

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

**Thursday, November 17, 2016
6:00 P.M.**

**Council Chambers, City Hall
317 4th ST NW
Bemidji, MN 56601**

AGENDA

- **Call to Order/Roll Call** **Chair**
- **Pledge of Allegiance**
- **Approve Agenda**
- **Approve Minutes**
 - **Thursday, October 27, 2016 Regular Meeting**

NEW BUSINESS

Public Hearings

1. **City of Bemidji – V-16-80.03010.02: Bemidji Motel LLP** **CM**
2. **City of Bemidji – IUP-16-80.03031.00: Naylor Property Mgt/Trek North** **CB**

OTHER BUSINESS

1. **Visitors** **Chair**
2. **Administrator Report** **CM**
3. **Upcoming Meetings** **Chair**
 - December 14, 2016 6:00 pm JPB Regular Meeting
 - December 22, 2016 6:00 pm JPC Regular Meeting
 - January 11, 2017 6:00 pm JPB Regular Meeting
 - January 26, 2017 6:00 pm JPC Regular Meeting – Date not final
4. **Adjourn** **Chair**

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

November 17, 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, Steffen, Hendricks, Frenzel, Lemmer, Miller, Smith

MEMBERS ABSENT: David

STAFF PRESENT: Casey Mai, Cory Boushee, Terri Ball

OTHERS: Matt Murray, Jim Naylor, Dan McKeon

APPROVAL OF AGENDA:

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

Motion carried unanimously

APPROVAL OF MINUTES:

Motion by Miller, second by Lemmer, to approve minutes from the October 27, 2016 Greater Bemidji Area Regular Joint Planning Commission as written.

Motion carried unanimously.

NEW BUSINESS:

Public Hearing:

Mai presented the first case:

PLANNING CASE – V-16-80.03010.02 – Bemidji Motel LLP

Applicant is looking to redevelop their site at 1813 Paul Bunyan Drive NW. 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; which includes the following regulations:

Minimum Lot Size

Each use shall be on a site whose area shall not be less than three acres.

Height restrictions

Except as necessary and incidental to airport operation, no structure or tree shall be constructed, altered, or allowed to grow in any airport zone so as to project above any of the imaginary airspace surfaces as established

Use restrictions

In order to restrict those uses which may be hazardous to the operational safety of aircraft operating to and from an airport, and furthermore to limit population and building density in the runway approach areas, thereby creating sufficient open space so as to protect life and property in case of accident, the following use restrictions are applied to the land use safety zones.

Prohibited Uses

The following uses are specifically prohibited in zone B: churches, hospitals, schools, theaters, stadiums, hotels and motels, trailer courts, camp grounds, and other places of public or semipublic assembly.

Population Restrictions

Each use shall not create, attract, or bring together a site population that would exceed 15 times that of the site acreage.

Total number of structures

Each site shall have no more than one building plot upon which any number of structures may be erected.

A structure is defined

A building plot shall be single, uniform, and non-contrived area, whose shape is uncomplicated and whose area shall not exceed the following minimum ratios with respect to the total site area:

Structure size

The ratio of site area to building plot area on a three acre lot is 12 to 1.

PLANNING CONSIDERATIONS

MnDOT Aeronautics is the State Department set up to ensure the area around airports is protected from development. The highest numbers of crashes occur at or near the ends of runways. Therefore, those areas are encouraged to not have any development encroachments.

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. Example: Walmart required to put its garden center closest to the runway and the grocery furthest from the runway.

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.

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.

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. An email from Karen Weller, Airport Director, was received 11/16/2016 which does not support granting of the variance.

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.

Public Hearing opened at 6:28 p.m.

Representative, Matt Murray, stated the project is a complete reconstruction which reduces the amount of population on site and increases green space. Commissioner Smith questioned possibility of placing a roof on trash enclosure so as to divert birds. Staff explained roofs are not required by our ordinance, and discussion continued until Frenzel stated dumpsters have lids. Frenzel then asked the height of proposed building. Murray unsure of exact measure but affirmed it to be below maximum allowed as it will be single level. Smith commented on philosophical aspect of allowing development while it is prohibited. Murray commented on protection of constitutional rights, staff stated a building is already located there, and Frenzel summarized keeping the existing building would not decrease population or improve trash enclosures.

Public Hearing closed at 6:33 p.m.

Motion by Steffen, second by Lemmer to approve three Variances:

1. Population attraction of 25 people plus staff over the allowed levels for
- Planning Commission Meeting, November 17, 2016

Airport Zone B;

2. Allow redevelopment of a new structure on a substandard lot;
3. An increase of 7% in maximum impervious surface coverage.

for parcel 80.03010.02 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.

And 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.

Motion carried unanimously.

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

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. This is the current location of Trek North, operating under a Conditional Use Permit (CUP) for a charter school. 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. The JPB as well as the City of Bemidji public works, fire, and building departments have hosted multiple meetings with the applicant to provide comment and address any concerns. The transportation department for the Bemidji School District has also been working with the project to ensure the safety of the transportation plan.

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.

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. 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.

Public Hearing opened at 7:00p.m.

Applicant, Dan McKeon, approached the commissioners. Frenzel asked if a plan exists for additional parking if it becomes necessary. McKeon stated the site will be at maximum capacity if this expansion occurs, and feels the 11 parking spaces will accommodate. Not all staff positions will increase, and 25 is a safe estimation. Berg asked if a gymnasium will be included in expansion. McKeon said it would, as it is a state requirement for elementary students to have physical exercise. Berg further asked about competitive sport teams and events such as concerts, to which applicant explained that due to small size of school, extracurricular activities are limited. McKeon continued stating there will not be any state affiliations with sport teams, and concerts will likely continue to be held off site. Frenzel questioned single trash container which is located at a distance for one of the schools. McKeon expects the one unit will adequately handle both schools refuse, and plans to provide one large cart to transport a lot of trash in one trip. Also, a route for foot traffic is planned on east sidewalk. Steffen asked if a plan is in place for exterior maintenance equipment. McKeon explained they contract services currently and would expand them when needed. Kramka questioned organizational chart and chain of command. McKeon stated he is the Executive Director which equates to a combination of principal and superintendent, and he reports to the school board which is made up of stakeholders such as parents and staff.

Public Hearing closed at 6:11 p.m.

Motion by Steffen, second by Kramka to approve an IUP for expansion of the Trek North charter school to construct an additional building to house kindergarten through fifth grade students, with 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.

And with 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.

Roll call vote:

Ayes: Smith, Miller, Lemmer, Frenzel, Hendricks, Steffen, Kramka, Berg

Nayes: None

Absent: David

Abstain: None

Motion carried unanimously.

Planning Commission Meeting, November 17, 2016

ADMINISTRATOR REPORT:

Mai summarized upcoming planning cases, updated JPC on Comprehensive Plan meeting held November 3, and described his training at CPAW in Boulder Colorado. Other development projects were discussed. Site Plan Analyst activities were detailed.

UPCOMING MEETING DATES:

December 14, 2016	6:00 pm	JPB Regular Meeting
December 22, 2016	6:00 pm	JPC Regular Meeting
January 11, 2017	6:00 pm	JPB Regular Meeting
TBD	6:00 pm	JPC Regular Meeting

ADJOURNMENT:

There being no further business, motion by Lemmer, second by Steffen to adjourn the Regular Planning Commission meeting at 7:28 p.m.

Motion carried unanimously.

Respectfully submitted.
Terri Ball
Planning Assistant

Approved and attested by: 
Joint Planning Commission Representative