

BAXTER



"A Growing Community"

Planning and Zoning Commission Agenda December 13, 2016 @ 6:00 p.m.

1. Call to Order
2. Roll Call
3. Approval of regular meeting minutes from November 9, 2016
4. Commission Comments and Questions.

ALL OLD AND NEW BUSINESS ITEMS ARE OPEN FOR PUBLIC COMMENT

5. Old Business
None
6. New Business

A. PUBLIC HEARING. Conditional Use Permits for joint access/parking for four existing developed industrial properties located at 7877 College Road, 7953 College Road, the approximately .86 acre vacant lot located immediately south of 7953 College Road, and 7957 College Road. (LOT 3 & 4 TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD-FULL LEGAL AVAILABLE AT CITY HALL) (LOT 1, BLOCK 5, EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATE-BAXTER INDUSTRIAL PARK FULL LEGAL AVAILABLE AT CITY HALL) (LOT 2, BLOCK 5, TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD BAXTER INDUSTRIAL PARK- FULL LEGAL AVAILABLE AT CITY HALL) (LOT 3, BLOCK 5, EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATE-BAXTER INDUSTRIAL PARK FULL LEGAL AVAILABLE AT CITY HALL BAXTER INDUSTRIAL PARK) (City file 16-31)

Requested by: City of Baxter 13190 Memorywood Dr. Baxter, MN 56425

B. PUBLIC HEARING. Zoning Amendment to establish zoning for the recently annexed land into the City located East of Dellwood Drive, East/Northeast of Whispering Woods Lane and Northeast of Woida Road. The proposed amendments to the City's zoning map and zoning ordinance is related to the following described properties (City File 16-33):

030322300B0009	030322300AA0009	030322300C00009
030323200AB0009	030323100BA0009	030323100B00889
030323100A00009	030323400AC0009	03032400AD0009
030323400E00009	030323400F00009	030323400AE0009
030323400D00009	034290010010009	034290010020009
034290010030009	034290010040009	034290010050009
034290010060009	030323300AC0009	

Requested by: City of Baxter 13190 Memorywood Dr. Baxter, MN 56425

C. PUBLIC MEETING. Official Map of Dakar Road located East of Kimberly Drive and West of Cherrywood Drive. (City file 16-32)

7. Other Business

2017 Planning and Zoning Meeting Dates

8. Adjournment

PLANNING & ZONING COMMISSION MINUTES
November 09, 2016 - 6:00 p.m.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m.

MEMBERS PRESENT: Chair Bob Kinzel, Commissioners Steve Lund, Gwen Carleton, Howie Oswald, Bob Ryan and Council Liaison Steve Barrows

MEMBERS ABSENT: None

STAFF PRESENT: CD Director Doty and Planner Matthew Gindele

OTHERS PRESENT: Chad Conner, Bill Bradford, Gary Edison, Eric Halbert, David Liedl and Ron Obeidzinski

APPROVAL OF MINUTES

MOTION by Commissioner Carleton, seconded by Commissioner Oswald to approve the minutes from the October 11, 2016 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
November 15, 2016 if not tabled, continued or otherwise noted.*

Chair Kinzel stated that this Commission is advisory and the final approval/denial is given at the City Council Meeting on November 15, 2016 at 7:00 pm.

OLD BUSINESS

None

NEW BUSINESS

1. PUBLIC HEARING. Preliminary and Final Plat of Mills Addition to Baxter, Conditional Use Permits for two principal uses on a single lot and joint access/parking/lighting, Variances for: 1) drive isle and parking setbacks on Design Road, Golf Course Drive, Excelsior Road and Dellwood Drive; 2) structure setbacks from interior lot lines and from Golf Course Drive, Excelsior Road and Dellwood Drive; and 3) impervious surface coverage for properties located at 14138, 14086 and 14114 Dellwood Drive (SW1/4 OF SW1/4 SEC 5 EX N 366FT THEREOF AND EX E 388FT THEREOF. SUBJ TO ESMNT OF REC. AND EX PT TO STATE OF MINNESOTA) (N 836FT OF W 330FT OF E 388FT OF SW1/4 OF SW1/4 SEC 5 EX N 366FT THEREOF) (W 330FT OF E 388FT OF SW1/4 OF SW1/4 SEC 5 EX THE N 836FT THEREOF & EX THE S 400FT THEREOF) (S 400FT OF W 330FT OF E 388FT OF SW1/4 OF SW1/4 SEC 5 SUBJ TO AN ESMNT OF REC) (City file 16-28)

Requested by: MFF Mortgage Barrower 3 LLC c/o Davidson Kempner Capital Management LP, 520 Madison Ave. 30th Floor, New York, NY 10022

Chair Kinzel asked Planner Gindele to start with the staff report. Planner Gindele stated the applicant has submitted a preliminary and final plat application to combine four lots into two lots, creating one legal lot on which Mills GM will be located and one on which Mills Fleet Farm and Mills Gas Mart will be located. Due to the pre-existing nonconformities on site, the applicant is also requesting multiple variances and conditional use permits. The additional planning applications include variances for drive isle/parking setbacks, structure setbacks, impervious surface coverage and conditional use permits for multiple principal uses on one lot and joint access/parking/lighting. Planner Gindele reviewed the plat drawing, revised plat and CUP/VAR resolutions that was at their stations. He explained this is a "paper plat" only, as no physical alterations to the property are proposed with this application. Planner Gindele stated that there are several multiple non-conforming signs on the properties. At this time, staff has checked with the City attorney and is recommending that no sign variances are approved and that the existing signs remain non-conforming and subject to the City's non-conforming regulations.

Planner Gindele stated that staff is recommending approval of the applications with the findings and conditions noted in the draft resolutions.

Chair Kinzel asked if the property was not being sold, then this would not be looked at, Planner Gindele indicated that was correct.

Chair Kinzel opened the public hearing.

Mr. Gary Edison, Attorney on behalf of the Mill's Family (seller), pointed out a few areas he would like clarifications made. On the plat resolution, page 2, letter "D" sanitary sewer easement is really a "storm" water easement. He requested that letter "E" include irrigation systems on roman numeral i, ii, and iv. Letter "F" the cross access agreement, he indicated that he has a draft agreement available and planned on providing it to the city attorney for review, however he questioned the need for the parking to be in the agreement, as the parking is not changing. On the resolution for Lot 1, page 2 under structure setbacks, the first item is indicating a 3-foot setback, however it should be a 2.6 setback. Planner Gindele indicated that change had come in late and the update was within the revised documents the Commission had received.

Planner Gindele indicated that the only other item is the storage rack needs to meet the fire code. Fire code requires that there is a 10' separation and a 0' setback is requested. Therefore, a 2 hour rating is required or other means to comply with the building code. Mr. Edison stated that there maybe a few other ways to satisfy the fire code, whether it be removing the roof or relocating the racking system/fencing or moving the setback line. Chair Kinzel asked about the architecture of the wall/fence. Planner Gindele indicated that there is a chance that the ARC Commission may have to review the articulation of the wall should the wall have to be fire rated. CD Director Doty added that the 2 hour separation would be difficult to complete and that is why staff is open to see if other measures could satisfy the building code to hopefully resolve this situation.

Chair Kinzel asked Mr. Edison if he was comfortable with all the other staff conditions, he indicated that he was.

Commissioner Ryan asked that letter “F” regarding the parking lot be explained a little further. Planner Gindele and CD Director Doty both indicated that this just clarifies that anyone parking in the parking lot may go to any store on the site, instead of allocating a number of spaces for each business. Mr. Edison stated that vehicles will be able to cross regardless of a parking easement agreement. Commissioner Ryan gave previous history of when WSN and Mr. Green stood in this room and stated that particular parking stalls were for Mill’s Fleet Farm and that Mill’s GM would have to remove their cars if need be, now here we are and the Mill’s family is stating that they don’t have a concern. He wondered what the change was now. He questioned in the event that someone pulls into Mills Fleet Farm with a large truck and trailer and parks in a GM parking spot and starts unloading lumber in the GM parking stalls, is that going to be OK. He doesn’t want to have the City getting involved in this type of situation. CD Director Doty stated that was the reason why cross parking was added to the agreement. Chair Kinzel stated that is all the years this site has been developed, the City has not had any problems. Mr. Edison stated that his concern is that the CUP mentions the parking verbiage and as Commissioner Ryan indicated it could cause a situation. People are going to cross park as they have in the past. He would like to restrict it to cross access not cross parking. Commissioner Ryan stated that when the Mill’s family owned it all, there was not a problem, now we have two owners. He could take a semi-truck and park it on Mill’s GM far side near Bremer Bank and shop in Fleet Farm without a problem because of this language. Commissioner Carleton stated if removing “parking” and leaving access would elevate this situation. It was agreed that it would. CD Director Doty stated that it is customary to have cross parking and cross access covered but indicated that the Commission can recommend that “parking” be removed.

After extensive discussion, Commissioner Ryan stated that if the word “parking” is removed it would elevate the concern, Mr. Eitson agreed with Commissioner Ryan.

Chair Kinzel closed the public hearing.

Motion by Commissioner Ryan, second by Commissioner Oswald to recommend the City Council approve the preliminary and final plat of Mills Addition to Baxter with “parking” being removed from the resolution title and access agreement for properties located at 14138, 14086 and 14114 Dellwood Drive as presented by staff in the draft resolution.

Prior to the vote, Commissioner Lund stated that it appears the parking access is the biggest issue. He asked if there was time to review the parking issue prior to City Council. CD Director Doty stated that it appears the City attorney has a draft of the agreement and that we would talk with the City attorney prior to the City Council meeting. Commissioner Lund also requested that the verbiage changes/clarification were added into the motion. Commissioner Lund stated that he could not support the current motion without modification. Commissioner Ryan agreed and amended the motion as follows:

Amended Motion by Commissioner Ryan, second by Commissioner Oswald to recommend the City Council approve the preliminary and final plat of Mills Addition to Baxter, with the following amendments to the resolutions: plat resolution, page 2, letter “D” sanitary sewer easement is changed to “storm” water easement, letter “E” include irrigation systems on roman numeral i, ii, and iv. Letter “F” of the resolution title and cross access agreement has the word “parking” removed 14138, 14086 and 14114 Dellwood Drive in the draft resolution. Motion carried unanimously.

Motion by Commissioner Lund, second by Commissioner Ryan to recommend the City Council approve the Conditional Use Permits for two principal uses on a single lot and joint variances for: 1) drive isle and parking setbacks on Design Road, Golf Course Drive, Excelsior Road and Dellwood Drive; 2) structure setbacks, with revisions to page 2 under structure setbacks, first item indicating a 3-foot setback being changed to a 2.6 setback from interior lot lines and from Golf Course Drive, Excelsior Road and Dellwood Drive; 3) impervious surface coverage access/parking/lighting for Lot 1 of Mills Addition to Baxter, properties located at 14138, 14086 and 14114 Dellwood Drive as presented by staff in the draft resolution.

Amended Motion by Commissioner Lund, second by Commissioner Ryan to recommend the City Council approve the conditional use permits for two principal uses on a single lot and joint variances for: 1) drive isle and parking setbacks on Design Road, Golf Course Drive, Excelsior Road and Dellwood Drive; 2) structure setbacks, with revisions to page 2 under structure setbacks, first item indicating a 3-foot setback being changed to a 2.6 setback from interior lot lines and from Golf Course Drive, Excelsior Road and Dellwood Drive; 3) impervious surface coverage access/parking/lighting for Lot 1 and removal of the word “parking” from the resolution title and access agreement and the word “sanitary” is changed to “storm” in the plat resolution of Mills Addition to Baxter, properties located at 14138, 14086 and 14114 Dellwood Drive as presented by staff in the draft resolution. Motion carried unanimously.

Motion by Commissioner Lund, second by Commissioner Ryan to recommend the City Council approve the Conditional Use Permits for two principal uses on a single lot and joint Variances for: 1) drive isle and parking setbacks on Design Road, Golf Course Drive, Excelsior Road and Dellwood Drive; 2) structure setbacks, with revisions to page 2 under structure setbacks, first item indicating a 3-foot setback being changed to a 2.6 setback from interior lot lines and from Golf Course Drive, Excelsior Road and Dellwood Drive; 3) impervious surface coverage access/parking/lighting for Lot 2 and removal of the word “parking” from the resolution title and access agreement and the word “sanitary” is changed to “storm” in the plat resolution of Mills Addition to Baxter, properties located at 14138, 14086 and 14114 Dellwood Drive as presented by staff in the draft resolution. Motion carried unanimously.

2. PUBLIC HEARING. Conditional Use Permits for two drive through businesses and for joint access/parking to allow the development of two, multi-tenant retail buildings named Northwoods Crossing located at 15146 Dellwood Drive and the adjacent vacant lot to the south (THAT PART OF THE SW ¼ OF SW1/4 OF SECTION 32 DESCRIBED AS FOLLOWS: COMM. AT THE SW CORNER OF THE [complete legal on file at City Hall]) and (PART OF SW1/4 OF SW ¼ SEC. 32 DESCRIBED AS FOLLOWS: COMM. AT THE SW CORNER OF THE SWSW OF SEC. 32 THEN DUE N. ALONG THE [complete legal on file at City Hall]) (City file 16-29)

Requested by: Baratto Brothers Construction, Inc./Bradford Northwoods Holdings, LLC 215 ½ Main St. Cedar Falls, IA 50613

Chair Kinzel asked CD Director Doty to start with the staff report. CD Director Doty stated the applicant is requesting approval of the following applications to construct two 6,000-square foot, multi-tenant retail buildings named Northwoods Crossing at 15146 Dellwood Drive and the adjacent vacant lot to the south:

- 1) Conditional Use Permits to allow two drive through businesses, and
- 2) Conditional Use Permit for joint parking/access.

The developer is proposing to construct two, 6,000-square foot buildings on the site. Each building is showing three tenant spaces. There is also a drive through for each of the buildings. Although the lots would each have their own building, the sites would be connected with shared drive lanes and parking. The property at 15146 Dellwood Drive has an existing 1,000-square foot building (Wells Fargo Bank), which would be removed to allow the construction of the new retail development. CD Director Doty reviewed the aerial and site plan with the highlights being parking, access, drive-through lanes/stacking, color rendering, pedestrian accessibility, trash enclosure location and landscaping. He explained the cross access/parking agreement between the two lots and Menards and the requirement of an agreement. CD Director Doty reviewed the requirements of drive through with the Commission and indicated that they meet the majority of the regulations. He reviewed the traffic study with the Commission and highlighted the areas in need of potential improvement and those items that need to be addressed. A circulation plan, physical barrier, truck circulation and parking were the highlights. The Utilities Commission reviewed this application and had a few conditions regarding the access and circulation, they were noted in the resolution. ARC has reviewed the application and recommended approval of the proposed buildings.

CD Director Doty stated that staff is recommending approval of the application with the findings and conditions noted in the draft resolution.

Chair Kinzel stated he understands developers wanting to maximize the land they have chosen, however he indicated this is a traffic nightmare and every time there is a situation with new development and congestion he gets a call asking why this was allowed, as he has been on the Commission for a long time and a lot of people know that. He further stated that he sees traffic flow issues and not knowing what is going in and how busy it is going to be is a concern for him and the residents of Baxter getting out of Menards. CD Director Doty stated the applicant did pay for the traffic study and there were multiple plan revisions prior to the meeting to minimize the access points on Dellwood. The traffic study showed more concern regarding the internal issues than external issues. Commissioner Carleton agreed with Chair Kinzel's concerns about external traffic issues. CD Director Doty stated that the traffic study did suggest a center left turn lane.

Chair Kinzel opened the public hearing.

Mr. Chad Conner, WSN stated that the site plan has been modified several times with north and south locations included for access. Currently there are three drive isle locations currently on Dellwood. He reviewed the Utilities Commission comments with the traffic engineer and it was determined the interior site circulation was more concerning. Mr. Conner stated that the study does show how it can work, however he agrees that it is a busy location/site. He stated that the owner is comfortable with the conditions set forth within the resolution.

Commissioner Lund asked about the center turn lane, what the center lane is really going to do to help the situation. CD Director Doty stated that the traffic study looks and high traffic time frames in the morning and evening, basically the worst case scenario. He explained that the traffic study looked out as far as 2030 with future growth. Commissioner Lund asked how deep the Utilities Commission looked into this site, CD Director Doty stated that they did look at it fairly closely; however they do also recognize that part of this review falls with the Planning and Zoning Commission. Commissioner Lund, having teenage drivers would be nervous sending his daughter to this location with the tightness of this development, and if a Dairy Queen or Chipotle goes in, that is where my kids are going to want to go. CD Director Doty

stated that this is a unique situation in that there aren't a lot of developments this size that propose two drive through businesses, which makes circulation extremely challenging. He did talk to the traffic engineer about changing to a one-way drive isle on the north side of the north building and a second access one way exit to the north, which may help with entrance control from the north. However, that change would not solve the stacking lane barrier issues. Commissioner Lund asked about flexibility towards the rear lot to eliminate the parked and stacked cars with a curb barrier. CD Director Doty stated there is space to the east but noted that the traffic study specifically requested a raised median/curb for winter condition. The Commission reviewed a few options with staff on the site plan, however did not make a decision on how to change the plan at this time.

Commissioner Lund asked about the joint drive/shared access/parking agreement. He asked if staff knows what the current agreement with Culver's is at this time. CD Director Doty stated that the agreement is on file with Culver's, Applebee's and Menards. Commissioner Lund asked if there are going to need to be a parking agreement. Mr. Conner indicated that parking is met on the development site and only the access will be needed from Menards, not parking.

Commissioner Ryan asked about the drive through ordinance condition about direct access specific classification roadways. CD Director Doty indicated that Dellwood is a service road. Mr. Ryan questioned the north building not having direct access. CD Director Doty stated that he understood the point but added that staff encouraged the developer to limit access to Dellwood. Commissioner Ryan questioned the north access and trying to get out on a busy Saturday, if this is a Caribou Coffee that is going to be very tough.

Mr. Eric Halbert, Baratto Brother, contractor hired for this project stated that the curb/barrier is going to be an ongoing maintenance nightmare for the owner. The other concern is the green space that is needed for the 100 year storm pond. Chair Kinzel stated if there are problems with the design, people will not go to that location because it is a hassle. Chair Kinzel asked if there is problems will it have to come back in front of the Commission. CD Director Doty stated that it is much easier for the City to request changes now than after the site is built. At that point, site issues fall on the owner to correct. He further stated that is why the traffic study conditions are included in the resolution.

Mr. Conner stated that the parking was based on the type of tenants that could fit into this site, it has been considered. He further stated that staff has been good to work with on this development, Mr. Halbert agreed.

Commissioner Lund asked if there was enough right-of-way to create a right turn lane should the city need to create one in the future. CD Director Doty stated he would have to look into that. Mr. Conner felt there was enough room if needed for a right turn lane. Commissioner Lund asked if the applicant was going to be OK with an easement. Commissioner Carleton suggested that the right turn lane be incorporated into the resolution, being this is not a plat. CD Director Doty stated the CUPs are for drive through businesses and if the Commission felt it was needed to allow the drive troughs, that they could recommend to include the condition. It is more difficult to address a turn lane later when the sign on site may be in the way.

Mr. David Liedl, Culver's stated that he is concerned about the traffic flow. They have been there for 14 years and understand the concerns. He has concern with people trying to get to his business and having a hard time getting to Culver's with the congestion. He also had a concern with the new signs potentially blocking his signage. He agreed with the Commissions comments with the exterior flow. Commissioner

Carleton asked for the location of the Culver's sign, it was pointed out on the GIS. CD Director Doty indicated the sign setback for the city is 10 feet.

Chair Kinzel closed the public hearing.

Motion by Commissioner Lund, second by Commissioner Carleton to recommend the City Council approve the conditional use permits for two drive through businesses and for joint access/parking to allow the development of two, multi-tenant retail buildings named Northwoods Crossing located at 15146 Dellwood Drive and the adjacent vacant lot to the south with an added condition of a right turn lane easement being added to the draft resolution. Motion carried unanimously.

OTHER BUSINESS

None

ADJOURNMENT

MOTION by Commissioner Ryan, seconded by Commissioner Oswald to adjourn the meeting at 7:55 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Chair Bob Kinzel

Shanna Newman CD Administrative Assistant



TO: Baxter Planning and Zoning Commission

FROM: Joshua Doty, Community Development Director

DATE: December 9, 2016 for the December 13, 2016 Planning and Zoning Commission Meeting

REQUEST: **PUBLIC HEARING. Conditional Use Permits** for joint parking/access for four existing industrial properties located at 7877 College Road, 7953 College Road, the approximately .86 acre vacant lot located immediately south of 7953 College Road and 7957 College Road (city file 16-31)

APPLICANT: City of Baxter on behalf of Navillus Land Company

ZONING: I, Industrial Office

LEGAL: (LOT 3 & 4 TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD- FULL LEGAL AVAILABLE AT CITY HALL) (LOT 1, BLOCK 5, EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATE-BAXTER INDUSTRIAL PARK FULL LEGAL AVAILABLE AT CITY HALL) (LOT 2, BLOCK 5, TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD BAXTER INDUSTRIAL PARK- FULL LEGAL AVAILABLE AT CITY HALL) (LOT 3, BLOCK 5, EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATE-BAXTER INDUSTRIAL PARK FULL LEGAL AVAILABLE AT CITY HALL BAXTER INDUSTRIAL PARK)

Application Request

The City, on behalf of Navillus Land Company is requesting approval of Conditional Use Permits for joint parking/access for four existing industrial properties located at 7877 College Road, 7953 College Road, the approximately .86 acre vacant lot located immediately south of 7953 College Road and 7957 College Road.

Background

In 2015, the City worked with the property owner to purchase right-of-way on the North side of the subject properties for a right turn lane on College Road to Cypress Drive. To allow space for the turn lane, site modifications were required to the North parking area of the properties at 7953 and 7957 College Drive. The site modifications were also required to allow the site to be conforming to zoning requirements. The Conditional Use Permits were part of the land sale agreement make the existing joint parking/access that occurs between the properties conforming. No additional construction is proposed with this application.

Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North, Across College Rd.	Industrial Buildings	I, Industrial Office
East Across Cypress Dr.	Berrywood Apartments	R-3, High Density Residential
South	Vacant Industrial Land	I, Industrial Office
West	Industrial Buildings	I, Industrial Office

Natural Characteristics of the Site

The site has little topography and is fully developed with buildings and parking surface. The site does not have any wetland and the site is not located in a shoreland overlay district or floodplain.

Analysis of Request

Conditional Use Permit

The applicant is requesting a CUP to allow joint parking/access between the subject properties. Even though the existing development layout includes joint parking/access, the site does not have a conditional use permit for this use, nor are there any easements for the joint parking/access.



The zoning ordinance permits the typical 10-foot side setback for parking and drive aisles to be reduced to zero to allow joint driveway and parking with approval of a conditional use permit, provided that:

- Driveways and Parking areas are designed to accommodate a safe traffic pattern
- Design requirements are met.
- An access master plan is submitted
- A cross-access easement be submitted for approval by the city attorney and recorded.

The above aerial photo shows the existing joint drive aisles and parking on the subject properties. Staff finds that the City's purchase of right-of way allowed and one access on College Road from the subject site to be closed. That improvement together with the turn lane improved traffic in this area. Staff finds that an access master plan is not required because the Conditional Use Permit is approving existing joint driveways and parking. Staff has added a condition to the approving resolution that a cross access easement shall be reviewed by the city attorney and that the easement is recorded with all four properties.

Staff has also reviewed the request on the general CUP standards. Section 10-7-4 of the Zoning Ordinance defines the criteria for reviewing and processing a conditional use permit (CUP). Specifically:

- A. *Excessive Burden: The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.*

The joint driveways/parking would not create an excessive burden on existing parks, schools, streets and other public facilities.

- B. *Compatibility: The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value and there will be no deterrence to development of vacant land.*

Joint driveways/parking are an allowed use in the Industrial Office district. The joint driveway/parking use is an existing condition that does not depreciate adjacent properties.

- C. *Appearance: The use shall have an appearance that will not have an adverse affect (sic) upon adjacent properties.*

The existing joint driveways/parking would not have an adverse effect on adjacent properties.

- D. *Overall Needs: The use, in the opinion of the planning and zoning commission shall be reasonably related to the overall needs of the city and to the existing land use.*

Joint driveways/parking are commonly part of Industrial development.

- E. *Consistent With Purpose: The use shall be consistent with the purposes of this title and purposes of the zoning district in which the applicant intends to locate the proposed use.*

The existing joint driveways/parking is consistent with the purposes of the City and the Industrial Office zoning district.

- F. *Comprehensive Plan: The use shall not be in conflict with the comprehensive plan of the city.*

The use would not be in conflict with the comprehensive plan of the city.

G. Traffic: The use will not cause traffic hazard or congestion.

The City's turn lane project closed an access on College Drive and provided a right turn lane to improve traffic in the area. The existing joint driveways/parking use does not cause traffic hazard or congestion.

H. Facilities: The use shall have adequate utilities, access roads, drainage and necessary facilities.

The site has adequate utilities, access roads, drainage and necessary facilities.

Recommendation

Staff recommends approval of the conditional use permits, subject to the findings and conditions in the attached resolutions.

Attachments

1. Draft resolution approving conditional use permit
2. Site Location Map
3. Site Graphics

**CITY OF BAXTER, MINNESOTA
RESOLUTION 16-_____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR JOINT
DRIVEWAYS/PARKING FOR PROPERTY LOCATED AT 7877 COLLEGE ROAD, 7953
COLLEGE ROAD, THE APPROXIMATELY .86-ACRE VACANT LOT LOCATED SOUTH OF
7953 COLLEGE ROAD AND 7957 COLLEGE ROAD (CITY FILE NUMBER 16-31)**

WHEREAS, The City of Baxter ("the applicant") on behalf of Navillus Land Company has requested approval of a conditional use permit for property legally described as follows:

LOTS 3 & 4 BLOCK 4 TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD DESCRIBED ON DOCUMENT #596488. SUBJECT TO EASEMENT AND RESERVATION OF RECORD.

AND

LOT 1 BLOCK 5 EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATED ON DOC #596488 & PT OF N150 FT OF LOT 5 BLK 2 BAXTER INDUSTRIAL PARK PHASE 3 WHICH LIE N'LY & E'LY OF FOL DESC LINE: COMM AT NW COR OF SD LOT 1 THEN S 87D 59'10"W BEAR BASED ON SD BAXTER INDUSTRIAL PARK 33.03 FT ALG N LINE OF SD VACATED GREENWOOD RD TO C/L OF SD VACATED GREENWOOD RD POB OF LINE TO BE DESC THEN S 0D 19'18"W 20.02 FT ALG SD C/L OF VACATED GREENWOOD RD TO W'LY EXT OF S LINE OF N 20 FT OF SD LOT 1 THEN N 87D 59'10"E 380.82 FT ALG SD S LINE OF N 20 FT OF LOT 1 & ITS W'LY EXT & ALG S LINE OF N 20 FT OF SD LOT 3 THEN S 45D 45'43"E 44.49 FT TO W LINE OF E 20 FT OF SD LOT 3 THEN S 0D 29'24"W 422.8 FT ALG SD W LINE OF E 20 FT OF LOT 3 & ALG W LINE OF E 20 FT OF SD LOT 5 TO S LINE OF SD N 150 FT OF LOT 5 THEN N 87D 54'26"E 20.02 FT ALG SD S LINE OF N 150 FT OF LOT 5 TO E LINE OF S LOT 5 & SD LINE THERE TERM.

AND

LOT 2 BLOCK 5 TOGETHER WITH THE VACATED PART OF GREENWOOD ROAD DESCRIBED ON DOCUMENT #596488. SUBJ TO ESMT AND RESERV OF RECORD

AND

LOT 3 BLOCK 5 EXC PT OF LOTS 1 & 3 BLK 5 PT OF GREENWOOD RD VACATED ON DOC #596488 & PT OF N 150 FT OF LOT 5 BLK 2 BAXTER INDUSTRIAL PARK PHASE 3 WHICH LIE N'LY & E'LY OF FOL DESC LINE: COMM AT NW COR OF SD LOT 1 THEN S 87D 59'10"W BEAR BASED ON SD BAXTER INDUSTRIAL PARK 33.03 FT ALG N LINE OF SD VACATED GREENWOOD RD TO C/L OF SD VACATED GREENWOOD RD POB OF LINE TO BE DESC THEN S 0D 19'18"W 20.02 FT ALG SD C/L OF VACATED GREENWOOD RD TO W'LY EXT OF S LINE OF N 20 FT OF SD LOT 1 THEN N 87D 59'10"E 380.82 FT ALG SD S LINE OF N 20 FT OF LOT 1 & ITS W'LY EXT & ALG S LINE OF N 20 FT OF SD LOT 3 THEN S 45D 45'43"E 44.49 FT TO W LINE OF E 20 FT OF SD LOT 3 THEN S 0D 29'24"W 422.8 FT ALG SD W LINE

OF E 20 FT OF LOT 3 & ALG W LINE OF E 20 FT OF SD LOT 5 TO S LINE OF SD N 150 FT
OF LOT 5 THEN N 87D 54'26"E 20.02 FT ALG SD S LINE OF N 150 FT OF LOT 5 TO E LINE
OF S LOT 5 & SD LINE THERE TERM.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on December 13, 2016 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their December 20, 2016 meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request for a conditional use permit, subject to the following findings and conditions:

1. The conditional use permit allows joint driveways/parking located at 7877 College Road, 7953 College Road, the approximately .86 acre vacant lot located immediately south of 7953 College Road and 7957 College Road, in accordance with the City application on November 21, 2016, except as may be amended by this resolution, based on the finding that all applicable conditional use permit standards have been met.
2. A joint driveway/parking easement shall be reviewed by the City Attorney and recorded with the four subject properties.
3. Approval shall expire within one year of the date of approval unless the applicant commences the authorized use and completes the required improvements.

Whereupon, said Resolution is hereby declared adopted on this 20th day of December, 2016.

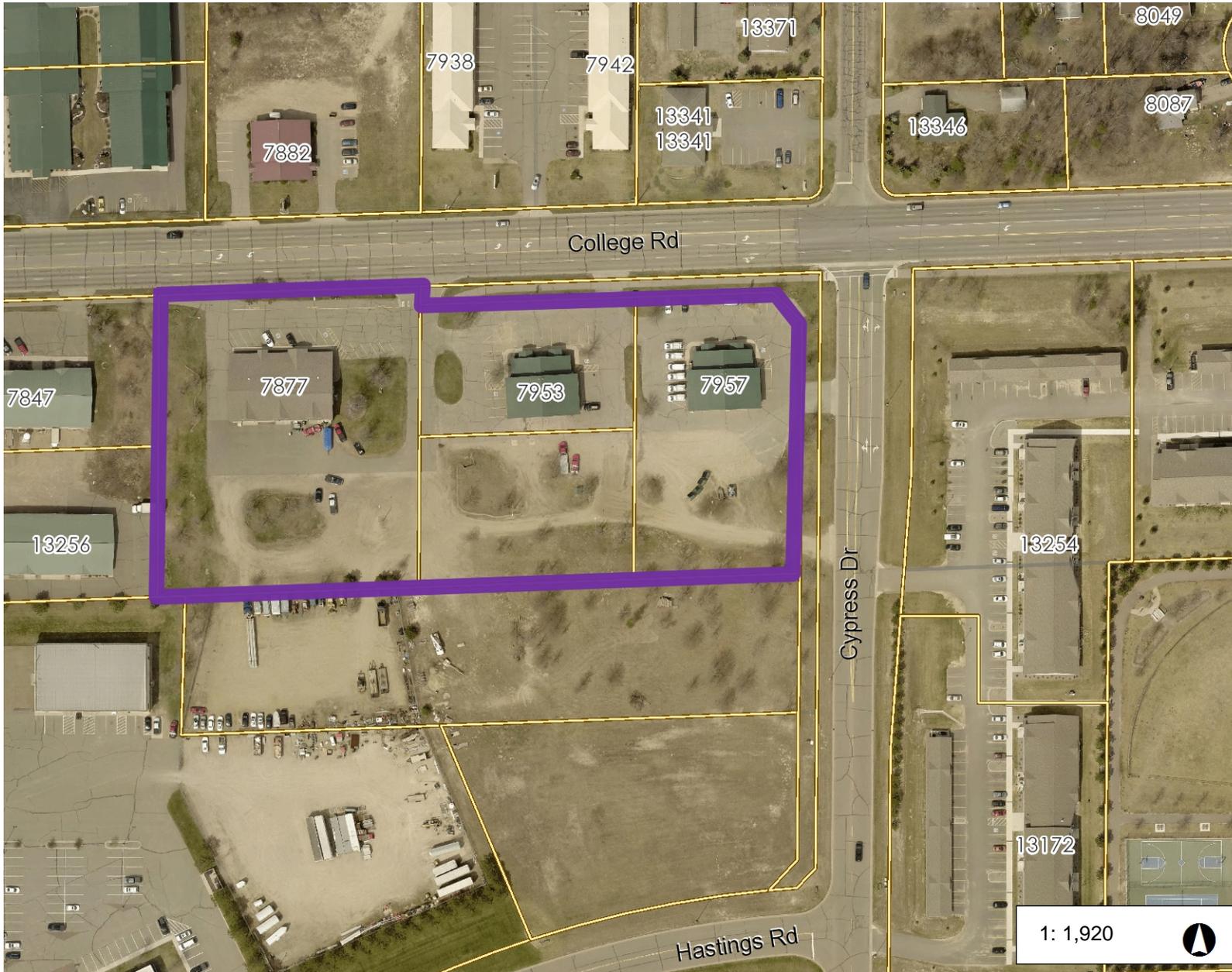
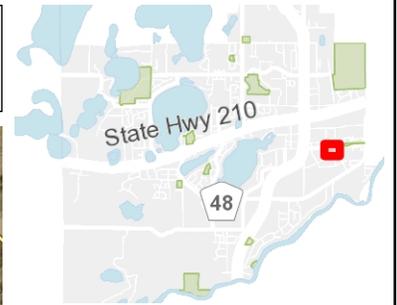
Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal

Navillus Land



Legend

- Streets
- Locations
 - Current
 - Pending
 - Vacant
 - Retired
 - Other
- Parcels
- Land Use Cases
- Encumbrances
- Municipal Boundaries
- Historical Parcels
- 2016 Imagery
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

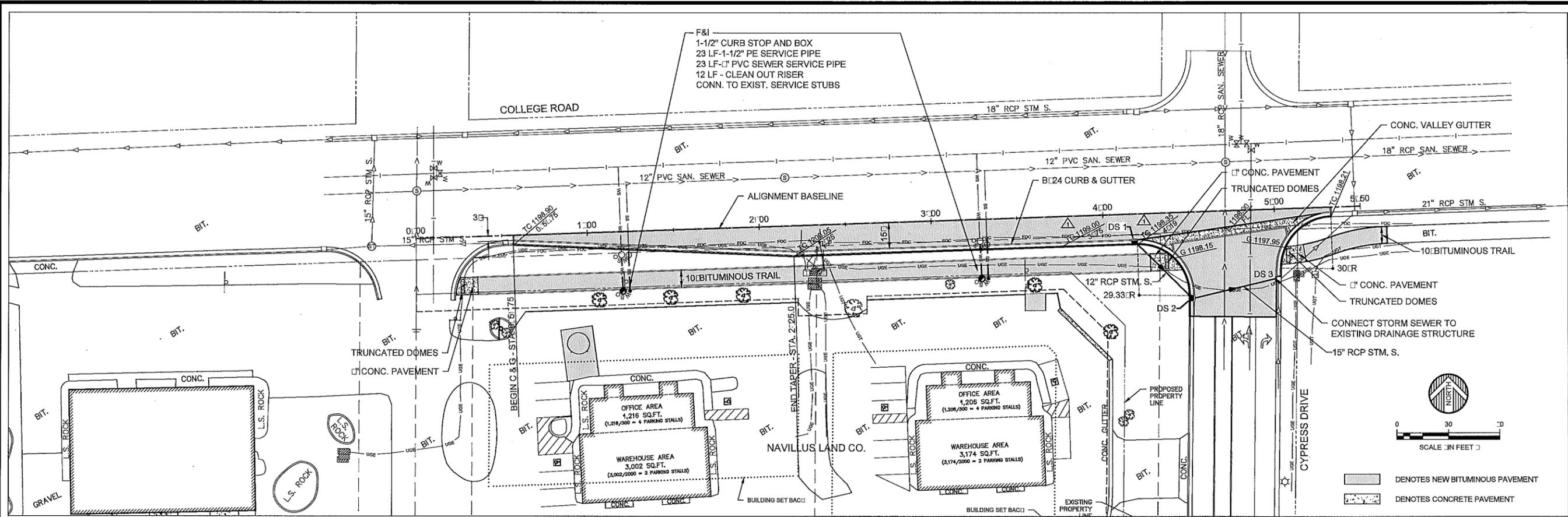
Notes

320.0 0 160.00 320.0 Feet

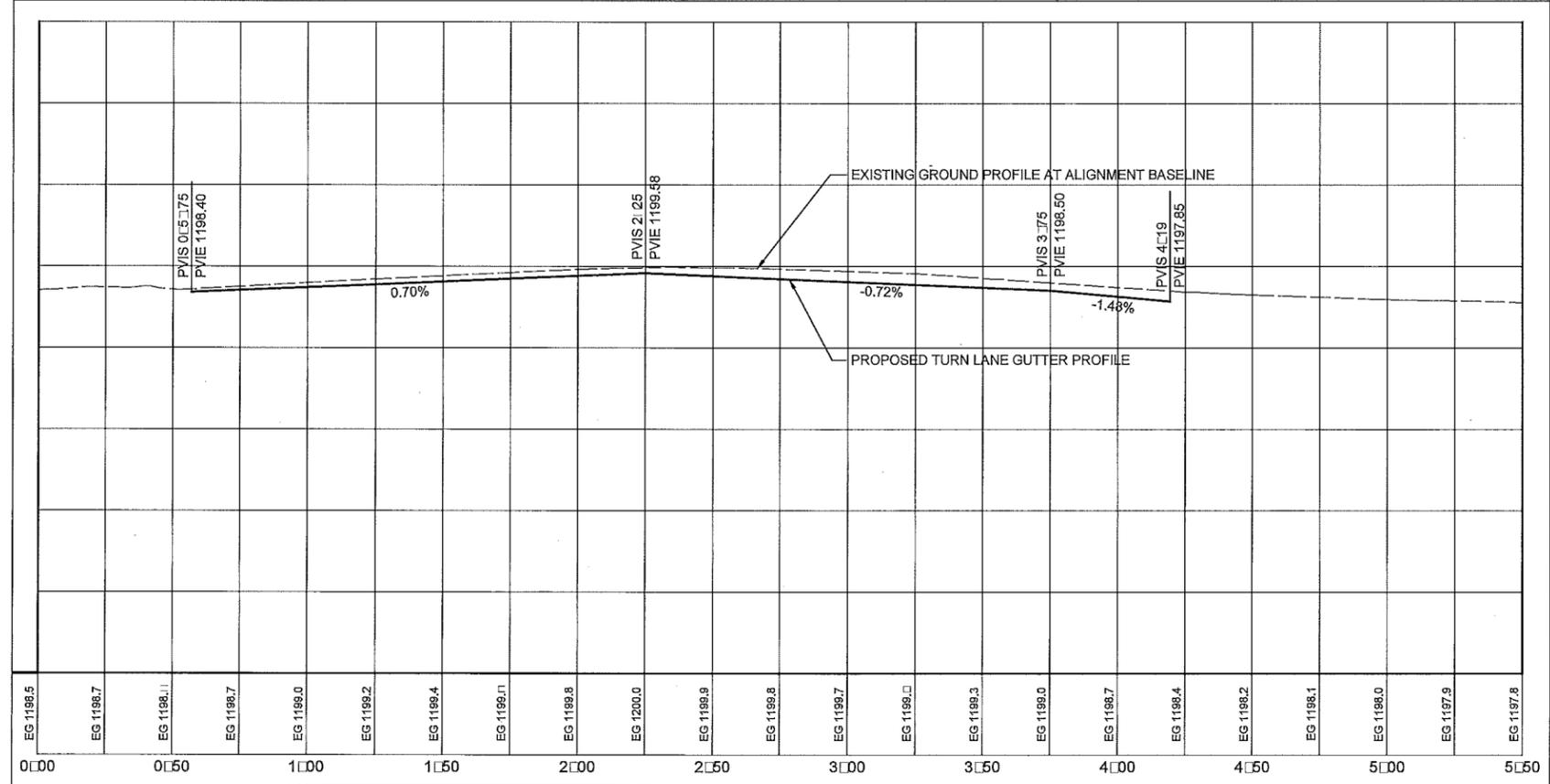
NAD_1983_HARN_Adj_MN_Crow_Wing_Feet
City of Baxter

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.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



COLLEGE ROAD/CYPRESS DRIVE TURN LANE



WIDETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

DATE: MAY 2016
SCALE: AS SHOWN
DRAWN BY: PWB
CHECKED BY: ALV
JOB NUMBER: 0102B0000.049

REVISIONS DESCRIPTION: ADDENDUM #1

DATE: 08-24-15

BY: [Signature]

DATE: 08-14-2015 LIC. NO. 41983
PRIC WELCH

COLLEGE ROAD/CYPRESS DRIVE TURN LANE
CITY OF BAXTER
BAXTER, MINNESOTA
PLAN & PROFILE - COLLEGE ROAD TURN LANE

SHEET NO. **8**



TO: Baxter Planning Commission

FROM: Joshua Doty, Community Development Director

DATE: December 8, 2016 for the December 13, 2016 Planning Commission Meeting

SUBJECT: **Zoning Amendment** to establish zoning for the recently annexed land into the city located on the East of Dellwood Drive, East/Northeast of Whispering Woods Lane and Northeast of Woida Road (City File # 2016-33)

Background

The City is requesting approval of a Zoning Amendments to establish zoning for all of the recently annexed land into the city located on the East of Dellwood Drive, East/Northeast of Whispering Woods Lane and Northeast of Woida Road.

In March 2016, the City of Baxter and Crow Wing County agreed to an orderly annexation of land to the City of Baxter. The annexation was related to the recently completed reconstruction of Dellwood Drive. 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)

Comprehensive Plan Amendment

On October 4, 2016 the City Council approved a Comprehensive Plan Amendment for the Dellwood Planning Area including:

- 1) A revised Future Land Use map,
- 2) Revisions to the Functional Classification and Future Transportation Plan,
- 3) revisions to the Water Plan, and
- 4) Revisions to the Sanitary Sewer Plan.

The City completed a public process for the subject planning area that included the following meetings:

- 1) LRPC Introductory Meeting May 23, 2016
- 2) Neighborhood Meeting June 27, 2016
- 3) LRPC Land Use Meeting July 25, 2016
- 4) LRPC Public Hearing on August 22, 2016
- 5) City Council review of Comprehensive Plan Amendment on September 6, 2016
- 6) LRPC review on September 26, 2016
- 7) City Council approval of Comprehensive Plan Amendments on October 4, 2016

As part of the above described Comprehensive Plan Amendment public process the City considered:

- 1) Public comments
- 2) Land use surrounding the Planning Area
- 3) Existing conditions of the land
- 4) Availability of utilities
- 5) Transportation System
- 6) Existing development pattern
- 7) 2008 land use study
- 8) Previous County zoning and
- 9) Current Brainerd Land Use, the 2008 Land Use Study, and the City's Comp. Plan.

Planning Area Site Background

- Existing Conditions & 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.

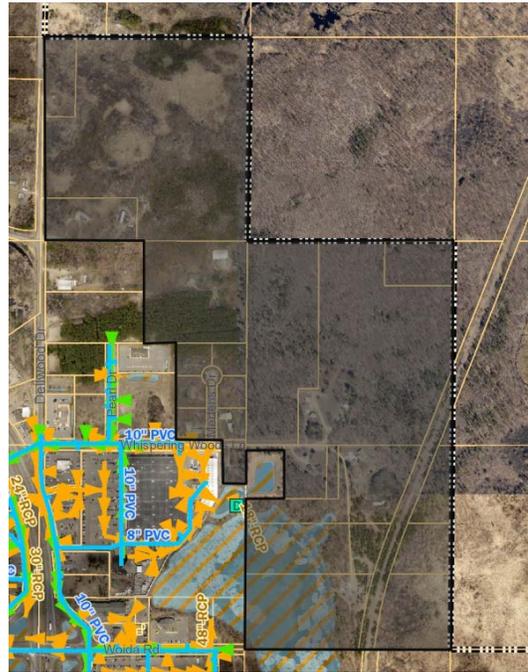


- Topography

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.

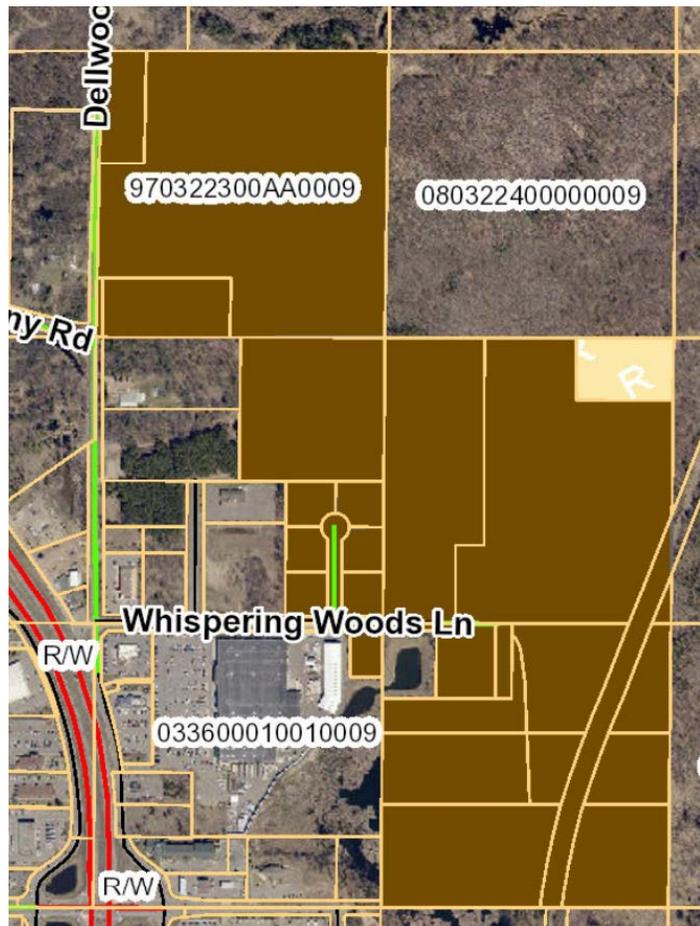


Municipal sanitary sewer and water services are generally available to serve the 138 acre site area. It should be noted that the City's present commercial and urban residential districts requires City water and sewer service to allow development. The City should consider public service requirements when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

- Previous County Zoning

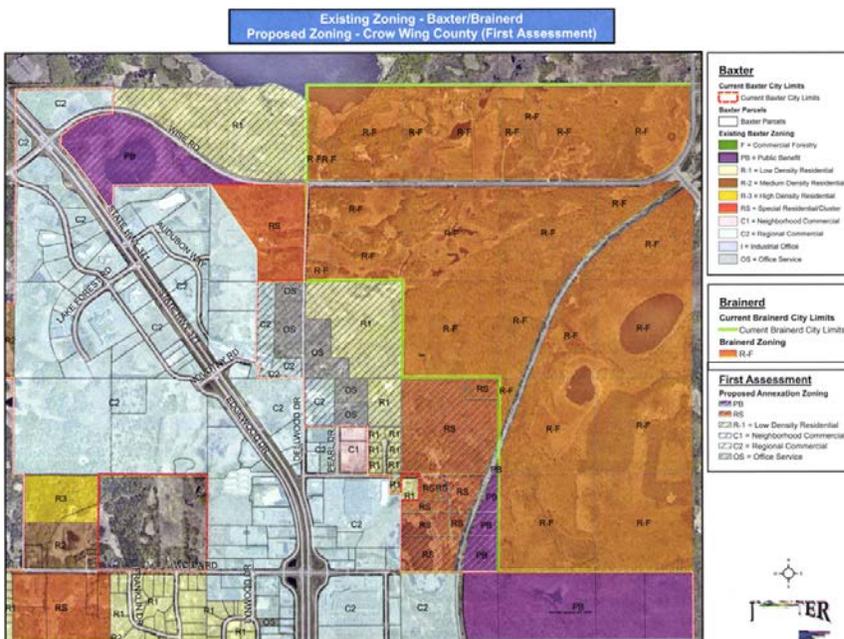
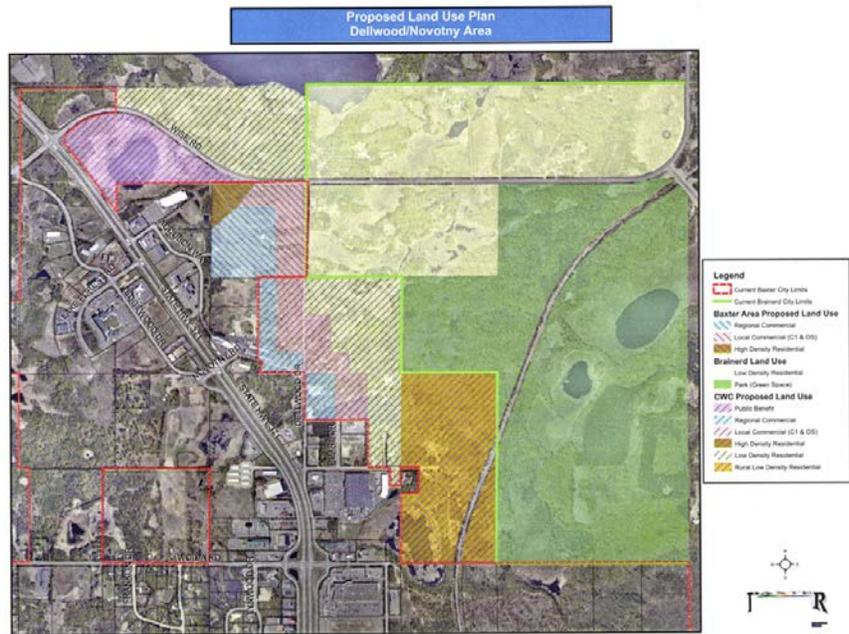
The previous County zoning of the property included two districts, the Rural Residential 1 district allowing 1 acre lots and the Public Lands zone. The Rural Residential zone was applied to all of the lots except for the public property located at the central northeast corner of the site.

	Public Lands
	Agricultural/Forestry District
	Airport District
	Commercial District 1
	Commercial District 2
	Commerical/Heavy Industrial District
	Commerical/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 Commerical



- 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.

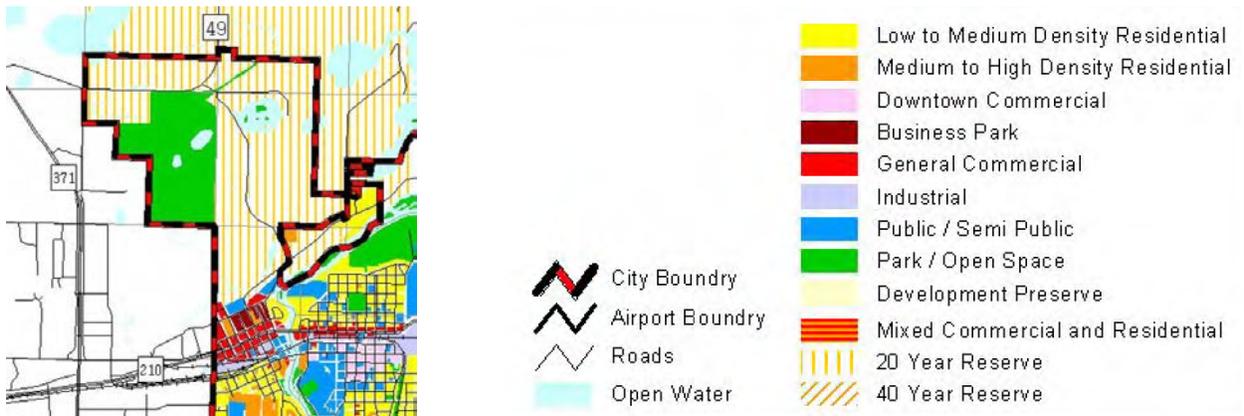
- Brainerd Future Land Use

Brainerd's future land use map shows Park / Open Space adjacent to the subject Dellwood planning area.



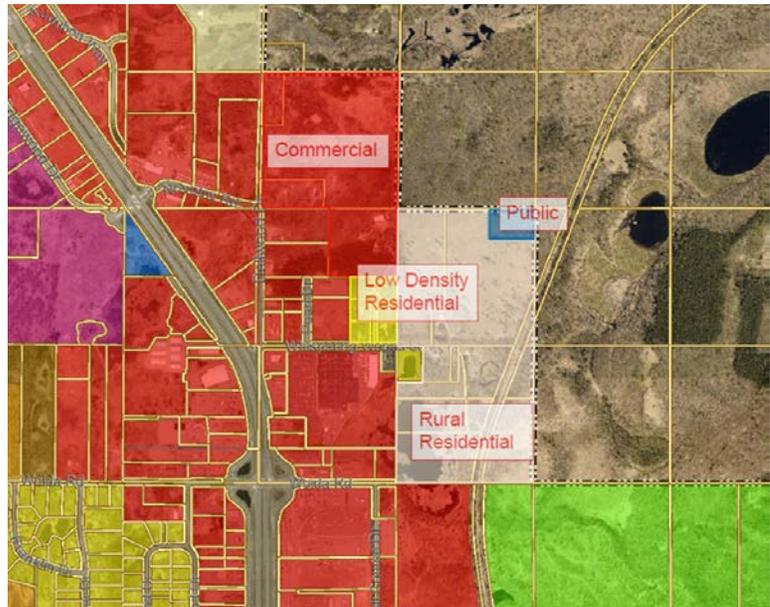
- Brainerd Structured / Planned Growth Areas

Brainerd's future land use map shows Parks / Open Space adjacent to the subject Dellwood planning area and land in a 20 Year Reserve beyond the Park / Open Space property.



- Future Land Use

As part of the City's 2016 Comprehensive plan amendment process, the City considered multiple different land use options for the properties in the planning area. Ultimately, the City Council approved the Future Land Use Plan (shown to the right) for the planning Area. Specifically, the future land use plan includes: 1) Commercial land use for the Northerly portion of the planning area, 2) low density residential for the existing single family subdivision on Merten's Drive, 3) Rural Residential for the Easterly portion of planning area, and 4) public land use for the northeast corner of the planning are, which is owned by Crow Wing County.



Listed below are the land use designations from the City's comprehensive plan that have been discussed as potential land use options for the subject properties.

LAND USE CATEGORY		ZONING DISTRICT COMPARISON
Commercial	Local and regional shopping needs for general commercial and highway-oriented businesses such as fast food restaurants, convenience stores, gas stations, big box retail, hotels, and other auto-oriented businesses.	C-1, Neighborhood Commercial and C-2 Regional Commercial
Office Service	Variety of professional office development with compatible service based retail users.	OS, Office Service
Public/Semi-Public/Institutional	Primarily intended to provide religious, governmental, education and other institutional facilities.	PU, Public Use
Rural Residential	Large-lot rural residential in areas that will not be served with municipal sewer and water.	RS-Special Residential
Low Density Residential	Single-family detached (and two-family unit by PUD) residential development at a maximum density of 3 units/acre.	R-1, Low Density residential district

Analysis of Zoning Amendments

The City is requesting approval of zoning amendments to establish zoning for the recently annexed properties. The comprehensive plan (discussed above in this report) is a long-range vision and guide for the entire community. The zoning for the properties provides allowed uses and the specific regulations for the properties. The zoning that is established should be consistent with the City's approved Comprehensive Plan.

The Future Land Use for the planning area includes Commercial, Low Density Residential, Rural Residential and Public. The Comprehensive Plan provides comparable zoning districts of C1, C2, R1, and RS zoning districts. Staff notes comparable zoning districts helps guide zoning from the Comprehensive plan. In most instances there is only one corresponding zoning district that is consistent with the future land use. However, in some instances there are more than one possible zoning designation that could be consistent with the future land use.

In this case, the C1 or C2 zoning districts could be compatible with land guided commercial.

Purpose of C1 Neighborhood Commercial District:

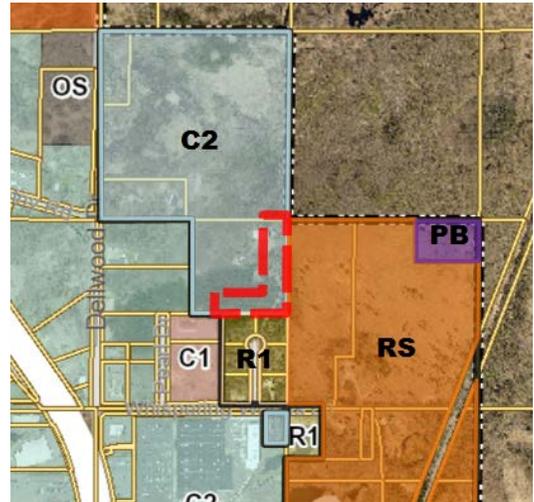
1. To minimize the effects of traffic congestion, noise, odor, glare and similar safety problems.
2. To provide a district which is related to and may reasonably adjoin high density or other residential districts.
3. To meet the shopping and service needs of surrounding neighborhoods and highway users.

Purpose of the C2 Regional Commercial District:

1. To meet retail shopping needs of the regional trade area by providing a district that will accommodate a wide range of retail goods and services.
2. To promote business prosperity by creating an attractive and functional retail center.
3. To provide an integrated retail trade center that groups compatible retail uses.
4. To group compatible retail and service business uses which will tend to draw trade that is naturally interchangeable and so promote business prosperity.
5. To produce a positive visual image by establishing a high standard of design and development.
6. To allow transitional uses that will allow an orderly phasing out of existing uses and development that are not appropriate in a contemporary retail center and a phasing in of uses and development as warranted by market conditions.
7. To encourage grouping of uses that are mutually supportive and have similar requirements for vehicular and pedestrian accessibility and exposure.
- h. To alleviate potential traffic congestion on local streets and adjacent highways by the design of the circulation pattern and arrangement of uses.

Commercial Area Findings

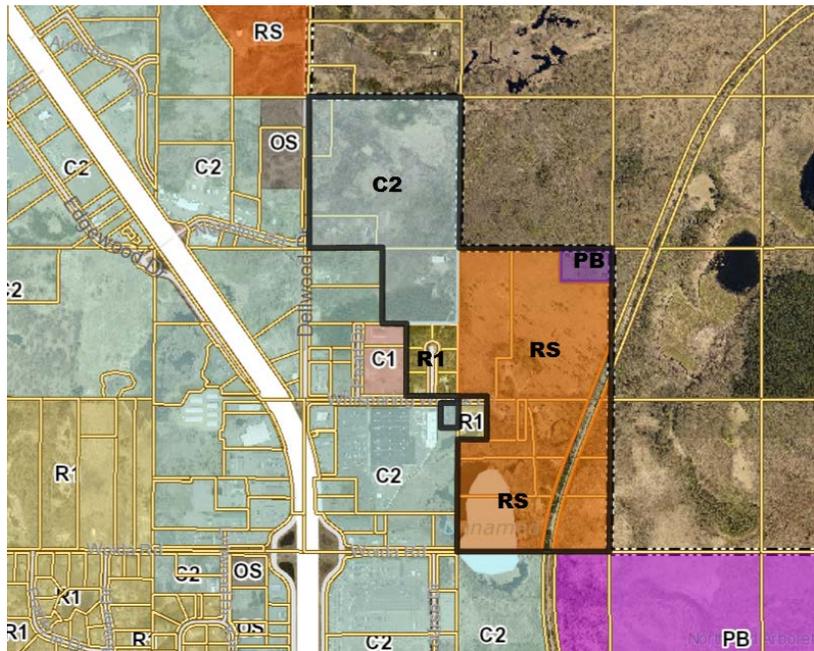
The C1 zoning district is a limited use district that is intended to buffer from residential property. Given the future land use includes an area of commercial next to residential land use, staff finds that the approximate area in “red” (on the map to the right) is an area where the City could consider application of the C1 district. The City did zone the Commercial property on the West side of the Merten’s Drive neighborhood C1, which supports this concept.



However, in this particular instance staff notes that two of the three residential properties along this transition do not include homes. In addition, one of the vacant lots is owned by the same property owner that owns the commercial land to the North. The other vacant property was requested for a rural residential land use and zoning. Therefore, there is one home on the Northwest corner of the Merten’s Drive cul-de-sac along this transition. Staff finds that although the C2 district can support more intense commercial use, the City also has found that the C2 district can transition to residential single family property.

Staff Recommended Zoning

The zoning map pictured to the right is the zoning map that staff is recommending. The map includes property zoned: 1) C2 on the North portion of the planning area, 2) R-1 in the Merten’s Drive neighborhood, 3) C2 for one property Northeast of Menards, 4) RS for the property East of Whispering Woods Lane, and 5) PB for the publicly owned property in the Northeast portion of the planning area.



Staff Findings of Zoning Amendments

Staff finds that a detailed public process was completed to determine the future land use designations for the planning area. The zoning of the properties should be consistent with the City’s Comprehensive Plan and Future Land Use Plan. Staff finds that the above recommendation for zoning of the subject properties is consistent with the Comprehensive Plan and Future Land Use Plan. Although the application of the C1 district could also be found to be

consistent with the Comprehensive Plan, staff finds that the C2 district can provide an appropriate transition to the residential properties, while allowing the C2 zone on the adjacent commercial properties, which is the request of the commercial property owners.

Recommendation

Community Development staff recommends approval of the Zoning Ordinance Amendments, subject to the attached ordinance and findings of fact resolution.

Attachments

1. Draft ordinance for the Zoning Amendments
2. Draft resolution approving findings of fact for the Rezoning

**CITY OF BAXTER, MINNESOTA
ORDINANCE 2016-_____**

AN ORDINANCE AMENDING THE CITY'S OFFICIAL ZONING MAP, WHICH IS ADOPTED AS ORDINANCE, PURSUANT TO TITLE 10, CHAPTER 3-2 OF THE CITY CODE TO CLASSIFY CERTAIN LAND THAT WAS RECENTLY ANNEXED INTO THE CITY OF BAXTER LOCATED EAST OF DELLWOOD DRIVE, EAST/NORTHEAST OF WHISPERING WOODS LANE AND NORTHEAST OF WOIDA ROAD (CITY FILE NUMBER 2016-33)

THE CITY OF BAXTER ORDAINS:

SECTION 1. Amendment of the City Code. Title 10 of the Zoning Ordinance of the City Code of the City of Baxter, Minnesota, is hereby amended to establish zoning for the newly annexed land into the City of Baxter as follows:

The following properties are hereby zoned C2, Regional Commercial,

030322300B0009	030322300AA0009	030322300C00009
030323200AB0009	030323300AC0009	

The following property is hereby zoned PB, Public Benefit,

030323100A00009

The following properties are hereby zoned R-1, Low Density Residential,

034290010030009	034290010040009	034290010020009
034290010050009	034290010010009	034290010060009

The following properties are hereby zoned RS, Special Residential Cluster,

030323100BA0009	030323100B00889	030323400B00009
030323400D00009	030323400AE0009	030323400AC0009
03032400AD0009	030323400E00009	030323400F00009

Section 2. Effective Date. This amendment shall take effect upon its passage.

Whereupon, said Ordinance is hereby declared adopted on this 20th day of December, 2016.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal

**CITY OF BAXTER, MINNESOTA
RESOLUTION 16-_____**

A RESOLUTION APPROVING FINDINGS OF FACT FOR AN ORDINANCE AMENDING THE CITY'S OFFICIAL ZONING MAP, WHICH IS ADOPTED AS ORDINANCE, PURSUANT TO TITLE 10, CHAPTER 3-2 OF THE CITY CODE TO CLASSIFY CERTAIN LAND THAT WAS RECENTLY ANNEXED INTO THE CITY OF BAXTER LOCATED EAST OF DELLWOOD DRIVE, EAST/NORTHEAST OF WHISPERING WOODS LANE AND NORTHEAST OF WOIDA ROAD (CITY FILE NUMBER 2016-33)

WHEREAS, the City of Baxter initiated zoning amendments to establish zoning for recently annexed land into the City of Baxter; and

WHEREAS, The City of Baxter approved a Comprehensive Plan Amendment, which established future land use designations related to the subject properties on October 4, 2016; and

WHEREAS, the zoning amendments would be consistent with the Comprehensive Plan and other City policies and goals; and

WHEREAS, the Planning Commission has reviewed the proposed zoning amendments at a duly called public hearing and recommends approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the amendments, based upon the finding the following findings:

1. That the proposed amendments would be consistent with State law and the City's Comprehensive Plan, and compatible with other provisions of the City Code.
2. The zoning standards have a substantial impact on development in the City.
3. Zoning standards provide design guidelines and improvement requirements to protect the public health, safety and welfare.

Whereupon, said Resolution is hereby declared adopted on this 20th day of December 2016.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

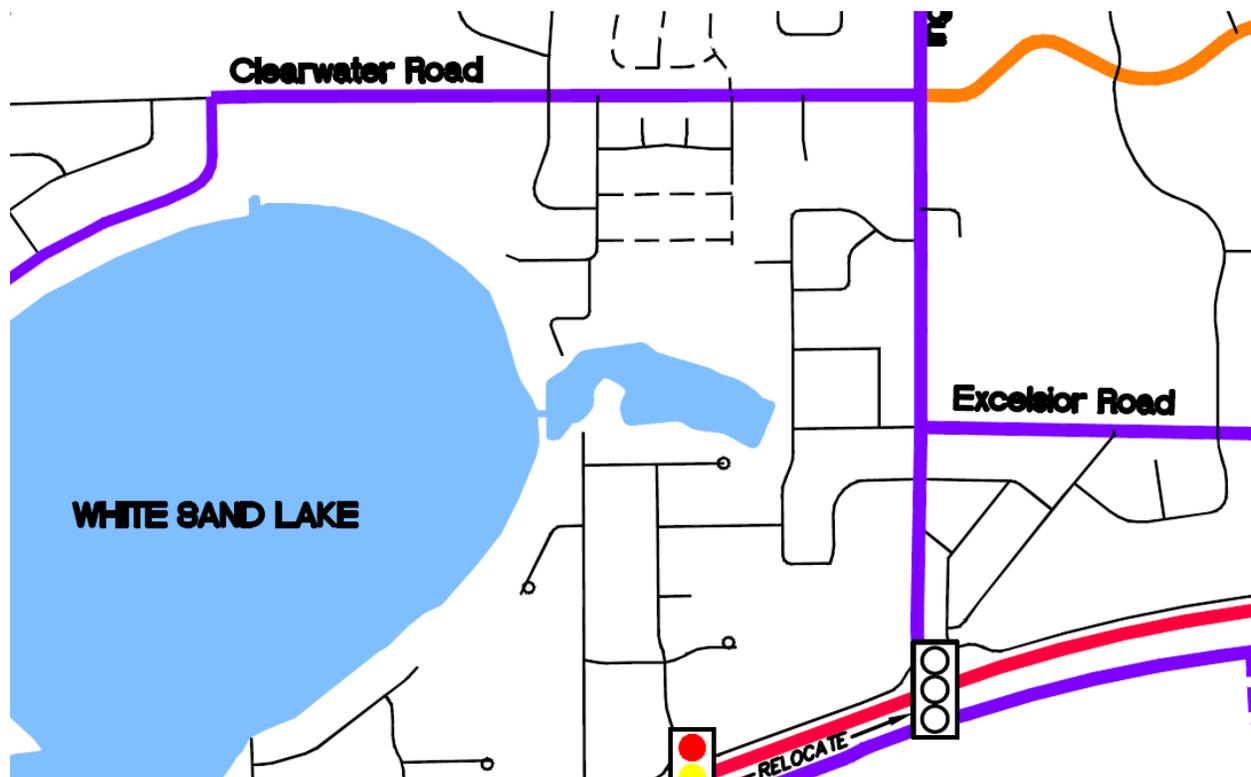
City Seal

3. Official Map

An official map is one tool for implementing a comprehensive plan. An official map can be used to identify areas where future public streets. In order to preserve the right-of-way needed for the road, staff recommends that the City adopt an official map to identify the proposed road. Adoption of the official map does not give the City any title to the mapped land, but it would allow the City to acquire right-of-way, where needed.

4. Planning Commission Role

The City Council will hold the public hearing for the official map request on December 20, 2016. However, before adopting an official map, the City is required to find that the proposed official map is consistent with the comprehensive plan and is needed to carry out the policies and goals of whatever constitutes the thoroughfare plan and community facilities plan, which in Baxter's case is the Long Range Transportation and Functional Classification Street Map of the Comprehensive Plan (attached). The Functional Classification map identifies a future roadway for Dakar Road, as is presented with the Official Map. Therefore, staff finds that the request is consistent with the Comprehensive Plan.



5. Recommendation

Staff recommends that the Planning Commission recommend approval of the official map of Dakar Road, subject to the attached ordinance and subject to the finding that the request is consistent with the City's Comprehensive Plan.

Attachments

1. Draft Ordinance Adopting the Official Map
2. Functional Classification Street Map
3. Sketch and Description

ORDINANCE NO. 2016-____

AN ORDINANCE ADOPTING AN OFFICIAL MAP.

The City Council of Baxter Minnesota, ordains:

SECTION 1. ADOPTION OF OFFICIAL MAP.

a) Preamble. Land that is needed for future street purposes is, without proper planning, often diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may only be obtained at cost prohibitive prices. Identification on an official map of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made, which will make such adjustments difficult to accomplish.

The Council finds a need to adopt an official map for the above purposes for the extension of Joler Road. This ordinance is adopted pursuant to Minn. Stat. Section 462.359.

b) Official Map Adopted.

In accordance with the findings set forth in the Preamble above and pursuant to Minn. Stat. Section 462.359 and City Code Section 7-2, the Council hereby adopts the official map for the extension of Dakar Road as set forth in the Sketch and Description prepared by WSN, dated October 19, 2016 which is attached hereto.

c) Effect.

Any construction, improvements or the issuance of any permit within the official map of Dakar Road will now be subject to the provisions of City Code Section 7-2. In short, the City shall not grant construction permits within this area and any improvements constructed without a permit may be removed by the City without reimbursement to the landowner if in fact this area is used as a City street.

SECTION 2. This ordinance shall be in full force and effect upon its passage and publication according to law.

Passed by the Baxter City Council on December 20, 2016.

CITY OF BAXTER, MINNESOTA

By _____
Its Mayor

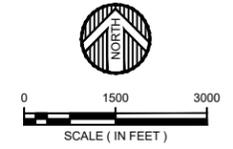
ATTEST:

Its Asst. City Administrator

Published in the Brainerd Daily Dispatch on _____.

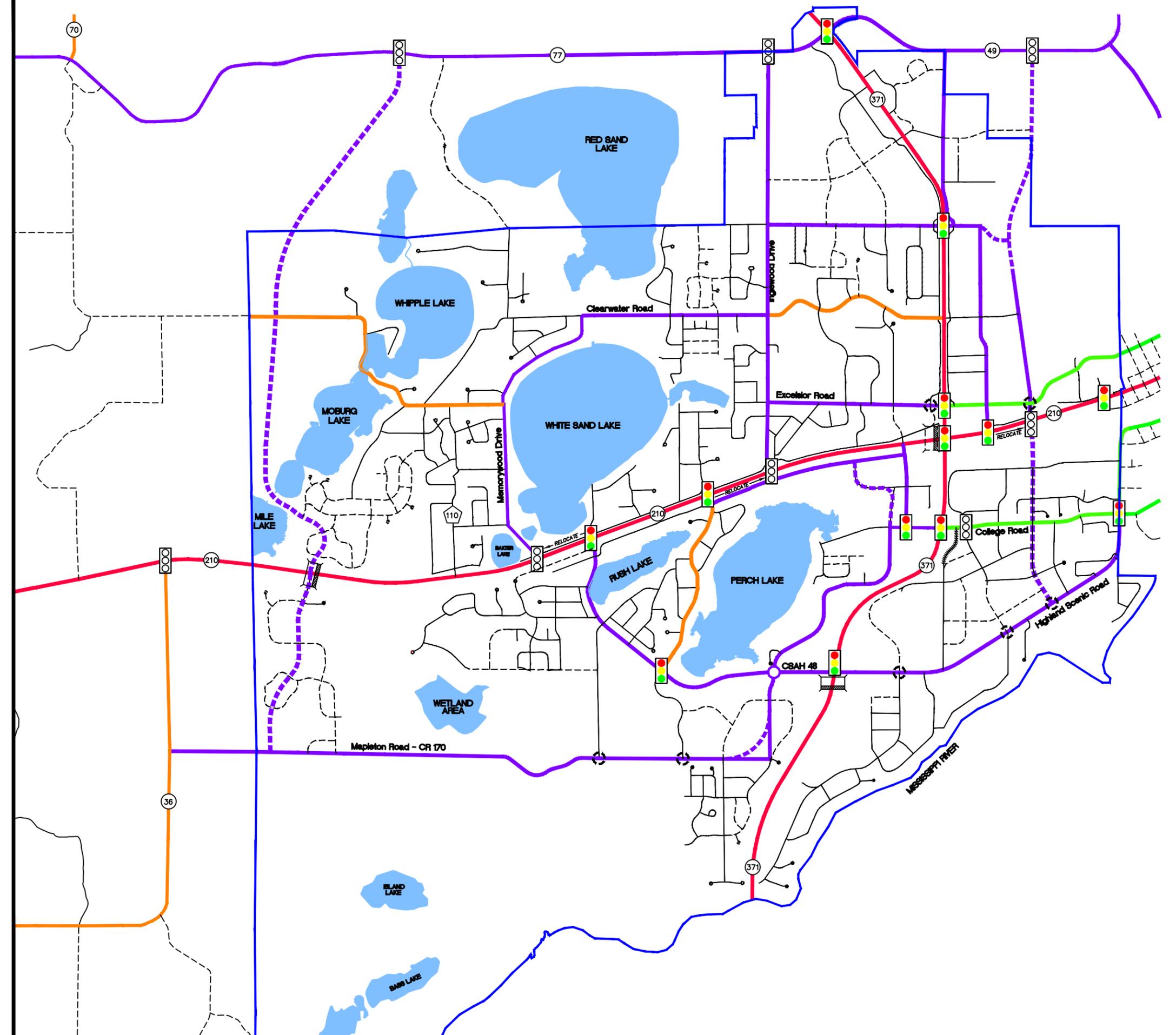
Recorded with the Crow Wing County Recorder on _____.

CITY OF BAXTER LONG RANGE TRANSPORTATION AND FUNCTIONAL CLASSIFICATION STREET MAP



— MUNICIPAL BOUNDARY

FUTURE	EXISTING	
		PRINCIPAL ARTERIAL
		MINOR ARTERIAL
		MAJOR COLLECTOR
		MINOR COLLECTOR
		LOCAL
		ROUNDABOUT
		SIGNALIZED INTERSECTION
		SEPARATED GRADE CROSSING WITH NON-MOTORIZED TRAIL





A Growing Community

2017 City of Baxter Meeting Calendar

City Council:

Meets the first and third Tuesday of each month at 7:00 p.m.

Planning & Zoning Commission:

Meets second Tuesday of each month at 6:00 p.m.

Parks & Trail Commission:

Meets fourth Monday of each month at 4:00 p.m.

Utilities Commission:

Meets first Wednesday of each month at 5:30 p.m.

Long Range Planning Commission:

Meets fourth Monday of each month at 6:00 p.m.

January 3
January 17
February 7
February 21
March 7
March 21
April 4
April 18
May 2
May 16
June 6
June 20
July 5
July 18
August 1
August 15
September 5
September 19
October 3
October 17
November 7
November 21
December 5
December 19

January 10
February 14
March 14
April 11
May 9
June 13
July 11
August 9
September 12
October 10
November 14
December 12

January 23
February 27
March 27
April 24
May 22
June 26
July 24
August 28
September 25
October 23
November 27
December 26

January 4
February 8
March 8
April 5
May 3
June 7
July 6
August 2
September 6
October 4
November 8
December 6

January 23
February 27
March 27
April 24
May 22
June 26
July 24
August 28
September 25
October 23
November 27
December 26

* Meeting dates are subject to change.

* The Architectural Review Commission meets as needed on the first and third Thursday of the month at 5:30 p.m.