

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2026-089**

**RESOLUTION APPROVING CONDITIONAL USE PERMITS FOR A DRIVE-THROUGH AND MULTIPLE
ENTRANCE SIGNAGE AND VARIANCE TO DRIVE THROUGH ESCAPE LANE AND BETWEEN STATE
HIGHWAY 371, NOVOTNY ROAD, AND DELLWOOD DRIVE
(CITY FILE NUMBER 2026-037)**

WHEREAS, Mohagen Hansen Architecture / Interiors (“the applicant”) has requested approval of conditional use permits and variances for property legally described as follows:

Lot 1, Block 1, Frandsen Addition, Crow Wing County, Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called Public Hearing on October 13, 2026 and recommends approval, and;

Whereas, the City Council considered the Planning and Zoning Commission recommendation at their October 20, 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 October 13, 2026:

1. The conditional use permits allow a bank drive-through and multiple entrance signage, in accordance with the application received by the City on September 15, 2026, based on the finding that all applicable conditional use permit standards have been met as identified in the staff report dated October 13, 2026.
2. The variances allow a 4:12 roof pitch and a drive through without an escape lane, in accordance with the application received by the City on September 15, 2026, based on the finding that all applicable variance standards have been met as identified in the staff report dated October 13, 2026.
3. A building permit is required prior to beginning any new construction.
4. **Prior to issuance of a building permit**, the landowner shall:
 - a. Enter into a Development Agreement.
 - b. Enter into a Stormwater Facilities Maintenance Agreement.
 - c. Enter into a Permanent Access Easement.
 - d. Enter into a Construction Repair and Maintenance Agreement.
 - e. Meet the requirements of MnDOT Commissioner of Transportation or their designee as it relates to closing the access on Trunk Highway 371.

- f. Revise landscape plans to comply with tree number, sizing, species type and priority placement to be reviewed and approved by city staff.
- g. Revise landscape plan to add a parking lot island with a deciduous overstory tree on the east row of parking or reduce stalls to ten to avoid the island, as required by the zoning ordinance.
- h. 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.
- i. Revise the site plan to identify one-way/do not enter signage for the drive through portion of the site.
- j. Submit specific materials for the trash enclosure in conformance with ordinance requirements.
- k. Provide compliance with zoning review items related to the development plan.

5. The two existing billboards, one on Lot 1, Block 1 Frandsen Addition and one on Outlot A, Frandsen Addition, are deemed legally nonconforming. Neither billboard shall be used for advertising purposes serving the subject property on which it is located.

5-6. The dark metal roof panels shall use concealed fasteners.

6-7. 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.

7-8. 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.

8-9. All signage requires separate sign permits and shall comply with the zoning ordinance requirements.

9-10. 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.

10-11. 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.

11-12. 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 20th day of October 2026.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal