

**CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
SEPTEMBER 28, 2020, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota**

1. CALL TO ORDER: The September 28, 2020, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:01 p.m. by Chair Bradow.

2. ROLL CALL: Present: Commissioners Dick Bradow, Nancy Newman, Scott Hocking, Robb Swanson and City Council Member Liz Stone. Present via skype: Bruce Johnson. Absent: None. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: John & Sara Rowe, Katie Larson, Joe Markell, Marie Knutson, Sue Tomte, Shaun Johnson and Robin Fish of the Park Rapids Enterprise.

3. APPROVAL OF AGENDA: A motion was made by Stone, seconded by Newman to approve the agenda as presented.

The vote was called.

The following Commissioners voted in favor: Stone, Newman, Bradow, Swanson, Hocking and Johnson.

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

4. APPROVAL OF PLANNING COMMISSION MEETING MINUTES OF AUGUST 24, 2020: A motion was made Swanson, seconded by Hocking to approve the August 24, 2020 Meeting Minutes as presented.

The vote was called.

The following Commissioners voted in favor: Swanson, Hocking, Stone, Newman, Bradow and Johnson

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5. PUBLIC HEARINGS:

5A. Conditional Use Permit for John Rowe to operate an HVAC business with no outside storage at 105 Grove Ave N, under Purchase Agreement from Lynette Guida, and located in a B-1 Highway Business District. PID#32.52.42911:

Mack provided an image of the site and stated it has recently been remodeled and the applicant has entered into a purchase agreement with Lynette Guida. Rowe

would like to move his business from his home into the business district. This is a required conditional use permit under the current zoning ordinance. There is no outdoor storage. The conditional use permit would run with the land so this would be a permanent permit to operate this type of business at this location. It is consistent with the Comprehensive Plan and staff is recommending approval based on his Findings of Fact with two conditions: no outdoor storage and conformity to all other requirements of the city code.

The Public Hearing was opened at 6:06 p.m. No comments.

The Public Hearing was closed at 6:06 p.m.

Bradow read the following into the record:

The newly adopted City Zoning Ordinance 598 on January 28, 2020 reads as follows:

151.243 CONDITIONAL USE OR INTERIM USE PERMITS “(A) General. Any use listed as a conditional use or an interim use in this chapter shall be permitted only upon application to the Zoning Administrator, review and recommendation of the Planning Commission, approval and issuance of a Conditional Use (CUP) or Interim Use Permit (IUP) by the City Council and only after any additional approval required under any other governmental jurisdictions.

A thorough site evaluation shall be conducted by City Planning Staff, the Zoning Administrator and, as applicable, the Planning Commission, prior to consideration of the permit by the City Council.”

The proposed development conforms to all applicable requirements of the Zoning Ordinance.

According to part (C) of this same Section, “In considering the granting of any CUP or IUP throughout the City of Park Rapids, the Planning Commission and City Council shall evaluate the effect of the proposed use upon:

(1) The maintenance of the public health, safety and welfare. The proposed development is not anticipated to negatively impact the public health, safety and welfare of the community.

(2) The location of the site with respect to existing and proposed access roads. The proposed development is not anticipated to create negative off-site impacts to surrounding development and currently has safe access to and from the site with the existing road improvements.

(3) Its compatibility with adjacent land uses. The commercial development of the site is consistent and compatible with the existing commercial uses developed on 3 sides. The residential property to the north is fully screened from the business by an existing non-conforming detached garage and there is no need for fencing or screening of the property to the north.

(4) Its compatibility with the intent of the zoning district in which such use is proposed. The proposed development is compatible with the intent of the B-1 District which reads as follows: ***“This district is established to accommodate commercial activities convenient to motorists and to accommodate those businesses which require large areas for off-street***

parking or commercial storage, and which generate substantial traffic originating from outside the community.”

(5) Its compatibility with the objectives of this chapter and its consistency with the City of Park Rapids Future Land Use Plan Map. The Future Land Use Map of the Comprehensive Plan is consistent with and guides the property for Commercial Development.

(6) The ability to provide pedestrian and bicycle access, as noted in the site plan, to any customer/tenant ingress/egress of the building, including from a public right-of-way and off-street parking area that serves the use in a manner which minimizes nonvehicular/vehicular conflicts.” The subject property conforms to this requirement by providing adequate street access and parking.

Citizen Input

No public input has been received regarding this request.

Ordinance Required and Staff Recommended Findings

1. The maintenance of the public health, safety, welfare, morals, and convenience of the occupants of the surrounding land.

Staff Finding: The proposed development is not anticipated to negatively impact the public health, safety and welfare of the community.

2. The traffic conditions and parking on adjacent streets and land and existing and proposed access roads.

Staff Finding: The proposed development is not anticipated to create negative off-site impacts to surrounding development and existing safe access to and from the site is already in place.

3. Its compatibility with adjacent land uses and impacts on surrounding property.

Staff Finding: The commercial development of the site is consistent and compatible with the existing commercial uses developed in this location.

4. Its compatibility with the community’s Comprehensive Plan and/or Land Use Plan.

Staff Finding: The proposed development is consistent with the City’s Comprehensive Plan and Future Land Use Map

5. Whether adequate utility, drainage and other such necessary facilities have been or can be provided.

Staff Finding: The site is fully developed and stormwater facilities are improved in the area.

Recommendation

Motion to approve the CUP request based upon the staff recommended Findings of Fact and with the following staff recommended conditions of approval:

1. There shall be no outdoor storage of HVAC products or contracting equipment permitted.
2. Conformity to all other applicable requirements of the Park Rapids City Code.

All commissioners agreed with the presented Findings of Fact and the two conditions.

A motion was made by Stone, seconded by Swanson, to recommend to the City Council approval of Conditional Use Permit for John Rowe to operate an HVAC business with no outside storage at 105 Grove Ave N, under Purchase Agreement from Lynette Guida, and located in a B-1 Highway Business District. PID#32.52.42911 with the following conditions:

1. There shall be no outdoor storage of HVAC products or contracting equipment permitted.
2. Conformity to all other applicable requirements of the Park Rapids City Code.

The vote was called.

The following Commissioners voted in favor: Stone, Swanson, Newman, Bradow, Hocking and Johnson.

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5B. Revocation of Conditional Use Permit for Josh Elsner, to Allow Operation of a Well Drilling Contractor and Manufactured Storage Shed Sales Lot in the B-1 Zoning District at 18154 169th Ave, owned by Dale A. Breitwaser. Resolution #2018-167 recorded on November 30, 2018 as Document #A000400429. PID#32.20.01450:

Mack explained the property is owned by Dale Breitwaser. What's happened here is that we approved a Conditional Use Permit and the operation has ceased in this location. The storage buildings have been moved across the street to the west and under the terms of the new ordinance, the City Council has already approved a Minor Amendment to the car dealership for Elk Creek Motors and those storage sheds are now moved across the street. The drilling operation equipment has all been removed from the site and the site is currently back to the status that it was before the CUP was approved in 2018. Based on Elsner's inability to comply with all the conditions of approval including bringing the signage into compliance with the ordinance and failure to clean up the site and develop the site as a commercial development and based on the fact that the operation has ceased I scheduled this for a hearing for revocation of the Conditional Use Permit and recommend that you make that motion. Mack stated he received a call from Elsner asking it be expressed that his primary operation is in Detroit Lakes and during 2019 he was really sick and unable to operate his business and acknowledged the fact that we are revoking his permit.

Mack recommended revocation of the Conditional Use Permit based on the fact the applicant has ceased operations and failure to comply with conditions of approval.

The Public Hearing was opened at 6:18 p.m. No comments.

The Public Hearing was closed at 6:18 p.m.

A motion was made by Swanson, seconded by Newman, to recommend to the City Council approval of Revocation of Conditional Use Permit for Josh Elsner, to Allow Operation of a Well Drilling Contractor and Manufactured Storage Shed Sales Lot in the B-1 Zoning District at 18154 169th Ave, owned by Dale A. Breitwaser. Resolution #2018-167 recorded on November 30, 2018 as Document #A000400429. PID#32.20.01450.

The vote was called.

The following Commissioners voted in favor: Swanson, Newman, Bradow, Stone, Hocking and Johnson.

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5C. Revocation of Conditional Use Permit for John and Bonnie Farrington, to Construct and Operate a Diesel Repair Center in the B-1 Highway Business District at 17255 State Highway 34 East, now owned by Rick Johanneck. The business never developed in this location. Resolution #2015-54 recorded on March 30, 2015 as Document #T000007210. PID#32.20.01420:

Mack explained the newly adopted ordinance for IUP and CUP we added a clause stating that if something isn't substantially started or begun improvement, a building permit, site grading, land preparation, we wanted to have an expiration clause in the ordinance. This is one prime example of something we approved and it never happened and it located elsewhere and we don't want a Conditional Use Permit standing out there for something that's not ever going to be done. Given the fact we are addressing the property in this location next to it tonight, I felt it was appropriate to add this issue also for revocation. The property has a new owner so it makes sense we would consider revoking this based on the fact that it was never developed according to the approved plan. Mack recommended approval of the revocation.

The Public Hearing was opened at 6:21 p.m. No comments.

The Public Hearing was closed at 6:21 p.m.

A motion was made by Stone, seconded by Johnson, to recommend to the City Council approval of Revocation of Conditional Use Permit for John and Bonnie Farrington, to Construct and Operate a Diesel Repair Center in the B-1 Highway Business District at 17255 State Highway 34 East, now owned by Rick Johanneck. The business never developed in this location. Resolution #2015-54 recorded on March 30, 2015 as Document #T000007210. PID#32.20.01420.

The vote was called.

The following Commissioners voted in favor: Stone, Johnson, Newman, Bradow, Swanson and Hocking.

The following Commissioners voted nay: None

The following Commissioners were absent: None
The motion passed.

6. INFORMATIONAL/DISCUSSION:

6A. Short Term Rental:

Mack deferred discussion to Chair Bradow. Bradow explained he attended the City Council meeting in which they provided some direction as they do want to see it as a permit and not an IUP or a CUP and they left us with that and we are to develop something we can use as a permitted process. Bradow stated this is not a public hearing so we are just having some discussion. Bradow referred to page 76 of the packet for discussion points.

Bradow asked for clarification as to the zoning districts for short term rentals being only in R-1, R-2 and R-3 if the City Council approved them? Mack stated actually short term rentals would be eligible anywhere where the dwelling is permitted in the city, anywhere a house or dwelling is permitted would be eligible. Bradow clarified so in any zoning district. Mack agreed.

Bradow explained we need to develop or give staff some guidance on what is to go into the permit application –

- Booking Platform vs. Local Agent;
- Enforcement;
- Permit eligibility and prohibition on non-conforming lots in the shoreland district with regard to lot size and width.
- Need for striking social gathering clause in deference to Booking Platform requirements/guest rules;
- Density limitations;

Bradow stated the reason defined as to what we are trying to accomplish here is this is a business going into a residential neighborhood for the most part and do we want to recommend to the City Council or does the Planning Commission feel there is a need to control the density of these short term rentals to protect the character of the residential neighborhoods. If we could get a feel for what the Planning Commission wants to do in that area.

Mack said I think you should also clarify the clear direction of the City Council in terms of the type of permit they would like to see recommended from this body which is a permitted use as opposed to an IUP and a public hearing for each case by case basis. Bradow stated I thought I made that clear but I will state that again. The City Council does not want to see an IUP or a CUP so there's a need for a case by case public hearing before the Planning Commission and a referral to the City Council. They want it to be an administrative permit issued by administration and enforced by administration.

Swanson asked why is it case by case? Bradow said there is no case by case. The City Council does not want that, they were pretty clear about that. They want a permitted process permitted by city staff. Swanson said so in the zoning matrix, this would be a P in all zones if there is a dwelling? Commissioners said yes.

Swanson asked so what we are discussing now is the Booking Platform vs. the Local Agent and these are things the City Council wants us to talk about to clarify

because there is not enough detail in what we presented and ultimately the density stuff? Bradow responded the discussion about the Booking Platform and so forth I think is from city staff to include in the permit application. Bradow said everyone is familiar with the commercial booking platforms – AirBnB and VRBO, that's what we are talking about when we say commercial platforms or maybe someone who owns one of these short term rentals they could do that but they would need to provide the same types of protections that the commercial platforms provide and there is an example on page 78 of the packet that talks about Party and Events Policy as of August 20, 2020. There was some discussion previously about short term rentals being party houses and I think Airbnb has come out on August 20th and just stated they are not going to support those types of activities with their booking platform. If someone is going to do their own private booking they need to come up with rules of the house so to speak and provide to city staff with the application.

Johnson said we talked about we would be permitting to these individually, would that be one of the items to review the application? I'm hearing two different things, I'm hearing yes that would be true and on the other hand I thought when Swanson asked for clarification about permitting process it would not be an individual basis, it would be a one size fits all application? Bradow responded there would be a one size fits all application for the permit and this would be part of that application. For instance, the question might be who is your booking platform and the applicant would state who they are using, VRBO, Airbnb, etc. Johnson stated he understands.

Bradow stated - the enforcement mechanism for the permit would be the lodging tax report verification and tax payment; permit revocation or restrictions on the renewal and the evaluation period would be for the first three quarters and if there was no activity for the first three quarters and no extenuating circumstances the permit would be subject to nonrenewal. Extenuating circumstances might be family health issues or something on a personal nature as to why they couldn't operate the short term rental so they just couldn't sit there with the permit and not use it. Johnson asked remodeling? Bradow said that would probably be a valid reason. That would be part of the administrative permit process. Any questions? There were no questions.

Bradow said permit eligibility – when I was talking with Mack I just threw this out and I don't have any thoughts one way or another about prohibiting short term rentals being on nonconforming lots. Mack added – we did have some limitations based on the shoreland in both drafts of the ordinance presented to the council from this commission and the shoreland area created a further restriction on how many off street parking spaces would be allowed associated with the use just specifically in the shoreland area so I think Bradow's concern had more to do with not necessarily the fact that the use would relate to the same concerns we would normally have entertaining a variance for substandard lot size so that's more height, bulk setback where this is more of a specific use of some existing developed property and I suggested the bigger concern was not so much on those type of factors as related to use as related to behavior and more specifically parking behavior. If a site is being over parked that's a disruption in the neighborhood. I felt that we would have very specific provisions in place which we did have in the draft that restricted the number of occupied people for the property based upon the ability to provide proper size of sleeping rooms as well as parking spaces so if we are allowing up to three parking spaces on the street as an increased restriction to our code which is part of the proposal – 1. We should be looking at that city wide and not just shoreland so that we're not further disrupting all neighborhoods in the community so that's one consideration. 2. The second consideration is we can do an evaluation on a case by case basis for each site and let's say we have two spaces in a

garage, four spaces in the driveway, and three on street, then we are up to 9; well the site might only be licensed for three bedrooms x 2 occupants per bedroom so are we really expecting that we would overpark the site if the bedroom space is only occupiable up to a certain number. On page 80 of the packet it lists that gathering of more than 16 people at single family homes are not allowed, regardless of host authorization. We are going to know right away if we are having a street overparked and we are crowding it up with cars, that's cause for complaint and chances are pretty good we will get a complaint from a neighbor that says there is a party going on at this house and that would happen whether it is a short term rental or just a party in the neighborhood for any reason so we would get a call and can immediately determine based on the rules for the site who's registered guests, what are their vehicles, color, license plate number and has to be listed on the guest registry on site as part of their house rules that we are putting in the draft ordinance. I think the concern over substandard lot size is not appropriate and we should be more focused on the parking. Bradow asked for comments or questions from the commissioners? Swanson said if this is permit based does that take the administrative staff to go to every site before giving the permit and looking at it – two in the garage, four in the driveway and then reducing it per – so where's the math, how do you come up with a number per site for that? Stone asked isn't it based on the number of bedrooms? Mack said it would be based on the number of bedrooms and it would also identify as part of the application how many off street parking spaces are available which I can post of the time calculate that from the office on the computer but we do have to go to the site because they have to be licensed rentals so we do have to inspect all of the bedrooms for smoke detectors and other life safety factors and all of our code requirements under the rental licensing, we do have to go to the site and we will make sure whatever information in the rental licensing inspection form is not captured. We have over 900 dwelling units that are licensed rentals in the community so nearly half the housing units in the city are licensed rentals. We will have far fewer for this so we will deal with these and that will be part of their permit fee on an annual basis. That recommendation was an annual permit fee of \$100 for short term rentals and that is above and beyond the \$55.00 three-year rental licensing fee. Swanson said so in a sense it isn't one size fits all, the application will have those questions on there and you will mold the permit based on parking and room size? Mack said correct.

Stone asked the parking would have to be identifiable parking on site, garage spaces, they couldn't use the yard as a parking space? Mack said we don't currently restrict that in the code when it comes to any parking in the grass in the community but specifically, we will write it into this code so it must be an approved parking surface which will either be class V or pavement, an impervious surface. Stone said okay.

Bradow asked if the commissioners have any further suggestions for staff on enforcement? We had talked about after so many complaints or infractions, that the permit could be non-renewable, any interest in that? The commissioners agreed that should stay in the ordinance. Johnson agreed, I think the enforcement part takes care of itself.

Bradow said let's talk about the density limitations. The term we are using is the linear street density controls for dual city wide standard with no buffer or spacing separation requirements. The intent is to limit the additional traffic for all streets. The map that is attached on page 77 of the packet is for the East River Drive neighborhood. One annual permit for this document says 1200 feet and I'm going to propose 1500 feet. Lineal street frontage is measured from the parcel boundary as defined with East River Drive Neighborhood Boundary Study. In the balance of the city limits one permit per 600

lineal street footage, which is a city block. There is an addendum dated today for Short Term Rental Density Analysis – Five Street Dead End/Singular Access Neighborhood.

Mack interjected one of the reasons there was discussion between the chair and I on a dual standard for city vs. this particular study area and of course as you see on the screen there are six different streets in this neighborhood. The reason this neighborhood differs from the rest of the city is there is that as we look at the primary entrance to this neighborhood – East River Drive and Central Avenue North at the corner of Summerfield all the way back into Bear Path and Mud Lake this is essentially a one way in and one way out development area. Trail Drive is projected some day to possibly to extend up to East Bay Drive as a part of the future phase of Baywoods Development. Baywoods Development was excluded from this study area because their private covenants as researched were not permitted at all within this housing development. There are covenants and restrictions as part of this organization and there is no interest in changing that based upon my discussion with the president of that organization. The area of future extension of Trail Drive to East Bay Drive is part of a future phase and there is no development and there never was a road improved there so we literally have this large 173 acre area of the community with a dead end – one way in and one way out. It is literally the longest cul-de-sac in the city. By adding Bear Path Drive 835 lineal feet; East River Drive 5,585 lineal feet, it's literally nearly a 6,500 foot lineal dead end cul-de-sac street within the community. There is a distinct difference in this area vs. the entire rest of the city so that is a pretty good justification as a part of this study why I am coming forward with a suggestion for addressing this difficult issue of density controls for a neighborhood vs. the rest of the city. The rest of the city looking at any lineal block along the community there are two ways in and out and there's T's at the end of the road or a gridiron street pattern with a lot of through movements and intersecting streets so there again the reason for suggesting they be looked at in two different ways with two different standards. I believe fully justifiable based on sound planning rationale and practices.

Bradow stated he and Johnson had a discussion about that earlier today. Bradow asked Johnson if he had any comments he wants to make about this proposal or this idea? Bradow asked do you still feel it is a problem? Johnson said I do. I'm kind of curious, I can't see your audience out there. Are you eliciting public comment because other people may have other valid points of view? To answer your question, it sounds to me like we've picked one particular neighborhood and well I would say that neighborhood is probably the most likely to be affected by this, it's not the only neighborhood that could be affected by this because the properties that back up to the Heartland Trail etc. will also be desirable targets for someone looking to purchase a VRBO. I respect the option that you and Mack developed with a dual set up but I think it is very complicated in my mind to try and understand all the nuances of it. It seems to me if we return to where we were at the very beginning and had borders or put buffers or some other agreeable distance for that buffer, the only thing that made that become an argument was the real estate community felt that there selling properties was being infringed upon I think. Maybe there's another reason I'm forgetting and Swanson may be able to tell me what other reason there might be for not going with a buffer. The buffer seems to me to be simple, straight forward and I understand that there needs to be three criteria with any standard that we take – 1. That it is identifiable. 2. That it is quantifiable. 3. That it is adjustable. If you have a buffer of 400 feet its certainly adjustable at a meeting like we are having now. It's quantifiable because it's pretty easy to take a scale and look at 400 feet from a property boundary and say we are in or out of that area and it's identifiable because when you talk about this 400 foot boundary from the property line it's pretty easy and most layman can understand what you're

talking about. We don't lock our selves into more than one type of property and neighborhood. I was giving this some more thought and a way to compromise on it and I came up with this idea. How about if we go back to buffer and still get the permitting but go to a two year review of the policy. So put a 400 foot buffer on it and come back in two years and see if that's causing us problems or not. That would be plenty of time for the community to give input. Airbnb just filed an IPO, this is something that we need to get in front of and not react to.

Bradow commented on the buffering and Stone can either confirm or attest to this, the City Council made it pretty clear they were not going to support buffering. Bradow asked Stone if that is what she was hearing? Stone said that seems to be the general consensus. I think because when you establish a buffer you take one property that's a VRBO so now the next VRBO possibility has to be 400 feet away in any direction, correct? Bradow said yes. Johnson interjected that might be an area where you fine tune it because there could be exceptional properties where you've got a curve around a swamp or something like that where you've got to review it and say hey wait you've got an exception. I think exceptions can be tricky but not impossible. Stone responded because of those types of things we have decided an IUP wouldn't be the best, that's the struggle, so how do you make the exception? Then we get into this discussion of precedence and what do we do? Johnson said that's what we do every day.

Bradow stated the City Council made it pretty clear to me that they really were not interested in entertaining anything with buffering. Johnson said I spoke to a city council member who said that was not the case, that they simply hadn't really discussed it and then really the target became this issue of doing the permitting but that buffering really wasn't described by the council and that they are not opposed to reviewing that. We just have to hand them something.

Mack said I think I can clearly state from staff's perspective that I heard the city council say they were pretty clear on the permitting process being administrative but when it came to addressing the density control whether it be buffering or density they felt that they were remanding that back to this body to come up with the best recommendation you can provide to the council without the ability to really give you any clear direction. They wanted you to make your final recommendation. They were just clear about the need for an administrative process for the permit and not an IUP.

Bradow asked Johnson how many units would we allow in this area then, have you calculated that out? Johnson said he has not calculated that out because I'm just trying and pounding my brain if there was another option. Is there a better option than what we've come up with? I just strongly feel that buffer is the best we've got and we can adopt it, get it in there, and then in the future, say within two years, we look and see how it was going, we can modify it or not modify it. Maybe everybody can live with it. We haven't really gotten anywhere. Everybody seemed to be on board with this whole thing and I recall that we basically approved the whole thing until all of a sudden the real estate community got involved and we started down this other path. Maybe somebody in your audience has another option. It's like we may need more brain power on this.

Swanson said to clarify, we don't know that the real estate, I came in after a lot of front work on this and this was a sticking point for me from the beginning but I was learning and I was new so the real estate community kind of came behind that. First, I appreciate the work that has been done on this. I'm not opposed to density control and this linear street frontage makes sense to me. I think when you look at an area like this you're looking at traffic especially when there's one way in and one way out in a long

cul-de-sac. It makes sense to limit how many of these properties are allowed to do that. I have a problem with one person getting it and their neighbors not being able to. I think it's a legal nightmare and I think that it doesn't allow and I don't see the concern as much if we say there's four allowed than there's four available. I mean how many liquor stores can you have in the area? There's a limit but if they want to be next door they can be next door. I don't see how the impact changes. I think what turns into neighbor concerns which then gives us I'm going to get this so my neighbor can't. I just think that's a legal nightmare. I like what I'm seeing here with this, it totally makes sense to me, it's a really good compromise.

Stone said that's my concern too is who gets it? I mean we can all say that you're not going to have the permit, you have to be a member of the Airbnb or whichever one you choose and you have to rent out and submit your forms. If I'm really adamant about not having the person on either side of me get the Airbnb and it's only \$100 and I just have to jump through a few hoops every year to maintain my license, people will do that. Where's the starting point, who gets to be first? Because whoever gets to be first determines thereafter every 500 feet whether or not they are eligible, does that make sense? I mean somebody gets the permit first and then every 500 feet after that the next person is eligible, I don't think that's fair.

Johnson said I think if you look at the other side of that coin is if you look at the other method of density with linear density, that's all well and good so long as you're not the little old lady who lives on the street, who has lived there for 50 years and now she has four VRBO's in her neighborhood if they happen to all be congregated in one spot.

Stone asked so do we put two measures in place – something along the lines of linear street footage and one parcel between, they can't be right next door to each other?

Swanson said getting back to if we do the buffering thing but then every property has a, well let's look at this property because it's different because there's a swamp in between there. We start playing these, like Johnson originally said, this is too confusing, that sounds really confusing when we start doing that and like adding all these other things. I think taking a specific area and saying there are six available, I mean I think we are being super fearful that six of them are going to end up in the same 500 feet. I just don't see it being people buying properties to do this. I see it as home owners looking for an opportunity to winter or things that they want to do with their second home but there are homeowners in our area that have chosen Park Rapids. They love our community, they want to support our businesses and I think those types of restrictions are unrealistic.

Bradow asked Hocking and Newman for their thoughts.

Hocking said from looking at the map and going by the linear footage and allowing four short term rentals on the two streets, how many parcels are we talking about in that area? We've got 16 parcels and we're only allowing four in those two streets? That's where I'm looking at, that would be some of my question into that lineal footage thing if we are only talking about 16 in one quarter of them I don't see that's there too much of issue in them. You still have a one in four chance of getting your name on this list. But if we are talking if there are six houses in this four short term rentals then you're going to be talking of crowding of your streets because those streets back there are pretty narrow and pretty tight. That's what my aspect or what my question would be what are we looking at in these aspects?

Swanson said I think most of us can see that there's more than 16 parcels and homes so personally, I think the number could be higher but I don't have a problem starting here and compromising here because especially what Mack said, it's a cul-de-sac, it's a deadend. I respect the traffic change that this neighborhood specially has, but I agree with you I think it should be higher and if it is something that isn't a problem in two years it can get readdressed and we can up it a little bit. I don't know if it works that way either.

Bradow said this formula is easily adjustable. We could change the 1500 to 1200 and there could be eight. If you change it to 1,000 it allows you ten. It's easily adjustable, with hey we need more density here, we need more of these short term rentals here. The formula is very easily adjustable.

Hocking said you two gentlemen are in that area and are familiar with it. If that's something, as this sits, we are not out anything right now. If we need to come back in two years and reevaluate it this and say hey we've had 15 people come in and ask for this in that area, let's readjust or revisit if we are having more of a need or less of a need. We're not tying ourselves down to 400 feet if you've got to go around a swamp to adjust that 400 feet, it's not applicable in my book or however you want to say that. I feel this a better route to go and readjust in two years if we want to say two years or whatever the numbers are coming back to us or to the city asking for short term rentals in that area.

Swanson said if increased requests and then if administrators feel that we need to reevaluate this then it comes before us again. Hocking said correct. Swanson said if we look at it and say no actually it's been a problem where you can see where the traffic has been an issue there then we keep it where it's at or bump it up or if it's too much, we bump it down.

Bradow asked Newman what she thinks? Newman responded if we are just talking on East River Drive area it's fine, now we're talking the whole city so are we going to have one plan or two plans? Bradow said there are two plans as identified right here. Newman said okay this would be fine.

Bradow said there are several people in the audience and advised them this is not a public hearing but asked if there is anybody that wants to make a comment on what we're discussing here? If you do, come up to the microphone, state your name and make your comment.

Joe Markell introduced himself and said he lives at 338 East River Drive. I have talked to seven of my neighbors. Six of them including myself live on East River Drive and one lives across the street from East River Drive and one lives on Mud Lake but it is still in the city limits. I've got a couple of documents here and you were talking about density, this one is from Palm Springs which I would like to give you. It talks about like a studio or one bedroom and they are only allowed one vehicle. Palm Springs has probably been doing this a lot longer than we have and I would like to give you that. It also talks about the fines and a number to call if there are problems relating to the property. The other one is from St. Paul. When I talked to my neighbors there are five things that they've come up with: dogs barking or unleashed; limit the amount of guests, vehicles and trailers; noise limits – like in Palm Springs after 10:00 you can't have anything amplified; and then fines on owners for multiple complaints and police visits

and also garbage in the yard. Would you like the documents from St. Paul and Palm Springs?

Marie Knutson stated she lives at 336 East River Drive. One of the big concerns I keep hearing is about the traffic. I live on one dead end and the other dead end goes this way. We already have people that turn around there because they don't know, they go up the other side, they turn around they come back down. I have two little kids, we ride our bikes right out in front and if people are coming to get to this property on East River Drive you know if they come and they are frustrated and they go too fast which I've seen. It's going to really increase the traffic in that area. I don't know as much about the rest of the locations. I do know there is one way in and one way out and when people get frustrated, they go faster and they turn around and anyway I think it has the potential to really hurt that neighborhood. Thank you.

Shaun Johnson stated she lives on East River Drive as well. One thing that concerned me is you said three violations and you would maybe not renew their license. I pulled the code for Detroit Lakes and tried to pull it for Bemidji and they don't allow them in the City of Bemidji. Three violations in most of the neighboring cities deal with pulling the license. I would ask that at least be added in there to rectify the situation or to pull the license. The thing that kind of concerned me listening to this being unfair about who can get a license and who can't and that neighbors would get a license so that someone next to them couldn't get a rental but yet you said that if they are not using it in three quarters that they wouldn't be able to activate it so I guess that's confusing on my part where that concern is if a neighbor gets it or not. Most of these have a maximum of two guests per bedroom with a max of ten people for a five bedroom home. They put a minimum spacing of like 350 feet so I mean a saturation plan or whatever. They go 350 feet either direction from whatever property line in between these. I worry about because Bemidji did conduct a study about how this affects them because they did have quite a few rentals and they conducted a study that went from 2017 to the spring of 2018 and what they found out was it decreased the value of the homes in many situations and that's why the City of Bemidji doesn't have them and the northern township in the area also doesn't have it. They had so many complaints about noise and parking. They don't allow, it's one space of parking per bedroom so if you have a five bedroom house, many of our city lots, I like the fact you are on gravel or pavers as many times they are parking on grass. Another thing I would like to have added is recreational vehicles and tents. The fourth of July I might have a lot of family up, it's one, maybe two weekends in the summer I have that sort of thing. If I had to look at that sort of thing every week, I would have a problem with my neighbors so I would hope that would be added in there as well. I think you really need to look at being more clear about some of these areas, especially in my neighborhood with one outlet. I think if you don't put some parameters in for other areas in this town to me if I looked at this and didn't live in this area I would feel discriminated against and not protected. So you want to talk about discrimination and feeling like we are opening ourselves up for a legal issue. I think you will. If you don't have something more clear about the density in all neighborhoods and not say you can have four right here all in a row. I would hope that you either take out the word buffer and put spacing however it is in neighboring counties that do it, that seemed to work out well and it mitigated a lot of problems that they were having. Bradow asked what kind of problems were they having? Shaun Johnson said noise, traffic, complaints like that. The police were constantly being called out for noise complaints.

Bradow encouraged everyone to look at Airbnb.com Party and Events Policy. That addresses a lot of concerns that you have all talked about here tonight with respect to

how many people can be in the home, unauthorized parties, how to handle parties are they authorized or not; open invite parties or events; reporting disruptions, neighborhood support group with phone numbers. Shaun Johnson said she has rented from several VRBO's and Airbnb's. Bradow said this is new on August 20th, 2020, brand new so if you haven't taken a look at it since then, take a look at the parties and events policy. Shaun Johnson said so you are requiring them to have a VRBO? Stone said yes. Shaun Johnson asked so if they don't use that platform they don't get a permit? Stone said yes, they have to be registered with a platform. Bradow added with a platform or if they choose to do their own then they have to develop their own plan like the commercial platform and without it they get no permit. Shaun Johnson asked if they have three complaints, then the VRBO is done? Bradow said the permit is not renewed. Shaun Johnson said so that's my problem too, not renewed, what if it comes due, how long is the permit, a year, two years? Bradow stated one year. Shaun Johnson said so every year everybody has to go out there, whoever is taking care of it and look at this, okay. I have to say that if I had three complaints within three months. Bradow said they would have a problem with the commercial booking platform and they would lose their insurance, that's going to cause them a financial hardship. Stone said that's one of the requirements? Bradow said they would lose their booking platform according to the contract that they signed with the commercial booker.

Mack interjected he wanted to clarify one of the statements made about not being renewed. If there are three complaints, the draft ordinance, the way it was drafted in both versions, it would then be subject to review by the Planning Commission and the City Council immediately for revocation, not for nonrenewal, for revocation.

Joe Markell asked what about fines? Mack said fines would only apply, we did not adopt administrative fines as the city so we aren't able to do that. All we can do is write a citation and they would go to court if the police write a ticket for noise. The draft ordinance has restriction at 9:00 p.m. for loud noise. Between the hours of 9:00 p.m. and 8:00 a.m., no loud noise. Stone asked that follows the city policy right? Mack said correct, under our nuisance ordinance. It's clearly stated in this draft ordinance. Swanson said I think the reason the verbiage is review, if it is complaint based and you just have a neighbor that complains and it isn't substantiated, you know you've got that situation too. So three complaints so it's going to be reviewed and if legitimate complaints then there is a serious problem and it's revocation. Bradow added once a complaint is registered with the commercial booker, they will follow up on that complaint with the host and they will take appropriate action or respond to that complaint.

Swanson said so with VRBO and Airbnb, if they get three complaints they lose their booking agent and if they get three complaints with us they are revoked. Stone added and if they don't have a booking agent they can't have a permit. Markell said they can advertise in the paper. Bradow said if they don't have a booking agent they have to provide all the information with respect to what we have in this packet on page 78-80 so they basically have to provide the same thing as a booking agent. They've got to provide their rules of the house and their insurance, which the commercial booking agent provides when it is being occupied.

Markell asked if they have one bathroom and five bedrooms, they can? Bradow said I don't know if that's going to pass the rental code. Stone said right. Markell said that would be evaluated. Bradow said it has to pass the city rental code for safety and so forth.

Bruce Johnson said he has another suggestion. I had another thought while this discussion was up and regarding ATV's and that sort of thing, we hadn't talked about that and one strong reason for having these short term rentals is a bad idea is that most of them are going to come in the summer and turning over a new two or three boats at each residence, that puts our aquatic species situation into the spotlight because when I put my boat there that boat doesn't that boat may go to another lake or two but now you're talking about changing them out once a week and the chance of bringing in something or another and we already had that happen with the Chinese stripped snails that are everywhere and the DNR is powerless to do anything about it. One more reason I think getting out front and reducing the number of these things in our community is a good idea.

Bradow asked how do you propose we address that Bruce? Johnson responded by limiting the number of short term rental properties we have in the city. The county is probably going to take whatever we do and follow on with it and probably come up with some new ideas. Because of this growing industry, things like that just don't get considered until they're a problem and once they're a problem, it's too late. That's why I think having, okay if we take the word buffer off and add space or change it to whatever, basically, it's still a buffer. To me that seems that if we modify that number from 400 to 300 or whatever, I think that's still better than, like Shaun said, when you mark it down as East River Drive is the only place that's affected, you've created a discriminatory situation. Do you not agree with that? Bradow said I disagree with that, I spoke with some legal counsel on that and the way this is drafted, we are not redlining or we are not chopping the neighborhood, this has nothing to do with discrimination. This is strictly control of traffic. It's not discriminating against anybody or anything else. It is limiting the amount of wheels we put down this road. There is no discrimination involved. We are not isolating any individual or group of individuals. We are strictly limiting the type of occupancy that can go into these neighborhoods. Johnson said I think the public will take that all to heart and pass it onto the Planning Commission Members so that when we come to vote on it at the next meeting, we can come to a conclusion that makes sense for everybody. Maybe there is a new idea in there somewhere that we haven't thought of. Bradow advised I guess that is what we are here for tonight is to get these ideas out on the table so we can move this ball forward.

Hocking said he is going to ask for clarification, if these people do apply for a short term rental, does that change the status of their property from residential to commercial or does it stay with that and it's just in the confines that we change it to the R-1, R-2? Bradow asked are you speaking of tax basis? Hocking said yes. Bradow said that is going to be up to the county, I don't know the answer to that.

Mack said currently the practice is if it is seasonal recreational if the owner has a tax statement mailed elsewhere, that means they have a permanent residence elsewhere and this is seasonal recreational. That's a tax use classification that county assessors currently use or non homestead. There was a bill this past session in the state legislature in 2020 that addressed creating a new tax use classification for statewide assessing practices. That bill was not passed. When I reached out to the county offices on this thing that the Planning Commission asked me to do they indicated that they were waiting and looking at what was going to happen at the state legislature on this because it was going to substantially change that equation to more of a commercial status of the property. It would have substantially jumped up the property taxes on individual properties based upon other assessing evaluation criteria. But that was one substantial change. It would have been uniform statewide on that basis but that didn't happen. Since that time, within the last month or so, the county has now taken the

subject up and they are looking at other standards from the direction of their county board. I did mention this to the council at their last meeting and there was a reluctance for me to reach out further to find out what they are doing. So, in other words, the direction from the council, at least from one or two members was not to worry about what the county is doing and we should focus on the city's needs and there was some concern that the county may even be more restrictive than what the city is considering doing. I don't know which way that will go but at least in terms of that answer on the taxing, I hope that was clear and helpful.

Hocking said the reason of my questioning that is that some of this might take care of itself if they did go to that form of charging them a commercial rate rather than a residential rate because some of these people may not be making enough on these short term rentals to justify their own self going to that was my only question. That's why I asked that question. This might take care of itself if that was the case.

Swanson said he and Mack had a conversation about it too and whether changing the tax classification or not, like having that permit does put more restriction on you living in your home. So if you have a private party and have too many cars there. Now you're getting neighbors complaints. Hocking said I understand that part of it also.

Bradow asked for any other comments or input from the public that we should be considering? Bradow asked Mack if he was looking for some direction on this. Mack said he doesn't feel he has it yet at this point.

Swanson asked with the 400 to 500 foot buffering originally proposed, how many VRBO's or short term rentals would have been able to have been in the East River Drive acreage? Mack said that's a good question. Swanson said I feel like we are actually less. Mack said I think we are a little bit less. I didn't do it precisely. Bradow said the answer to that is nine. Mack agreed. Bradow said he started out with a conservative number and like I say this formula that everybody sees tonight and that we are discussing is easily adjustable and my feeling is I don't think the street lineal footage is going to increase or decrease, that's pretty static. Mack said the other thing he would like to mention is along that corridor that you referenced which would be Bear Path and East River Drive out of the proposed allowance for four, we already have two. Bradow asked so that would leave room for two more in that corridor and the other two would go towards the other streets? Mack said assuming that the other two would want to come in and obtain a permit. I would assume that they would want to. Bradow said based upon the ownership of them I think they will because they are not local residents for ownership.

Swanson said in my opinion I think you guys did a great job with this, it's actually reducing the number but it's removing that if your neighbor has it you can't. I would still propose it goes up a little more just even the East River Drive area and four, those surrounding areas at the point, I mean how much will we really see in that. If it was nine, I think six, we've got two right now, but again I'm totally up for the discussion. I think this is a really good compromise and it does a good job reducing traffic and isn't just an open ended free for all.

Bradow asked do we want to give Mack some things to start drafting, what about the permit, what do we want to see in the permit? Mack said the other thing I heard tonight from the audience that really isn't addressed in the current ordinance had to do with like trailers and recreational vehicle things, boats, that's not in there. I didn't see the need for it. It wasn't part of the Two Harbors model that we followed. They certainly

have a lot of that stuff there too with trails and boating. In fact all twelve cities that we did the study analysis on have all similar characteristics as we have here. They didn't address those things. I don't know that I see a compelling need for it but that might be something to still consider. Swanson said yes, living in that area it is something you see more and that makes it a challenge for me because we are a recreational area. We are right by the Heartland Trail and if I want to hop on my snowmobile and drive down to East River Drive to get on the trail I could do so. So why wouldn't they be able to? But the behavior and how it's used is different so I wouldn't know how to write it but I can see where that's a concern when there are side by side razors running down the city street and that's not typically the behavior in your neighborhood. Stone added they should be limited by the fact that they have to have a permit to run it in the city limits and if they don't, correct? Mack said that is true, they do have to have that but of course if they are right along the Heartland Trail, you really can't take those things on there, you have to go to an approved trail location. We are actually working on that under the Parks Board Parks and Trail Master Plan right now. We just attended two meetings within the last month addressing the mapping and changing some of those in town connections to get out to the trail system or being out on the trail system and come back into town. But the way we would do it and I think Mrs. Johnson articulated the concern that wasn't brought up before, you would just put a straight out number of how many trailers can be parked either in the parking spaces or the street and not on the grass as a part of this STR and that's not written in the code and would be pretty easy if you want to add that just let me know.

Johnson said I think that's physical because everyone in Park Rapids parks trailers on the grass. I think that's perhaps getting to the point of being unfair to the tourists that are coming to town to spend dollars if that is in fact what they do. It seems like they go to Cub Foods before they get out of town but they do put some dollars into the economy. I'm more concerned about the invasive species than parking trailers on the grass but virtually having one of these down the road from me I do basically see every vehicle that goes to the VRBO that I'm thinking of pulling trailers.

Bradow asked do we want to give Mack any direction, do we want some language about trailers? Stone said I'm a little confused on trailer concern, it's legitimate but there's boats being launched every single day from all over the place. Shaun Johnson said that the trailer was more of an RV type thing and a tent, RV's campers and tents. Stone asked is that what they meant, okay sorry. Shaun Johnson said I think an RV in a neighbor's yard blocking your view sometimes is something that should be added maybe. Bradow stated he doesn't think a commercial platform is going to allow that. Swanson said I think what we already have in there doesn't allow for putting a motorhome on the property while you are short term renting it. Stone asked so you couldn't put a motorhome or a camper to add more living space it's already limited like if you have a four bedroom home. Johnson said those rules are already in the VRBO stuff. I go to Florida and stay in VRBO's and they all say that. Bradow agreed. Stone asked about tenting? Mack said again with the rental licensing we're going to license this property for so many occupants and that will translate into the short term rental permit. I would have to go back and look I don't remember writing in restrictions. We would allow two weeks I think anywhere in the city I think up to two weeks for someone to bring a camper into the yard and have a guest for up to two weeks before it becomes a nuisance or a violation under the city code. So we do have some overlapping controls there but these typically are not two week durations. These are weekends and I mean to have a tent on the property. If you go to packet page 80 if there is some guests as part of this other deal let's say it's licensed up to eight people and they put an eight room tent, that would be up to 16 under this policy on page 80 of the packet for no more than

16 people in a single family home regardless of the host authorization. So that wouldn't preclude an RV unless we specifically add that language in here. Thanks for the clarification as we were talking about different kinds of trailers and motor homes.

Johnson said when a VRBO is set up by the owner the owner will dictate how many people can stay there and they don't care if you want to put half of them in a tent or if you want to put all of them in the house they are limited to a certain number of bodies. If they are going up north and they want to set a tent up in the front yard and let the kids sleep in the tent one night you know, we shouldn't be restricting that kind of thing. Like I said, it's already taken care of in the VRBO language. If you look at one of these contracts, just go to VRBO.com and pretend you're a renter and take one particular property and look at the rules and pretty much all the questions you are asking about are addressed in there. Bradow agreed.

Bradow asked Mack if he has some clear ideas on how to draft the permit? Mack said I do but I am not clear on the density control, I'm not seeing the clear direction of the Planning Commission.

Bradow asked for a straw poll on the two ideas – the buffering idea or five street dead end singular access neighborhood proposal here.

Johnson said I wasn't clear on what you said if we do it plan A vs. plan B, what is the difference in density that would be allowed in the East River Drive neighborhood? Bradow said plan A and B, I didn't follow you there? Johnson said let's say plan A is the buffering plan and plan B is your linear footage plan, if you are looking at both of those, with linear footage, how many potential VRBO's could there be in the East River Drive area vs. if you went with say a 400 foot or a 300 foot buffer, obviously that's going to make a 25% difference. What would the number of units be allowed in the same space be? Bradow said the number of units in East River Drive/Bear Path are four. The number under the buffering proposal at 500 feet is nine. So it would even be a greater number with a 300 foot buffer. Johnson said so you're talking about being more restrictive not less restrictive by going to the linear footage vs. the spacing. Bradow said yes, to begin with right now it is very conservative, yes. Johnson said okay. Bradow added there are already two existing that we know of on East River Drive and Bear Path so that would allow for two more new permits.

Mack said based on these calculations as part of this table, it is very easy to do the math and figure out. Bradow said it is very simple, we designed it extremely simple, it's sixth grade math, it's easy to adjust. The lineal footage is not going to change.

Stone questioned but with plan A the buffer and plan B the lineal footage, with plan B lineal footage, that allows for more flexibility in placement though? Bradow said yes, you can put them anywhere you want. The theory being there is I'm not concerned about the party house.

Johnson said how does that less or more likely to have a lawsuit form than the buffering idea? The issue is the same, if you got one you're suing me because I was there first which was the issue that was raised about buffering, it's the same the way I see it. I guess I shouldn't complain if it is more restrictive but I'm not looking at it as an individual, I'm trying to be that little old lady down at the end of the road where there are four VRBO's within 100 feet of me. She is the one who is getting taken in this whole thing. With buffering they are spaced out so there's a good space between each one. Johnson said maybe it's the wrong term by using the word buffer. Bradow said let's put

the word spacing in there and take a head count and see what this commission feels more comfortable in pushing through or recommending to the city council. Stone said with lineal footage there is no starting point, to me with spacing or buffering or whatever you want to call it it's a starting point, to me whoever gets the first permit basis the starting point for every permit request thereafter. So are we going to start with the one already in existence down at the end of Bear Path and count 400 feet, you know, where do we start? That's why I do like the lineal footage approach. Bradow stated the person Johnson is speaking of where you don't want them sandwiched in, there's a possibility there might be one on the other side of her but the spacing wouldn't allow the other one, but she would at least have one there possibility at the very least, unless she owned lots on either side of her. Johnson said I guess I can support either idea, I just want to make sure we're making the best decision for all the residents affected and recognizing it's not just that one neighborhood although there aren't many neighborhoods where there is one way in and one out, there are a lot of other corners of town that at some point might be affected by this. I just want to get out in front of it.

Stone stated she thinks the lineal footage is a good place to start and in conversations with Mack it sounds like as we go forward there is always the possibility of identifying areas of the city where we could allow more with lineal footage and areas where we wouldn't allow as many with the area that we are talking about. We are not going to change that but if we have a larger area in the city that is more spread out we might want to reduce, increase the number or reduce the lineal footage. Bradow said the lineal footage is in fact reduced from the rest of the city, it's only 660 vs. 1500 so there is a different standard there and its more than half of less than what we are talking about in this short term rental density analysis.

Hocking said so this short term rental density is based upon that one way in and one way out? Bradow said exactly that, the rest of the community is based on 660 foot more, a standard city block. You will notice that on page 76 #2 The balance of the community is 600 lineal feet. Hocking said he read that but wasn't totally understanding. Stone agree. Bradow said we have this higher standard for this area is because of one way in and one way out. Stone said so term dual city wide is two different, got yah. Bradow said yes. Hocking agreed.

Bradow called for a head count – A is the spacing that Johnson has been talking about and B is the lineal foot method. Bradow said this is nonbinding by the way. Johnson said A. All other commissions said B.

Swanson said he would make a recommendation to go to 1200 feet instead of 1500 feet but I could be open for discussion. Just again because it's putting two down the road who might not get them so we already have two on East River Drive. I still think that's very limiting. I don't see why going up two more would be too much to go but I understand concerns. Bradow said I thought about that as well and let's look at the number of bedrooms we're going to be talking about and lets assume the worst case scenario there's one car per bedroom and lets take the normal scenario of its probably husband and wife will stay in one bedroom and kids might stay in another bedroom so that's still one car right? So how many do we have with four of them here, I know there are seven on the very end and three so there are already ten already in place. Let's assume the other two are three bedrooms so now we've got 16 bedrooms, half of them best case scenario we've got eight cars going in and out of there however often they turn over. Now with those four units, we've got housekeeping staff which is another car and we have outside lawn keeping, that's another car x four so that's another eight set of wheels going down the road. Now we've got 16 wheels going down that road every

week. Swanson asked and how many would we have if people were living in those places. Bradow said we wouldn't have the housekeeping or the lawn keeping. Swanson said you could have the lawn care, two or three bedroom, husband and wife living there so they're not sharing a car, you have a plus it's rational. Bradow stated his point is there would be more cars vs. home owner occupied. Bradow said not everybody is going to have a maid coming in every week although my wife would like to. Swanson said so when the maid is coming in if somebody was living there that's one person coming in instead of husband and wife driving down the road, so the opposite argument of this is you could honestly net zero, maybe a little, per place but if I think of myself and my traffic, that's two cars, there's a guy that comes and does my lawn twice a week but we don't have a maid, but hopefully someday. The difference between us and if I was renting it out it's a four bedroom so let's say it was two families and four cars, and then that same car doing lawn care, if it goes up one car per property I don't see that as any different, starting from zero to 16 I see that we have to subtract if somebody was living on the property to really look at the increase of traffic over the regular traffic if someone was living there. Hocking said your lawncare is once a week and a maid is maybe twice a week compared to the family driving every day so the likelihood of them being rented out solid from January to December is probably not likely. Bradow agreed. Hocking said so compared to the family that lives down there every day of the week your numbers could be a little bit less or could be a little bit more depending on how much and what. Bradow said that is best case scenario, how about if you get three couples that stay in a three bedroom? Now they drive three cars now we don't have two cars or one car. Hocking said you also have the potentiality of husband and wife and two kids in school that have two cars. Bradow said in any case I think you're putting more wheels down the road. Hocking agreed.

Johnson said he would certainly not be in favor of increasing that density in any way shape or form in either case because when those people come here they're lost and just like that neighbor said who lived I think on Trail Drive or where ever it was she lives, it's like those people don't have much respect for the neighborhood and some kid is going to get hit by a car and then we'll decide oh you know what I guess we've reached that level, we've got ATV's running up and down the road and snowmobiles running up and down the road, we've got boats going in at the landing, whatever and those are going to have invasive species. We've got all these problems, I don't think trying to change these numbers now and if you want to take the approach of the linear footage I will vote with you guys but I'm not going to vote, I'm going to strongly oppose it if you come to the point where you're going to actually try to back off that one and reduce it towards zero. I think we need a certain period of time to feel this out. We've got to be stronger. We can always loosen it up but you're sure of heck going to have a hard time tightening it up once you're opened the faucet.

Swanson said all due respect but the 500 foot boundary allows for nine in that area and moving from six to eight on the compromise side of this is not a huge, I mean your argument to that is opposite of where you voted. As I get new information Robb, my decision is fluid and my decision is based on what is good for the neighborhood and not what's good for me. I can appreciate that the realtors don't want anything to be more restrictive but I think we take what they say under advisement but we make the decision for the good of the people who live there and not for the sake of people who are looking at buying there for an investment property.

Bradow explained right now we only have four units there so why don't we start out with the six and this grid is really easily adjustable. If we start to get a lot of calls and we get ahold of the neighbors in the neighborhood and we're kind of gauging, we can

tell how much traffic is rolling up and down there if we get six in that East River Drive corridor which we only have two there right now. Why don't we see what six looks like and then see if we can increase it a little bit. It's easily adjustable. Swanson said I think six is a good place to start that isn't limiting three and a half on this road, but if we're saying six for the whole corridor, I'm all for that number. I mean taking some of these other linear street footage, might be some neighborhoods that you wouldn't see the VRBO's in which would reduce the whole area. So, let's if we were looking at the four, these two streets would be combined and these four streets would be combined to permit a total of two and we just look at the whole unit and say six, I mean obviously that's five in math, but I'm for six in the whole area, not necessarily limiting two to two streets and four streets. Does that make sense? Bradow said I understand what you're saying but I would like to still see the East River Drive/Bear Path corridor with four and Trail Drive would be the most logical one because they are right next to the trail and that's desirable for snowmobiling and bilking because people like to do those activities. Swanson said like I said I don't disagree with that I was just stating I felt we could go up a little bit but understand the concern. Just to give Mack an idea we could all go around and say what number we would like to see. Bradow said let's take a poll, what number is the right number?

Hocking asked Swanson you had mentioned about the 1200 feet compared to 1500 feet, what does that add to that? Swanson said two. Hocking said then your to eight. Swanson said to the total of the area. Hocking said where before we were talking we could get to nine on the 500 feet? Swanson said correct. Hocking clarified so we're losing one in that whole area? Swanson said yes. Hocking said now I understand that we could be stacked on top of each other side by side but that's a chance that could happen. Swanson said but we are still going down. Hocking clarified we are still down from the other way.

Mack said one point of reference for you – the two are 960 feet apart on that street.

Sue Tomte asked what does that for those existing two? Mack said what it would do for those two – they are currently operating under the rental permit and have current rental licensure all they would have to do is come in and apply on the effective date of this ordinance for this new annual permit. The fee that was recommended for annual basis is \$100.00 to the city council so I don't image we would change that. The other things it would change though would be the reporting requirements, the payment of the lodging tax and then all the other rules they would be subject to that they're not currently subject to outside of the booking platform. Tomte said thank you.

Bradow said let's get a feel for the number we want to move forward with and give Mack some direction here. This proposal lays out six, is that, do you want to see more, Swanson would like to see more, do you want to see six, do you want to see less than six for the area?

Hocking said he would like to see the current as it sits right now 1500 and six.

Swanson asked is that four, two and two I mean are we breaking that down or six total in that area? Bradow said six total in the mapped area. Swanson asked about the asterisk being just a math thing and not a limitation that there would be two on these streets and four allowed on these two streets, it's just six total, this is just for math? Bradow said you couldn't put six of these on Bear Path East River Drive, that's Bear Path/East River Drive, that's all one continuance street. Swanson said so those two

streets would be limited to four. Bradow said that's right. Swanson said and the other four streets would be limited to two, so six total but then again it limits location by which street you're on? Bradow said yes it does to begin with here, it's conservative but it's easily adjustable if we start to get calls and the residents feel it could handle more traffic, it's easily adjustable. Just adjust the 1500 to whatever number you want to generate the desirable number of units allowed.

Mack said just for clarification the way I would draft this would be it would be under this dual standard. We would list the city standard, this lineal foot distance is a multiplier so all that would show up in the code based on this based on this study of this 1500 foot lineal foot density divisor number we would just list out the streets like this with the asterisks and say for these two streets a total of four are allowed and for these four streets a total of two are allowed. Any combination or location along those streets. Mack said the dual standard which would allow nearly three times the density in the rest of the city we would not list any streets. We would just indicate this 600 lineal foot standard that would be applied and we would look at any street and look at where that street starts and where it ends and we would just divide that total lineal distance by 600 and we would arrive at a calculation number divided by 600 and if it is .51 or greater, we round up and if it is .49 or .50 or less then you round down to an even number.

Swanson asked so you would be looking at intersecting streets then too? Swanson said he doesn't want to over discuss the issue but like let's say the hospital area, if that turned into an area where you could get a house because someone is in the hospital for two weeks and you want to be close, but you're doing it by the street, one street and then the intersecting street, each one of those streets added together?

Mack said in the case of Pleasant Ave we would start at Hwy 34 and go all the way down to Industrial and calculate that lineal distance, divide by 600 and then whatever that number is it would be roughly three times higher than the study area which has a different characteristic. On Pleasant you've got different streets, different directions, it's not just a one way in and one way out off of Hwy 34 off of this house. So a different characteristic and it's also a county road as opposed to this other neighborhood it's all local streets not developed as urban section streets wider, these are narrower you know winding more dangerous, kids with bikes and playing in turn around and odd streets that jet off of the main traveled roadway so it's very different.

Swanson said he understands that I guess I was asking for clarification for city blocks being very different than East River Drive and you could have an entire block of rentals by using that math, so it's a very generous number in the city. Again I'm not against what we're looking at in the East River Drive area I just wanted for clarification so people understood this.

Mack said he thought more too about this hospital stay thing and STR's and honestly that's not our system here in Park Rapids. When you see that sort of thing you're down at the Mayo or at a VA hospital location where it's an extended stay kind of a situation, probably in a larger community. I assume they're dealing with the same issues on a more magnified basis than I'm certain we would be.

Bradow stated we started with the count so Stone you are next.
Stone said eight.
Newman said six.
Bradow said six.
Swanson said eight.

Johnson said six.

Bradow said we have two at eight and four at six. Bradow said let's start there and use the 1500 feet. Mack said okay. Bradow asked what else are you needing some guidance on here? Mack responded that's it. Bradow said that's it, any more questions or comments?

Johnson asked if this gets voted on at the October meeting? Mack said I think I have time to develop it, it might be. Bradow said possibly so, if it is, it will be a public hearing. Mack said otherwise it will be November because we are not under a time line on this or time limit. Johnson clarified so there will be a public hearing at the next meeting and this issue will be on the docket. Bradow said this will be a public hearing, we don't know the exact meeting, it could be October, it could be November, but it will be a public hearing.

Tomte asked the fact that those two properties are within 1000 feet of each other already that won't matter? Bradow said it will not matter, we don't have any spacing requirement we're putting together here.

OTHER DISCUSSION: Mack stated he handed out a special meeting agenda as he had an indication from Commissioner Hocking that he would like to attend and I spoke with the Chair and would like to open this up to all commission members assuming we have at least one person planning to attend I will go ahead and register Hocking for this training. Anyone else that would like to show up is welcome during these times. The subject matter is very good and even better than the other training we do because it's a two day and there are more speakers and more topics. Bradow stated he has been to some of these land use trainings and they are very worth while and I learned a lot at them.

Stone said she would like to be able to attend but can't do it during the day and wondering if she can register and then watch it on her own because if you register it appears you can access it whenever, is that not correct? Swanson said that's what I read too, the session recordings are available but you will not be able to ask questions and be part of dialogue. Mack said if we register one we can get the presentation on some kind of archived form.

7. ADJOURNMENT: A motion was made by Swanson, seconded by Hocking, to adjourn the meeting at 8:09 p.m.

The vote was called.

The following Commissioners voted in favor: Swanson, Hocking, Stone, Newman, Bradow and Johnson.

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant