

**CITY OF BAXTER, MINNESOTA  
RESOLUTION 2024-092**

**RESOLUTION APPROVING A PUD, PLANNED UNIT DEVELOPMENT AMENDMENT TO  
ALLOW A PROPANE SERVICE STATION FOR CAMPING WORLD FOR THE PUD  
LOCATED AT 14275, 14203 and 14199 EDGEWOOD DRIVE (CITY FILE NUMBER 2019-31)**

WHEREAS, Vercon, Inc (“the applicant”) has requested approval of a PUD, Planned Unit Development Amendment on property located at 14275 Edgewood Drive, legally described as follows:

LOTS 1, 2, AND 3, BLOCK 1 THIRD ADDITION TO BAXTER WAL-MART  
SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE IN THE  
CROW WING COUNTY, MINNESOTA, RECORDER’S OFFICE SUBJECT TO  
EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD, IF ANY.

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

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their October 15, 2019 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 Amendment, based on the finding that the standards in Title 10 of the Baxter Zoning Ordinance are met. 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.

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

1. The approval of the PUD general and final plan amendment and the development standards of the PUD are as indicated on the application and plans received by the city on September 24, 2024, and revised plans received on October 24, 2024, except as amended by this resolution.
2. The allowable uses for the PUD are any permitted or accessory uses allowed in the C-2, zoning district, except that a drive through use for a pharmacy shall be considered a permitted use. The pharmacy drive through use shall be considered “permitted” in the PUD, provided they comply with all the development standards and conditions approved in the PUD by City Council.
3. Development standards of the PUD shall be subject to zoning ordinance standards and the standards specifically listed in the C-2, District, except as specifically amended.

4. The approval of the PUD is based on the final plat signed by the City on August 16, 2016, and signed by Crow Wing County on April 5, 2017.
5. A building permit is required prior to beginning any new construction.
6. **Prior to issuance of a building permits**, the applicant shall:
  - a. All sidewalks shall be constructed to ADA requirements, unless otherwise approved by the City.
  - b. Submit a revised landscape plan to document that approved deciduous trees shall be planted in parking lot islands unless the island is otherwise occupied by sidewalk connectivity for the development.
  - c. Submit a revised landscape plan showing compliance with the city landscape requirement for items such as tree species, tree sizes and shrub sizes.
  - d. Submit a revised landscape plan to ensure a planting plan that discourages cars from driving across the dead-end parking area to the north/south drive aisle on the east side of the subject site.
  - e. One-way directional signage shall be reviewed and approved by city staff.
  - f. All trash and recycling areas shall be housed in an opaque enclosure that is consistent with the primary color and materials of the building. The enclosures shall be reviewed and approved by staff.
  - g. All exterior ground and rooftop mechanical equipment shall be reviewed and approved by city staff in compliance with screening requirements of Title 10-4-8 of the Zoning Ordinance.
  - h. Any visible backs of parapets shall be the primary color of the building, as required in the zoning ordinance.
  - i. Provide compliance with zoning review items related to the development plan.
  - j. Revise plans to identify a bike rack or bike racks in the storefront areas.
  - k. A lighting plan shall be submitted for review and approval by staff based on the City's lighting requirements. Specifically, any existing non-conforming lighting shall be brought into conformance with the zoning ordinance or removed from the site.
  - l. Final Architectural plans shall be reviewed and approved by city staff based on compliance with the City's Architectural Ordinance requirements.
  - m. A signed escrow agreement for relocating hydrants is required.
7. The three properties within this PUD shall maintain the private roadways/drive aisles in the development at an average pacer level from the City's bituminous maintenance program.
8. The property owner of Lot 1, Block 1, Third Addition To Baxter Wal-Mart Subdivision shall construct the proof of parking as identified the proof of parking plan if there is a documented parking problem on the site. The proof of parking shall comply with the zoning ordinance requirements including, but not limited to stall and drive aisle dimensions, landscaped parking lot island with overstory tree requirements, storm water requirement, etc.
9. All signage shall require separate permits and shall be in conformance with the City's sign ordinance, except that two free standing signs are allowed with the PUD for the subject property.

10. The PUD authorizes the existing freestanding sign in the southeast corner of the PUD to be modified as requested with the PUD sign plan submitted with this application. This existing southeast sign is authorized for the Lot 1, Block1, Third Addition To Baxter Wal-Mart Subdivision.
11. The PUD authorizes the existing freestanding sign in the northeast corner of the PUD not to exceed 200 square feet. This existing northeast sign is authorized for Lots 2 and 3, Block 1, Third Addition to Baxter Wal-Mart Subdivision.
12. PUD flexibility is granted to the 10-stall parking lot island spacing requirement, as identified on the approved plans for this PUD.
13. PUD flexibility is granted to the drive through escape lane requirement for the pharmacy drive through. The applicant shall monitor wait times with the pharmacy to ensure that customers in the stacking lanes are not stuck if they decide not to wait in line. The owner shall consider dive up parking spaces if the lack of an escape lane becomes a documented problem.
14. Approval of the PUD Amendment plan is contingent on review and approval by MNDOT.
15. Joint access and parking are approved with this PUD subject to the development plans and subject to private easement/covenant documents. Any amendments to private easement/covenant documents shall be reviewed and approved by the City attorney prior to issuance of a building permit.
16. The PUD General and Final Plan application is hereby approved with this PUD Amendment.
17. The PUD approval shall expire one year from of the date of this approval unless the applicant has recorded the plat or commenced construction or has requested an extension in writing.

**Whereupon, said Resolution is hereby declared adopted on this 19<sup>th</sup> day of November, 2024.**

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**Darrel Olson, Mayor**

**ATTEST:**

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**Kelly Steele, City Clerk**

***City Seal***