

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

**Thursday, September 22, 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, August 25, 2016 Regular Meeting**

NEW BUSINESS

Public Hearings

1. **City of Bemidji – CUP-16-80.05985.00/80.05984.00 – ICON Architectural Group CM**

OTHER BUSINESS

1. **Visitors** **Chair**
2. **Administrator Report** **CM**
3. **Upcoming Meetings** **Chair**
 - **October 12, 2016 6:00 pm** **JPB Regular Meeting**
 - **October 27, 2016 6:00 pm** **JPC Regular Meeting**
 - **November 9, 2016 6:00 pm** **JPB Regular Meeting**
 - **November 17, 2016 6:00 pm** **JPC Regular Meeting**
4. **Adjourn** **Chair**

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

September 22, 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, Steffen, David, Hendricks, Frenzel, Miller, Smith

MEMBERS ABSENT: Kramka, Lemmer

STAFF PRESENT: Casey Mai, Josh Stearns, Terri Ball

OTHERS:

APPROVAL OF AGENDA:

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

Motion carried unanimously

APPROVAL OF MINUTES:

Motion by Steffen, second by David, to approve minutes from the August 25, 2016 Greater Bemidji Area Regular Joint Planning Commission as written.

Motion carried unanimously

NEW BUSINESS:

Public Hearing:

Mai presented the first case:

PLANNING CASE – CUP-16-80.05985.00/80.05984.00 – ICON Architectural Group

Applicant is requesting approval for a Conditional Use Permit (CUP) to remove 60% of high quality significant trees in the South Shore Development in Bemidji. The property is located within the South Shore PUD Overlay, which has several additional restrictions on design and layout of the site.

BACKGROUND

South Shore Crossing is looking to develop their site along the south shore of Lake Bemidji. In order to develop on this site, 100% of trees will need to be removed and according to the Greater Bemidji Area Joint Planning Board Zoning & Subdivision Ordinance, a CUP is required for the removal of greater than 60% of the High Quality Significant trees on the site. A more detailed landscaping plan will be submitted at the time of a site plan review for the proposed development.

PLANNING CONSIDERATIONS

During the South Shore PUD process a tree preservation study was conducted and it was concluded that applicants would need to follow the JPB ordinances for tree removal. The sites along the lake shore require significant filling of land in order for proper engineering/construction best management practices to be used. The significant filling would likely cause trees to die if they were attempted to be saved. Staff believes a better end result will be obtained by properly bringing the site elevation up to a buildable condition and restoring the site through planting new trees that match the PUD.

Projects in the South Shore are not only reviewed by City of Bemidji and JPB staff, but also the South Shore Design Review Committee. A mixed use development containing greater than 20% commercial space is an allowed use in the South Shore PUD, a conditional use permit is only required for tree removal in this case. The applicant believes that even if the site plan were to change some, the development will not require any additional trees.

Setbacks

The property lies in the shoreland overlay on Lake Bemidji with a Shoreland PUD requirement of setback of 150ft, with a DNR natural area and the trail sitting in between the OHW and these properties.

All building setbacks will be met for final approval without an approved variance. The South Shore PUD has special setback requirements for each lot within the PUD.

Current issues seen by staff that will need to be corrected:

1. Garage on North side of site plan will need to be adjusted to meet setback requirements of the Paul Bunyan Trail.
2. Current parking lot will need to be shifted to be five (5) feet from the property line on Lake Shore Dr. Even though the building setback for these lots is 0', the parking lot requirement will still need to be met. Note that the original intent of the 0' setback was to allow (if desired) storefronts to be located directly on the property line similar to downtown. The current development placement still meets the requirements of the PUD.

Trees

Base tree requirements from the JPB ordinance are not always appropriate in the South Shore PUD because of the increased impervious surface allowed, and customized setbacks. The JPB ordinance would only require 18 trees for this site with no trees being placed along Lake Shore Dr. between the parking lot and street. As the development is not utilizing the 0' building setback, and is creating an open landscape more trees can be added. The tradeoff for being allowed to remove 100% of the HQS trees will be the addition of 14 trees to be required. We will also require that these 14 trees be larger than the minimum requirement for coniferous and deciduous trees.

The PUD requires that trees along boulevards and parking areas be placed for developments at a rate of one per 40' of boulevard or parking area edge.

The 14 additional trees shall be larger than the minimum requirements. Half of the trees shall be coniferous at least six (6) feet in height, the other half shall be deciduous greater than 1.75 caliper inches.

No more than 40% of any of the same tree species shall be planted as required in the JPB ordinance.

Landscaping

A minimum of 50 percent of each yard setback shall be landscaped and follow the "Northwoods" theme established within the PUD.

An enhanced landscaping plan will be necessary to meet the requirements of the PUD. Shrubs and Native Plants will be planted to break up the landscape.

RECOMMENDATION

Staff recommends approval of a conditional use permit to remove 100% of the High Quality Significant Trees for a Mixed-Use development in the Lake Development Zoning

District and South Shore PUD. The mixed use development shall meet the requirements of Mixed-Use as required by the South Shore PUD.

The following conditions shall be met to remain in conformance with an approved CUP.

1. Final plans will need to be approved by all agencies before removal of any clearing and grubbing can start. This includes approval by JPB, SSDRC, and all regulating officials of the City of Bemidji.
2. An enhanced landscape plan will be provided that meets the requirements of the South Shore PUD.
3. The applicant shall provide the JPB with a landscape escrow in accordance with the 2016 fee schedule to be held for one (1) year to ensure all vegetation has been established.
4. 32 Trees is the minimum amount of trees needed for approval based on the current site plan. Any plan changes shall still contain 32 trees.
5. Interior landscaping of parking lot shall contain live landscaping including trees. If the parking lot size is increased, additional interior landscaping, including live landscaping and trees will be required. Trees planted within the additional interior landscaping shall be in addition to the 32 trees required as minimum.
6. 14 trees will be required to be of a larger size, 50% shall be deciduous greater than 1.75 caliper inches the other 50% shall be coniferous greater than 6' in height.
7. No more than 40% of one tree species shall be planted and trees should be of species listed in the PUD matching the original tree planting of the event center.
8. Trees shall be planted along new parking area one per 40' as required in the PUD.
9. All trees will be planted on the property owned by the applicant.

Public Hearing opened at 6:14 p.m.

Applicant representative, Sam Anderson, from Karvakko Engineering stated he was comfortable with the conditions and had nothing to add to the presentation. Steffen asked who owns the property. Realtor Bob Kiewatt listed two of the three partners from Grand Forks – Mike Kunzy and Tom Wesley. Kiewatt further stated that ICON has experience developing several similar projects. Smith questioned if tree replanting with roots too deep results in the anticipated kill. Kiewatt clarified that along with trees not able to be planted deep enough to withstand wind. Miller asked about the 16" red pine to be removed and stated it to be categorized as significant. Discussion about how these would not survive replanting. Steffen commented on his personal experience with attempts to replant significant trees. Miller questioned who keeps the harvested wood. Staff explained it is up to the land owner.

Public Hearing closed at 6:16 p.m.

Motion by Berg, second by Steffen to approve the CUP for parcels 80.05984.00 and 80.05985.00 with conditions set by staff, and with findings:

- a. **Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of surroundings land;**
The removal of significant trees will be mitigated, per the applicant's plans, by the placement of 32 new trees as well as enhanced landscaping required by the PUD on site.
- b. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land;**
The removal of high quality significant trees will not adversely affect traffic conditions and parking on adjacent land.
- c. **Whether the proposed use adversely affects property in the surrounding area;**
The removal of the trees will not adversely affect the properties in the surrounding areas.
- d. **Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan;**
The removal and replacement of trees onsite is consistent with the Greater Bemidji Area Land Use Plan. If all conditions for approval are met, the CUP will be in conformance.
- e. **Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**
The existing utilities will be adequate for the site.

Motion carried unanimously.

ADMINISTRATOR REPORT:

Mai described upcoming planning case and another potential applicant. Answered specific questions about Development Projects listed in report. Mai updated commission on progress of Comprehensive Plan. Discussion about Ordinance Updates and proposed syncing with Comp Plan in 2017. Summary of Stearns recent work with parking enforcement and dumpster enclosures.

UPCOMING MEETING DATES:

October 12, 2016	6:00 pm	JPB Regular Meeting
October 27, 2016	6:00 pm	JPC Regular Meeting
November 9, 2016	6:00 pm	JPB Regular Meeting
November 17, 2016	6:00 pm	JPC Regular Meeting

ADJOURNMENT:

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

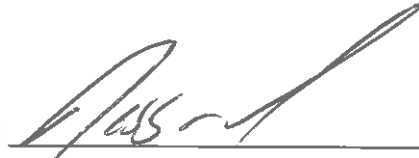
Motion carried unanimously.

Respectfully submitted.

Terri Ball

Planning Assistant

Approved and attested by:



Joint Planning Commission Representative