

**AGENDA**  
**GREATER BEMIDJI AREA JOINT PLANNING BOARD**  
317 4<sup>th</sup> Street NW

**Wednesday, DECEMBER 14, 2016 REGULAR MEETING – 6:00 p.m.**

- **Roll Call** **Chair**
- **Pledge of Allegiance**
- **Approval of the Agenda**

**A. MINUTES** **Chair**  
Approval of November 9, 2015 Minutes

**B. CONSENT AGENDA**  
Items in the Consent Agenda are approved with one motion without discussion/debate. The Chairman will ask if any Board member wishes to remove an item. If no items are to be removed, the chairman will then ask for a motion to approve the consent Agenda.

- 1. Approve/Pay Bills (see attached list of bills) **Chair**
- 2. LMCIT Liability Coverage Waiver Form-Resolution 2016-32 (Tort. Liability) **Chair**
- 3. Budget memo / proposed budget for 2017 & 2018 – Resolution 2016-33 **Chair**
- 4. Joint Planning Commission reappointments – Resolutions 34, 35, 36 **Chair**

**C. NEW BUSINESS**

- 1. **City of Bemidji – Resolution No. 2016-37** – V-16-80.03010.02 – Bemidji Motel LLP **CM**
- 2. **City of Bemidji – Resolution No. 2016-38** – IUP-16-80.03031.00 – Naylor Property Management/Trek North **CB**

**D. OTHER BUSINESS**

- 1. 2017 Calendar – Resolution No. 2016-39
- 2. Proposed JPB Performance Standards for ISD#31 Gene Dillon School
- 3. 2017 Fee Schedule

**E. VISITORS** **Chair**

**F. ADMINISTRATOR’S REPORT** **CM**

**G. UPCOMING MEETINGS** **Chair**

- 1. December 22, 2016 6:00 pm JPC Regular Meeting
- 2. January 11, 2017 6:00 pm JPB Regular Meeting
- 3. January 26, 2017 6:00 pm JPC Regular Meeting – tentative
- 4. February 8, 2017 6:00 pm JPB Regular Meeting – tentative

**H. ADJOURN** **Chair**

**GREATER BEMIDJI AREA JOINT PLANNING BOARD**  
**Meeting Minutes**  
**December 14, 2016**

Pursuant to due call and notice a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, December 14, 2016, at 6:00 p.m. in City Hall. Chair Olson presiding called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Albrecht, Kelly, Johnson, Mountain, Olson, Erickson

Members absent: Heuer, Merschman

Staff present: Casey Mai, Cory Boushee, Josh Stearns, Terri Ball

Others in attendance: Sam Anderson, Matt Murray, Dan McKeon, Jim Naylor

Pledge of Allegiance was performed.

**AGENDA**

Motion by Erickson, second by Albrecht to approve the agenda as presented.

Motion carried unanimously.

**MINUTES**

Motion by Kelly, second by Johnson to approve the November 9, 2016 JPB minutes.

Motion carried unanimously.

**CONSENT AGENDA**

- 1) Bills for the total amount of \$6030.73 (Check No. 2049 through 2055) were presented for payment.
- 2) LMCIT Liability Coverage Waiver Form – Resolution No. 2016-32 (Tort. Liability)
- 3) Budget Memo/proposed budget for 2017 & 2018 – Resolution No. 2016-33
- 4) Joint Planning Commission reappointments – Resolutions 34, 35, 36

Motion by Mountain, second by Johnson to remove item number three from the Consent Agenda, and approve amended Consent Agenda. Item number three has become 1. A. under New Business.

Motion passed unanimously.

## NEW BUSINESS

### RESOLUTION NO. 2016-37 – V-16-80.03010.02 – BEMIDJI MOTEL LLP

Applicant is looking to redevelop their site at 1813 Paul Bunyan Drive NW. This project will be a complete reconstruction which requires the upgrade of the site to the current zoning standards. The applicant is requesting for an alleviation from the airport overlay zoning requirements, to allow a new 2,200 sq ft structure to be built in place of the existing structure on a substandard lot. The zoning standards also requires a maximum impervious surface coverage of 70% in the Trunk Highway 197 Overlay District. The applicants are requesting a 77% impervious surface coverage; therefore, it will be a 7% variance request. The following variances are being requested:

1. Population attraction of 25 people plus staff over the allowed levels for Airport Zone B;
2. Allow redevelopment of a new structure on a substandard lot;
3. An increase of 7% in maximum impervious surface coverage.

## BACKGROUND

The parcel is a 0.72 acre parcel. The underlying zoning is B-2 Commercial with the Trunk Highway 197 Overlay District. The applicant has indicated the site redevelopment will be upgraded with a reduction in structure size from 5,800 sq ft to 2,200 sq ft and a 78% reduction in seating capacity from 156 to 35, plus staff. The current site has 16% pervious surface coverage. The request is to increase to 23%; however, the 197 Trunk Highway requires 30% pervious surface coverage and the underlying B2 requires 20%.

MN Rules 8800.2400 AIRPORT ZONING STANDARDS are the governing regulations that the Greater Bemidji Area Joint Planning Board Adopted to be applied within the Airport Overlay zoning district. This overlay district has three zones: A, B and C. A is the most restrictive.

The parcel and proposed building as part of this application are within Zone B.

## PLANNING CONSIDERATIONS

Because Paul Bunyan Drive has developed in the fashion it has (lawsuits, variances etc) a decision was made in the early 90's to not only look at the value of open space within the airport overlay zones, but to also look at economic value and alternative crash areas.

Many people will ask, how all of the other buildings along Paul Bunyan Drive historically were built. The answer is in a variety of lawsuits, variances, PUD applications. Most of the properties were then required to also situate their buildings in a manner that would minimize damage and loss of life if there was a crash.

From a planning and zoning perspective, staff does not see a conflict with the redevelopment of this site as the new building will be a reduction in structure size as well as in population density for seating capacity. The applicant is in negotiation for possible tenants, but the possible use will most likely be a drive through coffee shop, which encourages people to be transient in use and not be primarily located "in" the location for an extended period of time. Those people who are walk-ins, will also be spending a short period of time in the facility. The maximum site population for a 0.72 AC lot is 10 people. The seating capacity for people within the existing business seats 156 at a time, while the new proposed business will have a seating capacity of 35 seats, plus staff. The size of the building on a 3 AC lot is allowed to be 10,900 SF or a 12:1 ratio of site area to building plot area. The current building on the site is approximately 5,800 sq ft and the new proposed building is 2,200 sq ft. The new proposed building meets the 12:1 ratio.

#### Parking

The site is decreasing the total number of parking spaces from 43 to 24; however, there is a shared parking lot with an additional 18 spots with the business (AutoZone) next door. This is appropriate for the current standards and the fact that more people will use this restaurant as a "drive through" as opposed to a sit down location.

#### Utilities

The property is completely reliant on public utilities and will continue to do so.

#### Signage

A sign plan has not been submitted. The applicant will be required to obtain a sign permit by submitting a sign application with sign dimension plans to JPB staff

#### Trees

On this site with a 30% pervious surface coverage, the baseline minimum landscaping standards require: 12 trees on the property. This site requires a minimum of three (3) trees along the front of the property.

#### Trash Enclosure

The applicant has indicated a shared trash enclosure with Super 8 Hotel will be on site and will be shared with an easement as the enclosure will lie on the property line,

### Fire/Engineering

No concerns were identified by the Fire Department or the Public Works Department.

### Neighborhood and Agency Comments

No neighborhood opposition has been received. MnDOT Aeronautics and MnDot had no comments regarding the project.

### Comprehensive Plan References

These variance requests are consistent with the spirit and intent of the land use plan and have positive findings of fact.

## **RECOMMENDATION**

Staff recommends approval of the following three (3) variances: 1.) Population attraction of 25 people plus staff over the allowed levels for Airport Zone B; 2.) Allow redevelopment of a new structure on a substandard lot; and 3.) An increase of 7% in maximum impervious surface coverage. Staff recommends the following conditions:

1. The applicant shall provide an enhanced landscaping plan, which will include a minimum of 12 high quality significant trees.
2. Final engineering plans will be submitted for approval by both MnDOT and the City of Bemidji Engineering Department.
3. A City of Bemidji Building Permit process will be adhered to (demolition, building, water/sewer, electrical, mechanical and all other permits).
4. A variance verification review and site plan review shall be required of the applicant, which includes a site visits with a review fee.
5. A sign permit will be obtained prior to any sign being erected on the site.
6. FAA height determination application must be approved prior to submittal of any building permits.
7. No future expansions will be permitted without an additional variance application.
8. The trash enclosure on site shall be completely enclosed on all sides.

Board members had the following concerns:

- Mountain asked if condition six was implemented for the Four Pointe Bar & Grill. Staff explained that since the building was remodeled and not rebuilt, the condition was not required. If a new owner would have remodeled, the procedure would be the same.
- Albrecht asked if this parcel is a lot of record, or if subdivided. Staff said it was subdivided. Further Albrecht proposed another condition regarding easement be added in the event of property sale.

- Johnson explained history of airport overlay concerns as any up build in the area could affect getting grants. Also questioned if traffic concerns were raised about the drive-thru project as this section is already high traffic.

Motion by Albrecht, second by Mountain to approve Resolution No. 2016-37 for parcel 80.03010.02 including findings:

**1. Has the applicant demonstrated a practical difficulty?**

Yes. A practical difficulty exists as this lot is an existing, previously built upon, non-conforming lot in the Bemidji Airport Overlay district. No addition to the structure or alteration to the lot can be permitted without approval of a variance. The subject property is an existing parcel of record which conforms to the underlying B-2 (Commercial) zoning district.

**2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**

Yes. A practical difficulty exists as this lot is an existing, previously built upon, non-conforming lot in the Bemidji Airport Overlay district. No addition to the structure can be permitted without approval of a variance.

**3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?**

Yes. The underlying zoning is B-2 Commercial along Paul Bunyan Drive, which is an appropriate use and allows for a 20% pervious surface coverage. Therefore the request is reasonable. The Airport Overlay District would not permit this type of use or expansion by right. The proposed request is in conformity with the Greater Bemidji Area Land Use Plan.

**4. Can the variance be granted without altering the essential character of the surrounding area?**

Yes. Although the Airport Overlay district does not support the construction or expansion of buildings by right, the City of Bemidji established several standards to be reviewed in a variance proceeding, economic benefit and providing an alternative crash zone. The site has been restaurant and will continue to be one with a reduction in population. This variance will not alter the essential character of the area. With the additional requirements for enhanced landscaping, the site will be redeveloped to match or exceed the surrounding parcels.

And with conditions:

1. The applicant shall provide an enhanced landscaping plan, which will include a minimum of 12 high quality significant trees.
2. Final engineering plans will be submitted for approval by both MnDOT and the City of Bemidji Engineering Department.

3. A City of Bemidji Building Permit process will be adhered to (demolition, building, water/sewer, electrical, mechanical and all other permits).
4. A variance verification review and site plan review shall be required of the applicant, which includes a site visits with a review fee.
5. A sign permit will be obtained prior to any sign being erected on the site.
6. FAA height determination application must be approved prior to submittal of any building permits.
7. No future expansions will be permitted without an additional variance application.
8. The trash enclosure on site shall be completely enclosed on all sides.
9. Shared easement recorded on adjoining parcel.

Motion carried unanimously.

RESOLUTION NO. 2016-38 – IUP-16-80.03031.00 – NAYLOR PROPERTY  
MANAGEMENT/TREK NORTH CHARTER SCHOOL

Applicant is requesting an Interim Use Permit (IUP) for a charter school in the General Commercial (B-2) zoning district at 2400 Pine Ridge Ave NW. Naylor Property Management is proposing to construct another building on their property in order for Trek North to expand into a K-12 school. The proposed increase to K-12 and creation of another building constitutes a major change, requiring a review and complying with current zoning standards. The 2015 GBAJPB Zoning Ordinance requires a new charter school go through the IUP process in lieu of a CUP.

**BACKGROUND**

The currently approved and compliant CUP allowed for a building renovation to house students in grades 5-12 currently serving 240 students with thirty (30) faculty members. The applicant is requesting an IUP for expansion of the charter school to construct an additional building to house kindergarten through fifth grade students. This building is planned to hold 220-230 students, and will have up to twenty-five (25) faculty members. At this time no variance requests are needed for the proposed expansion and none are currently planned for the future.

It was known to the JPB at the time of the last approval in December of 2011 that expansion was possible, with the site being 5.24 acres. It was a part of the reason for choosing this location for development. However, the details of the expansion were not known at the time, so an expansion was not part of the approved CUP. The Greater Bemidji Area Zoning Ordinance allows for charter schools to be located in most zoning districts with the approval of an IUP.

Before renovating and moving locations, Trek North School was operating at 2518 Hannah Avenue NW in the Simonson Center under a Special Use Permit (SUP) approved on April 7, 2003 by the City of Bemidji. The original permit indicated a maximum of 160 students in grades 9-12. A further request and approval in 2006 added grades 7 and 8, but did not increase the total number of students. The school was also operating in Airport Zone B with an approved variance from the Bemidji Regional Airport.

The proposed location for expansion is to the south of the already operating middle/senior high school. Expansion in this location was always a possibility and now is coming to fruition for the school, as they request IUP approval.

### **PLANNING CONSIDERATIONS**

Charter schools are required to go through the IUP process in order to ensure the proposed location can be developed in a manner that protects the students and faculty as well as coinciding with the general public.

#### **Parking**

The plan shows an additional eleven (11) spots proposed to be added to the fifty-two (52) currently at Trek North totaling sixty-three (63) parking spaces. For secondary schools, one space is required per eight (8) students as well as one space per full-time faculty member. Currently the secondary school would need fifty-eight (60) parking spots based on 240 students and up to thirty (30) faculty members. For elementary schools, one space is required per full-time faculty member, twenty-five (25) faculty members are anticipated and twenty-five (25) have been proposed. The proposal is meeting the parking requirements of Section 1009 of the GBAJPB zoning ordinance. JPB staff intends to add a condition requiring the school to submit enrollment numbers each year in order to ensure adequate parking remains on-site, as the junior and senior high school is not currently meeting parking requirements.

#### **Landscaping**

In order to meet the requirements of the GBAJPB zoning ordinance, 32 trees are required to be planted on site, 32 trees are shown on the proposed site plan. All trees on-site are proposed along the lineal street frontages meeting requirements. This is to be compliant with Section 1006 of the GBAJPB zoning ordinance.

#### **Lighting**

A lighting plan will need to be submitted to JPB Staff and meet Section 1008 of the GBAJPB zoning ordinance.



### Screening

Screening will be required on the East fence line, screening plan will be approved by JPB staff in accordance with Section 1005 of the GBAJPB zoning ordinance

### Signage

The additional sign that is proposed will need a sign permit. In the (B-2) district parcels with greater than five acres that have multiple entrances are allowed two (2) free standing signs. Signage will still need to comply with Section 701 of the GBAJPB zoning ordinance.

### Trash Handling

A trash enclosure currently exists near the high school, Trek North intends to keep just one trash enclosure location. If another dumpster was needed, this trash enclosure could be expanded or a new one could be constructed compliant with Section 1002 of the GBAJPB zoning ordinance.

### Transportation – Bus, Car, and Pedestrian

Currently, buses drop students off on Pine Ridge Avenue, as the off-street bus loop at the junior and senior high school did not work for buses to enter and exit smoothly. The proposed elementary school layout separates buses from vehicular traffic that are dropping off students. Staff has worked with the applicant, as well as staff from the City of Bemidji and ISD 31 on the proposed transportation layout, with an alternative if found to be necessary for safety.

Trek North will be responsible for managing traffic patterns at the school to ensure safety issues on public streets do not become a concern. This is to ensure safety for the general public, as well as safety for students and parents going to and from the school. Trek North has informed staff of multiple options for managing traffic, one being a staggered school bus and parent pickup and drop off time that could allow for additional vehicle parking in the bus lane. Trek North is planning to keep the separate vehicle and bus lane, but managing parents in both lanes is an option. The use of separate lanes is to increase efficiency as cars are not waiting for buses, as well as increasing safety for students and drivers. Educating parents on safe driving habits and of the designated pickup and drop off times will also be important. If this layout along with staggered bus pickup and drop off does not maintain safe traffic patterns the alternative will be constructed. This alternative will only be required if Trek North cannot find a solution to mitigate traffic safety issues.

The proposed layout will allow for elementary students to be dropped off at the door of school, junior and senior high students can walk to the north school. Sidewalk options have been provided for junior and senior high school students to be dropped off by bus

or by car, and have a safe path to walk to the north school. This is important as it is expected that many families may have students in both schools. Trek North feels that most students will arrive by bus; two (2) or three (3) buses are planned for Trek North depending on need. Faculty and student crosswalk patrol will be used to ensure safe crossings for students.

Staff feels that the proposed plan is creating a safe environment for transportation whether it be cars, buses or students walking or biking. In addition to the on-site sidewalks, a sidewalk does exist along Pine Ridge Avenue for students commuting off adjacent streets. The property also installed a sidewalk with an easement across the Deerwood Bank property providing an access to the crosswalk located on Paul Bunyan Dr.

#### Open Space

When planning a school, it is important to provide open space for recreation. The design provided shows 45% of the site will remain green space. Some of this area is reserved for boulevards, stormwater ponds, and other infiltration areas. A recreation area is planned to the east of the proposed school that is just shy of one acre. A playground area is also planned for the southwest corner of the site. For added safety the playground will be fenced and only be accessible from inside the building, not from sidewalks or parking lot.

#### Engineering/ Fire Considerations

The Public Works department will need to approve final plans for the project. Final stormwater plans will need to be provided by a licensed engineer, the proposed drainage plan was preliminary to give the city engineer a draft concept. The fire department will review and approve final building plans to ensure fire code is being met.

#### Building Department

Charter schools are required to have plans reviewed by the State of Minnesota to ensure requirements of state building code are being met. State approvals will need to be provided to City of Bemidji Building Department before a building permit can be issued.

#### Neighborhood Concern

No comments or concerns have been received by the JPB at this time.

#### Comprehensive Plan References

The proposed use of a school in the General Commercial (B-2) district is consistent with Greater Bemidji Area Land Use Plan; provided the IUP process is followed and specific conditions are met in order to assure compatibility with surrounding uses.

## **RECOMMENDATION**

Staff recommends approval of an Interim Use Permit to allow Trek North a charter school in a (B-2) General Commercial zoning district of the City of Bemidji to operate a Kindergarten through 12th Grade school. In conjunction with all other regulations of the Greater Bemidji Area Zoning and Subdivision Ordinance, and the City of Bemidji subject to the conditions of:

1. An interim use permit allows for a temporary use of property.
  - a. This IUP shall be subject to termination or JPB review upon any of the following circumstances:
    - i. Upon a change in the operator (leaseholder).
    - ii. Upon a change in lease space by greater than 20%, excluding the proposed addition of a gymnasium.
  - b. This IUP shall NOT be subject to termination upon any of the following circumstances:
    - i. Upon a change in the name or affiliation of the charter school.
    - ii. A change in zoning classifications or ordinance regulations.
2. Final plans will need to be submitted to the JPB. If the JPB staff finds changes are more than a 20% deviation from the proposed plan, staff may choose to have the board review with participation of the applicant.
3. Trek North shall make all reasonable efforts to manage traffic volume and minimize safety concerns associated with transportation to and from the Trek North Elementary, particularly during student pick up and drop off times. Staggering bus departure and student pick up times is encouraged. In the event that traffic stacking or safety concerns arise, a meeting between Trek North, JPB, and City Staff will be conducted to discuss the concern and identify solutions. An identified solution will be subject to sixty (60) day review by JPB. If a solution cannot be satisfactorily identified, Trek North shall be responsible for modifying the existing curb and sidewalk along the east side of Pine Ridge Ave NW to construct an additional curb side student pick up location between the two proposed entrances to the elementary school, as shown on proposed site plan as an alternative. The school shall be allowed to continue operation for the remainder of the standard school year the problem is identified during, alternative improvements shall be completed before the next standard school year. The standard school year being defined as the typical September through May, understanding some years start and end in August or June.
4. Final stormwater plans will be submitted for review and approval by City of Bemidji engineer. Final plans shall include the proposed alternative for curb

- side student pick up location, as an alternative to ensure feasibility of construction. Plan must be submitted by a licensed engineer to meet City of Bemidji stormwater requirements.
5. Final building plans will be submitted to state, state approvals must be submitted to the City of Bemidji building department for review and approval, before a building permit may be issued.
  6. Final building plans will be submitted to the City of Bemidji Fire Department for review and approval, before a building permit may be issued.
  7. In order to ensure adequate parking is maintained on-site, Trek North will submit yearly enrollment numbers as well as anticipated staffing before fall school start.
  8. All 32 required trees will be planted before the school may operate.
  9. A lighting plan will be submitted to JPB staff for review in accordance to Section 1008 of the GBAJPB zoning ordinance.
  10. The east side fence shall meet screening requirements of the ordinance, vegetative or approved screening alteration to the fence will be allowed.
  11. Any new signage placed on-site will require review by JPB staff as well as sign permit with fee. It will also be in conformance with Section 701 of the GBAJPB zoning ordinance.
  12. Trash will remain at existing location, any new dumpsters brought on-site will require a trash enclosure compliant with Section 1002 of the GBAJPB zoning ordinance.
  13. Trek North will provide faculty and student crosswalk patrol for all crosswalks in elementary school parking lot during drop off and pickup times.
  14. Bike racks in a designated area for bicycle parking must be provided near the elementary school. Bike racks shall have adequate space for both schools. A centralized location for bike racks serving both schools may be acceptable.
  15. If final plans have not been submitted for approval by January 1st, 2018 JPB staff will review the IUP to determine if surrounding land use conditions are still suitable for development, staff may choose to have the JPB review with participation of the applicant. If plans have not been submitted by this deadline and the applicant chooses to not participate in a review process, the IUP shall be revoked by the JPB.
  16. If construction has not commenced before January 1st, 2019 JPB staff will review the IUP to determine if surrounding land use conditions are still suitable for development, staff may choose to have the JPB review with participation of the applicant. The JPB will have the right to revoke this IUP or add conditions at time of review if surrounding land use conditions are no longer suitable for proposed expansion.

17. Prior Permits. All conditional use permits previously issued for the property shall be revoked at the start of construction for the proposed expansion. The JPB will memorialize the revocation of the previous conditional use permits by adopting a resolution that it will record in the office of the County Recorder.
18. Staff will verify state requirements for school bus parking lots.

Board members had the following concerns:

- Discussions clarifying layout locations of main doors and gym. Staff and applicants replied. No concerns.
- Erickson favorably commented on size of school doubling in student capacity.

Motion by Albrecht, second by Erickson to approve Resolution No. 2016-38 for and IUP for parcel 80.03031.00 for Naylor Property Management and Trek North, including the findings:

1. **Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.**

No. The primary concern for any school is providing a safe place for children to learn, the proposed plan provided is expected to be safe and not causing a negative impact on the surrounding land.

2. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**

No. Traffic increase will be in the morning and afternoon, the proposed layout is expected to provide efficient traffic patterns to not cause significant back-up onto adjacent streets.

3. **Whether the proposed use adversely affects property in the surrounding area.**

No. There are no adverse effects to property in the surrounding area anticipated as a result of this proposal. The subject parcel is appropriately zoned for the proposed use with approval of an IUP.

4. **Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.**

Yes. The proposed use is consistent with the goals and policies of the JPB Land Use Plan. Per the GBAJPB Zoning Ordinance, charter schools are allowed pursuant the issuance of an Interim Use Permit by the JPB, and the subject parcel is appropriately zoned for the proposed use.

5. **Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**

Yes. The location is serviced by centralized services.

And with the following conditions:

1. An interim use permit allows for a temporary use of property.
  - a. This IUP shall be subject to termination or JPB review upon any of the following circumstances:
    - i. Upon a change in the operator (leaseholder).
    - ii. Upon a change in lease space by greater than 20%, excluding the proposed addition of a gymnasium.
  - b. This IUP shall NOT be subject to termination upon any of the following circumstances:
    - i. Upon a change in the name or affiliation of the charter school.
    - ii. A change in zoning classifications or ordinance regulations.
2. Final plans will need to be submitted to the JPB. If the JPB staff finds changes are more than a 20% deviation from the proposed plan, staff may choose to have the board review with participation of the applicant.
3. Trek North shall make all reasonable efforts to manage traffic volume and minimize safety concerns associated with transportation to and from the Trek North Elementary, particularly during student pick up and drop off times. Staggering bus departure and student pick up times is encouraged. In the event that traffic stacking or safety concerns arise, a meeting between Trek North, JPB, and City Staff will be conducted to discuss the concern and identify solutions. An identified solution will be subject to sixty (60) day review by JPB. If a solution cannot be satisfactorily identified, Trek North shall be responsible for modifying the existing curb and sidewalk along the east side of Pine Ridge Ave NW to construct an additional curb side student pick up location between the two proposed entrances to the elementary school, as shown on proposed site plan as an alternative. The school shall be allowed to continue operation for the remainder of the standard school year the problem is identified during, alternative improvements shall be completed before the next standard school year. The standard school year being defined as the typical September through May, understanding some years start and end in August or June.
4. Final stormwater plans will be submitted for review and approval by City of Bemidji engineer. Final plans shall include the proposed alternative for curb side student pick up location, as an alternative to ensure feasibility of construction. Plan must be submitted by a licensed engineer to meet City of Bemidji stormwater requirements.
5. Final building plans will be submitted to state, state approvals must be submitted to the City of Bemidji building department for review and approval, before a building permit may be issued.
6. Final building plans will be submitted to the City of Bemidji Fire Department for review and approval, before a building permit may be issued.

7. In order to ensure adequate parking is maintained on-site, Trek North will submit yearly enrollment numbers as well as anticipated staffing before fall school start.
8. All 32 required trees will be planted before the school may operate.
9. A lighting plan will be submitted to JPB staff for review in accordance to Section 1008 of the GBAJPB zoning ordinance.
10. The east side fence shall meet screening requirements of the ordinance, vegetative or approved screening alteration to the fence will be allowed.
11. Any new signage placed on-site will require review by JPB staff as well as sign permit with fee. It will also be in conformance with Section 701 of the GBAJPB zoning ordinance.
12. Trash will remain at existing location, any new dumpsters brought on-site will require a trash enclosure compliant with Section 1002 of the GBAJPB zoning ordinance.
13. Trek North will provide faculty and student crosswalk patrol for all crosswalks in elementary school parking lot during drop off and pickup times.
14. Bike racks in a designated area for bicycle parking must be provided near the elementary school. Bike racks shall have adequate space for both schools. A centralized location for bike racks serving both schools may be acceptable.
15. If final plans have not been submitted for approval by January 1st, 2018 JPB staff will review the IUP to determine if surrounding land use conditions are still suitable for development, staff may choose to have the JPB review with participation of the applicant. If plans have not been submitted by this deadline and the applicant chooses to not participate in a review process, the IUP shall be revoked by the JPB.
16. If construction has not commenced before January 1st, 2019 JPB staff will review the IUP to determine if surrounding land use conditions are still suitable for development, staff may choose to have the JPB review with participation of the applicant. The JPB will have the right to revoke this IUP or add conditions at time of review if surrounding land use conditions are no longer suitable for proposed expansion.
17. Prior Permits. All conditional use permits previously issued for the property shall be revoked at the start of construction for the proposed expansion. The JPB will memorialize the revocation of the previous conditional use permits by adopting a resolution that it will record in the office of the County Recorder.
18. Staff will verify state requirements for school bus parking lots.

Motion carried unanimously.

## **OTHER BUSINESS**

## 1. 2017 Calendar

Motion by Erickson, second by Kelly to approve the Calendar of Meetings for 2017 as presented in Resolution No. 2016-39.

Motion carried unanimously.

### a. Budget memo / proposed budget for 2017 & 2018 – Resolution 2016-33

Board members had the following concerns:

- Kelly commented on this being first time he's seen this year's budget, has issues with income short of proposed expenses with lack of contribution from one LGU, the significant shortfall and need to pull from reserve funds, operating without reigning in expenses or creating new income.
- Erickson stated it would be hard to cut the budget any farther. Most expenses are payroll, so staff already running the department on limited funds.
- Albrecht commented that it's common when a deficit budget occurs, reserves are used to balance.
- Erickson questioned Kelly about delaying approval of budget until next meeting. Discussion about forming a committee to review budget before next JPB meeting.
- Albrecht suggested two contributing LGUs increasing contributions for the good of the cause. Mountain agreed.

Motion by Erickson, second by Kelly to delay decision on 2017/2018 budget until January 11 Joint Planning Board meeting.

Motion carried unanimously.

## 2. Proposed JPB Performance Standards for ISD#311 Gene Dillon School

Staff presented memorandum as suggested by JPB attorney. Memo proposes performance standards which would be applied to the new school project by way of development agreement between the City of Bemidji and ISD #31.

Board members had the following concerns:

- Albrecht reiterated concern for interior green space, citing benefits of reduced heat islands, better stormwater runoff. Stated live landscaping such as trees reduces cooling costs if planted close to building. Further



stated concerns for this substantial building without green space to break up area.

- Kelly commented on difficulty in giving suggestions when project is not located in JPB jurisdiction. Further stated Northern Township was not brought into the discussion until now. Wanted it known he is not comfortable with this.
- Olson stated this is not an ideal situation, but it's the best way to uphold standards.
- Albrecht stated struggles with project. Concerns for City of Bemidji partnering even with doubts and unknown variables. City Council decided to annex, which would make it a JPB process.
- Kelly expressed that the community is relying on us to do what's right, yet the proper process has not been used which leaves a door open to potential issues. Albrecht did not disagree.
- Johnson commented on planned growth. Past community leaders did not want annexation, but it has happened and has grown our community. Annexation would also enable some control over new development.
- Mountain stated Northern Town Board has no intent of developing around project. Further questioned running service lines down county property.
- Albrecht opposes annexation, but was under the impression this is a time-sensitive project.
- Kelly asked how project falls into comprehensive plan – which won't be completed for several months. Stated this goes against concept of planning.
- Discussions including which entities attended meetings and pieces of key information missing from decision making, including county road repairs, traffic control.

No recommendations given to staff. No actions taken by board.

### 3. 2017 Fee Schedule

Staff presented revised fee schedule.

Board members had the following concerns:

- Mountain suggested postponing approval of new fee schedule until new budget approved,
- Discussion about what has changed since last fee schedule.

- Erickson supports not limiting commercial landscaping/tree escrow. Kelly wants a limit as is more reasonable for smaller businesses. Discussion about tabling item.

Motion by Erickson, second by Albrecht to approve the 2017 Fee Schedule with a \$10,000 maximum for tree escrow.

Motion carried. Mountain opposed.

Chair Olson called five-minute break 8:24 pm.

Chair Olson resumed meeting 8:38 pm.

#### ADMINISTRATOR'S REPORT

Mai summarized upcoming planning cases and projects, and recent technology upgrades to the department.

#### YEAR END REPORT

Mai briefly recapped 2016. Board members congratulated him with a job well done.

#### UPCOMING MEETING DATES:

December 22, 2016 -- JPC Regular Meeting @ 6:00 p.m.

January 11, 2017 -- JPB Regular Meeting @ 6:00 p.m.

January 26, 2017 -- JPC Regular Meeting @ 6:00 p.m.

February 8, 2017 -- JPB Regular Meeting @ 6:00 p.m.

Olson thanks board members for his opportunity as Chair. Olson also thanked Mountain for his years on the board. This is the last Joint Planning Board meeting for both.

#### ADJOURNMENT:

There being no further business, motion by Mountain, second by Albrecht, to adjourn the Joint Planning Board meeting at 8:50 PM.

Motion carried unanimously.

Respectfully submitted,

Terri Ball

Planning Assistant

JPB Minutes Approved and attested by:

  
Joint Planning Board Representative