



ITEM REPORT PLANNING AND ZONING COMMISSION

Agenda Date: 9/8/2026
Agenda Section: New Business

TO: Baxter Planning and Zoning Commission

FROM: Matthew Gindele, Planner

REQUEST: **PUBLIC HEARING. Conditional Use Permit Amendment** to allow outdoor display of pontoon for property located at 15808 Edgewood Drive (city file 2026-033)

APPLICANT: Thomas McLaughlin (property owner)
C-2, Regional Commercial

ZONING:

1. Application Request

The applicant has requested a conditional use permit amendment (CUPA) to allow an outdoor display of pontoons. Specifically, the applicant is proposing to create an elevated, paved surface near Highway 371 to display up to four pontoons on.

2. Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North	Vacant Commercial	C-2, Regional Commercial
East	HWY 371/Commercial	C-2, Regional Commercial
South	Commercial	C-2, Regional Commercial
West	Vacant Commercial	C-2, Regional Commercial

Characteristics of the Site

The subject property is zoned C-2, Regional Commercial and is 2.88 Acres in size. The property is lined with mature evergreens on the side lot lines with open grassy areas in the center of the lot and is developed with a commercial retail building and an outbuilding. There is a slight grade change sloping down from the edge of the parking lot toward Highway 371 where the planned improvements are proposed. There are no FEMA floodplains present on the property and it is not in a shoreland overlay district. There may be a small wetland in the north property line near the Highway that would not be impacted.

3. Analysis of Request

Conditional Use Permit

The applicant previously received approval of a conditional use permit to allow pontoon sales on the subject property and is requesting an amendment to that CUP to allow for an outdoor pontoon display area near the highway. The pontoon display area is intended to help with visibility of the business from the highway.

The proposed plan includes extension of a paved drive aisle from the parking lot on the east side of the building to an elevated paved surface for pontoon display near the highway. The display area would be elevated approximately 3.5 feet and would be approximately 3,300 square feet allowing for four pontoons to be displayed end-to-end. The slope up to the elevated display surface would be graded out and restored with a native grass and flower mix.

The ordinance allows for pontoon sales in the C-2 district with a conditional use permit pursuant to the following:

- A. All sales shall occur on one lot.
- B. Parking areas for the outside storage and sale of vehicles, boats and trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent.
- C. Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking areas from landscaped areas.
- D. All areas of the property not devoted to buildings or parking areas shall be landscaped in accordance with section 10-4-8, "Screening/Landscaping/Fencing", of this title.
- E. Off street parking shall be provided for customers and employees in accordance with section 10-5-2, "Off Street Parking", of this title.
- F. Parking for a motor vehicle, boat, or trailer sales shall not be less than nine feet (9') wide by 18.5 feet in length

Findings

The display area is proposed on the same lot as the principal structure serving the business. The display area is proposed to be surfaced with pavement. There are no landscaped areas interior to the functional site, therefore no curbing is required. A condition of approval has been added to the draft resolution requiring the submittal of a landscape plan compliant with the landscape ordinance to be reviewed and approved by staff prior to issuance of a grading permit. Off street parking is provided compliant with section 10-5-2 of the ordinance. All though the plan indicates four display stalls in the requested display area that are 8'x30', the stall won't be striped and there is sufficient space to meet the minimum requirement of 9'x18.5'.

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 outdoor display would not create a burden on existing parks, schools, streets and other public facilities or utilities because The subject lot is already developed with a business and the outdoor display does not require any additional resources of this nature.

- 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.*

The proposed use is compatible with adjacent land uses and will not depreciate adjacent land values because all adjacent land uses are also commercial in nature. Additionally, the outdoor display will not deter development of vacant land because the surrounding area is already built out with streets and city water/sewer utilities. This is an improvement to an existing site to make it more functional.

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

The proposed display area will not adversely effect adjacent properties due to appearance (or otherwise) because it will be hard surfaced with pavement and restored with native grasses and flowers.

- 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.*

The display area is reasonably related to the needs of the city and of the existing land use on the site. The principal structure and sales lot are set back over 200 feet from Highway 371 while the existing development on the lot to the north is setback only 40 feet and the lot on the south is set back 100 feet; this provides a visual barrier to the business from the highway limiting the amount of business that is drawn in. The display area is intended to draw in additional business from the highway. Well performing businesses are essential to the vitality of the city.

- 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 display area meets the requirements of the zoning ordinance including, but not limited to surfacing, stormwater ponding, impervious surface coverage, landscaping and setbacks and serves the business function of the property.

- 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 use would not cause traffic hazard or congestion because it is internal to the site and is appropriately designed for the minimal amount of traffic it would create. The only traffic would be business operations to move display pontoons on and off, and the occasional customer driving away with one of the displays.

- 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.

Utility Commission Review

The Utilities Commission reviewed the application at its regular meeting on September 2, 2026 and recommended approval of the conditional use permit amendment.

4. Recommendation

Staff recommends approval of the Conditional Use Permit Amendment, subject to the findings and conditions in the attached resolution.

Attachments

1. Resolution 2026-073 approving the CUP Amendment
2. Site Location Map
3. Plans