

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-062**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH FOR JACS EBIKES TO
BE LOCATED IN THE SOUTHEAST CORNER OF HWY 210 & CYPRESS DRIVE
(CITY FILE NUMBER 2026-024)**

WHEREAS, Justin Skillings ("the applicant") has requested approval of a conditional use permit for property legally described as follows:

That part of the northwest quarter of the northeast quarter described as follows:
Commencing at the southwest corner of said northeast northwest then north 0 degrees, 7
minutes 55 seconds east, Section 8, Township 133, Range 28, Crow Wing County,
Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on August 12, 2026 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their August 18, 2026 meeting;

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 for a conditional use permit, subject to the following findings and conditions:

1. The conditional use permit allows an equipment rental/sales/repair business for bikes and e-bikes, in accordance with the application and plans received by the City on July 13, 2026, except as amended by this resolution, based on the finding that all applicable conditional use permit standards have been met as identified in the staff report dated August 12, 2026.
2. Approval of the conditional use permits shall be contingent upon any requirements by the Minnesota Department of Transportation.
3. A building permit is required prior to beginning any new construction.
4. **Prior to issuance of a building permit**, the applicant shall:
 - a. Enter into a Stormwater Facilities Maintenance Agreement.
 - b. Enter into an Escrow Agreement.
 - c. Revise landscape plans to indicate the proposed tree and shrub species, as required by the zoning ordinance, to be reviewed and approved by the City.
 - d. Revise site plan to include a note identifying the location of the outdoor display/sales area.
 - e. Provide compliance with zoning review items related to the development plan.

- f. Provide details on the proposed retaining walls. Retaining walls over four feet (4') in height shall require a fence or guardrail that is a minimum of four feet (4') tall spanning the entire length of the retaining wall that is over four feet (4') tall.
- 5. All servicing of bikes and equipment shall occur entirely within the principal structure.
- 6. Storage and use of all flammable materials, including liquid and rags, shall conform with applicable provisions of the Minnesota Uniform Fire Code.
- 7. The loading space/maneuvering area shall not be used for the storage of goods or inoperable vehicles
- 8. No exterior storage of trash or garbage is permissible except in an accessory building enclosed by fully opaque walls and/or fully opaque fences. If exterior storage of trash is proposed, the applicant shall submit a trash enclosure plan to be reviewed and approved by the city prior to issuance of a building permit. Trash enclosures shall have a concrete foundation or other similar surface approved by the Zoning Administrator. The exterior color of the walls and/or fences of the trash enclosure shall match the primary exterior color of the principal structure.
- 9. All new and replaced roof top units (RTUs) shall comply with the requirements of the ordinance. Specifically, no rooftop unit (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.
- 10. 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.
- 11. All signage requires separate sign permits and shall comply with the zoning ordinance requirements.
- 12. All exterior lighting shall have a ninety-degree cutoff shield that conceals the light source with a non-sag, non-yellowing lens and shall fully comply with the lighting standards of the zoning ordinance.
- 13. The low floor elevation shall have at least three feet of vertical separation from periodically saturated soils.
- 14. Approval shall expire within one year 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 18th day of August 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal