



City of
BRAHAM

"Building A Better Tomorrow"

201 Broadway Avenue South
PO Box 521
Braham, MN 55006
Phone: 320.396.3383
Fax: 320.396.3478

**Braham Planning Commission Meeting
August 22, 2023
5:30 pm
Braham City Hall Council Chambers**

AGENDA

1. Call to Order and Roll Call.
2. Pledge of Allegiance
3. Approve minutes from July 12, 2023 Planning Commission Meeting
4. Conditional Use Permit Application – Terry Turnquist, 500 Cherry Ave North
 - A. Adopt Findings of Fact
5. Adjournment

Braham Planning Commission Minutes
July 12, 2023

Members present: Loren Davis, Cheryl Fike, Melinda LaQuier, and Jeremy Kunshier (Ex-Officio)

Members absent: Sam Stigen and Jay Mankie

Staff present: Carri Levitski, Rum River Consultants

Chair Davis called the meeting to order at 5:35 pm and led the Commission in the Pledge of Allegiance.

Approval of Minutes

Motion by LaQuier and seconded by Fike to approve the May 17, 2023, Planning Commission minutes as presented. Motion carried with all present voting aye.

Public Hearing – 112 Main Ave S

Levitski explained the applicant would like to add an additional apartment unit on the main level of the building. There is currently three (3) units on the second level and one (1) large unit on the third level. The property received a conditional use permit (CUP) eight (8) years ago for the existing units and is requesting a new CUP to include a main level unit apartment.

Levitski reported the City of Braham designated building official, Andy Schreder performed a preliminary site inspection with the applicant on July 6, 2023, and while a permit will need to be obtained, he did not see any glaring issues. Levitski noted architectural plans will need to accompany the building permit application.

Chair Davis opened the public hearing at 5:39 pm.

Alicia Masters, owner of the Park Café stated they were in support of the request but voiced concerns regarding the possible sound with a shared wall since they are putting in a substantial investment into their business. Mr. Klingner stated he would disclose this information to possible tenants and stated the walls are currently soundproof and he is not concerned about sound spillage into his apartment units. Mr. Klingner also stated he is in support of Park Café's expansion plans for their party room.

Mike Reilly, owner of 128 Central Dr W stated he also owns rental property in Braham and encourages renting to respectful tenants.

Commissioners confirmed with Mr. Klingner the walls are soundproof according to the drawings he has on record and there will be a separate entrance created for the new unit.

Mr. Klingner was asked how large the unit is proposed and replied that it would be between 1,000 and 1,200 square feet. Chair Davis acknowledged proper permits and inspections would need to be completed as identified in the conditions of the draft resolution.

Commissioner LaQuier confirmed there is adequate parking.

Mr. Klingner reported with the increase in taxes, he needed to assess the use of this property since retail has not been as successful as he had hoped. By decreasing the retail space and adding an apartment unit, he feels it will assist in offsetting some of the increased taxes he is being assessed.

Seeing no other public comment, Davis closed the public hearing at 5:49 p.m.

Motion by LaQuier and seconded by Fike to recommend the City Council adopt Resolution 23-33 including the following amendments and conditions:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRAHAM, MINNESOTA approves the Conditional Use Permit to allow a total of five (5) apartment units at the above forementioned property, as long as the conditions below can be met:

1. Follows all Minnesota State Statutes and the City of Braham's City Codes as it relates to this conditional use.
2. A final inspection must be completed prior to occupancy.
3. Secure a change of occupancy permit (if needed) or any other building permits as required through Rum River Consultants.
4. Follows all city parking regulations.
5. Meets any other conditions set forth by the city's Building Official and Zoning Administrator.

Passed by the City Council of Braham, Minnesota, this 2nd day of August, 2023.

Motion carried with all present voting aye.

Adjournment

Motion by Davis and seconded by LaQuier to adjourn the meeting at 5:56 pm. Motion carried with all present voting aye.

Loren Davis, Chair

Attest:

Rachel Kytönen, City Administrator



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Accessory Use Permit Request – Terry Turnquist 500 Cherry Avenue North

August 22, 2023

Prepared by

Linda Woulfe, Interim, City Administrator

Background

The city received a conditional use permit application on July 12, 2023 from Terry Turnquist, Braham Barber Stylist, to move his barber shop business to his home residence at 500 Cherry Ave. N. Under the city's zoning code, home occupation businesses are allowed in the residential zoning districts through a conditional use permit.

Turnquist operates his business by appointments only and has more than adequate parking on his private property for his customers. There will not be any signage associated with this business. Street parking will not be impacted by this business. Attached is a site plan submitted by Turnquist.

All the public hearing notice requirements have been met and all property owners within 350 feet were notified.

The Planning Commission will review the request and hold a public hearing at 5:30 p.m. on Tuesday, Aug. 22. The City Council will meet on Tuesday, Aug. 22 at 6 p.m. for final consideration of the Conditional Use Permit request.

The governing *City Ordinance is §154.043 Accessory Uses (J)* which states "Home occupations consistent with §154.280(G) which states:

(G) *Home occupations.* Home occupations must be conducted entirely within a building.

- (1) Offices, barber shops, beauty parlors, dress shops, millinery shops, tourist homes, music and dance schools, or similar uses, any business with an employee other than the homeowner shall require conditional use permits.
- (2) The occupations as architects, artists, writers, clergymen, lawyers, teachers, dressmaking, and similar domestic crafts shall be permitted.

(3) When deemed appropriate, the Zoning Administrator may bring the home occupation to the attention of the Planning Commission, at which time the Planning Commission may hold the public hearings, request the information, or require the conditions as deemed necessary to bring the home occupation in compliance with the performance criteria. The Planning Commission shall make a recommendation to the City Council for final consideration.

Findings of Fact for the Conditional Use Permit for an Accessory Use

Here are the questions that the Planning Commission should consider for this use:

1. Is it a reasonable use of the property?
2. Will this use alter the essential character of the neighborhood?
3. Is this request to have a home occupation unique to the City or have other home occupations for barber shop, salon services been granted in the past?
4. Is the proposed use permitted by the City's zoning code (home occupation – accessory use)?

The applicant is entitled to the conditional use permit if the applicant meets all the ordinance standards. With respect to Mr. Turnquist's CUP request:

- the use of the property is reasonable,
- it will not alter the essential character of the neighborhood since his services are by scheduled appointment and this limits the number of people coming at one time,
- this type of home occupation request is not unique to this property, and
- the proposed use is in concert with City Code §154.280(G).

Recommendation

Recommend the City Council approve Mr. Turnquist's conditional use permit as outlined in his application.



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Braham Planning Commission Public Hearing Notice
August 8, 2023 at 4:30 p.m.

Braham's Planning Commission will hold a public hearing on August 8, 2023, at 4:30 pm on a conditional use permit request. The conditional use permit request is to allow owner Terry Turnquist, Braham Barber Stylist, to move his barber shop to his home residence located at 500 Cherry Ave. N., Braham, Minnesota. The public hearing will be held at Braham City Hall in Council Chambers, 201 Broadway Ave. S., Braham, Minnesota. Please attend the public hearing on Aug. 8 if you wish to comment or email comments to administrator@braham.com.

City Administrator
Rachel Kytonen
administrator@braham.com
320-396-3383

Chair Loren Davis * Commissioner Cheryl Fike * Commissioner Melinda LaQuier
Commissioner Jay Mankie * Commissioner Sam Stigen

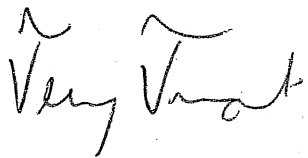
June 28, 2023

City of Braham,

I would like to apply for a conditional use permit for the purpose of moving my Barber Shop to my home residence on 500 Cherry Ave N, Braham MN 55006. I base my request on the fact that a Barber Shop or Beauty Shop has been allowed to be a home-based business in the City of Braham currently and in the past.

I operate my business by appointments only and I have more than adequate parking without using the street. I don't plan on any permanent signage. Included is a drawing of the Barber Shop layout.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry Turnquist". The signature is written in a cursive style with a large initial "T".

Terry Turnquist
Braham Barber Stylist



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CONDITIONAL USE PERMIT

Procedure

1. Application for Permit

Application for the issuance of a Conditional Use Permit shall be made in writing and referred by the Zoning Official to the Planning Commission. All filing requirements must be submitted 21 days prior to the regular Planning Commission meeting at which the review is to be held. All required information must be received before the applications will be placed on a Planning Commission meeting agenda. The application shall contain a written and graphic explanation of the request and shall be accompanied by names and addresses of the owners of property located within 350 feet of the boundary lines of the property upon which a Conditional Use Permit is requested. The applicant shall also, at the time of filing such application, pay a fee of \$200.

2. Public Hearing

The Planning Commission shall hold at least one public hearing on each application for a Conditional Use Permit after notice of the hearing has been published in the official newspaper for at least 10 days before said hearing. The Planning Commission shall also cause a notice to be mailed to each of the owners of property located within 350 of the boundary lines of the property upon which such use has been requested. The Planning Commission decision will serve as a recommendation to the City Council and the decision will be made by the City Council. The application or a representative thereof shall appear before the Planning Commission in order to answer questions concerning the proposed conditional use permit.

Expiration

If substantial construction has not taken place within one year after issuance of the Conditional Use Permit or if the permitted conditional use ceases for a period of one year, the permit is void. The applicant may make request to the City Council for an extension of time in which to complete the work.



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APPLICATION FOR CONDITIONAL USE PERMIT

Application is hereby made for a Conditional Use Permit for (description):

Barber Shop in my home

Address of Property: 500 N. Cherry Ave

Owner: Terry + Beeky Turowski

Owner Address: 500 N. Cherry Ave

Owner Phone No.:

Applicant (if different than owner): _____

Applicant Address: _____

Applicant Phone No.: _____



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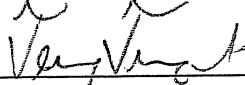
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The following information is submitted in support of this application:

- _____ 1) Completed Application for Conditional Use Permit.
- _____ 2) Fee - \$200.
- _____ 3) Full legal description of the property. (This can be found on your abstract.)
- _____ 4) Names and addresses of property owners within 350 feet of boundary lines, certified by County Auditor.
- _____ 5) Depending on the Conditional Use requested, the following may be required:
 - _____ a) Fourteen (14) copies of the Site plan.
 - _____ b) Fourteen (14) copies of the Sign plan.
- _____ 6) A narrative explaining the purpose of the request, the exact nature of the conditional use, and the justification for the request.
- _____ 7) Other: _____

I fully understand that all the above required information must be submitted at least 21 days prior to a Planning Commission meeting to ensure review by the Planning Commission on that date.



Applicant Signature **Date**

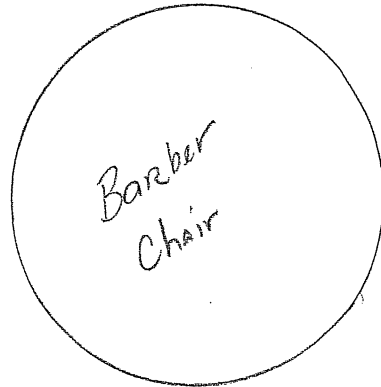
Comments/Revisions: _____

Received by: _____
City Agent's Signature **Date**

Rest room

Back Bar

8'6"



6'4"

Basement
Family
Room

Enter Shop from Garage
Service door - straight into
Basement Shop

