



# PLANNING AND ZONING COMMISSION MEETING MINUTES

Tuesday, May 12, 2026, at 6:00 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

*"A Growing Community"*

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## CALL TO ORDER

The regular meeting of the Baxter Planning and Zoning Commission was called to order at 6:00 pm by Chair Hiltner.

## ROLL CALL

**MEMBERS PRESENT:** Chair Chuck Hiltner, Commissioners Larry Kellerman, Gwen Carleton, Howie Oswald, Cathy Clark and Council Liaison/Mayor Darrel Olson

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Community Development Director (CD) Josh Doty and City Planner Matthew Gindele

**OTHERS:** Sheri Axtell, Ron Chase, Ginger Augustinack, Tina Eiuell, Payton Puhl and Renee Richardson

## MINUTES

1. Approve Planning & Zoning Commission Meeting Minutes from April 14, 2026

**MOTION** by Commissioner Carelton, seconded by Commissioner Clark to approve the Planning and Zoning Minutes from the April 14, 2026. Motion carried unanimously.

Chair Hiltner stated that this Commission is a recommending body, and that final approval/denial of the applications on the agenda is taken up with the City Council on May 19, 2026.

## COMMENTS AND QUESTIONS

None

## OLD BUSINESS

None

## NEW BUSINESS

2. **PUBLIC HEARING.** Conditional Use Permit to allow grading exceeding 50 cubic yards of material within the shoreland overlay district of Perch Lake for property located at 12962 Knollwood Drive (City File 2026-014).

Chair Hiltner asked for the staff report. Planner Gindele indicated the applicant is requesting a conditional use permit (CUP) to allow grading involving the movement of greater than 50 cubic yards

of material within the shoreland overlay district of Perch Lake for property located at 12962 Knollwood Drive. The applicant is proposing to replace an existing wood retaining wall along the north side lot line of the subject property with a two-tiered boulder retaining wall.

Planner Gindele reviewed a site plan, aerial and plans with the Commission.

The subject property is approximately 1.15 acres on the west shore of Perch Lake and is developed with a home and attached garage. The property is mildly wooded with a mix of mature deciduous and coniferous trees throughout the property but primarily located between the home and Knollwood Drive. The property has a fair amount of contour that eventually slopes down to Perch Lake. Perch Lake also functions as floodplain and wetland and has an ordinary high-water level (OHWL) of 1,190.4. The proposed improvements are outside of any FEMA floodplain or wetland designation.

The applicant is proposing to replace an existing retaining wall along a side lot line to stabilize the slope and add visual appeal. There is currently a wood retaining wall in the location of the proposed improvements that is caving in and tipping down the slope and needs to be replaced. The existing wall is approximately six feet tall with two feet of slope from the top of the wall up to the driveway. The new wall would level out the grade at the driveway and would create a two-tiered wall. Each tier of the new wall would be four feet tall with about a six-foot-wide landscaped terrace between the two tiers. Each tier of the wall would be constructed with four-foot-tall boulders. Smaller boulders would be placed in the crevasses between the larger boulders. Total material proposed to be moved exceeds 50 cubic yards. The proposed project area is along the north side lot line of the subject property and is within the shoreland district to Perch Lake. The eastern portion of the wall closest to the lake crosses the property line onto the property to the north located at 12972 Knollwood Drive. The applicant states that the northerly neighbor is aware and in support of the proposed project. A condition of approval has been added to the draft resolution requiring the applicant to submit an easement agreement for the retaining wall between the two neighbors to be reviewed by the City Attorney and recorded against both properties with Crow Wing County prior to beginning construction of the wall.

An attached garage exists in the general vicinity of the retaining wall. The applicant states that the retaining wall is non-load bearing. A condition has been added to the resolution requiring the applicant to comply with the building code and with any requirements of the Baxter Building Official.

Planner Gindele reviewed the conditions required to obtain a CUP for grading and filling with the Commission. He also indicated the applicant is meeting the requirements.

The applicant estimates the project would take approximately seven days to complete and proposes using silt fence and bio retention logs as necessary to protect the lake from runoff in the case of a rain event during project construction. The conditions listed above have also been added to the draft resolution.

Planner Gindele noted a copy of the application was provided to the DNR for review; staff has not received any comments at the time of writing this report. A condition has been added to the resolution requiring compliance with any DNR requirements should any be received.

Staff recommends approval of the conditional use permit, subject to the findings and conditions in the draft resolution.

Chair Hiltner opened the public hearing.

Ms. Sheri Axtell approached the podium. She indicated that they are excited to get moving forward on this project. She stated that the dirt has been shifting over the past 30-40 years, as the current retaining wall was built in 1985. Ms. Axtell informed the Commission that they don't want the neighbor to receive anymore of the retaining wall debris, and jokingly state neither does the neighbor. She stated that they looked at several different options and decided on the boulders to keep the character present in Baxter, with a natural feel and to make it look better.

Chair Hiltner asked about the big trees in that area, were they going to lose any or cut them down. Ms. Axtell indicated that they are trying to save the trees as long as the boulders don't take them out. Regarding the vegetation, there is some poison ivy and scrub brush that they would like to remove.

Chair Hiltner asked about the grade, was it going to be raised to match the garage. Someone in the audience stated that the grade of the top of the wall would match the existing grade of the garage, but would provide the required slope to get water to drain away from the garage.

Chair Hiltner asked if there were any concerns regarding the conditions, Ms. Axtell stated she didn't care for the sod part, she would prefer something more natural. Chair Hiltner asked if anyone else wanted to address the Commission during the public hearing. Ginger Augustinack (12972 Knollwood Road) stated that she was all good with the project as proposed.

Chair Hiltner closed the public hearing.

**MOTION** by Commissioner Kellerman, seconded by Commissioner Oswald to approve the conditional use permit to allow grading exceeding 50 cubic yards of material within the shoreland overlay district of Perch Lake for property located at 12962 Knollwood Drive as presented by staff in the draft resolutions. Motion carried unanimously.

**3. PUBLIC HEARING.** Zoning Ordinance Text Amendment to update the Zoning regulations of the City Code. (City file no. 2026-015)

Chair Hiltner asked for the staff report. CD Director Doty indicated the applicant (City of Baxter) is requesting a comprehensive ordinance amendment to address several issues within Title 10 Zoning Regulations of the City Code. These updates include the establishment of a new residential zoning district named R-1B, High Density Single Family Residential District in new section Article C2. R-1B. These updates also resulted in revisions to "Use Districts; Purpose" in section 10-3-1, "Conditional Uses" in section 10-3G-3, "Signs" in section 10-5-1, F. 4, and "Drive-Through Businesses" in section 10-5-5, A. 7; of the Zoning Ordinance.

The primary purpose of the changes is to establish a new high density residential single family zoning district and to provide greater flexibility in some areas of the city code, add substantive requirements in other areas and to provide increased clarity of the intent of existing areas of the zoning code.

CD Director Doty reviewed each of the three proposed amendments as follows:

**Chapter 3:**

**Section 10-3-1 & 10-3-4**– Staff is proposing the establishment of a new high-density single family zoning district. The purpose of the request is to continue the city's efforts to provide a variety

of residential zoning districts to allow a full range of housing options in the city. The city currently has rural residential zones, a large city lot zone with the R-1 district, and a medium density single family zone with the R-1A district. The city is now proposing a high-density zone with an R-1 B district, which would allow 7,000 square foot lots that are 65 feet wide. To allow for housing to fit on the smaller R-1B lots, the city has proposed reduced setbacks of 30-foot front, 25-foot rear, and 8-foot side setbacks. In addition to the above listed single-family zones, the city also has a medium density district that allows twin homes and townhomes, a high-density district that allows apartments and a PUD district that allows developers to propose alternative residential developments and may not conform to the city's standardized zones.

### **Chapter 3 & Chapter 5:**

**Section 10-3G-3 & Section 10-5-5-**Amendments are being proposed to the C-2, Conditional Use, Drive Through and general Drive Through requirements to allow drive throughs without 3-foot-high screening on non-residential sides of the drive through. Currently, the ordinance requires screening from all angles of the drive through. Staff notes that in most instances, the neighboring property to a drive through use is other commercial use. Staff finds that the screening requirement currently in place is not practical and is therefore proposing amendments to only require the screening when adjacent to residential zoned or used property.

### **Chapter 5:**

**Section 10-5-1– “Signs”.** A minor technical correction is proposed to the wording of the sign ordinance. Based on the current wording of the sign ordinance, it could be interpreted that wall signage is not allowed on industrial and office buildings. The city's practice is to allow wall signage on all business buildings and 10 percent of the wall area. The strike though adds clarity that wall signage is permitted.

Chair Hiltner asked how the proposed R1-B district differs from the Jericho Rd. development. CD Director Doty indicated that Jericho is a development with an association. They are single family homes with common elements that are owned and governed by the Association. In that case, the lots are unit-lots with the boundaries going right up to the walls of the homes. Those unit-lots are surrounded by land owned and governed by the Association. The homeowners there do not own the land around their homes. Chair Hiltner asked how that fits into the new residential district, CD Director Doty indicated that it does not fit into the new district, it's more of a PUD. He referenced the Liberty development and the density of that PUD. It's making a minimum lots size, however if a developer wants to make the lots bigger, they can, they have a minimum size to work with, however they can go bigger. CD Director Doty confirmed the Chairs questions that these are single family lots.

Staff recommends approval of the ordinance amendments, subject to the findings and conditions in the draft resolution.

Chair Hiltner opened the public hearing and closed the public hearing.

Commissioner Carleton asked where a garage would go on a 65' width lot. CD Director Doty stated it can be done; however, it will be tight. The Commission had some minor discussion regarding the lot sizes and how a home with garage would fit on the smaller lots. CD Director Doty stated the single lot market has picked up over the last couple of years and Baxter's lot inventory is dwindling.

**MOTION** by Commissioner Carleton, seconded by Commissioner Oswald to approve the Zoning Ordinance Text Amendment to update the Zoning regulations in Title 10, Chapter 3 Section 10-3-1 &

10-3-4 and 30-3G-3, and Chapter 5 Section 10-5-5 and 10-5-1 of the City Code, as presented by staff in the draft resolution. Motion carried unanimously.

**UPDATES**

Chair Hiltner asked for any updates. CD Director Doty stated that Penera is under construction, the grading is taking place on the VA site. There are permits that are getting close to being released, such as Les Schwab, 7 Brew and 24 new homes have come in.

Chair asked about the overpass, there was no update at this time.

**ADJOURN**

**MOTION** by Commissioner Clark, seconded by Commissioner Oswald to adjourn the meeting at 6:33 p.m. Motion unanimously approved.

Approved by:

Submitted By:

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Chuck Hiltner  
Chair

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Shanna Newman  
CD Administrative Assistant