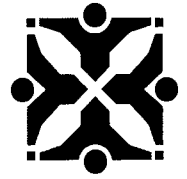


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 5-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: 1/6/2015

Re: A Request by Great Circle for an amendment of Chapter 29 (Zoning), Section 29-6 (b) in relation to the spacing of group homes in the R-1 One-family dwelling district (Case #15-21)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Summary of Board/Commission Reports, Maps, Excerpts from Minutes, Application

Executive Summary

Great Circle has requested an amendment of the zoning ordinance which, if approved, would enable Great Circle to seek a conditional use to operate two group homes side-by-side and not subject to the current minimum 1,000 foot spacing between any two group homes. The ordinance is intended to have general applicability; therefore other group homes in similar locations would be able to request conditional use approval as well. A set of standards is specified for this alternative to insure that the intent of the existing ordinance is preserved.

Discussion

The Community Development Department has received an application from Great Circle requesting an amendment to the City Zoning Ordinance (Chapter 29) that would allow the organization to own and operate a second group home located at 1026 Westwinds Drive, adjacent to the property that the organization currently owns and operates as a group home (1022 Westwinds Drive). The Zoning Ordinance currently permits group homes in R-1 Districts (up to eight occupants plus houseparents or guardians) provided the group home is not established within one thousand feet (1,000') of another group home. The proposed second group home is within 1,000 feet and therefore is not permitted. Great Circle has sought relief from the requirement to allow what it believes to be a favorable location for both themselves and the surrounding neighborhood. The staff has determined that a legislative remedy is more appropriate than a variance eliminating the 1,000 foot radius.

Great Circle owns and operates 1022 Westwinds Drive as a group home. Recently the property adjoining the group home on the south side became available for purchase. Great Circle is interested in the property because it affords an opportunity for operational efficiencies - group homes housing males and females separately can be located at one location - in a relatively isolated location within the Westwinds neighborhood near the southwest corner of Westwinds Drive and West Boulevard.

As drafted by staff in response to Great Circle's request, the ordinance would permit two group homes on lots adjoining one another provided:

City of Columbia

701 East Broadway, Columbia, Missouri 65201



- The two properties are under one ownership
- The two group homes are operated by the same organization
- There are no group homes within 2,000 feet

Besides doubling the 1,000 foot radius to preserve the “deconcentration” of group homes, paired group homes must also satisfy two of three of the following:

- At least one of the two properties is adjacent to a roadway classified as a major collector or higher;
- The fronts of the two group homes do not face existing R-1 dwellings addressed to the same street
- The two group homes, when combined, do not directly adjoin more than two R-1 zoned lots

The Board of Adjustment would examine the proposed group home’s compliance with these criteria and determine if a conditional use should be approved on a case-by case basis. The ordinance also states that the conditional use shall be issued personally to the operator of the adjoining group home and shall not run with the land.

Following referral from the City Council, the Planning & Zoning Commission conducted a public hearing on the draft ordinance on December 18, 2014. While commissioners expressed support for Great Circle and its efforts, several commissioners were concerned to hear from staff that the language in the final paragraph of the ordinance, which relates to renewals of conditional use permits, was not completely agreed upon between staff and the applicant. That concern was resolved by the applicant, who testified that he was satisfied with the ordinance drafted by staff in its entirety, and the Assistant City Counselor, who testified that the ordinance as proposed had the approval of the Law Department. The Commission voted 9-0 to recommend the ordinance to the City Council.

Fiscal Impact

Short-Term Impact: None

Long-Term Impact: None

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Health, Social Services and Affordable Housing

Strategic Plan Impact: Health, Safety and Wellbeing

Comprehensive Plan Impact: Land Use & Growth Management

Suggested Council Action

Approval of the attached ordinance.

City of Columbia


701 East Broadway, Columbia, Missouri 65201

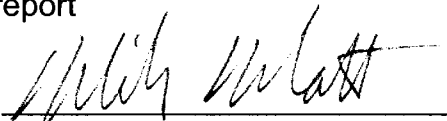


Legislative History

Ordinance 013169, passed on November 4, 1991, created the current standards for group homes

Council Resolution approved December 1, 2014 referred the proposed ordinance to the Planning & Zoning Commission for review, recommendation & report


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 5-15

AN ORDINANCE

amending Chapter 29 of the City Code as it relates to group homes in R-1 zoning districts; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-6. District R-1, one-family dwelling district.

(a) Purpose. This district is intended to promote and preserve urban one-family residential development. The principal land use is a one-family dwelling. Some public recreational uses, religious facilities, educational facilities, and uses incidental or accessory to dwellings are included.

(b) Permitted uses. In district R-1, no building or land shall be used, and no building shall be hereafter erected, constructed, reconstructed or altered, except for one or more of the following uses (for exceptions, see section 29-28, Non-conforming Uses; and section 29-31, Board of Adjustment):

...

Group homes for mentally or physically handicapped, under the following restrictions:

- (1) Except as otherwise provided in this subsection, Any any such group home shall not be located within a one thousand (1,000) foot radius of another such group home in any specific single-family neighborhood; provided that two (2) group homes may be allowed to be located on adjoining lots on the same side of a common frontage street upon issuance of a conditional use permit where the following conditions are met:

- a. The two (2) adjoining properties are under common ownership;
- b. The two (2) group homes are operated by the same organization;
- c. There are no other group homes within a two thousand (2,000) foot radius; and
- d. At least two (2) of the following criteria are met:
 - i. One (1) of the two (2) adjoining properties is adjacent to a roadway classified no less than a major collector street;
 - ii. The fronts of the two (2) group homes do not face existing R-1 dwellings addressed to the same street; or
 - iii. The two (2) group home properties, when combined, do not directly adjoin on any side of their combined lots more than two (2) R-1 zoned lots.

Conditional use permits for uses fulfilling these requirements shall be issued pursuant to the procedures and standards set forth in section 29-23 of this Code and shall be issued personally to the operator of the adjoining group homes and shall not run with the land. Nothing in this section shall require issuance of any particular conditional use permit. Once a conditional use permit for two (2) adjoining group homes is issued, any future group homes for mentally or physically handicapped persons shall be at least two thousand (2,000) feet from the two (2) adjoining group homes.

- (2) Before operating such group home, the owner or operator of the home shall register with the Community Development Department and shall sign an affidavit certifying that the home will be in compliance with subsection (1) above.
- (3) The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas all home occupations must meet the following restrictions:

...

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports, Maps, Excerpts from Minutes, Application

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
December 18, 2014

ITEM NO.

15-21

APPLICANT:

Great Circle

EXHIBITS

Resolution, draft text amendment, application, location map, group homes map

REQUESTED APPROVALS

The Community Development Department has received an application from Great Circle requesting an amendment to the City Zoning Ordinance (Chapter 29) that would allow the organization to own and operate a second group home located at 1026 Westwinds Drive, adjacent to the property that the organization currently owns and operates as a group home (1022 Westwinds Drive). The Zoning Ordinance currently permits group homes in R-1 Districts (up to eight occupants) provided the group home is not established within one thousand feet (1,000') of another group home. The proposed second group home is within 1,000 feet and therefore is not permitted. Great Circle has sought relief from the requirement to allow what it believes to be a favorable location for both themselves and the surrounding neighborhood. The staff has determined that a legislative remedy is more appropriate than a variance eliminating the 1,000 foot radius. The attached ordinance, if approved, would enable Great Circle to seek a conditional use to operate two group homes side-by-side. The ordinance is intended to have general applicability; therefore other group homes in similar locations would be able to request conditional use approval as well.

In accordance with Section 29-33 of the Zoning Ordinance, the City Council on December 1, 2014 referred this proposed amendment to the Planning & Zoning Commission for a report and recommendation.

HISTORY

The City's current group homes regulations date from 1991, when the City Council amended the R-1 One-family Dwelling District to permit group homes, subject to the 1,000 foot minimum spacing.

PUBLIC COMMENTS

No public comments have been received to date on this zoning amendment request. The Board of Adjustment did receive a public comment expressing concerns regarding the use of 1026 Westwinds as a group home in a variance case that has since been

withdrawn.

DISCUSSION

Great Circle owns and operates 1022 Westwinds Drive as a group home. Recently the property adjoining the group home on the south side became available for purchase. Great Circle is interested in the property because it affords an opportunity for operational efficiencies - group homes housing males and females separately can be located at one location - in a relatively isolated location within the Westwinds neighborhood near the southwest corner of Westwinds Drive and West Boulevard.

The City Zoning Ordinance since 1991 permits group homes of up to eight persons in R-1 One-family dwelling districts subject to the requirement that a group home shall be located at least 1,000 feet away from another group home. The spacing requirement is intended to promote the "deconcentration" of group homes. While the regulation accomplishes a more balanced distribution of group homes in residential areas, it effectively takes residential properties off the market for group home use within a 1,000 foot radius of an existing group home.

The draft ordinance would permit two group homes on lots adjoining one another provided:

- The two properties are under one ownership
- The two group homes are operated by the same organization
- There are no group homes within *2,000 feet*

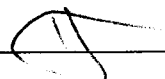
Besides doubling the 1,000 foot radius to preserve the "deconcentration" of group homes, paired group homes must also satisfy two of three of the following:

- At least one of the two properties is adjacent to a roadway classified as a major collector or higher;
- The fronts of the two group homes do not face existing R-1 dwellings addressed to the same street
- The two group homes, when combined, do not directly adjoin more than two R-1 zoned lots

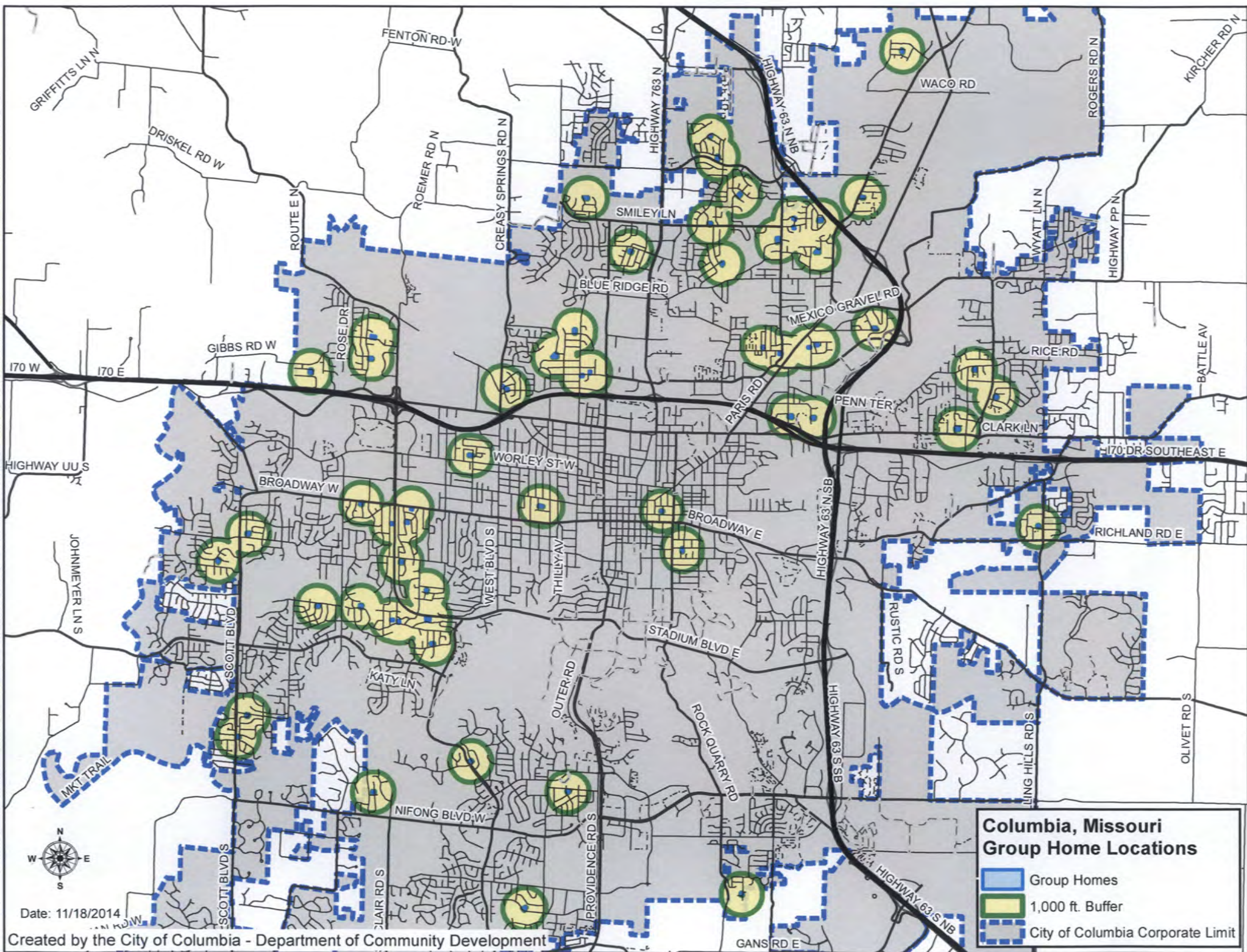
The Board of Adjustment would examine the proposed group home's compliance with these criteria and determine if a conditional use should be approved on a case-by case basis. The ordinance also states that the conditional use shall be issued personally to the operator of the adjoining group home and shall not run with the land.

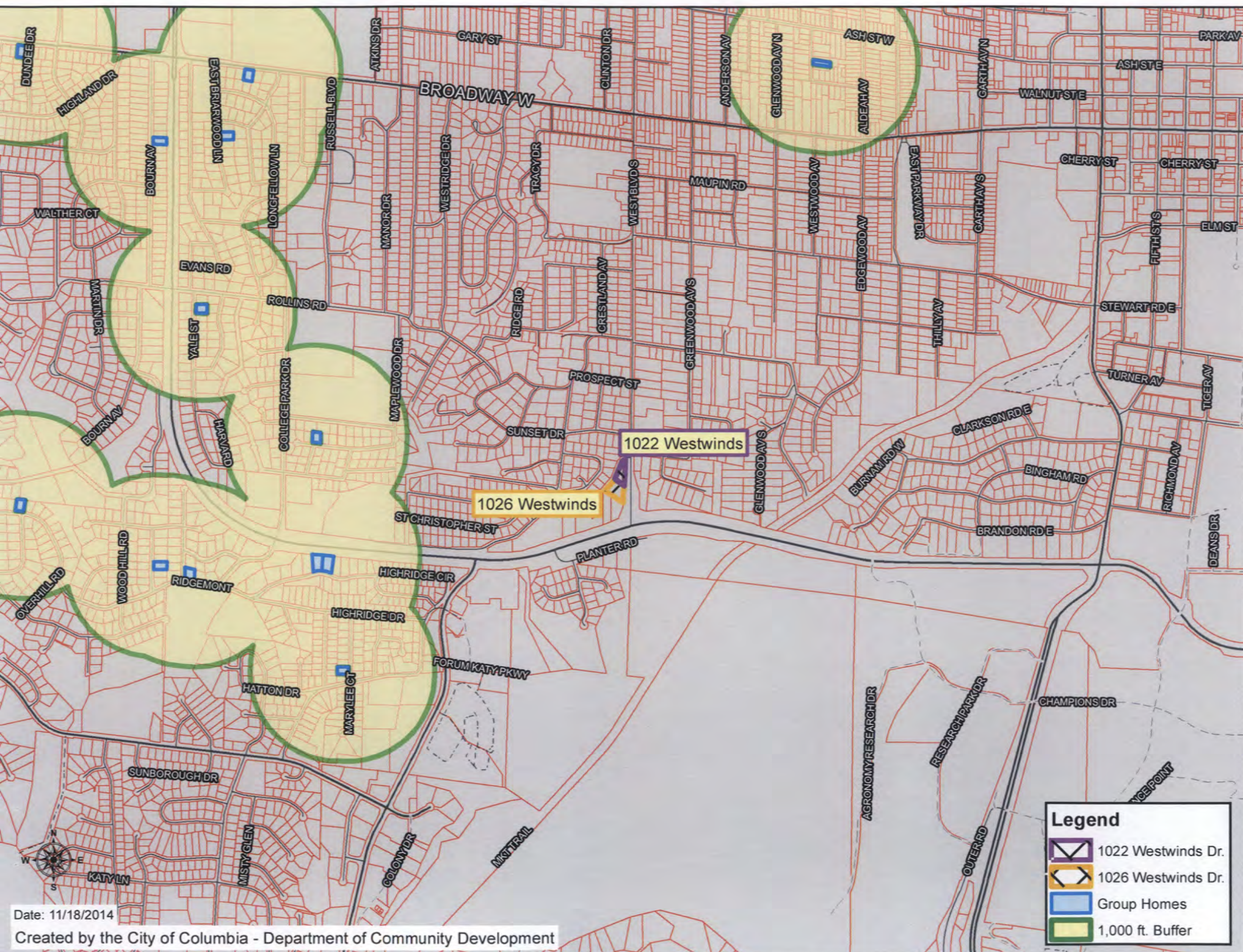
STAFF RECOMMENDATION

Staff recommends approval of the amendment if the commission agrees that two group homes may be located on adjoining lots as a conditional use when the lots are in common ownership and the group homes are run by the same operator.

Report prepared by  _____

Approved by  _____





EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 18, 2014

IV) PUBLIC HEARINGS

Case No. 15-38

A request by the City of Columbia to revise Chapter 29 (Zoning) of the City Code as it relates to the placement and permitting procedures applicable to group homes for the mentally or physically handicapped.

DR. PURI: May we have the staff report, please.

Staff report was given by Mr. Tim Teddy of the Planning and Development Department. Staff recommends approval subject to the Commission agreeing that a conditional use procedure is appropriate for allowing two group homes adjacent to each other.

MR. LEE: Mr. Teddy, would those minor revisions you are talking about, would that come back before this Commission?

MR. TEDDY: Well, our intent would be to just simply make the change. However, we could provide a copy back to the Commission just so you at least know that that had been done, and then you should have you -- should you have some kind of concern about that, you could certainly contact us. But this would keep it moving to the Council.

MR. LEE: When you say minor revisions, what do you mean by that?

MR. TEDDY: Well, I'm saying this sentence right here, they're not quite satisfied with it. They want to have some further discussion with it, so that's --

MR. LEE: They --

MR. TEDDY: So that's what would change.

MR. LEE: They being Great Circle?

MR. TEDDY: Yes. Yes, sir.

MR. LEE: Okay.

MR. TEDDY: Everything else that I have described to you will remain intact, unless you all want to change some of these things.

MR. LEE: Okay. Thank you.

MR. TEDDY: Yeah.

DR. PURI: Commissioners, any other questions? Mr. Reichlin?

MR. REICHLIN: Just a brief one. So if a group home presently that's not within 1,000 feet of another possible group home, are they on a conditional use permit at this time?

MR. TEDDY: No, sir. Group homes are permitted so long as they meet the 1,000-foot spacing criteria. And so this would introduce -- the conditional use is a way of examining an exception.

MR. REICHLIN: Okay. Thank you.

DR. PURI: Go ahead, Ms. Burns.

MS. BURNS: Mr. Teddy, how long, if you know, has the current existing group home been operating in that capacity?

MR. TEDDY: I would ask them to -- I don't know. We didn't look up their documentation, so I would ask them to respond to that.

DR. PURI: Any other questions of the staff, Commissioners?

MR. STRODTMAN: I --

DR. PURI: Mr. Strodtman?

MR. STRODTMAN: Would there be a scenario where one of these homes could be destroyed, in whatever capacity, and combined into one larger structure with the same density?

MR. TEDDY: One building, eight occupants, two guardians or house parents would be the rule. So if a larger structure is erected in place of two, that would be the rule.

MR. STRODTMAN: Okay. Thank you.

DR. PURI: Any other questions of the staff? Okay. Seeing none. We will open the public hearing.

PUBLIC HEARING OPENED

DR. PURI: Anybody wishing to speak on this matter, please approach the podium, state your name, address and address the Commission.

MR. MONEY: Hi. My name is John Money. I am the vice president and chief facilities officer for Great Circle. I live at 16848 County Road 1050, St. James, Missouri 65559.

DR. PURI: Do you want to raise that mic up a little bit because of the transcript?

MR. MONEY: Is that better?

DR. PURI: That's better.

MR. MONEY: I do have handouts of the presentation, if that would be helpful for anyone. I can leave them here or pass them out.

MR. TEDDY: Mr. Zenner will take care of that for you.

MR. MONEY: I just wanted to speak on behalf of Great Circle tonight regarding the proposal Mr. Teddy just reviewed. Just to tell you a little bit about who we are as Great Circle -- and some of you may know us as Boys and Girls Town of Missouri. We have been in the Columbia community for many years, and, in fact, in 2001, is when we formally had a presence here when we combined with Comprehensive Human Services to take Front Door, which was an existing residential service in the community. We have been serving kids in the -- in this Columbia -- Boone and Cole County regions for many, many years in our facility in St. James, which is across the state, and we really needed and wanted to be a part of the Columbia community. So in 2004, we had purchased land, and we have an operation on Bearfield. So for 10 years, we've been operating that location. And in 2009, we merged with an organization in St. Louis and really changed the name -- the organization was Edgewood Children's Center and merged with Boys and Girls Town of Missouri to provide statewide services across Missouri

and all of the regions. And we've really grown and developed in providing services for kids and families in residential and community-based services and education services in all of our campuses and regions. So, you know, what is Great Circle? Great Circle is an organization where we really champion for those that are struggling with difficult circumstances, and embracing them, and providing them an opportunity for purpose in their lives and some empowerment and trust. We trust and we believe in the kids and families that we serve, and we want them to believe in themselves as well. And so really on a big picture, we serve 12,000-plus kids, families, individuals. Lives are touched every year, and it's growing as our services continue to grow. One of the things that we believe in, and our staff believes in, and those who are associated with us, we have core values that we follow and we make our decisions based upon the core values that we believe in. We are a nonprofit, private organization. We build facilities based on the opportunity for donor funds that believe in our programs as well. And all decisions that we make, we really follow these core values. And a few of them that, you know, I listed in here -- and I could talk for a long time. I know this is brief, so I will be very brief. But integrity is one that kind of stood out to me as far as in an organization in Columbia. We have a proven track record of taking an organization, developing a piece of property and serving kids in this community in a variety of fashions. We have locations and community-based service operations on the Vandiver location, and our Bearfield campus is residential and education services that continue to grow. We do what we say we do and we've done that with this transitional living group home. The key to that group home is providing an opportunity for these young youth -- so then residential care, you reach a certain age and it's a supervised living environment. These are kids that are aging out that are transitioning out that are in this community. They will be members in the community. And this is a transitional program so that we can continue to have our arms on them, a slight touch. It is a supervised program. These kids are 16 to 20 years old. We are licensed by the State of Missouri. The specific group home is licensed by the State of Missouri. Also, we are accredited with a joint commission, and not only do we follow the local code for fire and safety regulations, but we are also regulated by the State. So there is some significant investment that we put into these programs to make sure that the facilities that we have are approved at all of those levels with those regulations, and people looking over our shoulder to make sure we are doing things at the highest value and protection for the kids and families we touch. And it is a supervised program. We have staff that are there. There is never kids that are alone in that community home, but they have a lot more freedom because they are transitioning into adulthood into the community. We want them to have the jobs; we want them to get the education and have a little bit more of the freedom. It's not like kids going to college and having free reign. This is a program that is supervised, and we feel it's a highly successful and beneficial program for these youth to have an opportunity and to have some purpose and some success in the community. Parole sources continue to ask us to expand those programs, and we've been looking for these homes for many years. To find an opportunity that really fits for the programs that we have is difficult to find the perfect fit in the community. We think this home really matches the existing home that we have. Columbia is their home. They are going to be in this community one way or the other, and we would like to be able to help support them and help the success rate go higher. I included in this presentation just a map that has a little bit of a

diagram. I know Mr. Teddy showed that already, but this is an ideal opportunity for our organization and these kids. So the 1026 location is really our only close neighbor that you can see, and that is the home that came up for sale after we purchased the 1022 home. And we've had kids in the 1022 home since, I believe, it's May. We put \$95,000 of investment into that program to meet all of the standards that the State and joint commission require for us. So we had a time period after purchase to get that up to speed that's appropriate for the kids. It was really dilapidated before we bought it, so we feel we bring something to the community to increase the value of the home, and we feel it's maybe above and beyond the expectations of normal residential, but it still has residential value even if this were to go to another -- back to that in the future. The 1026 home is ideal. It gives the kids -- the young adults that are there a little bit of an environment to have some peace and tranquility when they go back to their own private room, but they have woods in the back and a variety of different parks that are nearby and not a lot of action in that neighborhood. The -- this is the front face of the home. We did not pick the color, but as part of our renovations, we may consider doing something different. But that is a solid home. It still would require some renovation and some investment on our part. The location to the southwest view, you can see there are no neighbors adjacent right next to that that are very visible. The other side goes down -- I'll point to that vehicle that you -- and there is two other homes on that corner. Those are -- have signs for rental homes, so they're rental properties. We really have limited interaction with the neighbors and we really -- this is an excellent opportunity for our organization. We are here to answer any questions that you might have, and Rebecca Nowlin is also a speaker. She is vice president overseeing the residential services in this state and can answer any specific questions you might have about who we are, what we do and our programs. Do you have any questions I can answer at all?

DR. PURI: Commissioners, any questions of this speaker? Ms. Burns?

MS. BURNS: I had asked -- apparently you've been operating about 10 months in the current location; is that correct?

MR. MONEY: I think 10 months is about right. Yes.

MS. BURNS: And what is the length of occupancy, if you -- I mean, having only operated 10 months, I don't know if everybody has been there since day one, but the limited -- or the length of occupancy for your residents?

MR. MONEY: So it really varies. It's based on their individual situation and circumstance. Some of these kids come with a plan that is really close to getting back into maybe a family member situation; some of them their family members are not the right place for them, and they need full independence. And so every situation is a little bit unique and different. Now, we've had these kids in other independent supervised programs, but not to the extent of the group home.

MS. BURNS: Okay. Thank you.

DR. PURI: Any other questions, Commissioners? Thank you, sir. Oh, one question. Ms. Loe?

MS. LOE: You appear to be outside the 2,000 feet of existing group homes. You are not -- are you aware of any other group homes that are looking within the area that might be within 2,000 feet?

MR. MONEY: I am not aware of any others.

MR. TEDDY: Ms. Loe, if I can interject, we looked at our existing inventory and we measured to the nearest, and I believe it was over 3,300 feet would be the distance travelled to get to the nearest neighboring group home.

DR. PURI: Go ahead, Mr. Lee.

MR. LEE: Mr. Money, does Great Circle object to any of these conditions that Planning wants to put on you?

MR. MONEY: No. And we're really relying on the Commission -- or the City to tell us how best to go about this. So if there is any mentioned disagreement or variance, it is only minor wording that is beyond me for protection from a legal-to-legal perspective. I -- we've been very pleased to work with the City regarding this opportunity, and I don't have objections to anything that has been recommended.

MR. LEE: Okay. Thank you.

DR. PURI: Any time frame for you, like what you need for those last lines that changed -- how long that legal review would take?

MR. MONEY: I imagine a matter of maybe another day, if that -- or an hour. I don't think as we are -- time frame for any changes in the description of that last document --

MR. TEDDY: As quick as we can. I know they wanted to meet with us this afternoon -- Ryan Moehlman and myself have been working on this on the Staff side. Mr. Moehlman is assistant city counselor. I think as soon as we can arrange the meeting, we will be able to get it done.

MR. MONEY: The clarification of a few items is all it really was. It wasn't any major change. A very minor clarification and I wish I could speak to the clarification more, but I know Mr. --

DR. PURI: Okay. Thank you. Anybody else wishing to speak on the matter can approach the podium.

MS. NOWLIN: Good evening. My name is Rebecca Nowlin. My address is 7220 South Highway 163, here in Columbia, Missouri 65203. As John said, I'm the vice president and chief program officer of residential treatment services for Great Circle. Before I was given that title last January, I was the director of the Columbia campus for nine years. In that role I oversaw the residential treatment programs, day services and the transitional living program. I started the group home and the transitional living program in Columbia. I was the one who searched for several years actually to find the perfect location. We looked everywhere in Columbia and Boone County for a -- for the right spot until we found this. I have a great love and passion for this population in ensuring that they are not ignored or unjustly judged and to ensure that they become tax paying members of our society. And I also have a great love of this community and ensuring that my children have a safe place to grow up. So I'm just here today to answer any questions that you may have about this project from a program perspective.

DR. PURI: Commissioners, any question of this speaker? Mr. Lee?

MR. LEE: Ms. Nowlin, do the kids age out at 20?

MS. NOWLIN: Well, some of the -- the children have to age out by their 21st birthday. If -- and some of them do and some of them don't. It just depends on the circumstances.

MR. LEE: All right. Okay. Thank you.

DR. PURI: Mr. Strodtman, you had a question?

MR. STRODTMAN: Staff made reference earlier that maybe this would be a male/female -- would that be the situation that you guys are looking at or would they continue to be mixed coed, I assume?

MS. NOWLIN: It's not coed now.

MR. STRODTMAN: Okay.

MS. NOWLIN: What we would like -- it's just males right now. What we would like to do is make the second property for females, so they could have the same opportunities. This really -- I mean, we -- from, you know, the proximity to jobs, to a bus line, to shopping, to school, it is the perfect location for our kids, and it is also safe for them because they are really -- I know some people worry that they are sort of criminals, but they are not. They are much more likely to be victimized. So it is a safe place for them to be and we just want to have the same opportunity for girls.

MR. STRODTMAN: Thank you.

DR. PURI: Any other questions of this speaker?

MR. TILLOTSON: I --

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: I just have an educational question because I'm not real familiar with the group home environment. You've got eight boys in this house.

MS. NOWLIN: Uh-huh.

MR. TILLOTSON: How many bathrooms?

MS. NOWLIN: Three.

MR. TILLOTSON: Do they each have their individual sleeping quarters?

MS. NOWLIN: It's kind of a combination. There are some that have their own room, and there is a few that share. There's -- but at the most there is two in a room and we just make that based on clinical decisions and what is in everyone's best interest.

MR. TILLOTSON: Thank you.

MS. NOWLIN: Some people prefer -- you know, it's just safety and things like that.

DR. PURI: Any other questions? Ms. Lee?

MS. LOE: One --

DR. PURI: I mean, Ms. Loe.

MS. LOE: -- final question. This would be a group home for foster care or mentally, physically handicapped?

MS. NOWLIN: Well, both, really. I mean, almost all of these youth have cognitive and pretty significant developmental delays. Some of them have physical handicaps, such as -- you know, one of the reasons why children are placed both in our residential and our transitional living program is because of our proximity to the University. And we have -- I mean, it is everything from sort of Juvenile Diabetes to some of our children grew up in poverty and have lead -- exposure to lead and are dealing with long-term health consequences of that, things like that.

DR. PURI: Mr. Lee?

MR. LEE: Ms. Nowlin, as I recall from my earlier experience with Boys and Girls Town, most of these kids have no place else to go.

MS. NOWLIN: Right. These kids have no appropriate placement.

MR. LEE: Yeah.

MS. NOWLIN: And, I mean, I always say they are headed towards adulthood at 90 miles an hour, and, I mean, they just didn't have the background that other children do, in addition to the sort of challenge they have. So we have, you know, trained staff plus clinical staff who are there all the time.

MR. LEE: Thank you.

DR. PURI: Any other questions? Seeing none. Thank you. Anybody else wishing to speak on this matter? Please approach the podium, state your name and address. You have three minutes.

MR. HOUSER: Hello. My name is Adam Houser. I live at 4025 Grace Ellen. I hate to be against Great Circle or anything they do. I think they do a great thing and community group homes are necessary, but the problem is the way our City defines group homes. Right now, you know, it could have up to eight sex offenders living in a group home. We currently have one on Grace Ellen Drive that has four sex offenders that is 800 feet from a school. So what assurances do we have that, you know, at another date, two homes will come together in the same situation and they could have 16 drug and alcohol sex offenders living in them? That's my biggest concern.

DR. PURI: Commissioners, any questions of this speaker? Seeing none. Anybody else wishing to speak on this? Seeing none.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Mr. Tillotson?

MR. TILLOTSON: I'll take a little bit of discussion. I am personally all for it. I think it is great. I see no opposition to it in on my part and I would love to support it. The problem I have is I don't like putting my name on something that is not complete, and I would prefer to see the Commission table this until it is all completed, brought back to us and passed with our 100 percent blessing.

DR. PURI: Ms. Loe?

MS. LOE: I'm just -- I am trying to understand that the -- right now, the language distinguishes between group homes for foster care and group homes for mentally or physically handicapped. I mean, it's identifying those in two different line items.

MR. TEDDY: Right.

MS. LOE: And the language you showed us --

MR. TEDDY: Right.

MS. LOE: -- highlighted in pink was adding language from mentally or physically handicapped. And if you can go over that again, just why are we distinguishing between different group homes for different purposes or different uses.

MR. TEDDY: Well, it may be something we change with the general update too because it is kind of cumbersome when you're over classifying something. But we think that Great Circle's operation meets

the second term, which is for mentally and physically handicapped. That's a fairly broad spectrum of conditions. You can have persons that have emotional issues, learning disabilities, mental -- what is termed mental retardation in our code still, but mental handicaps or disabilities, physical disabilities -- illness would qualify.

MS. LOE: Maybe -- could you put the language back up or are you just saying that some of these conditions only apply to those group homes then? That's what I'm not clear on.

MR. TEDDY: No. I think we -- that captures what Great Circle --

MS. LOE: I understand you are talking about Great Circle. I'm not -- does everything that is being added also apply to group homes for foster care?

MR. TEDDY: That's a separate line. And as you can see, that's not qualified any way in the ordinance. See, the group homes --

MS. LOE: That's what I was asking.

MR. TEDDY: Okay.

MS. LOE: Because in the language --

MR. TEDDY: Yeah. You see there's not the qualifying phrase --

MS. LOE: -- we have in our packet does not qualify --

MR. TEDDY: -- subject to the following conditions.

MS. LOE: -- this.

MR. TEDDY: So --

MS. LOE: So foster care cannot do two on one property. The only group homes that can combine are ones for mentally or physically handicapped.

MR. TEDDY: They're the ones that currently are subject to the 1,000 foot --

MS. LOE: The way the code is written --

DR. PURI: Mr. Ryan --

MR. TEDDY: Do you want clarification --

MS. LOE: -- any group home.

MR. MOEHLMAN: I think --

DR. PURI: You have to approach the podium and speak there.

MR. MOEHLMAN: Sure thing.

DR. PURI: Okay. So she can transcribe your thoughts.

MR. MOEHLMAN: I think you address your question. So in the --

DR. PURI: State your name and address for the transcriptionist, who will need it.

MR. MOEHLMAN: Sure. Ryan Moehlman, Assistant City Counselor, office at 701 East Broadway. So in the current zoning code, the group homes for foster care is an as-of-right use without the 1,000 foot limitation. I think it was included in this draft to just give context within the zoning code. But the limitations that are -- that we are talking about don't apply to it. So the 1,000 -- the original 1,000-foot limitation that is currently in the code only applies to group homes of handicapped persons. It doesn't apply to the foster homes; so therefore; these don't need to be addressed to that particular use.

MS. LOE: So this is the only type of group home to be restricted?

MR. MOEHLMAN: Yeah. Well, unless there is other group homes within the -- within the definitional standards that I'm not aware of.

MR. TEDDY: Yeah. Written for this one.

MS. LOE: There are no other restrictions on any other group homes?

DR. PURI: I think Ms. Loe --

MR. MOEHLMAN: Well, if they are not listed within the R-1 district, then they are not allowed, so --

MS. LOE: I understand that.

DR. PURI: I think, Ms. Loe, you are trying to ascertain the fact that the 1,000-foot restriction, is it just for mentally and physically handicapped group homes? Is that what you're trying to ascertain or does it apply to other homes too?

MS. LOE: Yes.

DR. PURI: And the 2,000 foot that we are amending, does that only apply to mentally handicapped group homes and it does not apply to any other type of group home; is that correct, Mr. Teddy?

MR. TEDDY: Just a moment and I'll -- if you will bear with me, I'll --

DR. PURI: That's what we are trying to verify.

MR. TEDDY: -- go to the section in the ordinance. And I'm sorry I didn't give you the full text. We usually just extract out that portion. So here's how the uses are listed in R-1. You have group homes for foster care, full stop, that's permitted use; you have group homes for mentally or physically handicapped under the following restrictions; and then you have that fairly lengthy language. And then that's the end of group homes. The next defined use is home occupations, which is an entirely -- that's a home-based business. So it's those two in the R-1 district. So there are some other types of residential care facilities in other districts, but no I don't believe they are subject to the 1,000-foot --

MS. LOE: Thank you.

DR. PURI: Okay. Any other discussion? Mr. Strodman?

MR. STRODTMAN: No. I'm sorry.

DR. PURI: Mr. Reichlin?

MR. REICHLIN: I intend to support the staff's position and I applaud the work that Great Circle does. And I think that what I've seen of the campus that some of these children are coming from has gone through major changes over the last several years for the positive. And just allowing for this type of use in a more residential setting seems like an appropriate transition for these individuals.

DR. PURI: Do you agree with Mr. Tillotson's remarks about a complete concise document before we vote or are you okay with the way it is?

MR. REICHLIN: Personally, I'm fine with accepting the staff's position, but perhaps we ought to take that through the motion process and resolve that issue --

DR. PURI: Okay.

MR. REICHLIN: -- before we go forward.

DR. PURI: Mr. Lee?

MR. LEE: I am very much in favor of this and I somewhat agree with Mr. Tillotson that we ought to table it and come back, but I believe that since we don't meet again until late January?

MR. ZENNER: January 8th.

MR. LEE: January the 8th. Well, then that sets group -- sets them back by at least some period of time. And so I would think that we ought to go ahead and pass it as is.

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: If we table this -- or if we passed it tonight, when would it be in front of the City Council?

MR. TEDDY: Intro and first reading, their first January meeting, and then their second January meeting, which is the day after Martin Luther King day for consideration for action --

MR. ZENNER: January 20th.

MR. TEDDY: Thank you. The 20th of January. If it would help Commissioners that have concerns about this late change, I can at least show you and walk you through the language we responded to so you can kind of see the difference. Would that be helpful?

DR. PURI: I think, Mr. Teddy, the idea is just that when the Commission is passing a document --

MR. TEDDY: Yeah.

DR. PURI: -- they want to pass what is going to be shown to the Council. You're having them pass this document with the ad lib change.

MR. TEDDY: Right.

DR. PURI: So all the explanations and, you know, the clarifications you are giving have no meaning until it is in writing in black and white, so the Commission is what is stamping it.

MR. TEDDY: Understood.

DR. PURI: So that's -- that's their point. I think -- I don't think they have any lack of confidence in you, you know, approach, they are just signing their name to it and that's what they feel that --

MR. TEDDY: I understand it. I just -- if it helps, we will show you language that Great Circle would prefer and then show you what the staff drafted in response.

DR. PURI: Do we have a motion then, gentlemen and women?

MR. TILLOTSON: Before we make a motion, I would like to say, just to reiterate, I think this organization is awesome. I'm not arguing any of that. I'm just trying to not put my name on something that could get changed and then all of the sudden it goes -- I personally believe the language as the staff has made it, I think any person that's having to use a group home, whatever their life has dealt them, has a mental challenge. So that's why I don't just see how the staff's language could be -- have any bearing or why you all would want to change that. That's what I can't understand.

DR. PURI: You can approach the podium and make a clarification if you would like. Just restate your name. That's all you have to do.

MR. MONEY: My name is John Money with Great Circle. I -- personally, and I may be going out

on a limb, but I'm fine with the language, and a delay for us is a significant delay. We may lose the contract of this home and this opportunity. I think it is wordsmithing in clarification of that -- that paragraph, and I -- we weren't given the perception that it was going to be a major change or any kind of change. But -- yeah, but this is under contract until the end of January, and we were pushing it with the seller to try and get this done, so delays are very significant to me and I'm willing to say do it as is just in regard to that. Otherwise, I think we may lose it. Thank you.

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: That makes me feel very good. Even if the staff does see the need to change it now, at this point I'm comfortable with your acceptance.

DR. PURI: Mr. Ryan?

MR. MOEHLMAN: So legal staff is confident that the ordinance functions as is, so if -- if, you know, Community Development would support a change, legal staff thinks that it can function and is appropriate for approval tonight.

DR. PURI: Thank you.

MR. TILLOTSON: With that said I make a motion to approve as recommended by Staff.

DR. PURI: Mr. Tillotson makes the motion.

MR. STANTON: Second.

DR. PURI: Mr. Stanton seconds. May we have roll call, please.

MR. STRODTMAN: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Strodtman, Mr. Tillotson, Ms. Russell, Ms. Burns, Mr. Lee, Ms. Loe, Dr. Puri, Mr. Reichlin, Mr. Stanton. Motion carries 9-0.

MR. STRODTMAN: Planning and Zoning's recommendation for approval will be forwarded to City Council.



City of Columbia
Community Development Department
 701 E. Broadway, Columbia, MO
 (573) 874-7239 planning@gocolumbiamo.com

Development Review Application

For office use:

Case # 15-21	Submission Date: 11/10/14	Planner Assigned:
------------------------	-------------------------------------	-------------------

1. Select the case type (**one application required per case type**) and submit this form, including all supplemental materials and fees, to the Community Development Permit Center - 3rd Floor City Hall (701 E. Broadway). Additionally, e-mail this form and all supplemental materials to planning@gocolumbiamo.com. For case types not shown, contact the Planning and Zoning Division at (573)874-7239.

☐ Concept Review Meeting

- ☐ Letter to Community Development Director describing request, noting restrictions of record, easements & right-of-way affecting site
- ☐ Locator map* (Indicate existing land uses on subject site and adjacent property. This can be noted in above letter)
- ☐ Legal description of the property*
- ☐ A .PDF of sketch plan or plat, if applicable

☐ Preliminary Plat, ☐ Final Plat, or ☐ Replat

- ☐ Letter to Community Development Director describing request, noting total land area in acres, & number of lots proposed
- ☐ 5 full-sized copies of subdivision plat
- ☐ Digital .PDF copy of plat
- ☐ Completed "Preliminary Plat Checklist" or "Final Plat Checklist" for final plats & replats**
- ☐ Performance contracts**: Two signed originals (☐ N/A to preliminary plats)
- ☐ Construction plans to Public Works (☐ N/A)

No recording fee for preliminary plats

☐ Variance

- ☐ Letter to Community Development Director describing request & noting section(s) of the Regulations to which variance is requested
- ☐ Locator map*
- ☐ Original surveyor sealed legal description of the property (☐ N/A to sidewalk variance requests)
- ☐ Editable digital copy of legal description (☐ N/A to sidewalk variance requests)
- ☐ "Variance" or "Sidewalk Variance" worksheet** (☐ N/A to variances requested in conjunction with planned developments)

☒ Rezoning or Permanent Zoning

- ☒ Letter to Community Development Director stating reason for request, requested zoning district(s), & adjacent land uses & zoning
- ☐ Locator map*
- ☐ Original surveyor sealed legal description of the property
- ☒ Editable digital copy of legal description
- ☐ Completed "Statement of Intent" worksheet**, if planned district zoning is requested (☐ N/A)

No fee for A-1 to R-1, or H-P zoning requests

☐ Planned District Development Plan, ☐ Minor Amendment, or ☐ Major Amendment

- ☐ Letter to Community Development Director describing request
- ☐ 5 full-sized copies of development plan (☐ No paper copies needed if plan sheets are 11"X17" or smaller)
- ☐ Digital .PDF copy of plan
- ☐ Completed "Development Plan Checklist" & "Preliminary Plat Checklist" (☐ N/A to amendment requests)**
- ☐ Completed "Design Parameters" worksheet** (☐ N/A to PUD plans or minor amendment requests)

☐ Easement/Right-of-way(ROW) Vacation, ☐ New Easement Dedication

- ☐ Letter to Community Development Director describing request
- ☐ Locator map*
- ☐ Map showing area(s) to be vacated
- ☐ Original surveyor sealed legal description(s) of the area(s) to be vacated, & executable new easement document(s), if applicable
- ☐ Editable digital copy of legal description(s) for vacations, & dedications

☐ Annexation Petitions (voluntary and annexation agreement)

- ☐ Letter to Community Development Director describing request, noting existing County zoning & requested City zoning district(s)
- ☐ Locator map*
- ☐ Original surveyor sealed legal description of the property
- ☐ Editable digital copy of legal description
- ☐ Annexation petition** (☐ signed by all fees interest & notarized)
- ☐ Address verified by Building & Site Development (874-7474): House/unit #: _____ Street: _____ City: _____ State: _____
- ☐ Business name (if applicable) _____ Tax ID # _____

No rezoning or advertising fee for equivalent or lesser permanent zoning

*The Boone County Parcel Information Viewer provides internet access to locator maps & property deeds (<http://www.showmeboone.com/ASSESSOR/>).

**Forms are available online at http://www.gocolumbiamo.com/Planning/Zoning/application_forms.php.

2. Provide the following project & land use information for the subject property and immediate surroundings:

Plat/Plan Title (if applicable):	Case # from previously held concept review meeting (if applicable):
Location (e.g., distance from street intersection; include address, if applicable):	1026 Westwinds Drive
Parcel ID#(s) (available at http://www.boonecountymissouri.com/ASSESS/31/ , or from the Boone County Recorder's Office (phone: 573-886-4345):	
Area (acres):	Current zoning: R-1
Current land use (note existing structures, if applicable):	Requested zoning (if applicable):

3. Indicate existing service providers (required for rezoning & subdivision requests):

Sanitary sewer:	Electric:
Water:	Fire protection:

4. Provide contact information for the property owner and applicant/agent/contract purchaser:

Owner:	<input type="checkbox"/> Applicant/ <input type="checkbox"/> Agent/ <input checked="" type="checkbox"/> Contract purchaser: John Money - VP, Great Circle
Owner's signature (required for rezoning & development plan requests):	Firm: Great Circle
Address:	Address: PO Box 189
City/State/Zip:	City/State/Zip: Saint James/MO/65559
Phone:	Phone: 573-265-3251
Fax:	Fax: 573-265-8320
E-mail:	E-mail: john.money@greatcircle.org

Fee Schedule:

Case Type	Processing		Advertising	Recording	Subtotal
Concept Review	N/A		N/A	N/A	\$0
Preliminary Plat	\$600 + \$10/lot		N/A	N/A	\$
Final Plat	\$400 + \$10/lot		N/A	24X36": \$69 1 st sheet + \$50/add. 18X24": \$44 1 st sheet + \$25/add.	\$
Replat	\$300 + \$10/lot		N/A		\$
Plat Vacation (abrogation)	\$300		N/A	N/A	\$
Variance	\$350		N/A	N/A	\$
Easement/ROW Vacation	\$350		N/A	Minimum \$30 (up to 3 sheets) + \$3/additional sheet	\$
Easement Dedication	N/A		N/A		\$
Permanent Zoning*	0-2 ac: \$300	>10-15 ac: \$900	\$125	N/A	\$300
Rezoning	>2-5 ac: \$450	>15-20 ac: \$1200			\$125
Development Plan	>5-10 ac: \$600	>20 ac: \$1,500			\$
Major Plan Amendment			N/A		\$
Minor Plan Amendment	\$200		N/A	N/A	\$
Hearing Continuance	\$100		N/A	N/A	\$
Cellular Tower (new)	\$1500		N/A	N/A	\$
Cellular Tower (co-locate)	\$250		N/A	N/A	\$
Annexation petitions (voluntary or agreement)	\$250		N/A	N/A	\$

*- Fees apply only when permanent zoning is dissimilar to Boone County zoning

For office use:

Case Description:							
Filing Deadline	Concept Review	Public Info Meeting	Council Res. (Annexations)	PZC Meeting	Council Res. (Prelim. Plats)	Council 1 st read	Council 2 nd & 3 rd read
11/10/14	N/A	N/A	12/11/14	12/18/14	N/A	1/5/14	1/20/14
Send postcard (Con Rev: meeting date; Pub Info: 1 wk after submittal)	Send staff comments (2 weeks after submittal)	Send ad & letters (20 days before PZC)	Receive revisions (1 wk after staff comments)	Send 2 nd review comments (1 wk after revisions received)	Send Annexation Council report (13 days before PZC)	Send PZC report (10 days before PZC)	Send Council report (10 days before 1 st read)
N/A	N/A	12/5/14	N/A	N/A	N/A	12/12/14	12/19/14
Verified complete (Sign & date):	Fees paid (Sign & date):	Ward:	Neighborhood Associations:				Historic structures over 50 years (Y/N):
11/11/14 PR3	11/11/14 PR3	N/A	N/A				N/A

Updated on 10/29/2014 9:43 AM



Westwinds Drive, LLC, ADOPTED, JESSIE, BOB
Presidents of GCO

November 10, 2014

Mr. Tim Teddy
Community Development Director
City of Columbia
701 E. Broadway
Columbia, MO 65202

CAMPUS LOCATIONS

BOYS & GIRLS TOURNAMENT
COLUMBIA, MO
BOYS & GIRLS TOURNAMENT
COLUMBIA, MO

THE ADOPTED CAMPUS
COLUMBIA, MO
THE ADOPTED CAMPUS
COLUMBIA, MO

COLUMBIA CAMPUS
COLUMBIA, MO
COLUMBIA CAMPUS
COLUMBIA, MO

RECREATION CAMPUS
COLUMBIA, MO
RECREATION CAMPUS
COLUMBIA, MO

RECREATION CAMPUS
COLUMBIA, MO
RECREATION CAMPUS
COLUMBIA, MO

Mr. Teddy,

Great Circle is currently under contract to purchase a home located at 1026 Westwinds Drive in Columbia Missouri. We own a home at 1022 Westwinds Drive and operate a group home at that location. The property at 1026 would make an ideal setting for an additional group home for our youth. It is in a quiet location on a large lot without many neighbors and would provide the youth we serve an excellent opportunity.

We understand there is a rule in place that prevents group homes from being within 1,000 feet of each other. We would like to propose an amendment to the rule allowing a group home, owned by the same entity, be allowed less than the 1,000 feet restriction. We understand this suggested text change would need to be drafted by a legal team with more appropriate language.

Please accept this letter recommending a text change to the 1,000 foot rule restricting group homes so that Great Circle may better serve the community's youth. We can provide additional information as needed and look forward to the discussion. We believe this makes sense for the youth we serve and the community of Columbia.

Best regards,

John M. Money
VP, Chief Facilities Officer



Boone County, Missouri
Quitclaim



Recorded in Boone County, Missouri

Date and Time 04/20/2011 at 02:49:26 PM

Instrument # 2011007015 Book:3790 Page 37

Grantor DRIVER, JAMES H

Grantee DRIVER, MARGARET J

Instrument Type QTCL

Recording Fee \$27.00 S

No. of Pages 2

Bette Johnson
Bette Johnson, Recorder of Deeds



(Space above reserved for Recorder of Deeds Certification)

QUIT-CLAIM DEED

This Quit Claim Deed is made and entered into this 20th day of April, 2011, by and between

James H. Driver, by Rosalie J. Gerding, his attorney-in-fact, acting herein under power of attorney recorded April 20, 2011 in Book 3790, Page 36, Records of Boone County, Missouri, a single person (Grantor)

of the County of Boone, State of Missouri party of the first part, and

Margaret J. Driver, n/k/a Margaret J. Boyce (Grantee)

Grantees Address: 1026 Westmore Dr (Humboldt, Mo 65203)

of the County of Boone, State of Missouri party or parties of the second part.

WITNESSETH, that the said Grantor in consideration of the sum of One Dollar (\$1.00) and other valuable considerations paid by the said Grantees, the receipt of which is hereby acknowledged, does or do by these presents Remise, Release and forever Quit Claim, unto the said Grantees, the following described Real Estate, situated in the County of Audrain and State of Missouri, to wit:

All of Block Four (4) of BOULEVARD HEIGHTS, a subdivision of a part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4), and a part of the Southwest Quarter (SW 1/4) of Section Fourteen (14), Township Forty-eight (48), Range Thirteen (13) in the City of Columbia, Boone County, Missouri.

EXCEPT that part conveyed to the State of Missouri for road purposes, described in a deed recorded in Book Four (4), Page 142, of the deed records of Boone County, Missouri, and EXCEPT that part conveyed to Adine G. Unterschultz by deed recorded in Book 315, Page 203, Records of Boone County, Missouri.

subject to building lines, conditions, restrictions, easements and zoning regulations of record if any.