

Planning & Zoning Commission Minutes
March 12, 2024

In Attendance:

Commission: Twyla Cordry, Bob Hyatt, Scott Owens, Jeremiah Nickels, Yvonne Reeves-Chong, Timothy Rivera

City Staff: Jen Worth, John Doyle, Tylor Gross, Nathan Carmon

Guests: Shane Moody (COO Perimeter Health), Brandy Pfeifer (CEO Perimeter Health), Mark Rowden

Absent: Mark Cortesini

- **Call to Order** – Twyla Cordry called the meeting to order at 5:30 p.m. A quorum was present.
- **Approval of Minutes** – Twyla Cordry put forth the meeting minutes from November 14, 2023, for approval. Yvonne Reeves Chong made the motion to approve the minutes. Motion was seconded by Jeremiah Nickels. The motion passed unanimously.
- **Open Public Hearing-** The public hearing was opened at 5:31 p.m. for a rezoning request from R1 (Single Family Residential) to MU-2 (Mixed Use- Medium Intensity) for the property located at 1000 Hospital Road Waynesville, MO 65583. John Doyle Discussed the rezoning request from Perimeter Health Care. John Doyle stated that Perimeter Health Care originally started out as a hospital, and after that it was Piney Ridge, which was another type of institutional center. John Doyle stated years ago there was a permit submitted for the temporary buildings that are placed on the property now. Our current Building Inspector was not here at that time. Those permits were approved, and buildings were brought in. The permits that were recently submitted due to improvements needed to the property is when our Building Inspector, Nathan Carmon, found that the property was zoned incorrectly. Shane Moody stated that Perimeter has no desire to other than to remain an institutional facility for children. Shane Moody also showed the plans that they had for the new buildings they have being placed. He stated that with these new buildings it will bring in a few more jobs. They have older buildings in the back that they want to move residents out of due to unlivable conditions and will be moving them into this new building. Scott Owens asked how many residents the new building will house. Shane Moody stated that it will house 25 but there will be 15 from the old building being moved to the new building. Twyla Cordry asked if it was 1 or 2 buildings or if it was a modular home and if it would be fenced. Shane Moody stated that the building will come in 6 pieces, it is a large, fabricated building that is roughly around 5,000 square feet. The property will be fenced with a 9-foot-tall fence that will connect to the existing fence at the school and wrap around to back side and secure rest of school that is not secured. Twyla Cordry asked how close to the road these new buildings would be. Shane moody stated he believed more than 27 ft. Nathan Carmon stated that they exceed the minimum requirement and are over what the required set back is. Bob Hyatt asked if there was an easement. Nathan Carmon stated that it was a public right of way. Wendy Eldridge of 804 & 900 Paris Rd stated there have previously been problems with kids running away and staff walking kids through the neighborhoods. If the rezoning is passed, what is the company going to do to ensure the safety of the residents in the neighborhood? Nathan Carmon stated that it has been this same use since 1980, nothing is changing. It is non-conforming and if the zoning does not go through if they decide to not rezone, it doesn't mean it goes away. Wendy Eldridge asked if this is a psychiatric or residential treatment facility. Brandy Pfeifer stated it is a psychiatric residential treatment facility for foster children and kids coming

out of acute care hospitals and that they are only serving a very small portion of the kids. Wendy Eldridge asked if any of the kids had criminal records. Brandy Pfeifer stated that they do not have criminal records, but some do have juvenile records. Nathan Carmon stated that he did not think that tied into what the meeting was about. Twyla Cordry stated she agreed but there had to be some restrictions with it being in a residential neighborhood. She asked if there was any type of security. Shane Moody stated that aside from the 9-foot-tall fence they were installing, there were going to be 2 types of locks, one with a regular lock and key and the other with a swipe badge and there will also be numerous cameras. They have spent hundreds of thousands of dollars revamping their system. Brandy Pfeifer stated that she wanted to clarify that they were not a juvenile justice center like Piney Ridge was. Wendy Eldridge asked if the rezoning would eliminate the possibility of it turning into that type of facility again. Twyla Cordry stated that if they restricted it to its current use, it could not go back to a juvenile justice center. Shane Moody wanted to reiterate that they don't have children there that are killing people, the children that are there are because their parents have done things to them like sell them for drugs and things of that nature. Erika Krueger-Brown of 702 Laurie St asked why we are having this meeting now when things have already been started pushing dirt and cutting down trees. She also stated that there has been a trash issue, and they are picking up the trash daily. There is also dirt all over the street and it is a mess. Bob Hyatt stated this property should have been zoned properly back in the '40's and Nathan Carmon caught it, and it just needs to be corrected now. Nathan Carmon stated that they needed to contact the City about the leaves and trash so we can get someone out there. Perimeter Health was told that they were required to put a silt fence up to keep soil from eroding out into the road. If it is not being done, he needs to know about it. John Doyle stated that the buildings were purchased a while ago and scheduled for delivery, that's when Perimeter came in to start the permitting process with Nathan Carmon. When the permit process started, the zoning issue came up. Perimeter purchased the building with the impression the property was already zoned correctly. John Doyle stated that the City is working with them and let them move forward at their own risk, there was no agreement made between the City and Perimeter. Perimeter knows that they may not be able to move forward, and they are doing this at their own risk. Vicki Elliott of 806 Paris St stated she cleans the drains and burns the leaves and wanted to know why this had to be an issue before residents were notified. It is a retirement home for her and she would like to keep it that way. Nathan Carmon stated Prior to this, it was not zoned correctly, the location does not change. Nathan Carmon stated that if there are leaves in the road and the drains are clogged to call the City, that is what we are here for. Twyla Cordry asked if we could restrict exactly what they are doing, we don't want to see another Piney Ridge there. Brandy Pfeifer stated all the kids that come from foster care have juvenile officers and GAL's, that does not mean they have committed a crime. If they have been adjudicated of a crime, they will not be at Perimeter. Brandy Pfeifer stated 98% of the kids come from complex trauma resulting from something their parents did to them. Nathan Carmon stated that it is required to notify people within 185 feet of the property of the rezoning. Twyla Cordry stated that she wanted to make a recommendation to Council to change that to 750 feet to be determined by measuring and to be added to the condition of just this property.

- **Close Public Hearing-** With no further comments from citizens or the commission, Twyla Cordry closed the Public Hearing at 6:01 p.m. Twyla Cordry asked for a motion to send the rezoning request to City Council with the condition that restricts the use of zoning to a facility that operates under the current certification and regulation as permitted by the Joint Commission and CMS and excluding clients that qualify for juvenile justice center detention. If operational

conditions change, the notification of the public shall be extended to 1000 ft . Bob Hyatt made a motion. Scott Owens seconded the motion. Motion passed unanimously.

- **Open Public Hearing-** The public hearing was opened at 6:27 p.m. for a rezoning request from R-1 (Single Family Residential) to R-3 (Multi-Family Residential) for the property located at Section 23 Township 36 Range 12 Parcel Number: 11602300000007000, Waynesville, MO 65583. Nathan Carmon stated there was an error made and the Parcel number ending in 7004 does not exist and to disregard that. Mark Rowden of 20980 Rowden Ln, owner of Sierra Circle, Switchback, Pinnacle and the Summit Subdivision is proposing to add a phase to the Summit. Mark Rowden showed a video of what they are proposing stating the homes will be built to be rentals that have the feel of single-family homes. There will be 95 houses with 3 beds 2 ½ baths, 57 rentals with 1 bed 1 bat. 2 playgrounds, a dog park, basketball court, pickleball court, cornhole, 5 pavilions, a 1-mile walking trail sidewalks and a fitness center that is expected to be completed the end of March. Twyla Cordy asked if it needs to be rezoned because of the lot size. Nathan Carmon stated that R-1 lots are minimum 7500 sq ft and R-3 lots are a minimum of 10,000 sq ft. You can put 3 units on that lot. Mark Rowden stated the units that they are building are 1532 sq ft 3-bedroom 2-bathroom multifamily houses. They would be able to put the houses closer together, provide some amenities, take care of the lawn and maintenance for rent of \$1695. Mark Rowden stated they can produce more houses quicker so more people can have access quicker, something they couldn't do with a single-family house. Charles Pfennig of 129 Summit Pass asked if they had plans for the same type of houses and not apartment buildings and duplexes. Mark Rowden stated it will be the same type of house. Jose Sibrian of 104 Alice stated with all the new houses going in it will increase traffic, there is a lot of speeding. Do we have plans to install traffic lights or open more roads? Mark Rowden stated that the issues on Swedeborg/Reporter Rd are not caused by construction issues but by drainage issues that the City is working on. The road will be widened and repaved. There is a dirt road on the right side of Swedeborg Rd that will be a secondary entrance. Mark Rowden stated there will be some traffic control coming down the hill of Summit, the stop sign that used to be there and was removed will be put back up and hopefully that will help some. John Mazey of 201 Majestic asked where are the single room, single bathroom homes going to be located? Also, what was the issue with having R-1 housing there? Why not build more homes for families and not rental properties? Mark Rowden stated out of the 95 homes, 57 of them have basements and those will be located in the basements of those homes. There will be more housing and better pricing for more people. Joe Dixon of 109 Majestic stated he is against the rezoning. Ken Netttesheim of 205 Majestic asked why are we all here if you all already went out there already? John Doyle stated we have had this information for weeks; we couldn't get this into last month's Planning and Zoning meeting because we didn't receive the information in time to do the necessary notification and publication. We missed it by 1 day. State statute requires cities to give a 2-week notification. Jeremiah Nickels stated that they did go out to look at t hey property to know what was being talked about. There are times they aren't familiar with the areas being discussed at the meeting. Keith Pritchard of 300 Highland Woods Dr stated that his address shows as Majestic and would like it to show that his driveway is a private drive. Joe Dixon wanted to know why they wanted to rezone the property. Twyla Cordry stated it was so they could set multiple units on one lot. Donna Cooper of 200 Majestic stated she wanted to know if there was going to be any restrictions to the zoning so nothing else could be built there. Mark Rowden stated that he just wants to continue what he was doing and he was fine with some sort of restrictions. There were several other residents with concerns about infrastructure, garbage issues, increase of traffic

flow, encroachment on their property that was already being handled by attorneys, and how this would affect property values.

- **Close Public Hearing-** With no further comments from citizens or the commission, Twyla Cordry closed the Public Hearing at 7:27 p.m. Twyla Cordry asked for a motion to send the rezoning request to City Council with a restriction that there will be no attached apartment buildings built. Yvonne Reeves-Chong made a motion. Twyla Cordry seconded the motion. Motion passed unanimously.

With no further business, the meeting was adjourned at 7:38 p.m.

The next meeting is scheduled for April 9, 2024, at 5:30 p.m.