

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Special Meeting - April 7, 2005

Pursuant to due call and notice, a Special Meeting of the Bemidji City Council was held at 5:30 p.m. on Thursday, April 7, 2005. Upon roll call the following Councilmembers were declared present: Lehmann, Hellquist, Erickson, Johnson, Meuers, Downs.
Absent: Markeson-

Mayor Lehmann called the meeting to order and noted that the purpose of the meeting was to consider Planning Case #2004-19 – Filed by Pinnacle Outlets for a Planned Unit Development/Common Interest Community, Special Use Permit, Preliminary Plat. On February 28, 2005, the Planning Commission recommended approval of the request with 19 conditions.

ENVIRONMENTAL REVIEW

Felix provided summary of the Environmental Assessment Worksheet
Whether or not to require an EIS – based on information received this evening

Received packet of information
Additional information - under 500,000 sq ft (required threshold)– not mandatory
Reviewed the Draft Notice of Decision
Mandatory EAW – prepared with assistance of consultant
3 comments were received – mn/dot, dnr, mpca
Storm water anticipated to be generated at this site
Majority would flow west to wild life mgmt area
Clarification that majority of storm water would flow north and east'
Ltr received at hearing from BJI TWP regard loss of forest cover
Findings addressed that issue
Can storm water be litigated
Litigation will occur – storm water modeling and will help with those improvements –
permitting requirement from city mpca mndot and us army corps of engineers
Local state and federal jurisdictions

Regulatory oversight – terms in developers agreement

Proposed findings of fact – (pg 3)
Each categories of criteria
Addresses issues raised in letters

Holmes – conditioned upon the developers agreement –
Felix – permitting process are independent of the city's developers agreement
Various layers of mitigation that avail themselves

COUNCIL QUESTIONS

Erickson – dnr – dan thull – good responses

Dnr will have active role in storm water design remedy – quality
Old growth still standing
Public safety concerns – not satisfied with 2 lane hwy –

JOE MCKINNON – DESIGN ENGR WITH MN/DOT

Looking at future reconstr needs of hwy 197 and 71 so – looking at ways 6 mi corridor
Prelim design – future 4 lane facility would be needed based on traffic projections

Lehmann – what are we looking at for projects – from what point -

Preliminary design – addl turning lanes – looking at layout alternatives
Time frame – preserve in place roads – cannot address this area until 2014

Traffic issues discussed –

PLANNING COMMISSION RECOMMENDATION

Al Felix – findings of fact and recommendation with conditions supporting approval of
CIC Plat and PUD/SUP

Findings that were cited by pc –
One condition discusses storm water

Clarification – 5 restaurants and 1 hotel to be stand alone

Page 6, condition #2 – landscaped land – recommendations for how to manage

Sidewalk sales – crazy days – seasonal sidewalk display – modify prohibition to allow

Look at permitting professional offices – perhaps on second floor – consider allowing
professional offices – will it erode the characteristics of retail mall

Impact on downtown – further erosion

Professional office Permitted use in business district

Characterization as retail factory outlet mall – would not permit existing business in
city to have a store there.

Kathy Anderson – architectural consortium

More growing trend in retail

Adding more lifestyle centers

Adding professional type services adds synergy of services

Other means of bringing people together

Professional offices – small percentages – in two story buildings

Erickson – limit percentage of professional

Anderson – what could be two story and where – language may include permit for use in two story

Holmes - Alternative language in developers agreement –add to list subject to developers agreement – add professional business –management office –

Slinkman – chair of planning commission

Addressed issue – only looked at buildings that were designed before us

Potential for having two story buildings but did not address the use for those

The 50 ft was to allow for the height of arch

Holmes – can be addressed in developers agreement

Retail vs factory outlet mall – mixed use – factory outlet and retail businesses

Boutiques that fit nicely in lifestyle centers

Must fit uses listed – do not fit factory outlet

Anderson – broader range for broader number of people

Suggested – term lifestyle retail center

Felix – how to characterize –

Anderson – call it a retail center with lifestyle component

Mixed use retail

Howard rosten – rep developers

Defined by the uses – difficult to define because of continuous evolution

Uses are defined – not inconsistent

Erickson – don't want to change what citizens were expecting – comfortable with mix – don't want predominately one use

Downs – allow flexibility to be successful

Johnson – restaurants – advanced more modernized from start – did not think factory

Meuers – public – looking for deals – under outlet –

Hellquist – just because it says outlet mall – it doesn't mean prices are low

Felix – council wants to characterize as factory outlet but as a mixed use retail mall

What are expectations? Council must be satisfied

Point #18 on pg 11 –

Lehmann Signage – don't want future variance requests

Landscaping must be done –

Important – critical to council – must be clear our ordinances allow for certain signage – do not want to deviate from that

Condition of approval –

Point #9

May be different than our signage ordinance

Important that this is a pud and has flexibility

Flexibility has been requested –

Holmes – process

Developers agr – important doc

Draft of developers agreement last week

Recommend a time limit for developers agr returned to council – 45 days – review and make recommendation to council

ROLL CALL

Motion Hellquist/Meuers to adopt the Notice of Decision on Need for Environmental Impact Statement with a Negative Declaration . JOHNSON, DOWNS, MEUERS, ERICKSON, HELLQUIST, LEHMANN all ayes

Motion Down/Erickson to accept the recommendation of the Planning Commission for approval of the Preliminary Pinnacle Outlets Planned Unit Development/Special Use Permit Plat subject to the 19 conditions imposed by the Planning Commission and subject to a Developer's Agreement that is satisfactory to the Council.
ERICKSON, LEHMANN DOWNS, HELLQUIST, JOHNSON, MEUERS

Include management office and to list

Clarify kiosk issue

Modify provision for seasonal sidewalk sales

Amend Mixed use retail -

Developer pay admin costs – also deposit at time this is approved -

Adjourn Hellquist/Downs all ayes

DOWNS, JOHNSON, HELLQUIST, ERICKSON, MEUERS, LEHMANN