

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
City Hall Council Chambers/Cisco WebEx
 (For log in information <https://www.jpbgba.org/planning-actions>)
Wednesday, August 10, 2022 REGULAR MEETING – 6:00 p.m.

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

A. MINUTES **Chair**
 Approval of July 13, 2022 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 2022-12 – CUP-22-80.06805.00 – Royal Bay Townhomes (Richard Kosel) – *60-Day Extension* **NP**
2. City of Bemidji – Resolution 2022-15 – IUP-22-80.04230.00 & 80.04229.00 –South Car Savings **NP**

E. OTHER BUSINESS

1. **Ordinance Amendment: Update on Proposed Section 20 Rezone** **NP**
2. **Discussion on meetings hosted at Northern Town Hall** **Chair**
3. **Discussion on JPB Annual Budget 2023** **JC**

F. DIRECTOR’S REPORT **JC**

G. SITE ANALYST AND ENFORCEMENT REPORT **MF**

H. UPCOMING MEETINGS **Chair**

1. August 25, 2022 6:00 pm JPC Regular Meeting
2. September 14, 2022 6:00 pm JPB Regular Meeting
3. September 29, 2022 6:00 pm JPC Regular Meeting
4. **October 5, 2022 12:00-3:00 pm Joint LGU Fall Tour**
5. October 12, 2022 6:00 pm JPB Regular Meeting

I. ADJOURN **Chair**

JPB MINUTES

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
July 13, 2022

Pursuant to due call and notice, a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, July 13, 2022. Chair Jorge Prince called the meeting to order at 6:00 pm and roll call was taken.

Upon roll call, the following members were declared present: Prince, Thayer, Peterson, Lahn, Frenzel.

Members absent: None.

Staff present: Jamin Carlson, Ainslee Krause, Nick Phillips, Melissa Fahrenbruch.

Others in attendance: CT Marhula, Tony Merschman, Richard Kosel, Jon Ness.

Pledge of Allegiance was performed.

Mayor Prince stated a short break would be taken in order for Staff to resolve technical difficulties on WebEx. Staff corrected the issue and the meeting proceeded.

AGENDA

Carlson noted a correction to the agenda. Carlson addressed that item D-4 under New Business was incorrectly noted as “Bemidji Ironwood Investments”, when it should be “Beltrami Ironwood Investments”.

Motion by Thayer, second by Frenzel, to approve the agenda. Motion carried unanimously.

MINUTES

Motion by Peterson, second by Lahn, to approve the June 8, 2022 minutes as presented.

Ayes: Frenzel, Lahn, Peterson.

Abstain: Thayer, Prince.

Motion carried.

CONSENT AGENDA

- 1) Bills for the total amount of **\$11,375.01** were presented for payment.

Motion by Peterson, second by Thayer, to approve consent agenda. Motion carried unanimously.

VISITORS WITH BUSINESS NOT ON THE AGENDA: None.

NEW BUSINESS

RESOLUTION 2022-12 – CUP-22-80.06805.00 – ROYAL BAY TOWNHOMES

Prince addressed that additional information was turned in to the Joint Planning Board office after the Joint Planning Commission meeting and public hearing.

Motion by Frenzel, second by Thayer to enact the 60-Day Extension on the conditional use permit request in order for the planning case to go back before the Joint Planning Commission at their next meeting on Thursday, July 28, 2022, with the additional information.

Motion carried unanimously.

RESOLUTION 2022-13 – IUP-22-80.04105.00, 80.04029.00 & 80.03646.00 – KINGDOM BUILDERS CHRISTIAN SCHOOL/JON NESS

Kingdom Builders Christian School (Jon Ness) is requesting an interim use permit on leased property (Mount Zion New Testament) to operate a private school. The subject property is located at 414 Lincoln Ave SE in the City of Bemidji and to note that this building was the old Lincoln Public School which operated from 1917-1999. This parcel is located in the (R-4) Suburban Residential Zoning District.

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of an Interim Use Permit (IUP) to operate a private school on a property located at 414 Lincoln Ave SE in the city of Bemidji.

Approval recommended with the following findings of fact and conditions:

Original Conditions:

1. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
2. Any new or existing dumpsters on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
3. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 710 of the Ordinance. All site signage, including that for traffic control, shall be included on the sign permit.
4. The existing three (3) lots shall be combined into one (1) lot of record along with the platted alley right-of-way (ROW) being vacated.
5. The defined maneuvering and parking lanes shall be adequately marked with a painted stripe and/or clear signage to provide direction for traffic and to lessen congestion or confusion.
6. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance.
7. All proper permits shall be obtained prior to construction, including a building, demolition, and mechanical permit from the City of Bemidji.
8. The school shall not exceed a staff of 15 persons and student load of 100 children. If either of these limits shall be reached during a school year, the IUP shall be subject to review by the JPB, resulting in modification or revocation of the IUP as necessary to protect public health and safety.
9. The IUP shall expire and become void if the charter school is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the school are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Amended Conditions:

1. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
2. Any new or existing dumpsters on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
3. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 710 of the Ordinance. All site signage, including that for traffic control, shall be included on the sign permit.
4. The applicant shall work with the property owner to accomplish a combination of the existing three (3) lots into one (1) lot of record along with the platted alley right-of-way (ROW) being vacated.
5. The defined maneuvering and parking lanes shall be adequately marked with a painted stripe and/or clear signage to provide direction for traffic and to lessen congestion or confusion.
6. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance. Trees shall be planted within one year of the date of approval of the interim use permit.
7. All proper permits shall be obtained prior to construction, including a building, demolition, and mechanical permit from the City of Bemidji.
8. The school shall not exceed a staff of 15 persons and student load of 100 children. If either of these limits shall be reached during a school year, the IUP shall be subject to review by the JPB, resulting in modification or revocation of the IUP as necessary to protect public health and safety.
9. The IUP shall expire and become void if the charter school is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the school are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact:

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

No. This proposed use should have no additional contribution to traffic safety at this location, if properly managed, as proper site mitigation for maneuvering and traffic control will be in place.

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

No. The Applicant is planning to use existing entrances for ingress and egress from the property. The Applicant shall submit a traffic management plan to City Staff before operation of the school.

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

No. The Applicant will submit and follow a management plan for the site to accommodate expected traffic. The site was a school previously and functioned as such.

4. **Whether the proposed use is in conformance with the community's Comprehensive Plan; and**

Yes. The proposed use for a Private School is consistent with the goals and policies of the

Comprehensive Plan as well as the Zoning & Subdivision Ordinance in the R-4 Suburban Residential Zoning Districts with the issuance of an interim use permit (IUP).

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

Yes. The subject property is connected to City water & sewer services.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Thayer and Carlson discussed parking.
- Frenzel, Prince, and Carlson discussed the condition regarding the lot combination.

Motion by Frenzel, second by Peterson, to approve Resolution 2022-13 to approve an Interim Use Permit (IUP) to operate a private school at 414 Lincoln Ave SE, with the above stated findings of fact and conditions amended to exclude condition #4.

Ayes: Frenzel, Lahn, Prince, Thayer, Peterson.

Nays: None.

Motion carried unanimously.

RESOLUTION 2022-14 – IUP-22-80.00437.00 – RANDAL CLYDE (CLYDE’S AUTO SALES)

Randal Clyde of Clyde’s Auto Sales is requesting an Interim Use Permit to operate an automobile sales lot on a property currently in the B-2 General Commercial District. The subject property is located at 1026 Washington Avenue South in the City of Bemidji.

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of an Interim Use Permit (IUP) to operate an automobile sales lot on a property located at 1026 Washington Avenue South in the City of Bemidji, with the following conditions and findings of fact:

Conditions:

1. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
2. Any new dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
3. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 712 of the Ordinance. All signage shall be included on the sign permit or will require another permit prior to being placed on the property at a future date.
4. The defined maneuvering areas shall be adequately marked with a painted stripe and/or clear signage to provide direction for customer traffic and to lessen congestion or confusion.
5. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance. The location of required tree plantings shall be entirely within the recorded exterior boundaries of the property, except as may be permissible by the road authority to be placed bordering or otherwise encroaching the road right-of-way. In no case shall the planting requirement be waived for failure to obtain road authority permissions.

6. All proper permits shall be obtained prior to construction or site renovation, including a building, demolition, and mechanical permits from the City of Bemidji.
7. The Applicant is solely responsible for working with the adjacent Property Owner to obtain easement agreements for shared parking and accesses, and to obtain any additional agreements or permissions, as may legally be required to accommodate any agreed upon use of existing driving lanes between the properties.
8. An erosion control permit shall be obtained with the proper mitigation installed prior to disturbance of soil, installation of additional impervious surface, or removal of existing impervious areas.
9. All areas of the lot that will be utilized for vehicle parking shall be improved with a material approved by the City Engineer and in conformity with GBAJPB Ordinance requirements.
10. A development agreement shall be entered into between the JPB, City, and Applicant to ensure all site construction is completed to a satisfactory condition.
11. The proposed project is limited to the following amounts of automobiles on site during each phase of the development, and display of such vehicles for sale shall be in full conformity with all current Ordinance Standards:
 - a. Phase I: Available improved space for this phase is sufficient for no more than two vehicles to be on display for sale, accounting for two (2) spaces to be maintained for customer and employee parking for a total of four (4) parking spaces.
 - b. Phase II: After completion of additional improved space for this phase would be sufficient for no more than an additional six (6) vehicles to be on display, above that provided by Phase I.
 - c. Phase III: After completion of additional improved space for this phase would be sufficient for no more than an additional three (3) vehicles to be on display, above that provided by Phase II.
 - d. Phase IV: After completion of additional improved space for this phase would be sufficient for no more than an additional four (4) vehicles to be on display, above that provided by Phase III.
12. Additional Phases to site development shall be approved by an amendment to this IUP by the Joint Planning Board, in addition to all development agreement requirements that may be necessary for project permitting.
13. Completion of all Phases shall be according to the timeline established in the required Development Agreement, but in no case shall be later than October 31st of 2026, unless approved by an amendment to this IUP by the Joint Planning Board. If the necessary lot improvements are not completed by the date stated, this IUP becomes void and all automotive sales shall cease.
14. The IUP shall expire and become void if the automobile sales lot is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the automobile sales lot are mostly complete. There shall be no extension of this initial deadline.

Findings of Fact:

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

No. The Applicant has made a reasonable effort to limit traffic and parking on site, rather than to

extend directly out into the right-of-way or onto greenspaces to be maintained. Additional parking, as necessary, will be determined at the time of lot redevelopment, which may include removal of one or both existing buildings. This proposed use should have no additional contribution to traffic safety at this location, as proper site mitigation for maneuvering and traffic control will be a condition for approval.

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

No. The Applicant is planning to use existing entrances for ingress and egress from the property. The Applicant will be responsible for any agreement with the property owner to the north for use of the existing drive lane between the two lots.

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

No. The Applicant is responsible for any agreement with the northern property owner to utilize the connecting driving lane, if needed, and will otherwise design the site to accommodate expected traffic for his own operation. The nature of the use is in line with existing commercial operations along this stretch of Washington, and will not negatively encroach on adjacent properties.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan; and

Yes. The proposed use of a previously developed lot is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning & Subdivision Ordinance in the B-2 General Commercial Zoning Districts with the issuance of an interim use permit. The Applicant is planning to alter the site to direct customer and inventory parking away from the right-of-way to ensure that the property will properly function, eliminating any possible congestion or safety impacts that may occur.

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

Yes. The subject property is connected to City water and sewer services. While access to existing greenspace for stormwater mitigation is possible, due to the space limitations of the lot the applicant is considering advanced or alternative paving materials to accommodate stormwater requirements without sacrificing inventory space. Advanced stormwater technology is available that can treat the required volume under parking or impervious areas, which would add additional costs to the overall project but allow the site to meet the City's stormwater design standards.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Thayer and Phillips discussed time frame.
- Frenzel and Staff discussed phases. Staff clarified that the phases cover parking, striping, etc. and the applicant will need to pave in order to have additional space for cars.
- Members discussed phases and conditions.
- Lahn recommended including condition to require phase one and two to be completed in the first year. Members discussed.

Motion by Frenzel, second by Lahn, to approve Resolution 2022-14 to approve an Interim Use Permit (IUP) to operate an automobile sales lot on a property located at 1026 Washington Avenue South in the City of Bemidji, with the following findings of fact and conditions, with an amendment to condition #12 stipulating that phases one and two must be completed within the first year upon issuance of the interim use permit.

Staff noted additional condition, condition #11, added by Staff as per their recommendation, before the Joint Planning Commission meeting.

Findings of Fact:

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

No. The Applicant has made a reasonable effort to limit traffic and parking on site, rather than to extend directly out into the right-of-way or onto greenspaces to be maintained. Additional parking, as necessary, will be determined at the time of lot redevelopment, which may include removal of one or both existing buildings. This proposed use should have no additional contribution to traffic safety at this location, as proper site mitigation for maneuvering and traffic control will be a condition for approval.

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

No. The Applicant is planning to use existing entrances for ingress and egress from the property. The Applicant will be responsible for any agreement with the property owner to the north for use of the existing drive lane between the two lots.

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

No. The Applicant is responsible for any agreement with the northern property owner to utilize the connecting driving lane, if needed, and will otherwise design the site to accommodate expected traffic for his own operation. The nature of the use is in line with existing commercial operations along this stretch of Washington, and will not negatively encroach on adjacent properties.

5. Whether the proposed use is in conformance with the community's Comprehensive Plan; and

Yes. The proposed use of a previously developed lot is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning & Subdivision Ordinance in the B-2 General Commercial Zoning Districts with the issuance of an interim use permit. The Applicant is planning to alter the site to direct customer and inventory parking away from the right-of-way to ensure that the property will properly function, eliminating any possible congestion or safety impacts that may occur.

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

Yes. The subject property is connected to City water and sewer services. While access to existing greenspace for stormwater mitigation is possible, due to the space limitations of the lot the applicant is considering advanced or alternative paving materials to accommodate stormwater requirements without sacrificing inventory space. Advanced stormwater technology is available that can treat the required volume under parking or impervious areas, which would add additional costs to the overall project but allow the site to meet the City's stormwater design standards.

Conditions:

1. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
2. Any new dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.

3. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 712 of the Ordinance. All signage shall be included on the sign permit or will require another permit prior to being placed on the property at a future date.
4. The defined maneuvering areas shall be adequately marked with a painted stripe and/or clear signage to provide direction for customer traffic and to lessen congestion or confusion.
5. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance. The location of required tree plantings shall be entirely within the recorded exterior boundaries of the property, except as may be permissible by the road authority to be placed bordering or otherwise encroaching the road right-of-way. In no case shall the planting requirement be waived for failure to obtain road authority permissions.
6. All proper permits shall be obtained prior to construction or site renovation, including a building, demolition, and mechanical permits from the City of Bemidji.
7. The Applicant is solely responsible for working with the adjacent Property Owner to obtain easement agreements for shared parking and accesses, and to obtain any additional agreements or permissions, as may legally be required to accommodate the any agreed upon use of existing driving lanes between the properties.
8. An erosion control permit shall be obtained with the proper mitigation installed prior to disturbance of soil, installation of additional impervious surface, or removal of existing impervious areas.
9. All areas of the lot that will be utilized for vehicle parking shall be improved with a material approved by the City Engineer and in conformity with GBAJPB Ordinance requirements.
10. A development agreement shall be entered into between the JPB, City, and Applicant to ensure all site construction is completed to a satisfactory condition.
11. If JPB staff observe any more than the allotted maximum of vehicles on the lot, a review of the IUP will be recommended to the JPB Board for possible revocation.
12. The proposed project is limited to the following amounts of automobiles on site during each phase of the development, and display of such vehicles for sale shall be in full conformity with all current Ordinance Standards:
 - a. Phase I: Available improved space for this phase is sufficient for no more than two vehicles to be on display for sale, accounting for two (2) spaces to be maintained for customer and employee parking for a total of four (4) parking spaces.
 - b. Phase II: After completion of additional improved space for this phase would be sufficient for no more than an additional six (6) vehicles to be on display, above that provided by Phase I.
 - c. Phase III: After completion of additional improved space for this phase would be sufficient for no more than an additional three (3) vehicles to be on display, above that provided by Phase II.
 - d. Phase IV: After completion of additional improved space for this phase would be sufficient for no more than an additional four (4) vehicles to be on display, above that provided by Phase III.

The deadline for completion of Phases I & II must be by no later than July 13th, 2023. All other phases are subject to the completion deadline in condition #14.
13. Additional Phases to site development shall be approved by an amendment to this IUP by the Joint Planning Board, in addition to all development agreement requirements that may be necessary for project permitting.
14. Completion of all Phases shall be according to the timeline established in the required Development Agreement, but in no case shall be later than October 31st of 2026, unless approved by an amendment to this IUP by the Joint Planning Board. If the necessary lot improvements are not completed by the date stated, this IUP becomes void and all automotive sales shall cease.

15. The IUP shall expire and become void if the automobile sales lot is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the automobile sales lot are mostly complete. There shall be no extension of this initial deadline.

Ayes: Frenzel, Lahn, Prince, Thayer, Peterson.

Nays: None.

Motion carried unanimously.

RESOLUTION 2022-11 – BELTRAMI IRONWOOD INVESTMENTS

Phillips presented Resolution 2022-11 drafted by staff to the Joint Planning Board.

Board Discussion and Decision:

Board members had the following comments:

- Thayer inquired as to how many sites this resolution is for. Phillips noted that there is one mobile home park in the City of Bemidji and two in Northern Township.
- Prince inquired about additional steps that need to be taken by the City and Northern Township. Phillips clarified.
- Frenzel and Phillips discussed the MN Department of Health's involvement.

Motion by Thayer, second by Peterson, to approve Resolution 2022-11.

Ayes: Frenzel, Lahn, Prince, Thayer, Peterson.

Nays: None.

Motion carried unanimously.

DIRECTOR'S REPORT

Carlson addressed the Board and described year-to-date activity, as well as completed, current and upcoming development projects, and upcoming planning cases.

Board members had additional comments:

- Board members and Staff discussed Staff's move to the new office, and the effects on the budget.

SITE ANALYST AND ENFORCEMENT REPORT

Fahrenbruch addressed enforcement activity for June, her work on other projects and assignments including SmartGov, enforcement numbers, neighborhood outreach activity, and number of active enforcement cases.

Board members had additional comments:

- Frenzel inquired about Northern Township use of the SmartGov software. Fahrenbruch clarified that Northern Township will be a user of the portal. Members and Staff discussed.
- Members and Fahrenbruch discussed the Sustainability Committee.
- Prince inquired if closed enforcement cases were residential or commercial and if Fahrenbruch could include that separation in the report going forward. Fahrenbruch confirmed.

UPCOMING MEETING DATES

July 28, 2022	6:00 pm	JPC Regular Meeting
August 10, 2022	6:00 pm	JPB Regular Meeting
August 25, 2022	6:00 pm	JPC Regular Meeting
September 14, 2022	6:00 pm	JPB Regular Meeting
October 5, 2022	12:00 pm – 3:00 pm	Joint LGU Fall Tour

Prince addressed Northern Township’s request to co-host meetings at Northern Town Hall, and noted that this would be added to next month’s agenda.

ADJOURNMENT

There being no further business, motion by Frenzel, second by Thayer, to adjourn the Joint Planning Board meeting at 7:22 p.m. Motion carried.

Respectfully submitted,

Ainslee Krause
Planning & Building Administrative Assistant

JPB Minutes approved and attested by: _____
Joint Planning Board Representative

JPC MINUTES

MINUTES

GREATER BEMIDJI AREA REGULAR PLANNING COMMISSION MEETING

July 28, 2022
6:00 p.m.

Cisco WebEx / Council Chambers
317 4th St NW

CALL TO ORDER: Chair Jeremy Berg called the regular meeting of the Greater Bemidji Area Joint Planning Commission to order at 6:00 p.m. Roll call was taken and the pledge of allegiance was recited.

MEMBERS PRESENT: Berg, Faver, Steffen, David, Granlund, Gould.

MEMBERS ABSENT: Heinonen, Lemmer, Chambers.

STAFF PRESENT: Planning Director Jamin Carlson, Assistant Planner Nickolaus Phillips, Planning Administrative Assistant Ainslee Krause.

OTHERS: CT Marhula, Kelly Moe, Jackie Moe, Greg Dokken, Julie Dokken, Jay Johnston, Mary Johnston, Sylvia Wildgen, Darwin Wiebolt, Dennis Brovold, Nancy Brovold, Karen Gesell, Gary Gesell, Kelly Moe, Jackie Moe, Dave Beaupre, Linda Beaupre, Mary Santo, Dave Santo, Richard Kosel.

APPROVAL OF AGENDA:

Motion by Granlund, second by Steffen, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES:

Motion by Steffen, second by Gould, to approve the minutes from the June 23, 2022, Greater Bemidji Area Regular Joint Planning Commission as presented. Motion carried unanimously.

NEW BUSINESS:

VISITORS WITH BUSINESS NOT ON THE AGENDA: No visitors.

Discussion on Section 20 Rezone:

Phillips addressed the Commission and introduced the proposed Section 20 Rezone.

Board members had the following comments:

- Granlund inquired about the process of the rezone. Phillips addressed that the JPC can comment and then Staff will send out mailers and a public hearing would be scheduled for the next Joint Planning Commission meeting.
- Members discussed.
- Carlson addressed that this proposed rezone was at the request of the Joint Planning Board.

Public Hearings:

Phillips presented the first case:

PLANNING CASE–CUP-22-80.06805.00–ROYAL BAY OWNER’S ASSOCIATION (60-DAY EXTENSION)

Phillips addressed that this is the second public hearing for this planning case as the Joint

Planning Board enacted the 60-day extension at their recent meeting. Rich Kosel of Kosel Services Landscaping is requesting a conditional use permit on behalf of the Royal Bay Owner's Association to rehabilitate and install riprap along the association shared shoreline of lake Bemidji, currently in the R-3 Suburban Residential Zoning District and shoreland overlay. The subject property is a common interest community in the City of Bemidji. Phillips noted that additional comments regarding the case were submitted after the deadline for the planning case report. Phillips addressed the submissions.

RECOMMENDATION & FINDINGS

Staff recommends approval of a conditional use permit in order to rehabilitate and install riprap along the association shared shoreline of lake Bemidji at 4524 Birchmont Dr NE. Approval is recommended with the following conditions and findings of fact:

Conditions:

1. A final landscaping plan with size, type and location of trees and shrubs to be planted throughout the property shall be submitted for final approval to JPB staff before issuance of the Shore Alteration Permit. Such plan shall indicate the addition of ten (10) trees or shrubs to be planted in an evenly distributed manner to further stabilize the soils and subsoils behind the riprap installation.
2. The Applicant is solely responsible for working with the adjacent Property Owner to obtain access to the site, as may be required to accommodate the construction equipment.
3. A shoreland alteration permit shall be obtained with the proper mitigation installed prior to disturbance of soil or existing riprap.
4. The fifteen-foot wide vegetative buffer proposed shall be marked with signage sufficient to ensure the area is not routinely mowed or otherwise rendered ineffective for its intended purpose. The owner's association may trim grass or forbs in this zone up to three times during each growing season, provided the length of such vegetation is not reduced to less than four (4) inches in length, and any tree/shrubs planted shall not be trimmed to less than three (3) feet in height.
5. The CUP shall expire and become void if the drive-thru is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the drive-thru are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact:

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

No. The Applicant has made a reasonable effort to mitigate potential negative ecological impacts from the project, while addressing a poorly installed and aging riprap installation. Some of the most deleterious impacts of a typical riprap installation have been addressed within the proposed scope of work.

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

No. There are no proposed changes to traffic conditions or parking with this project.

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

No. The Applicant has proposed a restoration strategy that will improve the lakeshore at this location above current conditions.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan;

Yes. The proposed work takes into account incorporating best-management practice that provide some improvement to the aquatic environment. In addition, the installation will address worsening condition of the lakeshore, providing continued recreational access to the lake for residents of the association, present and future.

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

Yes. The subject property is connected to City water and sewer services. While access to existing greenspace for stormwater mitigation is limited, the applicant has proposed a solution that utilizes the length of shoreline as a remediation pathway for nutrient loading.

Commission members had the following comments:

- Granlund and Phillips discussed the timeline of the proposed project.

Public Hearing opened at 6:19 p.m.

- Richard Kosel, representing Royal Bay Townhomes, addressed the Commission. Kosel and members discussed the proposal.
- CT Marhula, 4524 Birchmont Dr NE Unit 10, addressed the Commission, and expressed that he was not in favor of the proposal.
- Sylvia Wildgen, president of the Royal Bay Landowner's Association, addressed the Commission and reiterated comments from members of the association. Wildgen expressed support for the proposal.
- Dave Santo, 4524 Birchmont Dr NE Unit 11, addressed the Commission. Santo noted that he was in favor of the proposal.
- Julie Dokken, 4524 Birchmont Dr NE Unit 10, addressed the Commission. Dokken addressed that she was in favor of the proposal.
- Jay Johnston, 4524 Birchmont Dr NE Unit 5, addressed the Commission and noted his support of the proposal.
- Dan Kramer, 4524 Birchmont Dr NE Unit 3, addressed the Commission and noted that he was not in favor of the proposal.
- Greg Dokken, 4524 Birchmont Dr NE Unit 7, addressed the Commission and noted that he was in favor of the proposal.

Public Hearing closed at 7:15 p.m.

Commission members had additional comments:

- Members discussed the proposal.

Motion by Granlund, second by Steffen, to approve a conditional use permit in order rehabilitate and install riprap along the association shared shoreline of Lake Bemidji at 4524 Birchmont Dr NE, and subject to the above stated conditions and findings of fact.

Commission members had additional comments:

- Members discussed the proposal.

Ayes: Berg, Steffen, Granlund.

Nays: Gould, David, Faver.

Motion failed.

Chair Berg noted that the planning case would go on without a recommendation from the Commission to the next Joint Planning Board meeting at 6:00 PM on Wednesday, August 10, 2022.

Phillips presented the second case:

PLANNING CASE – IUP-22-80.04230.00 & 80.04229.00 – SOUTH CAR SAVINGS

Michael Ettesvold, representing South Car Savings, is requesting an Interim Use Permit to operate an automobile sales lot on a property currently in the B-2 General Commercial District. The subject property is located on a vacant lot north of 829 Washington Avenue South in the City of Bemidji.

RECOMMENDATION & FINDINGS

JPB Staff recommends approval of an Interim Use Permit (IUP) to operate an automobile sales lot on a property located on a vacant lot north of 829 Washington Avenue South in the City of Bemidji with the following conditions and findings of fact.

Conditions:

1. All existing and proposed exterior lighting on the property shall be in full conformity with Section 1008 of the Ordinance.
2. Any new dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 1002 of the Ordinance.
3. A sign permit shall be obtained prior to the installation of any new signage, which must comply with Section 712 of the Ordinance. All signage shall be included on the sign permit or will require another permit prior to being placed on the property at a future date.
4. The defined maneuvering areas shall be adequately marked with a painted stripe and/or clear signage to provide direction for customer traffic and to lessen congestion or confusion.
5. A final landscaping plan with size, type and location of trees to be planted throughout the property shall be submitted for final approval to JPB staff complying with Section 1006 of the Ordinance. The location of required tree plantings shall be entirely within the recorded exterior boundaries of the property, except as may be permissible by the road authority to be placed bordering or otherwise encroaching the road right-of-way. In no case shall the planting requirement be waived for failure to obtain road authority permissions.
6. All proper permits shall be obtained prior to construction or site renovation, including a building, demolition, and mechanical permits from the City of Bemidji.
7. An erosion control permit shall be obtained with the proper mitigation installed prior to disturbance of soil, installation of additional impervious surface, or removal of existing impervious areas.
8. All areas of the lot that will be utilized for vehicle parking shall be improved with a material approved by the City Engineer and in conformity with GBAJPB Ordinance requirements, and all parking spaces shall be bordered to prevent vehicle encroachment on required greenspace areas.
9. The entrance servicing parcel 80.04229.00 shall be widened to accommodate two-way traffic, per the requirements in §1009. The applicant shall provide proof of road authority approval for such work.
10. Any future changes to site layout that prompt a change in traffic flow shall require review and possible amendment of the IUP by the Joint Planning Board, as determined by the Administrator.

11. If additional adjacent lots shall be utilized for the Auto Sales Use, such as the south adjoining lot and office building (parcel 80.04230.00), a lot combination shall be required to provide coverage of said operations under this IUP.
12. A development agreement shall be entered into between the JPB, City, and Applicant to ensure all site construction is completed to a satisfactory condition.
13. The IUP shall expire and become void if the automobile sales lot is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the automobile sales lot are mostly complete. There shall be no extension of this initial deadline.

Findings of Fact:

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

No. The Applicant has made a reasonable effort to limit traffic and parking on site, rather than to extend directly out into the right-of-way or onto greenspaces to be maintained. Additional parking, as necessary, will be determined at the time of lot redevelopment. This proposed use should have no additional contribution to traffic safety at this location, as proper site mitigation for maneuvering and traffic control will be a condition for permitting approval.

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

No. The Applicant is planning to use existing entrances for ingress and egress from the property. The Applicant will be responsible for any approvals necessary from the road authority should entrance designs be changed.

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

No. The Applicant will design the site to accommodate expected traffic for this operation. The nature of the use is in line with existing commercial operations along this stretch of Washington, and will not negatively encroach on adjacent properties.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan; and

Yes. The proposed use of a previously developed lot is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning & Subdivision Ordinance in the B-2 General Commercial Zoning Districts with the issuance of an interim use permit. The Applicant is planning to alter the site to direct customer and inventory parking away from the right-of-way to ensure that the property will properly function, eliminating any possible congestion or safety impacts that may occur.

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

Yes. The subject property has access to City water and sewer services. While access to existing greenspace for stormwater mitigation is possible, the applicant is considering advanced or alternative paving materials to accommodate stormwater requirements without sacrificing inventory space. Advanced stormwater technology is available that can treat the required volume under parking or impervious areas, which would add additional costs to the overall project but allow the site to meet the City's stormwater design standards.

Commission members had the following comments:

- Members and Staff discussed.

Public Hearing opened at 7:40 p.m.

- No comments.

Public Hearing closed at 7:40 p.m.

Commission members had additional comments:

- Members and Staff discussed.

Motion by Granlund, second by Steffen, to approve an Interim Use Permit (IUP) to operate an automobile sales lot on a property located on a vacant lot north of 829 Washington Avenue South, subject to the above stated conditions and findings of fact, with the addition of a condition to provide adequate screening between the commercial and neighboring residential uses. The additional condition is as follows:

9. *Screening shall be provided between all parking areas on the lot that adjoin any and all residential properties. The screening required shall consist of a wall, fence or densely planted compact evergreen hedge not less than five (5) feet or more than eight (8) feet in height that blocks direct vision but shall not extend to within fifteen (15) feet of any street right-of-way.*

Ayes: Berg, Faver, Steffen, David, Granlund, Gould.

Nays: None.

Motion carried unanimously.

Phillips noted that the third planning case, a variance for Scott Thorson at 4260 Thorson Boulevard NE has been withdrawn.

OTHER BUSINESS:

DIRECTOR'S REPORT AND SITE ANALYST & ENFORCEMENT REPORT:

Carlson addressed upcoming planning cases, and described year-to-date activity as well as completed, current and upcoming development projects, and described enforcement.

Planning Director Carlson addressed the Commission and reiterated the process of a conditional use permit.

UPCOMING MEETING DATES:

August 10, 2022	6:00 pm	JPB Regular Meeting
August 25, 2022	6:00 pm	JPC Regular Meeting
September 14, 2022	6:00 pm	JPB Regular Meeting
September 29, 2022	6:00 pm	JPC Regular Meeting
October 5, 2022	12:00-3:00 pm	Joint LGU Fall Tour

ADJOURNMENT:

There being no further business, motion by Steffen, second by Faver, to adjourn the Regular Planning Commission meeting at 7:52 p.m. Motion carried.

Respectfully submitted,

Ainslee Krause
Administrative Assistant

Approved and attested by: _____
Joint Planning Commission Representative

DRAFT

CONSENT AGENDA

Bills Payable

Wednesday 7/13/2022

Bills Payable

Date	Paid To	Purpose	Amount
6/30/2022	Kennedy & Graven	General Legal	\$351.00
8/1/2022	Beltrami County Recorder	Recorder fees	\$46.00
8/1/2022	City of Bemidji	Phone	\$40.00
7/12/2022	Forum Communications	Legal Ad	\$56.79
7/29/2022	Larson Environmental Services	SSTS Inspections	\$1,600.00
7/13/2022	Hensch's Septic Services	SSTS Inspections	\$200.00
7/11/2022	Staples	Office Supplies	\$5.20
7/15/2022	Staples	Office Supplies	\$32.30
Total Bill's Payable			\$2,331.29

Debit Card Transaction's

Date	Paid To	Purpose	Amount
7/12/2022	Amazon	Office Supplies	26.67
7/15/2022	Basecamp	Basecamp Annual Fee	999.00
7/6/2022	American Planning Association	APA & MN Membership Fee - Melissa Fahrenbruch	227.00
Total Debit Card			\$1,252.67

Escrow Deposit Return

Date	Paid To	Purpose	Amount
8/10/2022	Gary Sand	V-22-80.06783.00 & 80.06782.00 - Scott Thorson Variance Permit Refund & Escrow	\$1,000.00
8/10/2022	St. Mark's Church	80.05537.00 DA - St. Mark's Church	\$3,200.00
8/10/2022	CCIS - Vince Vanantwerpen	80.02706.00 - Lutheran Social Services Landscaping Escrow	\$1,500.00
Total Escrow Return			\$5,700.00

Total Bill's Paid **\$9,283.96**

General Ledger
 Monthly Dept Budget
 Report



User: rone
 Printed: 8/3/2022 10:35:44 AM
 Period 07 - 07
 Fiscal Year 2022

Account Number	Description	YTD Budget	YTD July	Balance Remaining	Annual Budget
00000	Department				
232-00000-31850	Admin Fine - Level 1	-583.33	0.00	-583.33	-1,000.00
232-00000-31852	Admin Fine - Level 3	0.00	-300.00	300.00	0.00
232-00000-32213	Septic Permit Fee	-8,750.00	-8,150.00	-600.00	-15,000.00
232-00000-32214	Site Plan Review- Field Ver	-7,583.33	-6,425.00	-1,158.33	-13,000.00
232-00000-32215	Variance - Commercial	-291.67	-500.00	208.33	-500.00
232-00000-32216	Variance - Residential	-1,750.00	-2,000.00	250.00	-3,000.00
232-00000-32217	Interim Use Permit	-2,916.67	-4,300.00	1,383.33	-5,000.00
232-00000-32218	Lot DivRealignComb	-1,050.00	-550.00	-500.00	-1,800.00
232-00000-32219	LU - Commercial	-4,083.33	-981.60	-3,101.73	-7,000.00
232-00000-32220	LU - Res	-12,250.00	-7,104.00	-5,146.00	-21,000.00
232-00000-32222	CICPUDPlats	-291.67	0.00	-291.67	-500.00
232-00000-32223	Short Term Rentals	-4,666.67	-2,000.00	-2,666.67	-8,000.00
232-00000-33636	LGU Contributions	-133,239.75	-171,308.25	38,068.50	-228,411.00
232-00000-34940	Planning & Zoning Fees	-758.33	-3,250.00	2,491.67	-1,300.00
232-00000-34952	Sign Permits	-3,791.67	-3,680.00	-111.67	-6,500.00
232-00000-34953	Temp Storage Contain Permits	-2,916.67	-300.00	-2,616.67	-5,000.00
232-00000-34954	Other	-47,220.83	-2,525.00	-44,695.83	-80,950.00
232-00000-36210	Interest Earnings	-875.00	-884.35	9.35	-1,500.00
00000	Department	-233,018.92	-214,258.20	-18,760.72	-399,461.00

Account Number	Description	YTD Budget	YTD July	Balance Remaining	Annual Budget
47500	Joint Planning Board				
232-47500-40101	Full Time Employees	139,941.67	130,653.47	9,288.20	239,900.00
232-47500-40102	Overtime	291.67	0.00	291.67	500.00
232-47500-40111	PTO	2,333.33	0.00	2,333.33	4,000.00
232-47500-40112	Clothing Allowance	233.33	115.85	117.48	400.00
232-47500-40113	Eyecare	58.33	0.00	58.33	100.00
232-47500-40121	PERA	10,500.00	11,598.93	-1,098.93	18,000.00
232-47500-40122	FICA	10,707.08	9,781.76	925.32	18,355.00
232-47500-40131	Fringe Benefits	33,366.67	28,790.57	4,576.10	57,200.00
232-47500-40151	Workers Compensation	1,750.00	1,072.00	678.00	3,000.00
232-47500-40201	Office Supplies	1,750.00	814.64	935.36	3,000.00
232-47500-40211	Operating Supplies	3,500.00	738.17	2,761.83	6,000.00
232-47500-40212	Motor Fuels	470.17	92.08	378.09	806.00
232-47500-40221	Equipment Repair	2,333.33	119.73	2,213.60	4,000.00
232-47500-40301	Professional Services	10,500.00	12,677.87	-2,177.87	18,000.00
232-47500-40321	Telephone	1,283.33	1,435.17	-151.84	2,200.00
232-47500-40322	Postage	2,916.67	787.56	2,129.11	5,000.00
232-47500-40331	TravelTraining	2,916.67	6,848.64	-3,931.97	5,000.00
232-47500-40351	Legal Publishing	2,041.67	866.32	1,175.35	3,500.00
232-47500-40361	Liability Insurance	1,750.00	3,675.00	-1,925.00	3,000.00
232-47500-40412	Rent	4,200.00	1,800.00	2,400.00	7,200.00
232-47500-40433	Dues & Subscriptions	175.00	99.00	76.00	300.00
47500	Joint Planning Board	233,018.92	211,966.76	21,052.16	399,461.00

General Ledger
Balance Sheet



User: rone
Printed: 8/3/2022 10:36:15 AM
Period 07 - 07
Fiscal Year 2022

Account Number	Description	End Bal	One Year Prior Actual
232	Joint Planning Board		
	<i>Asset</i>		
232-00000-10100	Cash	295,379.72	324,234.52
232-00000-10151	Cash - Till	150.00	150.00
232-00000-10400	Local Investment	203,000.00	203,000.00
232-00000-10450	Interest Rec.On Investments	809.78	52.56
232-00000-11800	Misc Accounts Receivable	0.00	0.00
232-00000-15500	Prepaid Insurance	358.00	267.00
232-00000-15503	Prepaid Expenses	0.00	0.00
	<i>Asset</i>	499,697.50	527,704.08
	<i>Liability</i>		
232-00000-20200	Accounts Payable	0.00	0.00
232-00000-20203	Payroll Payable	0.00	0.00
232-00000-20205	BCBS Payable	3,896.81	4,200.50
232-00000-20207	Long term Dis. Payable	0.00	-12.24
232-00000-20208	Life Insurance Payable	0.00	0.00
232-00000-20210	Dental Payable	0.00	-114.20
232-00000-20211	Short Term Dis -Regular	0.00	0.00
232-00000-20212	AccCIHop	0.00	0.00
232-00000-21600	Accrued Payroll Payable	0.00	0.00
232-00000-21601	Accrued Vacation Payable	-10,346.02	-6,700.14
232-00000-22801	Escrow Deposits	-206,369.00	-178,756.00
	<i>Liability</i>	-212,818.21	-181,382.08
	<i>Fund Balance</i>		
232-00000-25320	Fund Balance	-284,587.85	-256,245.77
	<i>Fund Balance</i>	-284,587.85	-256,245.77
232	Joint Planning Board	2,291.44	90,076.23