

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-014**

**RESOLUTION APPROVING A PUD, PLANNED UNIT DEVELOPMENT GENERAL AND
FINAL PLAN FOR TIMBER RIDGE BAXTER SENIOR LIVING FOR AN 80-UNIT ASSISTED
LIVING AND MEMORY CARE APARTMENT BUILDING LOCATED AT THE NORTHEAST
CORNER OF NOVOTNY ROAD AND LAKE FOREST ROAD
(CITY FILE NUMBER 2026-002)**

WHEREAS, Roger Fink, Trident Development (“the applicant”) has requested approval of a PUD, Planned Unit Development General and Final Plan on property located north of Clearwater Road and west of JMS Baxter Estates, legally described as follows:

Lot 1, Block 1, Veterans Second Addition, Crow Wing County, Minnesota, and;

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called a Public Hearing on February 10, 2026, and recommends approval, and;

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their February 17, 2026, meeting; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the request to approve PUD general and final plan, based on the finding that the standards in Title 10 of the Baxter Zoning Ordinance are met as described in the staff report dated February 10, 2026. Specifically:

1. With the conditions in this resolution, the PUD is consistent with the City’s Comprehensive Plan;
2. With the conditions in this resolution, the PUD is consistent with the zoning ordinance requirements; and
3. The PUD does not violate any local, state or federally adopted law, ordinance, regulation, plan or policy.
4. The PUD allows for flexibility in the strict application of the Zoning Code and allows project upgrades beyond what the Zoning Code requires that benefit the surrounding community.

FURTHER BE IT RESOLVED that the following conditions of approval shall be met:

1. The approval of the PUD General and Final Plan and the development standards of the PUD are as indicated on the application and plans received by the City on January 5 and 12, 2026, except as amended by this resolution.

2. The allowable uses for the PUD are any permitted or accessory uses allowed in the R-3, zoning district. These uses shall be considered “permitted” in the PUD, provided they comply with all the development standards and conditions of this resolution.
3. Development standards of the PUD shall be subject to zoning ordinance standards and the standards specifically listed in the R-3, High Density Residential Zoning District, except as specifically amended by this resolution.
4. Approval of the PUD General Plan is contingent on the Rezoning to PUD and approval of the Preliminary and Final Plat.
5. A building permit is required prior to beginning any new construction.
6. **Prior to issuance of a building permits**, the applicant shall:
 - a. Record the final plat and any required agreements or easements with Crow Wing County.
 - b. Submit a deed restriction to be recorded against the property requiring a disclosure in lease agreements that notifies all future tenants that the subject apartment building and property is adjacent to a business property that has live outdoor music and special events that may produce undesirable noise.
 - c. Enter into a Development Agreement for the Timber Ridge of Baxter Senior Living development.
 - d. Enter into a Stormwater Facilities Maintenance Agreement for the Timber Ridge of Baxter Senior Living development.
 - e. Enter into a Permanent Access Easement for the Timber Ridge of Baxter Senior Living development.
 - f. Enter into a Construction Repair and Maintenance Agreement for the Timber Ridge of Baxter Senior Living development.
 - g. Revise plans to establish all parking stalls at 10-feet wide, as required by the zoning ordinance.
 - h. Revise the landscape plan to show all required shrubs meeting the minimum size.
 - i. Revise plans to re-orient the trash enclosure so that the gates face east or revise landscape plan to provide additional coniferous trees south of the trash enclosure.
 - j. The design of the building shall comply with the City’s Architectural Ordinance.
 - k. Revise sidewalk plans to add pedestrian ramps at curb locations and add sidewalk connectivity segments in the central area of the parking lot to be reviewed and approved by city staff.
 - l. Revise sidewalk plans to provide ADA sidewalk route north of a 2-foot vehicle bumper overhang north of the handicap parking stalls.
 - m. Sidewalks in the development shall be ADA compliant including pedestrian ramps at all approaches, where required by the City.
 - n. All trash and recycling areas shall be housed in fully opaque enclosures that are consistent with the primary color of the building. The enclosure materials and location shall be reviewed and approved by staff.
 - o. The lighting plan for any exterior free standing or wall lighting shall be reviewed for compliance with the City’s lighting ordinance.
 - p. The lowest floor elevations shall be three feet above saturated soils in compliance with 9-5-1 of the zoning ordinance.
 - q. Provide a three-foot separation from the bottom of ponding to the top of the ground water as required by the MPCA and NPDES permit.
 - r. Any signage shall require separate permits and shall be in conformance with the City’s sign ordinance. Signage shall comply with sight visibility triangle requirements.

- s. All new roof top units (RTUs) shall comply with the requirements of the ordinance. Specifically, (RTU) shall be visible if viewed at a height of five feet (5') above finish floor level at a distance of one hundred feet (100') from the building; any visible portion of any RTU beyond this point shall be painted to match the primary color of the exterior of the principal structure.
 - t. Any new mechanical equipment, gas meters, satellite dishes, and other utility hardware, whether located on the roof or exterior of the building or on the ground adjacent to it, shall be designed (including exterior color) and located to be aesthetically harmonious and compatible with the building. Screening may be required where the design, color and location of the equipment are found to be ineffective to buffer noise or provide aesthetic harmony.
 - u. Provide compliance with zoning review items related to the development plan.
7. The subject development requires construction of sanitary sewer main, water main, storm sewer, and roadway improvements on Lake Forest Road from approximately 700 feet south of the Novotny Road roundabout south to Woida Road, and north from approximately 90 feet north of the Novotny Road roundabout to the north property line of Lot 1, Block 1, Veterans First Addition prior to issuance of occupancy of Timber Ridge of Baxter Senior Living.
 8. Silt fence shall be installed prior to construction to prevent erosion on the site and to protect sediment from entering streets, adjacent properties, storm water ponds and wetlands.
 9. No stockpiling of materials, placement of construction equipment and construction materials will be allowed in the storm water ponding areas.
 10. A PUD amendment and re-plat would be required for any of the units to change from rental to owner-occupied units.
 11. The developer shall keep all sidewalks and/or trails that are connected to streets or adjacent properties open and maintained year-round.
 12. The PUD Final Plan application is hereby approved with this PUD General Plan.
 13. The permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
 14. Any future expansions would require review by the city and amendments are based on zoning ordinance standards.
 15. The PUD General and Final Plan approval shall expire within five years of the date of approval unless the applicant commences the authorized use and completes the required improvements.

Whereupon, said Resolution is hereby declared adopted on this 17th day of February 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal