

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
City Hall Council Chambers/Webex
(For log in information <https://www.jpbgba.org/planning-actions>)
Wednesday, May 11, 2022 REGULAR MEETING – 6:00 p.m.

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

A. MINUTES **Chair**
Approval of April 13, 2022 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**

C. VISITORS **Chair**

D. NEW BUSINESS

1. City of Bemidji – Resolution No. 2022-08 – V-22-80.05990.00 – Carrie Strassburg **NP**
2. City of Bemidji – Resolution No. 2022-09 – CUP-22-80.05569.00 – Hanson Contracting **NP**

E. OTHER BUSINESS

F. DIRECTOR’S REPORT **NP**

G. ENFORCEMENT UPDATE **MF**

H. UPCOMING MEETINGS **Chair**

1. May 26, 2022	6:00 pm	JPC Regular Meeting
2. June 8, 2022	6:00 pm	JPB Regular Meeting
3. June 15, 2022	5:00 pm	Joint LGU Meeting
4. June 23, 2022	6:00 pm	JPC Regular Meeting
5. July 13, 2022	6:00 pm	JPB Regular Meeting

I. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
May 11, 2022

Pursuant to due call and notice, a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, May 11, 2022. Chair Jorge Prince called the meeting to order at 6:00 pm and roll call was taken.

Upon roll call, the following members were declared present: Prince, Thayer, Peterson, Lahn, Kelly (alternate).

Members absent: Frenzel (utilized alternate).

Staff present: Nick Phillips, Melissa Fahrenbruch.

Others in attendance: Carrie Strassburg, Todd Strassburg.

Pledge of Allegiance was performed.

AGENDA

Motion by Peterson, second by Lahn, to approve the agenda. Motion carried unanimously.

MINUTES

Motion by Thayer, second by Peterson, to approve the April 13, 2022 minutes as presented. Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$11,695.07 were presented for payment.

Motion by Peterson, second by Kelly, to approve the consent agenda. Motion carried unanimously.

NO VISITORS

NEW BUSINESS

RESOLUTION 2022-08 – V-22-80.05990.00 – CARRIE STRASSBURG

Carrie Strassburg of Strassburg Enterprises LLC is requesting a variance from the minimum standard parking requirements (as stated in the South Shore Planned Unit Development [SSPUD] for the requirement of 50% of parking within the property boundaries).

The request is to utilize 100% of the required parking (which equates to 36 total parking stalls) on the existing, adjacent Bemidji Economic Development Authority (BEDA) parking lots located in Outlots E, F, & G per the SSPUD that are adjacent to Event Center Dr. NE & Lake Shore Dr. NE.

South Shore Planned Unit Development (SSPUD)

Reduce Hard Surfaces: To encourage the sharing of parking lots and driveway curb cuts,

minimizing the amount of paved parking surface area and reducing traffic congestion.

JPB Staff met with the Applicants multiple times to discuss uses, layouts for the proposed uses, and processes for the South Shore Planned Unit Development (SSPUD). As this parcel had been for sale for quite some time, staff noted that it was the only parcel in the SSPUD that abutted the Outlots for parking and that it would make the most sense to utilize the existing, expansive parking area already in place.

Per the SSPUD: Lot 1 of Block 6 will need to meet a minimum of 50 percent of its parking requirement within the property boundaries. The developer for Lot 1 of Block 6 may consider the use of City parking lots located in Outlots E, F and G. These public parking lots will be available for short-term parking as well as long-term parking by permit. The Applicant has stated that their total number of needed parking spaces is 36 and to note that 26 spaces border the lot to the east.

Exterior Lighting

All exterior lighting existing and/or proposed for this structure shall meet Section 1008 of the Ordinance. A lighting plan showing fixtures and placement will need to be submitted for approval prior to a building permit being issued.

Trash Handling

Any dumpsters brought on site shall comply with Section 1002 of the Ordinance and be fully enclosed.

Landscaping per the SSPUD

A minimum of 50 percent of each yard setback area must be landscaped. Landscaping will follow the "Northwoods" theme established within the PUD. Native plants, shrubs and trees will be used. A detailed landscaping plan will be submitted at the time of site plan review for the proposed development.

Development Team Comments

Neither Public Works, the GIS Department, the Building Department, nor the Fire Department had any concerns regarding this variance request.

South Shore Development Review

Staff and Applicants met with the South Shore Review group to discuss the site development and parking plan. The consensus was that the variance for parking is desirable and in line with the goals of the PUD.

Neighborhood Comment

No neighborhood comments were received at the time of writing this report.

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of the variance from the SPPUD parking standards for parcel 80.05990.00 in order to utilize the existing parking lot that is located in the BEDA Outlots within the City of Bemidji.

Approval recommended with the following findings of fact and conditions:

Conditions:

1. A building permit and all other necessary permits shall be obtained from the City of Bemidji prior to construction.

2. All proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance and the SSPUD.
3. Any dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
4. A landscaping plan shall comply with the SSPUD.
5. A sign permit shall be obtained prior to any signs being erected on the properties per Section 711 of the Ordinance.
6. An erosion control plan shall be submitted and be in place before any construction commences on the property.
7. A development agreement shall be entered into between the JPB, City, and Applicant to ensure all site construction is completed to a satisfactory condition.
8. The variance shall expire and become void if the lot division is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the lot creation are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact:

1. Has the applicant demonstrated a practical difficulty?

Yes. Due to ingress & egress issues with the one-way traffic along the two road frontages along with making space on this small lot for parking demonstrates the need for a variance.

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

Yes. A practical difficulty exists as the current lot is surrounded by road frontages on two sides along with a 20' drainage easement on the east side.

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. Utilizing the existing Outlots for parking would be in keeping with not only the Zoning Ordinance but also with the spirit and intent of the SSPUD.

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

Yes. This variance will not alter the essential character of the area. Again, utilizing the existing parking Outlots will limit the need for more paved surface along with enhancing the character of the neighborhood by providing more greenspace.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Peterson identified that the parking lot is public and does get utilized by the public, specifically during summer events. Phillips noted that specific parking spots for the business would not be designated, it would be included within the public parking lot.
- Lahn inquired about additional parking permissions from the City of Bemidji. Phillips addressed that the short-term parking which the applicant would be using would not need additional permitting.
- Prince inquired about purchase agreement. Applicant responded that there were misunderstandings on the process and approvals at that time, but those have been further clarified since then.

- Kelly expressed concern over surrounding development. Phillips addressed.
- Thayer shared concern over constituents being treated fairly.

Motion by Peterson, second by Thayer, to approve Resolution 2022-08 to approve a variance from the SPPUD parking standards for parcel 80.05990.00 in order to utilize the existing parking lot that is located in the BEDA Outlots within the City of Bemidji, with the above stated conditions and findings of fact.

Ayes: Kelly, Lahn, Prince, Thayer, Peterson.

Nays: None.

Motion carried unanimously.

RESOLUTION 2022-09 – CUP-22-80.05569.00 – HANSON CONTRACTING, LLC

Derek Hanson of Hanson Contracting is requesting a conditional use permit to operate a contractor shop on a partially developed parcel (PID 80.05569.00) located at 3426 Irvine Ave NW, currently in the B-1 Low-Density Commercial District. The site is a partially developed B-1 lot with a conforming structure that was previously operated as an auto sales office. The current owner has utilized the site as general office space, keeping with the existing use of the structure up to this point.

The Applicant approached JPB staff regarding further development of this property, and the expansion of the office to include a contractor shop and storage space. The Applicant reviewed options for utilizing the site and existing buildings for the facility, and decided that an extension from the existing office front was the best option to meet business needs. The proposal would include site improvements to meet parking and traffic control requirements, landscaping, and all other applicable performance standards.

The Applicant has noted that cooperation with the County Highway department would be sought to reduce access widths as part of the reconstruction project, with final layout meeting all Ordinance requirements. The front of this lot contains the bulk of the impervious surface for the property, with approximately 1,394 square foot of greenspace existing between the road and building front. A total of nine (9) trees are required throughout the property, with a total of three (3) trees within the front yard setback along the street frontage of Irvine Avenue North. As there are currently a limited number of high-quality trees on this site, the addition of the frontage trees and some additional plantings are sufficient to meet ordinance standards.

The existing site is currently zoned B-1 Low Density Commercial, however municipal services will be installed under this stretch of Irvine Avenue in the coming year, and due to the state of existing sanitary services on the lot, staff propose that development of this lot over the next year be viewed under the requirements of a B-2 General Commercial District. The applicant is proposing installation of a holding tank south of the existing building. Staff would recommend that this would be operated under a management plan until such time that City sewer is completed along Irvine Avenue. Once sewer is available, use of the holding tank would need to be ceased and the applicant must then connect to City sewer in such a way that meets all plumbing code requirements.

Beltrami County Highway Department Comments

Bruce Hasbargen with Beltrami County coordinated with the applicant in preparation for the upcoming development, submitting directly to Derek Hanson regarding the initial development proposal

Following response from Hanson, Hasbargen submitted the following comment on the CUP proposal:

“Beltrami County Highway Department does not have any issues with the CUP request. We have had preliminary discussions with Derek Hanson regarding modifications to the entrances on Irvine. The upcoming reconstruction of Irvine Avenue will include a review of location, number and size of entrances. He has expressed that he will work with us and the site plan denotes such. We are good with the CUP as presented.”

Development Team Comments

Sam Anderson, City of Bemidji Assistant Engineer, stated the following in regards to the site plans for the proposal:

“Hello, Plan is still to have city sanitary sewer available to this property by summer of 2023 with the County road project. I’m assuming they’ll want to also connect the new floor drains to the municipal sanitary sewer, but this will require a flammable waste interceptor.

Road access points may be something Bruce wants to discuss with them, but they don’t appear to be modifying them with this current proposal.

We’ll want some basic grading & drainage plans and erosion control, which could maybe be included all on one site plan, but otherwise this looks pretty straightforward.”

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of Conditional Use Permit (CUP) to operate a contractor shop on a partially developed parcel (PID 80.05569.00) located at 3426 Irvine Ave NW, currently in the B-1 Low-Density Commercial District.

Approval recommended with the following findings of fact and conditions:

Conditions:

1. The applicant shall work with the County Highway Department on the final design of the approaches to the property, and shall convert any areas that will not be allowed for those future accesses to greenspace as necessary to meet Zoning and Subdivision Ordinance §1009A3(a) requirements.
2. The Applicant is solely responsible for working with the adjacent Property Owner to obtain easement agreement for shared parking and accesses from public rights-of-way, and to obtain any additional agreements or permissions, as may legally be required to accommodate the proposed use.
3. The installation of a holding tank to provide sewer service for the office building shall only be allowed as part of a holding tank management plan, which shall expire twelve months after municipal sewer services become available adjacent to the subject property. After such time, any such holding tank permitted by JPB staff must be properly abandoned or retrofitted to meet all applicable code requirements and state rules.
4. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
5. Any new dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
6. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 712 of the Ordinance. All signage shall be included on the sign permit or will require another permit prior to being placed on the property at a future date.
7. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance.
8. An erosion control permit shall be obtained with the proper mitigation installed prior to

- disturbance of soil or removal of impervious areas.
9. Any outdoor storage of supplies, materials, or equipment must be conducted in a manner that meets the performance standards of Article X of the Ordinance, including any necessary paving and screening that may be required.
 10. A development agreement shall be entered into between the JPB, City, and Applicant to ensure all work is completed to a satisfactory condition, following all Laws, Rules, Code and Ordinance requirements applicable to the site.
 11. The CUP shall expire and become void if the use is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate construction are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact:

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 Applicant has made a reasonable effort to redirect traffic to flow within the property rather than impact traffic in the roadway. Additional paving, as necessary, will be added to the site if required to meet this goal. This proposed use should have no additional contribution to traffic safety at this location, as proper site mitigation for maneuvering and traffic control will be in place.

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

No. The Applicant is planning to use existing entrances for ingress and egress from the property. The existing shared accesses will be studied for traffic mitigation measures during the road reconstruction process to help calm, slow down, and redirect traffic as it enters the impacted properties.

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

No. The nature of the use is in line with existing commercial operations nearby, and will not negatively encroach on adjacent non-commercial properties.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan; and

Yes. The proposed use is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning & Subdivision Ordinance in the B-2 General Commercial Zoning Districts with the issuance of a conditional use permit. Conditions have been included that will ensure the existing accesses will be modified to meet the road corridor safety needs, while allowing traffic to flow smoothly to and from the site.

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

Yes. The subject property is connected to City water, and will be required to hook up to sewer services when they become available in the near future. Existing greenspace is more than adequate for stormwater mitigation to be designed that meets the City's stormwater design standards.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Thayer requested additional information on city services for this property. Phillips identified that the property is currently connected to water, and the office is currently on septic that has shown to be failing, but sewer services will be installed under the roadway in 2023. Phillips noted the applicant's options to install a holding tank that can be connected to city services or to install a pool septic system.
- Kelly requested clarification on specific commercial designation. Phillips clarified.
- Prince inquired about holding tank standards and management, and enforcement in regards to connecting to city services. Phillips noted that operating and management plans are entered into for each case, and that such agreement would sunset when City services become available after the Irvine Avenue road project.

Motion by Lahn, second by Peterson, to approve Resolution 2022-09 to approve a Conditional Use Permit (CUP) to operate a contractor shop at 3426 Irvine Ave NW in the City of Bemidji, with the above stated conditions and findings of fact.

Ayes: Kelly, Lahn, Prince, Thayer, Peterson.

Nays: None.

Motion carried unanimously.

Thayer noted that she will not be able to attend the next Joint Planning Board Meeting, and will need to have an alternate attend. Prince identified that an alternate would attend the meeting in her stead.

OTHER BUSINESS

DIRECTOR'S REPORT

Phillips presented the Director's Report to the Board on behalf of the Planning Director. Phillips addressed the flooding that took place in the basement of City Hall and addressed that the staff housed in the basement are currently located at the City Public Works building. Phillips described year-to-date activity, as well as completed, current and upcoming development projects, the listening session, and upcoming planning cases.

Board members had the following comments:

- Prince discussed the future of City Hall and the placement of Staff for the longer-term. Prince also addressed the position of the Assistant City Manager/Community Development Director.
- Thayer expressed concern over another position hired without a specific space. Thayer, Prince and Kelly discussed where staff are currently housed and where they would be housed in the interim.

SITE ANALYST AND ENFORCEMENT REPORT

Fahrenbruch addressed current development activity, and enforcement activity for April.

Board members had the following comments:

- Thayer and Fahrenbruch discussed locations of City owned properties that are being cleaned up.
- Thayer and Fahrenbruch discussed mobile home parks within the City of Bemidji. Fahrenbruch addressed that JPB staff are working with the City legal department to resolve these issues.
- Peterson and Fahrenbruch discussed abandoned home and Fahrenbruch stated that staff was working with City legal department to resolve this issue and it will be coming before the City Council.

- Lahn requested more detail on Staff's enforcement projects. Fahrenbruch requested specifics on what information the Board would like to see.
- Kelly discussed current status of mobile home parks in the City of Bemidji and Northern Township. Fahrenbruch addressed. Phillips addressed that he has been in contact with MNDOH and MPCA on those mobile home park with septic violations. Phillips noted that JPB and City legal departments are involved in a few of the Mobile Home Parks issues. Prince noted City Rental Ordinance, and the lack of regulation on mobile home parks.
- Prince inquired about dynamic signs. Fahrenbruch addressed dynamic sign enforcement.
- Prince requested an update on Sintec Audio. Phillips noted that property owner has needed building supplies, but lack the manpower.
- Peterson inquired about the current number of short-term rentals. Phillips addressed that there are currently two short term rental permits, with a few in the works.
- Fahrenbruch clarified additional information regarding dynamic sign enforcement.

UPCOMING MEETING DATES

May 26, 2022	6:00 pm	JPC Regular Meeting
June 8, 2022	6:00 pm	JPB Regular Meeting
June 15, 2022	5:00 pm	Joint LGU Meeting
June 23, 2022	6:00 pm	JPC Regular Meeting
July 13, 2022	6:00 pm	JPB Regular Meeting

ADJOURNMENT

There being no further business, motion by Peterson, second by Lahn, to adjourn the Joint Planning Board meeting at 7:05 p.m. Motion carried.

Respectfully submitted,



Ainslee Krause
 Planning & Building Administrative Assistant

JPB Minutes approved and attested by: 
 Joint Planning Board Representative