

Proposed Text Amendment

Emergency Shelters

Allowed in all zoning districts, except Industrial districts where IL Overlay does not exist.

Requires a conditional use permit.

Occupancy is determined by the zoning district.

Overnight Shelters (Principal)

Allowed in C2, C4, Downtown and in the IL Overlay District.

Requires a conditional use permit.

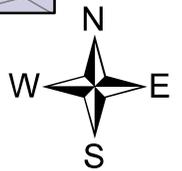
Occupancy maximum is 150 persons or 1 person/200 sqft, whichever is less.

Overnight Shelters (Accessory)

Allowed accessory to a place of assembly or religious institution in all zoning districts.

Requires a conditional use permit.

Occupancy maximum is 150 persons or 1 person/200 sqft, whichever is less.



Existing DS Downtown Shelter Overlay District

City of Minneapolis
 Community Planning and Economic Development
 Created on: October 1, 2015

Data compiled from best available sources. The City of Minneapolis assumes no legal responsibility for the accuracy of this map. For illustrative purposes only.



Legend Information

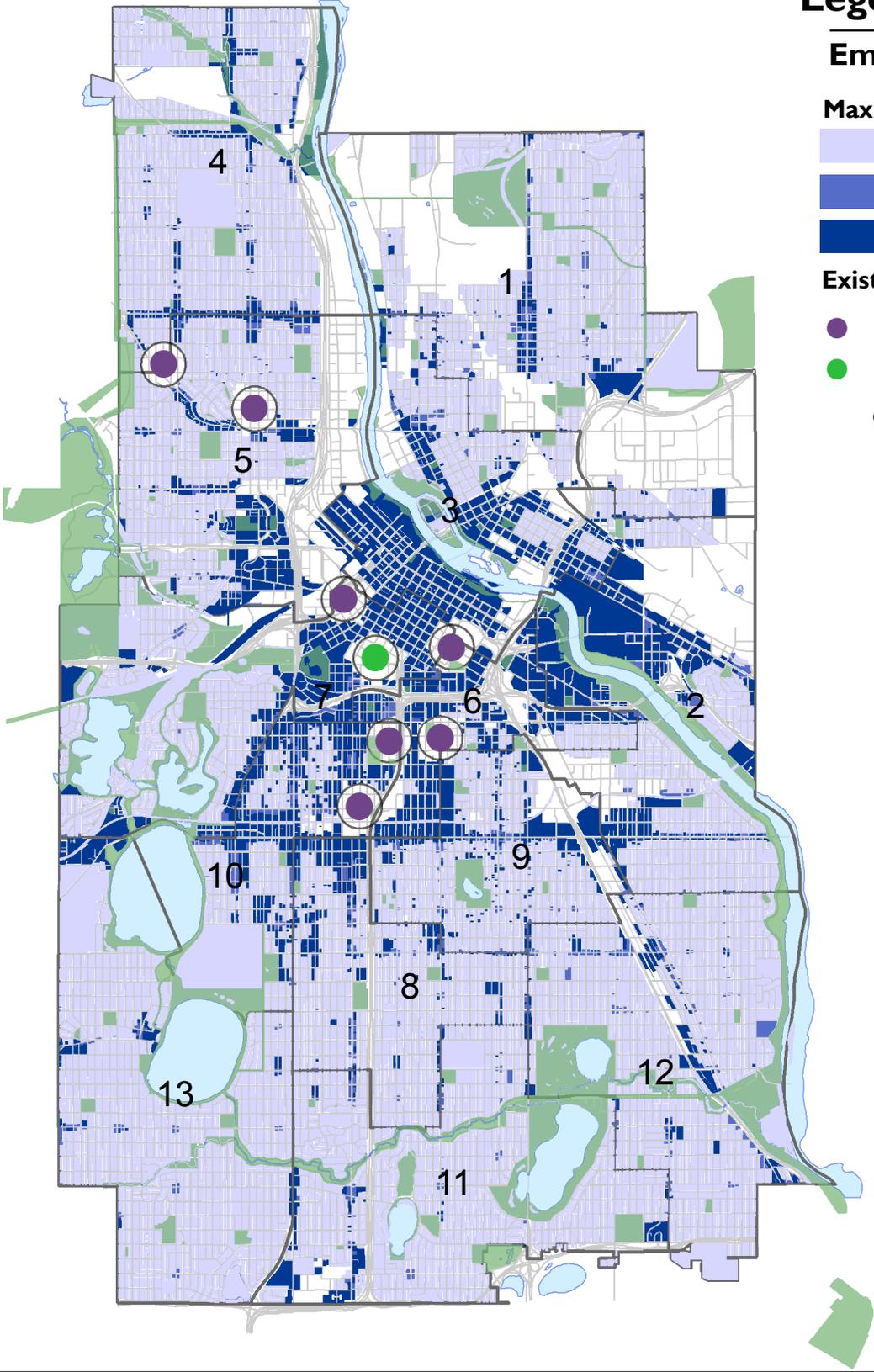
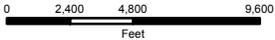
Emergency Shelters

Maximum Occupancy

- Up to 6 persons
- Up to 16 persons
- Up to 32 persons

Existing Facilities

- Overnight Shelter - accessory
- Overnight Shelter - principal



Emergency Shelters 1,000-Foot Spacing from Existing Shelters

City of Minneapolis

Community Planning and Economic Development
Created on: October 14, 2015

Data compiled from best available sources. The City of Minneapolis assumes no legal responsibility for the accuracy of this map. For illustrative purposes only.



Legend Information

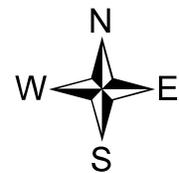
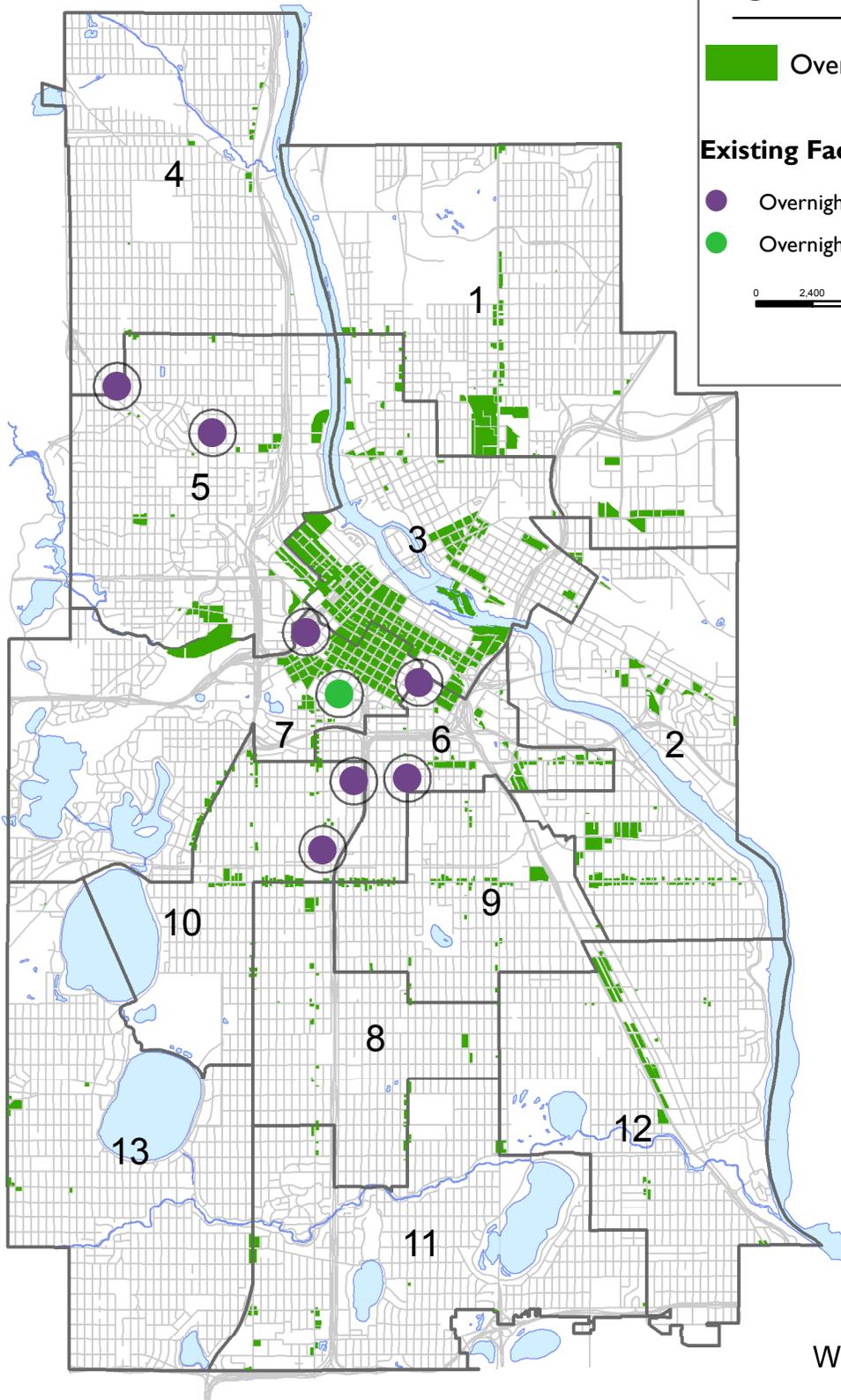
 Overnight Shelters

Existing Facilities

 Overnight Shelter - accessory

 Overnight Shelter - principal

0 2,400 4,800 9,600
Feet



Overnight Shelters 1,000-Foot Spacing from Existing Shelters

City of Minneapolis

Community Planning and Economic Development

Created on: October 27, 2015



Data compiled from best available sources. The City of Minneapolis assumes no legal responsibility for the accuracy of this map. For illustrative purposes only.

Peer City Research

	St. Paul, MN	San Diego, CA	Denver, CO	Chicago, IL	Portland, OR	St. Louis, MO	Baltimore, MD	Cincinnati, OH
Allowed as a principal use?	Yes; Conditional Use Permit (CUP) is required	Yes; CUP is required; permitted when accessory to religious institution	Yes; CUP is required; permitted when accessory to religious institution	Yes; CUP is required	Yes, CUP is required	Yes; requires 50% consent from owners within 500' + ½ lot width	Yes; CUP is required	Yes, special assistance shelter – requires a CUP
Zoning Districts allowed?	Downtown (B5) and Industrial (I1 and I2) Districts	Conditional in multiple-family, commercial, industrial districts and accessory to religious institutions and organizations	High-density residential, most commercial, and most industrial districts	High-density residential, most commercial, downtown and most industrial districts	All districts except Industrial - # of beds allowed/ district	High-density residential, all commercial, industrial and downtown districts	Non-profits: high-density and most commercial districts. For-profit: most commercial districts	High-density residential, all downtown and light industrial districts
Spacing requirement?	600 feet from other CRFs	No	500 feet from schools, 950 beds max/ council district	No	No	500 feet + ½ lot width from churches or schools	No	No
Licensing required?	Yes, for 4 people or more	No	Yes, licensed as a residential care unit	No	Annual inspection and certification	Yes	No	No

From: Sether, Shanna M
To: Sether, Shanna M
Subject: FW: Shelter Ordinance
Date: Tuesday, October 27, 2015 2:15:00 PM

Shanna,

Unfortunately, as Cam noted, the *only* meeting at which the City actually presented the proposed changes (the September meeting) was poorly advertised and only 5 persons attended. Besides me, another gentleman (who identified himself as working with homeless populations for some 20 years) raised his concerns about the continued concentration of poverty in struggling areas of the city.

Marian also requested that a presentation of the proposed changes be made at the Whittier Alliance Community Issues meeting. Really, they should be made at the community meetings of all of the neighborhoods most likely to be affected by this significant change in the zoning code.

All of the other meetings held, purposefully packed with the organizations that helped draft these changes, did not discuss the actual proposed changes, but focused only on issues such as what constitutes a better shelter, etc.

Nevertheless, at each of these meetings people expressed concerns that 1.) any changes to the zoning code to decouple shelters from religious institutions must include strict licensing/oversight provisions to prevent the creation of shelters run by those (without ties to religious institutions) that may not have the best interests of the homeless residents at heart and 2.) that sufficient spacing restrictions (1 mile, not 1,000 feet - less than 2 blocks) would be included in zoning changes to prevent the further concentration of such facilities in struggling neighborhoods that already have more than their share of such facilities.

Given that the only change you've since made to the proposed ordinance is to include a clause that will allow shelters to continue to operate shelter out of church buildings once the church closes (presumably the Simpson Housing clause), the ordinance still does not address the concerns raised by my neighbors and me. That's very disappointing.

Ted

From: Ted.L.Irgens@wellsfargo.com [<mailto:Ted.L.Irgens@wellsfargo.com>]
Sent: Thursday, October 22, 2015 2:35 PM
To: Sether, Shanna M
Subject: RE: Shelter Ordinance

Shanna,

What are the substantive changes to the new text, which won't be available until October 28th? We

have a board meeting tonight and people will want to know/understand what is changing in the proposal.

Also, is it usual to release a new text and staff report on a Wednesday and then have a public hearing on it 3 days later? That time frame would not appear to give people much time to absorb the proposal, ask questions, etc.

Perhaps this should be continued until the next CPC meeting, so the public is able to have an informed discussion of this issue. After all, the original proposed text was only presented to about 5 people at the poorly attended meeting at the downtown library.

I know Whittier would like to have this matter presented/discussed at the next Community Issues meeting.

Best,

Ted

Sether, Shanna M

From: Phil Duran <phil@outfront.org>
Sent: Thursday, October 08, 2015 4:31 PM
To: Bender, Lisa
Cc: mforney@minneapolisparcs.org; Rebecca.Gagnon@mpls.k12.mn.us; Sether, Shanna M
Subject: Re: Overnight shelters -- concern regarding Ord. 537.110

Thanks, Lisa -- Shanna has been very helpful. There were some aspects of the staff report that seemed fairly ambiguous on pp. 7-8 regarding what seemed to be the explicit retention of the religious link, but she, like you, has clarified that the intent is to do away with that requirement. This will be very helpful!

On Wed, Oct 7, 2015 at 9:33 PM, Bender, Lisa <Lisa.Bender@minneapolismn.gov> wrote:
Phil,

There is absolutely time left to comment and thank you for reaching out. Shanna can address your specific question but the whole point of our policy change proposal is to allow shelters outside of religious buildings. The reasons you mention including creating more welcoming and appropriate options for glbt youth are one big motivation of this work.

Thank you for reaching out and we will be sure to get you more detailed answers about the proposal.

Lisa

Sent from my iPhone

On Oct 7, 2015, at 5:18 PM, Phil Duran <phil@outfront.org> wrote:

Hi, Shana --

Writing you -- admittedly outside of the expected time-frame set for comments regarding the proposal to change Minneapolis' approach to shelters, but the City's website suggests it is not entirely impossible -- to express concern regarding one aspect of the proposal.

As you may know, OutFront Minnesota is the state's largest organization advocating for full equality for lesbian, gay, bisexual, and transgender individuals and their families; we have been based in south Minneapolis (Sabathani Community Center) since our founding in 1987.

Statistics developed by the Wilder Foundation, and widely reported since, in Minnesota at least 12% of homeless youth identify as LGBT, far exceeding their expected proportion of the population (see attached, p.48). Nationally, UCLA's Williams Institute cites a higher figure: *forty percent* of homeless youth seeking services identify as LGBT (<http://nationalhomeless.org/issues/lgbt/>).

Many LGBT youth are homeless because they are rejected by their parents or guardians due to their sexual orientation or gender identity. Often, this rejection is based on parents' or guardians' sincerely-held religious beliefs. As adults, many LGBT people who are homeless experience

difficulty accessing shelter services because of bias on the part of the service-providers, many of whom are associated with a religious entity.

Ordinance 537.110 begins: "Overnight shelters shall be allowed accessory to a religious institution place of assembly." As you can imagine, if overnight shelters are only permitted when associated with a "religious institution place of assembly," many LGBT homeless youth and adults may experience challenges accessing shelter. Some may simply avoid such shelters altogether, out of fear induced by past abuse at the hands of religious institutions.

This first sentence of the Ordinance is ambiguous. While it seems to guarantee that places of religious assembly can establish overnight shelters, it is not clear whether (a) **ONLY** such places may establish overnight shelters, or (b) while these shelters are guaranteed approval, other, non-religious entities may seek to establish overnight shelters but the approval is not guaranteed. It is our understanding that (a) is the case.

If true, this is problematic on a number of levels. First, if overnight shelter is available only at religiously-identified locations, LGBT people may face particular difficulties in accessing shelter. Second, restricting the locations of overnight shelters to religiously-identified locations appears to contradict several of the policies articulated on pages 3-5 of the staff report to be presented October 8 to the Committee of the Whole, which encourage the expansion of appropriate services. Third, an issue which does not seem to be addressed in the staff report, there is a potential constitutional problem with an ordinance which confers the ability to create overnight shelters on religious institutions, to the exclusion of non-religious institutions which seek to offer the same services. The first and fourteenth amendments to the US constitution prevent government, at any level, from "establishing" religion, which can include conferring unique privileges on religious institutions, and from treating religious versus non-religious viewpoints differently absent a compelling reason. It is not clear why a secular non-profit cannot provide overnight shelter, or, put differently, why a religious identification is required in order to do so.

We would respectfully recommend that the language in the first sentence of Ordinance 537.110 be amended by eliminating the words "accessory to a religious institution place of assembly."

Thank you for considering these thoughts.

--

Phil Duran
Legal Director, OutFront Minnesota
310 E. 38th St., Suite 209 -- Minneapolis, MN 55409

Join OutFront MN for the 5th Annual Big Gay* Race, Minnesota's largest LGBTQ 5K

Saturday, October 17
(Registration at 8:00 AM) Run at 9:00 AM
Walk Run or Roll a fun and exciting 5K!
All skill types are welcome and remember to wear your costume!
\$25 registration includes a t-shirt

www.outfront.org/biggayrace

<Homelessness in Minnesota 2009, Full Report.pdf>

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Sether, Shanna M

From: Phil Duran <phil@outfront.org>
Sent: Wednesday, October 07, 2015 5:21 PM
To: Sether, Shanna M
Subject: Fwd: Overnight shelters -- concern regarding Ord. 537.110
Attachments: Homelessness in Minnesota 2009, Full Report.pdf

Sending again -- I misspelled your name. Apologies!

----- Forwarded message -----

From: Phil Duran <phil@outfront.org>
Date: Wed, Oct 7, 2015 at 5:18 PM
Subject: Overnight shelters -- concern regarding Ord. 537.110
To: shana.sether@minneapolismn.gov
Cc: lisa.bender@minneapolismn.gov, mforney@minneapolisparcs.org, Rebecca.Gagnon@mpls.k12.mn.us

Hi, Shana --

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On Friday, June 19, 2015, Sether, Shanna M <Shanna.Sether@minneapolismn.gov> wrote:

Hi Jana,

We have a second community meeting on Monday, July 27, at Hennepin County North Regional Library from 5:30 – 7pm. Hopefully you all can make the next one!

Thank you,

Shanna Sether

Senior City Planner

City of Minneapolis – Community Planning and Economic Development

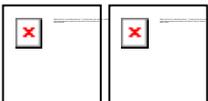
250 S. Fourth Street – Room 300

Minneapolis, MN 55415

Office: 612-673-2307

shanna.sether@minneapolismn.gov

www.minneapolismn.gov/cped



From: Jana Metge [mailto:loveloring@gmail.com]
Sent: Friday, June 19, 2015 1:09 PM
To: Sether, Shanna M
Cc: Sadler, Patrick A.
Subject: Re: Overnight Shelters Community meetings

Thanks for the reminder.

We have a standing CLPC Land Use Committee meeting where we are discussing the neighborhood's ReZoning study. Folks will be at the CLPC Land Use meeting.

Jana

On Friday, June 19, 2015, Porter, Fatimat Q. <Fatimat.Porter@minneapolismn.gov> wrote:

Good afternoon,

Staff would like to remind everyone of the upcoming community meeting on Monday June 22nd from 6:00 p.m. – 7:30 p.m. regarding the proposed changes to the zoning code for overnight shelters.

The meeting will be held at:

[Minneapolis American Indian Center](#)

[1530 East Franklin Avenue](#)

[Minneapolis, MN 55404](#)

The current regulations require that all new overnight shelters only be allowed accessory and incidental to an existing religious place of assembly. We are conducting a zoning study and are seeking participation from Minneapolis' residents and business owners to discuss ideas, concerns, and opportunities to improve our existing regulations.

There will be a presentation about people experiencing homelessness in Minneapolis and an overview of peer city research. Afterward, we will be hosting small group discussions. For more information visit: <http://www.minneapolismn.gov/cped/projects/WCMS1P-143023>.

Questions may be directed to:

Shanna Sether, Senior City Planner

612-673-2307

shanna.sether@minneapolismn.gov

Thank you for your interest.

Shanna Sether

Senior City Planner

City of Minneapolis – Community Planning and Economic Development

250 S. Fourth Street – Room 300

Minneapolis, MN 55415

Office: 612-673-2307

shanna.sether@minneapolismn.gov

www.minneapolismn.gov/cped



Sether, Shanna M

From: Ted <tlirgens@hotmail.com>
Sent: Tuesday, September 29, 2015 6:06 PM
To: Sether, Shanna M
Subject: Thanks, Powerpoint, Concerns

Shanna,

Thanks for the explanation of the proposed code changes regarding homeless shelters last night. The proposal is getting clearer now and I appreciate that you and your colleagues have done a lot of work to try to find a way to allow for the creation of more and better shelters for our homeless citizens.

I've been asked to brief the WA on the proposal and I thought a good starting point for everyone would be to review the power point that provided an overview of the current homeless shelters in Mpls. and needs, etc. that was shared at the first meeting. I understood this was going to be put up on the website, but I couldn't find it. Can you please send me a copy? Thanks.

Can you also send me the code section that currently covers shelters? A lot of people have asked me what it currently says, and I haven't been able to find the precise section(s). Thanks.

Also, you mentioned last night that you would be able to show us a map that would indicate where the various sized shelters would be allowed under the new plan. It sounds like that would be really helpful for relieving people's concerns about these changes. Can you please share that as well?

The three main concerns I took away from the presentation/meeting are the following:

- 1.) There are no specific licensing requirements in the current proposal intended to prevent slumlords from opening the new (non-religious affiliated/attached) shelters and running them poorly. A very strong licensing requirement must be a part of the definition of these two new types of shelters, since they are not going to be tied to religious institutions, which have traditionally had the best interests of the homeless people they serve at heart. We all know that enforcement of violations by slumlords is a problem in Whittier and Phillips (the city simply doesn't have the resources to enforce as necessary), and people are very legitimately concerned that homeless people (who are least likely to be able to advocate on their own behalf) will be exploited by unscrupulous shelter providers.
- 2.) Despite numerous requests (at all of the public meetings), that any change to the code must include provisions that will work to prevent the further concentration of homeless shelters in disadvantaged neighborhoods, the proposed plan contains **no** such provisions. If the new shelters are only limited to being at least 1,000 feet from existing shelters, then there could be a new shelter every two blocks in the Whittier and Stephens neighborhoods. The spacing restriction should be at least 1 mile, if the sponsors of these changes are genuinely concerned about halting the problems that over-concentration (of shelters, as well as supportive housing, affordable housing, inebriate housing, etc.) has caused in disadvantaged areas of the city.
- 3.) The maximum occupancy limits being proposed for these code changes make it a certainty that new shelters will be concentrated in neighborhoods like Whittier and Stephens. As CM Gordon acknowledged last night, the economics involved in starting a shelter (where government

funding encourages more beds than fewer) mean that it is highly unlikely that anyone will seek to create a 6 bed or fewer shelter in a low-density neighborhood like Kenwood or Lynden Hills. The obvious effect of allowing up to 32 beds in high density areas is that the shelter providers will opt to build larger (32 bed) shelters in the high-density Whittier and Phillips neighborhoods, which already have an over-concentration of shelters (not to mention, supportive housing, affordable housing, etc.).

In short, the combination of restricting larger shelters to high density areas (instead of allowing them in lower density neighborhoods on larger parcels set off from existing housing, as CM Gordon noted they considered) and putting only a 1,000 foot spacing restriction between shelters makes the addition of more, and larger, shelters a certainty for the Whittier and Stephens neighborhoods.

As I noted last night, no one I know is opposed to our finding ways to provide more and better shelters for people experiencing homelessness. Unfortunately, the answer being proposed is short-sighted in that it will create a greater concentration of shelters in struggling neighborhoods, and further segregate the City's poor into select areas. Given the City's current segregation levels (due in large part to policies regarding Affordable Housing), allowing a greater concentration of shelters in such areas is a move in the wrong direction. We need to take a step back and focus on creating solutions to the stated problems that won't cause greater concentrations and further segregation of the City's poorest residents.

CM Bender noted last night that there is one seasonal shelter that closes down in the Spring and reopens in the Fall, "because we don't allow them to operate" in the Summer. She stated the effect of this seasonal shut down is that 150 beds are lost during the Summer months. If that's the case, why not just allow them to operate year-round? Why does the City have to completely revamp the code to create two new/additional categories of shelters to deal with that problem?

As you can see, I (and, trust me, many others) still have a lot of questions about the proposed changes.

Please provide my above comments/concerns to those who will be working on the proposals going forward and please send me the information requested above at your earliest convenience.

Thanks so much.

Best,

Ted

Sether, Shanna M

From: Cari Tan <CTan@emmanorton.org>
Sent: Monday, September 28, 2015 1:01 PM
To: Sether, Shanna M
Subject: Overnight Shelters Text Amendment

Hello Shanna,

I am glad that the City of Minneapolis is looking at adjusting the definition of overnight shelters as we have a desperate need to provide beds for our homeless population.

I hope that in these conversations that there is talk about ensuring that there are safe beds for families as well as single need beds. I know that it can be especially challenging for families to find safe spaces to sleep.

I also hope that there is discussion about long term support needs being met and looking at housing solutions that are not just one night or a couple of nights.

I hope that the City of Minneapolis is exploring housing first models as a way to meet the needs of our homeless population. Not only is this the most humane method of providing support for our homeless, it is also the most cost effective and best use of resources. Salt Lake City and other municipalities have been having great success. And it makes it easier for people to gain stability so that they can start contributing back in a big way and don't have to rely on resource intensive emergency services.

Thank you for the City of Minneapolis to be looking into how to adjust the zoning laws so that they make the most sense for the current needs in our city.

Cari Tan

Volunteer Coordinator
Emma Norton Services
670 North Robert Street
Saint Paul, MN 55101
Direct 651.251.2627
Fax 651.224.6520

*Partners along the journey of **change***

www.emmanorton.org

Sether, Shanna M

From: Sara Rothholz Weiner <rothholz.weiner@gmail.com>
Sent: Sunday, September 27, 2015 9:42 AM
To: Sether, Shanna M
Subject: Shelters

Language must include accessible restroom facilities for all the time that the shelters are in place. Which means the facilities are open during this time. And special and additional sanitary/garbage pick up. Additionally , participating organizations must be responsible for any and all damage to adjacent properties with the increase of people to the community. There must be time indicated. For example from 10 pm to 7 am. Never left in place all day long. Loitering on adjacent property must not be permitted.

Responsibility and all liability w church entity.

Please send public review times to me and latest version .

Sether, Shanna M

From: Katie White <katherinejwhite@gmail.com>
Sent: Friday, September 25, 2015 10:07 AM
To: Sether, Shanna M
Subject: Overnight shelters

Good morning Ms. Sether,

I was directed to this page by the City's social media networks: http://minneapolismn.gov/cped/projects/overnight_shelters

Apparently I have missed the formal comment period. I just wanted to say that I am opposed to churches providing temporary overnight shelter, regardless of where in the City they are located. I attend a church in St. Paul that participates in Project Home, which is a similar program to what happens in Minneapolis. Ramsey County has offloaded their homelessness responsibilities to churches, and only pay \$111,000 per year for this service. Volunteers and donations provide the rest for these children and their parents. It is irresponsible for governments to defer responsibility for these issues and take advantage of the Christian charity/guilt. Many of these churches do not have adequate arrangements for healthy and safe living environments.

I would hope that Minneapolis and Hennepin County would dedicate necessary resources and make the policy changes needed to address this issue directly instead of outsourcing temporary solutions.

Thanks for your work on this issue.

Katie White
730 SE 3rd Ave

Sether, Shanna M

From: Matthew Lewis <lewismd13@gmail.com>
Sent: Thursday, September 24, 2015 2:42 PM
To: Sether, Shanna M
Subject: Overnight Shelter Ordinance

Shanna-

I hope to make it to the 9/28 community meeting, but if I can't make it, I just wanted to make sure that my voice was heard. I think it's critical that Minneapolis not make it any harder to open a shelter. Shelters are critical in serving the homeless in our city. While nobody wants shelters in their backyards, citing noise, vagrancy, or whatever else, shelters are important enough that we should not be making them impossible to open, as many municipalities have.

It is also outdated to require that shelters be opened adjacent to religious institutions. There are secular organizations doing great work for the homeless, and they should also have the opportunity to open a shelter if they are able and willing.

Cities that make it harder to open shelters are trying to make the plight of the homeless someone else's problem. That is not what Minneapolis should do. Shelters help get people off the streets, giving them a safe and warm place to sleep and staff to help them get back on their feet. Shelters are a crucial part of our efforts to help the homeless and we should welcome them, not make them more difficult to open.

Thanks,
Matt

Sether, Shanna M

From: Jana Metge <loveloring@gmail.com>
Sent: Friday, June 19, 2015 3:12 PM
To: Sether, Shanna M
Cc: Sadler, Patrick A.
Subject: Overnight Shelters Community meetings

Shanna,

We did have this as an agenda item at our community meeting this past Wednesday evening and I had Monica Nilsson from St Stephens street outreach present since no city staff were able to attend. We had a good showing of service providers, residents, MPD, City Attorney, the VA Service center, HN County, and the Park Police.

Ultimately, the bottom line is there are 200 folks per night sleeping outside. If Salvation Army has to reconfigure their amount of beds, and lose 80-100 beds, we have 300 folks outside. Not only is this just wrong, for a Country of such wealth, but, folks in Loring Park are fully aware that people will come and sleep in Loring Park, the Downtown Minneapolis Park, or the Riverfront if we do not provide for adequate Shelter, better yet permanent Housing for people.

Additionally, participants were concerned that shelters made people experiencing homelessness leave each day at 7:00 am, as well as the competition and numbers of individuals vying for a lottery to stay in a shelter and/or the first come, first serve policy of shelters which cause people to have to spend a majority of their day waiting in line to get a bed (or mat on the floor) for the night. We are also concerned with the growing numbers of Senior Citizens in shelters, forced to sleep on a mat as well as the number of children. Children, who without a good safe night's sleep and healthy meal, cannot succeed in school.

Being Homeless and being in a Shelter is Traumatic. We need to make a priority decision to get folks into homes and put policy and resources behind it. These may not even be new resources, but re directed resources when Police, Court, Detox, HN County hospital is used vs. placement in safe, clean, affordable housing. Housing is actually a cost savings solution.

The CLPC Livability Committee had quite a good and thorough conversation.

People spoke passionately that millions can go to a stadium without a vote and another \$25 million added in the blink of an eye.... that there is money to solve this problem, with dignity. We just need the will. Minneapolis leads the way on ending Veterans Homelessness and due to a Federal Mandate, along with some resources.

Jana Metge, Coordinator
Citizens for a Loring Park Community
[Www.loringpark.org](http://www.loringpark.org)

On Friday, June 19, 2015, Jana Metge <loveloring@gmail.com> wrote:
We announced them both at community meetings last week at will again on Monday.

Thanks.

Jana



October 28, 2015

Councilmember Lisa Bender
Minneapolis City Hall
350 South 5th Street, Room 307
Minneapolis, MN 55415

Dear Lisa,

I am writing to inform you of the action taken by the Whittier Alliance Board at its October 22, 2015, meeting regarding the proposed changes to zoning regulations for homeless shelters in Minneapolis.

Motion: The Whittier Alliance Board opposes the shelter ordinance on the grounds that it does not address the concerns brought up at the community meetings, that it does not have a licensing and oversight requirement, and that it inequitably directs the shelters to neighborhoods with high density and poverty.

Motion Carried.

The proposed shelter ordinance code changes were the subject of a lengthy discussion at the Whittier board meeting and a number of concerns were strongly expressed.

First, the requirement that shelters be attached to religious institutions previously offered implied assurance that the shelter providers would have the best interests of the people they serve as a core value. Although this was not a guarantee of good management, it prevented negligent landlords from taking advantage of government funding for shelter services. The proposed shelter ordinance opens the door for anyone to provide emergency shelter housing. In addition there are no licensing or inspection requirements. St Paul and numerous other municipalities require shelters to be licensed and inspected.

Second, the proposed 1000 foot spacing distance between shelters allows the placement of shelters within two blocks of one another. In reality and from an efficiency perspective, it is unlikely that a 5 person shelter will be opened—in any neighborhood. The economy of maximum occupancies will direct shelter operators to concentrate shelters in neighborhoods such as Whittier, Stevens Square, Elliot, Jordan and Phillips with little single family and a lot of high density zoning. The allowance of 350 bed occupancy in 5000 sqft (the code currently requires such facilities be located in properties with 20,000 sqft) is warehousing people and furthers the likelihood of emergency and shelter housing being concentrated in high density neighborhoods—which by statistics have the most crime and poverty as well as being the locations for most of the transitional and supportive housing. The City of Minneapolis has set **equity** as one of its primary goals. This proposed shelter ordinance is **inequitable** to neighborhoods with high density zoning, to the City and to the clients that the shelters serve.

Thirdly, not only do the code changes not represent what was expressed at community participation sessions, but public awareness of these proposed changes is extremely low (the proposed changes were presented at only one poorly advertised general meeting that included only 5 members of the public). The ordinance clearly was shaped and influenced by the shelter providers that it is intended to regulate. The voices and experiences of neighborhoods currently hosting shelters and other transitional and supportive housing are clearly absent in the ordinance language. Councilmembers and City Planning Staff need to solicit and incorporate recommendations from impacted neighborhoods, bring the discussion to Whittier and to other neighborhood community meetings, and do a more comprehensive job of developing a shelter ordinance that will distribute all levels of shelter housing throughout the City.

We request that the Planning Commission postpone its decision on this ordinance until a more equitable ordinance is developed.

Sincerely,

A handwritten signature in black ink, appearing to read "Marian Biehn". The signature is fluid and cursive, with a prominent loop at the end.

Marian Biehn
Executive Director

Cc: Shanna Sether, Senior City Planner, City of Minneapolis
Mayor Betsy Hodges
Councilmember Cam Gordon
All Councilmembers
Roberta Englund, Executive Director, Webber-Camden Neighborhood Organization
Steven Gallagher, Executive Director, Stevens Square Community Organization
Crystal Windschitl, Executive Director, Phillips West Neighborhood Organization
Lynn Regnier, Executive Director, Elliot Park
Jana Metje, Citizens of the Loring Park Community
Myron Orfield, University of Minnesota

Cam Gordon

City Council Member
Second Ward

350 South 5th Street - Room 301M
Minneapolis MN 55415

Office 612-673-2202
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Cell 612-296-0579
TTY 612-673-2157

Marian Biehn
Executive Director
Whittier Alliance
10 E 25th St
Minneapolis, MN 55404

Ms. Biehn,

I am writing to correct the record in response to your letter dated October 28, 2015, regarding the proposed zoning code changes regarding homeless shelters that I am coauthoring with my colleague Lisa Bender.

In particular, I want to correct three inaccurate assertions you make in that letter:

- 1) You write that there will not be a “licensing and oversight requirement” for Emergency Shelters. **That is inaccurate.** I have not only proposed but introduced subject matter of an ordinance (on October 25, 2015, with notice provided on October 9, 2015 – nineteen days before the date of your letter) to license Emergency Shelters. This licensing is proposed to be enforced by the City’s Health Department, which also inspects (through its Food, Lodging and Pools division) all hotels, motels, lodging and boarding houses in Minneapolis. Licensing Emergency Shelters will require providers to comply with all existing laws, and I expect that the license itself will include requirements for emergency shelters to:
 - a. Maintain their physical building in good condition, keep it clean and free of pests,
 - b. Comply with fire safety regulations,
 - c. Provide laundry service or access to laundry facilities, and
 - d. Provide appropriate restroom and shower facilities.
- 2) The proposed amendment will not, as you say, “inequitably direct shelters to neighborhoods with high density.” **That is inaccurate.** In fact, the amendment will introduce the first spacing requirements for any kind of homeless shelter in Minneapolis. New Emergency Shelters will be able to serve no more than 32 people. New Overnight Shelters will be required to locate in the C2, C4, Downtown and Industrial Living districts. Please refer to the map prepared by Planning staff entitled “Overnight Shelters - 1,000-Foot Spacing from Existing Shelters” to see just how few parcels in the neighborhoods about which you express concern will be available for the construction of an Overnight Shelter. They are the parcels in green.
- 3) The maximum number of beds at a shelter that you cite in your letter is too large by **200 beds**, or more than twice what is actually proposed. Again, the proposed maximum number of beds at an Emergency Shelter is 32. The proposed maximum number of beds at an Overnight Shelter is 150. Here is the actual text from the definition of “Overnight Shelter”: “Except in the DS Downtown Shelter Overlay District, the total number of shelter guests shall not exceed one hundred-fifty (150) persons.” You may be referring to the maximum number allowed *within the Downtown Shelter*

Overlay District, but that is not what is proposed for citywide adoption in this amendment. The Downtown Shelter overlay district does not encompass the neighborhoods of “Whittier, Stevens Square, Elliot, Jordan and Phillips,” which you list in the sentence just before giving the 350 bed number.

Lastly, you use variations on the word “equity” three times in your letter. I want to share with you why I feel that this zoning code amendment is absolutely in keeping with the City’s focus on equity – an issue I have long championed and which I helped bring into the public discussion in our city.

Quoting from the Planning staff report: “According to the Office of Ending Homelessness, the median number of homeless people in Hennepin County each night over the last year was **2,156**. Of those, **296** were families (**1,196** people), **902** were single adults and **59** were youth.” In June of 2015, there were **207** unsheltered people in our city. Those are real people, our neighbors, in distinct need. We are not meeting that need, even as it worsens.

And our focus on racial equity should make us take seriously that **60%** of homeless adults and **70%** of homeless youth are people of color, according to Wilder Research. This **absolutely** is an equity issue. But if we are seriously committed to equity – especially racial equity – the answer is to pass this zoning code amendment.

I will note that this text amendment opens up numerous opportunities for new Emergency Shelters and Overnight Shelters in the Ward I represent, Ward 2. I welcome those opportunities, though I understand that there may well be challenges, and I believe that the residents of the neighborhoods I represent – Longfellow, Seward, Prospect Park, the West Bank and Southeast Como – feel similarly. We have welcomed tens of new beds of supportive housing to these neighborhoods in the past few years, and I fully expect to welcome even more. I am authoring this text amendment because I want to meet the increasing, unmet need of the poorest and most in need of our neighbors, in a deconcentrated way, that also preserves and enhances the quality of life for everyone who lives in our neighborhoods, and because I believe that **it is our moral obligation to do so**.

In peace and cooperation,



Cam Gordon
Council Member, Second Ward

CC:

Shanna Sether, Senior City Planner, City of Minneapolis

Mayor Betsy Hodges

Council Members

Roberta Englund, Executive Director, Webber-Camden Neighborhood Organization

Steven Gallagher, Executive Director, Stevens Square Community Organization

Crystal Windschitl, Executive Director, Phillips West Neighborhood Organization

Lynn Regnier, Executive Director, Elliot Park

Jana Metje, Citizens of the Loring Park Community

Myron Orfield, University of Minnesota

Sether, Shanna M

From: Lynn Regnier <lynnregnier@elliottpark.org>
Sent: Monday, November 02, 2015 12:41 PM
To: Sether, Shanna M
Cc: info@whittieralliance.org; Goodman, Lisa R.; Salah, Abdi; Reich, Kevin A.; Gordon, Cam A.; Frey, Jacob; Johnson, Barbara A. - City Council; Broom, Sean; Quincy, John; Johnson, Andrew; Ziring, Emily; info@webbercamden.org; info@sscoweb.org; pwno2005@yahoo.com; Jana Metge; Bender, Lisa; alondra.caro@minneapolismn.gov; Glidden, Elizabeth A.; Carletta Sweet; Dale White; DJ Heinle; Ed Newman; Lynn Regnier; John Van Heel; Karen Rosar; Laurie Jones
Subject: Proposed code changes for shelters
Attachments: Whittier letter 10-15 Shelters Ordinance.pdf

Shanna-

I am writing to express concern that there is not ample time for neighborhood boards to review and consider the proposed changes to zoning regulations for homeless shelters in Minneapolis. I thank you for taking the time last week to talk me through the CPED staff report and explain the actions and recommendations. As we discussed, the Elliot Park Neighborhood, Inc. Board of Directors next meet on November 9th and that does not allow opportunity for serious review and understanding of the proposed changes prior to the Zoning and Planning meeting on November 12th and the City Council meeting on November 20th.

However, based on recent conversations surrounding homeless shelters and housing, I believe that I can suggest that the EPNI Board will share the concerns of the Whittier Alliance Board as expressed in their letter to Councilmember Lisa Bender dated October 28, 2015 (attached).

1st Covenant Church and the Salvation Army-Harbor Lights program recently requested community support for their conditional use permit application to extend their seasonal shelter into the future and beyond the previous 5-year interim use permit that was expiring. The community made it clear that while they supported the CUP they were adamant that there be an annual reporting of shelter activity and an opportunity for the community to explore any issues and concerns prior to renewing support for the next year's program. They also made it very clear that they did not support any additional seasonal, emergency or overnight shelters in the Elliot Park Neighborhood.

Likewise, when House of Charity presented plans earlier this year for their new development for long-term homeless housing and administrative support offices and a new food shelter, the community approved their concept but stated that this was the "last one" for homeless housing in Elliot Park. They backed up that message recently when two other organizations presented joint early concept plans for a health supported housing development in the neighborhood specifically for the homeless/near homeless experiencing chronic health issues. The community, by a very large majority, said no to that.

Moreover, it is also confusing to note that while the intent of the proposed changes purports to spread homeless shelters more equitably throughout the city, it is clear that the zoning districts do not support that notion.

I strongly urge that the Planning Commission postpone its decision on this ordinance. Sincerely, Lynn Regnier

Lynn Regnier, Executive Director
Elliot Park Neighborhood, Inc.
609 South 10th Street, Suite 170
Minneapolis, MN 55404

Sether, Shanna M

From: Gordon, Cam A.
Sent: Monday, November 02, 2015 7:15 PM
To: Lynn Regnier; Sether, Shanna M
Cc: info@whittieralliance.org; Goodman, Lisa R.; Salah, Abdi; Reich, Kevin A.; Frey, Jacob; Johnson, Barbara A. - City Council; Broom, Sean; Quincy, John; Johnson, Andrew; Ziring, Emily; info@webbercamden.org; info@sscweb.org; pwno2005@yahoo.com; Jana Metge; Bender, Lisa; Glidden, Elizabeth A.; Carletta Sweet; Dale White; DJ Heinle; Ed Newman; John Van Heel; Karen Rosar; Laurie Jones
Subject: RE: Proposed code changes for shelters
Attachments: Shelter response to Whittier.pdf

Dear Lynn,

I am following up on the note you sent out earlier today about the proposed zoning code changes regarding the regulation of homeless shelters that I am coauthoring with my colleague Lisa Bender. I am interested in helping ensure that you and your organization have as much accurate information as you need to feel well informed about this issue. We did hold two citywide community meetings and that there has been some media coverage of this, in addition to the formal Public Hearing that was held tonight, and I realize you are seeking additional information now. I would be happy to come, present and discuss the proposal with your board, or a committee, to get you all the information I can as this moves through the Council process for possible passage later this month of early next. I am also attaching additional information and sending along the a link to the full staff report below.

I also wanted to let you know that the proposed zoning code changes unanimously passed the City Planning Commission this evening, November 2, following the public hearing where several people spoke in favor of it and no one spoke in opposition.

In general, if approved by the Council, this would change our rules to no longer require shelters to be accessory to religious institutions. This change would decouple them in our code and allow for shelters to be a principal use, which is currently prohibited. The ordinance change would allow for two types of homeless shelters to operate as a principal use in certain zoning districts. One type would be called an overnight shelter and a second type would be called an emergency shelter.

Overnight shelters are intended to be larger facilities (greater occupancy) and have less than a 24 hour stay. The occupancy of persons would be 150 persons or the maximum allowed per the building code, whichever is less. There would be a minimum spacing of 1,000 feet to other principal or accessory emergency and overnight shelters to prevent concentration. These uses would be conditional in the C2 Neighborhood Corridor Commercial and C4 General Commercial Districts, Downtown Districts and in the IL Industrial Living Overlay Districts.

Emergency shelters would be smaller facilities, with occupancy and lot requirements based on zoning districts. These uses would allow for a longer stay, for up to 30 days. This type of shelter would have the occupancy of persons determined by the zoning district, which would be for up to six people allowed in low density residential areas and up to 32 in higher density areas like those that would also allow apartment buildings. Staff is again proposing a minimum spacing of 1,000 feet to other accessory or principal emergency and overnight shelters to prevent concentration. This would be a conditional use in all primary zoning districts in the City of Minneapolis, except in the Industrial Districts that do **not** have a "Living Overlay District" where they would not be allowed.

You can find the full staff report here -

<http://www.minneapolismn.gov/www/groups/public/@cped/documents/webcontent/wcms1p-150970.pdf>

Also as part of the proposal (but not under consideration at the Planning Commission) I am working on an additional regulatory framework that would be required for one or both types of shelters. The Department of Health issues and inspects properties carrying Board and Lodging and Lodging licenses. I have introduced and am working on an accompanying ordinance in the Health Code to require these facilities to carry these annual licenses. This will allow for the regular inspections of the property and additional regulatory oversight to ensure safe and healthy places for occupants. This will also allow for a relationship between license renewal and continued compliance with all City ordinances. This ordinance change does not go before the planning commission but will be heard and considered at a later date by a City Council Committee.

As approved by the Planning Commission the zoning code text amendment will next go forward to the Zoning and Planning committee and then the full Council for final approval either on November 20th or December 11th. I am working to ensure that the Health Code amendment will be considered on the same day.

Finally, I am attaching a formal letter that I sent to the Whittier Alliance's email address and shared with the Planning Commission to clarify a number of things that may have been inaccurate in their letter.

Feel free to share this information with others who may be interested and let me know if you have any questions.

Yours,

Cam Gordon
Minneapolis City Council Member, Second Ward
673-2202, 296-0579
cam.gordon@minneapolismn.gov
<http://www.minneapolismn.gov/ward2>
<http://secondward.blogspot.com/>
<https://www.facebook.com/camgordonward2>
<https://twitter.com/CameronAGordon>

From: Lynn Regnier [mailto:lynnregnier@elliottpark.org]

Sent: Monday, November 02, 2015 12:41 PM

To: Sether, Shanna M

Cc: info@whittieralliance.org; Goodman, Lisa R.; Salah, Abdi; Reich, Kevin A.; Gordon, Cam A.; Frey, Jacob; Johnson, Barbara A. - City Council; Broom, Sean; Quincy, John; Johnson, Andrew; Ziring, Emily; info@webbercamden.org; info@sscoweb.org; pwno2005@yahoo.com; Jana Metge; Bender, Lisa; alondra.caro@minneapolismn.gov; Glidden, Elizabeth A.; Carletta Sweet; Dale White; DJ Heinle; Ed Newman; Lynn Regnier; John Van Heel; Karen Rosar; Laurie Jones

Subject: Proposed code changes for shelters

Shanna-

I am writing to express concern that there is not ample time for neighborhood boards to review and consider the proposed changes to zoning regulations for homeless shelters in Minneapolis. I thank you for taking the time last week to talk me through the CPED staff report and explain the actions and recommendations. As we discussed, the Elliot Park Neighborhood, Inc. Board of Directors next meet on November 9th and that does not allow opportunity for serious

review and understanding of the proposed changes prior to the Zoning and Planning meeting on November 12th and the City Council meeting on November 20th.

However, based on recent conversations surrounding homeless shelters and housing, I believe that I can suggest that the EPNI Board will share the concerns of the Whittier Alliance Board as expressed in their letter to Councilmember Lisa Bender dated October 28, 2015 (attached).

1st Covenant Church and the Salvation Army-Harbor Lights program recently requested community support for their conditional use permit application to extend their seasonal shelter into the future and beyond the previous 5-year interim use permit that was expiring. The community made it clear that while they supported the CUP they were adamant that there be an annual reporting of shelter activity and an opportunity for the community to explore any issues and concerns prior to renewing support for the next year's program. They also made it very clear that they did not support any additional seasonal, emergency or overnight shelters in the Elliot Park Neighborhood.

Likewise, when House of Charity presented plans earlier this year for their new development for long-term homeless housing and administrative support offices and a new food shelter, the community approved their concept but stated that this was the "last one" for homeless housing in Elliot Park. They backed up that message recently when two other organizations presented joint early concept plans for a health supported housing development in the neighborhood specifically for the homeless/near homeless experiencing chronic health issues. The community, by a very large majority, said no to that.

Moreover, it is also confusing to note that while the intent of the proposed changes purports to spread homeless shelters more equitably throughout the city, it is clear that the zoning districts do not support that notion.

I strongly urge that the Planning Commission postpone its decision on this ordinance. Sincerely, Lynn Regnier

Lynn Regnier, Executive Director
Elliot Park Neighborhood, Inc.
609 South 10th Street, Suite 170
Minneapolis, MN 55404
612-335-5846 ext 18
Lynnregnier@elliottpark.org
www.elliottpark.org

Sether, Shanna M

From: Ted.L.Irgens@wellsfargo.com
Sent: Tuesday, November 03, 2015 11:46 AM
To: Sether, Shanna M
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th
Attachments: IMG_0499.jpg

Shanna,

The document you shared with me earlier, capturing the proposed edits to the code sections regarding the new shelter types, showed (in 536.20 – Specific development standards.) that “The total number of shelter guests [for an Overnight Shelter] shall not exceed three hundred-fifty (350) persons.” (See attached.) Was this changed to a max of 150 before your report was submitted to the CPC?

I understand the proposal is for Overnight Shelters (max capacity of 350 or 150?) to only be allowed in C2, C4, Downtown and Industrial Living districts. Emergency Shelters (serving 17-32 persons) would be allowed in OR 2, OR3, R4, R5, and R6, C2, C3A, C3S, and C4 (and can be 6 stories tall on a lot of 5,000sq ft); Emergency Shelters serving 7-16 can be in C1.

Given this range of possible locations, as people are understanding the proposed ordinance changes, a new shelter (Emergency, and possibly Overnight) could be opened 1,001 feet from the three existing shelters in Whittier, so several new shelters could be opened throughout the neighborhood, given its size and density. Cam appears to dispute that supposition, but we have not seen anything that illustrates/supports his claim.

You and I talked earlier about your providing us with a map that you suggested would show where additional shelters could be added in Whittier, under the new ordinance with the proposed 1,000 foot spacing requirement. Can you please provide that now?

Whittier would very much appreciate it if Cam and you would come and address this issue (as well as discuss further the necessity of licensing requirements) at the upcoming Community Issues meeting on Monday, November 9th. Can we make that happen?

Thank you.

Ted

Overnight Shelters – Proposed Zoning Code Text Amendment – (Emergency and Overnight Shelters)

520.160. – Definitions.

Emergency shelter. Any facility that provides sleeping accommodations and restroom facilities to homeless persons on a day-to-day basis, for periods of thirty (30) days or less.

Overnight shelter. One (1) main building, or portions thereof, on one (1) zoning lot where persons receive temporary overnight shelter for a period of time but to exceed twenty-four (24) hours to persons without permanent housing.

536.20. – Specific development standards.

Emergency shelter.

- (1) The site shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (2) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the area.
- (3) An appropriate transition area between the site and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the area.
- (4) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (5) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

*Don't
address
this #3*

Overnight shelter.

- (1) The site shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (2) The total number of shelter guests shall not exceed three hundred fifty (350) persons.
- (3) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the area.
- (4) An appropriate transition area between the site and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the area.
- (5) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (6) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (7) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

537.110. – Allowed accessory uses and structures.

Overnight shelter. Overnight shelters shall be allowed accessory to a religious institution place of assembly. In addition to obtaining a conditional use permit, as specified in Chapter 525, Administrative and Enforcement, such overnight shelter shall be subject to the following standards:

- (1) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (2) The number of guests shall not exceed the housing code occupancy requirements.
- (3) The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (4) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Sether, Shanna M

From: Ted.L.Irgens@wellsfargo.com
Sent: Tuesday, November 03, 2015 5:42 PM
To: Sether, Shanna M
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Shanna,

Thanks for the below.

I understand you're not involved in the licensing/inspection proposed by Cam. We'll ask Cam to present on that piece of this.

But has the text changed further? Cam noted in a letter sent yesterday that new Overnight Shelters (which he noted could have only up to 150 outside of the DS Downtown Shelter Overlay District) would be allowed in "C2, C4, Downtown and Industrial Living districts." Your chart below says they are only allowed in the IL Overlay District (and there, only up to 150 persons). ???

Clearly there is still a lot of confusion about the proposed amendment and we would really appreciate having the new proposed amendment be adequately presented at the Whittier Community Issues Meeting on the 9th. We'll contact Cam to request his involvement, but since you are the Staff member responsible for drafting the amendment, we would still need your involvement to address neighborhood questions about this.

Also, you and I talked earlier about your providing us with a map that you suggested would show where additional shelters could/could not be added in Whittier, under the new ordinance with the proposed 1,000 foot spacing requirement. Can you please provide us with that now? If the amendment has been crafted in such a way that it will **not** contribute to the further concentration of shelters in Whittier, then people need to know that. It sounds like that is what Cam/Staff is suggesting, but nothing has been presented to illustrate (through a representative map) that this is the case.

Thank you.

Ted

From: Sether, Shanna M [mailto:Shanna.Sether@minneapolismn.gov]
Sent: Tuesday, November 03, 2015 4:06 PM
To: Irgens, Ted L.
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Hello Ted,

I understand the proposal is for Overnight Shelters (max capacity of 350 or 150?) to only be allowed in C2, C4, Downtown and Industrial Living districts. Emergency Shelters (serving 17-32 persons) would be allowed in OR 2, OR3, R4, R5, and R6, C2, C3A, C3S, and C4 (and can be 6 stories tall on a lot of 5,000sq ft); Emergency Shelters serving 7-16 can be in C1.

Given this range of possible locations, as people are understanding the proposed ordinance changes, a new shelter (Emergency, and possibly Overnight) could be opened 1,001 feet from the three existing shelters in Whittier, so several new shelters could be opened throughout the neighborhood, given its size and density. Cam appears to dispute that supposition, but we have not seen anything that illustrates/supports his claim.

You and I talked earlier about your providing us with a map that you suggested would show where additional shelters could be added in Whittier, under the new ordinance with the proposed 1,000 foot spacing requirement. Can you please provide that now?

Whittier would very much appreciate it if Cam and you would come and address this issue (as well as discuss further the necessity of licensing requirements) at the upcoming Community Issues meeting on Monday, November 9th. Can we make that happen?

Thank you.

Ted

Sether, Shanna M

From: Ted.L.Irgens@wellsfargo.com
Sent: Thursday, November 05, 2015 12:04 PM
To: Sether, Shanna M
Cc: Marian@whittieralliance.org; ericacchrist@yahoo.com
Subject: FW: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Good morning Shanna,

Thanks for the link. I am well aware of the two types of proposed shelters.

Unfortunately, it seems you've contradicted yourself again. Your email from yesterday says Overnight Shelters (which have a max occupancy of 150) can be in the "C2, C4, and IL Overlay Districts."
Your chart in your Tuesday email says that shelters with a max occupancy of 150 can only be in the IL Overlay District. **Which is it?** Are you now saying that Overnight Shelters can only have 150 beds in the IL Overlay District and any Overnight Shelters in the other allowed districts can only have 32 beds? (Your Whittier map for Overnight Shelters doesn't indicate different bed numbers, so I'm assuming you mean all Overnight Shelters in Whittier could have a maximum of 150 beds).

I did not see the maps in your earlier email. Thanks very much for resending them. As I read them it appears that most of Whittier is eligible to have an Emergency Shelter of up to 32 beds and (given the proposed 1,000 foot spacing restriction, about every two blocks) **there could be an additional 8 Emergency Shelters added to Whittier (with a max of 32 beds each), or there could be 8 additional Overnight Shelters (with a max of 150 beds) added to Whittier, or a combination of the two** (in addition to the three existing Overnight shelters, currently in operation, by St. Stephens and Simpson Housing). I arrived at these numbers using the circles in your maps. (8 new 150 bed Overnight Shelters would be an additional 1,200 beds.)

It's not surprising people are still confused considering that you changed the proposed text after the one poorly advertised "community meeting" (that only included 5 members of the public), and your emails about this continue to appear to contradict themselves. Furthermore, NO one has presented the proposed changes to the neighborhoods who are most likely to be effected by these proposed changes; not Staff, not Cam, and not Lisa; despite our repeated requests. So I can assure you that I am not the only one who remains confused by the proposed changes.

Let's be honest; **these changes were drafted almost exclusively with the help of the organizations that will be regulated by them and do not reflect the repeated requests from residents that any changes to the code would not add to the concentration of shelters in residential neighborhoods that already contain an inequitable concentration of them.** That's the real problem here. **Whittier already has three (3) shelters, and, if this proposal goes through the way it's been drafted, it could gain another eight (8).** Considering that Simpson Housing, Alliance Housing and St. Stephens all have their headquarters in Whittier and carry out extensive operations here, this is not an unwarranted concern of the neighborhood. Whereas St. Paul only allows shelters in its Downtown and Industrial Districts, it still requires that they be spaced 600 feet from all CFRs, not just other shelters. As you may know, Whittier contains some 30 CFR and Supportive Housing and Supportive Housing Facilities. It also contains some 40 subsidized housing facilities, which together have created an inequitable concentration of poverty in the neighborhood.

We all know that a CUP is no barrier to the addition of more shelters to the neighborhood if the code allows for it. And, unfortunately for Whittier, Council Member Bender is clearly not willing to work to protect the neighborhood from the problems that come with the further concentration of poverty. As she explained when asked about the excessive concentration of half way houses in the neighborhood, *"What can you do, these things have to go somewhere, and*

property is cheap in Whittier.” Now, I understand, she believes we progressives should stop using the term Concentration of Poverty altogether, and presumably just ignore that these areas exist while hoping that economic measures will eventually correct the problems.

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Please answer my question about the maximum number of beds that would be allowed in Overnight Shelters in Whittier.

And please add this email to the information going to the City Council for their consideration of these proposed changes.

Thank you.

Ted

From: Sether, Shanna M [<mailto:Shanna.Sether@minneapolismn.gov>]

Sent: Thursday, November 05, 2015 9:44 AM

To: Irgens, Ted L.

Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org

Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Good morning Ted,

As we discussed previously at the community meeting in September and what has been posted in the proposed text, there are two types of proposed shelters – emergency and overnight shelters. The link to the staff report with the proposed text is here: <http://www.ci.minneapolis.mn.us/www/groups/public/@cped/documents/webcontent/wcms1p-150970.pdf>

Emergency shelters are intended to be smaller facilities (reduced occupancy) with longer stays – up to 30 days. Overnight shelters capture the medium and larger facilities, overnight only (24 hours or less).

Overnight shelters would be allowed with a conditional use permit in the C2, C4, Downtown and IL Overlay Districts. I sent you the two different maps in the last message showing the eligible areas for both types of shelters.

I am a little surprised at the lack of understanding, considering you were present during the discussion on September 28. We also have not had any issues conveying the concepts at the Committee of the Whole for the planning commission and the city planning commission public meetings that were held on October 8, and November 2, respectively. It seems as though you are the only person who still has questions about the proposed amendment. If it is helpful, I've attached a copy of the presentation from Monday's city planning commission meeting.

I sent the maps to you in the previous message, were you not able to open them? I attached them again to this message, for your convenience.

If a phone call is more appropriate to go over this information, please let me know and we can set that up.

Thank you,

Shanna Sether
Senior City Planner

City of Minneapolis – Community Planning and Economic Development
250 S. Fourth Street – Room 300
Minneapolis, MN 55415

Office: 612-673-2307
shanna.sether@minneapolismn.gov
www.minneapolismn.gov/cped



From: Ted.L.Irgens@wellsfargo.com [<mailto:Ted.L.Irgens@wellsfargo.com>]
Sent: Tuesday, November 03, 2015 5:42 PM
To: Sether, Shanna M
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Shanna,

Thanks for the below.

I understand you're not involved in the licensing/inspection proposed by Cam. We'll ask Cam to present on that piece of this.

But has the text changed further? Cam noted in a letter sent yesterday that new Overnight Shelters (which he noted could have only up to 150 outside of the DS Downtown Shelter Overlay District) would be allowed in "C2, C4, Downtown and Industrial Living districts." Your chart below says they are only allowed in the IL Overlay District (and there, only up to 150 persons). ???

Clearly there is still a lot of confusion about the proposed amendment and we would really appreciate having the new proposed amendment be adequately presented at the Whittier Community Issues Meeting on the 9th. We'll contact Cam to request his involvement, but since you are the Staff member responsible for drafting the amendment, we would still need your involvement to address neighborhood questions about this.

Also, you and I talked earlier about your providing us with a map that you suggested would show where additional shelters could/could not be added in Whittier, under the new ordinance with the proposed 1,000 foot spacing requirement. Can you please provide us with that now? If the amendment has been crafted in such a way that it will **not** contribute to the further concentration of shelters in Whittier, then people need to know that. It sounds like that is what Cam/Staff is suggesting, but nothing has been presented to illustrate (through a representative map) that this is the case.

Thank you.

Ted

From: Sether, Shanna M [<mailto:Shanna.Sether@minneapolismn.gov>]
Sent: Tuesday, November 03, 2015 4:06 PM
To: Irgens, Ted L.
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Hello Ted,

The document I shared was part of the community engagement meeting on the proposed text. You'll remember that I said in that meeting that 350 was too many people outside of the DS Downtown Shelter Overlay and staff was trying to determine the correct number of people. We've posted the proposed text in the October 19 and November 2 CPC agendas. I sent you the link to the planning commission agenda page prior to the October 19th meeting. Each of the proposed text amendments stated a maximum occupancy of 150 persons in the C2, C4, Downtown and IL Overlay Districts. You can still find the links online.

Emergency shelters would be allowed up the maximum occupancy, with a conditional use permit, by the following zoning districts:

Zoning District	Maximum Occupancy
R1, R1A, R2, R2B	Up to 6 persons
R3, OR1, C1	Up to 16 persons
R4, R5, R6, OR2, OR3, C2, C3A, C3S, C4, B4, B4S, B4C, B4N	Up to 32 persons
IL Overlay District	150 persons

Title 20 Zoning Code does not regulate licensing; therefore I am not working on the licensing regulations. The Health Code is proposed to be amended – this is with the City of Minneapolis' Health Department. You can contact Cam Gordon's office at 612-673-2202 to discuss attendance at this meeting.

Thank you,
Shanna

Shanna Sether
Senior City Planner

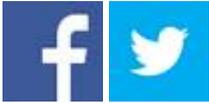
City of Minneapolis – Community Planning and Economic Development
250 S. Fourth Street – Room 300

Minneapolis, MN 55415

Office: 612-673-2307

shanna.sether@minneapolismn.gov

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From: Ted.L.Irgens@wellsfargo.com [<mailto:Ted.L.Irgens@wellsfargo.com>]

Sent: Tuesday, November 03, 2015 11:46 AM

To: Sether, Shanna M

Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org

Subject: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Shanna,

The document you shared with me earlier, capturing the proposed edits to the code sections regarding the new shelter types, showed (in 536.20 – Specific development standards.) that “The total number of shelter guests [for an Overnight Shelter] shall not exceed three hundred-fifty (350) persons.” (See attached.) Was this changed to a max of 150 before your report was submitted to the CPC?

I understand the proposal is for Overnight Shelters (max capacity of 350 or 150?) to only be allowed in C2, C4, Downtown and Industrial Living districts. Emergency Shelters (serving 17-32 persons) would be allowed in OR 2, OR3, R4, R5, and R6, C2, C3A, C3S, and C4 (and can be 6 stories tall on a lot of 5,000sq ft); Emergency Shelters serving 7-16 can be in C1.

Given this range of possible locations, as people are understanding the proposed ordinance changes, a new shelter (Emergency, and possibly Overnight) could be opened 1,001 feet from the three existing shelters in Whittier, so several new shelters could be opened throughout the neighborhood, given its size and density. Cam appears to dispute that supposition, but we have not seen anything that illustrates/supports his claim.

You and I talked earlier about your providing us with a map that you suggested would show where additional shelters could be added in Whittier, under the new ordinance with the proposed 1,000 foot spacing requirement. Can you please provide that now?

Whittier would very much appreciate it if Cam and you would come and address this issue (as well as discuss further the necessity of licensing requirements) at the upcoming Community Issues meeting on Monday, November 9th. Can we make that happen?

Thank you.

Ted

Sether, Shanna M

From: Ted.L.Irgens@wellsfargo.com
Sent: Thursday, November 05, 2015 2:54 PM
To: Sether, Shanna M
Cc: Marian@whittieralliance.org; ericacchrist@yahoo.com
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Shanna,

Thanks for the response.

I see. So the eight (8) Overnight Shelters that could be added to Whittier (throughout the neighborhood, no longer just in Churches) under the proposed changes *could* each have 150 beds. Obviously the spacing restrictions in the proposed amendment do not actually “prevent concentration,” as CM Gordon has claimed.

Thank you for forwarding this string to the decision makers for review. I am more than happy to discuss with any of them possible revisions that could be made to the proposed amendment to prevent the further concentration of shelters in neighborhoods that already have an inequitable concentration of poverty.

Given that you haven’t addressed my continued request to present the proposed Amendment to Whittier at the Community Issues Meeting, I’ll assume neither you nor anyone else is willing to present it to the neighborhood unless I hear from you otherwise.

Ted

From: Sether, Shanna M [mailto:Shanna.Sether@minneapolismn.gov]
Sent: Thursday, November 05, 2015 1:49 PM
To: Irgens, Ted L.
Cc: Marian@whittieralliance.org; ericacchrist@yahoo.com
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

The chart that I sent via e-mail on Tuesday was labeled “Emergency Shelters”, in response to your question from Monday.

Overnight shelters would be allowed up to 150 people in the C2, C4, Downtown and IL Overlay Districts, per the proposed ordinance. Maximum occupancy would be up to 350 people in the DS Overlay District – this is currently in ordinance and is not proposed to change – Whittier is not in the DS Overlay eligible area (see attached). The caveat to both of these zoning code requirements would be if the building code required fewer people; this would then supersede the zoning requirement.

I will forward your public comments on to the decision makers for review.

Shanna Sether
Senior City Planner

City of Minneapolis – Community Planning and Economic Development
250 S. Fourth Street – Room 300

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250 S. Fourth Street – Room 300
Minneapolis, MN 55415

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Sent: Tuesday, November 03, 2015 11:46 AM
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Thank you.

Ted

Minneapolis, MN 55415

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From: Ted.L.Irgens@wellsfargo.com [mailto:Ted.L.Irgens@wellsfargo.com]

Sent: Thursday, November 05, 2015 12:04 PM

To: Sether, Shanna M

Cc: Marian@whittieralliance.org; ericacchrist@yahoo.com

Subject: FW: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Good morning Shanna,

Thanks for the link. I am well aware of the two types of proposed shelters.

Unfortunately, it seems you've contradicted yourself again. Your email from yesterday says Overnight Shelters (which have a max occupancy of 150) can be in the "C2, C4, and IL Overlay Districts."

Your chart in your Tuesday email says that shelters with a max occupancy of 150 can only be in the IL Overlay District. **Which is it?** Are you now saying that Overnight Shelters can only have 150 beds in the IL Overlay District and any Overnight Shelters in the other allowed districts can only have 32 beds? (Your Whittier map for Overnight Shelters doesn't indicate different bed numbers, so I'm assuming you mean all Overnight Shelters in Whittier could have a maximum of 150 beds).

I did not see the maps in your earlier email. Thanks very much for resending them. As I read them it appears that most of Whittier is eligible to have an Emergency Shelter of up to 32 beds and (given the proposed 1,000 foot spacing restriction, about every two blocks) **there could be an additional 8 Emergency Shelters added to Whittier (with a max of 32 beds each), or there could be 8 additional Overnight Shelters (with a max of 150 beds) added to Whittier, or a combination of the two** (in addition to the three existing Overnight shelters, currently in operation, by St. Stephens and Simpson Housing). I arrived at these numbers using the circles in your maps. (8 new 150 bed Overnight Shelters would be an additional 1,200 beds.)

It's not surprising people are still confused considering that you changed the proposed text after the one poorly advertised "community meeting" (that only included 5 members of the public), and your emails about this continue to appear to contradict themselves. Furthermore, NO one has presented the proposed changes to the neighborhoods who are most likely to be effected by these proposed changes; not Staff, not Cam, and not Lisa; despite our repeated requests. So I can assure you that I am not the only one who remains confused by the proposed changes.

Let's be honest; **these changes were drafted almost exclusively with the help of the organizations that will be regulated by them and do not reflect the repeated requests from residents that any changes to the code would not add to the concentration of shelters in residential neighborhoods that already contain an inequitable concentration of them.** That's the real problem here. **Whittier already has three (3) shelters, and, if this proposal goes through the way it's been drafted, it could gain another eight (8).** Considering that Simpson Housing, Alliance Housing and St. Stephens all have their headquarters in Whittier and carry out extensive operations here, this is not an unwarranted concern of the neighborhood. Whereas St. Paul only allows shelters in its Downtown and Industrial Districts, it still requires that they be spaced 600 feet from all CFRs, not just other shelters. As you may know, Whittier contains some 30 CFR and Supportive Housing and Supportive Housing Facilities. It also contains some 40 subsidized housing facilities, which together have created an inequitable concentration of poverty in the neighborhood.

We all know that a CUP is no barrier to the addition of more shelters to the neighborhood if the code allows for it. And, unfortunately for Whittier, Council Member Bender is clearly not willing to work to protect the neighborhood from the problems that come with the further concentration of poverty. As she explained when asked about the excessive concentration of half way houses in the neighborhood, *“What can you do, these things have to go somewhere, and property is cheap in Whittier.”* Now, I understand, she believes we progressives should stop using the term Concentration of Poverty altogether, and presumably just ignore that these areas exist while hoping that economic measures will eventually correct the problems.

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Please answer my question about the maximum number of beds that would be allowed in Overnight Shelters in Whittier.

And please add this email to the information going to the City Council for their consideration of these proposed changes.

Thank you.

Ted

From: Sether, Shanna M [<mailto:Shanna.Sether@minneapolismn.gov>]
Sent: Thursday, November 05, 2015 9:44 AM
To: Irgens, Ted L.
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Good morning Ted,

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Sent: Tuesday, November 03, 2015 5:42 PM
To: Sether, Shanna M
Cc: ericacchrist@yahoo.com; Marian@whittieralliance.org
Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

Shanna,

Thanks for the below.

I understand you're not involved in the licensing/inspection proposed by Cam. We'll ask Cam to present on that piece of this.

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Ted

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Subject: RE: Overnight Shelters Text Amendment: Whittier Community Issues Meeting on November 9th

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Thank you,
Shanna

Sether, Shanna M

From: Lynn Regnier <lynnregnier@elliottpark.org>
Sent: Thursday, November 05, 2015 3:22 PM
To: Sether, Shanna M
Subject: RE: shelter zoning changes

Thank you Shanna!

Lynn Regnier, Executive Director
Elliot Park Neighborhood, Inc.
609 South 10th Street, Suite 170
Minneapolis, MN 55404
612-335-5846 ext 18
Lynnregnier@elliottpark.org
www.elliottpark.org

From: Sether, Shanna M [<mailto:Shanna.Sether@minneapolismn.gov>]
Sent: Thursday, November 05, 2015 2:50 PM
To: Lynn Regnier
Subject: RE: shelter zoning changes

Hello Lynn,

This is a complicated question to answer, because there are zoning and building code requirements and I can only address the zoning. The short answer for the zoning code is yes, a property with any zoning other than Industrial (without the IL Overlay), could allow for an emergency shelter with a conditional use permit – except when the property is within 1,000 feet of an existing shelter of any kind.

I met with the building department during my research and they indicated that that any shelter would be treated the same way as a hotel or motel in the building code. This means that to convert from a duplex to a shelter, they would have to meet the current commercial code (International Building Code) and MN accessibility requirements. They indicated that in their best estimation this would trigger a sprinkler system, wider doorways, possibly an elevator, increased fire (rated) separation between sleeping rooms and all corridors. For these reasons, it is most likely cost prohibitive to convert an existing structure. I want to be clear that I am paraphrasing from the conversation I had with the building department and they would need to be consulted with on specific questions and better yet, with building plans, to give the entire list of what would be required.

Please let me know if you or any of your other community members have any further questions.

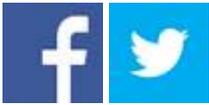
Thank you,
Shanna

Shanna Sether
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shanna.sether@minneapolismn.gov
www.minneapolismn.gov/cped



From: Lynn Regnier [<mailto:lynnregnier@elliottpark.org>]
Sent: Thursday, November 05, 2015 1:53 PM
To: Sether, Shanna M
Subject: shelter zoning changes

Shanna-My board members are reading the staff report for the shelter code changes and one just sent me the following question. Can you answer this for me? Thanks so much. Lynn

Could duplexes be converted under a CUP for emergency homeless ?

Lynn Regnier, Executive Director
Elliot Park Neighborhood, Inc.
609 South 10th Street, Suite 170
Minneapolis, MN 55404
612-335-5846 ext 18
Lynnregnier@elliottpark.org
www.elliottpark.org