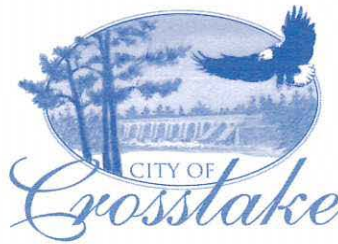


City Hall: 218-692-2688  
Planning & Zoning: 218-692-2689  
Fax: 218-692-2687



37028 County Road 66  
Crosslake, Minnesota 56442  
[www.cityofcrosslake.org](http://www.cityofcrosslake.org)

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## **CITY OF CROSSLAKE**

### **PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**December 17, 2021**

**9:00 A.M.**

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

### **PUBLIC HEARING NOTICE**

**Applicant:** Butterfield Enterprises LLC

**Authorized Agent:**

**Site Location:** 34212 County Rd 3, Crosslake, MN 56442

**Request a Conditional Use Permit:**

- Event Center

**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 ([crosslakepz@crosslake.net](mailto:crosslakepz@crosslake.net)).



## STAFF REPORT

Property Owner/Applicant: Butterfield Enterprises LLC

Parcel Number(s): 14280530

Application Submitted: November 15, 2021

Action Deadline: January 13, 2022

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

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

City Council Date: N/A

**Authorized Agent:** N/A

**Request:**

Conditional Use Permit for an event center

**Current Zoning:**

Limited Commercial

**Adjacent Land Use/Zoning:**

North – Limited Commercial

South – Limited Commercial

East – Limited Commercial

West – Limited Commercial

**Development Review Team Minute; none attended:**

- Kolstad verbally stated that a DRT meeting was not needed

**Parcel History:**

- M and D Addition to Crosslake established in 1997
- August 2004 – 60x120 retail store for Abra Landscaping
- May 2007 – Internally lit sign appeal (Abra True Value)
- April 2009 – sign (True Value Hardware Home & Garden)
- December 2009 – Assign E911 address sign after transfer from Ledin's to Butterfield Enterprises, LLC
- April 2021 – Fence permit
- March 25, 2021 – Compliant septic compliance inspection

**City Ordinance:**

Article 21 Dirt Moving, Sec. 26-575 Standards for Dirt Moving Activities in Shoreland Areas, states that moving larger quantities than allowed shall be processed as conditional uses

**Agencies Notified and Responses Received:**

**County Highway Dept:** No comments were received as of 12-3-2021

**DNR:** No comments were received as of 12-3-2021

**City Engineer:** N/A

**City Attorney:** N/A

**Lake Association:** No comments were received as of 12-3-2021

**Township:** N/A

**Crosslake Public Works:** No comments were received as of 12-3-2021

**Crosslake Park, Recreation & Library:** N/A

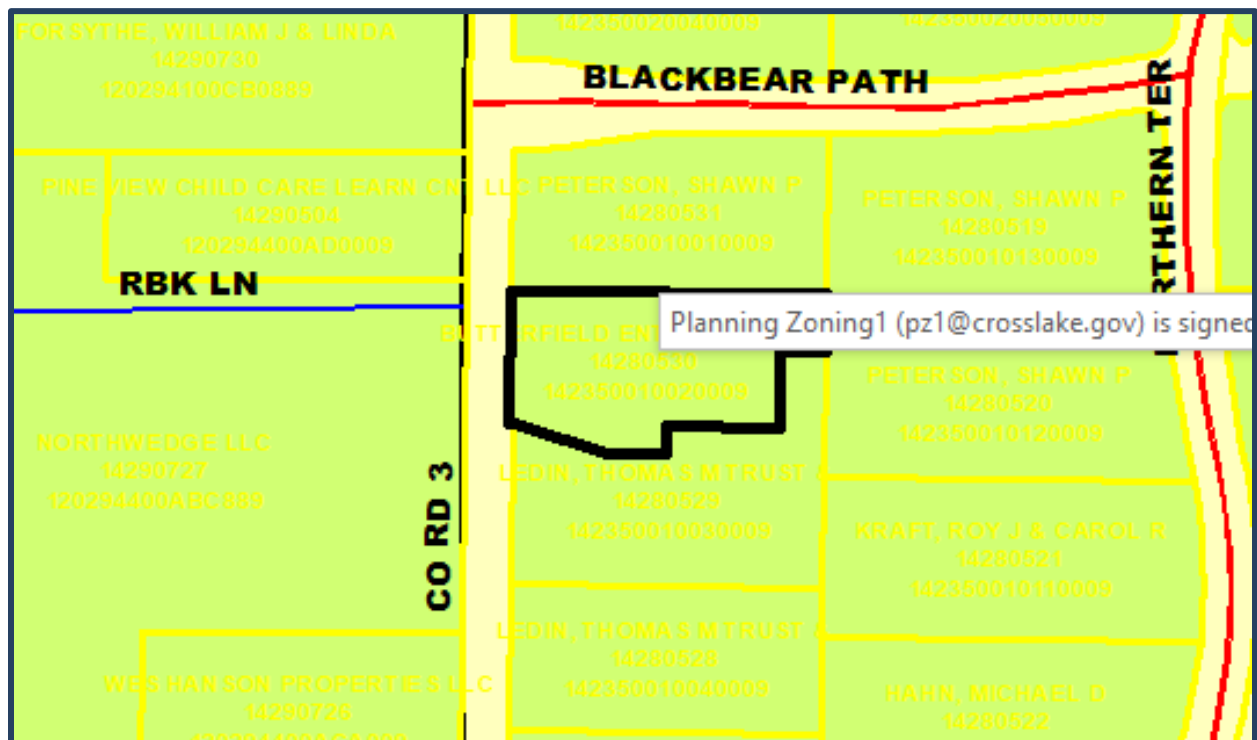
**Concerned Parties:** Ledin comment received 12-6-2021

**POSSIBLE MOTION:**

To approve/table/deny the Conditional Use Permit for an event center involving approximately 1.49 acres located at 34212 County Road 3, Sec 28, City of Crosslake

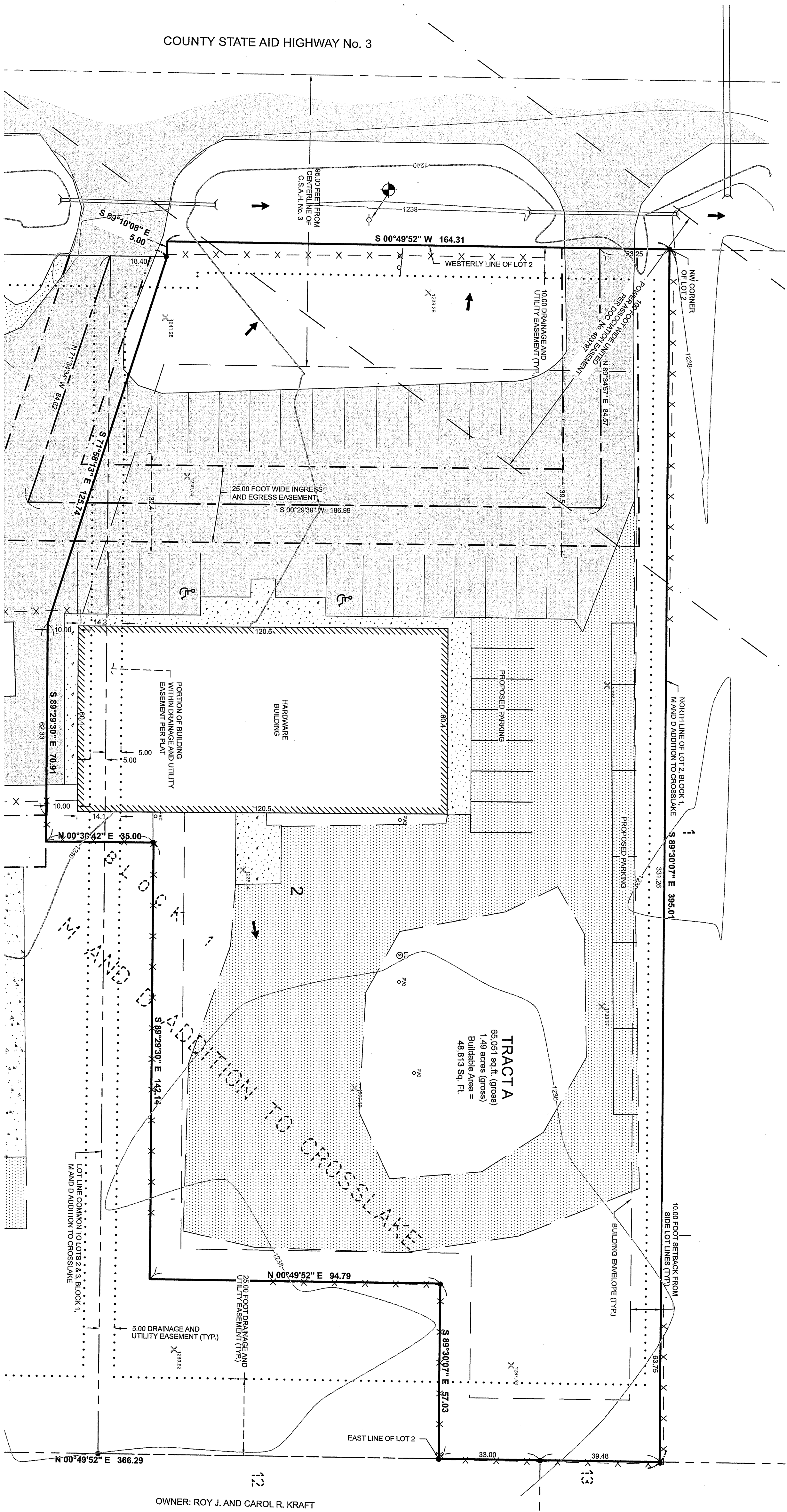
**POSSIBLE CONDITIONS:**

1. If there is not an agreement with neighboring parcels, signage will be placed to eliminate the use of adjoining parcels current parking areas
2. Barrier to be placed to protect the septic system from damage or parking
3. Any governing bodies that may have requirements for the proposed use will be the owner's responsibility and liability



CERTIFICATE OF SURVEY

PARTS OF LOTS 2 AND 3, BLOCK 1, M & D ADDITION TO CROSSLAKE,  
SECTION 28, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA



LEGAL DESCRIPTION PER DOCUMENT NUMBER 949433

TRACT A:  
Those parts of Lots 2 and 3, both in Block 1, M AND D ADDITION TO CROSSLAKE, according to the recorded plat thereof, Crow Wing County, Minnesota, lying Northerly and Westerly of the following described line: Commencing at the Northwest corner of said Lot 2; thence South 00 degrees 49 minutes 52 seconds West, assumed bearing, along the Westerly line of said Lot 2 for a distance of 164.31 feet to an angle point on said Westerly line and the point of beginning of the line to be hereinafter described; thence South 89 degrees 58 minutes 13 seconds East along said Westerly line 5.00 feet; thence South 71 degrees 58 minutes 13 seconds East 125.74 feet; thence South 89 degrees 29 minutes 30 seconds East 70.91 feet; thence North 00 degrees 30 minutes 42 seconds East 35.00 feet; thence South 89 degrees 29 minutes 30 seconds East 142.14 feet; thence North 00 degrees 49 minutes 52 seconds East 94.79 feet; thence South 89 degrees 30 minutes 07 seconds East 57.03 feet, more or less, to the East line of said Lot 2 and said described line there terminating.

IMPERVIOUS CALCULATIONS

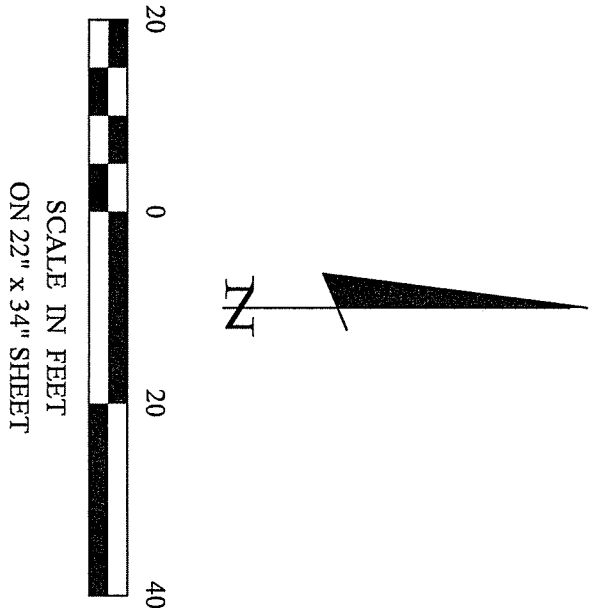
EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area (sq. ft.)	Percent Impervious (sq. ft.)
Building	7,285	65,051	11.23%
Concrete	1,808	65,051	2.8%
Gravel	17,100	65,051	26.3%
Bituminous	14,167	65,051	21.8%
Total	40,360	65,051	62.0%

NOTES:

1. Contour Interval as shown = 2 feet. Based on NGVD 29 datum.
2. Zoning for subject tract = "Commercial".
3. There are no built-up areas on surveyed property.
4. Parcel ID of subject parcel: #14280330.
5. No wetlands were found on November 5, 2021 at the site per Ben Meister, Meister Environmental, LLC.
6. Parking spaces as proposed: 39 total (37 standard and 2 handicapped).

LEGEND

- X — X — DENOTES EXISTING FENCE LINE
- DENOTES EDGE OF EXISTING BITUMINOUS
- DENOTES EDGE OF EXISTING GRAVEL
- DENOTES EDGE OF EXISTING CONCRETE
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES SPOT ELEVATION (EXISTING GRAVEL)
- DENOTES EXISTING UTILITY POLE
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- BENCHMARK: 3/8" SPIRE IN WEST FACE OF POWER POLE ELEV = 1238.90 BASED ON NGVD 29 DATUM
- DENOTES MONUMENT FOUND
- ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE RECORDED PLAT OF M AND D ADDITION TO CROSSLAKE.

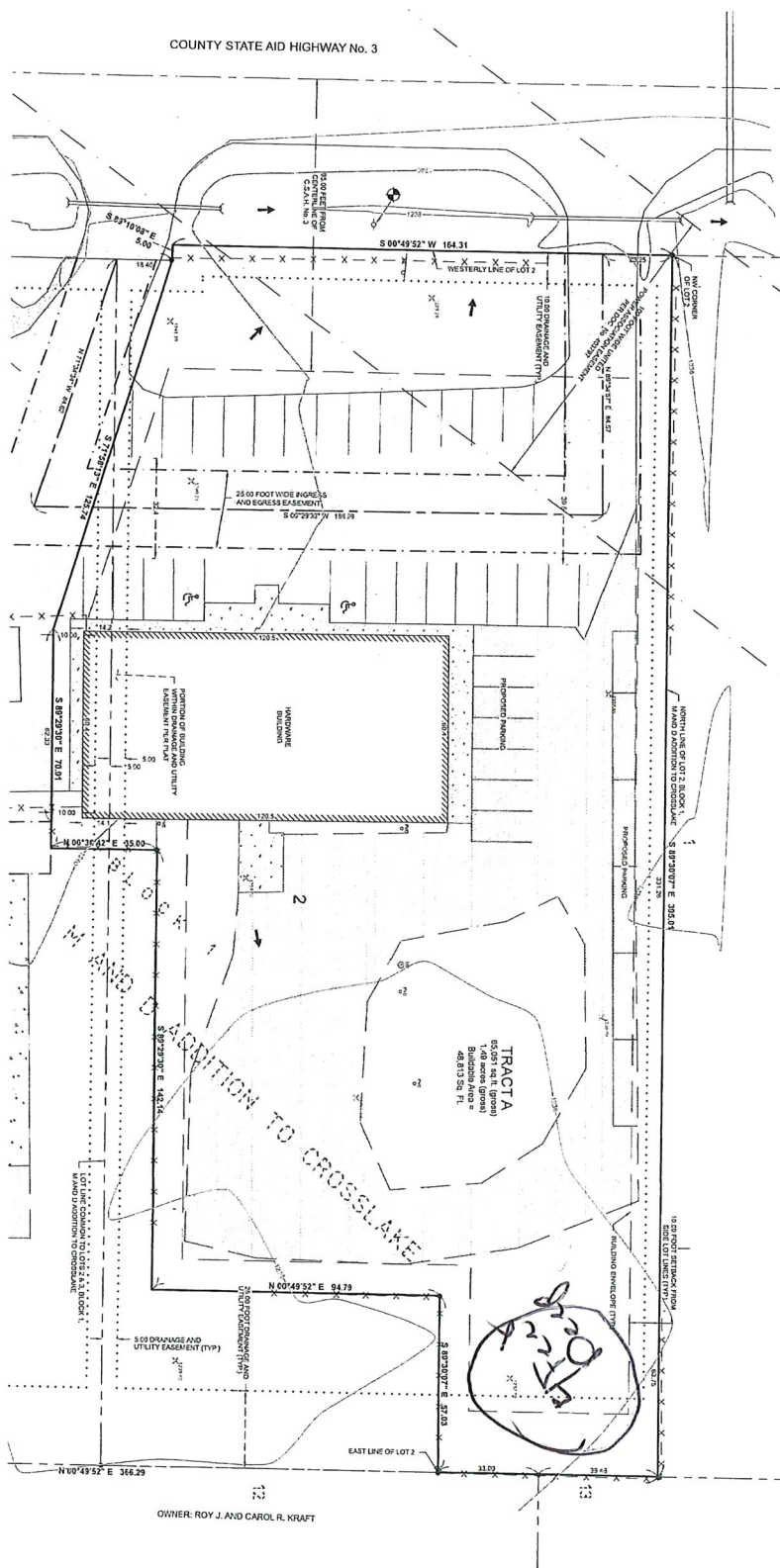


PROJECT MANAGER: PAT	PROJECT No.: 21414	DATE: 11-15-2021	REVISIONS		I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	STONE MARK LAND SURVEYING, LLC	30206 Rasmussen Road Suite 1 P. O. Box 874 Pequot Lakes, MN 56472 218-568-4940 www.stonemarksurvey.com
			DATE	DESCRIPTION			
CHECKED BY: PAT	FILE NAME: C21414.dwg	SCALE: HORIZ. 1"=20'	BY		PATRICK A. TROTTER PL#41002		
DRAWN BY: RUF	FIELD BOOK:	VERT. NONE			DATE: 11-15-2021	LIC. NO. 41002	



# CERTIFICATE OF SURVEY

PARTS OF LOTS 2 AND 3, BLOCK 1, M & D ADDITION TO CROSSLAKE  
SECTION 28, TOWNSHIP 137 NORTH, RANGE 27 WEST,  
CROW WING COUNTY, MINNESOTA



LEGAL DESCRIPTION PER DOCUMENT NUMBER 949453

[illegible]

IMPERVIOUS CALCULATIONS			
EXISTING	IMPERVIOUS AREA (sq. ft.)	Net Area Impervious (sq. ft.)	Percent Impervious
building	7,265	63,051	11.2%
Concrete	1,898	63,051	2.8%
Gravel	17,100	63,051	20.3%
Drainages	14,187	63,051	21.8%
Total	40,550	63,051	62.0%

NOTES:

1. Contour interval as shown = 2 foot, based on NOAA 29 datum.
2. Zoning for subject tract = "Commercial".
3. There are no built up, surveyed property.
4. Parcel ID of subject parcel: #1428032.
5. No wetlands were found on November 5, 2011 at the site per Ben Metten, Metten Environmental, LLC. MN Certified Wetland Delimiter #101.
6. Erosion impacts as proposed: 39 foot (17' marked and 2' hand-drawn).

[illegible]

### LEGEND

1

cc

+

\_\_\_\_\_



30206 Rasmussen Road  
Suite 1  
P. O. Box 874  
Pequet Lakes, MN 56472  
218-568-4940  
[www.stonemarksurvey.com](http://www.stonemarksurvey.com)

1 of 1	SHEET	CERTIFICATE OF SURVEY
		Ben Gibbs 39098 Ox Lake Circle Crosslake, MN 56442

PROJECT MANAGER:	PROJECT No	DATE
PAT	21414	11-15-2021
CHECKED BY:	FILE NAME	SCALE
PAT	C21414.dwg	HORIZ 1"=20'
DRAWN BY:	FIELD BOOK	
RJF	BOOK PG	VERT NONE

REVISIONS		
DATE	DESCRIPTION	D

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Patrick A. Trotter*  
PATRICK A. TROTTER, PLS#41092

DATE: 11-15-2021 REC NO: 41002



## **EASEMENT AGREEMENT**

This Maintenance Agreement (the "Agreement") entered into this \_\_\_\_\_ 2021, by and between Crosslake Event Center, LLC (hereinafter "Event") and Pine Ridge Plaza Association, a Minnesota nonprofit corporation (hereinafter "Pine Ridge").

### **RECITALS**

A. Event owns the property legally described as follows:

That parts of Lots 2 and 3, Block 1, M and D Addition to Crosslake, lying northerly and westerly of the following described line: commencing at the northwest corner of said Lot 2; thence South 00 degrees 49 minutes 52 seconds West, assumed bearing, along the westerly line of said Lot 2 164.31 feet to an angle point on said westerly line and the point of beginning of the line to be herein described; thence south 89 degrees 10 minutes 08 seconds East along said westerly line 5.00 feet; thence south 71 degrees 58 minutes 13 seconds east 125.74 feet; thence South 89 degrees 29 minutes 30 seconds East 70.91 feet; thence North 00 degrees 30 minutes 42 seconds East 35.00 feet; thence South 89 degrees 29 minutes 30 seconds East 142.14 feet; thence North 00 degrees 49 minutes 52 seconds East 94.79 feet; thence South 89 degrees 30 minutes 07 seconds East 57.03 feet, more or less, to the East line of said Lot 2 and said line there terminating.

B. Pine Ridge owns the property legally described as follows:

Lot 8, Block 1, Pine Ridge Plaza

C. The Event Parcel plans to host weddings or other special events and might need overflow parking.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Recitals. The foregoing recitals are incorporated herein by reference and made a part of this Agreement.

2. Agreement. The owners of the Pine Ridge parcel grant the owners of the Event parcel a permanent parking easement to use up to 40 parking stalls now located on the Pine Ridge Parcel. Said parking stalls may only be used after 4 pm on Friday through 2 am Monday morning.

3. Binding Effect; Covenants Running With the Land. This Agreement shall be perpetual and binding upon and benefit the Parties, their respective heirs, successors and assigns, and shall run with the land.

4. Governing Law. This Agreement shall be construed and enforced in accordance with the internal laws of the State of Minnesota.

5. Liability/Maintenance. The owner of the Event parcel shall hold the owner of the Pine Ridge parcel harmless from any liability related to said parking use. The owner of the Pine Ridge parcel shall be responsible for all maintenance and snow removal.

IN WITNESS WHEREOF, the Parties hereto execute this Agreement as of the day and year first above written.

CROSSLAKE EVENT CENTER, LLC

\_\_\_\_\_  
Ben Gibbs, its chief manager

STATE OF MINNESOTA                    )  
  )ss.  
COUNTY OF CROW WING                )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021 by Ben Gibbs, the chief manager of Crosslake Event Center, LLC, a Minnesota limited liability company, on behalf of the company.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

J. Brad Person  
BREEN & PERSON, LTD.  
124 N 6<sup>th</sup> Street  
P. O. Box 472  
Brainerd, Minnesota 56401  
218/828-1248



PINE RIDGE PLAZA ASSOCIATION

\_\_\_\_\_  
By

STATE OF MINNESOTA                    )  
  )ss.  
COUNTY OF \_\_\_\_\_                )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2021 by \_\_\_\_\_ the president of Pine Ridge Plaza Association, a Minnesota  
nonprofit corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public

**Cheryl**

---

**From:** Abra Landscaping <abralandscaping@crosslake.net>  
**Sent:** Monday, December 6, 2021 11:37 AM  
**To:** crosslakepz@crosslake.net  
**Subject:** Conditional Use Permit for Butterfield Enterprises

Hello,

We would like to voice a concern regarding the Event Center conditional use permit for 34212 County Road 3.

Our concern is that if/when there are Wedding Receptions at this location there could possibly be trespassing onto our property with potential damage to our equipment and/or landscape displays.

Sincerely,

Tom & Colleen Ledin  
239-560-0785



## Conditional/Interim Use Permit Application

Planning and Zoning Department

13888 Daggett Bay Rd, Crosslake, MN 56442

218.692.2689 (Phone) 218.692.2687 (Fax) [www.cityofcrosslake.org](http://www.cityofcrosslake.org)

Receipt Number: 969803

Permit Number: 210272C

Property Owner(s): Bennett Gibbs Butterfield Enterprises LLC

Mailing Address: 39098 Ox Lake Circle, Crosslake, MN 56442

Site Address: 34212 County Rd 3 (Crosslake)

Phone Number: Ben 612-386-8361

E-Mail Address: Ben@crosslakesales.com

Parcel Number(s): 14280530

Legal Description: Those pts of lots 243, M4D Addn To Crosslake

Sec 28 Twp 137 Rge 26 ☐ 27 ☒ 28 ☐

Land Involved: Width: \_\_\_\_\_ Length: \_\_\_\_\_ Acres: 1.49

Lake/River Name: N/A

Do you own land adjacent to this parcel(s)? Yes ☐ No ☒

If yes, list Parcel Number(s): N/A

Authorized Agent: \_\_\_\_\_

Agent Address: \_\_\_\_\_

Agent Phone Number: \_\_\_\_\_

Signature of Property Owner(s) [Signature] Date 10-27-21

Signature of Authorized Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

(Check applicable requests)

☐ **Residential & Related Uses:**

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Sensitive Shoreland District
- ☐ Limited Commercial District
- ☐ Downtown Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

☐ **Recreational Uses:**

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Limited Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

☐ **Civic, Edu & Institutional Uses:**

Specify

- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Limited Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

☒ **Commercial & Industrial Uses:**

Specify

- ☒ Event Center
- ☐ Shoreland District
- ☐ Rural Residential District (5 A Min.)
- ☐ Sensitive Shoreland District
- ☐ Limited Commercial District
- ☐ Downtown Commercial District
- ☐ Waterfront Commercial District
- ☐ Commercial/Light Industrial District

- All applications must be accompanied by a site plan
- Fee \$500 for Residential and Commercial Payable to "City of Crosslake" + \$12.00 copies
- 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 CS Date 11-15-2021 Land Use District LC Lake Class N/A

Septic: Compliance 3-25-2021 SSTS Design — Installation —

No DRT needed per Jon Kolstad

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? ~~Build~~ property to the ~~South~~ South is Commercial  
& Property to the North & East are Boat Storage

- (2) Does the proposed use meet the standards of this Chapter?

YES ☒ NO ☐

Why? Listed in Land Use Table

- (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? This should Raise the value at the  
Buildings around us Because they Devalue Property

- (5) Will the proposed negatively impact public utility, public services, roads and schools?

YES ☐ NO ☒

Why? We have a well & septic

- (6) Will the proposed use impact the environment adversely, considering its impact on groundwater, surface water and air quality?

YES ☐ NO ☒

Why?

This is just going to be people in side of building for a event

- 7 (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?

No Change Has Private Utilities



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?