

SPECIAL COUNCIL MEETING
CITY OF CROSSLAKE
THURSDAY, APRIL 28, 2005
2:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Thursday, April 28, 2005. The following Councilmembers were present: Mayor Jay Andolshek, Terry Curtis, Dean Eggena, Dick Phillips and Dean Swanson. Also present were Community Development Director Ken Anderson, Brainerd Dispatch Reporter Renee Richardson, Lake Country Echo Reporter Bryan Clapper, and citizens Steve Roe and Cindy Holden. There were approximately three other individuals in the audience.

Mayor Andolshek called the meeting to order at 2:00 P.M. Mayor Andolshek reported the purpose of the meeting was to review the proposed Comprehensive Plan and directed Community Development Director Anderson to present his report to the City Council. Community Development Director Anderson stated that the Comprehensive Plan had been reviewed most recently by the Council in December of 2004 with the Mayor and Councilmembers-elect present with the former Mayor and City Councilmembers. Mr. Anderson referred to the future land use maps that were developed by the Planning & Zoning Commission and recommended to the City Council for consideration in the Draft Comprehensive Plan dated September of 2003. He also referenced map revisions that were made by the previous City Council as part of its ongoing review of the proposed Comprehensive Plan future land use maps conducted in 2003 and throughout 2004. Anderson went on to explain the color coded legends for the map identifying the various proposed land uses including residential, commercial, public and industrial uses. Anderson identified the City had been divided into four separate quadrants with each quadrant having a separate proposed future land use map. As part of his review of the first quadrant representing the Northwest corner of the City of Crosslake, Councilmember Curtis questioned how the proposed Comprehensive Plan land use maps would affect the zoning map and future uses of property in the City. Anderson explained the previous City Council had decided to proceed with revisions to the future land use maps and upon adoption of the Comprehensive Plan by the City Council consider a wholesale rezoning of the City to correspond to the land uses identified in the Comprehensive Plan maps. He further explained an alternative would be to develop the future land use maps in the proposed Comprehensive Plan which would identify the City Council's vision for future land uses within the City. Any request to rezone property in the future would be subject to approval in conformity with the future land use maps as applications for rezoning are received by the City. Councilmember Curtis was concerned about creating a significant number of lots that would be nonconforming. He also acknowledged the current zoning map needs some fixing and updating. However, he questioned what the impact to the property owner would be if the City chose to rezone the City in accordance with the future land use map. Mr. Anderson explained the City Council had revised Chapter 8 of the City Code which now allows, for instance, existing single family dwellings to be a permitted use in a commercial zoning district. However, no new single family dwelling permits would be issued for properties within a commercial zoning district because they are classified as a prohibited use. Further discussion ensued noting that the previous Council was careful to qualify that any proposed rezoning of property would first require

a letter to be sent by the City to the affected property owners identifying the proposed change that was to be considered at the public hearing. Councilmember Eggena stated that if property were set aside for a commercial use, then a property owner cannot do a residential development. He also noted it is hard to keep continuity if the zoning map and future land use maps show different uses. It was his opinion that the clearer we can be with cooperation of the property owners, this would be best for long term planning purposes. He also said he would like the City to look out as far as possible into the future. Ken Anderson commented on the recent application by Anthony Fraser for a Metes and Bounds Subdivision for residential purposes fronting on Ox Lake Landing. He noted that this property was identified by the previous City Council for all commercial land uses within the 95 acres of Planned Growth Area #1. However, if the zoning is not also changed to commercial, then the application must be approved if it meets the performance standards of the residential zoning district.

Councilmember Dean Swanson stated that demand will dictate the location for commercial enterprises. He stated that developers will buy houses out if traffic and demand in the community dictates a need for a commercial business. Councilmember Curtis questioned what other communities have done with changes to their land use map and zoning controls. Anderson replied that the City Councilmembers need to be visionaries and identify the future uses for areas within the City without the benefit of a "crystal ball". Councilmember Eggena confirmed that it was not his intention to shove anything down the throat of the property owners, but with proper notification there may be an opportunity for compromise if the property owner does not like what the City Council has proposed with the future land use maps. Councilmember Curtis stated it was really critical to get notices out to the public because he was disappointed in the turnout of approximately 150 people in reviewing the Comprehensive Plan at the town meeting. Ken Anderson stated in his experience 150 was a good turnout for much larger communities. Councilmember Swanson stated that the people of the community should be the ones taking the initiative to rezone property and not the City. Mayor Andolshek noted that the Comprehensive Plan wasn't a document that had to have every detail decided.

Community Development Director Anderson went on to identify other areas within the City that the City Council changed the land uses from those proposed by the Planning & Zoning Commission and the Healthy Communities Partnership (HCP) Group. Discussion ensued regarding the appropriate zoning and land use classification for golf courses, churches and public buildings and uses. Also discussed were the split zoning of lots at the southwest corner of the intersection of County Road 3 and County Road 37, approximately 40-acre parcel south of East Shore Road and west of County Road 3, the proposed industrial land uses east of County Road 3 being changed from industrial to low density residential, industrial uses including and surrounding the Crosslake Construction Demolition Debris Disposal Facility, the current proposed rezoning of property from R3 to Commercial on the west side of Pine Lake and adjacent to County Road 3 including the Cedar Chest Bar and Restaurant, and generally all areas within the four Planned Growth Areas. Councilmember Eggena noted the Downtown Commercial zoning district had previously involved the City in promoting or concentrating commercial development in the Town Square area. In reference to the previous letter from Mike Stone indicating

that the City Council should not assume that the golf course would not be redeveloped for another use in the future, Mr. Eggena explained that the City may not want to classify the golf course for residential land uses. If it was identified as commercial, then it could still be a golf course but not restrict the future expansion of the Town Square area. He explained that if we were to limit the Town Square area, we may create the "Tiny Town" that the Council previously was trying to avoid. Councilmember Curtis noted that if there was that much infrastructure in place, we would want to allow room for expansion. Councilmember Swanson stated the letter to the Planning & Zoning Commission by Mr. Stone is preliminary, and he recognizes the golf course is not ready for redevelopment yet. Councilmember Eggena stated the key difference with the downtown commercial zoning classification is that it allows an 80% impervious coverage with municipal storm sewer facilities available to the properties. He stated we may want to consider an expansion of that zoning classification to encompass the area including the Post Office and Crosslake Communications property. Councilmember Phillips stated that it appeared we were going in two different directions. Councilmember Swanson emphasized that money will talk and we should set aside land only with the consent of the land owners for particular types of land uses. He stated that the money will prevail and we shouldn't micromanage future land uses. Further discussion ensued.

The Council questioned what the purpose of the Comprehensive Plan was and how State Statutes addressed comprehensive planning for municipalities. Councilmember Eggena cited State Statutes, Chapter 412 which read that the Council may approve ordinances by a simple majority except in those cases where a larger number was required by law. Mr. Anderson cited the amendment section of Chapter 8 which stated that a 4/5 majority was necessary for amendments to Chapter 8 of the City Code and zoning map revisions. Consensus of the City Council was to request a letter from the City Attorney identifying what actions of the City Council required more than a simple majority vote. This was specific to discussion about the Comprehensive Plan and ordinance amendments. Councilmember Phillips stated he would never approve the Comprehensive Plan draft document as it's been written to date. Consensus of the Council was for the Community Development Director to provide a copy of the existing 1996 Comprehensive Plan to all the Councilmembers. He was also directed to provide a copy of the Draft 2003 Comprehensive Plan update to Mayor Andolshek, Dean Swanson and Terry Curtis. Further, they directed that he provide a copy of the State Statute which references Comprehensive Planning by Municipalities. Finally, they requested color copies of the proposed future land use maps to be incorporated into the Comprehensive Plan update. They further determined that another meeting of the City Council related to the Comprehensive Plan would be scheduled at a future meeting.

MOTION WAS MADE BY DEAN SWANSON AND SECONDED BY DEAN EGGENA TO ADJOURN THIS SPECIAL MEETING AT 4:16 P.M. ON APRIL 28, 2005. MOTION CARRIED WITH ALL AYES.

Minutes respectfully prepared by Kenneth R. Anderson, Community Development Director.

