

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
January 18, 2024

Case Number 58-2024

A request by Crockett Engineering Company (agent), on behalf of In2Action (owner), for approval to rezone 0.64 acres of property from the R-2 (Two-Family Dwelling) district to the R-MF (Multi-Family Dwelling) district to allow a "large group home," on the western half of the subject site located at the northeast corner of the intersection of Eastwood Drive and Sylvan Lane, and addressed as 2501 through 2505 Eastwood Drive.

MS. GEUEA JONES: May we please have a staff report?

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning to the R-MF district.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had contact with a party from this case outside of this public hearing, please disclose so now. Seeing none. Thank you. Any questions for staff? Commissioner Loe?

MS. LOE: Planner Palmer, can you go back to the slide that talks about units per -- yes. How does this apply to group homes? I know we have the 25 square foot per unit on multi-family.

MR. PALMER: Yeah. This analysis was kind of a hypothetical if it were -- if In2Action were to move -- vacate the parcel, and then it would be redeveloped with traditional single family. With the group home, they -- there is no top limit necessarily, but they are limited on the size of the structure as they would with any -- any use really. And so, like I said, the delineation we have in our Code is under eight residents or over eight residents. And so there is no top limit, and that's kind of -- you know, that's kind of the rub here, so --

MS. LOE: It wasn't clear to me if the proposal was to keep the existing small group home and build the new larger group home?

MR. PALMER: Well, the one at 20 --

MS. LOE: Or demolish the small one and --

MR. PALMER: The 2505 is -- is to stay for the time being.

MS. LOE: Right.

MR. PALMER: The -- from what I understand, the 2501 is to be demolished and replaced. It does appear from their floor plans that they're either maintaining the existing footprint and then expanded it, but that's probably better for the applicant to answer, so --

MS. LOE: So the final plat would have two group homes on it?

MR. PALMER: The final plat would -- would have two structures that -- yeah. It would be operating really as one group home in multiple structures, if that makes sense.

MS. LOE: It does. Can you go to the conceptual plan? So this didn't show any parking, and I counted six, seven, eight, nine bedrooms, and eight of those showed two people per, so I was coming up with potentially nine parking spots per our code for this, and it looked to me like they would be going into the side yard, which would be a parking arrangement very much like what we just saw on the Alpine Drive, someone backing out into the street, basically. I just -- is that a parking arrangement we allow?

MR. PALMER: In terms of parking in the side yard, I believe --

MS. LOE: Parking in the side yard and backing into the street.

MR. PALMER: I mean, that's your standard residential -- You know, everybody backs into the street, but --

MS. LOE: It is for a single-family residential, yes.

MR. PALMER: Sure.

MS. LOE: But now we're talking about a multi-family.

MR. PALMER: And I believe that's part of the impetus for replatting it is so that parking would be provided in a more central location. A lot -- I mean, of course, you've got six to eight units, six to residents in the house on 2505. You'd have eight to ten here, I suppose. So parking will have to be provided for -- for those residents. I don't remember exactly what the requirement is, but that is something that would be addressed as we move forward with site plans and development plans for that -- that structure there, so --

MS. LOE: Would -- and then the parking would need to be provided at that current 2505, because currently it appears that they reused the existing garage and have a driveway, and as multi-family, we would not allow tandem parking in the driveway to count toward the parking.

MR. PALMER: Right. Yeah.

MS. LOE: And so parking --

MR. PALMER: Yeah. I think the existing condition would be permitted to stay until they -- until they do the replat, and then I think we would have to address the -- the overall lots parking demand at that point.

MS. LOE: And, finally, sidewalks would be required as part of the replat?

MR. PALMER: Yes.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions for staff? Seeing none. Thank you. We will open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward.

MR. GREENE: Good evening. Andy Greene with Crockett Engineering. Our officers are at 1000

West Nifong Boulevard, Building Number 1, here in Columbia. I apologize for the confusion on the conceptual nature of the building plan that you guys were looking at. That was the -- basically, original conceptual plan that was submitted. Architect basically went for the concept review, so I actually wasn't a part of that. A little bit before I got involved with the project, but it's generally schematic in nature. I understand parking, you know, will need to be provided, and that's kind of our direction in the future of this is to take all three lots, turn them into one, and have a more centralized parking location maybe off on the bigger three-acre campus. And so I, for what it's worth, please don't get hung up on that plan because I don't think it'll exactly look like that when it's all said and done. I've got just a few notes on here about the program and a little bit about the rezoning request, and I'm just going to skim through. As Rusty stated, In2Action is a non-profit organization offering transitional support and recovery services to a range of people either just getting out of prison or they could be graduates of the program that have been out for approximately three years or so. In2Action is a certified clinical outpatient treatment program with the Missouri Department of Mental Health, as well as accredited by the National Association of Recovery Residences. In2Action utilizes a social model of recovery rooted and Biblical principles, and now achieves some of the best outcomes in the State of Missouri for this type of program. The facility interaction was founded by Dan Hanneken -- he's with me here -- in 2012, and the main campus, as pointed out, functions out of the three-acre larger piece off to the side, which is zoned R-MF as previously stated. To expand the program, In2Action in 2022, purchased these two subject lots, and they currently have single-family homes, and they use those as group homes. They're continuing to grow, and so instead of the small group home, which would allow up to the eight -- I don't know the quite bedroom mix of those two existing homes, but we need more bedrooms is basically the point of it, and so the lot to the furthest west has been identified as target number one to basically rebuild a larger group home, and to do that, we need a R-MF zoning to potentially go over the eight residents -- residences per group home. I covered that. Let's see. As I pointed out, having the R-MF zoning for these two subject lots will match the R-MF zoning of the bigger lot, which will then allow us to plat all three into one to create a little bit more inner-connectivity and unity for the campus as a whole. Regarding adjacent zonings, R-MF zoning exists for the multi-family development to the east, as well as if you go a little bit further, it's a mixed-use corridor for the Socket Company down there. As advised by staff during the concept review, public outreach was encouraged and Dan actually went -- I think it was Dan, or somebody from the program went door to door, and I've got a signature sheet and this exhibit there is just a map of depicting the site and the green checkmarks represent addresses that have signed the -- basically, a signature sheet saying that they show support for the project. The two blue circles were properties that were approached, but it's my understanding they just didn't want to sign the letter. As Rusty stated, this project is basically at a large existing node, a major collector of Clark Lane. Sylvan is neighborhood collector, and then Eastwood Drive making it a candidate, giving it access and proximity to other comparable and more intensive uses in the immediate area. As Rusty mentioned, the UDC also has neighborhood protection standards, so any new R-MF structure, other than a single-family home, or a duplex home, would have

those neighborhood protections. So here to ask you guys to show support for this project and vote yes.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you very much. Next person, please come forward. Oh. Thank you.

MR. JACKSON: Good evening. My name is Bruce Jackson, and could you pull that signature --

MR. PALMER: What's that?

MS. GEUEA JONES: Could we go back to Mr. Greene's -- just a second. Could we go back to Mr. Greene's presentation with the map.

MR. JACKSON: Well, never mind. Let's not waste time with it. I'm at 1411 Sylvan Lane. One of the -- this is the second time we've been in front of this Commission in opposition to what In2Action is doing to our neighborhood, which is gradually turning it over into a large colony of folks who are transitioning out of -- out of prison. And we have found them not to be particularly good neighbors. And I apologize for the letter that I wrote, which was written just the day before I had to hand it into him at 3:00 in the morning because it's kind of typical of what we've had to deal with here, and that is a lack of communication and a sense that they're not honest with us as the neighbors. We feel like that this sheet that they sent, which you have a copy of on the back of what you just handed out is a good example, and my letter through it point by point, talking about why we consider much of what they say and what they're telling us as the neighbors to be dishonest. Our concerns are that it's a tall building on a rather difficult corner. It's also a building that's being placed on a lot and on a street that does not have sidewalks. And we're also concerned about the amount of traffic. We don't know exactly what's going on in terms of how they're trying to plan for all the parking and that's already been raised, and that truly is one of our concerns because they park on the street most of the time, especially in front of my house. And another example that just comes through here clearly that kind of demonstrates our complaint about their honesty is that in that sheet that they showed you, I am the circle at the top on Sylvan Lane. The next one down, they have a green check, and that's a woman who is a single grandmother raising four children, and she is simply totally in opposition. And one of the problems that we've had through this entire event is that we kind of get these different stories and we didn't really find out that we were getting these different stories from In2Action until last night, when we were able to actually get together and to talk together. So I'm sorry for my nervousness. I just don't speak well like things like this. I -- the -- so, again, as this process, which I'm starting to find it's really rather complicated, starts to bear out, I'm going to have to go back and rewrite my letter and take all the horse manure out of it, and I apologize for that, and I'll try to stay strictly to the point. And that's really all I have to say.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Commissioner Wilson?

MS. WILSON: And the part of Anthony Stanton will be played by Shannon Wilson.

MS. GEUEA JONES: I was -- I was wondering which of us would do it.

MS. WILSON: So I will ask the question that Mr. Stanton normally would ask, which is if we want a win-win here, what does that look like for you?

MR. JACKSON: In the very first introduction with In2Action when they talked before the Zoning Commission before -- I think it changed their name -- was that their plan was to have houses all over the City of Columbia so that they could become part of the local neighborhood. In fact, they say where community matters. Our problem is is that we knew at that time it was a lie because we could already see that they were expanding. They have -- it's not been mentioned here on Sylvan Lane. They have what I know of is two houses. And so they're buying up properties in our neighborhood, and changing the style, the feel of the neighborhood itself. And what really concerns me is this tall building that's down on this very difficult corner which is a three-way corner. And I think that that's -- it just -- it just -- it will change the character of the neighborhood and -- and we're just concerned about the other things that I mentioned in the letter.

MS. WILSON: Follow up. So for clarity, are you saying that the win-win would be if they had stuck to their original plan which was, in your words, to have houses all over the city rather than in a concentrated area?

MR. JACKSON: And the person that was ahead of it just stood here and said that was their plan, and that we were told that was their plan, and we could see them buying up all these properties, and we just didn't feel like that was being honest.

MS. GEUEA JONES: Anything else, Commissioner? Commissioner Placier?

MS. PLACIER: Yeah. I just wanted to ask you, are you -- you are under the impression this would be a tall building?

MR. JACKSON: Two stories.

MS. PLACIER: The schematic we received did not show a two-story building, and maybe I'm --

MS. GEUEA JONES: Second page.

MS. PLACIER: Oh, okay. Okay. Got you.

MR. JACKSON: Well, not just that which troubles me, it's that particular corner because as you see, Eastwood coming in and sort of angling into the drive and Sylvan Lane.

MS. PLACIER: Yeah. I'm familiar with that.

MR. JACKSON: And the additional traffic. And also the sidewalks. They're walking through our neighbor's yard. So that other zero that's up there is also represented here, and -- and the reason neither one of us signed it is because I felt like when the -- I think it's called a Director of -- Director of Activities. When he came and presented the petition to me, the thing that he said to me was, wouldn't you like to see us tear down that -- that old eyesore down there, which the house on the corner is dilapidated, and I said sure. That looks fine. But to take in that rather small property and stick a two-story building on that particular corner, I just -- I think it changes the character of the neighborhood, and I think it just feels wrong, you know, to stick a big building on that corner. I would rather see it, you know, smaller, at least.

MS. GEUEA JONES: Thank you. Any other questions for this person? Thank you very much.

MR. JACKSON: Thank you for your time.

MS. GEUEA JONES: Thank you.

MR. JACKSON: We'll have a copy of this in the back.

MS. GEUEA JONES: Thank you. Any other speakers, please come forward.

MS. JACKSON: Janet Jackson, and that was my husband, and I'm speaking for me and for my next-door neighbor who couldn't come.

MS. GEUEA JONES: I'm sorry, ma'am. Would you pull that microphone down towards you? Thank you. Do we need her to repeat her name? No. Okay. Thank you very much.

MS. JACKSON: I have a statement that I wrote, and I have a statement she wrote, and then some other comments about zoning issues with In2Action. Several years ago, In2Action created a group home cross the street from us at 1410 Sylvan. We didn't object. A few years or so ago, they built a large two-car garage in the backyard separate, and moved tools, et cetera, from the attached garage, a two-car garage. This past year, they appeared to have created two new housing unit rooms with doors to the outside on that -- in that space where the garage used to be. They're still rated R-2, and they have a number of other people in the house, but those two new ones have their own window and their own entry door. And a few years ago, which someone referred to, I think they said was 2020 -- oh, and they do have parking issues there, too. They have so many people that they park a lot of cars on the street across the street from us. Okay. On the new -- a few years ago, maybe 2020, In2Action applied for a zoning change from R-2 to R-MF for a large area east of Sylvan Lane and north of Eastwood Drive. Our broader neighborhood residents attended besides just the -- within 200 feet, attended the Planning and Zoning Commission and City Council meetings to oppose this change. In2Action presented approximately a 20-minute video presentation on how important their work was, while neighborhood residents were only allowed three minutes each. In2Action claimed they wanted their residents to be able to experience living in a neighborhood environment. We later learned that the In2Action residents only stayed in the residence for 30 days, not enough time to really meet neighbors and experience the community. In2Action was granted the zoning change and built modified group homes in the rezoned area. Since that time, they have taken over nearly all of Eastwood Drive, all of the residences on Eastwood Drive. They have now had to notify us that they want additional zoning changes because we are within the 200 foot of the subject property. We want our neighborhood to continue to be zoned for two-family homes, instead of In2Action seems to be purchasing more homes -- more two-family homes and converting them to group homes. And I have another one from Kimberly Chatman, who lives at 1409 Sylvan Lane, my next-door neighbor. I am Kimberly Chatman, and I live at 1409 Sylvan Lane, and don't agree to In2Action building a new group home. I was told by an In2Action person that they were removing the abandoned house located on the corner of Eastwood and Sylvan to build a new home, not a big group home. I feel In2Action is taking this whole area from family homes. I've lived here for 30 years, and do not approve of large group homes. Hopefully, my input is helpful in making a decision on rezoning. And we've lived in our house for 27 and a half years.

MS. GEUEA JONES: Thank you very much, ma'am. Are there any questions for this speaker?

MS. JACKSON: Did my husband give you the In2Action --

MS. GEUEA JONES: Yes, he did. Yes. We've got that in front of us.

MS. JACKSON: There are a number of questionable issues with that.

MS. GEUEA JONES: Uh-huh.

MS. JACKSON: Removing the abandoned house is obvious. Continuing to raise local property values through the revitalization of In2Action, that's questionable in my opinion.

MS. GEUEA JONES: Yes, ma'am. We've got all those comments in front of us, and both your husband's email and the -- the comments that you gave us.

MS. JACKSON: We've just been getting -- each one of the people I've talked to got a different story from them on what they were going to do with that house, and how it would benefit us, and we just feel like they don't tell us the truth. They just -- they're trying to make a sale.

MS. GEUEA JONES: May I ask you, have you had any issues with their residents?

MS. JACKSON: No, their residents are fine, and we really made an effort to get to know the first group that was there. But they were there such a short time, you know, and that doesn't coincide -- or coincide or whatever the word is with saying they want them to be integrated into a neighborhood, so they know what it's like to be in -- living in a neighborhood.

MS. GEUEA JONES: Uh-huh. But you haven't had any issues with them, other than the fact that you feel like they're not being upfront with you about their plans.

MS. JACKSON: Right. And occasionally a resident over there will come over and offer to help me with something. I fell off the ladder once, and they rushed over.

MS. GEUEA JONES: Well, it sounds like the residents are good neighbors, even if you have issues with the owner.

MS. JACKSON: Yes, that's true.

MS. GEUEA JONES: Yeah. And I guess my other question would be, if down there on the corner they did exactly what they did at 1410, would you have a problem with that?

MS. JACKSON: If you look at the map that the City sent out --

MS. GEUEA JONES: Yes.

MS. JACKSON: -- this whole area in here is R-2 families and so is most of the rest of it. But In2Action has brought almost, if not all properties on Eastwood Drive, and turned them into group things. That's not isolated homes, that's just making a whole campus out of it. And the person right next to that square is here to speak, too, but they're -- it looks like the building they're planning is stretching way up to her property line in order to get it wide enough. It's a big, long building in the City's -- that they sent out with the City letter, and that's very odd for that corner. That's too much, and that corner is always a problem with traffic. People get into trouble almost hitting each other trying to get around the angle there because most of the traffic comes from Sylvan Lane, and then Eastwood comes out there, and the -- I don't -- you know, we have conflicts there. And when we turn in from Clark Lane to go there, you also sometimes run into trouble with that narrow Y. It's much narrower than what it looks like on this. It's an angle, it's not a square.

MS. GEUEA JONES: Thank you very much, ma'am. Are there any further questions? Thank you for being here tonight.

MS. JACKSON: Like I say, one of those checkmarks, my neighbor tried calling back and said don't put a checkmark, put a circle.

MS. GEUEA JONES: Thank you. Any further public comment?

MS. TURNER: Hello. Good evening. My name is Tonia Turner, I live at 1406 Sylvan Lane. And I've had quite a bit of interaction with In2Action, as well as my neighbors. I've been there for 20 years. I've raised my kids there and wanted to have a home ownership and stuff like that. I want to mention a couple of things. The 2505 property is, I believe, used to be -- it's a two-bedroom, so I know they can't convert the garage to -- it may be off, so I'm not for sure. The parking, they don't park in the driveways. So they park on the streets, and I've known some people that had -- had went through the program. So I think it's a great program. I do have a lot of traffic walking back and forth, cutting through my yard, and I've had to tell them to not cut through my yard. And there's -- so, you know, it may not be the same person, there's so many people going back and forth, you don't know who you're telling. And I'm nice, I'm a nice person, you know, no big deal. I get along with everybody. The recent purchase that they did for the 2501 and 2505, those people -- okay, I'm going to do it individually. 2501, which is the one on the corner, the one they want to tear down, the same day that sign, the for sale went up, the same day it went down. So I don't know if it was intentionally bought having the plan to rezone to make to a group home, because no one ever lived in it, so it's -- it was always left empty. So it wasn't like it got bought and someone moved in or fixed it up, and it is an older house. I mean, those houses, you know, it's an older house, so it probably needs some work. So that house never did get fixed up and moved -- you know -- moved in like the 2505, which the 2505 is -- is in really good shape. The lady there that used to live there was renting to own it. The person that owned it sold the house not knowing it was going to get sold to In2Action. He thought the lady would be able to stay there and rent. And so, just the -- the option was you can stay here, the rent went up to where she couldn't afford it and had to move out. So those homes were family homes, and I don't make a lot of money, but when I bought my house, I bought it so I could have -- you know, buy something that I could own. So although I get along -- I get along with my neighbors including Mr. Dan, but when you change the whole area of a -- of a neighborhood like that, that's a lot of land over there, and it's all men out of prison. I have kids and I'm going to have grandkids there. I'm right in the middle; you know what I'm saying? So with the continued building group homes and make it into a campus, it's like you -- it's different if you spread it out, but it's not being spread out. Your population has changed greatly, and one type of population, men out of prison. So although I think the program is great, it's different if it's spread out. It's not being spread out. It's being overtaken that -- you see that whole area there has all been overtaken -- that whole corner all the way up. The -- the parking, they could park in the -- the parking was -- see, I don't know the address, 1410, I believe, whatever is next to me. I'm 1406.

MR. JACKSON: 1410

MS. TURNER: 1410?

MR. JACKSON: Yes.

MS. TURNER: So -- so there was -- so when they bought that house, they fixed it up. It looks nice, built a driveway, extended the driveway so they can have parking for their -- for their residents. But I've been there for a while and they don't park there, they park on the street. And I can -- I can see that, you know, might be getting move in and out. You know, no one moves the cars in and out for parking, so I get that. But they park on the street, and they don't park in front of their house, they park in front of our houses. And I will be, like, well, hey, whose car is this? And I'm like, you know, and so they'll say it's over there. I say, well, park in front of your own house, don't park in front of mine, you know, What if I -- if I have company, then where is -- my company is going to park where? Right in front of your house? So I don't know why that issue is, but I would not -- I don't think -- I don't know. I love you, Dan, but -- but I just -- and I understand you're wanting to do something good with this program, but I don't think buying out and changing the whole dynamic of a neighborhood is what we should be doing. I noticed that, like, online, it's a religious base, so is this tax exempt? Are taxes being paid to the schools and the libraries? Are these people voting, you know? This is -- I think I'm Third Ward now. But I'm thinking about those type of things because those -- all that is being tied into this ward, and the money is going into these schools. So are they paying taxes? Is it religious based? Because if it's not, are they paying those taxes, and are taxes going to the schools? Are they going to the libraries, you know? And like Ms. Janet said, people are there for -- we don't know how long they're there. I've had people, and this has been a few years back, and they could have got the houses mixed up. Come home, some of them are in my backyard, going through my -- going through my shed, cleaning up my patio, and I was just like -- my -- my son had came home to it, so it's, like, what's going on? And so I had people offer to do things in my yard. I don't want you in my yard, but if they're in my yard, then I can't tell if you're supposed to be there or not; you know what I'm saying? There's so many different people coming in and out, I don't know whose -- whose -- you know what I'm saying? It makes me -- you know, I'm a -- it's me and my son that live there now, so I don't need -- I don't want the extra. I try to stay to myself. I speak to them when I speak. The guys, some speak and some don't, which, you know, that's kind of okay, but it's not -- it's not family -- it's not family oriented; you know what I'm saying? That's -- that's being depleted. All that is getting pushed away.

MS. GEUEA JONES: Thank you, ma'am.

MS. TURNER: Okay. Sorry.

MS. GEUEA JONES: Well, it's okay. Are there questions? Commissioner Wilson?

MS. WILSON: I think I have a couple. I'll start with the one that I can remember, which is I'm confused by what you are saying because you're making the point that they're parking not in their driveway, but in front of your home. But this plan will create space for them to park.

MS. TURNER: If they'd make parking, like, behind -- like, I had spoken to him, so they're planning on making -- and this has probably never been addressed yet, but behind my lot, because is that

all going to go back behind my lot? And maybe, like, a concrete road where they're going to park all back there; you know what I'm saying? That's going to becoming to ask for a road to be built later back there; you know what I'm saying? These are just little bitty steps over throughout the years. First it started out as, you know, they bought one home. Now it's this, now it's that; you know what I'm saying? So where does it -- you know, like --

MS. WILSON: So just for clarity and similar to someone else who has spoken --

MS. TURNER: Uh-huh?

MS. WILSON: -- are you -- is your angst that all of this is concentrated in this neighborhood rather than spread out?

MS. TURNER: That, and something -- you guys said something about 2505. So 2505 is not rezoned -- is not zoned for R-M -- the R-MF because it's -- it's a small house. So are they planning on combining those lots, because otherwise that house can't be a -- because it sounds like you guys are saying something that they were going to -- those are R-MF lots. 2501 and 2505 right now are not and can't be because they said they weren't going to tear the 2505 down, which is a small house. It only has two bedrooms. The garage might have been converted into an office or something, but that's -- I mean, you can't get that many people in that house as it is right now. So how is that going to be a R-MF unless they're going to plan on converting that over, as well or ask -- you know what I'm saying? So is that the next plan, you know? There are three -- three big houses at the other end of the R-MF houses, and those -- those are pretty large houses. So if those are R-MFs, it seems like, instead of purchasing those other two houses at the end, that you would have went ahead and made those other houses just a little bit bigger. They're pretty big houses. They're pretty big. Those were apartments. Those had families in them. The one -- and I don't even know the address. It's the -- there's three big ones probably down there. They were multiple -- multi-family -- they were apartments. So I'm just saying, instead of making those at that time, convert them over, or make them larger, because the lots were there. The houses were really big, they're two-story, if not three. Instead of purchasing the other two, and then changing the whole dynamics of the neighborhood, because I'm -- and then look at the market, the buyout. The buyout is above market value. Those houses need to get fixed up and they raise their -- you know, they raise their property, but who is going to buy my property? No one is going -- no one is going to move in my house, but probably them. No one is --1409? No one is going to buy her property. Those property aren't going to go up. No one is going to buy those properties. Ms. Janet and them, they're older. No one is going to buy their properties. The family dynamic is going to be gone.

MS. GEUEA JONES: Commissioner Wilson, are you done with questions?

MS. WILSON: I have another question.

MS. GEUEA JONES: Please go ahead. No. You're fine.

MS. WILSON: When you say no one is going to buy their properties, is that based upon where it -- what is there today?

MS. JACKSON: Yes.

MS. WILSON: So building this building wouldn't make the matter worse?

MS. JACKSON: Yes, it will.

MS. WILSON: In --

MS. JACKSON: Because now it's going to be a group home, so now it's more people. That -- that corner is already busy as heck.

MS. WILSON: No. No. No.

MS. JACKSON: What do you mean?

MS. WILSON: Focus on the question. Your statement is no one will buy the homes today. So if no one will buy them today, they won't buy them tomorrow either when the building is there.

MS. JACKSON: Definitely not. Yeah, definitely not, because it's going to increase -- increase more, because right now that 2501 is an R-MF, 2505 is not. So -- you know what I'm saying?

MS. WILSON: Got you. Roger that. Thanks.

MS. JACKSON: Is this -- is this a tax exempt? Is it a tax exempt --

MS. WILSON: We don't know.

MS. GEUEA JONES: Yeah. That's not in our purview. Any further questions for this speaker? Seeing none. Thank you very much for being here tonight, ma'am.

MS. JACKSON: Okay. Thank you.

MS. GEUEA JONES: Anyone else, please come forward.

MR. TURNER: My name is Drew Turner; I live at 1406 Sylvan Lane. And this is just a follow-up questions for Commissioner Wilson. So we mentioned on the 2501 Eastwood, that's potentially what's being recommended is the parking that's allocated. And so when we build that, or when they theoretically build that, they are going to build in parking that has to be accommodated, like, that is something that is given. And I believe what Tonia was saying as far as 1410, there already isn't enough parking at that residence, so I imagine that would still be a group home, nothing is going to happen to that, that's not being dissolved. So if there's not already enough parking for 1410, I think the question is, you have that parking theoretically that's going to be built for 2501, but we still have that issue of 1410. There still isn't enough parking there. Under what pretense do we have that if this parking lot gets built at 2501, what kind of utilization is there going to be since there have been projects at 1410 to expand that parking and that parking is not being utilized. That parking is not just being -- the matter -- you know, it's a public street. You're essentially free to park wherever you want. It is a narrow street. Sylvan Lane does not have a sidewalk, so my concern is, obviously, the lack of easement there to, like, build a sidewalk. They already park on not just one side of the street, multiple sides of the street, multiple residences. So I think that just the matter of that is being even if this parking lot gets constructed, even if it's an R-MF zone, there's just going to be an oversaturation of residents that have those cars, even if it's right next to us, that R-2, there's just such a saturation of cars right now. I really don't think that building that alone is going to accommodate those residents. There's nothing to accommodate those residents at 1410 that are already oversaturated. And that's just what I kind of wanted to clarify.

MS. GEUEA JONES: Thank you very much. Any questions for this speaker? Seeing none. Thank you very much. Is there any other member of the public to speak?

MR. HANNEKEN: Good evening. My name is Dan Hanneken; I work for In2Action; I'm the executive director. Our offices are located at 1403 Eastwood, Unit C. I won't take too long. I definitely want to answer questions if you have questions. Certainly don't have time to clarify a lot of the misinformation that has gone out tonight. I can tell you In2Action is -- is both state and nationally recognized as being one of the most effective programs around when it comes to reducing recidivism. The people that we serve are from the Columbia/Boone County area, and the recidivism rate in Columbia and Boone County are consistent with the state recidivism rate which is 43 percent in three years. Our recidivism rates for people that stay engaged in our program for just three months go below ten percent, and those that stick around for six months below five percent. What we're doing is improving public safety, and we're giving people truly a second chance. A couple of things that I want to say. One, I'm -- I'm faculty in the School of Social Work over at MU. I'm very thoughtful about the decisions that we make. There's all kinds of different options on ways that we can do things. Some of those options were presented by some of our neighbors. But we're very thoughtful and very intentional about what we do. Another thing that I would like to say is we're here tonight because we want to do things by the book. We're here because we want to be in compliance with everything that the City expects us to do. We have, as far as I know, we're in complete compliance with everything that we do right now. We want to continue to move forward that way, and if anybody in the City or if any of our neighbors feel like we're not in compliance with what the City requires, I would sure like to know because we will get that corrected. And it's expensive to be compliant with the City, but we'll -- we're willing to do that. And -- and I guess, you know, I think it's important to note how this project is being funded, because I think it will speak to the credibility and the validity of who we are. We have Department of Economic Development State revitalization funding. We've already spent hundreds of thousands of dollars on our properties over there at Eastwood and Sylvan, and this is not a neighborhood that people are investing a lot of money trying to make that part of the -- that part of the community. Our houses look awesome. Okay? This house will look awesome. It's being funded by the Department of Economic Development revitalization funds, so we've been vetted by the State of Missouri. It's being funded by Boone County ARPA funds. We've been vetted by Boone County, and it's being funded by City of Columbia ARPA funds, so we've been vetted by the City of Columbia. So I think if there was as much dishonesty or game-playing that -- that has been, you know, presented tonight, I think we would have been vetted out of that. Those are very, very competitive awards. The -- the 2501 -- just let me add some clarification. 2501 has been an abandoned house for quite a while. We originally sought to just renovate that house. That house was built before the City even had codes, so the house itself is out of code. We were told, you know, you just -- you just need to bulldoze that thing down and start over. So -- so that's what we're doing. It -- it really is an eyesore. It's a mess. I apologize to my neighbors that we haven't done something with it already. When we bought it, it's probably been a year since we bought it, we planned on doing something with it pretty

quickly, but, you know, as we went down this road, it just turned into a much bigger project than we thought. The -- the other thing that I'll say, and I want to be sensitive to this. We work with a very heavily stigmatized group of people. I'm used to having these conversations, and I don't want to dismiss the feelings of our neighbors and the concerns that our neighbors have. But -- but as you've heard tonight, we do good work with our guys. We have 24-hour/7. We have staff that live on our campus. We have three staff members and a board member that live on site, plus we have 24-hour staff. We -- we have curfews. Nobody at In2Action is allowed out past 11:00 at night or midnight on weekends. If they're in their first 30 days, that curfew is 6:00 at night. We regularly drug screen all of our residents. And it's that type of structure and that type of support that we offer to these individuals that we're able to see the outcomes that we see. And that's why we have people that will go running across the street to the neighbor when they fall off a ladder because we're cultivating that type of community and that type of belonging. Our average length of stay at In2Action is six months. That -- take that with a grain of salt because we absolutely have people that come there and three days later, they're out the door. But we have people right now that have been there nine years. Okay? One of the things that this house will provide, and it is a larger group home. One of the things that it will provide is an opportunity to free up some of our one-bedroom apartments for longer term affordable housing for our graduates, because right now we have to use some of our other units that are more set up for independent living for people that just don't quite have enough money or haven't cleaned up their credit or can't get a rental place on their own because they have a criminal record. Well, we want to be able to put those people in our one-bedroom apartments and keep the people that need the heavier support into the group homes. So it's way past my bedtime, but I want to answer questions because I know some of you looked a little bit confused with some of the other comments and maybe some of my comments. If you have any questions, please ask.

MS. GEUEA JONES: Any -- okay. Let's see. We'll start with Commissioner MacMann, then go to Commission Wilson, and then I have a question. Go ahead.

MR. MACMANN: Thank you. Thank you, sir. When you came before us in 2020, I was here. Some of the rest of us folks were here, and I was all about your program. I think it does wonderful work. You're fantastic. Thanks. One of the things we talked about then, which really got me going -- I have a background in sociology -- was your desire to intersperse your program throughout the community. I do not doubt that you're doing good work where you are. I would assume from the nature of your organization, you're a Biblical man. If we're stealing from Peter to pay Paul, we may not be doing the best work. And here's what I'm saying is I'm by your place four times a week probably. The more you expand there, the more that neighborhood goes downhill. I thought you were going to do your foundational thing there on Eastwood, and then spread throughout the community, because I know the other places like you throughout the town, and people don't even know they're there, other than, you know, four, five, six people. How many folks do you have on this area right here? Thirty, forty?

MR. HANNEKEN: With all of the --

MR. MACMANN: Just right there at Eastwood -- right there.

MR. HANNEKEN: Just right there, probably about 45.

MR. MACMANN: Forty-five people. I submit that your impact on the community is better than one or two -- it's more extensive than one or two group homes. And you are doing good work, but we can't be moving other people out. The woman said that she can't sell her house, you know what, she's right.

MS. GEUEA JONES: Commissioner MacMann, do you have another question.

MR. MACMANN: I do not. Thank you.

MS. GEUEA JONES: We will get to comments, I promise. Commissioner Wilson?

MS. WILSON: I wasn't here, so he sort of answered my question. But I wanted to ask you directly, so, what was presented -- and years ago when you all came? Was it the presentation that we would be dispersed throughout the City, or was it the presentation that, you know, we found a place, this is a good place, we have a single staff, everybody is here, it's easier for us to monitor, so we're just going to be right here. What was the presentation?

MR. HANNEKEN: Yeah. That's a good question, because I guess my recollection is different than two people, so I'm outvoted. I concede that. My -- my -- and here's what I believe my mindset has been from the beginning is we want to help people transition back into the community. Okay? And to be productive employees, to be productive dads, to be good sons, good neighbors, all of that. So -- so, yeah. The goal is that people come through our program and they filter out into the community. As far as having a scattered housing model, that -- I -- I don't recall ever sharing because I've never believed that I -- I believed in a scattered housing model because what makes us successful is -- is the campus, is the community. So we have people that will come to our program today from prison that have a roommate that got out two weeks ago, there is somebody downstairs that got out two months ago, and there's somebody across the street that got out two years ago, and guess what, the magic happens when the staff go home. And hope is ignited when somebody who gets out of prison today sees somebody that they did time with a couple of years ago, and they've been out two years now, and they're back by the pond barbecuing. Okay? That's what we call the social model of recovery where peers with peers and peers that have had success can rub shoulders with people that just got out, and they're looking at the guy that's been out for two years, and like, man, I remember when you were on the street and you were doing this and you were doing that. What happened? It's, like, man, you don't have to live like that anymore. Now this guy has got hope. So -- so the whole campus community type perspective has -- has been my goal from the beginning. Now -- now I will say this, we pretty much reached our capacity. And what I mean by that is we could buy -- we could buy three city blocks and fill up all those houses, but we'd be bringing people from Kansas City and St. Louis and Hannibal and Joplin. That's not good for the community and it's not good for -- it's not good for those people. If we ever wanted to provide services to people in St. Louis, we'd go to St. Louis. So we kind of hit our sweet spot. So to say that we're in a position now that we can serve everybody who is from the Columbia/Boone County/Central Missouri

area, and we don't have to turn anybody away, and that -- that was our goal.

MS. WILSON: Thank you.

MS. GEUEA JONES: I had a couple of questions. The properties at 1410 Sylvan and 2505 Eastwood, what kind of occupancy permit do you have on those?

MR. HANNEKEN: They're both what are considered -- I'll just throw some acronyms out that if you want clarification. They're non-accredited Department of Mental Health certified, and City of Columbia approved group homes.

MS. GEUEA JONES: They're classified as group homes? So you have an occupancy permit saying it's a small group home?

MR. HANNEKEN: Uh-huh. Yeah. Yeah. And we didn't add beds to 1410, that we -- we did do something with the garage, there's two offices in there with two separate doors and windows, but we haven't added any beds.

MS. GEUEA JONES: Are -- are any of your residents disabled in any way?

MR. HANNEKEN: You -- technically speaking, they all are. Everybody that we serve has a substance use disorder, and that is considered a disability. Yeah. And we do not serve sex offenders simply because of the --

MS. GEUEA JONES: Sure. No. But they don't -- you don't have people with physical disabilities, like, you don't have people that use wheelchairs, you don't have people that need service animals?

MR. HANNEKEN: We have not had either of those. This new house that there was mentioned nine bedrooms, one of the bedrooms is going to be accessible if we do have somebody that needs services that uses a wheelchair.

MS. GEUEA JONES: My other question is how -- how many people do you think would be too much of a concentration? And here's why I ask that. I agree with you, peer support is incredibly important especially in re-entry programs. I also think it is important to feel a part of the community that you are re-entering; right?

MR. HANNEKEN: Uh-huh.

MS. GEUEA JONES: So if you did buy up all of that side of Sylvan so that you've got a -- it would probably be ten-acre campus or something where you could have 250 people, let's say, or 100 people even, at what point have you tipped that balance too far in the wrong direction where now you're no longer re-introducing people to the community, because this is a -- I mean, it's -- it's a neighborhood area, sure. It's fairly off on its own and surrounded by pretty heavy industrial right there on Clark Lane and Paris. Right? Like, it's kind of a little pocket around everything else. So I guess at what point are you no longer re-introducing people as much as putting them in a new closed-off community?

MR. HANNEKEN: Yeah.

MS. GEUEA JONES: And how do they get -- like, then do you have to have yet another transition housing area? Like, what's that look like?

MR. HANNEKEN: Yeah. Like I said, I think we've hit our sweet spot. We don't need to grow. The only reason --

MS. GEUEA JONES: But you're asking to.

MR. HANNEKEN: Huh?

MS. GEUEA JONES: But you're asking to.

MR. HANNEKEN: Well, yeah, I guess maybe I'm making some assumptions that I shouldn't be making. But with this, we'll be where we need to be. We'll be where we need to be. Again, I considered the sweet spot never having to turn anybody from our community away, and we're there. We're just about there. What this house is going to do, I don't believe we're going to be serving more people, but we'll be able to keep people longer. And that's why I went back to -- so we have a -- we have a six-plex with six one-bedroom apartments. We also have a two-bedroom house as part of our campus. And then we have another building that has two one-bedroom apartments, and a three-bedroom apartment. So some of that is being used more for transitional type housing and there comes a time where we -- you know, we call it kicking people out of the nest, but sometimes they're not really ready to be kicked out, but we -- we have to move people along to take in the new people that need the more intensive services. So with this -- with this additional larger group home, we're going to be able to use some of those apartments, that little two-bedroom house to keep people longer. We have one guy that I told you he's been there over nine years. He's an anomaly. He's an outlier. But we do have a couple other people -- we have several people that have been there for two years, but we have a number of people that could benefit from staying that long if we had the capacity to do that.

MS. GEUEA JONES: Thank you very much. Any further questions? Okay. Commissioner Placier, go ahead.

MS. PLACIER: Oh.

MS. GEUEA JONES: No, go ahead, Commissioner Placier.

MS. PLACIER: Well, I hope you can understand how Ms. Turner in 1406 Sylvan feels being surrounded by your facilities. She's pretty much encapsulated there. It does look like -- I don't know what her options will be. Was there really no option to expand further, since this is a new build, was there really no space on the Lakewood side to do a new build of the kind of facility you want, because that is a tough corner. I've -- I've driven up there to drop people off, and almost as soon as you get off Clark, you're there, and so it is a tough place, and I'm wondering if there really was no opportunity to expand on Lakewood.

MR. HANNEKEN: I think there -- there could be. We'd still have the -- you know, the abandoned out-of-compliance house of 2501 that something needs to be done with that. One of the -- I mean, one of the things that the neighbors were concerned about when we -- when we did the initial rezoning of that bigger plat, and I understand this concern. One of my commitments was, no, we're not going to start building a bunch of new buildings back there. There's some really beautiful green space back there. There's a pond that we got cleaned up. And, I mean, even when we were cleaning up the pond, some

neighbors were concerned that we were bulldozing and going to start putting apartment buildings and stuff in there. So, you know, I'd like to really hold true to that, that, you know, that's not what we planned on doing when we bought that property was to build more buildings on it. But we're replacing -- we're replacing a house on 25 -- at 2501 that needs to be replaced. We're just replacing it with a bigger house.

MS. GEUEA JONES: Anything further, Commissioner?

MS. PLACIER: No. I would just argue it's not just a house, it is a group home, so -- (inaudible).

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: How much of your plan comes from or is intertwined with the needs of the neighbors, meaning how much have you consulted with the neighbors to create your plan, or did you just create a plan and tell the neighbors this is what we're doing?

MR. HANNEKEN: We have a little bit of communication with neighbors, probably not as much as we would like. We've -- you know, we've attempted to send out mailings. We -- you know, we just don't get much of a response. We do talk to our neighbor next to -- next to 1410 quite a bit. The other gentleman, I tried to talk to him after the last City Council meeting, and he was pretty emotional and really didn't want to speak to me about anything. So this is a tough population that we're advocating for, and I get it. You know, I get it.

MS. GEUEA JONES: Please -- sorry. If you don't face forward, they can't hear, and I get in trouble.

MR. HANNEKEN: Oh, I'm sorry. I -- I -- you know, I would like to make everybody happy, but I don't know that I can do that.

MS. GEUEA JONES: Thank you very much. Anything further? Seeing none. Thank you very much. I'm sorry. No, ma'am. All right. We will close -- unless somebody else needs -- I think we've talked to everyone in the room, so we will close public comment.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: And go to Commissioner comments. And I think Commissioner Loe and I have a question or two for staff, if we want to start there. I would like to. Okay. Do you want to ask since you're --

MS. LOE: No. Go for it.

MS. GEUEA JONES: Okay. So I am a little confused as to if when we say these are small group homes, if that is an actual designation, or if that is just casual language use. And the reason that I ask is because they don't meet our definition of a group home. They meet our definition of a halfway house, which has very different zoning.

MR. PALMER: I'll let Mr. Zenner answer this.

MR. ZENNER: And now we'll let Ms. Thompson fill you in after I respond. The definition of large and small group home within the Code, there is no such licensure that we issue specific to that classification. The differentiation between a halfway house and a group home is a conditional use permit. They are both permitted in the same zoning district that is being requested. There has not been an

analysis based upon what the applicant is asking for, if it qualifies as a group home or if it is a halfway house. A group home, however, is not just restricted to physical handicaps. It is inclusive of other handicaps as defined, and therefore, we have to have an analysis of those additional handicaps that are being served on this property. If it is determined when we do that analysis that it is not a group home, but it is a halfway house, the applicant would be informed of that, and they would need to come to get a conditional use. Bottom line is, is a halfway house or group home cannot be on the R-2. It requires a rezoning, so the first in principle issue at hand here is, is this property properly situated to be considered to be rezoned to the R-MF zoning district based on its land use context, not based on what the use that may be determined to be something that we have applied based on this applicant is operating at 1410 as a group home, which is how we have proceeded forward based upon the fact that they are looking at expanding that operation. So we have not done the full complete analysis of the class that may qualify as a group home occupant.

MS. GEUEA JONES: When they came for 1401, and I know I was here, and I don't remember, and I didn't think about it until it was brought up, do they have a CUP on 1401?

MR. ZENNER: No, they do not. Not to my recollection, and I've been here long enough, I remember exactly what Mr. Hanneken indicated, they clearly described as a part of that public hearing that they were not intending on building additional homes or structures on 1410.

MS. GEUEA JONES: So they are operating on --

MR. ZENNER: They are operating as a large group home, if I'm not incorrect.

MS. GEUEA JONES: But who did the analysis for -- not for 1410, for 1401?

MR. ZENNER: 1401 --

MS. GEUEA JONES: Who did the analysis, and -- and I guess my -- the issue that I'm having is that they are operating.

MR. ZENNER: No. They are, and I --

MS. GEUEA JONES: So when do we --

MR. ZENNER: I'd have to go back to our -- I'd have to go back to our records. I don't know how. I don't have that instantaneous recall of all of the details.

MS. GEUEA JONES: Sure.

MR. ZENNER: What I can tell you is, is to my recollection, there is no CUP for either -- for any of the operations that they currently are operating, and they have been operating for several years.

MS. GEUEA JONES: Right. So at what point do we, as the City, or you as the City staff, at what point do you review what someone is getting ready to do with a property to say you can't do that there, because they are fully licensed to operate, but they are not complying with our zoning requirements, potentially.

MR. ZENNER: I would contend -- I would contend that they may -- for us to say that they are not currently complying without us being able to go back and look at our records --

MS. GEUEA JONES: I see.

MR. ZENNER: -- I think that is an assumption that is being made that may be incorrect.

MS. THOMPSON: And I'll just hop in. I don't -- I wasn't involved with the issuance of the occupancy permit and what evaluation went into that as far as whether they comply with the use as either a small or large group home. But the definition of that disability under the Fair Housing Act is -- does involve substance abuse disorders, alcoholism, and drug abuse. And again, I don't know what analysis went into the issuance of the occupancy permit for those other addresses, but I imagine that is part of the analysis at that stage.

MR. ZENNER: And typical multi-family permitting, just to close the loop possibly on this. So depending on -- again, I cannot remember how all of this transpired initially for the rezoning action. This property may have initially been issued a rental compliance certificate --

MS. GEUEA JONES: Uh-huh.

MR. ZENNER: -- and that would have been through our Office of Neighborhood Services that would have performed the inspections that they would have been required to perform. And it got to a particular stage of its usage that the necessity to rezone the property then was brought forward to us, resulting in the initial rezoning actions of the larger property to the R-MF district, and it then being reclassified as the group home designation, and that's -- if I'm not incorrect, that may be the way that this played out over the course of time, because as the applicant has indicated, these were originally rental properties, and I believe the way that they were being rented or used was what drew the attention of the necessity for the zoning change. And at that point then, based upon what we understood to be the operation, it was most likely a decision that was made amongst management staff, that would have been not necessarily been me, that would have been Mr. Teddy, and probably Ms. Kottwitz, our ONS manager, to conclude what was being asked for was correct within the Code context. We knew we needed a halfway house, and in shorter terms, we would have required at that time, because that was what the ordinance would have mandated, we would have required a CUP, and we probably would have required - - we would have required the zoning also.

MS. GEUEA JONES: I have one more thought, and then I'll let Commissioner Loe jump in. I -- if the -- if the operation were requiring people to have substance and alcohol abuse disorders, I would agree that group home, whether small or large, fits. I don't believe that to be the case. I am a little also concerned that we have this halfway house designation, which is a necessary designation, that's what they are doing, and it is -- I shouldn't say necessary designation, it's a necessary operation. I think this is a good program. I am concerned that we are forcing people to avoid using the term halfway house, when that's what they're doing. And so that may be something we need to look at as we continue to add to our list of Code adjustments, because I don't necessarily have a problem with what they're doing. My issue is it appears that they have had to bend over backwards to avoid having to ask for a CUP, and the City has been finding ways to get the definitions to work when it is clear to me that they are providing a necessary service of transitional housing. And -- and they are not just a drug treatment program. Those are different things. So I'm -- I'm concerned about that, that maybe a larger Code adjustment. I also just

want to make sure that all the i's and t's have been taken care of on what they're currently doing, because regardless of what happens tonight, there could be a property that's -- needs to be looked at, but -- Commissioner Loe?

MS. LOE: Thank you. You just hit on a couple of the comments or points -- no, we're thinking along the same lines. Just a couple additions to that. It sounded to me as if the applicant is considered to be a group home under a different state or county agency's classification. However, reading our zoning definitions, while it does include the requirement or the allowance for disabled or handicapped, and that does apply in some cases, to my mind, halfway house, where this is a facility for persons who have been institutionalized and released, giving temporary protection of a group setting to facilitate transition to society, this is how we've been discussing the facility that's been brought to us this evening. So I -- and we treat these two very differently in the zoning code. So if they were treated the same, this would be semantics, but we don't. So I think we need to align our definitions if that's part of the reason there's confusion here, and I agree if there's -- if we're avoiding calling something, let's look at what we're really trying to achieve. I'm having a hard time processing this case because I feel it hasn't -- it's not as clear as it's been presented. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner MacMann?

MR. MACMANN: Ways forward, I'm a no on this for the reasons I stated previously. However, I would entertain the concept of tabling this to date certain to have some of your all's questions answered. Is there a CUP? Does it need a CUP? I mean, these are serious questions. My best recollection, the laundry was the key so we could go to next steps, and then the resolution of the other issues were afterwards, and I think it was done at a managerial level, but it never came back to us. That's what I know.

MR. ZENNER: And I believe the interpretation of the Code and the application of the terms within the Code, is left to the discretion of the director. And so the director has made a call as it relates to how this property to the east was classified. The definition clearly includes this. While this is uncomfortable for the Commission, and I can appreciate that based upon the conflicting definition of a halfway house, the reality is this does not, based on the past practice that we have followed for a similar use, require a conditional use. And that, I mean, if asked the question, does this qualify as a large group home, the director has no incentive to say no. He has every reason to say, well, that's how we've applied the standard to the property immediately next door operated by the same entity. I think the concern that we have potentially, and this is a much broader issue, is how we are treating this particular class of individual, and that becomes a real concern when we look at the land-use appropriateness of how the individuals that will occupy this space are occupying the space. And I think the definition of a halfway house is very critical and very judgmental as it relates to people that are coming out of institutionalized settings that were through the penal system. For Council to be presented with every request of this nature to have to make that judgment decision probably creates a serious amount of angst at that level. And so when we look at how do we address the issue, how have we addressed the issue with group

home settings for a variety of different ailments, this is the decision that we've made. And I am not at all objecting to the idea that we need to go back, and we need to figure out how do we align, how do we potentially identify use-specific standards that would be appropriate to provide the levels of protection that are needed. That, unfortunately, does not exist at this point, so what we are left with from an analysis perspective if -- even if I'm not going to be asked, is you have to look at -- you have to look at how does this ultimate use, if it was a multi-family building, regardless of how it is occupied, is a multi-family building on these two R-2 lots inappropriate or appropriate? How we deal with addressing the other issues of the type of occupants within those buildings, we have to work with the applicant, and we have to make sure that the applicant is cognizant of the concerns of the surrounding property owners, and mitigates them to the extent possible.

MS. THOMPSON: And not -- and just to put out there, not ruling out the possibility that that they may not have to come forward with the CUP and alternate determination is made. But regardless, they would still need the rezoning to R-MF.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I don't know that I have heard this evening that this is an issue of the quality of person. It seems to be an issue of the quantity of people. So for me, also, in addition to the quantity, it is a lack of diversity of planning and thought with the neighborhood that is at issue for me. When we open ourselves up to diversity of thought, we get new thoughts. We get new ways of doing things. You are surprised about what people can offer you when you ask them the question what would you like? And so that's my issue. I'm not as versed in the regulations as my other Commissioners, so I don't really, you know, have that issue. My issue really more so is did you ask them what they wanted in the neighborhood, and at what point do we just have too much of a saturation of individuals. So that's for me why I'm going to vote no.

MS. GEUEA JONES: Other -- Commissioner MacMann?

MR. MACMANN: Madam Chair, I have a motion. Are we there?

MS. GEUEA JONES: Are we there? I believe we are -- we are there.

MR. MACMANN: In the matter of the rezoning of 2501 and 2505 Eastwood Drive, case number 58-2024, I move in the affirmative to approve.

MS. LOE: Second.

MS. GEUEA JONES: We have a motion from Commissioner MacMann on approval of the rezoning, and a second from Commissioner Loe. Any discussion on the motion? I just want to make one quick clarifying comment for my vote. I am concerned about what I see as a lapse in the Code. That has nothing to do with how I am voting on this case. This case is not about the Code, it's not about designating things. It's not about a CUP. This is about whether multi-family zoning fits in this particular location. That's what I'm taking into consideration. However, my thought is out there about the other, and I agree completely with what I think Planner Zenner was trying to say, and I'm going to say it a little less diplomatically because I can. There is stigma attached to the term halfway house. There is. It's a

problem because we need them. And we've got to find a way to make sure that our Code doesn't mislead people, but also does not put people in a position where they cannot provide a service because of those stigmas. So I look forward to working on that, that issue, separate and apart from my feelings about the zoning. Just want to be clear. Thank you. Commissioner MacMann?

MR. MACMANN: One last comment before we vote. In reference to my earlier concept -- comment about spreading these throughout the community, and you spoke of the stigma. And you guys know I travel all over, and in town, block by block by block. I'm not going to use the term halfway or group, because I don't know what they are called. I don't know how they're licensed. I know where two are in heavy neighborhoods. Four, five, and six, most of the neighbors don't even know they're there because it's not a problem. And it is not, in my view, I think excellent work can -- can be done and is being done by having these spread out within the community to help everyone is a good thing. I'll shut up now and we can vote.

MS. GEUEA JONES: Any further discussion? Commissioner Loe?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting No: Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Mr. Ford, Ms. Wilson, Ms. Loe. Motion fails 6-0.

MS. LOE: That's seven nos. The motion does -- fails.

MS. GEUEA JONES: That recommendation will be -- did you say six?

MS. LOE: Oh, six. Sorry. I keep forgetting we lost --

MS. GEUEA JONES: With a vote of six nos, that recommendation will be forwarded to City Council.

MR. ZENNER: And it will be on old business.

MS. GEUEA JONES: And it will be on old business, which means it will have a separate hearing where comments can also be taken in there. Thank you.