings. CD Director Doty stated that we don't have an inventory on hand at this time. Chair Donnay asked CD Director Doty how would the commercial property be regained? CD Director Doty stated that there is the business campus area that could be considered a limited commercial use and the city has talked about the commercial property on the Potlatch property on the west side of the city along 210. However, there is not a defined plan to replace this specific commercial acreage elsewhere in the city.

Council Liaison Holman asked for clarification regarding the northern lots and southern PUD, is Mr. Carlson's second suggestion to keep it all C-2 or change it all to R-3. CD Director Doty indicated that is correct to keep it consistent. CD Director Doty stated that the application is only for the lots on Clearwater Road at this time. However, the decision does impact use for the land to the south.

Mr. Darrel Pulak stated that his mother is the owner of several of those southern lots. A brief history is both developers passed away and the development was placed on the back burner. There is currently no agreement between Wanda Pulak and Baxter Woods. This was originally going to be a commercial project, however they were told that a commercial property could not be accessed off of a residential road (Fox Dr.) and there was no access off of Hwy. 371. Then they decided to map the project residential. He asked what the city would like to see them do with the land.

Commissioner Kalkofen asked CD Director Doty to explain more about the access and the residential road issue. CD Director Doty stated that the PUD shows two private drive access points to the west to Forest Drive. He added that this road arrangement is platted and recorded.

Motion carried with Commissioner Ryan opposed.

Business Campus District Update

CD Director Doty stated that in the packet, there is a map showing the properties involved and description of the district. He reviewed the draft district with the Commission. CD Director Doty informed the Commission that staff had meetings with Potlatch and Mr. Jeff Sell. Mr. Sell made it very clear that he is not in favor of being in the Business Campus district and only wants C-2 for his land. Mr. Sell purchased his land with the intent of it being C-2. CD Director Doty stated that Mr. Sell's property is currently zoned C-1 and OS.

Council Liaison Holman stated that he wanted to reference this area as the “gateway to Baxter” he wasn’t comfortable with an adult use being allowed. CD Director Doty indicated that we could remove that use from the district. Commissioner Cross stated that a conditional use permit only places conditions on the use. Mr. Carlson stated that there does have to be a location for an adult use within the City and that use cannot be completely shut out of the city.

Mr. Rod Osterloh of Close Converse asked where a big box would go such as a Cabela’s or a Bass Pro Shop if this area is rezoned. Commissioner Ryan stated it should go on the Pulak property. Mr. Osterloh stated that in reality, Baxter is very limited on Hwy. 371 with a stop light. In the past decade there have been developers that have gone to other cities because they can’t get what they want, which is visibility and a stop light. He is urging the Commission to reconsider this district and keep it commercial as there isn’t a lot of commercial locations. Commissioner Ryan asked Mr. Osterloh how many Baxter has lost in the past? Mr. Osterloh did not have the number readily available but there were a few smaller ones such as Aldi and Panera Bread that he knew of. Chair Donnay stated that it seems to him that everyone runs out of commercial land at some point. Mr. Carlson stated that there is still land but there is limited availability on Hwy. 371. Mr. Carlson gave the Commission two options on how to keep things from getting like it currently is north of Hwy 210. The first option is to limit the uses and second is to put more restrictions on design site and buildings. He stated that maybe a Cabela’s could come in and meet the “gateway” feel. Commissioner Kalkofen asked CD Director Doty if there is a list of current vacant land in Baxter? CD Director Doty stated that he didn’t have a list but that there isn’t a lot. He was aware that Mill’s has a big lot and didn’t know what their intentions were for the lot. He stated that there are several redevelopment opportunities, such as the Gander Mountain site. Commissioner Cross noted the C-2 lots that are up Hwy 371 near Holiday Inn Express and behind and on the east side of Baxter Village.

Chair Donnay asked how committed the Commission is to the Business Campus District. Commissioner Ryan asked that the Commission review the uses and make sure they all understand what these uses mean. His example was in permitted uses #7 says hardware store, does that mean a Lowe’s or an Ace Hardware. CD Director Doty stated the intent was for an Ace Hardware. CD Director Doty stated that at the last meeting he heard that the Commission wanted more businesses that are of an office type of use with little outside storage and some commercial uses as well. Chair Donnay noted the 30,000 square foot size is a good size limit.

Chair Kalkofen asked Mr. Carlson what other communities have in their verbiage for “gateway”? Mr. Carlson stated that the word “gateway” doesn’t have specific verbiage. He has seen communities use “gateway” as less parking, less signs and more landscaping and better quality smaller buildings and better architecture.

Mr. Carlson asked the Commission what they don’t like about the area north of Hwy 210. This question would give staff and the consultant a better idea of what to include in the business district. Chair Donnay asked the Commission for their thoughts on the new district. Commissioner Ryan stated that it is very hard to make this decision when in the audience is a Baxter tax paying resident that is firmly against this district. He further stated that once it goes away it never seems to come back. Commissioner Ryan indicated that the Architectural Commission and standards have helped. He added that prior to those standards there were a lot of poll barns that were allowed. He mentioned that staff and the Commissions try to work with developers to help them build a building that is nice but

not too expensive. Commissioner Ryan asked what else was not liked, narrow setbacks and signage. Commission Clark doesn't like to see car dealership after car dealership. She added that she is in support of the Business Campus district because she wants to see head of household job opportunities. Council Liaison Holman doesn't like the lighting going up Hwy. 371. He mentioned going to the Cash Wise Liquor Store and then remembering you need something from Cub Foods, you can take your life into your own hands trying to walk that area. There was not a lot of thought in the old development for pedestrian friendly use. Commissioner Cross stated that he doesn't like the lack of planning that went into the corridor. Commissioner Cross stated he is for the Business Campus District. Chair Donnay stated the scale of things north of Hwy 371 is off some. He would like to see something different done with that corner.

Mr. Carlson asked if he was hearing the Commission correcting in saying no poll barns, no log siding, less EFI's, no more car dealers, working with architects more, the impact on lighting. He then asked what the difference would be between working with a car dealership or a Walmart? Commissioner Clark indicated lighting, size of the parking lot and there is little character. Mr. Carlson stated that all of those items can be handled through the zoning and architectural design standards. Mr. Carlson asked if Cabela's came to town with an upscale building and wanted to go on a corner in the business district, is that a building that you would want to see in this district. Chair Donnay stated it would not be allowed being the building would be bigger than 30,000 sq. feet. Commissioner Rubin stated that some smaller businesses want to be around a larger box store. Her opinion is to leave the corner C-1 and allow smaller business to fill in around the larger box store. Mr. Carlson stated that there are three options, one is to leave it zoned as is, second is a Business Campus District and third is C-2. Mr. Carlson said that design standards of any type could be placed on each option. Chair Donnay stated that the architectural standards may need to be looked at again after this decision is made. CD Director Doty added that Baxter has a great start with sound architectural standards in place. He added that the standards are strict but fair. The Commission discussed the different building sizes in Baxter.

CD Director Doty explained to the Commission the process of creating this district and if a bigger use wanted to come into the district and be C-2, then a comprehensive plan amendment and rezoning would have to take place. The intent of the comprehensive plan is to not have to amend it often. Chair Donnay then asked the Commission if he was correct in guiding the consultant towards business campus with the "gateway" feel and not similar to north of Hwy 371. Commissioner Rubin stated she was concerned about taking the commercial aspect out of this area. She would like to see further restrictions on this area. Commissioner Kalkofen asked if there was another type of zoning other than C-1 and C-2. CD Director Doty indicated that they could create a gateway commercial district that is different than C-1 or C-2. Chair Donnay stated that the business campus district still has several allowed uses and the uses could be changed. CD Director Doty stated anything can be changed to what the Commission would like to see in that area.

The Commission discussed the name of the district and if it should be changed to possibly Gateway/Commercial. Mr. Carlson stated he is hearing the Commission would like commercial with more uses, higher design standards, more to scale in this area. Several Commissioners agreed. It was determined that size is not really the issue it is the astatically pleasing to the community.

Chair Donnay asked if the building size needed to be discussed. Commissioner Ryan expressed some concern about the size limit. Council Liaison Holman brought up the Forestview Middle School and how big the school is and how it fits into that area and there are truck hauling and a lot of activity on

that site. Commissioner Ryan commented that the architecture is in place and can be changed if need be. Commissioner Cross stated that Forestview is also on a huge lot and the screening is heavy. He also agreed with Commissioner Ryan as well, there are a lot of standards in place. Chair Donnay asked if Mr. Carlson has ever written language regarding vistas, Mr. Carlson stated that he has and it can be done. Council Liaison Holman added that the Commission hasn't spoken about the economics of the prime commercial corner. He expressed that the more open it is than the less business can go there and less revenue. Council Liaison Holman questioned if the Commission want to see a non-profit there. Commissioner Ryan would like to see a few things taken out of the district. Commissioner Cross reminded the Commission of the development of a potential overpass being done in that area.

CD Director Doty indicated that they now have more direction to work with, possibly a gateway district and specific design standards. Commissioner Kalkofen asked if a map of commercial property could be provided at the next meeting so there is better understanding of what is out there remaining.

Perch Lake Estates Outlot A

CD Director Doty reviewed the Perch Lake Estates plat with the Commission and gave the back ground of this property. The Outlot A property is separate from the other residential lots within the plat. Mr. O'Donnell was under the impression that the Outlot was in the OS (Office Service) District; however, staff cannot find any record of this property being OS other than an commercial assessment that is tied to the property. CD Director Doty asked the Commission for their opinion on the zoning of this lot, should it stay residential or should it be rezoned to OS.

Commissioner Cross asked if the lot falls into the Shoreland Overlay District, CD Director Doty indicated that it is not in the Shoreland Overlay District. Commissioner Ryan stated that Nystrom and McDermott both wanted Isle Drive access but were not given full access. The reasoning is the amount of traffic that is going to be generated in the future. Commissioner Ryan could see the single family dwellings could change in time. Council Liaison Holman stated that when this plat came in, it was prior to everything being built on Isle Dr. The consensus of the group was to allow OS.

Urban Expansion Area

Mr. Carlson stated this is part of the comprehensive plan. He referenced the current CIP map and showed the Commission where there are city services. He reviewed past meeting discussions and then showed the preliminary map where there are city services and where there are no services. The Commission reviewed several maps and discussed in-fill with Mr. Carlson.

Commissioner Cross stated that during a work shop meeting, there was discussion of some neighborhoods that would not have access for several years. It was brought up regarding road maintenance and when some of these neighborhoods would only get their road replaced. CD Director Doty was asked to research it in the minutes to see what was stated. Council Liaison Holman was surprised at the number of areas that do not have water and sewer. CD Director Doty stated that this needs to be placed in the comprehensive plan so residents, developers and new people coming into the city know if they can have services.

CD Director Doty stated that at the next meeting they will be reviewing whole comprehensive plan. Staff intends to have the comp. plan to the Commissioners early prior to the meeting in order to review prior to the meeting.

Other Business

None

Next Meeting

The next meeting is scheduled for April 28, 2014 at 6:00 p.m.

Adjournment

Motion by Commissioner Clark, second by Commissioner Kalkofen to adjourn the meeting at 8:45 p.m.

Approved by:

Respectfully submitted,

Chair Kevin Donnay

Shanna Newman
CD Technical Clerk