



ITEM REPORT
PLANNING AND ZONING COMMISSION

Agenda Date: 11/12/2024
Agenda Section: New Business

TO: Baxter Planning and Zoning Commission

FROM: Joshua Doty, Community Development Director

REQUEST: **PUBLIC HEARING. Rezoning/PUD General and Final Plan** to amend the current PUD to allow a Musculoskeletal Center with Urgent Care and a Pharmacy for property located at 14275 Edgewood Drive (city file 2024-036)

APPLICANT: Widseth

PUD, Planned Unit Development

ZONING:

1. Application Request

The applicant is requesting approval of a Rezoning/PUD (Planned Unit Development) General and Final Plan to amend the current PUD to allow a Musculoskeletal Center with Urgent Care and a Pharmacy for property located at 14275 Edgewood Drive. The applicant is proposing to renovate the approximately 68,000 square feet of the 110,000 square foot interior of the building. The Musculoskeletal Center would include lobby space, Diagnostics, Treatment, Rheumatology, Orthopedic, Pain, Rehabilitation, Urgent Care, Pharmacy with drive through, Procedure Spaces, Imaging, Lab space, and other program and staff spaces. The remaining vacant space of the in the building would be available for future growth. Additionally, the applicant is proposing renovations to the exterior appearance of the building. While the building would look completely different after renovation, the applicant is not proposing changes to the building footprint. Lastly, the applicant is proposing renovations to the parking lot, including a redesign of the front entrance area to add green space, landscaping, and a dedicated handicap parking area. The applicant would also remove the fenced areas that were built for Camping World and would redesign the camper parking spaces to vehicle parking spaces, and parking lot islands.

The subject property is currently within a PUD, Planned Unit Development that also includes 14203 and 14199 Edgewood Drive, which a located directly east of the subject property. No changes are proposed to 14203 and 14199 Edgewood Drive properties with this application, except that a new sign is proposed on the existing pylon pole for the subject property, which is located at the southwest corner of 14199 Edgewood Drive.

2. Previous Applications Affecting the Site

- A) Approval of Gander Mountain, Caribou Coffee/Aspen Dental and vacant lot north of the Caribou Coffee/Aspen Dental Lot along Edgewood Drive.
Ordinance 2016-040 Approving Rezoning to PUD
Resolution 2016-072 Approving Preliminary and Final Plat
Resolution 2016-073 Approving PUD General and Final Plan
Resolution 2017-017 Approving PUD General and Final Plan to add a phasing plan
- B) Approval of Gander Mountain, Camping World with Recreational Vehicle Parking out to Edgewood Drive and consolidation of the north frontage lot with the Gander/Camping World property.
Ordinance 2017-011 Approving Amended PUD
Resolution 2017-099 Vacating Easements

- Resolution 2017-101 Approving Preliminary and Final Plat
 Resolution 2017-098 Approving PUD General and Final Plan
- C) Approval of Gander Outdoors, Camping World with Recreational Vehicle Parking, Overton’s and re-establishment of the north frontage lot for a multi-tenant retail building.
 Ordinance 2018-003 Approving Amended PUD
- The original plat approved with Resolution 2016-072 served the lot interest for this subject PUD Amendment
- Resolution 2018-011 Approving PUD General and Final Plan
- D) Approval of a PUD Amendment to add a drive-through use and modify the building size for the north Edgewood frontage lot multi-tenant retail building.
 Ordinance 2018-018 Approving Amended PUD
 Resolution 2018-086 Approving PUD General and Final Plan
- E) Denial of a PUD Amendment for Flagpole.
 Resolution 2018-117 Denying PUD Amendment
- F) Approval of a PUD Amendment to allow a Propane Fill Station for Camping World. The applicant never moved forward with this amendment within the one-year expiration timeframe. This approval has expired.
 Ordinance 2019-021 Approving Amended PUD
 Resolution 2019-083 Approving PUD General and Final Plan

3. Context

Adjacent Land Use and Zoning

	Adjacent Land Use	Zoning
North	Commercial Property	C-2, Regional Commercial
East	Edgewood Drive and Hwy 371	N/A
South	Commercial Property	C-2, Regional Commercial
West	Residential Homes	R-2, Medium Density Residential

Natural Characteristics of the Site

The site is fully developed and has very minimal topography. The lowest grades and a wetland area are located on the back (west) side of the existing building. There is also a lower elevation area on the south side of the property where the existing storm water treatment pond is located. There is an existing wooded area behind the existing building. The other trees on site are landscaping trees that were planted with the various developments of the site. The property 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 November 7, 2024, and recommend approval subject to the applicant completing an escrow agreement for relocated fire hydrants prior to issuance of a building permit.

4. Rezoning/PUD General and Final Plan

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 nonresidential areas than

would 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 applicants plans related to the above standards and offers the following:

	Ordinance Requirement	Proposed	Meets/Exceeds Requirements
Parking & Drive Aisle Setbacks	10-foot setback	Zero feet	No* Existing Joint Access Approved
Parking	537 spaces	417 spaces 123 demonstrated parking spaces 540 total spaces	No* Yes
Parking Stall Dimensions	10 feet by 18 or 20 feet	10 feet by 20 feet	Yes
Drive Aisle Dimensions	24 feet	24 feet	Yes
ADA Parking Lot Sidewalks	Sidewalk Connection Through Parking Lot to Front Entrance	Sidewalk Connection Through Gander Parking Lot	Yes
ADA Development Connectivity		ADA Connectivity Through Development to North, South and East	Yes
Structural Coverage	50 percent	14 percent	Yes
Impervious Surface	88 percent (non-shoreland)	78 percent	Yes
Landscaping			
Number of Trees	80 trees	61 existing trees +41 new trees = 101	Yes
Size of Trees	2-inch and 6-foot	Unknown	Unknown**
Priority Placement of Trees	Front Yard Priority	Front Yard Trees	Yes
Number of Shrubs	265 shrubs	80 shrubs + 21 extra trees provide 165 shrub credit	Yes
Size of Shrubs	3 gallon	Unknown	Unknown**
Tree Species	Approved Trees List	Unknown	Unknown**
Percentage of Coniferous	30 % of required trees	Over 30 % coniferous	Yes
Parking Lot Islands	One island per 10 stalls One Overstory Tree Per Island	One island per 16 stalls	No*

*See discussion below

**Unknown – Conditions Added to PUD resolution for Ordinance Compliance

Access

Existing access locations would be used to serve the development. Specifically, there are two existing access locations on Edgewood Drive and a third private access extends to the Cub Foods development located south of the subject property.

Drive Aisles

The existing recorded plat was approved with recorded cross access the three properties. Therefore, there are several zero-foot parking and drive aisle setback areas. Staff notes that the drive isle setbacks proposed would be approved with the PUD based on the plans.

Parking

The developer is proposing 417 parking stalls on the property and 537 spaces are required, which equates to a 120-stall parking shortage. Staff notes that the 537 spaces required is a calculation of the entire building being built out with medical use, which is not proposed at this time. The applicant is proposing to address the is proposing surplus 120 stall parking shortage through a Demonstrated Parking Plan (proof of parking). The City's parking ordinance allows demonstrated parking to be approved to account for parking shortages if approved by the City Council. Staff notes that the applicant has shown a demonstrated parking plan including 123 parking spaces to accommodate the parking shortage.

Demonstrated Parking (Proof of Parking): The City Council may approve a "demonstrated parking" plan which allows for a portion of the required parking but demonstrates that the minimum number of required parking spaces can be accommodated on the property and meet setback requirements. The plan must demonstrate that all other applicable ordinances can be met if the full amount of required parking were to be constructed. The area for future parking must be maintained as green space (grass, natural plant materials, mulch, or other appropriate landscape material). Any changes to use and/or building size could invalidate the approval for "demonstrated parking". If the City determines that the use of demonstrated parking has become a problem, the owner of the property shall construct the minimum number of demonstrated parking spaces to alleviate the parking problem.

Staff has added a condition to the resolution that requires the applicant to construct the Demonstrated Parking if the City determines that there are parking shortages on the site.

Sidewalk Connections

The zoning ordinance states that parking lots over one hundred (100) spaces must provide at least one landscaped ADA pedestrian walkway. The walkway shall be designed to prevent the bumper of vehicles damaging landscaping or encroaching into the walkway area. The location of the walkway must be designed to safely and conveniently move pedestrian traffic to the principal entrance of the building(s) and be acceptable to the city. The subject property exceeds 100 spaces. The applicant is proposing one landscaped ADA pedestrian walkway through the middle of the parking lot to the front entrance. In addition, the applicant is proposing sidewalk connectivity with the development. Specifically, the developer is proposing sidewalks to the following:

- 1) To the South property line to connect with the Cub Foods storefront sidewalk,
- 2) To the North property line to the Pine Grove Estates development,
- 3) To the North adjacent commercial business,
- 4) To the East from the existing building front entrance through the parking lot to connect to the Northeast Retail building and to Edgewood Drive, and
- 5) To connect the two frontage buildings with ADA connectivity.

Landscaping

The applicant has proposed a landscape plan that meets most of the landscaping requirements, but more information is needed to confirm compliance with all the City's landscape standards. Staff has added conditions to the approving resolution requiring revisions to the plans before construction could begin. Specifically, the developer must provide tree species types, tree sizes, and shrub sizes in compliance with zoning ordinance requirements.

Parking Lot Islands

The zoning ordinance requires that one parking lot island be provided for every 10 parking stalls. The applicant is requesting PUD flexibility to allow parking lot islands at spacing of up to 16 stalls between islands in the front/east parking lot. Additional PUD flexibility is requested to allow some of these parking lot islands without a deciduous tree. Staff notes that the 16-stall flexibility is based on the existing parking lot geometry, which is not conducive for adding additional parking lot islands. In addition, the parking lot islands without trees is proposed to allow pedestrian connectivity for the parking lot and the island provide refuge space for pedestrians to navigate through the traffic of the parking lot. Staff is supportive of the proposed PUD flexibility to allow the proposed parking lot island plan.

Staff notes that in the north parking lot, the site plan states that the parking lot islands are possible locations for deciduous trees. Staff has added a condition that this plan is revised to indicate that one ordinance compliant deciduous tree is added to each of the parking lot islands in the north parking lot.

Traffic

The site was originally developed and designed for higher intensity commercial use. As such, the existing site and roadway network is established to accommodate the new commercial development that is proposed with the PUD. However, since medical use is proposed, which has a higher traffic demand and since MnDOT is currently planning for an overpass of State Highway 210 on State Highway 371, a traffic study was required. The traffic study is attached and includes the following findings:

- Based on the analysis, no additional roadway improvements are required to maintain acceptable traffic conditions.
- Due to the future State Highway 371/210 Interchange Project, it is anticipated that there could be a recommendation to close the Design Road intersection with State Highway 371. The Traffic Study included analysis of closed and un-closed scenarios of Design Road. If the Design Road access to State Highway 371 is closed, traffic could remain at acceptable levels, provided changes are made to increase the length of some of the turn lanes.
- Due to the future State Highway 371/210 Interchange Project, it is possible Excelsior Road access to State Highway 371 could be impacted. The traffic study notes that changes to this access could have significant impacts with traffic in this area of the City.
- The study recommended some changes with the parking lot entrance area. The applicant addressed these comments with revised plans.

Freestanding Signage

The original PUD for Camping World approved a freestanding pylon sign for the subject property on the southeast corner of the property located at 14199 Edgewood Drive. The applicant is proposing to add a new sign to the existing sign pole. The subject sign (plan attached) includes less area and height than the approved Camping World sign. The proposed sign was designed to comply with zoning ordinance requirements for area, height, and electronic sign requirements. Staff has added a condition to the resolution to require a separate sign permit for the sign and that the sign comply with the City's sign requirements.

Pharmacy Drive Through Use

The applicant is requesting a PUD Amendment to allow a Pharmacy Drive Through. Although the drive through is requested through the PUD, staff has reviewed the request based on the City's drive through standards. The zoning ordinance states that drive through's may be allowed subject to the following standards:

Drive-through business standards

1. Adequate stacking distance shall be provided, as determined by the city engineer, which does not interfere with other driving areas, parking spaces, or sidewalks.
2. Screening shall be provided of automobile headlights in the drive-through lane to adjacent properties subject to section 10-4-8, "Screening/Landscaping/Fencing", of this title. Such screening shall be at least three feet (3') in height and fully opaque, consisting of a wall, fence, dense vegetation, berm, or grade change.
3. A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area.
4. Electronic speaker devices, if used, 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., unless extended by the city council as part of the conditional use permit. In addition, the public address or order system shall not be audible from any adjacent residentially zoned or guided property.
5. Location: The business shall be located on a site with direct access to a minor arterial street, collector or service road.
6. Drive-Through Lanes: Drive-through or drive-in lanes are not allowed between the building and a lot line that faces a public street. This does not pertain to driveways.
7. Separation From Residential Property: Drive-through facilities, including, but not limited to, the service windows and stacking spaces, shall be separated from residentially zoned or guided property by an arterial or collector street or shall be set back at least two hundred feet (200') from residentially zoned or guided property.
8. Adequate stacking distance shall be provided, as determined by the city engineer, which does not interfere with other driving areas, parking spaces, or sidewalks. Stacking spaces shall not interfere with parking spaces or traffic circulation. The following minimum standards are required:
 - a. Pharmacies: Pharmacies with one drive-through lane shall provide stacking space for at least five (5) vehicles, and pharmacies with two (2) or more drive-through lanes shall provide stacking space for at least three (3) vehicles per lane, as measured from and including the last pick up station, window, or the like.
 - b. Banks Containing Less Than Six Thousand Square Feet: Banks containing less than six thousand (6,000) square feet of gross floor area with one drive-through lane shall provide stacking space for at least six (6) vehicles, and banks containing less than six thousand (6,000) square feet of gross floor area with two (2) or more drive-through lanes shall provide stacking space for at least four (4) vehicles per lane, as measured from and including the last pick up station, window, or the like.
 - c. All Other Uses: Businesses with one drive-through lane shall provide stacking space for at least ten (10) vehicles, and businesses with two (2) or more drive-through lanes shall provide stacking

space for at least six (6) vehicles per lane, as measured from and including the last pick up station, window, or the like.

9. Existing Level of Service on Streets: The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections. The city may require a traffic study to be prepared.

Staff findings of Drive Through Standards

The development plan includes 5 stacking spaces for the pharmacy drive through in compliance with ordinance standards. The drive through is also located behind the front line of the building in compliance ordinance requirements. PUD Flexibility is requested to allow the drive through without an escape lane. Staff notes that most customers that choose to use a pharmacy drive through will not likely change plans to leave the drive through lane. However, staff had added a condition to the resolution that the owner monitor timeframes to complete orders or employ drive up parking spaces as needed to ensure that patrons are not stuck in the stacking lane for extended periods of time without being able to escape.

5. Recommendation

Staff recommends approval of the application subject to the ordinance and conditions and findings in the attached resolutions.

Attachments

1. Draft Ordinance approving Rezoning
2. Draft Resolution Approving the PUD General and Final Plan
3. Site Location Map
4. Project Narrative
5. Traffic Study
6. Site Graphics