

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

Thursday, August 24, 2023

**5:00 P.M.**

**Bemidji City Hall 317 4<sup>th</sup> Street NW, Bemidji, MN 56601**

**/Cisco WebEx Video Conferencing**

(For log-in information <https://www.jpbgba.org/planning-actions-current>)

**AGENDA**

- Call to Order/Roll Call Chair
- Pledge of Allegiance
- Approve Agenda
- Approve Minutes
  - Thursday, July 27, 2023 Regular Meeting

**NEW BUSINESS**

- 1. Visitors Chair

**Public Hearings**

- 1. City of Bemidji – Conditional Use Permit Request for Parcel 80.00461.02 – Bergmann  
(Holiday Stationstores, LLC) JC

**OTHER BUSINESS**

- 1. Director's Report JC
- 2. Site Analyst and Enforcement Report DW
- 3. Upcoming Meetings Chair
  - **September 7, 2023**      **5:00 pm**              **JPB Regular Meeting**
  - **September 28, 2023**    **6:00 pm**              **JPC Regular Meeting**
  - **October 11, 2023**        **6:00 pm**              **JPB Regular Meeting**
  - **October 26, 2023**        **6:00 pm**              **JPC Regular Meeting**
- 4. Adjourn Chair

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

**August 24, 2023  
5:00 p.m.**

**Council Chambers / Cisco WebEx  
317 4<sup>th</sup> St NW**

**CALL TO ORDER:** Chair Clark Chambers called the regular meeting of the Greater Bemidji Area Joint Planning Commission to order at **5:01 p.m.** Roll call was taken and the pledge of allegiance was recited.

**MEMBERS PRESENT:** Berg, Faver, Steffen, David, Heinonen, Granlund, McCoy, Lemmer, Chambers.

**MEMBERS ABSENT:** None.

**STAFF PRESENT:** Planning Director Jamin Carlson, Planning Administrative Assistant Ainslee Krause. Compliance Inspector & Site Analyst David Wielenberg.

**OTHERS:** Christian Cabrera (via WebEx), Matthew Lieshout (via WebEx), Steve Harrison (via WebEx).

**APPROVAL OF AGENDA:**

Motion by **Heinonen**, second by **Granlund**, to approve the agenda as presented. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion by **Steffen**, second by **Granlund**, to approve the minutes from the **July 27, 2023** Greater Bemidji Area Regular Joint Planning Commission as presented. Motion carried unanimously.

**VISITORS WITH BUSINESS NOT ON THE AGENDA:** No visitors.

**NEW BUSINESS:**

**Public Hearings:**

**PLANNING CASE – CONDITIONAL USE PERMIT REQUEST FOR PARCEL 80.00461.02 – BERGMANN REPRESENTING HOLIDAY STATIONSTORES LLC**

Carlson presented the planning case and addressed some additions to the conditions and findings in the planning report at the recommendation of the Joint Planning Board attorney. Christian Cabrera of Bergmann representing Holiday Stationstores, LLC is requesting a Conditional Use Permit to construct and operate a convenience store and an auto fuel/diesel station, and to remove high quality significant trees above the base minimum landscape standard. The subject property is located at Hwy 2, Moberg Dr NW, and Norris Ct NW (PID 80.00461.02) in the City of Bemidji. This parcel is located in the (B-2) General Commercial, Airport Zone C Overlay, and MN DOH Drinking Water Supply Management Area (DWSMA) Zoning districts.

**RECOMMENDATION & FINDINGS**

Staff recommends approval of a conditional use permit with the conditions and findings of fact as presented in the packet and the additional conditions presented as follows:

### Conditions:

1. MDH has recommended that tank installation and operation shall meet all regulatory requirements of the Minnesota Pollution Control Agency.
2. MDH has recommended that an emergency spill response plan be developed and implemented as a condition of the permit.
3. MDH has recommended that a stormwater management plan be developed and implemented to help protect the city's drinking water supply.
4. All proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
5. 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.
6. The defined maneuvering lanes shall be adequately marked with a painted stripe and/or clear signage to provide direction for customer traffic and to lessen congestion or confusion.
7. All dumpsters on site shall be fully enclosed on all sides with a secure door, constructed to a height of six (6) feet and matching the architectural appearance of the buildings as required by the GBAJPB Zoning & Subdivision Ordinance per Section 1002, or an alteration acceptable by the Planning Director meeting the intention of the ordinance.
8. In accordance with the Section 1007 of the Ordinance, a tree removal permit will need to be approved prior to removing trees along with a landscaping plan shall be submitted for final approval to JPB & City staff.
9. All proper permits/licenses shall be obtained prior to construction, including but not limited to a building, mechanical, stormwater, and other permits from the City of Bemidji and JPB, as well as any permits/licenses required by other federal, state, or county agencies.
10. All work shall be covered under a development agreement between the JPB, City, and Applicant to ensure all site construction is completed to a satisfactory condition.
11. In the event that, the proposed Gas Station and Convenience store is found to create an articulable and legitimate safety hazard, the Planning & Zoning Administrator shall provide written (including any electronic communication consisting of text message or email) notice to the owner that any fuel and retail activities must be immediately suspended. The notice shall include the articulable safety hazard resulting in the required suspension of the use. The owner shall have thirty (30) days to derive a plan addressing the safety hazard, which may be approved by the Planning & Zoning Administrator. Unless extended by the Zoning Administrator, the Planning department may hold a hearing after sixty (60) days to formally revoke this CUP.
12. The CUP shall expire and become void if the Gas Station and Convenience 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 the Gas Station and Convenience use are mostly complete. The Planning department 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 indicated they will be working closely with other regulatory agencies (MDH & MPCA) to ensure all requirements for fuel & groundwater safety will be met. This proposed use should have no adverse affects on the surrounding land.

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

No. The Applicant is planning to install entrances for ingress and egress off of Moberg Dr. & Norris

Ct. which are City roads that connect to State Hwy 2. The applicant has provided a traffic study to address vehicles being added to the roadways from the proposed business and all required parking will be on the parcel.

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

No. The applicant has submitted a site plan based on their needs, entirely within their property boundaries, and no aspect of the gas station and convenience store itself should adversely affect surrounding area.

**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.

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

Yes. The property has adequate public infrastructure and is served by city services.

**Commission members had no comments.**

**Public Hearing opened at 5:10 p.m.**

- Christian Cabrera addressed the Commission.
- Steffen inquired about accesses. Carlson clarified the two proposed accesses on Norris Court NW and Moberg Drive NW.

**Public Hearing closed at 5:11 p.m.**

Motion by **Steffen**, second by **David**, to approve a conditional use permit to construct and operate a convenience store and an auto fuel/diesel station, and to remove high quality significant trees above the base minimum landscape standard, subject to the conditions and findings of fact as presented.

Ayes: Chambers, Lemmer, McCoy, Granlund, Heinonen, David, Steffen, Faver, Berg.

Nays: None.

Motion carried unanimously.

Chair Chambers addressed that this request would go before the Joint Planning Board for the final decision at their next meeting on September 7, 2023, at 5:00 pm and addressed that this is a change from the originally scheduled meeting.

**OTHER BUSINESS:**

**DIRECTOR'S REPORT:**

Carlson presented the Director's Report.

Board members had no comments.

**DIRECTOR'S REPORT AND SITE ANALYST & ENFORCEMENT REPORT:**

Wielenberg presented the Site Analyst & Enforcement Report.

Board members had no comments.

**UPCOMING MEETING DATES:**

<b>September 7, 2023</b>	<b>*5:00 pm*</b>	<b><i>JPB Regular Meeting (rescheduled)</i></b>
September 28, 2023	6:00 pm	JPC Regular Meeting
October 11, 2023	6:00 pm	JPB Regular Meeting
October 26, 2023	6:00 pm	JPC Regular Meeting

**ADJOURNMENT:**

There being no further business, motion by **Steffen**, second by **David**, to adjourn the Regular Planning Commission meeting at **5:20** p.m. Motion carried.

Respectfully submitted,

Ainslee Krause  
Administrative Assistant

Approved and attested by: \_\_\_\_\_  
Joint Planning Commission Representative

DRAFT