

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
City Hall

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

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

A. MINUTES **Chair**
Approval of June 25, 2020 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. **Northern Township – Resolution 2020-19 - IUP-20-31.02144.00 – Verizon** **CM**
 2. **Northern Township – Resolution 2020-20 – Final Plat-20-31.02927.00; 31.02928.00; 31.02929.00; 31.02930.00; 31.02931.00; 31.02932.00 & Groveland Court NE, Plantation Estates** **CM**
– Darwin Wiebolt

E. OTHER BUSINESS

F. DIRECTOR’S REPORT **CM**

- G. UPCOMING MEETINGS** **Chair**
1. July 23, 2020 6:00 pm JPC Regular Meeting
 2. August 12, 2020 6:00 pm JPB Regular Meeting
 3. August 27, 2020 6:00 pm JPC Regular Meeting
 4. September 9, 2020 6:00 pm JPB Regular Meeting

H. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
July 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, July 8, 2020, at 6:00 p.m. at City Hall. Chair Meehlhause presiding called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Albrecht (6:01), Erickson, Meehlhause, Kelly, Frenzel

Members absent: None

Staff present: Casey Mai, Jamin Carlson

Others in attendance: Rick Adams

Pledge of Allegiance was performed.

AGENDA

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

Motion carried unanimously.

MINUTES

Frenzel questioned the level of detail in the minutes and edits were made to include the discussion supporting the Enforcement Position hiring.

Motion by Frenzel, second by Erickson, to approve the June 10, 2020 minutes as presented.

Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$13,270.72 were presented for payment.

Motion by Erickson, second by Albrecht, to approve the consent agenda.

Motion passed unanimously.

VISITORS

None.

NEW BUSINESS

RESOLUTION 2020-19 - IUP-20-31.02144.00 – Verizon Wireless

Verizon Wireless is requesting approval of an interim use permit (IUP) for a 165 foot tall tower to increase the capacity of wireless data transmission in the area; located at 785 Louise Lane NW and

on parcel 31.02144.00 within Northern Township.

BACKGROUND

Verizon Wireless recently reached out to JPB staff in regards to installing a new network tower that would provide additional capacity to the Verizon Network currently operating within Beltrami County. Verizon Wireless has a lease agreement in place with Northtown Storage LLC, home of Northdale Oil of Bemidji to construct the tower within the lessor's property. As part of the lease agreement, a twenty (20) foot access and utilities rights of ways was included to enter the property.

Verizon Wireless is not only looking to improve their own network coverage for reliable voice and data services such as wireless internet, mobile email, weather radar and video, but to also enhance services that will also benefit many local and state public safety emergency service providers who rely on the network every day to ensure safety within the community. This new tower will not only increase the capacity of the network, but should provide faster data speeds as well. The proposed site at Birchmont is an example of Verizon Wireless' efforts to increase capacity, coverage and ensure that their network remains reliable for existing and future customers.

Below are two (2) maps that were provided by Verizon that demonstrates the change in network coverage anticipated with the proposed tower Verizon utilizes Key Performance Indicators (KPIs). These KPIs include Reference Signal Received Power RSRP-LTE. The coverage maps utilize analysis based on Reference Signal Received Power (RSRP), which is a prediction of the difference between the power being transmitted from the cell sites in the area and the power received by the devices. It is measured in dBm, and the higher the RSRP (blue colors), the poorer the connection between the device and the cell site. Verizon standards require 115 dBm or less of RSRP to establish and maintain a connection to the network, thus areas with 115 dBm or less of RSRP are considered low-coverage areas.

This location of the tower is outside of the Airport Zoning Overlay established in the Greater Bemidji Area Zoning & Subdivision Ordinance, refer to hereafter as ("Ordinance").

PLANNING CONSIDERATIONS

Per Sections 302 and 1022 of the Ordinance, towers and/or antennas exceeding seventy-five (75) feet in height require an IUP as well as a building or land use permit. All towers shall conform to a minimum setback requirement from all property lines at a horizontal distance of the total tower height, plus ten (10) feet from any property line. Setback requirements are required even with engineering collapse analysis.

Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower for camouflage purposes, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.

Federal Aviation Administration (FAA)

The FAA conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and on April 4th, 2018, revealed that the proposed tower structure does not exceed obstruction standards and would not be a hazard to air navigation. Based on this assessment, marking and lighting are not necessary for aviation safety; however, if marking and/or lighting are accomplished on a voluntary basis, it is recommended it be installed in accordance with the FAA Advisory circular 70/7460-1 L Change 1.

An FAA Form 7460-2, Notice of Actual Construction or Alteration shall be submitted to the FAA,

Southwest Regional Office within five (5) days after construction reaches its greatest height.

Development Team: (Fire Department)

The Fire Department had no concerns regarding the proposed interim use permit request.

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 as well as the Zoning & Subdivision Ordinance stated the following about towers and antennas as well as the importance and enhancement of expanding services:

In order to accommodate the communication and sustainable energy needs of residents and businesses while protecting the public health, safety, and general welfare of the community, the JPB finds that these regulations are necessary to:

- 1. Maximize the use of existing and approved towers and buildings to accommodate new antennas and towers in a manner which reduces the number of new towers necessary to serve the community.*
- 2. Ensure antennas and towers are designed, located, and constructed in accordance with all applicable code requirements to avoid potential damage to adjacent properties from failure of the antenna and tower through structural standards and setback requirements.*
- 3. Encourage wind energy conversion systems to be located on properties in a manner which minimizes potential negative impacts upon adjacent properties.*
- 4. Maintain community aesthetics by minimizing adverse visual effects of antennas and towers.*

Objective 7.1: Preserve and Enhance our Public Services and Private Utilities

Cooperation is important when planning for public or private expansion of services, encouraging private and public entities to work together on major improvements and promote reasonable expansion projects while supporting the maintenance of existing facilities.

- 4. Encourage cooperation connecting governmental agencies and utility companies to continue expansion and maintenance of all utility infrastructure. When making infrastructure or land use decisions, encourage cooperation between all entities, including private and public services, to reduce the social and environmental impact on utility projects.*

Objective 7.3: Enhance Public Safety Response Time

Land use planning can improve public safety response time. Sprawl development or development that negatively impacts the transportation system can reduce response times.

Utilize land use planning to preserve and enhance life safety response time. Land use decisions will involve emergency personnel to ensure adequate space for emergency vehicles and access for emergencies.

RECOMMENDATIONS

The JPC and Staff recommends approval of an interim use permit (IUP) for the installation of a 165 foot tall tower to increase the capacity of wireless data transmission in the area; located at 785 Louise Lane NW and on parcel 31.02144.00.

Approval is recommended with the following findings of fact and conditions:

1. A land use permit shall be obtained from JPB Staff prior to the installation or construction of the tower.
2. Any additional antennas or alterations in antennas that will increase the height shall require approval of an IUP amendment from the JPB.
3. An FAA Form 7460-2, Notice of Actual Construction or Alteration shall be submitted to the FAA, Southwest Regional Office within five (5) days after construction reaches its greatest height.
4. Any markings and/or lightings installed on the tower shall be in accordance with the FAA Advisory circular 70/7460-1 L Change 1.

Board members had no comments or concerns regarding the IUP request.

Motion by Frenzel, second by Albrecht, to approve Resolution 2020-19 for an IUP on parcel 31.02144.00 with the following conditions:

1. A land use permit shall be obtained from JPB Staff prior to the installation or construction of the tower.
2. Any additional antennas or alterations in antennas that will increase the height shall require approval of an IUP amendment from the JPB.
3. An FAA Form 7460-2, Notice of Actual Construction or Alteration shall be submitted to the FAA, Southwest Regional Office within five (5) days after construction reaches its greatest height.
4. Any markings and/or lightings installed on the tower shall be in accordance with the FAA Advisory circular 70/7460-1 L Change 1.

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. The Verizon cell tower will provide better service in the area for residents and businesses.
2. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**
No. The use of a tower with antennas will not generate any additional traffic in the general area. No impacts are anticipated with the air traffic from the Bemidji Regional Airport as well.
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 tower and antennas will provide for a better network coverage, performance, as well as reliability surrounding the Bemidji area.
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. Per Section 302 and 1022 of the Ordinance, towers over seventy-five (75) feet in height are allowed with an approved interim use permit and the issuance of land use permit or building permit.

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

Yes. The adequate facilities can be provided; however, these services are not applicable to this use.

Ayes: Erickson, Meehlhause, Kelly, Frenzel, Albrecht

Nays: None

Absent: None

Abstentions: None

Motion carried unanimously.

RESOLUTION 2020-20 – 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

Darwin Wiebolt is requesting approval of the final plat for Plantation Estates First Addition within Northern Township.

BACKGROUND

In 2003, these lots were platted and zoned for commercial use. Due to the demand not being there for commercial use, the Applicant recently rezoned these properties to residential use, similar to the adjacent (R-2) suburban residential zoned properties within the subdivision. An additional three (3) lots will be created with the replat of the subdivision. A total of nineteen (19) lots were part of the original plat; however, with the replat, there will now be a total of twenty-two (22) lots. A total of ten (10) lots will remain undeveloped until either sold or a land use permit is obtained for construction. The total replat area in size is approximately 14.6 acres. The preliminary plat was recommend for approval by the Joint Planning Commission on September 19th, 2019 and was approved by the Joint Planning Board on October 9th, 2019.

PLANNING CONSIDERATIONS

Per Section 1101: Subdivisions of Land in the GBAJPB Ordinance:

Major Subdivisions

Real estate parcels that cannot be divided through the simple or minor subdivision process. Major Subdivisions shall comply with the requirements for platting and obtain approval through the Greater Bemidji Area Joint Planning Board.

Replat of an existing subdivision / conversion of existing development to a CIC / Condo

In certain cases, including but not limited to, historical errors, additional land purchases, rerouting of a road and other similar situations arise. An applicant can apply for a replat of an existing platted area through a simplified process. A replat application includes minor changes and is reviewed by the planning administrator and approved through by consent of the JPB.

Northern Township

Northern Township is the Road Authority within this jurisdiction. The Applicant shall work with Northern Township to amend the Road Agreement that is currently in place or establish a new

Agreement. All residential right-of-way widths and pavements shall conform to the minimum dimensions, in addition to any requirements of the road authority that will be asked in order for the Township to accept. In the R-2 district, rural streets without curb and gutter are required to have a right-of-way of sixty-six (66) feet and a pavement width of twenty-four (24) feet.

As this area will not be served by storm sewer, the right-of-way shall be grubbed to a minimum of twenty (20) feet on either side of a center line in an embankment section, or such addition as may be required in a ditch section. The width between shoulder lines shall be uniform and shall be a minimum of fourteen (14) feet on either side of the center line. In slopes and back slopes shall not be steeper than three (3) feet on the horizontal to one (1) foot on the vertical. The ditch separation shall be a minimum of two (2) feet with a ditch bottom of three (3) feet minimum.

Beltrami County GIS

Kevin Trappe, GIS Director for Beltrami County stated the following:

I have discussed with the surveyor the proposed street name 'DELS CT NE' as shown on the Preliminary Plat of Plantation Estates First Addition, and this is an acceptable street name for 911 addressing purposes. If the plat is approved, the Beltrami County Highway Department will install a street sign bearing the name 'DELS CT NE'.

MnDOT

No concerns were received from MnDOT regarding this replat request.

Development Team (Fire Department)

The Development Team had no concerns with this rezone request.

Neighborhood Comment

Through the Preliminary Plat process along with at the time of writing the Final Plat report, no neighborhood concerns were received.

Comprehensive Plan References

The newly adopted Greater Bemidji Area Comprehensive Plan has identified the following objectives and strategies that supports this rezone.

Objective 8.2 Promote and Encourage Diversity with New Housing Developments

Housing developments that include a diverse amount of housing options can help ensure all residents have housing, diverse housing can and should provide market rate and affordable opportunities.

- 1. Promote a variety of housing options based on market and need. It is important to support all forms of housing developments and to promote diversity and choice of housing for all residents. Market rate housing or workforce housing should be promoted based on market trends, affordable or supportive housing should be promoted based on the needs of the community.***
- 2. Allow flexibility when affordable housing units are part of a new development. Allowing for new housing developments to receive a density bonus or other flexibility can incentivize developers to include affordable housing units.***

RECOMMENDATIONS

The JPC and Staff recommends approval of a replat of a portion of the Plantation Estates Plat to allow for additional single-family residential lots. The parcels being replatted are 31.02927.00; 31.02928.00; 31.02929.00; 31.02930.00; 31.02931.00; 31.02932.00 & Groveland Court NE, Plantation Estates. This plat is located in Northern Township within the (R-2) Suburban Residential

Zoning District and approval is based on the following findings of fact with conditions:

1. The final plat known as "Plantation Estates, First Addition" shall be recorded within six-months after the date of JPB approval at the Beltrami Recorders office or shall be considered void.
2. A land use permit and septic permit shall be obtained prior to any construction taking place on any of the undeveloped lots.
3. The Applicant and Northern Township shall either amend their existing Road Agreement or enter into a new Agreement.
4. Each lot shall obtain a driveway installation permit from Northern Township prior to constructing.

Board members had the following comments:

- Albrecht asked staff to verify the correct plat that is to be approved.
- Kelly stated that the required letter of credit per the Road Agreement was satisfied; however, the Road Agreement is still in the works to be finalized.
- Frenzel questioned whether the new road shall be constructed before any lots are built on due to access on a public road. Mai stated only three (3) lots will have access to an existing public road prior to the new Dels Ct NE being constructed.
- Erickson asked about the land use permit process.
- Kelly stated that the Township would require that all roads be built to specs outlined in the Road Agreement before any land use permits can be issued.

Motion by Kelly, second by Albrecht, to approve Resolution 2020-20 for a final plat for Plantation Estates First Addition, with the following conditions:

1. The final plat known as "Plantation Estates, First Addition" shall be recorded within six-months after the date of JPB approval at the Beltrami Recorders office or shall be considered void.
2. A land use permit and septic permit shall be obtained prior to any construction taking place on any of the undeveloped lots.
3. The Applicant and Northern Township shall either amend their existing Road Agreement or enter into a new Agreement.
4. Each lot shall obtain a driveway installation permit from Northern Township prior to constructing.

And Findings of Fact

1. The development is permitted in the (R-2) Suburban Residential Zoning District.
2. The proposed replatted lots meet the minimum lot requirements of the (R-2) Suburban Residential Zoning District.
3. An increase of three (3) residential lots will occur, going from nineteen (19) lots up to twenty-two (22) residential lots.
4. A total of ten (10) lots will remain undeveloped until land use permits are issued.
5. An increase in traffic will occur; however, no adverse impacts to traffic are anticipated in this immediate vicinity.
6. The final replat is in conformity with the approved Greater Bemidji Area Comprehensive Plan, as well as the Zoning & Subdivision Ordinance.

Ayes: Frenzel, Kelly, Meehlhause, Erickson, Albrecht
Nays: None
Abstentions: None

Motion carried unanimously.

OTHER BUSINESS

- Frenzel and Kelly asked status of the Enforcement Position as well as the Administrative Assistant Position. Mai talked about the Administrative Assistant position being posted and the process of hiring a replacement. Albrecht mentioned the City Council is scheduled to discuss the position at the City's upcoming budget meeting on July 13th, 2020. Kelly questioned how the Administrative Assistant position can be immediately rehired, but not the Enforcement position. Erickson stated that Administrative Assistant position was in the 2020 budget, whereas the Enforcement position was not budgeted in full. Further discussion between Board and staff. Frenzel, Kelly, Meehlhause and Albrecht all spoke in support of having the Enforcement position hired. No actions taken.

DIRECTOR'S REPORT

Mai described the upcoming planning cases, year-to-date activity, as well as new and on-going development projects. The Board and Staff discussed upcoming meetings on whether to meet in person or via Webex again. Board Members were open to Webex; however, Kelly and Erickson stated they would prefer to meet in person.

UPCOMING MEETING DATES

July 23, 2020	6:00 pm	JPC Regular Meeting
August 12, 2020	6:00 pm	JPB Regular Meeting
August 27, 2020	6:00 pm	JPC Regular Meeting
September 9, 2020	6:00 pm	JPB Regular Meeting

ADJOURNMENT

There being no further business, motion by Frenzel, second by Albrecht, to adjourn the Joint Planning Board meeting at 7:02 p.m.

Motion carried unanimously.

Respectfully submitted,

Jamin Carlson
Assistant Planner

JPB Minutes Approved and attested by: 
Joint Planning Board Representative