

BEMIDJI PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, February 26, 2026

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



- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MEETING MINUTES**
 - a. January 22, 2026 Planning Commission Meeting
- 6. VISITORS WITH BUSINESS NOT ON THE AGENDA**
- 7. NEW BUSINESS**
 - b. Public Hearing: Variance Request for Parcels 80.03017.00 & 80.03016.00 - Division 25, LLC
 - c. Discussion — Electric Vehicle (EV) Charging Ordinance Language
- 8. UPCOMING COMMISSION MEETINGS**
 - d. March 26, 2026 Planning Commission Meeting
- 9. ADJOURN**

**PLANNING COMMISSION
BEMIDJI, MINNESOTA
Regular Meeting – January 22, 2026**

CALL TO ORDER: Chair Don Heinonen called the regular meeting of the City of Bemidji Planning Commission to order at **5:30 p.m.** Roll call was taken, and the pledge of allegiance was recited.

Members present: Faver, Heinonen, Lemmer, McCoy, Peterson, Meehlhause.
Members excused: None.

Staff Present: Planning Director Jamin Carlson, Assistant Planner Melissa Fahrenbruch, Planning Administrative Assistant Ainslee Krause.

Others Present: Troy Gilchrist of Town Law Center (via WebEx), Tim Marco of Marco-McClane (WebEx), Lucy Aveen-West of U-Haul of Northern Minnesota, Ron Seibel of North Country Snowmobile Club

AGENDA

Chair Heinonen called for any amendments to the agenda. Motion by **Lemmer**, seconded by **Meehlhause**, to approve the agenda. Motion carried by unanimous voice vote.

MINUTES

The minutes for the **December 18, 2025**, Planning Commission meeting were presented for approval. Motion by **Meehlhause**, seconded by **Lemmer**, approving minutes as presented. Motion carried by unanimous voice vote.

VISITORS WITH BUSINESS NOT ON AGENDA: No appearance.

Election of Officers

Chair Heinonen called for nominations for Chair. (New officers seated at February meeting)
Meehlhause inquired if **Heinonen** would be willing to serve again, Carlson addressed bylaws.
Lemmer nominated **Meehlhause**, seconded by **Peterson**.
Meehlhause elected Chair by unanimous voice vote.

Chair Heinonen called for nominations for Vice-Chair. (New officers seated at February meeting)
Faver nominated **Lemmer**, **Lemmer** declined the nomination.
Lemmer nominated **Faver**, seconded by **Peterson**.
Faver elected Vice-Chair by unanimous voice vote.

NEW BUSINESS

Public Hearings:

PLANNING CASE: CONDITIONAL USE PERMIT AND INTERIM USE PERMIT REQUESTS – AMERCO REAL ESTATE COMPANY:

Fahrenbruch presented the planning case request: Sahithya Cheruku, Amerco Real Estate Company representing U-Haul is requesting a Conditional Use Permit (CUP) to construct and operate a Mini-Storage or Self-Service Storage business and an Interim Use Permit (IUP) for operating a Truck and trailer rental business on the property. The subject property is located at TBD Mag Seven Ct SW (PIN 800561200 & 800561300) in the City of Bemidji. Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Commission members made the following comments:

- No comments.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the request. Chair Heinonen opened the Public Hearing at **5:38 PM**, hearing the following comments:

- Lucy Aveen-West, company president of U-Haul of Northern Minnesota addressed Commission, stating she could answer any questions they had about the project.

Hearing no further comments Chair Heinonen closed the Public Hearing at **5:39 PM**.

Motion by **Meehlhause**, seconded by **Peterson**, to recommend approval of the conditional use permit request for parcels 800561200 and 800561300, with the conditions and findings of fact as presented in the packet. Motion carried by unanimous voice vote.

Motion by **Meehlhause**, seconded by **Peterson**, to recommend approval of the interim use permit request for parcels 800561200 and 800561300, with the conditions and findings of fact as presented in the packet. Motion carried by unanimous voice vote.

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **February 9, 2026**, at 5:30 PM for the final decision.

PLANNING CASE: FINAL PLANNED UNIT DEVELOPMENT THROUGH A CONDITIONAL USE PERMIT AND PLAT REQUESTS – MARCO MCLANE DEVELOPMENT REPRESENTING GREATER BEMIDJI

Carlson presented the planning case request: Tim Marco (Marco McLane Development) representing Greater Bemidji is requesting approval for a Final Planned Unit Development through a Conditional Use permit (CUP) & Plat (PUD/PLAT) to develop a multi-phase project which would include a YMCA Community Wellness Center and a hotel and convention center along with other future developments within the Urban Renaissance (UR) zoning district & the General Commercial (B-2) zoning district and the Shoreland Overlay. The subject property is located at multiple addresses off Minnesota Ave NW (PIN #80.00344.99, 80.00505.04, and 80.00505.05) in the City of Bemidji (also known as the railroad corridor).

Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Commission members made the following comments:

- Commission and staff discussed the re-located multi-use trail.

Public Hearing

Pursuant to published notice, a public hearing was held regarding input on the request. Chair Heinonen opened the Public Hearing at **5:46 PM**, hearing the following comments:

- Tim Marco addressed the Commission regarding the changes to the project to both sides of Minnesota Avenue, the continued work with the State of Minnesota regarding the trail, the continued work with the City regarding required infrastructure, and the changes to the east side of the project area due to the hotel project.
- **McCoy** inquired about handicapped parking stalls, Marco responded.
- Ron Seibel addressed the Commission regarding the trail placement, curbs, curves, etc., that may affect grooming of the snowmobile trail.
- **Peterson** inquired about minimum requirements needed, Seibel responded.

- Macro addressed those concerns.

Hearing no further comments Chair Heinonen closed the Public Hearing at **5:52 PM**.

Commission members made the following comments:

- **Heinonen** addressed the changes to the trail and the trail groomer requirements.
- **McCoy** inquired if the traffic study had been completed before or after the addition of the hotel and convention center to the project. Marco replied that it was after.
- **Meehlhause** inquired of the Commission about the need to add a condition regarding the trail. Commission discussed.

Motion by **Peterson**, seconded by **Meehlhause**, to recommend approval of the Final Planned Unit Development through a Conditional Use Permit and Plat requests for parcel 800034499, 800050504 and 800050505, with the conditions and findings of fact as presented in the packet. Motion carried by the following roll call vote: Ayes: **Peterson, Meehlhause, McCoy, Lemmer, Heinonen, Faver**. Nays: **None**.

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **February 9, 2026**, at 5:30 PM for the final decision.

OLD BUSINESS

PLANNING CASE: INTERIM USE PERMIT REQUEST – FIRST CITY CANNABIS – TABLED FROM PREVIOUS MEETING

Carlson presented the planning case request: Julie Canty representing First City Cannabis is requesting an Interim Use Permit (IUP) for operating a Cannabis Retail Business in a leased building. The subject property is located at 920 Washington Ave S (PIN 80.04204.00) in the City of Bemidji and is in the B-2 General Commercial Zoning District within the Highway 197 Overlay.

Conclusions based on the Ordinance and Comprehensive Plan were presented in the packet including conditions and findings of fact.

Chair Heinonen addressed the need of a motion from the Commission to remove the case from the table for additional discussion.

Motion by **Meehlhause**, seconded by **Lemmer** to remove the case from the table for further discussion. Motion carried by unanimous voice vote.

Chair Heinonen asked the Commission for comments toward the motion to deny as that was the motion on the floor prior to the case being tabled at the previous meeting and related to the Findings of Fact for Denial provided by staff.

Commission members made the following comments:

- **Heinonen** addressed the Commission regarding research he had conducted related to other counties and cities' determination of buffer zone measurements which determined multiple measurement methods were used by local governments across the state.
- **Peterson** addressed the Commission that the lack of defined measurement determination in the City's ordinance was too vague and would create problems going forward.
- **Faver** addressed the Commission regarding the fact that surrounding property uses may be conducted anywhere on a property, so structure to structure measurement is unfair to surrounding property owners.
- **Meehlhause** addressed the Commission regarding gray areas in the Finding of Facts for denial related to applying current ordinance to the present case.

DRAFT

- **Peterson** responded that setback measurements should allow property owners full use of their properties.
- **Lemmer** addressed the Commission regarding the complications between ordinance requirements versus personal opinions.
- **Faver** addressed the Commission related to the determination of morality in the Findings of Fact for denial.
- **McCoy** addressed the Commission regarding the need of the ordinance to clearly define its requirements.

*With no further comments, Chair Heinonen asked if **Peterson** and **Lemmer** agreed with the Findings of Fact for Denial supplied by staff. Both stated that they did.*

*Motion by **Peterson**, seconded by **Lemmer**, to recommend denial of the Interim Use Permit request for parcel 8006420400, with the conditions and findings of fact as presented in the packet. Motion tied by the following roll call vote: Ayes: **Faver, McCoy, Peterson**. Nays: **Heinonen, Lemmer, Meehlhause**.*

Chair Heinonen addressed that the **motion failed due to a tie vote** and that unless an alternate motion was put forth on which the Commission could vote, the tie vote would be forwarded to the Planning Board without recommendation.

*Motion by **Meehlhause** to recommend approval of the Interim Use Permit request for parcel 8006420400, with the conditions and findings of fact as presented in the packet. No second was offered.*

Chair Heinonen addressed that the request would go before the Planning Board at their next meeting on **February 9, 2026**, at 5:30 PM for the final decision.

Commission and staff thanked the public for their attendance and reminded them that there is an opening on the Planning Commission and that a full Commission could avoid tie votes.

UPCOMING COMMISSION MEETINGS

- Thursday, February 26, 2026 5:30 p.m. Planning Commission Meeting

Chair Heinonen addressed staff regarding the timeline of the zoning ordinance update. Staff replied that it is ongoing.

ADJOURN

There being no further business, motion by **Lemmer**, seconded by **Meehlhause**, to adjourn the meeting. Motion carried. Meeting adjourned at **6:15 p.m.**

Respectfully submitted,

David Wielenberg
Compliance Inspector and Site Analyst

PC Minutes approved and attested by: _____
Planning Commission Representative

**THE CITY OF BEMIDJI
PLANNING BOARD**

PLANNING CASE: V-2026-0001	PC MEETING DATE: February 26, 2026
APPLICANT: Division 25, LLC & Willow Creek Center represented by John Johannson	60-DAY RULE DATE: April 1, 2026
PROCEEDING: Variance from the side yard setback for off-street parking, loading, and surfacing standards for the redevelopment of a parking area.	ZONING DISTRICT: (B-2) General Commercial Zoning District and the HWY 197 & Airport 3 Overlays
PREPARED BY: Melissa Fahrenbruch Assistant Planning Director	EXHIBITS: Zoning Map, Aerial Map, Application, Site Plan, Supporting Documentation

Planning Report

SUMMARY OF REQUEST

John Johannson, representing Division 25, LLC and Willow Creek Center, is requesting a variance for section 28-409 off-street parking, loading and surfacing standards of a redevelopment of a parking area setback to the side property lines. The subject properties are abutting parcels (parking area for a new Chipotle [former Rod’s Meats] and the Willow Creek Center) at 1718 & 1710 Paul Bunyan Dr NW (PIN:800301700, & 800301600) in the City of Bemidji. The properties are in the B-2 General Commercial District and the HWY 197 & Airport 3 Overlays.

BACKGROUND

The previous business (Rod’s Meat) was a single-story retail building on the northwest side of the property that was demolished by the current owner. The owner proposed a Dairy Queen dine in/drive-through restaurant and has since determined he would like to relocate his proposed business and is in a purchase agreement with this applicant.

In 2024, the current owner was granted a Conditional Use Permit (CUP) for a Drive Through Restaurant and to remove more than 60% of the high-quality significant trees and two Variances for lot size less than three (3) acres and the site population to exceed the site acreage maximum in the Airport Zone B. The Variances are no longer needed as the Bemidji Regional Airport updated their Airport Zoning document removing this area from the new zone 2. Staff has determined that the CUP was substantially started within twelve (12) months from its date of issuance and was granted an extension in 2025 by the Planning Board. Resolution No. 2024-03 is recorded and runs with the land if conditions are met. Removal of the trees was permitted under environmental alteration permit #EA-2024-0008 on June 6, 2024, and had begun to be removed. A new site plan review and other permits will be required.

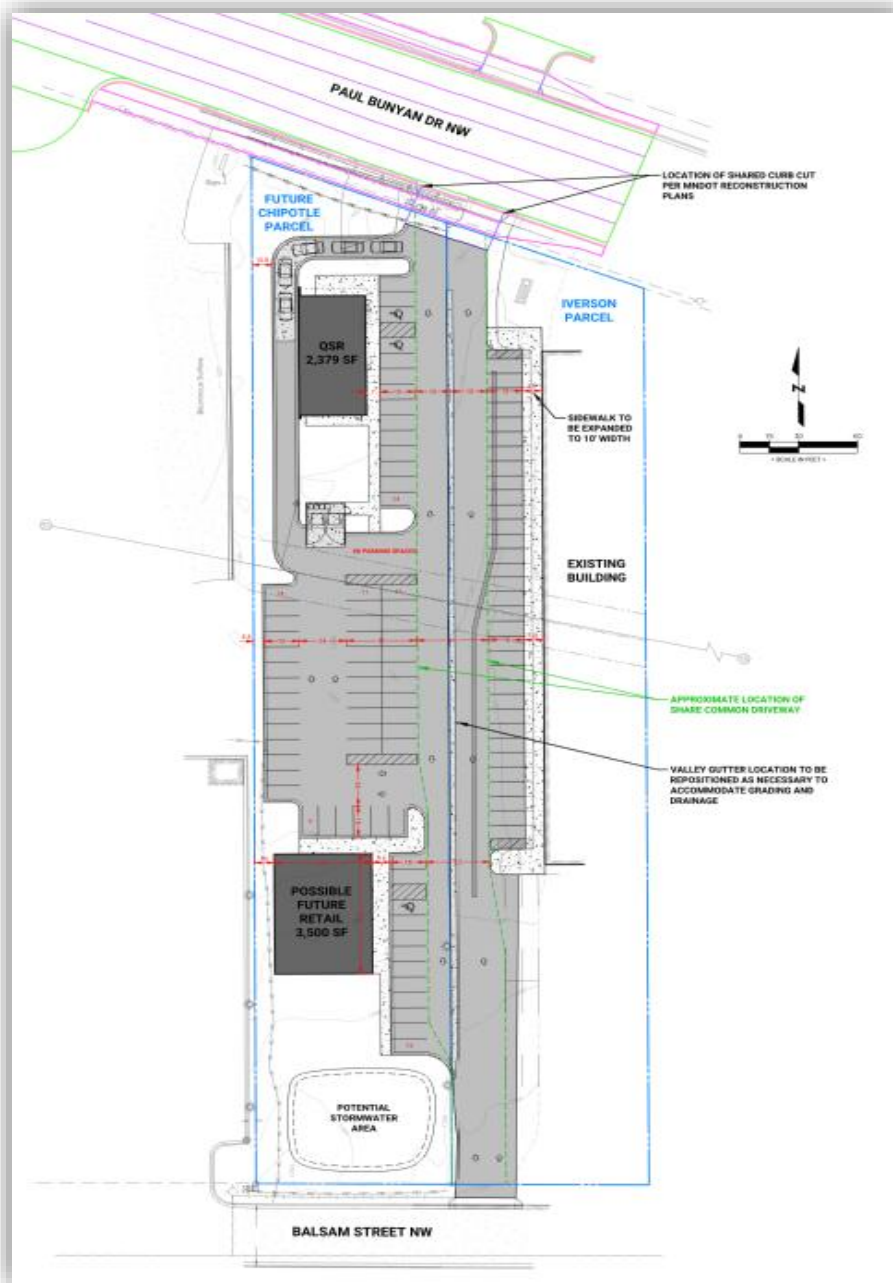
The subject parcel is 1.33 acres in size and will be connected to City services. The parcel is divided by a city sewer line easement and is in the Trunk Highway 197 overlay on the north side along the Paul Bunyan Dr NW with 24th St NW to the south and is in the Airport Zone 3 overlay district.

Applicant is proposing to construct a free-standing Chipotle restaurant building with a customer pick-up window. Note that the Chipotle pick-up window model functions with an online ordering system – whereby the customer orders food through an online App and then receives a notice alerting them when the food will be ready.

MNDOT plans to consolidate the subject site's curb cut into a shared, common curb cut with the property immediately to the east – at 1710 Paul Bunyan Dr NW (known as Willow Creek Center and owned by Mr. Robert Iverson). The new curb cut will be repositioned, such that is located partially on each adjoining parcel. The need to share internal traffic circulation within a common shared driveway necessitates the request for a Variance. The side-yard setback is identified as 5' in the city code 28-409. The applicant and adjoining property owner requests a setback of 0' along the common property line between the two parcels.

DISCUSSION/DEVELOPMENT ANALYSIS

Submitted site plans below with the added parking shown in hashed lines:



Planning Consideration

Sec 28-481 *Variances shall only be permitted when they are in harmony with the general purposes and intent of the development code and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the development code.*

Practical difficulties, as used in connection with the criteria for granting of a variance, means:

- a. The property owner proposes to use the property in a reasonable manner not permitted by the development code;*
- b. The plight of the landowner is due to circumstances unique to the property not created by the landowner;*
- c. The variance, if granted, will not alter the essential character of the locality;*
- d. Economic considerations alone do not constitute practical difficulties.*

Historical Conditions

The lots have been sharing parking in the north and ingress/egress for quite some time though they each had their own entrances.



Current Conditions

The old Rod’s Meat’s retail building was demolished in 2024 along with the removal of some of the trees. The June 2025 storm has also damaged some trees that may need to be removed. A landscaping plan will need to be submitted for approval during the Site Plan Review process.



Ordinance Considerations

Signage

All signage must comply with Sections 28-252 & 28-257 of the development code.

Trash Handling

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

Landscaping

Per Section 28-406 of the code, properties that lie within the Trunk Highway 197 Overlay are required to have a minimum of 30% greenspace. In the B-2 General Commercial zoning district it is required to have a minimum of 20% greenspace. Staff will work with the applicant to increase the greenspace to meet the requirements. Per Section 28-407 of the code, the site will need total of 2 trees along both street frontages and a total of 16 trees on site based on the size of the parcel. A new inventory will be needed to determine what significant trees are left on site and can be saved as well as how many trees will need to be added.

The previous Resolution 2024-03 for a CUP to construct and operate a drive-through restaurant and removal of high-quality significant trees beyond the base minimum landscape standard carries with the parcel and a substantial start has taken place.

Lighting

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

Parking Standards

Per the Section 28-409:

b. Setbacks.

- i. Front, side and rear setbacks of at least five (5) feet from property lines shall be maintained from parking areas in all zoning districts, except in the UR District. Setbacks of five (5) feet in the UR Districts shall apply only to those parking areas adjacent to residentially zoned or residentially used property.*

Restaurants, Bars, Taverns or Cafes have one (1) space per three (3) seats based on maximum fixed seating design capacity for restaurants without liquor service, provided that drive-in restaurants shall have at least ten spaces.

Preliminary plans indicate more than enough parking for the estimated size of the building. A site plan review will determine the final number of minimum parking spaces needed.

Public Notice and Hearing Requirements

Per the Ordinance: Sec. 28-527:

- A. In addition to the procedures described in preceding sections of this development code, all conditional use permit requests, variance requests, requests for amendments, and preliminary plat approval shall be reviewed at a public hearing conducted at least ten (10) days following official public notification including publication in the official newspaper of the council and mailed notice to all property owners within the following distances from affected property when such notice is applicable: in the case of variances, conditional use permits and preliminary plats, all property owners within three hundred and fifty (350) feet of the property must be notified; in the case of amendments to official controls which involve changes in district boundaries of five acres or less, all owners of property within three hundred and fifty (350) feet must be notified.*

Other Considerations

Applicant/Representative

Please see the attached letter.

Development Team

City Engineer/Director of Public Works, Sam Anderson

The development itself will be required to submit engineering plans completed by a licensed civil engineer with the State of Minnesota for approval prior to construction. These engineering plans will include, but not limited to, grading & drainage, erosion control, utility plan, and site plan sheets. Stormwater calculations will need to accompany these engineering plans meeting the pre- and post- stormwater calculations and water quality thresholds provided in the City of Bemidji's Stormwater Design Guide for a new development. Engineering staff would recommend approval of any future impervious as part of initial design for planning purposes.

A few specific items of note on related to this development:

- There's an existing public sanitary sewer line under easement that crosses the western property currently. No new structures can encroach on that current utility easement. Current draft site plan looks to meet that requirement.
- Proposed common driveway/easement may need to establish stormwater treatment requirements as both properties look to be using same discharge point into a privately owned property which should be documented as part of proposed (re)development.
- Coordination with MnDOT on TH 197 access revisions will be required as part of upcoming TH 197 reconstruction in 2026-2027.

Thank you,

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

Sustainability Commission

Please see the attached letter.

MNDOT District 2

MnDOT has reviewed the variance and supports the applicant's request for reducing the 5' side yard setback to paving to 0' to accommodate a shared access on to Hwy 197. The proposed access location is consistent with the Construction plans developed for SP 0416-55 (Hwy 197 Reconstruction). The two accesses will be consolidated and aligned with the access on the north side of Hwy 197. The access consolidation eliminates the risk of conflicting left turning movements and improves the predictability of turning movements for drivers on Hwy 197. The proposed shared driveway supports internal traffic operations for these two businesses and further improves safety at entry/exit to Hwy 197. If you have further questions, please reach out to me at 218-553-3019.

Thank you,

Darren Laesch

Assistant District Engineer - Program Development | District 2

Neighborhood Comment

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

Comprehensive Plan References

The City of Bemidji Comprehensive Plan has identified the following objectives and strategies regarding this request:

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.

1. **Promote flexibility for commercial and industrial redevelopment and encourage in-fill development.** Allowing for in-fill development and redevelopment of existing commercial areas will ensure the current commercial and industrial areas remain vibrant, full, and diverse. In-fill and redevelopment will be encouraged before resorting to increasing commercial and industrial areas.
3. **Incorporate multi-modal transportation access and aesthetically pleasing site and building designs when reviewing commercial development and redevelopment.** With increasing interest in alternative modes of transportation ensuring that retail, office, and mixed-use developments are designed with multi-modal transportation in mind and aesthetically pleasing site layout and building designs can increase success and promote healthy living.

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

4. **Support a reduction of off-street parking requirements for appropriate land uses to allow for increased interior green space.** Maximize the potential for green space with all development or redevelopment of sites, when possible, as well as for reduced heat island effects of increased temperatures within the high-density urban area of parking lots.
5. Allow flexibility for developments that use alternative energy sources or land use **practices that conserve energy.** Increased flexibility from zoning ordinances for demonstrating an exemplary effort for energy conservation will be an incentive for developers to be more energy conscious. Alternative energy sources can reduce the overall carbon footprint of the community.

Zoning Ordinance References

Section 28-9 – Definitions

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

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

Section 28-257 - Additional provisions in the Trunk Highway 197 overlay district.

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

Section 28-406 – Landscaping Requirements

Section 28-407 – Tree Preservation

Section 28-408 – Lighting Standards

Section 28-409 – Off-street parking, loading and surfacing standards

Section 28-525 – Variances, Appeals & Adjustments

Section: 28-527 - Public Notice and Hearing Requirements

CONCLUSIONS & FINDINGS

Conclusion based on the Ordinance and the Comprehensive Plan.

The planning commission must decide whether the applicant has demonstrated a practical difficulty for the following requested variance: A reduction for side yard setback from 5' to 0' to build shared parking spaces and ingress/egress.

Conditions

1. Applicant shall follow all requirements of the Ordinance and apply for all permits before any work can start on the parcels.
2. A sign permit shall be obtained prior to any new or additional signs being erected on the properties per Section 28-252 & 28-257 of the code.
3. Any dumpsters brought on site shall be completely enclosed on all sides with a trash enclosure and located on an approved hard surface, complying with Section 28-402 of the development code.
4. The applicant shall follow Section 28-406 and 28-407 of the Zoning Ordinance for landscaping and tree requirements and a tree removal permit shall be obtained prior to any trees being removed from the site.
5. 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.
6. Any redevelopment of the proposed parcel will require final engineering plans to be submitted for approval by City staff before any construction can commence, this includes but not limited to grading, drainage, stormwater and utility plans from a licensed engineer.
7. An erosion control plan shall be submitted and be in place before any construction commences on the property.
8. The Applicant shall establish easements/agreements for the entrances and shared parking area.
9. A development agreement shall be entered into between the City and Applicant to ensure all site construction is completed to a satisfactory condition.
10. 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.

Findings of Fact

1. Has the applicant demonstrated a practical difficulty?

Yes. MNDOT is reconstructing Paul Bunyan Dr NW during the 2026-2027 construction seasons and is requiring the adjoining properties 1710 and 1718 Paul Bunyan Dr NE to combine their access though they both currently have their own accesses. To make both properties traffic flow safely the applicants request to have shared parking and driving lanes over the shared east property line.

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

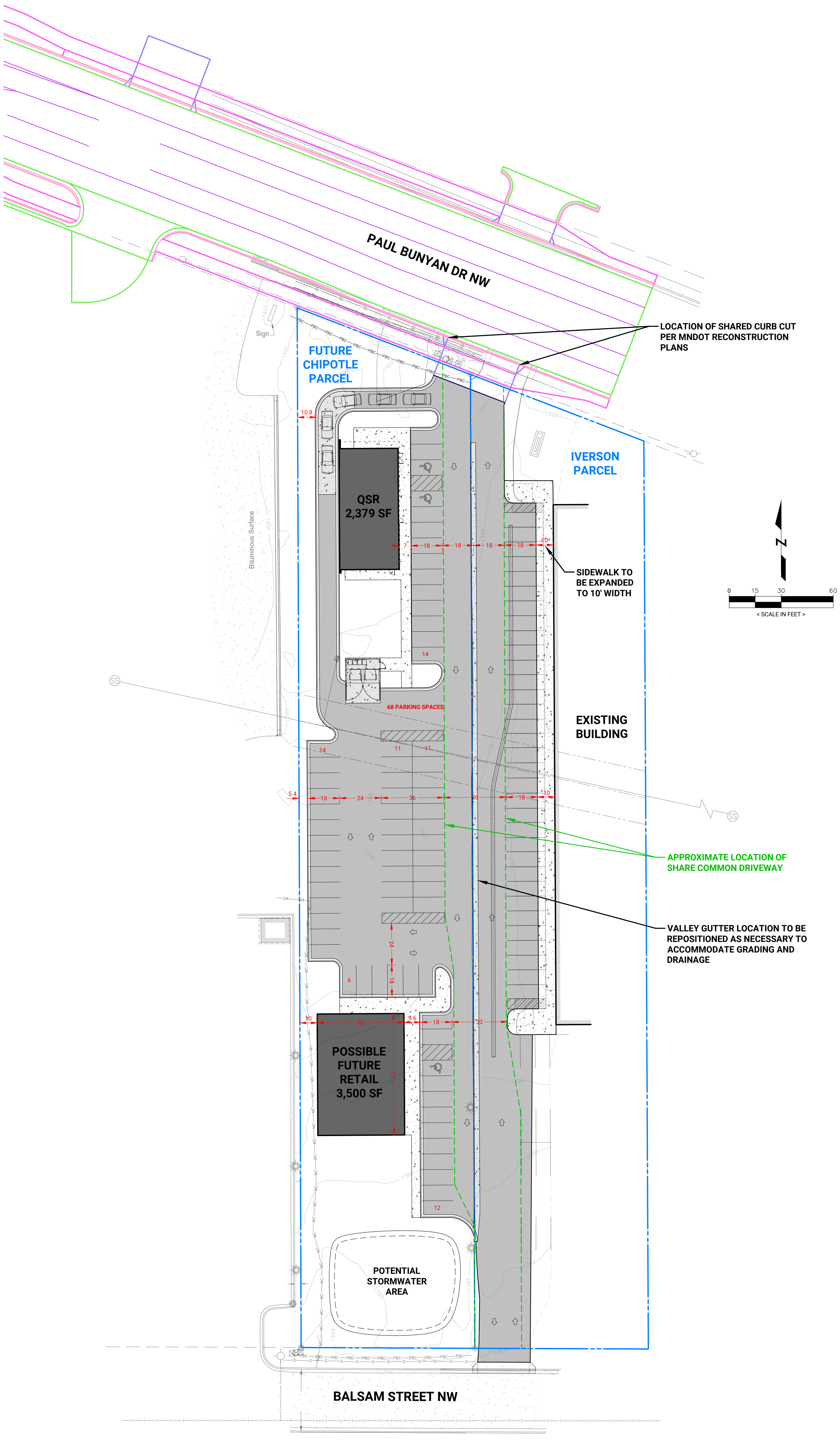
Yes. These are existing lots of record and was platted before the current ownership. The lots cannot be combined as they have different property ownership. MNDOT is requiring both property owners combine the accesses for safety and flow purposes on Paul Bunyan Dr NW. Due to the narrower width of each property creates exceptional circumstances for proper vehicle maneuvering and flow.

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

Yes. The granting of a variance will be in keeping with the spirit, purpose and intent of the Zoning Ordinance. This request proposes to make use of the properties in a reasonable manner.

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

Yes. There are many properties along the Hwy 197 corridor that share parking lots and accesses this request would not alter the character of the surrounding area.





Application

V-2026-0001

VARIANCE

SITE ADDRESS: 1718 PAUL BUNYAN DR NW BEMIDJI
PRIMARY PARCEL: 800301700
PROJECT NAME: CHIPOTLE

ISSUED:
EXPIRES:

APPLICANT: Johannson, John
7601 France Avenue South; Suite 525
Edina, MN 55435
6128172302

OWNER: AMP BEMIDJI LLC
700 HIGHWAY 32 S
THIEF RIVER FALLS, MN 56701

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.	side yard setback for both 1710 and 1718 Pul Bunyan Dr NW. Shared common driveway
What specific measurement(s) or standard(s) are you proposing?	Reduce 5' sideyard setback to paving to 0'
Describe the existing use of your property:	1710 is improved with a single story multi-tenant shopping center. 1718 is currently vacant.
Describe the proposed use of your property:	1710 to remain as a single story multi-tenant shopping center. 1718 to be improved with a new Chipotle restaurant.
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.	MNDOT is consolidating access points along Paul Bunyan DR NW and has requested that the two adjoining parcels redesign their access point to share a single entry driveway onto Paul Bunyan Dr NW. The adjoining property owners have agreed to share a common driveway and will execute an easement to evidence the shared nature of the common driveway.
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.

Extensive discussions with MNDOT - during which they stated they would not allow the current two entry driveway points to remain and require that these adjoining parcels share a single access driveway.

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

Ingress and egress to the public right-of-way must be shared by the two adjoining commercial properties.

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 adjoining proeprieties have agreed to share a single access point and share a common entry drive in order to accommodate the desires of MNMMDOT

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

Escrow Payer Name (Who should the check for the escrow funds be made out to when the project is complete?)

John Johannson, Division 25 LLC

Escrow Payer Mailing Address

7601 France Avenue South, Suite 525; Edina, MN 55435

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.



City of Bemidji, MN

City of Bemidji

317 4th Street NW
Bemidji, MN 56601
218-759-3560

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

FEES:	<u>Paid</u>	<u>Due</u>
Variance Application Fee (includes Beltrami County Recording fee)	\$500.00	\$0.00
Planning Escrow Deposit	\$500.00	\$0.00
Totals :	\$1,000.00	\$0.00

REQUIRED INSPECTIONS

Planning Initial Site Visit

Variance Inspection Follow Up (11 months from Approval)

Narrative – Variance Application

1710 and 1718 Paul Bunyan Dr NW Bemidji, MN

Applicant is under contract to purchase the approximate 1.33-acre parcel at 1718 Paul Bunyan Drive NW. The former small retail building situated on the site was recently razed.

Applicant is proposing to construct a free-standing Chipotle restaurant building with a customer pick-up window. Note that the Chipotle pick-up window model functions with an online ordering system – whereby the customer orders food thru an online App and then receives a notice alerting them to when the food will be ready. The ordering and payment are all handled through the online App. As such, there is no ordering or menu board, no speaker, and no waiting for the order in front of you to be processed. No payment is exchanged thru the pick-up window. If the customer desires to leave a tip, it is also addressed in the online App when ordering. The pick-up window functions as merely that – a window to only pick up a pre-ordered and pre-paid selection. It is a rapid process when a customer enters the pick-up lane.

The site has an existing CUP that was recently approved for the site – referenced as Resolution 2024-03. Applicant understands this underlying CUP approval will apply to the Chipotle improvements. The Applicant believes the current zoning designation supports the proposed use as a conforming use.

MNDOT is undertaking improvements to Paul Bunyan Dr NW – with utility and underground work scheduled to begin in 2026 - and paved surfaces, intersections, sidewalks, and relocated curb cuts/aprons to be constructed in 2027. As part of the updated MNDOT design, they are requiring parcel owners along Paul Bunyan Dr NW to consolidate access points – such that there are fewer and more efficiently spaced curb cuts along the thoroughfare. The subject parcel currently has its' own dedicated full access curb cut.

MNDOT plans to consolidate the subject site's curb cut into a shared, common curb cut with the property immediately to the east – at 1710 Paul Bunyan Dr NW (known as Willow Creek Center and owned by Mr. Robert Iverson). The new curb cut will be repositioned, such that is located partially on each adjoining parcel.

This requirement to share one curb cut between two separately owned, but adjoining parcels creates the requirements for a private easement to locate, construct, and govern the shared access point. Given the shape and design of the adjoining parcels, it is required that the two adjoining parcels also share a common drive lane throughout the adjoining

parcels. If each parcel maintained their own, dedicated drive lane with two-way traffic on each drive lane, it would result in unmanageable conflict at the point of entry and exit onto Paul Bunyan Drive. Essentially, it would require merging 4 lanes of traffic into two lanes at the curb cut. It would result in cross traffic movements that would be both dangerous and not logical for consumers.

Thankfully, the applicant and the adjoining property owner both recognize the conflict created by the MNDOT action to require a shared curb cut – and the parties have agreed to share not only the curb cut, but also provide for a common, shared drive lane running north and south throughout the length of the site.

The need to share internal traffic circulation within a common shared driveway necessitates the request for a Variance. The side-yard setback is identified as 5' in the City ordinance. This Variance requests a setback of 0' along the common property line between the two parcels. The shared driveway will be constructed roughly one-half on each adjoining property – which also matches the positioning of the curb cut as required by MNDOT. The need for a Variance is entirely due to the plans by MNDOT to consolidate access points and require shared access by adjoining parcels.

Mr. Iverson's parcel will require some slight re-grading and paving within the common driveway. Further, he plans to upgrade and slightly widen the sidewalk along the storefront of his building – which will allow more manageable parking movements and enhance safe and efficient pedestrian movement.

The parties will also slightly amend the paving and grades to efficiently control storm water once the common, shared driveway is installed. There is an existing concrete drainage gutter installed in the driveway on Mr. Iverson's parcel. This gutter will be slightly relocated and grades will be slightly adjusted in order to adequately control storm water flow.

We appreciate the opportunity to present our plans – and we look forward to welcoming Chipotle to the Bemidji community.

ALTA/NSPS Land Title Survey

Title Commitment

Title Commitment Number: SAI-12300
 Commitment Date: November 2, 2023 at 08:00 AM
 Name of Insurer: Old Republic National Title Insurance Company

Certification

To Andrew Peralta and Old Republic National Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 7 (a, b1), 8, 9, 11 (b), and 13, of Table A thereof. The fieldwork was completed on January 2 and 3, 2024.

Date of Map: January 19, 2024

Signed *Robert W. Murray*
 Robert W. Murray
 License Number 15483
 Murray Surveying, Inc.
 304 Third Street NW, Bemidji, MN 56601
 218-751-5898

Description of Surveyed Property

Lot 9, Block 3, PINE RIDGE ADDITION TO BEMIDJI, MINNESOTA

Notes to Schedule B, Part II - Exceptions

The following Exceptions relate to the surveyed property:

- Exception 5: Right of way for roads along the Northerly and Southerly lines of the subject property as shown on the Maps of Beltrami County. The boundaries of the road right of ways along the Northerly and Southerly lines of the Surveyed Property were dedicated on the plat of PINE RIDGE ADDITION TO BEMIDJI and have been shown hereon.
- Exception 7: Slope easement granted to the State of Minnesota as stated in Easement dated March 13, 1967 and recorded October 20, 1967 by Microfilm No. 211951. The Slope Easement terminated December 1, 1972.
- Exception 8: Easement granted to the City of Bemidji to construct and maintain a sanitary sewer as stated in Easement dated October 18, 1975 and recorded January 9, 1976 by Microfilm No. 239805. The location of the Utility Easement has been plotted hereon.

Notes to Table A, Optional Survey Responsibilities and Specifications

- In reference to Item 1, iron pipe monuments have been set or recovered at all major corners of the surveyed property. See detail for southwest lot corner.
- In reference to Item 2, the physical property address is 1718 Paul Bunyan Drive NW, Bemidji, MN 56601.
- In reference to Item 3, flood zone classification, according to the Federal Emergency Management Agency Community Status Book Report, property located in the City of Bemidji, Beltrami County is designated No Special Flood Hazard Area, which is considered Flood Zone C.
- In reference to Item 4, the gross land area of the Surveyed Property is 1.33± Acres.
- In reference to Item 5, vertical relief, one foot contour lines and spot elevations have been shown based on a ground survey. The elevations are based on a vertical datum of NAVD 88.
- In reference to Item 7(a), the exterior dimensions of the buildings have been shown at ground level. These dimensions are based on measurements to the outer edge of steel siding.
- In reference to Item 7(b1), the square footage of the exterior footprint of the buildings have been shown (based on measurements to the outer edge of steel siding).
- In reference to Item 8, substantial features observed in the process of conducting the fieldwork have been shown.
- In reference to Item 9, number and type of parking, the parking count has been organized in a table on the face of this survey under the heading "Parking Information".
- In reference to Item 11(b), evidence of underground utilities have been shown based on markings made in response to a Gopher State One Call utility locate request (excluding private utilities, underground sprinklers/irrigation, and similar features not marked in response to a Gopher State One Call). The Century Link line was very poorly marked and assumptions were made based on the markings. Murray Surveying, Inc. makes no representation, express or implied, as to the accuracy of the utility locates or the resultant locations shown hereon.
- In reference to Item 13, the names of adjoining owners according to tax records have been shown hereon.

Legend of Symbols and Abbreviations

○	Denotes Sign	—	Sanitary Sewer Line
●	Denotes post	—	Water Line
○	Catch basin	—PBC—PBC	Paul Bunyan Communications Buried Cable
○	Light pole	—OP—OP	Ottertail Power Buried Cable
○	Gate valve	—MC—MC	Midcontinent Communications Buried Cable
○	Hydrant	—G—G	Minnesota Energy Buried Gas Line
○	Electric Manhole	—CL—CL	Century Link Buried Cable
○	Communications Pedestal	—SP—	Overhead Power Line
○	Sanitary Sewer Manhole	○	Denotes Spot Elevation
○	Wood Post	—1.382±	Denotes Contour Interval
○	Bituminous Surface	○	Denotes aluminum cap monument
○	Concrete Surface	○	Denotes solid iron pin, found
○	Power pole	○	Denotes MNDOT cast iron monument
○	Gas Meter	○	Denotes capped rebar monument, LS 14455, found
○	Well	○	Denotes capped rebar monument LS 50729 found
(P)	Denotes platted course/distance	○	Denotes 1/2 inch iron pipe, LS 15483, to be set
(M)	Denotes measured course/distance	○	Denotes existing snow fence

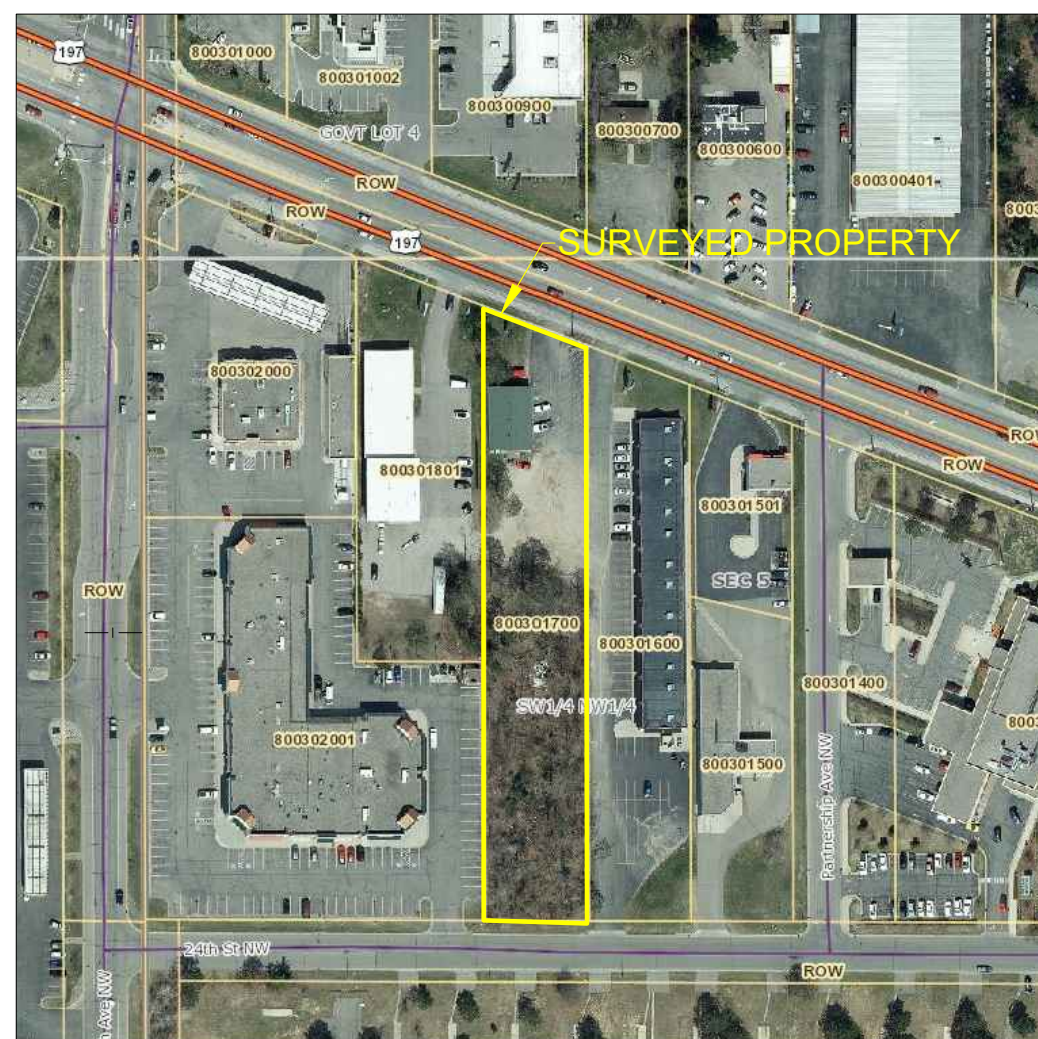
Notes to Survey

- GN1 Bearing system based on the Beltrami County Coordinate System, South Zone, NAD83.
- GN2 The property is located in the City of Bemidji, Beltrami County, Minnesota, and is subject to the zoning jurisdiction of the City of Bemidji Planning & Zoning.
- GN3 The plat of PINE RIDGE ADDITION TO BEMIDJI, MINNESOTA was recorded in the Office of the Beltrami County Recorder on the 18th day of June, 1938 by Book 5 of Plats Page 9.
- GN4 Vertical Datum based on N.A.V.D. 88. A Benchmark was set in the south side of a power pole located approximately 16.5 feet west of the northeast corner of Lot 9, Block 3, PINE RIDGE ADDITION TO BEMIDJI, MINNESOTA. The top of spike is 1400.65.
- GN5 The location of buildings to the nearest boundary line are based on a perpendicular measurement to the building overhang.
- GN6 The lot lines of the Surveyed Property were positioned in substantial accordance with documented historical surveys within Block 3 dating back to 1986. There is evidence that the certified section corners that exist today may not be in the same location as the corners utilized when the plat was originally surveyed. The southwest corner of Block 4 is believed to be an original plat monument and was held for north-south control in positioning Balsam Street. Proportional survey measurement has been applied (east-west) in all documented re-surveys in Block 3.

Potential Encroachments, Easements, and Servitudes

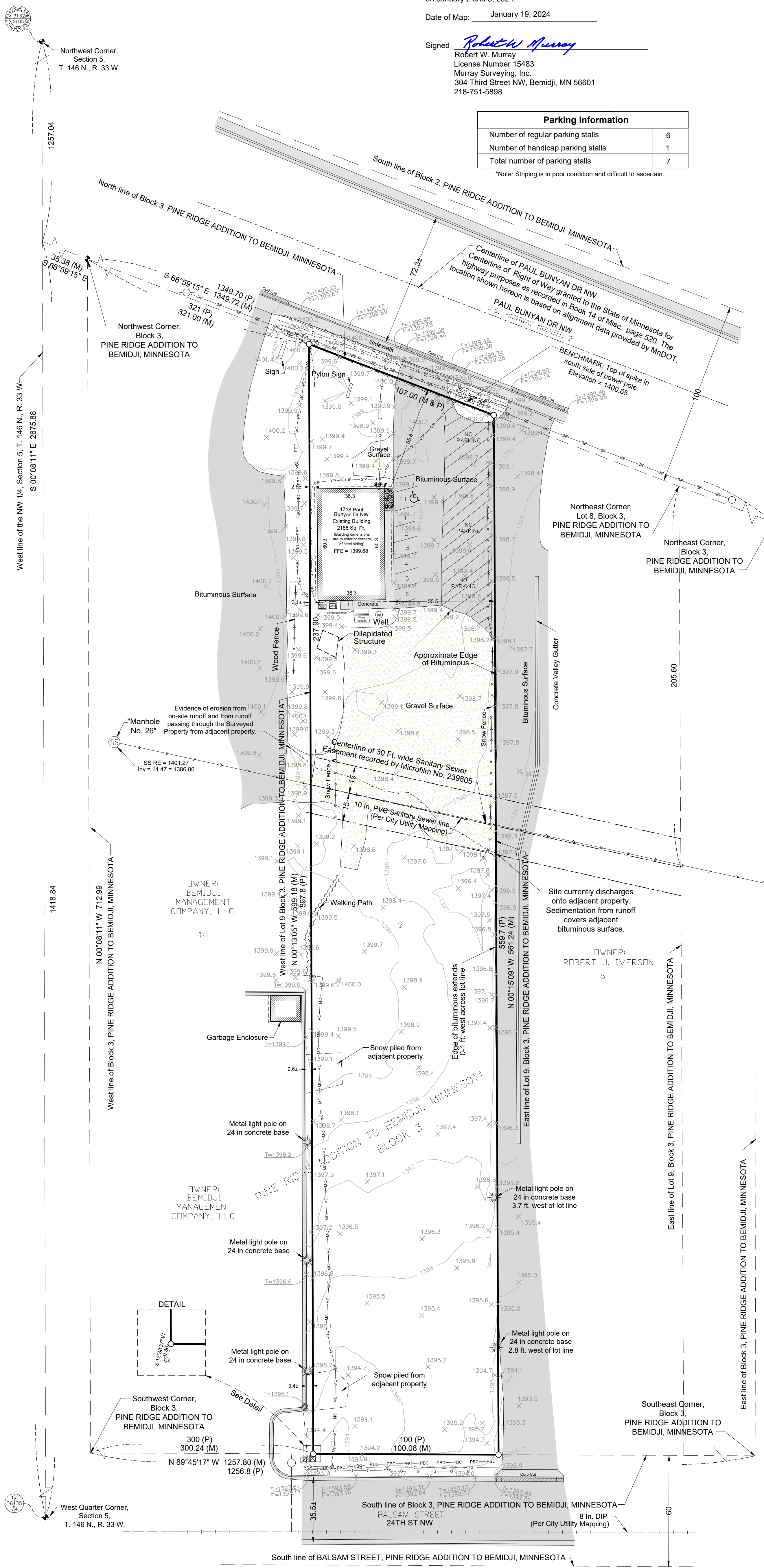
- There are two light poles near the east boundary line of the Surveyed Property that seem to serve the property to the east.
- The bituminous surface serving the property to the east of the Surveyed Property extends up to 1.0 foot onto the Surveyed Property.
- There is evidence of previous access over portions of the easterly and westerly boundary of the Surveyed Property. Snow fence existed at the time of survey preventing access onto the Surveyed Property.
- There is evidence of site runoff from roof and parking lot of property west of Surveyed Property, over and across the surveyed property, to the property east of the Surveyed Property. There is also evidence that a portion of the runoff from the Surveyed Property runs east and onto the property east of the Surveyed Property.
- There is evidence of a walking path near the westerly boundary of the Surveyed Property.
- A Paul Bunyan Communications buried cable is located near the north line of the Surveyed Property and extends as much as one foot onto the Surveyed Property.
- A Midcontinent Communications buried cable is located near the west line of the Surveyed Property and extends as much as 12 feet onto the Surveyed Property.
- There is evidence that the adjoining land owner to the west presently plows snow onto the Surveyed Property.

Vicinity Map



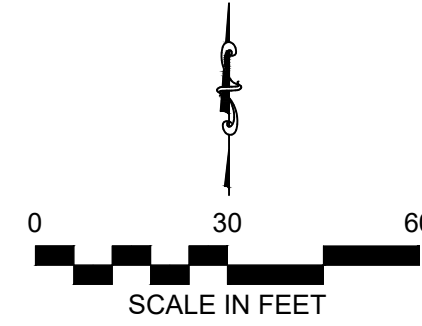
Parking Information	
Number of regular parking stalls	6
Number of handicap parking stalls	1
Total number of parking stalls	7

*Note: Striping is in poor condition and difficult to ascertain.



Robert W. Murray
 License No. 15483
 Murray Surveying, Inc.
 304 Third Street NW
 P.O. Box 1038
 Bemidji, MN 56619
 Phone: 218-751-5898
 Email: mmurray@paulbunyan.net

Project No. 23-269
 Date of Preparation: 01/19/2024

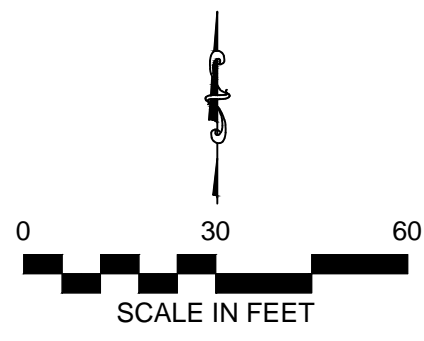


TOPOGRAPHICAL SURVEY

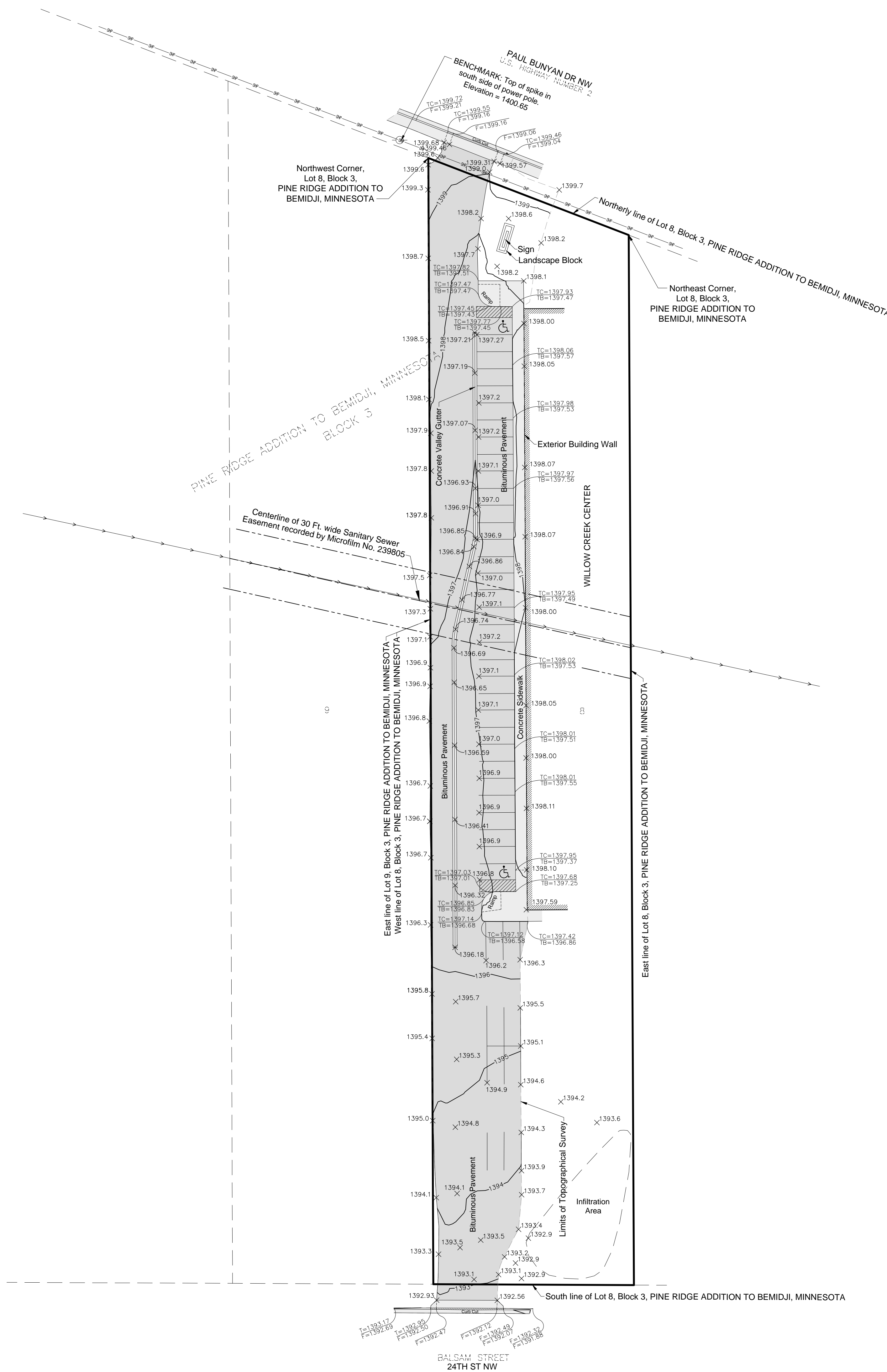
Description: Lot 8, Block 3, Pine Ridge Addition to Bemidji

1710 Paul Bunyan Dr NW

Parcel No. 800301600



Legend of Symbols and Abbreviations	
1398.2	Denotes Spot Elevation
— 1382	Denotes One Foot Contour Interval
[Hatched Box]	Bituminous Surface
[White Box]	Concrete Surface
TC=1398.06 TB=1397.57	Top Concrete Sidewalk Elevation Top of Bituminous Elevation
TC=1399.46 F=1399.04	Top Back Curb Elevation Flow Line Elevation



Bemidji, MN
1710 and 1718 Paul Bunyan Dr NW

Findings of Fact

Variances

January 30, 2026

Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the City of Bemidji Land Use Plan.

Applicant's Note 1: This Variance application applies to two adjoining commercial properties – as the adjoining properties are impacted in the same manner. Both property owners/contract purchasers have signed and consented to this application. Both property owners need this variance approved in order to accommodate the requirements of MNDOT.

Applicant's Note 2: The site plan which identifies the new Chipotle building is presented for reference purposes. We anticipate that this site plan is highly representative of the final design – but there may be immaterial adjustments and tweaks to improve the functioning of the Chipotle plan.

Further, the owner of the existing multi-tenant shopping center at 1710 Paul Bunyan Dr NW (Willow Creek Center) intends to make some improvements as part of the creation of shared curb cuts and establishing a shared common driveway. For instance, the existing front sidewalk that runs along the front of the storefronts is narrow – and by sharing a common driveway, it allows for the existing front sidewalk to be slightly widened and allow for a more efficient design that can accommodate the overhang of parked vehicles while still allowing comfortable and safe pedestrian access along the sidewalk.

This application merely applies to the need for a variance to have shared ingress/egress and a shared common driveway along the property line.

- 1. Has the Applicant demonstrated a practical difficulty?**
 - a. Yes. MNDOT is reconstructing Paul Bunyan DR NW during 2026-27. As part of their upgrade, MNDOT is consolidating access points along Paul Bunyan Drive. The adjoining properties at 1710 and 1718 Paul Bunyan Drive currently each have their own designated curb cut onto Paul Bunyan Dr NW. These two existing curb cuts are only 60' apart on center. MNDOT has completed their new engineering design for their improvements, and they are requiring that these two adjoining properties combine their two existing access points into a single, shared entry/exit driveway. The MNDOT final drawings identify the location for this shared driveway to be largely centered on the property line between these two properties. [Note – the MNDOT engineered plans identify the width of the shared common driveway to be as wide as 44'. The applicants are reviewing this dimension and may approach MNDOT to narrow the width of this curb cut to a more traditional and functional width of around 32' to 36'.]**

- 2. Are there exceptional circumstances, unique to this property, which have not been created by the landowner?**
 - a. Yes. The need for the shared access driveway, and thus the need for variance, is solely due to the improvement of Paul Bunyan DR NW by MNDOT. The applicants would prefer to maintain their own, solely owned curb cuts onto Paul Bunyan Dr NW (as they are existing today) – but MNDOT will not approve maintaining the current design with two separate curb cuts.**

- 3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the zoning ordinance?**
 - a. Yes. The combined, shared access point will result in less conflict for vehicle traffic on Paul Bunyan Dr NW and will comply with the requirements of MNDOT. The public consumer will likely not recognize where the property line is, and the two adjoining commercial properties will function efficiently.**

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

- a. Yes. The granting of the variance to allow a shared common driveway will improve the local and regional access by eliminating conflicting traffic movements. Note – the adjoining property owners have agreed to maintain a common, shared driveway throughout the entire length of the adjoining parcels. When designing these two adjoining parcels with the requirement to combine ingress and egress into one shared location along Paul Bunyan Dr NW, the property owners recognized that if there were two separate drive lanes (each with two lanes of opposing traffic) running north-south along each property, that there would be a very difficult conflict with moving vehicles at the point at which they would need to merge into one point of entry and exit onto Paul Bunyan Dr NW. As such, the site plan identifies a shared, common driveway running the entire length of the adjoining sites. The curb cut onto 24th Street NW at the south end of the adjoining parcels will also be shared. The shared curb cuts and the shared drive lane through the properties will be evidenced by an Easement Agreement that will be recorded of record for each property.**

Packet Distribution List

Application # V-2026-0001

	<u>CONTACT</u>	<u>E-MAILED</u>
<input checked="" type="checkbox"/>	Applicant / Representative	2/4/2026
<input checked="" type="checkbox"/>	City Building Department	2/4/2026
<input checked="" type="checkbox"/>	City Attorney (Planning & Zoning)	2/4/2026
<input checked="" type="checkbox"/>	City Engineer	2/4/2026
<input checked="" type="checkbox"/>	City Manager	2/4/2026
<input type="checkbox"/>	City Community Development (Vacant)	_____
<input checked="" type="checkbox"/>	City GIS Department	2/4/2026
<input type="checkbox"/>	City Police Department	_____
<input checked="" type="checkbox"/>	City Fire Department	2/4/2026
<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	2/4/2026
<input checked="" type="checkbox"/>	Airport	2/4/2026
<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 checked="" type="checkbox"/>	Bemidji Sustainability Commission	2/4/2026
<input checked="" type="checkbox"/>	Bemidji Area Chamber of Commerce	2/4/2026
<input type="checkbox"/>	Bemidji Downtown Alliance	_____
<input type="checkbox"/>	Other: _____.	_____



City of Bemidji
Planning and Zoning Department
317 4th Street NW Bemidji, MN 56601
Office (218) 759-3579
www.ci.bemidji.mn.us

February 4, 2026

V-2026-0001: - John Johannson, representing Division 25, LLC and Willow Creek Center, is requesting a variance for section 28-409 off-street parking, loading and surfacing standards of a redevelopment of a parking area setback to the side property lines. The subject properties are abutting parcels (parking area for a new Chipotle [former Rod's Meats] and the Willow Creek Center) at 1718 & 1710 Paul Bunyan Dr NW (PIN:800301700, & 800301600) in the City of Bemidji. The properties are in the B-2 General Commercial District and the HWY 197 & Airport 3 Overlays.

The City of Bemidji Planning and Zoning Commission will consider this proposal at its meeting on **Thursday, February 26, 2026, at 5:30 p.m.** in the Council Chambers at Bemidji City Hall or may be viewed on Local Channel 2.

If you have any comments, you may present them to the Commission at that time. It would be encouraged to direct your comments in writing to the Planning and Zoning Planner assigned to the Case, **Melissa Fahrenbruch's** attention at the Planning office at 317 4th Street NW, or by email to **SGAdmin@ci.bemidji.mn.us**. If possible, your comments should be submitted by **Friday, February 20th, 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-2026-0001**.

Respectfully,

Planning and Zoning Staff
City of Bemidji



City of Bemidji
Planning and Zoning Department
317 4th Street NW Bemidji, MN 56601
Office (218) 759-3579
www.ci.bemidji.mn.us

February 4, 2026

Dear Property Owner:

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

V-2026-0001: - John Johannson, representing Division 25, LLC and Willow Creek Center, is requesting a variance for section 28-409 off-street parking, loading and surfacing standards of a redevelopment of a parking area setback to the side property lines. The subject properties are abutting parcels (parking area for a new Chipotle [former Rod's Meats] and the Willow Creek Center) at 1718 & 1710 Paul Bunyan Dr NW (PIN:800301700, & 800301600) in the City of Bemidji. The properties are in the B-2 General Commercial District and the HWY 197 & Airport 3 Overlays.

Please see the reference map on the back of this letter.

This public hearing will be held on **Thursday, February 26, 2026, 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. 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, February 20th, 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 the planning department at SGAdmin@ci.bemidji.mn.us.

Respectfully,

Planning & Zoning Department
City of Bemidji

ALAMAR PROPERTIES LLC
3086 OXFORD ST N
ROSEVILLE, MN 55113

ROBERT J IVERSON
4433 WAVILLE RD NE
BEMIDJI, MN 56601

FIRST NATIONAL BANK OF BEMIDJI
PO BOX 670
BEMIDJI, MN 56619

BEMIDJI MANAGEMENT COMPANY LLC
3105 S WASHINGTON ST SUITE B
GRAND FORKS, ND 58201

GERDA LIMITED PARTNERSHIP
15700 LOOP RD S
BURNSVILLE, MN 55306

NORTHERN FIRE HOSPITALITY LLC
ATTN: DENNIS JOHNSON
63 NORTH SHORE DR
MCCOOK LAKE, SD 57049

BEMIDJI HOTEL LLC
1815 PAUL BUNYAN DR NW
BEMIDJI, MN 56601

AMP BEMIDJI LLC
700 HIGHWAY 32 S
THIEF RIVER FALLS, MN 56701

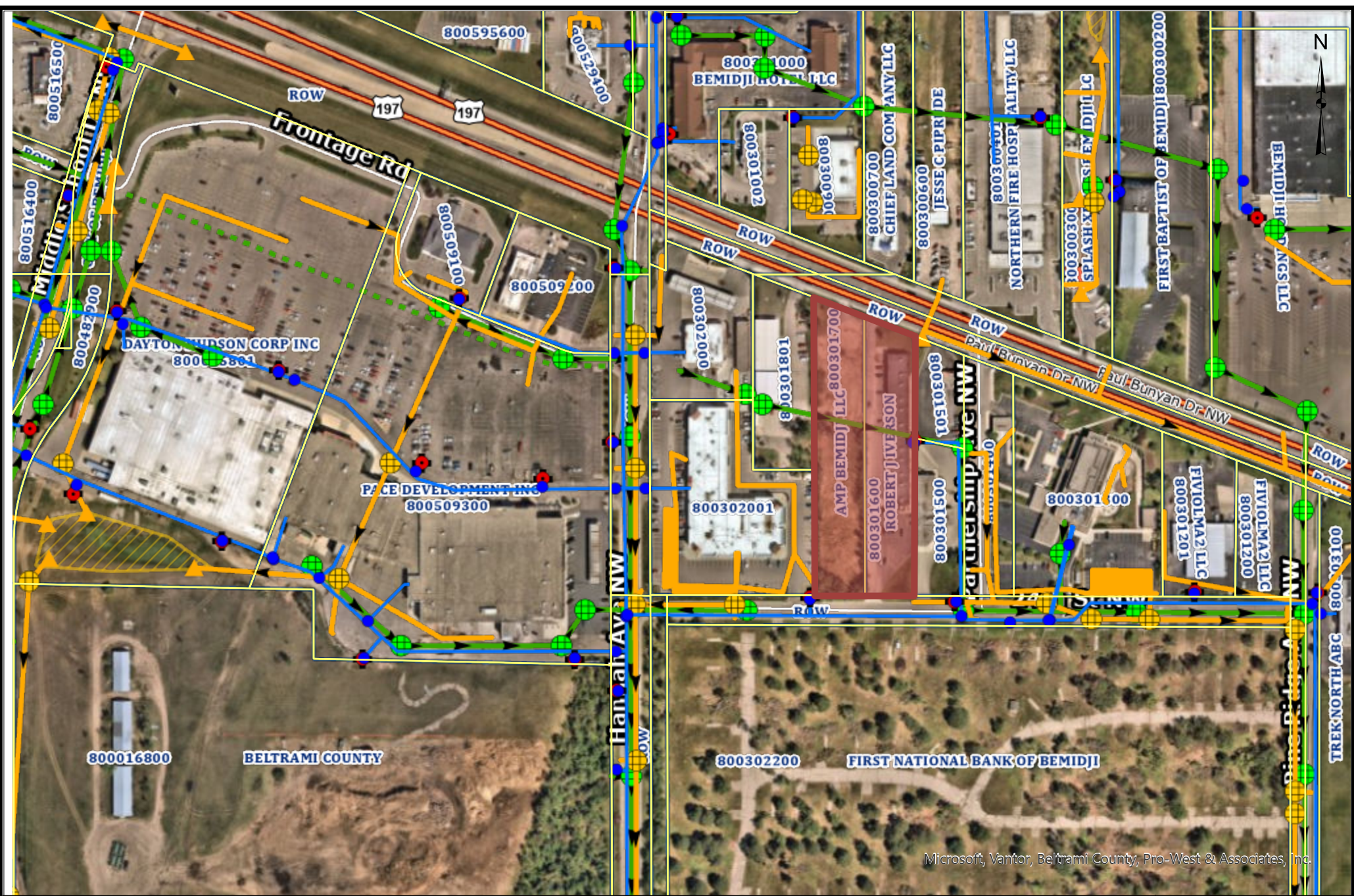
SPLASH XPRESS BEMIDJI LLC
9700 BAY VIEW RD NW
GARFIELD, MN 56332

JESSE C PIPRUDE
PO BOX 323
WALKER, MN 56484

CHIEF LAND COMPANY LLC
24236 BIRCHMONT BEACH RD NE
BLACKDUCK, MN 56630

AUTOZONE PARTS INC
123 S FRONT ST # 8088
MEMPHIS, TN 38103

TM ENTERPRISES OF BEMIDJI LLC
4840 HWY 89 NW
BEMIDJI, MN 56601



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

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.

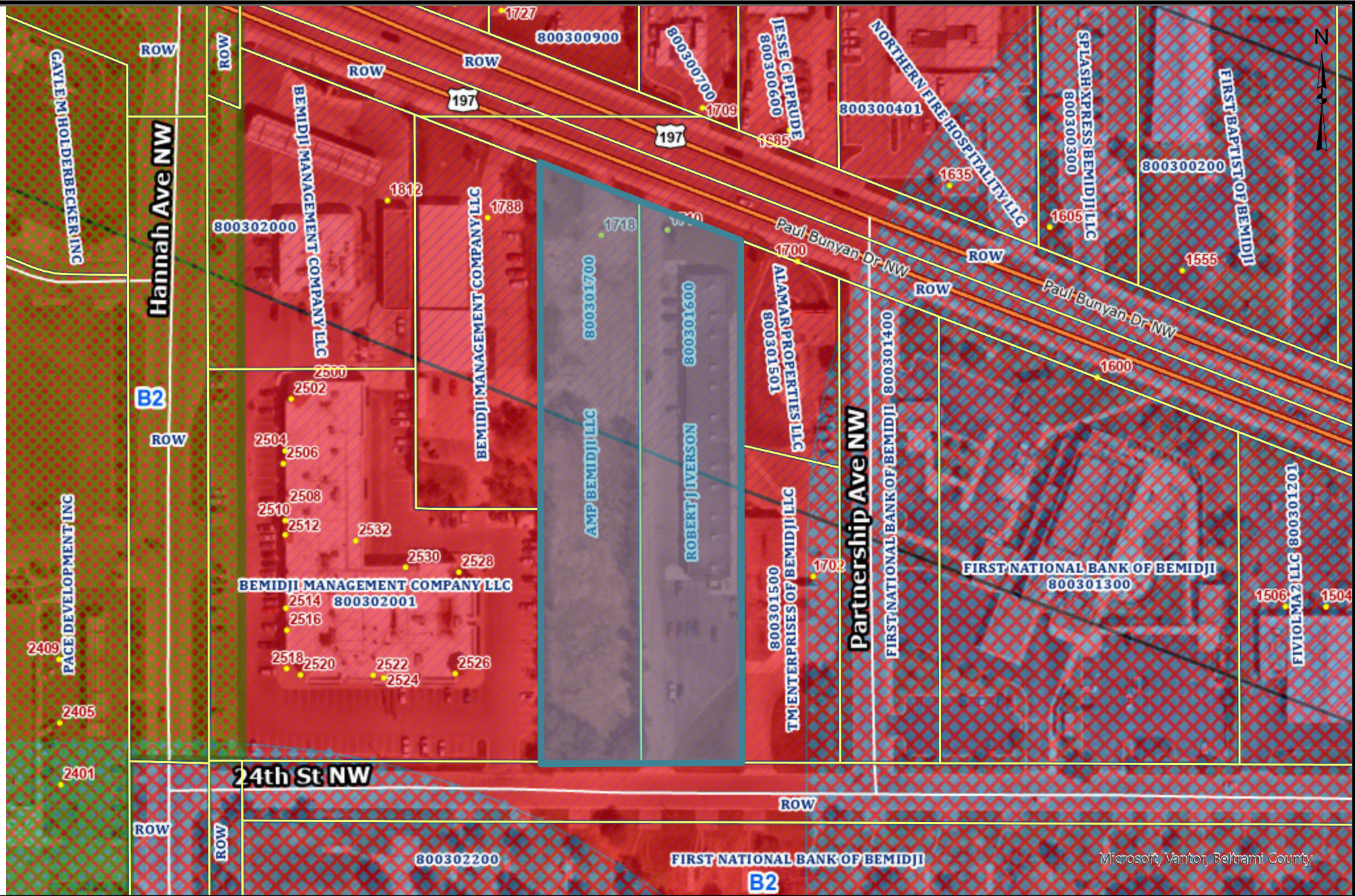
1:4,514

Aerial Map

Date: 1/30/2026



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.

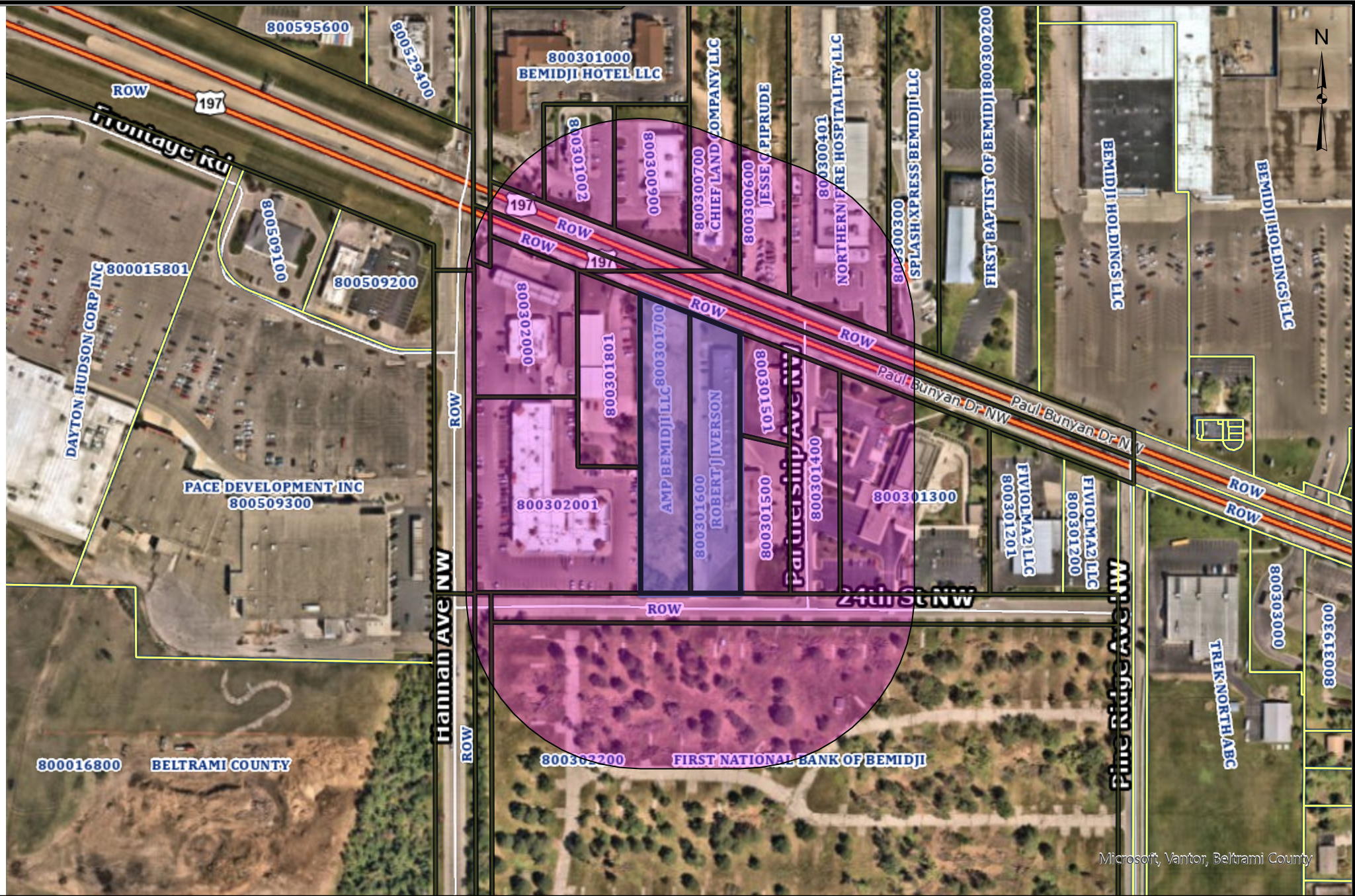
Zoning Map

1:2,257

Date: 1/30/2026

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





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

Buffer Map

1:4,514

Date: 1/30/2026

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, February 14, 2026
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: 02/16/2026

Notary Public
Notarized remotely online using communication technology via Proof.

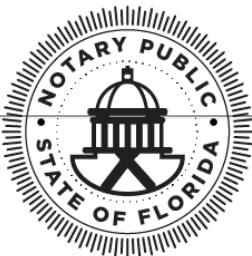
CITY OF BEMIDJI PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on **Thursday, February 26, 2026, 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 request(s):

Variance Request: John Johansson, representing Division 25, LLC and Willow Creek Center, is requesting a variance for section 28-409 off-street parking, loading and surfacing standards of a redevelopment of a parking area setback to the side property lines. The subject properties are abutting parcels (parking area for a new Chipotle [former Rod's Meats] and the Willow Creek Center) at 1718 & 1710 Paul Bunyan Dr NW (PIN: 800301700, & 800301600) in the City of Bemidji. The properties are in the B-2 General Commercial District and the HWY 197 & Airport 3 Overlays.

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, February 20, 2026**, so they may be incorporated into the staff report to the Planning Commission.
(Feb. 14, 2026)



PAMELA BAEZ
Notary Public - State of Florida

Commission # HH 732409
Expires on October 19, 2029

To: Melissa Fahrenbruch, Assistant Planning Director
From: Bemidji Sustainability Commission
Date: February 20, 2025
Re: V-2026-0001 - Chipotle

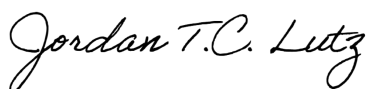
The Bemidji Sustainability Commission reviewed the variance request for the proposed Chipotle and submits the following recommendations for consideration.

We encourage support for multi-modal access to the site by providing preferential parking for bicycles and other non-motorized vehicles. When designing bicycle parking, follow design guidelines outlined by the [Association of Pedestrian & Bicycle Professionals](#) to ensure best practices and desired outcomes are achieved. Considerations should be made regarding the bicycle rack format, placement on site, capacity, spacing, and more. Beyond parking considerations, we encourage designing interior and exterior elements of the facility to qualify for recognition as a [Bicycle Friendly Business](#) through the League of American Bicyclists [Bicycle Friendly America program](#). Intentionally incorporating the attributes of a Bicycle Friendly Business, which include forms of engineering, encouragement, education, and evaluation & planning, and then pursuing recognition from the League will garner positive press and position the new Chipotle franchise among an elite cohort of only 1,245 business across the country. Bemidji State University is a Bicycle Friendly University, and the City of Bemidji was formerly recognized as a Bicycle Friendly Community. Regardless of whether recognition is achieved, promoting multi-modal access to the site, especially for bicyclists, will better position the restaurant to serve customers.

Regarding the stormwater feature at the south end of the parcel, we recommend incorporating native plant species in accordance with established green infrastructure and stormwater best practices. The [Minnesota Stormwater Manual](#) emphasizes specifying hardy, locally-adapted native species for vegetated practices such as bioretention and rain gardens, because they improve infiltration and pollutant removal while reducing long-term maintenance compared with non-native or turfgrass plantings. Native plant palettes can also provide high value habitat and seasonal forage for native pollinators, birds, and other wildlife (see [MPCA's Plants for Stormwater Design](#) and the Minnesota plant lists/[Blue Thumb Plant Finder](#) tools for site-specific selection). In the Bemidji region (Zone 3), planting a diverse mix of species that tolerate both periodic wet conditions in the basin and drier margins can create a resilient, multifunctional landscape. Examples include wet-adapted natives such as swamp milkweed, blue flag iris and cardinal flower; transitional species like Joe-pye weed and asters; and prairie grasses such as little bluestem prairie dropseed on the drier edges — all of which support deep roots, seasonal blooms, and pollinators while helping stabilize soils and manage stormwater runoff .

Finally, the Commission recommends consideration of on-site electricity generation through roof-top solar photovoltaics (PV). The flat-roofed construction of the proposed facilities lends itself well to incorporation of solar PV arrays. Generating electricity on-site can help ensure the long-term operational costs and other positive outcomes that benefit the owner and broader community. Local utilities are generally eager to support the design and installation of PV arrays, so we encourage collaboration, as possible.

Thank you for considering this input.



Jordan Lutz
Chair, Bemidji Sustainability Commission



Planning Commission Discussion Item

Meeting Date: Thursday, February 26th, 2026

Discussion: Electric Vehicle (EV) Charging Ordinance Language

Prepared By: Melissa Fahrenbruch, Assistant Planning Director

Reviewed By: Jamin Carlson Planning Director

The 2023 Minnesota Legislature set aside funds for local climate action grants to help communities across Minnesota reduce greenhouse gas emissions and prepare for climate change. The City of Bemidji applied for the Local Climate Action Planning Grant and was awarded the grant in 2025. The City of Bemidji has worked closely with the Great Plains Institute (GPI), a clean energy non-profit based in Minnesota, to meaningfully advance work to further transportation electrification through creation of a custom roadmap that would include a fleet analysis, a comprehensive review of the community's zoning code and creation of a community-wide electric vehicle (EV) vision statement.

- **Zoning Code Review and Goal Setting.** Reviewing zoning codes and streamlining permitting processes facilitates the removal of zoning and regulatory barriers to accelerate charging infrastructure deployment. GPI will provide the City of Bemidji with an in-depth review of the existing zoning code, make recommendations for updates aimed at reducing barriers to installing charging infrastructure and streamlining the permitting process, and work with the city to develop goals for making recommended updates.

Per this task, Staff is bringing to the Planning Commission the draft recommendations for the EV Charging language to be added to the city code. This is a discussion of example language that the city could adopt in the future or at the time of a full ordinance update.

Attached is GPI's draft Zoning recommendations.



EV Zoning Recommendations and Examples for the City of Bemidji

To help facilitate the adoption of electric vehicles (EVs) and the deployment of EV charging infrastructure, GPI has [conducted a review](#) of the City of Bemidji's current zoning codes and permitting processes that may directly or indirectly impact EVs and EV charger deployment. Based upon this review, we have developed a list of recommended actions and updates to land use regulations that will reduce barriers to EV adoption and infrastructure deployment, increase transparency and predictability, and establish clear requirements for developers and property owners moving forward.

This memo presents a recommended approach to amending current land use regulations in a way that balances **public safety, clarity for applicants, and ease of deployment**.

Short Term Zoning and Regulations Recommendations:

1. Clearly define terminology related to EVs and EV charging infrastructure within Bemidji's zoning code.
2. Permit EV charging as an allowable accessory use to parking lots in all zoning districts, by right.
3. Explicitly allow EV-reserved parking spaces to count toward meeting minimum parking requirements.
4. Adopt EVSE accessibility standards in line with the U.S. Access Board or state-level accessibility standards.
5. Adopt an EV-ready ordinance.

It is recommended that the City of Bemidji conduct all zoning code updates related to EVs simultaneously through a single ordinance.

GENERAL RESOURCES

The [Model Law: Local Ordinance Expediting Permitting for EV Charging Stations](#), produced by the [Model Climate Laws Initiative](#), provides ready-to-adapt language for expediting EV charging station permitting and deployment. This resource includes practical provisions like allowing charging in all zoning districts, setting requirements for parking spaces with EV charging capacity, publishing an expedited permit checklist, enabling electronic submittals, and focusing technical review on health and safety requirements. Because it is designed to be tailored to local conditions, Bemidji can choose to adopt or adapt specific sections that align with local priorities.

[Planning and Zoning Guidance for Electric Vehicle Charger Deployment](#), produced by RMI, the Interstate Renewable Energy Council (IREC), and Sustainable Energy Action Committee (SEAC), provides expert guidance on planning, zoning, and permitting for EV chargers. Helpful sections may include The Local Regulatory Approval Process (pg. 19 –22), Regulatory Requirements Guidance (pg. 22 – 42), and Approval Process guidance (pg 46 – 50).

Recommendation 1: Clearly define terminology related to EVs and EV charging infrastructure within Bemidji's zoning code

Why: Establishing clear, shared terminology related to EVs and charging infrastructure in the zoning code reduces confusion for plan reviewers and charger owners and helps prevent inconsistent interpretations across city departments. Clear definitions also improve transparency and predictability in permitting, which can reduce delays and support faster, more coordinated charger deployment.

How: The specific definitions included in updates to Bemidji's zoning code will ultimately be determined by which of the subsequent recommendations are pursued, but terms to consider may include:

- **Electric Vehicle (EV):** A vehicle that is at least partially powered by one or more electric motors using electricity stored in rechargeable batteries.
- **Battery Electric Vehicle (BEV):** An electric vehicle (EV) that operates entirely on electricity from an onboard battery. BEVs have an electric engine and produce no tailpipe emissions.
- **Plug-in Hybrid Electric Vehicle (PHEV):** A vehicle that combines an internal combustion engine with an electric motor and a rechargeable battery. PHEVs can operate in all-electric mode for a certain range before switching to the combustion engine or hybrid mode.
- **Electric Vehicle Supply Equipment (EVSE):** The hardware and infrastructure used for charging EVs. This typically consists of charging stations, connectors and cables, power management, payment systems, and grid integration.
- **Charging Station:** Specialized infrastructure supplied with a charging port that allows EVs to recharge their batteries. The speed that the EV charges at depends on which of the three levels of chargers (Level 1, Level 2, or direct current fast charger) is being used.
- **Level 1 Charger:** Charging through a common residential 120-volt (120V) AC outlet
- **Level 2 Charger:** Higher-rate AC charging through 240V or 208V electrical outlet, and is common for home, and public charging.
- **Level 3 Charger or Direct Current Fast Charging (DCFC):** DCFC delivers direct current (DC) energy to a vehicle's battery, with AC-to-DC conversion occurring in the charging equipment rather than the vehicle. This allows for more rapid charging than level 2 chargers.
- **EV Capable:** A location or parking space that has the infrastructure necessary to support the future installation of EV charging equipment. In an EV-capable location, components are designed or upgraded to accommodate EV charging stations in the future.
- **EV Ready:** A step above EV-capable, EV-ready sites also include dedicated electric outlets, panels, or conduits specifically designed for EV charging stations
- **EV Installed:** Sites with an EV charging station, along with all the infrastructure, charging equipment, and electrical connections needed for users to charge their cars.

Community Examples:

- [Fairbault, MN](#)
- [La Crescent, MN](#)

Recommendation 2: Permit EV Charging as an accessory use to parking lots, by right

Why: Making EV charging an allowable accessory use removes a common permitting bottleneck and can help speed up charger deployment. This change to land use regulations reduces uncertainty for charger owners and operators by clearly identifying where charging is allowed and what standards apply. This predictability helps lower soft costs, shortens project timelines, and supports more consistent deployment of charging infrastructure across the city.

How: It is recommended that EV charging equipment should be explicitly listed as an allowable accessory use to parking lots, by-right (subject to clearly stated performance-based standards), so projects can be approved administratively. This approach avoids a discretionary review process that adds time, cost, and uncertainty, while still allowing the city to apply clear requirements related to safety, siting, and design compatibility.

Community Examples:

- [Bloomington, MN](#) - *“Electric vehicle chargers are permitted in every zoning district, when accessory to the primary use and intended solely to charge vehicles that would otherwise be on site.”*
- [Lakeville, MN](#) - *“Public or private access Level 1 and level 2 electric vehicle charging stations shall be allowed in all zoning districts established by Chapter 45 of this title as incidental to permitted accessory off-street parking areas.”*
- [Eagan, MN](#) - *“Level 1 and Level 2 electric vehicle charging stations are permitted in all zoning districts within the City as a permitted accessory use in conjunction with off-street parking areas. Level 3/DC electric vehicle charging station-public use is a permitted accessory use in conjunction with off-street parking areas on properties zoned for commercial, industrial, public facility, and institutional uses.”*

Recommendation 3: Allow EV-reserved parking spaces to count toward meeting minimum parking requirements.

Why: If EV-only parking spaces do not count toward required parking totals, property developers may need to add additional parking stalls to remain compliant, increasing project costs and creating an unnecessary barrier to installing EV infrastructure. Alternatively, allowing EV-reserved parking spaces to count toward parking minimums reduces construction and design costs, and can help encourage EV adoption within the community in the long run. While it may be common practice to count EV-reserved parking spaces toward meeting mandatory parking minimums, codifying this relationship can reduce uncertainty for developers and property owners.

How: Update relevant sections of city parking requirements to state that parking spaces reserved for EV charging count toward minimum off-street parking requirements. Define any applicable eligibility criteria so that the rule is clear and enforceable, such as: the space must remain a legal parking stall, be striped/signed, and have charging equipment installed and operational (or “make-ready” infrastructure if the City wants to allow phased buildout). It is recommended that this update is paired with objective siting and/or design standards (for example, ADA-compliant access, equipment placement that doesn’t block walkways, and clear signage) so approvals can remain administrative while still protecting safety and usability.

Community Examples:

- [Waseca, MN](#) - *“Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.”*
- [St. James, MN](#) - *“Minimum off-street required parking. Parking spaces with electric vehicle chargers count toward satisfying the minimum off-street parking requirements of § 71.20 provided:*
 1. *The spaces are open for use by non-electric vehicles if over five percent of the parking spaces on site; and*
 2. *The electric vehicle chargers are non-proprietary if over five percent of the parking spaces on site.”*

Recommendation 4: Adopt EVSE accessibility standards in line with the U.S. Access Board or state-level accessibility standards

Why: Without clear accessibility standards, EV charging sites can be built in ways that are difficult or impossible for people with disabilities to use. This can lead to complaints, retrofits, or missed opportunities to serve more community members. Aligning local requirements with the U.S. Access Board’s design recommendations (or other state-level guidance) creates consistent expectations for designers, installers, and reviewers and supports a more accessible and equitable experience from installation onward. Establishing an accessible-EV-space minimum or required ratio of total EV-spaces to accessible EV-spaces also improves transparency and helps ensure accessible charging is provided systematically, not just when a developer chooses to include it.

How:

- Adopt a clear set of EVSE accessibility standards that reference the U.S. Access Board’s EV charging station design recommendations as the baseline for site layout, accessible routes, reach ranges and operable parts, and safe use of cables and connectors.
- Establish a simple, objective “scoping” requirement that tells developers how many accessible charging spaces are required based on the total number of chargers/ports proposed at a site (and clarify that accessible charging spaces still count as parking spaces).

Community Examples and Resources:

- [ADA Requirements for EV Charging Stations in MN](#)
- [U.S. Access Board Design Recommendations for Accessible Electric Vehicle Charging Stations](#)
- [U.S. DOE Signage for Electric Vehicle Charging Stations](#)
- [City of La Crescent, MN](#) (pg. 4 – 5)
- [Richfield, MN](#) (pg. 19, 25)

Recommendation 5: Adopt an ordinance that requires certain new parking areas to be EV-ready

Why: An EV-ready ordinance requires that parking areas be built at least some of the necessary electrical infrastructure to accommodate EV charging. It is recommended that Bemidji adopt an EV-ready ordinance to help ensure that future development is prepared for the anticipated growth of EVs. Installing conduit/raceways and increasing electrical capacity during initial construction is typically far less expensive and disruptive than retrofitting existing infrastructure, meaning this action saves residents money in the long run. EV-ready requirements also establish clear expectations for developers and help to ensure that EVSE will be available for community members.

How: EV-ready ordinances are not one-size-fits-all and should be tailored to Bemidji's current and anticipated market readiness and the needs and desires of the community. The recommended approach is to adopt performance-based standards, clearly define which development types the ordinance impacts, and ensure reasonable options for compliance. It is also recommended that requirements should not favor a specific charging technology but instead focus on infrastructure needs that can support various EV charging options.

1. Define applicability of the EV-ready ordinance

To keep the ordinance targeted to desired development types and locations, Bemidji can choose to apply it to specific project types, including but not limited to:

- Parking for all new residential development (rather than remodels or reconstruction)
- Parking areas for multi-unit properties (during initial construction or major renovations)
- Parking for commercial or industrial development above a certain required parking threshold

GPI recommends that, at a minimum, communities encourage or incentivize developers to provide EV-ready or EV-capable parking for residential buildings, especially multi-unit dwellings. Currently, the Minnesota State Building Code (MSBC) does not address EV infrastructure. However, it is anticipated that updates to the MSBC in 2026 will include EV-ready requirements for certain development types, which will preempt local ordinances.

2. Determine the level of EV-readiness Bemidji wants to require

Typically, there are three levels of EV-readiness that might be required in an EV-ready ordinance:

- **EV-capable:** Electrical capacity is planned to support future charger installation, but the actual electrical infrastructure to support the future charger, like conduit, is not installed.
- **EV-ready:** Parking spaces include the electrical capacity and conduit to support the installation of an EV charger in the future with minimal effort. Typically, EV-ready parking spaces include all of the necessary infrastructure to support an EV charger, other than the EV-charger itself.
- **EV-installed:** Parking spaces include ready-to-use chargers at the time of construction

Bemidji may also choose to require EV-ready or EV-capable parking initially, and then at a later date require EV-installed parking spaces.

3. Consider flexible compliance pathways

To avoid unnecessary barriers for property owners and developers, the City of Bemidji may consider flexible compliance options such as:

- Phased compliance, where property owners and developers are required to provide a portion of EV-ready, capable, or installed parking spaces initially, with expansion triggers later.
- Administrative adjustments where physical constraints exist, with clear criteria.
- Allowing off-site shared EV-parking, in which multiple developers or property owners can pool their required EV-parking spaces in one, off-site, shared location in close proximity to the properties in question.
- An in-lieu of parking fee, in which the developer in question is able to ‘buy out’ required EV-parking spaces for a set-fee with the city. This option is only recommended if the City of Bemidji is interested in taking on a more active role in EV charger deployment.

4. Clearly state compliance requirements

Once the level of readiness, applicable development types, and options for flexible compliance have been determined, ensure that all requirements, thresholds, and expectations are performance-based and clearly stated. This may include specifying what EV-ready or EV-capable means to the city in practice, clearly defining which property/development types the EV-ready ordinance will apply to, and explicitly stating the options and requirements for flexible compliance.

Community Examples and Resources:

- [Electrification Coalition EV readiness ordinance case study](#)
- Drive Electric Minnesota’s [Electric Vehicle-Ready Parking 101 for Local Governments](#)

- Duluth, MN: [Chapter 50 – Article IV – Development Standards](#) (pg. 55)
- Robbinsdale, MN: [Ordinance No. 25 – 12](#)
- St Louis Park, MN: [Article 5](#) (pg. 36:V:9)