

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**SEPTEMBER 24, 2020**

**Case No. 175-2020**

**A request by McClure Engineering (agent) on behalf of In2Action (owner) to rezone their approximately 3.3-acre property from R-2 (Two-Family Dwelling District) to R-MF (Multiple-Family Dwelling District). The property has multiple structures with multiple addresses (2513 and 2509 Eastwood Drive and 1401, 1403, 1405, and 1407 Lakewood Drive).**

MS. LOE: May we have a staff report, please.

Staff report was given by Ms. Rachel Bacon of the Planning and Development Department. Staff recommends approval of the requested rezoning from R-2 to R-MF.

MS. LOE: Thank you, Ms. Bacon. Before we move on Commissioner questions, I would like to ask any Commissioner who has had any ex parte prior to this meeting related to this case to please disclose that now so all Commissioners have the same information on behalf of this case in front of us. Seeing none. Are there any questions for Ms. Bacon? Ms. Rushing, then Ms. Burns.

MS. RUSHING: If this is zoned R-MF, how many units would be allowable on this piece of property?

MS. BACON: So, I've always disliked that question because it's an if this, then that situation. So the absolute max per the Code of how many square feet you have to have per dwelling unit comes out to be about 16 units per acre, but, typically, that's not -- that's not what we usually see. So depending on the bedroom type, you've got certain parking requirements. You've also got environmental set-asides, access to the site, et cetera. So -- so I guess the absolute gross amount would be three times sixteen, but we typically don't see that level of development. We do occasionally in some of our student-style, you know, three-story types of buildings, so it's not impossible, but I just -- I do want to say that it's -- it is subject to a couple of moving pieces.

MS. RUSHING: But quite a few more probably than what's there now?

MS. BACON: Certainly. Certainly, yes. Certainly many more units would be available, absolutely. And as I mentioned, there is the potential, given the size of the property, that there could be a subdivision action with the R-2 and we could see many duplexes, for instance, as well. That's also a possibility.

MS. RUSHING: And could you show the satellite view of this area again?

MS. BACON: Uh-huh.

MS. RUSHING: So that pond is part of this development?

MS. BACON: Correct. I don't know that it's been -- and it's not storm water or anything like that.

It's just an existing pond.

MS. RUSHING: Yeah. It's not -- not a lovely site. Because we have had some discussions before the Commission about when a request is made such as this, and they're asking for R-MF, and they're saying they want to build a laundry facility, we have to keep in mind that they're not limited to that once that rezoning occurs. Correct?

MS. BACON: Correct. Yeah. You can't condition a straight rezoning request. If it was a PD request, you could, but for straight, you do have to consider all of the magnitude of ramifications and that's kind of what we mentioned in the staff report that we did as well.

MS. RUSHING: And do they also own the property across street? I think you mentioned --

MS. BACON: They own one -- I'm not -- I think this one, but I'm not 100 percent sure. They own one here and then they own one of the properties up over here, as well.

MS. LOE: Ms. Burns?

MS. BURNS: If the -- one of the primary desires of the rezoning is to have the shared laundry facility. Could that be achieved with a conditional use permit or anything other than the rezoning of the property?

MS. BACON: No.

MS. BURNS: No.

MS. BACON: That would be -- no. That doesn't --

MS. BURNS: The only way that you can achieve that shared laundry facility?

MS. BACON: That's a customary accessory use in the R-MF or a commercial zoning. It is not an accessory dwelling or use in the R-2 zoning.

MS. BURNS: Thank you.

MS. RUSHING: If they desired to put a shared laundry in one of the existing buildings, would they be required to do a rezoning?

MS. BACON: So if there are folks who don't live in one of the dwelling units going to another dwelling unit to use the laundry, that's not permitted in the R-2 zone. So --

MS. RUSHING: So if my neighbor and I decided that he'll buy me a new washer and dryer if I put it in my house and he comes over and uses it, we can't do that?

MS. BACON: Well, that's a civil issue that wouldn't require any permits, so it would just probably happen. And if there was an issue, you would handle that in a civil way. The laundry room would need permits, and so in order to permit it legally, we would know about it and so the zoning has to be correct.

MS. RUSHING: I'm just not seeing why a rezoning is to MF. It seems like using a stick of dynamite to kill a squirrel.

MS. BACON: I see -- I do see your point. I will say, too, that the -- that they are not -- they are operating legally, but it's all grandfathered right now, so they're -- they've got more structures than would be otherwise permitted on -- in the R-2 zone presently.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: So do you know what the nature of the pond/lake is? Is it a natural feature? Is it an old cow pond? Do you know where -- any -- any idea of whether or not it's something they could drain if they decided we're going to maximize this 3.3 acres?

MS. BACON: So the applicant is here, and they've got an engineer with them also. So I would maybe defer the questions to them.

MS. GEUEA JONES: I'll -- I'll wait and ask them. My other question for you, and I think you answered it with Commissioner Burns' question, but, to your knowledge, there is no other option, other than if they came in with a PD?

MS. BACON: Correct. A PD would be an option, as well, but there is no -- you can't do a use variance. Right.

MS. GEUEA JONES: Right.

MS. BACON: There's no Board of Adjustment appeal. Correct.

MS. GEUEA JONES: Okay.

MS. LOE: Mr. Stanton?

MR. STANTON: So my interpretation of this is they're grandfathered in, but they're already bigger than their britches. The only move they have is to do commercial so they can put this laundromat situation on their land, and they can grow into where they -- where they already are legally. They're grandfathered in and they're already -- pants are already too tight. They got to expand their zoning to accommodate what they're already doing and then be in compliance with the current UDC Code. Correct?

MS. BACON: Yeah. You can't expand a nonconformity legally.

MS. LOE: Any additional questions for staff? Seeing none. We will open the floor to public comment.

#### **PUBLIC HEARING OPENED**

MS. LOE: If you have any comments to make, please come up to the podium. We do need your name and address for the record. If you're speaking for yourself, we do limit you to three minutes. If you're speaking for a group, we give you six minutes. Is there anyone who wants to make public comment on this?

UNKNOWN SPEAKER: (Inaudible).

MS. LOE: Yes, you may.

MR. HANNEKEN: Dan Hanneken, H-a-n-n-e-k-e-n. Address, 3104 Fox Trot. And I am the executive -- excuse me. Throat is a little dry -- executive director of In2Action, so I'm -- I'm here to talk about In2Action a little bit about the rezoning. Very quickly, just a little bit about In2Action. We are a DMH certified outpatient treatment program. All of our houses are DMH certified recovery housing. Now we provide transition services to people when they're released from prison, and we help them successfully transition back into the community after they're released from prison. We've been in operation since 2012 here in Columbia. We've been growing very quickly. We have incredible success

rates. We have the support of Chief Jones. We have the support of Sheriff Dwayne Carey, and we have the support of Commissioners Janet Thompson and Fred Parry. We've been in complete compliance with -- with all City expectations throughout our existence here in Columbia. We purchased this property in February of this year. The main purpose of -- of the acquisition was to be able to provide one-bedroom long-term apartments to our graduates because even when they complete our program, they have trouble securing long-term housing. So the one-bedroom apartments on the unit are going to continue to be used as they always were. The two-bedroom house will be rented to two people as it -- as it always was. The only difference is -- is 2509 Eastwood, which is the large house, which was being operated as a duplex, which it shouldn't have been before we bought it. But that's been -- that's since been approved by the City as a group home. So that's the only structure that's being used any differently, it's just the people that we're renting to are a little bit different. Our tenants sign leases. It's a lease agreement. They're our program graduates. We are building a community, a culture of people that can support one another, but these are -- these are paying tenants that live in all of our apartments. They just happen to be our graduates. It's actually a really good model. It's gotten attention with the top levels of the Department of Corrections and the Department of Mental Health, and it's a model that they're really looking at as being very successful and we've got the data to back that up. As far as the pond is concerned and the property behind the pond, it is on almost three and a half acres. We have no intention at this time of building any additional structures. The little laundry room, as we -- we've already done over \$100,000 worth of improvements to this property. It's going to look like nothing else in the community when we're done, and we're looking at the impact that it's going to have on -- on the rest the community. This is right off Sylvan Lane in Eastwood. The Columbia Police Department are well aware of it. You may be well aware of this neighborhood, as well. We're actually doing a lot to -- to improve the neighborhood and -- and certainly improve that property. The -- the pond, it's -- it's been drained. The pond and the property behind it, which has been referred to as wooded. It was just really overgrown and full of trash. The previous owners used that back area and the pond as -- as just their garbage can. So the pond has been drained. We're letting it dry out just a little bit. We'll be getting in there with some tractors, cleaning it up, digging it out, and -- and letting that thing fill back up, and it'll actually be something nice. It's been overgrown with seaweed and trash and everything up until who knows when. The -- I'm trying to think of the other comment that I was going to -- oh. As far as -- as far as all of the overgrown area, that's all been cleared out. It's been cleared out by Ratliff Tree Service, probably one of the more respected tree services in town. There were no trees that were removed. It doesn't look wooded anymore, but it wasn't wooded to begin with, it was just a lot of underbrush and the honeysuckle and all of that. So that's all been cleared out. It's looking really good. We look forward to actually having a trail and a path that goes around the lake and benches that people can hang out at. But, again, no intentions of building any additional structure. The having shared laundry facilities, and City was over giving us permits for a lot of the renovations that we're doing, and that's when we were notified that we couldn't have two washers and dryers in one of our bigger houses, and the people from the apartments coming over to use them. We also

found out at that time that -- that it's out of compliance now, that it doesn't meet code now. We -- we have one apartment building that has six one-bedroom apartments, and it's on a piece of land that's -- that's zoned R-2, along with a lot of other. So -- so we were -- we need to do something anyway, and we've always operated in compliance with -- with whatever the City wanted. So we felt like this -- this multi-family was the direction to go.

MS. LOE: Mr. Hanneken, are you willing to take questions from the Commissioners?

MR. HANNEKEN: Absolutely.

MS. LOE: Any questions for this speaker? Mr. MacMann?

MR. MACMANN: Just real quick. Thank you, sir. How many graduates do you currently house on this property?

MR. HANNEKEN: Right now, one, two, three -- four, but we have numerous vacant units. We're going through and -- and renovating. Some of those units were actually condemned when we bought it. We're renovating the units before we rent them.

MR. MACMANN: If you were full and in compliance, what would your number be?

MR. HANNEKEN: Six, seven, eight, nine ten, eleven, twelve -- we'd have 13 paying tenants, and then we would have eight people in our group home. Actually two, because we're allowed two house managers.

MR. MACMANN: And these are mostly single people that dwell in these homes?

MR. HANNEKEN: They always will be while they're with us. They typically come in unmarried.

MR. MACMANN: Okay. So you -- families?

MR. HANNEKEN: We don't do families, spouses, girlfriends. Only our residents. The only people that have leases with us are people who have graduated our program, and -- and if they have any roommates, it has to be another graduate.

MR. MACMANN: One last operations question. How long are your leases for your graduates?

MR. HANNEKEN: The leases are month-to-month, and we do that because, one, we're seeking the crime free certification. Our project manager has already been through the training. He happened to do that right before COVID, and they're not doing the certifications. We're going to be one of the few facilities in all of Columbia that -- that gets certified with the crime -- crime free. But -- I'm sorry, what was your question again?

MR. MACMANN: I was wondering how long the lease is for, and you said they're month-to-month.

MR. HANNEKEN: Oh. So month-to-month. We're -- we're maintaining a very safe environment that's alcohol and drug free. Our leases are a little stricter than most because we're trying to maintain a community that's supportive to people who are recently released from prison. So we do month-to-month, but they're designed when we -- when people move in, we hope that they'll be back out within two years, and we're hoping they'll be in a position to buy a home within two years. But we need to be able to have a pretty quick turnaround if somebody goes south and starts using or doing drugs on property. With the

month-to-month lease, we can end that pretty quickly.

MR. MACMANN: All right. Thank you.

MS. LOE: Ms. Rushing?

MS. RUSHING: You mentioned apartments. Are you meaning the buildings that are already there? Is that what you're referring to?

MR. HANNEKEN: Yes.

MS. RUSHING: So it's not like, you know, the neighboring apartments or people be coming over for --

MR. HANNEKEN: No. No. No. Yeah. Just -- yeah, you're right. It would just be the buildings that we own.

MS. RUSHING: Okay.

MS. LOE: Any additional questions for this speaker? I see none at this time. Thank you. Are there any additional speakers on this case?

MS. JACKSON: Janet Jackson at 1411 Sylvan Lane. And I have with me my eight -- well, seven neighbors also on this street. And personally, I've been happy with the interaction across the street from me and what they've done there, but we're concerned, as a neighborhood, with getting any zoning changed from R-2 to whatever that other is.

MS. LOE: R-MF, the multi-family.

MS. JACKSON: Yeah. We have a lot of crime near our neighborhood and we've had very little where we have the two -- you know, the two-family zoned. We don't object to there being In2Action, but we feel like concentrating that in a certain area will not help our situation. And we have a good neighborhood, and it's -- I've lived there for 24 years. And although we hear gunshots blocks away, we don't have that kind of people in our neighborhood. It's been a really good place to live, and we just are very concerned about changing to the multi-family and the multiplicity of what kind of situations that could develop into.

MS. LOE: So you're concerned about what options could happen or the change in zoning might allow?

MS. JACKSON: Instead of having just two-family and small considerations, having a lot of people in that area. And we have many people here could express possibly better than I do, but we really object to having that change made.

MS. LOE: Mr. Stanton?

MR. STANTON: What would make you feel comfortable? I mean, let me back up and kind of discuss this. You understand that they're grandfathered in, so there already --

MS. JACKSON: Who is grandfathered in?

MR. STANTON: That land is grandfathered R-2. Whatever they're doing on it now is grandfathered in. They're allowed to do it as is.

MS. JACKSON: As R-2?

MR. STANTON: Right. So they need to be wearing a double X and they're wearing a medium.

MS. JACKSON: Yeah.

MR. STANTON: They have -- legally they have to --

MS. JACKSON: How could they start doing that?

MR. STANTON: -- they have to -- they have to become legal. That's where we're kind of getting at.

MS. JACKSON: That's the other issue is that why do they get to do that when they weren't zoned properly for it?

MR. STANTON: Well, they were grandfathered in before the changes occurred, before our new -- our new zoning codes and all that occurred, they were already grandfathered in. So where you live, you live on Sylvan?

MS. JACKSON: Uh-huh.

MR. STANTON: Right. So if you looked at your zoning, I think you're -- there are -- you're R-2, too.

MS. JACKSON: Right.

MR. STANTON: So -- but your -- but you're a multi -- but you're a single-family?

MS. JACKSON: Yes.

MR. STANTON: See? So, you're R-2 --

MS. JACKSON: And so are the rest of my neighbors, all the neighbors that are here.

MR. STANTON: So similar, so R-2, you wear a size -- you're a size medium, but you're really, you've got extra-large pants. So you can really do more -- I mean, your -- your zoning is bigger than your -- your footprint. They're the reverse; you see what I'm saying?

MS. JACKSON: I understand.

MR. STANTON: So that's kind of why they had to do this, because that's -- they got grow into the britches that they already had planned.

MS. JACKSON: But that changes the nature of the neighborhood, and we don't want more coming into that situation. What we have is not -- at least what I know is not objectionable in any way. But we don't want the whole neighborhood to turn that way. That's going to leave us a little tiny island in this big --

MS. LOE: Well, they're -- they're already built, to some extent.

MR. STANTON: Yeah. Just --

MS. JACKSON: That's what I don't understand is how they could do that?

MS. LOE: Well --

MR. STANTON: They're -- they're already --

MS. JACKSON: How can they build before they have a permit?

MR. STANTON: Like you're -- like you're -- you're R-2, so R-2 really could be, if I'm correct, duplexes.

MS. RUSHING: Duplexes.

MR. STANTON: But you're a single house --

MS. JACKSON: Uh-huh.

MR. STANTON: -- but you're wearing size extra large.

MS. JACKSON: So we're zoned for more than we need to be zoned for?

MR. STANTON: So you're zoned way bigger than your -- than your building is.

MS. JACKSON: But it is a fact that that's the way that neighborhood is.

MR. STANTON: And that's the way that neighborhood is. That's -- so we could -- so that same argument is for you too. You're extra large, but you're a medium right now. You've got a little house on a big -- big zoned place. And so you're grandfathered in. Your land is R-2, not R-1, it's R-2. So they're in the same situation.

MS. JACKSON: Most of the houses have an apartment in the basement, but they don't necessarily use it for that.

MR. STANTON: Yeah. Same -- same -- same difference. But to my point, I don't want to get into all that, but what would you like to see? What would make you happy? You heard the program, what they're doing, they're changing lives. How would you want this to happen?

MS. JACKSON: We just don't want it all concentrated in one place.

MS. CARROLL: Can I ask a question?

MR. STANTON: Well, ma'am, yeah. We're still -- we're still talking to you, ma'am.

MS. CARROLL: One more question, if that's okay?

MS. LOE: Ms. Carroll?

MS. CARROLL: Sorry. Thank you for answering questions. I was wondering what is your opinion of how they're operating right now? Are you comfortable with the way it is now?

MS. JACKSON: Yes.

MS. CARROLL: Okay.

MS. JACKSON: At least the only one I know about.

MS. CARROLL: What do you mean, the only one you know about?

MS. JACKSON: The only interaction I know about.

MS. CARROLL: Right. The -- the existing buildings on the lot?

MS. JACKSON: No, I don't -- we're not talking about the same thing.

MS. CARROLL: Oh. You're talking about the neighbor on Sylvan.

MS. JACKSON: Across the street.

MS. JACKSON: Yeah.

MS. CARROLL: I see.

MS. JACKSON: And we're glad that they're able -- I mean, I'm glad that they're able to do that, but I just don't want the whole place filled up with that instead of families. We have a family neighborhood.



MS. CARROLL: I understand that.

MS. LOE: Thank you.

MS. TURNER: My name is Tonia Turner, and I live at 1406 Sylvan Lane, so I'm across the street from Janet. And I think what we're talking about is that I know that all those -- the houses that they just purchased, those were operated as, like, apartments, including the big white one which had a family there, had kids there, and it was bought, so now there's no kids there. Now those places are going to be filled with men coming out of prison and there's, like, single -- there are single women that live next door to that, and there's another single lady, so we're looking at things like that. We -- there's a park -- a park is going to be built on Whitegate, so that right there is influencing, you know, neighborhood and families and stuff like that. And then now at the other end, now we're going to have -- a lot of that was just changing over to the -- the rezoning, which, in turn, they can build bigger places if they want and they have more people. Right now, I understand that they can have up to eight people in each dwelling right now, but once that's rezoned, if they wanted to, then they could build a bigger place and more. So -- and I'm back-to-back to that. So we have had some situations that have happened. The neighbor to the left of me, I don't think she made it. We had someone break into her car and they were, like, just erratic and just acting crazy. Don't know where that person came from. I've had people walk in my backyard last summer, sweeping my patio, moving my stuff around. Didn't know -- they said they were our neighbor. I went next door to where Mr. -- where Dan, I guess, in the house next me, and no one knew this guy. No one knew his name or anything. So I was kind of like, okay, so now I'm getting a runaround. We walked in on that guy. He went through my shed, everything. And then just the other day, someone was walking through my backyard, and I said, "Hey, what are you doing?" And, like, oh, I'm sorry, the wrong house, they all look the same. So I'm thinking that's just a few instances that I'm having now, so what if there's more people back there, and you can't control people where they come and go. The traffic has increased, the foot traffic. I get along with my neighbors fine, including the In2Action. I don't have any problem. I just, when they first moved there, I went to the orientation that they had, like an open house, just trying to figure out what it was. At that time, I had my kids living there and someone had offered to come and play ball with my kid. I'm, like, no. I don't think I want you in my yard. I don't want you in my yard because I had kids there; you know what I'm saying? And I don't know who is coming in and out of there all the time. So it made me feel uncomfortable, but they don't bother -- they don't bother me. I speak and wave, you know. That's fine. I think it's probably a great program. We just don't want it all in one area and change our whole neighborhood, you know. It's, like, I want to ask -- ask -- he said he lives on Fox Trot. Would he want all that in his neighborhood, you know? So at one end, we're trying to build a park, which has already been approved for with Parks and Rec. We're trying to do that, and make that better, and make it more family oriented. And then at the other end, now we have this. So it's all right there in the Whitegate area, so I think that's our main concern.

MS. LOW: Thank you. Are there any questions for this speaker? I see none right now. Thank you, Ms. Turner.

MS. TURNER: And one more thing. The houses, I just know that they just -- they just got bought out. Those -- they're all -- I'm kind of back-to-back to all of them. And so, I just know that they were all -- they were all bought out for that -- for that reason to, you know, move people out and move -- you know. It's a building thing, so I understand what they're doing, but, you know, we just -- we really don't want all that in that one area, you know. One-half the siding was -- that's fine. But just to change the whole thing and then it was just -- yeah.

MS. LOE: Any questions? I see none right now. Thank you. Any additional speakers on this case?

MR. AHRENS: Good evening. My name is Greg Ahrens, and I live at 1504 Sylvan Lane, which is the northern house that abuts the property there. And ours is zoned R-2, but we only use -- use it as a single-family house. The -- the only thing, I guess, I really am concerned about is changing the -- the zoning to multiple-family is what happens after -- if these people's program, you know, they get tired of doing it or, you know, something, and they move on to some other place or go out of business or whatever, and somebody else buys it and they want to go ahead and build 48 units or whatever, I think that's too -- it would be too many in that area. And then, I guess, additionally, I could provide some information about the pond. The storm sewer by our driveway runs from, you know, off of Sylvan Lane, that water runs under our yard and it comes out in the back and it just goes to an open little gully that runs down to the pond. So that is one of the sources of the water there. And some of the other just out of our yard and out of your neighbor's yard, and maybe some of the water from the Deerfield Apartments probably goes in there, too, but that's about it. I was -- I was going to ask what a level one buffering was, and, I guess -- but, I mean, as is, the way they describe the program, what they want to do, it sounds like there won't be any more additional traffic or -- at that intersection with Sylvan and Eastwood, Sylvan, and Clark, a three-way intersection there. And it sounds like, you know, it's essentially not -- not adding many additional people to what's already -- or who has already been living there. So any questions?

MS. LOE: I have one, Mr. Ahrens. So you -- you don't object to the current use, but you would object if this was an -- fully built out as an R-MF project?

MR. AHRENS: Right. Yes.

MS. LOE: All right. Thank you. Any additional speakers on this case?

MS. CAHALIN: I'm Becky Cahalin; I live at 2518 Eastwood Drive. On Eastwood, there's four houses. I live at the one furthest, I guess, closest to Socket, so I'm two houses down from the current In2Action house and across the street and catty-corner from what they're proposing. I don't -- like everybody else, I don't have any concerns with the houses there. It's fine; it's no problems. I don't know anything about the one on Sylvan. My concern is what's it going to physically look like, because right now there's a big white house, another big white house, and on Lakewood there's two or three little houses. I don't know if they're tearing anything down and rebuilding. The laundry facility, where is that literally going to be? What's that going to look like from the street? And I am concerned about traffic because Eastwood is a very short street. So he was -- if I understood this correctly, the one house is -- the 2509

will be a group home with potentially eight residents there, and then the others will be potentially 13. Who is going to have vehicles? The one house on Eastwood, there's a lot of little scooters, so there's a lot more scooter traffic already, like, people zipping by. I'm right on -- on the edge there. I'm concerned about all the traffic. I'm concerned about putting more people on this short street. And that's my biggest concerns. I don't know physically what it's actually going to look like. And also, I've lived in my house since 1997. If I want to move in three years and sell it, am I going to have a hard time? Are my property values going to change much given that there's so many In2Action houses around here? Some people might not look favorably on that, and I might have a hard time selling my property. So those are just some concerns that my husband and I have.

MS. LOE: Thank you. Are there any questions for this speaker? I see none at this time. Oh, Mr. Stanton?

MR. STANTON: So you have this property. How would you make this a win-win for the neighborhood? How would you want to see it?

MS. CAHALIN: You know, I --

MR. STANTON: This is yours and you -- your property, how would you satisfy your neighbors?

MS. CAHALIN: If that was my property, what would I do? Well, I don't -- it's a hard question to answer because I don't know a lot of what they're planning. I -- I would have to -- I don't know. I probably just maybe not have so many people. I mean, 3.3 sounds like a lot, but really, it's really not very big at all. It's very small. So you're looking at having -- adding, what, thirteen and eight, what is that, 20-something more people in this small area that used to just have -- it might have been ten. I don't even know. So --

MR. STANTON: Yeah. That was my question. Weren't these --

MS. CAHALIN: -- less people.

MR. STANTON: -- weren't these occupied beforehand, so now the only difference I'm seeing is that they're going to be better buildings and -- is the -- weren't there people there already?

MS. CAHALIN: Yes. The one house did have a family in it that had children. The houses on Lakewood, I really don't know a lot of my neighbors. It had, I know, some people living in those, but I really didn't see them very much. In and out, because a lot of them are rentals, so people are in and out and I don't know who lives there, you know. But, yeah, there were people living there before, but less. So I don't know if, you know, I guess I'm just really concerned about traffic and just people roaming and milling about. And physically, I don't -- like I said, I don't know -- I haven't seen a blueprint or a plan of is he going to tear things down and rebuild a bigger structure. What is that structure going to look like? Is it going to look like an apartment building? Is it -- because the structures there now are pretty old and probably do need a lot of work because that's a really old neighborhood. And my house was built in 1950 or before, so that's my issue.

MR. STANTON: Thank you.

MS. LOE: Ms. Russell?

MS. RUSSELL: Actually, I don't have a question for you. I just want to give the executive

director a chance to come up and answer some of these questions you had.

MS. CAHALIN: That would be awesome.

MS. RUSSELL: Would that be awesome? Yeah.

MS. CAHALIN: Yeah. That would be great. Thank you.

MS. LOE: And if you can give your name and address again for the record.

MR. HANNEKEN: Dan Hanneken, 3104 Fox Trot Drive. Yeah. Just to answer a couple of the questions. The -- the laundry area that we're going to build is just going to be a room addition on the back of one of the larger transition houses. It won't even be visible from the street. It'll be attached to an existing house, it won't even be a separate structure, but we still need the zoning in order to get that done. With regard to additional people, I would say we will have -- we will have less people on this three and a half acres than what was there before. The only building that might increase capacity is 2509. That's the group home which has eight people. There was a family living downstairs, and then there were two other people that were living upstairs, so there were probably six people in that house before. The other structures consist of eight one-bedroom apartments, which will only have one person in a one-bedroom apartment where the previous tenant -- or the previous landlord would rent to couples and multiple people in a one-bedroom unit. We have one two-bedroom house. That will be rented to two of graduates, so there will only be two people in a two-bedroom house. And then we have a three-bedroom apartment, and we'll have three people in the three-bedroom apartment. So as far as total numbers of people on that property, it's going to be the -- it's probably going to be less than what it was. We're not tearing anything down. We're draining the pond. That's as far as that goes. We're keeping all of the existing structures. We will be dressing them up. There will be significant improvements to all of the structures on the property, but there -- we're going to keep the same structures that are there for the foreseeable future. We have no intentions of building any additional buildings of any type in the foreseeable future. One other thing that the multi-family would allow us to do is we -- we have two full-time staff that live on site. We also have three house managers that are resident managers. Two of them are Department of Mental Health certified as peer support specialists. But in addition to that, we have day staff. And -- and if we're going to meet with our residents in an office-type setting, this type of zoning is much more appropriate for something like that as well.

MS. RUSSELL: Thank you.

MS. LOE: Thank you. Any questions for Mr. Hanneken? Ms. Carroll?

MS. CARROLL: How long have you operated at this location?

MR. HANNEKEN: It -- we started in 2012. We bought our first house on Sylvan probably in 2013, and we did that with CDBG funds. We had the support of the City to do that, for sure.

MS. LOE: Ms. Burns?

MS. BURNS: Just after hearing the concerns of the neighbors, Mr. Hanneken, would you consider putting laundry facilities in each of your residential facilities to alleviate that problem? That doesn't help you with the office for your day staff to see, but I'm hearing from existing community

members, some who have been there for 25 years, that this -- they're concerned about the change that this rezoning, and maybe not what you're using it for now, but it could be used for with the rezoning, how that could impact their properties negatively. So in order to get the laundry facility, is it an option to put laundry, you know, stackable washers and dryers in your units?

MR. HANNEKEN: It's not. The -- the buildings are old, particularly the one building that has six one-bedroom apartments in it, those are small one-bedroom apartments. The plumbing and the layouts of those apartments would not be conducive to laundry at all.

MS. BURNS: And your improvements wouldn't -- couldn't factor into making them laundry accessible?

MR. HANNEKEN: No. No. We're not -- we don't have the budget to make those -- those types of improvements.

MS. BURNS: Just thought I'd ask. Thank you.

MR. HANNEKEN: I appreciate that.

MS. LOE: Any additional questions? I see none. Thank you, Mr. Hanneken.

MR. JACKSON: It rather alarms me --

MR. STANTON: Can we get your name and address?

MS. RUSHING: Name and address?

MR. JACKSON: Oh, I'm sorry. Bruce Jackson, 1411 Sylvan Lane. I'm one that tends to jump in. It rather alarms me that we listen to a long discussion about an apartment of a single house over near the University, and all of the details that all of you got involved with. And yet I sit here and listen to very, very few comments, except for a few that I appreciate. Would you really like to have a three-and-a-half-acre place like this within two houses of your house? Would you? Honestly? Be honest with yourself. We live in a neighborhood that has a reputation for being crime ridden because down the street are the Whitehouse Apartments that are regularly visited by our constabulary, and yet here we sit and we go, well, he gets up and he says he's only going to have 13 people live on three and a half acres. I don't believe him. I just don't believe him.

MS. LOE: Sir. Sir, we do need you to speak into the microphone.

MR. STANTON: Speak in the microphone.

MR. JACKSON: I don't believe him. There will come a time if you pass this where they will rebuild and they have an option to go up to 48 units, if I heard the math right. And what is that going to do a block over with a neighborhood filled with children? Do you have any idea how many children live on our block? And I'm not talking about, you know, strapping adults like my son. I'm talking about the children of these folks over here who are, like, from here to here. Do you want that in your own neighborhood? I really have not had a problem with the house across the street, but the problem that I have is just the sheer numbers that we're starting to look at here. Do you believe for a minute that they're going to just refurbish those structures and stick 13 to 15 people in there? Do you really believe that? And would you want that in your own neighborhood? I'm not -- have a problem with the house unit across

from my house that has eight people in it. But I will tell you that that translates into a lot of traffic. They have a large parking lot. They usually have cars filled with it. There's a lot of comings and goings. And it just takes our neighborhood into a whole new level of traffic, as my dear neighbor was referring to. But more than that, I think what it does is it begins to continue to erode the neighborhood quality of Sylvan Lane itself that has a lot of young children. I would ask you to seriously think about that and maybe ask a few more questions than about just an apartment over the garage.

MS. LOE: Mr. Jackson, are you willing to take questions from the Commissioners?

MR. JACKSON: Yes.

MS. LOE: Are there any questions for this speaker? Mr. Stanton, then Mr. Toohey.

MR. STANTON: This is your program, and this is your land, and these are your neighbors, what is your solution to this --

MR. JACKSON: I heard your question, and I think I have a response to it. The first thing I wouldn't do is go in and buy a whole bunch of property and start improving it until I know that it's okay with the neighborhood and that the zoning has already been done. So you're asking us to accept this fate accompli here. They're already doing things. They've already drained the swamp. They've already cut up all of the undergrowth. Well, you look at my house and you see lots of undergrowth because we are -- my wife is a master gardener. So I may not -- I may beg to differ with their definition of going in and just cleaning things up. But I would like to at least have the opportunity to respond to their proposition before it's already underway. So I understand the whole grandfathering argument, but, again, do you have a problem with landowners coming in and buying stuff up and just doing what they want to?

MS. LOE: Mr. Toohey?

MR. TOOHEY: You might have already answered my question, but the applicant indicated that they -- they've already cleaned a bunch of stuff up and improved the area. Do you not agree with their assessment?

MR. JACKSON: No, I don't. Not necessarily.

MS. LOE: Mr. Jackson.

MR. STANTON: Microphone.

MS. LOE: I'm sorry.

MR. STANTON: They're recording it, so you've got to speak into the mic so our recorder can hear you.

MS. LOE: We need your comments on record.

MR. TOOHEY: Can you indicate why you don't agree with them?

MR. JACKSON: Well, the first thing, I think that they need to get -- they need to get some consensus before they start doing all of that; don't you?

MR. TOOHEY: No. I'm asking, like, what they've done so far. You don't agree that it's improved the area so far?

MR. JACKSON: Marginally. But what they've done, from what I can see, is it looks to me like

they're -- they're preparing to do more than just clean things up. That's why I don't believe them.

MR. TOOHEY: Okay. Thank you.

MS. LOE: Any additional questions for this speaker? I see none at this time. Thank you, Mr. Jackson. Any additional speakers on this case?

MS. CHATMAN: Kimberly Chatman, and I live at 1409 Sylvan Lane. And my neighbors are 1410 Sylvan, where the main house is right now when they first come. It looks like they've improved that neighborhood -- I mean, that house area over there. And the only concern that I probably have is, because I have grandkids that live with me. And my sister, she lives at 1415, and she has grandkids. And I understand that people need a second chance, but what we are concerned is about our property value going down because a lot of guys coming from prison, like, if we would want a sale, who would want to move over there with a lot of guys coming from prison? And then kind of concerned about all of them around us, maybe sex offenders or something like that. So I think that's probably what we are concerned about, mostly our property value going down the neighbor -- in the neighborhood. And I've been there for 28 years, so I'm not going nowhere, you know. That's what we're scared of.

MS. LOE: Thank you.

MS. CHATMAN: Uh-huh.

MS. LOE: Are there any questions for this speaker? Ms. Geuea Jones?

MS. GEUEA JONES: Hi. So they bought up that set of apartments and duplexes in February and have been operating in it since then. Have you noticed a major change? I mean, I know there's a lot that's changed since February, but, like, have you -- have you noticed some of the things you're worried about?

MS. CHATMAN: Yes. I've noticed a change because there's men walking all around the neighborhood, and it wasn't like that, you know. I mean, they're nice and friendly, but I'm just saying, like, we -- they just walk all around us, so we have no say so. I guess we don't, but I'm just worried about maybe if I wanted to sell or the property value going down.

MS. GEUEA JONES: And, I mean, I think we've all kind of talked around it, but even if we say no tonight, they are legally allowed to operate there and stay exactly as they are. And I just wanted to make sure that's -- that's clear.

MS. CHATMAN: Yeah. We understand that. Yeah. Uh-huh.

MS. GEUEA JONES: Okay. All right. Thank you.

MS. LOE: Additional questions for this speaker? I see none at this time. Thank you.

MS. CHATMAN: Thank you.

MS. LOE: Any additional speakers?

MS. TURNER: Tonia Turner, 1406 Sylvan Lane. I kind of wonder why they picked this area when there was apartments, there's student housing around us also at the Lakewood -- I guess they call them Woodlake Apartments. And I looked that up and that's advertised as student housing or student apartments. So I kind of wonder why that area was picked also and why not someplace else if they had

the money to buy -- purchase all these other places, they couldn't just have built a facility someplace.

MS. LOE: That's getting a little bit beyond the scope of this Commission.

MS. TURNER: I know, but I'm just saying the things that's going through my mind, so just kind of wondering. So, I mean, I just wanted to mention that.

MS. LOE: Thank you. Any additional comments on this case? If there aren't any, we're going to close the public comment period.

#### **PUBLIC HEARING CLOSED**

MS. LOE: And we're going to move to Commission discussion. Mr. Stanton?

MR. STANTON: I definitely hear the neighborhood. This happens across Columbia all the time. I live on Lasalle and I'm surrounded by the projects on three sides. They improved the projects and my property value has skyrocketed, and I haven't even touched my house. So the improvements to the projects has been financially gratifying to me. I also live by the McCambridge House and I also live by the women's halfway house across the street. I also live by these kind of facilities. I look at it as I help these people become better citizens by being an example in the neighborhood. The reason why these places are in regular neighborhoods is so that they can learn and understand what it means to be good neighbors and good citizens by example, by seeing people that take care of their yards, by seeing people that are master gardeners and growing exotic plants and stuff like that. I'm an urban gardener. I'm an urban gardener because the projects had a program going on -- the Housing Authority -- I'll stop saying that -- the Housing Authority had a gardening program. I got involved in that. I became a master gardener because of those people that lived across the street from me were learning to garden. So now I have an extensive garden in my house, in my yard, and I help my neighbors on the project side and on the private sector side, and we have about six to ten gardens in my neighborhood. I remind you, I have financially gained from the projects and the improvements that happened. So, yes, I do understand the why do they concentrate these things in one place. Why -- well, you know, it's economics, too. That's where the property was. That's where these things are. But I'm proud to have the projects surround me. I'm proud to have drug addicts and ex-felons living around me because they see me. I'm a grown man and I go to work every day, and I come home dirty in bibs, and they come and they talk to me, and they say, "What's up, man? Can I get a job?" or blah, blah, blah. And they see me because I walk and talk -- I walk the walk and I talk the talk, and I lead by example. That's why these places are in these neighborhoods, because they're learning by example how to be good citizens. I thought that same thing. Man, why do you have all this stuff in my neighborhood? I thought that, too. Because they need you, and we, as a society, need you as good neighbors. Yes. Sylvan is hot, you know. Excuse my Ebonics, saying it's hot. It's hot out there. But the only way it's not going to be hot is if it constantly improves and we have neighbors like you guys that are talking and speaking up and are active in their community. That's the only way it changes. It changes when improvements are made to the physical space, like this organization is trying to do. I'm sure this -- the executive director has heard your cries, so I hope he's listening and takes action to address those and become better communicators. In my neighborhood, I



communicate with all my neighbors and I know what's up. Communication helped my neighborhood, and I plan to support it because we need places like -- everybody is not in my neighborhood. Well, okay. So where do we put these people? On the outskirts of town where they -- where do they go? Where do we put these people? Where do we teach them how to get back in society, whether we isolate them amongst people that are in the same boat as they are, and they don't improve. I don't know, but I definitely understand the not-in-my-neighborhood sentiment, but I -- I plan to support this. And, yes, it's not in my neighborhood, but I can say I'm qualified to say I live on Lasalle, a block away from Douglass Park. I'm surrounded by projects on three sides. I have two -- I have a battered women's shelter, a recovery addicts center, and a counseling center a block away from me. I think I'm qualified to say I live in the same boat. I'm proud to have all of that around me because everybody needs a shot.

MS. LOE: Thank you, Mr. Stanton. Ms. Burns, then Ms. Russell.

MS. BURNS: Thank you. I know In2Action is an award-winning program, and I know Mr. Hanneken is an award winner for his administration of it, and I respect that immensely. What I can't get past is that this property was knowingly purchased as an R-2 property. They knew they were purchasing it as an R-2, and they have hoped to up -- increase the zoning on it so that there can be more opportunity on it. But the neighbors are saying we recognize what is here, we're okay with what is here, but we don't want more. And so I think by purchasing the property as an R-2, you took a chance that there would not be support for upzoning the property. And knowing that, that's why I don't feel I can support this request.

MS. LOE: Ms. Russell?

MS. RUSSELL: I think I'm totally going to support this request. I work with a couple of not-for-profits, True North, the battered women's shelter. In order to do any kind of demolish and build a new building, they would have to do a fundraising campaign -- a capital campaign that -- that just cannot be done. We tried to do it at True North, and it was not -- we were just not able to do it. So as far as demolishing and building something huge and a lot more people, I don't believe they can do it. The state funds are drying up. I'm not too sure about the federal funds. The City is quite wonderful in how they help the not-for-profits in Columbia, but I agree this kind of facility is so needed to help these people get another chance. And -- and I think -- I don't think they're going to destroy things and rebuild because they can't afford it. So I'm going to support it.

MS. LOE: Ms. Rushing?

MS. RUSHING: I understand Commissioner Stanton's argument. My problem is that multi-family zoning of this area would allow substantially increased density, which I do not believe the neighborhood could really withstand. And so for that reason, I plan to vote against this, with a couple of comments. Evidently, PD, Planned Development, would allow them to do what they need to do now without opening up the door to largely increased density in the future. And also with all due respect to Commissioner Stanton, the development that he referred to in his neighborhood is not the type of development that we're talking about here.

MS. LOE: Ms. Carroll, then Ms. Geuea Jones.

MS. CARROLL: I think she had her hand --

MS. LOE: All right. Ms. Geuea Jones, then Ms. Carroll.

MS. GEUEA JONES: I think my concern is if we don't upzone, they can't make improvements hardly at all. They will be limited to the four walls that are currently there. And I think that if -- I think that if you want older homes to continue to retain their value, to grow in value, to do all of that, you've got to do things like put a laundry room on the back. You know, make sure that the siding and sheds and everything are in good working order and all of that. And so what I don't want to have happen is say no tonight and then the property doesn't have the ability to be improved, so it falls into disrepair and then all of the terrible outcomes that the neighbors are worried about become a reality because we've -- we've set up a situation where it's stagnant and can't improve the way that the organization wanted it to. So, I mean, I do -- I do hear that, like, once we zone it MF, it's MF forever, and I'm a little worried about 20 years from now someone deciding to turn -- turn it into commercial apartments, but I don't think that that's going to happen with In2Action. And, honestly, 20 years from now, there's already three other apartment complexes very near to that property, and who knows what it looks like. So I'm going to be supporting it.

MS. LOE: Ms. Carroll?

MS. CARROLL: I'm conflicted on this one. I hear the comments of the neighbors. And, Mr. Stanton, I -- I hear what you're saying and I agree. I think that transitional housing is a service that the community needs and benefits from. I do have problems with R-MF because of the density in this case. I feel that PD would probably be a better fit. I would be more comfortable if this was PD. That's not what we have before us, and I recognize that they are currently operating in a way that is compatible with our R-MF, and there are neighboring R-MF. I'm still concerned about the density given the R-2 properties that are also neighboring. It's a problem. I'd rather see PD. It seems like a good fit for PD.

MS. LOE: Mr. Stanton?

MR. STANTON: For the record, Ms. Bacon, can you -- one of the speakers had asked what level one buffering was. Can you kind of give us a definition or what would that look like on this property? What is level one buffering?

MS. BACON: Level one is typically an eight-foot vegetative buffer. We have level one, level two, and level three. Residential adjacent to residential, it depends a little bit on the type and nature of it, but, typically, that's a much -- either no buffering at all or a level one. So you see level three as much more extreme. That would be a car dealership backing up to an R-1 neighborhood, for instance.

MS. RUSHING: But if they're not -- if they're only adding an addition to an existing building, are they going to have to change anything else on the property? Is that going to --

MS. BACON: So -- so if -- building permits trigger a review of the property. They might have to put in some additional landscaping in the vicinity of the laundry room. It might depend on where the laundry room is located relative to the neighboring properties. We wouldn't make them put in a whole, you know, fence around the whole property necessarily. It would be commensurate with the level of improvement.

MS. LOE: Mr. Stanton?

MR. STANTON: So if we were to change the zoning, they would have to have a level one buffering between the residential properties and the -- and the new zoned property, R-MF. Correct?

MS. RUSHING: Not if --

MS. BACON: With -- with redevelopment activities; correct. Yes.

MR. STANTON: With redevelopment, but they do --

MS. BACON: There's no automatic trigger with the change in zoning.

MR. STANTON: The only thing they do that changes, they have to have that buffering occur in anything they do? Okay.

MS. BACON: Correct. And any other neighborhood protection standards that would apply.

MS. LOE: Any additional comments? Ms. Russell?

MS. RUSSELL: If there are no more comments, I'll make a motion. Do you have a comment?

MS. LOE: I still have a question for Ms. Bacon. You mentioned that PD was an option. I was also wondering if this property were subdivided as R-2, would that bring it into compliance -- the existing buildings?

MS. BACON: So I would have to see where the lot lines fall. Potentially, there -- there could be some improvements. I don't know that it necessarily solves their laundry room issue, but, potentially, yes. It could -- it could provide compliance.

MS. LOE: Which raises a conflict with me, because I have to agree that while I have no issue with the proposed project, I do have an issue with the potential density, especially hearing from the neighbors how they are using that R -- that existing single family as single family, primarily, and it is a family oriented neighborhood, and we need those transitional homes especially next to multi-family neighborhoods. So I do not want to see those single-family homes being eroded by multi-family neighborhoods or structures. So I'm -- I'm going to have a hard time agreeing to rezoning this, even though the proposed use -- immediate use isn't for that use, considering there are other alternatives that would allow the zoning to maintain a lower density. Mr. Stanton?

MR. STANTON: Madam Chair, you may have to smack me. I'm getting ready to sound like Mr. Toohey over here. This is R-2 and, you know, they could use R-2 to the --

MS. LOE: Uh-huh.

MR. STANTON: -- size of their britches.

MS. LOE: So they could subdivide. They can subdivide their lot and bring it into compliance and do -- so we don't need to rezone this.

MS. RUSHING: But it's not -- it's not going to be as dense -- nearly as dense as what they could do with a multi-family.

MS. LOE: It would have a different character that's in keeping with what it is.

MS. RUSHING: But with planned development, they could do a lot of different things.

MS. LOE: Correct.

MS. RUSHING: I'm just concerned about the possible density that could end up on this piece of property, since we have been told that we need to consider the possible uses, not just the proposed use.

MR. STANTON: But we also have to think that the -- anything that they do new will have to comply with the buffering. And every time they move and do something new, they have -- they're going to have to buffer against the residential. Plus you still have that lake. I just feel like they really -- I mean, they -- unless they stack on top of each other, they really don't have a lot of place to play, unless they fill in that lake and build over the over the lake, or something like that.

MS. RUSHING: Well, and it's not --

MR. STANTON: They might not fill the lake up again.

MS. RUSHING: It's not really a lake. It's more of a retention area.

MR. STANTON: But they just said they just dug it out to make it a lake. It was a lake, it was just not kept up.

MS. RUSHING: There will be substantial work required to do that.

MS. LOE: All right. So any more discussion?

MS. RUSSELL: In the case of 174-2020 -- or is that the one we already did?

MS. BACON: One seventy-five.

MS. CARROLL: One seventy-five

MS. RUSHING: One seventy-five.

MS. RUSSELL: Okay. I'm turning the pages. In the case of 175-2020, In2Action Eastwood, Lakewood Drive, I move to approve the requested zoning from R-2 to R-MF.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. May we have a roll call, Ms. Carroll.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Mr. Toohey, Mr. MacMann. Voting No: Ms. Rushing, Ms. Burns, Ms. Carroll, Ms. Loe. Motion carries 5-4.**

MS. CARROLL: I have five yes, four votes for no.

MS. LOE: The motion passes. Recommendation for approval will be forwarded to City Council.

MR. ZENNER: And as a matter of reference, the item will be placed under old business due to the fact that it was not passed by a vote of 75 percent or more. So that means this item will be open for discussion automatically on the Council's second reading agenda.

MS. LOE: Mr. Toohey?

MR. TOOHEY: Can we explain that to the audience a little bit more.

MR. MACMANN: Thank you, Mr. Toohey.

MR. ZENNER: So pursuant to the rules of the Council as it pertains to recommendations of the Planning and Zoning Commission, votes that do not receive 75 percent or more, which would be seven or more votes in favor of an item, are automatically placed on the old business portion of the City Council

agenda for second reading. Old business items are subject to a public hearing, so when that item is called before City Council, the public will be invited to address the City Council with its concerns during its public hearing. This item is tentatively scheduled at this point for the second reading, I believe, would be the first reading in November --

MS. BACON: First meeting.

MR. ZENNER: -- the first meeting in November, which would be November 2nd. There will be no further notice provided by the City's Planning Department in regards to that, so if you can please note that in your personal calendars. It is November 2, 7:00 p.m. It will be in this room again. The Council agenda will be posted the Friday prior to that November 2nd meeting. It is available from our meetings link on the City web page, [www.como.gov](http://www.como.gov) and you can get an idea of where the item is on the agenda by looking at the agenda, but the order of the agenda will be prescribed when it is set. This item is not going to be probably at the top of the agenda, so while they start at 7:00 p.m., depending on what the other topics are, it may not be arrived at until later in the evening. But you will be afforded the right to address the Council. All of your comments that were made this evening were captured by our court reporter. It is a verbatim transcript. That transcript is provided to City Council with the staff report that will be forwarded to our City Council, which will include the discussion here in summary form, as well as the Commission's recommendation. So we appreciate your participation this evening and your attention to this general announcement that we make whenever we have a vote of this nature. If you have any questions, please feel free to reach out to Ms. Bacon, who is the project manager for this. You all should have her contact information from the prior postcards and public notice letters that you received.