

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

**Thursday, January 24, 2019  
6:00 P.M.**

**Council Chambers, City Hall  
317 4<sup>th</sup> ST NW  
Bemidji, MN 56601**

**AGENDA**

- |  |              |
|--|--------------|
| <p>➤ <b>Call to Order/Roll Call</b></p>              | <b>Chair</b> |
| ➤ <b>Pledge of Allegiance</b>                        |              |
| ➤ <b>Approve Agenda</b>                              |              |
| ➤ <b>Approve Minutes</b>                             |              |
| • <b>Thursday, December 20, 2018 Regular Meeting</b> |              |

**NEW BUSINESS**

- |                    |              |
|--------------------|--------------|
| 1. <b>Visitors</b> | <b>Chair</b> |
|--------------------|--------------|

**Public Hearings**

- |   |           |
|---|-----------|
| 1. <b><u>City of Bemidji</u> - V-19-80.01417.00 – Hagg-Sauer, BSU</b> | <b>JC</b> |
|---|-----------|

**OTHER BUSINESS**

- |   |              |
|---|--------------|
| 1. <b>Director's Report</b>   |              |
| 2. <b>Election of 2019 Officers</b>                                       |              |
| • <b>Chair</b>  |              |
| • <b>Vice Chair</b>   |              |
| 3. <b>Upcoming Meetings</b>   | <b>Chair</b> |
| • February 13, 2019      6:00 pm                      JPB Regular Meeting |              |
| • February 28, 2019      6:00 pm                      JPC Regular Meeting |              |
| • March 13, 2019         6:00 pm                      JPB Regular Meeting |              |
| • March 28, 2019         6:00 pm                      JPC Regular Meeting |              |
| 4. <b>Adjourn</b>   | <b>Chair</b> |

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

**January 24, 2019  
6:00 p.m.**

**City Hall  
Council Chambers**

**CALL TO ORDER:** Chair Nicki Lemmer called the regular meeting of the Greater Bemidji Area Joint Planning Commission to order at 6:03 p.m., roll call was taken and the pledge of allegiance was recited.

**MEMBERS PRESENT:** Berg, Faver, Steffen, David, Lahn, Lemmer, Miller, Smith

**MEMBERS ABSENT:** Heinonen

**STAFF PRESENT:** Casey Mai, Jamin Carlson, Terri Ball

**OTHERS:** Jennifer McGinnity, Erin Russ, Travis Barnes

**APPROVAL OF AGENDA:**

Motion by Miller, second by Steffen, to approve the agenda as presented.

Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion by Smith, second by David, to approve minutes from the December 20, 2018, Greater Bemidji Area Regular Joint Planning Commission.

Motion carried unanimously.

**NEW BUSINESS:**

**VISITORS:**

No one addressed the commission.

**Public Hearing:**

**Carlson presented the first case:**

**PLANNING CASE – V-19-80.01417.00 – Hagg-Sauer, BSU**

Bemidji State University (BSU), represented by Jennifer McGinnity, is requesting approval of a height variance of 5.29 feet to construct a 930 square foot HVAC mechanical room on a new two-story building, which will be replacing the present four-story Hagg-Sauer building. The property is located at 1500 Birchmont Drive NE in the City of Bemidji. This property is zoned University District (U), within the shoreland overlay.

**BACKGROUND**

The request is for a height variance of 5.29 feet to permit a HVAC/mechanical room on top of a new, two-story replacement of Hagg-Sauer Building on the BSU Campus. The current Hagg-Sauer building will be demolished and the proposed building will have a substantially smaller building

footprint and will be reducing in size from a four-story building to a two-story building. Also, the current building height of 45.8 feet will be reduced to 33.07 feet. The variance is required in order to accommodate a 3rd level 930 square foot HVAC/mechanical room necessary for the air handling equipment needed to service the building and to meet MN B3 Standards.

### **PLANNING CONSIDERATIONS**

The purpose of this request is to approve a height variance for the proposed HVAC/mechanical room for the new building. The property is located in the U – University/Shoreland Overlay Zoning District. The maximum height for this property is 40 feet. The building plan elevation proposes a HVAC/mechanical room building height of approximately 45.29 feet. Therefore, a 5.29 foot height variance is required for approval of the project. The entire existing building height of Hagg-Sauer is 45.8 feet and exceeds the current maximum height requirements. The new building (excluding the HVAC/mechanical room) proposes a new height of 33.07 feet, an overall reduction in height of 12.83 feet and would meet the current zoning ordinance height requirements for the main building.

### **Landscaping**

The site plans show rain gardens that will serve as storm water treatment areas for surface run off from the proposed building before entering into the storm sewer system and ultimately Lake Bemidji.

With the Hagg Sauer structure being reduced nearly half in size, BSU plans to replace the impervious surface with greenspace made up of native landscaping, infiltration basins and additional trees. Through the redevelopment, this site's greenspace will increase by nearly 18,000 square feet or by twenty-one percent (21%). The applicant is planning to plant 42 new trees in addition to the existing six trees within the proposed construction area. All landscaping requirements are subject to Section 1006 in the GBAJPB Zoning & Subdivision Ordinance.

### **Signage**

No signage plan has been presented to JPB staff. Any new signage will require a sign permit through the GBAJPB. All signage must comply with Section 714 of JPB Zoning and Subdivision Ordinance.

### **Lighting**

The applicant has not indicated any exterior lighting at this time. Any exterior lighting that would be added shall conform to the JPB's requirements in Section 1008 of the GBAJPB Zoning Ordinance.

*Lighting shall be directed downward in order to minimize adverse impact on surrounding properties and rights-of-way.*

**Trash Handling & Outdoor Storage** – Final site plan will be required to identify any dumpster enclosure on-site. There will be no allowed outdoor storage of materials or equipment.

Section 1002 of the JPB zoning ordinance.

*For all uses, except one and two family residences, which provide exterior and/or accessory trash, recycling or associated storage, the following standards shall be required:*

- a. Such areas shall be completely screened and enclosed on all sides, except the roof, with an enclosure or screening wall a minimum of six (6) feet in height.*

- b. *The enclosure shall be provided with a secure door and/or opening device to allow regular servicing and pick up of materials.*
- c. *The construction materials for the enclosure shall be of a durable and fully opaque material which cannot be seen through.*
- d. *The enclosure exterior design materials shall be compatible or of the same composition and appearance with that of the principal structure.*
- e. *The enclosure, if designed as an accessory structure with a roof or located within 10 feet of the principal or accessory structure where building code inspections are required, shall be permitted in accordance with the requirements of the building code.*
- f. *In LC, LD, UR, OM and U districts, no materials or equipment may be stored outside except those directly related to the principal use or those being used for construction on the premises.*

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

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

Public Works/Engineering stated that a plan review for grading & drainage, erosion control, and utility plans are contingent upon engineering approval prior to building permit being issued.

**Mississippi Headwaters Board (MHB)**

Tim Terrill, executive director of MHB, had the following to say about the variance request:

*Our Comprehensive Plan states that structures placed on a general development lake must not exceed 35 feet which is consistent with state standards. Being that this penthouse will not increase the impervious surface on the site, and will not increase the footprint of the building with the increase of 12.22 in additional height; I think it would be an acceptable alternative in my opinion.*

*There may be some concern from the MHB about the additional height, but that would need to go before the MHB Board for final certification.*

**Neighboring Property Owner input**

At the time of writing the report, one neighborhood email was submitted in opposition of the project (see attached email).

**Comprehensive Plan References**

The plan references BSU as a major economic engine for the community and surrounding region. The campus is landlocked by surrounding development and past efforts have been viewed as a threat to the future of their neighborhoods. The overall increase in greenspace and stormwater treatment are viewed as benefits. Therefore, the ability to use the capacity of the University within the existing campus area is viewed as consistent with the goals and objectives of the Comprehensive Plan.

**RECOMMENDATIONS**

Staff recommends approval of the applicant's request for a 5.29 foot height variance to construct a 930 square foot HVAC mechanical room on the proposed building roof at the BSU campus located at 1500 Birchmont Dr. NE within the City of Bemidji in the University District (U) and the

shoreland overlay, with the following conditions:

1. The applicant shall obtain all necessary building permits prior to construction.
2. The applicant shall follow Section 1006 of the GBAJPB Zoning Ordinance for landscaping requirements.
3. All future exterior lighting shall conform to Section 1008 of the GBAJPB Zoning Ordinance. Lighting plans and specs sheets shall be submitted for approval to JPB staff prior to installation.
4. All dumpsters/recycling throughout campus shall be fully enclosed complying with Section 1002 of the GBAJPB Zoning Ordinance.
5. All landscaping shall comply with Section 1006 of GBAJPB Zoning Ordinance.
6. A stormwater mitigation and erosion control plan must be submitted for review and approved prior to construction.
7. A Grading Plan shall be provided with existing and proposed spot elevations, finished floor elevations (FFE's), and contours to signify existing versus proposed stormwater runoff.
8. A tree removal permit shall be obtained prior to any trees being removed from site.

**Public Hearing opened at 6:16 p.m.**

Representative Jennifer McGinnity, of BTR Architects, described the project timeline per Commissioner Miller's request: Demo is scheduled June-August 2019, groundbreaking in September and construction through March 2020, classrooms will be built in August, and classes will begin in the fall of 2020. Facilities Director Travis Barnes explained that Bangsberg, Sattgast, and Bensen Halls, along with the library are currently being remodeled. Once remodeling is complete, faculty and staff from Hagg-Sauer will be relocated, and the new Hagg-Sauer will house only the auditorium and classrooms. Miller asked the age of the original building. Barnes stated that it was built in 1971 and had water infiltration issues soon after. The resulting deferred maintenance has grown between \$7 million and \$8 million, which has far exceeded the value of the building. Commissioner Smith questioned the MN B3 Standards. McGinnity explained them as a kind of Minnesota LEED program which focuses on ventilation, mechanical and HVAC units. All state buildings now require MN B3 standards and the requested height variance will help the Hagg-Sauer penthouse units to function properly complying with those standards.

**Public Hearing closed at 6:22 p.m.**

Motion by Steffen, second by Faver, to approve request for a 5.29 foot height variance to construct a 930 square foot HVAC mechanical room on the proposed building roof at the BSU campus located at 1500 Birchmont Dr. NE within the City of Bemidji in the University District (U) and the shoreland overlay, with the following conditions:

1. The applicant shall obtain all necessary building permits prior to construction.
2. The applicant shall follow Section 1006 of the GBAJPB Zoning Ordinance for landscaping requirements.
3. All future exterior lighting shall conform to Section 1008 of the GBAJPB Zoning Ordinance. Lighting plans and specs sheets shall be submitted for approval to JPB staff prior to installation.
4. All dumpsters/recycling throughout campus shall be fully enclosed complying with Section 1002 of the GBAJPB Zoning Ordinance.

5. All landscaping shall comply with Section 1006 of GBAJPB Zoning Ordinance.
6. A stormwater mitigation and erosion control plan must be submitted for review and approved prior to construction.
7. A Grading Plan shall be provided with existing and proposed spot elevations, finished floor elevations (FFE's), and contours to signify existing versus proposed stormwater runoff.
8. A tree removal permit shall be obtained prior to any trees being removed from site.

And with the following findings:

**1. Has the applicant demonstrated a practical difficulty?**

Yes. The granting of the variance will allow for the project to comply with MN B3 standards. Due to the mechanical equipment height in the HVAC/mechanical room and the required ceiling heights in the rest of the buildings for ventilation purposes, a much larger building footprint would result if the building was kept below 40 feet. This would, in turn, sacrifice green space as well as quality ventilation. Additionally, the variance will not increase the overall building height for the property as the new proposed structure is significantly less than the current building.

**2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?**

Yes. Exceptional and unique circumstances apply to the redevelopment of this site in conformity with the established building improvements and site limitations. The applicant and architect have worked effectively to design the project to reduce the overall footprint of the building and to increase greenspace. These circumstances are unique to this project.

**3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?**

Yes. The granting of a variance to this standard will be in keeping with the spirit, purpose and intent of the Zoning Ordinance based upon the factors outlined in this report. Minimum required shoreland setbacks for the property are maintained and all other requirements of the Zoning Ordinance have been met.

**4. Can the variance be granted without altering the essential character of the surrounding area?**

Yes. The granting of this variance will not alter the essential character of the surrounding area, given the careful attention to planned site improvements. This site has always been home to the BSU campus and will continue to do so moving forward

Motion carried unanimously.

**OTHER BUSINESS:**

**DIRECTOR REPORT:**

Mai summarized last month's planning case decision, development project progress, and the projected planning cases for February/March. Mai also recapped the Joint LGU meeting and the final Steering Committee meeting for the Comprehensive Plan. An upcoming JPC/JPB training opportunity was announced, and Mai urged everyone to complete the Doodle Poll which determines the date of the training.

**2019 ELECTION OF OFFICERS:**

Nomination by Smith, second by Miller, to appoint Chris Lahn as Chair.

Motion carried unanimously.

Nomination by Faver, second by Smith, to appoint Don Heinonen as Vice Chair.  
Motion carried unanimously.

New officers will be seated at the February meeting.

**UPCOMING MEETING DATES:**

February 13, 2019	6:00 pm	JPB Regular Meeting
February 28, 2019	6:00 pm	JPC Regular Meeting
March 13, 2019	6:00 pm	JPB Regular Meeting
March 28, 2019	6:00 pm	JPC Regular Meeting

**ADJOURNMENT:**

There being no further business, motion by David, second by Steffen, to adjourn the Regular Planning Commission meeting at 6:37 p.m.

Motion carried unanimously.

Respectfully submitted,

Terri Ball  
Planning Administrative Assistant

Approved and attested by:   
Joint Planning Commission Representative