

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

**Thursday, April 25, 2019
6:00 P.M.**

**Council Chambers, City Hall
317 4th ST NW
Bemidji, MN 56601**

AGENDA

- | | |
|---|--------------|
| <p>➤ Call to Order/Roll Call</p> | Chair |
| ➤ Pledge of Allegiance | |
| ➤ Approve Agenda | |
| ➤ Approve Minutes | |
| • Thursday, March 28, 2019 Regular Meeting | |

NEW BUSINESS

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

- | | |
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| 1. <u>City of Bemidji</u> - V-19-80.01166.00 – St. Michel Rental, LLC | CM |
| 2. <u>Northern Township</u> - V-19-31.01347.00 – Eric Probstfield | JC |
| 3. <u>City of Bemidji</u> - CUP-19-80.06554.00 - B&B Enterprises, LLC | CM |

OTHER BUSINESS

- | | |
|---|--------------|
| 1. Director’s Report | CM |
| 2. Upcoming Meetings | Chair |
| • May 7, 2019 6:00 pm Joint LGU Meeting | |
| • May 8, 2019 6:00 pm JPB Regular Meeting | |
| • May 23, 2019 6:00 pm JPC Regular Meeting | |
| • June 12, 2019 6:00 pm JPB Regular Meeting | |
| • June 27, 2019 6:00 pm JPC Regular Meeting | |
| 3. Adjourn | Chair |

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

**April 25, 2019
6:00 p.m.**

**City Hall
Council Chambers**

CALL TO ORDER: Chair Chris Lahn 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, David, Heinonen, Lahn, Lemmer, Miller, Smith

MEMBERS ABSENT: Steffen

STAFF PRESENT: Casey Mai, Jamin Carlson, Terri Ball

OTHERS: Bob Whelan, Brian Freeberg, Mike Johnston, Henry & Phyllis Hammerback, Japheth Stauffer, Bob Kiewatt

APPROVAL OF AGENDA:

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

Motion carried unanimously.

APPROVAL OF MINUTES:

Motion by Heinonen, second by Lemmer, to approve minutes from the March 28, 2019, Greater Bemidji Area Regular Joint Planning Commission.

Motion carried unanimously.

NEW BUSINESS:

VISITORS:

No one addressed the commission.

Public Hearing:

Mai presented the first case:

PLANNING CASE – V-19-80.01166.00 – St. Michel Rental, LLC

Rob St. Michel of St. Michel Rental, LLC is requesting a variance to expand the total allowable square footage of wall signage at 200 Paul Bunyan Drive S within the City of Bemidji. This property is zoned (UR) Urban Renaissance within the Shoreland Overlay.

BACKGROUND

The applicant is requesting approval to add extra wall signage to its building as the structure has been renovated to allow for multi-tenants. Rob St. Michel recently purchased the former Pamida building to relocate his St. Michel Furniture store at this location. With the building being larger than what was needed for his business, St. Michel altered the interior of the structure to allow for multiple tenants to occupy the building. There could potentially be two to three additional tenants

occupying the structure. At this time, the parcel is near the maximum allowable square footage of wall signage and is needing additional square footage to be granted for the parcel or the existing signage on site will need to be reduced to accommodate for future signage.

PLANNING CONSIDERATIONS

Existing Signage

On June 22nd, 2018, a sign permit (Permit #A-18-30) was issued for one (1) internal illuminated wall mounted sign that was approximately 160 square feet in dimensions. The property also has an existing freestanding sign that has two (2) static illuminated signs attached to it as well as a dynamic display sign. The two (2) static signs are 144 square feet and 26 square feet respectively and the dynamic display sign is 34.5 square feet.

The maximum allowable wall signage in the UR District for a multi-tenant building is 200 square feet per parcel. Based on existing signage on the current building, 40 square feet is all that remains for allowable wall signage for all new tenants. One of the new proposed tenants that will be occupying a space in the building is looking to bring their existing wall mounted sign that is approximately 48 square feet in size to this location from its current site. By doing so, this would put the parcel over the maximum square footage allowance of wall signage by eight feet and leaving no additional signage for future tenants. This leads to the Applicant/Owner requesting a variance for an allowance in signage square footage to be similar in nature the LC or B-2 Zoning Districts.

Wall Mounted & Freestanding Signage Comparison

Per the Greater Bemidji Area Zoning & Subdivision Ordinance, the following is a comparison of sign standards for the (UR) Urban Renaissance district, the (LC) Lake Oriented Commercial district and the (B-2) General Commercial district.

Section 711. Signs Permitted in the LC and LD Districts

2. Wall and Freestanding Signs:

c. The total allowable signage permitted for a multi-tenant building is as follows:

- i. Wall signage is limited to a maximum of four (4) percent of the building's total wall elevation square footage per building face, or fifty (50) square feet per building face whichever is greater. Each individual tenant may have one (1) wall sign if a sign plan is submitted for review by JPB Staff. No individual tenant shall have a wall sign that exceeds two hundred fifty (250) square feet. Properties located in the LD District with reduced or no front yard setbacks, and which front directly onto a public sidewalk may have one (1) additional under canopy or projecting sign per sidewalk frontage.*
- ii. Freestanding signage is limited to one hundred fifty (150) square feet for static identification signage. An additional fifty-five (55) square feet of signage may be permitted for a manual changeable copy reader board or dynamic display when it is incorporated into the freestanding sign structure.*

Section 712. Signs Permitted in the (B-1) and (B-2) Low Density and General Commercial Districts

2. Wall, Monument and Freestanding Signs:

- c. *The total allowable signage permitted for a multi-tenant building is as follows:*
- i. *Wall signage is limited to a maximum of four (4) percent of the building's total wall elevation square feet per building face or fifty (50) square feet per tenant whichever is greater. Each individual tenant may have one (1) wall sign if a sign plan is submitted for review by the Planning Administrator. No individual tenant shall have a wall sign that exceeds two hundred fifty (250) square feet.*
 - ii. *Freestanding or monument signage is limited to one hundred fifty (150) square feet for static identification signage. An additional fifty-five (55) square feet of signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.*

Section 713. Signs Permitted in the (UR) Urban Renaissance District

1. Wall, Monument and Freestanding Signs:

- a. *The maximum number of wall signs permitted shall be the same as the number of street and alley right-of-way frontages for the parcel.*
- b. *The total allowable wall sign area shall not exceed three (3) square feet per lineal foot of building frontage. No wall sign shall exceed eighty (80) square feet in sign area. The maximum total allowable wall sign area for a building shall not exceed one hundred and sixty (160) square feet;*
- c. *For multi-tenant buildings, a total of one wall mounted sign is allowed per business per street and alley right-of-way frontage, if a sign plan is submitted for review by the Planning Administrator. The total allowable wall sign area shall not exceed two hundred (200) square feet per parcel. Landlords may submit one plan and obtain one permit per building if sign structures are incorporated into the lease plan.*
- d. *There shall be a maximum of one (1) freestanding or monument sign permitted per parcel not to exceed one hundred (100) square feet in sign area for static on-premise identification signage. An additional fifty-five (55) square feet of on-premise signage may be permitted for a manual changeable copy reader board or a dynamic display when it is incorporated into a permitted sign structure.*

New Proposed Signage Request

The Applicant/Owner is requesting a modification to their wall signage requirements due to this building being larger than the majority of buildings in the downtown Urban Renaissance zoning district. This building was used previously as a big box retail department store, which has now been renovated to house multiple tenants. This structure is approximately 260 feet wide, whereas the majority of structures in the downtown range from 25 feet to 50 feet in width, making the St. Michel's building unique within the Urban Renaissance district and something more commonly found within a Commercial zoned district. From a planning and aesthetics perspective, this will bring this building face into more of an Urban Renaissance look and functionality.

The following signage requirements are being requested for the parcel (80.01166.00) as follows:

For the multi-tenant building, each individual tenant may have one (1) wall sign on the frontage of the building if a sign plan is submitted for review by the Planning Administrator. No individual tenant shall have a wall sign that exceeds fifty (50) square feet, beyond the Owners existing one hundred and sixty (160) square foot wall sign. One wall mounted dynamic display sign will be attached to the east side of the building for all tenants to utilize, which shall not occupy more than forty-five (45) percent of the total allowable wall sign area. The total allowable wall sign area for all signage combined shall not exceed three hundred and fifty (350) square feet per this parcel.

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

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

Neighboring Property Input

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

Mississippi Headwaters Board (MHB)

Tim Terrill, MHB Executive Director had the following to say about the proposed project and the provided site plan:

This request is located in the City limits and is outside of MHB's jurisdiction. MHB has no concerns with this request.

Comprehensive Plan References

A reasonable request of signage for a building of this size on the property is in keeping with the spirit, purpose and intent of the Greater Bemidji Area Comprehensive Plan.

The newly adopted Greater Bemidji Area Comprehensive Plan has identified one objective that is in support of inviting people to the downtown to shop.

Objective 5.3: Preserve and Enhance the Downtown Landscape and Environment

The Downtown story should be a vibrant residential, commercial, and cultural gathering place that is safe and inviting. Continuing to support a well-designed, well-maintained Downtown will encourage residents to live, work, and shop Downtown.

RECOMMENDATIONS

Staff recommends approval of a variance to expand the total allowable wall signage square footage for the parcel to 350 square feet. This request is for parcel 80.01166.00.

Approval recommended with the following conditions:

1. A sign permit shall be obtained prior to any additional signage being erected on the building.
2. All dynamic display signage on the property shall comply with the brightness and time/duration of Section 718 of the JPB Ordinance.

Public Hearing opened at 6:14 p.m.

Representative Bob Kiewatt introduced Jay Stauffer who is a new tenant to the building and is the person responsible for requesting the variance. Stauffer stated that he is relocating his business, A Stitch in Time, to the St. Michel Furniture building. He is hoping to re-use his current sign, but it

is larger than what is allowed. Also, he has purchased the existing dynamic display sign and has offered to turn it off between the hours of 10:00 pm and 7:00 am to avoid visual distraction from the lakeshore. Commissioner Miller questioned ownership of the dynamic sign, and Stauffer clarified that it was part of the lease agreement. Commissioner Lemmer asked if his business would have the same hours as St. Michel's Furniture. Stauffer said that sometimes an evening class is scheduled, but it would not affect use of the dynamic sign.

Public Hearing closed at 6:19 p.m.

Motion by Smith, second by Faver to approve a variance to expand the total allowable wall signage square footage to 350 square feet for parcel 80.01166.00, with the following conditions:

1. A sign permit shall be obtained prior to any additional signage being erected on the building.
2. All dynamic display signage on the property shall comply with the brightness and time/duration of Section 718 of the JPB Ordinance.
3. Per applicant's offer, dynamic display signage will be turned off between the hours of 10:00 pm to 7:00 am.

and with Findings of Fact:

1. **Has the applicant demonstrated a practical difficulty?**
Yes. This is an existing building that has since been altered to house additional tenants. This parcel and this building was originally laid out for an individual tenant for the use of a big box retail store prior to today's zoning standards.
2. **Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**
Yes. The building is larger than the majority of buildings in the downtown Urban Renaissance zoning district. This building was prior used a for big box retail department store known as Pamida, which has now been sold and renovated to house multiple tenants. This structure is approximately 260 feet wide, whereas the majority of structures in the downtown range from 25 feet to 50 feet in width, making the St. Michel's building unique within the Urban Renaissance district and something more commonly found within a Commercial zoned district.
3. **Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?**
Yes. This request is proposing to make the signage on this building similar to what could be found in the (B-2) General Commercial district or in the (LC) Lake Oriented Commercial district. With the LC district and this property only being separated by the Mississippi River and the Highway 197 Bridge, this request is in the keeping with the spirit of the surroundings as well as the Ordinance.
4. **Can the variance be granted without altering the essential character of the surrounding area?**
Yes. The proposed variance request would fit well within the surrounding area and would not alter the character as this property transitions with (LC) Lake Oriented Commercial district. This may be viewed as an enhancement to the surrounding area as well.

Motion carried unanimously.

Carlson presented the second case:

PLANNING CASE – V-19-31.01347.00 – Erik Probstfield

Erik Probstfield is requesting a variance to construct a new entry addition on the existing house as well as a new detached garage (accessory structure) on a substandard lot located at 4329 Waville Road NE within Northern Township. This property is zoned (R-3) Suburban Residential within the Shoreland Overlay.

BACKGROUND

The applicant is requesting to make some additions on their property and as part of the project, they are looking to demolish the existing garage along with the existing deck. The variance is needed for the proposed entryway addition to the principal structure and to increase the new garage size 132 square feet from the allowed maximum of 1,008 square feet.

PLANNING CONSIDERATIONS

This lot does not meet any of the allowances for substandard lot construction in the Ordinance, per Sections Section 502 or Section 903, and nothing can be constructed or expanded without the approval of a variance.

Existing Conditions

This is an existing riparian, substandard lot of record within the shoreland overlay consisting of a house, detached garage, deck, driveway, and walkways. The existing site impervious surface area is approximately 5,813 square feet or 24.2% of the property.

Proposed Improvements

The proposal would remove the deck, the existing detached garage, and a portion of the driveway approach that leads up to that detached garage. This proposal would eliminate impervious surface in close proximity to Lake Bemidji.

Stormwater Management

Per Section 914 of the JPB Ordinance, if a project cannot meet the shoreland limitation for impervious surface of 25% maximum, an engineering plan, provided by a licensed civil engineer, or registered land surveyor, indicating that there will be no additional post development runoff with the addition of alternative impervious surfaces (including rain gardens, pervious pavers or pavement systems, green roofs, underground treatment, etc.) may be submitted for review and approval by the Planning Director, subject to prior engineering review and a maintenance plan. Approved alternative pervious surfaces of up to an additional 25% over and above traditional impervious surface materials may be considered for approval.

The property is allowed to increase its impervious coverage by an additional 1,497 square feet beyond the maximum 5,990 square feet as long as the owners provide some alternative mitigation efforts before the Planning Director for approval. Staff would recommend that the applicant install a gutter system on the new detached garage to direct stormwater towards a mitigation system such as raingardens or even a pervious pavement system in lieu of concrete or bituminous surface.

MJ Architectural

Based on the documents received, in combination with the information provided, items of note/recommendations are listed below.

- *Ensure that an Erosion Control Plan is provided and implemented for the entire time of disturbance throughout the project.*
- *Ensure that a stormwater mitigation system is in place and maintained properly into perpetuity.*
- *Ensure that project does not send any storm-water runoff towards Lake Bemidji.*

- *Based on a resource protection standpoint, this project benefits the lake by moving buildings and pavement further back from the OHWL.*

Neighborhood Comment

No input was given to the JPB at the time of writing this report.

Comprehensive Plan References:

The newly adopted Greater Bemidji Area Comprehensive Plan has identified a few objectives and strategies that supports the variance request and is in keeping with the spirit, purpose and intent of the Plan.

Land Use Objective 4.1: Preserve the Quality Residential Neighborhoods

Identify specific redevelopment opportunities and promote revitalization while maintaining character. Mapping of existing neighborhoods can provide a clearer boundary to ensure preservation. This can also aid in the development of form-based zoning to allow redevelopment of existing nonconforming structures.

Natural Resources Objective 11.2 Preserve and Enhance Water Quality

The protection of water quality is becoming increasingly important in all-natural resource environments. In an area that thrives on a strong connection to water and Mississippi River, water quality protection is key to preserving and improving a high quality of life standard that is so attractive to residents and visitors.

Strategy #2: Use shoreland restoration incentives and demonstrate success on public and private property to increase natural shoreland. Encourage shoreland restoration projects through incentives or flexibility could potentially reduce shoreland variances. Displaying the benefits of shoreland restoration can increase awareness and understanding of the process that could result in a positive impact on shorelands.

RECOMMENDATIONS

Staff recommends approval of the variance to construct a new detached garage with the additional square footage and the entryway addition to the principal structure on a substandard parcel of land located at 4329 Waville Road NE within the shoreland overlay. Approval recommended with the following conditions:

1. An erosion control plan shall be submitted and be in place before any construction commences on the property.
2. A stormwater mitigation plan shall be provided by the landowner from a design professional to be reviewed and approved by the Planning Director before a land use permit can be issued.
3. JPB site verification form and fee shall be submitted prior to construction.
4. A land use permit shall be obtained prior to construction and demolition.
5. Applicant shall obtain approval from Northern Township for driveway access widening off of Waville Rd NE.

Public Hearing opened at 6:30 p.m.

Representative Mike Johnston introduced himself. Commissioner Berg asked why the applicant needs to have 1140 square feet for a garage instead of the 1008 square feet allowed. Johnston explained the plans for a three (3) car garage with depth that allows for maneuvering of a boat trailer. Berg questioned if the garage will have a second story. Johnston stated that it will not, but it has been designed with a higher roof to better match the

existing house. Staff stated that twelve foot sidewalls are allowed. Johnston also explained that if the amended site plan to place the garage perpendicular to all adjacent structures is not approved, they will rotate the garage design to connect it to the existing driveway rather than connecting to Waville Rd NE. Commissioner Miller asked if the house will be remodeled to match the style of the new garage. Johnston stated that a remodel is planned, and is expected to occur next year. Henry Hammerback is the neighbor to the north. He has no objections to the variance and he commented that the project will improve the look of the neighborhood.

Public Hearing closed at 6:35 p.m.

Motion by Lemmer, second by Heinonen to send approval to the Joint Planning Board for the variance to construct a new detached garage with the additional square footage and the entryway addition to the principal structure on a substandard parcel of land located at 4329 Waville Road NE within the shoreland overlay. Approval recommended with the following conditions:

1. An erosion control plan shall be submitted and be in place before any construction commences on the property.
2. A stormwater mitigation plan shall be provided by the landowner from a design professional to be reviewed and approved by the Planning Director before a land use permit can be issued.
3. JPB site verification form and fee shall be submitted prior to construction.
4. A land use permit shall be obtained prior to construction and demolition.
5. Applicant shall obtain approval from Northern Township for driveway access widening off of Waville Rd NE.

And Findings of Fact:

1. **Has the applicant demonstrated a practical difficulty?**
Yes. This is an existing lot of record that is currently developed; the surrounding area is heavily developed on small substandard lots. Without a variance, the lot could not be improved or further developed.
2. **Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**
Yes. This is a previously platted and developed lot of record. No addition to the residence can be permitted without approval of a variance.
3. **Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?**
Yes. This request is proposing to make use of the property in a reasonable manner while making improvements on existing nonconformities and improving environmental quality. Having a detached accessory structure near the road is in keeping with the character of the neighborhood, and does not compromise the intent of the Zoning Ordinance.
4. **Can the variance be granted without altering the essential character of the surrounding area?**
Yes. This existing neighborhood has continued to see redevelopment on small lots through variances in recent years and a good majority of the properties in the area have detached accessory structures near the road.

Motion carried. Opposed by Berg.

Mai presented the third case:

PLANNING CASE – CUP-19-80.06554.00 – B & B Enterprises, LLC

B & B Enterprises, LLC is requesting a conditional use permit (CUP) amendment to its approved planned unit development (PUD) located at 1300 Event Center Dr NE within the *(LD) Lake Oriented Development Zoning District*. The purpose of the amendment request is to reduce the last proposed twin home unit to a single-family unit, bringing the density from 29 units down to 28 units.

BACKGROUND

The City of Bemidji and the Bemidji Economic Development Authority (BEDA) purchased and created a Planned Unit Development on 141.5 acres along the South Shore of Lake Bemidji, in 2009. The South Shore project was identified as a mixed-use development containing retail, service, office, institutional, residential and other uses. The property is zoned Lake Oriented Development (LD). At that time, the City of Bemidji and the BEDA were approved a CUP for a General Planned Unit Development (GPUD). A GPUD Plan was established that contains a detailed description of the types of development proposed for the Development and discusses the visions, goals, and criteria that were to be used to guide future development within the South Shore properties. The GPUD Plan also institutes various standards, guidelines, and criteria that, in addition to this PUD and other applicable ordinances and codes, will both guide and restrict the development that can occur throughout the district.

In 2013, B & B Enterprises, LLC was approved a PUD through a CUP to amend the GPUD, authorizing them to construct up to 30 units on the original parcel 80.05988.00 within the South Shore Development. The property is identified (on page 136 in the GPUD Plan) as the South Shore PUD Lot 1-Block 4 – Horizontal Mixed-Use/Residential – Townhomes/Multi Family. After the South Shore Villas PUD was approved, tax parcel 80.05988.00 was approved for a lot division into two (2) tax parcels. The southern parcel is still currently owned by the City of Bemidji and the BEDA and has obtained the original parcel number 80.05988.00. The northern parcel that was divided and purchased by B & B Enterprises, LLC had then taken on a new tax identification number of 80.05988.01. Through the common interest community and the construction of each unit, the development has since gone through several lot division processes obtaining new tax identification numbers for each unit. All units have their own parcel number and are individually owned; however, the land surrounding the structures is under common ownership. With 26 units constructed to-date, the last common property yet to be developed on is parcel number 80.06554.00. The amended CUP will be recorded with parcel number 80.06554.00 and not the original parcel number 80.05988.00 that was approved in 2013.

B & B Enterprises, LLC recently amended their existing PUD through a CUP amendment in August of 2018 to reduce the density of units from 30 to 29. The original approved site plan for this location was to house a quadplex; however, do to cost and space available without altering topography, the developer was approved to modify the site plan by having units #29 and #30 as a twin home and unit #27 as a detached single-family structure. Unit #28 was ultimately disregarded. The exterior appearance and exterior materials matched the existing development and are consistent with the design guidelines outlined in the GPUD Plan.

Now the Applicant is requesting to eliminate unit #29 and make the new unit #28 be a standalone detached single-family structure, similar to the recently approved unit #27. Again, the exterior appearance and exterior materials will match the existing development and will be consistent with the design guidelines outlined in the GPUD Plan. The construction of this last unit will complete the development.

When the PUD was developed it was to allow for two things to occur; first greater flexibility in the variety of uses, located near each other, to create a compatible and vibrant development; second it allows for more stringent review of the quality of development that is proposed. The PUD

monitors all aspects of development from pedestrian amenities to the color palettes used for design.

PLANNING CONSIDERATIONS

JPB Staff, City Staff, BEDA, City Council, and the South Shore Development Review Committee (SSDRC) have worked extensively with the applicant and their engineering representative to address each aspect from fire rescue, drainage, site layout, landscaping, signage, lighting and building materials during the initial PUD process. Through the amendment process, the applicants met with JPB Staff and the SSDRC to obtain the necessary certificates of approval as required per the GPUD Plan.

South Shore Development Review Committee

The SSDRC met on Thursday, April 11th, 2019 to discuss the South Shore Villas amendment request. The SSDRC was established by the City of Bemidji and the BEDA to administer the design guidelines contained in the GPUD Plan and is responsible for reviewing all proposed amendments to the GPUD Plan prior to sending their recommendations off to the Planning Administrator or the Joint Planning Board.

Through this amendment request, the SSDRC reviewed the amended plans and determined the proposed detached unit within the South Shore Villas will be on a lot that is held in common ownership, will be architecturally consistent with other units within the development, and meets the spirit and intent of the design guidelines outlined within the GPUD Plan.

Neighborhood Comment

We always appreciate what the neighborhood residents are concerned with. The goal of the JPC and JPB is to listen foremost and utilize that input to come up with either a compromise, denial or approval. At this time of the writing of the report, there has been no concerns provided to staff, however a call was received by a neighboring resident who opposed the project.

Comprehensive Plan

This development is in conformity with the goals and policies for an urban development in accordance with the Greater Bemidji Comprehensive Plan.

RECOMMENDATIONS

Staff recommends approval of the CUP amendment subject to the following conditions:

1. A building permit shall be obtained prior to construction of the final units.

Public Hearing opened at 6:49 p.m.

Commissioner Heinonen abstains from comment and voting due to the proximity of his property to the proposed project.

Applicant Bob Whelan approached the commission. Commissioner Smith asked if this house is already designed or if it will be a spec house. Whelan explained that a purchase order is in place with a design similar to the existing single family unit. He stated that the two (2) single family homes enhance the development. Commissioner Smith commented that the current single family unit is indistinguishable from the townhomes.

Public Hearing closed at 6:51 p.m.

Motion by Miller, second by Smith to approve the CUP amendment subject to the following

condition:

1. A building permit shall be obtained prior to construction of the final units.

And South Shore Development Review Committee (SSDRC) Findings:

1. **Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of surrounding land;**
No. South Shore Villas was approved as a planned unit development (PUD) in 2013 for the construction of up to 30 residential units of quadplex homes and twin homes, and recently amended PUD in 2018 to allow for a reduction to 29 units. South Shore Villas is located in the Lake Oriented Development Zoning District (LD) within the General Planned Unit Development (GPUD) for south shore of Lake Bemidji. Changing the last twin home into one single-family detached unit shall have no adverse effect on the public safety, health, morals, convenience and general welfare of the occupants in the neighborhood.
2. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land;**
No. The reduction of one unit throughout the development is anticipated to decrease traffic and shall not have a negative effect on Event Center Dr NE.
3. **Whether the proposed use adversely affects property in the surrounding area;**
No. The proposed changes to the development are visually and architecturally consistent with the surrounding area and do not create visual blight or reduce the values of surrounding properties.
4. **Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan; and,**
Yes. The Design Guidelines outlined within the GPUD allow flexibility to create a compatible and vibrant development as long as the structures are architecturally consistent with the surrounding area. The proposed detached unit within South Shore Villas will be on a lot that is held in common ownership, will be architecturally consistent with other units, and meets the spirit and intent of the design guidelines outlined within the GPUD Plan and the Greater Bemidji Area Land Use Plan.
5. **Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**
Yes. The development is connected to centralized City utilities and storm water system.

Motion carried. Abstention by Heinonen.

OTHER BUSINESS:

DIRECTOR REPORT

Mai summarized last month's planning case decision, the upcoming planning cases, and development projects. He also spoke about the upcoming Joint LGU meeting at which the new Joint Powers Agreement draft will be presented. The meeting will be held in City Hall and a meal is provided.

UPCOMING MEETING DATES:

May 7, 2019	6:00 pm	Joint LGU Meeting
May 8, 2019	6:00 pm	JPB Regular Meeting
May 23, 2019	6:00 pm	JPC Regular Meeting
June 12, 2019	6:00 pm	JPB Regular Meeting
June 27, 2019	6:00 pm	JPC Regular Meeting

ADJOURNMENT:

There being no further business, motion by Heinonen, second by Lemmer, to adjourn the Regular Planning Commission meeting at 6:58 p.m.

Motion carried unanimously.

Respectfully submitted,

Terri Ball
Planning Administrative Assistant

Approved and attested by:  _____
Joint Planning Commission Representative