

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2022-053**

**RESOLUTION APPROVING A PUD, PLANNED UNIT DEVELOPMENT GENERAL AND
FINAL PLAN FOR ESSENTIA HEALTH BAXTER CLINIC LOCATED AT 13060 ISLE DRIVE
AND THE VACANT PROPERTY TO THE SOUTH AND WEST (CITY FILE NUMBER 2022-24)**

WHEREAS, Widseth (“the applicant”) has requested approval of a planned unit development general and final plan on property located at 13060 Isle Drive and the vacant property to the south and west, legally described as follows:

Lot 1, Block 1, Outlot A and Outlot B, Baxter Medical Park Second Addition, Crow Wing County, Minnesota.

WHEREAS, the Planning and Zoning Commission has reviewed the request at a duly called a Public Hearing on June 14, 2022, and recommends approval, and;

WHEREAS, the City Council considered the Planning and Zoning Commission recommendation at their June 21, 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 PUD general and final plan, based on the finding that the standards in Title 10 of the Baxter Zoning Ordinance are met. Specifically:

1. The PUD is consistent with the City’s Comprehensive Plan ;
2. With the conditions in this resolution, the PUD is consistent with 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 Plan and the development standards of the PUD are as indicated on the plans received by the city on May 24, 2022, and revised site plan received on June 10, 2022, except as amended by this resolution.
2. The allowable uses for the PUD are any permitted or accessory uses allowed in the OS, Office Service zoning district, except that pharmacy drive throughs shall be considered a permitted use. These uses shall be considered “permitted” in the PUD, provided they comply with all the development standards and conditions approved by City Council.
3. Development standards of the PUD shall be subject to zoning ordinance standards and the standards specifically listed in the OS, Office Service district, except as specifically amended.
4. The PUD approves a master sign plan including a proposed 30-square foot monument sign that is 10-foot 4-inches high, the existing monument sign on Isle Drive that is 30-square feet and 10-foot 4-inches high, and the existing monument sign along State

Highway 371 that is 140-square feet and 15-feet high for the Essentia Health Baxter Clinic.

5. Approval of the PUD General Plan is contingent on the Rezoning to PUD and approval of the Preliminary and Final plat, and Vacation of Easements.
6. A building permit is required prior to beginning any new construction.
7. **Prior to issuance of a building permits**, the applicant shall:
 - a. Enter into an approved Development Agreement with the City for the proposed municipal improvements and record against the plat.
 - b. Enter into a Stormwater Facilities Maintenance Agreement and record against the plat.
 - c. Utility plans shall be revised to relocate sewer main from the east side of the building to new location going from the building to Isle Drive.
 - d. Comply with all requirements from MnDOT regarding the application.
 - e. Comply with all requirements relating to the wetland replacement plan Notice of Decision.
 - f. Comply with all requirements from the DNR relating to the application.
 - g. Comply with all requirements of FEMA relating to the Floodplain Ordinance.
 - h. Comply with all requirements of the City's Architectural Review Ordinance to allow for the administrative review of the architectural plans.
 - i. All other signage including but not limited to wall signage, temporary signage, etc. shall comply with the zoning ordinance except as amended by this resolution. All proposed signage shall require a separate building permit.
 - j. The proposed pharmacy drive through is subject to all requirements in 10-3H-3 and 10-5-5 of the zoning ordinance.
 - k. Revise plans to add four feet to the internal parking lot sidewalks adjacent to parking to allow for four feet of additional bumper overhang.
 - l. Revise the landscape plan to additional priority tree placement along the State Highway 371 frontage to be reviewed and approved by city staff.
 - m. No parking/emergency vehicle signage shall be added to emergency vehicle lane on the south end of the addition.
 - n. Submit a trash enclosure detail for the addition of any exterior trash that is consistent with the materials and color of the principal structure. The trash enclosure shall be fully opaque and shall meet the setback requirements as identified in the zoning ordinance.
 - o. Revise the site plan to identify a bike rack on the property.
 - p. Sidewalks shall be designed to meet ADA requirements as required by the zoning ordinance and accessibility code.
 - q. All 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.
 - r. 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.

- s. 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.
 - t. Provide a minimum low floor elevations as required by FEMA and the City Code.
 - u. Provide a three foot separation from the bottom of ponding to the top of the ground water as required by the MPCA and NPDES permit.
 - v. Provide compliance with zoning review items related to the development plan at the time of building permit review.
8. No outside storage or display is allowed in this development.
9. The PUD General Plan 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 21st day of June, 2022.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, City Clerk

City Seal