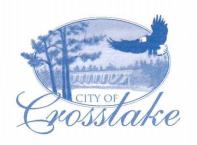
37028 County Road 66 Crosslake, Minnesota 56442 www.cityofcrosslake.org

City Hall: 218-692-2688 Planning & Zoning: 218-692-2689

Fax: 218-692-2687



CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT July 24, 2020 9:00 A.M.

Crosslake City Hall 13888 Daggett Bay Rd, Crosslake MN 56442 (218) 692-2689

PUBLIC HEARING NOTICE

Applicant: Paul E & Dixie R Hiniker

Authorized Agent: Stuart Swenson

Site Location: 36974 County Rd 66, Crosslake, MN 56442

Request a Conditional Use Permit:

Multi-family dwellings

• Commercial storage building/storage unit rental

Notification: Pursuant to Minnesota Statutes Chapter 462, and the City of Crosslake Zoning Ordinance, you are hereby notified of a public hearing before the City of Crosslake Planning Commission/Board of Adjustment. Property owners have been notified according to MN State Statute 462 & published in the local newspaper. Please share this notice with any of your neighbors who may not have been notified by mail.

Information: Copies of the application and all maps, diagrams or documents are available at Crosslake City Hall or by contacting the Crosslake Planning & Zoning staff at 218-692-2689. Please submit your comments in writing including your name and mailing address to Crosslake City Hall or (crosslake.net).

Crosslake

STAFF REPORT

Property Owner/Applicant: Paul E & Dixie R Hiniker

Parcel Number(s): 14160833

Application Submitted: June 8, 2020

Action Deadline: August 6, 2020

City 60 Day Extension Letter sent/ Deadline: N/A / N/A

Applicant Extension Received / Request: N/A / N/A

City Council Date: N/A

<u>Authorized Agent:</u> Stuart Swenson

Request a Conditional Use Permit:

Multi-family dwellings
Commercial storage building/storage unit rental

Current Zoning:

Limited Commercial

Adjacent Land Use/Zoning:

North - Public and Shoreland District

South – Limited Commercial

East – Shoreland District

West – Waterfront Commercial

Development Review Team Minutes held on 4-21-2020:

- Property is located at 36974 County Road 66, Crosslake, MN 56442
- The proposed CUP for multifamily and variance for density with possibly a M&B subdivision (11 units as parcel exits) Villas will require density variance for an additional 16 units (27 total units)
- Article 10 Land Use Classification List, Sec 26-281 Land Use Table requires a CUP in the Limited Commercial district for multifamily dwellings and/or storage rental
- All setbacks shall be measured to the vertical side of the structure. No part of the structure, such as eaves, can overhang or reduce such setback by more than three feet (Sec. 26-303)
- If the eaves exceed 36" the setback and the impervious coverage shall be measured from the dripline
- Impervious maximum of 50% discussed what is considered impervious
- Easements will need to be shown on the survey (roads can be built on city sewer easements)
- If your parcel is located within an organization or the title that may have restrictions, it would be your responsibility to verify and meet those restrictions

- Design and implement a stormwater management plan (gutters, berm & rain gardens) to update any existing plan per Article 7 & 8 and is not required to be on the survey. When a wetland is being used the stormwater must be filtered to drinking standards before it can flow into any wetland and all runoff is to be maintained on the parcel only
- Hookup to city sewer would be required @ a Commercial fee of \$6,500 for every three apartment units and one for each villa unit - to be clarified with Public Works Director and/or city engineer
- Park dedication fee of \$1,500 for very three apartment units and one for each villa unit to be clarified with the Parks Director
- Sundance development will have use/rental of gym and storage units
- Plans/specs for Land Use Ordinance requirements such as; lighting, parking, stormwater, signage, building height, etc. will need to be part of a complete application (15 item checklist was used and discussed)
- Wetland Delineation is a requirement for a variance/CUP or a no wetland statement/letter
- A grade and elevation illustration along with the cut & fill calculations is required
- Discussion on application requirements, procedure, schedule and the requirements/need for a complete application packet by the deadline date, (15 item checklist was used and discussed as part of a complete packet requirement)
- A Land Use Permit will be required prior to construction

Property owner was informed that before they could be placed on a public hearing agenda the following information is required:

- 1. A certificate of survey meeting the requirements outlined in Article 7, Sec. 26-185 for the CUP and Article 8, Sec. 26-222 for the variance of the City Land Use Ordinance
- 2. Grade illustration, Elevation illustration and Cut & Fill calculations
- 3. Wetland delineation or a no wetland statement/letter
- 4. A complete Conditional Use Permit (CUP) and Variance application The public hearing fee of \$500.00 CUP and \$500.00 Variance

Parcel History:

- May 1974 42'x40' municipal garage
- November 1997 CUP to operate an auto repair business with a light manufacturing business of utility trailers, fish houses, and docks
- January 1999 Landscaping
- April 1999 After-the-Fact variance for the purpose of constructing a building with a height of 27' at mid-peak when the building height maximum is 25' at mid-peak; to construct a gymnasium with a roof pitch to help keep the snow load minimal
- August 1999 Variance to construct a building with a maximum height of 30' mid-peak
- December 1999 8'x4' free standing sign
- July 2001 Sign
- July 2002 10'x10' and 9'x12' additions
- January 2003 CUP to allow for the construction of a commercial building to be used for a charter school
- April 2003 Septic trenches
- April 2003 Commercial Building 2 porches
- June 2004 Connect to municipal sanitary sewer and abandon septic system for Old Fire Hall and Charter School buildings (two connections)
- September 2008 Remove existing changeable free standing sign face and replace with new sign face at a lower height and on the same sign pedestal location

- October 2008 Replace existing sign for Charter School; no ground-up lighting
- October 2009 Fence around the dumpster
- June 2014 Lot Line Adjustment

City Ordinance:

Multi-family dwellings and Commercial storage building/storage unit rental – Allowed in Limited Commercial zoning with an approved conditional use permit (Article 10, Sec. 26-281)

Agencies Notified and Responses Received:

County Highway Dept: Email received 4-9-2020 DNR: No comments were received as of 7-10-2020

City Engineer: Email received 4-10-2020

City Attorney: N/A Lake Association: N/A

Township: N/A

Crosslake Public Works: No comments were received as of 7-10-2020

Crosslake Park, Recreation & Library: N/A

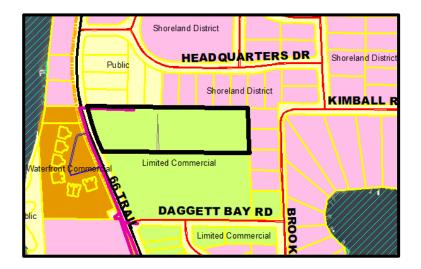
Concerned Parties: No comments were received as of 7-10-2020

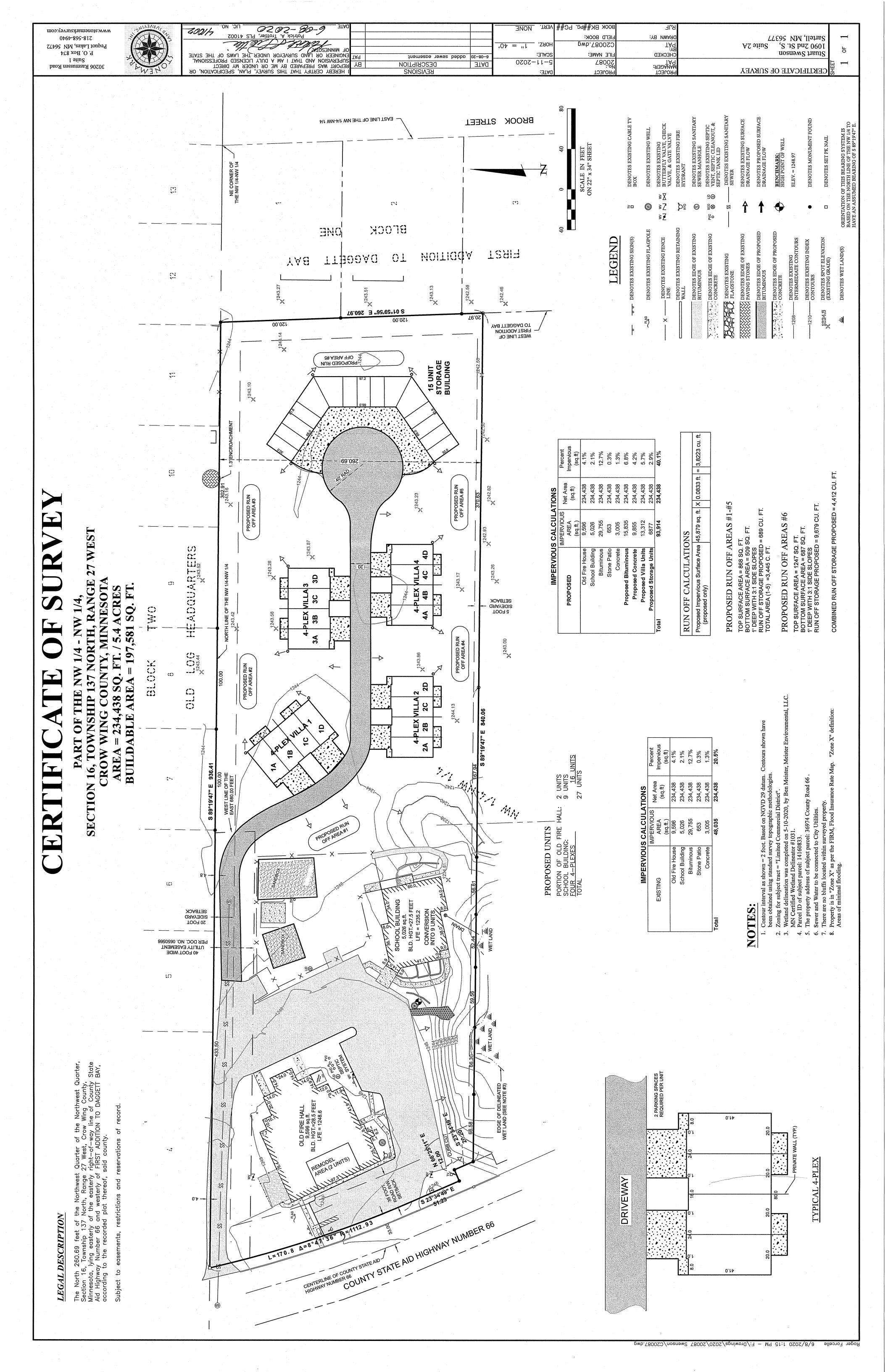
POSSIBLE MOTION:

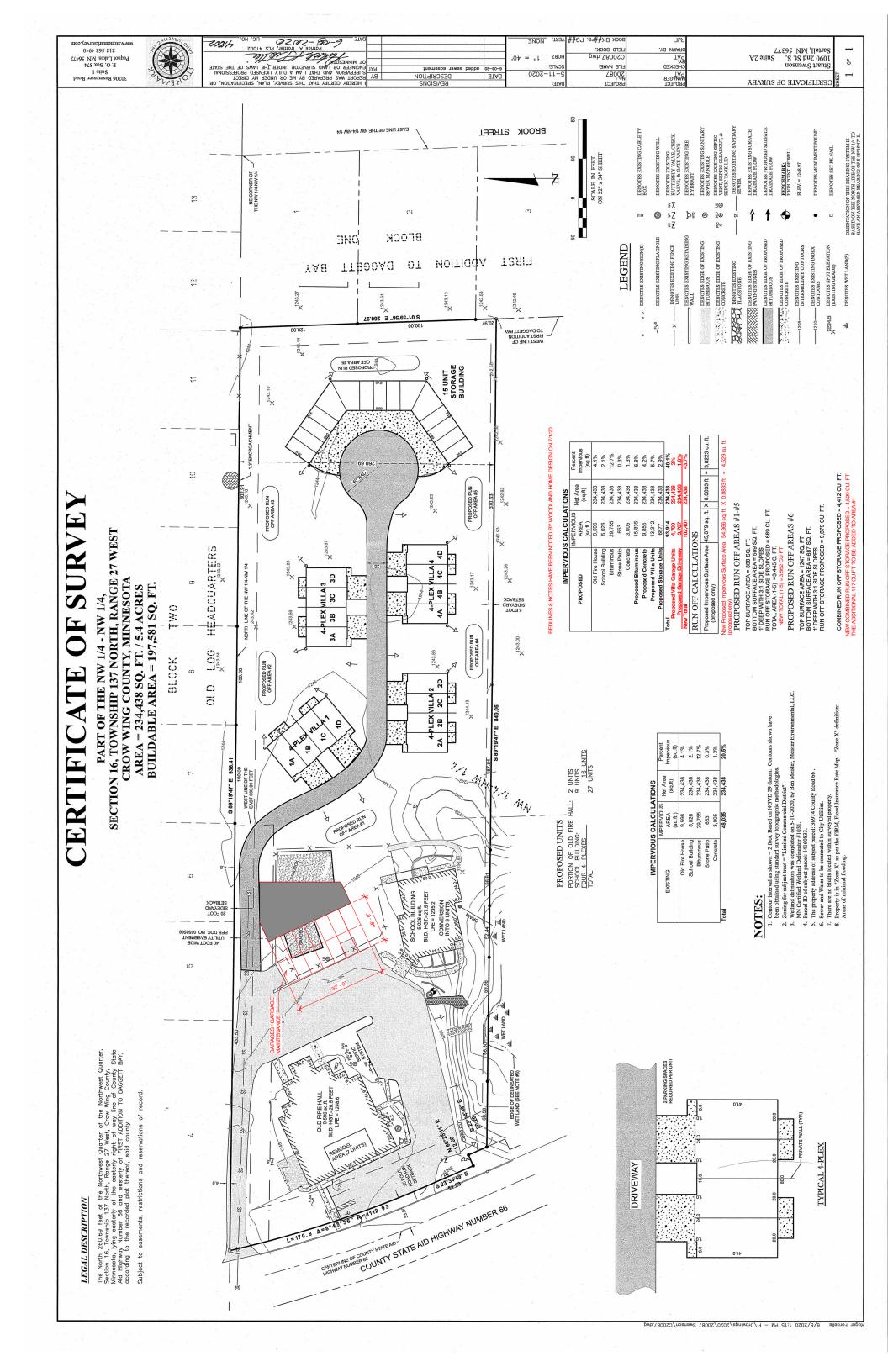
To approve/table/deny the Conditional Use Permit for multi-family dwellings and commercial storage building/storage unit rental involving approximately 5.4 acres located at 36974 County Road 66, Sec 16, City of Crosslake

POSSIBLE CONDITIONS:

- 1. Work with staff to implement and alter the submitted stormwater plan so that all runoff is maintained on the applicants property along with erosion control if necessary
- 2. All sewer amenities to be hooked up to the municipal city sewer
- 3. Screening requirements per Chapter 26 Land Use Article 28, Sec. 26-738 to be installed and maintained
- 4. Limit outside storage items, types of items and/or location
- 5. All driving/parking/storage areas to be paved or concrete surface





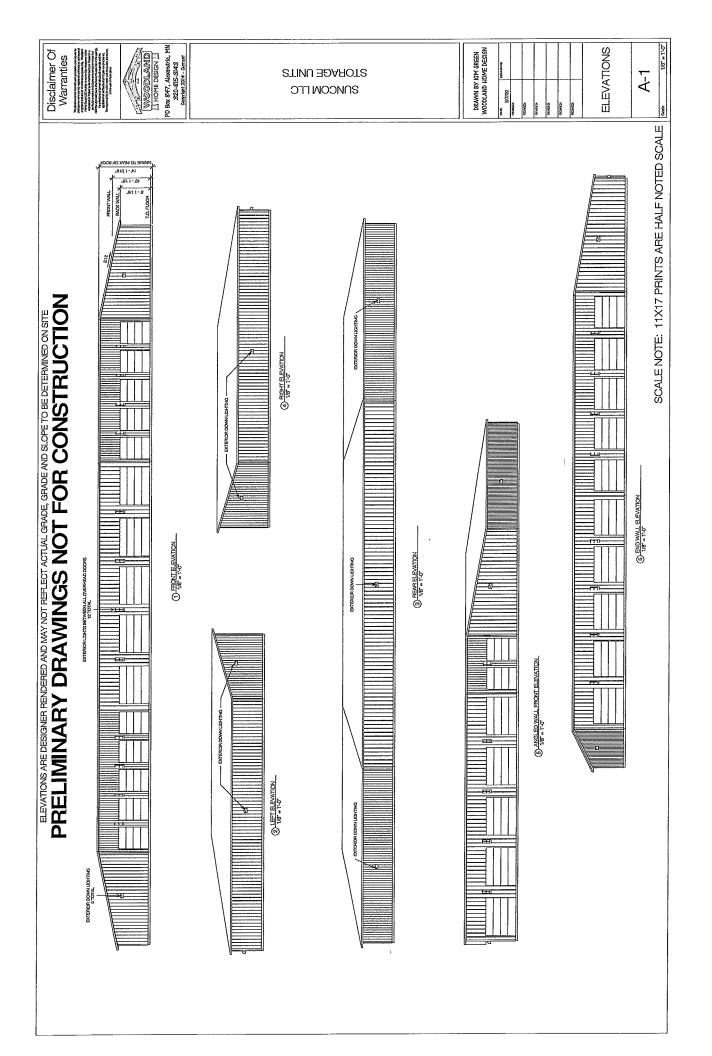


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PO Box 847, Alexandra, MN
220-815-944
Corright 20M - Carrot Disclaimer Of Warranties ELEVATIONS DRAWN BY KIM GREEN WOODLAND HOME DESIGN A-1.1 4 PLEX VILLAS S7/120 SUNCOM LLC SCALE NOTE: 11X17 PRINTS ARE HALF NOTED SCALE 27 - 2 5° 7 SECOND CEILING SECOND FLOOR PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION FOR CONSTRUCTION 6:12 () FRONT ELEVATION 1/4" 1:0" EXTERIOR DOWN LIGHTING APX, If HIGH ON SIDE WALLS 51:9 5:15 WALL SCONE TYP, AT ALL FOYER, REAR PATIO AND DARAGE DOORS

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SCALE NOTE: 11X17 PRINTS ARE HALF NOTED SCALE





From: Mark Melby < Mark.Melby@crowwing.us>

Sent: Thursday, April 9, 2020 10:42 AM

To: Cheryl Stuckmayer <<u>cstuckmayer@crosslake.net</u>>; Heidi Lindgren <<u>heidi.lindgren@state.mn.us</u>>; Dani McNeil <<u>danielle.mcneil@state.mn.us</u>>; Ted Strand <<u>publicwk@crosslake.net</u>>; 'TJ Graumann'

<tgraumann@crosslake.net>; Dave Reese <<u>Dave.Reese@widseth.com</u>>

Cc: Jon Kolstad < <u>ikolstad@crosslake.net</u>>
Subject: RE: DRT 4.21.2020 Info packets

Highway comments:

It looks like it will the north entrance will change to a city road. Will that be the case? The connection may need to be widened to reflect that change. Drainage shouldn't be directed to CSAH 66 and contained on-site. The southern entrance is one of those very wide, free-for-all types that should be narrowed down to a standard one. We should also discuss the sidewalk that leads to CSAH 66, and the possibility of getting rid of that crosswalk that was put in for the school. Additional comments may be sent prior to April 21.

Mark Melby Engineering Coordinator Highway Department Office - 218-822-2694 Cell - 218-839-6207 www.crowwing.us



Our Vision: Being Minnesota's favorite place. **Our Mission:** Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future.

Let us know how we are doing: <u>Customer Service Survey</u>

From: Cheryl Stuckmayer <cstuckmayer@crosslake.net>

Sent: Monday, April 06, 2020 11:30 AM

To: Heidi Lindgren < heidi.lindgren@state.mn.us >; Dani McNeil < danielle.mcneil@state.mn.us >; Ted

Strand strand publicwk@crosslake.net; 'TJ Graumann' <<pre><teraumann@crosslake.net</pre>; Mark Melby

Cheryl Stuckmayer

From:

Stuart Swenson <stuart@everythingunderthesun.com>

Sent:

Friday, April 10, 2020 10:04 AM

To:

'Cheryl Stuckmayer'; 'Mark Melby'

Cc:

'Jon Kolstad'; info@sundanceridge.com

Subject:

RE: DRT 4.21.2020 Info packets

Good morning all,

I've addressed the four items that are mentioned in Mark's email:

I'm not sure on the north entrance becoming a city street and will defer to the city on that one. I would assume that would only be needed when the additional buildings are constructed.

There won't be any additional drainage to CSAH 66 from this development.

If adjusting the south entrance is more safe, then it should happen. Will assess further on-site soon.

I'd like to keep the "cross-walk". There is and will continue to be pedestrian traffic crossing in this area. Not only for the Sundance Developments, but other events throughout the year (car show, fire fighters events, etc) that use the city property and have parking along the road. I feel it helps funnel the foot traffic to that crosswalk, which is safer for the people and easier for the vehicles passing thru.

Let me know if you have any other questions, comments, and/or concerns. I look forward to hearing from you. Thank you and be well,

Stuart

From: Cheryl Stuckmayer <cstuckmayer@crosslake.net>

Sent: Thursday, April 9, 2020 12:24 PM

To: 'Mark Melby' < Mark. Melby@crowwing.us>

Cc: Jon Kolstad < jkolstad@crosslake.net>; info@sundanceridge.com

Subject: RE: DRT 4.21.2020 Info packets

Thank you, Mark.

I have included Jon Kolstad and Stuart Swenson, the applicant on this DRT request.

Stuart, please read the comments below from Mark Melby, county highway department.

Respectfully,

Cheryl Stuckmayer Planner - Zoning Coordinator

Crosslake Planning and Zoning Department 37028 County Road 66 Crosslake, MN 56442

Office:

(218) 692-2689

Fax:

(218) 692-2687

Email:

crosslakepz@crosslake.net Website: www.cityofcrosslake.org

City Engineer Comments:

Attached is a copy of the sanitary sewer record drawing. There is a 40-ft wide sanitary sewer easement as shown with sanitary sewer installed approximately 430 feet into this property. This is a 10-inch diameter main for the purpose of accepting flows from an expanded service area to the east at some point in the future. Now would be the opportunity to extend and retain sewer easement the full length of the property along the north side to preserve this space for extension.

We view this application similarly to how the Sundance Ridge development (located directly across CSAH 66) was permitted in the sense that their internal roads and sewer collection system are privately owned and theirs to maintain. The developer would have to submit their private utility plans to the Department of Labor and Industry (DOLI) for approval.

The City should approve the connection point(s). Alternatively, the developer may see a benefit to having the City sewer routed through the development, permitted and maintained by the City as a sewer extension rather than maintaining their private collection system. Either way, the City should have continuous utility easement to the east boundary of this property. The same principle would be true for internal access drives. If the developer intends to turn the street over to the City, then it would have to meet City standards. If private, then we recommend a minimum of 20 feet in pavement width (no on-street parking) and an additional 10 feet of clear zone on each side to ensure sufficient access for fire/ambulance and snow storage. The cul de sac should have a minimum 40-foot radius. The fire chief should have input on the access plan.

We concur with Mark's comments regarding drainage; this must be accounted for on the property. Offstreet parking for tenants/owners of the units should be included in the site plan. Water wells (qualified as deep wells) for these buildings will need to be located a minimum of 50 feet from a sewage collection line (including the future extension of the City main). The Public Works Commission should review the utility and street factors.

Dave

Widseth Smith Nolting is now WIDSETH. Shorter name, same long history.

As a result, my email address has changed to Dave.Reese@widseth.com

Please update your records accordingly. (phone number and address remain the same).

Dave Reese, PE

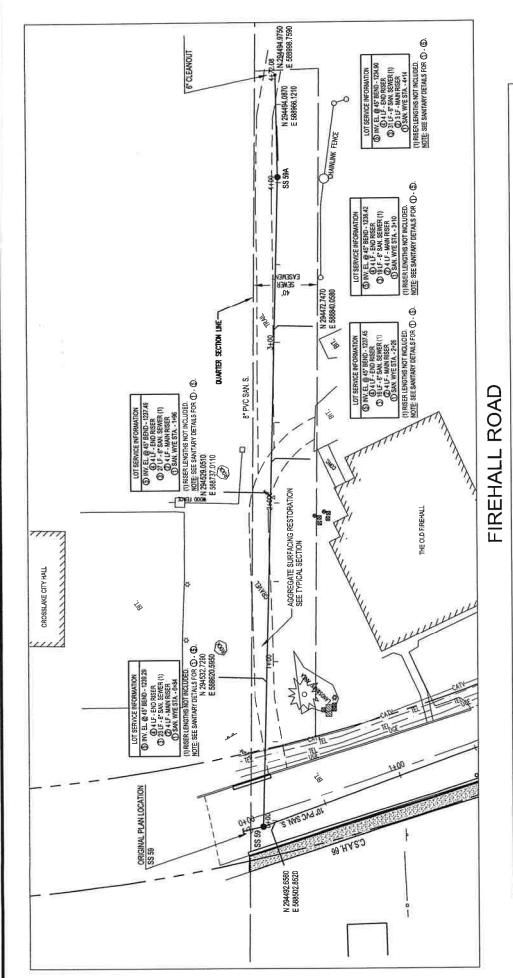
Civil Engineer, VP 218-316-3629 7804 Industrial Park Road Baxter, MN 56425-2720



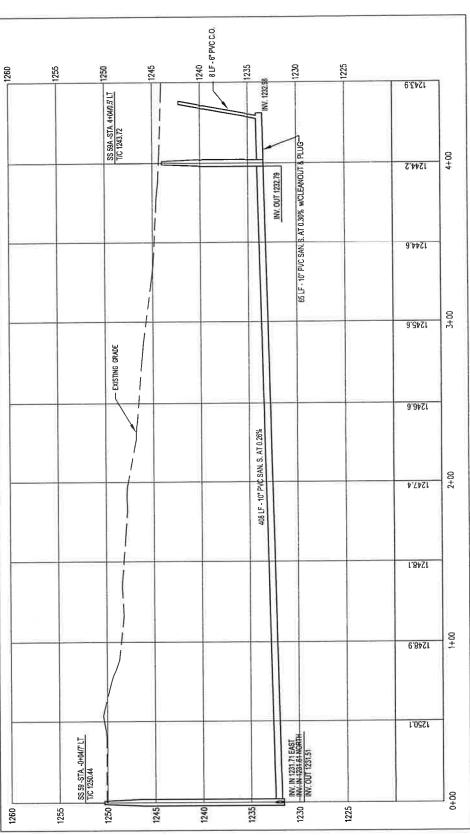
Widseth.com

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Conditional/Interim Use Permit Application

Planning and Zoning Department 37028 County Rd 66, Crosslake, MN 56442 218.692.2689 (Phone) 218.692.2687 (Fax) www.cityofcrosslake.org

Receipt Number: 409273 2010072*(*) Permit Number: Property Owner(s): Paul & Dixie Hiniker (Check applicable requests) Residential & Related Uses: Paul E & Dixie R Hiniker Specify Residential and Storago Rental Mailing Address: 10755 Swanburg Dr, Pine River, MM 56474 **Shoreland District** Site Address: 36974 CR 66, Crosslake, MN 56442 Rural Residential District (5 A Min.) Sensitive Shoreland District Phone Number: (612) 214-0492 Limited Commercial District **Downtown Commercial District** \Box Waterfront Commercial District E-Mail Address: pauls 2nd@aol.com Commercial/Light Industrial District Parcel Number(s): 14160833 ☐ Recreational Uses: Specify Legal Description: THAT PART OF THE S. 220.69 **Shoreland District** Rural Residential District (5 A Min.) Limited Commercial District Waterfront Commercial District Rge 26 27 28 Twp 137 Commercial/Light Industrial District Land Involved: Width: 260 Length: 935 Civic, Edu & Institutional Uses: Specify **Shoreland District** Lake/River Name: Rural Residential District (5 A Min.) ☐ Limited Commercial District Do you own land adjacent to this parcel(s)? Yes Waterfront Commercial District Commercial/Light Industrial District If yes, list Parcel Number(s) Commercial & Industrial Uses: Authorized Agent: Stuart Swenson Specify Center Storage **Shoreland District** Agent Address: 1090 2nd St S, Ste 2A, Sartell, N ☐ Rural Residential District (5 A Min.) Sensitive Shoreland District Limited Commercial District Agent Phone Number: (320) 230 - 6060 **Downtown Commercial District** ☐ Waterfront Commercial District ☐ Commercial/Light Industrial District Signature of Property Owner(s) Date Signature of Authorized Agent(s) Authorized Agent(s) Date 6/8/20 All applications must be accompanied by a site plan Fee \$500 for Residential and Commercial Payable to "City of Crosslake" No decisions were made on an applicant's request at the DRT meeting. Submittal of an application after DRT does not constitute approval. Approval or denial of applications is determined by the Planning Commission/Board of Adjustment at a public meeting as per Minnesota Statute 462 and the City of Crosslake Land Use Ordinance. For Office Use: Application accepted by _____ Date _____ Land Use District _____ Lake Class X A Septic: Compliance 44 Sewer SSTS Design____ Installation

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

Findings of Fact

Supporting/Denying a Conditional Use Permit Request

Findings shall be made in either recommending approval or denial of a Conditional Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:

(1)	Will the proposed use impact the health, safety, and general welfare of the occupants in the surrounding neighborhood? YES NO V Why? It will positively add to a clean neighborhood.
(2)	Does the proposed use meet the standards of this Chapter? YES V NO NO Why? It complements the compenensive plan.
(3)	Will the proposed use meet goals and policies adopted within the Crosslake Comprehensive Plan? YES V NO Why? Provide good housing within city limits and Sewer district.
(4)	Will the proposed use adversely affect property values and future development of the land in the surrounding neighborhood? YES NO V Why? It will positively affect the Surrounding area
(5)	Will the proposed negatively impact public utility, public services, roads and schools? YES NO V Why? It will support local infrastructure.

(-)	groundwater, surface water and air quality? YES NO V Why? There is a storm water plan.
(7)	Are the water supply, public sewer or subsurface sewage treatment system facilities erosion control and stormwater management provided for pursuant to applicable standards of the Ordinance? YES NO Why?

City of Crosslake Planning Commission/Board of Adjustment

Conditional Use Permit Application

Findings of Fact

Supporting/Denying a Conditional Use Permit Request

Findings shall be made in either recommending approval or denial of a Conditional Use Permit application, and should reference Chapter 26, Article 7 of the City of Crosslake Ordinance. The following questions are to be considered, but are not limited to:

(1)	Will the proposed use impact the health, safety, and general welfare of the occupants in the surrounding neighborhood? YES NO Why?
(2)	Does the proposed use meet the standards of this Chapter? YES NO Why?
(3)	Will the proposed use meet goals and policies adopted within the Crosslake Comprehensive Plan? YES NO Why?
(4)	Will the proposed use adversely affect property values and future development of the land in the surrounding neighborhood? YES NO Why?
(5)	Will the proposed negatively impact public utility, public services, roads and schools? YES NO Why?

(6) Will the proposed use impact the environment adversely, considering its impact on groundwater, surface water and air quality? YES NO Why?
(7) Are the water supply, public sewer or subsurface sewage treatment system facilities erosion control and stormwater management provided for pursuant to applicable standards of the Ordinance? YES NO Why?