

BEMIDJI PLANNING BOARD REGULAR MEETING AGENDA

Monday, May 12, 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) April 14, 2025 Planning Board Meeting

CONSENT AGENDA

- 2) Consider Extension Request for a Conditional Use Permit and Variance - Parcel 800036100 - Gracewin Cooperative

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 Variance Request - Parcel 800306900 - Murray Surveying representing Scott Grover
- 4) Consider Interim Use Permit Request - Parcel 800362900 - Vetter & Wald LLP representing Northwest Tire
- 5) Consider Concept Planned Unit Development Request for Railroad Corridor - Parcel 800034499 - Marco McLane Development representing Greater Bemidji

STAFF REPORTS

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

UPCOMING MEETINGS

- 8) Monday, June 9, 2025, 5:30 pm - Planning Board Meeting

ADJOURN

PLANNING BOARD PROCEEDINGS BEMIDJI, MINNESOTA Regular Meeting – April 14, 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 (via WebEx), Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Absent: **None**.

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), Steven Hartje, Brett Hartje, Brianna Skerik**.

AMENDMENTS TO AGENDA

Chair Thayer called for any amendments to the agenda. Motion by **Peterson**, second by **Eaton**, to approve the agenda. Motion carried by roll call vote.

MINUTES

The following minutes were presented for approval:

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

Motion by **Dickinson**, second by **Peterson**, approving minutes as presented. Motion carried by roll call vote.

CITIZENS WITH BUSINESS NOT ON AGENDA: No appearance.

CONSENT AGENDA

Chair Thayer called for any amendments to be made to the Consent Agenda. The following Consent Items were presented for approval. Motion by **Peterson**, second by **Rivera**, to approve Consent Agenda items as follows:

1. Resolution 2025-09 to Approve an Extension Request for a Conditional Use Permit for a Planned Unit Development – Parcel 80.05971.00 – Sandy Hennum representing Beltrami County Housing and Redevelopment Authority (BHRA)

Motion carried by the following roll call vote: Ayes: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Nays: **None**.

NEW BUSINESS

CONSIDER INTERIM USE PERMIT REQUEST – 80.05694.00 – THE DESIGN STORE

Fahrenbruch presented the first planning case request: 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 Planning Commission recommends approval of the Interim Use Permit (IUP) with the conditions and findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Rivera requested clarification on the end date of the permit and the maximum number of containers. Fahrenbruch addressed condition #6 and noted that there is no limit, but each individual container requires a license.
- Eaton expressed concern for inconsistent enforcement, specifically regarding screening of storage containers and impervious surface requirements. Eaton inquired about the

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reasoning for these requirements in the ordinance and expressed concern over requiring increased impervious surface.

- Dickinson expressed support for addressing the ordinance.
- Prince expressed support for the addition of condition #6.
- Carlson identified that storage containers tear up grass when moved around and therefore the hard surface requirement was put into place. Carlson also addressed that past administration wanted to encourage building in the city and not promoting storage containers. Carlson noted this is also why there is a license required for each container.
- Thayer expressed support for the current location since it does not require additional impervious surface.
- Rivera expressed appreciation to the owner/operators following the ordinance and coming in to obtain their permit and setting a good example.
- Eaton expressed concern over requiring impervious surface under storage containers.

Motion by **Peterson**, second by **Rivera**, to approve **Resolution 2025-10** for an Interim Use Permit (IUP) for having greater than two (2) temporary storage containers and/or semi-trailers on parcel 800569400, 2000 Division St W, with the findings of fact and conditions as presented with the addition of condition #6. Motion carried by the following roll call vote: Ayes: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Nays: **None**.

CONSIDER REZONE REQUEST – 80.06891.00 & 80.06900.00 – HBS PROPERTIES, LLC

Carlson presented the second planning case request: 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 Planning Commission recommends approval of a (Rezone) Land Use Map Amendment with the findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Dickinson inquired about density. Carlson addressed that the potential density is based on having water and sewer services and clarified that the request on the table tonight is the rezone only and any development will be in the future.
- Eaton expressed support for the rezone.
- Rivera expressed concern over unnecessary private services installed if the city services do not get extended as soon as expected. Carlson addressed that Lakewood Avenue is on the docket to be redone in 2029.
- Rivera inquired about the southern parcel. Carlson addressed the southern parcel is also owned by the applicant, is zoned R1 and will stay R1 due to the wetland complex and noted the applicant has a potential plan for trails throughout this property.
- Peterson expressed support.
- Fiskevold Gould addressed support.
- Board members Rivera, Fiskevold Gould and Prince discussed neighbor comments. Staff addressed that there would be additional opportunities for the public to provide comments on the development itself.
- Prince expressed support for additional housing being provided in the city.
- Thayer expressed support.
- Dickinson inquired if R6 zoning is for sewer or unsewered and requested clarification on the site plan. Carlson addressed that R6 covers either and noted that this is the preliminary site plan.
- Carlson addressed that the old charter rules still apply so the rezone will need a 60-day extension since it must go through three readings and the 30-day publishing period at the

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City Council level. Carlson noted the change to the charter goes into effect on May 8, 2025 and specified that the applicant would be receiving a letter regarding this.

Motion by **Peterson**, second by **Fiskevold Gould**, to approve a (Rezone) Land Use Map Amendment from R-2 & R-3 Suburban Residential Zoning Districts to R-6 Multiple Family Zoning District for parcels 800689100 & 800690000, 1202 Lakewood Dr NW, with the findings of fact as presented. Motion carried by the following roll call vote: Ayes: **Prince, Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Nays: **None**.

CONSIDER INTERIM USE PERMIT REQUEST – 80.04218.00 & 80.04218.01 – TORQUE MACHINERY

Fahrenbruch presented the third planning case request: 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 Planning Commission recommends approval of the Interim Use Permit (IUP) with the conditions and findings of fact presented in the packet.

Board members made the following comments regarding the request:

- Prince addressed that he is a business partner in a competing business and believes that this could be considered a conflict of interest.
- Gilchrist advised.
- Prince addressed that due to the reason stated, he would not participate in the discussion, and he would be abstaining from the vote.
- Peterson expressed support for the request.
- Rivera and staff discussed lighting and future potential for tree removal.
- Eaton expressed support.
- Dickinson inquired if the applicant is an owner or tenant. Fahrenbruch addressed that the applicant is the owner.
- Thayer expressed support.

Motion by **Eaton**, second by **Peterson**, to approve **Resolution 2025-11** for an Interim Use Permit (IUP) for operating ATV, Boat, Recreational Vehicle, Snowmobile, Trailer, and Small Engine Sales and Service Business at 606 Railroad St SE, parcels 800421800 & 800421801, with the findings of fact and conditions with additional condition #6 as presented. Motion carried by the following roll call vote: Ayes: **Fiskevold Gould, Peterson, Dickinson, Rivera, Eaton, Thayer**. Nays: **None**. Abstentions: **Prince**.

STAFF REPORTS

Director's Report

Carlson presented the Director's Report.

Board members had the following comments:

- Members discussed.

Site Analyst & Enforcement Report

Wielenberg presented the Site Analyst & Enforcement Report.

Board members had the following comments:

- Members discussed.

UPCOMING BOARD MEETINGS

- Monday, May 12, 2025 5:30 p.m. Planning Board Meeting

ADJOURN

There being no further business, motion by **Fiskevold Gould**, second by **Peterson**, to adjourn the meeting. Motion carried. Meeting adjourned at **6:24 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 May 12th, 2025

Action Requested: Twelve Month Extension

Prepared By: David Wielenberg, Compliance Inspector

Background (from May 13, 2024)

Summary of Request: Gracewin Cooperative represented by Nathan Anderson is requesting Variances from the shoreland (Article IX) for density, height, and impervious surface amounts along with a Conditional Use Permit (CUP) for greater than 30 units intended for a cooperative senior housing development. Also under the CUP request, to remove more than 40% of the existing high-quality significant trees on the site. The subject property is located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 800036100) in the City of Bemidji.

In 2023, Gracewin Cooperative met with planning staff on multiple occasions to discuss potential development on the lot for a cooperative housing project. Additional topics of discussion were density, impervious surface, height, and tree preservation. The Applicant also discussed the locations and orientation of the possible building which were planned to be a 41-unit cooperative housing structure. The connection to the area trails, the grocery store along with the bank and coffee shop, and the veterinary clinic that would be great accents for the proposed development. The original proposal was brought to the Joint Planning Commission back in November & the Joint Planning Board in December of 2023 which was denied for the zoning text change and the conditional use permit. The GBAJPB dissolved at the end of 2023 and so did the stipulation that an applicant must wait 6 months to reapply after a denial. The applicant has applied for the conditional use permit as well as the variance application for the project.

The subject property has been vacant for some time. There is an existing stormwater pond that was used by the business across the street but has now been relocated onto their property. The stormwater retention area will be redesigned by the new owner of the property for stormwater storage. This lot also has existing high-quality significant trees primarily on the west and south sides of the property that will be preserved.

This was approved by the City of Bemidji Planning Board on May 13, 2024 (please see the attached Resolution for Conditions and Finding of Facts).

On March 3, 2025, staff reached out Mr. Anderson to notify him of the approaching deadline. Mr. Anderson responded to the notice on March 10, 2025, asking for an extension of 12 months for both the CUP and variances, stating that they were at approximately 90% of the initial sales goal and anticipated reaching that goal in the coming months. He also stated recently that they are very close to their deposit goal and will be looking at possible construction start this summer and the extension is to err on the side of caution.

Action by Planning Board:

The request is for a 12-month extension of the substantial start requirement for both the CUP and variances. If the extension is granted, the new deadline for substantial start would be on or before May 13, 2026. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete.

Draft Resolutions for Extension

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-14 Revision to Resolution No. 2024-09

RESOLUTION APPROVING THE EXTENSION OF CONDITIONAL USE PERMIT FOR PARCEL 80.00361.00

WHEREAS, an application was submitted on March 29th, 2024 by Nathan Anderson of Rebound Nile, LLC, requesting approval of a conditional use permit (CUP) for greater than 30 units intended for a cooperative senior housing development and to remove more than 40% of the existing high-quality significant trees on the site located between Clausen Ave SW & Irving Beach Dr SW. (PID 80.00361.00) in the City of Bemidji.

WHEREAS, the proposed requested CUP will be located on parcel 80.00361.00, legally described as: That part of Government Lot 6, Section 16, Township 146 North, Range 33 West and that part of Lots 1, 13, and 14, the vacated portion of Carpenter Avenue, the vacated portion of Seventh Street South and the vacated portion of the alley in Block 3, HIGHLAND ADDITION TO BEMIDJI described as follows:
Commencing at the Southeast corner of said Section 16, thence North 88 degrees 05 minutes 59 seconds West, along the south line of said Section 16, a distance of 1187.60 feet; thence North 01 degrees 26 minutes 35 seconds East a distance of 292.99 feet to the point of beginning of the parcel to be described, thence South 88 degrees 05 minutes 59 seconds East, along the westerly extension of the south line of Lot 13, Block 3, HIGHLAND ADDITION TO BEMIDJI, as recorded in Beltrami County, a distance of 276.09 feet to the centerline of a 20—foot wide

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Drafted by The City of Bemidji Planning Board
Gracewin Cooperative CUP – Resolution 2025-14 revision to Resolution 2024-09
May 12th, 2025

alley; thence North 01 degree 26 minutes 01 seconds East, along said alley centerline, a distance of 50.00 feet to the westerly extension of the south line of Lot 1 in said Block 3, thence South 88 degrees 05 minutes 59 seconds East, along said south line of Lot 1, a distance of 120.00 feet to the westerly line of the East 30.00 feet of said Lot 1; thence North 01 degree 26 minutes 01 seconds East, along said westerly line a distance of 80.00 feet to the northerly line of Seventh Street South as platted in said HIGHLAND ADDITION TO BEMIDJI; thence South 88 degrees 05 minutes 59 seconds East, along the northerly line of said Seventh Street South, a distance of 30.00 feet to the westerly line of Clausen Avenue as platted in said HIGHLAND ADDITION TO BEMIDJI; thence North 01 degree 26 minutes 01 seconds East, along said westerly line of Clausen Avenue, a distance of 173.99 feet; thence North 88 degrees 05 minutes 59 seconds West a distance of 426.04 feet; thence South 01 degree 26 minutes 35 seconds West a distance of 304.00 feet to the point of beginning; and

WHEREAS, the Property is zoned R-6 Multiple Family & the Shoreland Overlay (Sewered); and

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

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

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:

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 project is not anticipated to adversely affect, nor create an unreasonable level of disruption or increase interference in the surrounding area. The proposal shows that it will not adversely affect the occupants of the surrounding land.

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

Based on the proposed project, the site plans show adequate off-street parking and proper ingress and egress. Multiple-Family residential use for this location is not anticipated to adversely affect traffic or parking conditions as the subject parcel will meet the off-street parking requirements. According to the Ordinance, there is no requirement for a traffic study.

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

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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 as the developer has made efforts in tree preservation, siting of the structure, and on-site amenities along with substantially altering the building height and access off Irving Beach Dr. SW.

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

The proposed use is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning and Subdivision Ordinance as long as the property is approved through a CUP for 30 units or greater. The proposed use makes use of multimodal transportation access and meets the objectives for the Comprehensive Plan laid out in this report.

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

The property is served by City services and there are enhanced stormwater treatment areas provided to the property. The proposed site plans show amenities such as a pickleball court, underground parking, trails throughout the property, and outdoor patios.

NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval of a Conditional Use Permit (CUP) for greater than 30 units intended for a cooperative senior housing development and to remove more than 40% of the existing high-quality significant trees on the site, located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 80.00361.00) within the City of Bemidji, with the following conditions:

1. A landscaping plan with a total of at least 6 trees planted within the front yard setback (Clausen Ave) shall be submitted for final approval to planning staff.
2. 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.
3. Final engineering grading, drainage and utility plans will need to be reviewed and approved by City staff before any construction can commence.
4. The developer must follow the 2008 Surface Water Management Plan for stormwater treatment for the project.
5. A development agreement shall be entered into between the City and the Applicant to ensure all site construction is completed to a satisfactory condition.
6. The CUP shall be reviewed for compliance within one (1) year of approval.
7. The conditional use permit shall expire and become void if the use 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 Planning Board 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 the conditional use permit (CUP) for greater than 30 units intended for a cooperative senior housing development and to remove more than 40% of the existing high-

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quality significant trees on the site, located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 80.00361.00) within the City of Bemidji.

CITY OF BEMIDJI PLANNING BOARD

State of Minnesota

County of Beltrami

This instrument was acknowledged before me on this 12th day of May 2025 by Audrey Thayer, City of Bemidji Planning Board Chair.

Audrey Thayer, City of Bemidji Planning Board Chair

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

Notary Public

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-15 Revision to Resolution No. 2024-08

RESOLUTION APPROVING THE EXTENSION OF VARIANCE FOR PARCEL 80.00361.00

WHEREAS, an application was submitted on March 29th, 2024 by Nathan Anderson of Rebound Nile, LLC, requesting multiple variances in order construct and operate a cooperative senior housing development located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 800036100) in the City of Bemidji. The variances from Article IX, Shoreland Regulations are as follows:

1. An increase in density from 28 units to 41 units;
2. An increase in height from 30 feet to 35 feet;
3. An increase in impervious surface from 25% to 46%.

WHEREAS, the proposed variances will be located on parcel 80.00361.00, legally described as: That part of Government Lot 6, Section 16, Township 146 North, Range 33 West and that part of Lots 1, 13, and 14, the vacated portion of Carpenter Avenue, the vacated portion of Seventh Street South and the vacated portion of the alley in Block 3, HIGHLAND ADDITION TO BEMIDJI described as follows:
Commencing at the Southeast corner of said Section 16, thence North 88 degrees 05 minutes 59 seconds West, along the south line of said Section 16, a distance

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of 1187.60 feet; thence North 01 degrees 26 minutes 35 seconds East a distance of 292.99 feet to the point of beginning of the parcel to be described, thence South 88 degrees 05 minutes 59 seconds East, along the westerly extension of the south line of Lot 13, Block 3, HIGHLAND ADDITION TO BEMIDJI, as recorded in Beltrami County, a distance of 276.09 feet to the centerline of a 20-foot wide alley; thence North 01 degree 26 minutes 01 seconds East, along said alley centerline, a distance of 50.00 feet to the westerly extension of the south line of Lot 1 in said Block 3, thence South 88 degrees 05 minutes 59 seconds East, along said south line of Lot 1, a distance of 120.00 feet to the westerly line of the East 30.00 feet of said Lot 1; thence North 01 degree 26 minutes 01 seconds East, along said westerly line a distance of 80.00 feet to the northerly line of Seventh Street South as platted in said HIGHLAND ADDITION TO BEMIDJI; thence South 88 degrees 05 minutes 59 seconds East, along the northerly line of said Seventh Street South, a distance of 30.00 feet to the westerly line of Clausen Avenue as platted in said HIGHLAND ADDITION TO BEMIDJI; thence North 01 degree 26 minutes 01 seconds East, along said westerly line of Clausen Avenue, a distance of 173.99 feet; thence North 88 degrees 05 minutes 59 seconds West a distance of 426.04 feet; thence South 01 degree 26 minutes 35 seconds West a distance of 304.00 feet to the point of beginning; and

WHEREAS, the Property is zoned R-6 Multiple Family & Shoreland Overlay (Sewered); and

WHEREAS, the requested variances meets all requirements, standards and specifications of the City of Bemidji Subdivision Ordinance; and

WHEREAS, the City of Bemidji Planning Commission held a public hearing on April 25th, 2024, to review the application for the variances following mailed and published notices as required by law; and

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 variance application request:

1. Has the applicant demonstrated a practical difficulty?

This is an existing lot of record located within the shoreland overlay. The surrounding area to the north and southwest is all developed land with higher densities beyond single-family. The Applicant is proposing to use the property in a reasonable manner not permitted under the Shoreland Ordinance. The fact that the property is zoned for high density multi-family while unable to utilize all of the R-6 provisions set forth in the Ordinance creates a practical difficulty.

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

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This is an existing lot of record. While it is zoned correctly, as R-6 Multiple-Family, it is also within the Shoreland Overlay. The subject lot is more than 511' away from the Ordinary High-Water Level. This is one of the only undeveloped lots located in the City of Bemidji designated R-6 that also falls within the Shoreland Overlay which makes this an exceptional circumstance unique to this property.

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

The granting of a variance will be in keeping with the spirit, purpose and intent of the Zoning Ordinance based upon the factors outlined in this report. This request proposes to make use of the property in a reasonable manner by a cooperative housing development in an infill lot and while the City has a housing crisis this will create more housing units. This request meets the spirit and objectives of the current Comprehensive Plan.

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

There is an array of densities throughout the Irvingboro neighborhood that include duplexes, triplexes, quadplexes, six-plexes within a 20-unit complex, and eightplexes within a 24-unit complex. It will serve as a buffer and a transitional zone between the commercial and high-density properties in the area.

NOW, THEREFORE BE IT RESOLVED that City of Bemidji Planning Board hereby grants the approval of multiple variances in order to construct and operate a cooperative senior housing development located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 800036100) in the City of Bemidji, with the following conditions:

1. The applicant shall enter into a development agreement with the City of Bemidji and obtain all necessary permits prior to construction.
2. The applicant shall follow Section 28-406 of the Zoning Ordinance for landscaping requirements.
3. All future exterior lighting shall conform to Section 28-408 of the Zoning Ordinance. Lighting plans and specs sheets shall be submitted for approval to city staff prior to installation.
4. A stormwater mitigation and erosion control plan must be submitted for review and approved prior to construction. Additionally, other types of stormwater retention like rain gardens should be used within the project area.
5. A Grading Plan shall be provided with existing and proposed spot elevations, finished floor elevations (FFE's), and contours to signify existing versus proposed stormwater runoff.
6. A tree removal permit shall be obtained prior to any trees being removed from the site.
7. The variance shall be reviewed for compliance within one (1) year of approval.
8. The variance shall expire and become void if the use 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 Planning Board may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

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NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval for an extension of multiple variances in order to construct and operate a cooperative senior housing development located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 80.00361.00) within the City of Bemidji.

CITY OF BEMIDJI PLANNING BOARD

State of Minnesota

County of Beltrami

This instrument was acknowledged before me on this 12th day of May 2025 by Audrey Thayer, City of Bemidji Planning Board Chair.

Audrey Thayer, City of Bemidji Planning Board Chair

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

Notary Public

Original Resolutions

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2024-08

**RESOLUTION APPROVING VARIANCE
FOR PARCEL 80.00361.00**

WHEREAS, an application was submitted on March 29, 2024, by Nathan Anderson representing Gracewin Cooperative requesting multiple variances in order construct and operate a cooperative senior housing development located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 800036100) in the City of Bemidji. The variances from Article IX, Shoreland Regulations are as follows:

1. An increase in density from 28 units to 41 units;
2. An increase in height from 30 feet to 35 feet;
3. An increase in impervious surface from 25% to 46%.

WHEREAS, the proposed requested variances will be located on parcel 80.00361.00 legally described as

That part of Government Lot 6, Section 16, Township 146 North, Range 33 West and that part of Lots 1, 13, and 14, the vacated portion of Carpenter Avenue, the vacated portion of Seventh Street South and the vacated portion of the alley in Block 3, HIGHLAND ADDITION TO BEMIDJI described as follows:

Commencing at the Southeast corner of said Section 16, thence North 88 degrees 05 minutes 59 seconds West, along the south line of said Section 16, a distance of 1187.60 feet; thence North 01 degrees 26 minutes 35 seconds East a distance of 292.99 feet to the point of beginning of the parcel to be described, thence South 88 degrees 05 minutes 59 seconds East, along the westerly extension of the south line

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of Lot 13, Block 3, HIGHLAND ADDITION TO BEMIDJI, as recorded in Beltrami County, a distance of 276.09 feet to the centerline of a 20-foot wide alley; thence North 01 degree 26 minutes 01 seconds East, along said alley centerline, a distance of 50.00 feet to the westerly extension of the south line of Lot 1 in said Block 3, thence South 88 degrees 05 minutes 59 seconds East, along said south line of Lot 1, a distance of 120.00 feet to the westerly line of the East 30.00 feet of said Lot 1; thence North 01 degree 26 minutes 01 seconds East, along said westerly line a distance of 80.00 feet to the northerly line of Seventh Street South as platted in said HIGHLAND ADDITION TO BEMIDJI; thence South 88 degrees 05 minutes 59 seconds East, along the northerly line of said Seventh Street South, a distance of 30.00 feet to the westerly line of Clausen Avenue as platted in said HIGHLAND ADDITION TO BEMIDJI; thence North 01 degree 26 minutes 01 seconds East, along said westerly line of Clausen Avenue, a distance of 173.99 feet; thence North 88 degrees 05 minutes 59 seconds West a distance of 426.04 feet; thence South 01 degree 26 minutes 35 seconds West a distance of 304.00 feet to the point of beginning; and

WHEREAS, the Property is zoned (R-6) Multiple-Family & the Shoreland Overlay (Sewered) and

WHEREAS, the requested variances meet all requirements, standards and specifications of the City of Bemidji, Development Code; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2024, to review the application for Variance following mailed and published notices as required by law; and

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 Variance application request:

1. Has the applicant demonstrated a practical difficulty?

This is an existing lot of record located within the shoreland overlay. The surrounding area to the north and southwest is all developed land with higher densities beyond single-family. The Applicant is proposing to use the property in a reasonable manner not permitted under the Shoreland Ordinance. The fact that the property is zoned for high density multi-family while unable to utilize all of the R-6 provisions set forth in the Ordinance creates a practical difficulty.

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

This is an existing lot of record. While it is zoned correctly, as R-6 Multiple-Family, it is also within the Shoreland Overlay. The subject lot is more than 511' away from the Ordinary High-Water Level. This is one of the only undeveloped lots located in the City

of Bemidji designated R-6 that also falls within the Shoreland Overlay which makes this an exceptional circumstance unique to this property.

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

The granting of a variance will be in keeping with the spirit, purpose and intent of the Zoning Ordinance based upon the factors outlined in this report. This request proposes to make use of the property in a reasonable manner by a cooperative housing development in an infill lot and while the City has a housing crisis this will create more housing units. This request meets the spirit and objectives of the current Comprehensive Plan.

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

There is an array of densities throughout the Irvingboro neighborhood that include duplexes, triplexes, quadplexes, six-plexes within a 20-unit complex, and eightplexes within a 24-unit complex. It will serve as a buffer and a transitional zone between the commercial and high-density properties in the area.

NOW, THEREFORE BE IT RESOLVED that City of Bemidji Planning Board hereby grants the approval of multiple variances in order construct and operate a cooperative senior housing development located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 800036100) in the City of Bemidji, with the following conditions:

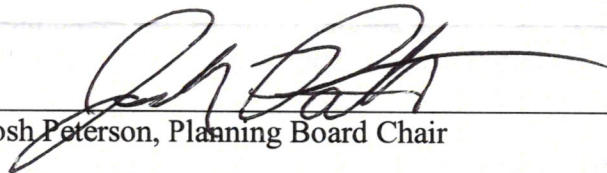
1. The applicant shall enter into a development agreement with the City of Bemidji and obtain all necessary permits prior to construction.
2. The applicant shall follow Section 28-406 of the Zoning Ordinance for landscaping requirements.
3. All future exterior lighting shall conform to Section 28-408 of the Zoning Ordinance. Lighting plans and specs sheets shall be submitted for approval to city staff prior to installation.
4. A stormwater mitigation and erosion control plan must be submitted for review and approved prior to construction. Additionally, other types of stormwater retention like rain gardens should be used within the project area.
5. A Grading Plan shall be provided with existing and proposed spot elevations, finished floor elevations (FFE's), and contours to signify existing versus proposed stormwater runoff.
6. A tree removal permit shall be obtained prior to any trees being removed from the site.
7. The variance shall be reviewed for compliance within one (1) year of approval.
8. The variance shall expire and become void if the use 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 Planning Board may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

CITY OF BEMIDJI, PLANNING BOARD

State of Minnesota

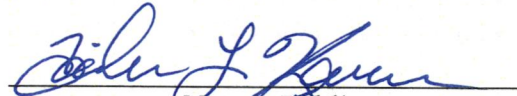
County of Beltrami

This instrument was acknowledged before me on this 13th day of May, 2024 by Josh Peterson, Planning Board Chair.




Josh Peterson, Planning Board Chair

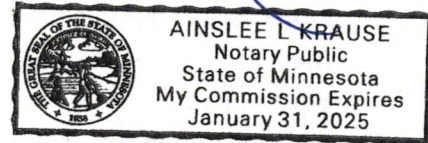
Subscribed and sworn to before me
this 13 th day of May, 2024.



Notary Public

 5-20-24

Applicant Signature and Date



CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2024-09

**RESOLUTION APPROVING
A CONDITIONAL USE PERMIT
FOR PARCEL 80.00361.00**

WHEREAS, Nathan Anderson representing Gracewin Cooperative, (“Applicant”), submitted an application to the City of Bemidji Planning Board on March 29, 2024 requesting approval of a conditional use permit (“CUP”) for greater than 30 units intended for a cooperative senior housing development and to remove more than 40% of the existing high-quality significant trees on the site, located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 80.00361.00) within the City of Bemidji;

WHEREAS, the requested Conditional Use Permit is for parcel 80.00361.00, legally described as

That part of Government Lot 6, Section 16, Township 146 North, Range 33 West and that part of Lots 1, 13, and 14, the vacated portion of Carpenter Avenue, the vacated portion of Seventh Street South and the vacated portion of the alley in Block 3, HIGHLAND ADDITION TO BEMIDJI described as follows:

Commencing at the Southeast corner of said Section 16, thence North 88 degrees 05 minutes 59 seconds West, along the south line of said Section 16, a distance of 1187.60 feet; thence North 01 degrees 26 minutes 35 seconds East a distance of 292.99 feet to the point of beginning of the parcel to be described, thence South 88 degrees 05 minutes 59 seconds East, along the westerly extension of the south line of Lot 13, Block 3, HIGHLAND ADDITION TO BEMIDJI, as recorded in Beltrami County, a distance of 276.09 feet to the centerline of a 20—foot wide alley; thence North 01 degree 26 minutes 01 seconds East, along said alley centerline, a

distance of 50.00 feet to the westerly extension of the south line of Lot 1 in said Block 3, thence South 88 degrees 05 minutes 59 seconds East, along said south line of Lot 1, a distance of 120.00 feet to the westerly line of the East 30.00 feet of said Lot 1; thence North 01 degree 26 minutes 01 seconds East, along said westerly line a distance of 80.00 feet to the northerly line of Seventh Street South as platted in said HIGHLAND ADDITION TO BEMIDJI; thence South 88 degrees 05 minutes 59 seconds East, along the northerly line of said Seventh Street South, a distance of 30.00 feet to the westerly line of Clausen Avenue as platted in said HIGHLAND ADDITION TO BEMIDJI; thence North 01 degree 26 minutes 01 seconds East, along said westerly line of Clausen Avenue, a distance of 173.99 feet; thence North 88 degrees 05 minutes 59 seconds West a distance of 426.04 feet; thence South 01 degree 26 minutes 35 seconds West a distance of 304.00 feet to the point of beginning; and

WHEREAS, the Property is zoned (R-6) Multiple-Family & the Shoreland Overlay (Sewered); and

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

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

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 City of Bemidji 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;

The proposed project is not anticipated to adversely affect, nor create an unreasonable level of disruption or increase interference in the surrounding area. The proposal shows that it will not adversely affect the occupants of the surrounding land.

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

Based on the proposed project, the site plans show adequate off-street parking and proper ingress and egress. Multiple-Family residential use for this location is not anticipated to adversely affect traffic or parking conditions as the subject parcel will meet the off-street parking requirements. According to the Ordinance, there is no requirement for a traffic study.

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 neighborhood. Based on the submitted site plans, this project should not adversely affect the surrounding properties and area as the developer has made efforts in tree preservation, siting of the structure, and on-site amenities along with substantially altering the building height and access off Irving Beach Dr. SW.

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

The proposed use is consistent with the goals and policies of the Comprehensive Plan as well as the Zoning and Subdivision Ordinance as long as the property is approved through a CUP for 30 units or greater. The proposed use makes use of multimodal transportation access and meets the objectives for the Comprehensive Plan laid out in this report.

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

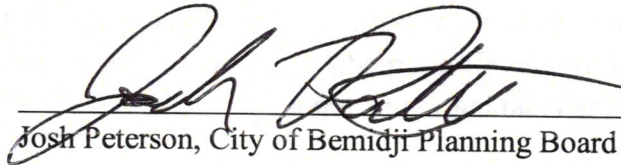
The property is served by City services and there are enhanced stormwater treatment areas provided to the property. The proposed site plans show amenities such as a pickleball court, underground parking, trails throughout the property, and outdoor patios.

NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval of a Conditional Use Permit (CUP) for greater than 30 units intended for a cooperative senior housing development and to remove more than 40% of the existing high-quality significant trees on the site, located between Clausen Ave SW & Irving Beach Dr. SW (PIN: 80.00361.00) within the City of Bemidji, with the following conditions:

1. A landscaping plan with a total of at least 6 trees planted within the front yard setback (Clausen Ave) shall be submitted for final approval to planning staff.
2. 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.
3. Final engineering grading, drainage and utility plans will need to be reviewed and approved by City staff before any construction can commence.
4. The developer must follow the 2008 Surface Water Management Plan for stormwater treatment for the project.
5. A development agreement shall be entered into between the City and the Applicant to ensure all site construction is completed to a satisfactory condition.
6. The CUP shall be reviewed for compliance within one (1) year of approval.
7. The conditional use permit shall expire and become void if the use 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 Planning Board may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

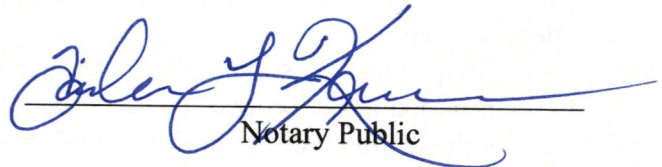
CITY OF BEMIDJI PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 13th day of May, 2024 by Josh Peterson,
City of Bemidji Planning Board Chair.

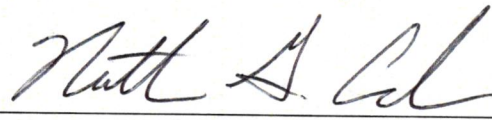


Josh Peterson, City of Bemidji Planning Board Chair

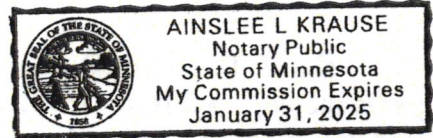
Subscribed and sworn to before me
this 13 th day of May, 2024.



Notary Public

 5-20-24

Applicant Signature and Date



**Murray Surveying, representing
Scott & Leslie Grover -
Variance Request**

Draft Resolution

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-12

RESOLUTION APPROVING VARIANCE FOR PARCEL 80.03069.00

WHEREAS, an application was submitted on March 31, 2025, by Matt Murray (Murray Surveying, Inc.) representing Scott & Leslie Grover requesting variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji. The following variance are as follows:

1. A reduction of 62 feet from the OHW setback per Section 28-355 requirement of 150 feet from the ordinary high-water mark and at the building line; and

WHEREAS, the proposed requested variances will be located on parcel 80.06270.00 legally described as Lot 3, Block 1 Riverside Addition to Bemidji, according to the recorded plat thereof, Beltrami County, Minnesota; LESS AND EXCEPT, the West 580 feet thereof; and

WHEREAS, this parcel is within the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment); and

WHEREAS, the requested variances meet all requirements, standards and specifications of the City Ordinance; and

WHEREAS, on April 24, 2025, the Planning Commission held a public hearing, after due notice having been provided, on the application and, after providing the Applicant and the public an opportunity to be heard, voted to forward the application to the Planning and Zoning Board with a recommendation that it be approved; and

DRAFT

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 Variance application request:

Findings of Fact

1. Has the applicant demonstrated a practical difficulty?

The existing lot of record is non-conforming making the new garage not feasible without the need for a variance. This request is reasonable and cannot be completed within the Ordinance standards.

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

The lot was platted prior to today's zoning standards, and this was not caused by the current owner. Both the property and the existing structures are nonconforming and would require a variance for any expansion or intensification of the property.

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

There are homes in this area that are legal non-conforming structures on legal non-conforming lots. Rebuilding a garage and removing an encroaching shed would be keeping with the character of the neighborhood and does not compromise the spirit, purpose and intent of the Zoning Ordinance.

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

The proposed variance request would fit well within the surrounding area and would not alter the character. Other properties in this area are constructed in a similar manner.

NOW, THEREFORE BE IT RESOLVED that the City of Bemidji Planning Board hereby grants the approval of the variance from OHWL setback requirements to build/replace a garage on an existing lot of record located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji, with the following conditions:

1. The new garage shall be staked by a professional surveyor to mitigate setback encroachment.
2. An Erosion Control plan/permit shall be submitted and approved before any construction commences on the property.
3. A Planning Site Plan Review shall be submitted and approved prior to construction.
4. A Building permit shall be obtained prior to demolition and construction of structures.
5. The variance shall expire and become void if the project 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 may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

CITY OF BEMIDJI, PLANNING BOARD

State of Minnesota

County of Beltrami

This instrument was acknowledged before me on this 12th day of May 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

Date

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: V-2025-0001	PC MEETING DATE: April 24, 2025
APPLICANT: Matt Murray (Murray Surveying, Inc.) representing Scott & Leslie Grover	60-DAY RULE DATE: May 30, 2025
PROCEEDING: Variance from OHWL setback	ZONING DISTRICT: (R-3) Suburban Residential Zoning District and Shoreland Overlay (Forested River Segment)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Supporting Documentation

PLANNING & ZONING MEMORANDUM

I. SUMMARY OF REQUEST

Matt Murray (Murray Surveying, Inc.), representing Scott & Leslie Grover, is requesting a variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji. This parcel is within the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment). The requested variance is as follows:

1. A reduction of 62 feet from the OHW setback per Section 28-355 requirement of 150 feet from the ordinary high-water mark and at the building line.

2. PUBLIC COMMENT/PUBLIC HEARING

Commission members made no comments.

Public Hearing opened at 5:39 p.m.

- Scott Grover, applicant, addressed the commission.
- Stella Fern, neighboring property owner to the north, addressed the commission and expressed concern that the septic system is right on the property line. Fern requested that the new garage not encroach on her property. Staff addressed that the proposed structure will be about 24 feet away from the property line at the closest point.

Public Hearing closed at 5:43 p.m.

3. RECOMMENDATION & FINDINGS

The Planning Commission decided that the conditions are sufficient for approval of a variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji.

The following are the proposed conditions and findings of fact:

Conditions

1. The new garage shall be staked by a professional surveyor to mitigate setback encroachment.
2. An Erosion Control plan/permit shall be submitted and approved before any construction commences on the property.
3. A Planning Site Plan Review shall be submitted and approved prior to construction.
4. A Building permit shall be obtained prior to demolition and construction of structures.
5. The variance shall expire and become void if the project 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 may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings

1. Has the applicant demonstrated a practical difficulty?

The existing lot of record is non-conforming making the new garage not feasible without the need for a variance. This request is reasonable and cannot be completed within the Ordinance standards.

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

The lot was platted prior to today's zoning standards, and this was not caused by the current owner. Both the property and the existing structures are nonconforming and would require a variance for any expansion or intensification of the property.

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

There are homes in this area that are legal non-conforming structures on legal non-conforming lots. Rebuilding a garage and removing an encroaching shed would be keeping with the character of the neighborhood and does not compromise the spirit, purpose and intent of the Zoning Ordinance.

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

The proposed variance request would fit well within the surrounding area and would not alter the character. Other properties in this area are constructed in a similar manner.

Motion by **Peterson**, second by **Meehlhause**, to recommend approval of the variance request for parcel 80.03069.00, with the conditions and findings of fact as presented in the packet.

Commission members had additional comments:

- Meehlhause expressed support for the garage being pulled further away from the property line.

Ayes: Peterson, 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: V-2025-0001	MEETING DATE: APRIL 24, 2025
APPLICANT: Matt Murray (Murray Surveying, Inc.) representing Scott & Leslie Grover	60-DAY RULE DATE: May 30, 2025
PROCEEDING: Variance from OHWL setback	ZONING DISTRICT: (R-3) Suburban Residential Zoning District and Shoreland Overlay (Forested River Segment)
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

Matt Murray (Murray Surveying, Inc.) representing Scott & Leslie Grover are requesting a variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji. This parcel is within the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment). The requested variances are as follows:

1. A reduction of 62 feet from the OHW setback per Section 28-355 requirement of 150 feet from the ordinary high-water mark and at the building line.

II. BACKGROUND

The Applicant spoke with staff several times about replacing the old garage with attached lean to and the removal of the old shed on the northly border with a new accessible garage. Planning staff met the Applicants at their property to discuss possibilities for the project. The Applicants state that the garage and shed are old and are in a dilapidated condition and that they do not fit their vehicles or storage needs.

Existing Conditions

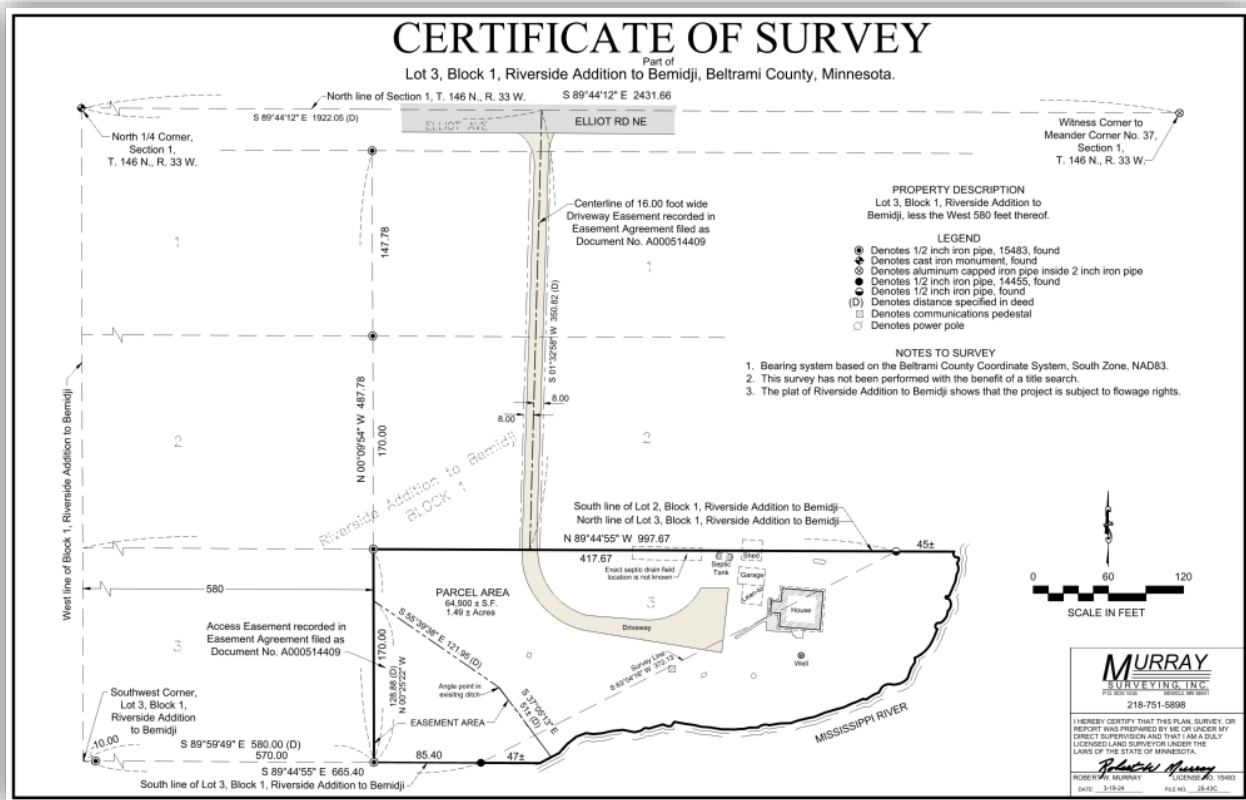
The structures are currently legal nonconforming on a legal non-conforming lot that are all within the OHW setback. The house was built before the current ordinance. Approximately 96 feet between the lean-to southeast corner and the top of bank, 7 feet from the lean-to to the house, and 14 feet from northeast corner of the garage and the north property line. The house will not change according to the applicant. The property has a well and private septic which may in the future be updated.

III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

Variations should only be granted when they are in harmony with the general purpose of zoning ordinances or consistent with the comprehensive plan. A practical difficulty is the legal standard for consideration of variations. An applicant can demonstrate a practical difficulty when their proposal is reasonable, will not alter the essential character of the neighborhood, and is caused by a unique circumstance related to the property not directly caused by the landowner. Economics and cost can be a factor of consideration, but alone does not constitute as a practical difficulty.

Current Conditions of Property



Lot width

The lot was platted in a manner that makes the ability for any additions or rebuilding require a variance.

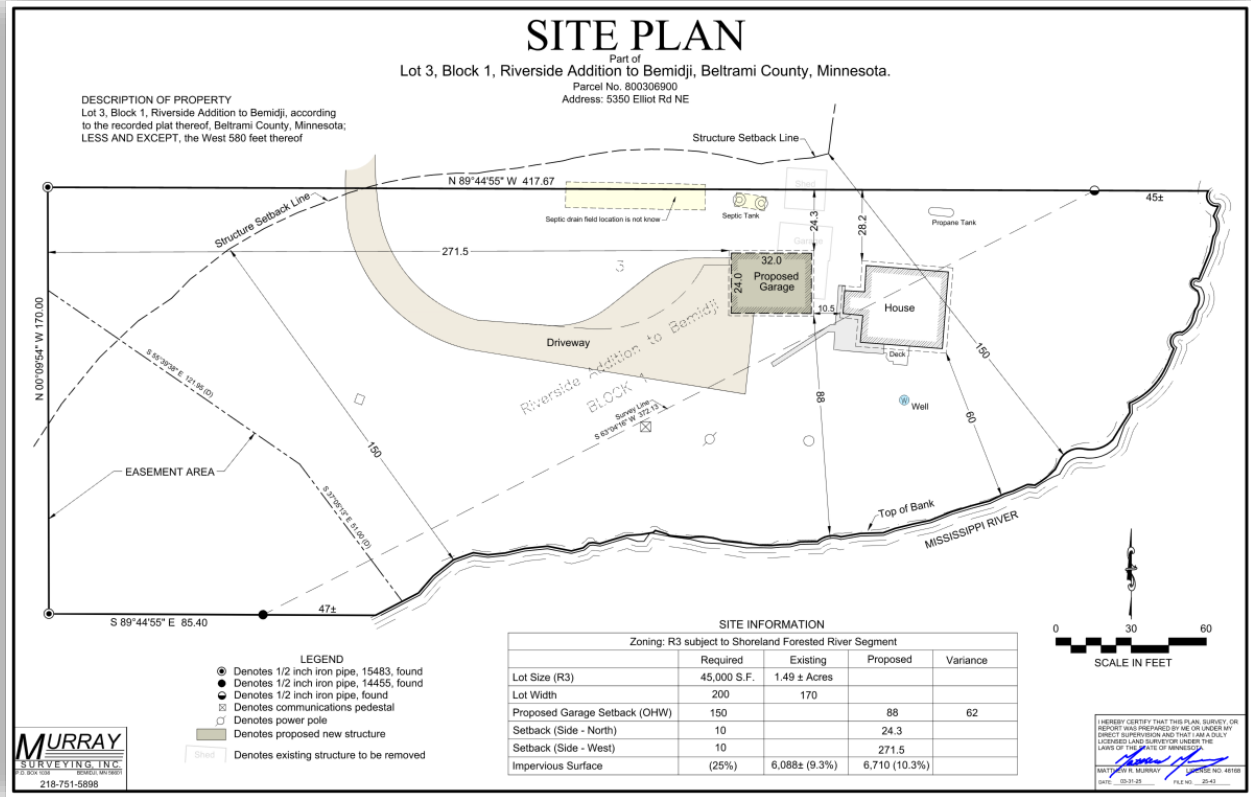
From Section 28-355:

(b) The outside dimensions of a nonconforming principal or accessory structure, including the height, bulk or area in the Shoreland Overlay District, may be expanded or enlarged provided that:

- (1) The use of the property meets current zoning district regulations;*
- (2) A building permit is obtained.*
- (3) The lot size is a minimum of fifteen thousand (15,000) square feet and is at least one hundred feet wide at the building line, and, for riparian lots, one hundred (100) feet wide at the ordinary high-water mark.*

Because of the dimensions of the lot, no rebuilding can be made without a variance.

Proposed Project



IV. DEVELOPMENT SUMMARY

SITE INFORMATION

Zoning: R3 subject to Shoreland Forested River Segment

	Required	Existing	Proposed	Variance
Lot Size (R3)	45,000 S.F.	1.49 ± Acres		
Lot Width	200	170		
Proposed Garage Setback (OHW)	150		88	62
Setback (Side - North)	10		24.3	
Setback (Side - West)	10		271.5	
Impervious Surface	(25%)	6,088± (9.3%)	6,710 (10.3%)	

Development Team Comments

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

No major engineering related concerns.

Eventual construction would require some discussion on erosion control measures due to proximity to the water, but that can be handled through a future erosion control permit prior to construction.

Neighboring Property Input

No comments were received at the time of this report.

Improvements

The project will be removing the shed that encroaches on the neighbor’s property to the north. The Applicants show on their site plans that they will be removing the old garage with lean-to and repositioning a new garage to meet their needs. Moving the garage to meet setback from the principal structure and further from the existing septic system and northern property line.

Picture of Garage & Shed



Comprehensive Plan References

Objective 4.1: Preserve the Quality Residential Neighborhoods

Thriving neighborhoods are important to a growing community as well as ensuring that existing neighborhoods are not consistently replaced with multi-family or commercial development that could increase rural sprawl. It is also important to allow existing non-conforming residential areas to be redeveloped.

Zoning Ordinance References

Section 28-355 Nonconforming Structures Substandard in Shoreland Overlay District

Section 28-481 Variances

Section 28-525 Variances, Appeals & Adjustments

V. RECOMMENDATION & FINDINGS

The Planning Commission must decide whether the conditions are sufficient for approval of a variance from OHWL setback requirements to build/replace a garage on an existing lot of record. The subject property is located at 5350 Elliot Road NE (PIN #80.03069.00) in the

City of Bemidji. This parcel is within the R-3 Suburban Residential zoning district and the Shoreland Overlay (Forested River Segment). The requested variance is as follows:

1. A reduction of 62 feet from the OHW setback per Section 28-355 requirement of 150 feet from the ordinary high-water mark and at the building line.

The following are the proposed conditions and findings of fact:

Conditions

1. The new garage shall be staked by a professional surveyor to mitigate setback encroachment.
2. An Erosion Control plan/permit shall be submitted and approved before any construction commences on the property.
3. A Planning Site Plan Review shall be submitted and approved prior to construction.
4. A Building permit shall be obtained prior to construction and demolition of structures.
5. The variance shall expire and become void if the project 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 may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings

1. Has the applicant demonstrated a practical difficulty?

The existing lot of record is non-conforming making the new garage not feasible without the need for a variance. This request is reasonable and cannot be completed within the Ordinance standards.

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

The lot was platted prior to today's zoning standards, and this was not caused by the current owner. Both the property and the existing structures are nonconforming and would require a variance for any expansion or intensification of the property.

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

There are homes in this area that are legal non-conforming structures on legal non-conforming lots. Rebuilding a garage and removing an encroaching shed would be keeping with the character of the neighborhood and does not compromise the spirit, purpose and intent of the Zoning Ordinance.

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

The proposed variance request would fit well within the surrounding area and would not alter the character. Other properties in this area are constructed in a similar manner.

Site Plan(s)

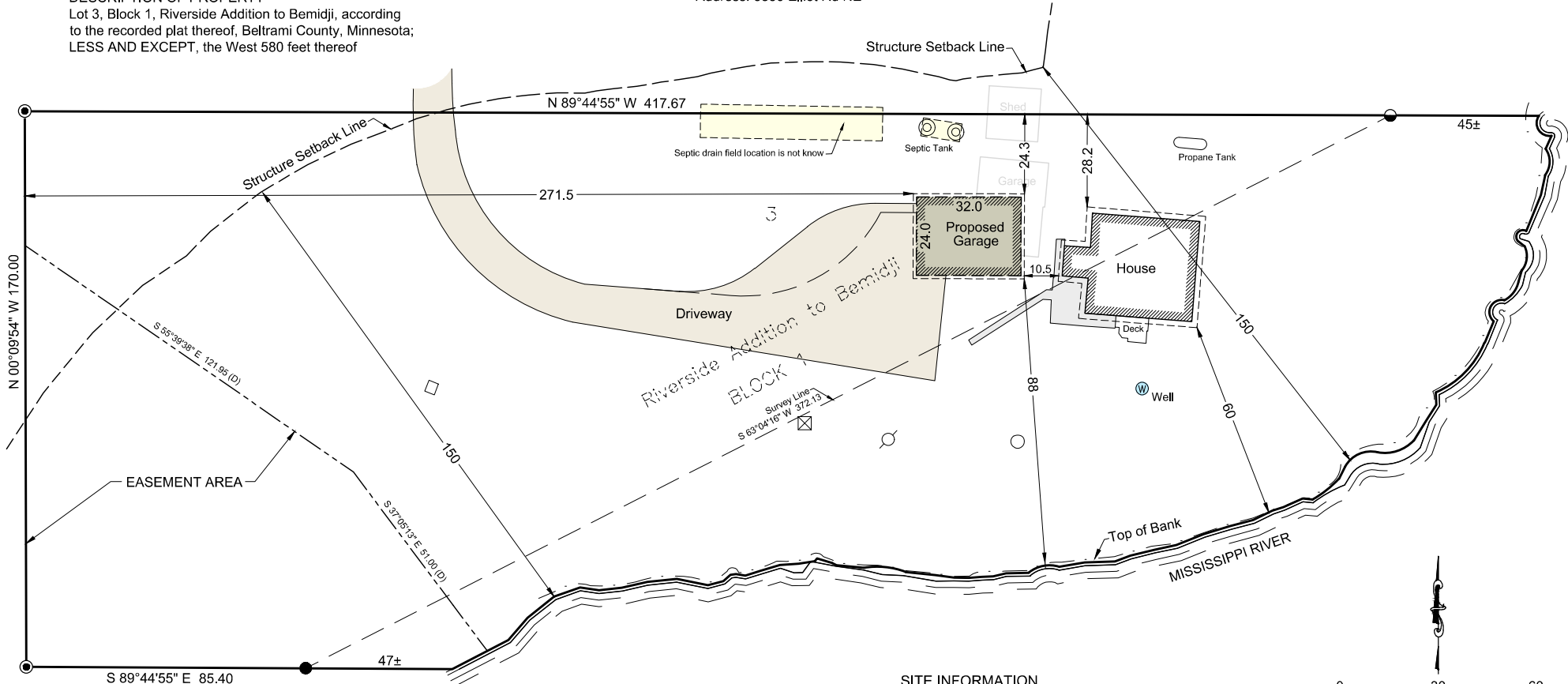
SITE PLAN

Part of
 Lot 3, Block 1, Riverside Addition to Bemidji, Beltrami County, Minnesota.

Parcel No. 800306900
 Address: 5350 Elliot Rd NE

DESCRIPTION OF PROPERTY

Lot 3, Block 1, Riverside Addition to Bemidji, according to the recorded plat thereof, Beltrami County, Minnesota; LESS AND EXCEPT, the West 580 feet thereof

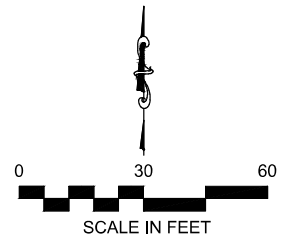


SITE INFORMATION

Zoning: R3 subject to Shoreland Forested River Segment

	Required	Existing	Proposed	Variance
Lot Size (R3)	45,000 S.F.	1.49 ± Acres		
Lot Width	200	170		
Proposed Garage Setback (OHV)	150		88	62
Setback (Side - North)	10		24.3	
Setback (Side - West)	10		271.5	
Impervious Surface	(25%)	6,088± (9.3%)	6,710 (10.3%)	

- LEGEND**
- Denotes 1/2 inch iron pipe, 15483, found
 - Denotes 1/2 inch iron pipe, 14455, found
 - Denotes 1/2 inch iron pipe, found
 - ⊠ Denotes communications pedestal
 - Denotes power pole
 - Denotes proposed new structure
 - Denotes existing structure to be removed

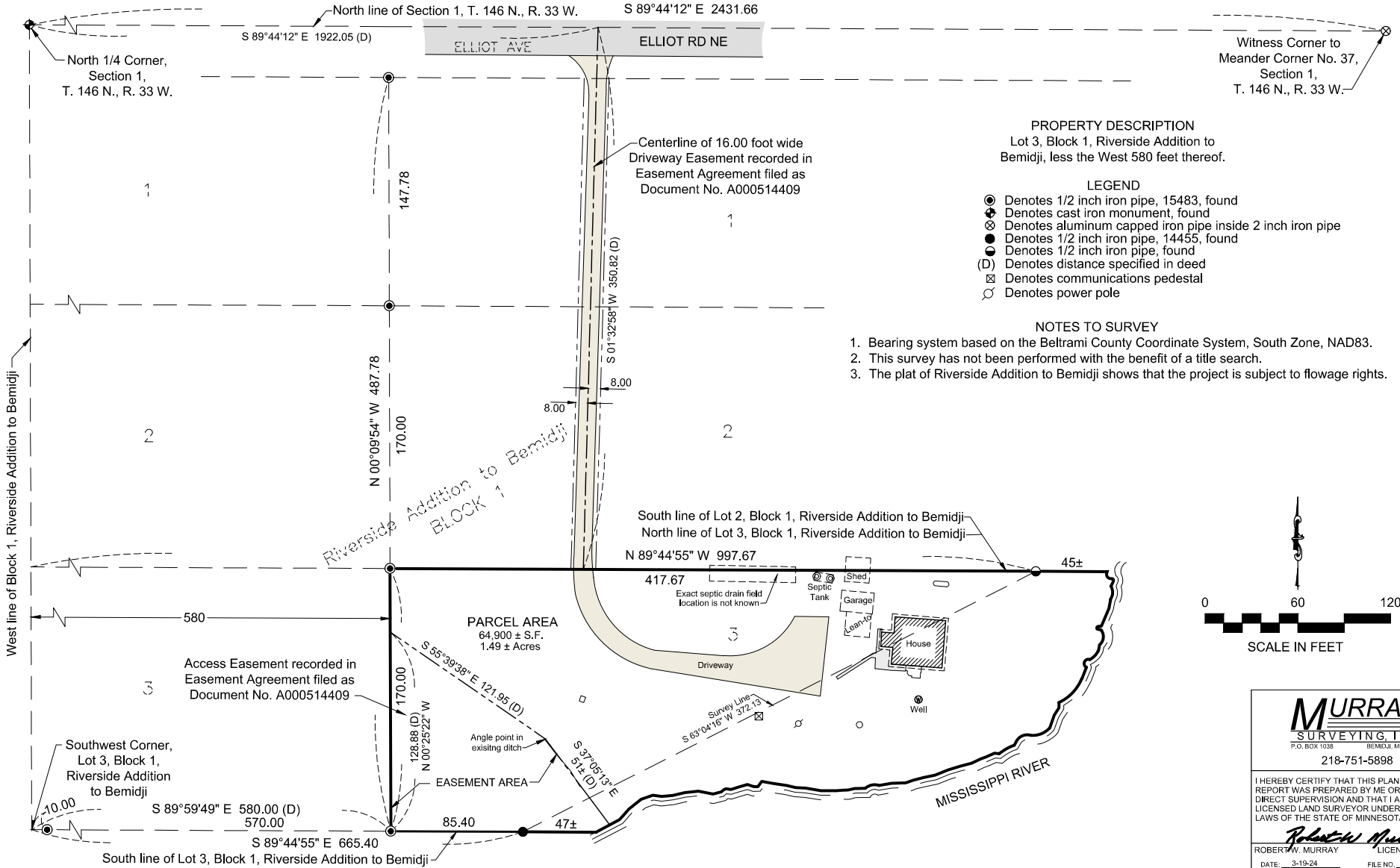


MURRAY
 SURVEYING, INC.
 P.O. BOX 1038 BEMIDJI, MN 56601
 218-751-5898

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
 MATTHEW R. MURRAY LICENSE NO. 48168
 DATE: 03-31-25 FILE NO.: 25-43

CERTIFICATE OF SURVEY

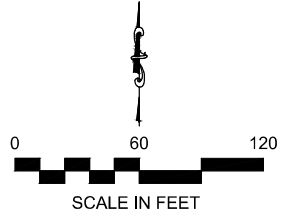
Part of
 Lot 3, Block 1, Riverside Addition to Bemidji, Beltrami County, Minnesota.



PROPERTY DESCRIPTION
 Lot 3, Block 1, Riverside Addition to Bemidji, less the West 580 feet thereof.

- LEGEND**
- ⊙ Denotes 1/2 inch iron pipe, 15483, found
 - ⊕ Denotes cast iron monument, found
 - ⊗ Denotes aluminum capped iron pipe inside 2 inch iron pipe
 - Denotes 1/2 inch iron pipe, 14455, found
 - Denotes 1/2 inch iron pipe, found
 - (D) Denotes distance specified in deed
 - ⊠ Denotes communications pedestal
 - ⊕ Denotes power pole

- NOTES TO SURVEY**
1. Bearing system based on the Beltrami County Coordinate System, South Zone, NAD83.
 2. This survey has not been performed with the benefit of a title search.
 3. The plat of Riverside Addition to Bemidji shows that the project is subject to flowage rights.



MURRAY
 SURVEYING INC.
P.O. BOX 1038 BEMIDJI, MN 56601
 218-751-5898

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Robert W. Murray
 ROBERT W. MURRAY LICENSE NO. 15483
 DATE: 3-19-24 FILE NO. 25-43C

Applications & Supporting Documents



Application

V-2025-0001

VARIANCE

SITE ADDRESS: 5350 ELLIOT RD NE BEMIDJI
PRIMARY PARCEL: 800306900
PROJECT NAME: GROVER VARIANCE APPLICATION

ISSUED:
EXPIRES:

APPLICANT: Matt Murray
304 Third Street NW
Bemidji, MN 56601
218-368-4647

OWNER: Scott Grover
5350 ELLIOT RD NE
BEMIDJI, MN 56601

PERMIT DETAILS

Detail Name	Detail Value
Are multiple variances being requested?	No
What specific standard(s) are you requesting a variance from (lot size, setbacks, building height, etc.)? List the Ordinance Section, if known.	Setback from Mississippi River (Forested River Segment) - Section 28-352 (d)(6)
What specific measurement(s) or standard(s) are you proposing?	Proposing to construct (replace) a new garage 88 feet from ordinary high water line (top of bank) of Mississippi River
Describe the existing use of your property:	Single family residential
Describe the proposed use of your property:	Single family residential
Will the proposal impact the character of the surrounding area?	No
Are there unavoidable physical or design limitations that severely limit your ability to meet the ordinance requirement(s)?	Yes
If yes, please explain the unavoidable physical or design limitations.	The Mississippi River effectively abuts two sides of the parcel. Due to the depth of the parcel relative to the setback from the Mississippi River, there is no practical way to locate a structure in compliance with the structure setback requirements. An additional limitation exists due to the location of the existing septic system.
Are there design or construction options or alternatives that may eliminate the need for a variance?	No



Please describe the alternatives you considered that would eliminate a need for a variance.

To construct a new garage in compliance with the structure setback requirement would place the garage too far from the house to have any practical purpose.

Please explain the practical difficulty you have encountered that prevents you from meeting the ordinance standard

The property owners are proposing to use their property in a reasonable manner. Replacing the old garage and lean-to with a new garage in the same proximity is a reasonable request. Providing additional space to accommodate a new septic system at some point in the future is also reasonable. There are circumstances unique to the property: the configuration of the parcel relative to the shoreline (which abuts two sides) leaves no practical location to construct a garage in compliance with the setback. The proposed variance would maintain the harmony and character of the neighborhood because the variance is not substantially changing anything about the property or the use. Finally, this application is not based on any economic considerations. The ordinance allows a landowner to make an application for a variance when, as here, a practical difficulty exists.

What measures have you considered and are willing to take to reduce the impact of this proposal on the standard you wish to vary from (remove other buildings, vegetative screens, etc.)?

The shed encroaching over the northerly boundary line will be removed.

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

Yes - Please explain below if you intend to drain, fill or otherwise alter this area for any reason

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 - River is elevated by dam.

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.

* A variance 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. The City of Bemidji Planning Board 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
Variance Application Fee (includes Beltrami County Recording fee)	\$500.00	\$0.00
Totals :	\$1,000.00	\$0.00

REQUIRED INSPECTIONS

Planning Initial Site Visit

Variance Inspection Follow Up (11 months from Approval)

PRACTICAL DIFFICULTY ANALYSIS
Grover Variance Application

The property owners are proposing to use their property in a reasonable manner.

Replacing the old garage and lean-to with a new garage in the same proximity is a reasonable request. Providing additional space to accommodate a new septic system, at some point in the future, is also reasonable. The existing garage and lean-to has existed on the property since around 1960 with no negative impact to the neighborhood or water resources. Replacing this structure will not create any negative impacts.

The plight of the landowner is due to circumstances unique to the property.

The Mississippi River abuts this property on effectively two sides. The configuration of the parcel relative to the shoreline leaves no practical location to construct a garage in compliance with the setback requirements. This circumstance was not created by the landowner.

The variance, if granted, will not alter the essential character of the locality.

The proposed variance would maintain the harmony and character of the neighborhood because replacing the existing garage will not substantially change anything about the property. The variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties.

This application is not based on any economic considerations.

The variance would uphold the goal and intention of the ordinance.

The ordinance allows a landowner to make an application for a variance when, as here, a practical difficulty exists.

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Parcel ID# or Sec/Twp/Range: 80.03069.00 Local tracking number: _____
 Reason for inspection: Building Permit Requirement
 Local regulatory authority info: Bemidji Joint Planning Board
 Property address: 5350 Elliot RD NE Bemidji MN 56601
 Owner/representative: Scott and Leslie Grover Owner's phone: 218-368-3758
 Brief system description: 1000 gallon concrete septic tank with 3 50 ft laterals, 150 total ft. of drainfield

System status

System status on date (mm/dd/yyyy): 2/10/2024

Compliant – Certificate of compliance*

Noncompliant – Notice of noncompliance

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

***Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.**

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- Impact on public health (Compliance component #1) – *Imminent threat to public health and safety*
- Tank integrity (Compliance component #2) – *Failing to protect groundwater*
- Other Compliance Conditions (Compliance component #3) – *Imminent threat to public health and safety*
- Other Compliance Conditions (Compliance component #3) – *Failing to protect groundwater*
- System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – *Failing to protect groundwater*
- Soil separation (Compliance component #5) – *Failing to protect groundwater*
- Operating permit/monitoring plan requirements (Compliance component #4) – *Noncompliant - local ordinance applies*

Comments or recommendations

See attached management plan for recommendations

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Hensch's Septic Services

Certification number: _____

Inspector signature: Dylan Hensch

License number: 4128

(This document has been electronically signed)

Phone: 218-770-6612

Necessary or locally required supporting documentation (must be attached)

- Soil observation logs
- System/As-Built
- Locally required forms
- Tank Integrity Assessment
- Operating Permit
- Other information (list): Management Plan and Site Map

Property Address: 5350 Elliot RD NE Bemidji MN 56601

Business Name: Hensch's Septic Services

Date: 2/10/2024

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

System discharges sewage to the ground surface	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
System discharges sewage to drain tile or surface waters.	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
System causes sewage backup into dwelling or establishment.	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No

Attached supporting documentation:

- Other: _____
- Not applicable

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

No surfacing was found in the yard near the drainfield or near the tank. The homeowners have had no issues with the system.

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
Sewage tank(s) leak below their designed operating depth?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
If yes, which sewage tank(s) leaks:	

Any "yes" answer above indicates the system is failing to protect groundwater.

Describe verification methods and results:

Attached supporting documentation:

- Empty tank(s) viewed by inspector
- Name of maintenance business: _____
- License number of maintenance business: _____
- Date of maintenance: _____
- Existing tank integrity assessment (Attach)
- Date of maintenance (mm/dd/yyyy): 10/4/2022
(must be within three years)
- (See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))
- Tank is Noncompliant (pumping not necessary – explain below)
- Other: _____

Property Address: 5350 Elliot RD NE Bemidji MN 56601
Business Name: Hensch's Septic Services

Date: 2/10/2024

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

Yes* No Unknown

3b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety? Yes* No Unknown

***Yes to 3a or 3b - System is an imminent threat to public health and safety.**

3c. System is non-protective of ground water for other conditions as determined by inspector?

Yes* No

3d. System not abandoned in accordance with Minn. R. 7080.2500?

Yes* No

***Yes to 3c or 3d - System is falling to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation: Not applicable

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 Not applicable

Is the system operated under an Operating Permit?

Yes No **If "yes", A below is required**

Is the system required to employ a Nitrogen BMP specified in the system design? Yes No **If "yes", B below is required**

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met? Yes No

b. Is the required nitrogen BMP in place and properly functioning? Yes No

Any "no" answer indicates noncompliance.

Describe verification methods and results:

Property address: 5350 Elliot NW STE
City: Bemidji State: MN

Parcel ID: _____
Zip code: 56601

Optional section: Sewage Tank Compliance Certification (Tank integrity assessment)

This form does not represent a complete system inspection report and only certifies sewage tank compliance status. i.e., this form, completed, may serve as a tank integrity assessment.

Instructions: This section of the form may be completed and signed by a Designated Certified Individual (DCI) of a licensed SSTS Maintenance Business who personally conducts the necessary procedures to assess the compliance status of each sewage tank in the system.

When this section of the form is signed by a qualified certified professional, it becomes necessary supporting documentation to an Existing System Compliance Inspection Report: Compliance inspection form - Existing system (wq-wwists4-31b). This form can be found on the MPCA website at <https://www.pca.state.mn.us/water/service-and-maintenance>.

The information and certified statement on this form is required when existing septic tank compliance status is determined by an individual other than the SSTS Inspector that submits an inspection report. This form represents a third party assessment of SSTS component compliance and is allowable under Minn. R. 7082.0700, subp. 4 Item (B) subitem (1). This form is valid for a period of three years beyond the signature date on this form unless a new evaluation is requested by the owner or owner's agent or is required according to local regulations. Additional Administrative Rule references for this activity can be found at Minn. R. 7082.0700, subp. 4 Items B, C, and D; 7083.0730 Item C.

Pages 1 and 2 are not required to accompany this form when the optional third page is completed and used to certify sewage tank compliance status.

System status

System status on date (mm/dd/yyyy): 10-4-22

Certificate of sewage tank compliance

Notice of sewage tank non-compliance

Compliance criteria:

The SSTS has a seepage pit, cesspool, drywell, leaching pit, or other pit - "Failure to Protect Groundwater."

Yes* No

The SSTS has a sewage tank that leaks below the designed operating depth - "Failure to Protect Groundwater."

Yes* No

The SSTS presents a threat to public safety by reason of structurally unsound (damaged, cracked, or weak) maintenance hole cover(s) or lids or any other unsafe condition - "Imminent Threat to Public Health or Safety."

Yes* No

Any "yes" answer above indicates sewage tank non-compliance.

Company information

Designated Certified Individual (DCI) information

Company name: Yoss Inc. DBA Portable John Rental and Service Print name: Doug Yoss

Business license number: 14139 Certification number: C2951

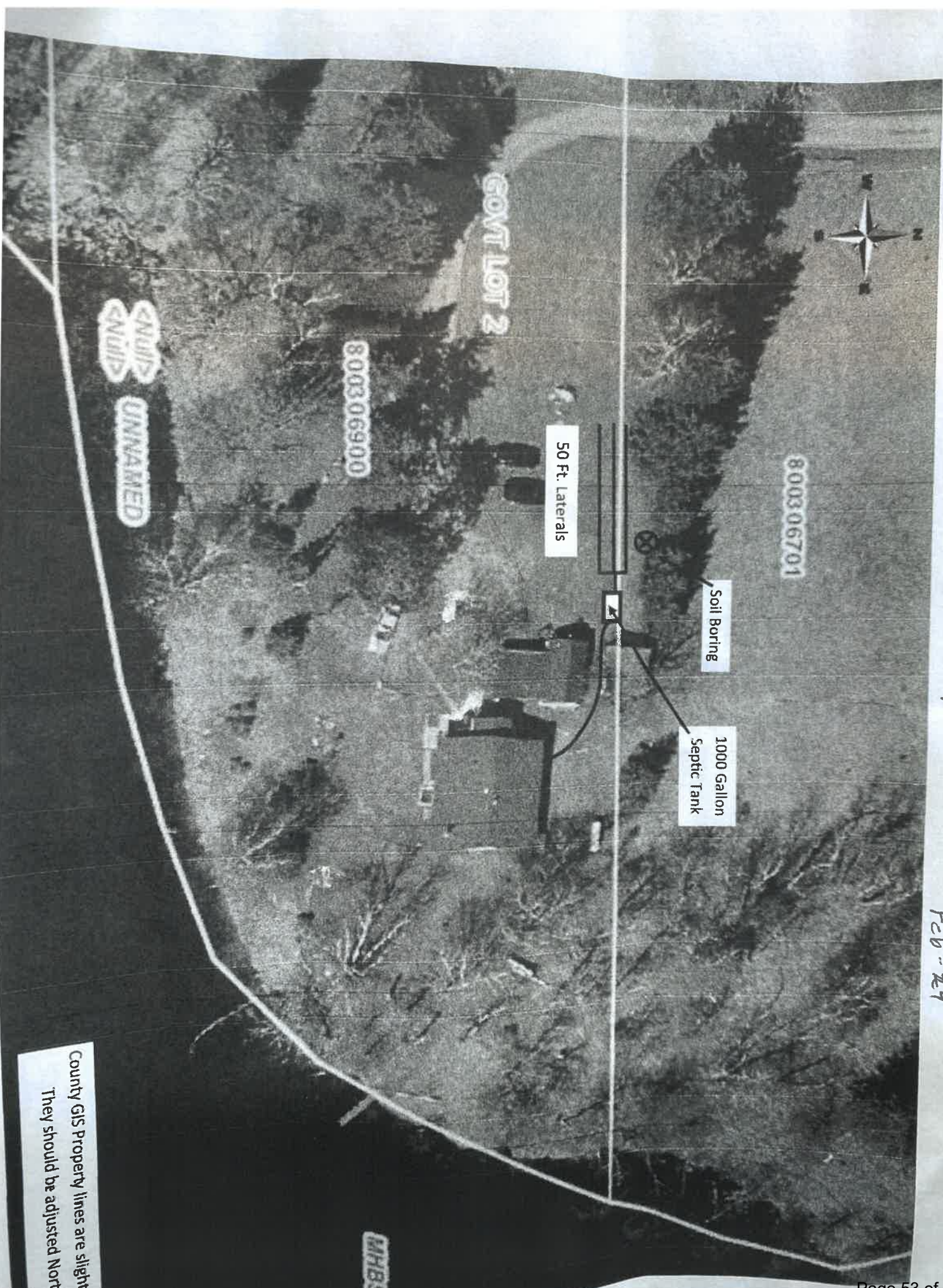
I personally conducted the work described above as a Designated Certified Individual of a Minnesota-licensed SSTS Maintenance Business. I personally conducted the necessary procedures to assess the compliance status of each sewage tank in this SSTS.

By typing/signing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Designated Certified Individual's signature: [Signature] Date (mm/dd/yyyy): 10-14-24

Provided at recent septic inspection

~~Feb - 23~~
Feb - 24



GOVT LOT 2

800306900

800306701

50 Ft. Laterals

Soil Boring

1000 Gallon Septic Tank

UNNAMED

MHBS

County GIS Property lines are slightly
They should be adjusted North.

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji –

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
<input checked="" type="checkbox"/>	Applicant / Representative	4/4/2025	_____
<input checked="" type="checkbox"/>	City Building Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Attorney	4/4/2025	_____
<input checked="" type="checkbox"/>	City Engineer	4/4/2025	_____
<input checked="" type="checkbox"/>	City Manager	4/4/2025	_____
<input type="checkbox"/>	City Community Development	_____	_____
<input checked="" type="checkbox"/>	City GIS Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Police Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Fire Department	4/4/2025	_____
<input type="checkbox"/>	City Parks Department	_____	_____
<input type="checkbox"/>	Beltrami County ESD/SWCD	_____	_____
<input type="checkbox"/>	Beltrami County Recorder	_____	_____
<input type="checkbox"/>	Beltrami County GIS Department	_____	_____
<input type="checkbox"/>	Beltrami County Sheriff	_____	_____
<input type="checkbox"/>	Beltrami County Engineer / Highway	_____	_____
<input type="checkbox"/>	Beltrami County Natural Resources	_____	_____
<input type="checkbox"/>	MnDNR Trails	_____	_____
<input checked="" type="checkbox"/>	MnDNR Waters	4/4/2025	_____
<input type="checkbox"/>	MnDNR District	_____	_____
<input type="checkbox"/>	MnDOT	_____	_____
<input type="checkbox"/>	Airport	_____	_____
<input type="checkbox"/>	Bemidji School District	_____	_____
<input type="checkbox"/>	MPCA Closed Landfill Program	_____	_____
<input type="checkbox"/>	U.S. Army Corps of Engineers	_____	_____
<input type="checkbox"/>	Minnesota Chippewa Tribe	_____	_____
<input type="checkbox"/>	Red Lake Nation DNR	_____	_____
<input type="checkbox"/>	White Earth Nation DNR	_____	_____
<input type="checkbox"/>	Leech Lake Band DRM	_____	_____
<input type="checkbox"/>	Bemidji Sustainability Commission	_____	_____
<input checked="" type="checkbox"/>	Other: Planning & Zoning Attorney	4/4/2025	_____



Planning and Zoning Department
City of Bemidji

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

April 4, 2025

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.

The parcel limited legal description is as follows:

SECT-01 TWP-146 RANGE-033 1.61 AC RIVERSIDE ADDITION LOT-003
BLOCK-001 LESS W 580'

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, April 24th, 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 at **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, April 18, 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 **V-2025-0001**.

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

April 4, 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 – V-2025-0001: - Matt Murray representing Scott & Leslie Grover is 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 Eliot Road NE (PIN #80.03069.00) in the City of Bemidji.

The parcel legal description is as follows:

SECT-01 TWP-146 RANGE-033 1.61 AC RIVERSIDE ADDITION LOT-003
BLOCK-001 LESS W 580'

This public hearing will be held on **Thursday, April 24th, 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, April 18, 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 and Zoning Staff

JOHN RUSSELL NAEGELI
EMILY JEAN NAEGELI
3500 PIPER DR NE
BEMIDJI, MN 56601

D R & K M WILLIAMS FAMILY TR
3345 RIVER PARK CT NE
BEMIDJI, MN 56601

ROBERT N MCKINNON
JULETTE MCKINNON

RUTH E ANDERSEN TRUSTEE
RUTH E ANDERSEN REVOCABLE TRST
1801 STANFORD AVE
SAINT PAUL, MN 55105

RICHARD S OSTER
GWEN A OSTER
3400 PIPER DR NE
BEMIDJI, MN 56601

STELLA N FERN
PO BOX 1823
BEMIDJI, MN 56619

SCOTT T GROVER
LESLIE L GROVER
5350 ELLIOT RD NE
BEMIDJI, MN 56601

GLEN A BERGERON TRUSTEE
BERGERON REVOCABLE TRUST
41997 340TH ST NW
ARGYLE, MN 56713



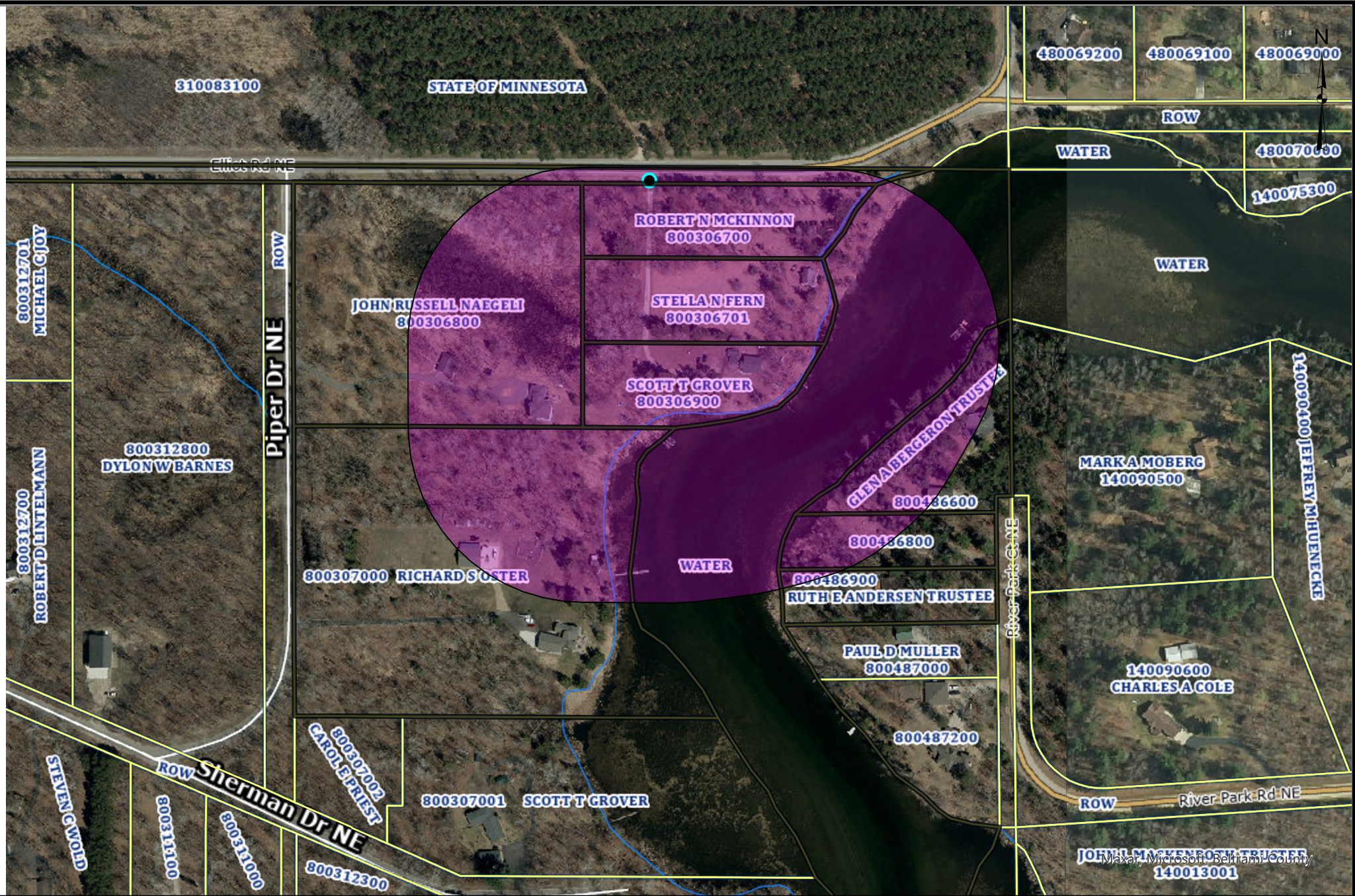
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

<h1>Aerial Map</h1>	
1:2,257	Date: 4/1/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



Bemidji
First City On The Mississippi

Page 60 of 165



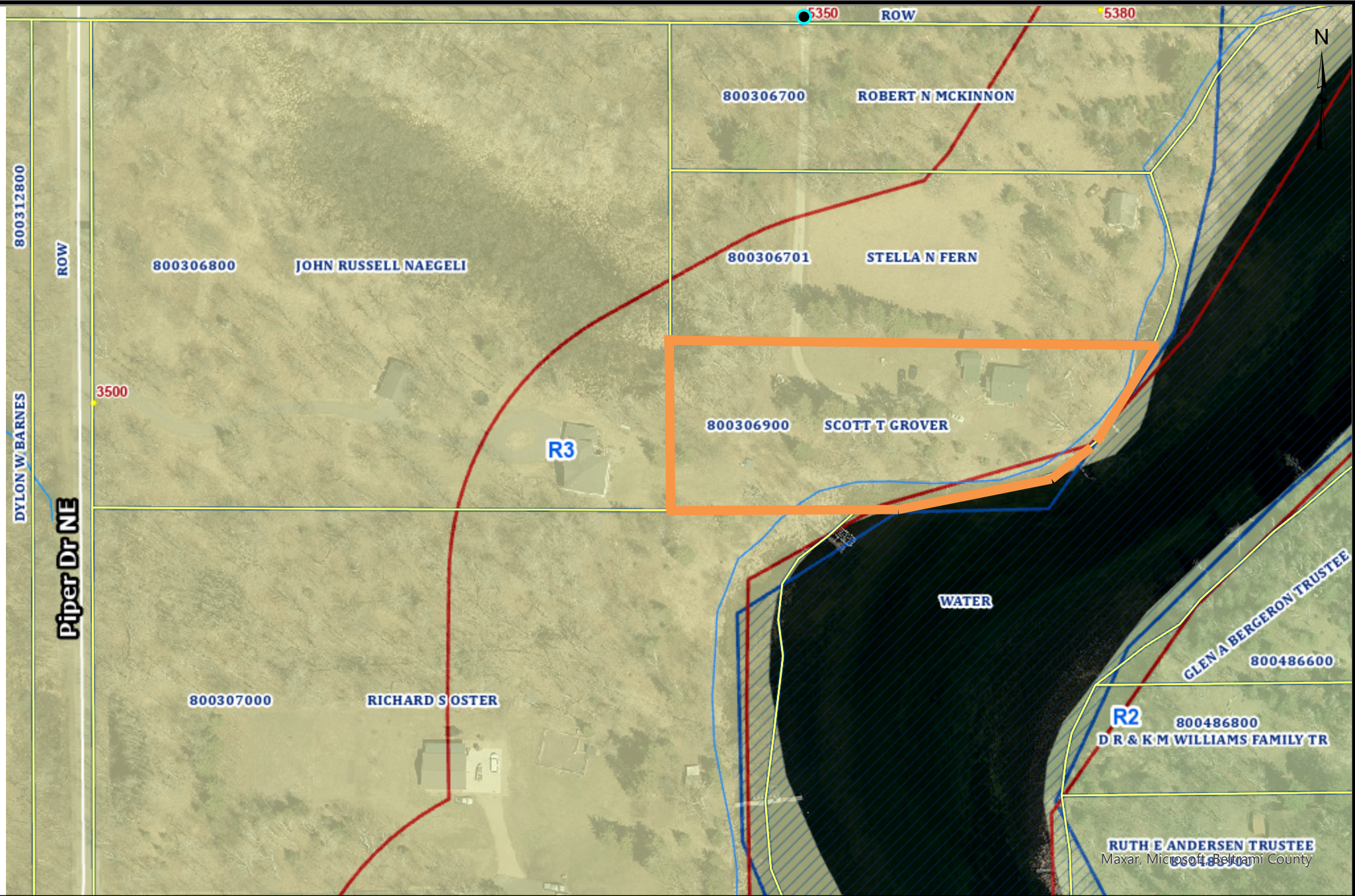
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

<h2>Buffer Map</h2>	
1:4,514	Date: 4/1/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



First City On The Mississippi

Page 61 of 165



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.

<h2>Zoning Map</h2>	
1:2,257	Date: 4/1/2025
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



Bemidji
First City On The Mississippi

Page 62 of 165



AFFIDAVIT OF PUBLICATION

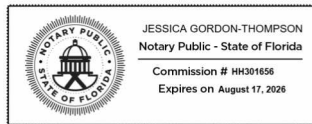
State of Florida, County of Orange, ss:

Edmar Corachia, 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, April 12, 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.

Edmar Corachia

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 04/14/2025

J. Tra

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, April 24, 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 broadcasted on Channel 2, regarding the following requests:

Variance Request: - V-2025-0001: - Murray Surveying, representing Scott & Leslie Grover, is 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 3350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji.

Interim Use Permit Request: - 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.

Concept Planned Unit Development: - SUB-2025-0001: - Tim Marco (Marco McLane Development) 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).

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, April 18, 2025**, so they may be incorporated into the staff report to the Planning Commission. (Apr. 12, 2025)

**Vetter & Wald LLP, representing
Northwest Tire -
Interim Use Permit Request**

Draft Resolution

CITY OF BEMIDJI PLANNING BOARD

Resolution No. 2025-13

RESOLUTION APPROVING AN INTERIM USE PERMIT FOR PARCEL 80.03629.00

WHEREAS, an application was made on March 31, 2025, by Chad Burchinal representing Vetter & Wald LLP (NW Tire) is requesting an Interim Use Permit (IUP) for a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes, on their property located at 402 Paul Bunyan Dr SE, within the City of Bemidji; and

WHEREAS, the proposed requested Interim Use Permit will be located on parcel 800569400, legally described SECT-15 TWP-146 RANGE-033 NYMORE LOT-006 BLOCK-013 LOTS 6 - 10; and

WHEREAS, the Property is zoned and located within the B-2 General Commercial zoning district & Hwy 197 Overlay; and

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

. WHEREAS, the Planning Commission held a public hearing on April 24, 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 on the west and north side of the building on the parcel. The semi-trailer is next to the tire recycle bin at the back of the lot off alley.

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.

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 Vetter & Wald LLP (NW Tire) to have a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes, on their property located at 402 Paul Bunyan Dr SE 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 container shall be placed on an approved hard surface per Sections 28-402, 28-409, & 28-411 of the Ordinance.

DRAFT

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 terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in a lease space.
6. 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.

CITY OF BEMIDJI PLANNING BOARD
State of Minnesota
County of Beltrami

This instrument was acknowledged before me on this 12th day of May 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

Date

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUP-2025-0004	MEETING DATE: April 24, 2025
APPLICANT: NW Tire - Vetter & Wald LLP (Chad Burchinal, Assistant Controller)	60-DAY RULE DATE: May 30, 2025
PROCEEDING: Interim Use Permit (IUP) - Semi-trailer exceeding 400 square feet maximum for outdoor storage purposes.	ZONING DISTRICT: General Commercial Zoning District (B-2), Hwy 197 Overlay
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING MEMORANDUM

I. SUMMARY OF REQUEST

SUP-2025-0004: - Chad Burchinal representing Vetter & Wald LLP (NW Tire) is requesting an Interim Use Permit (IUP) 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.

II. PUBLIC HEARING & DISCUSSION

Commission members made the following comments:

- Faver inquired if the container is encroaching on the alley right-of-way. Staff clarified that it is not.

Public Hearing opened at 5:48 p.m.

- Fred, representing Northwest Tire, addressed the commission and noted that they removed their previous container due to the condition and brought in a new one. Fred addressed their need for additional storage and noted there is currently hard packed sand underneath the tires and proper blocking underneath the front foot pads.
- Lisa Knights, 416 Wood Ave SE, addressed that the trailer is not causing problems in the neighborhood and cannot be seen from Paul Bunyan Dr SE and can be seen immediately from 4th St SE. Knights noted that Northwest Tire has been a good neighbor and expressed that the container does not impede the alleyway and that the fence is an unnecessary requirement.
- Mark Wilkowski, 405 4th St SE, expressed that the container is fine and that a fence would be a waste of time and money.

Public Hearing closed at 5:54 p.m.

Commission members had additional comments:

- Peterson inquired if a fence is required. Staff addressed that screening is required under the Ordinance. Peterson and staff discussed screening options.
- Peterson expressed support for not requiring a fence since the container is not bothering the

neighbors. Staff addressed that a variance would be required if the applicant wants to vary from the screening requirement.

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 (IUP) for a semi-trailer exceeding 400 square feet maximum for outdoor storage. The subject property is located at 402 Paul Bunyan Dr SE (PIN #80.03629.00) in the City of Bemidji.

RECOMMENDATION FOR APPROVAL

Approval is recommended with the following conditions based on the 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 container 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 terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in a lease space.
6. 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 on the west and north side of the building on the parcel. The semi-trailer is next to the tire recycle bin at the back of the lot off alley.

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.

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 80.03629.00, with the conditions and findings of fact as presented in the packet.

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

Nays: **None**

Abstentions: **None.**

Motion carried unanimously.

Additional notes:

The planning board will need to decide if the semi-trailer is considered “screened from public view” as shown in the pictures or if some kind of screening should be required for the north side.

Ordinance Section 411: d. *The temporary storage container/semi-trailer shall be screened with sight-obscuring fencing or landscaping approved by council staff;*

Also, the hard surfacing requirement: will the entire length of the semi-trailer need the surfacing or just under the wheels and legs? And if so, how much?

Ordinance Section 409: (2) *Off-street parking, driveways, loading and maneuvering areas shall be improved with a bituminous, concrete, pavers, or pervious paving/paver system.*

Staff Report for the Planning Commission

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUP-2025-0004	MEETING DATE: April 24, 2025
APPLICANT: NW Tire - Vetter & Wald LLP (Chad Burchinal, Assistant Controller)	60-DAY RULE DATE: May 30, 2025
PROCEEDING: Interim Use Permit (IUP) - Semi-trailer exceeding 400 square feet maximum for outdoor storage purposes.	ZONING DISTRICT: General Commercial Zoning District (B-2), Hwy 197 Overlay
PREPARED BY: Melissa Fahrenbruch Assistant Planner	EXHIBITS: Aerial Map, Application, Site Plans, Supporting Documentation

PLANNING REPORT

I. SUMMARY OF REQUEST

SUP-2025-0004: - Chad Burchinal representing Vetter & Wald LLP (NW Tire) is requesting an Interim Use Permit (IUP) 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.

II. BACKGROUND

NW Tire (Applicant) is seeking an Interim Use Permit (IUP) for a semi-trailer exceeding 400 square feet maximum for outdoor storage purposes for their daily business operation. The container is currently located east of the building along the alley right-of-way (ROW) shown in the following site plan.

The 2019 Ordinance/code update allows temporary storage containers in the Commercial and Industrial Zoning Districts with proper permitting and review. NW Tire was notified on March 11, 2025, by letter of the requirement of an annual permit for Storage Containers. During the application process it was brought to staff's attention that the semi-trailer is larger than the allowed 400 square feet. Staff has been working with the applicant on Section 28-411, (g. 2, a.) which states that a semi-trailer may be allowed with authorization through an IUP. The semi-trailer has been in use off and on throughout the years.



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 & 4) 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 Engineering & Public Works

My comment would be that they need to confirm it's on their own property and/or meeting the required setbacks.

Thanks,
Sam Anderson, P.E.

Refuse has no problem so far.

Todd Anderson
Water/Sewer/Refuse Superintendent

It's been there for years, and we really have had no issues.

David Hansen
Streets Superintendent

Neighboring Property Owner input

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

Letter from the Applicant

Trailer is being used as a storage container.

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 a semi-trailer exceeding 400 square feet maximum for outdoor storage. The subject property is located at 402 Paul Bunyan Dr SE (PIN #80.03629.00) 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 container 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 terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in a lease space.
6. 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 on the west and north side of the building on the parcel. The semi-trailer is next to the tire recycle bin at the back of the lot off alley.

- 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.

- 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)



Trailer is currently located on the east side of our building.

I have indicated where the trailer is by the black X behind our building.

Applications & Supporting Documents



APPLICATION

SUP-2025-0004

CONDITIONAL OR INTERIM USE PERMIT

SITE ADDRESS: 402 PAUL BUNYAN DR SE BEMIDJI
PRIMARY PARCEL: 800362900
PROJECT NAME: NW TIRE - STORAGE CONTAINER IUP

ISSUED:

EXPIRES:

APPLICANT: Burchinal, Chad
PO BOX 6247
Bismarck, ND 585066247
7012219600

OWNER: VETTER & WALD LLP
1615 E BISMARCK EXPY
BISMARCK, ND 58504

Detail Name	Detail Value
Select the type of use permit application from the list:	Interim Use
Describe the proposed use of your property:	Storage container
Describe the existing use of your property:	Tire 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
If yes, an increase amount of traffic, please explain.	N/A
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.	0 - used as storage container
Will your proposal increase water usage or sewage generation over the existing use?	No
If yes, increase in water usage or sewage generation please provide, how many gallon per day.	N/A
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)	N/A
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

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

Trailer is being used as a storage container.

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji –

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
<input checked="" type="checkbox"/>	Applicant / Representative	4/4/2025	_____
<input checked="" type="checkbox"/>	City Building Department	4/4/2025	_____
<input type="checkbox"/>	City Attorney	_____	_____
<input checked="" type="checkbox"/>	City Engineer	4/4/2025	_____
<input checked="" type="checkbox"/>	City Manager	4/4/2025	_____
<input type="checkbox"/>	City Community Development	_____	_____
<input checked="" type="checkbox"/>	City GIS Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Police Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Fire Department	4/4/2025	_____
<input type="checkbox"/>	City Parks Department	_____	_____
<input type="checkbox"/>	Beltrami County ESD/SWCD	_____	_____
<input type="checkbox"/>	Beltrami County Recorder	_____	_____
<input type="checkbox"/>	Beltrami County GIS Department	_____	_____
<input type="checkbox"/>	Beltrami County Sheriff	_____	_____
<input type="checkbox"/>	Beltrami County Engineer / Highway	_____	_____
<input type="checkbox"/>	Beltrami County Natural Resources	_____	_____
<input type="checkbox"/>	MnDNR Trails	_____	_____
<input type="checkbox"/>	MnDNR Waters	_____	_____
<input type="checkbox"/>	MnDNR District	_____	_____
<input checked="" type="checkbox"/>	MnDOT	4/4/2025	_____
<input type="checkbox"/>	Airport	_____	_____
<input type="checkbox"/>	Bemidji School District	_____	_____
<input type="checkbox"/>	MPCA Closed Landfill Program	_____	_____
<input type="checkbox"/>	U.S. Army Corps of Engineers	_____	_____
<input type="checkbox"/>	Minnesota Chippewa Tribe	_____	_____
<input type="checkbox"/>	Red Lake Nation DNR	_____	_____
<input type="checkbox"/>	White Earth Nation DNR	_____	_____
<input type="checkbox"/>	Leech Lake Band DRM	_____	_____
<input type="checkbox"/>	Bemidji Sustainability Commission	_____	_____
<input checked="" type="checkbox"/>	Other: Planning & Zoning Attorney	4/4/2025	_____



Planning and Zoning Department
City of Bemidji

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

April 1, 2025

City of Bemidji – SUP-2025-0004: - Chad Burchinal representing Vetter & Wald LLP (NW Tire) is requesting an Interim Use Permit to keep a storage trailer exceeding 400 square feet in a commercially zoned district. The subject property is located at 402 Paul Bunyan Dr SE (PIN #80.03629.00) in the City of Bemidji.

The parcel limited legal description is as follows:

SECT-15 TWP-146 RANGE-033 NYMORE LOT-006 BLOCK-013 LOTS 6
- 10

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, April 24th, 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 at **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, April 18, 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-2025-0004**.

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

April 1, 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-2025-0004: - 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.

The parcel legal description is as follows:

SECT-15 TWP-146 RANGE-033 NYMORE LOT-006 BLOCK-013 LOTS 6 - 10

This public hearing will be held on **Thursday, April 24th, 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, April 18, 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 and Zoning Staff

DAVID W VANDERBEST
507 4TH ST SE
BEMIDJI, MN 56601

KEITH ANDREW ERHOLTZ
SARAH J ERHOLTZ
9862 S GULL LAKE RD NE
TENSTRIKE, MN 56683

STATE OF MINNESOTA
500 LAFAYETTE RD
ST PAUL, MN 51155

RIVERS EDGE BOARD AND LODGE LLC
19707 STENSON RD NE
BLACKDUCK, MN 56630

ROGER L SMITH
1120 4TH ST SE
BEMIDJI, MN 56601

AMERIPRIDE SERVICES INC
5880 NOLENSVILLE PIKE
NASHVILLE, TN 37211

IAN HUERD
515 WOOD AVE SE
BEMIDJI, MN 56601

HOUSING & REDEVELOPMENT
AUTHORITY OF BEMIDJI
619 AMERICA AVE NW
BEMIDJI, MN 56601

SCOTT T GROVER
LESLIE L GROVER
5350 ELLIOT RD NE
BEMIDJI, MN 56601

BEMIDJI CANDLEWOOD LLC
PO BOX 1565
ABERDEEN, SD 57402

JAMES STEPHENS
409 WOOD AVE SE
BEMIDJI, MN 56601

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

JBD MANAGEMENT LLC
23958 480TH ST
LAPORTE, MN 56461

WHITE EARTH BAND OF THE MINNESOTA
CHIPPEWA TRIBE
PO BOX 495
WHITE EARTH, MN 56591

DANIEL J BRYANT
WHITNEY BRYANT
40816 181ST AVE
CLEARBROOK, MN 56634

LILLIAN NYEGAARD
404 WOOD AVE SE
BEMIDJI, MN 56601

DARRYL LARSON
31330 WOODBINE DR
CASS LAKE, MN 56633

PAN-O-GOLD REALTY CO
PO BOX 848
ST CLOUD, MN 56302

KELLY S JONES
509 WOOD AVE SE
BEMIDJI, MN 56601

HOLIDAY STATIONSTORES INC
1041
MINNEAPOLIS, MN 55440

VETTER & WALD LLP
1615 E BISMARK EXPY
BISMARK, ND 58504

HUNTER SORENSON
503 WOOD AVE SE
BEMIDJI, MN 56601

JACK A HELBERG
409 4TH ST SE
BEMIDJI, MN 56601

WILLIAM G TIBBETTS
401 WOOD AVE SE
BEMIDJI, MN 56601

LUCAS DANIEL DEANE KROGSENG
407 WOOD AVE SE
BEMIDJI, MN 56601

MINNEAPOLIS ST PAUL &
SAULT ST MARIE RAILWAY COMPANY

LISA KNIGHTS
416 WOOD AVE SE
BEMIDJI, MN 56601

NESS PROPERTIES OF BEMIDJI LLC
24137 498TH ST NW
BEMIDJI, MN 56601

GARY J STENNES
CONSTANCE M STENNES
PO BOX 95
NEVIS, MN 56467

SARAH J HAYDEN
521 N 9TH ST
BRAINERD, MN 56401

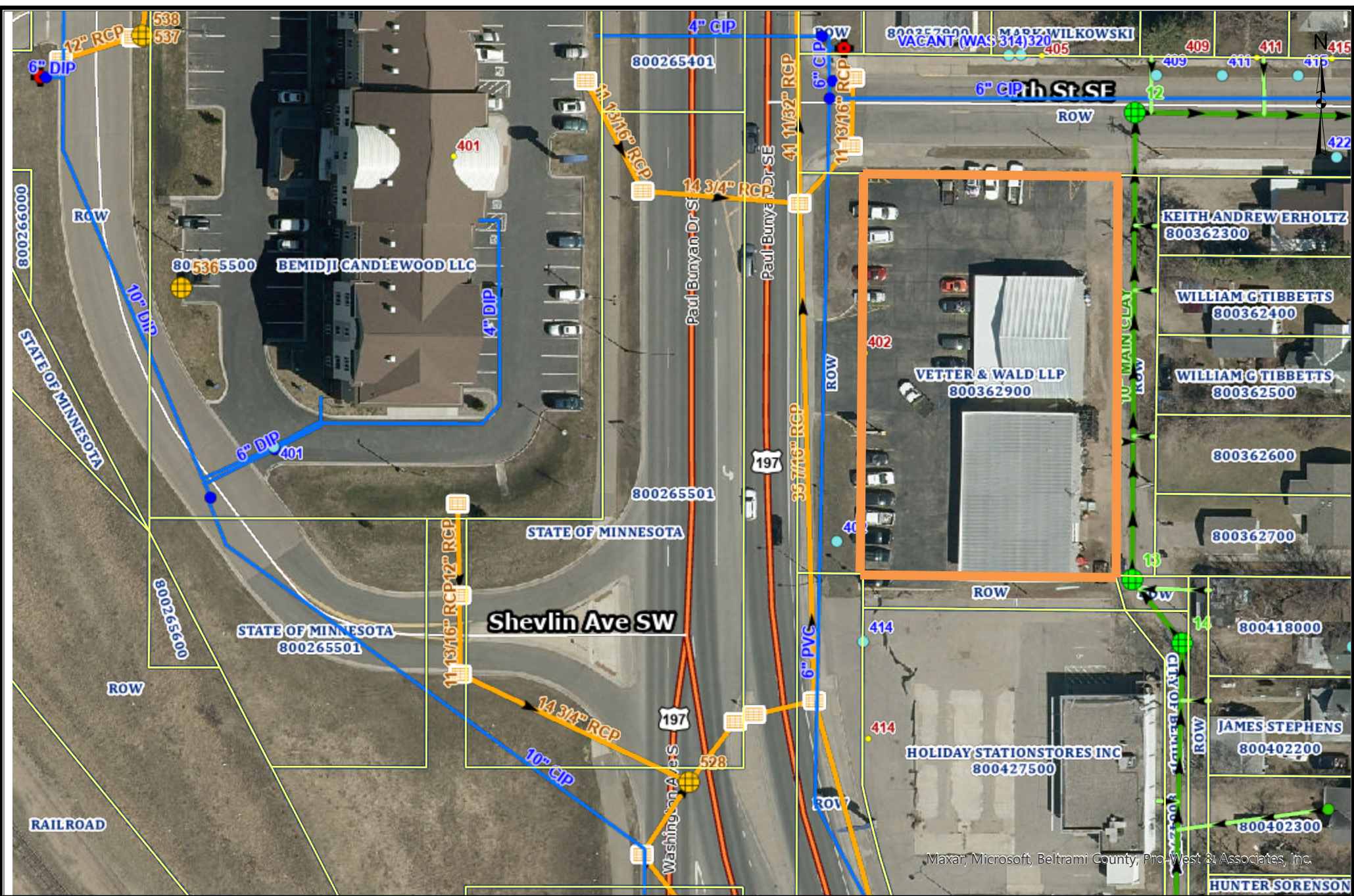
MARK WILKOWSKI
REBECCA WILKOWSKI
221 3RD ST NW
BEMIDJI, MN 56601

BRIAN W CHRISTIANSEN
SHELLY M CHRISTIANSEN
2607 N PLANTAGENET RD SW
BEMIDJI, MN 56601

JAIMIE L MYERS
510 WOOD AVE SE
BEMIDJI, MN 56601

ROBERT E STRAND
505 4TH ST SE
BEMIDJI, MN 56601

DAN ROGERS
LINDA S ROGERS
502 WOOD AVE SE
BEMIDJI, MN 56601



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

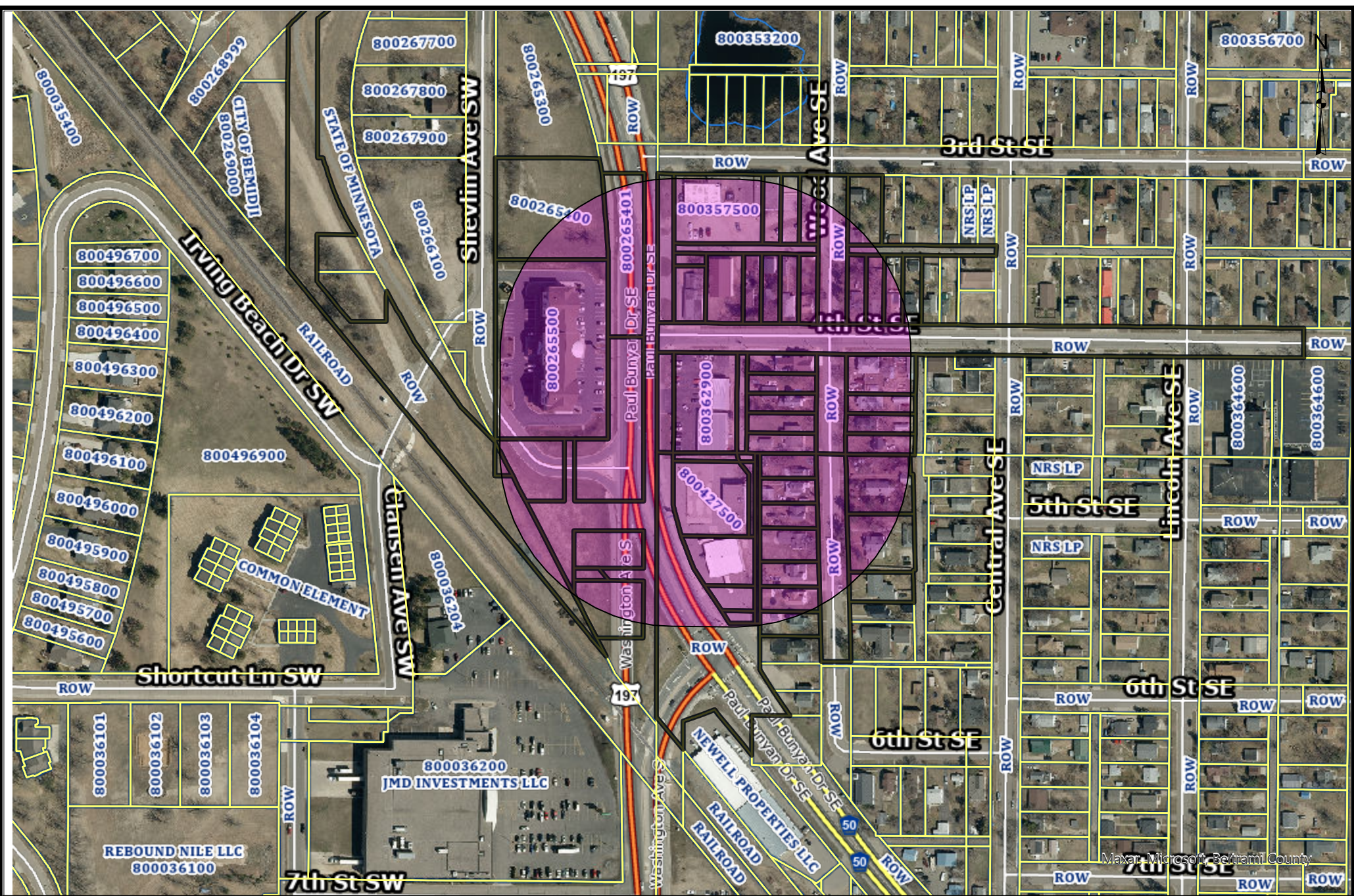
1:1,128

Date: 4/1/2025

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

Maxar, Microsoft, Beltrami County, Pro-West & Associates, Inc.

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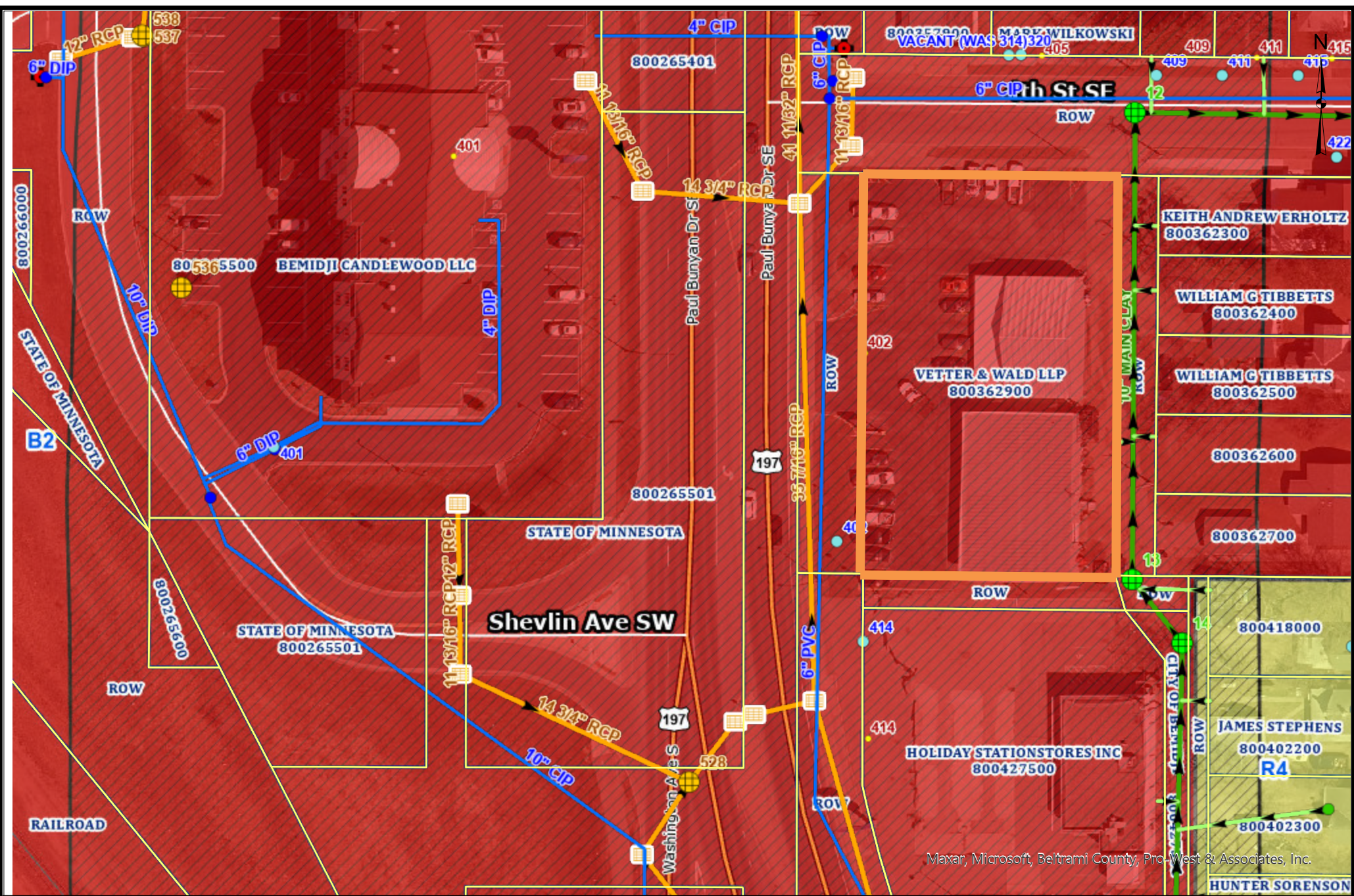


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Buffer Map

1:4,514 Date: 4/1/2025

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



Maxar, Microsoft, Beltrami County, Pro-West & Associates, Inc.

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Zoning Map

1:1,128

Date: 4/1/2025

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

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AFFIDAVIT OF PUBLICATION

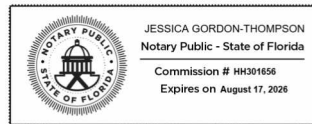
State of Florida, County of Orange, ss:

Edmar Corachia, 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, April 12, 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.

Edmar Corachia

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 04/14/2025

J. Gordon-Thompson

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, April 24, 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 broadcasted on Channel 2, regarding the following requests:

Variance Request: - V-2025-0001: - Murray Surveying, representing Scott & Leslie Grover, is 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 3350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji.

Interim Use Permit Request: - 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.

Concept Planned Unit Development: - SUB-2025-0001: - Tim Marco (Marco McLane Development) 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).

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, April 18, 2025**, so they may be incorporated into the staff report to the Planning Commission.
(Apr. 12, 2025)

Agency & Neighborhood Comments

FOR Planning Dept.

Urgent

DATE 4/18/2025

TIME 3:30 PM

While You Were Out

M. Roger Smith - neighbor

OF 415 4th St SE

PHONE _____

CELL _____

FAX _____

TELEPHONED

CAME TO SEE YOU

RETURNED YOUR CALL

PLEASE CALL

WILL CALL AGAIN

WANTS TO SEE YOU

Message

On Northwest Tire's Interim
Use Permit request →
Has no problem with it.

A-9711
T-3002

SIGNED AK

**Marco McLane representing
Greater Bemidji - Concept Planned
Unit Development Request for
Railroad Corridor**

Staff Memorandum for the Planning Board

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUB-2025-0001	MEETING DATE: April 24 th , 2025
APPLICANT: Greater Bemidji	60-DAY RULE DATE: June 1st, 2025
PROCEEDING: Planned Unit Development (PUD) – (CONCEPT)	ZONING DISTRICT: (UR) Urban Renaissance and within the Shoreland Overlay.
PREPARED BY: Jamin Carlson Planning Director	EXHIBITS: Zoning Map, Aerial Map, Application, Concept Drawings, Civil Design Drawings, Stormwater Management Plan, Supporting Documentation

PLANNING & ZONING MEMORANDUM

I. SUMMARY OF REQUEST

SUB-2025-0001: - Tim Marco (Marco McLane Development), 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 developments 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).

II. PUBLIC HEARING & DISCUSSION

Commission members made the following comments:

- Peterson questioned who would maintain the park area. Staff addressed that is not known at this time.

Public Hearing opened at 6:05 p.m.

- Tim Marco, Marco McLane Development, addressed the commission and reviewed the project. Marco addressed that Marco McLane Development and Greater Bemidji are not the developer of the project but will be putting together the plan for a future developer to implement.
- Marco addressed the greenspace/potential park is currently planned to be private and not public. Marco expressed concern over the plans required for the preliminary/final phases when the uses for the additional buildings planned have not been teased out yet.
- Marco addressed the plan for the plats and identified that the current plan is to plat lots 1A and 1B separately, clarifying that the building along Minnesota Avenue will be its own lot, the YMCA will be its own lot, and everything east in phase II will be platted as an out lot.
- Lemmer expressed concern over impact on the Veteran’s Memorial and Historical Society. Marco clarified that they will not be moving Minnesota Ave and the parking would not change.

- Meehlhause and Marco discussed the history of the project.
- Meehlhause inquired if the MN Energy parking lot is going to be acquired. Marco addressed that it has been discussed, but no purchase agreement is in place.
- Meehlhause inquired if connecting Minnesota Avenue to Midway Drive has been considered. Marco addressed that it has been discussed.
- Meehlhause inquired about the gold medal park plan. Marco addressed that that park plan has been removed from the current site plan, however there is still a pond and open greenspace in that southeast corner.
- Meehlhause addressed support for flexibility within the development.
- McCoy inquired about any plans for screening between the property line and the railroad. McCoy inquired if a complete dig of the site has been done to make sure there are not artifacts or cultural resources that may be impacted and if there is a plan in place for those. McCoy inquired if the applicant had discussed realigning the trail with the DNR.
- Staff addressed that the trail is owned by the city.
- Marco addressed that the city is in discussions with the railroad regarding screening.
- Marco addressed that the city is commissioning the cleanup and noted that the review of the site will be part of the bid package.
- Heinonen inquired about a current business in the corridor and if they would be relocated prior to the soil mitigation. Marco addressed that the city is working with local businesses and buildings.
- Marco addressed the tentative start date for cleanup is July or August and may go into next year.
- Heinonen expressed concern over the proposed section of the trail that will be a 90-degree turn and requested that this be reviewed.
- Heinonen expressed support for including residential or mixed-use commercial in this area and complying with emergency vehicle access requirements.
- Lemmer discussed the benefits of having the trail connecting people to the YMCA.
- Marco addressed that they have alternative plans for the trail and will take this feedback. Into consideration.
- Khasi Merseth, whose husband owns Downtown Meats, inquired about the corner area. Merseth expressed concern for construction affecting access to their parking lot.

Public Hearing closed at 6:29 p.m.

Additional comments provided:

- Jessica Saucedo (via WebEx), neighboring property owner at 303 Railroad St SW, inquired about the buffer map. Staff addressed.
- Saucedo addressed no other concerns.

Commission members made additional comments:

- Meehlhause and staff discussed snowmobile use on the trails.

III. RECOMMENDATION & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The Planning Commission must decide whether the conditions are sufficient for approval of Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future developments within the Urban Renaissance (UR) zoning district and the Shoreland Overlay.

RECOMMENDATION FOR APPROVAL

Approval is recommended with the following findings of fact:

Concept Planned Unit Development Findings

1. Does this project sample layout work within the confines of its location?

The proposed layout appears to use the confines of the area in an orderly fashion. The UR does allow for compact design along with a multitude of uses.

2. What pieces of information would we require in order to make a final recommendation to the applicant?

Staff has placed some initial requirements into this finding; this finding should be further developed by PC/PB during the concept meetings.

1. Applicant shall provide all deliverables required by the City of Bemidji Engineering Department/Public Works.
2. An overall developer's agreement shall be entered into with the City of Bemidji for all public infrastructure throughout the development. All utility easements will need to be determined prior to final submittal to be outlined within the agreement.
3. Applicant will need to determine addressing & as-built information for this development prior to final submittal and shall work with the GIS Department.
4. A traffic study shall be performed for the full buildout (all phases of the project) before the final phase of the PUD.
5. There should be a reasonable timeframe shown for the phases of the project.
6. A lighting plan shall be designed and submitted along with final PUD approval.
7. Applicant will need to design and identify the large park area/open space.
8. The multi-use trail will need to be designed to accommodate snowmobile and bicycle traffic.
9. All properties that are not under ownership for the development will need to be addressed before the preliminary & final PUD.
10. Private utility conflicts will need to be resolved before the preliminary & final PUD.

Motion by **Meehlhause**, second by **Peterson**, to recommend approval of the Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future developments request for parcel 80.00344.99, with the findings of fact as presented in the packet.

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

Nays: None

Abstentions: None.

Motion carried unanimously.

Next steps for the PUD/Preplat if approved per the Ordinance:

b. Preliminary Review. Upon approval of the Concept Plan, an applicant is then allowed to submit for a preliminary / final approval. The preliminary approval of density and layout is in no way an approval of the project, the final layout, the preliminary or final plat, the roadway access, the utilities, or any other change to the underlying property. Preliminary and Final approval can be combined if the Planning Staff recommends. The applicant will be required to provide all preliminary and final plans. Items required with preliminary application:

- i. Site plan
- ii. Preliminary Plat
- iii. Traffic patterns
- iv. Utilities layout
- v. Landscaping layout
- vi. Preliminary elevations of buildings
- vii. Preliminary drainage
- viii. Any and all plans and studies required by the planning staff to support approval. Examples include traffic study, wetland evaluation, tree removal approval etc.

Staff Report for the Planning Commission

The City of Bemidji Planning and Zoning Department

PLANNING CASE: SUB-2025-0001	MEETING DATE: APRIL 24 TH , 2025
APPLICANT: Greater Bemidji	60-DAY RULE DATE: June 1 st , 2025
PROCEEDING: Planned Unit Development (PUD) – (CONCEPT)	ZONING DISTRICT: (UR) Urban Renaissance
PREPARED BY: Jamin Carlson Planning Director	EXHIBITS: Zoning Map, Aerial Map, Application, Concept Drawings, Civil Design Drawings, Stormwater Management Plan, Supporting Documentation.

CONCEPT PLAT PLANNING REPORT

I. SUMMARY OF REQUEST

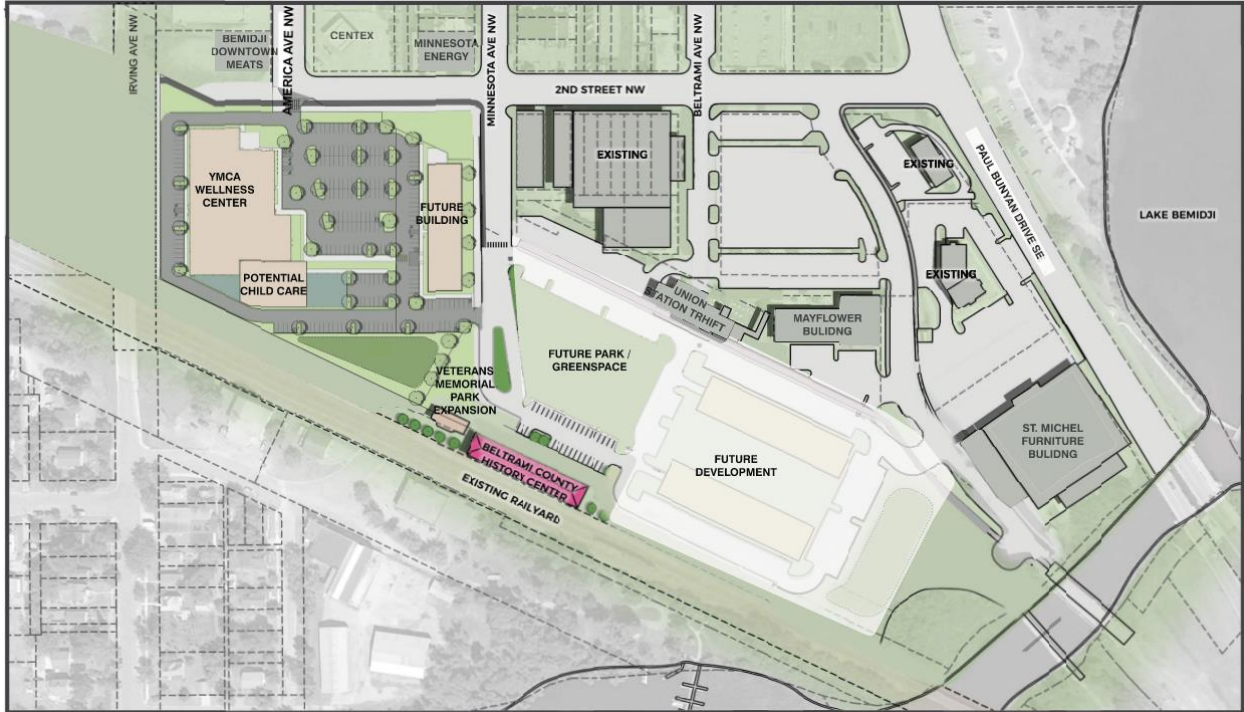
City of Bemidji – SUB-2025-0001: - Tim Marco (Marco McLane Development) representing Greater Bemidji is requesting a Concept Planned Unit Development (PUD) to develop a multi-phase project which would include a YMCA Community Wellness Center and other future developments within the Urban Renaissance (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).

II. BACKGROUND

The rail corridor has had many renditions of possible projects over many years. There were many activities that used the area for industrial type uses which have significantly polluted the soils over that time. There has been extensive soil testing and borings completed recently. The existing buildings are slated to be demolished along with soil remediation. The old seed business, barbershop along with some other outbuildings were demolished a few years ago.

Below is an aerial from 2020 showing the building highlighted in red that were removed. The next aerial below that is a 2023 aerial with the buildings that still need to be removed.





III. DISCUSSION/DEVELOPMENT ANALYSIS

Planning Considerations

A Planned Unit Development (PUD) is a type of development that allows for increased flexibility from certain areas of a land use ordinance. A PUD can be made up of different land use types including residential, mixed-use, and/or commercial developments. In this case the applicant is proposing a mixed-use development. The definition of PUD in the City of Bemidji Planning & Zoning Ordinance (hereafter referred as “Ordinance”) is as follows:

MIXED-USE PLANNED UNIT DEVELOPMENT (PUD): Planned unit development, mixed use means a planned unit development which includes a mixture of residential and commercial uses. In addition, it may be a single structure developed or converted under the statutory requirements of a common interest community.

(UR) Urban Renaissance zoning district and is approved through the PUD process outlined in the Ordinance, and no PUD can be approved without issuance of a Conditional Use Permit (CUP) by the planning board.

The PUD review process consists of three (3) phases. The three-phase process was created as applicants expressed interest in gaining a clear vision of the planning board expectations during the concept phase to ensure expectations can be met.

Summary of Three Phase Process

1. Concept Review

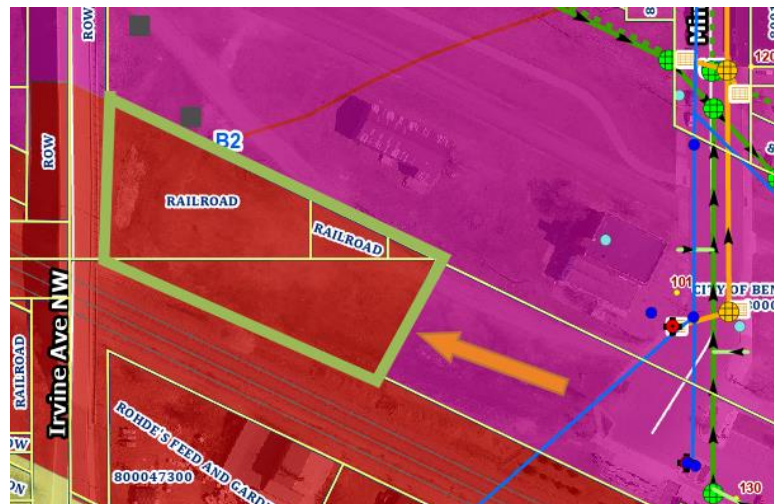
- a. Does this project's density and sample layout work within the confines of its location?
 - b. What pieces of information would we require to make a final recommendation to the applicant?
 - c. **The approval of a concept in no way approves any elements of this project.**
2. Preliminary Review
- a. This should show the applicant has made an effort to address all of the concerns that were brought to their attention at the concept meeting.
 - b. If commission/staff considers all concerns have been met and significant issues have been addressed, preliminary and final review can be combined for approval.
 - c. Finalized plans need to be presented at this time for approval.
3. Final Approval
- a. Finalized plans are required to be presented at this time if approval is to be recommended. The planning board makes the final decision on approval or denial.

Zoning/ Land Use Type

The subject property is zoned as (UR) Urban Renaissance (downtown), which is defined as:

Provide areas for retail, recreational, and governmental functions in a high amenity setting, accessible by automobile but conducive to pedestrians and bicyclists.

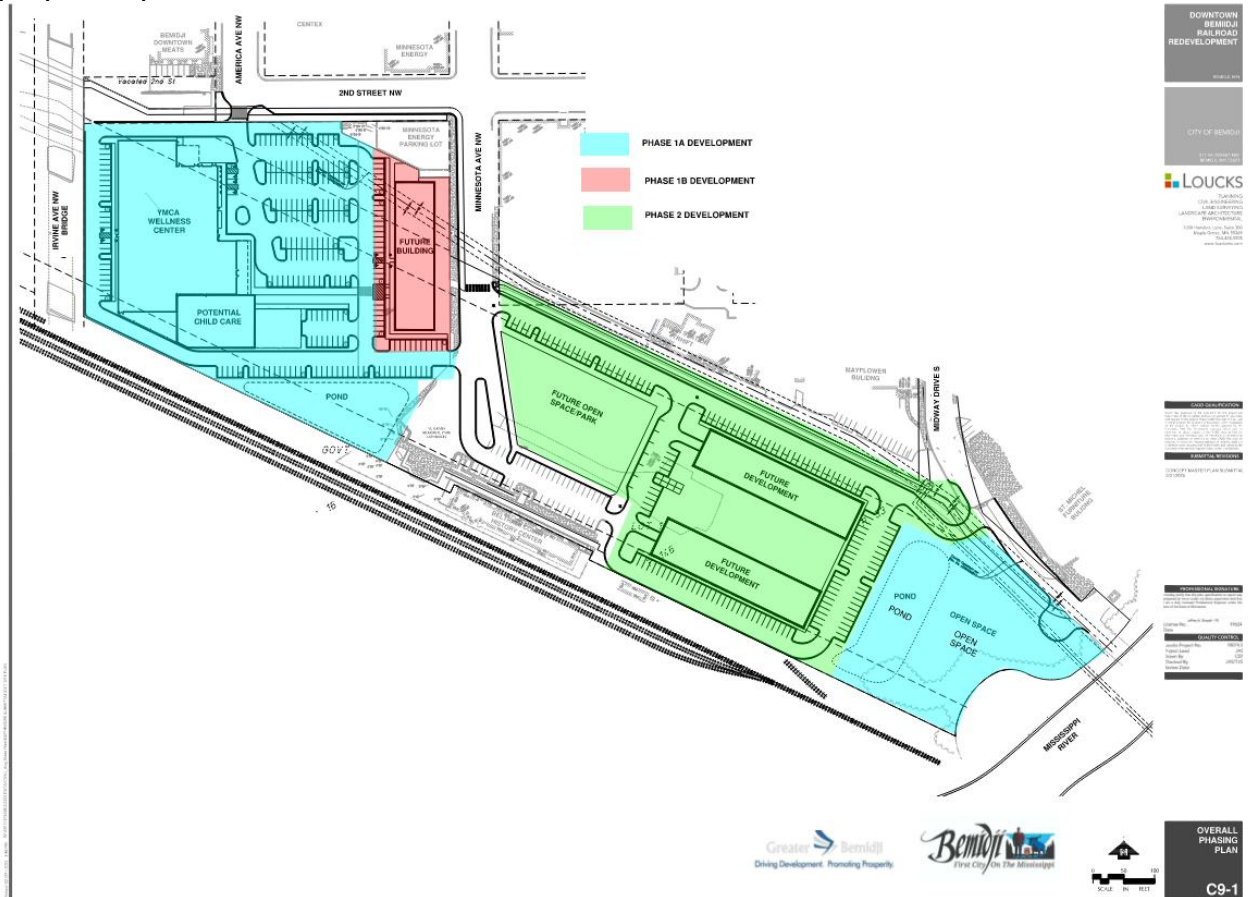
As for surrounding uses and zoning, the areas to the north of the subject property are all within the UR zoning district and comprise of mostly commercial type uses with an apartment to the east on Minnesota Ave. The property to the direct south is the BNSF active railroad line and the Beltrami County History Museum. To the west is city owned property that will be used for snow storage (west of the Irvine Ave overpass). There is a small portion of the southwest extent of the development that will need to be rezoned from B-2 General Commercial to the UR zoning district. A zoning map for reference:



Phasing of the Project

The project is proposed to be completed in a total of two (2) phases. Refer to C9-1 for the Phasing Plan for the layout of each phase. Phase one will consist of the YMCA and out lot along with entrances/accesses and some utilities. Phase two is most of the east side of the development (east of Minnesota Ave) that shows a potential park and future building sites along with potential parking lots.

The timing and duration of each phase will be entirely dependent on market forces. The Applicant seeks approval for the two-phase project with the flexibility prior to the start of each phase of the project. If something within a subsequent phase would like to be moved to an earlier or current phase, this can be approved via Staff administratively. Per Section 28-472, Part G, subd. 6. of the Ordinance, all final plats shall be recorded with the County Recorder within six (6) months after date of approval by the Planning Board, otherwise the approval of the final plat is deemed void. Anything from a current phase being delayed or pushed back to another phase will require approval through a PUD amendment. Below is a layout of the two (2) proposed phases.



Amenities

A PUD is given greater flexibility from the Ordinance for providing a selection of amenities. These amenities are listed in the Ordinance as Section 28-475. Flexibility

can be granted when the Applicant provides a selection of amenities from the list but is not limited to it.

Uses

The potential uses that would need Board approval that could be included for the PUD are the following:

Athletic Complex / Community Center (YMCA) - CUP

Auditorium and Performing Arts – CUP

Multi-Family or Townhome Development (5 Units or Greater) – CUP

Park, Athletic Fields and Active Outdoor Recreation – CUP

Parking Structure (Public) – CUP

Art, Business or Vocational - IUP

Counseling Service (Behavioral, Mental Health, Drug & Alcohol Abuse) - CUP

Community Indoor Entertainment, Large (10,000 S.F or more) – CUP

Convention or Event Center – CUP

Hotel or Motel – CUP

Bank or Financial Institution – CUP

Daycare Facility (Licensed Commercial Care) – IUP

Public Library -CUP

If these uses are included in the PUD, then they would be permitted and not need additional approvals from the Planning Commission or Planning Board later. This would be the same concept as the South Shore Planned Unit Development (SSPUD).

Flexibility

Greater flexibility is allowed with a PUD than otherwise allowed under the Ordinance, if it is a coordinated development providing public benefits not otherwise required. Flexibility can only be granted to the extent allowed by the Ordinance and flexibility will only be given to items approved during the approval process. All other items not granted flexibility shall meet the Ordinance and all regulations and requirements. Flexibility can be granted for setbacks, lot size, density, and off-street parking and loading areas.

The Applicant is seeking flexibility for phasing timelines. A preliminary & final PUD is approved through a CUP. A PUD, as stated in the Ordinance and the above section of this report, is a type of development that allows for greater flexibility, thereby creating a project that fits within a specific location.

Parking

Per Section 28-409 of the Ordinance, A legal parking space shall be at least eight-and-a-half feet by nineteen feet (8.5' x 19'). Parking plans are shown within the concept PUD. A parking plan will either need to be submitted with the final approved plans or will need to be explained or incorporated into the phasing plan when construction occurs.

Landscaping/ Tree Preservation

Per Section 28-406 of the Ordinance, removal of up to sixty percent (60%) of the high-quality significant trees over and above the base minimum landscape standard

may be permitted. Any removal of high-quality significant trees beyond this standard may only be approved by a CUP.

Lighting

All exterior lighting shall be in conformity with Section 28-408 of the Ordinance and be downward facing. All private exterior lighting on individual buildings/lots shall be hooded or otherwise shielded in order to deflect from adjoining properties and the public right-of-way, as well as protect the night sky.

Signage

The Applicant has not indicated any signage yet for the development. Signage is something that flexibility towards standards can be granted for with an approved PUD, no signage plan has been given to city staff. A sign permit will need to be applied for and approved before installation.

Trash Handling

The Applicant shall work with the City of Bemidji to ensure they have the needed trash handling services for their property. Trash enclosures will be required for new developments.

Traffic

A traffic impact study has not been completed for this proposed development.

Public Streets & Trails

The Concept drawings indicate a public street being developed and will need to have ownership determined. Plans show an existing multimodal trail being moved. The multimodal trail will need to be reconstructed in a way to accommodate for snow mobile use (groomer as well) during winter, as this is a designated snow mobile route, and bike and pedestrian use during other seasons.

Engineering Considerations

Per Sam Anderson, the City Engineer,

Good afternoon,

The Rail Corridor property certainly has a lot of history and complexities beyond what the final finished development may look like. Understanding it's still at the concept phase, some of my review comments are geared toward solidifying the major site feature locations and design early on, as the City is pursuing a soil remediation contract yet this year that may be affected by decisions made during this PUD approval process.

A few of the major comments I have on the entire development are the need for a traffic impact study and relocation of the existing paved trail:

Traffic Impact Study

A traffic impact study allows review of items such as site egress/ingress, trip generation (# of vehicles per day), impacts of neighboring intersections, potential impacts to pedestrian facilities, and assistance in phasing of future public/private infrastructure to meet the needs of the proposed site development. My recommendation is to require a traffic impact study be initiated to allow the results to be included in the eventual preliminary and final phases of the PUD process.

Relocation of paved trail

The current concept displays relocating the current paved trail that travels through the rail corridor and relocates it to an eventual “on-road” trail along Minnesota Avenue NW & 2nd Street NW before intersecting back with the existing paved trail leaving the rail corridor. My recommendation would be to have this proposed relocation revisited to provide an off-road trail location that works within the development to function closer to how it sits currently today. The trail accommodates both motorized and non-motorized activities currently.

Aside from those aforementioned items, below is a list of a few additional comments from Public Works staff:

- The future “Phase 1B” building, just on the west side of Minnesota Avenue NW looks to have a utility conflict with an existing overhead transmission line. Are there definitive plans for relocation and/or should the building footprint be amended?*
- The existing Minnesota Energy parking lot looks to be required to relocate the city sanitary sewer main and other components of the development. That property would need to be in control of the developer to assume this current plan would be allowed.*
- As a general comment, there will need to be eventual conversations on what would be considered city owned versus privately owned as the scope for the project becomes clearer in the PUD process.*

Thank you,

Sam Anderson, P.E. | City Engineer/Director of Public Works | City of Bemidji
218-333-1851 | sam.anderson@ci.bemidji.mn.us

Parks Department

Hello,

I will follow up with Sam's email. As concepts tend to change and parks are usually the last piece of the development.

The biggest thing is whether those areas identified as parks or expansion of the Veterans Memorial - are these public parks and do they include any funding for the development of the park? Or is the plan to turn the property over to the City.

Ultimately the City Council determines what is parks or what would be the design for a memorial park. Not sure what additional conversations were had with the Veteran's Group on allocating that property. This should be clarified.

Parking/access and quality of property for parks is a general concern. Trails and access and whether the property identified as a park is a wetland.

*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*

Neighborhood Comment

At the time of writing this report, no comments were received by staff.

Comprehensive Plan References

The City of Bemidji's Comprehensive Plan has identified this area within its future land use map as Urban Mixed Development Shoreland: Downtown development including retail, office, and high-density residential. To be developed at a density and with mixed use to not pose a negative impact to aquatic resources.

Rail Corridor District

The Rail Corridor District is located just south of Downtown Bemidji. The Corridor extends approximately 300 feet north of the existing railroad tracks, east of Park Avenue, and west of the Mississippi River. The City of Bemidji is interested in revitalizing the Corridor into a vital district that completes Downtown by adding new uses and attractions (Central City Plan 2009). The proposed use would include mixed use commercial/residential development with high-end retail shopping and a 60-unit residential facility. The site needs to be investigated for potential environmental limitations before such a development can be built.

The Corridor consists of four parcels totaling 20.53 acres (Beltrami County GIS). The area was historically characterized by as many as five different operating railroad companies at one-time and their associated tracks, depots, and numerous businesses, such as:

- warehouses,*
- feed mills,*
- flour mills,*
- creameries,*
- hardware stores,*
- grocery stores,*
- bottling companies,*
- lumber yards,*
- mills,*
- auto repair facilities,*

- saloons,
- restaurants,
- hotels,
- residential dwellings,
- bulk petroleum facilities, and
- fueling stations.

The “Rail Corridor District” along with surrounding state and city owned properties is a current homeless encampment corridor.

Objective 5.1: Promote a “Mixed-Use” Downtown Bemidji to Preserve and Encourage Diversity in Business and Housing Opportunities

1. Support initiatives and redevelopment designed to increase Downtown housing. The community will continue to provide opportunity for housing and commercial uses throughout Downtown Bemidji. When reviewing development projects, it is encouraged to preserve existing housing and explore options for increasing housing. Mixed-use housing can be increased with continued vertical development within Downtown, preserving retail while increasing housing opportunities.

2. Support and encourage long-range master planning for the rail corridor and inner-city river frontage to meet the needs of the community. The Rail Corridor District is currently adjacent to parcels that are contaminated due to past uses. It is encouraged to seek resources to remediate contaminated parcels to reestablish the Rail Corridor District as a valuable asset to the community. The adjacent Rail Corridor District and inner-city river frontage is a positive asset. It is imperative that this area be developed in a driven, community-focused manner.

Objective 4.1: Preserve the Quality Residential Neighborhoods Promote “mixed-use” areas to improve the transition of residential land use to other land uses. Mixed-use areas can provide an excellent transition from residential areas to commercial or highly developed areas. Gradually intensifying the uses on the fringe of neighborhoods or along high-traffic corridors that have been traditionally residential will mitigate impact to existing neighborhoods.

- 4. Allow flexibility with site design standards to ensure high-quality development.** Allowing for greater flexibility of zoning ordinances or density requirements for meeting site development criteria, such as increased live landscaping, stormwater retention areas, active recreation amenities, or park area, can provide a benefit to developers while ensuring a high-quality neighborhood is being designed or redeveloped.
- 5. Promote pedestrian-scale designs to increase sense of place and improve active transportation in new developments or redevelopments.** It is important to ensure high-density residential areas are designed with active transportation in

mind. Pedestrian-scale design of roadways and buildings can allow for a safe and inviting walkable environment.

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

- 1. Promote flexibility for commercial and industrial redevelopment and encourage in-fill development.**
 - a. 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.
- 2. Identify areas where commercial and industrial uses should be located, specifically adjacent to highways with controlled access where noise, odor, dust, and glare will have minimal impact.** *When reviewing new commercial and industrial land uses, ensuring these areas are appropriate and compatible with opportunity to be successful. Piecemeal development of industrial and commercial land uses can increase urban sprawl and have negative impacts on existing, less intense surrounding land uses.*

Zoning Ordinance References

Section 28-9: Definitions

Section 28-201: Zoning Districts

Section 28-82: Land Use Matrix

Section 28-121: Lot Size and Bulk Regulations by Zoning Districts

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

Section 28-406: Landscaping Requirements

Section 28-408: Lighting

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

Section 28-472: Land Suitability

Section 28-475: General Provisions for PUDs

Section 28-476: Design and Maintenance Standards and Criteria for PUDs

Section 28-478: Procedures for Approval of Subdivisions and PUDs

Section 28-479: Minimum Subdivision Design Standards

Section 28-524: Conditional Use or Interim Permits

IV. FINDINGS CONCEPT APPROVAL

The Planning Commission must decide whether the findings are sufficient for approval of a Concept Planned Unit Development for Parcel 80.00344.99 located in the (UR) Urban Renaissance zoning district, with the following findings:

Concept Planned Unit Development Findings

- 1. Does this project sample layout work within the confines of its location?**

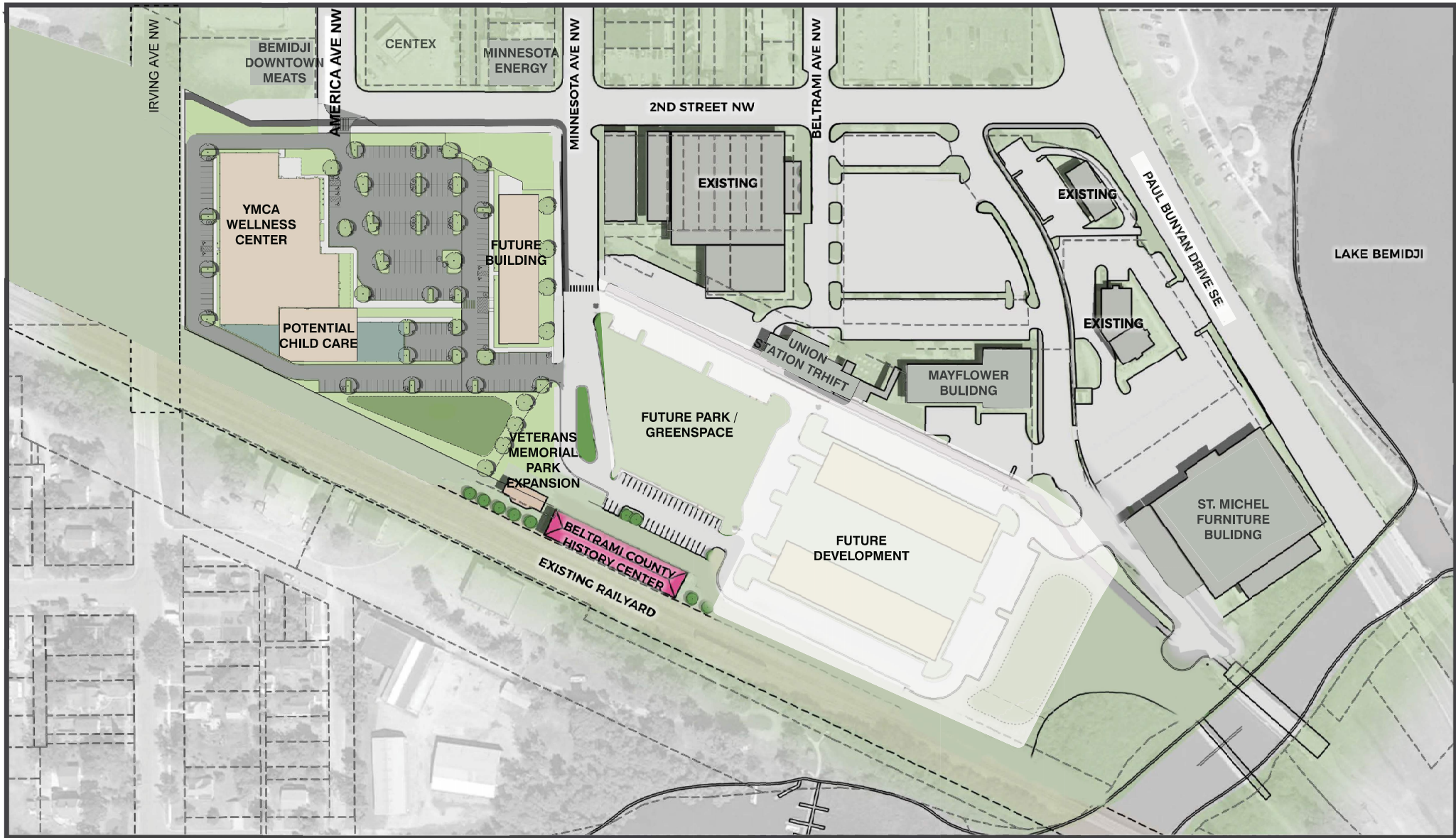
The proposed layout appears to use the confines of the area in an orderly fashion. The UR does allow for compact design along with a multitude of uses.

2. What pieces of information would we require in order to make a final recommendation to the applicant?

Staff has placed some initial requirements into this finding; this finding should be further developed by PC/PB during the concept meetings.

1. Applicant shall provide all deliverables required by the City of Bemidji Engineering Department/Public Works.
2. An overall developer's agreement shall be entered into with the City of Bemidji for all public infrastructure throughout the development. All utility easements will need to be determined prior to final submittal to be outlined within the agreement.
3. Applicant will need to determine addressing & as-built information for this development prior to final submittal and shall work with the GIS Department.
4. A traffic study shall be performed for the full buildout (all phases of the project) before the final phase of the PUD.
5. There should be a reasonable timeframe shown for the phases of the project.
6. A lighting plan shall be designed and submitted along with final PUD approval.
7. Applicant will need to design and identify the large park area/open space.
8. The multi-use trail will need to be designed to accommodate snowmobile and bicycle traffic.
9. All properties that are not under ownership for the development will need to be addressed before the preliminary & final PUD.
10. Private utility conflicts will need to be resolved before the preliminary & final PUD.

Site Plan(s)



RAIL CORRIDOR REDEVELOPMENT
BEMIDJI, MN

March 2025
Project No. 17343





LEGEND

- 1 Property Line
- 2 Sidewalk
- 3 Regional Trail
- 4 Stormwater Pond Outlet
- 5 Drop-off
- 6 Outdoor Patio
- 7 Play Area

DESCRIPTION OF PROPERTY SURVEYED

(Per Schedule A of the herein referenced Title Commitment)

Parcel 1 (Parcel is known as Parcel A per the deed description):

Those parts of Government Lot 1, Section 16, Township 146 North, Range 33 West, Government Lot 1, Section 9, Township 146 North, Range 33 West, Lots 10, 11 and 12, Block 1, Railroad Addition to Bemidji; Lots 1 to 12, inclusive, Block 2, Railroad Addition to Bemidji; Lots 1 to 12, inclusive, Block 3, Railroad Addition to Bemidji; Lots 13 and 14, Block 40, Bemidji (Original Townsite of Bemidji); Lots 1 to 24, Block 21, Bemidji; Outlets G, H and I, Bemidji; Lots 1 to 16, inclusive, Block 1, of Bemidji Townsite and Improvement Company's Subdivision of Outlets G, H and I in the Original Townsite of Bemidji; together with all interest in First Street, Second Street, Bemidji Avenue, Belmont Avenue, Minnesota Avenue, America Avenue, and the alley in Block 21, Bemidji, vested or otherwise; that lie within the following description:

Commencing at the point of intersection of the Southwest boundary line of State Trunk Highway No. 197, as established by centerline Order No. 8781, dated March 10, 1934, and the Eastern line of the Western 60 feet of Bemidji Avenue; thence Southwesterly along the Eastern line of the Western 60 feet of Bemidji Avenue to the intersection with the North line of Government Lot 1, Section 16, Township 146 North, Range 33 West, which point of intersection is the point of beginning for Parcel A; thence continuing Southwesterly along the Eastern line of the Western 60 feet of Bemidji Avenue to the intersection with the Eastern boundary line of former State Trunk Highway No. 8; as established by centerline Order No. 5579 dated November 7, 1927; thence Southwesterly and Southwesterly along the Eastern and Northeastly boundary line of former State Trunk Highway No. 8 to a point which is distant 60 feet Northwesterly of the concrete bridge over the Mississippi River (said 60 feet measured along said Northeastly boundary line of former State Trunk Highway No. 8); thence Northwesterly at right angles for a distance of 30 feet; thence Southwesterly along a line run parallel with and distant 30 feet Northwesterly of the Northeastly boundary line of former State Trunk Highway No. 8 to the water's edge of the Mississippi River; (NOTE: The Parcel A boundary line described from the point of beginning to the water's edge of the Mississippi River is intended to correspond to and mirror the West boundary line of the former State Trunk Highway No. 8, by the Quil Claim Deed dated May 11, 1972, and recorded June 1, 1972, as McCollin No. 226143); thence Southwesterly and Southwesterly along the shore of the Mississippi River to a point that is distant 185 feet Northwesterly, as measured at right angles thereto, from the centerline of the main track of the former Great Northern Railway Company (predecessor to present day Burlington Northern and Santa Fe Railway Company) as the same was located, maintained and operated under and under Government Lot 1, Section 16, Township 146 North, Range 33 West; thence Northwesterly along a line run parallel with and distant 185 feet Northwesterly, as measured at right angles thereto, from the centerline of said former Great Northern Railway Company main track, to the intersection with the East boundary line of living Avenue; thence North along the East boundary line of living Avenue to the intersection with a line run parallel with and distant 58 feet Northwesterly, as measured at right angles thereto, from the centerline of the main track of the former Minneapolis, St. Paul & South Sea, Marie Railway Company (predecessor to present day Soo Line Railroad Company); thence Southwesterly along said parallel line to its intersection with the North line of the South 23 feet of vacated Second Street; thence East along the North line of said South 23 feet of vacated Second Street, to its intersection with the West line of America Avenue; thence Southwesterly along said parallel line to its intersection with the Northwest corner of Lot 1, Block 4, of Bemidji Townsite and Improvement Company's Subdivision of Outlets G, H and I; in the Original Townsite of Bemidji; thence East along the North line of said Lot 8 to its point of intersection with a line run parallel with and distant 300 feet Northeastly, as measured at right angles thereto, from the main track centerline of the former Great Northern Railway Company; thence Southwesterly along said parallel line to the intersection with the East boundary line of Lot 2, Block 21, Bemidji; thence South along the East boundary line of said Lot 2 to the intersection with the North line of the South 48 feet of said Lot 2 and Block 21, Bemidji; thence East along the North line of the South 48 feet of said Lot 2, to the West line of Minnesota Avenue (which is also the East line of Lot 1, thence South along the West line of Minnesota Avenue to its intersection with a line run parallel with and distant 55 feet Northwesterly, as measured at right angles thereto, from the main track centerline of the former Minneapolis, St. Paul & South Sea, Marie Railway Company; thence Southwesterly along said parallel line to its intersection with the West line of Bemidji Avenue extended South; thence North along the West boundary line of the West line of Bemidji Avenue to its intersection with the North line of Government Lot 1, Section 16, Township 146 North, Range 33 West; thence East along the North line of said Government Lot 1 a distance of 60 feet to the point of beginning.

Abstract Property

Parcel 2:

That portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground property at Bemidji, Minnesota, situated in Government Lot 1 of Section 16, Township 146 North, Range 33 West of the 5th P.M., Beltrami County, Minnesota, being a portion of the same 300 foot wide strip of land described in Warranty Deed from the Bemidji Townsite and Improvement Company to the Great Northern Railway Company filed for record July 2, 1909 in Book 21 of Deeds, page 232 in and for said County, and a portion of the same 85 foot wide strip of land described in Warranty Deed from Minnesota & International Railway Company to Great Northern Railway Company filed for record October 27, 1915 in Book 45 of Deeds Page 109 in and for said County, described as follows: Beginning at a point on the North line of said Section 16 distant 185.0 feet Northwesterly, as measured at right angles from said Railway Company's Main Track centerline, as originally located and constructed upon, over and across said Section 16, thence Southwesterly at right angles to said Main Track centerline 135.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northwesterly, as measured at right angles from said Main Track centerline; thence Southwesterly along said parallel line 340.0 feet; thence Northeastly at right angles 15.0 feet; thence Southwesterly along a line parallel with and distant 50.0 feet Northwesterly from said Main Track centerline a distance of 280.0 feet; thence Southwesterly at right angles 15.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northwesterly, measured at right angles from said Main Track centerline; thence Southwesterly along the last described parallel line 480 feet, more or less, to the Western bank of the Mississippi River; thence Northwesterly along said Western bank to the intersection with a line drawn parallel with and distant 185.0 feet Northwesterly, as measured at right angles from said Main Track centerline; thence Northwesterly along the last described parallel line 1,350 feet, more or less, to the Point of Beginning.

Abstract Property

Parcel 3:

That portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground property at Bemidji, Minnesota, situated in Government Lot 1 of Section 16, Township 146 North, Range 33 West of the 5th P.M., Beltrami County, Minnesota, being a portion of the same 300 foot wide strip of land described in Warranty Deed from the Bemidji Townsite and Improvement Company to the Great Northern Railway Company filed for record July 2, 1909 in Book 21 of Deeds, page 232 in and for said County, and a portion of the same 85 foot wide strip of land described in Warranty Deed from Minnesota & International Railway Company to Great Northern Railway Company filed for record October 27, 1915 in Book 45 of Deeds Page 109 in and for said County, described as follows: That part of above land lying Northwesterly of Line "A", lying Northeastly of Line "B" and lying Eastwesterly of the East boundary line of living Avenue.

Line "A":

Beginning at a point on the North line of said Section 16 distant 185.0 feet Northwesterly, as measured at right angles from said Railway Company's Main Track centerline, as originally located and constructed upon, over and across said Section 16, thence Southwesterly at right angles to said Main Track centerline 135.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northwesterly, as measured at right angles from said Main Track centerline, said point of intersection being "Point A" and said line there terminating.

Line "B"

Beginning at "Point A" above, thence Northwesterly on a line parallel with and distant 50.0 feet Northwesterly, as measured at right angles from said Main Track centerline to its intersection with the East boundary line of living Avenue and there terminating.

Abstract Property

TITLE COMMITMENT EXCEPTIONS

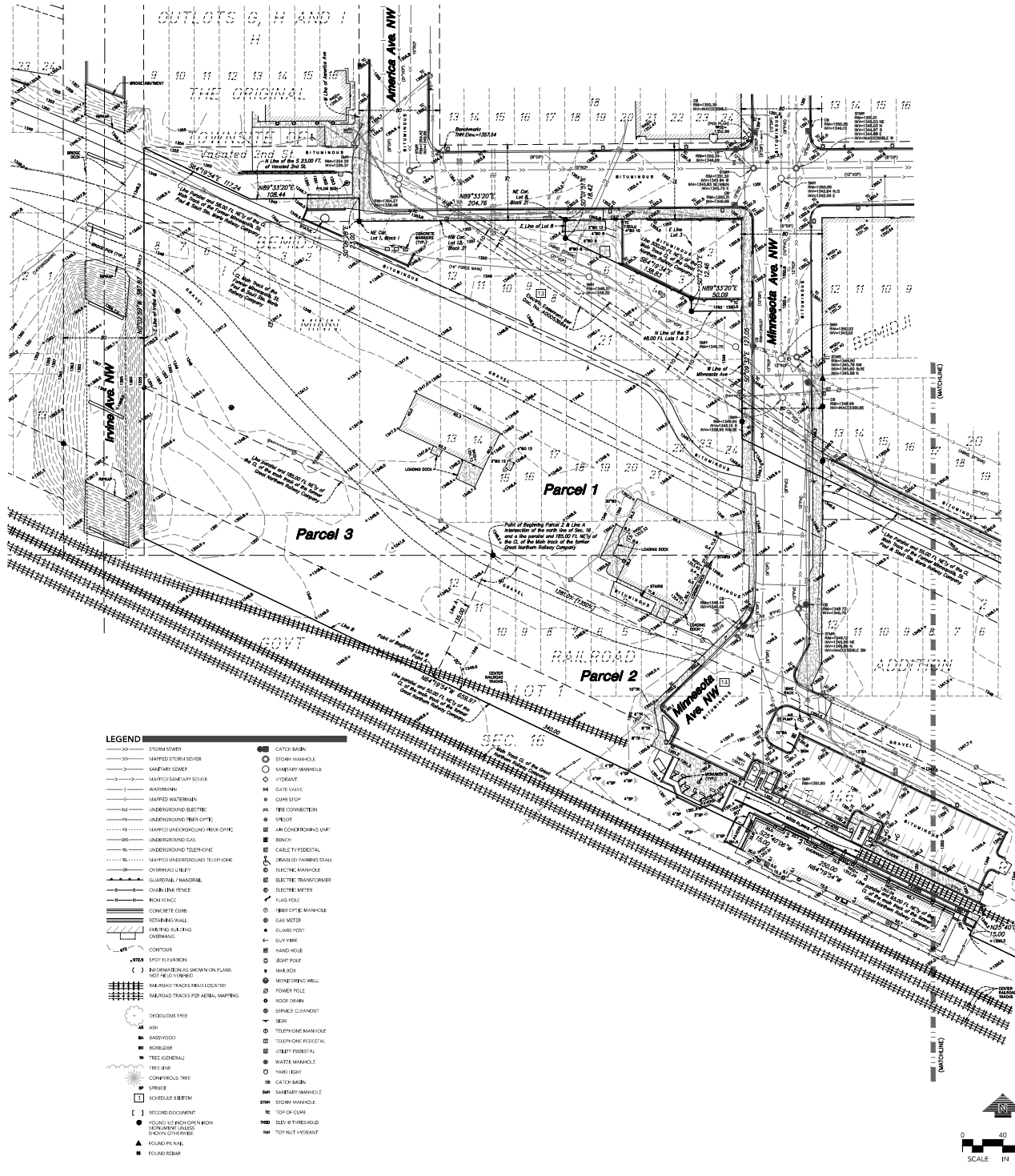
(Per Schedule B, Part II of the herein referenced Title Commitment)

The property depicted on this survey and the easements of record shown hereon are the same as the property and the easements described in the Commitment for Title Insurance issued by Old Republic Title Insurance Company, File No. OR1750186, effective date December 16, 2024. The numbers below correspond to those in the commitment.

- 1-4, 11-12 & 15 do not require comment.
- 5. Reservation of mineral and mineral rights and easement by The Burlington Northern and Santa Fe Railway Company in QuilClaim Deed filed June 15, 2003 as Document No. 436853. **Not shown hereon. Easements are blanket and not defined in the document.**
- 10. Reservation of mineral and mineral rights and easement by The Burlington Northern and Santa Fe Railway Company in QuilClaim Deed filed December 15, 2003 as Document No. 436853. **Not shown hereon. Easements are blanket and not defined in the document.**
- 13. Terms conditions and easement set forth in Electric Line Easement dated October 10, 2013, filed December 17, 2013 as Document No. A000534644. **Show here on throughout the site.**
- 14. Rights of way and utility easements for and in Minnesota Avenue and Midway Avenue as laid out and travelled and set out on Plat of Bemidji. **Show here on as Minnesota Avenue and Midway Avenue.**

SURVEY REPORT

- 1. No boundary work was performed for this survey. Line work for lots and roads are approximate, provisional in nature, and subject to amendment.
- 2. This survey is based on the Beltrami County South Coordinate System NAD 83 (1996 Adjust).
- 3. Benchmark: MCDOT 0416 B. A Survey Disk located at Bemidji, in a railing in the southeast corner of Trunk Hwy. 197 bridge over the Mississippi River, 4.2 miles southeast along Trunk Hwy. 197 from the junction of Trunk Hwy. 197 and 2nd St. in Bemidji. In Trunk Hwy. 197 milepost 2.80, 15.0 feet southwest of northbound Trunk Hwy. 197, 2.5 feet northwest of the end of a bridge railing. Elevation = 1321.13 (NAVD83)
- 4. The Benchmark Top Nut of Hydrant located at the northwest corner of America Ave. NW, and 2nd St. W. Elevation = 1357.54 (NAVD83)
- 5. Where shown, underground utilities on and/or serving the surveyed property per Gopher State One-Call Ticket Nos. 222563425 & 222563477. The following utilities and municipalities were notified:
 - CITY OF BEMIDJI (218) 333-1850
 - CENTURYLINK (800) 278-4140
 - MINNESOTA ENERGY RESOURCES (800) 888-8170
 - MIDCONTINENT COMMUNICATIONS (651) 271-0202
 - MINNETONKA (651) 366-7190
 - OTTIER TALL POWER ELECTRIC (218) 738-8831
 - PAUL BUNYAN COMMUNICATIONS (218) 365-8400
- 6. Utility operators do not consistently respond to locate requests through the Gopher State One-Call service for surveying purposes such as this. Those utility operators that do respond, often will not locate utilities from their main line to the customer's structure or facility. They consider those utilities "private" installations that are outside their jurisdiction. These "private" utilities on the surveyed property or adjoining properties, may not be located since most operators will not mark such "private" utilities. A private utility locator may be contacted to investigate those utilities further, if requested by the client.
- 7. Maps provided by those notified above, often or in lieu of such a location, are very often inaccurate or inadequate. EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE, BEFORE BEGINNING, YOU ARE REQUIRED BY LAW TO NOTIFY Gopher State One-Call AT LEAST 48 HOURS IN ADVANCE AT 811 or 651-454-0002.
- 8. See sheet 2 for additional boundary and topographic information of the east side of the site.
- 9. The field work was completed on June 25, 2024.



LEGEND

STORM SEWER	CATCH-BASIN
MANHOLE STORM SEWER	STORM MANHOLE
MANHOLE SANITARY SEWER	SANITARY MANHOLE
WATER MAIN	WATER MAIN
MANHOLE WATER MAIN	WATER MAIN
UNDERGROUND ELECTRIC	AIR FIRE CONNECTION
UNDERGROUND BENCH OPTIC	CREOST
MANHOLE UNDERGROUND BENCH OPTIC	AN AIR CONDITIONING UNIT
UNDERGROUND GAS	BENCH
UNDERGROUND TELEPHONE	CABLE TV FEEDSTALL
MANHOLE UNDERGROUND TELEPHONE	SEWER/STORM MANHOLE
OVERHEAD UTILITY	ELECTRIC MANHOLE
ELECTRIC TRANSFORMER	ELECTRIC METER
ELECTRIC METER	FLAG POLE
FLAG POLE	TRIP OFFIC MANHOLE
CONCRETE CURB	GAS METER
REAR BENCH WALL	GLASS POST
SMOKING BULB HANG OVERHANG	GUY WIRE
CONDUIT	HAND HOLE
SPOT ELEVATION	BEAR PINE
RESURFACING AS SHOWN ON PLANS NOT TO BE VERIFIED	WALK SOLE
NEAR ROAD TRACKS FIELD LOCATED	MINOR DRAIN WALL
SUBROAD TRACKS PER AERIAL MAPPING	POWER POLE
REGULOUS TREE	POOP DRUM
ASH	SPACE/CLIMBOUT
ROSEHEDGE	IRON
TRIPLE GREENBELL	TELEPHONE MANHOLE
TREE LINE	TELEPHONE FEEDSTALL
COMPENSATED TREE	TELEPHONE FEEDSTALL
OPEN	TOP OF CURB
SCHEDULE D BITUMEN	LEVEL 1 THRESHOLD
ROUND SIGN WHICH OPEN FROM ADJACENT ALLEYS SHOWN OTHERWISE	TOP NUT HYDRANT
FOUND PIPE NAIL	
FOUND REBAR	

YMCA BEMIDJI

BEMIDJI, MN

GREATER BEMIDJI

100 WEST 5TH STREET BEMIDJI, MN 56501

LOUCKS

PLANNING CIVIL ENGINEERING LAND SURVEYING LANDSCAPE ARCHITECTURE ENVIRONMENTAL

12755 Highway 55, Suite 8100 Bemidji, MN 56501 703.424.5505

CADD QUALIFICATION

SUBMITTAL REVISIONS

PROFESSIONAL SIGNATURE

License No. 48998 Date: 03/21/2025

QUALITY CONTROL

Loecks Project No. 173616A Project Lead: MLS Sothen: MNS Checked By: MLS MLC Date: 05/23/2024

BOUNDARY AND TOPOGRAPHIC SURVEY

1 OF 2

SCALE IN FEET

DESCRIPTION OF PROPERTY SURVEYED

(Per Schedule A of the herein referenced Title Commitment)

Parcel 1 (Parcel is known as Parcel A per the deed description):

Those parts of Government Lot 1, Section 16, Township 146 North, Range 33 West, Government Lot 1, Section 9, Township 146 North, Range 23 West, Lots 11 and 12, Block 1, Railroad Addition to Bemidji, Lots 1 to 12, inclusive, Block 2, Railroad Addition to Bemidji, Lots 1 to 12, inclusive, Block 3, Railroad Addition to Bemidji, Lots 13 and 14, Block 20, Bemidji (Original Townships of Bemidji), Lots 1 to 24, Block 21, Bemidji, (Under 1 Bemidji), Lots 1 to 8, (incl. Ave. B), 1 of Bemidji Township and Improvement Company's Subdivision of Dakota City "1" and "1" in the Original Township of Bemidji; Together with all interests in First Street, Second Street, Bemidji Avenue, Belmont Avenue, Minnesota Avenue, America Avenue, and the alley in Block 21, Bemidji, vacated or otherwise; that lie within the following description:

Commencing at the point of intersection of the Southeastly boundary line of State Trunk Highway No. 197, as established by centerline Order No. 8781, dated March 10, 1034, and the Eastern line of the Westerly 60 feet of Bemidji Avenue; thence Southwesterly along the Eastern line of the Westerly 60 feet of Bemidji Avenue to the intersection with the North line of Government Lot 1, Section 16, Township 146 North, Range 33 West, which point of intersection is the point of beginning for Parcel A; thence continuing Southwesterly along the Eastern line of the Westerly 60 feet of Bemidji Avenue to a point of intersection with the Eastern boundary line of former State Trunk Highway No. 8, as established by centerline Order No. 3579 dated November 7, 1927; thence Southwesterly and Southwesterly along the Eastern line of the Northeastly boundary line of former State Trunk Highway No. 8 to a point which is distant 60 feet Northwest of the concrete bridge over the Mississippi River (said 60 feet is measured along said Northeastly boundary line of former State Trunk Highway No. 8); thence Northwesterly at right angles for a distance of 30 feet; thence Southwesterly along a line parallel with and distant 30 feet Northeastly of the Northeastly boundary of former State Trunk Highway No. 8 to the westerly edge of the Mississippi River; (NOTE: The Parcel A boundary line described from the point of beginning to the westerly edge of the Mississippi River is intended to correspond to and mirror the West boundary line of the parcel conveyed to Parilla, Inc. by Burlington Northern Inc. in the Quit Claim Deed dated May 1, 1972, and recorded June 1, 1972, as Modified No. 220165; thence Southwesterly and Southwesterly along the shoreline of the Mississippi River for a point that is distant 185 feet Northeastly, as measured at right angles thereto, from the centerline of the main track of the former Great Northern Railway Company (predecessor to present day Burlington Northern and Santa Fe Railway Company) of the same was located, maintained and operated over and across Government Lot 1, Section 16, Township 146 North, Range 33 West, thence Northwesterly along a line parallel with and distant 185 feet Northeastly, as measured at right angles thereto, from the centerline of said former Great Northern Railway Company main track, to the intersection with the East boundary line of Irving Avenue; thence North along the East boundary line of Irving Avenue to the intersection with the line run parallel with and distant 58 feet Northeastly, as measured at right angles thereto, from the centerline of the main track of the former Minneapolis, St. Paul & Sault Ste. Marie Railway Company (predecessor to present day Soo Line Railroad Company); thence Southwesterly along said parallel line to its intersection with the North line of the South 23 feet of vacated Second Street; thence East along the North line of said South 23 feet of vacated Second Street, to its intersection with the West line of America Avenue; thence South along the West line of America Avenue a distance of 23 feet to the Northeast corner of Lot 1, Block 1 of Bemidji (Bemidji Township Improvement Company's Subdivision of Dakota City "1" and "1", in the Original Township of Bemidji); thence East to the Northwest corner of Lot 12, Block 21, Bemidji; thence continuing East along the North line of Lots 12, 11, 10, 9 and 8, Block 21, thence South along the East line of said Lot 8 to its point of intersection with a line run parallel with and distant 500 feet Northeastly, as measured at right angles thereto, from the main track centerline of the former Great Northern Railway Company; thence Southwesterly along said parallel line to its intersection with the East boundary line of Lot 1, Block 21, Bemidji; thence South along the East boundary line of said Lot 1 to its intersection with the North line of the South 48 feet of said Lots 1 and 2, Block 21, Bemidji; thence East along the North line of said Lots 1 and 2 to the West line of Minnesota Avenue; thence South along the West line of Minnesota Avenue to its intersection with a line run parallel with and distant 53 feet Northeastly, as measured at right angles thereto, from the main track centerline of the former Minneapolis, St. Paul & Sault Ste. Marie Railway Company; thence Southwesterly along said parallel line to its intersection with the West line of Bemidji Avenue extended South; thence North along the West boundary line of Bemidji Avenue extended South, to its intersection with the North line of Government Lot 1, Section 16, Township 146 North, Range 33 West; thence East along the North line of said Government Lot 1 a distance of 60 feet to the point of beginning.

Abstract Property

Parcel 2:

This portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground property at Bemidji, Minnesota, situated in Government Lot 1 of Section 16, Township 146 North, Range 33 West of the 5th P.M. Beltrami County, Minnesota, being a portion of the same 300 foot wide strip of land described in Warranty Deed from the Bemidji Township Improvement Company to The Great Northern Railway Company filed for record July 2, 1909 in Book 21 of Deeds, page 232 in and for said County, and a portion of the same 85 foot wide strip of land described in Warranty Deed from Minnesota & International Railway Company to Great Northern Railway Company filed for record October 27, 1915 in Book 45 of Deeds Page 109 in and for said County, described as follows: Beginning at a point on the North line of said Section 16 distant 185.0 feet Northeastly, as measured at right angles from said Railway Company's Main Track centerline, as originally located and constructed upon, over and across said Section 16; thence Southwesterly at right angles to said Main Track centerline 135.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northeastly, as measured at right angles from said Main Track centerline; thence Southwesterly along said parallel line 340.0 feet; thence Northwesterly at right angles 15.0 feet; thence Southwesterly along a line parallel with and 65.0 feet Northeastly from said Main Track centerline a distance of 280.0 feet; thence Southwesterly at right angles 15.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northeastly, measured at right angles from said Main Track centerline; thence Southwesterly along the last described parallel line 480 feet, more or less to the Westerly bank of the Mississippi River; thence Northwesterly along 24 of Westerly bank of the intersection with a line drawn parallel with and distant 182.0 feet Northeastly, as measured at right angles from said Main Track centerline; thence Northwesterly along the last described parallel line 1,300 feet, more or less, to the Point of Beginning.

Abstract Property

Parcel 3:

This portion of the Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) Station Ground property at Bemidji, Minnesota, situated in Government Lot 1 of Section 16, Township 146 North, Range 33 West of the 5th P.M. Beltrami County, Minnesota, being a portion of the same 300 foot wide strip of land described in Warranty Deed from the Bemidji Township Improvement Company to The Great Northern Railway Company filed for record July 2, 1909 in Book 21 of Deeds, page 232 in and for said County, and a portion of the same 85 foot wide strip of land described in Warranty Deed from Minnesota & International Railway Company to Great Northern Railway Company filed for record October 27, 1915 in Book 45 of Deeds Page 109 in and for said County, described as follows: That part of above land lying Northwest of Line "A"; lying Northeastly of Line "B" and lying East of the East boundary line of Irving Avenue. Line "A": Beginning at a point on the North line of said Section 16 distant 185.0 feet Northeastly, as measured at right angles from said Railway Company's Main Track centerline, as originally located and constructed upon, over and across said Section 16; thence Southwesterly at right angles to said Main Track centerline 135.0 feet to the intersection with a line drawn parallel with and distant 50.0 feet Northeastly, as measured at right angles from said Main Track centerline; said point of intersection being "Point A" and said line thence terminating. Line "B": Beginning at "Point A" above; thence Northwesterly on a line parallel with and distant 50.0 feet Northeastly, as measured at right angles from said Main Track centerline 135.0 feet to the intersection with the East boundary line of Irving Avenue and thence terminating.

Abstract Property

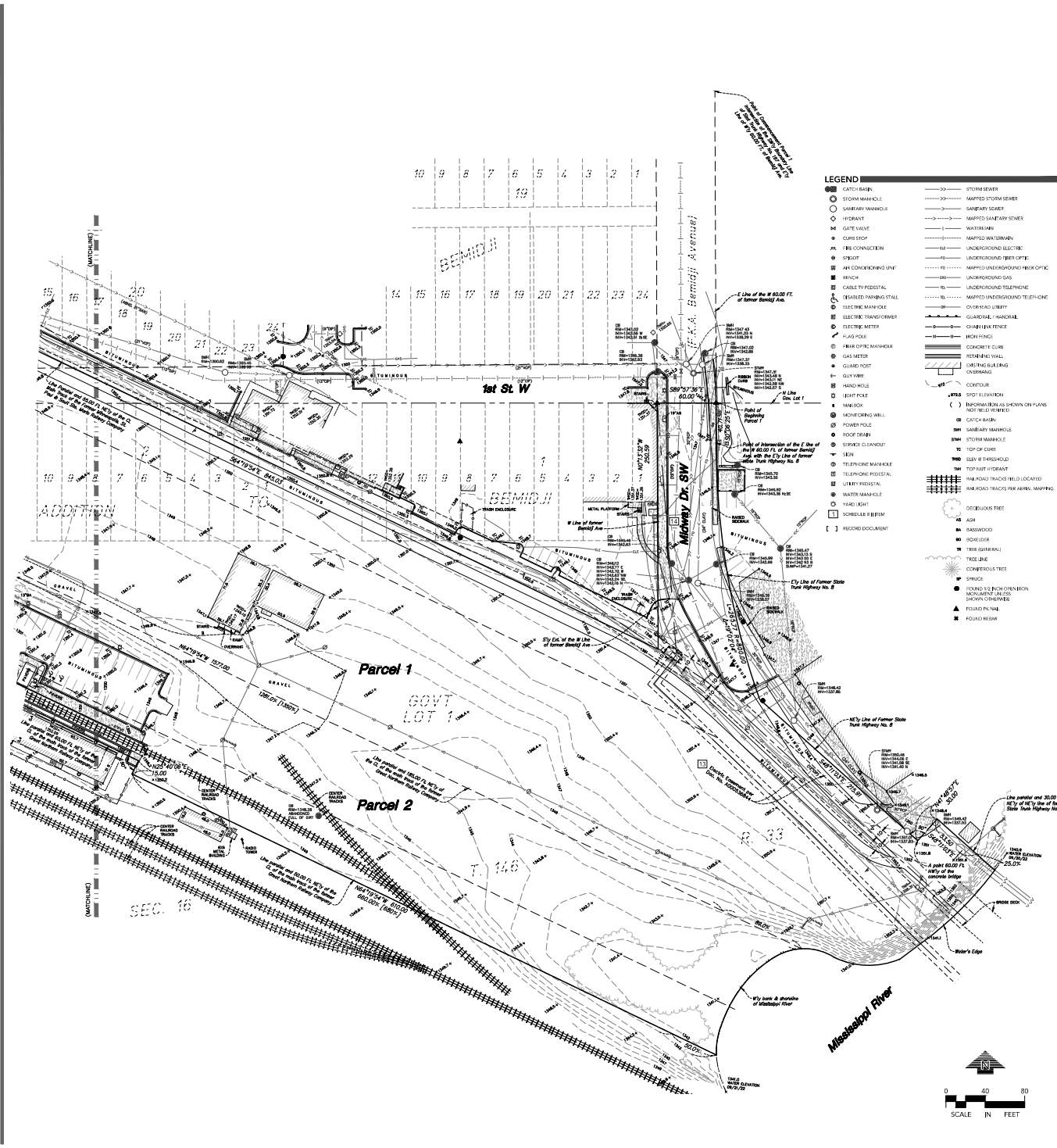
TITLE COMMITMENT EXCEPTIONS

(Per Schedule B, Part II of the herein referenced Title Commitment)

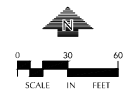
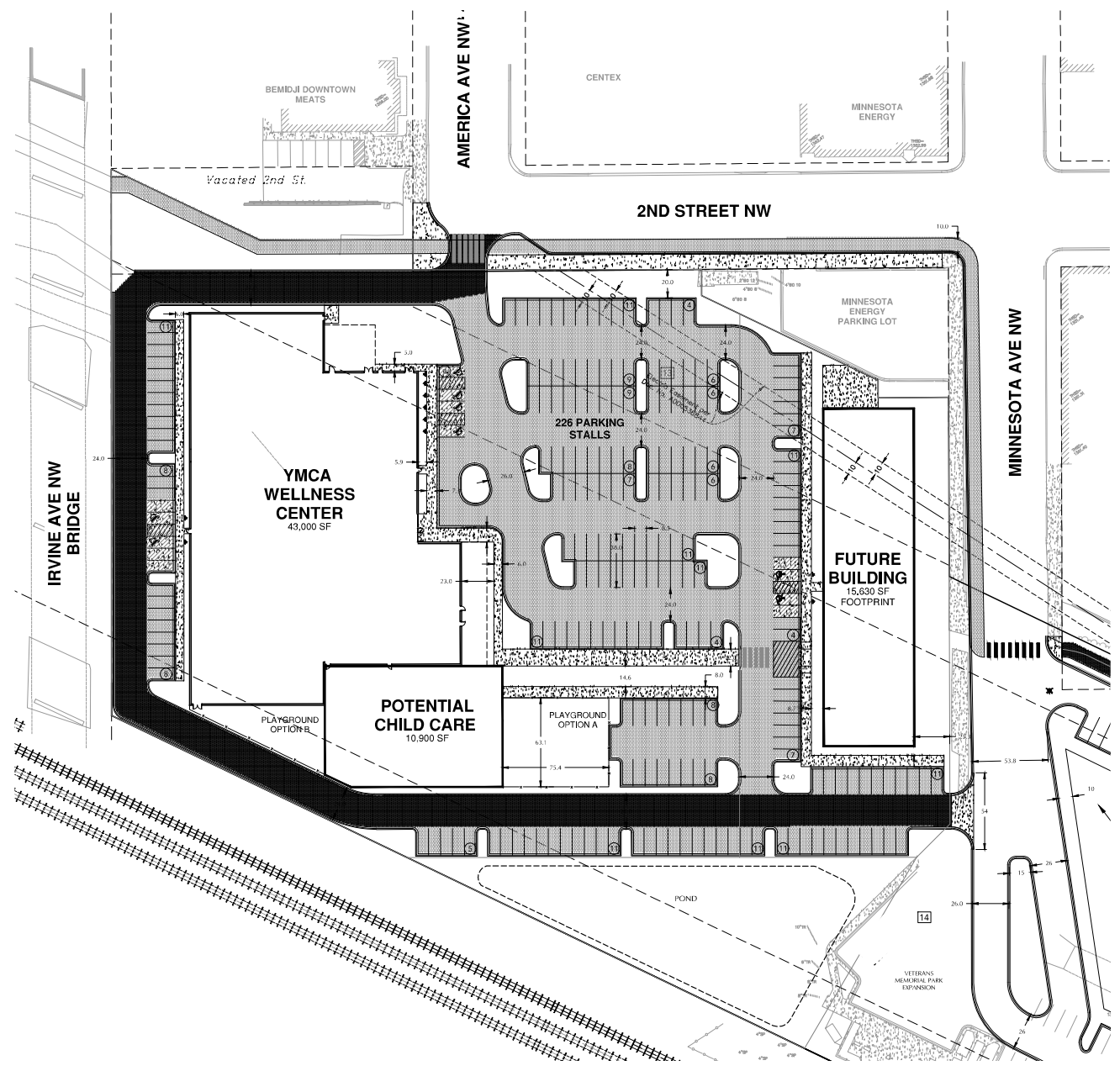
- The property depicted on this survey and the assessments of record shown hereon are the same as the property and the assessments described in the Commitment for Title Insurance issued by Old Republic Title Insurance Company, File No. OR75750186, effective date December 16, 2024. The numbers below correspond to those in the title commitment.
1. 8, 11-12 & 15 do not require comment.
2. Reservation of minerals and mineral rights and easement by The Burlington Northern and Santa Fe Railway Company in Quit Claim Deed filed June 25, 2003 as Document No. 430394. Not shown hereon. Easements are blanket and not defined in the document.
3. Reservation of minerals and mineral rights and easement by The Burlington Northern and Santa Fe Railway Company in Quit Claim Deed filed December 15, 2003 as Document No. 436853. Not shown hereon. Easements are blanket and not defined in the document.
4. Terms conditions and easement set forth in Electric Line Easement dated October 10, 2013, filed December 17, 2013 as Document No. A20034843. Shown here on throughout the site.
5. Rights of ways and utility easements for and in Minnesota Avenue and Midway Avenue as laid out and travelled and set out on Plat of Bemidji. Shown here on as Minnesota Avenue and Midway Avenue.

SURVEY REPORT

- No boundary work was performed for this survey. Line work for lots and roads are approximate, provisional in nature, and subject to amendment.
This survey is based on the Beltrami County South Coordinate System NAD 83 (1994 Adjust).
Benchmark: M-007 0418 B, A Survey Dial located in Bemidji, in a valley in the southeast corner of Trunk Hwy. 197 bridge over the Mississippi River, 0.2 miles southwest along Trunk Hwy. 197 from the junction of Trunk Hwy. 197 and 2nd St. in Bemidji; at Trunk Hwy. 197 midpoint 2.80, 15.0 feet southwest of northbound Trunk Hwy. 197, 2.5 feet northwest of the end of a bridge railing. Elevation = 1327.15 (NAVD83)
Site Benchmark: Top Nub of Hydrant located at the northwest corner of America Ave., NW, and 2nd St. W. Elevation = 1357.54 (NAVD83)
5. We have shown underground utilities on and/or serving the surveyed property per Gopher State One-Call Ticket Nos. 22253425 & 22253477. The following utilities and municipalities were notified:
CITY OF BEMIDJI (718) 333-1850
CENTURYLINK (800) 778-1424
MINNESOTA ENERGY RESOURCES (800) 888-4992
NICKERSON TELECOMMUNICATIONS (855) 271-2022
MIDNET (651) 566-5750
CITIES-TAL POWER ELECTRIC (718) 238-6833
PAUL BENTON COMMUNICATIONS (718) 368-8460
i. Utility operators do not consistently respond to locate requests through the Gopher State One-Call service for surveying purposes such as this. Those utility operators that do respond, often will not locate utilities from their main line to the customer's structure or facility. They consider those utilities "not" installations that are outside their jurisdiction. These "private" utilities on the surveyed property or adjoining properties, may not be located since most operators will not mark such "private" utilities. A private utility locator may be contacted to investigate these utilities further, if requested by the client.
ii. Maps provided by those notified above, either along with a field location or in lieu of such a location, are very often inaccurate or contain errors. EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT 811 or 651-454-0002.
6. See sheet 1 for additional topographic information of the west side of the site.
7. The field work was completed on June 25, 2024.



Vertical sidebar containing logos for YMC A BEMIDJI, GREATER BEMIDJI, LOUCKS (PLANNING CIVIL ENGINEERING LAND SURVEYING LANDSCAPE ARCHITECTURE ENVIRONMENTAL), CADD QUALIFICATION, SUBMITTAL REVISIONS, PROFESSIONAL SIGNATURE, QUALITY CONTROL, and BOUNDARY AND TOPOGRAPHIC SURVEY 2 OF 2.



Plotted: 03/29/2025 10:52 AM - W:\0171718\LOUCKS\BEMIDJI\317 4th STREET NW\DWG\317 4th STREET NW\317 4th STREET NW.dwg



PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7202 Humboldt Lane, Suite 300
Madison, WI 53707
763.424.5555
www.loucks.com

CADD QUALIFICATION

1. I, the undersigned, certify that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota, License No. 19624, and that I am the author of the design and drawings herein. I am not providing any design or engineering services to the City of Bemidji under the laws of the State of Minnesota.

SUBMITTAL/REVISIONS

CONCEPT MASTER PLAN SUBMITTAL
3/31/2025

PROFESSIONAL SIGNATURE

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Jeffrey A. Struss, PE

License No. 19624

Date

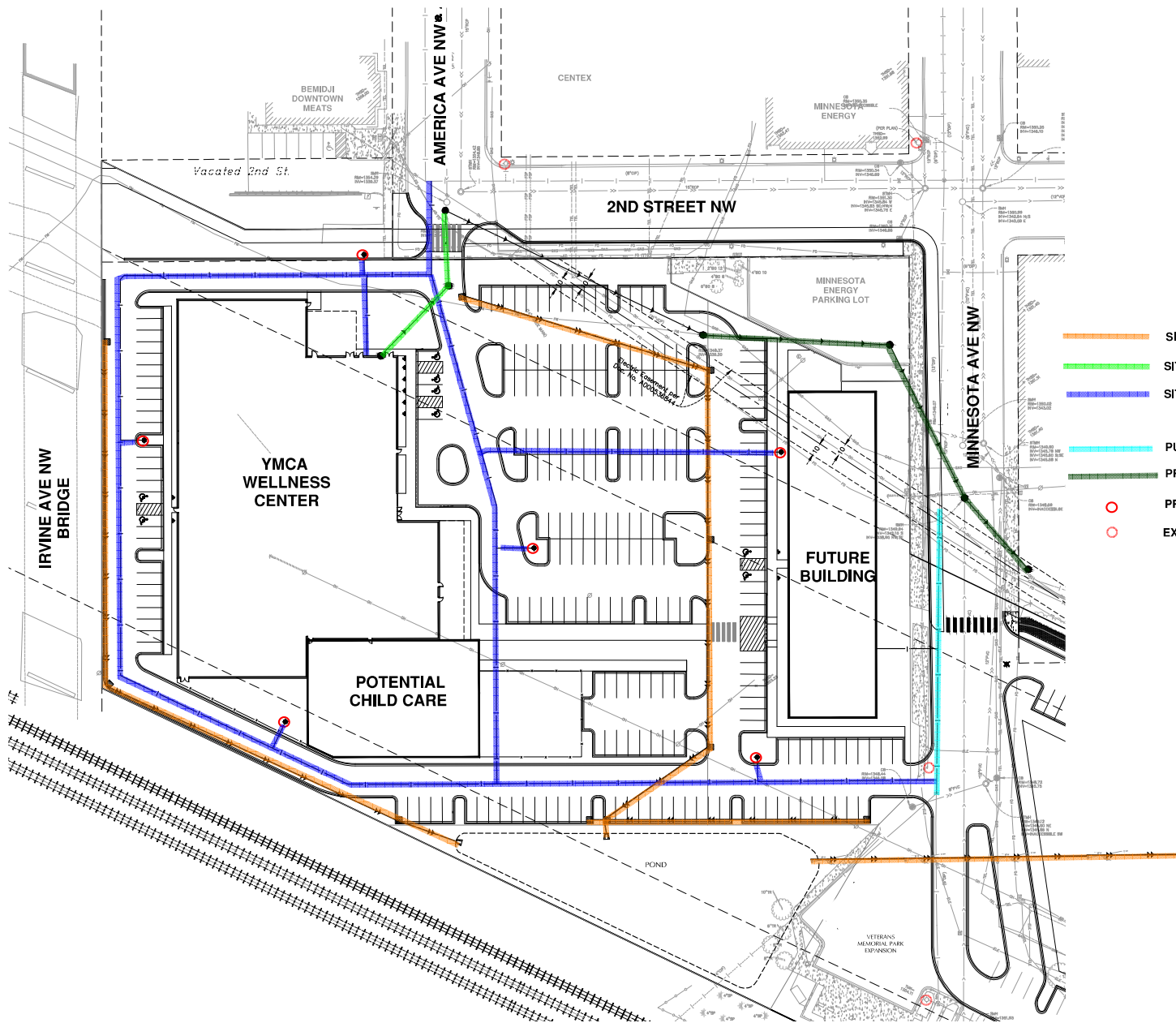
Loucks Project No. 18074.0

Project Lead JAS

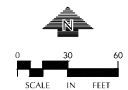
Drawn By CEF

Checked By JAS/TJG

Review Date

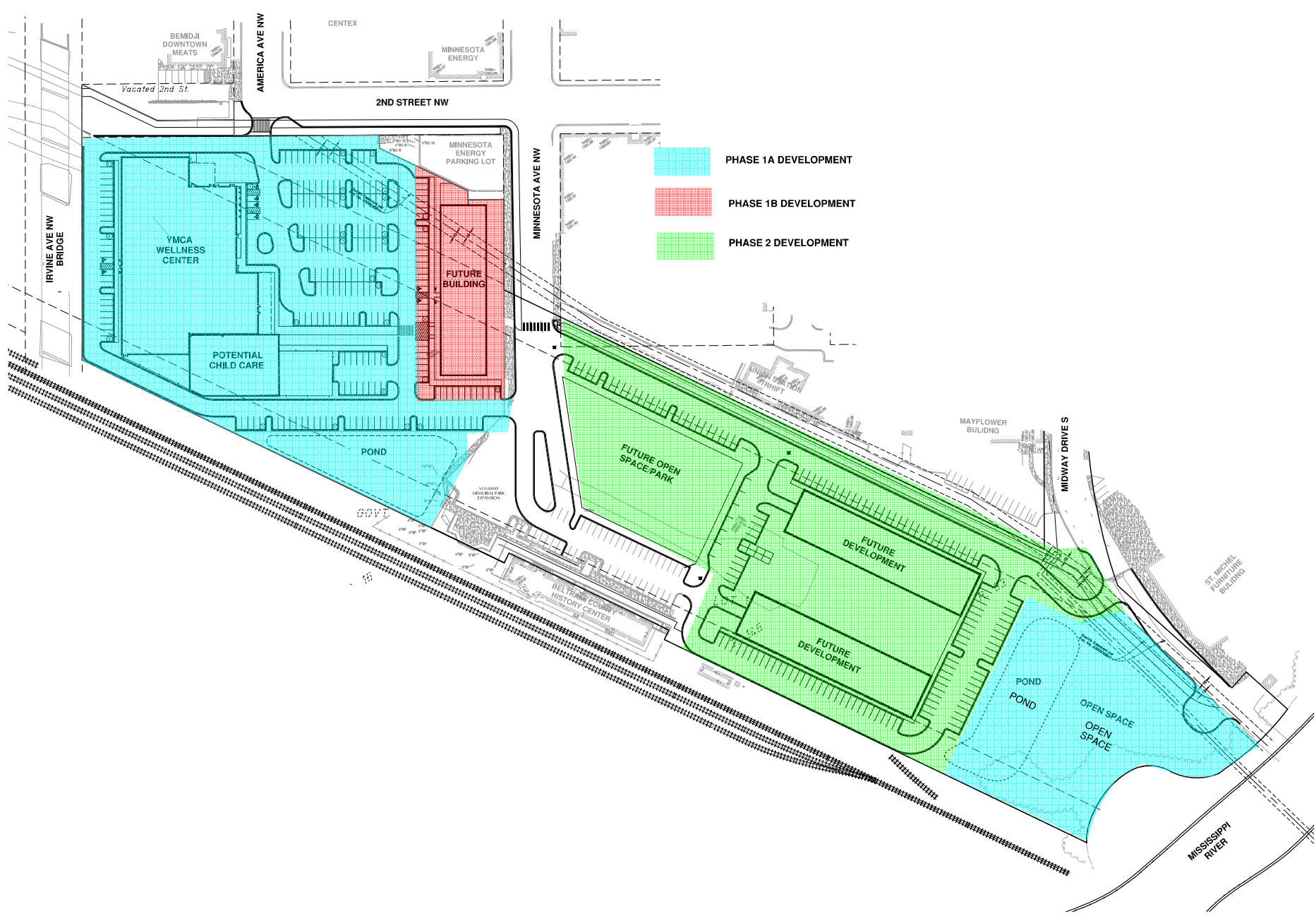


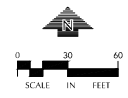
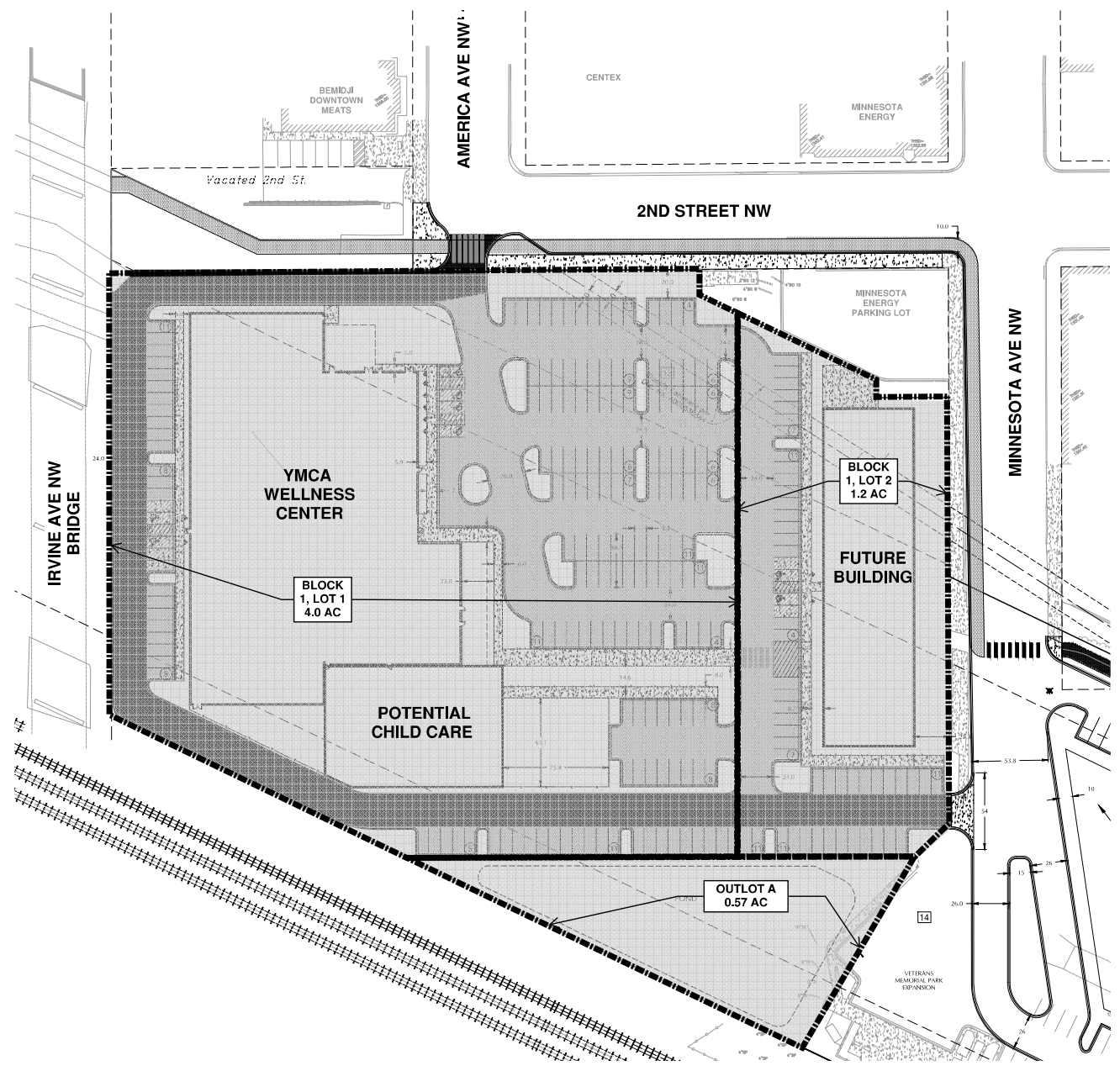
- SITE STORM SEWER
- SITE SANITARY SEWER
- SITE WATERMAIN
- PUBLIC WATERMAIN
- PRIVATE WATERMAIN
- PROPOSED HYDRANT
- EXISTING HYDRANT



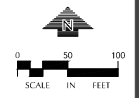
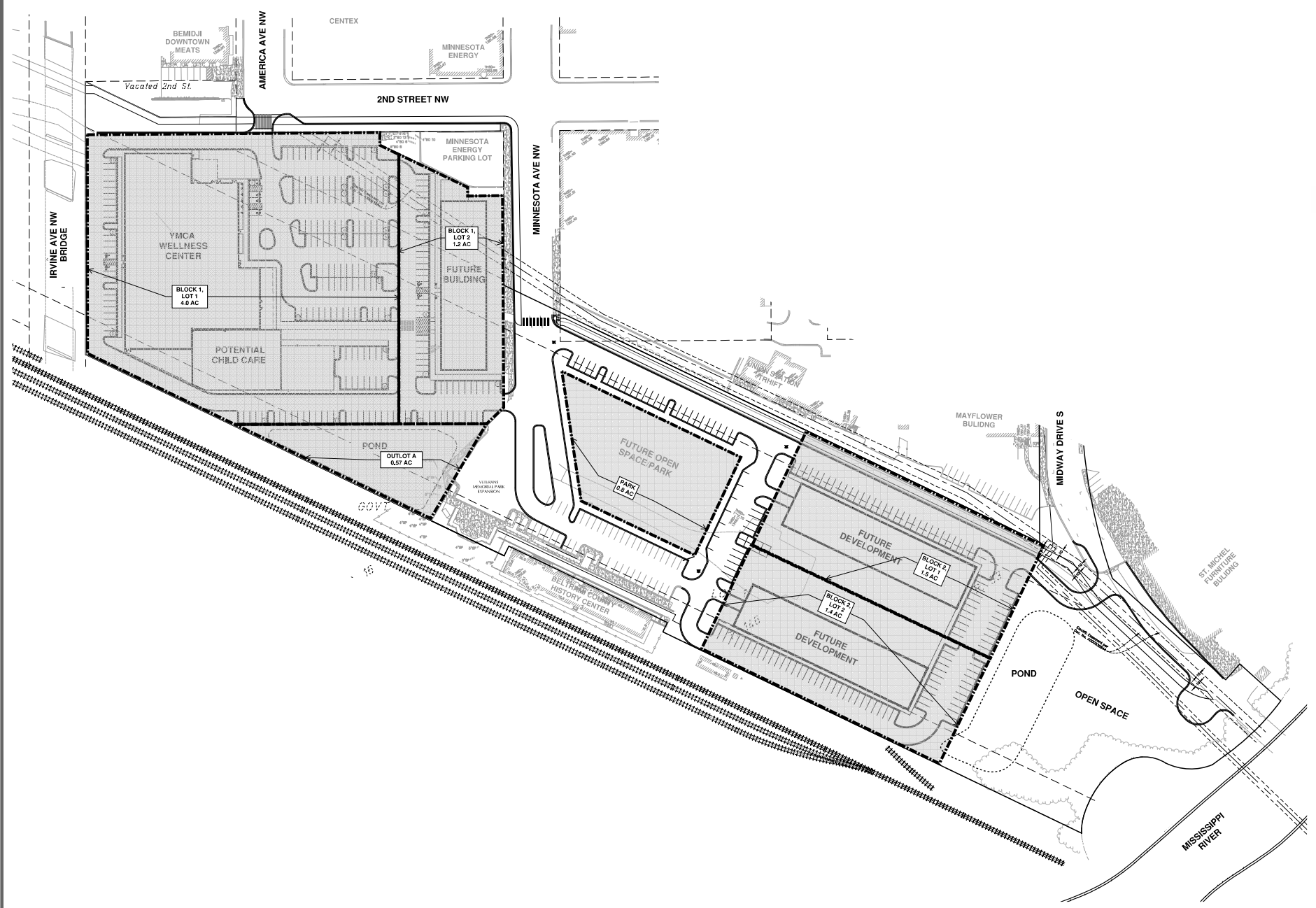
UTILITY PLAN
WEST OF MN AVE

C4-1





Plotted: 03/29/2025 10:37:46 AM: W:\001715\BEMIDJI\RAILROAD\Map_Series\BEMIDJI\LOT_LAYOUT_C9-2_P130.dwg



Revised: 02/28/2025 10:07 AM
 W:\001717\BEMIDJI\RAILROAD\317\CONCEPT MASTER PLAN\317_C9-3.dwg
 User: jason@loucks.com
 Plot Date: 3/31/2025 10:07 AM
 Plot Path: \\server\plotters\plotter1\317_C9-3.dwg

Applications & Supporting Documents



Application

SUB-2025-0001

SUBDIVISION PLAT/CIC/PUD

SITE ADDRESS: 101 MINNESOTA AVE SW BEMIDJI
PRIMARY PARCEL: 800034499
PROJECT NAME: RAIL CORRIDOR REDEVELOPMENT

ISSUED:
EXPIRES:

APPLICANT: Marco, Tim
102 1st St
Bemidji, MN 56601
262-391-5604

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

Detail Name	Detail Value
Number of Lots or Acres Numeric (Need for Fee)	4.00
Escrow Deposit	500.00
Is there one acre of contiguous land on the property?	Yes
Have there been any Variances/Use Permits granted on this property?	Don't Know
Is property within 1000 feet of a public water?	Yes
Select application type from the list:	PUD
Describe the existing use of your property including number of existing buildings:	2-3 buildings, general commercial use
Describe the proposed use of your property including number of existing and proposed buildings:	Community Wellness center and future phased development
How many total acres/sq. feet are included in the plat?	14.61+
How many existing parcels are part of this proposal?	2-3
How many proposed parcels are suggested?	4.00
Does this require a rezone of the zoning district of all or part of the property?	Yes
Will this proposal include mixed uses (Commercial/Residential)?	Yes
How many Residential units are proposed? (Enter N/A if not applicable)	N/A
How many Commercial units are proposed? (Enter N/A if not applicable)	N/A
How many people will occupy your premises on an average day? Please provide numbers for employees, customers, and residents.	N/A
Will your proposal generate an increased amount of traffic?	Yes - please explain
Total Number of Off Street Parking Spaces	TBD
Total Number of PROPOSED Off Street Parking Spaces	TBD
What is the distance to the nearest public water & sewer utilities?	TBD



Does your proposal include increased water usage?

Yes - please enter the number of gallons per day

Will your proposal generate additional waste?

Yes

Does your proposal include additional lighting that can be seen from roads or adjacent properties?

Yes - please explain

Does your proposal include signs?

Yes - please describe

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

Yes - Please explain below if you intend to drain, fill or otherwise alter this area for any reason

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

Greater Bemidji

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.

* No building permits shall be issued until said COS has been filed with the Beltrami County Recorder, and a new parcel identification number has been issued for each new parcel created.

FEES:	Paid	Due
Planning Escrow Deposit	\$500.00	\$0.00
CIC/PUD Concept Approval	\$250.00	\$0.00
Totals :	\$750.00	\$0.00



Authorized Agent / Contact Consent Form

Section A: Authorized Agent / Contact Information

Note:

1. THIS FORM IS FOR USE ALONGSIDE CERTAIN PLANNING REQUESTS. IT CANNOT BE USED FOR OBTAINING CITY BUILDING PERMITS.
2. Form must be legible and completed in ink.
3. Check appropriate box(es). Write any specific restrictions for the checked item(s) in the space provided (e.g. “valid only for permit applications submitted between 06/01/2024 and 08/01/2024”) or attach a separate sheet titled “Attachment: Restrictions” and write “see attached” below. If you want your agent to represent you on a plat, interim use permit, conditional use permit or variance application and also be authorized to obtain the related land-use and/or septic permit(s), be sure to complete the “permit application” section as well. If an item’s box is checked and the accompanying space is left blank, the authorization granted on that item is valid for a period of one year from the date of signature, or until City staff receive written notification from the property owner(s) stating otherwise, or the property ownership changes.

I (we), _____ hereby authorize Greater Bemidji to act
(Landowner, print) (Agent, print)
 as my (our) agent on the following item(s): *complete the appropriate item(s)*

Permit application Land Use SSTS Fence Sign Environmental Alteration

Short-Term Rental Other: _____

(Write in restrictions): _____

Plat application: _____

Interim/Conditional Use Permit application: _____

Variance application: _____

Development Agreement: _____

on my (our) property located at:

Tax Parcel Number(s): _____

Physical Site Address: _____

Agent / Contact Information

Agent address: 102 1st St W, Bemidji, MN 56601
Street City State Zip Code

Agent Name(s): Dave Hengel

Agent phone #: (218) 444-5757 Agent email address: dhengel@greaterbemidji.com

Section B: Short-Term Rentals; Contact Consent Form

Note: This section only applies to short-term rental licenses

Local Contact & Authorized Agent Consent.

As the Authorized Agent and Local Contact, you agree to the following terms as stated in the short-term rental ordinance.

- Authorize the City of Bemidji to contact you and release your contact information to the property owners within the required notification range of the above short-term rental property.
- Consent to be the contact for complaints from said property owners, local government staff, and local law enforcement 24 hours a day.
- Understand that you shall record, report, and rectify the complaints for this short-term rental.
- The property owner and Local Contact & Authorized Agent of the short-term rental must notify City staff within ten (10) days of a change in Local Contact and a new Authorized Agent form must be signed.
- Must reside within 30 minutes of the short-term rental.
- Consent to following and maintaining the short-term rental in accordance with all conditions placed on the permit.

This form runs with the length of the short-term rental permit and expires on December 31st of that year. Reauthorization must be filed within 30 days before end of term.

Section C: Signatures for all sections

_____ Property Owner(s) Signature(s)	_____ Date
<i>Dave Hengel</i> _____ Local Contact & Authorized Agent Signature	<i>03/31/25</i> _____ Date



Bemidji Rail Corridor Bemidji, MN

CONCEPT PUD/PLAT REVIEW NARRATIVE March 28, 2025

Project Overview

This application focuses on the portion of the Bemidji Rail Corridor Site that is 14.6 acres of land south of 2nd Street, east of Irvine Ave bridge, and north of the railroad tracks. The land is currently owned by the City of Bemidji and abuts an additional property owned by BNSF. The BNSF property is being acquired by the City of Bemidji as a part of the Minnesota DEED grants that were approved for the project. It is currently contemplated that the private property for development in phase 1 and future development areas will be conveyed to Greater Bemidji under the terms of a development agreement that will be negotiated and approved with the final plat.

Project Phasing

The project is anticipated to be split into two phases that include multiple development opportunities within each phase. These phases align with the MN DEED Grants that were awarded and approved by City Council.

Phase 1

The initial phase of the project includes all work approved under the MN DEED grants and the construction of the YMCA Community Wellness Center west of Minnesota Ave. The future development site west of Minnesota Ave, and east of the YMCA parking lot, would be ready for immediate development within the phase 1 portion of the project. These are depicted on the Phasing Plan Exhibit as Phase 1A and 1B.

Phase 2

The second phase of the project, depicted as Phase 2 in the exhibits, is anticipated to encompass all potential development east of Minnesota Ave and west of the stormwater ponds that are

constructed as part of MN DEED grant site work. The master plan in the exhibits shows a potential layout of future buildings that accommodates soil remediation, potential utility locations, access/circulation, and typical market development parameters for potential mixed use, amenitized development. This phase will require additional future review and approval based on specific private development plans.

Project Considerations

The uses and layouts within the concept master plan do not seek flexibility from the Urban Renaissance district in the zoning code. A conditional use permit is needed for the YMCA use, which is standard under current zoning. Approval of the master concept plan is requested to move forward with the platting and design of Phase 1. The entirety of Phase 2 will be reflected on the plat as an outlot until a private developer brings forward plans for that phase. Any future changes to the Phase 2 plans would be subject to review and approval by City of Bemidji standard process.

Agency & Neighborhood Packet Distribution Information

Packet Distribution List

City of Bemidji –

	<u>Contact</u>	<u>E-MAILED</u>	<u>US Mailed</u>
<input checked="" type="checkbox"/>	Applicant / Representative	4/4/2025	_____
<input checked="" type="checkbox"/>	City Building Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Attorney	4/4/2025	_____
<input checked="" type="checkbox"/>	City Engineer	4/4/2025	_____
<input checked="" type="checkbox"/>	City Manager	4/4/2025	_____
<input type="checkbox"/>	City Community Development	_____	_____
<input checked="" type="checkbox"/>	City GIS Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Police Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Fire Department	4/4/2025	_____
<input checked="" type="checkbox"/>	City Parks Department	4/4/2025	_____
<input type="checkbox"/>	Beltrami County ESD/SWCD	_____	_____
<input type="checkbox"/>	Beltrami County Recorder	_____	_____
<input type="checkbox"/>	Beltrami County GIS Department	_____	_____
<input type="checkbox"/>	Beltrami County Sheriff	_____	_____
<input type="checkbox"/>	Beltrami County Engineer / Highway	_____	_____
<input type="checkbox"/>	Beltrami County Natural Resources	_____	_____
<input type="checkbox"/>	MnDNR Trails	_____	_____
<input checked="" type="checkbox"/>	MnDNR Waters	4/4/2025	_____
<input type="checkbox"/>	MnDNR District	_____	_____
<input type="checkbox"/>	MnDOT	_____	_____
<input type="checkbox"/>	Airport	_____	_____
<input checked="" type="checkbox"/>	Bemidji School District	4/4/2025	_____
<input type="checkbox"/>	MPCA Closed Landfill Program	_____	_____
<input type="checkbox"/>	U.S. Army Corps of Engineers	_____	_____
<input type="checkbox"/>	Minnesota Chippewa Tribe	_____	_____
<input type="checkbox"/>	Red Lake Nation DNR	_____	_____
<input type="checkbox"/>	White Earth Nation DNR	_____	_____
<input type="checkbox"/>	Leech Lake Band DRM	_____	_____
<input checked="" type="checkbox"/>	Bemidji Sustainability Commission	4/4/2025	_____
<input checked="" type="checkbox"/>	Other: Planning & Zoning Attorney	4/4/2025	_____



Planning and Zoning Department
City of Bemidji

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

April 4, 2025

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).

The parcel limited legal description is as follows:

SECT-16 TWP-146 RANGE-033 THOSE PARTS OF LOT 1, SEC 16- 146-33, LOT 4, SEC 9-146-33, LOTS 10 - 12, BLK 1, RAILROAD ADD, LOTS 1 - 12 INC, BLK 2, RAILROAD ADD, LOTS 1 - 12, BLK 3, RAILROAD ADD...

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, April 24th, 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 at **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, April 18, 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 **SUB-2025-0001**.

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

April 4, 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 – 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. The subject property is located at 101 Minnesota Ave NW (PIN #80.00344.99) in the City of Bemidji.

The parcel legal description is as follows:

SECT-16 TWP-146 RANGE-033 THOSE PARTS OF LOT 1, SEC 16- 146-33, LOT 4, SEC 9-146-33, LOTS 10 - 12, BLK 1, RAILROAD ADD, LOTS 1 - 12 INC, BLK 2, RAILROAD ADD, LOTS 1 - 12, BLK 3, RAILROAD ADD...

This public hearing will be held on **Thursday, April 24th, 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, April 18, 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 and Zoning Staff

BEMIDJI COOPERATIVE ASSN
PO BOX 980
BEMIDJI, MN 56619

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

MARK WILKOWSKI
REBECCA WILKOWSKI
221 3RD ST NW
BEMIDJI, MN 56601

MINNESOTA ENERGY RESOURCES COR
GREEN BAY, WI 54307

MERSETH PROPERTIES
207 AMERICA AVE NW
BEMIDJI, MN 56601

STATE - IN TRUST

GREATER BEMIDJI INC
102 1ST ST W
BEMIDJI, MN 56601

BREAK THE CYCLE ESTATES LLC
207 2ND ST NW
BEMIDJI, MN 56601

DAIRYLAND OPERATIONS LLC
PO BOX 120
WISCONSIN DELLS, WI 53965

BROTHER'S GROUP LLC
209 MINNESOTA AVE NW
BEMIDJI, MN 56601

ST MICHEL RENTAL LLC
137 MAIN AVE S
RUGBY, ND 58368

WILTSE FINE ART LLC
2201 E 10TH ST
LONG BEACH, CA 90804

FRIZZELL LLC
6463 STATE 371 NW
WALKER, MN 56484

KRAUS-ANDERSON INCORPORATED
501 S 8TH ST
MINNEAPOLIS, MN 55404

BARRY B ANDERSON
211 MINNESOTA AVE NW
BEMIDJI, MN 56601

HEGNA PROPERTIES LLC
23443 TIMBER TRAIL DR
BEMIDJI, MN 56601

JESSICA ANN SAUCEDO
SAUL SAUCEDO-SANCHEZ
2609 OL WHISPERING PNES SW
BEMIDJI, MN 56601

MATTHEW R MURRAY
5408 JACKPINE RD NW
BEMIDJI, MN 56601

HIRT PROPERTIES LLC
PO BOX 294
BEMIDJI, MN 56619

BRIDGE CITY INVESTMENTS LLC
2853 ADAMS AVE NW
BEMIDJI, MN 56601

PATRICK KELLY HARRINGTON JR
BRENT ALEN MCWITHEY
2180 WASHINGTON AVE S
BEMIDJI, MN 56601

STANLEY H HALEY TRUSTEE
HALEY FAMILY TRUST
PO BOX 665
BEMIDJI, MN 56619

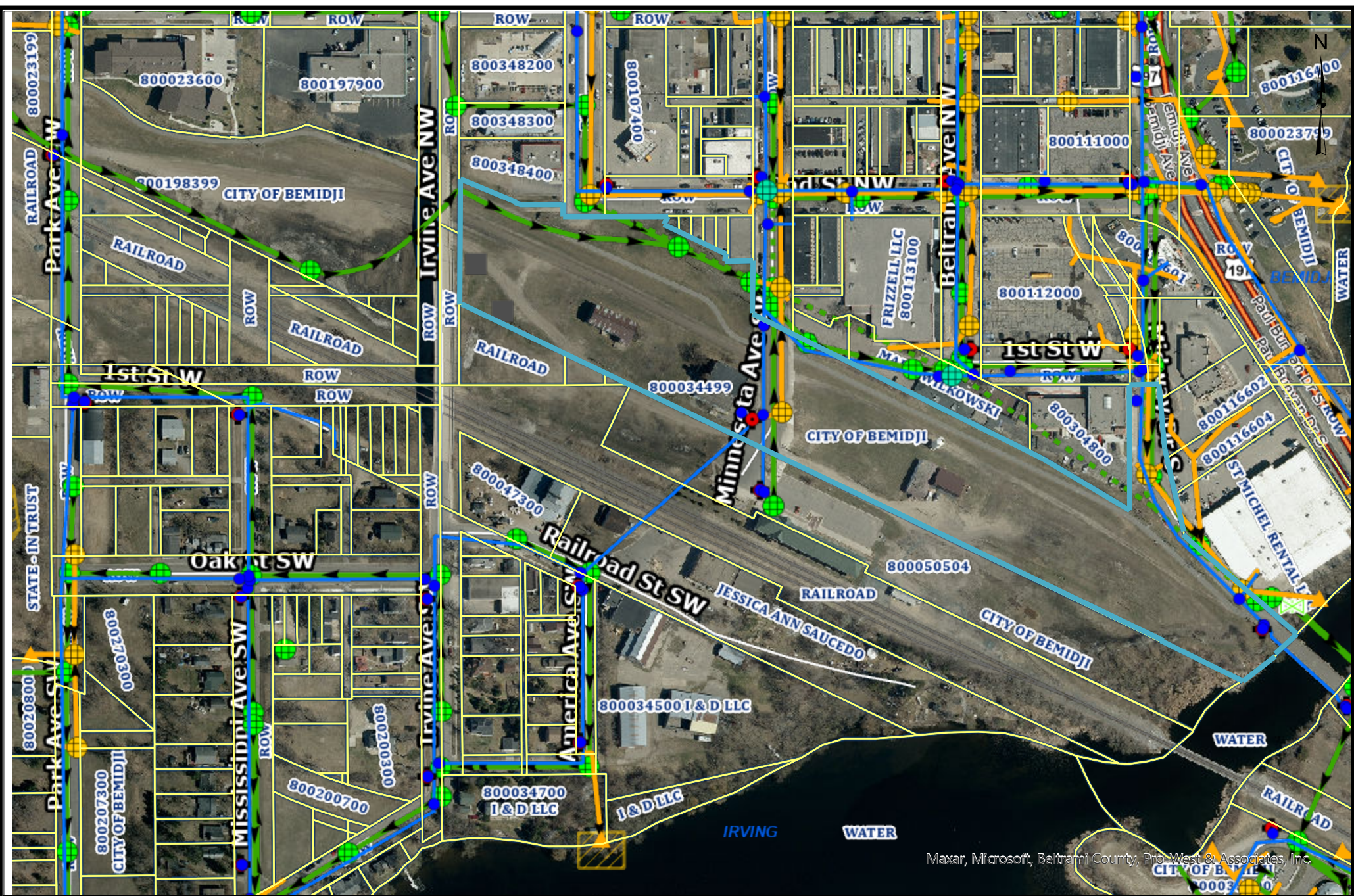
ROHDE'S FEED AND GARDEN INC
405 RAILROAD ST SW
BEMIDJI, MN 56601

ELLMAR PROPERTIES LLC
3807 VALLEY VIEW DR NE
BEMIDJI, MN 56601

MIDCONTINENT COMMUNICATIONS
PO BOX 5040
SIOUX FALLS, SD 57117

PROSPER PROPERTIES LLC
PO BOX 825
PARK RAPIDS, MN 56570

BREW NORTH LLC
211 AMERICA AVE NW
BEMIDJI, MN 56601



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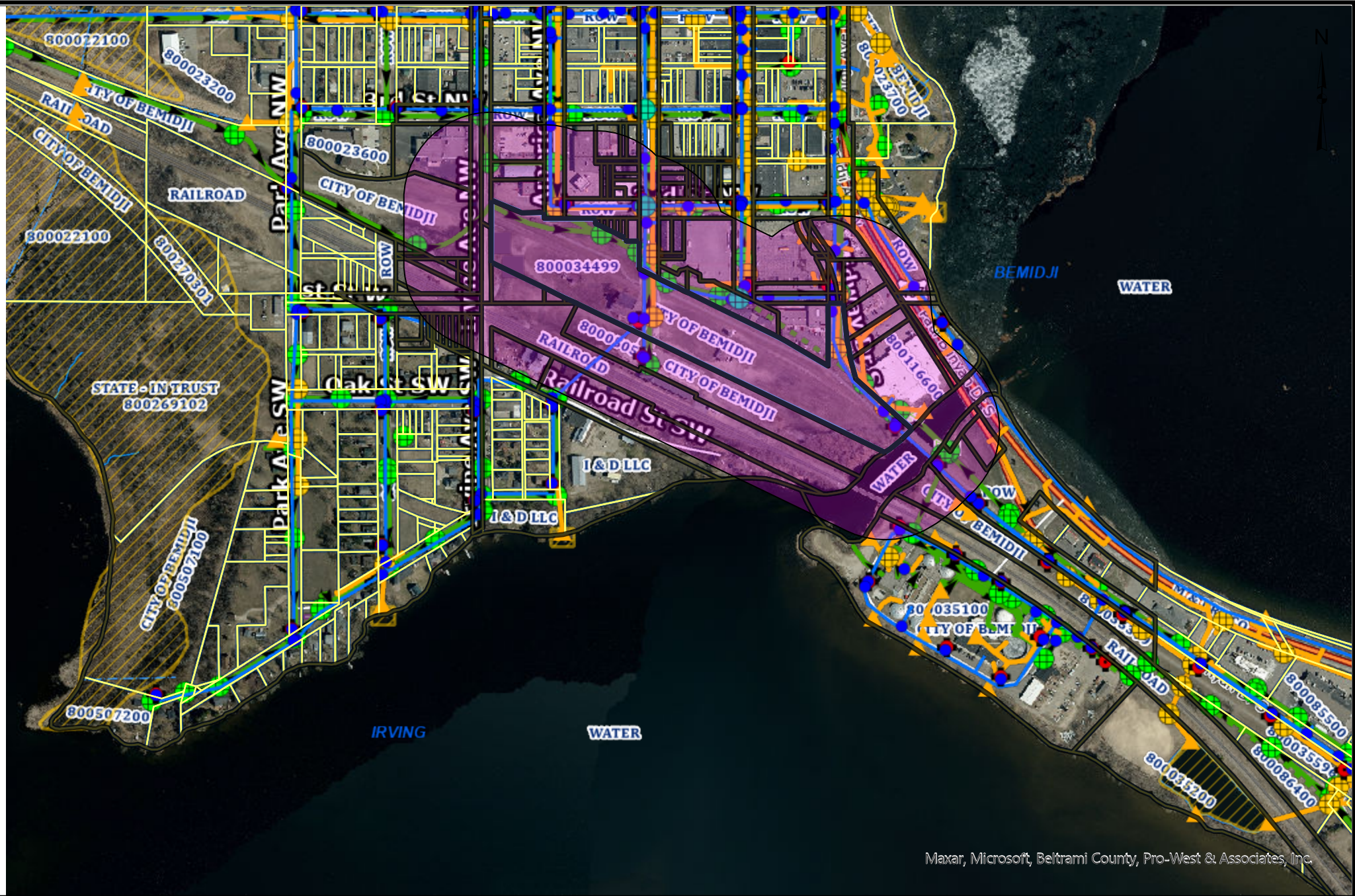
Aerial Map

1:4,514

Date: 4/2/2025

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



Maxar, Microsoft, Beltrami County, Pro-West & Associates, Inc.

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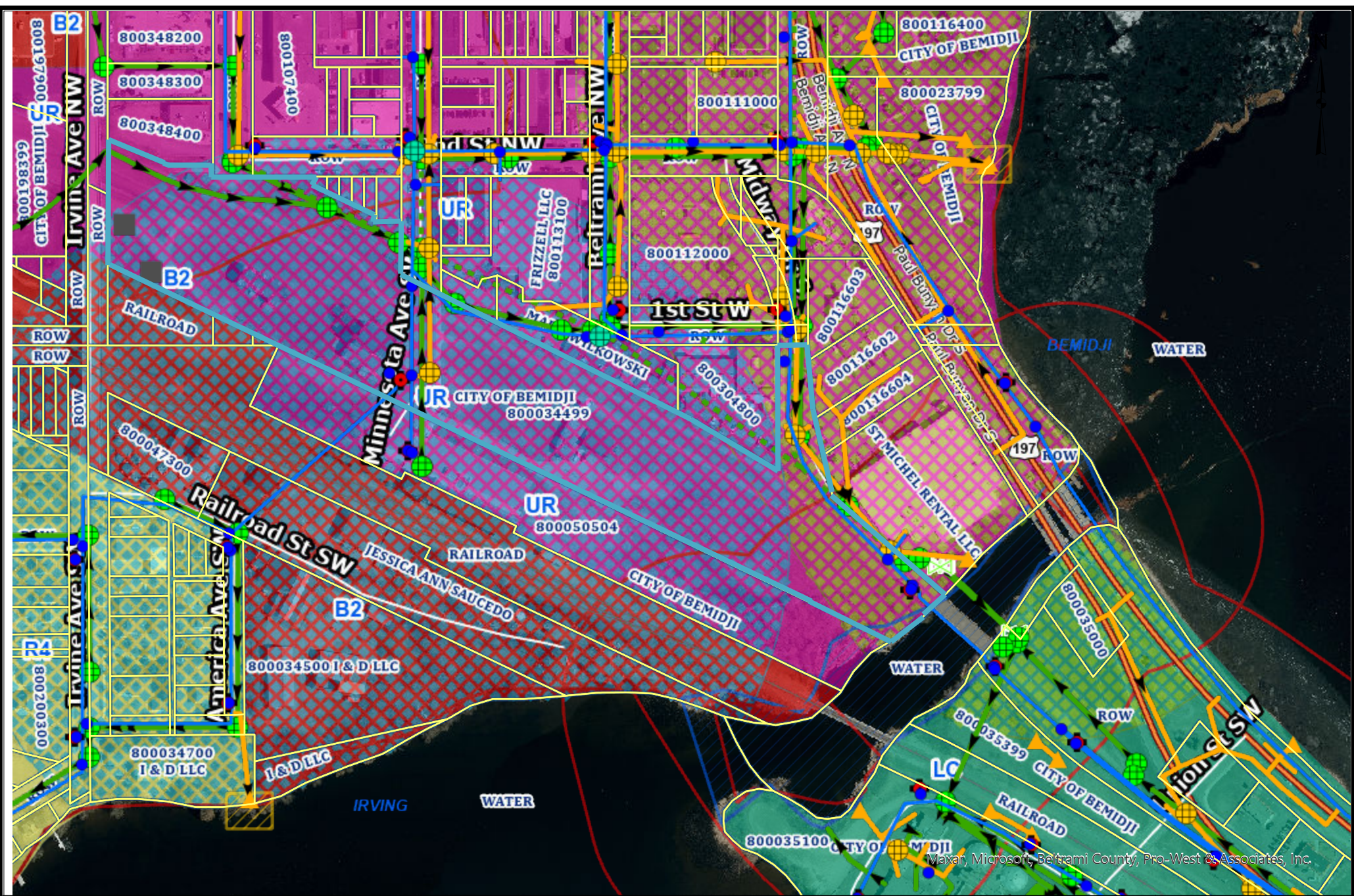
Buffer Map

1:9,028

Date: 4/2/2025

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: 4/2/2025

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



AFFIDAVIT OF PUBLICATION

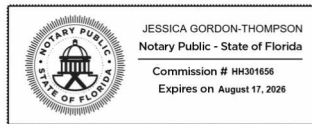
State of Florida, County of Orange, ss:

Edmar Corachia, 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, April 12, 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.

Edmar Corachia

(Signed) _____



VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 04/14/2025

J. Gordon-Thompson

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, April 24, 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 broadcasted on Channel 2, regarding the following requests:

Variance Request: - V-2025-0001: - Murray Surveying, representing Scott & Leslie Grover, is 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 3350 Elliot Road NE (PIN #80.03069.00) in the City of Bemidji.

Interim Use Permit Request: - 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.

Concept Planned Unit Development: - SUB-2025-0001: - Tim Marco (Marco McLane Development) 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).

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, April 18, 2025**, so they may be incorporated into the staff report to the Planning Commission.
(Apr. 12, 2025)

Agency & Neighborhood Comments

Ainslee Krause

From: Mike Yavarow
Sent: Wednesday, April 23, 2025 10:39 AM
To: Jamin Carlson
Subject: FW: Contacts swap
Attachments: Turning Radius Example.jpg; Turning Radius Example 2.jpg; Commercial site plan requirements - With F1.pdf

From: Fire Code
Sent: Wednesday, March 19, 2025 1:25 PM
To: Jon Knutson <JKnutson@loucksinc.com>; Jeff Shopek <JShopek@loucksinc.com>
Cc: Sam Anderson <Sam.Anderson@ci.bemidji.mn.us>
Subject: RE: Contacts swap

Jon/Jeff:

Attached are two screenshot examples that are provided by the civils, denoting compliance with turning radii. We have compiled a brief list of requirements found in the Minnesota State Fire Code (2020) that I will be reviewing.

From earlier today, access roads shall have a minimum outside turning radius of 49' with a 52' overhang radius.

Please utilize the Commercial site plan requirements attachment, along with examples showing this requirement is being met.

Thank you,



Mike Yavarow
Deputy Fire Chief

218-333-1888
firecode@ci.bemidji.mn.us

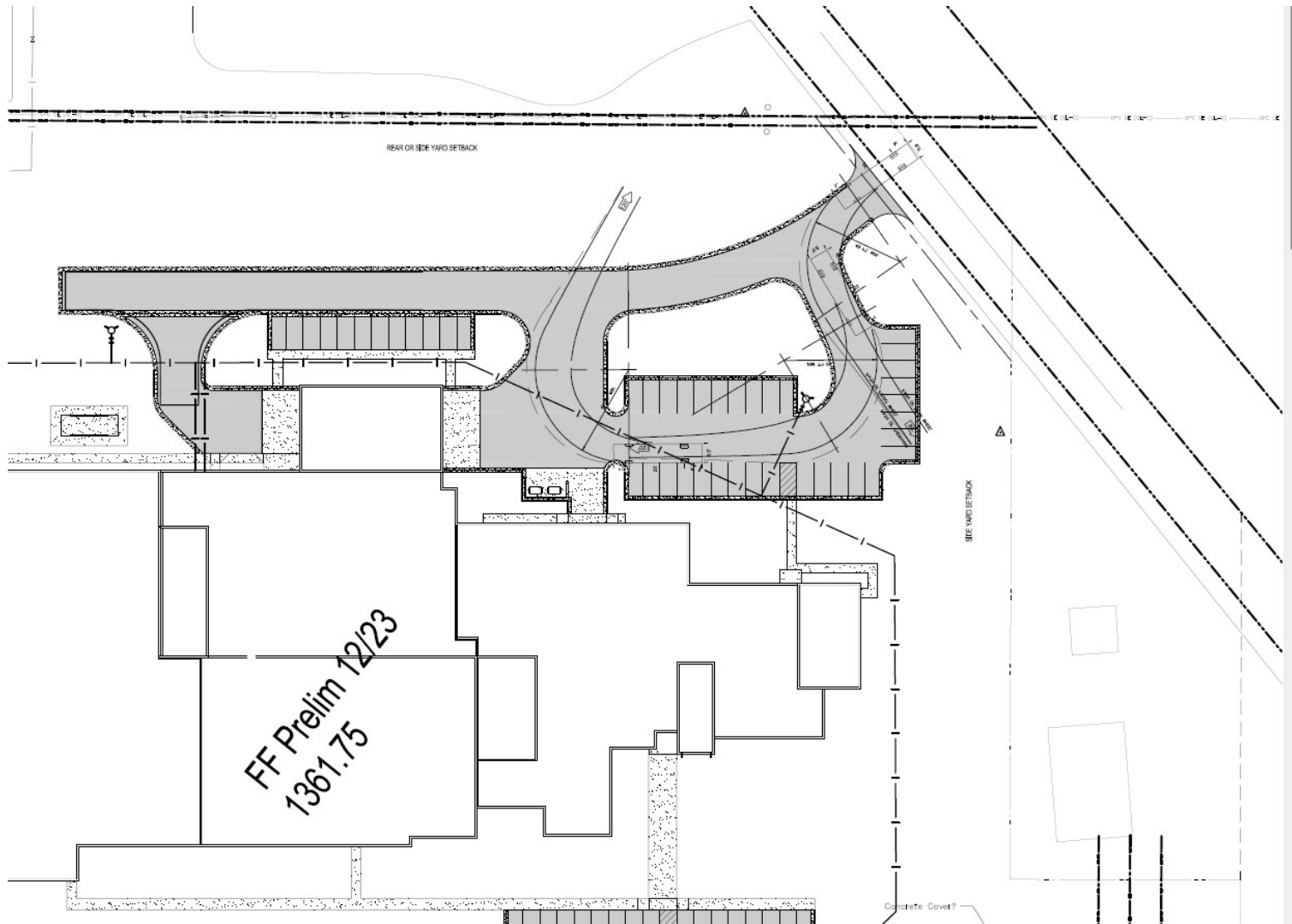
318 5th Street NW
Bemidji, MN 56601

From: Sam Anderson <Sam.Anderson@ci.bemidji.mn.us>
Sent: Wednesday, March 19, 2025 12:05 PM
To: Fire Code <firecode@ci.bemidji.mn.us>
Cc: Jon Knutson <JKnutson@loucksinc.com>; Jeff Shopek <JShopek@loucksinc.com>
Subject: Contacts swap

Loucks guys cc'ed

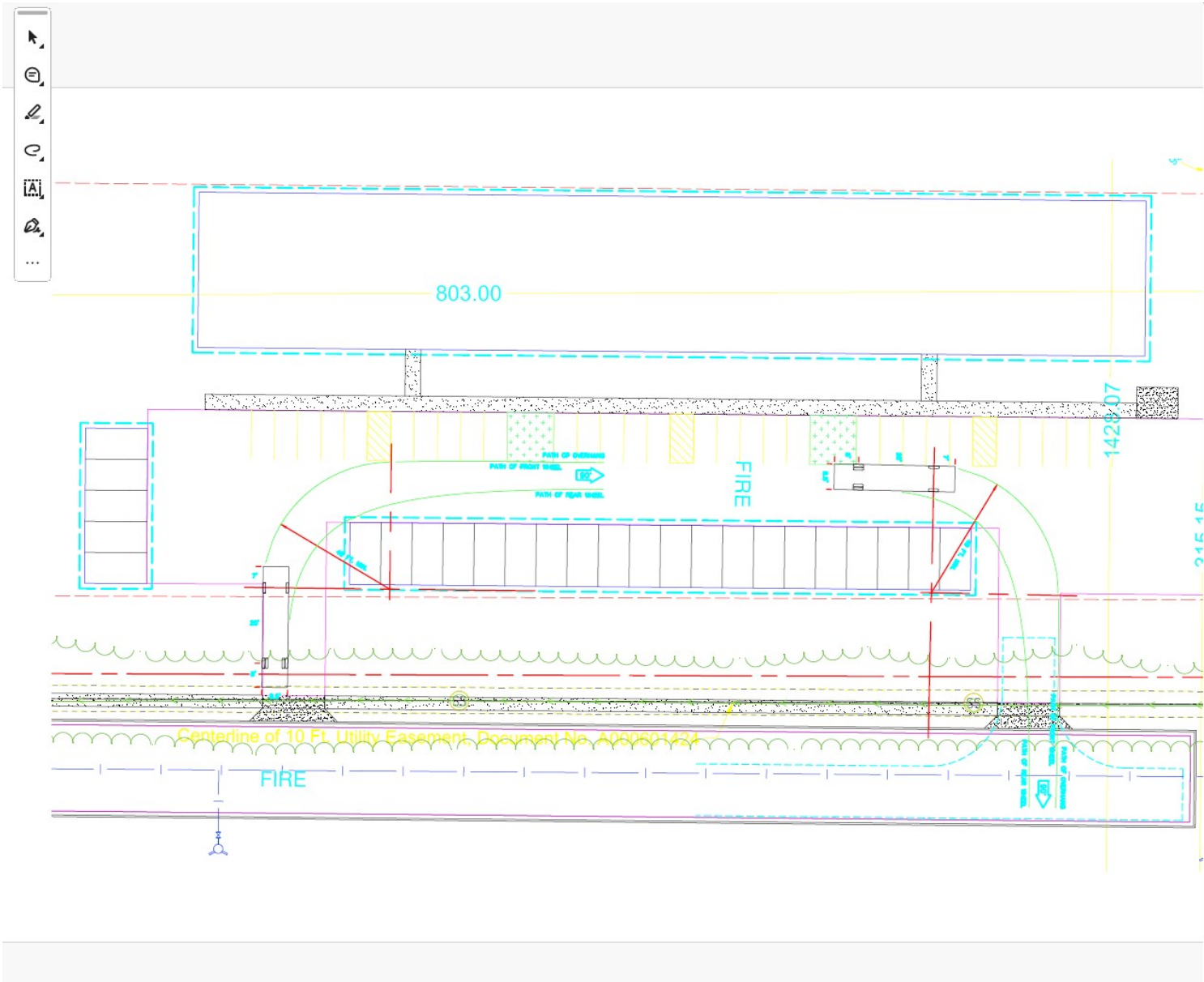
Get [Outlook for iOS](#)

Turning Radius Example



- AutoCAD SHX Text
EVLT
Reply
- AutoCAD SHX Text
EVLT
Reply
- AutoCAD SHX Text
p
Reply
- AutoCAD SHX Text
49 FT. MIN.
Reply
- AutoCAD SHX Text
7'
Reply
- AutoCAD SHX Text
120%%d

Turning Radius Example 2



- Comments 18
- Add a comment
- Page 1
- AutoCAD SHX Text
8'
Reply
 - AutoCAD SHX Text
25'
Reply
 - AutoCAD SHX Text
7'
Reply
 - AutoCAD SHX Text
8.5'
Reply
 - AutoCAD SHX Text
49 FT. MIN.
Reply
 - AutoCAD SHX Text
PATH OF FRONT WHEEL
Reply
 - AutoCAD SHX Text



COMMERCIAL SITE PLAN FIRE SAFETY

The Bemidji Fire Department in cooperation with the Building Department, Engineering Department, and Planning and Zoning reviews all commercial site plans submittals for compliance with the 2020 Minnesota State Fire Code (MSFC) and reference standards. Please note that this guide is **not** all-inclusive and additional items may warrant comments from the Fire Department. If further information is needed regarding this portion of the plan review process, please contact the Bemidji Fire Department at firecode@ci.bemidji.mn.us

The City of Bemidji has adopted the 2020 MSFC and locally adopted the following MSFC appendices by amendment as it pertains to Commercial Site Plans:

- Appendix C: Fire Hydrant Locations and Distributions
- Appendix D: Fire Apparatus Access Roads

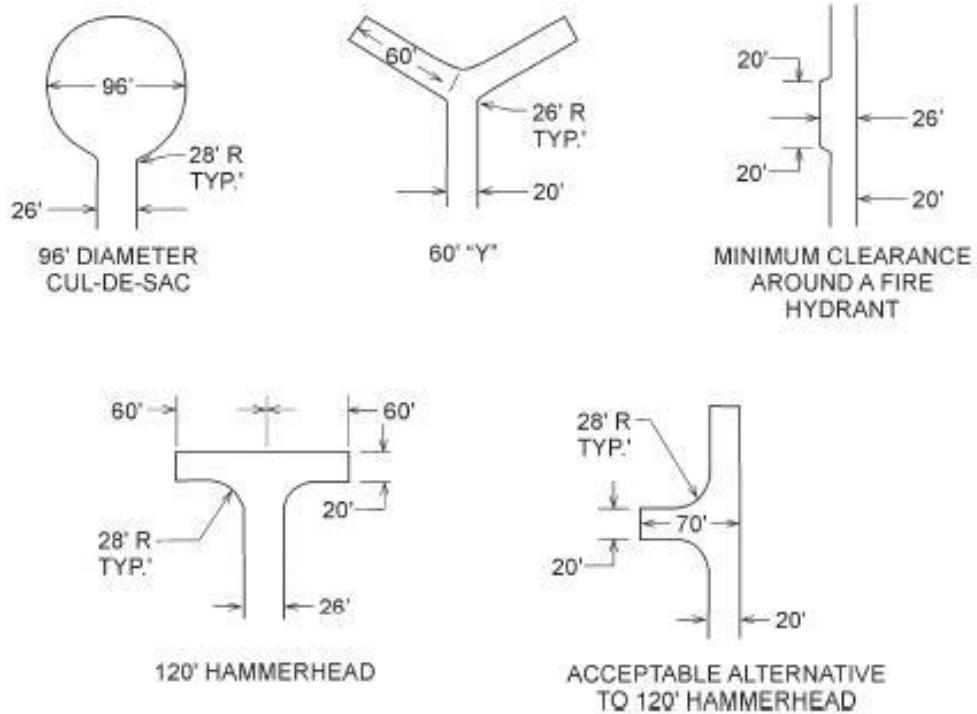
In order to better assist with the fire department review process, a separate plan sheet (Labeled 'F-1') may be requested to be included in the commercial site plan submittals. The F-1 plan shall document compliance with the 2020 MSFC and adopted appendices to include, but not limited to the following:

Fire Apparatus Access Roads:

- The fire department shall have roadway access to within 150' of all portions of the first story of the building (503.1.1). Increases allowed for approved automatic sprinkler systems equipped throughout, up to 600'. Provide dimensions and a dashed 'attack hose path' designating compliance from the furthest roadway access(es) that this requirement is met.
- Access roads shall be a minimum of 20' wide (26' when fire hydrants are present) with a minimum of 13" 6" vertical clearance (503.2.1). Provide dimensions showing compliance.
- Access roads shall not exceed 10 percent grade (D103.2).
- Access roads must be bituminous, concrete or other approved driving surface able to support a 75,000-pound emergency vehicle and shall provide all weather driving capabilities (503.2.3 and D102.1).
- Access roads shall have a minimum outside turning radius of 49' with a 52' overhang radius (503.2.4). Provide dimensions/radii showing compliance.
- Dead-end access roads in excess of 150' in length shall have an approved turn around area as defined in Minnesota State Fire Code - Appendix D (503.2.5 and D103.4). Document/diagram how this requirement is compliant.

TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

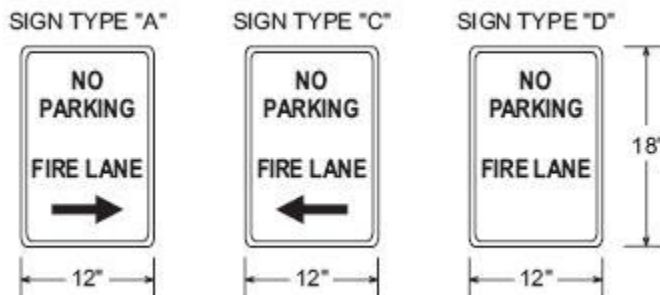
LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with figure below
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with figure below



- Access road bridges shall be constructed and maintained in accordance with AASHTO HB-17 (503.2.6).
- Access roads shall be marked with approved signs and other notices as defined in Minnesota State Fire Code - Appendix D (503.3, D103.6, D103.6.1, D103.6.2).
 - **D103.6 Signs.**

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

FIGURE D103.6 FIRE LANE SIGNS



- Access roads shall not be obstructed in any manner (503.4).

- Security gates on access roads shall be approved by Fire Chief (503.6).

Aerial Fire Apparatus Access Roads for building exceeding 30 feet in height (the vertical distance between the grade plane and the highest roof surface exceeds 30’):

- At least three means of fire apparatus access for each structure (D105.1). Designate as access #1, #2 and #3.
- Access roads in the immediate vicinity of any building shall have a minimum unobstructed width of 26’ (D105.2). Provide dimensions showing compliance.
- At least one access road shall be positioned parallel to one entire side of the building and shall be located within a minimum of 15’ and a maximum of 30’ (D105.3). Provide 15’ and 30’ dimensions showing compliance and label as “Aerial Fire Access Road”.
- Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building (D105.4). Denote.

Premises Identification:

- Approved building address numbers shall be plainly legible and visible from the street (505.1).
 - Multi-tenant buildings shall post suite numbers for the individual tenants. Suite numbers shall be posted on front and rear access doors.
 - Complexes with multiple buildings shall have an approved sign (map) at the main entrance identifying the location of the structures in the complex.
- Private streets and roads shall be identified with approved signs (505.2).

Fire Protection Water Supply:

- Designate if the proposed structures will be sprinklered or not.
- An approved water supply capable of supplying the required fire protection needs shall be provided (507.1).
- Approved on-site fire hydrant(s) and main(s) shall be provided when travel distance (by roadway) to nearest hydrant is greater than 300’ (400’ in sprinklered buildings) (507.5.1). Provide dimensions and a dashed ‘hydrant hose path’ designating compliance from hydrants.
 - Minimum water main size is 8” when it serves both the buildings fire protection system(s) and on-site fire hydrant(s).
 - City of Bemidji Engineer must review/approve private water distribution system plans that access the city’s water system.
- Fire hydrants shall not be obstructed and have a minimum of 3’ clear space around hydrant (507.5.4 and 507.5.5).
- Hydrant impact protection required if subject to impact by motor vehicle (507.5.6).



The Northwoods Battered Women's Shelter is near completion.

**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 is getting many inquiries for projects, expansions, and redevelopment over the last month and continue with the building season in full swing.
- 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](#).
- Updates to a few projects: the People's Church is close to starting their expansion project; Beltrami County, partnering with the city, will be adding a recycling site on the corner of Fern St. & Hwy 71; A second 6-plex is under way in Mountain View Meadows; AT&T will be building their cellular tower at Ross Lewis Sign property off Bardwell Dr; Gracewin Cooperative is looking to start construction on their 41-unit development.

Permit/License Activity Items	Totals (Issued since 1/1/2025)
Planning Cases (Variances, CUPs, IUPs, Rezones, PUDs, & Plats)	8
Sign Permits	24
Lot Combinations/Realignments/Divisions Permits	7
Environmental Alteration Permits (Tree/Shoreland)	6
Temporary Storage Containers/Semi-Trailer Permits	7
Animals/Home Occupation/Fence/Land Use Permits	7
Site Plans Reviews/ Zoning Verification Letters	30
PERMIT/LICENSE ACTIVITY * As of May 7th, 2025	89

Planning Cases for May/June

City of Bemidji – V-2025-0002: - John Hamrin is requesting a Variance from the OHWL setback and lot width requirements to build an attached lakeside deck on an existing lot of record in the R-4 Moderate Density Residential zoning district and the Shoreland Overlay (General Development Lake). The subject property is located at 1725 S Lake Irving Dr SW (PIN #80.01671.00) in the City of Bemidji.



IMPORTANT NOTICE

- The Planning Board scheduled meeting for Monday, May 12th, 2025, at 5:30 p.m. will be held at City Hall Council Chambers.
- The Planning Commission meeting on Thursday, May 22nd, 2025, at 5:30 pm will be held at City Hall Council Chambers.

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

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



Planning & Zoning Department Site Analyst & Enforcement Activities for April 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.
- **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.
- **Bemidji Storage (Carr Lake Rd)** Reopened; DA is signed, waiting on developer to start.
- **Dairy Queen (Paul Bunyan Dr NW)** Project has been approved, waiting for developer to finalize plans/timelines. The developer is still 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.
- **Green Legacy Investments (Anne St)** Waiting for completion of lot division. Review completed, paving of all phases complete.
- **Hanson Contracting Shop (Irvine Ave NW)** Construction complete, part of paving done. Stormwater retention is in/seeded. Trees have been planted; paving has been completed. Final greenspace seeding remains.
- **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 April 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 2025.

Significant Enforcement Issues

- The weather has finally turned favorable for exterior storage clean-ups, but there is still a lag in some property owners getting the work accomplished. However, several properties with outstanding violations have made significant progress even if they haven't finished all the work required.



Property on 11th St NW that has made significant progress in cleaning up outside storage of appliances and trash. There are still some issues in the front yard, but overall, the situation is much improved.

- There was an increase in the number of Temporary Uses or Structures violations this month as staff has continued to work to bring businesses with these containers into compliance. A few businesses in the Industrial Park have begun to – or will in the coming week – remove trailers. Others are moving their trailers to locations that meet the performance standards of the development code.



Trailers in the Industrial Park that will be removed in the coming weeks as the weather improves, and the ground dries up.

Site Analyst & Enforcement Activities for April 2025

- Human Activity Sites: Activity sites have jumped this month, with four (4) new sites found or reported in the last week. As of the writing of this report, there are twelve sites that staff are aware of. Many of these sites are inactive/unoccupied, with four of them on BNSF property. The railroad has been having difficulties in getting a contractor to handle the clean-ups.



Human activity site on railroad property near the Mississippi River's exit from Lake Irving. Rail officials have been informed.

- Multiple Off-Street Parking, Loading & Surfacing violations remain active, but several projects have been brought to fruition, and staff is still working to bring several others to completion yet this summer.



Project on Anne St NW that recently completed paving.

Site Analyst & Enforcement Activities for April 2025

- The review of Planning Actions from 2022 has been completed. Most of those projects have met all required conditions and follow the development code. A few of the projects will require additional monitoring of conditions, and one will be brought to the Planning Board in June for revocation due to the project not having been started.



A 2022 garage project that required a variance - before and after.





Site Analyst & Enforcement Activities for April 2025

Summary of Enforcement Actions

Enforcement - Total Open Cases - April 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	15	27	42
Ward 5	13	6	19
Total	43	56	99

As of 5/7/2025

Totals for April 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	5
April Non-Residential	4
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	43

As of 5/7/2025

Site Analyst & Enforcement Activities for April 2025

Enforcement Totals by Code - April 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	29	4
28-403 - Sight Visibility Triangle	0	0
28-404 - Fences	2	0
28-406 - Landscaping Requirements	1	0
28-408 - Lighting	1	0
28-409 - Off-Street Parking, Loading & Surfacing Standards	4	1
28-411 - Temporary Uses or Structures	1	0
28-524 - CUP Violation	2	0
28-421 - Farm Animals	1	0
Total Residential Cases	43	5
Commercial, Industrial, U, UR, OM, LC, LD, & MH		
28-81 - Allowed, Permitted, Conditional, and Interim Uses	1	0
28-244 - Prohibited Signs	4	1
28-245 - Nonconforming Signs	1	0
28-246 - Sign Permit Required	1	2
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	3	1
28-402 - Exterior Storage & Outdoor Display of Merchandise	14	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	0
28-411 - Temporary Uses or Structures	15	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	56	4
Total Cases	99	9

As of 5/7/2025