



ITEM REPORT UTILITIES COMMISSION

Agenda Date: 8/5/2026
Agenda Section: Business Item

Department Origination: Public Works

Agenda Item: Recommend Planning and Zoning Commission Approve the Timberline Heights Second Addition Preliminary & Final Plat, Comprehensive Plan Amendment, Rezoning, and Variances to allow the construction of a 60-unit apartment complex with the Conditions Outlined in the Staff Recommendations

Approval Required: Simple Majority Vote

BACKGROUND

Kuepers has submitted an application for a Preliminary & Final Plat, comprehensive plan amendment, rezoning and variance application for the construction of a 60-Unit apartment complex in the southwest corner of Clearwater Road and Forest Drive.

The plat consists of consolidating two existing lots of record into one buildable lot. Timberline Heights Phase 2 will be located on Lot 1, Block 1, Timberline Heights Second Addition. The plat includes the inset for the drainage and utility easement required by City Code however the current version of the plat does not include the utility easement required over the water main so this will need to be addressed prior to the Planning and Zoning Commission meeting. Additionally, the plat does not include the appropriate 25-foot drainage and utility easement adjacent to Clearwater Road to allow for the extension of the municipal sewer and water services beyond the trail on the existing Lot 1, Block 3, JMS Baxter Estates Plat.

In 2023 the city constructed a trail across the existing Lot 1, Block 3, JMS Baxter Estates property. At that time the direction was not to proceed with the 20-foot trail easement as the Baxter Economic Development Authority owned the property. With the proposed development and sale of land, the trail easement is now required, staff is working with the City Attorney and the consultant from 2023 to record the easement so the easement is identified on the plat.

The application includes rezoning to R-3 High Density Residential from OS – Office Service. The comprehensive plan zoning is guided in R-3 for one parcel and Public Service for the existing parcel on the corner. The comprehensive plan amendment is required to rezone the future land use to R-3 High Density.

The variance is for the deviation of the roof pitch from city code.

FINANCIAL IMPLICATIONS

None

STAFF RECOMMENDATIONS

Staff recommends approving the Timber Ridge of Baxter Senior Living Development with the Conditions listed below:

1. Add Utility Easement over the main and water main prior to recording the plat.

2. Dedicate a 25-foot drainage and utility easement adjacent to Clearwater Road extending the entire width of the property prior to recording the plat.
3. Include the 20-foot Bike and Pedestrian Trail Easement across the existing Lot 1, Block 3, JMS Baxter Estates parcel with the new plat prior to recording the plat.
4. Enter into a Development Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
5. Enter into a Stormwater Facilities Maintenance Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
6. Enter into a Permanent Access Easement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
7. Enter into a Construction Repair and Maintenance Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.

COUNCIL ACTION REQUESTED

MOTION to Recommend Planning and Zoning Commission Approve the Timberline Heights Second Addition Preliminary & Final Plat, Comprehensive Plan Amendment, Rezoning, and Variances to allow the construction of a 60-unit apartment complex with the Conditions Outlined in the Staff Recommendations.