

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

**Thursday, December 20, 2018  
6:00 P.M.**

**Council Chambers, City Hall  
317 4<sup>th</sup> ST NW  
Bemidji, MN 56601**

**AGENDA**

- |  |              |
|--|--------------|
| <p>➤ <b>Call to Order/Roll Call</b></p>              | <b>Chair</b> |
| ➤ <b>Pledge of Allegiance</b>                        |              |
| ➤ <b>Approve Agenda</b>                              |              |
| ➤ <b>Approve Minutes</b>                             |              |
| • <b>Thursday, November 29, 2018 Regular Meeting</b> |              |

**NEW BUSINESS**

- |                    |              |
|--------------------|--------------|
| 1. <b>Visitors</b> | <b>Chair</b> |
|--------------------|--------------|

**Public Hearings**

- |  |           |
|--|-----------|
| 1. <b><u>Northern Township</u> - IUP-18-31.02223.00 – Sanford Health</b> | <b>JC</b> |
|--|-----------|

**OTHER BUSINESS**

- |  |              |
|--|--------------|
| 1. <b>Year End Report</b>  |              |
| 2. <b>Director Report</b>  |              |
| 3. <b>Upcoming Meetings</b>  | <b>Chair</b> |
| • January 9 , 2019      6:00 pm                      JPB Regular Meeting |              |
| • January 24, 2019     6:00 pm                      JPC Regular Meeting  |              |
| • February 13 , 2019   6:00 pm                      JPB Regular Meeting  |              |
| • February 28, 2019    6:00 pm                      JPC Regular Meeting  |              |
| 4. <b>Adjourn</b>  | <b>Chair</b> |

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

**December 20, 2018  
6:00 p.m.**

**City Hall  
Council Chambers**

**CALL TO ORDER:** Chair Nicki Lemmer 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, Faver, Steffen, David, Heinonen, Lahn, Lemmer, Miller, Smith

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Casey Mai, Jamin Carlson, Terri Ball

**OTHERS:**

**APPROVAL OF AGENDA:**

Motion by Miller, second by Heinonen, to approve the amended agenda.

Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion by Steffen, second by Heinonen, to approve minutes from the November 29, 2018, Greater Bemidji Area Regular Joint Planning Commission.

Motion carried unanimously.

**NEW BUSINESS:**

**VISITORS:**

No one addressed the commission.

**Public Hearing:**

**Carlson presented the first case:**

**PLANNING CASE – IUP-18-31.02223.00 – Sanford Health**

Joy Johnson/Cynthia Berget, representing Sanford Health, are requesting approval of an interim use permit (IUP) to add counseling services for chemical use problems at property located at 1611 Anne St. NW within Northern Township. This request is to use existing examination room space within the facility. This property is zoned B-1 Low Density Commercial District. This requested land use falls under Counseling per Section 302 of the GBAJPB Ordinance, and is allowed with an approved IUP.

**BACKGROUND**

The applicant(s), Joy Johnson/Cynthia Berget representing Sanford Health, are proposing to provide increased service for patients and additional services for existing clients receiving services

through a Medical Doctor (MD) for chemical use problems.

The applicant states that this proposal would allow for more efficient care at one location. Clients could receive their Medication Assisted Therapy under a Medical Doctor (MD) and receive substance use disorder treatment at the same time. This will increase success rates for clients to obtain permanent recovery.

### **PLANNING CONSIDERATIONS**

Per the GBAJPB Zoning Ordinance: clinics that provide counseling service for drug & alcohol problems require the issuance of an Interim Use Permit by the JPB to be located in the Low Density Commercial (B-1) 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 low density business to the north and east, and medical/office to the west and south. This use is common in the low density commercial and medical/office districts. The Sanford Health complex surrounds the area as well.

### **Parking and Traffic**

Section 1009 of the JPB Ordinance requires that parking be based on three (3) spaces per examination or treatment rooms. This site has approximately 164 parking spaces, which meets the minimum requirement for this location

### **Signage**

No signage plan has been presented to JPB staff. Any new signage will require a sign permit through the GBAJPB. All signage must comply with Section 712 of JPB Zoning and Subdivision Ordinance.

### **Trash Handling & Storage Containers**

A dumpster location has been identified and is non-compliant with the JPB Zoning and Subdivision Ordinance. The dumpsters on the property shall be fully enclosed with a gate complying with Section 1002 of the JPB Zoning and Subdivision Ordinance.

Section 1011 G. 2:

*In non-residential districts, temporary moveable storage containers may be on a property for no more than ninety (90) consecutive days with a permit. Temporary storage containers may be allowed for construction purposes with the issuance of a building or land use permit as appropriate and shall be removed within seven (7) calendar days after completion. The keeping of a temporary moveable storage container for more than ninety (90) consecutive days, within any twelve (12) month period, shall require an interim use permit.*

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

The Building Department, nor the Fire Department had any concerns regarding the site plans for the proposed use.

### **Neighboring Property Owner input**

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

### **Comprehensive Plan References**

The proposed use to provide counseling services in the (B-1) 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.

### **RECOMMENDATIONS**

Staff recommends approval of an Interim Use Permit to allow Sanford Health to add counseling services for property located at 1611 Anne St. NW within Northern Township in the B-1 Low Density Commercial District, 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 additional signage must meet Section 710 of the JPB Ordinances and a permit must be granted if necessary before any additional signage is placed on site.
3. All dumpsters shall be fully enclosed with a gate complying with Section 1002 of the JPB Ordinance.
4. The hours for counseling shall be 8 A.M. to 5 P.M., after hours counseling shall not be permitted. JPB staff shall be informed if operation hours are to change.
5. 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.
6. Shall remove storage container or obtain a permit to allow the temporary storage container to be on property for no more than 90 days.

#### **Public Hearing opened at 6:12 p.m.**

Paul Nistler, Director of Sanford Behavioral Health, clarified that current Walk-In Clinic hours are 7:00 am – 7:30 pm Monday through Sunday, while the Behavioral Clinic hours are 8:00 am to 5:00 pm Monday through Friday. Commissioner Miller questioned evening group counseling events, which Nistler stated could be a possibility. It was suggested by Miller to adjust the requested hours to align with Walk-In hours now, instead of having to come back for an amended IUP in the near future. Nistler agreed and requested that his hours of operation be extended to 7:00 am – 7:30 pm, Monday through Saturday. Commissioner Heinonen asked what part of the building the entrance is located. Brian Smith, Director of Facilities at Sanford Health, explained that the separate entrance is located on the west side of the 1611 Anne St. NW building.

#### **Public Hearing closed at 6:15 p.m.**

Motion by Heinonen, second by Miller, to approve an Interim Use Permit to allow Sanford Health to add counseling services for property located at 1611 Anne St. NW within Northern Township in the B-1 Low Density Commercial District, 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 additional signage must meet Section 710 of the JPB Ordinances and a permit must be granted if necessary before any additional signage is placed on site.

3. All dumpsters shall be fully enclosed with a gate complying with Section 1002 of the JPB Ordinance.
4. The hours for counseling shall be 7 A.M. to 7:30 P.M., Monday – Saturday. After hours counseling shall not be permitted. JPB staff shall be informed if operation hours are to change.
5. 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.
6. Shall remove storage container or obtain a permit to allow the temporary storage container to be on property for no more than 90 days.

And with the following 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. A counseling service for chemical use problems 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. The subject parcel will use its current parking lot for the additional counseling services.
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 property is currently being used as a medical clinic with no adverse effects. 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 land use is consistent with the goals and policies of the JPB Land Use Plan.
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.

#### **OTHER BUSINESS:**

#### **YEAR END REPORT:**

Mai summarized the activities of the year, which included many staff position and duty changes, near completion of the Comprehensive Plan, recent Zoning and Ordinance updates, and several development projects in the Greater Bemidji Area. Mai compared total permit numbers and financial data with those of the previous year, and also spoke of the organization's future, including working toward standardized zoning overlays, the rail corridor development and the extension of the Joint LGU agreement.

**DIRECTOR REPORT:**

Mai updated the Commissioners on the most recent JPB planning case decisions, and projected one upcoming planning case. He also reminded everyone of the January 8<sup>th</sup> Joint LGU meeting at Northern Town Hall, and encouraged their attendance.

**UPCOMING MEETING DATES:**

January 8, 2019	6:00 pm	Joint LGU Meeting at Northern Town Hall
January 9, 2019	6:00 pm	JPB Regular Meeting at Northern Town Hall
January 24, 2019	6:00 pm	JPC Regular Meeting
February 13, 2019	6:00 pm	JPB Regular Meeting
February 28, 2019	6:00 pm	JPC Regular Meeting

**ADJOURNMENT:**

There being no further business, motion by Heinonen, second by Steffen, to adjourn the Regular Planning Commission meeting at 7:01 p.m.

Motion carried unanimously.

Respectfully submitted,

Terri Ball  
Planning Administrative Assistant

Approved and attested by:   
Joint Planning Commission Representative