Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West  

Minutes August 11, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, August 11, 2017 at 8:30 a.m. in the Conference Center of City Hall.


Also Present: *Excused

Lucy Thompson, Acting Planning Director; Allan Torstenson, Kady Dadlez, Mollie Scozzari and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes June 30th and July 14, 2017.

MOTION: Commissioner Makarios moved approval of the minutes of June 30, 2017. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.

and

MOTION: Commissioner Vang moved approval of the minutes of July 14, 2017. Commissioner Oliver seconded the motion. The motion carried unanimously on a voice vote.

II. Chair’s Announcements

Chair Reveal had no announcements.

III. Planning Director’s Announcements

The Acting Planning Director, Lucy Thompson, announced the Great Places Initiative awards Call for Submissions. The Sensible Land Use Coalition (SLUC) has an annual competition recognizing “great places,” which SLUC defines as vibrant, publically-accessible places that encourage activity, add value to adjacent private development and celebrate place. The goal of the Sensible Land Use Coalition in doing the competition is to recognize great places, demonstrate their value and encourage private developers to provide them in their projects. Ms. Thompson encouraged Commissioners to submit ideas to Planning staff or to submit submissions on their own. There is no submission fee. Several Great Places have already been awarded in Saint Paul: Rice Park, Bruce Vento Nature Sanctuary, the Farmers Market, Urban Flower Field, Chestnut Plaza and CHS Field. The nominations are due August 25th.
IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. *(Tia Anderson, 651/266-9086)*
- ResCare St Paul – Building Renovation, Patio addition at 700 Transfer Road. Stephen Hack-ResCare SPR #17-062576
- Selby Milton Apartments – New 3-Story, Mixed-Use Senior Housing at 940 Selby Avenue (near Milton) Greg Finzell-Rondo Community Land Trust SPR #17-062288
- Selby Victoria Apartments – New 3-Story, Mixed-Use Senior Housing at 838 Selby Avenue (at Victoria) Greg Finzell-Rondo Community Land Trust SPR #17-062295

Three items to come before the Site Plan Review Committee on Tuesday, August 15, 2017:
- Urban Academy Modular Classrooms – Building addition at 1668 Montreal Avenue. Tom Schumacher-Lumen Christi Catholic Community SPR #17-065186
- Hudson Road Apartments – New residential building at 1880 Old Hudson Road. Samir Abumayyaleh-Old Hudson Road Development SPR #17-065017
- New Single Family Home – New residential-Steep slope, Tree preservation district at 572 Burlington Road. John Eral-Michael Homes Inc. SPR #17-065685

NEW BUSINESS

#17-058-900 MacQueen Equipment, Inc. – Rezone from IT Transitional Industrial to II Light Industrial. 1125 7th Street East, NW corner at Duluth Street. *(Bill Dermody, 651/266-6573)*

**MOTION:** Commissioner Makarios moved the Zoning Committee’s recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

#17-060-690 Listening House – Appeal of a zoning administrator similar use determination for Listening House to provide services at First Lutheran Church. 464 Maria Avenue, NE corner at 8th Street. *(Bill Dermody, 651/266-6617)*

*Commissioner Makarios announced that this case has been laid over to the August 31, 2017 Zoning Committee meeting.*

Commissioner Makarios announced the items on the agenda at the next Zoning Committee meeting on August 17, 2017.

V. Comprehensive Planning Committee

Zoning Code Chapter 65 Minor Text Amendments – Approve resolution initiating a zoning study, release draft amendments for public review, and set a public hearing for September 22, 2017. *(Allan Torstenson, 651/266-6579)*

**MOTION:** Commissioner Thao moved the Comprehensive Planning Committee’s recommendation to approve the resolution initiating a zoning study and set a public hearing on September 22, 2017. The motion carried unanimously on a voice vote.
Commissioner Thao announced that the Committee discussed the draft Land Use Chapter of the Comprehensive Plan at their last meeting. The next meeting is scheduled for Tuesday, August 22, 2017.

VI. Neighborhood Planning Committee

Short-Term Rental Study and Zoning Amendments – Approve resolution recommending zoning code amendments to the Mayor and City Council for adoption. (Kady Dadlez, 651/266-6619)

Commissioner DeJoy reported that, at the last Planning Commission meeting on July 14th, this item was sent back to committee because there were some issues that needed addressing as outlined in the packet. The definition of family was the main topic of discussion, as it was thought to be confusing.

Kady Dadlez, PED staff, explained that staff prepared a memo detailing the questions raised at the Planning Commission meeting and responses to those questions. The Neighborhood Planning Committee members discussed the items in the memo at length, but made no changes to the proposed zoning amendments. There was one change, however, recommended by the Committee to the short-term rental study itself. The study referred to short-term rental uses as illegal. The Committee agreed that that language should be revised to say that they are not permitted. Ms. Dadlez added that one of the questions raised by the Planning Commission at the July 14th meeting was about accommodating large one-time events like the Super Bowl. She noted the City Council has the authority to grant interim use permits for large one-time events to allow exceptions to the standards and conditions for the use. The Committee briefly discussed this idea and supported it. It is included in the resolution before the Planning Commission today.

Chair Reveal inquired if the Planning Commission would be involved with those interim use permits or whether it is something the City Council does on its own.

Ms. Dadlez said that interim use permits are under the purview of City Council. Ms. Dadlez also noted that staff had requested additional information from Airbnb about its profile data (information that Commission Thao had requested about the make-up of the 4 percent of its stays that involve more than four guests) but Airbnb was not able to provide it. Information Airbnb did provide indicates that the average number of people in a group that stays in Saint Paul is 2.1, and that 96 percent of stays involve four or fewer guests.

Commissioner Thao reminded the Planning Commission about Commissioner Underwood’s concerns raised at the July 14th meeting and why this item was referred back to Committee. Commissioner Underwood is not present today, but Commissioner Thao noted that she did speak with her after the Committee meeting. Commissioner Underwood wanted to make sure that the Committee was able to address some of her concerns, including the addition of a chart to help define family.

Chair Reveal added that she received a copy of Minneapolis’ recently proposed short-term rental regulations from an informal group of Airbnb hosts in the Twin Cities. She said she is not proposing the Planning Commission not go forward with a recommendation today, but she wanted to note that the Minneapolis regulations are definitely worth looking at. They are very simple and straight forward, and the fees are dramatically lower than Saint Paul’s. Staff should
look at this and make the City Council aware that Minneapolis is in the process of regulating short-term rentals and what they are proposing.

Commissioner Lindeke said that the definition of family seems really out-of-date, including the reference to domestic servants, and was wondering if at the City level or in the code somewhere we could come up with a more inclusive 21st century definition. Commissioner Lindeke also noted that under Issue #5 in the memo it says that the Department of Safety and Inspections (DSI) will track and monitor impacts to housing availability and affordability with data and information. Commissioner Lindeke asked whether Airbnb would provide the City with data about how things are going.

Ms. Dadlez responded that the definition of family seems antiquated, but it is what we have used for a long time. She said she believes there may be a recommendation in the Housing chapter of the Comprehensive Plan update to review and update the definition.

Dan Niziolek, DSI staff, said that good data are very important when talking about a new economic model for the City of Saint Paul in order to track what is happening and perhaps predict what will happen in the future. DSI staff has had a number of conversations with Airbnb and Expedia (which operates VRBO and HomeAway). There is a real reluctance on their part to share information they say is protected by federal law. We disagree that it is federally protected. There have been significant legal challenges throughout the country between Airbnb and other cities. Host platforms are just like transportation network companies, and transportation network companies provide us with all kinds of information upon request on a regular basis. It is something DSI staff is going to continue to push for in its negotiations. One of the reasons we are looking at licensing all hosts is to ensure we have that information. Our initial plan for a regulatory model was much more limited than what is proposed because our hope was that short term platforms would register and provide information to the city on a regular basis. Under this model, we would not have needed to license individual hosts, but only license the host platforms; we would then have the data from the platforms to determine who should be on the platform and who should not. The platform companies have politely said that this is not their job. So, we have had to create a more structured regulatory model to ensure public health, safety and livability for the City of Saint Paul. That’s where we’ll push for the data, but we are not confident that we will get it.

**MOTION:** Commissioner DeJoy moved the Neighborhood Planning Committee’s recommendation to approve the resolution recommending the zoning code amendments to the Mayor and City Council for adoption. The motion carried 11-2 (Oliver, Rangel Morales) on a voice vote.

Commissioner DeJoy asked Commissioner Oliver and Commissioner Rangel Morales their reasons for voting against the resolution.

Commissioner Oliver said that he is not convinced that there is any real basis to change the City’s approach to lodging. Just because something happens on the internet doesn’t really change the nature of it.

Commissioner Rangel Morales said the ordinance imposes too many restrictions and limitations, and complicates things. He recalled testimony from a woman who lives near Cathedral Hill. She has a very large home that is be suitable for more guests than what would be allowed by the
ordinance. He said he does not think it is fair to require people like that to have to apply for a conditional permit to be able to host more people, even if it is granted. He thinks this is an unnecessary step.

VII. Transportation Committee
Commissioner Lindeke reported that, at their last meeting, they heard from a Shared Mobility expert from Chicago who was working on a report about Twin Cities shared-use mobility – e.g. car and bike sharing. They also heard about the Westgate Public Realm Plan. The August 14, 2017 meeting has been canceled.

VIII. Communications Committee
No report.

IX. Task Force/Liaison Reports
Commissioner Edgerton reported that the Rice-Larpenteur Gateway Vision Plan task force met on August 8, 2017, and heard presentations on concepts for street widths, number of lanes, streetscapes, connections and open space. The next meeting date has yet to be determined. More information to come later.

X. Old Business
None.

XI. New Business
None.

XII. Adjournment
Meeting adjourned at 9:03 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,

Lucy Thompson
Acting Planning Director

Approved September 22, 2017
(Date)

Cedrick Baker
Secretary of the Planning Commission

Planning Team Files\planning commission\minutes\August 11, 2017