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



13888 Daggett Bay Rd Crosslake, Minnesota 56442 www.cityofcrosslake.org

CITY OF CROSSLAKE

PLANNING COMMISSION/BOARD OF ADJUSTMENT July 26, 2024 9:00 A.M.

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

PUBLIC HEARING NOTICE

Applicant: James Burt

Authorized Agent: D & B Crosslake Holdings LLC & Pat Trottier

Site Location: 37922, Crosslake, MN 56442, 14100709-14030540-14100530

Request:

• To amend the Official Land Use Map on parcel 14100709 (14030540) from Rural Residential 5 (RR5) to Shoreland District (SD) involving approximately 18.3 acres.

Location: See map on back.

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@cityofcrosslake.org).

STAFF REPORT



Property Owner/Applicant: James Burt

Parcel Number(s): 14100709, (14030540)

Application Submitted: June 10, 2024

Action Deadline: August 8, 2024

City 60 Day Extension Letter sent / Deadline: NA / NA

Applicant Extension Received / Request: NA / NA

City Council Date: To Be Determined

Authorized Agent: D & B Crosslake Holdings LLC & Pat Trottier

Request:

• To amend the Official Land Use Map on parcel 14100709 (14030540) from Rural Residential 5 (RR5) to Shoreland District (SD) involving approximately 18.3 acres.

Current Zoning: Shoreland District (SD) & Rural Residential 5 (RR5)

Adjacent Land Use/Zoning:

North – Rural Residential 5 (RR5) South – Shoreland District East – Shoreland District West – Shoreland District (SD) & Rural Residential 5 (RR5)

Parcel History:

- Little Pine Wilderness established in 2001 14100530 Section 10
- 14100709 Section 10
- 14030540 Section 3
- April 2016 address 37922 White Pine Trl
- October 2020 Wetland
- December 2020 Lot Line Adjustment (14100708 purchased part of 14030540
- October 2021 Lot Line Adjustment (14100708 purchased another part of 14030540)
- November 2023 Lot Line Adjustment & Consolidation 14100709, 14100710, 14100751

City Community Plan:

Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the City's existing neighborhoods can be maintained and enhanced. Encourage well-designed residential subdivisions at urban densities in the planned growth areas of the City. Locate higher density residential developments in areas adjacent to moderate density developments and outside of the shoreland district.

Comprehensive Plans:

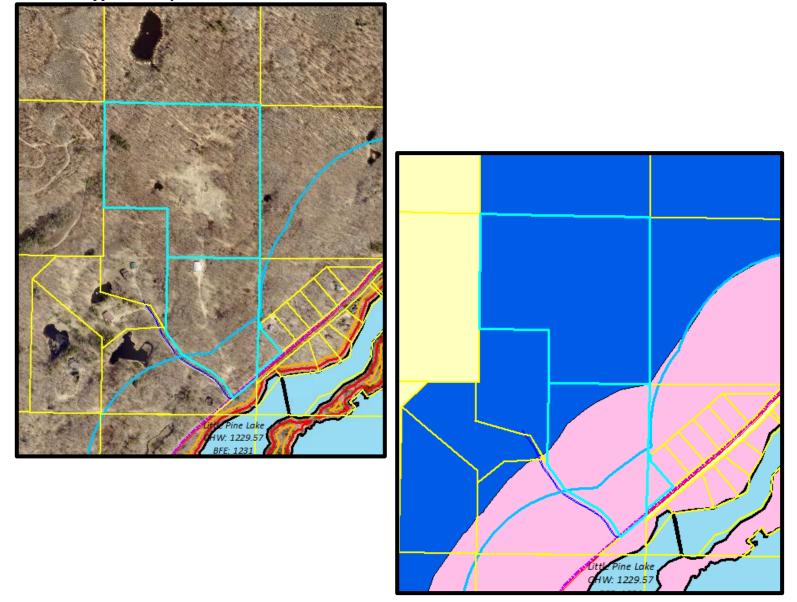
Promote the development and implementation of a Crosslake Community Plan that effectively and efficiently plans for land use, community facilities, transportation, housing, economic development and environmental protection for Crosslake and the immediately surrounding area. (pg. 39)

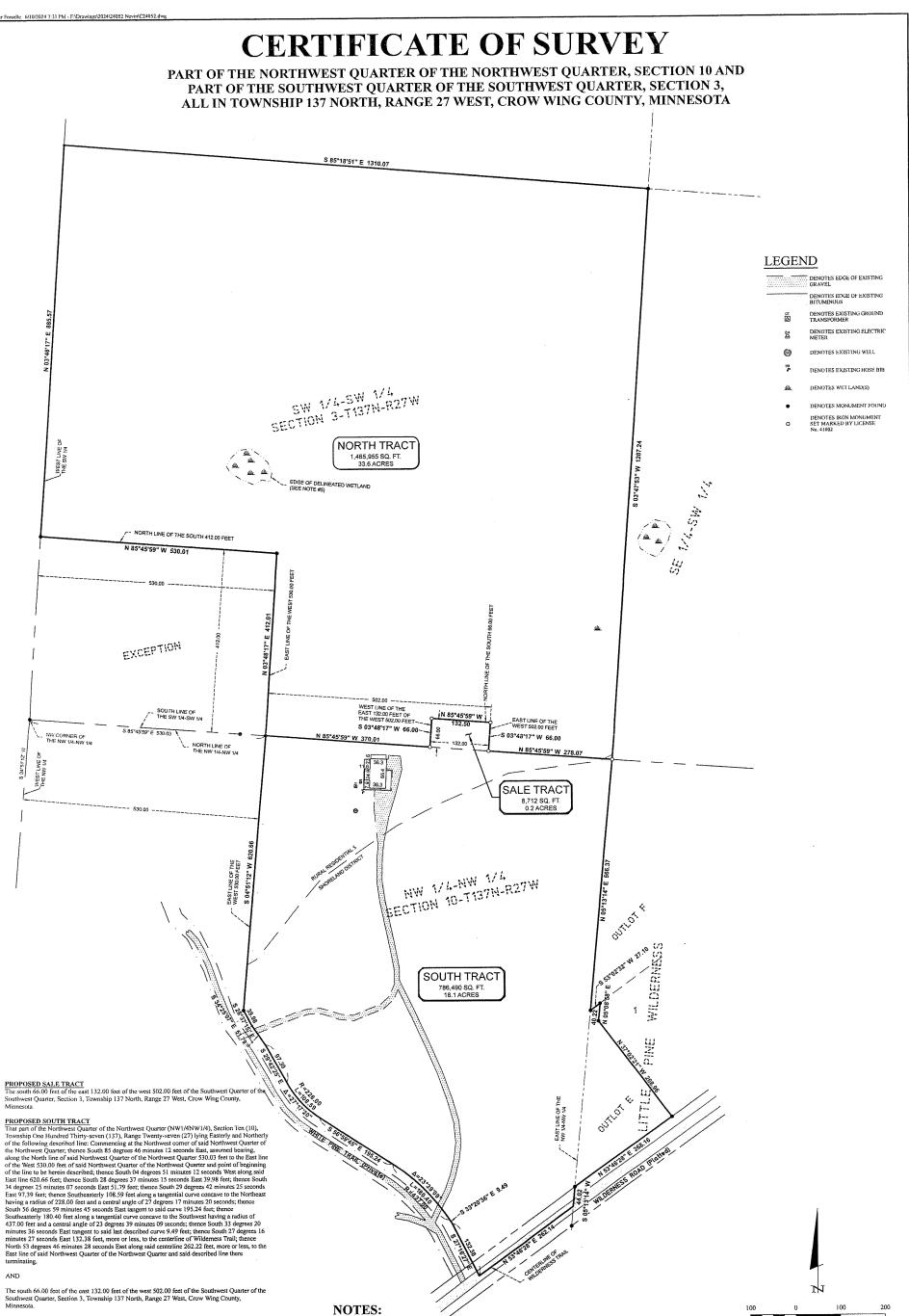
Agencies Notified and Responses Received:

County Highway Dept: N/A DNR: No comment received before packet cutoff date City Engineer: No comment received before packet cutoff date Lake Association: No comment received before packet cutoff date Crosslake Public Works: No comment received before packet cutoff date Crosslake Park, Recreation & Library: No comment received before packet cutoff date Concerned Parties: Comment(s) received

POSSIBLE MOTION:

To make a recommendation to the Crosslake City Council to approve the amendment of the Official Land Use Map from Rural Residential 5 (RR5) to Shoreland District (SD) involving approximately 18.3 acres





Minnesota.

AND

Outlot E, Little Pine Wilderness, according to the recorded plat thereof, Crow Wing County, Minnesota.

Subject to easements, restrictions and reservations of record.

PROPOSED NORTH TRACT The Southwest Quarter of the Southwest Quarter, Section 3, Township 137 North, Range 27 West, Crow Wing County, Minnesota, EXCEPT the south 412.00 feet of the west 530.00 feet thereof, AND ALSO EXCEPT The south 66.00 feet of the east 132.00 feet of the west 502.00 feet thereof.

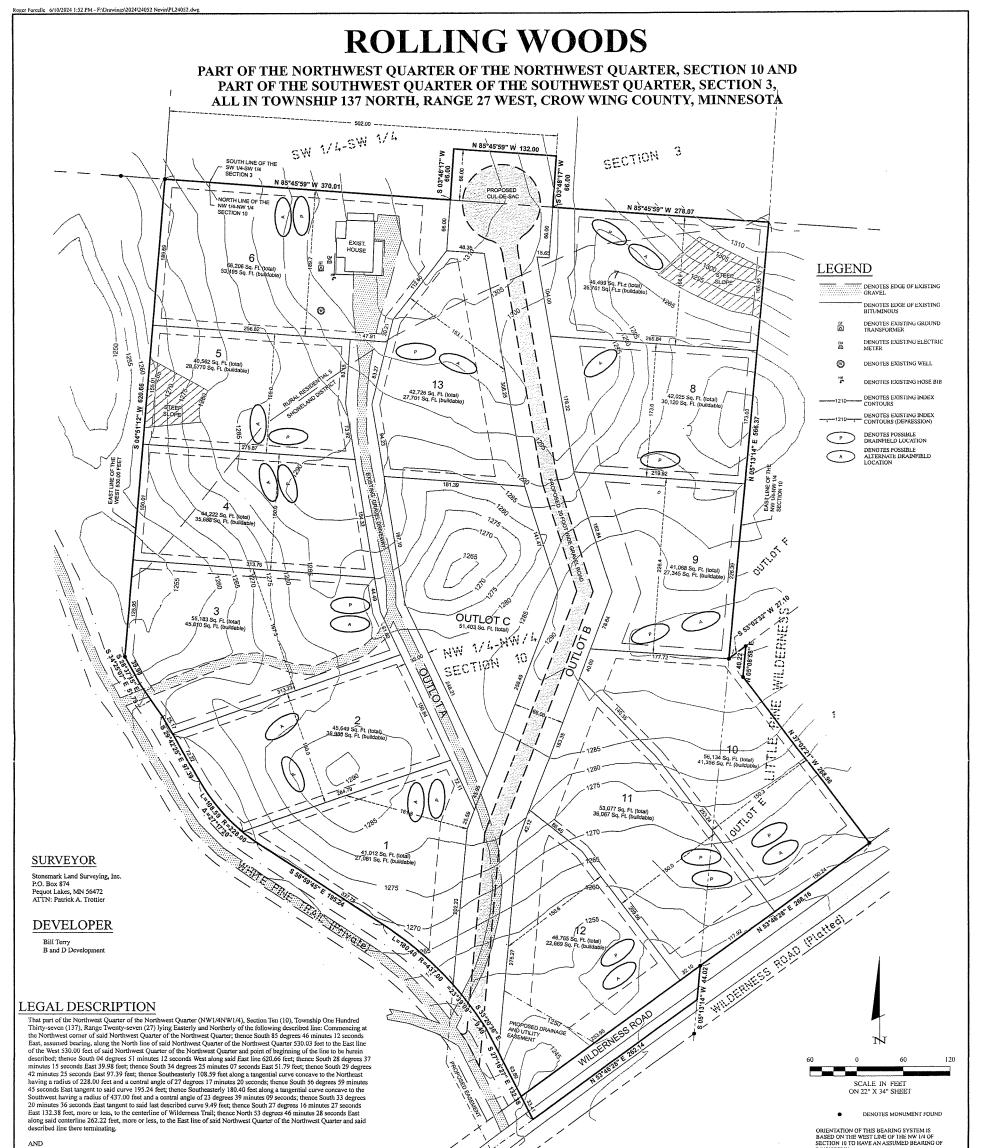
- 1. Property address: 37922 White Pine Trail, Crosslake, MN
- Current zoning is Shoreland District (SD) and Rural Residential 5 (RR5). Developer is seeking rezoning to SD for entire property.

- Parcel ID of subject parcel: 14100709, 14030540 &14100530.
 There are no bluffs on surveyed property.
 Wetland delineation was completed on 6-07-2024, by Ben Meister, Meister Environmental, LLC. MN Certified Wetland Delineator #1031.
- MN Certured weature Derineator (103).
 6. Stonemark Land Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

SCALE IN FEET ON 22" X 34" SHEET

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF THE NW 1/4 OF SECTION 10 TO HAVE AN ASSUMED BEARING OF \$ 04°51'12" W.

	≅ CERTIFICATE OF SURVEY	PROJECT MANAGER:	PROJECT No.:	DATE:		I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR	NEMA	30206 Rasmussen Road
-	- E	PAT	24052	6-10-2024	DATE DESCRIPTION DT	REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND	1 AND PA	Suite 1
	Bill Terry	CHECKED	FILE NAME:	SCALE:		SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	7 ANAN	P. O. Bux 874
Ť		PAT	C24052.dwg	HORZ 1"=100"		Fatick A trathi	L TXXXI	Pequot Lakes, MN 56472
- -	•	DRAWN BY:	FIELD BOOK:			PATRICK A. TROTTIER PLS#41002		218-568-4940 www.stonemarksurvey.com
		RJF/PAT	BOOK PG.	VERT. NONE		DATE 6-10-2024 LIC. NO 46002	URVEYING	www.stonetnaksurvey.com



AND

The south 66.00 feet of the east 132.00 feet of the west 502.00 feet of the Southwest Quarter of the Southwest Quarter, Section 3, Township 137 North, Range 27 West, Crow Wing County, Minnesota.

AND

Outlot E, Little Pine Wilderness, according to the recorded plat thereof, Crow Wing County, Minnesota.

Subject to easements, restrictions and reservations of record.

EROSION CONTROL PLAN

- 1. All ground disturbed by construction is to be stabilized as soon as possible using seed and mulch turf establishment
- 2. Maintain vegetation along property lines and areas undisturbed by construction
- 3. No filling or disturbing wet land(s) areas.
- 4. Silt fences shall be placed at edge of wet lands during construction.

UTILITIES

All lots will be served by private septic systems and private wells. Proposed and alternate septic sites as shown per site suitability study by Martin Joyce, License No. 2129.

CONTOUR INFORMATION

Contour interval as shown = 2 foot. Based on NGVD 29 Datum. By combination of Field Location (2/08/08) & Photogrammetric methods from aerial photography from Mark Hurd, Inc. Aerial Photographs taken on Oct. 24, 1999.

SOIL DATUM

The United States Department of Agriculture Web Soil Survey indicates soil in the proposed platted area to be classified as "Eutrudepts-Greycalm-Rollins complex, pitted, 20 to 45 percent slopes "D83F".

ZONING

Current zoning is Shoreland District (SD) and Rural Residential 5 (RR5). Developer is seeking rezoning to SD for entire property.



DEVELOPMENT NOTES

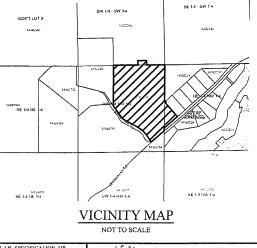
Proposed plat consists of 13 residential lots and three common outlots. Outlot B is 66.00' wide and to be used for private access to Lots 1, 7 through 12 and 13. Outlot A at minimum is 33.00' wide and to be used for private access to Lots 1 through 6 and 13. Outlot C is reserved for stornwater retention purposes. A 66.00 foot wide access easement will be recorded prior to connect Outlot B to Numeral purposes. A volve new nucle access easement will be recorded prior to connect Outlot B is Wilderness Road as shown. The northerly 33.00' unplatted strip of Wilderness Road as shown will be dedicated to the public in the final plat.

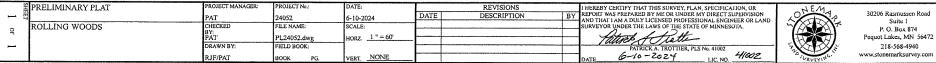
NOTES:

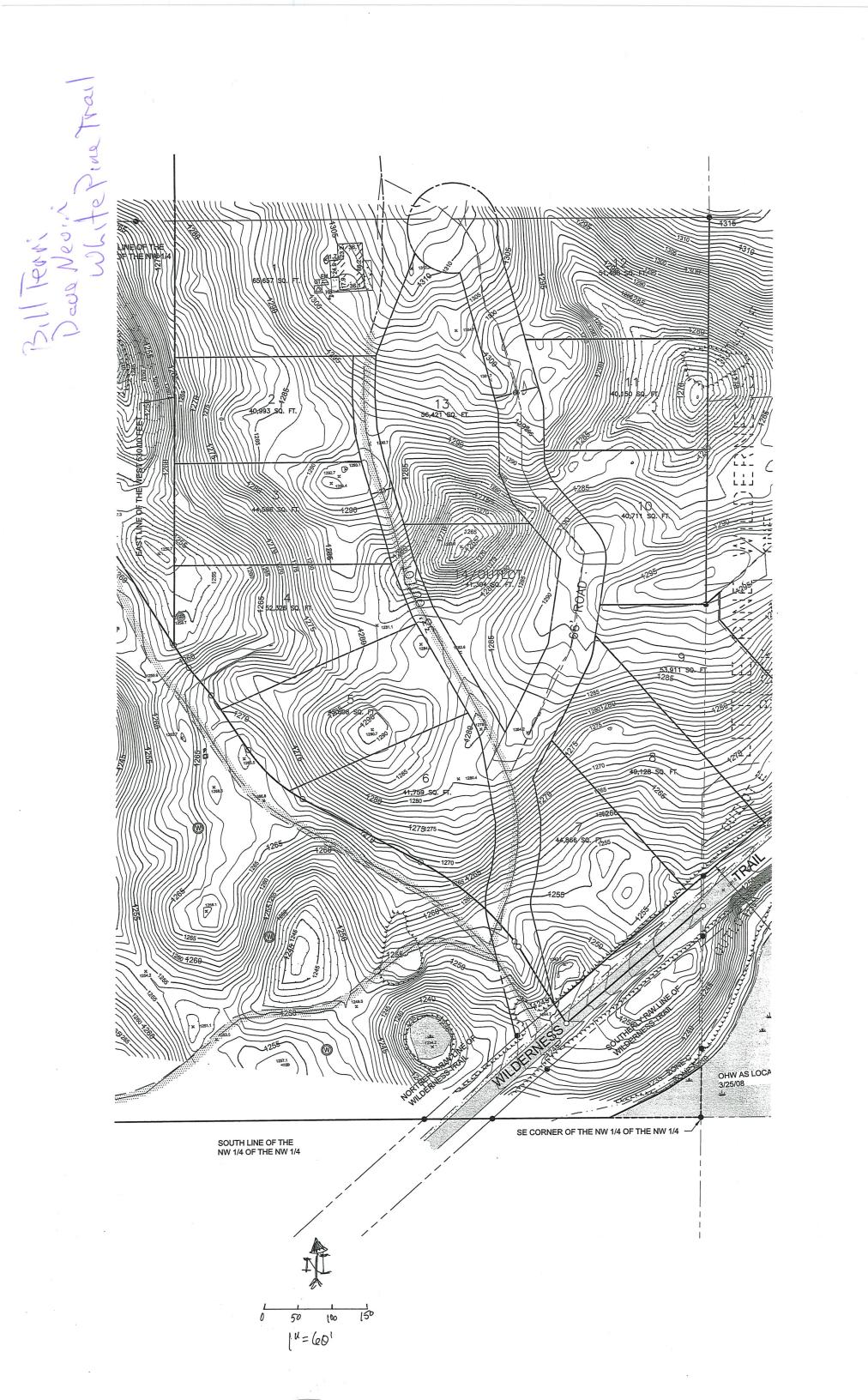
- 1. Property address: 37922 White Pine Trail, Crosslake, MN
- 2. Parcel ID of subject parcel: 14100530, 14100709 and a portion of 14030540.
- Pare ID of subject pare: 14100330, 14100/05 and a portion of 14050340.
 There are no bluffs on surveyed property. Steep slopes (over 25%) are as shown.
 No wetlands were found on 6-07-2024 at the site per Ben Meister, Meister Environmental, LLC. MIN Certified Wetland Delineator #1031.
 Building set backs for Shoreland District (SD) Zoning are shown here. Due to Outlot B being a potential public road, 35' ROW setbacks have been applied where applicable.
 City of Crosslake Easement Document number 521875 is for the existing Wilderness Trail.

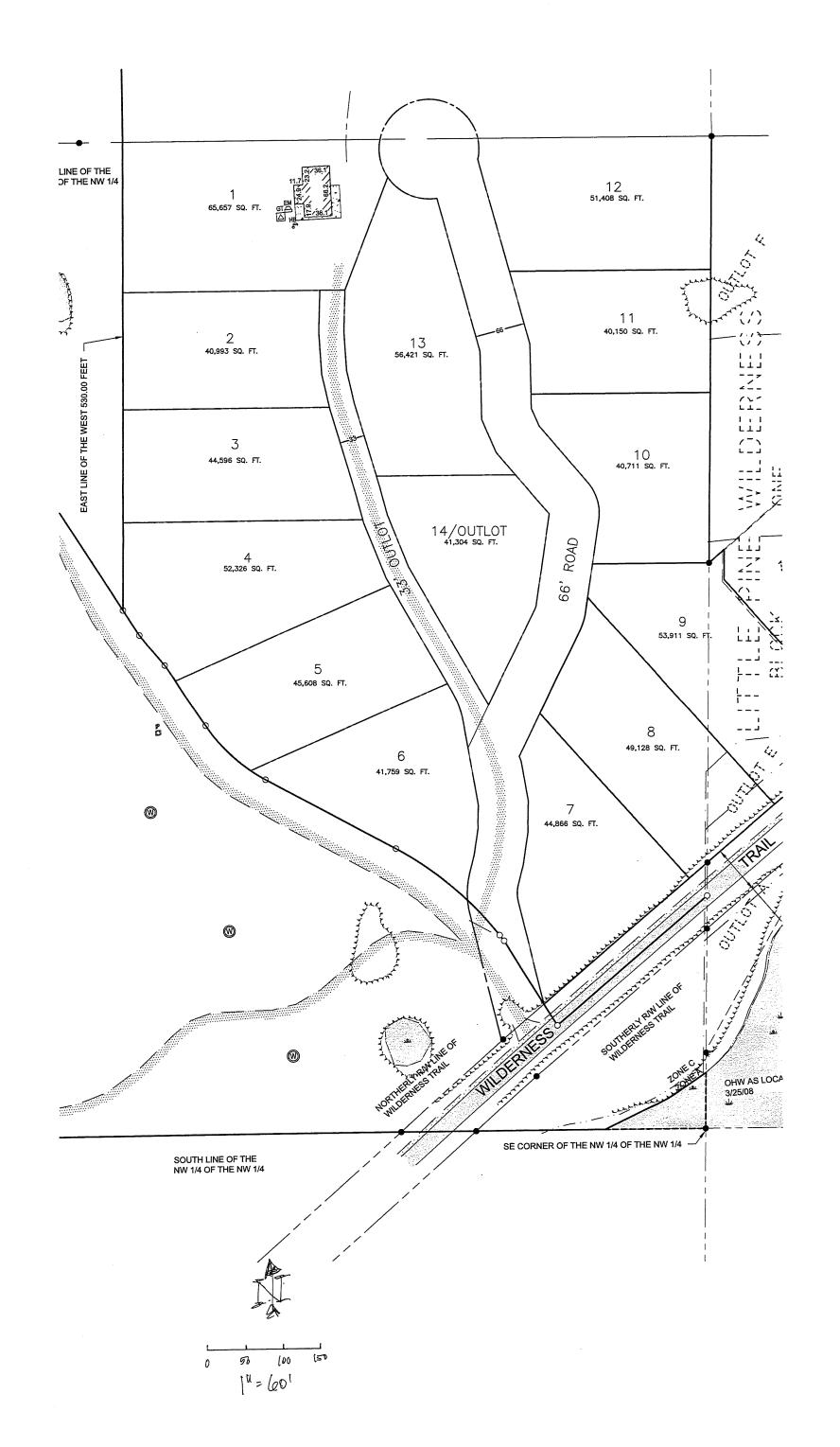
- 7. Stonemark Land Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

8. Impervious Coverage: Lot 3 = 9.0%, Lot 6 = 14.1%, all other Lots vacant









From:	Derick White
To:	Cross Lake PZ
Subject:	Response to Letter From Planning Commission /Board of Adjustment
Date:	Monday, July 8, 2024 9:25:14 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender derickw@northhike.com

Dear Crosslake Planning Commission,

We received a letter on 7/8/24 regarding the Public Hearing Notice scheduled for July 26, 2024 (which we will be attending) and the applicant Jim Burt. We live at 37990 White Pine Trail and are familiar with all parties involved in this proposed land use. My family and I have been residents for Crosslake for the last 4 years and prior to that we had a family cabin on Rush Lake since the 1950's.

We moved to Crosslake (off the lake) for its peace and tranquility. We appreciate the summer visitors as we were those visitors and the boost they give to the economy in Crosslake. We also enjoy the quiet of this community after Labor Day and the wonderful wildlife that inhabit this area (Bear, Deer, Coyotes, Wolf and of course Loons). It's a special place. We purchased 10 acres of woods where our home sits and enjoy the evening listening to the up north sounds.

While I am not against development and understand the need for additional housing I am against changing the feel of this place and turning it into another metro area with a sea of single family homes. If you want that then live in the cities....there is plenty of housing there to accommodate those that want the city and all its conveniences. This proposal is taking the land and putting as many houses that will fit on it with more planned development after the 12 homes. This is just the start. In fact....these are not even two acre parcels....they are less than two acres and in some cases less than an acre. Are we trying to become Brainerd? What is the plan for this community or are we just trying to help the builders and the mayor get rich off the land at everyone else's expense?

I have been following this land proposal from the beginning and have been communicating with the city council. From its inception the Mayor has been trying to get the city to pay for the homes and the land development....now it's a rezoning proposal. This is not about making more housing available....its about filling the pockets of those that are building these homes and the land owner. Don't be sold on a bicycle against the garage door and a barbeque on a deck. That's a nice Norman Rockwell painting but not reality. Please do not rezone this land. You can develop but do it thoughtfully. Do Not be pushed into a decision

with people who have lots of money and power.

This land is not 1000 feet from water.....it is 1000 feet from a swamp. Are we going to set a new precedent in Crosslake to just rezone at will or is there a long-term plan for this community? I ask that you really consider what you want for Crosslake because someday it may not be that great up north destination, but just another city with sprawling suburbs and a sea of single family homes.

How do you plan to support such growth? Is the infrastructure there? Are you planning on getting rid of Reeds and Andy's and replace them with Jimmy Johns and Starbucks? Be careful with our city as we all pay a good amount of taxes to live here and support the businesses here. Take care of our community and not just vote yes to these rezoning proposals.

Sincerely,

Derick White

37990 White Pine Trail Crosslake, MN 56442 July 10, 2024

Dear Crosslake Planning Commission,

Thank you for forwarding me the letter from Derek White of July 8, 2024, regarding the upcoming hearing notice scheduled for July 26th in Crosslake.

My response:

My first comment is that I was very disappointed at the direction and sentiment of the letter from Derek White. The third paragraph begins with, 'while I'm not against development and understand the need for additional housing, I am against changing the feel of this place and turning it into another metro area with a sea of single-family homes.' What Derek is actually saying is, I understand the need for additional housing in Crosslake, but I don't want it near me.

I would like to get a few facts straightened out and on the table regarding Mr. White's comments and accusations.

I purchased this track of land from David Nevin in 2009. I have had no financial involvement regarding this property with David Nevin since 2009. The property has sat vacant and unused since that time. In 2020, Mr. White, who had previously purchased a family home and acreage from David Nevin, contacted me and asked me if I would sell him two acres of my property that adjoins his property to give him a little more acreage and buffer zone for his home. I sold him two acres in November of 2020. Mr. White contacted me again in 2021 and asked me if he could purchase an additional three acres adjoining the two previous acres to secure a good buffer zone for his home and property. Derek asked me what my intentions were regarding my property. I told him that I had held it and paid taxes on it for a dozen years and there would hopefully come a time that I would be able to sell it or possibly develop it. Derek clearly understood this and buffering his property is exactly why he purchased the five acres from me in the first place.

My wife and I have been a resident of these Whitefish Chain of Lakes and the Crosslake community area for over sixty years. The growth of the community has been planned very well and the growth has been a nice steady pace both communally and business wise combined. What has not kept up is housing. The lake homes and lots are priced out of most people's budgets and many of the tracks of land that have been available for home developments have been bought up by people wanting large acreage to build a home and or pole barn.

Derek White states, 'this is not about making more housing available...it's about filling pockets of those that are building these homes and the landowner.' I assume that is directed towards myself and David Nevin. As I stated earlier, I purchased this land from David Nevin in 2009. It was a fair price. Unfortunately, as everyone is aware that the markets fell and property prices plummeted leaving me in a hold position. In a few short

sentences, here is the reality of the situation as it stands today. David Nevin took a substantial loss on the sale of the property that he sold me. David Nevin took a substantial loss on the family home and property that he sold to Derek White. I have held on to the property addressed in this letter for fifteen years waiting for an opportunity to get my investment back.

Very simply put, it is a win for the community of Crosslake and hopefully a win for myself and my family to finally get at least whole on our original investment.

This project is not about lining pockets or turning Crosslake into a 'sprawling superb. The letter from Derek White is about having ten acres in the woods and not wanting any neighbors and also not wanting anyone else to share the same dream that he and his family have been blessed with.

Sincerely,

Jim Burt 37734 Donaldson Pt. Pine River MN 56474

1	Bump Out					
Planning and Zonin 13888 Daggett Bay Rd, C 218.692.2689 (Phone) 218.692.2687						
Property Owner(s): Jin Bart	Permit Number: 240109 Z					
Mailing Address: 1491 Edgeumbe Rd 5+ Peul 551 Site Address: 37922 White Pine Trail Crosstake ma Phone Number: 612-860 - 8690 Jim	Land Use Map Amendment					
E-Mail Address: <u>jim Oreclain center</u> , Com Parcel Number(s): <u>1460709</u> , 14030540, 14100530						
Legal Description: See attached Cos dated 6-10-24	<u>Access</u> Public Road					
Sec_341 ℃ Twp 137 Rge 26 □ 27 🕅 28 □	Easement					
Land Involved: Width: Length: Acres:	Easement recorded:YesNo					
Lake/River Name: $\bigwedge < $						
If yes, list Parcel Number(s)	<u>Septic</u>					
Authorized Agent: <u>Bill TERRY</u> Agent Address: <u>POBox 1024</u> Crosslake MN 56442	Compliance <u>6-19-2024</u> SSTS Design <u>na</u>					
Agent Phone Number: 763-257-5757	Installation					
Signature of Authorized Agent(s) Matrice Property Owner(s) DIBUX JIM BURT Date 6-14-2024 Date 6-14-2024						
 All applications must be accompanied by a site plan Fee \$750 Payable to "City of Crosslake" No decisions were made on an applicant's request at the DRT meetidoes not constitute approval. Approval or denial of application is de Council after a recommendation from the Planning Commission/Bo 462 and the City of Crosslake Land Use Ordinance. 	ng. Submittal of an application after DRT etermined at a public meeting by the City ard of Adjustment per Minnesota Statute					
Application accepted by \square \square \square \square Date \square \square \square \square Lake Class \square Lake Class \square						

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City of Crosslake Planning Commission/Board of Adjustment

Land Use Map Amendment Application

- Findings of Fact

Supporting/Denying a Land Use Map Amendment

Findings shall be made in either recommending approval or denial of a rezoning application, and should reference specific sections of ordinances that apply to the project. The following questions are to be considered, but are not limited to:

1. Is the reclassification in accordance with the City's Comprehensive Plan?

Yes 📉 No Why? offering grugle family home similar on Adjacent property's

2. Is the reclassification warranted due to changed land use circumstances or a need for additional property in the proposed land use district?

Yes_X___ No_____ only a small partian at the property is outside of the shoreline District

3. Is the subject property suitable for development in general conformance with land use standards under the proposed land use district classification?

Yes 🚫 No Why? The Majority of the subject property is Shareland and the entire property is the suitable District

4. Will the reclassification be detrimental to uses or property in the immediate vicinity of the subject property?

Yes____No____ Why? They are all similar properties

5. Does the reclassification promote the health, safety, and general welfare of the public?

Yes 📉 No Why? If will be a very nice residential Neighborhood that crosslate needs, Acces is off of a secondary Road Wilchross Trail



City of Crosslake Planning Commission/Board of Adjustment

Land Use Map Amendment Application

Findings of Fact

Supporting/Denying a Land Use Map Amendment

Findings shall be made in either recommending approval or denial of a rezoning application, and should reference specific sections of ordinances that apply to the project. The following questions are to be considered, but are not limited to:

1. Is the reclassification in accordance with the City's Comprehensive Plan?

Yes____ No____

Why?

2. Is the reclassification warranted due to changed land use circumstances or a need for additional property in the proposed land use district?

Yes____ No____

Present Land Use: Why? Proposed Land Use:

3. Is the subject property suitable for development in general conformance with land use standards under the proposed land use district classification?

Yes____No____

Why?

4. Will the reclassification be detrimental to uses or property in the immediate vicinity of the subject property?

Yes____No____

Why?

5. Does the reclassification promote the health, safety, and general welfare of the public?

Yes____No____

Why?