

**CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, May 13, 2019 7:00 p.m.**

The regular meeting of the Planning & Zoning Commission was held on the aforementioned date and time in the Council Chambers of City Hall, located at 405 Jefferson Street in Washington, MO.

- 1) The meeting was called to order, Pledge of Allegiance, and the following roll call was taken:

Present: Tony Gokenbach, Mark Hidritch, Mark Kluesner, Mark Piontek, Tom Holdmeier, Sandy Lucy, John Borgmann, Chuck Watson, Samantha Cerutti Wacker, Sal Maniaci

Absent: Carolyn Witt

- 2) **Approval of Minutes from April 8, 2019-Motion made to approve, seconded and passed without dissent.**

- 3) **File No. 19-0501-Applicant is requesting a Special Use Permit for 1807 E Fifth Street**



Sal Maniaci-The applicant is wishing to construct an addition at 1807 E. 5th Street and operate an indoor gun range. City Council recently amended City Code to allow indoor gun granges as a special use on Commercial properties. The property, zoned C-2, requires such permit. The site plan shows a 60x60 expansion for the proposed use and is not proposing to remove any parking with the expansion. The subject property is located on a portion of 5th Street that has a mixture of uses that range from residential to light industrial. Given that the property directly behind the expansion is commercial and that the proposed use will be conducted completely indoors screened from neighboring properties staff does not believe it will be a detriment to the area. A parking plan will be required prior to occupancy to ensure they meet the minimum standards.

Staff recommends approval of the Special Use Permit to operate an indoor gun range at 1807 E 5th Street.

After a short discussion, motion was made, seconded and approved without dissent. Tony Gokenbach recused himself from voting.

4) **File No. 19-0502**-Applicant is requesting Preliminary Plat Approval



Sal Maniaci-The applicant currently owns all of Lot 1, 0.5 acres of which are in a stormwater basin that the City already maintains. The application is requesting to subdivide the property to place the detention basin in Lot 1B and grant ownership to the City. Lot 1A, which is vacant, will remain under the applicant's ownership. The proposed plat meets all the zoning requirements and Lot 1B correctly includes the easement we currently maintain. Staff recommends approval of the request.

After a short discussion, motion was made, seconded and approved without dissent.

5) **File No. 19-0503**-Applicant is requesting to vacate E. Rose Lane-**Withdrawn**

6) **Zoning Code Amendment-**

Sal Maniaci-Temporary/Emergency Shelters- There recently have been inquiries to City Staff on the requirements to open and operate a homeless shelter in Washington. The closest definition that exists is Hotel/Motel, which is permitted in the C-2 and C-3 zoning districts without any type of special use permit. This was the information given to applicants interested in operating this type of facility. Our current zoning matrix, which lists all permitted and special uses, is derived from the North American Industry Classification System (NAICS), so City Staff is proposing an amendment that would add the NAICS definition for Temporary Shelters to the City's zoning code. It reads as follows:

Establishments primarily engaged in providing (1) short-term emergency shelter for victims of domestic violence, sexual assault, or child abuse and/or (2) temporary residential shelter for homeless individuals or families, runaway youth, and patients and families caught in medical crises. These establishments may operate their own shelters or may subsidize housing using existing homes, apartments, hotels, or motels. Permitted in M-1 and M-2 with a Special Use Permit.

In order to allow property owners, The Planning and Zoning Commission, and City Council to properly assess and comment on a use of this nature, we are proposing that Temporary/Emergency Shelters, as defined above, be listed as a special use in all M-1 and M-2 zoning districts only.

John Borgmann-What is the basis for coming up with the M-1 and M-2 rather than the C-2- & C-3?

Sal Maniaci-The discussion was that it is an intensive use that could benefit from being separated from higher traffic and higher pedestrian activities.

Samantha Wacker-What would be the down side of potentially having this as a C-4 where neighbors could still get a lot of input? As a special use within C-4.

Sal Maniaci-We no longer have C-4. It is Planned Commercial. A planned commercial has a minimum lot size of five (5) acres. So that would be difficult. Planned Development is for larger developments.

John Borgmann-I guess my only concern is that if we go to the M-1 or M-2, your property lots are a lot larger and you have a lot less neighboring properties, usually. So therefore, the requirement of folks getting notified within 180 ft. would be a lot less than if it was in a more commercial area where there was more public notification going on.

Sal Maniaci-We measure from the property boundary so if the lot next door is larger than 180 ft. in depth just the adjoining properties would be notified and qualify, well, Special Use Permits do not qualify for petitions only rezoning. You're right, only, it is your prerogative to add C-1 & C-2, that was just our first recommendation.

Sandy Lucy-Do we have a map that shows where property is located that is already zoned industrial?

Sal Maniaci-Yes, let me pull up the map. The color is not going to be the best because of the sunshine. Anything light grey or dark grey is zoned industrial. So you have the area off of Eighth Street, everything off of 10th & Stafford, the old Hazel Plant, that's industrial, it is actually M-2, Heavy Industrial. The lumber yard, Mercy South is still zoned industrial from when the Zero Plant was there so they did not have to have it rezoned. You have where the old bowling alley was off of International Avenue. I don't think we really have anything further east.

Tony Gokenbach-C-2 is red.

Sal Maniaci-Yes, C-2 is red. Everything at Chamber Drive & Hwy A is zoned industrial which was our first industrial park. Then obviously, you go out west to the Heidmann Industrial Park.

Samantha Cerutti Wacker-So what are the C-4's called now? I see it in our code now that it is PDC but the lots that were smaller that we did previously are they called something different now?

Sal Maniaci-No, they remained C-4 because they had an ordinance for that special use.

Samantha Cerutti Wacker-I am reading the code and it says the minimum lot size can be waived. So I am wondering if this type of use might not be appropriate for something that was planned with a little more input with everyone that is around it.

Sal Maniaci-There is a way around it, it is a variance just like everything else that would not have to go to the Board of Adjustment. It has to go thru this board and Council to be waived. That definitely is an option but I would also say that a Special Use, Mark can correct me if I am wrong, but you can add similar conditions to a Special Use ordinance or a Planned District ordinance, if I am not mistaken. Is there a benefit over making someone go PDC over Special Use?

Mark Piontek-Not that I can tell.

Darren Lamb-I am just asking if it is a Planned Commercial district if you have to rezone? If you did do that you would be subject to rezoning the property.

Samantha Cerutti Wacker-Right, that is what my thought process seems like when we have done Planned Commercial in the past the review has been a lot more intensive and the opportunity has been more so than with a Special Use Permit.

Sal Maniaci-That's correct.

Samantha Cerutti Wacker-That is what I am thinking the advantage might be for both sides of this equation.

Sal Maniaci-You do have the authority to request more. A full Development Plan has to be submitted. We would just have to waive the five (5) acres.

Samantha Cerutti Wacker-We can waive the lot size requirement but that doesn't seem to be a complex matter according to the code.

Tom Holdmeier-Any further questions or discussion by Board members?

John Borgman-Not on the zoning but on the definition. That would be the last sentence.

Sal Maniaci-Yes, I think the word subsidize kind of throws people off. I interpret that as, if there was existing housing, an apartment building, a hotel/motel it could be utilized but it would have to be transferred to the correct zoning district.

Tony Gokenbach-They made operate their own shelters or subsidize housing which would be Section 8 funds for existing apartments and things that would clearer for the zoning for those purposes.

Darren Lamb-Also, keep in mind that if you use a hotel/motel but it fit that you were providing it as a temporary shelter that it would fall under this definition.

Sal Maniaci-So someone couldn't just open up a free hotel because it would have to fit this definition.

Darren Lamb-They couldn't disguise it under that and say that we are a hotel/motel that just doesn't charge anything. No, you fit the definition of a temporary shelter.

John Borgmann-Thank you.

Tom Holdmeier-Any further questions or comments by Board?

Tony Gokenbach-Samantha, I like where you heads at with the Planned Development. I think that if it were possible to give also, in addition to M1- & M2, C2 with a Planned Development overlay you would have a greater opportunity for spaces that can be reviewed on a case by case basis as we would have any with this.

Tom Holdmeier-Anything else by Board members?

Sandy Lucy-Me too. That is an interesting alternative.

To Holdmeier-We will open this to discussion. We ask that you come up, give your name and address and address the Board not each other. No yelling by the audience would be appreciated.

Mary Price-120 Zero Dawn Drive-I love Washington, MO. I have lived in many different places and now my heart is in Washington, MO. The big reason why is because of the heart of Washington, MO. With that said, I would like to address the City Council, the City Planners and Administrators and anyone else. I hope that you are willing to listen to a voice that advocates for the good of the community. I understand the zoning for this particular building has been proposed to be changed and no longer would allow it to be used for the requested purpose of providing short-term assistance to people in need. Our town is well known for its volunteerism and helping people in their time of need. What we have stated as a real need in our community, which is the ability to supply short-term housing. It would not come with the fruition of the proposed code changes. There is a need for space that is easily accessible in order to assist people more readily and add accountability. This type of building can not be placed in the location that is outside of town. From what we understand the building that we proposed is now going to become the first medical marijuana dispensary for our city. I have nothing against medical marijuana but I wonder how this type of use could look to our towns foot print as you enter or leave our city. Whereas, you could have a nice looking, well kept building named "The Bridge" that could be used as short term assistance and would be beneficial to our city and the people we would help to get back on their feet and become citizens who support our community. In closing, I hope you would reconsider this decision to rezone this piece of property and allow us to continue to a town that helps and gives people dignity in their time of need. I hope you all listen with your head but I hope you mainly listen with your heart. Thank you.

Tom Holdmeier-Thank you. Let me explain, if I could, we are not talking about the rezoning tonight of that parcel of land.

Mary Price-I apologize, I did not have the proper information, but I want my voice and very many other people voices heard on the real need for this and that it will be a very well kept place. There will be accountability and all the other things that need to happen in order for something like this to be a benefit to our city.

Tom Holdmeier-What we are looking at tonight is where in the City Code we can put this definition and still have the zoning that would accommodate

Mary Price-That was my question I had for Mr. Lamb a few moments ago. With that existing definition, it says that these establishments may operate their own shelters or provide subsidized

housing using existing homes, apartments, hotels/motels, it really doesn't state, I don't think clearly, that the place we would like to be proposed to be used is no longer a business building, it's not a home, it is not a hotel, it's not an apartment, so I don't know if that would fall into..

Tom Holdmeier-It is still a commercial property.

Mary Price-From what he was saying, I understood that it would...

Tom Holdmeier-Once something is zoned a certain way, it stays that way even though the use goes away. It is still zoned that way.

Mary Price-So it is still zoned that way. It could possibly be a place for The Bridge.

Tom Holdmeier-It would have to be rezoned. We are looking at possibly two (2) different zonings. From a C2 it would have to go to an M1 or M2.

Mary Price-Is there a possibility that my happen in our town of Washington?

Tom Holdmeier-I have no idea. I honestly don't know. That is why we are here.

Mary Price-I know, that is why we are here too. Thank you all very much.

Judy Schnieder-2273 Dukes Way-My question is mostly directed to Sal. The M1 and M2 Special Use permit, I question if that is not for emergency shelters, victims of domestic violence, short term emergency shelter. We are looking at having a 30 day stay in this area, it's not going to be a nightly thing where a child would be removed from a home at 2:00 in the morning and be placed here or if someone got out of the hospital and would be placed here. I think the M1 & M2 is used more for that emergency basis, not a 30 day planned stay. And that is my question to you.

Sal Maniaci-The M1 & M2 are kind of separate from the definition itself. That is how we would still interpret the code definition whether it is 30 days or not. I think our recommendation still fits in with that definition.

Tom Holdmeier-In the definition it is and/or. Read #2 and it is temporary residential shelter. It doesn't specify the number of days but you do look at short term and I would think that would be overnight or two (2) nights where the second part of that definition would include something you are talking about.

Judy Schnieder-The one we are talking about proposing is not going to be a shelter they can stay the night and get released in the morning. Like a cold weather shelter. Like the homeless people in St. Louis who look for a bed for one night. That is not going to be the type of shelter we are proposing and I wonder if we are not placing emergency housing in the same category as The Bridge proposal.

Sal Maniaci-I am following you, I think our interpretation still fits in there.

Chuck Watson-But as they are saying the number two (2) is saying temporary shelter.

Tom Holdmeier-You would like to see two (2) different zonings?

Judy Schnieder-I would like to see two (2) different zonings. Overnight and emergency cases and then something else like a 30 day program.

Sandy Lucy-Thank you.

Annie(inaudible)-I work here in Franklin County. For one, first of all, the definition that's currently being proposed on shelters, please understand and what else unintended consequences that fall under this. When you are talking about short-term emergency shelters for child abuse and/or neglect, you are talking about Grace's Place Crisis Nursery. So I know it would be grandfathered in but let's say that Grace's Place, which is growing tremendously, quickly, wants to expand, They currently are seeing kids up to the age of 17 almost 18 years old, basically. They want to separate and have a shelter that is specific to teenagers and then one that is for the younger kids. So now you are going to stick teenagers out into an industrial area? That is away from their school, away from them getting to their after school programs? Away from them having jobs at Hardee's and McDonalds and Taco Bell? And they don't have transportation to get there. You are putting a great burden on organizations like Grace's Place by this definition. Another part of this definition you may want to look into is the fact that it also includes those in need of medical crisis. So if we ever have a Ronald McDonald house down here or the equivalent that is out there for veterans they would have to go into an industrial area. We couldn't have that by close to the hospital where they could be close to their loved ones. There are a lot of unintended consequences with this current definition and having it zoned out to M1 and M2. I understand the

Special Use permit. Many of the communities that I have worked with throughout my career have Special Use permits for all different kinds of uses including domestic violence shelter and shelters for run a way kids and homeless youth. But putting them out in an industrial area where they don't have access to the actual needs, the care needs, the McCulley Clinic and to the job center and the things that they can actually walk to is putting a great burden on them. I was just looking around and one of the things I found is that there is the APA, American Planning Association Guide on Homelessness and what they say in Section A5 in the Code of Ethics, is that "Planners must strive to expand choice and opportunity for all persons recognizing a special responsibility to plan for the need of disadvantaged groups". Sticking them out in an industrial area is not responsible planning for disadvantaged groups. It's shoving them to the wayside. Shoving our kids, our homeless children that are teenagers out to the wayside instead of bringing them into our community. We currently have one young man who is 17 years old and I won't say his name because I have not asked his permission, him and his brother probably should have been recognized and been taken by the Children's Division when they were eight or nine years old, they have been living most of their teenage lives at the hotel with an heroin addicted father who actually has a decent job and goes every single day and works. He pays for the hotel because he doesn't want to save his money to get an apartment because he shoots it in his arm. We have two teenagers stuck in this cycle for years. Well, they both decided they were done and so they went and couch surfed. They were couch surfing and going from home to home to home to home and Lindsey was working with them and finally found a host family, a couple that were willing to take them in. It is the only option we really had. We were lucky with these kids, it doesn't mean we will be lucky with the next. The youngest of these kids has a job, he is graduating Washington this spring. They have taught him how to drive; he is getting ready to get his driver's license and with working he has saved \$2,000 to get a car, towards getting a car and will be going to East Central College in the fall and is already accepted at Ozark in the spring. This kid wants to be a special education teacher. This is one kid we were able to help but we have a lot of kids out there that we are unable to place with host families and have no place to go. They are currently couch surfing or we have some that are living in cars and some that are living out of tents. We need a place for them and it is not in an industrial area.

Tom Holdmeier-Thank you. Come on up.

Karen Dawson-1207 Caroline Drive-I am the president of the Harvest Table, a member of the Homeless Task Force and a member of The Bridge Resource Center Developmental Committee. I work with the homeless. I taught school for 40 years. Now I work with the homeless. On any given Saturday night at Harvest Table we see between 8 & 12 people who are homeless. Hard to believe, isn't it. And you know what, they are pretty dog gone nice. I know the picture of homelessness is scary and I do get that and the picture that our minds set is St. Louis or Kansas City. Washington's homeless don't look like that at all. They don't have anything. They don't have a shopping cart. Everything they own is on a back pack on their back. In the last three years working with no money we have got 19 into apartments and jobs. Not one of them have missed a monthly payment on that rent. I think that is incredible. And I firmly believe that if we have a resource center here we could do that for a lot of people. They need a little dignity. They need a bath. They need to have their haircut. They need to feel human. When you dehumanize anyone, bad things can happen. And it's changing, the last two weeks ago on a Saturday night, I had a 17 year old girl who came in who had just given birth 12 hours earlier. She had no insurance so the baby was in the hospital but she wasn't. She was traveling with another 17 year old and her boyfriend who is six months pregnant now. She has not been able to get any pre-natal care because she is 17 in that no man's land and doesn't have insurance. If she got MediCare she could probably get in. However, if you don't have somebody there to learn how to do it, how can you do it? You're 17, you're scared, you're living in basement with five other teenagers. We need a place. I love education, we need a place to help teach them. To help show them how. Because I have seen it work. And I know it can. And that's the answer. Humanize some that you think are bad people. There are some rotten eggs out there. There was 1 that was a very rotten egg out there for 8 years he was the one in Washington, pretty much saw him drunk all the time and yet he was incredibly likeable. He was

good to the other people that were homeless. He was referred to by the homeless as the “Mayor of Homelessness”. He would come and tell me when there was a single woman or young people living down at the park and he would tell me to watch out for them. So he had a good side, but you always wondered what would happen to him. About 8 months ago, with the help of his sisters, he got an apartment and he got to clean himself up so he looked good and didn’t smell bad. Then he got a job, here in town. He is working seven days a week if they let him. I ran into him yesterday, I hadn’t seen him in a couple of months, he came running up, tears running down his face and he says “Miss Karen, I am doing so good” and I told him that I was so proud of him and he said that the best thing was that he had really nice furniture. I thought how great. How great to be proud of what you can do. This was never supposed to be an impairment on any neighbors or hurt anybody, I wouldn’t do that. I wouldn’t want to hurt anybody’s property values. We honestly thought this place was a decent place. But I have to agree, fostering people out to the industrial park which is about three miles from the center of town. For people that have no transportation, who have to walk, a 17 year old pregnant teenager, that is pretty good walk. I couldn’t really tell on your map where places were but I wonder if it is even conceivable within our city. I love our city more than you can possibly know. I remember what my very German grandmother used to tell me, she said it in German, so I hope I am translating it right, my Oma would say that when I wanted something that we didn’t have the money for, my Oma would say, “Remember, and I hope you listen, but the things you do for yourself in your life, those die with you, but the things you do for others, those are immortal. Let’s have a chance for immortality, what do you say?”

Angela Holmes-2975 Hwy A-Just want Sal to put the map back up for everyone to see again because I think there is some confusion to where the industrial zoning is.

Tom Holdmeier-She is trying to see where the industrial zoning is in Washington. We are not necessarily just talking about where the industrial tract that everyone is familiar. We do have industries in the town and zoned industrial. It is hard to tell, it is grey.

Lindsey Jasper-4498 Hwy 185-I am a social worker. I have worked in the town of Washington for seven years. My biggest concern, could you put the definition back up there, is that, and I understand that there is heavy industrial and light so would this be used as heavy industrial or light? Or both?

Sal Maniaci-It would be a special use in both.

Lindsey Jasper-Both, ok. My biggest concern is that this might be limiting on availability. I see that it is sprinkled throughout which makes me feel a little more comfortable about different options. But I worry not just for the possibility of The Bridge going there but also that it would be limiting for that center. I also worry about the availability for all the other items listed in this definition about availability of space in places when you say like, subsidize housing, using existing homes, apartments, hotels/motels, I feel like it could be very limiting in what is actually available. If it is more broad, I think that would give us more opportunity.

Tony Gokenbach-It does say operate your own shelter before that.

Lindsey Jasper-Does that include that or is that just the subsidized housing?

Tony Gokenbach-These establishments may operate their own shelters or subsidize housing using existing homes, apartments, hotels/motels.

Lindsey Jasper-I was reading it a little but different but I still feel like it could be very limiting in just what happens to be available in those areas. I work with teens that are homeless so I just want every possibility and I really look at this and actually everything in this definition is an investment in our community and I can consider Washington my community. This is where I conduct all my business and where I work. I look at this as an investment in our families and our kids and our people who are at most risk giving them opportunities to then become more successful citizens within our community is an investment. Just like we invest in how we look physically and invest in better jobs and housing. And if we want, ten years down the road, just like the student we have been discussing, that has been an investment. And if he had not been helped with several services, he would have high possibilities of becoming just like his father using drugs. But with the investment of all this community, this

community has helped him in different ways. He has the opportunity to come back here and be a successful community member. And that is really what I look at. Thank you.

Sean Mayall-145 Monticello Drive-First of all I would just like to state that I think that everybody in the room, hopefully everybody in the room, nobody is against homeless people or people that are down on their luck. I know a lot of things that were said this evening are great thoughts. I live in this community. I love this community and I know this community does a lot for people in this community. Unfortunately, what we have not talked about and I apologize I was out of town for the forum, so I did not get a listening of that. But having been a citizen, having been a business owner, having been in the community, there is a lot of heavy cons that outweighs the pros in a homeless shelter. And what has not been talked about is the repercussion and the consequences of what a shelter brings. Washington homeless people might be great people. And we are talking about a little over a handful of people and if I am wrong I wish somebody would let me know that. But those are great people, they are from here. The issue is and I think everyone knows deeply that when you open a homeless shelter, that there is going to be a neon open sign over this community or any community that opens a homeless shelter that allows everybody to send homeless people to Washington, MO. That's going to be an issue. I could argue all day long that when you have a shelter people are going to be shipped in from all around different areas then we, Washington, will have to deal with dozens and dozens and probably hundreds of people that are probably going to have to be turned away. Now when they go to a shelter and they are turned away what is Washington going to do? What is the community going to do? What's the group going to do when there are dozens lined up to get into the community when the building is only housed to have 12 people? Who is going to deal with the overflow when everyone is coming into Washington, MO to stay at these shelters? That's going to be the issue. It's not fair, it's not fair for a home owner in town or any home owners to be faced with this type of shelter and the issue on the 12 people, local Washington homeless people, it's not fair to the houses around this shelter. We all know that when homeless people get turned away, where are they going to go? Where are they going to filter through? And, unfortunately, when you have a lot of homeless people there is going to be a lot of bad that will be coming with that. And there is going to be crime and there is going to be a lot of issues because we are going to be having a ton of people coming together that all are trying to stay at one place. Now I know we have a lot of service organizations and a lot of organizations in this town that do support a lot of people that are down on their luck and I know that this committee wants to give. My advice would be that if we only have 10 or 12 homeless people and people that are down on their luck why don't we boost Loving Hearts or different clubs/organizations different places that people can go to get food and to try and get information on how to get back on track. I am very, very concerned that it be industrial, whether it be in the city limits, I am worried about what is going to happen when we do this. And there is absolutely no way that anybody in this room can control homeless people being sent to Washington, MO. It is true and nobody in this room can control that. All I am asking is, and I am here as neutral as can be, and I hope we can get along, these are great people behind me on both sides. We are all citizens of this community and I think we all noted that. There has got to be other options but I am just telling this up front what the repercussion and what the consequences are going to be that coming along with a shelter. Thank you.

Unknown-Once again I would like to say that this is not going to be a shelter for coming for one night to two nights so as far as the neon signs saying "homeless stay here" there won't be one. Also, I would like to say that the Harvest Table has been a community service for the past eight years and we do serve homeless people there. We almost have some seniors, we have families that come, we have young kids, we have college kids, people of all ages. For eight years we have been offering this free meal and people haven't come from other places. Ours is no neon but we do put a sign out front saying "free meal". So think about that. Thank you.

Larry Proemsey-Everybody calls me "Cowboy", you can call me whatever you want. I own Cowboys Holdings which own several properties here in the City of Washington. We have monthly rentals, we have several nightly rentals. I own the John B. Busch Brewery, most of you know where that is. It's a

wedding/event venue here. I have several other companies and businesses that I am involved in here in Washington, MO. I am also a city contractor. I do work for the city here. I've done work with them for probably 30 years. I have a large investment in this community, in this area and it's a place I am proud to work in. I have a very good relationship with the Mayor, with the city committees who work with me on construction projects and buildings that we have built and things we have done here. I can sit here and preach back the other side of this and tell you about the drug addicts, the people that have urinated in our buildings, people we have had to throw out of wedding receptions and all that but I am not going to do that because what this is, is a zoning issue and it's pretty simple. I applaud the city staff for coming up with this definition which meets the national standard. I did a little research myself. I did look it up and I think they are right on point on that. I think the really big issue here is requiring a Special Use Permit because I think that every time one of these facilities comes to somebody's community, all of the neighbors and not just the ones within 180 ft. of it need to be able to address their concerns about it. These people have said that if this happens it's not going to draw other people but the fact is it does. They have a warming center; most of you probably know this, at the hospital. So when the weather is cold they bring people from all over Franklin County, they bring them here to the warming center and at 8:00 in the morning they kick them out on the streets. The people that brought them here from Catawissa or wherever they came from other cities in this county, those people do not come pick them back up the next morning. They are here every day. They create problems with our businesses and create problems for us to deal with. The other thing that I will definitely tell you is, it has an effect on property value. These people will tell you that it won't affect the value of adjoining property and that is not true and the reason why zoning ordinances like this exist. It is so ones person property can't be negatively affected or their lives be negatively affected by a neighboring property with an incompatible use. So I applaud the fact that you guys have required a Special Use Permit. As far as M1 & M2 zoning issues, they are scattered all thru the city. I mean I can read a map and we saw where they were at. I would be happy to take the time to point out where they all are. If that is a recommendation of the committee, I certainly agree with that. I don't have a problem with that as long as all these require Special Use Permits. The whole idea that this will not have an impact on the community is not true. It is definitely not true. For those of you who have not seen the video or watched "Seattle's Dying", I suggest you all look at that before voting. Just take the time. And when you look at that watch it all the way to the end because the end part in my opinion is the best. All I am saying is that other business people like me who have large investments here in this city, I am most respectful of the fact that you guys are taking that into consideration with this ordinance. This is not saying you can't have a homeless shelter. This is not saying we don't like you. What this is saying is that we are going to protect the rights of adjacent property owners and that is the duty of this committee to do that. I applaud the city staff for bringing this forward and I applaud you guys for making the right decision. Thank you very much.

Tom Holdmeier-Anyone else that would like to speak?

John Morton-I own three of the properties that adjoin this facility and I have already had problems homeless that have been hanging on some of my properties now. I think it is a bad area for it to be in.

Tom Holdmeier-I'm sorry, that item has been withdrawn from tonight's meeting.

Sal Maniaci-Tonight we are just discussing the code amendment. Where it can go in the future.

John Morton-Apologized.

Tom Holdmeier-Anyone else in the audience that would like to speak?

John Borgmann-I still have one more question Sal. That last sentence and I am sorry I am hung up on that but these establishments may operate their own shelters that would be a stand alone, just a shelter. Ok, or, they may subsidize housing using existing homes so they could pay for a homeless family to move into another home month by month or a 30 day period. Do I interpret that correctly?

Sal Maniaci-Let's say they purchased an apartment building but they have to get the zoning and a Special Use Permit, then they could bring families in or homeless people in month by month, day by day, hour by hour basis, however they want to.

John Borgmann-So, then basically those people would not be alone at a stand alone shelter? They would be remote somewhere in the city or somewhere in the county.

Sal Maniaci-If that building operated as the temporary shelter then they would have to get the Special Use Permit whether it is one unit or all the units.

John Borgmann-So, if they are going to go to an existing home they would have to come back to us and get a Special Use Permit for that residential home to operate it as a shelter.

Sal Maniaci-Correct.

Darren Lamb-And rezone it. Depending on what the zoning district was is the way that reads. It prohibits somebody from taking a facility that looks like an existing home, apartment, hotel/motel from using it as a temporary shelter rather than a hotel/motel or an apartment. If they are disguising that, I am not saying that they are trying to hide it but if they are using it as a temporary shelter and you fit this definition then you have to have a Special Use Permit and be within our districts.

John Borgmann-Ok.

Samantha Cerutti Wacker-I think that the confusion is it almost sounds like they could have a facility, like say that they like have a main office and then they have satellites sites. That is what it sounds like.

John Borgmann-That's what it sounds like.

Darren Lamb-And if they did have satellite sites the city would be saying, no those satellites if they fall under the definition of a temporary shelter, they cannot be located there.

Samantha Cerutti Wacker-Perhaps should we add something to that saying something about the satellite sites? I just want to make sure there is no confusion.

Darren Lamb-Again, that last sentence is just there to make sure that if somebody is using one of those, a home, an apartment, hotel/motel, and they are using it as a temporary shelter that the city can say no you can no longer do that because of its impact to surrounding uses.

Tom Holdmeier-Do you see this hurting places such as Grace's Place and if they want to move it is going to be more challenging for them to find someplace else.

Darren Lamb-If we limit it to M1 & M2 I don't personally have any issue if you want to go ahead and make it a Planned District Commercial. They would have to rezone the property. So someone could go ahead and propose that. We have no problem with adding that to the definition. Then if they do find some property for purposes they are looking for it is subject to come before you and the City Council and in that case it would have to be rezoned. They may be facing the same challenges that they did with the property that was up there on Hwy 47 but still they could go ahead and propose that.

Samantha Cerutti Wacker-It seems to me that if we did a PDC it would be a more intensive review and a better opportunity for all sides to contribute to the process.

Sal Maniaci-There is more you have to submit up front for a PDC than there is for a Special Use Permit.

Samantha Cerutti Wacker-That was my reasoning for suggesting that.

Darren Lamb-And you can, on the ordinance, list all of the conditions similar to a Special Use Permit. We have done that before in regards to the Planned Districts in saying this has to meet this, this has to meet the site plan and it has to do all those things.

John Borgmann-Thank you Darren, I appreciate your explanation there and nothing against you but I would still like to ask Counsel if we are...

Sandy Lucy-What's an example of a PDC?

Sal Maniaci-Diana Holdinghausen was a C4, the Duncan Property was a C4. We haven't had any new ones since 2017.

Sandy Lucy-I know what you are talking about.

Samantha Cerutti Wacker-The Urgi Care was a PDC. The most current one.

Mark Piontek-It is comparable with what we would do with C4.

Tom Holdmeier-They would have to show us everything such as fences and everything where it is located.

Samantha Cerutti Wacker-We have talked about everything in their such as hours of operation and we have gotten very very specific on those and that is why again my mind was going in that direction

because of how specific we can get and how much input the surrounding property owners or anyone in the community can have about it.

Jolene Patterson-715 W Second Street-Good Evening. I just have a clarification point. I work with a couple of programs around here including the Homeless Council. But with reestablishing homes for youth that are disadvantaged and in crisis and part of the problem is that with youth programs we are often called and asked to find them shelters that are temporary shelters for the night and that would definitely fall under this classification and we put them into residential homes. Does that mean that every residential home has to be rezoned to M1 or M2 with a Special Use Permit that we are placing these children into?

Tony Gokenbach-Are these minor children?

Jolene Patterson-Yes they are.

Tony Gokenbach-And there is an adult that owns the house?

Jolene Patterson-Yes there is.

Tony Gokenbach-And they are doing this out of the kindness of their hearts and not making money?

Jolene Patterson-Correct.

Tony Gokenbach-That might get a little sticky but I would not think it would require extra zoning.

Samantha Cerutti Wacker-I suppose you could twist it and call it a foster home. But I can't imagine how that would be defined.

Sal Maniaci-It has to be the primary use of the property as a shelter.

Mark Piontek-To go to an extreme example, couch surfing, if some homeless teen is couch surfing at somebody else's house that does not automatically make that house a temporary shelter.

Jolene Patterson-Many businesses around town like the YMCA, the Washington Historical Center, or many of the other businesses all have signs in their windows that say if you have a youth in crisis, you can call this number. But some of these families do this on a regular basis.

Samantha Cerutti Wacker-But they are primarily a residence?

Jolene Patterson-Correct.

Tom Holdmeier-And they can continue to do that without any changes.

Jolene Patterson-And so there will be no implications or changes to those families and those youth.

Samantha Cerutti Wacker-We assume the families live in those homes.

Jolene Patterson-That's correct.

Samantha Cerutti Wacker-So they basically are a foster home?

Jolene Patterson-So in the same sense then the homeless shelter here in town unplaced a homeless person in someone's home on a temporary basis that would also fall underneath those classifications?

Samantha Cerutti Wacker-We assume so unless that location is primarily engaged on providing the shelter. The primary purpose of the property, that would be a different story.

Jolene Patterson-Thank you for the clarification.

Mary Price-Where do churches fall into this?

Tom Holdmeier-Which way to you mean?

Mary Price-What if a religious organization or a church would decide to provide..

Chuck Watson-Is the church going to be primarily engaged as a shelter?

Samantha Cerutti Wacker-They would not fall under that definition.

Mary Price-So they could provide resources and a place to stay for people on a temporary basis.

Samantha Cerutti Wacker-Are they primarily a church or primarily a shelter?

Mary Price-A church.

Tom Holdmeier-It can be a church with like a warming shelter or temporary residence but they can't be temporary residence with the church.

Mary Price-The church can't provide temporary shelter and give them resources in order to get their lives back in gear?

Tom Holdmeier-They can, that is what I am saying.

Mary Price-They can?

Chuck Watson-What we are saying is what is the primary purpose? It is a church so yes you can do that.

Samantha Cerutti Wacker-If it no longer is primarily a church and they are masquerading themselves then it would fall under this definition.

Tom Holdmeier-It would be like if the church would like to go out and get another facility. Then they would have to rezone that facility, not the church.

Mary Price-Because what we are talking about is not a shelter as we speak. It's a resource center. I think we need to look at something like that and has been said before it's not going to bring people from other places outside our city. That is where the accountability comes in. That is not what it is going to be all about. It's about the people that are here and wants to come out of there homeless status.

Samantha Cerutti Wacker-Mam, with all due respect, we are not here tonight to talk about any particular facility. We are just talking about if we are going to alter the code to enable something like this to happen.

Mary Price-So you are trying to figure out the correct or proper wording.

Tom Holdmeier-Yes, so someone wants to do this, we can say here is the code.

Mary Price-So you are doing the actual code.

Samantha Cerutti Wacker-Yes.

Mary Price-And we want to make sure that it is broad enough to withstand people's ideas about how to help people in this city.

John Borgmann-Chairman I would like to make one clarification. If you do have a church, and you are having people stay overnight then you are changing the use of that church.

Mary Price-A church is a sanctuary.

John Borgmann-A church is not an overnight stay. The building code would not allow residents to stay overnight unless it met the building code requirements for a residence. So what I am saying is that if you had a basement you would have to have two ways out of that basement, you would have to have smoke alarms, you would have to meet certain requirements of the life safety code if you are going to allow that to happen.

Mary Price-I think churches have a lot of people stay. Maybe not because of homelessness but for other reasons.

John Borgmann-But they are not sleeping there.

Mary Price-Oh, yes, they are. I have slept in a church many of times.

Tom Holdmeier-Any other questions or comments.

Caleb Reed-527 E Sixth Street-I know Mr. Piontek and Miss Wacker. I am here as a citizen of Washington. I was born and raised here. It's home for me. After law school I came back to Washington to live and hopefully have a successful law practice, which is yet to be determined. I have faith in Washington, I love it and I want to see it prosper. And so because of that I am also a new property owner in the City of Washington and I share some of the concerns voiced by some of the other people on the left side of the room. It seems naturally divided that way. I think, obviously we are not here about an specific property. I have some questions about the amendment. What are the requirements for industrial rezoning? Do the plots have to be larger than in commercial zoning or what? Is it more difficult for it to be industrial zoned?

Sal Maniaci-We do not have minimum lot sizes for industrial. So if they find a piece of property that is not industrial zoned that would not hinder them. It is harder, more difficult for industrial zoning where it is not currently at because of the fact it has to be in an appropriate area. Industrial is more intense. It is meant to be set away from residential and commercial uses. So if it is in the middle of a commercial use it would be more difficult to get a recommendation of approval from staff for industrial property. Since we are all kind of arguing on whether or not it should be commercial or industrial, can you lay out some specific requirements that are the difference between commercial and industrial?

Sal Maniaci-There are hundred of uses in our code book. It is any type of manufacturing or any type of outdoor storage, anything that is a little more intensive than general retail that goes into industrial use.

Caleb Reed-I guess the question I am trying to ask is that what does it take to rezone from commercial or if it is currently residential to industrial?

Sal Maniaci-There are no set requirements. It is a case by case basis. Whenever they decide that area is appropriate for that use they can get a recommendation of approval then it will go thru the commission and council.

Tom Holdmeier-We like to keep zoning in areas. Residential, commercial, industrial stay together.

Samantha Cerutti Wacker-We look at our comprehensive plan but then we look at how the uses are evolving since the time the comp plan was put in place. That is why the comp plan gets reviewed and revised every 10 years because sometime there are changes.

Chuck Watson-Some of things down, like Jefferson Products, those buildings were in before many of the other areas were zoned around it as far as residential and all those kind of things. If you are wanting to put something else M1 or M2 if it is downtown or the west industrial tract.

Caleb Reed-Well, it looks like to me that industrial is further out west and Jefferson Street and a few spots around town. I am not going to revoice anyone's concerns but they are specific towards the impact that any potential temporary shelter might have on surrounding property values. If any temporary shelter were to come to Washington, I guess I am asking, based on the current map, without having to account for any future rezoning. What kind of buffer zone would there be between current residential and industrial.

Sal Maniaci-There is no minimum buffer that is set in the code. It is all based on where they propose it.

Sandy Lucy-Wouldn't that be part of Special Use Permit?

Sal Maniaci-When the Special Use Permit came in for a certain district, if it was a large enough property, it would have to be x amount of feet from that property line

Samantha Cerutti Wacker-In a PDC we can get down to a particular kind of tree, the color of the fence, the height of the fence. We can get very detailed.

Tom Holdmeier-Any more questions from the board?

Sandy Lucy-Some of the questions that I have been asked over the last couple of weeks is who will ultimately be the governing body of the homeless..I know originally when you talked about it as a resource center, now we have gone to the homeless shelter.

Annie-A resource center.

Sandy Lucy-Well, almost everyone is talking about a homeless shelter.

Annie-Yes.

Sandy Lucy-Who ultimately will be the governing body of this? I know the Homeless Task Force is made up of service providers throughout Franklin County but I can't imagine that this is going to be the governing board and who is ultimately going to be responsible if we need to approach someone?

Annie-We are actually working currently to be its 501C3 and will have it's own governing board just like any other 501C3 so therefore, like Grace's Place or Franklin County Cassa or Children's Advocacy Center. It would have its own governing board. We are actually currently looking within the next week or two to solidify who is going to be on that board and work on our 501C3 at this point. The Franklin County Service Providers and the Homeless Task Force, yes they knew about this and we reported in that because that is where most of the questions were asked but really there has been a separate group all along that is made up of a lot of the same people but the separate group is the one like Karen, myself, Lindsey, Chief Menefee, and others that have been on the actual building committee and looking at The Bridge itself. One of the things I wanted to say it truly is, I can see that there are many people that did miss the community forum because a lot of the things that were brought up were brought up as issues in that forum with actual, statistical information to back it up not just information that I pulled up out of fear or what I think. I was actual statistics put together to show that homeless shelters, that there are different homeless shelters throughout their community and the effects of their community. What we have found is that they do not bring in people in droves. Just like we do not send people in droves to the Agape House, the Salvation Army, if they are full we do not send people there. That is how it would work if we had a small center that housed people overnight. The community is good about asking if

there are spots available. I know there was a lot of fear about people coming in from St. Louis and I think the gentleman the night of the community forum, a veteran said it best, he said "they ain't coming here, they know better". They aren't going to come here. It is resource rich for the homeless in St. Louis, there are a lot of options, we don't have a lot of options, we are just trying to give an option. As I said that evening, the group that has gotten together, we have heard a lot of people complaining about the homeless so we got together to do something about it.

Sandy Lucy-Will it be staffed by volunteers? Or will there be a director of the place?

Annie-Currently, what we are looking at to start off with is two full time staff members, an executive director, and a case manager and then we would have overnight RA's that would be volunteer. Anyone can check out Water Gardens, they have a great reputation in Joplin. Water gardens has 60 volunteers that rotate staying overnight so there is an overnight RA every night. They also have a facility there that is called The Forge, a six month placement teaching them skills and one of the RA's is formerly a homeless individual. In our case we would probably be looking at overnight RA's or Residential Assistants, kind of like college, will be volunteers and then have two full time staff that work day in and day out .

Sandy Lucy-Are you developing a business plan? And do you have plans for ongoing funding?

Annie-Yes, we are looking at what it would look like for ongoing funding. The donor has committed to at least a couple of years of operating expenses at this point. That gives us time to be able to look for other grant opportunities and to build the resources within the community.

Tom Holdmeier-Thank you. Any further questions/comments from board members?

Tony Cavin-522 W Front Street-I don't have a dog in this fight. I came to hear both sides because I really wanted to know what was going on with it. But I do have a question relative to this definition of temporary shelters. You have mentioned repeatedly that people would not be staying for one night or two nights, having owned many rental properties, the problem comes when they stay more than 28 days. What happens if it goes into the eviction procedures to get someone out? If they decide to make this there permanent home? That would then violate this temporary shelter concept. And how would you go about getting them out? Do you put them out on the street for one night and then let them back in to start over again?

Tom Holdmeier-That is really not a planning and zoning issue.

Samantha Cerutti Wacker-That is probably a law enforcement issue.

Sal Maniaci-That would be between the property owners and that individual.

Tom Holdmeier-We are just trying to find a place they can go right now. A lot of that is on the other side.

Samantha Cerutti Wacker-My inclination when it is time to make a motion would be to add to the proposed M1 & M2, the Special Use and that it also a permitted use within PDC.

Tony Gokenbach-I would second that if you would make that motion.

Tom Holdmeier-I think it is about that time then.

Samantha Cerutti Wacker-Then I make the motion. The motion to approve the current definition proposed M1 & M2, the Special Use and that it also a permitted use within PDC.

Tony Gokenbach-Second.

Tom Holdmeier-All those in favor? Samantha Cerutti Wacker, aye, Chuck Watson, aye, John Borgmann, aye, Sandy Lucy, aye, Tom Holdmeier, aye, Mark Kluesner, aye, Mark Hidritch, aye, Tony Gokenbach, aye.

Tom Holdmeier-Any opposed? With your vote you have passed the motion. Thank you.

Sal Maniaci-This will be heard as a public hearing next Monday, May 20th at City Council.

- 7) **File No. 19-0401**-Applicant is requesting to rezone #4 & # 10 Franklin Avenue from C-1 Limited Commercial District to C-2, General Commercial-**Withdrawn**

- 8) **Other Business**-Our subcommittee for the Comprehensive Plan, the council did pick to two liaisons, Mark Hidritch and Jeff Patke will be joining us. It will be quarterly at 6:00 before this meeting.

Motion made to adjourn at 8:30, seconded and passed without dissent.

Approved: Thomas R. Holdmeier
Thomas R. Holdmeier, Chairman

Next meeting of the Planning & Zoning Commission will be held June 10, 2019