

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

**Thursday, December 17, 2020
6:00 P.M.**

**Cisco Webex Video Conferencing
(For log in information <https://www.jpbgba.org/planning-actions>)**

AGENDA

- | | |
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| ➤ Call to Order/Roll Call | Chair |
| ➤ Pledge of Allegiance | |
| ➤ Approve Agenda | |
| ➤ Approve Minutes | |
| • Thursday, November 19, 2020 Regular Meeting | |

NEW BUSINESS

- | | |
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| 1. Visitors | Chair |
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Public Hearings

- | | |
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| 1. <u>City of Bemidji</u>: IUP-20-80.00158.01 – Target Bemidji | JC |
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OTHER BUSINESS

- | | |
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| 1. Year-End Report | |
| 2. Director’s Report | |
| 3. Upcoming Meetings | Chair |
| • January 13, 2020 6:00 pm JPB Regular Meeting | |
| • January 28, 2020 6:00 pm JPC Regular Meeting | |
| • February 10, 2020 6:00 pm JPB Regular Meeting | |
| • February 25, 2020 6:00 pm JPC Regular Meeting | |
| 4. Adjourn | Chair |

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

**December 17, 2020
6:00 p.m.**

**Cisco Webex
Video Conference**

CALL TO ORDER: Chair Don Heinonen 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, Heinonen, Lemmer, Granlund, Smith, Miller, Steffen.

MEMBERS ABSENT: Faver, David.

STAFF PRESENT: Casey Mai, Jamin Carlson, Ainslee Knudson.

OTHERS: Bill Freehammer, Joshua Wagar.

APPROVAL OF AGENDA:

Motion by Miller, second by Steffen, to approve the agenda as presented.

Motion carried unanimously.

APPROVAL OF MINUTES:

Motion by Granlund, second by Steffen, to approve minutes from the November 19, 2020, Greater Bemidji Area Regular Joint Planning Commission as presented.

Motion carried.

VISITORS:

None

NEW BUSINESS:

Carlson presented the first case:

PLANNING CASE – IUP-20-80.00158.01 – TARGET BEMIDJI

Marissa Welle representing Target Bemidji, is requesting approval of an interim use permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the property located at 2100 Paul Bunyan Drive NW within the City of Bemidji. This property is located in the B-2 General Commercial District.

BACKGROUND

Target Bemidji (Applicant) is seeking an Interim Use Permit (IUP) to house more than (2) temporary storage containers and/or semi-trailers for their business during the peak holiday shopping season. The containers are currently located in the rear and side of the property as shown in the following photos. The Applicant states that with the additional container storage they will have the ability to keep the stock levels higher in the store. The Applicant also indicated that the temporary storage

containers will be primarily used in the holiday shopping season and then removed for most of the year.

Planning Considerations

All Interim Use Permits (IUP) must follow the same general requirements of a Conditional Use Permit (CUP) including process, criteria, and findings. The primary difference between the two permits is that a CUP runs with the land vs. the IUP which runs with the applicant/owner/leaseholder and has an ending date or event which terminates the permit.

Per Greater Bemidji Area Zoning and Subdivision Ordinance, (refer to hereinafter as "Ordinance"):

INTERIM USE: A temporary use of property until a particular date, until a particular event, or until zoning regulations no longer permit it. Interim use permits are not recorded and do not run with the land upon transfer. All interim uses shall conform to standards listed in Section 1205 of this Ordinance.

Section 102: Intent and Purpose

Per the Ordinance, it is our responsibility to protect and conserve the value of land throughout the Greater Bemidji Area, and the value of buildings appropriate to the various districts established by this Ordinance.

Temporary Storage Containers and/or Semi-Trailers

Per Section 1011 of the Ordinance, in commercial and business districts, up to two temporary storage containers/semi-trailers per property are allowed with the issuance of a land use permit. An interim use permit is required if more than a combined total of two temporary storage containers/semi-trailers are located on a property. The use of a temporary storage container/semi-trailer in these districts is subject to the following:

- a. No temporary storage container or semi-trailer shall exceed four hundred (400) square feet, unless expressly authorized in an interim use permit;
- b. The temporary storage container/semi-trailer is counted toward impervious surface requirements;
- c. The temporary storage container/semi-trailer may only be located in the side or rear yard of a property, and shall not be located within the front yard setback, on greenspace, in a right-of-way, or other areas on which the placement of a structure is prohibited;
- d. The temporary storage container/semi-trailer shall be screened with sight obscuring fencing or landscaping approved by Joint Planning Board staff.

The following standards apply to an allowed temporary storage container/semi-trailer:

- a. It must be kept free of nuisances (grass, weeds, trash, vermin, holes, peeling paint, rust, damage, etc.) or it can be deemed a nuisance and be subject to legal action or revocation of the applicable permit;
- b. It shall not exceed four hundred (400) square foot each, except in a commercial or business district with the issuance of an interim use permit;
- c. It shall not be used for any advertising purpose and shall be kept free of all alpha-numeric signage and writing, except for identifying information required by law and job trailers used on a construction site;
- d. It shall not occupy any required off-street parking or loading areas;
- e. It shall be placed so as to comply with setbacks applicable to the zoning district in which it is located;
- f. It shall not be stacked on top of another temporary storage container/semi-trailer;

- g. Materials shall not be piled or stacked on, against, or next to a temporary storage container/semi-trailer;
- h. The maximum height of a temporary storage container/semi-trailer is fifteen (15) feet; and
- i. A temporary storage container/semi-trailer in violation of this section shall be removed from the property within thirty (30) days of notification of the violation by the Joint Planning Board. An extension for the removal may be granted by the Planning Administrator if a building or land use permit is obtained for on-site construction to correct the violation.

Screening

Per Section 1011 of the Ordinance, temporary storage containers/semi-trailers shall be screened with sight obscuring fencing or landscaping approved by Joint Planning Board staff. Staff would recommend conifer trees be planted as the time of year that the storage containers would be needed would be during leaf-off conditions and this would help beautify that area as well. Note: the north side of the loading dock area already has larger Norway pines that screen that side and the needed screening would be off of Middle School Dr. NW and the Beltrami County property to the south. The following is a rendering that Staff put together for a tree planting plan.

Development Team: (Public Works/Engineering, Building, GIS & Fire Department)

GIS, Public Works, nor the Fire Department had any concerns regarding the proposed variance request.

The following is from Sam Anderson the City of Bemidji Assistant Engineer:

I can't quite tell from the exhibit where on the property they plan to have the outdoor trailers, but as far as engineering goes, I don't have really any concerns with it.

I'm under the assumption they'll be placed on an existing surface somewhere south of the building, but if they are planning to build a new private roadway or gravel/paved pad for them, then we'll certainly be involved.

Neighboring Property Input

At the time of writing report, no neighborhood input was obtained.

Comprehensive Plan References

The newly adopted Greater Bemidji Area Comprehensive Plan has identified objectives and strategies that are in support of inviting people to the downtown area. This is a reasonable request that is in keeping with the spirit, purpose and intent of the Greater Bemidji Area Comprehensive Plan.

Objective 4.2: Preserve and Promote Commercial and Industrial Redevelopment or In-Fill Development Where Appropriate

Providing opportunity for commercial and industrial redevelopment is imperative to reduce urban sprawl and increase land use densities where appropriate. Land use planning can preserve existing developed areas and ensure land is available as well as compatible for increased development.

1. *Promote flexibility for commercial and industrial redevelopment and encourage in-fill development.*

Zoning Ordinance References

Section 102: Definitions

Section 1002: Exterior Storage and Outdoor Display of Merchandise

Section 1011: Temporary Uses or Structures

I. RECOMMENDATION & FINDINGS

Staff recommends approval of an interim use permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the property located at 2100 Paul Bunyan Drive NW within the City of Bemidji.

Approval recommended with the following findings of fact and conditions:

Conditions

1. A screening plan shall be submitted to JPB staff to meet Section 1011 of the Ordinance.
2. The temporary storage containers shall be placed on an approved hard surface per Sections 1002, 1009, & 1011 of the Ordinance.
3. A temporary storage container permit shall be obtained per Section 1011 of the Ordinance on annual basis.
4. Shall comply with all standards outlined within Section 1011 of the Ordinance throughout the duration of the temporary use.

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 proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers will be in the back of the building in the loading dock area adjacent to the old Beltrami Fairgrounds to allow for additional storage in peak times of the year and removed after the holiday season.

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

No. This use should not have an impact on the adjacent streets and/or land as the parking for the businesses is in the front of the building on the opposite side of the parcel.

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

No. The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers should not have an impact on the surrounding properties as this use has been utilized in the past.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Zoning Ordinance.

Yes. The proposed use is consistent with the goals and policies of the Greater Bemidji Area Zoning & Subdivision Ordinance as well as the Comprehensive Plan. In commercial and business districts, up to two temporary storage containers/semi-trailers per property are allowed with the issuance of a land use permit. An interim use permit is required if more than a combined total of two temporary storage containers/semi-trailers are located on a property.

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; however, the use of temporary storage containers and/or semi-trailers do not require these services.

Commission members had the following comments:

Miller inquired as to how many storage containers the Applicant is asking for. Carlson responded that there would be nine (9) total storage containers. Smith identified that it is too late in the year to

put up screening and asked if it would be required starting this coming year. Carlson confirmed that yes it is too late for planting trees for screening unless if they wanted to put up a fence. Carlson confirmed that the Applicant will have to submit a landscaping plan for the spring and will need to have a long term plan in place. Granlund questioned if the containers were closed or open on the top. Carlson responded that all the containers are closed shipping containers.

Public Hearing opened at 6:13 p.m.

Wagar stated that the containers will be removed on January 10, 2021, and they plan to talk to their property management lead as to what they can do for planting trees. Wager inquired as to when the landscaping plans will need to be submitted. Mai stated that it is up to the Applicant. Before new containers are brought on site next year, the Applicant can submit an administrative permit along with a landscaping plan.

Public Hearing closed at 6:15 p.m.

Motion by Steffen, second by Granlund, for approval of an interim use permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the property located at 2100 Paul Bunyan Drive NW within the City of Bemidji with the following conditions and findings of facts:

Conditions

1. A screening plan shall be submitted to JPB staff to meet Section 1011 of the Ordinance.
2. The temporary storage containers shall be placed on an approved hard surface per Sections 1002, 1009, & 1011 of the Ordinance.
3. A temporary storage container permit shall be obtained per Section 1011 of the Ordinance on annual basis.
4. Shall comply with all standards outlined within Section 1011 of the Ordinance throughout the duration of the temporary use.

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 proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers will be in the back of the building in the loading dock area adjacent to the old Beltrami Fairgrounds to allow for additional storage in peak times of the year and removed after the holiday season.

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

No. This use should not have an impact on the adjacent streets and/or land as the parking for the businesses is in the front of the building on the opposite side of the parcel.

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

No. The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers should not have an impact on the surrounding properties as this use has been utilized in the past.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Zoning Ordinance.

Yes. The proposed use is consistent with the goals and policies of the Greater Bemidji Area Zoning

& Subdivision Ordinance as well as the Comprehensive Plan. In commercial and business districts, up to two temporary storage containers/semi-trailers per property are allowed with the issuance of a land use permit. An interim use permit is required if more than a combined total of two temporary storage containers/semi-trailers are located on a property

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; however, the use of temporary storage containers and/or semi-trailers do not require these services.

Ayes: Berg, Heinonen, Lemmer, Granlund, Smith, Miller, Steffen.

Nays: None.

Abstentions: None.

Motion carried unanimously.

OTHER BUSINESS:

Year End Report

Mai presented the Year-End Report to the Board. Mai addressed 2020 accomplishments and activity, including the Local Government Innovation Award, the Ordinance update planned for 2021, the Joint Powers Agreement for Enforcement Services, an Ordinance Amendment to Section 601, and staff updates including the departure of Terri Ball, the hiring of Ainslee Knudson, the Compliance Inspector & Site Analyst position which will be posted, and Mai's own upcoming departure. Mai summarized commercial and residential development, the 2020 Financial Report, the effect of COVID, and the Electronic Software that was approved and the plans for implementation prior to the 2021 building season.

Additional Comments:

Granlund inquired as to whether or not the Compliance Inspector will be writing cases and presenting reports. Mai responded that the Inspector will not provide planning cases, but will likely be presenting reports on his/her activity.

The Commission stated their appreciation of City Council and Northern Town Board reviewing JPC compensation. Both City Council and Board will approve an appropriate wage increase at their upcoming meetings in January of 2021.

DIRECTOR REPORT

Mai provided updates on last month's planning cases as well as proposed cases, Mai also anticipates that the upcoming JPC meeting will be held via Webex.

UPCOMING MEETING DATES:

January 13, 2021	6:00 pm	JPB Regular Meeting
January 28, 2021	6:00 pm	JPC Regular Meeting
February 10, 2021	6:00 pm	JPB Regular Meeting
February 25, 2021	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 6:38 p.m.

Motion carried unanimously.

Respectfully submitted,



Ainslee Knudson
Administrative Assistant

Approved and attested by:



Joint Planning Commission Representative