

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
317 4th Street NW

Wednesday, March 13, 2019 REGULAR MEETING – 6:00 p.m.

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

A. MINUTES **Chair**
Approval of February 13, 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. 2019-03 - V-19-80.02632.00 – David Scheer **JC**
- 2. City of Bemidji – Resolution No. 2019-04 – CUP-19-80.06874.00 – H.U.U.F. **CM**
- 3. City of Bemidji – Resolution No. 2019-05 – IUP-19-80.05065.00 – Sanford Health **JC**
- 4. City of Bemidji – Resolution No. 2019-06 – Plat-19-Second Addition Industrial Park **CM**
- 5. Resolution No. 2019-07 – Adoption of 2040 GBAJPB Comprehensive Plan **CM**

E. OTHER BUSINESS

- 1. Temporary Storage

F. DIRECTOR’S REPORT **CM**

G. UPCOMING MEETINGS **Chair**

- 1. March 28, 2019 6:00 pm JPC Regular Meeting
- 2. April 10, 2019 6:00 pm JPB Regular Meeting
- 3. April 25, 2019 6:00 pm JPC Regular Meeting
- 4. May 7, 2019 6:00 pm Joint LGU Meeting
- 5. May 8, 2019 6:00 pm JPB Regular Meeting

H. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
March 13, 2019

Pursuant to due call and notice, a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, March 13, 2019, 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: Brian Freeberg, Dave Landgrebe, Brent McWithey

Pledge of Allegiance was performed.

AGENDA

Motion by Albrecht, second by Erickson, to approve the agenda as presented.

Motion carried unanimously.

MINUTES

Motion by Meehlhause, second by Erickson to approve the February 13, 2019 minutes.

Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$2,937.93 were presented for payment.

Motion by Erickson, second by Frenzel, to approve consent agenda as amended.

Motion passed unanimously.

VISITORS - None

NEW BUSINESS

RESOLUTION 2019-03 - V-19-80.02632.00 - David Scheer

David Scheer is requesting a variance to construct a single family home on a substandard lot of record in the (R-5) High Density Residential Zoning District and Shoreland Overlay within the City of Bemidji located on Gemmel Ave. The minimum lot size in the MHB overly is 20,000 square feet for a non-riparian lot. The applicant's lot is 12,197 square feet. The site plan shows that the proposal will maintain all necessary JPB ordinance setbacks.

BACKGROUND

The applicant is requesting approval to construct a 1,600 square foot single-family home. The applicant met with JPB staff with a proposal to develop on a substandard lot in the shoreland overlay. The lot is currently undeveloped and meets the R-5 underlying zoning lot requirements, but not the shoreland or MHB standards.

PLANNING CONSIDERATIONS

Existing Conditions

This is an existing, non-riparian, undeveloped, MHB substandard lot of record.

Landscaping

The site plan shows a porous driveway which will lessen the impervious impact from the development of the lot. Based upon the submitted site plan, the proposed property will be roughly 18% impervious coverage after construction. The maximum impervious coverage allowed within the shoreland overlay is 25%.

Per Section 1006, all one and two family dwellings shall preserve existing trees or plant at least two (2) trees between the front property line and the minimum front yard setback line. The applicant will be required to submit a landscaping plan identifying the type, size and location of the two (2) trees required for this property at the time of applying for a building permit.

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

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

Public Works/Engineering stated that a grading & drainage plan be provided prior to building permit being issued. Additionally, the city engineer stated that public works will need a five foot (5') utility easement along the west side of the parcel for their existing storm sewer line.

Neighboring Property Input

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

During the public hearing held at the February 28th Joint Planning Commission meeting, a neighbor asked if the property is intended to be owner occupied or a rental. Applicant stated it will be his home.

Mississippi Headwaters Board (MHB)

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

The variance request is for a non-conforming lot in the MHB Comprehensive Plan. Therefore the single family home must have a type 1 septic system or be hooked up to a public sewer and impervious surface cannot exceed 25 percent. As an additional comment, I would suggest that the home be moved as least 100' or as far as possible from the Lake Irving OHWM.

Note: the closest property line for the proposed variance to Lake Irving is 125' away from the OHWM.

Comprehensive Plan References

A reasonable use of property is in keeping with the spirit, purpose and intent of the GBAJPB Land Use Plan.

RECOMMENDATION

Staff recommends approval of a variance to construct a new single family structure on a substandard parcel of land in the (R-5) High Density Residential District within the shoreland overlay, with the following conditions:

1. Pervious pavement system shall be constructed to standards as designed on site plan provided by licensed professional.
2. The pervious pavement system shall always remain in place.
3. A development agreement between JPB and landowner at time of construction stating that the pervious pavement system will be maintained in a functioning condition as designed, and any replacement will meet or exceed the approved design parameters will be signed notarized and recorded.
4. Applicant shall submit grading and drainage plans to city staff for approval prior to construction.
5. Applicant shall obtain all necessary building, E911, driveway, and stormwater/erosion permits before construction begins.
6. Applicant shall create a five foot (5') easement running along the west side yard lot line for all future maintenance of existing stormwater sewer line.
7. Two (2) trees shall be preserved or planted within the front yard setback complying with Section 1006 of the GBAJPB ordinance. The applicant shall submit a landscaping plan identifying the type, size and location of the two (2) trees required for this property at the time of applying for a building permit.

Board members had no comments.

Motion by Frenzel, second by Erickson, to approve Resolution No. 2019-03 approving a variance to construct a new single family structure on a substandard parcel of land in the (R-5) High Density Residential District within the shoreland overlay, with the following conditions:

1. Pervious pavement system shall be constructed to standards as designed on site plan provided by licensed professional.
2. The pervious pavement system shall always remain in place.
3. A development agreement between JPB and landowner at time of construction stating that the pervious pavement system will be maintained in a functioning condition as designed, and any replacement will meet or exceed the approved design parameters will be signed notarized and recorded.
4. Applicant shall submit grading and drainage plans to city staff for approval prior to construction.
5. Applicant shall obtain all necessary building, E911, driveway, and stormwater/erosion permits before construction begins.
6. Applicant shall create a five foot (5') easement running along the west side yard lot line for all future maintenance of existing stormwater sewer line.
7. Two (2) trees shall be preserved or planted within the front yard setback complying with Section 1006 of the GBAJPB ordinance. The applicant shall submit a landscaping plan identifying the type, size and location of the two (2) trees required for this property at the time of applying for a building permit.

And with findings:

1. **Has the applicant demonstrated a practical difficulty?**
Yes. This is an existing lot of record, the surrounding area is developed on small substandard lots as well. Without a variance, the lot could not be built upon as it does not meet minimum lot size for the MHB Ordinance.
2. **Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**
Yes. The applicant's lot was platted and zoned for high density residential use, without variances very few properties in this neighborhood would meet the MHB standards.
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 and maintaining environmental quality.
4. **Can the variance be granted without altering the essential character of the surrounding area?**
Yes. Since the proposed variance request is for a single family home, it would fit well within the surrounding area and would not alter the character.

Motion carried unanimously.

RESOLUTION 2019-04 – CUP-19-80.06874.00 - Headwaters Unitarian Universalist Fellowship

Headwaters Unitarian Universalist Fellowship (HUUF) is requesting a conditional use permit (CUP) for a religious institution on parcel 80.06874.00, located southwest of the Mikrantip Rd SW and Jefferson Ave SW intersection within the City of Bemidji. This property is zoned (R-1) Rural Residential.

BACKGROUND

HUUF is proposing to construct a new church with the primary use being for regular assembly of persons for religious worship and education. HUUF also plans to house office space for the religious institution for the purpose of peacemaker resources, a small non-profit organization whose mission aligns with the church's mission.

On August 6th, 2018, the City of Bemidji adopted Ordinance No. 150, 3rd Series, annexing the subject property from Bemidji Township. On October 15, 2018, the City adopted Ordinance No. 153, 3rd Series amending Ordinance 150 to include reimbursement from the City to the Township. Based upon review of Ordinance 150 and Ordinance 153, the Chief Administrative Law Judge officially approved the annexation on January 14th, 2019.

The Religious Land Use and Institutionalized Persons Act (RLUIPA) was passed by Congress in 2000 that allowed for the protection of religious assemblies from being prohibited in many, if not most zoning categories. The Greater Bemidji Area Zoning Ordinance allows for religious institutions/churches to be located in most zoning districts with the approval of a CUP. A CUP 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 method to minimize any potential impact the use may have.

PLANNING CONSIDERATIONS

This property is surrounded by predominantly single-family residential to the north and east, general commercial to the west, and to the direct south is another religious institution. The use of a religious institution is common in both a residential or commercial districts.

Per Section 502 of the GBAJPB Zoning & Subdivision Ordinance, existing lots of record in the R-1

zoning districts greater than one (1) acre in size and with a width of at least one hundred (100) feet may be developed on without a variance, provided all other standards of the Ordinance are met.

Parking and Traffic

Section 1009 of the JPB Zoning & Subdivision Ordinance requires that religious institutions have one (1) space for each four (4) seats of design capacity. Based on the maximum design capacity, this religious institution is required to have a total of thirty-eight (38) parking spaces. The applicant is requesting to not install curb and gutter around the perimeter of the passenger parking area and in lieu will install a row of trees or a landscaping hedge to prevent vehicles parking in the grass or the expansion of parking without approval.

No curb cut access shall exceed twenty-four (24) feet in width, except upon approval from the Road Authority and the Planning Administrator. A driveway permit will need to be obtained from Bemidji Township for the proposed access off Mikrantip Rd, as this road is under the jurisdiction of Bemidji Township.

Landscaping

Per Section 1006 of the JPB Zoning & Subdivision Ordinance, the site requires one (1) tree per fifty (50) lineal feet of street frontage along with one (1) tree for every 1,100 square foot of minimum required pervious site surface. A total of twenty-four (24) trees are required throughout the property within the front yard setback along the street frontage, including nine (9) trees along Jefferson Ave SW, twelve (12) trees along Mikrantip Rd SW, and three (3) trees along Mag Seven Ct SW. A tree removal permit will need to be obtained for the removal of any high-quality significant trees on site. A final landscaping plan shall be submitted for JPB staff approval prior to obtaining a building permit.

Lighting

All exterior lighting proposed for this development must meet Section 1008 of the JPB Zoning & Subdivision Ordinance. A lighting plan showing fixtures and placement will need to be submitted for approval prior to building permit being issued.

Signage

All signage must comply with Section 710 of JPB Zoning & Subdivision Ordinance. Permitted non-residential uses, such as religious institutions are allowed one freestanding sign per street frontage not exceeding thirty-two (32) square feet in sign area. For parcels larger than two and one-half (2.5) acres in size or larger may increase their freestanding sign to forty-eight (48) square feet; however, the setback from right-of-way increases from fifteen (15) feet to thirty (30) feet. A sign permit shall be obtained prior to any signage being installed on-site.

Trash Handling

At this time, the applicant has indicated that they will only have a trash bin on site and not a dumpster. Any dumpsters brought on-site shall be fully enclosed complying with Section 1002 of the JPB Zoning & Subdivision Ordinance.

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

The Building Department, nor the Fire Department had any concerns regarding the site plans for the proposed expansion. A building permit will need to be issued prior to construction. An E-911 address will need to be obtained from the GIS Department. Utility as-builts will also need to be submitted to the GIS Department. The following is a list of deliverables the Engineering Department will require prior to obtaining building permit approval:

- Grading & Drainage Plan – To include stormwater calculations meeting requirements stated in City of Bemidji Surface Water Management Plan and Stormwater Design Guide. Owner

shall not exceed existing conditions for stormwater heading toward public right of way. Project shall also meet ADA regulations.

- Erosion Control & SWPPP – A plan for sediment and erosion control will need to be submitted and approved.

The engineering department also stated a concrete border will be required around the passenger parking area, at a minimum, anywhere water is proposed to sheet flow off the proposed parking lot to prevent erosion and damage to the pavement edge.

Neighboring Property Owner input

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

During the public hearing held at the February 28th Joint Planning Commission meeting, one neighboring resident asked several questions about the church's length of existence in Bemidji as well as its current location. All questions were answered by the applicant and representatives.

Comprehensive Plan References

The location of a religious institution in a residential area is compatible in the R-1 Rural Residential Zoning District. Peak traffic generation typically occurs only on one or two days per week, usually on Saturdays and Sundays. The proposed use of a church in the district is consistent with Greater Bemidji Area Land Use Plan; provided the CUP process is followed and specific conditions are met in order to assure compatibility with surrounding uses.

RECOMMENDATION

Staff recommends approval of a conditional use permit (CUP) for a religious institution on parcel 80.06874.00, located southwest of the Mikrantip Rd SW and Jefferson Ave SW intersection within the City of Bemidji with the following conditions:

1. This property shall not lease out office space for commercial use without rezoning the property to commercial.
2. Final engineering, grading, and utility plans will need to be approved for review by JPB staff, City of Bemidji Public Works staff, and Bemidji GIS Department before any construction can commence.
3. Final building plans will need to be approved by the City of Bemidji Building Department and Bemidji Fire Department.
4. A tree removal permit will need to be approved prior to removing any trees on site.
5. All exterior lighting on-site shall comply with Section 1008 of the JPB Ordinance; a lighting plan shall be submitted with final building plans for JPB review.
6. All signage needs to meet Section 710 of the JPB Ordinances and a permit must be obtained prior to any signage being placed on site.
7. Any dumpsters brought on site shall be fully enclosed complying with Section 1002 of the JPB Ordinance.
8. A row of trees or dense landscaping hedges shall be installed along the perimeter of the passenger parking lot in lieu of curb and gutter.
9. A final landscaping plan shall be submitted to JPB staff for approval complying with Section 1006 of the JPB Zoning Ordinance.
10. The developer/owner shall enter into a development agreement with the JPB and the City of Bemidji prior to construction.

Board members had the following comments:

- Erickson asked for clarification of the difference between curb and gutter and concrete barrier requirements. Staff deferred to Zoning Ordinance Section 1009 which allows substitution of landscaping for curb and gutter. Engineers were in full agreement with proposed site plan.
- Kelly questioned alternate road access if Bemidji Township does not allow proposed location. Staff is unsure, but would work with Beltrami County and the applicant if that were to happen.
- Albrecht asked about first condition. Staff explained that the ordinance does not allow professional offices in the R-1 zoning district, and that the applicant is interested in leasing out some office space within the new church. Albrecht and Erickson commented that JPB intentions should not restrict use by the church. Staff stated that if use changes, applicant can ask to amend their original CUP or propose to rezone the property to commercial.

Motion by Albrecht, second by Meehlhause to approval Resolution 2019-04 for a conditional use permit (CUP) for a religious institution on parcel 80.06874.00, located southwest of the Mikrantip Rd SW and Jefferson Ave SW intersection within the City of Bemidji with the following conditions:

1. This property shall not lease out office space for commercial use without rezoning the property to commercial.
2. Final engineering, grading, and utility plans will need to be approved for review by JPB staff, City of Bemidji Public Works staff, and Bemidji GIS Department before any construction can commence.
3. Final building plans will need to be approved by the City of Bemidji Building Department and Bemidji Fire Department.
4. A tree removal permit will need to be approved prior to removing any trees on site.
5. All exterior lighting on-site shall comply with Section 1008 of the JPB Ordinance; a lighting plan shall be submitted with final building plans for JPB review.
6. All signage needs to meet Section 710 of the JPB Ordinances and a permit must be obtained prior to any signage being placed on site.
7. Any dumpsters brought on site shall be fully enclosed complying with Section 1002 of the JPB Ordinance.
8. A row of trees or dense landscaping hedges shall be installed along the perimeter of the passenger parking lot in lieu of curb and gutter.
9. A final landscaping plan shall be submitted to JPB staff for approval complying with Section 1006 of the JPB Zoning Ordinance.
10. The developer/owner shall enter into a development agreement with the JPB and the City of Bemidji prior to construction.

And with the 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 religious institution use conforms to the zoning regulations as a permitted CUP in the (R-1) Rural Residential Zoning District. The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding residential or commercial areas.

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 and this use is primarily

on the weekends when the other traffic generators are at their lowest rates. The applicant is providing adequate off-street parking on the property.

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

No. Adverse impacts upon the surrounding area are not anticipated with this proposal as a religious institution is already located on the adjacent parcel to the south. Any future changes shall be reviewed in accordance with all zoning requirements.

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

Yes. The proposed use is consistent with the goals and policies of the JPB Land Use Plan as well as the JPB Zoning & Subdivision Ordinance through an approved CUP.

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

Yes. The property has adequate public infrastructure and will be served by city services.

Motion carried unanimously.

RESOLUTION 2019-05 – IUP-19-80.05065.00 - Sanford Health

Joy Johnson/Cynthia Berget, representing Sanford Health, are requesting approval of an interim use permit (IUP) to add residential crisis and detox services at the property located at 3124 Hannah Avenue NW within the City of Bemidji. This property is zoned in the Office/Medical District (O/M).

BACKGROUND

The applicant(s), Joy Johnson/Cynthia Berget representing Sanford Health, are proposing to provide services for residential crisis and detox. The existing use of the property has been vacant and was temporarily used for behavioral health appointments. The property's previous use was commercial business. The applicant states that the need in the community for crisis stabilization is staggering and that success rates are much better when help is closer to home. The applicant also states that the majority of referrals will be done via phone and there may be an increase in law enforcement presence as well.

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.

Primary Hours of Operation: 24 hours a day, seven days a week, 365 days a year.

Number of Employees: 30 - 40 employees

Number of Clients: 14 total residents on an average day.

Drug /Alcohol Treatment: Yes

PLANNING CONSIDERATIONS

This property is surrounded by predominantly low density business to the west, open space and the Sanford hospital complex to the north, and high density residential to the east and south. This use is common in the medical/office district.

Parking and Traffic

Section 1009 of the JPB Ordinance requires that parking be based on one (1) space per three (3) bedrooms, plus one (1) space for each employee on max shift. There shall be a minimum of four (4)

spaces. This property is required to have a total of 45 parking spaces and currently has approximately 55 parking spaces.

Landscaping and Pervious Surface

Per Section 1006 of the JPB Zoning & Subdivision Ordinance, the site requires one (1) tree per fifty (50) lineal feet of street frontage along with one (1) tree for every 1,100 square foot of minimum required pervious site surface. A total of eighteen (18) trees are required throughout the property, including five (5) trees within the front yard setback along the street frontage of Hannah Avenue NW. This property currently has twenty-one (21) trees throughout the lot.

Signage

The applicant states that they will be working with their marketing department on signage and will obtain the necessary permit(s). Any new signage will require a sign permit through the GBAJPB. All signage must comply with Section 714 of JPB Zoning and Subdivision Ordinance.

Trash Handling

The applicant states that there is an on-site dumpster with Waste Management located on the property. 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 Building Department, nor the Fire Department had any concerns regarding the site plans for the proposed use.

Public Works/Engineering:

The city engineer stated that public works will need a ten (10) foot utility easement along the west side of the parcel for their existing sanitary sewer main.

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 (O/M) 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.

RECOMMENDATION

Staff recommends approval of an Interim Use Permit to allow Sanford Health to add residential crisis and detox for the property located at 3124 Hannah Avenue NW within the City of Bemidji in the Office/Medical District (O/M), 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. All dumpsters shall be fully enclosed with a gate complying with Section 1002 of the JPB Ordinance.
4. 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.

5. Applicant shall create a ten (10) foot easement running along the west front yard lot line for all future maintenance of the existing sanitary sewer line.

Board members had the following comments:

- Erickson questioned conflicting information about ownership. Staff clarified that Prime West donated the property to Beltrami County who then leases it to Sanford Health.
- Erickson also spoke of a meeting for neighboring North View Manor residents, law enforcement, and the County Administrator. Residents were informed of what to expect from this type of facility, including more sounds of sirens. Erickson commented on the freedom allowed to clients who may come and go as they choose as somewhat surprising and concerning to her. She further stated support of the cost savings to Beltrami County, and suggested adding both a notification to the JPB if neighbors experience adverse effects, and a condition that requires fencing.
- Albrecht supported the JPB notification and reminded Board about past planning cases that included a condition requiring a six (6) month review. Albrecht also suggested modifying condition number five (5).
- Meehlhause agrees with a required review, and suggested that the applicant visit the Board to provide a re-cap.
- Kelly spoke favorably of this facility and the benefits to the community. He also supports a six (6) month review.

Motion by Meehlhause, second by Frenzel to approve Resolution 2019-05 for an Interim Use Permit to allow Sanford Health to add residential crisis and detox for the property located at 3124 Hannah Avenue NW within the City of Bemidji in the Office/Medical District (O/M), 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. All dumpsters shall be fully enclosed with a gate complying with Section 1002 of the JPB Ordinance.
4. 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.
5. Applicant shall dedicate and record a ten (10) foot easement running along the west front yard lot line for all future maintenance of the existing sanitary sewer line.
6. The IUP shall be reviewed for compliance one (1) time upon six (6) months of operation by the JPB staff. If JPB staff think there is a reason to bring it to the JPB, the applicants shall participate in a review of the IUP. A review will occur if complaints are received by staff.

And with 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 residential crisis and detox 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 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 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.

RESOLUTION 2019-06 – Plat-19 – Second Addition to Industrial Park

Bemidji Development Corporation, a Minnesota Corporation is requesting a replat of a portion of the Second Addition to Bemidji Industrial Park Plat to better accommodate future sales. The replat will be of Block 4, Block 5, Block 6, Lots 5-12 of Block 7, and Outlot A. This plat is located in the City of Bemidji within the (I-1) Light Industrial Zoning District.

BACKGROUND

The applicant, Bemidji Development Corporation is seeking to replat a portion of the Bemidji Industrial Park to better accommodate future lot sales. The existing area that will be replatted consists of seventeen (17) lots of typically one (1) to one-and-four-tenths (1.4) acres in size. Potential developers of these lots have often stated that larger size parcels are needed for future projects to occur within the Industrial Park. The applicant is proposing to replat this section of the yet undeveloped part of the Industrial Park into ten (10) lots rather than seventeen (17), and in the process, eliminate approximately 1,000 feet of future street construction, utilities and maintenance. This will approximately save \$300,000 in future construction cost for utility and street materials. All proposed revisions of the replat are configured on the attached document "Third Addition to Industrial Park."

The Second Addition to Industrial Park Plat was originally subdivided and approved on April 6th, 2005. Bemidji Development Corporation subdivided the 155.7 acre parcel south of County Road #404 (Carr Lake Road SE) into fifty-eight (58) industrial lots and two outlots. The two outlots are 5.45 acres and 1.98 acres in size. Through this platting process, seven (7) new city streets either have been created or will to be created with the extension of utilities in phases as the parcels were sold.

PLANNING CONSIDERATIONS

Lot Size Requirements

All of the proposed replatted lots are intended to meet the minimum lot size requirements of the (I-1) Light Industrial Zoning District. After having a decrease from seventeen (17) lots to ten (10) lots, several of the lots increased greatly in size. Lots range from 1.68 acres to 3.70 acres in size. Outlot A is projected to remain approximately the same size at 5.45 acres.

Traffic

Through the replatting process, Corrigan Avenue, which is to connect 30 Street SE and Gram Avenue SE, will now be altered so Corrigan Avenue connects to Herrington Avenue SE from both the west and the east with the intersection being separated by roughly 207 feet. Kittleson Avenue, which was to run north and south connecting Corrigan Avenue and 30th Street SE will be eliminated as well through the replatting process. With the relocating or removal of these platted roads, approximately 1,000 feet of future street construction and maintenance will be eliminated, saving approximately \$300,000 in future construction cost for street and utility work and material.

City of Bemidji

On February 4, 2019, the City Council agreed to participate with the Bemidji Development Corporation in the replatting process for reason that under the original Plat, the Stormwater Pond platted as "Outlot A", was "donated and dedicated to the public for public use forever", i.e., meaning that the City has a property interest in the area or portion to be replatted. As such, platting rules require that every individual or entity with a property interest join as an "owner" in the application and replatting procedure.

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

The Development Team had no comments or concerns regarding this replatting request for the Industrial Park.

Neighboring Property Owner input

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

Comprehensive Plan References

This replat request meets the goals of the Greater Bemidji Area Land Use and Transportation Plans, as well as the GBAJPB Zoning & Subdivision Ordinance.

RECOMMENDATION

Staff recommends approval of a replat of a portion of the Second Addition to Bemidji Industrial Park Plat to better accommodate future sales. The replat will be of Block 4, Block 5, Block 6, Lots 5-12 of Block 7 and Outlot A. This plat is located in the City of Bemidji within the (I-1) Light Industrial Zoning District with the following conditions:

1. The approved final plat known as "Third Addition to Industrial Park" shall be submitted to the JPB.
2. A tree removal permit shall be obtained prior to any trees being removed from the area. Removal of more than 60% of high quality significant trees shall require a conditional use permit.
3. All streets, utilities, and stormwater management ponds shall be constructed to City specifications, as required by the City Engineer. They may continue to be built in phases as the parcels are sold and developed.

Board members had the following comments:

- Frenzel questioned the opinion of the Engineering Department regarding the road change. Staff explained that both engineers have reviewed the site plan and are in favor of it.
- Frenzel also spoke about the Bemidji Development Corporation (BDC) in relation to past planning cases involving paved surfaces. He suggested that they look at their ordinance standards and consider aligning them with city ordinances.
- Albrecht supports a meeting between BDC officials, city officials, and JPB staff. She also suggested to discuss exterior storage compliance within the Industrial Park.

- BDC representative, Brian Freeberg, recently met with city officials about re-naming Corrigan Avenue. It is the intention to change the name to Sathre Avenue, in honor of a community member who worked to develop Bemidji's first Industrial Park.
- Albrecht questioned the time line of this project. Applicant requires significant land sales first, which could take months or years.

Motion by Meehlhause, second by Albrecht to approve Resolution 2019-06 for the re-plat of a portion of the Second Addition to Bemidji Industrial Park Plat to better accommodate future sales. The replat will be of Block 4, Block 5, Block 6, Lots 5-12 of Block 7 and Outlot A. This plat is located in the City of Bemidji within the (I-1) Light Industrial Zoning District with the following conditions:

1. The approved final plat known as "Third Addition to Industrial Park" shall be submitted to the JPB.
2. A tree removal permit shall be obtained prior to any trees being removed from the area. Removal of more than 60% of high quality significant trees shall require a conditional use permit.
3. All streets, utilities, and stormwater management ponds shall be constructed to City specifications, as required by the City Engineer. They may continue to be built in phases as the parcels are sold and developed.

And with findings:

1. The development is permitted in the (I-1) Light Industrial Zoning District.
2. The proposed replatted lots meet the minimum lot requirements of the (I-1) Light Industrial Zoning District.
3. A decrease of seven (7) industrial lots will occur, going from seventeen (17) undeveloped lots down to ten (10) undeveloped lots.
4. No adverse impacts to traffic are anticipated in this immediate vicinity.
5. Loss of significant high quality trees will be mitigated.
6. The replat is in conformity with the approved JPB Land Use and Transportation Plans.

Motion carried unanimously.

RESOLUTION 2019-07 – Adoption of the Comprehensive Plan

Staff presented final version of the Comprehensive Plan along with a resolution to approve its adoption.

Board members had the following comments:

- Kelly expressed his gratitude to staff.
- Frenzel questioned normal timeline for updates to the plan. Staff stated that five (5) years is the most common period between reviews or updates.
- Erickson commented on the professional result and spoke favorably about the meeting and planning processes coordinated by staff.
- Discussion about printing costs and binding options. Staff offered to bring estimates to the next JPB meeting.

Motion by Frenzel, second by Erickson to approve Resolution 2019-07 for the approval of the Greater Bemidji Area Joint Planning Board Comprehensive Plan.

Motion carried unanimously.

OTHER BUSINESS

Staff presented a revised fee schedule which included temporary storage structure permits. Discussion involved how other communities handle temporary storage, what time limits should be set as well as policing said requirements, and speculating what the GBA community wants/needs so as to not hinder commerce and development. Consensus was to try a permit method and see what the results are, and to present the revised fee schedule at the next public hearing so the public has an opportunity to respond.

Albrecht discussed a recent call from an angry citizen. Staff explained the violation and its resulting written notification. Administrative fines were discussed, but nothing was concluded.

DIRECTOR'S REPORT

Mai identified the upcoming planning case and the status of current development projects. Mai also stated that the next Joint Powers Agreement renewal meeting is planned in April. The upcoming training session for Commissioners, Board member, and other city officials was identified on March 26th.

UPCOMING MEETING DATES

March 28, 2019	-- JPC Regular Meeting @ 6:00 p.m.
April 10, 2019	-- JPB Regular Meeting @ 6:00 p.m.
April 25, 2019	-- JPC Regular Meeting @ 6:00 p.m.
May 7, 2019	-- Joint LGU Meeting @ 6:00 p.m.
May 8, 2019	-- JPB Regular Meeting @ 6:00 p.m.

ADJOURNMENT

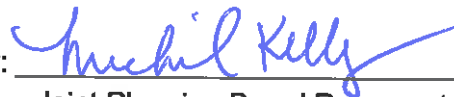
There being no further business, motion by Albrecht, second by Meehlhause, to adjourn the Joint Planning Board meeting at 8:03 p.m.

Motion carried unanimously.

Respectfully submitted,

Terri Ball
Planning Administrative Assistant

JPB Minutes Approved and attested by:



Joint Planning Board Representative