



**ITEM REPORT  
PLANNING AND ZONING COMMISSION**

Agenda Date: 2/10/2026  
Agenda Section: New Business

**TO:** Baxter Planning and Zoning Commission

**FROM:** Joshua Doty, Community Development Director

**REQUEST:** **PUBLIC HEARING. Preliminary and Final Plat** to allow “Veterans First Addition” to create one buildable lot and one outlot; **Rezoning** from C-2, Regional Commercial to PUD, Planned Unit Development, and a **PUD General and Final Plan** for an 80-unit Assisted Living and Memory Care Apartment for property located at the northeast corner of Novotny Road and Lake Forest Road (City File # 2026-002)

**APPLICANT:** Roger Fink, Trident Development, 1200 25<sup>th</sup> Avenue South, St. Cloud, MN 56301

**ZONING:** C-2, Regional Commercial

**1. Application Request**

The applicant is requesting approval of the following items for the 8.57-acre site:

- **Preliminary and Final Plat** to allow “Veterans First Addition” to create one buildable lot and one outlot;
- **Rezoning** from C-2, Regional Commercial to PUD, Planned Unit Development; and
- **PUD General and Final Plan** to allow an 80-unit senior living development.

The proposed development includes 64 units of Assisted Living in a two-story portion of the building; and 16 units of Memory Care Living in a one-story portion of the building. The development is proposed to have two-bed, one-bed, and studio units. The development would include a salon, fitness center, dining areas and indoor and outdoor lounge spaces. The building would be constructed along the north, east and south property lines, with the front of the building facing west towards a new roundabout intersection of Lake Forest Road and Novotny Road. Parking would be positioned in front of the building and would include 64 surface parking spaces and eight, first-floor/tuck-under garage parking stalls. The development would have trail access along Novotny Road and Lake Forest Road. The developer would provide private sidewalk connections from the public spaces of the development to both street trails.

**2. Context**

Adjacent Land Use and Zoning

	<b>Adjacent Land Use</b>	<b>Zoning</b>
<b>North</b>	Vacant Property and Jack Pine Brewery	C-2, Regional Commercial
<b>East</b>	Lofts at Novotny Apartment	C-2, Regional Commercial
<b>South</b>	VA Clinic	C-2, Regional Commercial
<b>West</b>	Vacant Property	C-2, Regional Commercial

### Natural Characteristics of the Site

The site has minimal topography and there are few trees left on a recent logging operation by the property owner. There is a wetland in the northeast corner of the site. The site is not located in a shoreland overlay district and there is no floodplain on the property.

### Utility Commission Review

The Utility Commission reviewed the application on February 5, 2026, and recommends approval subject to the following conditions:

1. Add Utility Easement over the sanitary sewer main and water main prior to recording the plat.
2. Enter into a Development Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
3. Enter into a Stormwater Facilities Maintenance Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
4. Enter into a Permanent Access Easement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
5. Enter into a Construction Repair and Maintenance Agreement prior to issuing a building permit for the Timber Ridge of Baxter Senior Living development.
6. Construction of sanitary sewer main, water main, storm sewer, and roadway improvements on Lake Forest Road from approximately 700 feet south of the Novotny Road roundabout south to Woida Road, and north from approximately 90 feet north of the Novotny Road roundabout to the north property line of Lot 1, Block 1, Veterans First Addition prior to issuance of occupancy of Timber Ridge of Baxter Senior Living.

### **3. Analysis of Request**

#### Preliminary and Final Plat

Staff has reviewed the application for consistency with City Code requirements, as well as City policies.

The City's discretion in approving or denying a preliminary and final plat is limited to whether or not the proposed plat meets the standards outlined in the City Code. If it meets these standards, the city must approve the plat.

The applicant is proposing a plat to be named "Veterans First Addition" to create one buildable lot and one outlot.

Even though the proposed rezoning from C-2 to PUD allows for flexibility in ordinance standards, staff reviewed the application based on R-3 for the subject High Density Residential development as a baseline for zoning review. The R-3 district requires a minimum lot area of 25,000 square feet and a minimum lot width of 120 feet for corner lots. The plat would create one lot that exceeds these minimum standards and complies with the minimum standards of the zoning ordinance.

#### *Right-of-Way*

With the plat, the developer is creating one lot and one outlot from an outlot. The previous plat already dedicated the road right-of-way needed for Novotny Road and Lake Forest Road. Staff is supportive of the existing right of way shown for the subject plat.

### *Access/Traffic*

As part of the development, the developer paid for a traffic study to be completed by SEH, who is the City's traffic consultant. The traffic review estimated trips generated by the development, reviewed planned access, and identified whether additional roadway connections should be built in the development area. The study utilized three previous studies along Novotny Road, one for the Lofts at Novotny (2022), one for the Kwik Trip (2024), and one for the VA Clinic (2025).

The development includes one curb cut on from the public street of Lake Forest Road for the development. The access location was reviewed as part of a traffic study that was completed for the development. The traffic study concluded that the access location for the development is acceptable. The traffic study also concluded that the traffic on city streets would operate at acceptable levels with the development completed.

The traffic study states that Lake Forest Road should be extended approximately 290 feet north of Novotny Road and should be extended south to connect to Woida Road. Completion of that north-south connection to Woida Road would reduce reliance on Edgewood Road, relieve pressure on the intersection of Edgewood Drive and Woida Road, and provide additional route choice for vehicles entering and exiting the area. The additional access will provide a significant safety benefit to the area by providing a second access point for emergency vehicles, improving response times and providing a secondary route should one of the accesses be blocked in an emergency. Staff added a condition to the resolution that the applicant complete road construction as recommended in the traffic study.

### *Park Dedication*

The subject property is vacant, and the proposed development includes 80 residential units. Therefore, the applicant is required to pay park dedication fees for 80 units based on the fee established at the time of recording the plat; the current park dedication fee is \$1,800 per unit. Staff has added a condition to the resolution requiring the payment of park dedication fees for three units.

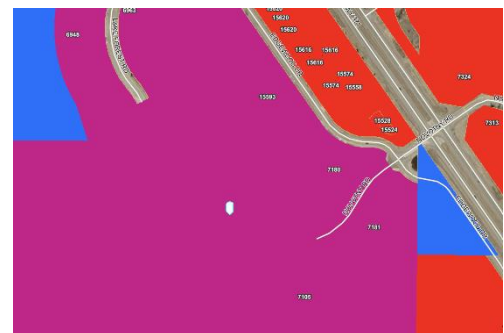
### Rezoning to PUD and PUD General and Final Plan

The applicant is requesting to rezone the property from C-2, Regional Commercial to PUD, Planned Unit Development.

### *Transitioning of Uses*

The subject property is guided as "Mixed Use" in the Future Land Use Comprehensive Plan which describes mixed use as a "Mix of residential and commercial uses. Typically, mixed-use development will include townhomes, low and high-rise apartments, retail buildings, and offices. Development can consist of vertical or horizontal mixed use. Residential density shall occur at a maximum of 20 units/acre. Transitions will be considered to be compatible with the average density of abutting property at development edges". The Land Use Map identifies a sizeable block of land around the area of the subject property as mixed use. When considering the entire landmass guided as mixed use, which incorporates the commercial properties to the north, residential property to the east, and commercial property to the south, a development pattern begins to emerge that reflects a mix of commercial and residential uses within the landmass guided as mixed use. Transition of land uses becomes important to consider when reviewing proposed development within the mixed-use category. Staff notes that the proposed development borders the Jack Pine Brewery property and is near the location of the stage at Jack Pine which occasionally hosts outdoor music, which could cause conflict between the residential and commercial uses if added measures are not taken

### Existing Future Land Use



to mitigate noise from Jack Pine. Staff has added a condition in the attached resolution for the PUD requiring that the developer provide a disclosure in rental leases regarding Jack Pine Brewery noise.

The City’s PUD Ordinance states the following:

The purpose of the planned unit development district (PUD) is to provide a comprehensive procedure intended to allow greater flexibility in the development of neighborhoods or non-residential areas than wouldn’t be possible under a conventional zoning district. The decision to zone property to PUD is a public policy decision for the city council to make in its legislative capacity. The intent of this article is to:

- A. Provide for the establishment of planned unit development (PUD) zoning districts in appropriate settings and situations, to create or maintain a development pattern that complies with the city's comprehensive plan.
- B. Allow for the mixing of land uses within a development when such mixing of land uses could not otherwise be accomplished under this chapter.
- C. Provide for variations to the strict application of the land use regulations in this chapter in order to improve site design and operation, while at the same time incorporating design elements (e.g., construction materials, landscaping, lighting, etc.) that exceed the city's standards to offset the effect of any variations.
- D. Promote a more creative and efficient approach to land use within the city, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the city.
- E. Preserve and enhance natural features and open spaces.
- F. Maintain or improve the efficiency of public streets and utilities.
- G. Ensure the establishment of appropriate transitions between differing land uses.

Staff notes that site plan elements relate to the overall PUD proposal to determine if the above intent of the PUD has been achieved. Staff has reviewed the plans related to the above standards and offers the following:

*Ordinance Standards*

	<b>Ordinance Requirement</b>	<b>Proposed</b>	<b>Meets/Exceeds Requirements</b>
<b>Building Setbacks</b>	40-foot front setback 10-foot side setback 30-foot rear setback	40 feet 10 feet >30 feet	Yes Yes Yes
<b>Parking &amp; Drive Aisle Setbacks</b>	10-foot setback	>10 feet	Yes
<b>Front Yard Fence Height</b>	4 feet	6 feet	*No
<b>Parking Stall Dimensions</b>	10 feet by 18 or 20 feet	9’ x 20’	**No
<b>Parking Stalls</b>	60 Total Of which 30 must be garage stalls	72 Total 64 surface + 8 garage stalls	Yes *No
<b>Drive Aisle Dimensions</b>	24 feet	> 24 feet	Yes
<b>Parking Lot Sidewalks</b>	Sidewalks suggested	Sidewalks provided	Yes
<b>Trail Connections</b>	Connections suggested	Connections provided	Yes
<b>Building Height</b>	45 feet	34 feet	Yes

<b>Structural Coverage</b>	50 percent	7.43 percent	Yes
<b>Impervious Surface Coverage</b>	88 percent	55.5 percent	Yes
<b>Landscaping</b>			
Number of Trees	56 trees	56 credited trees	Yes
Size of Trees	2-inch and 6 foot	2-inch and 6 foot	Yes
Priority Placement of Trees	Front Yard/Site Perimeter Priority	Front Yard/Site Perimeter Trees	Yes
Number of Shrubs	186 shrubs	288 shrubs	Yes
Size of Shrubs	3 gallon	Unknown	**Unknown
Percentage of Coniferous	17 coniferous trees	30 coniferous trees	Yes
<b>Parking Lot Islands</b>	One island per 10 stalls One Overstory Tree Per Island	One island per 10 stalls One Overstory Tree Per Island	Yes Yes
<b>Number of Units Per Building</b>	Maximum 50	73	*No

\*PUD Flexibility Requested and discussed below    \*\*Conditioned in draft resolution

*\*Front Yard Fence Height*

The ordinance requires a maximum fence height of 4 feet in front yards. The applicant is proposing an outdoor patio area for the Memory Care Unit on the west side of the site facing Lake Forest Road. The patio for Memory Care requires a fence for safety purposes. Staff notes that the front yard fence height requirement is an aesthetic requirement to ensure that the community does not have an enclosed character along public streets. Staff notes that this fence is to enclose the patio only and that the remainder of the frontage will not include a fence. Staff is supportive of the PUD Flexibility for front yard fence height.

*\*Parking*

The zoning ordinance requires a minimum number of surface and garage parking for senior developments. The applicant has proposed a parking plan that complies with the city's total number of parking spaces but is requesting PUD Flexibility for the number of garage parking spaces. Staff notes that senior living can include age restricted market rate units, assisted living units or memory care units. The subject development includes only assisted living and memory care units. As such, there is a lower need for garage units with this senior development than a development that included age-restricted market rate units. Staff is supportive of the PUD Flexibility to allow 8 garage units, where 30 is required.

The zoning ordinance requires surface parking spaces to be 10 feet wide. The applicant is proposing a parking lot with 9-foot-wide parking stalls. Staff has added a condition to the PUD resolution requiring revised plans to show 10-foot-wide parking stalls. The applicant has 12 extra parking spaces so losing some surface parking spaces in the development to allow 10-foot-wide parking stalls is acceptable.

*\*Units Per Building*

The R-3 zoning district allows high density residential at a maximum of 50 units. Staff notes that the development proposes an 80-unit apartment building. The increases above 50 units requires PUD flexibility to exceed this ordinance standard. Staff notes that the developer has proposed a development that meets the City's structural coverage requirements, density requirements, and height requirements of the ordinance. Staff finds that the mass of the building proposed with 80 units is comparable to other apartment buildings, is not excessive and is supportable as PUD flexibility.

### *Trail Connections*

The development would have trail access along Novotny Road and Lake Forest Road. The developer would provide private sidewalk connections from the public spaces of the development to both street trails. Staff has added a condition to the resolution that the sidewalk plan be amended to add pedestrian ramps at curb locations and add sidewalk connectivity segments in the central area of the parking lot. Additionally, the sidewalk plan shall be modified as needed to account for bumper overhangs around the handicap parking.

### *Development Amenities*

Amenities would include a salon, fitness center, dining areas and indoor and outdoor lounge spaces. Staff finds that these amenities are development upgrades with the PUD.

### *Architectural Review*

The applicant has submitted an architectural review application that complies with the city's architectural requirements.

## **4. Findings**

Staff finds that the PUD development plan provides efficient use of the land to establish 80 senior housing units for the community. The PUD offers flexibility to the developer as it relates to fence height, garage parking, and total units per building. In turn, the developer is proposing project upgrades such as sidewalk connectivity, landscaping, outdoor patio spaces and development related amenities in the building for residents. Except for the flexibility requested, the development meets the City's ordinance requirements. With the conditions in the approving resolutions, the design of the development and building would meet or exceed all the City's requirements.

## **5. Recommendation**

Staff recommends approval of the Preliminary and Final Plat, the Rezoning, and PUD General and Final Plan subject to the Ordinance and conditions and findings in the attached resolutions.

### **Attachments**

1. Draft Resolution 2026-013 Approving Preliminary and Final Plat
2. Draft Ordinance 2026-002 Approving the Re-zone
3. Draft Resolution 2026-014 Approving the PUD General and Final Plan
4. Traffic Study
5. Applicant's Narrative
6. Site Location Map
7. Site Development Plans