

**GREATER BEMIDJI AREA  
REGULAR JOINT PLANNING COMMISSION MEETING**

**Thursday, August 25, 2016  
6:00 P.M.**

**Council Chambers, City Hall  
317 4<sup>th</sup> ST NW  
Bemidji, MN 56601**

**AGENDA**

- |  |              |
|--|--------------|
| <p>➤ <b>Call to Order/Roll Call</b></p>          | <b>Chair</b> |
| ➤ <b>Pledge of Allegiance</b>                    |              |
| ➤ <b>Approve Agenda</b>                          |              |
| ➤ <b>Approve Minutes</b>                         |              |
| • <b>Thursday, July 28, 2016 Regular Meeting</b> |              |

**NEW BUSINESS**

**Public Hearings**

- |  |           |
|--|-----------|
| 1. <b><u>City of Bemidji</u> – IUP-16-80.03031.00 - Naylor Property Management /Trek North</b> | <b>CB</b> |
| 2. <b><u>City of Bemidji</u> – V-16-80.00077.00 – Bemidji Chrysler Center</b>                  | <b>CM</b> |

**OTHER BUSINESS**

- |                              |                     |
|------------------------------|---------------------|
| 1. <b>Visitors</b>           | <b>Chair</b>        |
|                              |                     |
| 2. <b>Upcoming Meetings</b>  | <b>Chair</b>        |
| • September 14, 2016 6:00 pm | JPB Regular Meeting |
| • September 22, 2016 6:00 pm | JPC Regular Meeting |
| • October 12, 2016 6:00 pm   | JPB Regular Meeting |
| • October 27, 2016 6:00 pm   | JPC Regular Meeting |
|                              |                     |
| 3. <b>Adjourn</b>            | <b>Chair</b>        |

**MINUTES  
GREATER BEMIDJI AREA  
REGULAR PLANNING COMMISSION MEETING**

August 25, 2016  
6:00 p.m.

City Hall  
Council Chambers

**CALL TO ORDER:** Chair, Jess Frenzel called the regular meeting of the Greater Bemidji Area Joint Planning Commission to order at 6:00 p.m. Roll call was taken and the pledge of allegiance was recited

**MEMBERS PRESENT:** Berg, Kramka, David, Frenzel, Lemmer, Smith

**MEMBERS ABSENT:** Steffen, Hendricks, Miller

**STAFF PRESENT:** Casey Mai, Cory Boushee, Josh Stearns, Terri Ball

**OTHERS:**

**APPROVAL OF AGENDA:**

Motion by Lemmer, second by David, to approve the Agenda.

Motion carried unanimously

**APPROVAL OF MINUTES:**

Motion by Lemmer, second by Smith, to approve minutes from the July 28, 2016 Greater Bemidji Area Regular Joint Planning Commission as written.

Motion carried unanimously

**NEW BUSINESS:**

**Public Hearing:**

**Boushee announced the first case was withdrawn by applicant:**

**PLANNING CASE – IUP-16-80.03031.00 – Naylor Property Management/Trek North**

**Public Hearing opened at 6:03 p.m.**

**Public Hearing closed at 6:03 p.m.**

Motion by Lemmer, second by David to accept the letter to withdraw.

**Mai presented the second case as follows:**

**PLANNING CASE – V-16-80.00077.00 – Bemidji Chrysler Center**

Applicant is requesting a setback variance of three (3) feet from the required setback of the right-of-way (R.O.W.) to install a millennium Chrysler arch tower in the front of their building located at 755 Paul Bunyan Drive.

**BACKGROUND**

The applicant is looking to improve an existing site that is occupied by their current business. The existing building will see minor renovations to its fascia to meet the Chrysler Franchise requirements. The original plan was to tear the facility down and build a brand new one on the west side of the lot. However, the plan has changed and Bemidji Chrysler not only plans to renovate the fascia of the existing building, but they plan to pave the entire lot, create at least eight (8) percent of the required interior greenspace. Part of the renovation to the existing building is to meet Chrysler requirements by upgrading to the Millennium Branding System, which entails a millennium arch tower (known as a structure) be installed at the front entrance of their building.

The proposed millennium arch tower dimensions are as follows:

Width: 20'

Length: 2'

Height: 23' 4"

The millennium arch tower will not be connected to the existing building fascia. The maximum visual impact is accomplished if the tower stands at least six (6) to fifteen (15) inches away from the building allowing full access around the legs. This will also allow access to the interior of the tower to make electrical connections or provide service to the structure.

Typically structures also need to be ten (10) feet apart, except when subject to building code inspections. This structure will be inspected by the City of Bemidji building official.

Therefore the applicant is requesting a variance of three (3) feet from the required thirty (30) feet front yard setback or right-of-way in order to construct this structure on their

property. The applicant doesn't have any other option, unless they build a new facility and rearrange their entire lot.

### **PLANNING CONSIDERATIONS**

The applicant has indicated that the all Chrysler dealerships are required to upgrade to the Millennium Branding System, which means the fascia must meet current Chrysler specifications.

#### **Setbacks**

In regulating structure setbacks from the right-of-way, there are concerns that need to be addressed.

Conditions staff is planning to add if a building permit were to be approved include:

A variance verification review and site plan review shall be required of the applicant, which includes site visits and a review fee.

#### **Signage**

A sign permit will need to be submitted if any signage is installed above the millennium arch tower or the current sign permit will need to be amended if any signage changes due to the arch tower. The requirements for the signage are as follows:

Wall signage is limited to a maximum of four (4) percent of the building's total wall elevation square feet per street frontage, or fifty (50) square feet whichever is greater. Maximum allowable sign size shall not exceed two hundred and fifty (250) square feet.

ii. Freestanding or monument signage shall be limited to one hundred twenty-five (125) square feet for on-premise static identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.

#### **Comprehensive Plan References**

In regards to the comprehensive plan, the goals of the plan are to protect the safety, health and welfare of the community population and environment. With the proper construction steps for mitigating potential impacts, this request is in keeping with the goals and policies of the comprehensive plan.

#### **Fire Marshal**

The fire department had no concerns with the proposed accessory structure location in regards to fire protection.

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### 197 - MnDOT Comment

MnDOT had no comments regarding this variance request. The applicant has worked with MnDOT on their entrances along the Highway 197 corridor.

### Neighborhood Comment

No comments were received from neighboring property owners regarding the variance request.

## **RECOMMENDATION**

Staff recommends approval of a three (3) foot variance to allow for a twenty-seven (27) foot setback encroachment on the thirty (30) feet required from the front yard setback or right-of-way. The conditions stated above would be imposed on an approved building permit for additions/alterations to the current structure. The applicant will also go through the JPB variance verification process and pay the set fee. Approval recommended with the following findings of fact:

### **Findings**

GBAJPB Zoning and Subdivision Ordinance requires that variances are evaluated based on the following criteria to determine if the applicant's request constitutes a practical difficulty.

Staff recommended findings are as follows:

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

Yes. The request is identified as a need for a more modern version of the dealership to meet requirements by the Chrysler. Economic considerations are not the sole purpose of the request for this variance.

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

Yes. The current building structure was placed in a location without regard for future construction of an accessory structure. Therefore the site is working within limited space, with new construction requirements by the franchise.

**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 property is already developed. Therefore the site is working within limited space, with new construction requirements by the franchise.

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

Yes. The site has been a Chrysler Dealership and will continue to be one. This variance will not alter the essential character of the area. The installation of the millennium arch will provide an improved facelift of the fascia.

**Public Hearing opened at 6:15 p.m.**

Applicant appreciates the commission's time and consideration. He will comply with all ordinances and requirements.

**Public Hearing closed at 6:17 p.m.**

Motion by Smith, second by Kramka to approve variance for parcel 80.00077.00 as presented with findings.

Motion carried unanimously.

**ADMINISTRATOR REPORT:**

Mai provided updates on Comprehensive Plan progress. Annual Fall Tour has been postponed until Spring 2017. Attorney Troy Gilchrist suggests raising fees for Bemidji Township permits, as legal action to recoup unpaid contributions is not recommended at this time. No planning cases for next month, but deadline is next week. Stearns projects parking enforcement to be his upcoming focus. Has seen improvement overall in past year.

**UPCOMING MEETING DATES:**

September 14, 2016	6:00 pm	JPB Regular Meeting
September 22, 2016	6:00 pm	JPC Regular Meeting
October 12, 2016	6:00 pm	JPB Regular Meeting
October 27, 2016	6:00 pm	JPC Regular Meeting

**ADJOURNMENT:**

There being no further business, motion by Lemmer, second by David to adjourn the Regular Planning Commission meeting at 6:29 p.m.

Motion carried unanimously.

Respectfully submitted.

Terri Ball  
Planning Assistant

Approved and attested by:

  
\_\_\_\_\_  
Joint Planning Commission Representative