

Merriam Park Housing Mix Working Group

Draft Report for City of Saint Paul
Planning Commission

January 22, 2016

*Revised January 24, 2016 for written
record of testimony

Merriam Park

Housing Mix Working Group - Agenda

- Background, Findings
 - Kevin Anderson [Slides 3 – 12]
- Best Practices Data/Sources
 - Margaret Ryther [Slide 13]
- Our Data (Maps)
 - Gretchen Robertson [Slides 14 – 18]
- Recommendations
 - Gene Pelszynski [Slides 19 – 21]
- Next Steps and Q&A
 - John Syverud [Slides 22 – 23]

Primary Recommendation: 1,320 Feet Between Sober Houses

- We request a change in the distance requirement of Sober Houses from 330 feet to 1,320 feet.
- The impact and pressure of various mixed housing on Merriam Park is cumulative (Sober Houses, Congregate Living Facilities and 'College Town')
- As a result, we are nearing a tipping point of overconcentration and need a stabilizing factor to ensure a balance of all types of housing.

Background

- Merriam Park neighbors^[1] interested in housing density began to meet in fall 2015.
- Union Park District Council (UPDC) established our Merriam Park Housing-Mix Working Group in November under the authority of its Land Use Committee.^[2]
- Our focus: Cumulative impact of mixed housing
- Our recommendations today are regarding Sober Houses

[See our Mission on Appendix A]

Working Group Principles

- The quality of life for all in Merriam Park is about maintaining the residential character through balance
 - Group members welcome the changes coming to Merriam Park. We are not objecting to density; we are concerned, however, with overconcentration.
 - Mixed housing helps ensure options for people of various needs and at various stages of life.
 - We aim to create a palatable situation for all housing types. The key is to find a balance between single-family and sober houses.



Working Group Findings:

Residential Has Value

- Characteristics of a Great Residential Neighborhood^[17]
 - Has a variety of functional attributes that contribute to a resident's day-to-day living
 - Accommodates multi-modal transportation (e.g., pedestrians, bicyclists, drivers)
 - Has visually interesting design and architectural features
 - Encourages human contact and social activities
 - Promotes community involvement and maintains a secure environment
 - Promotes sustainability and responds to climatic demands
 - Has a memorable character

Adverse Impacts Affecting Residential Character of Neighborhoods

- Over-concentration
 - “...the character of the neighborhood is transformed into a ‘group home neighborhood’ with residents within it.”
- Incompatibility
 - “...Conflicts with the purpose of traditional, established neighborhoods – permanence, stability, and linkages to community.”
- Frequent Turnover
 - “...tend to house occupants that are transient in nature, whereas a family residing in a traditional home may be there for decades.”
- Linkages to Community
 - “...limits their linkages and bonds with the community, thus minimizing the ‘sense of community’ in a particular neighborhood.” [3]

How Sober Houses versus SFRs Affect Neighborhood Character/Continuity*

Daily Life Activities/Factors	Sober House – Data and Observation	SFR – Data and Observation
Purpose of the house	Mission to provide supportive living	Provides day-to-day living activities and community
Financial Aspect	Moneymaker for owner: Gross income of \$10,000+ per month	Cost to owner: Pay mortgage of \$1,500 per month
Numbers	Range anywhere from 7 to 14 customers, 1 manager	4 residents
Turnover of residents	New residents each week	Same family for 20 years
Linkage to community	Due to frequent turnover, hard to know whether someone is a neighbor, a visitor or other	Have known these neighbors for years
Traffic	3- 5 cars	2 cars
Parking	Mostly on street	Garage or off-street space
House/backyard activity and noise	7 - 14 customers + 1 manager results in high usage and volume; Tours for prospective customers often weekly	Use backyard average of 1 hour each Saturday and Sunday
Level of smoke	4 to 8 customers * 5 smoke breaks daily = 20 to 45 cigarettes within 30 feet of SFR's back door	No smokers
Services: City inspections, construction workers, etc.	Once a week minimum	Once every six month at most
House maintenance	Changes to accommodate the organization:	No changes to house to accommodate usage

*Based on Merriam Park neighbors logs [Appendix D - For Profit Sober House Marketing example]

Impact Continuity and Character

Sober Houses affect neighborhood continuity and character
Merriam Park is a prime location for Sober Houses

Issues around size,
services and resident
turnover



Sober Houses require
more City regulation
and oversight than
SFRs



Sober
Houses are
driven by
Mission and
Revenue



SFR



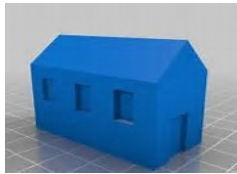
Merriam Park has
large homes at
reasonable prices



From a Resident's Perspective: Overconcentration of CLFs

We risk hitting a “tipping point” of overconcentration

MN Dept. of
Health and
MN Dept. of
Human
Services



Sober House



Correctional; DHS
Foster Care



Student
Rental



SFR



Other: AirBnB, sleeping
rooms, accessory
dwellings, etc.



Supportive Living Not
Requiring City Approval



Working Group Findings – Summary

- Sober Houses affect neighborhood continuity and character
 - Sober Houses are driven by mission and revenue^[4]
 - Issues around size, services and residents' turnover^[5]
 - Once converted, single-family houses rarely switch back^[6]
 - Nonprofit Sober Houses pay no property taxes^[7]
 - Sober Houses require more City regulation/oversight than single-family homes^[8]
- Merriam Park is a prime location for Sober Houses
 - Large homes at reasonable prices^[9]
 - St. Thomas and other colleges add student rentals to the mix^[10]
 - Other types (AirBnB's, sleeping rooms, accessory dwellings) add density^[11]
- We risk hitting a “tipping point” of overconcentration
 - The effects are cumulative, but the city is not regulating quantity^[12]
 - Attractive financial incentives and few regulatory mechanisms mean no “upper end” of Sober House numbers in sight^[13]

Best Practices Research

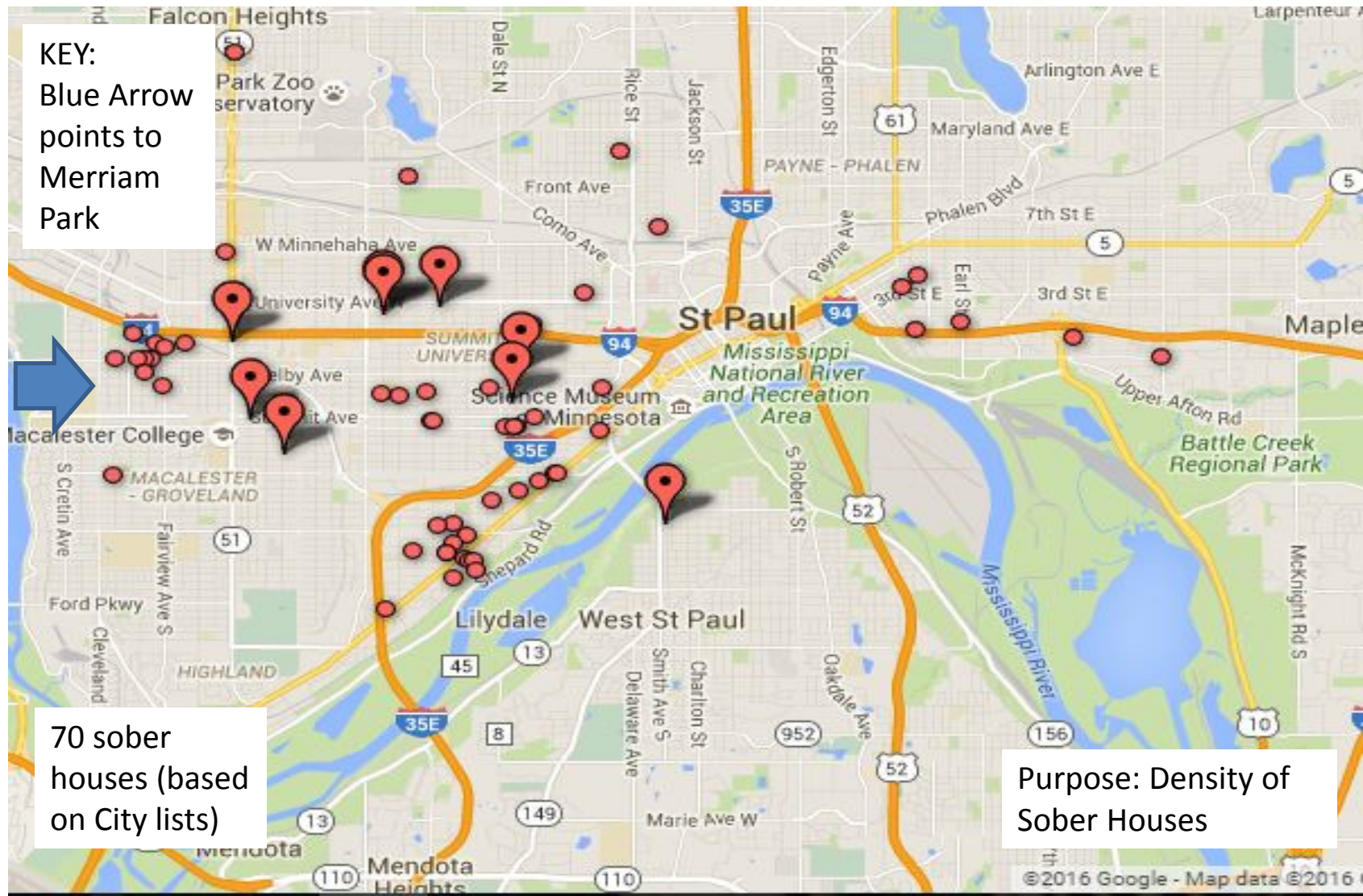
- Family-Style Homes vs City of St. Paul
 - Separation requirements continue to be appropriate in order to ensure that residents are placed in neighborhood environments. [14]
- “Judge sides with city and dismisses sober living home lawsuit”
 - Costa Mesa, Calif., has a distance requirement of 650 feet between sober houses. The federal judge ruled in late 2015 in the city’s favor on the first case to be adjudicated. The second case is currently in the courts.
 - “The city’s ordinance provided ... regulations designed to have sober living homes be ‘good neighbors’ while also benefiting persons in recovery by allowing them to live in local neighborhoods ... and by preventing over-concentration of sober living homes.”
 - “... this ruling by Federal Court Judge James V. Selna is an important milestone in the city’s ongoing efforts to implement a balanced policy of positive integration of sober living facilities in local neighborhoods.”^[15]
- Other City Examples
 - Arizona: In towns like Mesa, Tempe and Surprise distance requirements range from 1,200 feet to 1,320 feet between sober houses ^[16]

*See Appendix B1 for additional research

Our Data (Maps)

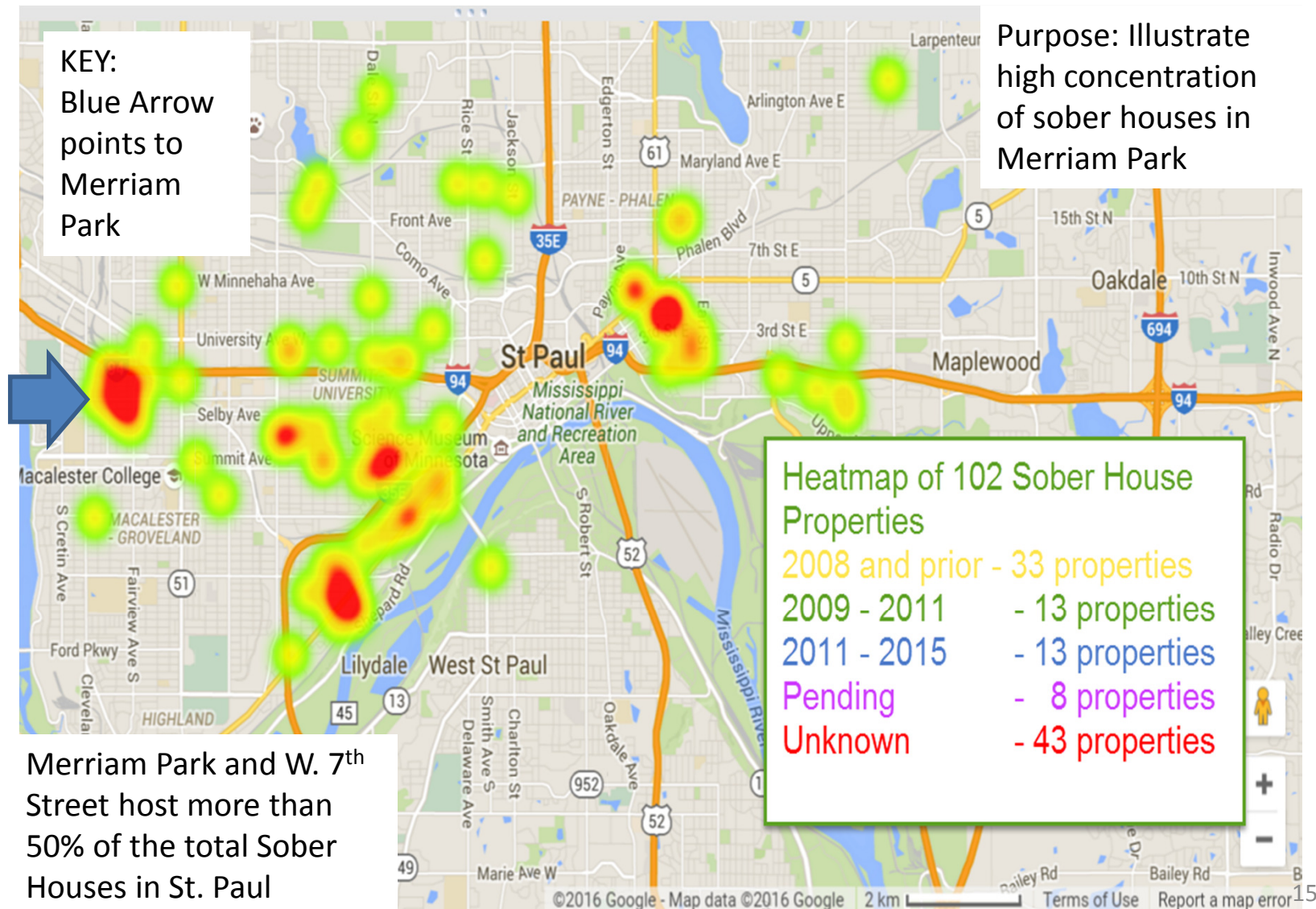
- We developed maps to illustrate our findings and support our recommendations
 - Data sources include:
 - City of St. Paul
 - Minnesota Department of Human Services
 - Ramsey County
 - University of St. Thomas
 - Our web-based research turned up additional Sober Houses not currently tracked by the City [Appendix D]

Sober Houses Today – 70*

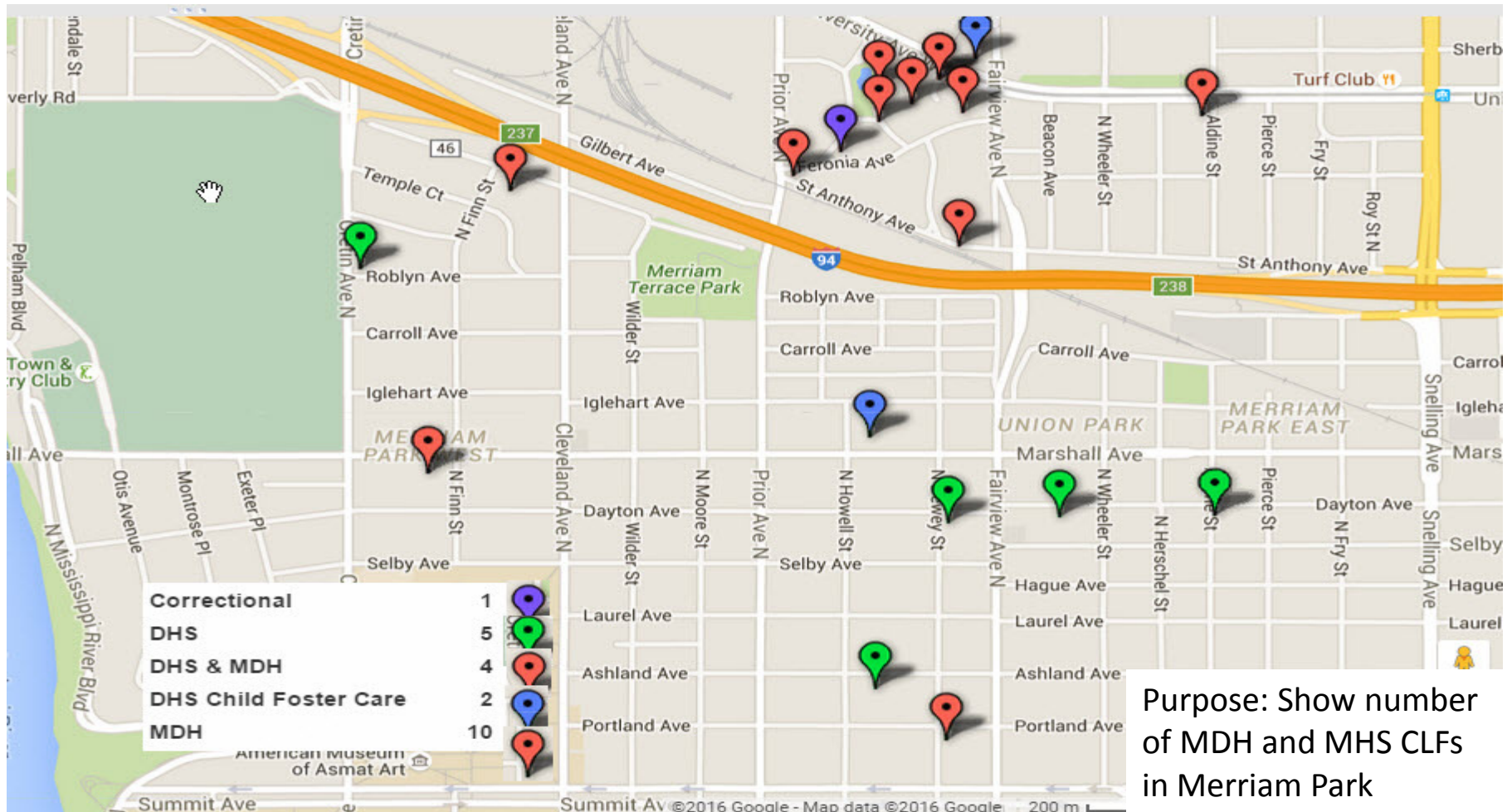


*City of Saint Paul list of Sober Houses based on City data; 6 more approved since dots were placed

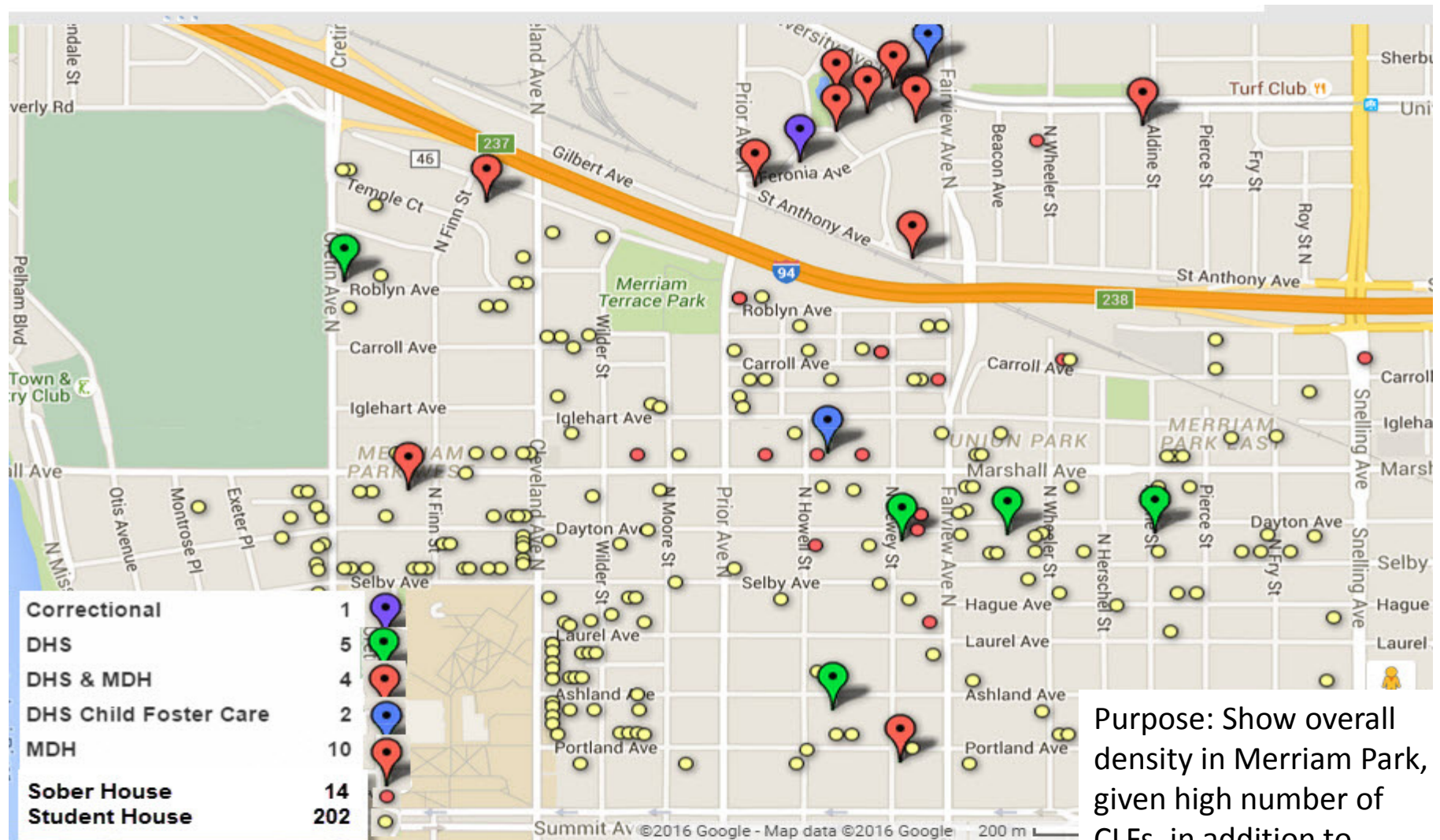
Sober Houses – Heat Map



Plus, Other Types of Congregate Living Facilities



On Top of That: Student Rental Overlay



Purpose: Show overall density in Merriam Park, given high number of CLFs, in addition to student rentals

Primary Recommendation: Mandate Distance of 1,320 Feet Between Sober Houses

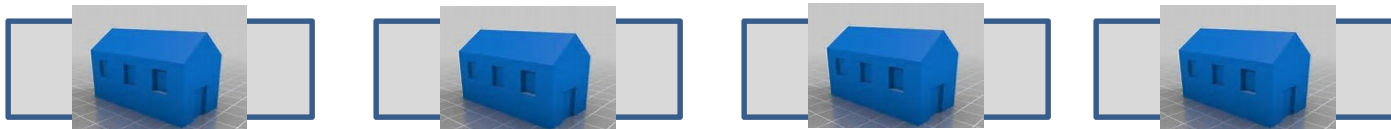
- We are asking for a change in the distance requirement of Sober Houses from 330 feet to 1,320 feet.
- The impact and pressure of various mixed housing on Merriam Park is cumulative.
 - We have a unique neighborhood footprint with more Sober Houses, congregate living facilities and student rentals than any other City area.
- As a result, we are nearing a tipping point of overconcentration and need a stabilizing factor to ensure a balance of all types of housing.

*Consider grandfathering in current Sober Houses; See Appendix B1 and B2 for current distance requirements in St. Paul.

Advantages to 1,320 Feet Distance Requirement

- How 1,320 feet maintains the residential character for all and ensures balance of all types of housing:
 - Today 330 feet – Upper Limit: One Sober House every block [up to 173; a 12X increase from today]
 - Recommendation of 1,320 feet – Upper Limit: One Sober House every four blocks [Up to 43; a 3X increase from today]

TODAY : 330 feet Separation Distance - Upper Limit [4 Block Area]



RECOMMENDED: 1,320 feet Separation Distance – Upper Limit [4 Block Area]



*See Appendix A for detailed data

Working Group

Sub-Recommendations

We request that the City of Saint Paul:

- Study Sober Houses' neighborhood impact, using Merriam Park as a case study:
 - Study impact to neighborhood and Sober House residents
 - Consider the holistic impact of all types of mixed housing – e.g., other CLFs, student rentals, etc.
 - Study tax implications*
- Holistically register, track and forecast all housing types [Today the City does not have a comprehensive list – See Appendix D]*
- Institute a notification requirement, so citizens are aware of incoming Sober Houses*
- Consider instituting licenses and fees that sustain tracking and oversight of Sober Houses

*Endorsed by Union Park Land Use Committee; additional recommendations were added following the Union Park committee meeting

Working Group Next Steps

- Request that the City Planning Commission (CPC) institute our recommendations and include them in the Zoning study
- Promote our recommendations for adoption to the Saint Paul City Council and the Mayor's office
- Solicit additional input from the community and partner with groups wanting to further explore these issues
- Replicate this study as a “best practice.”

Conclusion

- Primary Recommendation: We are asking for a change in the distance requirement of Sober Houses from 330 feet to 1,320 feet.
- Sub-recommendations:
 - Study Sober Houses' neighborhood impact, using Merriam Park as a case study
 - Holistically register, track and forecast all housing types
 - Institute a notification requirement, so citizens are aware of incoming Sober Houses
 - Consider instituting licenses and fees that sustain tracking and oversight of Sober Houses
- Avoids overconcentration, ensures balance while allowing ample opportunity for additional Sober Houses to move into Merriam Park (3X increase vs. a 12X increase)
- The quality of life for all in Merriam Park is about maintaining a balance of mixed housing types

Appendix A: Working Group Mission

- Achieve a balance of single-family residential (SFR) and mixed housing in Merriam Park:
 - Develop a residential land type and usage map
 - Review existing studies and literature
 - Engage community stakeholders
 - Study property tax implications
 - Craft recommendations for the City and UPDC board
 - Leverage the model across City neighborhoods

Appendix B1: Additional Research

- City of Saint Paul current regulation
 - Zoning study 2005^[12]; a zoning code regulation limits the population of certain categories of congregate living to $\leq 1\%$ of the planning district's total population^[18]
[Cite 330 feet]
- Minnesota college town models
 - Northfield and Winona both require that only 20% of a given block can be rental housing^[19]

Appendix B2: Separation Requirement

Below are the 8 categories of Congregate Living Facilities that have a distance requirement today^[12*]

- CRF: Human Service
- CRF: Correctional
- CRF: Health department
- Emergency housing
- Overnight shelter
- Shelter for battered persons
- Transitional housing
- Sober houses

*Review of proposed text amendment initiated by Planning Commission Resolution 12-55, To: Planning Commission; from: Comprehensive Planning Committee; 10/28/15

Appendix B3:

Detailed Distance Requirements

#	CLF (Regulated Today)	Current Regulation*
1	CRF: Human Service	1,320 from certain other facilities
2	CRF: Correctional	1,320 from certain other facilities
3	CRF: health department	1,320 from certain other facilities
4	Emergency housing	1,320 from certain other facilities
5	Overnight shelter	600 from certain other facilities
6	Shelter for battered persons	1,320 from certain other facilities
7	Transitional housing	1,320 from certain other facilities in RL-RT2 districts
8	Sober houses	330 feet from other Sober Houses
		*12: Review of proposed text amendment initiated by Planning Commission Resolution 12-55, To: Planning Commission; From: Comprehensive Planning Committee; 10/28/15

Appendix C: Example of For-profit Sober House Marketing

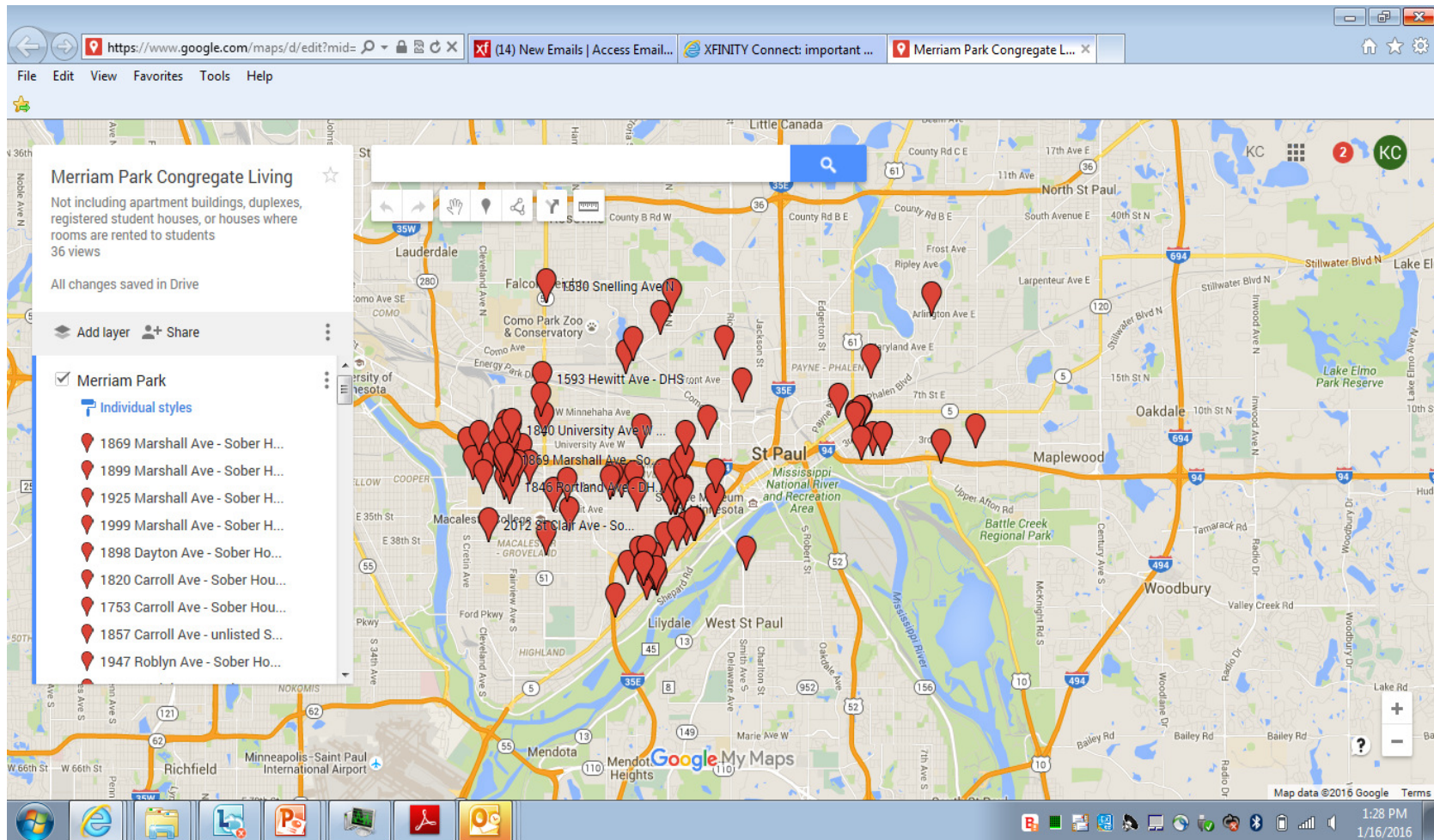
Campus & Location

Transitions is uniquely set-up as a campus in the heart of one of the worlds' epicenters of recovery – The Twin Cities, Minnesota. Saint Paul in particular is home to a vast recovery community and is known to be one of the most supportive and nurturing environments for the recovering person. In fact, many refer to Saint Paul as the "Recovery Capital of the World."

Transitions campus is nestled in the charming, quiet residential Merriam Park Neighborhood of Saint Paul where Cornerstone, outpatient offices, sober living residences and Arches are all within walking distance of each other – designed to promote a strong community based on frequent peer-to-peer interaction. Among the hundreds of twelve step meetings taking place each week in The Cities, dozens of them are within walking distance of Transitions.

Due to Transitions near proximity to the Saint Paul/Minneapolis border, clients have easy access to a diverse arena of various recreation and entertainment activities, numerous colleges and universities and an abundance of employment opportunities.

Appendix D: 94 Sober Houses in St. Paul vs 70 Official City List*



*Found via Internet research; CLFs with 4 or more residents marketing themselves as sober houses

Appendix E: Implications of a 1,320 foot Sober House Distance Requirement

Distance Requirements	Numbers Today	Upper Limit	% Increase
Current Rule: Sober Houses 330 feet	14 Sober Houses	173 Sober Houses [up to 1 every block]	12X Increase
Recommendation: 1,320 feet between Sober Houses	14 Sober Houses	43 Sober Houses [up to 1 every 4 blocks]	3X Increase

Citations

- 1: Merriam Park Boundaries: University to the north, Snelling to the east, Summit to the south and the River to the West
- 2: Union Park District Council <http://unionparkdc.org/our-work/committees/land-use>
- 3: Residential Recovery Homes and Their Local Impacts, Group Homes ,Residential Recovery Facilities Conference, Alene Taber, March 2, 2007
- 4: Minnesota House of Representatives – Research Department, 2001: <http://www.house.leg.state.mn.us/hrd/pubs/asstlvlg.pdf>
- 5: Alene M. Taber, Esq., AICP Michael J. Alti, Esq. Jackson, DeMarco, Tidus & Peckenpaugh 2030 Main Street, Suite 1200 Irvine, CA 92614 ;
http://clkrep.lacity.org/online/docs/2007/07-3427_misc_5-15-2008.pdf;
- 6: HUD, 2015: http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/progdesc/alcp
- 7: MN Department of Revenue, 2015: <http://www.revenue.state.mn.us/businesses/sut/factsheets/FS172.pdf>
- 8: Assisted Living.com, 2015: <http://www.assistedliving.com/laws-by-state/>
- 9: Zillo, 2015: http://www.trulia.com/real_estate/Merriam_Park_West-Saint_Paul/10796/market-trends/
[Average price per square foot for Merriam Park West in 2015 is \$207; while average price per square foot for Macalester Groveland is \$234.]
- 10: City of St. Paul, 2015: <https://www.stpaul.gov/departments/city-council/ward-offices/ward-4-council-president-stark/student-housing-zoning-overlay>
- 11: Design center for American Urban Landscape, 2003: http://www.corridordevelopment.org/pdfs/from_MDC_Website/db9.pdf; Airbnb: https://www.airbnb.com/?af=43888734&c=brdsearch_d_engus_na_na_p2_txt&dclid=CKDdoZuXlsoCFZBwMAodCO8FBw; Sleeping rooms: <http://www.theguardian.com/commentisfree/2015/oct/26/overcrowding-sharing-bed-housing> ; Accessory Dwellings: <http://accessorydwellings.org/tag/crowding/>
- 12: Review of proposed text amendment initiated by Planning Commission Resolution 12-55, To: Planning Commission; From: Comprehensive Planning Committee; 10/28/15 [Each CLF is regulated separately]
- 13: Riverbank House Blog, 2015: <http://riverbankhouse.net/sober-houses-affordable-sober-living-meets-promise-profit/>
- 14: Family Style of St. Paul, Inc. v. City of St. Paul (8th Cir. 1991) 923 F.2d 91: <http://www.casebriefs.com/blog/law/property/property-law-keyed-to-singer/fair-housing-law/familystyle-of-st-paul-inc-v-city-of-st-paul/>
- 15: Costa Mesa Federal judge rules in favor distance requirement: <http://www.costamesaca.gov/index.aspx?page=40&recordid=2314>;
<http://m.ocregister.com/articles/mesa-695675-costa-court.html>
- 16: Arizona City Examples of Distance Requirements: **The Republic (Metro Phoenix newspaper)** By Parker Leavitt **April 27, 2013**;
<http://www.mesaaz.gov/home/showdocument?id=15964>
- 17 - Characteristics of Residential: <https://www.planning.org/greatplaces/neighborhoods/characteristics.htm>
- 18- Appendix B1 : Sober Thoughts on Fair Housing, Michael Mischke, 6/30/15: <http://forums.e-democracy.org/groups/stpaul-issues/messages/topic/2Agv11cp0Fem8oJIXNRF74> ;
- 19- Appendix B1: *Dean v. City of Winona*, 843 N.W.2d 249 (Minn. Ct. App. 2014). <http://www.cityofwinona.com/wp-content/uploads/2012/12/winona-rental-august-20151.pdf>
- 20 - Appendix C: Marketing Example: <http://www.transitions.pro/locations/>

Merriam Park Housing Mix Working Group

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