

BEMIDJI PLANNING BOARD REGULAR MEETING AGENDA

Monday, April 14, 2025

**Council Chambers
City Hall – 317 4th Street NW
5:30 PM**



ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

MINUTES

- 1) March 10, 2025 Regular Meeting Minutes

CONSENT AGENDA

Items in the Consent Agenda are approved with one motion without discussion/debate. The Chair will ask if any Boardmember wishes to remove an item. If no items are to be removed, the Chair will then ask for a motion to approve the Consent Agenda.

- 2) Consider Extension Request for a Conditional Use Permit for a Planned Unit Development - Parcel 80.05971.00 - Sandy Hennum representing Beltrami County Housing & Redevelopment Authority (BHRA)

VISITORS WITH BUSINESS BEFORE THIS BOARD – NOT ON AGENDA

Public Comment – Please give your name, address, and state your concern/comment. Visitors may share their concerns with the Planning Board on any issue which is not already on the agenda. Each person will have 3 minutes to speak. The Chair reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. The Chair may also limit the number of individual presentations on any issue to accommodate the scheduled agenda items. COMMENTS WILL BE TAKEN UNDER ADVISEMENT BY THE PLANNING BOARD.

NEW BUSINESS

- 3) Consider Interim Use Permit Request for Parcel 80.05694.00 - The Design Store
- 4) Consider Rezone Request - Parcels 80.06891.00 & 80.06900.00 - HBS Properties, LLC
- 5) Consider Interim Use Permit Request - Parcels 80.04218.00 & 80.04218.01 - Torque Machinery

STAFF REPORTS

- 6) Director's Report
- 7) Site Analyst & Enforcement Report

UPCOMING MEETINGS

- 8) Monday, May 12, 2025, 5:30 pm - Planning Board Meeting

ADJOURN

Planning Board Member Jorge Prince attending remotely via WebEx from the hotel lobby of Grand Hotel Salsomaggiore, Via Dalla Rosa 1, Salsomaggiore, Terme PR, 43039, Italy

Further information and the electronic link to join the meeting via Cisco WebEx can be found at:
www.ci.bemidji.mn.us/government/planningboardmeetinginformation

PLANNING BOARD PROCEEDINGS
BEMIDJI, MINNESOTA
Regular Meeting – March 10, 2025

Pursuant to due call and notice, a regular meeting of the Planning Board of the City of Bemidji, Beltrami County, Minnesota, was held at 5:30 p.m. in the Council Chambers of City Hall.

Upon roll call, the following board members were declared present: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer.**

Staff Present: **Planning Director Jamin Carlson, Assistant Planner Melissa Fahrenbruch, Compliance Inspector & Site Analyst David Wielenberg, Administrative Assistant Ainslee Krause.**

Others Present: **Troy Gilchrist, Town Law Center PLLP (via WebEx), Nate Anderson, Annette Theroux.**

AMENDMENTS TO AGENDA

Chair Thayer called for any amendments to the agenda. Motion by **Prince**, second by **Peterson**, to approve the agenda. Motion carried by unanimous voice vote.

MINUTES

The following minutes were presented for approval:

Planning Board Meeting: **February 10, 2025**

Motion by **Prince**, second by **Peterson**, approving minutes as presented. Motion carried by unanimous voice vote with an abstention from **Thayer**.

CITIZENS WITH BUSINESS NOT ON AGENDA

- Nate Anderson, representing Gracewin Cooperative, provided an update to the board, reporting that they are 90% to their initial goal on sales.
- Annette Theroux, a member of Indivisible Bemidji, addressed the board regarding federal changes and the funding freeze for the Hwy 197 reconstruction project.

OLD BUSINESS

CONSIDER RESOLUTION FOR EXTENSION REQUEST – REVISION TO ORIGINAL RESOLUTIONS 2024-02 AND 2024-03 FOR VARIANCES AND CONDITIONAL USE PERMIT – PARCEL 80.03017.00 – AMP BEMIDJI, LLC:

Carlson presented the extension request for AMP Bemidji LLC.

Board members made the following comments regarding the request:

- Members and staff discussed.
- Prince inquired of the reason for the extension request. Staff addressed that it is due to financial reasons and the applicant hopes to be open by November.
- Staff addressed that airport zoning has changed since the variance was granted.
- Gilchrist addressed that the vote to approve the extension could be one motion and recommended approving both as the variance was part of the original approval.

Motion by **Prince**, second by **Peterson**, to approve **Resolution 2025-07** and **Resolution 2025-08** granting variances and a conditional use permit for a Drive Through Restaurant and removal of more than 60% of trees at parcel # 800300700, 1709 Paul Bunyan Dr NW, with the findings of fact and conditions as presented. Motion carried by the following roll call vote: Ayes: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer.** Nays: **None.**

NEW BUSINESS

CONSIDER RESOLUTION FOR CONDITIONAL USE PERMIT REQUEST – 80.05093.00 – LEE HILL, REPRESENTING PACE DEVELOPMENT, INC.

Carlson presented the planning case request: Lee Hill, representing Pace Development, Inc, is requesting a Conditional Use Permit for General Retail Stores, Large (10,000 sf or more) to lease and operate several new general retail stores in their building. The subject property is located at 2000 Paul Bunyan Dr NW (PIN 800509300) in the City of Bemidji.

The Planning Commission recommended approval of a Conditional Use Permit (CUP) for General Retail Stores, Large (10,000 sf or more) on parcel # 800509300, 2000 Paul Bunyan Dr NW, with the conditions and findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Members discussed.

Motion by **Peterson**, second by **Eaton**, to approve **Resolution 2025-06** for a Conditional Use Permit (CUP) for General Retail Stores, Large (10,000 sf or more) to lease and operate several new general retail stores on parcel # 800509300, 2000 Paul Bunyan Dr NW, with the conditions and findings of fact as presented. Motion carried by the following roll call vote: Ayes: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Nays: **None**.

STAFF REPORTS

Director's Report

Carlson presented the Director's Report.

Board members had no comments.

Site Analyst & Enforcement Report

Wielenberg presented the Site Analyst & Enforcement Report.

Board members had the following comments:

- Members discussed.

UPCOMING BOARD MEETINGS

- Monday, April 14, 2025 5:30 p.m. Planning Board Meeting

ADJOURN

There being no further business, motion by **Peterson**, second by **Dickinson**, to adjourn the meeting. Motion carried. Meeting adjourned at **5:58 p.m.**

Respectfully submitted,

Ainslee Krause
Planning & Building Administrative Assistant

PB Minutes approved and attested by: _____
Planning Board Representative



BOARD AGENDA ITEM

Meeting Date: Monday April 14th, 2025

Action Requested: Twelve Month Extension

Prepared By: David Wielenberg, Compliance Inspector

Background (from April 25, 2024)

Summary of Request: Sandy Hennum, representing Beltrami County Housing & Redevelopment Authority (BHRA), is requesting a conditional use permit (CUP) and Preliminary/Final Planned Unit Development (PUD) to build greater than thirty (30) new multi-family apartment units on a vacant parcel (PID 80.05971.00) off 34th Street located between Sanford Bemidji Medical Center and the Bemidji Veterans Home and south of North Country Senior Living, LLC in the City of Bemidji. The requested CUP is required for the construction of any multi-family residential housing in the Office Medical (OM) zoning district.

BHRA (Applicant) approached staff about building a new two-story building with 13 one-bedroom, 13 two-bedroom, and 13 three-bedroom apartments on a parcel near the Sanford Bemidji Medical Center that is currently zoned (OM) Office Medical. Thirty-one (31) of the units will be rented at market rate with the remaining eight (8) being income restricted. The parcel is located at TBD 34th Street NW., in-between the Sanford Bemidji Medical Center and the Bemidji Veterans Home. It is currently undeveloped, though some trees on the south end of the lot were removed between 2020 and 2023 for the installation of the private sewer line servicing the Bemidji Veterans Home. The subject parcel is 5.8 acres in size and will be connected to City services. The Applicant currently has a donation agreement in place with Sanford Health of Northern Minnesota to obtain ownership of this parcel and is working under time-constraints related to obtaining grant funding. The western portion of this parcel may in the future include some amenities for use by residents as well as Sanford Bemidji Medical Center staff.

This was approved by the City of Bemidji Planning Board on April 29, 2024, with conditions and Finding of Facts. (Please see the attached Resolution for Finding of Facts)

Conditions for CUP/PUD

1. *Final building plans will need to be approved by the City of Bemidji Building Department and Bemidji Fire Department, with a building permit obtained prior to construction.*
2. *All exterior lighting on-site shall comply with Section 28-408 of the City Code; a lighting plan shall be submitted with final building plans for Planning Department review.*
3. *All signage needs to meet Sections 28-254 of the City Code and a permit must be obtained prior to any signage being placed on site.*
4. *All dumpsters on-site shall be fully enclosed complying with Section 28-402 of the City Code.*
5. *The developer/owner shall enter into a development agreement with the City of Bemidji prior to construction.*
6. *Final engineering grading, drainage and utility plans will need to be approved for review by Planning staff and Public Works staff before any construction can commence.*
7. *A landscaping plan with a total of at least 23 trees planted in the front yard setback shall be submitted for final approval to Planning staff.*
8. *A tree inventory shall be completed before construction begins. If it is determined that greater than 60% of high-quality significant trees will be removed, an additional CUP will need to be applied for.*
9. *This CUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.*

On March 3, 2025, staff reached out to Ms. Hennum to notify her of the approaching deadline. Ms. Hennum responded to the notice on March 4, 2025, asking for an extension of 12 months for the CUP/PUD, stating that the BHRA is still working to obtain funding for the project.

Action by Planning Board:

The request is for a 12-month extension of the substantial start requirement. If the extension is granted, the new deadline for substantial start would be on or before April 29, 2026. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete.

DRAFT

CITY OF BEMIDJI, PLANNING BOARD

**Resolution No. 2025-09
Revision to Resolution No. 2024-04**

**RESOLUTION APPROVING AN EXTENSION FOR A
CONDITIONAL USE PERMIT/PLANNED UNIT DEVELOPMENT FOR PARCEL 80.05971.00**

WHEREAS, Sandy Hennum, representing Beltrami Housing & Redevelopment Authority (BHRA) ("Applicant"), submitted an application to the City of Bemidji Planning Board (City) on March 31st, 2024 requesting approval of a conditional use permit ("CUP") for a planned unit development (PUD) on parcel 80.05971.00 located at the end of 34th St. NW within the City of Bemidji;

WHEREAS, the requested Conditional Use Permit is for parcel 80.05971.00, legally described as SECT-32 TWP-147 Range-033 NORTH COUNTRY SENIOR LIVING CIC NO 58 UNIT 4; and

WHEREAS, the Property is zoned and located within the (OM) Office Medical District and Airport Zone 3 Overlay District; and

WHEREAS, the requested Conditional Use Permit meets all requirements, standards and specifications of the City of Bemidji Development Code; and

WHEREAS, the Planning Commission held a public hearing on April 25th, 2024, to review the application for a Conditional Use Permit following mailed and published noticed as required by law; and

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WHEREAS, the City of Bemidji Planning Board has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the Applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

WHEREAS, the Planning Board has made the following findings regarding the Conditional Use Permit application request:

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

No. The proposed project is not anticipated to adversely affect, nor create an unreasonable level of disruption or increase interference upon the surrounding area.

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

No. High-density residential use for this location is not anticipated to adversely affect traffic or parking conditions as the proposed plans show adequate off-street parking requirements. If additional parking spaces are needed, the parcel has impervious available to expand parking.

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

No. The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding neighborhood. Based on the submitted site plans, this project should not adversely affect the surrounding properties and area.

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

Yes. The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved CUP and PUD.

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

Yes. The property will have adequate infrastructure and will be served by City services.

NOW, THEREFORE BE IT RESOLVED that the Planning Board hereby grants the approval of a Conditional Use Permit (CUP) for a planned unit development on parcel 80.05971.00 located within the City of Bemidji, with the following conditions:

1. Final building plans will need to be approved by the City of Bemidji Building Department and Bemidji Fire Department, with a building permit obtained prior to construction.
2. All exterior lighting on-site shall comply with Section 28-408 of the City Code; a lighting plan shall be submitted with final building plans for Planning Department review.
3. All signage needs to meet Sections 28-254 of the City Code and a permit must be obtained prior to any signage being placed on site.
4. All dumpsters on-site shall be fully enclosed complying with Section 28-402 of the City Code.
5. The developer/owner shall enter into a development agreement with the City of Bemidji prior to construction.

6. Final engineering grading, drainage and utility plans will need to be reviewed and approved by Planning staff and Public Works staff before any construction can commence.
7. A landscaping plan with a total of at least twenty-three (23) trees planted in the front yard setback shall be submitted for final approval to Planning staff.
8. A tree inventory shall be completed before construction begins. If it is determined that greater than 60% of high-quality significant trees will be removed, an additional CUP will need to be applied for.
9. This CUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval of an extension for a Conditional Use Permit (CUP) for a planned unit development on parcel 80.05971.00 within the City of Bemidji.

CITY OF BEMIDJI, PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 14th day of April 2025 by Audrey Thayer, Planning Board Chair.

Audrey Thayer, Planning Board Chair

Subscribed and sworn to before me
this ____th day of _____, 2025.

Notary Public

The Design Store - Interim Use Permit Request

Draft Resolution

DRAFT

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-10

**RESOLUTION APPROVING
AN INTERIM USE PERMIT
FOR PARCEL 800569400**

WHEREAS, an application was made on February 20, 2025, by The Design Store, requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers, on their property located at 2000 Division St W, within the City of Bemidji; and

WHEREAS, the proposed requested Interim Use Permit will be located on parcel 800569400, legally described SECT-18 TWP-146 RANGE-033 WESTSIDE LOT-001 BLOCK-001 & WEST 77 FEET OF LOT 2 ; LESS HWY PER DOC #627101; and

WHEREAS, the Property is zoned and located within the B-2 General Commercial District; and

WHEREAS, the requested Interim Use Permit meets all requirements, standards and specifications of the City's Development Ordinance; and

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. WHEREAS, the Planning Commission held a public hearing on March 27, 2025, to review the application for an Interim Use Permit following mailed and published noticed as required by law; and

WHEREAS, the Planning Board has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

WHEREAS, the Planning Board has made the following findings regarding the Interim Use Permit application request:

1. 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, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

This use should not have an impact on the adjacent street and/or land as the parking for the business is on the side of the building on the parcel. The containers are next to the trash enclosure at the back of the lot.

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

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers should not have an impact on the surrounding properties as this use has been utilized in the past.

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

The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.

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

The property has adequate infrastructure and is served by City services.

NOW, THEREFORE BE IT RESOLVED that the Planning Board hereby grants the approval of an Interim Use Permit (IUP) to allow The Design Store to have greater than two (2) temporary storage containers and/or semi-trailers, on their property located at 2000 Division St W within the City of Bemidji, with the following conditions:

1. A screening plan shall be submitted to Planning staff to meet Section 28-411 of the Ordinance and screening be completed within six months of approval.
2. The temporary storage containers shall be placed on an approved hard surface per Sections 28-402, 28-409, & 28-411 of the Ordinance.

3. A temporary storage container license shall be obtained and maintained per Section 28-411 of the Ordinance on an annual basis.
4. The property shall comply with all standards outlined within Section 28-411 and of the city code throughout the duration of the temporary use.
5. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.
6. The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space.

CITY OF BEMIDJI PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 14th day of April, 2025, by Audrey Thayer, Planning Board Chair.

Audrey Thayer, Planning Board Chair

Subscribed and sworn to before me
this ____th day of _____, 2025.

Notary Public

Applicant Signature and Date

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUP-2025-0002	MEETING DATE: March 27, 2025
APPLICANT: The Design Store (Justin Erickson, co-owner)	60-DAY RULE DATE: April 21, 2025
PROCEEDING: Interim Use Permit (IUP) - Greater than two (2) temporary storage containers and/or semi-trailers on the parcel.	ZONING DISTRICT: General Commercial Zoning District (B-2)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING MEMORANDUM

I. SUMMARY OF REQUEST

SUP-2025-0002: Justin Erickson, co-owner representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

II. PUBLIC HEARING & DISCUSSION

Commission members made the following comments:

- Meehlhouse requested clarification on approved hard surface types. Staff addressed that an approved hard surface would be bituminous, concrete or paver stone.

Public Hearing opened at 5:36 p.m.

Hearing the following comments:

- Justin Erickson, representing The Design Store, addressed the commission.
- Faver inquired of the applicant's plan for how long the containers will be onsite. Erickson addressed that they would have the containers for at least 2-5 years.
- Faver inquired if the applicant would consider moving the containers behind the building.
- Howie Zetah, owner of the subject property, addressed the commission.

Public Hearing closed at 5:41 p.m.

Commission members made the following comments:

- Faver expressed support for the containers to be located behind the building and noted that the building would then screen the containers.

- Faver requested to make a friendly amendment to the motion to require the containers be placed behind the building instead of the proposed location.
- Carlson addressed that the containers could be screened with a fence.
- Meehlhause expressed support for the current proposed location with a screening plan.
- Chair Heinonen called for a roll call vote on the original motion.

III. RECOMMENDATION & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The Planning Commission decided that the conditions are sufficient for approval of an interim use permit.

RECOMMENDATION FOR APPROVAL

Approval is recommended with the following conditions* based on the findings of fact:

* **Note:** It was recommended by our Planning Attorney to add a condition after the Planning Commission meeting that states an end date for review or a triggering event that would terminate the IUP (see proposed condition #6).

Conditions

1. A screening plan shall be submitted to Planning staff to meet Section 28-411 of the Ordinance and screening be completed within six months of approval.
2. The temporary storage containers shall be placed on an approved hard surface per Sections 28-402, 28-409, & 28-411 of the Ordinance.
3. A temporary storage container license shall be obtained and maintained per Section 28-411 of the Ordinance on an annual basis.
4. The property shall comply with all standards outlined within Section 28-411 and of the city code throughout the duration of the temporary use.
5. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.
6. **The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space**

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.**

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

This use should not have an impact on the adjacent street and/or land as the parking for the business is on the side of the building on the parcel. The containers are next to the trash enclosure at the back of the lot.

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

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers should not have an impact on the surrounding properties as this use has been utilized in the past.

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

The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.

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

The property has adequate infrastructure and is served by City services.

Motion by **Meehlhause**, second by **Lemmer**, to recommend approval of the Interim Use Permit request for parcel 800569400, with the conditions and findings of fact as presented in the packet.

Ayes: **Meehlhause, McCoy, Lemmer, Heinonen.**

Nays: **Faver**

Abstentions: **None.**

Motion carried 4-1.

Staff Report for the Planning Commission

**The City of Bemidji
Planning and Zoning Department**

PLANNING CASE: SUP-2025-0002	MEETING DATE: March 27, 2025
APPLICANT: The Design Store (Justin Erickson, co-owner)	60-DAY RULE DATE: April 21, 2025
PROCEEDING: Interim Use Permit (IUP) - Greater than two (2) temporary storage containers and/or semi-trailers on the parcel.	ZONING DISTRICT: General Commercial Zoning District (B-2)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

SUP-2025-0002: - Justin Erickson, co-owner representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

II. BACKGROUND

The Design Store (Applicant) is seeking an Interim Use Permit (IUP) to maintain more than two (2) temporary storage containers and/or semi-trailers for their daily business operation. The containers are currently located south of the parking lot as shown in the following site plan. The Applicant states that three (3) containers are for daily business use.

The Design Store remodeled and moved into the old Up North Sports building at the 2000 Division St location at beginning of 2024. Utilizing the use of temporary storage containers for the remodeling and moving construction project ended once they received their Certificate of Occupancy from the Building Official. The owners are asking to keep the containers and follow the permitting process. The 2019 Ordinance/code update allows temporary storage containers in the Commercial and Industrial Zoning Districts with proper permitting and review. Staff have been working with the owners to bring this property into compliance with the temporary storage container requirements of the Ordinance.



III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

All Interim Use Permits must follow the general requirements including process, criteria, and findings. An interim use permit runs with the owner/lease holder and terminates when the property changes hands or after a set amount of time.

Per City of Bemidji Code:

INTERIM USE: A temporary use of property until a particular date, until a particular event, or until zoning regulations no longer permit it. Interim use permits are not recorded and do not run with the land upon transfer. All

interim uses shall conform to standards listed in Sec. 28-524 of this development code.

Section 28-3. - Intent and purpose.

Per the Ordinance, it's our responsibility to protect and conserve the value of land throughout the city, and the value of buildings appropriate to the various districts established by this development code.



Section 28-411. - Temporary Uses or Structures

Per Section 28-411 (g, 2) of the Ordinance, in commercial and business districts, up to two temporary storage containers/semi-trailers per property are allowed with the issuance of a permit. An interim use permit is required if more than a combined total of two temporary storage containers/semi-trailers are located on a property. The use

of a temporary storage container/semi-trailer in these districts is subject to the following:

- a. No temporary storage container or semi-trailer shall exceed four hundred (400) square feet, unless expressly authorized in an interim use permit;
- b. The temporary storage container/semi-trailer is counted toward impervious surface requirements;
- c. The temporary storage container/semi-trailer may only be located in the side or rear yard of a property, and shall not be located within the front yard setback, on greenspace, in a right-of-way, or other areas on which the placement of a structure is prohibited;
- d. The temporary storage container/semi-trailer shall be screened with sight obscuring fencing or landscaping approved by council staff;
- e. The permit must be renewed annually, or the temporary storage container/semi-trailer shall be removed;
- f. Any existing unpermitted storage container/semi-trailer shall be brought into compliance with this section by obtaining the required permit within one (1) year of the effective date of this section or it shall be removed from the property.

The following standards apply to an allowed temporary storage container/semi-trailer:

- a. It must be kept free of nuisances (grass, weeds, trash, vermin, holes, peeling paint, rust, damage, etc.) or it can be deemed a nuisance and be subject to legal action or revocation of the applicable permit;
- b. It shall not exceed four hundred (400) square foot each, except in a commercial or business district with the issuance of an interim use permit;
- c. It shall not be used for any advertising purpose and shall be kept free of all alpha-numeric signage and writing, except for identifying information required by law and job trailers used on a construction site;
- d. It shall not occupy any required off-street parking or loading areas;
- e. It shall be placed so as to comply with setbacks applicable to the zoning district in which it is located;
- f. It shall not be stacked on top of another temporary storage container/semi-trailer;
- g. Materials shall not be piled or stacked on, against, or next to a temporary storage container/semi-trailer;

- h. The maximum height of a temporary storage container/semi-trailer is fifteen (15) feet; and
- i. A temporary storage container/semi-trailer in violation of this section shall be removed from the property within thirty (30) days of notification of the violation by the council. An extension for the removal may be granted by the planning director if a building permit is obtained for on-site construction to correct the violation.

Section 28-402 Exterior Storage and Outdoor Display of Merchandise (c, 3)

(3) Exterior storage accessory to a permitted principal use.

- a. The exterior storage area shall also only be located upon an improved hard surface in accordance with Sec. 28-409 of this development code.
- b. Exterior storage shall not be allowed within the front yard setback.
- c. The exterior storage area shall meet the screening requirements of Sec. 28-405 of this development code. For areas where it may be impractical to fully screen with the exact provisions of Sec. 28-405 the planning director may approve an alternate to allow densely planted evergreen trees.

Development Team:

[City Engineer/Director of Public Works, Sam Anderson](#)

No major engineering related concerns with this request.

Thanks,
Sam Anderson, P.E.

[Bruce Hasbargen, Beltrami County Highway Engineer](#)

Beltrami County Highway does not have any concerns with this request.

Bruce Hasbargen
County Engineer

Neighboring Property Owner input

No surrounding property input was obtained when this report was written.

Letter from the Applicant

I am one of the owners of the Design Store Inc. in Bemidji. I am requesting permission to have three storage containers at our place of business located at 2000 Division St. West in Bemidji. These containers have been in the rear of our parking lot of our business since we moved to that location in January of 2024.

We would have requested this earlier, but we were not aware that the Bemidji city ordinance only allowed two storage containers at businesses at our zone location until we were contacted by the Compliance Inspector & Site Analyst.

The containers were purchased new and are in great condition.

Thank you for your consideration,

*Justin Erickson
Owner
The Design Store INC*

Comprehensive Plan References

Objective 4.2: Preserve and Promote Commercial and Industrial Redevelopment or In-Fill Development Where Appropriate

Providing opportunity for commercial and industrial redevelopment is imperative to reduce urban sprawl and increase land use densities where appropriate. Land use planning can preserve existing developed areas and ensure land is available as well as compatible for increased development.

Objective 6.2: Promote and Maintain the Status of an Economic Regional Center

The City of Bemidji has become an economic regional center for northern Minnesota. The community will continue to provide the amenities for shopping, recreation, and entertainment that keep jobs and people coming to the area.

Zoning Ordinance References

Section 28-3. - Intent and purpose

Section 28-9. - Definitions

Section 28-402. - Exterior Storage and Outdoor Display of Merchandise

Section 28-409. - Off-Street Parking, Loading & Surfacing Standards

Section 28-411. - Temporary Uses or Structures

Section 28-524. - Conditional Use Permits & Interim Use Permits

IV. RECOMMENDATION & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The Planning Commission must decide whether the conditions are sufficient for approval of an Interim Use Permit (IUP) for having greater than two (2) temporary

storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji.

The following are the proposed conditions and findings of fact:

Conditions

1. A screening plan shall be submitted to Planning staff to meet Section 28-411 of the Ordinance and screening be completed within six months of approval.
2. The temporary storage containers shall be placed on an approved hard surface per Sections 28-402, 28-409, & 28-411 of the Ordinance.
3. A temporary storage container license shall be obtained and maintained per Section 28-411 of the Ordinance on an annual basis.
4. The property shall comply with all standards outlined within Section 28-411 and of the city code throughout the duration of the temporary use.
5. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji 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.**

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

This use should not have an impact on the adjacent street and/or land as the parking for the business is on the side of the building on the parcel. The containers are next to the trash enclosure at the back of the lot.

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

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area. The use of temporary storage containers should not have an impact on the surrounding properties as this use has been utilized in the past.

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

The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.

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

The property has adequate infrastructure and is served by City services.

Site Plan(s)



Applications & Supporting Documents



City of Bemidji, MN

City of Bemidji

317 4th Street NW

Bemidji, MN 56601

218-759-3560

<https://www.ci.bemidji.mn.us/>

Application

SUP-2025-0002

CONDITIONAL OR INTERIM USE PERMIT

SITE ADDRESS: 2000 DIVISION ST W BEMIDJI

PRIMARY PARCEL: 800569400

PROJECT NAME: THE DESIGN STORE (IUP)

ISSUED:

EXPIRES:

APPLICANT: Erickson, Justin
2000 Division Street West
Bemidji, MN 56601
2187511063

OWNER: HJZ ENTERPRISES LLC
1222 INDUSTRIAL PARK DR SE
BEMIDJI, MN 56601

Detail Name	Detail Value
Select the type of use permit application from the list:	Interim Use
Describe the proposed use of your property:	Business
Describe the existing use of your property:	Business
Are you aware of any existing Use Permits or Variances for this property?	No
Will the proposal generate increased traffic over existing conditions?	No
Will the proposal require additional parking spaces?	No
How many people will occupy your premises on an average day? Please provide numbers for employees, customers, and residents.	20
Will your proposal increase water usage or sewage generation over the existing use?	No
Will your proposal generate additional waste?	No
Describe your disposal method .	N/A
Does your property contain low areas, wetlands, or areas with standing water?	No
Please explain if you intend to drain, fill or otherwise alter this area for any reason (If this does not apply, enter N/A)	N/A
Enter Escrow Payer's Name and Mailing Address (where escrow funds are to be returned when the project is completed)	Justin Erickson 2000 Division St. West Bemidji, MN 56601
I hereby certify that I am the owner or authorized agent of the owner of the above described property and that all uses will conform to the provisions of the City of Bemidji Development Code. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid.	I certify
I also authorize City of Bemidji staff to inspect the property during review of this application and subsequent construction during reasonable times of the day.	I certify



City of Bemidji, MN

City of Bemidji

317 4th Street NW

Bemidji, MN 56601

218-759-3560

<https://www.ci.bemidji.mn.us/>

CONDITIONS

* An escrow account is established to cover technical and legal expenses incurred by the City of Bemidji as part of the plan review. The applicant is responsible for all costs incurred by the City during plan review. If the escrow amount drops below 10% of the original deposit amount the City may require submittal of an additional escrow deposit sufficient to cover any anticipated expenses. Upon determination by the City that the project is complete or expired, the City will return the remaining escrow deposit to the applicant.

* A Conditional Use or Interim Use Permit shall expire and become void if it is not acted upon 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 required work are mostly complete. Bemidji Planning may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

FEES:	<u>Paid</u>	<u>Due</u>
Planning Escrow Deposit	\$500.00	\$0.00
PLN Special/Conditional/Interim Use Permit	\$500.00	\$0.00
Totals :	\$1,000.00	\$0.00

02-18-2025

To whom it may concern,

I am one of the owners of the Design Store Inc. in Bemidji. I am requesting permission to have three storage containers at our place of business located at 2000 Division St. West in Bemidji. These containers have been in the rear of our parking lot of our business since we moved to that location in January of 2024.

We would have requested this earlier, but we were not aware that the Bemidji city ordinance only allowed two storage containers at businesses at our zone location until we were contacted by the Compliance Inspector & Site Analyst.

The containers were purchased new and are in great condition.

Thank you for your consideration,

Justin Erickson

Owner

The Design Store INC

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji – SUP-2025-0002

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
☒	Applicant / Representative	3/5/2025	_____
☒	City Building Department	3/5/2025	_____
☐	City Attorney	_____	_____
☒	City Engineer	3/5/2025	_____
☒	City Manager	3/5/2025	_____
☐	City Community Development (Vacant)	_____	_____
☒	City GIS Department	3/5/2025	_____
☒	City Police Department	3/5/2025	_____
☒	City Fire Department	3/5/2025	_____
☐	City Parks Department	_____	_____
☐	Beltrami County ESD/SWCD	_____	_____
☐	Beltrami County Recorder	_____	_____
☐	Beltrami County GIS Department	_____	_____
☐	Beltrami County Sheriff	_____	_____
☒	Beltrami County Engineer / Highway	3/5/2025	_____
☐	Beltrami County Natural Resources	_____	_____
☐	MnDNR Trails	_____	_____
☐	MnDNR Waters	_____	_____
☐	MnDNR District	_____	_____
☐	MnDOT	_____	_____
☐	Airport	_____	_____
☐	Bemidji School District	_____	_____
☐	MPCA Closed Landfill Program	_____	_____
☐	U.S. Army Corps of Engineers	_____	_____
☐	Minnesota Chippewa Tribe	_____	_____
☐	Red Lake Nation DNR	_____	_____
☐	White Earth Nation DNR	_____	_____
☐	Leech Lake Band DRM	_____	_____
☐	Bemidji Sustainability Commission	_____	_____
☒	Other: Planning & Zoning Attorney	3/5/2025	_____



Planning and Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

City of Bemidji – SUP-2025-0002: - Justin Erickson representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

The parcel limited legal description is as follows:

SECT-18 TWP-146 RANGE-033 WESTSIDE LOT-001 BLOCK-001 & W77'
OF LOT 2; LESS HWY PER DOC #627101

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, March 27th, 2025, at 5:30 p.m.** in the Council Chambers at Bemidji City Hall or may be viewed on Local Channel 2.

If you have any comments, you may present them to the Commission at that time. It would be encouraged to direct your comments in writing to the Planning and Zoning Planner assigned to the Case, **Melissa Fahrenbruch's** attention at the Planning office at 317 4th Street NW, or by email to **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning and Zoning Commission. The report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall. Attached is a copy of the application and other supporting documentation.

If you have any questions or need further information, please feel free to contact our office at 218-759-3579 or email the planner assigned to the case (see email address above). City departments may access through SmartGov application **SUP-2025-0002**.

Respectfully,

Melissa Fahrenbruch
Assistant Planner
City of Bemidji Planning and Zoning Department



Planning & Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

Dear Property Owner:

The City of Bemidji Planning and Zoning Commission will conduct a public hearing to discuss the following application:

City of Bemidji – SUP-2025-0002: - Justin Erickson representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji. This property is in the B-2 General Commercial District.

The parcel limited legal description is as follows:

SECT-18 TWP-146 RANGE-033 WESTSIDE LOT-001 BLOCK-001 & W77' OF LOT 2; LESS HWY PER DOC #627101

This public hearing will be held on **Thursday, March 27th, 2025, at 5:30 p.m.** The meeting will be held in the Council Chambers of the Bemidji City Hall located at 317 4th Street NW or may be viewed on local Channel 2. You are invited to attend this public hearing, express your opinions on the proposal at the hearing, or if not able to attend, by email (preferred method), letter, or phone call to the Planning and Zoning Department. If possible, your written comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning Commission. **Our report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall.**

If you have any questions, please feel free to contact us at (218) 759-3579, or email comments to **SGAdmin@ci.bemidji.mn.us**

Respectfully,

Planning Staff
City of Bemidji
Planning & Zoning Department

DEEP ROCK CHIROPRACTIC PC
1900 DIVISION ST W # 7
BEMIDJI, MN 56601

JOHN A BERG
CONSTANCE R BERG
2006 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

JOHN E BLANCHETTE
2120 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

KATHRYN V KOSOBUD
2223 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

SPRUCE SHADOWS INC
1900 DIVISION ST W 9
BEMIDJI, MN 56601

HAZELTON PROPERTIES LLC
110 MAG SEVEN CT SUITE 220
BEMIDJI, MN 56601

MARLEIGH LLC
1815 DIVISION ST W
BEMIDJI, MN 56601

KIMBERLY A POLLOCK
KRISTI J NESS
3211 JACKSON AVE SW
BEMIDJI, MN 56601

HMN PROPERTIES LLC
12739 EMERALD ACRES LANE NE
BEMIDJI, MN 56601

DIANE M PITTMAN
9180 GOODNUFF LN NE
BEMIDJI, MN 56601

VAST2M LLC
1900 DIVISION ST W # 2
BEMIDJI, MN 56601

JAMES B RINGHAND
DONNA B WEIR-RINGHAND
2114 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

JEFFREY W PETERSEN
JANICE L PETERSEN
2022 DIVISION ST SW
BEMIDJI, MN 56601

ALLEN P SWEDMARK
DORIS M SWEDMARK
2014 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

JOSHUA A WAGAR
JIA L WAGAR
2005 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

DAVID E BURNHAM
1815 DIVISION ST W
BEMIDJI, MN 56601

CRAIG C SORBY
2128 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

DEBORAH L CARTER
9458 VANDERMEER CT NW
BEMIDJI, MN 56601

MYRNA CORVELLI
2009 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

STEVEN T CARTER
JESSICA J CARTER
5613 ELLIOT RD NE
BEMIDJI, MN 56601

SONIA M O'BRYAN
2117 DEEP ROCK LOOP SW UNIT 32
BEMIDJI, MN 56601

JOHN J ARNESON TRUSTEE
TRUST AGREEMENT OF JOHN & PAMELA AR
2204 DEEP ROCK LOOP SW UNIT 21
BEMIDJI, MN 56601

MERRITT E HOUGARD
KARIE L HOUGARD
8380 ESTHER LN NE
BEMIDJI, MN 56601

EILEEN M OLMSCHIED
2124 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

JOAN K ALLEN
1911 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

SOMETHING NEW SALON LLC
8225 STUMP LAKE DR NE
BEMIDJI, MN 56601

DEEP ROCK TOWNHOMES OWNERS ASN
1924 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

RODGER L BLOOMQUIST
LONA M BLOOMQUIST
2110 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

LEROY D JOHNSON
MAVIS Y JOHNSON
2106 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

JANICE OFTEN
2018 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

RICHARD R MORINE
BARBARA A MORINE
2013 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

GEORGE R GREGG TRUSTEE
GREGG FAMILY TRUST
220 MAG SEVEN CT SW
BEMIDJI, MN 56601

MARION T NELSON TRUSTEE*
MARION T NELSON TRUST
2010 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

ANTHONY T MORENO
CAMILLE L MORENO
205 JEFFERSON AVE SW
BEMIDJI, MN 56601

SCHULKE PROPERTIES LLC
49361 US 71
BEMIDJI, MN 56601

STEVEN E BAKER
JEANNETTE L BAKER
2219 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

HJZ ENTERPRISES LLC
1222 INDUSTRIAL PARK DR SE
BEMIDJI, MN 56601

LUNDBERG CONTRACTING INC
19189 TRENGOVE RD NW
SOLWAY, MN 56678

STEVEN CARTER
JESSICA CARTER
1900 DIVISION ST W UNIT 1
BEMIDJI, MN 56601

DDB PROPERTIES LLC
9409 TIFFANY LN NW
BEMIDJI, MN 56601

JUSTIN HOOVER
STEPHANIE CORRADI
941 LOON SONG LN NE
BEMIDJI, MN 56601

PATSY J MOEN
2022 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

KATHLEEN MARIE GUESS
PO BOX 302
BEMIDJI, MN 56619

BEMIDJI DG LLC
928 JAYMOR RD STE A 100
SOUTHAMPTON, PA 18966

ROBERT A WARREN
2208 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

CHARLES HELLER
JOY HELLER
2115 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

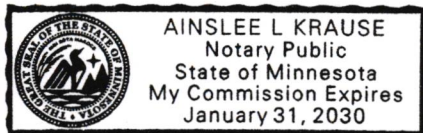
SLAINER MARCELO FUENTES-ALBINA
2018 DIVISION ST W
BEMIDJI, MN 56601

CRAIG A STENGER
2102 DEEP ROCK LOOP SW
BEMIDJI, MN 56601

STATE OF MINNESOTA)
) **SS**
COUNTY OF BELTRAMI)

Dave J. Wilentz


Notary Public

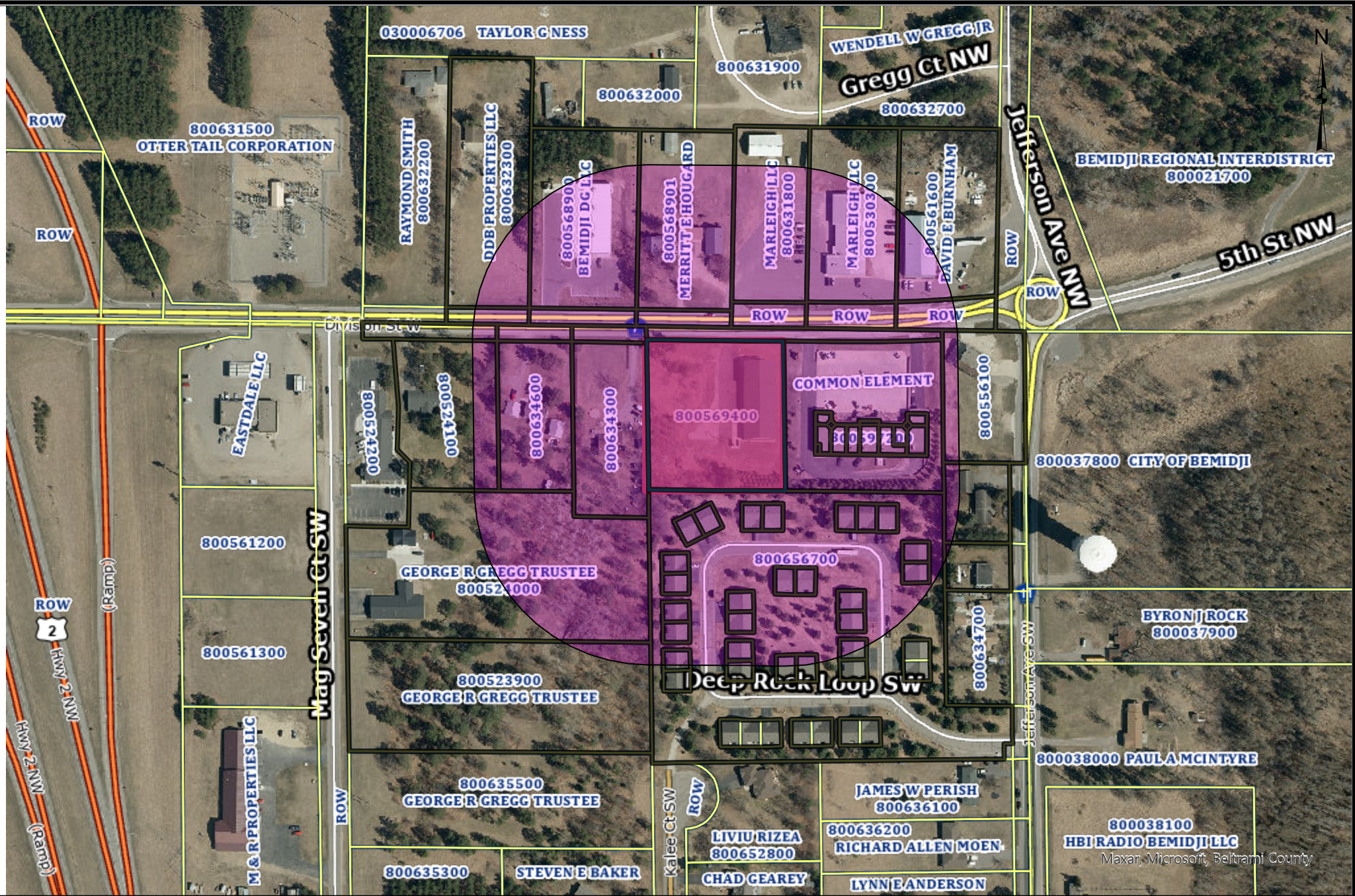


Page 41 of 133



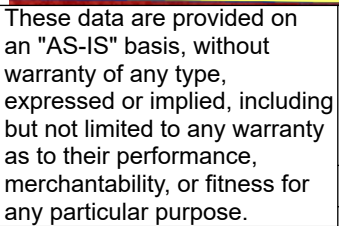
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Aerial Map	
1:2,257	Date: 3/3/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Buffer Map	
1:4,514	Date: 3/3/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



Zoning Map	
1:2,257	Date: 3/3/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



AFFIDAVIT OF PUBLICATION

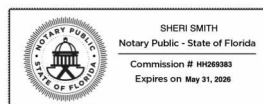
State of Florida, County of Broward, ss:

Jesse Sassaman, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the The Bemidji Pioneer, a newspaper printed and published in the City of Bemidji, County of Beltrami, State of Minnesota.

1. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and the day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Saturday, March 15, 2025
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: \$13.00 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in BELTRAMI County. The newspaper complies with conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Jesse Sassaman

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 03/18/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

CITY OF BEMIDJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on **Thursday, March 27, 2025, at 5:30 PM** or as soon thereafter as possible, the City of Bemidji Planning and Zoning Commission will conduct a Public Hearing in-person in the Council Chambers of Bemidji City Hall, located at 317 4th St. NW, Bemidji MN, and can be viewed on Channel 2, regarding the following requests:

Interim Use Permit: - SUP-2025-0002: - Justin Erickson representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

Rezoning: - ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezoning) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

Interim Use Permit: - SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji and is in the B-2 General Commercial District.

All interested parties are invited to attend the public hearing(s) and comment on the proposal(s). If you are unable to attend in person, comments can be submitted by email to SGAdmin@ci.bemidji.mn.us (preferred method), letter, or phone call to the Planning and Zoning Department. Call 218-759-3579 or visit our website at www.ci.bemidji.mn.us for more information. If possible, your written comments should be submitted by **Friday, March 21, 2025**, so they may be incorporated into the staff report to the Planning Commission.
(Mar. 15, 2025)

HBS Properties, LLC - Rezone Request

Draft Ordinance

CITY OF BEMIDJI

ORDINANCE NO. , 3RD SERIES

AN ORDINANCE AMENDING THE ZONING MAP ADOPTED IN CHAPTER 28,
ARTICLE II, SECTION 28-43 AND COMPHENSIVE PLAN ZONING MAPS
OF THE BEMIDJI CITY CODE
(Pertaining to Planning Case # ZOA-2025-0002, HBS Properties, LLC)

THE CITY OF BEMIDJI DOES ORDAIN:

SECTION 1: The following property located at 1202 Lakewood Dr NW (PINs # 8000689100 and 800690000) is hereby Rezoned from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District.

The parcel legal description is as follows:

SECT-20 TWP-147 RANGE-033 12.35 AC NE1/4 OF SW1/4 LESS THAT PART LYING W'RLY OF HWY 71 AS RELOCATED IN 1975 LESS HWY 71 OLD # 31.00449.00

AND,

SECT-20 TWP-147 RANGE-033 23.13 AC NW1/4 OF SE1/4 LESS E330' THEREOF & LESS E300' OF W450' OF N150' THEREOF & LESS N490.92' THEREOF LYING E'RLY OF LINE 450' E'RLY OF & PARALLEL WITH W LINE OF SAID NW1/4 OF SE1/4 & LESS HWY 71 OLD # 31.00459.00

SECTION 2: The Zoning Map referred to in Chapter 28, Section 28-43 of the Bemidji City Code and the zoning maps in the Comprehensive Plan, is hereby deemed to have been redrawn to portray the reclassification of the property described in Section 1 of this Ordinance.

SECTION 3: This ordinance shall become effective thirty (30) days after its passage and publication according to law.

Yeas:

Nays:

Absent:

First Reading:

Second Reading:

Final Reading:

Attest:

Approved:

Michelle R. Miller, City Clerk

Jorge S. Prince, Mayor

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: ZOA-2025-0002	COMMISSION MEETING DATE: MARCH 27TH, 2025
APPLICANT: HBS Properties, LLC	60-DAY RULE DATE: April 25th, 2025 60-DAY EXTENSION NEEDED: June 24, 2025
PROCEEDING: Rezone from R-2 & R-3 Suburban Residential to R-6 Multiple Family	ZONING DISTRICT: (R-2 & R-3) Suburban Residential within Airport Zone 3 & Sensitive Area Overlays
PREPARED BY: Jamin Carlson Planning Director	EXHIBITS: Zoning Map, Future Land Use Map, Aerial Map, Application, Site Plan, Supporting Documentation

PLANNING & ZONING MEMORANDUM

I. SUMMARY OF REQUEST

City of Bemidji – ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

II. PUBLIC HEARING & DISCUSSION

Commission members had no comments.

Public Hearing opened at 5:54 p.m.

Hearing the following comments:

- Steven Hartje, representing HBS Properties, LLC, addressed the commission.
- Faver inquired about the proposed number of units for the future development. Hartje addressed that the current plan is roughly a little over 200 units.
- Faver and Hartje discussed the access.
- Lemmer inquired if the applicant had discussed with neighboring properties. Hartje confirmed visiting the neighboring properties and noted a few neighbors were not home and one neighbor across the street was in support of the project.
- McCoy requested clarification about proposed housing. Hartje addressed the current proposal is a mixture of 2 and 3-bedroom townhomes with single and multi-level units.
- McCoy inquired about the timeline. Hartje addressed that they would like to start as soon as they can.

Public Hearing closed at 5:57 p.m.

Commission members had no further comments.

III. RECOMMENDATION & FINDINGS

Conclusions based on the Ordinance and Comprehensive Plan.

The Planning Commission decided that the findings of facts are sufficient for approval of rezoning the properties.

RECOMMENDATION FOR APPROVAL

Approval is recommended with the following findings of fact:

Findings of Fact - Rezone

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

The proposed change would be consistent with intent and purpose of the Ordinance. The proposed project abuts a state highway and a county road and has commercial properties across the highway along with higher density developments in the vicinity. The change in classification would be consistent with infill within the city along with housing needs.

2. 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.

The (R-6) Multiple-Family Zoning District would create a transitional zone from the Commercial zoning district to the south and west along with connecting to other higher densities to the north. The use that would be permitted if it were reclassified would be compatible with the neighboring properties.

3. 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.

These parcels can be served by a private well and private septic systems. City services are not available to this property at this time; however, city utility services could be extended to the subject properties from the east.

4. Whether the proposed amendment would correct an error in the application of this Ordinance.

This is not a correction. This rezone request is to develop the parcels at a higher residential density. The future land use map was not updated to the rezone that occurred to the north of the subject parcels in 2022 and this request would be in line with those higher densities. The amendment would increase density for housing that is a need in the Bemidji area.

5. 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.

This proposed amendment is made necessary due to the need for all types

Motion by **McCoy**, second by **Lemmer**, to recommend approval of a rezone of the subject properties, parcels 800689100 and 800690000, from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District, with the findings of fact as presented in the packet.

Ayes: **Meehlhause, McCoy, Lemmer, Heinonen, Faver.**

Nays: None

Abstentions: None.

Motion carried unanimously.

Staff Report for the Planning Commission

The City of Bemidji Planning Board

PLANNING CASE: ZOA-2025-0002	COMMISSION MEETING DATE: March 27 th , 2025
APPLICANT: HBSM Properties, LLC	60-DAY RULE DATE: April 25 th , 2025
PROCEEDING: Rezone from R-2 & R-3 Suburban Residential to R-6 Multiple Family	ZONING DISTRICTS: (R-2 & R-3) Suburban Residential within Airport Zone 3 & Sensitive Area Overlays
PREPARED BY: Jamin Carlson Planning Director	EXHIBITS: Zoning Map, Future Land Use Map, Aerial Map, Application, Site Plan, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

City of Bemidji – ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

II. BACKGROUND

City staff met with the developers on the possibility of a multi-family housing development along with utilities. The possibility of extension of city utilities was also discussed along with parks and amenities. Planning staff also communicated to the Applicants that the process for a rezone currently takes longer than the 60-day rule due to the three reading and 30-day publishing notice under the city's charter. The Applicants are aware that the City's Charter Commission changes regarding the 60-day Rule do not go into effect until May 8th, 2025.

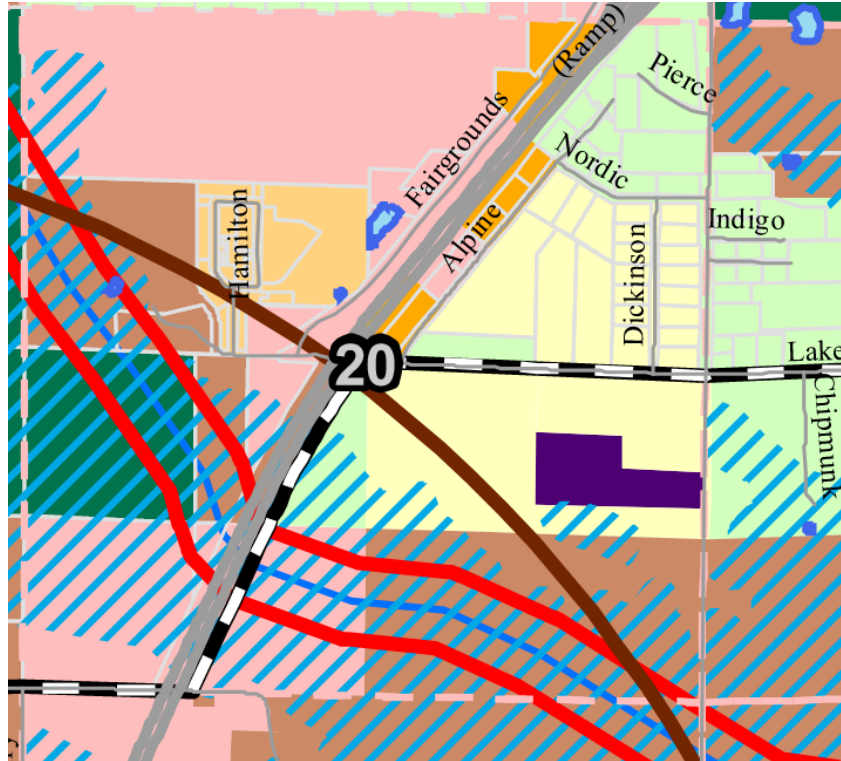
III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

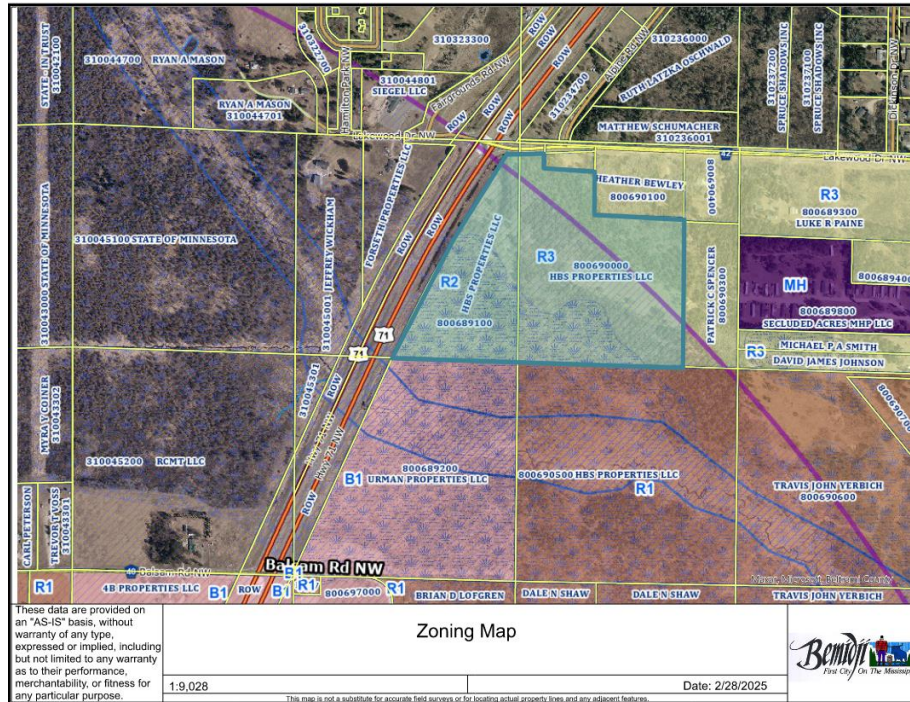
When reviewing zoning requests, it is imperative to ensure that "spot zones" are not created. Spot zoning allows for a particular parcel of land to have land uses differing from land uses allowed in adjacent and small regional areas and is likely a deviation from the land use plan. This rezone would be a transitional zone between the commercial from the west and south/north and the single-family areas to the east. To note: a traffic study will more than likely need to be completed before any development can occur along with a thorough review for any platting or planned unit development.

Existing Conditions

The subject properties have been used for a single-family house and undeveloped wooded area. These parcels abut B-1 Low Density Commercial to the southwest and R-3 Suburban Residential to the east along with R-1 to the south, and multi-family development to the northeast within Northern Township to the north and west. The properties have access off CSAH 42 (Lakewood Drive) and State Highway 71 at the intersection to the west. Below is the abutting zoning in Northern Township (Commercial & High-Density Residential), city limits denoted by the black & white line.

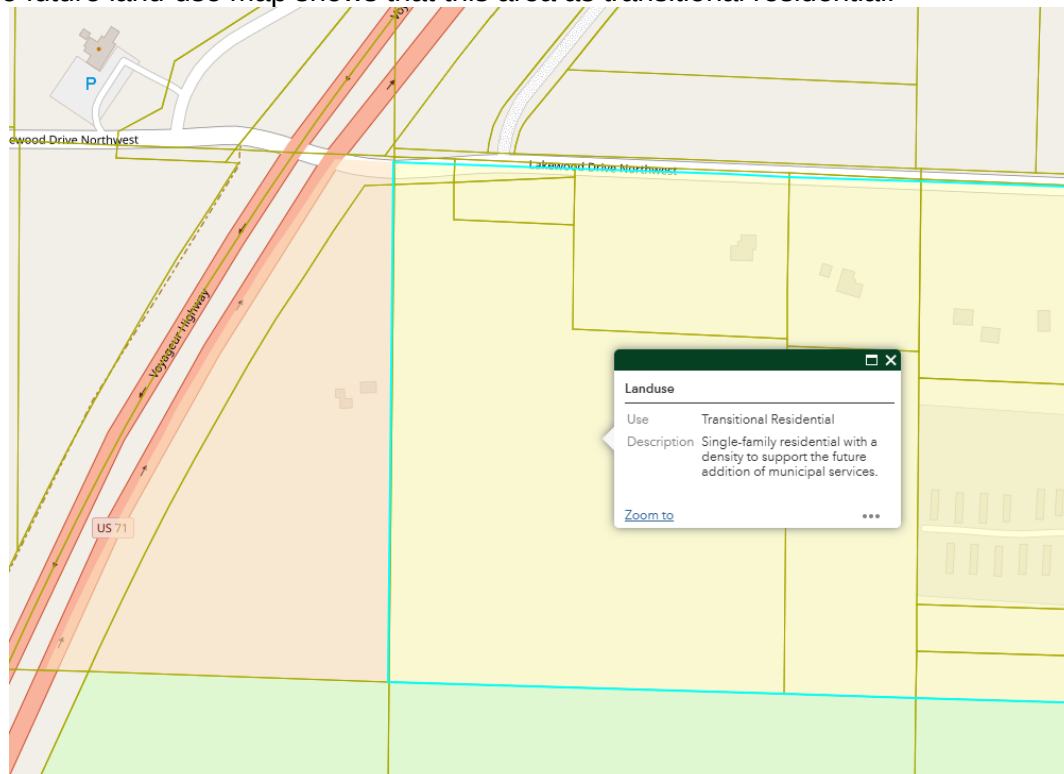


The current City of Bemidji zoning map:



City's Future Land-Use Map

The future land-use map shows that this area as transitional residential.



If the subject lot was rezoned to R-6, this development would border other higher density and commercial zones to the west and north.



Airport Zone 3 Overlay

According to the Bemidji Regional Airport Authority the property lies in Airport Zone 3 and would be subject to that airport zoning.

Sensitive Overlay & Balsam Creek (Judicial Ditch #35)

The subject properties have Balsam Creek running through the south from west to east along with the sensitive overlay to the south.

Development Team Comments

Development plans will be reviewed for compliance with City of Bemidji regulations.

Sam Anderson, City of Bemidji City Engineer, and Public Works Director, Comments:

Hello,

Specific to the rezone request, I have no major engineering related concerns.

Thinking ahead to an eventual PUD, just a few thoughts:

- Site egress/ingress only looks to have one location for a large development.*
- Lakewood Drive is County owned and will need to weigh in on the eventual need for a traffic study for a development of this proposed size.*
- Water & sanitary sewer availability to serve this proposed density will be a future discussion topic. Public water & sanitary sewer is currently just over a mile away near Northwoods Public Access. The County has Lakewood Drive programmed for 2029 reconstruction from Bemidji Avenue to Irvine Avenue.*

Thanks,

Sam Anderson, P.E. | City Engineer/Director of Public Works | City of Bemidji

Marcia Larson, Parks and Recreation Director:

Hello,

Parks and Recreation in terms of zoning really doesn't have any input. Overall, trails recreational facilities are a positive when created in a neighborhood as this is looking to develop. Dog parks are highly used and in demand - I would only suggest ensuring it is placed or maintained in a way to limit noise to the residences.

Wanted to confirm that all these amenities are private - that may not be a re-zone issue/conversation but did want to confirm.

Thank you for sharing.

Marcia Larson
Parks and Recreation Director

Historic Carnegie Library
426 Bemidji Ave PO Box 1346
Bemidji MN 56601
(o)218.333.1860 (c)218.766.2529

Bruce Hasbargen, Beltrami County Highway Engineer

Beltrami County Highway does not have any concerns with this request but would like to provide the following comments:

It looks like the proposed access from CSAH 42, Lakewood Dr, will be using the existing access. The existing access is adequately spaced from the TH 71 intersection, however if the access location is to be moved it cannot move closer to TH 71.

Any work within the right of way of CSAH 42, such as shaping or paving the access, requires a permit from Beltrami County Highway.

Bruce Hasbargen
County Engineer
March 19, 2025

Jonathan Mason, MNDOT District 2 Planning Director

RE: C.S. 0410; R.P. 315.187 (US 71)

HBS Properties, LLC rezone
Beltrami County, Minnesota

Dear Jamin,

Thank you for the opportunity to review and provide comments on this rezoning request at the property addressed 1202 Lakewood Dr NW (PIN 8000689100 and 800690000) to build a townhome community abutting U.S. Highway 71 in Bemidji. The Minnesota Department of Transportation (MnDOT) has reviewed the above-referenced application and would like to offer the following comments:

1. MnDOT does not have concerns with the rezoning request.
2. In reviewing the "Conceptual master plan – not for construction", MnDOT identified the

following concerns:

- a) In 1974, MnDOT purchased a Scenic Easement over a portion of this property and cannot permit any of the development to disturb that area. The Scenic Easement can be referenced in the attached snip of MnDOT right of way map 35-37 and an aerial image with line work.
 - I. MnDOT requests the property owner use the attached DGN (design) file to overlay the MnDOT right of way and the Scenic Easement with their planned development to ensure no encroachments.
 - b) MnDOT's Access Management Manual recommends there should be a minimum distance of 125' from the edge of the intersecting roadway (U.S. Highway 71) and the driveway to this development. MnDOT's Traffic Engineering further recommends that distance be measured from the east edge of the painted gore area of the right-in/right-out splitter island, if possible.
3. Any proposed signage for this property cannot be located below, at, or above ground level within the U.S Highway 71 right of way or Scenic Easement.
 4. A permit is required to perform any work within the U.S. Highway 71 right of way.
 - a) The property owner shall contact Terry Condon, MnDOT District 2 Permits Supervisor 218-755-6578 or by email at terry.condon@state.mn.us to initiate a permit request.
 5. There shall be no net increase in storm water runoff to the State Trunk Highway right of way from said property. The property owner shall contact the above-mentioned District 2 Permit Supervisor for additional information.

If you have any further questions or comments, please call me at 218/407-1917 or email me at Jon.Mason@state.mn.us

Sincerely,
Jon Mason
District 2 Planning Director
-See Attachments-

Neighborhood Comments

Two comments were received at the time of writing this report from adjoining property owners by phone calls with concerns. One which was later sent as an email below:

Chad Valerius & Heather Bewley, Adjoining Property Owners

This letter is in response to a recent notice we received regarding the rezoning proposal for the property at 1202 Lakewood Drive NW in the City of Bemidji. We are Chad Valerius and Heather Bewley and are the property owners at 1002 Lakewood Drive NW.

The property being proposed for rezoning to accommodate a townhome community borders our property along our southern and western property lines.

We are against the rezoning of the property at 1202 Lakewood Drive NW and we ask the Planning and Zoning Department to not approve the request. We have many reasons for our views on this and they are as follows:

-Our home is our largest financial investment. When we purchased our home, we took into account many things. One of those things being, the zoning of the property around ours. We fully expected to have new neighbors at some point. We actually looked forward to it. An entire townhome community 50 yards off our back deck is another story. This wasn't anything we considered when we purchased our property because it wasn't possible under current and past zoning regulations. It is our belief that having an entire townhome community off our back yard

would affect our property value in a negative way. Thus, it would affect our family's largest financial investment in a negative way.

-We were informed the entrance to this proposed townhome community would be off of Lakewood Drive. This would increase traffic in front of our home. We have children and pets and don't need more traffic. There's enough already.

As stated, we are against this rezoning. Should the zoning board choose to authorize it and construction of the townhome community is approved and built, we ask for the following concession:

-a privacy fence built by, paid for and maintained by the developer/owner of the townhome community along property lines shared between us and them. The fence would ensure against trespass, decrease noise, keep pets within boundaries and keep trash from one another's properties. All costs associated with the fence (surveying, construction, upkeep, etc.) would be incurred by the developer/owner of the townhome community.

Thank you for your time and consideration of this matter. As residents and taxpayers of Bemidji, we truly hope you will see valid our concerns over this zoning issue.

Thank you,
Chad Valerius & Heather Bewley

Comprehensive Plan References

Land Use Objectives and Strategies

Objective 4.1: Preserve the Quality Residential Neighborhoods

1. Review and update the land use ordinances and zoning map on a regular basis. It is important to review current land use patterns to ensure neighborhoods are being preserved. It is anticipated that multi-family and commercial development will continue to increase. It is imperative to ensure this increase will not impact existing neighborhoods with increases in traffic, noise, or other factors associated with intensified development.

Objective 8.1 Preserve and Enhance the Quality of Housing that is Affordable, Safe, and Energy Efficient

Having affordable and safe housing options available for all residents is imperative to improving quality of life, and for successful community growth. Energy efficient homes can improve affordability for the occupant and reduce the overall carbon footprint of the community.

Zoning Ordinance References

Section 28-122 – Lot Size and Bulk Regulations by Zoning Districts

Section 28-526 - Amendments; Text or Zoning District

IV. RECOMMENDATION & FINDINGS

The planning commission must decide if a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential zoning districts within Airport Zone 3 and Sensitive overlays to R-6 Multiple-Family zoning district for parcels 800689100 & 800690000. With the following findings of fact:

Findings of Fact - Rezone

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

The proposed change would be consistent with intent and purpose of the Ordinance. The proposed project abuts a state highway and a county road and has commercial properties across the highway along with higher density developments in the vicinity. The change in classification would be consistent with infill within the city along with housing needs.

2. 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.

The (R-6) Multiple-Family Zoning District would create a transitional zone from the Commercial zoning district to the south and west along with connecting to other higher densities to the north. The use that would be permitted if it were reclassified would be compatible with the neighboring properties.

3. 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.

These parcels can be served by a private well and private septic systems. City services are not available to this property at this time; however, city utility services could be extended to the subject properties from the east.

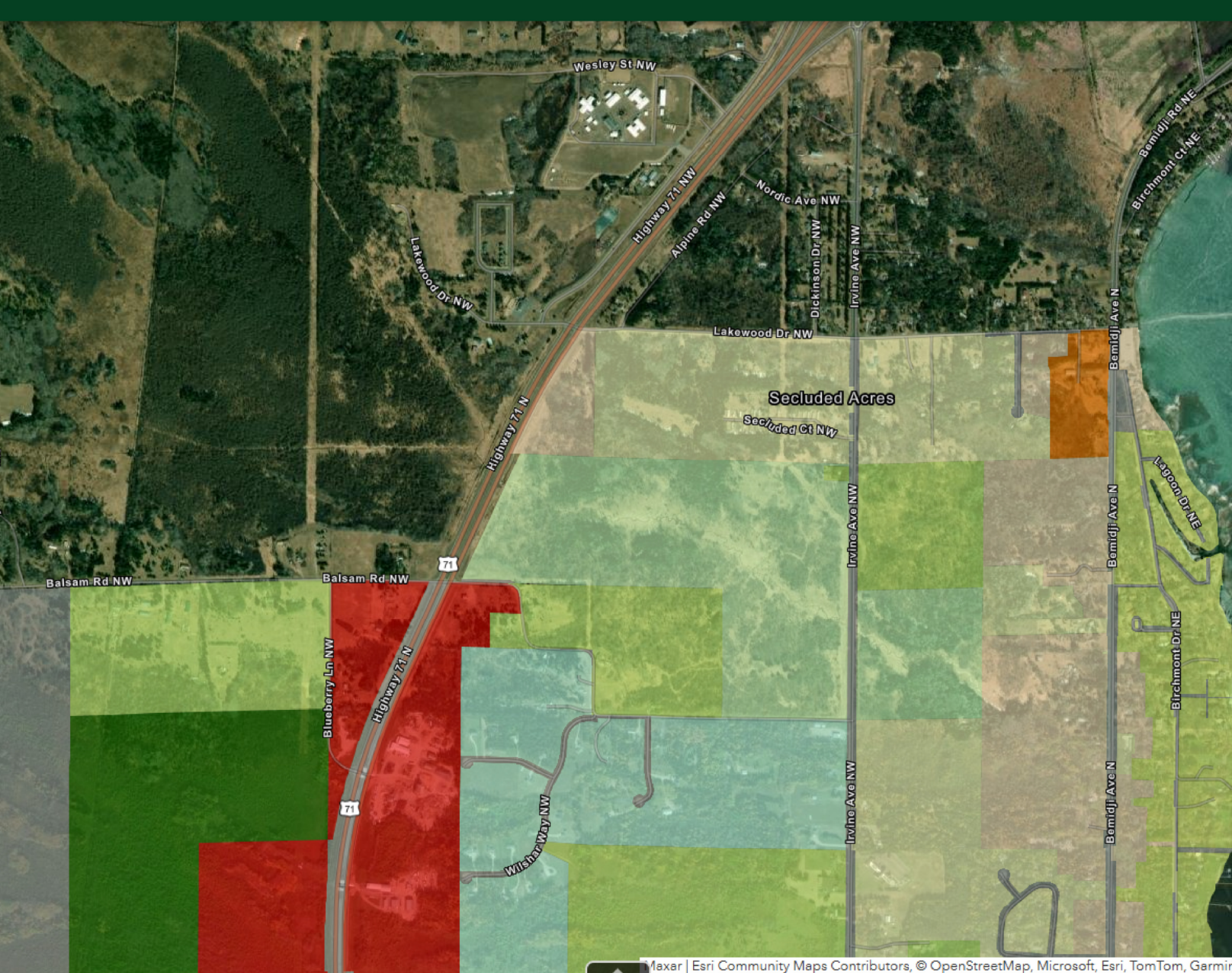
4. Whether the proposed amendment would correct an error in the application of this Ordinance.

This is not a correction. This rezone request is to develop the parcels at a higher residential density. The future land use map was not updated to the rezone that occurred to the north of the subject parcels in 2022 and this request would be in line with those higher densities. The amendment would increase density for housing that is a need in the Bemidji area.

5. 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.

This proposed amendment is made necessary due to the need for all types of housing in the City of Bemidji and utilizing parcels adjacent to major thoroughfares.

Zoning Map and Future Land Use Map



Layer List

Layers

Parcels

...

Land Use

...

Transportation/Utility

Commercial

Commercial Shoreland

Commercial/Residential Mixed Use

Commercial/Residential Mixed Use Shoreland

High Density Urban Residential

High Density Urban Residential Shoreland

Industrial

Multi-Family

Parks & Rec/Conservation

Public/Institutional

Residential

Residential Shoreland

Rural/Agricultural

Rural/Agricultural Shoreland

Transitional Residential

Transitional Residential Shoreland

Urban Mixed-Use

Urban Mixed-Use Shoreland

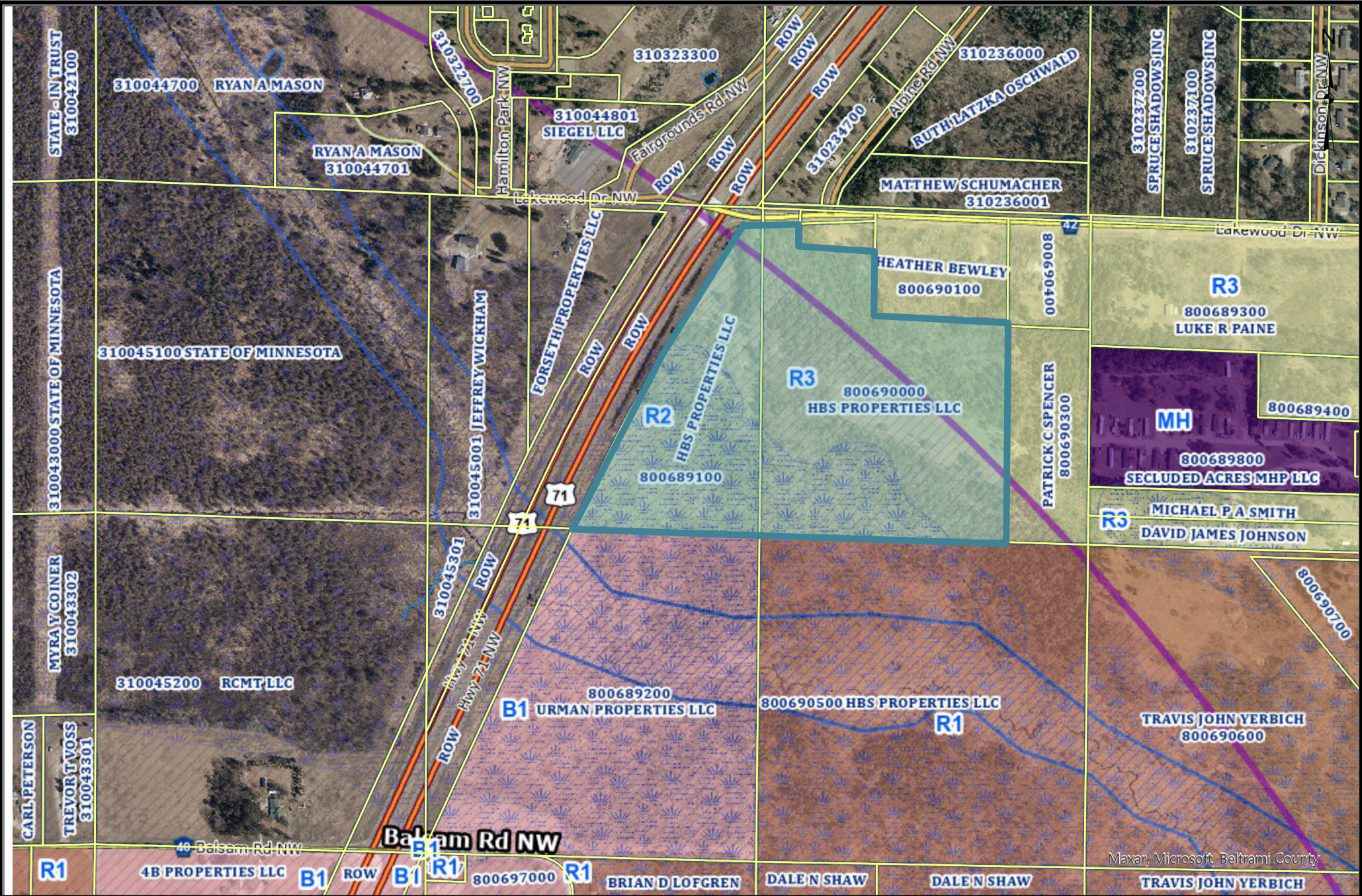
Urban Residential

Urban Residential Shoreland

BemidjiBasemap - Roads

...

Page 62 of 133



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Zoning Map

1:9,028

Date: 2/28/2025

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Applications & Supporting Documents



City of Bemidji, MN

City of Bemidji

317 4th Street NW

Bemidji, MN 56601

218-759-3560

<https://www.ci.bemidji.mn.us/>

PERMIT

ZOA-2025-0002

REZONING/ZONING ORDINANCE AMENDMENT

SITE ADDRESS: 1202 LAKEWOOD DR NW BEMIDJI

PRIMARY PARCEL: 800689100

PROJECT NAME: HBS PROPERTIES, LLC (REZONE R2 & R3 TO R6)

ISSUED:

EXPIRES:

APPLICANT: Hartje, Steven
10378 Bemidji Rd NE
Bemidji, MN 56601
2187667294

OWNER: HBS PROPERTIES LLC
10378 BEMIDJI RD NE
BEMIDJI, MN 56601

Detail Name	Detail Value
Select the type of amendment request from the list	Zoning District Change
Zoning District Change: Please indicate the current district and indicate the district you are requesting a change to.(If this does not apply, enter N/A)	R-2 & R3 current R-6 desired
Zoning Text Change: Please describe the proposed text amendment.(If this does not apply, enter N/A)	N/A
Zoning District Change: Describe the proposed use of your property after the amendment.	Turn into Townhome Community
Zoning District Change: Describe the existing use of your property.	Vacant house.
Zoning District Change: Describe what changes you feel have led to the request being sought.	Shortage of housing in Bemidji.
Zoning District Change: How will the change affect the use of the property?	Turn from vacant lot to a townhome community
Zoning District Change: What are the zoning districts of the properties (adjacent/included) by this request?	single family homes, housing neighborhoods, trailer parks,
Zoning District Change: Are there any easements that may be impacted by this zoning change?	No
Zoning District Change: Do adequate sewer and water facilities exist or can they be provided for the proposed changes that may occur should this amendment be approved?	Yes
Zoning Text Change: If the proposed amendment will correct an error in the application of the Zoning Ordinance, describe that error (or "N/A")	N/A
Zoning Text Change: Are there any other considerations, not addressed above, that would help the City of Bemidji Planning & Zoning Board determine whether the amendment should be made? Please describe (or "N/A")	N/A
Enter Escrow Payer's Name and Mailing Address (where escrow funds are to be returned when the project is completed)	HBS Properties, LLC 4382 Alder St NE, Bemidji MN 56601



City of Bemidji, MN

City of Bemidji

317 4th Street NW

Bemidji, MN 56601

218-759-3560

<https://www.ci.bemidji.mn.us/>

I hereby certify that I am the owner or authorized agent of the owner of the above described property and that all uses will conform to the provisions of the City of Bemidji Development Code. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid.

I Certify

I also authorize the City of Bemidji Planning staff to inspect the property during review of this application and subsequent construction during reasonable times of the day.

I Authorize

CONDITIONS

* An escrow account is established to cover technical and legal expenses incurred by the City of Bemidji as part of the plan review. The applicant is responsible for all costs incurred by the City during plan review. If the escrow amount drops below 10% of the original deposit amount the City may require submittal of an additional escrow deposit sufficient to cover any anticipated expenses. Upon determination by the City that the project is complete or expired, the City will return the remaining escrow deposit to the applicant.

FEES:

Paid

Due

Planning Escrow Deposit

\$500.00

\$0.00

Zoning Map/Text Amendment
Fee

\$600.00

\$0.00

Totals :

\$1,100.00

\$0.00

Written Summary of Request

2/21/2025

HBS Properties, LLC
4382 Alder St NE
Bemidji, MN 56601

Dear Council,

I hope this letter finds you well. I am writing to you on behalf of HBS Properties, LLC to request a zoning Change from R-1 to R-6 for parcel 8000689100 and 800690000, 1202 Lakewood Ave NW, Bemidji MN 56601.

The lots currently hold a vacant house. We believe adding a new townhome community with a community building, dog park, and playground would be an excellent use of the limited land availability in the city of Bemidji. Behind the community would remain 40 acres of nature on parcel 800690500.

With the limited housing available in the city limits of Bemidji we strongly believe that adding this community would make a great impact to the City of Bemidji and its current and future residents alike.

Please see our attached document showing our proposal.

We look forward to hearing from you.

Sincerely,

Brett Hartje
Owner
218-766-5624
brett@hartjeproperties.com



CONCEPTUAL MASTER PLAN - NOT FOR CONSTRUCTION

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji – ZOA-2025-0002 – HBS Properties, LLC

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
☒	Applicant / Representative	3/5/2025	_____
☒	City Building Department	3/5/2025	_____
☐	City Attorney	_____	_____
☒	City Engineer	3/5/2025	_____
☒	City Manager	3/5/2025	_____
☐	City Community Development (Vacant)	_____	_____
☒	City GIS Department	3/5/2025	_____
☒	City Police Department	3/5/2025	_____
☒	City Fire Department	3/5/2025	_____
☒	City Parks Department	3/5/2025	_____
☐	Beltrami County ESD/SWCD	_____	_____
☐	Beltrami County Recorder	_____	_____
☐	Beltrami County GIS Department	_____	_____
☐	Beltrami County Sheriff	_____	_____
☒	Beltrami County Engineer / Highway	3/5/2025	_____
☐	Beltrami County Natural Resources	_____	_____
☐	MnDNR Trails	_____	_____
☐	MnDNR Waters	_____	_____
☐	MnDNR District	_____	_____
☒	MnDOT	3/5/2025	_____
☒	Airport	3/5/2025	_____
☒	Bemidji School District	3/5/2025	_____
☐	MPCA Closed Landfill Program	_____	_____
☐	U.S. Army Corps of Engineers	_____	_____
☐	Minnesota Chippewa Tribe	_____	_____
☐	Red Lake Nation DNR	_____	_____
☐	White Earth Nation DNR	_____	_____
☐	Leech Lake Band DRM	_____	_____
☒	Bemidji Sustainability Commission	3/5/2025	_____
☒	Other: Planning & Zoning Attorney.	3/5/2025	_____



Planning and Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

City of Bemidji – ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

The parcels limited legal descriptions are as follows:

SECT-20 TWP-147 RANGE-033 12.35 AC NE1/4 OF SW1/4 LESS THAT PART LYING W'RLY OF HWY 71 AS RELOCATED IN 1975 LESS HWY 71 OLD # 31.00449.00, and;

SECT-20 TWP-147 RANGE-033 23.13 AC NW1/4 OF SE1/4 LESS E330' THEREOF & LESS E300' OF W450' OF N150' THEREOF & LESS N490.92' THEREOF LYING E'RLY OF LINE 450' E'RLY OF & PARALLEL WITH W LINE OF SAID NW1/4 OF SE1/4 & LESS HWY 71 OLD # 31.00459.00

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, March 27th, 2025, at 5:30 p.m.** in the Council Chambers at Bemidji City Hall or may be viewed on Local Channel 2.

If you have any comments, you may present them to the Commission at that time. It would be encouraged to direct your comments in writing to the Planning and Zoning Planner assigned to the Case, **Jamin Carlson's** attention at the Planning office at 317 4th Street NW, or by email to **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning and Zoning Commission. The report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall. Attached is a copy of the application and other supporting documentation.

If you have any questions or need further information, please feel free to contact our office at 218-759-3579 or email the planner assigned to the case (see email address above). City departments may access through SmartGov application **ZOA-2025-0002**.

Respectfully,

Jamin Carlson
Planning Director
City of Bemidji Planning and Zoning Department



Planning & Zoning Department City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

Dear Property Owner:

The City of Bemidji Planning and Zoning Commission will conduct a public hearing to discuss the following application:

City of Bemidji – ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

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SECT-20 TWP-147 RANGE-033 23.13 AC NW1/4 OF SE1/4 LESS E330' THEREOF & LESS E300' OF W450' OF N150' THEREOF & LESS N490.92' THEREOF LYING E'RLY OF LINE 450' E'RLY OF & PARALLEL WITH W LINE OF SAID NW1/4 OF SE1/4 & LESS HWY 71 OLD # 31.00459.00

This public hearing will be held on **Thursday, March 27th, 2025, at 5:30 p.m.** The meeting will be held in the Council Chambers of the Bemidji City Hall located at 317 4th Street NW or may be viewed on local Channel 2. You are invited to attend this public hearing, express your opinions on the proposal at the hearing, if not able to attend, by email (preferred method), letter, or phone call to the Planning and Zoning Department. If possible, your written comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning Commission. **Our report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](http://CityofBemidji.com/Boards,Commissions,andCommittees/PlanningCommission)) and at city hall.**

If you have any questions, please feel free to contact us at (218) 759-3579, or email comments to **SGAdmin@ci.bemidji.mn.us**

Respectfully,

Planning Staff
City of Bemidji
Planning & Zoning Department

SECLUDED ACRES MHP LLC
PO BOX 1301
BEMIDJI, MN 56619

HBS PROPERTIES LLC
10378 BEMIDJI RD NE
BEMIDJI, MN 56601

URMAN PROPERTIES LLC
1490 BALSAM RD NW
BEMIDJI, MN 56601

MARILYN A FIELD KILDE
6727 ALPINE RD NW
BEMIDJI, MN 56601

TRAVIS JOHN YERBICH
6279 IRVINE AVE NW
BEMIDJI, MN 56601

SIEGEL LLC
3098 16TH ST SW
BEMIDJI, MN 56601

DAVID JAMES JOHNSON
6319 IRVINE AVE NW
BEMIDJI, MN 56601

MANDI SHAFER
43693 US 71
LAPORTE, MN 56461

FORSETH PROPERTIES LLC
9694 PEACE LN NW
BEMIDJI, MN 56601

JEFFREY WICKHAM
1428 LAKEWOOD DR NW
BEMIDJI, MN 56601

LUKE R PAINE
EMILY M PAINE
806 LAKEWOOD DR NW
BEMIDJI, MN 56601

PATRICK C SPENCER
JODI R SPENCER
910 LAKEWOODS DR NW
BEMIDJI, MN 56601

MATTHEW SCHUMACHER
NICOLE SCHUMACHER
1021 LAKEWOOD DR NW
BEMIDJI, MN 56601

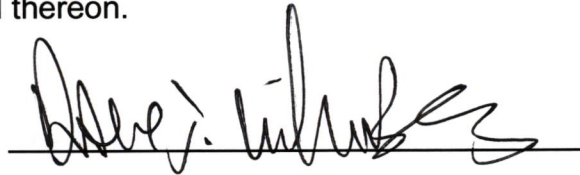
MICHAEL P A SMITH
LEORA J SMITH
6327 IRVINE AVE NW
BEMIDJI, MN 56601

HEATHER BEWLEY
CHAD VALERIUS
1002 LAKEWOOD DR NW
BEMIDJI, MN 56601

AFFIDAVIT OF SERVICE BY MAIL

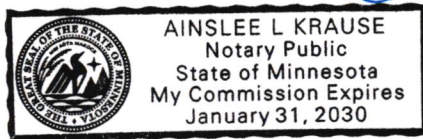
STATE OF MINNESOTA)
) SS
COUNTY OF BELTRAMI)

David Wielenberg, being first duly sworn, on oath deposes and states that on the 5th of March, 2025, he/she served the attached Hearing Notice upon each of the following parties on the attached list by depositing in the U.S. Mail, envelopes properly sealed with postage prepaid thereon.



Subscribed and sworn to before me
this 5th day of March 2025.


Notary Public



Planning Case: **Rezone Requests for 80.06891.00 & 80.06900.00 – ZOA-2025-0002**



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

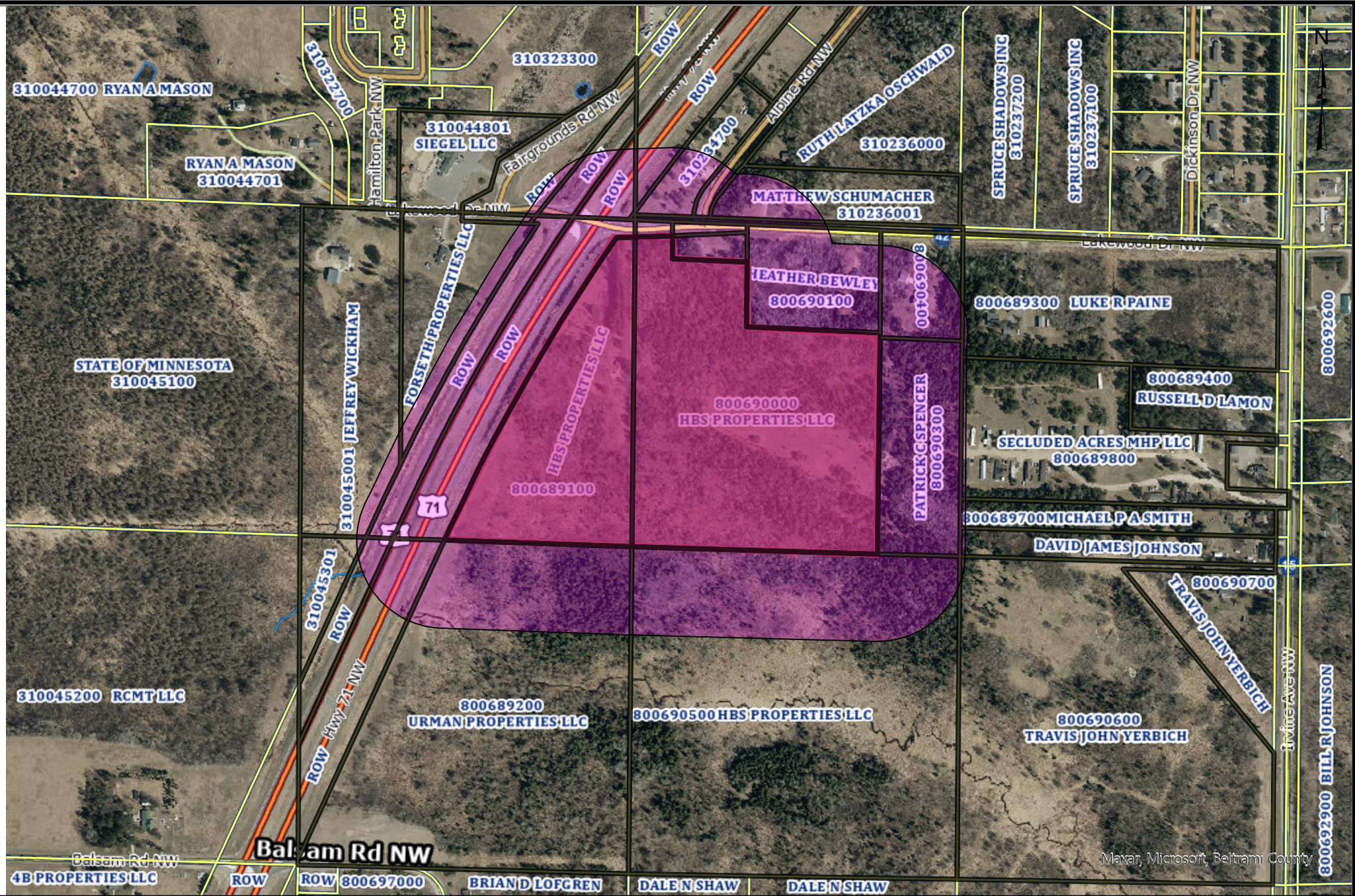
Aerial Map

1:9,028

Date: 2/28/2025

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Buffer Map		
1:9,028		Date: 3/3/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.		



AFFIDAVIT OF PUBLICATION

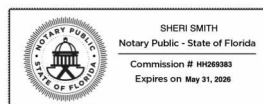
State of Florida, County of Broward, ss:

Jesse Sassaman, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the The Bemidji Pioneer, a newspaper printed and published in the City of Bemidji, County of Beltrami, State of Minnesota.

1. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and the day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Saturday, March 15, 2025
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: \$13.00 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in BELTRAMI County. The newspaper complies with conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Jesse Sassaman

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 03/18/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

CITY OF BEMIDJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on **Thursday, March 27, 2025, at 5:30 PM** or as soon thereafter as possible, the City of Bemidji Planning and Zoning Commission will conduct a Public Hearing in-person in the Council Chambers of Bemidji City Hall, located at 317 4th St. NW, Bemidji MN, and can be viewed on Channel 2, regarding the following requests:

Interim Use Permit: - SUP-2025-0002: - Justin Erickson representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

Rezoning: - ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezoning) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

Interim Use Permit: - SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji and is in the B-2 General Commercial District.

All interested parties are invited to attend the public hearing(s) and comment on the proposal(s). If you are unable to attend in person, comments can be submitted by email to SGAdmin@ci.bemidji.mn.us (preferred method), letter, or phone call to the Planning and Zoning Department. Call 218-759-3579 or visit our website at www.ci.bemidji.mn.us for more information. If possible, your written comments should be submitted by **Friday, March 21, 2025**, so they may be incorporated into the staff report to the Planning Commission.
(Mar. 15, 2025)

Agency & Neighborhood Comments

March 19, 2025

Jamin Carlson
Planning Director
City of Bemidji Planning and Zoning Department
317 4th Street NW
Bemidji, MN 56601

RE: C.S. 0410; R.P. 315.187 (US 71)
HBS Properties, LLC rezone
Beltrami County, Minnesota

Dear Jamin,

Thank you for the opportunity to review and provide comments on this rezoning request at the property addressed 1202 Lakewood Dr NW (PIN 8000689100 and 800690000) to build a townhome community abutting U.S. Highway 71 in Bemidji. The Minnesota Department of Transportation (MnDOT) has reviewed the above-referenced application and would like to offer the following comments:

1. MnDOT does not have concerns with the rezoning request.
2. In reviewing the “Conceptual master plan – not for construction”, MnDOT identified the following concerns:
 - a) In 1974, MnDOT purchased a Scenic Easement over a portion of this property and cannot permit any of the development to disturb that area. The Scenic Easement can be referenced in the attached snip of MnDOT right of way map 35-37 and an aerial image with line work.
 - I. MnDOT requests the property owner use the attached DGN (design) file to overlay the MnDOT right of way and the Scenic Easement with their planned development to ensure no encroachments.
 - b) MnDOT’s Access Management Manual recommends there should be a minimum distance of 125’ from the edge of the intersecting roadway (U.S. Highway 71) and the driveway to this development. MnDOT’s Traffic Engineering further recommends that distance be measured from the east edge of the painted gore area of the right-in/right-out splitter island, if possible.

3. Any proposed signage for this property cannot be located below, at, or above ground level within the U.S Highway 71 right of way or Scenic Easement.
4. A permit is required to perform any work within the U.S. Highway 71 right of way.
 - a) The property owner shall contact Terry Condon, MnDOT District 2 Permits Supervisor, at 218-755-6578 or by email at terry.condon@state.mn.us to initiate a permit request.
5. There shall be no net increase in storm water runoff to the State Trunk Highway right of way from said property. The property owner shall contact the above-mentioned District 2 Permits Supervisor for additional information.

If you have any further questions or comments, please call me at 218/407-1917 or email me at Jon.Mason@state.mn.us

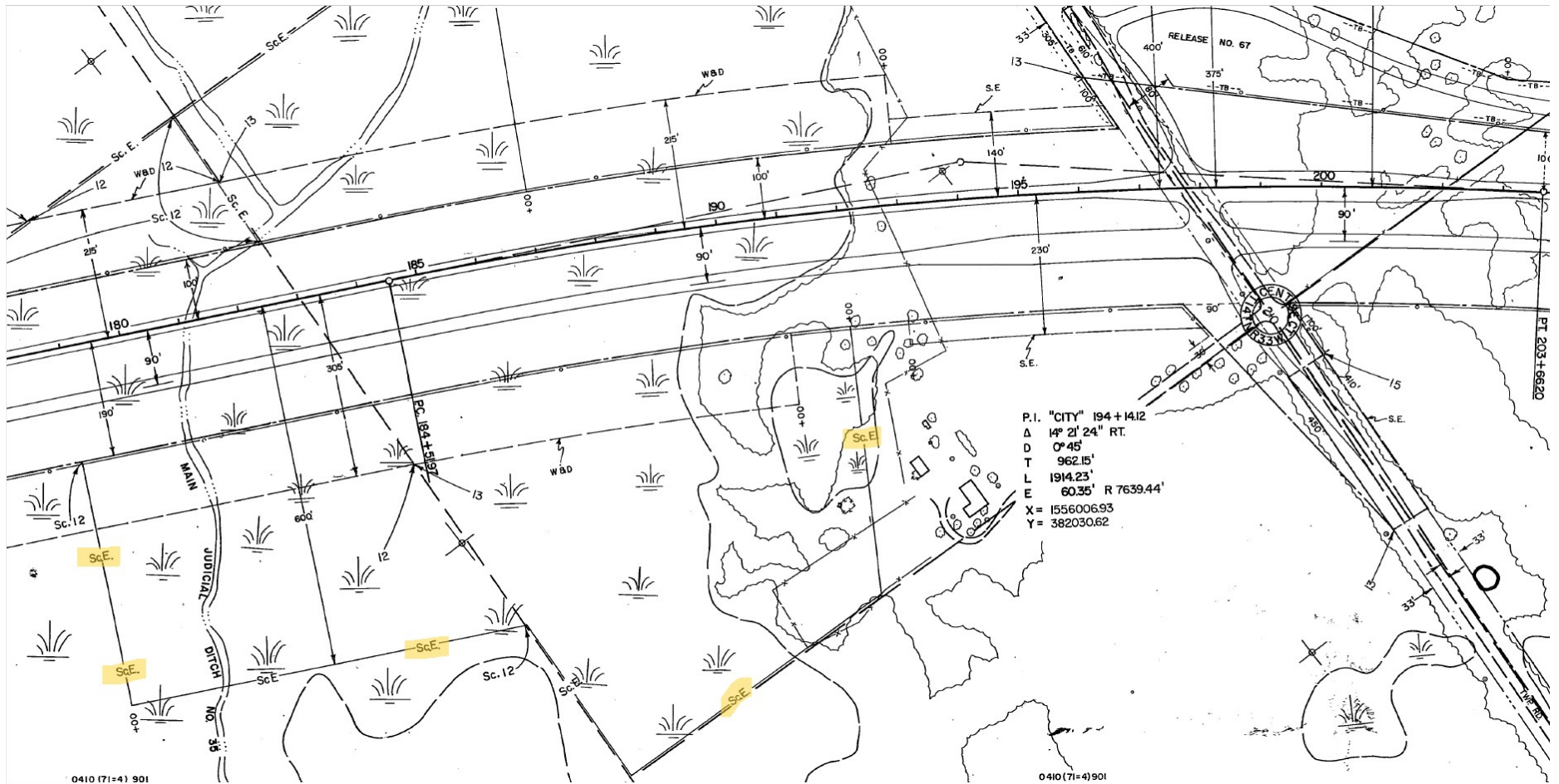
Sincerely,

Jon Mason Digitally signed by Jon Mason
Date: 2025.03.19 16:37:48
-05'00'

Jon Mason
District 2 Planning Director

ECC: Sam Anderson, City Engineer, City of Bemidji
Terry Condon, MnDOT District 2 Permits Supervisor

Attachments: 1. Snip of MnDOT right of way map 35-37
2. Aerial image with line work
3. DGN (design) file



Torque Machinery - Interim Use Permit Request

Draft Resolution

DRAFT

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-11

**RESOLUTION APPROVING
AN INTERIM USE PERMIT
FOR PARCEL 800421800 & 800421801**

WHEREAS, an application was made on February 28, 2025, by Torque Machinery, requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business, on their property located at 606 Railroad St SE, within the City of Bemidji: and

WHEREAS, the proposed requested Interim Use Permit will be located on parcel 800421800 & 800421801, legally described as:

SECT-22 TWP-146 RANGE-033 RIDGWAYS SUBDIVISION LOT-005 BLOCK-004
LESS S 753.94' THEREOF and

SECT-22 TWP-146 RANGE-033 RIDGWAYS SUBDIVISION LOT-005 BLOCK-004 S
753.94'; and

WHEREAS, the Property is zoned and located within the B-2 General Commercial District;
and

WHEREAS, the requested Interim Use Permit meets all requirements, standards and specifications of the City's Development Ordinance; and

Page **1** of **4**

. WHEREAS, the Planning Commission held a public hearing on March 27, 2025, to review the application for an Interim Use Permit following mailed and published noticed as required by law; and

WHEREAS, the Planning Board has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

WHEREAS, the Planning Board has made the following findings regarding the Interim Use Permit application request:

- 1. 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, nor create an unreasonable level of disruption or interference upon the surrounding area.
- 2. Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**
This use should not have an impact on the adjacent streets and/or land as the parking for the business is in the front of the building of the parcel. A redesign of the entrance will be completed.
- 3. Whether the proposed use adversely affects property in the surrounding area.**
The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.
- 4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.**
The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.
- 5. Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**
The property has adequate infrastructure for the proposed use currently. The property is served by City Sewer and a private well.

NOW, THEREFORE BE IT RESOLVED that the Planning Board hereby grants the approval of an Interim Use Permit (IUP) to allow Torque Machinery to operate ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service on their properties located at 606 Railroad St SE within the City of Bemidji, with the following conditions:

1. A building permit and all other necessary permits shall be obtained from the City of Bemidji prior to construction.

2. Parking lot and ingress/egress plans will need to be submitted for approval by Planning department and meet Public Works design standards before construction and completed within one year of approved IUP.
3. All existing and proposed exterior lighting on the property shall be in full conformity with Section 28-408 of the development code.
4. An enhanced landscaping plan complying with Section 28-406 & 28-407 of the development code.
5. An erosion control plan shall be submitted and be in place before any parking lot construction commences on the property.
6. All dumpsters on-site shall be fully enclosed complying with Section 28-402 of the Ordinance.
7. A sign permit shall be obtained prior to installation of any new signage complying with Section 28-252 of the Ordinance.
8. If the private well fails, needs to be replaced or the site undergoes improvements, then the property shall hook up to City water services and cap the well for the site.
9. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.
10. The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space.

CITY OF BEMIDJI PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 14th day of April 2025, by Audrey Thayer, Planning Board Chair.

Audrey Thayer, Planning Board Chair

Subscribed and sworn to before me
this ____th day of _____, 2025.

Notary Public

Page **3** of **4**

Drafted by City of Bemidji Planning Board
Torque Machinery IUP— Resolution 2025-11
April 14, 2025

Applicant Signature and Date

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUP-2025-0003	MEETING DATE: March 27, 2025
APPLICANT: Torque Machinery (Dylan Bremseth, Co-Owner)	60-DAY RULE DATE: April 29, 2025
PROCEEDING: Interim Use Permit (IUP) - for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business	ZONING DISTRICT: General Commercial Zoning District (B-2)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING MEMORANDUM

I. SUMMARY OF REQUEST

SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji. This property is in the B-2 General Commercial District.

II. PUBLIC HEARING & DISCUSSION

Commission members made the following comments.

- Faver and staff discussed the parking lot.
- Lemmer expressed concern over noise from small engines. Carlson addressed that they will be selling implements to attach to bobcat-sized machines.

Public Hearing opened at 6:05 p.m.

Hearing the following comments:

- Brianna, representing Torque Machinery, addressed that there would not be small engine repair at this time, that there would be selling of implements to start.

Public Hearing closed at 6:06 p.m.

Commission members had the following comments:

- Lemmer inquired about combining the two lots. Staff addressed that the applicant would likely be required to combine the two lots if they expand or develop the backlot.

III. RECOMMENDATION & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The Planning Commission decided that the conditions are sufficient for approval of an interim use permit.

RECOMMENDATION FOR APPROVAL

Approval is recommended with the following conditions* based on the findings of fact:

* **Note:** It was recommended by our Planning Attorney to add a condition after the Planning Commission meeting that states an end date for review or a triggering event that would terminate the IUP (see proposed condition #10).

Conditions

1. A building permit and all other necessary permits shall be obtained from the City of Bemidji prior to construction.
2. Parking lot and ingress/egress plans will need to be submitted for approval by Planning department and meet Public Works design standards before construction and completed within one year of approved IUP.
3. All existing and proposed exterior lighting on the property shall be in full conformity with Section 28-408 of the development code.
4. An enhanced landscaping plan complying with Section 28-406 & 28-407 of the development code.
5. An erosion control plan shall be submitted and be in place before any parking lot construction commences on the property.
6. All dumpsters on-site shall be fully enclosed complying with Section 28-402 of the Ordinance.
7. A sign permit shall be obtained prior to installation of any new signage complying with Section 28-252 of the Ordinance.
8. If the private well fails, needs to be replaced or the site undergoes improvements, then the property shall hook up to City water services and abandon the well for the site.
9. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.
10. **The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in a leased space.**

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.**

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

This use should not have an impact on the adjacent streets and/or land as the parking for the business is in the front of the building of the parcel. A redesign of the entrance will be completed.

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

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of

disruption or interference upon the surrounding area.

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

The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.

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

The property has adequate infrastructure for the proposed use currently. The property is served by City Sewer and a private well.

Motion by **Lemmer**, second by **Meehlhause** to recommend approval of the Interim Use Permit request for parcel 800421800 & 800421801, with the conditions and findings of fact as presented in the packet.

Ayes: **Meehlhause, McCoy, Lemmer, Heinonen, Faver.**

Nays: **None.**

Abstentions: **None.**

Motion carried unanimously.

Staff Report for the Planning Commission

**The City of Bemidji
Planning and Zoning Department**

PLANNING CASE: SUP-2025-0003	MEETING DATE: March 27, 2025
APPLICANT: Torque Machinery (Dylan Bremseth, Co-Owner)	60-DAY RULE DATE: April 29, 2025
PROCEEDING: Interim Use Permit (IUP) - for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business	ZONING DISTRICT: General Commercial Zoning District (B-2)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji. This property is in the B-2 General Commercial District.

II. BACKGROUND

Torque Machinery (Applicant) is seeking an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. Torque Machinery plans to sell and rent equipment and related products to both businesses and individual customers. Example products include but are not limited to Skid Steer attachments, Bumper Pull Trailers, hand tools, retail merchandise to support the equipment and persons, and additional items for construction, safety, and outdoor equipment.

This property was home to National Transmission, which had been closed for about 15 years. The owner at the time used the site for personal storage until it sold last year. Torque Machinery is looking to clean up the site.



III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

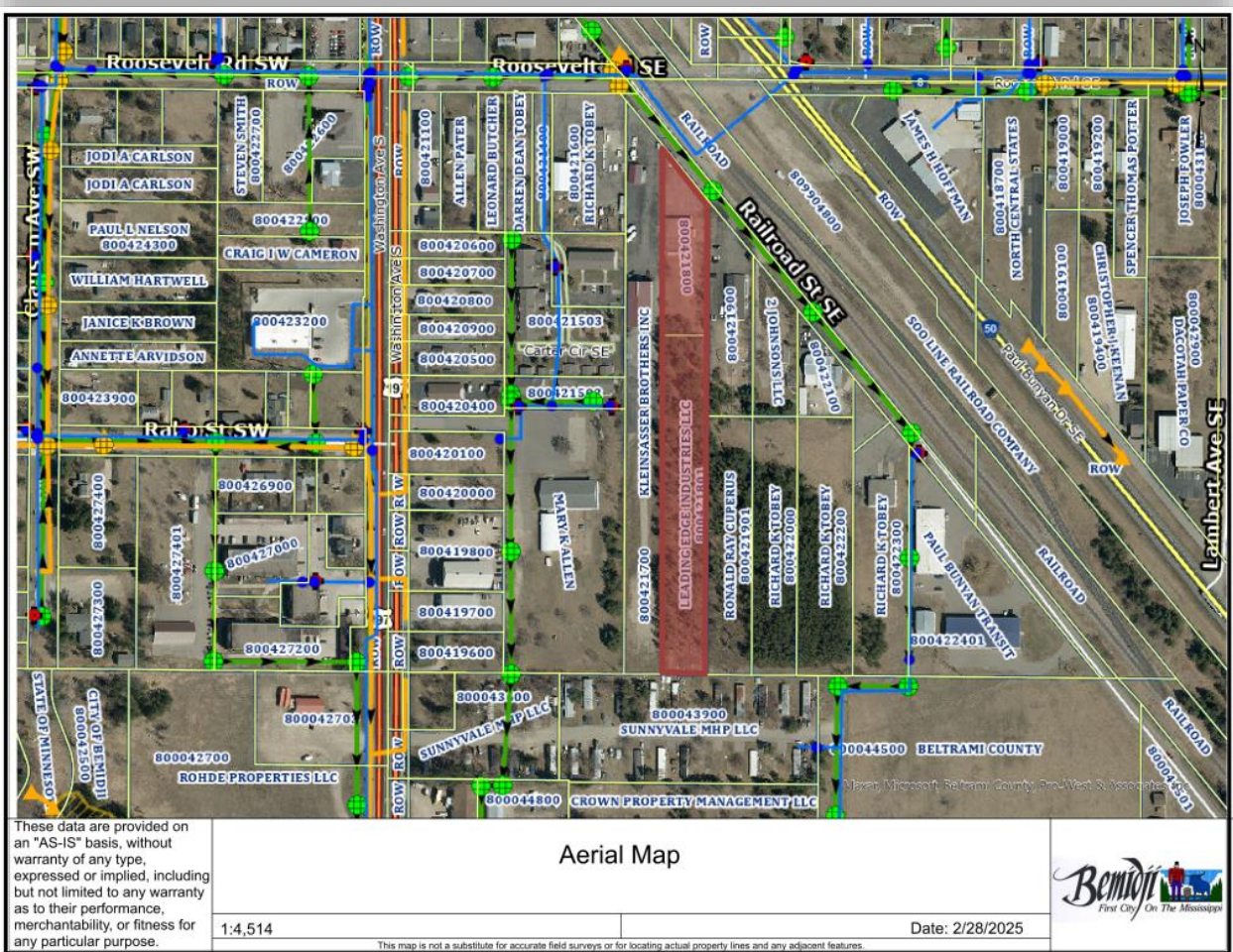
All Interim Use Permits must follow the general requirements including process, criteria, and findings. An interim use permit runs with the owner/lease holder and terminates when the property changes hands or a set amount of time.

Per City of Bemidji Code:

INTERIM USE: A temporary use of property until a particular date, until a particular event, or until zoning regulations no longer permit it. Interim use permits are not recorded and do not run with the land upon transfer. All interim uses shall conform to standards listed in Sec. 28-524 of this development code.

Section 28-3. - Intent and purpose.

Per the Ordinance, it's our responsibility to protect and conserve the value of land throughout the city, and the value of buildings appropriate to the various districts established by this development code.



Section 28-9. – Definitions

The definition of *ATV, boat, recreational vehicle, snowmobile, trailer, and small engine sales and service* means an establishment specializing in the sales or service of typical small engines, trailers, and other recreational type vehicles.

Section 28-402 Exterior Storage and Outdoor Display of Merchandise (d)

(d) Outdoor display of merchandise and open sales lots.

- (1) The following standards shall apply to any outdoor displays of merchandise and open sales lots in all districts where permitted:
 - (a) Shall not occupy more than 25 percent of the required front yard setback area.
 - (b) Shall be set back a minimum of 15 feet from any front yard property line, street or alley right-of-way line.
 - (c) Shall not occupy any required minimum front yard green space area.
 - (d) Shall only be located upon an improved hard surface consisting of bituminous, concrete, pavers or an equally durable surface.
 - (e) Shall not occupy any of the minimum required parking spaces associated with the current use of the property.
 - (f) Shall not exceed more than 25 percent of the maximum allowable impervious surface requirements of the district in which it is located, except by approval of a conditional use permit.
 - (g) Shall be in compliance with the lighting standards of this development code.
 - (h) Shall be in compliance with the sign standards of this development code.
 - (i) Merchandise shall be maintained in condition for immediate sale or rent and there shall be no storage of inoperable, dismantled or partially dismantled vehicles, equipment or supplies allowed for display.
 - (j) Permanent display areas should be accented with landscaping to provide a 'Northwoods Character' appearance.

Parking and Traffic

Section 28-409 of the Development Ordinance requires that open sales lots have one (1) space for each 400 square feet of enclosed floor area and one space for each 3,000 square feet of open lot area devoted to sales and display.

Based on the maximum square footage for each, they would need an estimated parking space of five (5) spaces for enclosed floor area and one (1) for the open lot sale and display area for a total of six (6) spaces. According to the applicant they have six (6) spaces in front of the building.

Lighting

All exterior lighting existing and proposed for this site must meet Section 28-408 of the Development Ordinance. A lighting plan showing fixtures and placement will need to be submitted for approval prior to a building permit being issued.

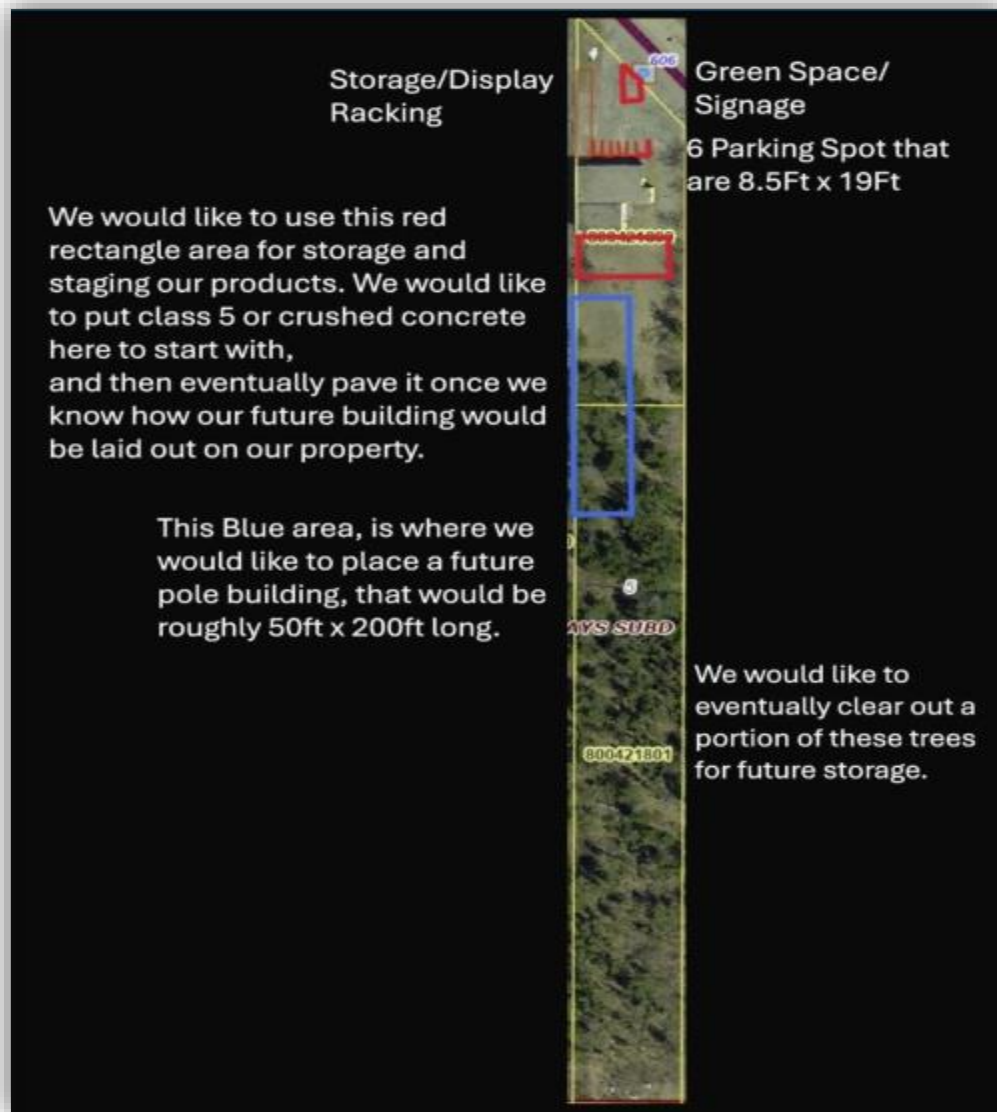


Signage

All signage must comply with Section 28-252 of the Development Ordinance. Sign permits will need to be submitted for approval prior to installation.

Trash Handling

All dumpsters or recycling containers located on-site shall be fully enclosed complying with Section 28-402 of the Development Ordinance. Such areas shall be completely screened and enclosed on all sides, except the roof, with an enclosure or screening wall with durable and opaque material at a minimum of six (6) feet in height.



Development Team:

Sam Anderson, City Engineer/Director of Public Works

The public works department would like to see an effort made to create a more defined entrance into the property off of Railroad Street SE. Kandiland Learning Center is a recent example of this similar transition which is the neighboring parcel. Staff are open to a phased proposal to complete this work, if the owner needs to determine how the site best functions for their operations before finalizing a driveway location.

Water service is currently assumed to be on a private well. Staff are comfortable with the private well continuing to be used until a point when the existing well is no longer viable. At such time, a water service connection to the water main under Railroad Street SE will be required.

Thanks,

Sam Anderson, P.E. | City Engineer/Director of Public Works

Neighboring Property Owner input

No surrounding property input was obtained when this report was written.

Letter from the Applicant

Please see attached Use Letter

Comprehensive Plan References

The location of ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service in a commercial area is compatible in the B-2 General Commercial Zoning District. The City of Bemidji Comprehensive Plan shows this area as Commercial use.

Objective 4.2: Preserve and Promote Commercial and Industrial Redevelopment or In-Fill Development Where Appropriate

Providing opportunity for commercial and industrial redevelopment is imperative to reduce urban sprawl and increase land use densities where appropriate. Land use planning can preserve existing developed areas and ensure land is available as well as compatible for increased development.

Objective 4.3: Promote Land Use Decisions that Protect the Natural Environment through Smart Growth and Sustainable Practices

1. Promote flexibility for commercial and industrial redevelopment and encourage in-fill development. *Allowing for in-fill development and redevelopment of existing commercial areas will ensure the current commercial and industrial areas remain vibrant, full, and diverse. In-fill and redevelopment will be encouraged before resorting to increasing commercial and industrial areas.*

4. Support a reduction of off-street parking requirements for appropriate land uses to allow for increased interior green space. *Maximize the potential for green space with all development or redevelopment of sites, when possible, as well as for reduced heat island effects of increased temperatures within the high-density urban area of parking lots.*

Objective 6.2: Promote and Maintain the Status of an Economic Regional Center

The City of Bemidji has become an economic regional center for northern Minnesota. The community will continue to provide the amenities for shopping, recreation, and entertainment that keep jobs and people coming to the area.

Zoning Ordinance References

Section 28-3 - Intent and purpose

Section 28-9 – Definitions

Section 28-81 – Allowed, Permitted, Conditional, and Interim Uses

Section 28-82 – Land Use Matrix

Section 28-122 – Lot Size and Bulk Regulations by Zoning Districts

Section 28-252 – Signs Permitted in the B-1 and B-2 Commercial Zoning Districts

Section 28-402 – Exterior Storage and Outdoor Display of Merchandise

Section 28-408 – Lighting Standards

Section 28-409 – Parking Standards

Section 28-524 – Conditional Use or Interim Use Permits

IV. RECOMMENDATION & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The Planning Commission must decide whether the conditions are sufficient for approval of an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji.

The following are the proposed conditions and findings of fact:

Conditions

1. A building permit and all other necessary permits shall be obtained from the City of Bemidji prior to construction.
2. Parking lot and ingress/egress plans will need to be submitted for approval by Planning department and meet Public Works design standards before construction and completed within one year of approved IUP.
3. All existing and proposed exterior lighting on the property shall be in full conformity with Section 28-408 of the development code.
4. An enhanced landscaping plan complying with Section 28-406 & 28-407 of the development code.
5. An erosion control plan shall be submitted and be in place before any parking lot construction commences on the property.
6. All dumpsters on-site shall be fully enclosed complying with Section 28-402 of the Ordinance.
7. A sign permit shall be obtained prior to installation of any new signage complying with Section 28-252 of the Ordinance.
8. If the private well fails, needs to be replaced or the site undergoes improvements, then the property shall hook up to City water services and abandon the well for the site.
9. The IUP shall expire and become void if the use it allows 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 use are mostly complete. The City of Bemidji 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.**

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

This use should not have an impact on the adjacent streets and/or land as the parking for the business is in the front of the building of the parcel. A redesign of the entrance will be completed.

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

The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding area.

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

The proposed use is consistent with the goals and policies of the City of Bemidji Comprehensive Plan as well as the City Code through an approved IUP.

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

The property has adequate infrastructure for the proposed use currently. The property is served by City Sewer and a private well.

Site Plan(s)

Storage/Display Racking

We would like to use this red rectangle area for storage and staging our products. We would like to put class 5 or crushed concrete here to start with, and then eventually pave it once we know how our future building would be laid out on our property.

This Blue area, is where we would like to place a future pole building, that would be roughly 50ft x 200ft long.

Green Space/ Signage

6 Parking Spot that are 8.5Ft x 19Ft



We would like to eventually clear out a portion of these trees for future storage.

Applications & Supporting Documents



City of Bemidji, MN

City of Bemidji

317 4th Street NW

Bemidji, MN 56601

218-759-3560

<https://www.ci.bemidji.mn.us/>

PERMIT

SUP-2025-0003

CONDITIONAL OR INTERIM USE PERMIT

SITE ADDRESS: 606 RAILROAD ST SE BEMIDJI

PRIMARY PARCEL: 800421800

PROJECT NAME: TORQUE MACHINERY (IUP)

ISSUED:

EXPIRES:

APPLICANT: Bremseth, Dylan
1415 LORI AVE
Detroit Lakes, MN 56501
2188495651

OWNER: LEADING EDGE INDUSTRIES LLC
909 CORMORANT AVE
DETROIT LAKES, MN 56501

PERMIT DETAILS

Detail Name

Select the type of use permit application from the list:

Describe the proposed use of your property:

Describe the existing use of your property:

Are you aware of any existing Use Permits or Variances for this property?

Will the proposal generate increased traffic over existing conditions?

If yes, an increase amount of traffic, please explain.

Will the proposal require additional parking spaces?

How many people will occupy your premises on an average day? Please provide numbers for employees, customers, and residents.

Will your proposal increase water usage or sewage generation over the existing use?

If yes, increase in water usage or sewage generation please provide, how many gallon per day.

Will your proposal generate additional waste?

Describe your disposal method .

Does your property contain low areas, wetlands, or areas with standing water?

Please explain if you intend to drain, fill or otherwise alter this area for any reason (If this does not apply, enter N/A)

Enter Escrow Payer's Name and Mailing Address (where escrow funds are to be returned when the project is completed)

Detail Value

Interim Use

Sales and rental

Old transmission shop

No

Yes

The building has been closed for the last 15 years, so there will be an increase in traffic from employees, and customers

No

1-2 employees, 5-10 customers

Yes

50

Yes

N/A

No

N/A

Dylan Bremseth, 909 Cormorant Ave,
Detroit Lakes, MN 56501



I hereby certify that I am the owner or authorized agent of the owner of the above described property and that all uses will conform to the provisions of the City of Bemidji Development Code. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid.

I also authorize City of Bemidji staff to inspect the property during review of this application and subsequent construction during reasonable times of the day.

CONDITIONS

* An escrow account is established to cover technical and legal expenses incurred by the City of Bemidji as part of the plan review. The applicant is responsible for all costs incurred by the City during plan review. If the escrow amount drops below 10% of the original deposit amount the City may require submittal of an additional escrow deposit sufficient to cover any anticipated expenses. Upon determination by the City that the project is complete or expired, the City will return the remaining escrow deposit to the applicant.

* A Conditional Use or Interim Use Permit shall expire and become void if it is not acted upon 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 required work are mostly complete. Bemidji Planning may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

FEES:	<u>Paid</u>	<u>Due</u>
Planning Escrow Deposit	\$500.00	\$0.00
PLN Special/Conditional/Interim Use Permit	\$500.00	\$0.00
Totals :	\$1,000.00	\$0.00

REQUIRED INSPECTIONS

Planning Initial Site Visit

CUP or IUP Inspection Follow Up (11 months from Approval)

Planned Use for Business Property at 606 Railroad ST SE

Business Name: Torque Machinery

Property Address: 606 Railroad ST SE

Owner(s): Darren Bremseth, Dylan Bremseth, Brianna Skerik, Lane Skerik

Description of Planned Use

Torque Machinery plans to utilize the property located at 606 Railroad St SE for the purpose of selling and renting equipment and related products to both businesses and individual customers. Specifically, our operations will focus on the sale and rental of the following:

1. **Skid Steer Attachments:** We will offer a variety of small skid steer attachments designed for construction, landscaping, and personal uses.
2. **Bumper Pull Trailers:** The property will be used to sell and rent bumper pull trailers ranging in sizes for personal use and commercial use. (Not semi trailers)
3. **Hand Tools:** we plan on renting out tools, and equipment for both personal and commercial uses. For example, chain saws, pressure washers,
4. **Retail Merchandise:** In addition to equipment, we will offer retail merchandise related to construction, farming, and outdoor activities. This will include safety gear, parts, accessories, lubricants, and other materials that support the use of the equipment we sell and rent.
5. **Other Equipment and Related Items:** As part of our operations, we will offer a selection of additional items including generators, compact construction machinery, and related accessories as demand grows.

Facility Layout and Storage

Our facility will include:

- **Sales and Rental Area:** A designated area within the building will be used for the display and sale of hand tools, accessories, and retail merchandise. The space will also house our rental counter where customers can inquire about and arrange for the rental of equipment.
- **Equipment Storage:** The property will have outdoor and indoor spaces for storing skid steer attachments, trailers, and rental equipment. We will maintain clear, organized areas to ensure easy access to items for both customers and staff.
- **Loading and Unloading Area:** We will have designated loading and unloading areas for customers to pick up or drop off rental equipment.
- **Maintenance and Service Area:** A portion of the facility will be used for basic maintenance, repairs, and inspections of the equipment that we sell or rent.

Waste Management and Cleanliness

We will maintain a clean and organized facility, with designated areas for the proper disposal of waste, including packaging materials, old equipment, and any non-sellable items. All waste will be disposed of according to city regulations.

Conclusion

The planned use for the property is focused on providing a convenient, safe, and customer-friendly environment for selling and renting out construction and outdoor equipment, including skid steer attachments, trailers, hand tools, and related retail products. Our business will serve both individual and professional customers while ensuring compliance with all local regulations and community standards.

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji – SUP-2025-0003

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
☒	Applicant / Representative	3/5/2025	_____
☒	City Building Department	3/5/2025	_____
☐	City Attorney	_____	_____
☒	City Engineer	3/5/2025	_____
☒	City Manager	3/5/2025	_____
☐	City Community Development (Vacant)	_____	_____
☒	City GIS Department	3/5/2025	_____
☒	City Police Department	3/5/2025	_____
☒	City Fire Department	3/5/2025	_____
☐	City Parks Department	_____	_____
☐	Beltrami County ESD/SWCD	_____	_____
☐	Beltrami County Recorder	_____	_____
☐	Beltrami County GIS Department	_____	_____
☐	Beltrami County Sheriff	_____	_____
☐	Beltrami County Engineer / Highway	_____	_____
☐	Beltrami County Natural Resources	_____	_____
☐	MnDNR Trails	_____	_____
☐	MnDNR Waters	_____	_____
☐	MnDNR District	_____	_____
☐	MnDOT	_____	_____
☐	Airport	_____	_____
☐	Bemidji School District	_____	_____
☐	MPCA Closed Landfill Program	_____	_____
☐	U.S. Army Corps of Engineers	_____	_____
☐	Minnesota Chippewa Tribe	_____	_____
☐	Red Lake Nation DNR	_____	_____
☐	White Earth Nation DNR	_____	_____
☐	Leech Lake Band DRM	_____	_____
☐	Bemidji Sustainability Commission	_____	_____
☒	Other: Planning & Zoning Attorney	3/5/2025	_____



Planning and Zoning Department
City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

City of Bemidji – SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji. This property is in the B-2 General Commercial District.

The parcels limited legal descriptions are as follows:

SECT-22 TWP-146 RANGE-033 RIDGWAYS SUBDIVISION LOT-005 BLOCK-004 LESS S 753.94' THEREOF, and

SECT-22 TWP-146 RANGE-033 RIDGWAYS SUBDIVISION LOT-005 BLOCK-004 S 753.94'

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, March 27th, 2025, at 5:30 p.m.** in the Council Chambers at Bemidji City Hall or may be viewed on Local Channel 2.

If you have any comments, you may present them to the Commission at that time. It would be encouraged to direct your comments in writing to the Planning and Zoning Planner assigned to the Case, **Melissa Fahrenbruch's** attention at the Planning office at 317 4th Street NW, or by email to **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning and Zoning Commission. The report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall. Attached is a copy of the application and other supporting documentation.

If you have any questions or need further information, please feel free to contact our office at 218-759-3579 or email the planner assigned to the case (see email address above). City departments may access through SmartGov application **SUP-2025-0002**.

Respectfully,

Melissa Fahrenbruch
Assistant Planner
City of Bemidji Planning and Zoning Department



Planning & Zoning Department City of Bemidji

317 4th Street NW Bemidji, MN 56601 Office (218) 759-3579 Fax (218) 759-3591

March 5, 2025

Dear Property Owner:

The City of Bemidji Planning and Zoning Commission will conduct a public hearing to discuss the following application:

City of Bemidji – SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji. This property is in the B-2 General Commercial District.

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SECT-22 TWP-146 RANGE-033 RIDGWAYS SUBDIVISION LOT-005 BLOCK-004 S 753.94'

This public hearing will be held on **Thursday, March 27th, 2025, at 5:30 p.m.** The meeting will be held in the Council Chambers of the Bemidji City Hall located at 317 4th Street NW or may be viewed on local Channel 2. You are invited to attend this public hearing, express your opinions on the proposal at the hearing, or if not able to attend, by email (preferred method), letter, or phone call to the Planning and Zoning Department. If possible, your written comments should be submitted by **Friday, March 21st, 2025**, so they may be incorporated into our report to the Planning Commission. **Our report, along with any other pertinent information regarding this planning case will be available prior to the meeting on our website ([City of Bemidji/Boards, Commissions, and Committees/Planning Commission](#)) and at city hall.**

If you have any questions, please feel free to contact us at (218) 759-3579, or email comments to **SGAdmin@ci.bemidji.mn.us**

Respectfully,

Planning Staff
City of Bemidji
Planning & Zoning Department

BEMIDJI TOWNHOUSE LIMITED
PARTNERSHIP
609 9TH ST N
SARTELL, MN 56377

RICHARD K TOBEY
VICKY J TOBEY
2412 LAKE AVE NE
BEMIDJI, MN 56601

NATHAN J KILDE
427 ROOSEVELT RD SE
BEMIDJI, MN 56601

LEADING EDGE INDUSTRIES LLC
909 CORMORANT AVE
DETROIT LAKES, MN 56501

KANDILAND LEARNING CENTER LLC
1876 STONE LAKE RD SW
BEMIDJI, MN 56601

CITY OF BEMIDJI
317 4TH ST NW
BEMIDJI, MN 56601

MARY K ALLEN
708 VISTA WAY NW
BEMIDJI, MN 56601

BELTRAMI COUNTY
701 MINNESOTA AVE NW
BEMIDJI, MN 56601

JUSTIN WAGNER
1921 23RD ST SE
BEMIDJI, MN 56601

MN DEPT OF TRANSPORTATION
395 JOHN IRELAND BLVD
ST PAUL, MN 55155

2 JOHNSONS LLC
26433 UPPER NECKTIE RIVER RD
BEMIDJI, MN 56601

RONALD RAY CUPERUS
4201 WAVILLE RD NE
BEMIDJI, MN 56601

CROWN PROPERTY MANAGEMENT LLC
PO BOX 946
BEMIDJI, MN 56619

KLEINSASSER BROTHERS INC
602 RAILROAD ST SE
BEMIDJI, MN 56601

SUNNYVALE MHP LLC
PO BOX 1301
BEMIDJI, MN 56619

RICHARD K TOBEY
2412 LAKE AVE NE
BEMIDJI, MN 56601

STATE OF MINNESOTA
500 LAFAYETTE RD
ST PAUL, MN 51155

R & W PARTNERS LTD PARTNERSHIP
609 9TH ST N
SARTELL, MN 56377

DARLENE A PETERSON
423 ROOSEVELT RD SE
BEMIDJI, MN 56601

DARREN DEAN TOBEY
424 ROOSEVELT RD SE
BEMIDJI, MN 56601

OLSON RENTALS LLC
PO BOX 652
WALKER, MN 56484

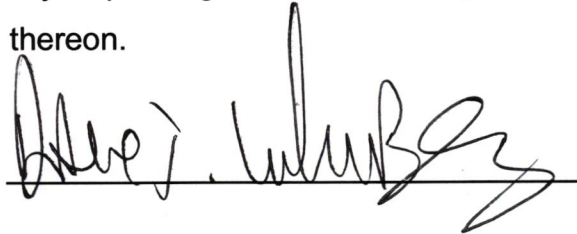
SOO LINE RAILROAD COMPANY
MACKENZIE SHAW
427 W 12TH ST
KANSAS CITY, MO 64105

NORTHWESTERN PROPERTY
MANAGEMENT LLC
PO BOX 3067
BEMIDJI, MN 56619

AFFIDAVIT OF SERVICE BY MAIL

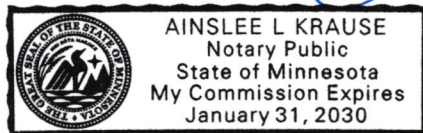
STATE OF MINNESOTA)
) SS
COUNTY OF BELTRAMI)

David Wielenberg, being first duly sworn, on oath deposes and states that on the **5th of March, 2025**, he/she served the attached Hearing Notice upon each of the following parties on the attached list by depositing in the U.S. Mail, envelopes properly sealed with postage prepaid thereon.

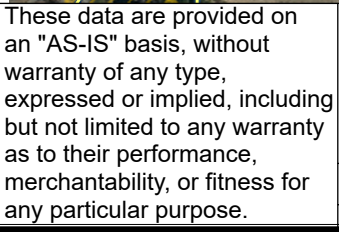


Subscribed and sworn to before me
this 5th day of March 2025.


Notary Public



Planning Case: **Interim Use Permit Requests for 80.04218.00 & 80.04218.01 – SUP-2025-003**

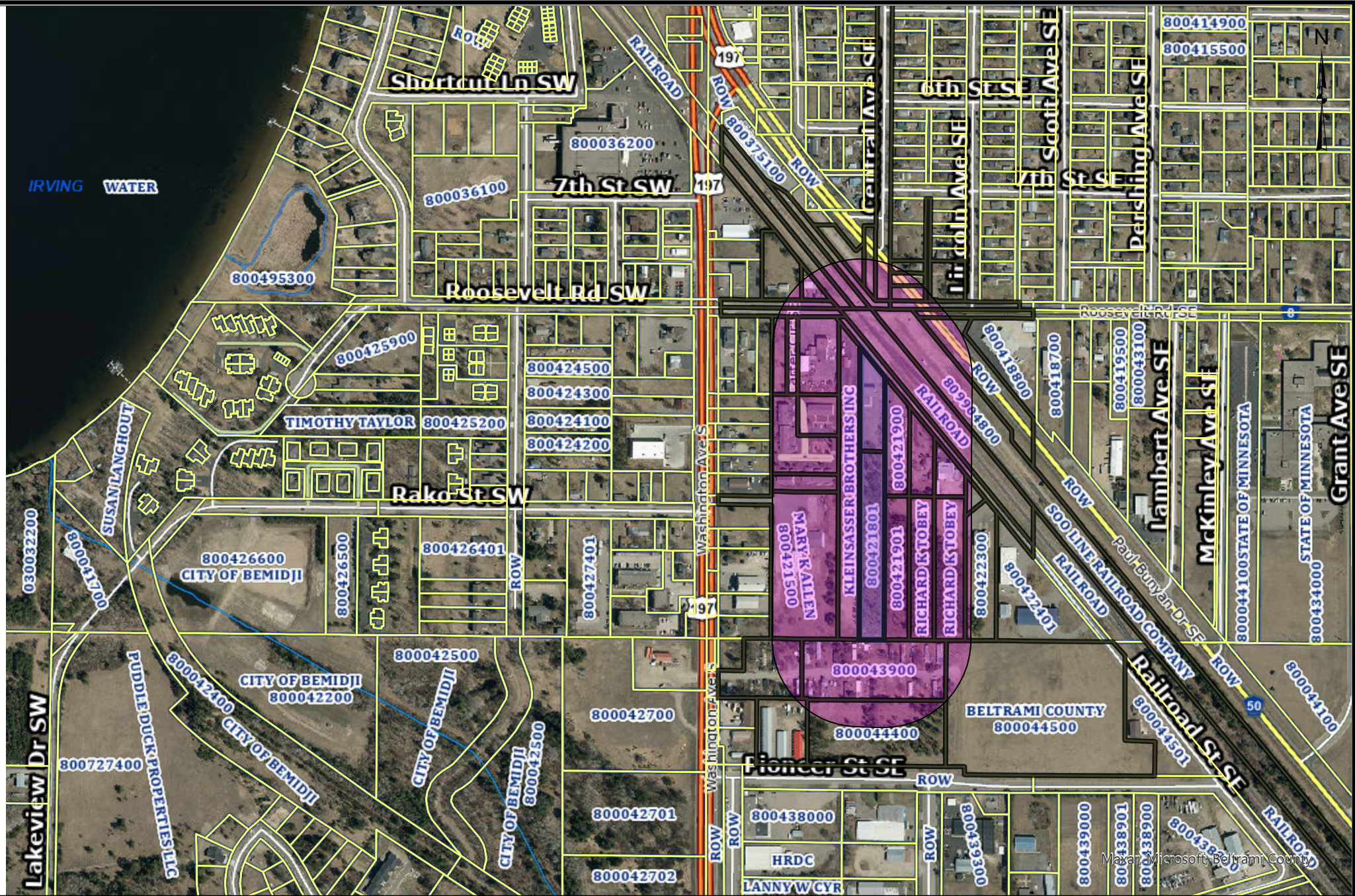


Aerial Map

1:4,514	This map is not a substitute for accurate field surveys or for
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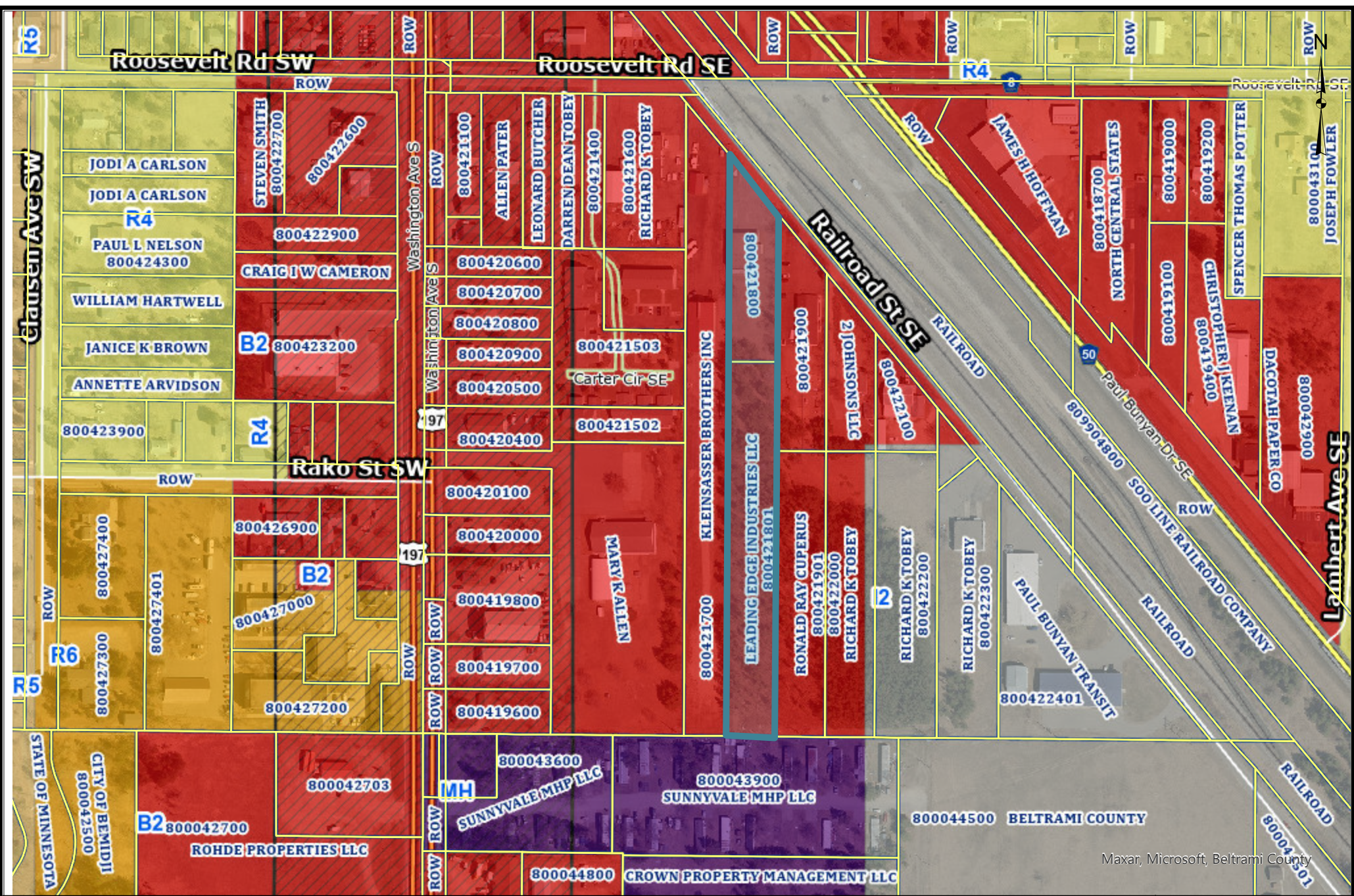
Date: 2/28/2025





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Buffer Map	
1:9,028	Date: 2/28/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Zoning Map

1:4,514

Date: 2/28/2025

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



AFFIDAVIT OF PUBLICATION

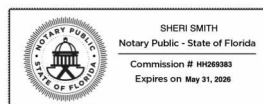
State of Florida, County of Broward, ss:

Jesse Sassaman, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the The Bemidji Pioneer, a newspaper printed and published in the City of Bemidji, County of Beltrami, State of Minnesota.

1. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and the day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Saturday, March 15, 2025
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: \$13.00 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in BELTRAMI County. The newspaper complies with conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

Jesse Sassaman

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 03/18/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

CITY OF BEMIDJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on **Thursday, March 27, 2025, at 5:30 PM** or as soon thereafter as possible, the City of Bemidji Planning and Zoning Commission will conduct a Public Hearing in-person in the Council Chambers of Bemidji City Hall, located at 317 4th St. NW, Bemidji MN, and can be viewed on Channel 2, regarding the following requests:

Interim Use Permit: - SUP-2025-0002: - Justin Erickson representing The Design Store is requesting an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on the parcel. The subject property is located at 2000 Division St W (PIN 800569400) in the City of Bemidji and is in the B-2 General Commercial District.

Rezone: - ZOA-2025-0002: - Steven Hartje representing HBS Properties, LLC is requesting a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District to build a Townhome Community with a community building, dog park, playground, and trail. The subject property is located at 1202 Lakewood Dr NW (PINs 8000689100 and 800690000) in the City of Bemidji. These parcels are also partially in the Airport Zone 3 and the Sensitive Area Overlay Districts.

Interim Use Permit: - SUP-2025-0003: - Dylan Bremseth representing Torque Machinery is requesting an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business on the parcels. The subject property is located at 606 Railroad St SE (PIN 800421800 & 800421801) in the City of Bemidji and is in the B-2 General Commercial District.

All interested parties are invited to attend the public hearing(s) and comment on the proposal(s). If you are unable to attend in person, comments can be submitted by email to SGAdmin@ci.bemidji.mn.us (preferred method), letter, or phone call to the Planning and Zoning Department. Call 218-759-3579 or visit our website at www.ci.bemidji.mn.us for more information. If possible, your written comments should be submitted by **Friday, March 21, 2025**, so they may be incorporated into the staff report to the Planning Commission.
(Mar. 15, 2025)



Current photograph of the rail corridor facing east.

**City of Bemidji
Planning Board
Submitted by Jamin
Carlson, Planning
Director**



City of Bemidji

**317 4th St NW
Bemidji, MN 56601
(218) 759-3582**

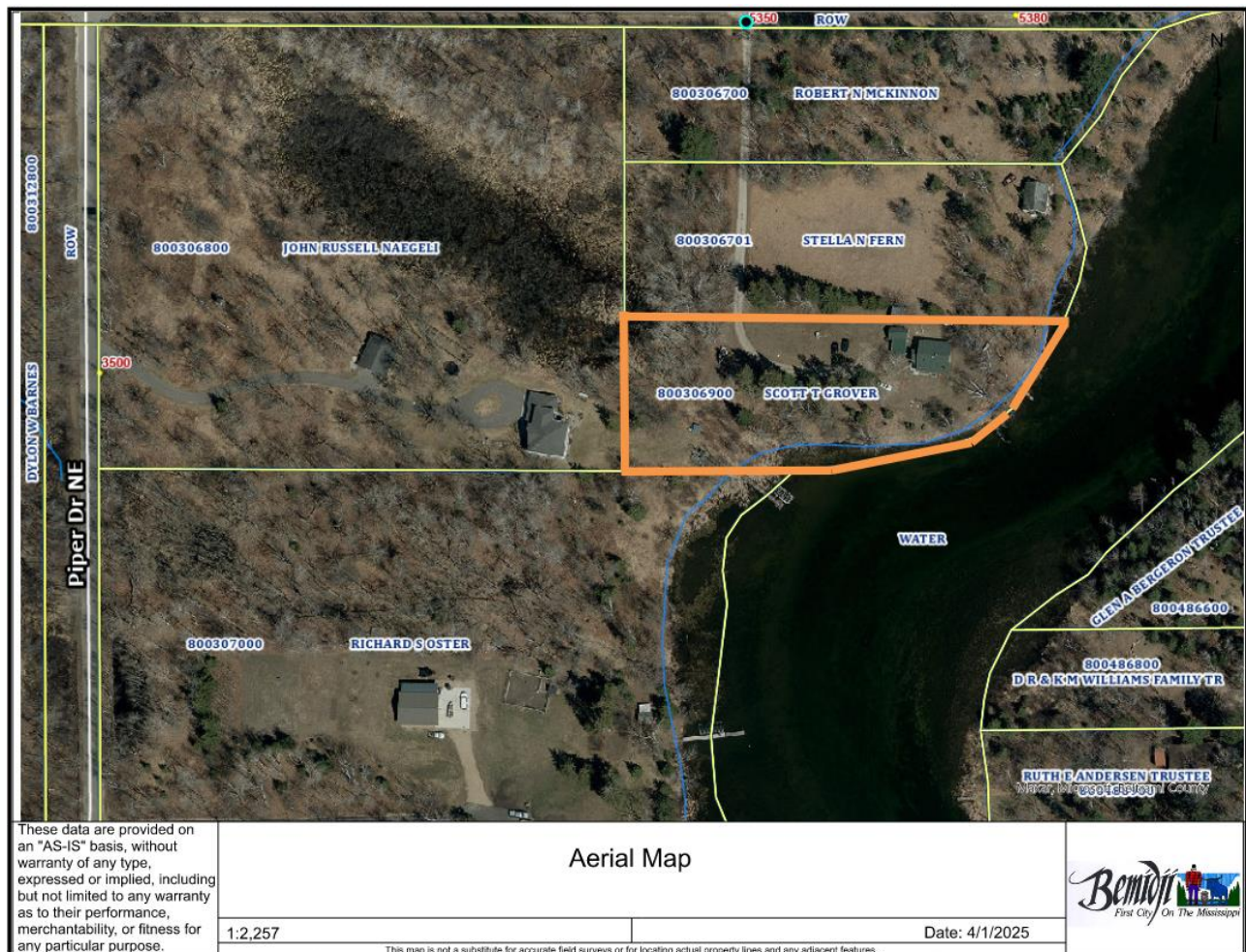
Planning & Zoning News

- The City of Bemidji's Planning & Zoning Department has partnered with the Great Plains Institute and has been awarded a Minnesota Pollution Control Agency grant for Local Climate Action Planning.
- Our assistant planner attended the National Planning Conference in Denver, Co. over the end of last month and brought back a wealth of great information and ideas for our city.
- HRDC has been reaching out to city staff and council members to gather information for the Comprehensive Plan update.
- The City of Bemidji still has a vacancy on its planning commission. If interested, please submit an application from the city's website at [City Boards, Commissions and Committees - City Staff - Bemidji, MN](#).
- The planning department would like to remind residents that construction of fences require permits from planning and zoning. Applications can be found at [City of Bemidji, MN Public Portal](#).
- Also, any farm animals (chickens, ducks, goats etc.) and domestic animals need a permit/license and must be applied for and approved by the city. Tree removal and shoreland alteration also may require review and approval along with a permit [City of Bemidji, MN Public Portal](#).

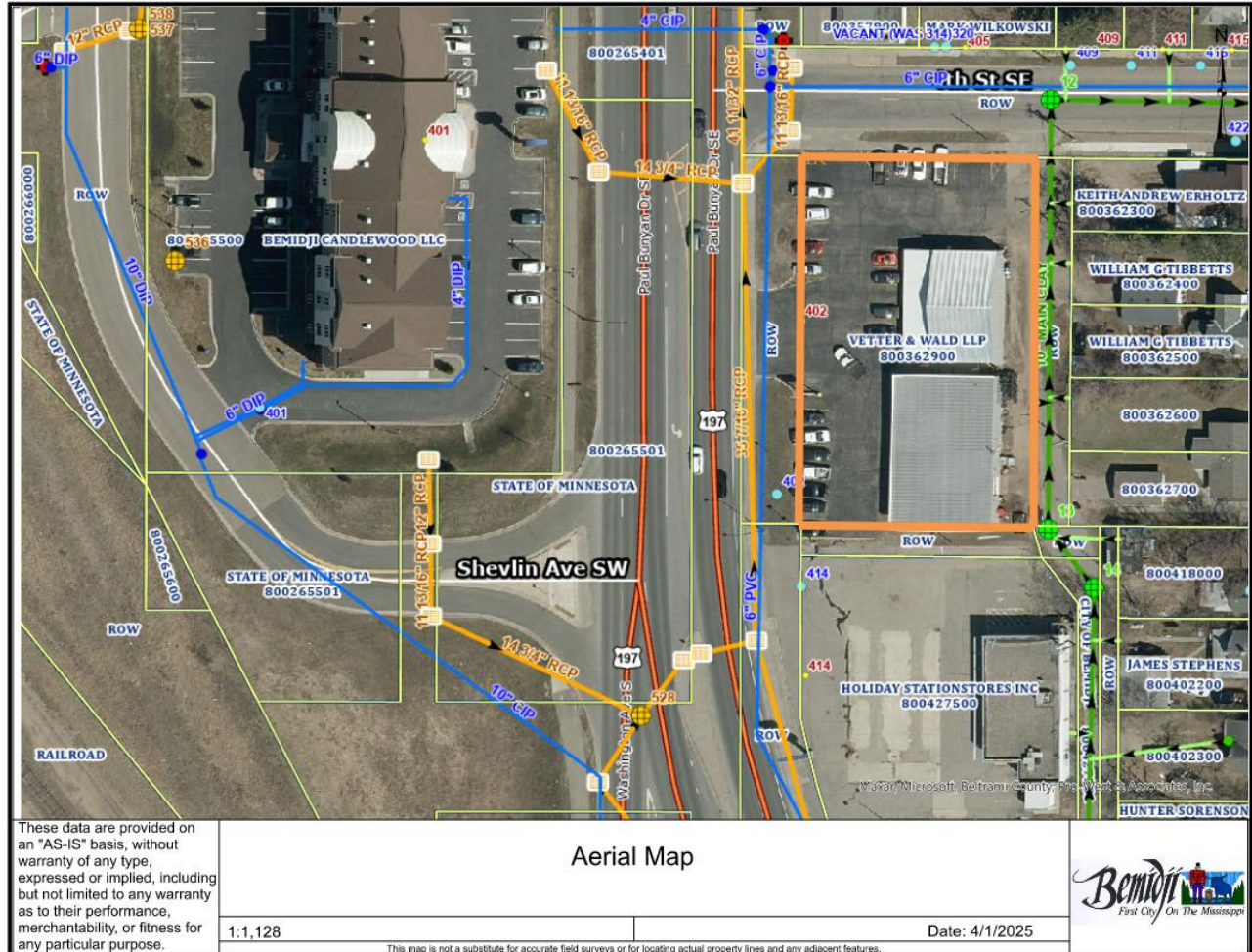
Permit/License Activity Items	Totals (Issued since 1/1/2025)
Planning Cases (Variances, CUPs, IUPs, Rezones, PUDs, & Plats)	7
Sign Permits	19
Lot Combinations/Realignments/Divisions Permits	4
Environmental Alteration Permits (Tree/Shoreland)	3
Temporary Storage Containers/Semi-Trailer Permits	7
Animals/Home Occupation/Fence/Land Use Permits	4
Site Plans Reviews/ Zoning Verification Letters	21
PERMIT/LICENSE ACTIVITY * As of April 9th, 2025	65

Planning Cases for April/May

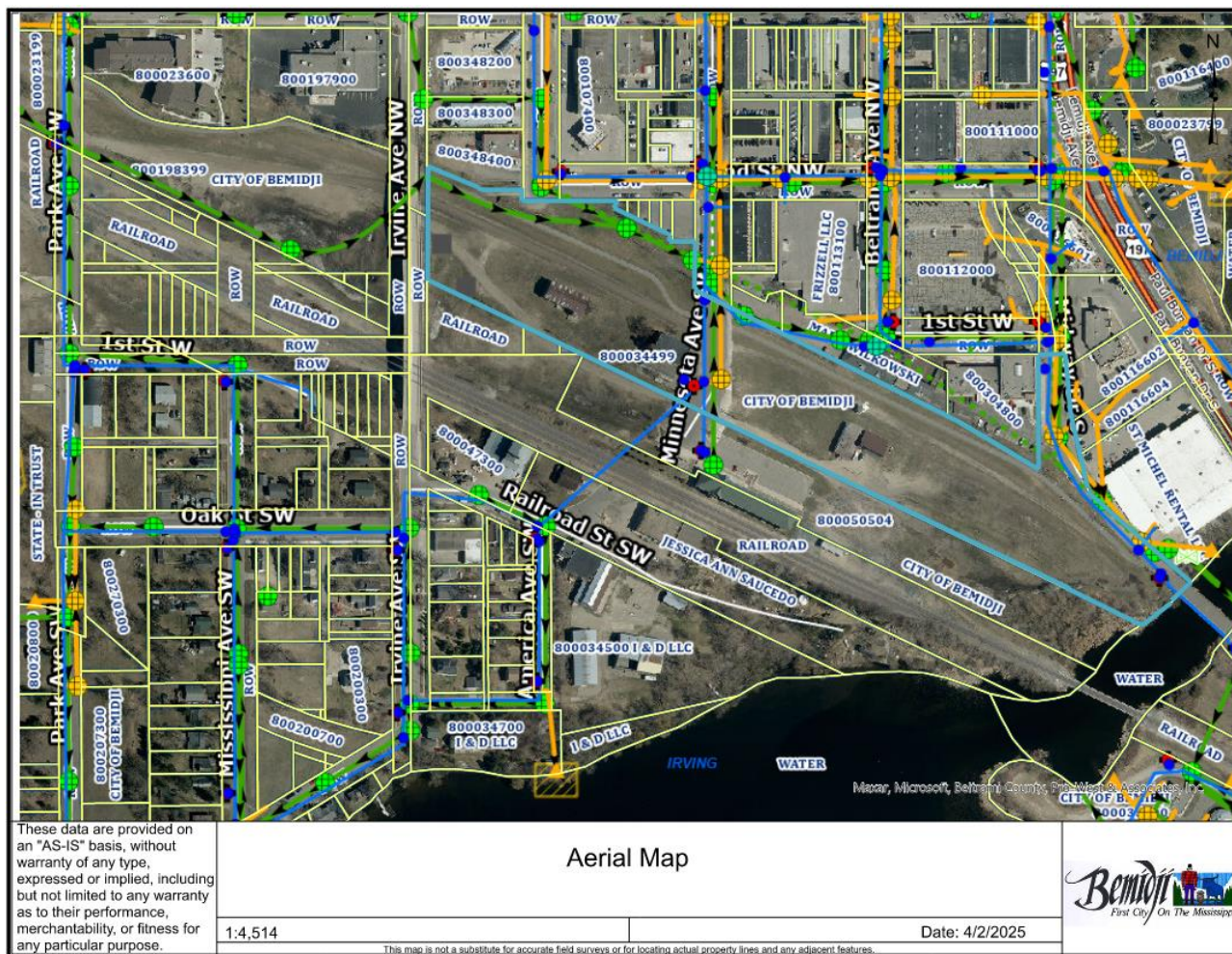
City of Bemidji – V-2025-0001: - Matt Murray representing Scott & Leslie Grover are requesting a Variance from OHWL setback requirements to build/replace a garage on an existing lot of record in the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment). The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji.



City of Bemidji – SUP-2025-0004: - Chad Burchinal representing Vetter & Wald LLP (NW Tire) is requesting an Interim Use Permit for a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes in the B-2 General Commercial zoning district & Hwy 197 Overlay. The subject property is located at 402 Paul Bunyan Dr SE (PIN #80.03629.00) in the City of Bemidji.



City of Bemidji – SUB-2025-0001: - Tim Marco (MarcoMclane) representing Greater Bemidji is requesting a Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future development within the Urban Renaissance (UR) zoning district and the Shoreland Overlay. The subject property is located at 101 Minnesota Ave NW (PIN #80.00344.99) in the City of Bemidji (also known as the rail corridor).



IMPORTANT NOTICE

- The Planning Board scheduled meeting for Monday, April 14th, 2025, at 5:30 p.m. will be held at City Hall Council Chambers.
- The Planning Commission meeting on Thursday, April 24th, 2025, at 5:30 pm will be held at City Hall Council Chambers.

APRIL 2025						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	31	1 APA National Denver, CO	2	3	4	5
6	7	8	9	10	11	12
13	14 Board	15 Tax Day	16	17	18 Good Friday	19
20 Easter Sunday	21	22	23 Administrative Professionals Day	24 Commission	25	26
27	28	29	30	1	2	3

MAY 2025						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	1	2	3
4	5	6	7	8	9	10
11 Mother's Day	12 Board	13	14	15	16	17
18	19	20	21	22 Commission	23	24
25	26 Memorial Day Office Closed	27	28	29	30	31



Planning & Zoning Department Site Analyst & Enforcement Activities for March 2025

Development Projects City Commercial

- **7 Brew Bemidji (Paul Bunyan Dr NW)** – Is open for business. Planning dept. is waiting on the installation of the pylon sign, landscape survivability and final wrap up.
- **AT&T Tower (Bardwell Dr NW)** Site plan review completed. Waiting on structural plans from the developer.
- **Beltrami County Adult Corrections Center (Pioneer St SE)** The development agreement has been completed and signed. Dirt work has begun.
- **Beltrami County Solid Waste (Fern St NW)** Site plan review complete, land use permit pending. Working with airport and FAA.
- **Bemidji Storage (Carr Lake Rd)** Reopened; DA is signed but we are waiting on the developer to provide updated building & civil plans to complete the review.
- **Dairy Queen (Paul Bunyan Dr NW)** Project has been approved, waiting for developer to finalize plans/timelines. The developer has been granted a 12-month extension and is planning on starting this spring.
- **Gracewin Cooperative** – Developer has requested a 12-month extension to meet the substantial start requirements and has stated that the required deposits are close. This request will come before the Board at their May meeting.
- **Green Legacy Investments (Anne St)** Waiting for completion of lot division. Review completed, paving of all phases planned for Spring/Summer 2025.
- **Hanson Contracting Shop (Irvine Ave NW)** Construction complete, part of paving done. Stormwater retention is in/seeded. Trees have been planted; however, owner did not follow approved site plans and corrections remain to be completed regarding the landscape plan.
- **Circle K Station (Highway 2 & Moberg)** Open for business. Will conduct final review in coming weeks, but landscape survivability will be Fall 2025.
- **North Central Door (Carr Lake Rd)** Building addition and parking lot. Construction and paving completed. Three trees need to be replaced, doors need to be replaced on trash enclosure, lighting needs to be replaced, and semi-trailers need to be moved off pervious/grass surface.
- **Northwoods Shelter (30th St)** Interior construction is ongoing.
- **People's Church (America Ave NW)** – Building & Civil plans have been submitted for review.
- **Pizza Ranch (Paul Bunyan Dr)** Landscape survivability Summer/Fall 2024.
- **Sanford / Pine Pals Daycare (Greenleaf Ave)** – Landscape survivability Summer 2025.
- **Skips (Paul Bunyan Dr)** Needs grass re-seeded and trees planted. Has been in talks with City Manager regarding his approved landscape plan.
- **Starbucks South (Shevlin Ave)** Is open for business. Planning staff will complete the landscape survivability review this summer.
- **T-Hangar (Moberg Dr NW)** Site plan review completed 4/8/2024. Dirt work was completed prior to the end of the construction season.
- **The Boardwalk (South Shore)** Project is complete except for a trash and wood ash disposal enclosure, which will be installed Spring 2025.
- **UPS MDC Expansion (Industrial Park Dr SE)** Site plan review completed 6/7/2024. Construction completed, waiting on landscape survivability Summer/Fall 2025.

Site Analyst & Enforcement Activities for March 2025



Work has begun at the Beltrami County Jail site on Pioneer Street SE., April 9, 2025.



New home construction, Beartooth Ave SW, April 9, 2025.

Development Projects City Residential

- **BI-CAP (Gould Ave NE)** Site plan review done 10/19/2022. Building permit issued. Building in progress.
- **Carlson (Fern St NW)** Site plan review underway. SSTS compliance inspection results received, and plan approved.
- **Fletcher (Birchmont Dr NE)** Site plan review completed for new house construction 10/9/2024. Construction underway.
- **Habitat for Humanity - Heveron (3rd St SE)** Grass has been established, still needs two trees to meet ordinance requirement.
- **Hensley (Irvine Ave NW)** Mr. Hensley has inquired about bringing semi-trailers onto the property for the purpose of moving the remaining auto parts to a different location. The last site visit indicated that the trailer had been removed.
- **Hill Crest Manor (Irving Ave NW) Garage/Shop** – Site Plan Review complete 6/4/2024. Slab is in place, construction not started.
- **Jasko (S Lake Irving Dr SW)** Site Plan Review complete. Construction of foundation slab complete. No above ground construction has been completed.
- **Kimble (Scott Ave SE)** Site plan review done 6/21/2022. Building Permit issued. Construction is ongoing.
- **Moen (Shortcut Ln SW)** Site plan review approved 5/8/2024. Construction underway.
- **Puddle Duck Properties (Beartooth Ave SW)** Site plan reviews complete 9/19/2023.
- **Puddle Duck Properties (Shedhorn St SW)** Site plan review complete, issued 9/28/2023.
- **Puddle Duck Properties (Moonlight Ln SW)** Site plan review complete, payment pending.
- **Puddle Duck Properties, Block 2, Lot 2 (Shedhorn St SW)** Site plan review complete, payment pending.
- **Ricke (Elliot Rd NE)** Site plan review completed 10/16/2024.
- **Thorson (Thorson Blvd NE)** Site plan review done 7/20/2022. Building Permit issued. Exterior construction appears complete, landscape installation appears complete 11/21/2024. Environmental alteration permit has been obtained for riprap work not included in original plan.
- **Wiebolt (Elliot Rd NE)** Site plan review completed 10/9/2024.
- **Yarbrough (Shortcut Ln SW)** Site plan review approved 8/7/2024. Construction underway.
- **Yezhikov (Gould Ave NE)** Site plan review done. 5/19/2023. Waiting for landscape survivability Summer 2024.

A busy month for site analysis...

- There has been an uptick in animal permit applications for backyard chickens, as well as fences and rental parking reviews.
- In the past two weeks there has also been many zoning verification letters requested. These are generally requested by lenders during property sales or refinancing to verify that the property is meeting the City's standards.

Significant Enforcement Issues

In March, the following issues were worked on:

- Ongoing Enforcement Issues
- Human Activity Sites
- Dynamic Display Review

- The weather and lack of response from the property owners has continued to slow clean-up efforts for several ongoing enforcement cases.



Ongoing 28-402 violation, March 26, 2025.



28-402 violation, April 9, 2025

Site Analyst & Enforcement Activities for March 2025

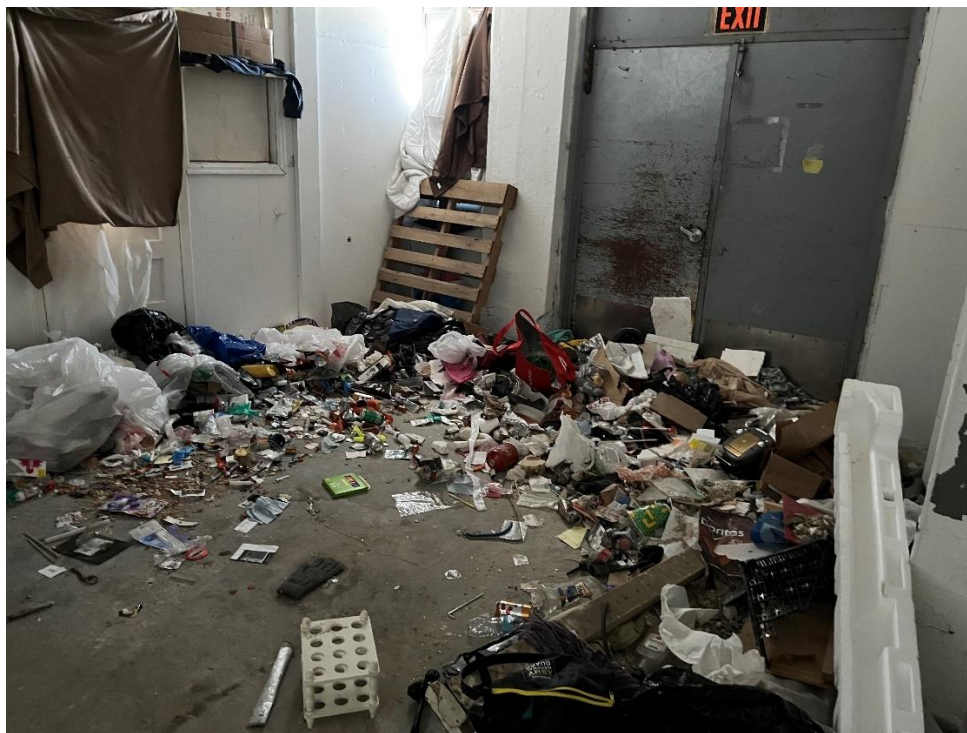
- Renewal of temporary storage container licenses has continued this month, as well as additional enforcement activity regarding businesses that do not have licenses or a required IUP. Additional businesses in the Industrial Park have stated intent to bring their properties into compliance as soon as the ground dries up enough to remove the trailers/containers.
- A review of dynamic displays was conducted on the evening of March 19, 2025, and found that only 4 remained in violation. Efforts to bring those displays into compliance will continue.
- Human Activity Sites: No new sites have been reported, though the melting snow is allowing work to commence on sites that were not cleaned prior to the onset of winter.



Human activity site on railroad property near Park Ave NW, April 9, 2025. Clean-up for this site was begun last year but was not completed due to staffing issues with their contractor.

- On March 24, 2025, members of the police department called staff to inform them of the presence of at least five people living in the old paper warehouse building on Minnesota Avenue. Staff visited the site with the officers present to document the situation. Conditions within the structure are bad, with significant trash and human waste throughout the building. Additionally, there are safety issues arising from an open elevator shaft and missing railings on the stairway. Activity around the building continues to be noted.

Site Analyst & Enforcement Activities for March 2025



Main floor, by front entryway.



Main floor area with tent and gas burners set up.



Second floor, red box indicates open elevator shaft.



Trash pile on main floor.



Site Analyst & Enforcement Activities for March 2025

Summary of Enforcement Actions

Enforcement - Total Open Cases - March 2025			
By Ward	Residential Districts	Non-Residential	Totals
Ward 1	8	2	10
Ward 2	2	17	19
Ward 3	5	4	9
Ward 4	11	23	34
Ward 5	12	6	18
Total	38	52	90

As of 4/9/2025

Totals for March 2025 Enforcement	
Closed 2025 YTD	City
January Residential	4
January Non-Residential	6
February Residential	4
February Non-Residential	3
March Residential	4
March Non-Residential	13
April Residential	0
April Non-Residential	0
May Residential	0
May Non-Residential	0
June /July Residential	0
June/July Non-Residential	0
August Residential	0
August Non-Residential	0
September Residential	0
September Non-Residential	0
October Residential	0
October Non-Residential	0
November Residential	0
November Non-Residential	0
December Residential	0
December Non-Residential	0
Total Closed Cases 2025	34
As of 4/9/2025	

Site Analyst & Enforcement Activities for March 2025

Enforcement Totals by Code - March 2025		
Enforcement Items by Code	Open	Closed
Residential R-1 through R-6		
28-81 - Allowed, Permitted, Conditional, and Interim Uses	2	0
28-355 - Non-Conforming Structures in Shoreland	0	0
28-359 - Vegetative Alterations	0	0
28-360 - Topographic Alterations - Shoreland	0	0
28-402 - Exterior Storage & Outdoor Display of Merchandise	25	3
28-403 - Sight Visibility Triangle	0	0
28-404 - Fences	1	0
28-406 - Landscaping Requirements	1	0
28-408 - Lighting	1	0
28-409 - Off-Street Parking, Loading & Surfacing Standards	4	0
28-411 - Temporary Uses or Structures	1	1
28-524 - CUP Violation	2	0
28-421 - Farm Animals	1	0
Total Residential Cases	38	4
Commercial, Industrial, U, UR, OM, LC, LD, & MH		
28-81 - Allowed, Permitted, Conditional, and Interim Uses	1	0
28-244 - Prohibited Signs	4	0
28-245 - Nonconforming Signs	1	0
28-246 - Sign Permit Required	1	0
28-251 - Signs Permitted in LC & LD Districts	1	0
28-253 - Signs Permitted in the (UR) Urban Renaissance	0	0
28-252 - Sign Allowed in B-1 & B-2 Commercial Districts	0	0
28-258 - Dynamic Displays	4	12
28-402 - Exterior Storage & Outdoor Display of Merchandise	13	0
28-403 - Sight Visibility Triangle	0	0
28-405 - Screening	1	0
28-406 - Landscaping Requirements	3	0
28-407 - Tree Preservation	2	0
28-408 - Lighting	0	0
28-409 - Off-Street Parking, Loading & Surfacing Standards	8	1
28-411 - Temporary Uses or Structures	11	0
28-413 - Manufactured Home Park Standards	1	0
28-524 - Conditional Use or Interim Permits	1	0
28-528 - General Nuisance	0	0
Total Non- Residential Cases	52	13
Total Cases	90	17

As of 4/9/2025