

**CITY OF BAXTER, MINNESOTA  
RESOLUTION 2026-011**

**RESOLUTION APPROVING CONDITIONAL USE PERMITS FOR A DRIVE-THROUGH AND JOINT ACCESS  
AND A VARIANCE TO THE MINIMUM PRICIPAL STRUCTURE DIMENSIONS FOR 7 BREW LOCATED AT  
8464 FAIRVIEW ROAD  
(CITY FILE NUMBER 2025-040)**

WHEREAS, Matt Development Company (“the applicant”) has requested approval of conditional use permits and a variance for property legally described as follows:

That part of the Southeast quarter of the Southeast quarter of Section 5 described as follows: Beginning at a point on the East line of said Section 5 which is 351 feet North of its Southeast corner then South 74 degrees 28 minutes West 100 feet to the point of beginning TRT herein described then North on a line parallel to and 96.35 feet West of the East line of said Southeast Southeast 250 feet then South 74 degrees 28 minutes West 200 feet then South on a line parallel to the East line of said Southeast Southeast 250 feet then North 74 degrees 28 minutes East 200 feet to the pint of beginning, all in Section 5, 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 February 10, 2026 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their February 17, 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 conditional use permits and a variance, subject to the following findings and conditions, and those findings in the staff report dated February 10, 2026:

1. The conditional use permits allow a restaurant drive-though and joint access, in accordance with the application received by the City on January December 1, 2025, plans received January 7, 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 February 10, 2026.
2. The variance allows a principal structure to be 15 feet wide by 34 feet deep, in accordance with the application received by the City on January December 1, 2025, plans received January 7, 2026, except as amended by this resolution, based on the finding that all applicable variance standards have been met as identified in the staff report dated February 10, 2026.
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. Submit a joint access easement to be reviewed by the City Attorney and recorded with Crow Wing County.
  - d. Revise landscape plans to provide headlight screening for the drive through, as required by the zoning ordinance. Specifically, landscape screening shall be provided to screen headlights to the south as they exit the drive through.
  - e. Revise landscape plan to indicate tree and shrub species.
  - f. Submit lighting plans as needed to show ordinance compliance. Specifically identify compliance with wall pack shielding, free-standing parking lot lighting height requirements, and site photometrics.
  - g. Provide compliance with zoning review items related to the development plan.
5. The LED banding shall comply with the sign ordinance including area and brightness standards.
  6. The standing seam roof panels shall use concealed fasteners.
  7. 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.
  8. 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.
  9. All signage requires separate sign permits and shall comply with the zoning ordinance requirements.
  10. 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.
  11. Electronic speaker devices shall not be audible beyond the property being served and shall not be operated between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M
  12. 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 17<sup>th</sup> day of February 2026.**

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**Darrel Olson, Mayor**

**ATTEST:**

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**Kelly Steele, City Clerk**

*City Seal*