



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, August 14, 2024 at 6:00 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

"A Growing Community"

CALL TO ORDER

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

ROLL CALL

MEMBERS PRESENT: Commissioners Howie Oswald, Gwen Carleton, Larry Kellerman and Council Liaison/Mayor Darrel Olson

MEMBERS ABSENT: Commissioner Chuck Hiltner and Chair Bob Kinzel,

STAFF PRESENT: CD Director Josh Doty, Planner Matthew Gindele

OTHERS: Craig Vogl, Andrew Herberg, Nikki Turcotte, Katie Goenner

MINUTES

1. Approve the Planning & Zoning Commission Meeting Minutes from July 9, 2024

MOTION by Commissioner Carleton, seconded by Commissioner Kellerman to approve the Planning and Zoning Minutes from the July 9, 2024. Motion carried unanimously.

Acting Chair Oswald stated that this Commission is a recommending body, and that final approval/denial is taken with the City Council on August 20, 2024.

COMMENTS AND QUESTIONS

OLD BUSINESS

None

NEW BUSINESS

2. **PUBLIC HEARING.** Conditional Use Permit to allow grading and filling in a shoreland district for property located at 13281 Mile Lake Drive (City file 24-029)

Acting Chair Oswald asked for the staff report. Planner Gindele stated the applicant is proposing to fill in a hole/ravine that was dug out of the naturally occurring hillside. Staff's understanding is that this area was dug out for a borrow pit approximately 30+ years ago. The applicant would like to fill it in with excess fill from building his new home and potentially bringing in additional fill. The intent is to improve the safety and functionality of the property by filling in the whole/ravine and grading it to more closely match the natural grade of the hillside.

Planner Gindele reviewed the location on a site map with the Commission.

The subject property is zoned RS, Residential Staging and is 3.63 acres in size. The property is heavily wooded and is situated on the east shore of Mile Lake. The property is longer north to south than it is east to west. The property has fair topography as it slopes approximately 15 feet down toward the lake. As stated, the property is on Mile Lake and is therefore within the shoreland overlay district. Mile Lake also acts as a FEMA floodplain and a small area of the subject property near the lake is within the floodplain. There does not appear to be any wetlands on the property.

The DNR has reviewed the conditional use permit application for grading and filling in a shoreland overlay district and offers the following comment:

"The applicant has indicated that they will replace trees on the graded hill area by transplanting smaller trees from nearby wooded areas or by purchasing trees and planting them. This is a good written intention to revegetate areas lost by tree removal. However, we recommend that if approved, a condition be placed on approval requiring the submission of a re-vegetation plan that includes a plan for specific re-vegetation, tree-density, and tree placement areas, along with maintenance plans adequate to keep seedlings from dying upon transplantation."

Staff has added the DNR-recommended condition to the draft approving resolution.

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

Craig Vogl (applicant) approached the Commission and stated that someone in the past cut into the side of the hill and created a sand pit. He stated that he simply wants to fill it in and make it look like it used to look before the pit was dug out, the way it's supposed to look so that you can't tell there was ever a pit dug out there. He talked about how he would stabilize the soil and restore the area with grass and trees.

Acting Chair Oswald opened the public hearing.

Acting Chair Oswald closed the public hearing.

MOTION by Commissioner Kellerman, seconded by Commissioner Carleton to approve the conditional use permit to allow grading and filling in a shoreland district for property located at 13281 Mile Lake Drive as presented by staff in the draft resolution. Motion carried unanimously

3. **PUBLIC HEARING.** Text Amendment to Title 10, Chapter 4, Section 10 "Architectural Design Standards" of the City Code to amend the list of permitted siding materials (City file 24-32)

Acting Chair Oswald asked for the staff report. Planner Gindele stated the applicant is requesting a Zoning Ordinance Text Amendment to amend the City's architectural ordinance to allow for the use of lap siding in the C-1, Neighborhood Commercial and C-2, Regional Commercial zoning districts. The applicant states that they own several hotels in the C-2 and/or C-1 district in Baxter that are currently sided with lap siding that is getting to the end of its useful life and will need to be resided in the coming years. The applicant states that they would like to replace the lap siding with new lap siding as it provides a more welcoming, homey feel for guests. Additionally, the applicant states that new technologies have increased the durability and lifespan of lap siding, including steel lap siding.

Staff conducted a windshield survey of the C-1 and C-2 commercial zoning districts to get an idea of how many structures are currently sided with lap siding. The survey resulted in the identification of approximately 35 structures in the commercial districts that currently have lap siding, or similar siding. Of those 35 structures, seven of them are hotels. Only one hotel exists in Baxter that is not sided with lap siding. Most of these structures incorporate design elements that may be associated with residential design rather than commercial design such as pitched roofs with asphalt shingles.

Additionally, staff recognizes that new materials have come on the market in the past 10-20 years that improve upon both the durability and longevity of siding materials. New composite siding such as fiber cement, wood composites, and synthetic composites improve on longevity and durability. New alloys are used that allow for steel siding that is lighter and thinner yet more durable and stronger than steel siding of the past. Steel siding is also now treated with zinc and chemicals to prevent corrosion and fading.

Staff recommends approval of the draft zoning ordinance amendment and findings of fact resolution.

CD Director Doty added that the 8-inch reveal requirement is intended to getting some of the newer products that are more durable and have longer life spans than some of the older products that often seem to have smaller reveals like in the 4 inch to 6 inch range. Also, the larger reveal sets it apart from a residential application that often times has a smaller reveal.

Katie Goenner of Watland Hospitality (applicant) approached the Commission. Ms. Goenner stated that City staff did a great job describing what they are asking for. She stated that their Days Inn property currently has Cedar lap siding that desperately needs to be replaced and they would like to replace it with lap siding. She stated that there are so many more options available with lap siding to give the building more character and an inviting appearance from outside the building.

Cd Director added that most, if not all, of these lap sided building were likely sided prior to the current ordinance being in place.

Acting Chair Oswald opened the public hearing.

Acting Chair Oswald closed the public hearing.

Council Liaison/Mayor Olson asked for clarification on whether this amendment was to allow only businesses in the commercial districts currently sided with lap siding to be resided with lap siding, or if it would allow any business to have lap siding. Planner Gindele stated that it would allow any business in the C-1 or C-2 commercial districts to use lap siding whether it's a new building or an existing one being resided.

Commissioner Carleton brought up the 8-inch reveal requirement and posited that a smaller building may want to have a smaller reveal. CD Director Doty stated that is a fair point and the reason staff wanted to require a minimum 8-inch reveal is to hopefully go away from something that's more of a residential look and to get some of those newer products that have better longevity and durability.

MOTION by Commissioner Carleton, seconded by Commissioner Kellerman to approve the text amendment to Title 10, Chapter 4, Section 10 "Architectural Design Standards" of the City Code to amend the list of permitted siding materials as presented by staff in the draft resolution. Motion carried unanimously

UPDATES

ADJOURN

MOTION by Commissioner Carleton, seconded by Commissioner Kellerman to adjourn the meeting at 6:30 p.m. Motion unanimously approved.

Approved by:

Submitted By:

Howie Oswald
Acting Chair

Shanna Newman
CD Administrative Assistant