

AGENDA
CITY OF CROSBY PLANNING AND ZONING COMMISSION

City Hall Council Chambers

July 18, 2022 at 6:00 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to Agenda
4. Open Forum
5. Approval of Minutes
 - A. June 20, 2022 Regular Meeting
6. New Business
 - A. Index of Zoning Ordinances
7. Public Hearing(s)
8. Old Business
 - A. Ordinance Amendment 22-2 allowing for Drive Thru and Walk-Up Windows
9. Staff Report/Upcoming Applications
10. Commissioner's Questions/Comments
11. Adjourn

This agenda is not exclusive and other business may be discussed as deemed necessary

For those requiring special assistance, please contact Crosby City Hall at (218) 546-5021

**CITY OF CROSBY PLANNING AND ZONING
COMMISSION**

City Hall Council Chambers

June 20, 2022, at 6:00 PM

1. Call to Order

Chairperson Peeples called the meeting to order at 6:00 PM

2. Roll Call

Members present: Chairperson Peeples, Commissioners, Lewis, Patrick, Carry, Wynn and alternate Peterson, Planning & Zoning Coordinator, Brittney Cotner, Utility Billing Clerk, Stephanie Winegarner

3. Additions or Deletions to Agenda

None

4. Open Forum

No one present to speak.

5. Approval of Minutes

A. May 16, 2022, Regular Meeting

MOTION BY COMMISSIONER CARRY AND SECONDED BY COMMISSIONER LEWIS TO APPROVE THE MINUTES. A VOICE VOTE: ALL VOTING AYE. MOTION CARRIED.

6. New Business

No new business

7. Public Hearing(s) 6:04-6:19

A. Ordinance Amendment 22-2 allowing for Drive Thru and Walk-Up Windows

Brittney Cotner explained the difference between B1 and B2 zoned areas for clarification. Commissioner Wynn asked about getting permits from the state regarding the sidewalks.

A person needs to complete a Conditional Use Permit (CUP) for both drive thrus and walk-up windows for both the B1 and B2 zoned areas. Each application will be taken into consideration before approving by the commission. They need to make sure that there

won't be a safety issue

Matt Steele of Deerwood Township spoke saying that he didn't want to see Crosby turn into a mini-Baxter with drive-thrus and walk-ups. He feels that Crosby is the hub of the Cuyuna Range and people are coming here for the hometown atmosphere.

Commissioner Patrick asked if we should have two (2) different ordinances for each zoned area. Consensus is no we shouldn't have two (2) different ordinances.

MOTION BY COMMISSIONER LEWIS AND SECONDED BY COMMISSIONER PATRICK TO ALLOW DRIVE-THRUS AND WALK-UPS WITH A CONDITIONAL USE PERMIT FOR BOTH B1 & B2 ZONED AREAS. A ROLL CALL VOTE: ALL VOTED AYE. MOTION CARRIED.

8. Old Business

Shellie Wynn asked about Cuyuna Cove. Brittney Cotner responded with no.

9. Staff Report/Upcoming Applications

Britney Cotner said a lot is going on in Crosby, a lot of fence permits.

How long does a building permit exist? Chairperson Peebles brought up the Terry Trover rebuild on Superior and Vermilion Avenues. There hasn't been much work done lately. Brittney Cotner will speak with building inspector, Scott Sadusky.

10. Commissioner's Questions/Comments

Commissioner Carry mentioned that in the packet it was suggested that the PZ checked all the current regulations; that everything is current and adequate. Is this something that we should look at for additions, deletions and/or corrections. Chairperson Peebles would like Brittney Cotner to bring the book of ordinances so they could go through it one (1) or two (2) at a time. The Planning & Zoning Coordinator before Brittney Cotner had a short list of items to be addressed. Are these still valid concerns? Brittney will locate that memo.

Commissioner Wynn brought up the electronic sign issue; particularly the sign on Main Street that was donated by CRMC to the Chamber of Commerce. The chamber is now selling advertising space to local businesses that are not members of the chamber. The staff made the change without informing the chamber board. They have never had a conditional use permit to do this. Per Brittney Cotner, a permit is \$300.00 and needs to be submitted thirty (30) days prior to the advertisement.

Commissioner Patrick brought up the sidewalks not being painted especially by Holiday Station.

Commissioner Patrick also brought up the short-term rentals issue. He doesn't feel the commission should get involved in it at all.

Cuyuna Cove-we are going to look at storage units per Brittney Cotner.

11. Adjourn

**MOTION BY COMMISSIONER WYNN SECONDED BY COMMISSIONER CARRY TO
ADJOURN AT 6:47 P.M. A VOICE VOTE: ALL VOTED AYE. MOTION CARRIED.**

Linda Peebles, Chairperson

Stephanie Winegarner, Utility Billing Clerk

CHAPTER 154: ZONING

Section

General Provisions

- 154.001 Purpose
- 154.002 Jurisdiction
- 154.003 Application and interpretation
- 154.004 Rules
- 154.005 Definitions
- 154.006 Application time frames
- 154.007 Zoning Administrator
- 154.008 Planning Commission/Board of Adjustment
- 154.009 Conditional use permits
- 154.010 Amendments; rezoning
- 154.011 Variance; appeals
- 154.012 Environmental documents
- 154.013 Building permits; certificate of occupancy
- 154.014 Enforcement; violations
- 154.015 Hardship assessment deferrals

Districts

- 154.030 Establishment of districts
- 154.031 Zoning district application
- 154.032 Zoning district boundaries
- 154.033 Uses not provided for within zoning districts
- 154.034 Lot standards chart
- 154.035 Land use categories chart
- 154.036 Accessory storage containers

Residential Zoning Districts

- 154.050 R-1 Single- and Two-Family Residential District
- 154.051 R-2 Multiple-Family Residential District

154.052 R-3 Manufactured Home Residential District

154.053 Special residential provisions

154.054 Where prohibited

Commercial/Industrial and Other Zoning Districts

154.065 B-1 Central Business District

154.066 B-2 Highway Commercial District

154.067 I Industrial District

154.068 P Public and Parks District

154.069 Special Commercial/Industrial provisions

154.070 R Recreational District

Shoreland and Floodplain Overlay District

154.085 Intent

154.086 Shoreland management classification

154.087 Shoreland Overlay District

154.088 Shoreland alterations

154.089 Floodplain provisions

Mineral Extractions

154.100 Intent

154.101 Mineral extraction permit

154.102 Standards

154.103 Fees and bond

Planned Unit Developments

154.115 Intent

154.116 Procedures and requirements for establishment of a planned unit development

154.117 Property control

154.118 General development provisions

154.119 Review and evaluation

Bed and Breakfast Developments

154.130 Intent

154.131 Performance standards

154.132 Review process

Home Occupations

154.145 Intent

154.146 Performance standards

Parking and Loading Requirements

154.160 Intent

154.161 General requirements

154.162 Parking space requirements

154.163 Minimum standards

154.164 Loading requirements

154.165 Residential Districts

154.166 Garages

154.167 Limitation of door extensions

154.168 Business and Manufacturing Districts

Fencing, Screening, Landscaping, and Storage

154.180 General regulations

Unplatted Property

154.195 Property regulated

Dwelling Unit Restrictions

154.210 Specified

Performance Standards

154.225 Sewer facilities

154.226 Lighting

154.227 Smoke

154.228 Dust and other particulate matter

154.229 Odors

154.230 Noise

Height and Yard Exceptions

154.245 General provisions

Nonshoreland Grading and Excavation

154.260 Regulations

Signs

154.275 Intent

154.276 Prohibited signs

154.277 District provisions

154.278 On-site general provisions

154.279 Size/dimension standards

154.280 Number of signs

154.281 Nonconforming signs

154.282 Political signs

154.283 Window signs

154.284 Off-premises signs

Nonconforming Uses

154.295 Nonconforming uses and structures

154.296 Nonconforming lots

Manufactured Homes Land Use Classifications and Definitions

154.315 Purpose

154.316 Special land use provisions

154.317 Authorized placement

154.318 Building width

154.319 Placement in residential zones

Mobile Homes

154.330 In general

154.999 Penalty

ORDINANCE NO. __,
AN ORDINANCE AMENDING CHAPTER 154 OF THE CITY CODE
REGARDING LAND USE CLASSIFICATION CHART
CITY OF CROSBY
COUNTY OF CROW WING
STATE OF MINNESOTA

The City Council of the City of Crosby does ordain as follows:

Purpose and Intent: The purpose of this ordinance amendment is to amend Chapter 154 of the Crosby City Code to include the allowed use of Drive Thru and Walk-Up Windows.

Amendment: Chapter 154, Section 035 “LAND USE CLASSIFICATION CHART” shall be amended as follows:

<i>Land Use Classification Chart</i>								
<i>Use</i>	<i>District</i>							
	<i>R</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>B-1 CBD</i>	<i>B-2 High</i>	<i>I</i>	<i>P</i>
Drive Thru/Walk-Up Window					C	C		

Effective Date: This ordinance amendment is hereby adopted on _____ and shall be in full force and effect after publication according to state law.

Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Diane Cash, Mayor

ATTEST:

Matthew Hill, City Administrator

Below are comments received too late to be considered by the Planning Commission at their meeting on June 20th, 2022. Due to these comments, the Planning Commission Chair has requested this item be sent back to the Planning Commission.

Doug Arndt <dougarndt1@gmail.com>

To The Crosby Planning & Zoning Commission:

I am not able to attend tonight's P&Z meeting.

I am the managing partner of 30 West Main LLC which owns the buildings at 30 & 102 West Main in Crosby. I have reviewed the packet and the information on the proposed zoning ordinance change which would make drive-ups a permitted use in the B1 & B2 zoned districts.

While I would understand the need for a drive up or walk up window for certain businesses in the B1 & B2 zoned areas, I do not believe that they should be a permitted use, but rather a conditional use.

A conditional use would allow the City to have control to make sure that the drive up/walk up use is compatible with the neighbors and does not interfere with traffic flow and required parking. It would allow public comment on any proposed use.

In my professional experience, nearly all Cities require a conditional use permit for a drive up/walk up window. Crosby should adopt a similar policy to protect it's businesses.

Thanks

Doug Arndt

Quinstar Investment Partners LLC

21940 Minnetonka Blvd

Greenwood, MN 55331

(612)759-7590

Chris N Lisa Lindemann <lmlcdl@gmail.com>

To Whom it may concern:

Hello we are Chris and Lisa Lindemann. We are fairly recent transplants from the Twin Cities area and have been here now for about 1.5 years. We chose to move our family of 5 to this area because we were drawn to many of the aspects of life this wonderful area has to offer. Hearing that Drive-thrus are on the table has us concerned about what kinds of businesses will be using said drive-thrus and what kind of impact that will have on this area. We personally don't care for any fast food places to come into this town. We have lived in areas that are riddled with chain stores and franchise meccas and they take away so much from the charm and personal touch towns such as ours have. These types of businesses have no vested interest in towns like ours outside of pure profit. Another concern is people pulling their vehicles out of drive-thrus are often times very distracted from what they just received in the drive-thru window and oftentimes aren't paying attention. This puts bicyclists, pedestrians, and other motorists at unnecessary risks. As parents and citizens we want our voices heard and want to be clear we don't want to see any further franchise/fast food businesses taking up space and resources that local entrepreneurs could otherwise have used to make unique businesses that give this area the charm we all need. Please do not allow this area to become like Brainerd/Baxter.

Thank-you for your time,
Chris and Lisa Lindemann
651-674-3130

Ann Fassbender <lifeinthefasslane@gmail.com>

Hi Brittany,

I am unable to make it to the meeting tonight as I had a prior commitment I could not reschedule. It's very concerning to me that the City of Crosby is allowing drive-thrus in town. Why do we need this? Part of the charm and the reason people want to visit Crosby and move to Crosby because it's unique, it's a place where you do see all the giants like you do in places like the twin cities or Baxter. Allowing this town to change to the point where it's no longer small businesses and local character, you will be doing this town a disservice.

There is talk that there is a McDonalds coming to Crosby. I hope and pray this is not true. This town has survived this long without McDonald's, it doesn't need one now. It's an eyesore, it's a gross symbol of corporate America and seeing McDonalds or anything similar in this town will be the beginning of the ruining of something that is currently great.

Sometimes you have to make decisions not based on greed and wealth and more money. Those are not the things that make life worthwhile. Bringing in a fast food chain and corporate businesses will bring more greed here and we already have enough of that.

Please consider reversing the decision to allow drive throughs. Keep Crosby Great! Keep it a place people love to come to because it's unique.

Thank you for your time.

Ann Fassbender, Resident
209 2nd Street NE
952.738.1194

Sarah Steele <steele.sarah@gmail.com>

To whom it may concern:

I was deeply disappointed to hear that Crosby is considering a zoning code that would allow drive-thrus and their increased traffic congestion in the downtown area. When I'm downtown, I love walking around, sitting on patios, and running into people. But encouraging more traffic congestion would lead to less peaceful, pedestrian-friendly areas, which in turn honestly leads to less community togetherness.

Please, can we increase traffic congestion in a place where there's really no chance of walking around anyways, like the outer edge of town? There are so few pedestrian-friendly areas to begin with these days.

The pedestrian-friendly atmosphere in downtown Crosby is something really special. Please, let's preserve this!

I shared these thoughts with other locals and was met with agreement. Thank you for taking our thoughts into consideration.

Sarah Steele

From: Matt Steele <matt@mattsteele.net>
Sent: Tuesday, June 7, 2022 1:35 PM
To: Planning & Zoning <planning@cityofcrosby.com>
Subject: RE: Drive thru ordinance

Hi Brittney,

Thanks for the response and information. Has it already been decided how the land use table will be modified? Anyways, here's some initial thoughts:

While it makes sense for walk-up windows to be a permitted (and encouraged) land use, drive-thrus (if allowed) should be a conditional use in B-2 only. This would be so the city would have additional latitude to manage the problematic externalities of drive-thrus.

- In the CBD, drive-thrus can create multiple problems for Main Street frontage if they create additional curb cuts. Many of these problems relate to curb cuts generally, but drive-thrus exacerbate the problem.
 - “Missing teeth” effect where access lanes come at the expense of an unbroken blockface of sidewalk-oriented active uses. This is already seen downtown with the Unity Bank, Credit Union, and Hogue curb cuts.
 - Drive-thrus and curb cuts increase intersectional conflict points (often with problematic sightlines) with sidewalk users and street traffic.
 - On-street parking is a valuable resource, particularly for our downtown businesses. Every additional driveway removes at least two precious spots our small businesses depend on.

Curb cuts, necessitated by most drive-thrus, are problematic both for a safe/walkable/parking-abundant Main Street and from a traffic operations perspective.

- Drive-thrus also create other problems, particularly in a dense CBD/urbanized area such as Downtown Crosby:
 - Idling/queued traffic create localized issues for neighbors and people on sidewalks, patios, etc. Speaker noise, fumes from idling vehicles, etc.
 - Stacking is an issue, particularly for food and beverage drive-thrus. For some reason, coffee drive-thrus are affected most – in many cases to the point of queues backing up onto sidewalks and into traffic.
 - Crosby's Main Street thrives because of its relatively dense concentration of land uses and amenities. Drive-thru access and queuing lanes, particularly those with Main Street access, create a disincentive for infill development and concentration of active land uses.
 - Recent changes to Crosby's zoning code – such as permissible dwellings in the B-1 district – reflect a desire to have a Main Street filled with

walkable, active, public land uses.

Crosby's Main Street is valuable because it's a place to go to, more than a place to drive through.

- Outside the CBD, these concerns are less of a problem (e.g. DQ) but I am deeply concerned about the proliferation of auto-oriented land uses and their impact on Crosby's small-town charm and raison d'être.
 - Crosby and the Cuyuna Range is valuable because of this small-town charm. Charm is notoriously hard to define, but here it's the combination of traditional neighborhoods/Main Street, recreation and amenities, surrounded by nature.
 - Baxter, by comparison, is valuable because of proximity (regional center, job access) despite having negative charm.
 - Auto-oriented land uses may be a part of growth, but it's critical they don't threaten the small-town appeal of our area because that would, in turn, threaten our viability.
 - Newcomers are generally choosing to live in the Cuyuna Range because they want a traditional Main Street with recreation and amenities surrounded by nature, not necessarily because their job requires them to be here. This is critical for recruiting at the hospital or other critical local professional services. Employers can recruit people because of the lifestyle we have, and a hypothetical McDonald's on the edge of town would harm the sense of place that makes people want to call our area home.

Our downtown and small-town quality of life is a treasure. Let's not set Crosby on course to turn into a mini-Baxter.

I urge the Zoning & Planning Committee and City Council to tread very carefully on this issue by allowing drive-thrus only in B-2 with a conditional use permit.

Matt Steele

952-393-9091