

PLANNING COMMISSION
Wednesday, April 19, 2017

#1 Call to Order

Planning Commission Chair Headley called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Headley, Gorham, Marohn, Burslie, and Lambert. Noted absent were Commissioner Antolak and Turner. Also present was City Planner Ostgarden.

#2 Approval/Amendment of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#3 Approval of minutes of the regular meeting and workshop held on March 15, 2017

MOTION AND SECONDED BY COMMISSIONERS GORHAM AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE MARCH 15, 2017 WORKSHOP AND REGULAR PLANNING COMMISSION MEETING.

#4 NEW BUSINESS

None

#5 PUBLIC FORUM

None

#6 OLD BUSINESS

a. Review Draft Sober House Language

The Commission discussed the draft language to add sober houses to the Zoning Ordinance. This discussion included the following:

- Zoning districts in which to allow the use
- Permitted or conditional use
- Separation requirements
- Regulation of the use

Questions were asked about the difference between a sober house and a group home and whether a sober house could be defined the same as a group home since the regulations for group homes is already in the code.

Additional discussion was held regarding the possibility of imposing regulations through the rental housing license process.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND BURSLIE TO MAKE A RECOMMENDATION TO THE CITY COUNCIL TO **NOT** REGULATE SOBER HOUSES.

Commissioner Marohn requested a straw poll of the Commission regarding their position on this issue. City Planner Ostgarden stated the motion should be withdrawn before the poll is taken and then can be made again after the poll.

Commissioner Marohn withdrew his motion.

Commissioner Burslie stated he is comfortable without imposing regulations at this time as long as it will be regulated through the rental housing code. He noted if there are problems, regulations can be imposed in the future.

Commissioner Gorham stated he is leaning toward favoring no regulations, but doesn't feel very strongly about it.

Commissioner Headley stated she is in favor of no regulations as she feels it's in the owners, residents, and neighborhoods best interest to be good neighbors.

Commissioner Lambert stated she can support this as long as it can be regulated under the rental housing code and issues or complaints can be resolved.

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND BURSLIE, DULY CARRIED, TO MAKE A RECOMMENDATION TO THE CITY COUNCIL TO **NOT** REGULATE SOBER HOUSES BASED ON THE FOLLOWING REASONS:

- Nuisance activities would be regulated under the City Code.
- This use cannot be singled out in a way that is significantly different than other uses that would go on legally because of Supreme Court decisions
- If issues arise in the future, the Commission reserves the right to look at this use as a use similar to group homes but at this time there is no evidence that this activity will be anywhere near as intense as a group home

#7 COMMISSIONERS' QUESTIONS/COMMENTS

Chairman Headley opened the Commissioners' questions/comments section explaining that due to a short agenda this would be a good time to have some discussion about issues the Planning Commission would like to address in the coming year.

The Commission brought up the following issues they would like to discuss in the future:

- Future land use between Lum Park and the airport. Create a plan for the corridor and discuss the City's plan or no plan for development.
- The Commission's relationship/involvement in the Comprehensive Plan process and the NJPA and what goes into a comprehensive plan. Also, what the vision will be for public involvement and the scope of what the plan will cover (including several items such as downtown, parks, housing, neighborhood investment, etc)
- The public perception on what the Planning Commission is doing to change/fix Brainerd's image.
- Setting up the agenda for upcoming meetings and preparing for those agenda items

City Planner Ostgarden stated these are all items the Commission should have discussion about, but reminded the Commission they are an advisory body to the elected officials who make the decisions. He stated they are the ones that decide which direction the Commission is going to go therefore the Commission must be in harmony with the City Council's interests.

Discussion followed regarding the Planning Commission's role in the decision-making process when it comes to long term plans for the City. Commissioner Marohn stated he would like to have discussion on what the Commission thinks

the strengths are that can be built on and opportunities the City should be building on along with the weaknesses and concerns which could then be presented to the Council to give their ideas on what direction they would like the Commission to go and items for focus.

Commissioner Lambert suggested the information from the City Council retreat be presented to the Commission so they could see the City Council's vision. City Planner Ostgarden stated Council President Pritschet could be invited to a Commission meeting to discuss the retreat items. The Commission agreed this would be a good place to open discussion.

#8 **CITY PLANNER'S REPORT**

City Planner Ostgarden reported that Commissioner Antolak had called to explain he would not be at tonight's meeting as he is still dealing with affects from surgery earlier this year.

City Planner Ostgarden informed everyone that Commissioner Turner has resigned. He explained that he has "too many irons in the fire" which would not permit him to devote the time necessary to be a good commissioner. He did not think it was fair to the other Commissioners to remain.

City Planner Ostgarden stated a potential upcoming issue for the community is the School District's future facility plan and what role the City will take in making recommendations to the School District, especially regarding closing neighborhood schools.

#9 **ADJOURN**

MOTION AND SECONDED BY COMMISSIONERS MAROHN AND LAMBERT, DULY CARRIED, TO ADJOURN AT APPROXIMATELY 7:30 P.M.

Respectfully submitted,

Mark Ostgarden AICP, City Planner