

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
City Hall

Wednesday, January 8, 2020 REGULAR MEETING – 6:00 p.m.

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

A. MINUTES **Chair**
Approval of December 11, 2019 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. 2020-01** - IUP-19-80.01017.00 – NM Addiction Outpatient Wellness Center **JC**
- 2. **Northern Township** – **Resolution No. 2020-02** – Final Plat – 19-31.02927.00, 31.02928.00, 31.02929.00, 31.02930.00, 31.02931.00, 31.02932.00 & Groveland Court NE Plantation Estates – Wiebolt **CM**
- 3. **City of Bemidji** – **Ordinance No. 2020-01** – Z-19-80.00426.00, 80.00421.00, 80.05221.00, 80.05222.00 – Puddle Duck Properties **JC**
- 4. **City of Bemidji** – **Ordinance No. 2020-02** – Z-19-80.03631.00, 80.03598.00, 80.03599.00 – Properties Management **JC**

E. OTHER BUSINESS

- 1. **Election of 2020 Officers (New officers will be seated at the February meeting)**
Chair (City of Bemidji) / Vice Chair / Treasurer

F. DIRECTOR’S REPORT **CM**

G. UPCOMING MEETINGS **Chair**

- 1. January 23, 2020 6:00 pm JPC Regular Meeting
- 2. February 12, 2020 6:00 pm JPB Regular Meeting
- 3. February 27, 2020 6:00 pm JPC Regular Meeting
- 4. March 11, 2020 6:00 pm JPB Regular Meeting

H. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
January 8, 2020

Pursuant to due call and notice, a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, January 8, 2020, at 6:00 p.m. City Hall. Chair Kelly presiding called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Albrecht, Erickson, Meehlhause, Kelly, Frenzel

Members absent: None

Staff present: Casey Mai, Jamin Carlson, Terri Ball

Others in attendance: Mitch Rautio, David Vargas

Pledge of Allegiance was performed.

AGENDA

Motion by Erickson, second by Meehlhause, to approve the agenda.

Motion carried unanimously.

MINUTES

Motion by Meehlhause, second by Frenzel, to approve the December 11, 2019 minutes as presented.

Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$7,391.72 were presented for payment.

Motion by Meehlhause, second by Erickson, to approve consent agenda as presented.

Motion passed unanimously.

VISITORS

None.

NEW BUSINESS

RESOLUTION 2020-01- IUP-19-80.01017.00 – NW Addiction Outpatient Wellness Center

NM Addiction Wellness Outpatient Center is requesting an interim use permit (IUP) to perform outpatient substance use disorder treatment and counseling in the (UR) Urban Renaissance district located at 408 Beltrami Avenue NW, Suite 200 within the City of Bemidji.

BACKGROUND

The Applicant, Margot Kelsey representing NM Addiction Wellness Outpatient Center, is proposing to provide services for outpatient substance use disorder treatment and counseling at 408 Beltrami Ave NW, Suite 200. The existing use of the property has been vacant and was used in the recent past by Upper Mississippi Mental Health Center (UMMHC). In 2016, UMMHC was approved an IUP in order to operate an Assertive Community Treatment (ACT) facility. The main goals of ACT were to eliminate or minimize symptoms of mental illness, eliminating hospital stays and jail time, and enhance the quality of life by providing opportunities to be involved in the community, with employment and other activities.

The Applicant stated that the need in the community for substance abuse is overwhelming and many people have an incorrect perception of treatment (substance use disorder). The Applicant also states that the area needs resources within our community for people to get well from the disease of addiction. The Greater Bemidji area does not meet the needs, currently, in our community and this facility would definitely be a step in the right direction. The outpatient facility will provide education, training and connections for those folks who are dealing with the disease of Substance Use Disorder. It will focus on a Bio/Psycho/Social (spiritual) model of addiction treatment that is scientific and has proven outcomes of symptom management. Classes will be provided and one on ones with Licensed Alcohol and Drug Counselors for clients.

The center will provide assessments for people who need to begin their journey of recovery. The center will meet with clients at their location and help educate, support and facilitate training on coping mechanisms and tools.

According to Substance Abuse and Mental Health Services Administration (SAMHSA), ten percent (10%) of the American population twelve (12) years old and older suffer from the disease of addiction and seventy-five percent (75%) of those suffering will never get help.

The goal of NM Addiction Wellness Outpatient Center is to make treatment more accessible for all people, helping to break down barriers to care. Our community does not have enough resources to even start to address the problem, hopefully this organization can help bring more resources that are accessible to all people in our community. The center hopes to help educate on the effects of this disease on our community. Addiction is a disease, recovery is a choice. We need to have more resources in our community that are accessible, so more people in our community can get well from this disease.

Primary Hours of Operation: 8am-9pm Monday through Friday, Saturday 8-7pm, and closed Sundays

Number of Employees: 2 employees

Number of Clients: 16 total clients on an average day.

Ages: 18 and older

Drug /Alcohol Counseling: Yes

This requested land use falls under Counseling per Section 302 of the GBAJPB Ordinance, and is allowed with an approved conditional use permit (CUP); however, since the use will be located in a leased space, the interim use permit (IUP) is required. An IUP allows for the community to review on a case by case basis the needs of the surrounding neighborhood to allow a use, with conditions,

that may or may not be of a similar nature. The conditions are a way to minimize any potential impact the use may have.

PLANNING CONSIDERATIONS

Per the GBAJPB Zoning Ordinance: clinics, when leased, that provide counseling service for drug & alcohol problems require the issuance of an Interim Use Permit by the JPB to be located in the Urban Renaissance (UR) zoning district. A community cannot use its zoning authority to discriminate against classes of people that it does not want to accept, such as substance dependent persons, individuals with behavioral disorders, etc. Therefore, the use is allowed following a public hearing with conditions to ensure the safety of both the clients of the facility as well as the public.

This property is surrounded by predominantly high density business and mixed-use. This use is common in the urban renaissance district as they have been approved in the past.

Parking and Traffic

Per GBAJPB Ordinance, the (UR) district is exempt of all parking requirements. Employees should be using current downtown city parking lots, and refrain from using on-street parking.

Signage

Any new signage will require a sign permit through the GBAJPB. The Applicant has expressed interest in a window sign. Window signs that are not accessory to a permitted sign will still require a permit per Article VII of the JPB Zoning and Subdivision Ordinance.

Trash Handling

The applicant states that there trash management is already set up on the property through the owner. Any dumpster on the property shall be fully enclosed with a gate complying with Section 1002 of the JPB Zoning and Subdivision Ordinance.

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

The Development Team did not have any concerns regarding the plans for the proposed use.

From Bryan Kerby, City Building Official:

Development Team,

The Building Department has no concerns regarding this planning case. Note that any change of use from existing occupancy classification or any buildout construction projects will need to be reviewed and permitted by this department prior to construction.

*Bryan Kerby
Building Official*

Neighboring Property Owner input

At the time of writing the report, one email comment was obtained from an adjoining property owner with concerns of people standing outside smoking.

Comprehensive Plan References

The proposed use to provide counseling services in the (UR) district is consistent with Greater Bemidji Area Comprehensive 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 NM Addiction Wellness Outpatient Center to add counseling services for the property located at 408 Beltrami Ave. NW within the City of Bemidji in the Urban Renaissance (UR), with the following conditions:

1. The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space as may be determined by the JPB Staff.
2. Any new or additional signage must meet Section 714 of the JPB Ordinances and a permit must be granted before any new or additional signage is placed on site.
3. If a change in type of counseling services were to occur or an intensification of services provided such as increased allowable clientele, JPB staff shall be notified. If staff see a change or intensification warrants review it will be brought to the Joint Planning Board for further action.
4. The hours for counseling shall be 8am-9pm Monday through Friday, Saturday 8-7pm, and closed Sundays, after hours counseling shall not be permitted, JPB staff shall be informed if operation hours are to change.
5. This IUP shall be subject to a six (6) month review and annually thereafter to insure compliance with the Ordinance as well as protecting and preserving the surrounding area. If staff observes violations or intensification of the use shall warrant a review and it will be brought to the Joint Planning Board for further action.
6. The IUP shall expire and become void if the use it allows 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 use 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.

Board members had the following comments:

- Erickson questioned the meaning of term "treatment." Staff explained that counseling, education, and training are involved with the process, not medication. Erickson also asked if treatment covers areas surrounding Bemidji, and staff affirmed that this program includes outreach clients.
- Frenzel asked if there were any issues with the former businesses at this location. Staff stated that no complaints were ever received.
- Meehlhause questioned why a change in hours of operation would result in JPB action. Staff explained that any intensification of an IUP cannot be amended administratively, due to conditions put in place by the Board.
- Kelly asked if facility staff is licensed or trained. Staff explained that the facility's staff is licensed and as such, is eligible for state funding.

Motion by Meehlhause, second by Erickson, to approve Resolution 2020-01 for an Interim Use Permit on parcel 80.01017.00, with the following conditions:

1. The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space as may be determined by the JPB Staff.
2. Any new or additional signage must meet Section 714 of the JPB Ordinances and a permit must be granted before any new or additional signage is placed on site.
3. If a change in type of counseling services were to occur or an intensification of services provided such as increased allowable clientele, JPB staff shall be notified. If staff see a change or intensification warrants review it will be brought to the Joint Planning Board for further action.

4. The hours for counseling shall be 8am-9pm Monday through Friday, Saturday 8-7pm, and closed Sundays, after hours counseling shall not be permitted, JPB staff shall be informed if operation hours are to change.
5. This IUP shall be subject to a six (6) month review and annually thereafter to insure compliance with the Ordinance as well as protecting and preserving the surrounding area. If staff observes violations or intensification of the use shall warrant a review and it will be brought to the Joint Planning Board for further action.
6. The IUP shall expire and become void if the use it allows 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 use 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.

And 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 proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. A counseling service for substance abuse is compatible with the current GBAJPB land use regulations.
2. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**
No. Increases in traffic or other negative impacts are not anticipated. No changes to access or traffic circulation flow on adjacent streets are proposed.
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 subject parcel is appropriately zoned for the proposed use with approval of an IUP. A use that was similar had occupied the structure prior to this request.
4. **Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.**
Yes. The proposed land use is consistent with the goals and policies of the GBAJPB Comprehensive Plan. Per the GBAJPB Zoning Ordinance, counseling services are allowed pursuant the issuance of an IUP 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 property has adequate public infrastructure and is served by city services.

Motion carried unanimously.

RESOLUTION 2020-02 – Final Plat-19-31.02927.00, 31.02928.00, 31.02929.00, 31.02930.00, 31.02931.00, 31.02932.00 & Groveland Court NE Plantation Estates – Wlebolt

Applicant submitted an Intent to Withdraw on January 8th.

Discussion initiated by Kelly about if/when refunds are granted by staff. Consensus by the Board that when staff has completed mailings, ads, and reports, most of the work has already been done, therefore, forfeiting application refunds.

ORDINANCE 2020-01 – Z-19-80.00426.00, 80.00421.00, 80.05221.00, 80.05222.00 – Puddle Duck Properties

Puddle Duck Properties, LLC is requesting a rezone of four (4) total parcels at the southern edge of city limits. The Applicant is looking to rezone the westerly two (2) parcels along Lakeview Drive SW from (R-3) Suburban Residential to (R-5) High Density Residential (80.00421.00 & 80.05222.00) and the two (2) easterly parcels closer to Washington Ave. S from (R-3) Suburban Residential to (B-2) General Commercial (80.00426.00 & 80.05221.00). The request is to develop a residential community with a mixture of commercial lots to support the single-family residential and multi-family units within the proposed development.

BACKGROUND

The Applicant approached staff with the possibility of rezoning the properties from suburban residential to high density residential and commercial. The properties are undeveloped at this time and were used in the past by a construction company for aggregate storage and processing. The Applicant has a preliminary design showing mixed-use with approximately seventy-eight (78) single-family lots being created along with some multi-family designation as well. The preliminary plans also show commercial possibilities, a park, mini storage, water features, and trail connections.

PLANNING CONSIDERATIONS

Existing Conditions & Current Zoning

The landscape shows some treed areas and open space areas throughout the parcels. All four (4) parcels currently meet lot size minimums for both (B-2) General Commercial and (R-5) High Density Residential. All four (4) parcels are currently zoned as (R-3) Suburban Residential. Per Section 201 in the JPB Ordinance:

***(R-3) Suburban Residential** - Provide areas for suburban residential development, and other compatible uses, at a density which will encourage the provision of centralized sewer or water services.*

Adjacent Zoning and Land Use

The area surrounding this property to the west and south is predominately in Bemidji Township and appears to be mostly residential with one parcel that is an auto repair business (currently there is no zoning map available for Bemidji Township). To the north are mostly large undeveloped lots which are currently zoned (R-5) and (B-2) along with the Paul Bunyan Trail abutting the northern borders of the parcels. To the east is a MNDOT stormwater pond and HWY 197 (Washington Ave S.).

Proposed Zoning

***(B-2) General Commercial** Provide areas for the placement of commercial establishments, including service, retail, and wholesale providers, and uses complimentary to such uses, in areas where central services are available.*

***(R-5) High Density Residential** Provide areas for residential development and compatible uses at a density designed to promote efficiency in the delivery of central services.*

All four (4) parcels would comply with the minimum lot size and lot widths for B-2 General Commercial and R-5 High Density Residential property. Adverse effects on the surrounding neighborhoods are not anticipated with this rezone proposal as the surrounding area is residential. If the properties are approved for the rezone, the Applicant intends to submit in the near future a planned unit development or a preliminary subdivision plat for the proposed development. This would require substantial review from both the Commission and the Board, as well as other Departments and Agencies.

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

There were no concerns from the Development Team regarding this rezone request to commercial; Sam Anderson, Assistant City Engineer stated the following per this rezone request:

We have no major engineering related concerns with the rezone of those properties.

Looking at the site plan in the attached planning case, the engineering department will have lots to review when the eventual plat is submitted for review with planned infrastructure. These requirements will be discussed more at that time (looped water mains, utility extensions, road widths, public/private, etc.).

Thanks,

Sam Anderson, P.E. | Assistant City Engineer | City of Bemidji
218-333-1856 | sam.anderson@ci.bemidji.mn.us

MNDOT

From Nancy Graham, Acting Planning Director-District 2:

In regards to the Puddle Duck Development;

We don't have too many issues, except to make sure they don't impact the stormwater pond with their entrance road and that if they decide to try to drain to that pond they will need a permit.

The Developer called about dressing up the pond some and again this would be something to coordinate and obtain permits for when/if they decide to do anything that impacts the pond.

Sorry for the late response,

Nancy A. Graham, PE

Project Manager/Acting Planning Director – District 2
(218)214-3532

Neighborhood Comment

At the time of writing this report, no neighborhood comments or concerns were received.

Comprehensive Plan References

The Greater Bemidji Area Comprehensive Plan has identified this area within its future land use map as High Density Urban Residential & Commercial/Residential Mixed Use, which identifies the following land uses:

High Density Urban Residential. High-density, residential that allows for alternative housing options to increase density.

Retail or service businesses; high-density housing. May include vertical mixtures of land uses. The proportion of land use mixture is not mandated but will be determined upon application review. This includes areas that are not fully developed and could transition into all commercial or all residential.

Current corresponding zoning districts for the future land use category Commercial/Residential Mixed Use are as follows: (R-6) Multiple Family; (B-1) Low Density Commercial; (B-2) General Commercial; (OM) Office/Medical; (U) University; and/or (LD) Lake Oriented Development.

Objective 4.1: Preserve the Quality Residential Neighborhoods

- 2. Promote “mixed-use” areas to improve the transition of residential land use to other land uses.** *Mixed-use areas can provide an excellent transition from residential areas to commercial or highly developed areas. Gradually intensifying the uses on the fringe of neighborhoods or along high-traffic corridors that have been traditionally residential will mitigate impact to existing neighborhoods.*

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

Identify areas where commercial and industrial uses should be located, specifically adjacent to highways with controlled access where noise, odor, dust, and glare will have minimal impact. *When reviewing new commercial and industrial land uses, ensuring these areas are appropriate and compatible with opportunity to be successful. Piecemeal development of industrial and commercial land uses can increase urban sprawl and have negative impacts on existing, less intense surrounding land uses.*

RECOMMENDATION

Staff recommends approval of a rezone for the four (4) properties along Lakeview Dr. SW and Washington Ave S. from (R-3) Suburban Residential to (B-2) General Commercial & (R-5) High Density Residential. The following properties included in the request are 80.00426.00, 80.00421.00, 80.05221.00 & 80.05222.

Board members had the following comments:

- Kelly questioned past ownership of property. Applicant, Mitch Rautio, explained that these parcels are not owned by Christiansen; those properties are located to the south and west.
- Kelly asked if Lakewood Drive SW is a developed road. Staff explained that it is paved, and is the border road between the City of Bemidji and Bemidji Township.
- Kelly asked if public utilities will be available. Staff stated that they will be accessed from Washington Avenue South and Lakeview Dr.

Motion by Erickson, second by Albrecht, to approve Ordinance 2020-01 for a rezone, with the following findings of fact:

- 1. Whether the change in classification would be consistent with the intent and purpose of this Ordinance.**
Yes. The current intent and proposed future land use are consistent with both the (B-2) General Commercial Zoning District and the (R-5) High Density Residential as the Future Land Use Map shows this area as mixed-use and high density residential.
- 2. Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.**
Yes. Both General Commercial and High Density Residential land uses would be compatible in this area as the properties immediately adjacent are also zoned B-2 and R-5 respectively. The proposed rezone follows the GBAJPB Comprehensive Future Land Use Map as well.
- 3. Whether adequate sewer and water facilities, and all other needed public services, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified.**
Yes. These lots will be served by city services.
- 4. Whether the proposed amendment would correct an error in the application of this Ordinance.**

No. This is not a correction. This rezone request would be bringing these lots closer to conformity with GBAJPB Future Land Use Map and Comprehensive Plan.

5. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

Yes. This area has been zoned for suburban residential not served by central services. The conditions have changed as central services are available to the north and east, and the use is going to be higher density residential along with general commercial. The future land-use map also shows this area as mixed-use and high density residential which follows the GBAJPB Comprehensive Plan.

Motion carried unanimously.

ORDINANCE 2020-02 –Z-19-80.03631.00, 80.03598.00, 80.03599.00 – Properties Management

Properties Management LLC is requesting a rezone of three (3) properties along Central Avenue SE from (R-4) Moderate Density Residential to (B-2) General Commercial located within the City of Bemidji. The request is to expand commercial opportunities along Central Avenue SE in the Nymore area.

BACKGROUND

The applicant approached staff with the possibility of rezoning the properties from residential to commercial. These three (3) properties are made up of a laundromat, a martial arts studio, and a vacant lot. The applicant has stated he would like to expand commercial opportunities, along with revitalizing the area to increase property values.

PLANNING CONSIDERATIONS

When reviewing zoning requests it is imperative to ensure that “spot zones” are not created. Spot zoning allows for a particular parcel of land to have land uses differing from land uses allowed in adjacent and small regional areas, and is likely a deviation from the land use plan. As these existing legal non-conforming uses and structures have been and are being currently used as commercial, staff considers this request as coming closer to conformity with the ordinance. The requested rezone could be viewed as a spot zone as the proposed parcels do not connect to any current commercial lots.

Existing Conditions & Current Zoning

All three (3) parcels currently do not meet lot size minimums for (B2) general commercial. The two (2) lots to the north both measure seventy (70) feet wide by seventy-five (75) feet in depth, with a total of 5,250 square feet per lot (parcels 80.03599.00 & 80.03598.00); however, these lots could be combined and reconfigured to become conforming. The lot with the laundromat (parcel 80.03631.00) measures twenty-eight (28) feet wide by eighty (80) feet in depth, equaling 2,240 square feet in lot size and would not meet the minimum commercial lot size requirements. All three (3) parcels are zoned as (R-4) Moderate Density Residential. Per Section 201 in the JPB Ordinance:

(R-4) Moderate Density Residential - Provide areas for residential development, and other compatible uses, at a moderate density served by centralized sewer & water.

After reviewing the properties, the vacant lot could be used for parking for these businesses. All properties are addressed off of Central Ave SE. Currently, these properties are all legal nonconforming lots of record as they have had commercial use on these properties for some time, prior to today's zoning.

Adjacent Zoning and Land Use

The area surrounding this property to the east, south, north, and west is predominately single-family housing with the properties zoned as (R-4) Moderate Density Residential. As you transition to the west or even to the further north, there is the (B-2) General Commercial Zoning District that is made up of commercial uses.

Proposed Zoning

(B-2) General Commercial Provide areas for the placement of commercial establishments, including service, retail, and wholesale providers, and uses complimentary to such uses, in areas where central services are available.

None of the three (3) parcels would comply with the minimum lot size and lot width for a B-2 General Commercial property. Adverse effects on the surrounding neighborhoods are not anticipated with this rezone proposal as the area has been in commercial use for some time. Any high intensity uses or major redevelopment of the area will require significant review.

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

There were concerns from the Development Team regarding this rezone request to commercial which came from Sam Anderson, Assistant City Engineer:

There's already water and sewer services in the area of these parcels. Currently, there is not a sanitary sewer service available to Parcel # 800359800 without crossing the private property to the north (parcel #800359900). Some modifications may be needed by the owner to fit their future development, but could be approved at that point in time.

Commercial development on these smaller lots can be a challenge for providing off-street parking with the limited space. Both 4th Street SE and Central Avenue SE are at the minimum widths for accommodating parking on both sides of the street in their current low volume settings, but if the owner's future plan is to use on-street parking, then staff will want to have a more in-depth conversation when the proposal for development is submitted.

Thanks,

Sam Anderson, P.E. | Assistant City Engineer | City of Bemidji
218-333-1856 | sam.anderson@ci.bemidji.mn.us

Neighborhood Comment

At the time of writing this report, one adjoining property owner called in and was concerned about a bar or alcohol type establishment coming in next door if the zoning changed to allow it. Another neighbor wanted to know how this rezone was going to affect their property.

Comprehensive Plan References

The Greater Bemidji Area Comprehensive Plan has identified this area within its future land use map as Commercial/Residential Mixed Use, which identifies the following land uses:

Retail or service businesses; high-density housing. May include vertical mixtures of land uses. The proportion of land use mixture is not mandated, but will be determined upon application review. This includes areas that are not fully developed and could transition into all commercial or all residential.

Current corresponding zoning districts for the future land use category Commercial/Residential Mixed Use are as follows: (R-6) Multiple Family; (B-1) Low Density Commercial; (B-2) General Commercial; (OM) Office/Medical; (U) University; and/or (LD) Lake Oriented Development.

Objective 4.1: Preserve the Quality Residential Neighborhoods

- 3. Promote “mixed-use” areas to improve the transition of residential land use to other land uses.** *Mixed-use areas can provide an excellent transition from residential areas to commercial or highly developed areas. Gradually intensifying the uses on the fringe of neighborhoods or along high-traffic corridors that have been traditionally residential will mitigate impact to existing neighborhoods.*

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

- 2. Identify areas where commercial and industrial uses should be located, specifically adjacent to highways with controlled access where noise, odor, dust, and glare will have minimal impact.** *When reviewing new commercial and industrial land uses, ensuring these areas are appropriate and compatible with opportunity to be successful. Piecemeal development of industrial and commercial land uses can increase urban sprawl and have negative impacts on existing, less intense surrounding land uses.*

RECOMMENDATION

It was recommended to the applicant that the lots to the west along 4th Street should be rezoned to commercial as well to ensure that spot zoning is not created. Staff recommends approval of a rezone for the three (3) properties along Central Ave SE to (B-2) General Commercial. The following properties included in the request are 80.03631.00, 80.03598.00, & 80.03599.00.

Board members had the following comments:

- Erickson asked which Joint Planning Commissioners voted against the rezone request and why. Staff described the four (4) – two (2) vote, and identified from the minutes that Faver and Smith opposed because they felt this was spot-zoning. Erickson commented that her neighbors in this area would welcome small businesses and mixed-use is desirable.
- Meehlhause questioned including other parcels to expand the B-2 zoning area. Staff suggested incorporating this in the next update of the Zoning and Subdivision Ordinance. Erickson stated that re-zoning should be by request only.
- Kelly commented that he understands how this could look like spot-zoning if the whole area is not being considered. Kelly urged public input on future zoning, as well as commented that he is not against this request.
- Erickson stated the importance of making decisions on a case by case basis, and commented that the small lot size will limit future uses.

Motion by Frenzel, second by Erickson, for the approval of Ordinance 2020-02 for a rezone, based on the following:

Findings of Fact:

- 1. Whether the change in classification would be consistent with the intent and purpose of this Ordinance.**
Yes. The current intent and proposed future land use are consistent with the (B-2) General Commercial Zoning District as the map shows this area as mixed-use for both residential and commercial. The properties have been in commercial use for a long time and would be closer to conformity to the Ordinance with their current use.
- 2. Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.**

Yes. General Commercial land uses would be compatible along Central Ave SE. These lots have been historically in commercial use and the GBAJPB Future Land Use Map shows this area transitioning to mixed-use as well.

- 3. Whether adequate sewer and water facilities, and all other needed public services, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified.**

Yes. These lots are currently served by city services.

- 4. Whether the proposed amendment would correct an error in the application of this Ordinance.**

No. Historically these properties have been used commercially, but have been zoned residential. These lots currently have legal non-conforming commercial uses within the R-4 zoning district. However, it is imperative that the rest of the properties to the west of Central Ave SE heading towards Paul Bunyan Dr. S. be considered for a rezone to commercial, additionally, to ensure a spot zone is not created.

- 5. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.**

No. This area has been traditionally in commercial activity for many years. As this area is currently being used as commercial, the applicant rezoning these lots to B-2 in an area that was previously zoned for single-family residential makes sense. The future land-use map shows this area as mixed-use which follows the GBAJPB Comprehensive Plan.

Motion carried unanimously.

OTHER BUSINESS

- Election of 2020 Officers:

Nomination by Frenzel, second by Albrecht, to appoint Michael Meehlhause as Chair.
Motion carried.

Nomination by Albrecht, second by Kelly, to appoint Jess Frenzel as Vice Chair.
Motion carried.

New officers will be seated at the February meeting.

- Kelly raised the subject of the 2019 budget surplus. Staff explained the specific reasons of the surplus, and stated that the volume is unlikely to occur again. Discussion about having the sub-committee meet to decide a use for the surplus, but not until this summer.
- Erickson stated that a delay has occurred in communication between staff and Springstead staff, as the company was recently sold. Anticipated progress of Enforcement Position information is expected in thirty (30) days.

DIRECTOR'S REPORT

Mai described the upcoming four (4) planning cases, year-to-date activity results, and recent enforcement tasks. There are no updates on development projects. Mai presented the map of Lake Bemidji with rankings of individual septic system compliance, with explanation. Board members questioned what to do with the information and which agencies to include in future planning. Staff will continue to work toward discovering available options. Staff concluded report with suggestion that the \$5,000 grant recently received along with the LGIA award will be used

for specific tools/equipment necessary for staff to complete site visits. General consensus was to support staff's decision.

UPCOMING MEETING DATES

January 23, 2020	6:00 pm	JPC Regular Meeting
February 12, 2020	6:00 pm	JPB Regular Meeting
February 27, 2020	6:00 pm	JPC Regular Meeting
March 11, 2020	6:00 pm	JPB Regular Meeting

ADJOURNMENT

There being no further business, motion by Meehlhause, second by Frenzel, to adjourn the Joint Planning Board meeting at 7:05 p.m.

Motion carried unanimously.

Respectfully submitted,

Terri Ball
Planning Administrative Assistant

JPB Minutes Approved and attested by: *Michael Meehlhause*
Joint Planning Board Representative

