

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2022-068**

**RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT
FOR “MENARD THIRD ADDITION” FOR PROPERTY LOCATED AT 15236 DELLWOOD
DRIVE AND THE VACANT LOT NORTHEAST OF WHISPERING WOODS LANE AND
PEARL DRIVE (CITY FILE NUMBER 2022-13)**

WHEREAS, Menard, Inc. (“the applicant”) has requested approval of a preliminary and final plat on property located at 15236 Dellwood Drive and the vacant lot Northeast of Whispering Woods Lane and Pearl Drive, legally described as follows:

Lots 1 and 2, Block 1, Menard Second Addition,

And

Outlot A, Regal Park, part of the SE 1/4-SW ¼ All in Section 32, Township 134,
Range 28, Crow Wing County, Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called a Public Hearing on August 10, 2022, and recommends approval, and;

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their August 16, 2022 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 preliminary and final plat, based on the finding that the standards in Title 11 of the Baxter Subdivision Ordinance are met. Specifically:

1. The subdivision does not landlock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property;
2. The subdivision does not fall within the corridors of any planned or proposed street as shown upon the official map or approved area plans; and
3. The subdivision 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 preliminary and final plat, in accordance with the application received on April 14, 2022, and revised plans received on June 7, 2022, July 18, 2022, July 20, 2022, July 25, 2022, and August 5, 2022, except as may be amended by this resolution.
2. **Prior to Recording the plat**, the applicant shall:
 - a. Pay the required park dedication fee based on the fee schedule in place at the time the plat is recorded.

- b. Submit plat recording checklist items such as a plat check letter and title review, as reviewed and approved by city staff.
 - c. Dedicate 40 feet of right-of-way on Whispering Woods Lane.
 - d. Dedicate standard drainage and utility easements on the final plat lot lines.
 - e. Submit a joint parking easement for review and approval by the city attorney.
Record the joint parking easement on the Menards store lot and the vacant lot on the northeast corner of Whispering Woods Lane and Pearl Drive.
 - f. Dedicate easements over the regional ponds and install any storm sewer improvements needed to convey water from existing regional ponds if relocated.
 - g. Dedicate easements on the plat over all existing and proposed watermain.
 - h. Dedicated a 30-foot x 30-foot site triangle on the plat at the intersection of Pearl Drive and Whispering Woods Lane.
 - i. Deed Oulot A, Menard 3rd Addition to the City of Baxter.
- 3. A building permit is required prior to beginning any new construction.
 - 4. No building permits shall be issued until the final plat, agreements, and easements are filed and recorded with Crow Wing County.
 - 5. The final plat approval shall expire two years from of the date of this approval unless the applicant has recorded the plat or requested an extension in writing.

Whereupon, said Resolution is hereby declared adopted on this 16th day of August, 2022.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal