**MINUTES**

**Independence Planning Commission**

**Independence Board of Zoning Appeals**

**Tuesday, February 4, 2020**

**Veterans Room Memorial Hall 5:30 p.m.**

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**Call to Order – Welcome Kendall Neill**

The Planning Commission meeting was called to order by Chair Andy McLenon. New member Kendall Neill was welcomed, and each member introduced themselves.

**Planning Commissioner Present**

Mary Jo Meier, Steve McBride, Barb Emert, Michelle Anderson, Tony Royse, Kendall Neill, Brent Littleton (outside), Andy McLenon (outside), and Lisa Richard.

**Planning Commissioners Absent**

None

**Staff Present**

Kelly Passauer, Assistant City Manager/Zoning Administrator, and Jeff Chubb, City Attorney

**Minutes**

a. Consider approving minutes of the January 7, 2020 meeting.

***Mary Jo Meier made a motion to approve the minutes of the January 7, 2020 meeting, Tony Royse seconded the motion. The motion carried 8-0. Member Brent Littleton was not yet in attendance during this vote.***

**Visitors**

Brianne Ford, Jennifer Humphries, Mary Wilson, Jim Papen, Lisa Wilson, Tonda Lawrence, Jeff Clark, Diane Clark, Paige Pierce, Charlotte Caflisch, Leonhard Caflisch.

**Planning Commission**

b. Public hearing to consider a text amendment to Appendix B-Zoning of the City Code including, but not limited to:

    1. Article IV. Rules and Definitions.
    2. Appendix A. "Listing of Permitted and Conditional Uses" including, but not limited to "Orphanages" and other new additional use(s).

The following staff report was reviewed:

> On January 7, 2020 the Planning Commission initiated a public hearing to consider a text amendment that would add "*Children's Home*" into the permitted and conditional use table which would be a permitted use in an R-5 zone, and a conditional use in the R-3 and R-4 Zones.
>
> As stated in the staff report from your last meeting, this request was initiated by someone wishing to open a "Group Boarding Home" as defined by DCF which means "*Twenty-four hour nonsecure care for five to ten children between the ages of infancy to 16 years of age.*" The individual that contacted staff indicated that they would have five to eight children in foster care ranging in ages from 8 to 18 years of age. Staff found on another DCF document that "*Facilities providing services to children age 16 and older only do not require a license*" so I anticipate that is why the previous DCF definition only addresses children 16 and younger. The individual stated they will have an in-house manager and that the requestor will not live in the house.
>
> City code 1604.2 provides the following regarding text amendments:
>
>> *1604.1. Recommendations:* Upon the conclusion of the public hearing the planning commission shall prepare and adopt its recommendations and shall submit the same, together with a record of the hearing thereon, to the governing body. Said recommendation may be for approval, disapproval or approval in part and reasons for the recommendations shall be included as appropriate.
>>
>> *1604.2. Amendments to text:* When a proposed amendment would result in a change in the text of these regulations but would not result in a change of zoning classification of any specific property, the recommendation of the planning commission shall contain a statement as to the nature and effect of such proposed amendment and determinations as to the following items:
>>
>> a. Whether such change is consistent with the intent and purpose of these regulations;
>> b. The areas which are most likely to be directly affected by such change and in what way they will be affected; and
>> c. Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other social economic conditions in the areas and zoning districts affected.

In order to allow their request, the options are:

1. Classify their requested use as an orphanage and require rezoning to R-5 which is the only permitted zoning district for an orphanage.
2. Approve a text amendment to modify the permitted and conditional uses to more accurately reflect the use requested. If approved, a definition of "Children's Home" should be added to Article IV. Rules and Definitions.

If a text amendment is ultimately approved by the Commission, it would still require the applicant to go through the conditional use permit process, which is similar to the rezoning process. The conditional use permit could address concerns such as the number of children, maximum ages, etc. The City Attorney has advised that the applicant may proceed with their request at the same meeting as the text amendment as long as the text amendment is heard before the request for rezoning and/or a conditional use permit. Therefore, the applicant did submit a rezoning application which will be considered later on this agenda.

It should be noted that staff is cognizant of the need for foster care and is also supportive of local business opportunities that will bring additional jobs to the community. The City currently requires conditional use permits for daycares, so requiring a conditional use permit and/or rezoning for the requested use would not be out of line with the current code and would ensure that our zoning codes are consistent and fair to all.

If the Planning Commission wishes to approve adding "*Children's Home*" into the permitted and conditional use table which would be a permitted use in an R-5 zone, and a conditional use in the R-3 and R-4 zones, then it is recommended that the following determinations be included in the motion:

a. That such change is consistent with the intent and purpose of these regulations;
b. That the areas which are most likely to be directly affected by such change will include the R-3 and R-4 zones which will allow children's homes with a conditional use permit which does provide an opportunity for property owners within the notification area to voice any concerns to both the Planning Commission and City Commission prior to approval;
c. The proposed amendment is made necessary because of new planning concepts in the R-3 and R-4 zones as it relates to a shortage of available foster care for children.

In addition, if the Planning Commission wishes to approve this request, the following definitions should be added to Article IV. Rules and Definitions:

> *Children's Home: Any place, home or institution providing twenty-four hour nonsecure care licensed by the state for five or more children under the age of 18 years for compensation in which such children are under the custody of a state agency; provided, however, this definition shall not include children placed in family care in a family foster home, public and private schools organized, operated or approved under the laws of the state, children related by blood or marriage to the provider, caring for children within an institutional building while their parents or legal guardians are attending services, meetings or classes or engaged in church activities.*
>
> *Family Foster Home: A childcare facility that is a private residence, including any adjacent grounds, in which the resident(s) provide family care for 24 hours a day for one or more children in foster care and for which a license is required by the State of Kansas.*

The above definitions were written to ensure that rezoning or conditional use permits would not apply to a family that serves as foster parent(s) in the home the foster parent(s) reside in.

**Suggested Motion:**

***I move to recommend a text amendment adding "Children's Home" into the permitted and conditional use table as a permitted use in an R-5 zone, and a conditional use in the R-3 and R-4 zones based on the determinations included in the staff report; and adding definitions for "Children's Home" and "Family Foster Home" as prepared by staff.***

The public hearing was opened by Chair Andy McLenon. Christina Folk started to speak about the rezoning at 517 S. 4th Street which is to be covered in the next agenda item. She was advised that this was a text amendment that did not pertain specifically to that property. Being no other comments were made, the public hearing was closed.

Tony Royse asked if this would automatically allow anyone to come in. Assistant City Manager advised if the text amendment was approved for a conditional use permit, then only in the R-5 district where an orphanage is already permitted. A conditional use permit would be required in the R-3 and R-4 zone if staff's recommendation was approved.

***Tony Royse moved to deny the text amendment, Steve McBride seconded the motion. The motion was not carried as Tony Royse and Steve McBride voted Aye, and the remaining board members voted Nay. The motion did not carry with a vote tally of 2 in favor and 6 against.***

***Lisa Richard recommended approving the text amendment, seconded by Barb Emert. The motion carried 6-2. Member Brent Littleton was not yet in attendance during this vote.***

c. Public hearing to consider a request to rezone a tract of land located at 517 S. 4st Street from R-3, low density multifamily dwelling district to R-5, high density multifamily district and/or a conditional use permit for an "Orphanage" or other new additional use(s).

The following staff report was provided:

***Rezoning***

***Summary:***

The Planning and Zoning Commission received a request from property owner Brianne Ford to rezone a tract of land from R-3, low density multi-family residential district to R-5, high density multifamily district and/or a conditional use permit for an "orphanage" or other new additional use at 517 S. 4th Street.

The legal description is: Lot 3, Out lot 26, Wood Brothers Subdivision to the City of Independence, Montgomery County, Kansas.

***Description of the Tract:***

The area requested to be rezoned consists of a 14,000 square foot tract (.32 of an acre). This lot lies in the southeast portion of the City. The lot contains one residential home.

***Zoning and Uses of Property Nearby:***

The property directly north, east and west is zoned R-3, low density multi-family, while the property to the south is zoned R-2, single family.

***Character of the Neighborhood:***

The area generally consists of single and multifamily residential.

***Suitability of the Subject Property for the Uses to which it has been Restricted:***

The property under consideration is currently zoned for low density multi-family residential. The property is suitable for the present residential use classification.

***Length of Time the Property has Remained vacant as Zoned:***

The property is not a vacant lot as it contains a two-story 2,722 square foot residential structure.

***Extent to which Removal of Restrictions will Detrimentally affect Nearby Property:***

Efforts should be taken to minimize any negative impacts on adjoining residential properties.

***Relative Gain to the Public Health, Safety and Welfare by the Destruction of the Petitioner's Property as Compared to the Hardship Imposed upon the Individual Landowners:***

Denial of the proposed rezoning will impact the proposed owner's use of the property as it will not allow them to open a facility to care for foster children.

***Conformance with the Comprehensive Plan:***

*Housing Goal – To provide decent and affordable housing for present and future populations of Independence while preserving and improving existing residential areas.*

*Objective H1 – Maintain or upgrade the condition and particular residential character of existing neighborhoods and residential areas.*

*Objective H3 – To provide adequate amounts of multiple family housing in suitable locations.*

*Policy H12 – Rehabilitation and upgrading of houses shall be encouraged in older areas of the City.*

Rezoning to R-5, high density multifamily would not be consistent with Objective H3 regarding a suitable location for high density multifamily. However, the actual use as proposed would be consistent with the above housing goal, objectives and policy of the comprehensive plan. The 1982 general development plan map recommends this area be developed as residential.

***Staff Recommendation***

Rezoning this lot to R-5 would not fit the character of the neighborhood and would create a spot zone. Also, the intended use of the property by the applicant for up to five children does not match the intent of the R-5 high density multi-family district. Staff's recommendation is to deny the rezoning to R-5.

**Suggested Motion:**

***I move to recommend denying a request to rezone a tract of land located at 517 S. 4th Street from R-3, low density multifamily dwelling district to R-5, high density multifamily district.***

***<u>Conditional Use Permit</u>***

The zoning ordinance in section 901.1 (page 87) describes the purpose of a conditional use as:

"...those types of uses which are considered by the City to be essentially desirable, necessary or convenient to the community but which by their nature or in their operation have:

*1) a tendency to generate excessive traffic,*
*2) a potential for attracting a large number of persons to the area of the use thus creating noise or other pollutants,*
*3) a detrimental effect on the value of potential development of other properties in the neighborhood, or*
*4) an extraordinary potential for accidents or danger to the public health or safety.*

*Such conditional uses cannot be allowed to locate as a 'right' on any parcel of land within certain districts without consideration of existing conditions at the proposed locations and of properties neighboring the specific site considered, nor without adequate and sufficient safeguards, when necessary, to lessen the impact of adverse effects."*

***Staff Report***

The Planning Commission has the authority to place additional conditions on the site that they deem necessary to protect the best interests of the City, the surrounding property and to achieve the objectives of the ordinance.

In considering those types of uses which may be desirable, necessary or convenient to the community, the Commission should review and make recommendations based in part on 901.1.

Additionally, the decision of the Planning Commission to recommend approval or denial of the proposed conditional use shall be based on the following criteria (902.2):

a. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitation.

b. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
c. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
d. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate use of the neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
    1. The location, nature and height of buildings, structures, walls and fences on the site, and
    2. The nature and extent of landscaping and screening on the site.
e. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations (article VII).
f. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
g. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

***Action by the Planning Commission***

Any recommendations regarding a conditional use permit for the subject properties shall be based on Section 902.2 previously outlined in this report. After considering any public comments the Planning Commission may either approve or deny the requests. If the requests are approved the applicants must be required to meet the conditions the Planning Commission wishes to require in order to operate the facility.

Following your action, the application and your recommendation will be forwarded to the City Commission at which time they will have 30 days to adopt, modify or deny the Planning Commission's recommendation.

***Staff Recommendation***

If the text amendment in the previous agenda item is recommended, an alternative to rezoning would be to grant a conditional use permit for a "Children's Home" at 517 S. 4th Street with the following conditions:

1. The facility shall be licensed by the state and shall meet all city, county and state requirements pertaining to operation, facilities, equipment and other features.

2. Off-street hard surfaced parking spaces shall be provided to accommodate one vehicle for each six beds. Any fraction shall be rounded up. Such parking shall meet the requirements of the Off-Street Parking and Loading Regulations.

3. A "hard surfaced" loading zone capable of accommodating one car for every ten occupants shall be provided in addition to the required parking spaces in order to provide for easy pickup and discharge of passengers.
4. Any visitors of the facility shall not block the alley or private drives.
5. The total occupant load shall be no greater than ten persons, including staff.
6. The maximum age of residents shall be 18.
7. The residents shall be from the local region serving Independence and classified as a child in need of care by the Kansas Department of Children and Family Services.
8. No occupants may be criminal offenders, juvenile delinquents and/or going through law enforcement proceedings.
9. The facility shall be operated in a manner that will not adversely affect other properties and uses in the area.
10. The facility shall provide a visual screen along all property lines abutting any residential use.
11. Said facility shall be allowed one sign, not to exceed 18 inches by 36 inches in dimension, which shall be attached to the house.
12. Outdoor storage of materials shall be permitted insofar as such materials or equipment are utilized as part of the facility operation.
13. The conditional use permit is not transferable to another property owner or to another location.
14. The applicants must be in compliance with all City codes and must continue to be in compliance with all City codes. This would include the requirement to acquire a City occupation license which must be renewed annually.

If any of the above conditions are not met the conditional use permit will no longer be valid.

The basis of staff's recommendation is that granting the conditional use permit is consistent with criteria "a through g" of Section 902.2 of the zoning code.

**Suggested Motion:**

***I move to recommend approving a conditional use permit for a Children's Home at 517 S. 4th Street with the conditions as recommended by City Staff.***

Chair Andy McLenon asked if any board members had a conflict of interest, in which none responded. The public hearing was opened. The applicant presented a PowerPoint presentation which is attached to these minutes.

Steve McBride asked if Dr. Ford would reside there, to which she replied that she would not as they would hire a house manager, and someone would be onsite 24 hours a day. Steve McBride asked if they would be trained in childcare, to which she replied they would. Steve asked where the kids would come from. Dr. Ford indicated from the southeast Kansas area. Lisa Richards asked about the turnover in staff. Dr. Ford stated that they plan to combat turnover issues by front loading training and providing a competitive wage. She stated in nursing you see a high turn over because they are in high demand. Lisa Richards asked about the turnover rate for the children, and Dr. Ford replied 3-5 months. Dr. Ford emphasized that the goal is to get the children back into their homes. Steve McBride asked if family members could visit their children. Dr. Ford stated that is DCF's decision, and sometimes they can have visitation and sometimes they cannot. She stated any visitation would be within a specified timeframe and would not be overnight.

Jim Bateman asked about typical behavior issues. Dr. Ford stated that the children are there for a reason, they do not have a criminal record, but you can expect typical teenage behavior. They may be agitated or frustrated, and they may not always get along. She further stated that kids that have not had an authoritative figure, they may not like that authority or structure and could rebel. Steve asked about the age range of the children. Dr. Ford replied that she would like 13-17 but would be licensed by DCF for 8-18. Dr. Ford replied that a CMA would be there at all times, and her husband will stop by every day, although he doesn't have to.

A neighbor who did not identify herself stated that she is a nurse and sometimes CMA's take their jobs seriously and some do not, there is a daycare next door that her son goes to, 7:30 AM until evening, and she was concerned about putting a group home for boys next door. Dr. Ford replied that she could live next door and have 5 teenage boys. The neighbor indicated this was different than kids who have lived in the same household their entire life. Dr. Ford stated that was a valid concern, but they need a place to live and she was concerned that the little kids have a place, and the big kids have no place. Jim Bateman asked the applicant if she would want this next to her and stated it would create different problems. Diane Clark stated that the yard is not big enough and asked about kids over age 16 that can drive. Dr. Ford indicated that they select their residents and they would prefer that they not allow them to drive with the freedom of coming and going. Diane Clark stated that they will want to drive, especially if they are 17 or 18. Diane further stated that there needs to be a place for them, just not in her backyard. She further stated she would be selling her house this Summer and was concerned this would affect potential sales.

Dr. Ford was asked what will happen if the boys get into a fight and she responded that was an issue, but she was not operating on hypotheticals. She stated zoning decisions should not be based on hypotheticals. Diane Clark stated that they needed to think about that.

Mr. Bateman asked Dr. Ford if there was a facility next door to her. Dr. Ford stated that she was selling her house in Kansas City and turning it into a facility like this. She stated this is not a secure facility and it's hard to operate on hypotheticals. She stated she understood their concerns, but it was hard to speak in concrete statements. She stated that she does not live next door to it, but that doesn't mean she is opposed to it.

Mr. Bateman asked about crime data and statistics. Dr. Ford replied she did not have that data and believed that having five kids in the neighborhood would not change any statistics. Mr. Bateman replied maybe not in Kansas City, but it would here.

Jennifer Humphreys asked about other cities in a similar setting. Dr. Ford stated that there was such a facility in Atchison, and it is working well.

Tonda Lawrence stated that she cannot fathom her 8 year old grandchild being in a home with an 18 year old, and was concerned for the daycare next door. She stated boys that get upset would fight and she did not want her 8 year old grandchild to witnesses two people in a choke hold. She also is concerned with her property taxes. She stated in her block on her side of the street a nice home has set empty for a year, and two directly across the street from her are sitting there empty. She stated that she is in education and she feels every child deserves a home and doesn't want to downgrade that at all She further stated that there are elderly people in her neighborhood. She stated again her concerns about property taxes and homes not selling. She stated that they are in a quiet neighborhood and she can take her grandkids for a walk down the street. She asked Dr. Ford about young men with pending court cases, and if they get in trouble while in their care what happens. Dr. Ford stated that they can't stay there, but they will still be in the system. Tonda Lawrence further asked what happens if they break into cars and are living in the group home. Dr. Ford stated they cannot stay and will be discharged. Tonda Lawrence questioned if they would really do that. Dr. Ford replied they would not be allowed, and placement providers would make a discharge to secure housing. She stated the only way to stay in the home is not to have a juvenile record, and pending court cases would require the placement provider to find them new housing. Dr. Ford further stated that she is getting approved for ages 8-18, but that is a wide range and DCF will refer kids in a closer age range.

Brent Littleton asked about exterior monitoring. Dr. Ford stated that the outside and common living areas would be monitored, and she can tap into it on her phone. Steve McBride asked Dr. Ford is she had done this before, and Dr. Ford replied this is a new business venture for them. Lisa Richards asked if she would consider having two caretakers in the home. Dr. Ford replied she would, but DCF only requires 1-7, so up to 5. She stated there will be overlap in shifts at peak times, but not while in school. Steve McBride asked since she will not be residing here, if the children come out of trauma, who is going to deal with the school if they have a problem. Dr. Ford stated the House Manager will be staff for the day shift and also

on call 24/7. The house parent is responsible for driving and appointments. Steve McBride asked if they would have the authority to handle the situation.

Lisa Richards asked what improvements are being made to the property. She further asked about solid fencing between the group home and the daycare. Dr. Ford replied that they are making improvements internally but have had trouble finding a painter for the exterior. She further stated that they are hoping to do some exterior things, but the fence is not planned to be put up between them and their neighbor. Lisa Richards stated that there is a condition that is listed to provide a visual screen between property lines and that would be a requirement, it can be a fence. She asked Dr. Ford if she was opposed to the visual screen being a solid fence. Dr. Ford stated she was not opposed to it, and further stated as she works with DCF, the Fire Marshall, and zoning if they tell her to put a fence up, she will do that.

Kendall Neill asked about the 6 positions and if those people will live in Independence. Dr. Ford stated that they hoped to hire locally and use local vendors.

Leonhard Caflisch spoke about the request for rezoning or a conditional use permit. He stated that; "Rezoning is long term effect of the property and once you do that you lose a lot of restrictions, the advantage of a conditional use permit is that it is limited to this one activity, as you have with other conditional use permits you can put conditions as Lisa recommended, with that conditional use permit Dr. Ford mentioned the age of kids and grouping and if they desire to increase the number they have to come back, I live at 600 S. 5th, my concern is changing the zoning and an apartment house can go there and you have no say. Once that becomes multi-family R-5, it's easier to get the property next door rezoned. The conditional use permit is my preference to see as it gives the City more control on the use of the property, I was concerned at first about safety and my neighbor was murdered and they never found who did it, my other neighbor was almost raped, our cars have been broken into, if the kids are there we know where to start looking, with monitoring of it something will be done a lot quicker. I had a Mustang that the windows were broken out and it cost me $1,500. No one was ever identified as doing that. I hope that if this is granted with a conditional use permit, your house parent and husband make contact to monitor with the neighbors. I was concerned at first, with the conditional use permit and hearing the description of monitoring it, I feel comfortable, I am concerned with rezoning. I hope that is ignored and the conditional use permit is considered if that proceeds."

Assistant City Manager Kelly Passauer recommended that the rezoning be denied as the R-5 zone does not fit the character of this neighborhood.

Tony Royse moved to recommend denying a request to rezone a tract of land located at 517 S. 4th Street from R-3, low density multifamily dwelling district to R-5, high density multifamily district. Lisa Richards seconded the motion which carried 9-0.

Assistant City Manager Kelly reviewed the conditions recommended by staff for the conditional use permit.

Steve McBride wished to modify the age range to 8-16 and limit the number of kids to 5. Kendall Neill asked about siblings in different ages and not separating them. Steve McBride stated that they need to be careful and he was concerned about what happens after they leave. He said he dealt with this situation in his neighborhood, but they had criminal backgrounds so he wanted to make sure they provided the residents with a comfort level and cautioned to be careful of how it might be opened up. Kendall Neill suggested rewriting one of the conditions so that the total resident count shall not exceed 5.

City Attorney Jeff Chubb stated that they can make a requirement for electronic surveillance but didn't know if they can make that available.

Mary Jo reiterated that the following conditions be amended as follows:

- Condition #5 -- "The total number of residents cannot exceed five."
- Condition #10 -- "The facility shall provide a visual screen along all property lines abutting any residential use, such screening shall be a 6' privacy fence on the north property line."
- Condition #15 – "Video surveillance would be required outside and in common areas, and made available to law enforcement upon request if there is no law that prohibits it."

Lisa Richards asked the City Attorney Jeff Chubb what happens if they do not meet the requirements. City Attorney Jeff Chubb stated that there would be due process, but they would most likely lose their license. Lisa Richards stated that she was concerned it is vague, and she is more interested in things the City is in control of. She asked what would allow the City to terminate the CUP if there is an issue, and she doesn't know that DCF would do the right thing and take care of it. City Attorney Jeff Chubb stated that if the condition is vague, we could beef that up with some suggested language from Kelly Passauer.

Mary Wilson stated that if you had five boys of your own, and a family that was not getting along or well supervised, there is a way to be over legislating.

Brent Littleton stated that if there was an incident, police would investigate it, there is due process the City attorney brought out. He further stated we are going to revoke the conditional use permit if they do not stay in line.

Lisa Richards stated that the conditions have to be specific enough on what they did wrong. She stated if there is excessive noise, dangerous traffic, criminal activity, among other problems, there is a need to make it more specific so staff can enforce it. She further stated that she has written many of these things and she felt it is not legally enforceable. Andy McLenon replied that without statistics they would just

be throwing numbers out there such as murder, vandalism, rape within the neighborhood. Lisa Richards reiterated that it needed to be more specific. Andy McLenon asked if the frequency go up because of the neighborhood and he did not want to be too prescriptive.

***Steve McBride moved to recommend approving a conditional use permit for a Children's Home at 517 S. 4th Street with the conditions as recommended by staff and amended by the Planning Commission as follows:***

- ***Condition #5 -- "The total number of residents cannot exceed five."***
- ***Condition #10 -- "The facility shall provide a visual screen along all property lines abutting any residential use, such screening shall be a 6' privacy fence on the north property line."***
- ***Condition #15 – "Video surveillance would be required outside and in common areas, and made available to law enforcement upon request if there is no law that prohibits it."***

***Mary Jo Meier seconded the motion. The motion carried 8-1 with Tony Royse casting the dissenting vote.***

**Board of Zoning Appeals (Does not include outside City appointments)**

d. None.

**Adjournment**

***Brent Littleton moved to adjourn the meeting, with Tony Royse seconding the motion, which passed 9-0.***

Andy McLenon, Chair

Michelle Anderson, Secretary
(Vice-chair)

# Delores Homes, LLC

Dr. Brianne Ford, Ph.D, RN, RAC-CT

# Who are we?

- Our family owns Delores Homes Training Center
  - Private, non-profit, post-secondary
  - Offers training courses in CNA, CMA, CPR, and Phlebotomy
  - Average 200 students per year
    - On-site and online classes

www.deloreshomes.com

# Who am I?

- Registered nurse for 12 years
- Doctorate in Nursing with an emphasis in gerontology
- Taught technical education to high-risk teens for 4 years
- Experienced in establishing small businesses
- Color guard coach with high-risk teens for the last 5 years
- Youth leader in high-risk area for the last 2 years
- Recently the director of a nursing program working with at-risk adults

# Why Independence?

WELL-ESTABLISHED SMALL TOWN WITH OPPORTUNITIES FOR GROWTH

WE HAVE FAMILY CONNECTIONS TO INDEPENDENCE

AFFORDABLE REAL ESTATE

RESPECT FOR PERSONAL PROPERTY

# Our Proposal…

Establish Youth Residential Care II (YRC II)

5 Male Residents

Ages 8-18

Services

- Transportation
- Medication Administration
- Programming
- Primary Care Visits
- Supervision
- Extracurricular Activities
- Opportunities for Technical Education for teens

# Pros

Trained Professionals available 24 hours a day

1:5 Ratio for Staffing, which is lower than state requirement.

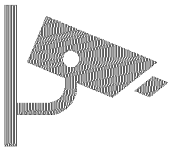
Potential Partnerships

- School District
- Physician
- Dentistry
- Pharmacy
- Ophthalmology
- Therapy and Counseling Services
- Health and Wellness Professionals
- Youth Service Industries

Healthcare Jobs

- 6 positions will be open for CMAs and CNAs

# Cons

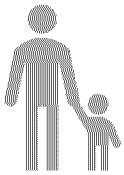


## Increased Traffic

-We have dedicated parking on our property

-No more than 2 people on duty at one time

-The house is under video surveillance



## Good kids in bad situations

-We do not accept kids with juvenile records or pending court cases.

-There is no shortage of kids who need a healthy and safe home environment

# Our Progress

- Application was submitted to DCF and came back with minor revisions
- School district was notified 90 days in advance as required
- Fire Marshall has approved our architect's drawings with minor revisions
- Background checks have cleared for the administrators
- Zoning is our final step

Our zoning request…

# We are requesting to rezone from R-3 to R-5 (Following the zoning laws for an orphanage)

# If approved

PERFECT WORLD

Identify Community Partners in March 2020

Hire Staff in March 2020

Open as early as April 2020, pending temporary license