



ITEM REPORT
PLANNING AND ZONING COMMISSION

Agenda Date: 11/12/2025
 Agenda Section: New Business

TO: Baxter Planning and Zoning Commission

FROM: Matthew Gindele, City Planner

REQUEST: **PUBLIC HEARING. Zoning Ordinance Amendment** to rezone from RS, Residential Staging to R-1, Low Density Residential and **Preliminary and Final Plat** of “West Whipple Shores First Addition To Baxter” for property located at 14548 Red Sequoia Drive (City file 2025-034)

APPLICANT: Norther General Contracting

ZONING: R-S, Residential Staging

1. Application Request

The applicant is requesting approval of the following for the 1.23-acre site in the northeast corner of Red Sequoia Drive and Cedar Scenic Road:

- **Rezoning** from RS, Residential Staging to R-1, Low Density Residential; and
- **Preliminary and Final Plat** to allow “West Whipple Shores First Addition To Baxter” to create 2 single-family lots.

Specifically, the subject site is presently platted as one rectangular lot fronting along the east side of Red Sequoia Drive. The applicant is proposing the rezoning to allow the R-1 lots, which allows lots that are a minimum of 100-feet wide and 15,000-square feet in lot area. No outlots or phasing is proposed with the subject development.

2. Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North	Single Family Residential	RS, Residential Staging
West	Vacant Single Family Residential	R-1, Low Density Residential
South	Vacant Single Family Residential	R-1, Low Density Residential
East	Single Family Residential	RS, Residential Staging

Characteristics of the Site

The subject property is 1.23 acres in size and is largely flat. The site is located in the shoreland overlay district to Whipple Lake. There are no FEMA floodplains or wetlands on the property. The site is naturally wooded on the south end and contains a home on the north side.

3. Analysis of Request

Rezoning to R-1

The existing zoning for the property is R-S, Residential Staging. The applicant is proposing R-1 zoning for the subject property.

Existing Zoning Map



Staff reviewed this application for compliance with the standards established by the Baxter Zoning Ordinance. Section 10-3-1 of the zoning ordinance provides a purpose and intent section for each zoning district. Specifically, it states the purpose of the existing and proposed districts as follows:

RS residential staging district:

- a. To provide a staging zone of rural property until a landowner/developer makes application to rezone to develop property, at which time the city may rezone property if the application is consistent with the comprehensive plan and zoning ordinance and does not result in the premature extension of public utilities, roads, facilities and services.
- b. To allow compatible residential development.
- c. To maintain density limitations.
- d. To allow staging of rural residential development to transition to future urban development with public utilities, roads, facilities and services.
- e. To preserve open space.

R-1 low density residential district:

- a. To establish areas for the development of single-family detached housing at a maximum density of up to three (3) units per net acre.
- b. To reserve development areas for single-family housing.

- c. To restrict encroachment of incompatible uses.
- d. To maintain density limitations.
- e. To take advantage of municipal utilities.
- f. To preserve open space.

The site complies with the stated purpose of the R-1 district. Staff finds that the proposed R-1 zoning would provide for slightly more density than would be allowed with RS zoning but still within the density range of three units per acre (1.6 units per acre proposed). Specifically, with RS zoning, the property is limited to the single lot that it currently is since the minimum lot size in the RS district is 10 acres. However, the developer is proposing to split the property in half to create two lots which would not be allowed with RS zoning. For this reason, the developer is proposing to rezone the property to R-1 Low Density Residential which carries a minimum lot size of 15,000 square feet. Both of the proposed lots would be greater than 25,000 sq. ft. The property has frontage on Red Sequoia Drive providing access to both lots. City utilities (water and sewer) service the subject property as there are currently two services stubs installed assuming a rezone to R-1, Low Density Residential and a subsequent plat to subdivide the property. Lots to the south and west are zoned R-1, Low Density Residential and lots to the north and east are zoned RS, Residential Staging. Therefore, the development will transition with the existing R-1 neighborhood.

Staff recommends approval of the rezoning based on the following findings:

- a. The rezoning meets the purpose and intent of the Zoning Ordinance and, specifically, the R-1 zoning district.
- b. The proposed use of single-family homes is not in conflict with applicable provisions of the zoning ordinance.
- c. There is adequate infrastructure available to serve the proposed properties. The properties are located in an area where municipal sewer and water is available and adequate public streets exist to provide access the property.
- d. There is an adequate buffer or transition provided between potentially incompatible districts.
- e. The proposed zoning is consistent with the City's Comprehensive Plan.

Preliminary and Final Plat

Staff has reviewed the application for consistency with City Code requirements, as well as City policies. The City's discretion in approving or denying a preliminary and final plat is limited to whether the proposed plat meets the standards outlined in the City Code. If it meets these standards, the city must approve the plat.

Lots

The R-1, Low Density Residential zoning district requires a minimum lot area of 15,000 sq. ft., a minimum lot width of 100 feet for interior lots and 120 feet for corner lots, and that all lots abut on a public street. The proposed plat would subdivide the one existing lot into 2 buildable lots. The proposed buildable lots would be greater than 120 feet. Both lots would be greater than 25,000 sq. ft meeting the minimum area of both the R-1 district (15,000 sq. ft.) and the Shoreland Overlay district (20,000 sq. ft.). The proposed lots would meet the minimum lot width requirement and have frontage on a public street. There are no outlots proposed with the plat.

Streets

The proposed plat dedicates an additional seven feet of ROW on the east side of Red Sequoia Drive as required per City Code. No additional ROW is required on Cedar Scenic Drive. Both proposed lots would be served by Red Sequoia Drive, which is on the west side of the site.

Easements and Conveyances

The proposed plat includes the standard drainage & utility (D&U) easement inset which dedicates 5-foot wide D&U easements on interior lot line and 10-foot wide D&U easements along exterior lot lines fronting on a street, in compliance with city standards.

Drainage

The subdivision ordinance states that the natural drainage shall be used as far as is feasible for the storage and flow of stormwater runoff and that every lot shall be developed so that it retains the stormwater runoff of a 100-year rain event as determined in a 100-year stormwater elevation study if said lot is not served by storm sewer or some other city-maintained stormwater drainage system. If a lot is served by a city-maintained stormwater drainage system, it shall retain the stormwater runoff of a 5-year rain event. The proposed plat would use natural drainage of the land to direct stormwater to rural ditch conveyance system.

Park Dedication

The subject property was previously platted at which time one unit of park dedication was paid. Additionally, there is an existing home on the north side of the subject property; the City does not charge park dedication for existing development. Therefore, park dedication shall be required to be paid for one new lot at the current rate identified in the fee schedule at the time of recording the plat. A condition has been added to the draft resolution requiring park dedication to be paid prior to recording the plat.

Utility Commission Review

The Utility Commission reviewed the preliminary and final plat of “West Whipple Shores First Addition To Baxter” at its regular meeting on November 5, 2025 and recommends approval.

DNR Review

The application was sent to the DNR for review; no comments have been received at the time of writing this report. A condition of approval has been added to the draft resolution requiring the applicant to comply with any platting requirements from the DNR.

4. Recommendation

Staff recommends approval of the rezoning from RS, Residential Staging to R-1, Low Density Residential, and the preliminary and final plat of “West Whipple Shores First Addition To Baxter”, subject to the ordinance and findings and conditions in the attached resolutions.

Attachments

1. Draft Ordinance 2025-012 Approving Rezoning
2. Draft Findings of Fact Resolution 2025-091 for the Rezoning
3. Draft Resolution 2025-092 Approving Preliminary and Final Plat
4. Site Location Map
5. Preliminary and Final Plat