



City of
BRAHAM

"Building A Better Tomorrow"

201 Broadway Avenue South

PO Box 521

Braham, MN 55006

Phone: 320.396.3383

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Planning Commission Meeting

Date/Time: July 26, 4:30 pm

Location: Braham City Hall Council Chambers

AGENDA

1. Call to Order and Roll Call.
 2. Pledge of Allegiance
 3. Approve minutes from April 12, 2022 Planning Commission Meeting
 4. Review the sale of City Owned lot and verify it complies with the City's Comprehensive Plan.
 5. Adjourn
-

Planning Commission Minutes
April 12, 2022

Members Present: Loren Davis (Chair), Vicky Ethen, (Ex-Officio Member), Cheryl Fike, Jay Mankie, Sam Stigen, and Alan Taylor

Members Absent: None

Staff Present: Linda Woulfe, Interim City Administrator

Variance Request for 214 2nd St SW

Property owner, Jeana Strelow has applied for a variance to construct a garage on their parcel at 214 2nd Street SW. A variance is needed because the parcel is currently over the city's maximum impervious surface limitations.

Charles Grell appeared on behalf of Jenna Strelow to explain the need for the variance and the desire to construct the garage.

Davis opened the public hearing at 5:30 pm.

Peter Lendway, 215 Central Avenue West, stated he does not oppose the variance but has concerns about drainage. He personally has had to haul many yards of fill to get his property to drain properly. Lendway stated the soils in this area are a good six inches of clay before it turns into sand and clay simply holds the water which doesn't permit it to drain away. Lendway suggested that Grell be required to install a French drain at the end of the gutter downspout. The drain pipe would be a minimum of six inches down to get past the clay into the sandy soils.

Wes Timgren, 131 Cherry Avenue South, stated he does not oppose the variance but is also concerned about drainage.

Woulfe noted she has discussed the need for gutters on the garage structure with Grell in order to control water runoff. Woulfe noted she suggested Grell put rain barrels under the gutter downspouts to collect the runoff and then use the runoff to water the lawn and plants.

No further public comments were received and Davis closed the public hearing at 5:48 pm.

Woulfe noted the following:

Minnesota Statute Section 462. 357, subd. 6 provides that variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) 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 zoning ordinance. " Practical difficulties," as used in connection with the granting of a variance, means (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

City Ordinance allows variances pursuant to City Code § 154. 396. The Planning Commission must take the following into consideration when reviewing variance requests to ensure the proposed action will not:

1. Impair an adequate supply of light and air to adjacent property;
2. Unreasonably increase the congestion in the public right- of-way;
3. Increase the danger of fire or endanger the public safety;
4. Unreasonably diminish or impair established property values within the neighborhood;
5. Cause an unreasonable strain upon existing municipal facilities and services;
6. Be contrary in any way to the provisions and intent of the city' s Growth Management System; and
7. Have a negative, direct, and indirect, fiscal impact upon the city, county, or school district, unless the proposed use is determined to be in the public interest.

City Ordinance requires that accessory buildings be located five feet or more from all lot lines of adjoining lots (154. 280 Accessory Buildings; Uses, Equipment) and maximum ground area covered by all structures and impervious areas shall not exceed 33% of the lot on which the structures are located (154. 047 Maximum Ground Coverage; Ground Floor Area).

Planning Commission members discussed the variance and controlling water run-off so that neighboring properties were not adversely affected by granting the variance. The Planning Commission members agreed that if proper drainage is done along with the garage construction:

1. The requested variance is in harmony with the purposes and intent of the ordinance,
2. The variance is consistent with the comprehensive plan,
3. The variance puts the property to use in a reasonable manner,
4. The variance does not increase the congestion in the public right- of-way,
5. The variance does not increase the danger of fire or endanger the public safety,
6. The variance does not unreasonably diminish or impair established property values within the neighborhood,
7. The variance does not cause an unreasonable strain upon existing municipal facilities and services,
8. The variance is not contrary to the provisions and intent of the city's Growth Management System,
9. The variance does not have a negative, direct, and indirect, fiscal impact upon the city, county, or school district, and
10. The variance does not alter the essential character of the locality.

Mankie moved, seconded by Tayler, to recommend approving the variance request to build a 24' x 28' garage to the City Council with the following conditions:

- the garage siding and shingles should match the principal structure;
- existing accessory structures must be removed;
- garage should have gutters installed to ensure water run off stays on their parcel;
- the garage roof would be installed running the north/ south direction and the gutters would be installed in the east/ west direction to control the water runoff.

The motion carried unanimously.

Adjournment

Being no further business before the Planning Commission, the meeting was adjourned by unanimous consent at 6:00 pm

Loren Davis, Chair

ATTEST:

Rachel Kytonen, City Administrator



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4. Discussion on city owned lot

Meeting: July 26, 2022

Prepared by: Rachel Kytonen, City Administrator

Background

The city has received a request from John Carlson with Carlson Auction Services, LLC to purchase Lot No. 9 (PID 20.00240.00) in the Braham Industrial Park. This lot was the former Sky Blue Halal Meat Processing site and has since been given back to the city through court proceedings.

Lot 9, in Block 1 of the Braham Industrial Park is 2.99 acres. The existing land use map in the Comprehensive Plan passed on Aug. 4, 1997 shows the property zoned General Business - Industrial District (GB-I).

The purchaser is proposing a warehouse distribution center to support his online auction business. In the (I-1) Limited Industrial District Section 154.147 Permitted Uses (I) Warehousing, wholesaling, and distribution operations. In the General Business Industrial District (GB-1) Section 154.197 Permitted Uses (B) All permitted uses allowed in a (I-1) Limited Industrial District.

The city attorney needs the Planning Commission to meet and verify that any land sold by the city meets the current comprehensive plan. From a city perspective, the purchase of Lot 9 by Carlson Auction Services will meet the intent of the comprehensive plan.

There is Resolution 22-32 before the Planning Commission for adoption as drafted by our city attorney. The Resolution also includes a clause indicating Mr. Carlson has the right of first refusal to Purchase Lot 10, Block 1, also in the Braham Industrial Park.

Proposed Action: Approve Resolution 22-32 as presented.

**CITY OF BRAHAM
ISANTI AND KANABEC COUNTIES, MINNESOTA**

RESOLUTION 22-32

Date: July 26, 2022

Motion By: _____ Seconded By: _____

**RESOLUTION FINDING THAT
THE SALE AND TRANSFER OF REAL PROPERTY
IS CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN**

WHEREAS, the City of Braham is the fee owner of Lots 9 and 10, Block 1, Braham Industrial Park 1st Addition, Kanabec County, Minnesota, according to the recorded plat thereof ("Subject Property"); and

WHEREAS, the City is proposing to sell and convey Lot 9, Block 1, Braham Industrial Park 1st Addition to Carlson Auction Services, LLC, a Minnesota limited liability company, with a right of first refusal to purchase Lot 10, Block 1, Braham Industrial Park 1st Addition; and

WHEREAS, Minn. Stat. § 462.356, subd. 2, requires that the Planning Commission review the sale of any publicly owned real property within the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Braham that:

After reviewing the proposed purchase agreement for the sale of the Subject Property, the Planning Commission finds that the sale and transfer of the Subject Property is consistent with the City's Comprehensive Plan.

PASSED AND DULY ADOPTED by the Planning Commission of the City of Braham, Minnesota, this 26th day of July, 2022.

Loren Davis, Chair

Attested:

Rachel Kytonen, City Administrator