

Planning Commission

July 26, 2021 – 7 pm

REGULAR MEETING MINUTES

This meeting was held via Webex in accordance with the local emergency declaration made by the City under Minn. Stat. § 12.37. In accordance with that declaration, beginning on March 16, 2020, all Planning Commission meetings held during the emergency were conducted electronically. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line.

1. Call to Order

The meeting was called to order at 7:00 by **Chair Pockl**.

Roll Call

Commissioners in person: Ron Blum, Adam Brookins, Andy Johnson, Lauren Pockl, Chuck Segelbaum
Commissioners virtual: Rich Baker
Commissioners absent: Noah Orloff, Ryan Sadeghi
Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner
Council Liaison present: Gillian Rosenquist

2. Approval of Agenda

Chair Pockl asked for a motion to approve the agenda.

MOTION made by **Vice-Chair Brookins**, seconded by **Commissioner Johnson**, to approve the agenda of July 26, 2021. Staff took a roll call vote. Motion carried.

3. Approval of Minutes

Chair Pockl asked for a motion to approve the minutes from July 12, 2021.

Commissioner Johnson asked about page 3 and RLUIPA reclassification comments. He added the City Attorney decided the use was permitted and if the Commission missed a step before it was voted on. **Jason Zimmerman, Planning Manager**, clarified that the item hasn't been voted on and the discussion is still in process. The Planning Commission will vote when all the use tables are complete. No amendment to the minutes is necessary after the staff clarification.

MOTION made by **Vice-Chair Brookins**, seconded by **Commissioner Johnson**, to approve minutes, with additions. Staff took a roll call vote. Motion carried.

4. Update and Discussion – Major Amendment to PUD 90

Applicant: ISD #270 - Hopkins School District
Address: 5430 and 5300 Glenwood Ave, Golden Valley, MN 55422



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Jason Zimmerman, Planning Manager, this item initially had three pieces to vote on, the Planning Commission sent all three to City Council but the amendment was returned for more work. The applicant has since withdrawn all three items and will re-apply at a later date.
No action is required.

5. Discussion – Pawn Shops, Precious Metal Dealers, and Payday Lenders

Myles Campbell, Planner, reviewed the purpose and objectives of this item. August 2020 a moratorium on new pawnshops, precious metal dealers and payday lenders put in place. Staff was directed by City Council to review this item as it relates to the zoning code.

Current zoning code does not define pawnshops and precious metal dealers outside of the current licensing code. There is not a current zoning definition for these uses but staff interprets it as falling under general retail, currently permitted in Commercial and in Mixed-Use: neighborhood, community, employment. Firearm sales are separately restricted as a land use and prohibited in the districts that allow “general retail”.

Payday Lenders are in a similar gap and staff would consider these a financial institution, permitted in Commercial, Office, Light Industrial, and Mixed-Use: neighborhood, community, employment.

Campbell reviewed the discussion from March 2021 and answered the following Commissioner questions, presented at that time.

- More research/info on why these restrictions were being recommended
 - Discussed direct and runoff impacts
- Mapping of suggested restrictions
 - Buffer restrictions were discussed
- Police opinion on new code
- Equity and Inclusion Manager opinion
- Modifying the suggested definitions

Conclusion

Given their potential impacts, staff feels treating these uses as being permitted with restrictions strikes a good balance.

The restrictions are reasonable in scope and are tailored to the common concerns for these uses: public safety, consumer health, and impact on adjacent businesses

The restrictions do not outright prohibit the users, and still allow adequate space for such retailers to locate in the City

With the expiration of the interim ordinance imminent, City Manager has directed staff to bring this topic back to the Planning Commission for a public hearing on its August 9th meeting.

Commissioner Segelbaum asked if classifying pay day lenders as financial institution would allow them to be located in all districts that allows a financial institution. **Campbell** responded that staff recommends this particular use only be allowed in Commercial districts. The conversation continued to discuss districts, buffers, and licensing requirements. **Commissioner Johnson** asked clarifying

questions regarding statute requirements for loan amounts and loan definitions, then asked about research done to show repercussions if these institutions were removed after existing for a while. **Campbell** stated that his research didn't show studies of impacts to neighborhoods when payday lenders are removed. The conversation continued around if payday lenders need to be treated similarly to standard banking institutions and what would happen if payday lenders were called something else in the code. Staff will discuss the use of state language with the City's finance team. **Commissioner Johnson** added that he wants to make sure decisions are based on something quantifiable. He went on to discuss the pros and cons of the conversation and added that he wants to add something that will help people in the end. **Commissioner Baker** echoed Johnson's statements and added he wants to make sure the group isn't eliminating something that the community utilizes to succeed.

Chair Pockl mentioned perceptions of pay day lenders and predatory practices, she mentioned non-profits that act as alternatives to these resources. Keeping consumer protections in mind, **Pockl** asked if there was a way to add education to access alternatives. Staff mentioned they can add that information to Council and look into adding them in the definitions of these places.

Commissioner Segelbaum stated that based on information provided, it seems restrictions for pawnshops and metal dealers should be less than those for payday lenders. Commissioners had a discussion on level of restrictions and potential zoning districts. **Vice-Chair Brookins** added that the zoning district determination still feels important to him but the idea of a buffer seems less so. **Johnson** echoed this statement.

Segelbaum stated the goal isn't to shut these services out, but to focus their location in high traffic areas. **Pockl** agreed that eliminating these uses would have a negative impact on some members of the community.

6. Discussion – Accessory Dwelling Unit

Val Quarles, Community Development Intern, summarized the July 12th discussion and the questions asked generally fell into two categories: potential impacts and measures of affordability. The potential extent of ADUs throughout the city can be roughly estimated through a few measures; lot size, housing age, and property value.

Parking

Quarles referenced a study done in Portland where it shows ADUs are responsible for one more car per 6 city blocks. In response, a potential regulation for Golden Valley could include requiring new parking areas only if the ADU displaced the primary dwelling's parking.

ADUs as a rental

Rentals are already present through the city and ADU rentals would be subject to the same requirements. There could be an owner occupancy requirement to prevent "double rentals" on a property.

Visual

These impacts will be limited to neighbors, depending on form. Regulations on sizing, setbacks, and minimum lot size may alleviate this impact.

Affordability

The definition of affordability varies, the previously mentioned study found that long-term ADU rentals generally rent for about the same or lower than similarly sized apartments. Regulations could be made in the way of licensing for short-term rentals. The most recent Comp Plan states that 55% of rental units in the City are affordable to a family making 80% AMIE or less, without subsidy. Most ADUs would be new construction, the equivalent percentage will likely be lower.

The conversation on affordability expanded to financing, material availability, and the potential rental income to the homeowner.

Quarles went on to discuss geographic extent for potential ADUs in R-1 and R-2 based on lot sizes. Housing age, size, and potential ADU building envelopes were discussed.

Commissioner Segelbaum asked how an Airbnb fits in to the ADU discussion, Quarles responded that it's a short-term rental, 30 days or less. Staff is unaware of Golden Valley having licensing for short term rentals, they don't prohibit them however.

The conversation continued on to attached/detached ADUs and potential incentives for one or the other from cities. It moved on to affordability, AMI, and Met Council's definitions for rental prices. Restrictions on ADUs are complicated and staff went in depth on the differences between lodgers with separate bedrooms, a kitchenette but not a second full kitchen, and there may not be a totally independent unit from the main home.

Commissioner Johnson added that folks shouldn't look at ADUs as a way to encourage homeowners to build additions, if a homeowner is allowed to do it, they should be. He added he's sympathetic to folks buying homes with housing other family members in mind. **Johnson** referenced the study staff mentioned and suggested starting with a quota and expanding later based on activity. Commissioners and staff continued a discussion on rental definitions.

Televised portion of the meeting concluded at 8:08 pm

7. Council Liaison Report

Council Member Rosenquist noted that July was Park and Recreation month and that the City Council has approved a proclamation in that regard, that they approved Home Energy Squad audits and hosting a Green Corps member, and previewed the upcoming Council/Manager meeting where the Police Commission, Section 8 non-discrimination, and the STAR program would be discussed.

8. Other Business

None.

9. Adjournment

MOTION by **Commissioner Blum** to adjourn, seconded by **Commissioner Johnson**, and approved unanimously. Meeting adjourned at 8:15 pm.



Amie Kolesar, Planning Assistant



Andy Johnson, Secretary