

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

Wednesday, January 13, 2016 REGULAR MEETING – 6:00 p.m.

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

A. MINUTES **Chair**
Approval of December 9, 2015 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**
- 2. Fee Schedule - Ordinance 2016-03 **Chair**
- 3. Appointment of Bill Smith – Resolution 2016-03 **Chair**

C. NEW BUSINESS

- 1. **City of Bemidji** – Administrative appeal – 80.02489.00 Margaret Dow **M**
- 2. **Northern Township** –**Ordinance No. 2016-01** - Z-15-31.00448.00 –
Great Western Properties LLC **D**
- 3. **Bemidji Township** –**Resolution No. 2016-01** - PUD/Z-15-03.00571.00 –
Oak Hills Christian College **M**
- 4. **City of Bemidji** – **Resolution No. 2016-02** – Amended CUP-15-80.00182.00 - ISD #31 **M**

D. OTHER BUSINESS

- 1. **Election of 2016 Officers (New officers will be seated at the February meeting)**
Chair (City of Bemidji) / Vice Chair / Treasurer

E. VISITORS **Chair**

F. ADMINISTRATOR’S REPORT **M**

- 1. Year End Report
- 2. Site Plan Analyst Report

G. UPCOMING MEETINGS **Chair**

- 1. January 28, 2016 6:00 pm JPC Regular Meeting
- 2. February 10, 2016 6:00 pm JPB Regular Meeting
- 3. February 25, 2016 6:00 pm JPC Regular Meeting
- 4. March 9, 2016 6:00 pm JPB Regular Meeting

H. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
January 13, 2016

Pursuant to due call and notice a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, January 13, 2016, at 6:00 p.m. in City Hall. Chair Chambers presiding called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Albrecht, Chambers, Johnson, Olson, Erickson, Kelly (alternate).

Members absent: Heuer, Merschman, Mountain (utilized alternate).

Staff present: Mayana Rice, Dustin Severs, Josh Stearns, Terri Ball.

Others in attendance: Chuck Allen, Scott Budeau, Craig Gray.

Pledge of Allegiance was performed.

AGENDA

Motion by Albrecht, second by Johnson to approve the agenda.

Motion carried unanimously.

MINUTES

Motion by Johnson, second by Erickson to approve the December 9, 2015 JPB minutes.

Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$9,436.38 (Check No. 1931 through 1947) were presented for payment.
- 2) Resolution No. 2016-03 appointing Bill Smith to the Joint Planning Commission.

Motion by Kelly, second by Olson to approve Consent Agenda.

Motion passed unanimously.

NEW BUSINESS

RESOLUTION 2016-04 – Appeal 80.02489.00 – Margaret Dow

Applicant is appealing zoning ordinance which would restrict her from re-applying for a rental permit on her duplex in the R4 (single family) district.

BACKGROUND

Applicant states she was unaware that her grandfathered rental status would end if her permit lapsed. She further explained that caregiving for family was the reason she stopped renting out part of her home. City records show the permit expired in 2008, as well as no notification was sent informing applicant of these consequences.

RECOMMENDATION

Staff recommends the JPB allow this rental to continue with the following conditions:

1. The Owner, within 15 days of the date of this Resolution, shall pay the fees for reinstatement of the rental license for 2009 to 2016 to ensure that this was a continual rental.
2. The Owner request and obtain a rental inspection from the City's rental department.
3. The Owner correct any items of noncompliance resulting from the rental inspection and remain in compliance with the City's rental ordinance.
4. Discontinuing the duplex use of the Property for more than 12 months will result in the loss of the lawful nonconforming status of the Property and the Owner will thereafter be required to only use the Property in way which conforms with the Ordinance.

Board members had the following concerns:

- Johnson asked if it is a policy to inform the rental permit holder of the consequences of a lapsed permit. Staff answered that no policy existed in 2009, but as of 2011 the City mails notification and requires a signature if rental status ends.
- Erickson reiterated that the City did not give applicant proper notice and her reasons for lapsing were understandable. Further, there were no records of any problems during the history of the rental.
- Applicant told the Board that she spoke with her immediate neighbors, who know why she had stopped renting, and neither have a problem with her reinstating duplex as a rental property.

Motion by Albrecht, second by Erickson to approve Resolution No. 2016-04 which appeals zoning for parcel 80.02489.00 including the conditions.

Motion carried unanimously.

ORDINANCE 2016-01 –Z-15-31.00448.00 – Great Western Properties LLC

Applicants propose to rezone parcel from B1 (Low Density Commercial) to R5 (High Density Residential) for the purpose of a multi-family development.

BACKGROUND

The development will consist of a total of forty (40) duplex units, totaling eighty (80) individual dwelling units, in a phased construction. The townhomes will be two-story units with attached double garages. The applicant has described the townhomes as being at the higher end of the rental market in the area, with average rent expected at \$1,500 per month. With the development located just 2.5 miles north of the Sanford Medical Center, the applicant hopes to target a growing housing market demand of rentals for physicians and other medical professionals whom practice short-term at Sanford.

PLANNING CONSIDERATIONS

The applicant is strictly requesting a rezone of the property, and not the approval of the proposed multi-family development. The merit of a rezone request is evaluated based purely on the compatibility of the proposed change in zoning classification (and all the uses that it would permit) to the surrounding neighborhood if it were reclassified, and is not based on the particular development being proposed by the applicant requesting the rezone.

Spot zone

A spot zone occurs when a particular parcel of land is granted a classification concerning its use that differs from the classification of other land in the immediate area. Spot zoning is invalid because it amounts to arbitrary, capricious, and unreasonable treatment of a limited area within a particular district and is, therefore, a deviation from the comprehensive plan.

The subject parcel is 30.11 acres in area which does not lend itself to spot zoning. Staff feels this is a large enough parcel that it constitutes a stand-alone rezoning.

This property is surrounded primarily by "Residential" zoning districts with the exception of two commercial pieces (Beltrami County Fairgrounds and Lazy Jacks). Both of these businesses would be compatible with the duplex townhomes.

One area of concern is the remnant B1 commercial zoning. The area that is southwest of the subject parcel is associated with two R1 parcels. This rezone would leave a

remnant, which needs to be rezoned to R1. This can be done as a map correction. The property owners have been notified that this piece will be corrected to match the remainder of their properties.

Traffic/access

In a meeting with Northern Township, they encouraged this developer to ask for Lakewood Dr. NW to be paved. They felt that this would be an appropriate project in the upcoming years.

At the Northern Township meeting they also discussed the options of private road through at PUD or public roads. The applicant felt strongly that he did wish to have these streets be "public" roads, with the understanding that a road agreement and petition would be required.

Sanitation/water services

With the closest municipal sanitary & water lines over a mile away, the development is being proposed to be served by private septic and well.

Landscaping/trees

This site is 30 acres. That would require a minimum of 435 trees.

This project will also be subject to obtaining a tree removal permit. The minimum standard to avoid a CUP for the site is to ensure that no more than 60% of all the significant high quality trees are removed from the site.

Sidewalks

Applicant is proposing the placement of a sidewalk network to serve the interior of the proposed development.

Lighting

A lighting plan will be required to be submitted to the JPB staff as part of the site plan review process showing the proposed locations and full design schematics to assure compliance with Section 1008 of the JPB Zoning Ordinance concerning exterior lighting. All lighting will be downward facing. Streetlights must be reviewed for compliance.

Drainage

All engineering plans, including grading & drainage plans, stormwater plans, and a Storm Water Pollution Prevention Plan (SWPPP) will be required to be submitted to the JPB staff and reviewed by an independent engineering firm.

Wetlands

Roughly 19,000 SF of the subject parcel is composed of an artificial pond/wetland (was used as a borrow pit during the construction of Highway 71 in the 1970s) concentrated at the property's southeast corner. The applicant is not proposing any disturbance to the

existing wetland. Full grading and drainage engineering plans will be required to be submitted to the JPB staff for review along with a SWPPP to assure that the wetland is protected throughout all phases of the development.

Airport Zone

A small section at the south of the parcel is located within Airport Zone C. Only one of the proposed duplex units is clearly identified within the Zone C. The proposed use is in compliance with the provisions of the JPB Zoning ordinance concerning zoning standards for the Airport Protection Overlay. Zone C only restricts uses that create interferences with electronic communications between the airport and aircraft.

Signage

No signage has been submitted. When applicable the sign will comply with the following standards:

One subdivision, neighborhood or development entryway sign per street frontage, not to exceed thirty-two (32) square feet in sign area for each location. Said sign shall not include a dynamic display;

Neighboring Property Owner Input

At the time of this writing, staff have received no complaints/concerns from neighbors, the general public, or the respective LGUs.

RECOMMENDATION

Staff recommends approval of the proposed rezoning, and conditions are not placed on a rezoning.

Board members had the following concerns:

- Albrecht sought clarification of two parcels in memo. Staff discovered these two adjoining parcels have dual zoning classification and including them with applicant's request would correct the error and bring them into compliance. Both parcel owners were notified, but have not responded.
- Albrecht described a past request for multi-family development without central services and asked how this request is different. Staff answered that there is little chance that this parcel would ever be annexed to central services, so that is not a factor, also, the average lot size is larger than even the standard single family lot size.
- Olson supports this project. Stated a need for more housing in the area.
- Albrecht commented on the need for a variety of housing and price points. She shared from a recent housing conference that this is a challenge, along with limited housing for low income people.
- Erickson stated that subsidies for low income renters have not increased even though rents have increased.

- Olson said that Bemidji has a 1% rental vacancy rate due to simple supply and demand. He feels this project will help alleviate need, although it would be a long term process.
- Chambers commented that no *one* development will ever solve all problems.

Motion by Kelly, second by Johnson to approve the amendment of the zoning map for case Z-15-31.00448.00, Great Western Properties LLC, including findings:

Whether the change in classification would be consistent with the intent and purpose of this Ordinance;

Yes. The change in classification would be consistent with the intent and purpose of the ordinance as outlined in Section 1207 of the GBA Ordinance which states that, *“amendments to the zoning map is used as a means to reflect changes in the conditions of the Greater Bemidji Area.”* There is a growing demand for a diversity of options in the rental housing market in the Greater Bemidji Area, necessitating the zoning reclassification of large tracts of land to permit multi-family developments in order to accommodate these changing housing market conditions.

Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity;

Yes. Four (4) of the adjoining parcels are zoned residential with three (3) of them containing single-family residences. The rezoning of the subject parcel to R5 High Density Residential is compatible with these adjoining properties, as the R5 district allows both multi-family and single-family residences.

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

Private septic and well is being proposed for the subject parcel and its proposed development. The design and installation of private septic on the property will be submitted by a licensed designer/installer, and reviewed by the JPB septic inspector prior to the issuance of septic permits for the parcel. Private wells are regulated through the Minnesota Department of Health.

Whether the proposed amendment would correct an error in the application of this Ordinance; and,

No. But the change would be in keeping with the intent and purpose of the zoning ordinance in amending the zoning map as a means to reflect changes in the conditions of the Greater Bemidji Area consistent with Section 1207 of the GBA Ordinance.

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

Yes. Section 1207 of the GBA Ordinance states that amendments to the zoning map is used as a means to reflect changes in the conditions of the Greater Bemidji Area.

There is a growing demand for a diversity of options in the rental housing market in the Greater Bemidji Area, necessitating the zoning reclassification of large tracts of land to permit multi-family developments in order to accommodate these changing housing market conditions.

Motion carried unanimously.

RESOLUTION 2016-01– PUD/Z-15-03.00571.00 – Oak Hills Christian College

Applicants are requesting a Conditional Use Permit for a Planned Unit Development and Rezone in order to expand both their College and Camp.

BACKGROUND

Applicant submitted and received “concept” approval. This application is their response to the concept approval request.

PUD in Shoreland – Density PUDs in the shoreland are calculated in a completely different fashion than a non-shoreland project.

Those calculations have been provided and are in the packet. They comply with the standards. Again, this property has a long shoreline and a large area of open space.

Types

In order for staff to review for a Preliminary / Final approval, dimensions of all the future buildings will be required. In addition to dimensions, parking areas, septic system connections and fire suppression and emergency vehicle access will need to be addressed for each structure.

We received that information. It is in both a “drawing” format as well as in a series of tables in Appendix 6.

DEVELOPMENT SUMMARY

Setbacks

Due to the nature of the PUD, setbacks and individual lot lines are not being proposed. There are no staff concerns to this request. As this is a PUD, this counts as flexibility.

Roadways and Parking

The GBA Zoning Code requires paved driving surfaces. This project consist of both the "Campus" and the "Campground". Staff is comfortable with the roads being "unpaved". These roads within the PUD are private. The roadways have been identified and provided in the drawings in Appendix 1.

Phasing of the project

The PUD is proposing to be approved as a "master plan". There is not a specific – broken out phasing plan in relation to specific buildings.

The specific information we are looking for, such as the timing of the project, has been provided in the narrative of the project in Appendix 4.

Engineering Considerations

For preliminary approval we required "sub" grading / drainage / utility plans for the proposed buildings. This has been provided and reviewed by our JPB engineers. It satisfies staff's request for preliminary / final approval. Each building permit will have its own set of drawings to be approved at the time of permitting.

Trees

Trees and removals are proposed on the site. A complete landscaping plan with tree removals for each subarea has been provided in Appendix 6.

Utilities

A full septic review of the site was conducted and provided in Appendix 3.

Emergency Management

In the last few years, there was a fire at Oak Hills College. In addition, there are a number of locations that could be difficult to reach without accurate mapping and good turn arounds. Staff is requiring for preliminary submittal a plan, approved by Chief Dave Hoefler, which defines the emergency management protocols and access for the facility, in locations where people live or gather.

This has been completed. Chief Hoefler has reviewed and indicated he will work with them for each of the permitted buildings as they are built.

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.

The only additional comments have been provided in the packet.

Comprehensive Plan

The request meets the stated goals of the Greater Bemidji Area Land Use Plan.

RECOMMENDATIONS

Staff recommends Preliminary and Final approval of the PUD (CUP) subject to the following conditions:

1. Any amendments that alter the plan by 20% or more will require a major amendment to the CUP with a public hearing.
2. Final land use permits will be applied for and received for each building prior to construction.
3. Fire department will review any land use permits that are received by the JPB staff. Approval of the land use permits will occur only after fire department approval.
4. Septic plans will be provided with each building. Only after approval of each septic design will a land use permit be approved.
5. Trees and removals are proposed on the site. A tree removal permit will be required with each land use permit.
6. Final grading / drainage / utility plans will be required with each land use permit. These will be reviewed for approval by the JPB's engineer.
7. Final dimensions of all buildings will be provided with any land use permit.
8. Final dimensions of all parking areas will be provided with any land use permit.
9. Any and all land use permits will only be approved if they are in compliance with the current standards of the zoning and subdivision ordinance.

Board members had the following concerns:

- Albrecht asked if the Minnesota DNR needs to review this. Staff said they were notified, but do not expect any involvement as all standards are being followed.
- Albrecht totaled existing (2) and future (4) wells. Discussion about total amount of water.
- Albrecht questioned if wetlands will be affected. Staff explained they will not be disturbed, but a small amount is allowed to be affected as per county review.
- Albrecht asked about the one neighbor with concerns. Staff addressed each item.
- Albrecht questioned site plan in regard to location of Fellowship Center. Staff estimates it to be 120' – 150' from OHW.
- Erickson asked timeframe of completion of expansion. Engineering representative, Mark Fuller, said that is unknown. The plan estimates 30-40 years, with two options explained in their application.

- Erickson asked about student enrollment numbers. Applicant representative, Chuck Allen, said numbers have been decreasing since 2008/2009 after its peak in 2006. They want to upgrade the facility, as they have with academic programs to be more competitive.
- Mark Fuller clarified answer to Albrecht's question of wetland disturbance, assuring Board that area is buffered. Also spoke in favor of the process for PUD planning. He was hesitant at first but found it to be helpful overall.

Motion by Erickson, second by Albrecht to approve Resolution No. 2016-01 for the Preliminary and Final PUD involving parcels 03.00861.00, 03.00859.00, 03.00571.00, 03.00618.00, 03.00620.00, 03.00646.00, and 03.00648.00 with conditions:

1. Any amendments that alter the plan by 20% or more will require a major amendment to the CUP with a public hearing.
2. Final land use permits will be applied for and received for each building prior to construction.
3. Fire department will review any land use permits that are received by the JPB staff. Approval of the land use permits will occur only after fire department approval.
4. Septic plans will be provided with each building. Only after approval of each septic design will a land use permit be approved.
5. Trees and removals are proposed on the site. A tree removal permit will be required with each land use permit.
6. Final grading / drainage / utility plans will be required with each land use permit. These will be reviewed for approval by the JPB's engineer.
7. Final dimensions of all buildings will be provided with any land use permit.
8. Final dimensions of all parking areas will be provided with any land use permit.
9. Any and all land use permits will only be approved if they are in compliance with the current standards of the zoning and subdivision ordinance.
10. Lots to be combined.

And with the findings:

Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.

No. The subject parcel is appropriately zoned for the proposed use, and is consistent with the goals and policies of the JPB Land Use Plan.

Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.

No. No changes to access or traffic circulation flow on adjacent streets are proposed. Increases in traffic or other negative impacts are not anticipated.

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

No. There are no adverse effects to property in the surrounding area anticipated as a result of this proposal. The subject parcel is appropriately zoned for the proposed use. It is a large site and can accommodate the proposed expansions.

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. The subject parcel is appropriately zoned for the proposed use.

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

Yes. The property is served by private septic and well.

Motion carried unanimously.

RESOLUTION 2016-02 – Amended CUP-15-80.00182.00 – ISD #31

Applicant requested to amend their approved CUP.

BACKGROUND

ISD #31 applied for and received approval for a CUP to allow a school in a R6 Multi Family zoned district. The approval of the location came with a set of conditions:

1. The property owner shall apply for and obtain a lot division to create the parcels as identified in the application. Proof of such parcel division shall be provided to the JPB.
2. The applicant shall enhance the existing crosswalk for additional safety or determine if an ALTERNATE crosswalk will be added at the northern boundary of the new elementary school across Middle School Drive NW.
3. The applicant shall provide appropriate sidewalks connecting the school property to the existing recreational facilities north of the site.
4. The applicant shall create a safe area for bicycle parking.
5. The applicant shall construct a left hand turn lane southbound on Conifer Ave. NW
6. The applicant shall construct a roundabout at the intersection of the Middle School Bus Entrance (proposed Elementary School bus entrances/exit) and Middle School Drive NW.
7. The applicant shall construct a roundabout at the intersection of 23rd ST NW and Middle School Drive NW.
8. The applicant shall construct a right hand turn only exit from the parking area ingress and egress locations.
9. Finalized grading and drainage plans shall be provided to the City Engineer.
10. A permit for stormwater management shall be obtained from the City Engineer.

11. Prior to obtaining a Certificate of Occupancy the traffic management infrastructure shall be constructed and functioning according to the engineered plans.
12. The land owner or occupant shall provide the JPB with an original Certificate of Occupancy issued by a certified State of Minnesota Commercial Building Inspector prior to occupancy of the building.
13. A finalized landscaping plan shall be provided to staff that shows the BMLS and additional tree planting requirements.
14. All sign permitting shall be in accordance with the Sign Regulations of the JPB Zoning Ordinance.
15. All existing and any future lighting improvements on the property shall be in conformity with the JPB Zoning & Subdivision Ordinance.
16. A development agreement between the applicant, the JPB, the City of Bemidji and Beltrami County will be developed.
17. Parking will only be allowed on one side of 23rd Street and Conifer avenue Monday – Friday 7am to 4pm, or with calendar Parking.

These conditions set out by the Joint Planning Board for approval have created difficulty in ISD #31 being able to complete the project. While most of the conditions have been agreed upon there are several outstanding ones that continue to stand in the way of a finalized project.

Therefore a request was submitted to amend the CUP. Most specifically the request (in the attached letter) indicates a desire for the the following “conditions” be changed:

- Remove the requirements for roundabouts at the intersection of 23rd Street and Middle School Dr and Middle School Drive and the Bemidji Middle School Entrance.
- Remove restrictions associated with the use of 15th Street based on recommendations regarding improving vehicle visibility, reducing/improvement of guard rail placement and improvement so traffic flow on 15th Street and Conifer Avenue by eliminating right turn only exiting from school onto Conifer Ave
- Strike any language referring to bicycle storage.

At the Joint Planning Commission meeting there was a discussion of a number of different options regarding the requests, which had been discussed by staff. The applicant indicated they were not interested in any of the alternative suggestions and only wanted a motion on their request.

The JPC indicated they’d heard nothing different and maintained their original motion.

The JPB is the deciding body. JPC provides a recommendation. The staff provides a report and recommendation. The data gathered provides a background for the JPB to utilize in there process.

Therefore the updated recommendation from staff, in this report, is an analysis of only the request provided. No additional options. To review those options please see the attached JPC report.

Remove the requirements for roundabouts at the intersection of 23rd Street and Middle School Dr and Middle School Drive and the Bemidji Middle School Entrance.

Staff recommends the following: **AS REQUESTED:** Remove language regarding any roundabouts until the school has been opened and operating. This will allow for an updated traffic study to be provided to the City and County. Based on that traffic study, the applicant will participate with the traffic solutions needed.

Conditions to include:

- ISD#31 will work with the City of Bemidji to acquire a traffic study within 6 months after the school has opened to determine traffic needs and infrastructure requirements.
- ISD#31 will work with the City of Bemidji to determine an escrow amount to ensure the study is completed within the 6 month window.
- ISD#31 will work with the City of Bemidji to determine an escrow amount they are willing to accept for any future traffic calming needs within the City limits.
- ISD#31 will work with the City of Bemidji to see if there are any costing partnerships the City is willing to pursue.

Remove restrictions associated with the use of 15th Street based on recommendations regarding improving vehicle visibility, reducing/improvement of guard rail placement and improvement so traffic flow on 15th Street and Conifer Avenue by eliminating right turn only exiting from school onto Conifer Ave

Staff recommends the following: **AS REQUESTED:** Removing restrictions of a “right turn” only out of the school parking lot to allow for traffic movement to 15th Street / County Rd 6. By agreeing to the request of ISD#31 staff does request the County’s conditions be required.

Conditions to include:

- ISD#31 to work with Beltrami County to upgrade 15th St to make the existing bypass lane into a left turn lane only.
- ISD#31 to work with Beltrami County to upgrade 15th St by construction of a median and other restrictive infrastructure to not allow left hand turns out of Conifer Avenue, making it a right-in/right out.
- ISD#31 to work with Beltrami County to formulate an agreement on any cost sharing

Strike any language referring to bicycle storage.

ISD#31 has indicated they will provide bike racks. Because the fundamental principles of planning and zoning encourage the need for alternative forms of transportation, staff continues to encourage the JPB to retain this condition. Since the applicant has indicated an agreement with this condition, it seems valuable for the promotion of the City of Bemidji as a Bronzed Bicycle City.

RECOMMENDATION

Staff recommends approval of the amendments to the Conditional Use Permit with the following original conditions, removed conditions and added conditions to reflect the approved changes as identified in the above analysis:

1. The applicant shall enhance the existing crosswalk for additional safety or determine if an ALTERNATE crosswalk will be added at the northern boundary of the new elementary school across Middle School Drive NW.
2. The applicant shall provide appropriate sidewalks connecting the school property to the existing recreational facilities north of the site.
3. The applicant shall have bicycle racks on the school site.
4. The applicant shall construct a left hand turn lane southbound on Conifer Ave. NW
5. All changes to the site plan as identified by SRF in their study and new plans be submitted to the staff of the JPB / City / County.
6. Finalized grading and drainage plans shall be provided to the City Engineer.
7. A permit for stormwater management shall be obtained from the City Engineer.
8. The land owner or occupant shall provide the JPB with an original Certificate of Occupancy issued by a certified State of Minnesota Commercial Building Inspector prior to occupancy of the building.
9. A finalized landscaping plan shall be provided to staff that shows the BMLS and additional tree planting requirements.
10. All sign permitting shall be in accordance with the Sign Regulations of the JPB Zoning Ordinance.
11. All existing and any future lighting improvements on the property shall be in conformity with the JPB Zoning & Subdivision Ordinance.
12. A development agreement between the applicant, the JPB, the City of Bemidji and Beltrami County will be developed and signed by all parties prior to the issuance of a building permit, start of grading or tree removal.
13. Parking will only be allowed on one side of 23rd Street and Conifer avenue Monday – Friday 7am to 4pm, or with calendar Parking.
14. ISD#31 will work with the City of Bemidji to acquire a traffic study within 6 months after the school has opened to determine traffic needs and infrastructure requirements.
15. ISD#31 will work with the City of Bemidji to determine an escrow amount to ensure an updated traffic study is completed within 6 to 8 month (first school year) after opening.

16. ISD#31 will work with the City of Bemidji to determine an escrow amount they are willing to accept for any future traffic calming needs within the City limits, paying the escrow prior to building permits being issued.
17. ISD#31 will work with the City of Bemidji to see if there are any cost sharing partnerships the City is willing to pursue.
18. ISD#31 to work with Beltrami County to upgrade 15th St to make the existing bypass lane into a left turn lane only.
19. ISD#31 to work with Beltrami County to upgrade 15th St by construction of a median and other restrictive infrastructure to not allow left hand turns out of Conifer Avenue, making it a right-in/right out.
20. ISD#31 to work with Beltrami County to formulate an agreement on any cost sharing

Board members had the following concerns:

- Kelly commented on the 15th Street proposed traffic change being smoother for the school but creating more problems for existing traffic. He also feels that the JPB staff has done a good job, but the applicant is resistant even with all the concessions made. Further, in working with the City of Bemidji or Beltrami County, if any one condition is not complied with an applicant would have to go back to the beginning of the process and start over. He agrees with the JPC decision.
- Chambers agreed with the JPC recommendation.
- Albrecht agrees with Kelly's comments and feels the JPB has tried to be accommodating to the applicant. She agrees with the JPC decision and Chambers. Albrecht commented that the original work done by staff was good and has stood up to several reviews.
- Erickson asked that City Engineer, Craig Gray, affirm the city's position on their traffic study.
- Gray summarized his acceptance of removing one of the roundabouts and defended the continuity of three traffic studies' technical surveys. He commented on the school district needing to allocate funds for traffic control, and also agrees with the JPC recommendation.
- Albrecht asked Gray to speak to the county engineer's (Bruce Hasbargen) memo suggesting the potential of redesigning the site. Gray agreed it would be a feasible option. They discussed Hasbargen's adamancy for the redesign of 15th Street, but realize the applicant is not interested in any of the proposed options.
- Olson questioned the county being in favor of blocking traffic by way of a median. Gray explained that their first choice is for the school to utilize a right turn only upon exit, but if that isn't implemented, 15th Street would require expensive improvements.
- Albrecht asked Gray if he has been asked to respond about the proposed Grant Valley site. Gray received a call from a private engineer who asked the city to

connect city utilities to the site, and explained that is a decision that can only be made by the City Council. The city attorney, Al Felix, will need to reply as it depends on the Orderly Annexation Agreement.

- Kelly spoke about the original site being a good location because public utilities are already available.
- Johnson commented that traffic may be an issue if other projects are developed in that spot. Also, he thought there was no indication that the decision made tonight would matter – the project got off on the wrong foot and personalities conflicted.
- Albrecht agreed and stated her disappointment with the school district. The newly proposed alternate location in Grant Valley is less accessible and will have more expenses due to septic. She commented on her disappointment that a broader community discussion on the new site did not occur.

Motion by Olson, second by Albrecht to approve amended CUP with the following conditions:

1. The property owner shall apply for and obtain a lot division to create the parcels as identified in the application. Proof of such parcel division shall be provided to the JPB.
2. The applicant shall enhance the existing crosswalk for additional safety or determine if an ALTERNATE crosswalk will be added at the northern boundary of the new elementary school across Middle School Drive NW.
3. The applicant shall provide appropriate sidewalks connecting the school property to the existing recreational facilities north of the site.
4. The applicant shall create a safe area for bicycle parking.
5. The applicant shall construct a left hand turn lane southbound on Conifer Ave. NW
6. The applicant shall construct a roundabout at the intersection of 23rd ST NW and Middle School Drive NW.
7. The applicant shall construct a right hand turn only exit from the parking area ingress and egress locations.
8. Finalized grading and drainage plans shall be provided to the City Engineer.
9. A permit for stormwater management shall be obtained from the City Engineer.
10. Prior to obtaining a Certificate of Occupancy the traffic management infrastructure shall be constructed and functioning according to the engineered plans.
11. The land owner or occupant shall provide the JPB with an original Certificate of Occupancy issued by a certified State of Minnesota Commercial Building Inspector prior to occupancy of the building.
12. A finalized landscaping plan shall be provided to staff that shows the BMLS and additional tree planting requirements.
13. All sign permitting shall be in accordance with the Sign Regulations of the JPB Zoning Ordinance.

14. All existing and any future lighting improvements on the property shall be in conformity with the JPB Zoning & Subdivision Ordinance.
15. A development agreement between the applicant, the JPB, the City of Bemidji and Beltrami County will be developed.
16. Parking will only be allowed on one side of 23rd Street and Conifer avenue Monday – Friday 7am to 4pm, or with calendar Parking.

And including findings:

Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.

The proposed use is not anticipated to adversely affect the general welfare of the surrounding owners if the conditions are met. The location of a school in a B2 Zoning District is permitted by CUP IAW Section 310.9 (C) of the Zoning Ordinance. The proposed use of the property for a school is compatible with surrounding land uses.

Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.

Existing access points and on-site circulation will provide for safe traffic movements if the staff recommended conditions are met. Safety of pedestrians and traffic interactions can be minimized with the proposed crosswalk and roundabout projects completed. Off-street Parking spaces provided satisfy required parking standards.

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

Adverse impacts upon the surrounding area are not anticipated with this proposal. The proposed use is in conformity with the Greater Bemidji Area Land Use Plan. Property signage deficiencies will be corrected with the proposed use. Property lighting deficiencies will be corrected with the proposed use.

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

Proposed use is consistent with the goals and policies of the JPB Land Use Plan.

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

Adequate public infrastructure exists to service the proposed school. No other buildings besides the central structure are proposed for the property.

Motion carried unanimously.

OTHER BUSINESS

- **Election of 2016 Officers**

Motion by Albrecht, second by Johnson to nominate Reed Olson as Chair.

Motion carried unanimously.

Motion by Chambers, second by Albrecht to nominate Ron Johnson as Vice Chair.

Motion by Johnson, second by Kelly to nominate Rita Albrecht as Vice Chair.

Johnson declined nomination. Call to vote on original nomination.

Motion carried unanimously.

Motion by Albrecht, second by Chambers to nominate Nancy Erickson as Treasurer.
Motion carried unanimously.

New officers will be seated at the February meeting.

- **Fee Schedule – Resolution No. 2016-05**

Staff presented, as requested, two Fee Schedules. One adjusting for 2016, one adjusting the 2016 fees as paid by Bemidji Township. Discussion between staff and JPB about the two options presented, along with the memo from our legal counsel.

No motions were made. It will be advertised for a public hearing and will be on the next month's JPB agenda.

ADMINISTRATOR REPORT

- Rice presented her Year End Report reviewing the accomplishments, permit totals, financial standing of fifth year under budget, and an overview of the JPB's future.
- Stearns summarized activities for the month of December and projected activities for January.

UPCOMING MEETING DATES:

January 28, 2016 -- JPC Regular Meeting @ 6:00 p.m.
February 10, 2016 -- JPB Regular Meeting @ 6:00 p.m.
February 25, 2016 -- JPC Regular Meeting @ 6:00 p.m.
March 9, 2016 -- JPB Regular Meeting @ 6:00 p.m.

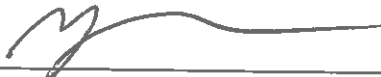
ADJOURNMENT:

There being no further business, motion by Albrecht, second by Olson, to adjourn the Joint Planning Board meeting at 8:30 PM.

Motion carried unanimously.

Respectfully submitted,
Terri Ball
Planning Assistant

JPB Minutes Approved and attested by:



Joint Planning Board Representative