

AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO A TURNING POINT FOR THE PURPOSES OF OPERATING A SOCIAL SERVICES ORGANIZATION IN AN R-1 ZONING DISTRICT AT 1900 AND 1904 NE ENGLEWOOD ROAD.

WHEREAS, pursuant to Sections 7.100.060 and 7.165.010 of the Code of Ordinances, City of Gladstone, Missouri (“City Code”), public notice was made of an application by A Turning Point, LLC (“ATP”) for a Special Use Permit to operate a social services organization on property in an R-1 zoning district located at 1900 and 1904 NE Englewood Road, and

WHEREAS, public hearings were held by the Planning Commission and City Council after publication of the required newspaper publication notices; and

WHEREAS, following a public hearing, the Planning Commission submitted its recommendation to the City Council for approval of the Special Use Permit with certain conditions as incorporated herein; and

WHEREAS, pursuant to Section 7.165.010 of the City Code, after consideration and recommendation by the Planning Commission, the City Council may issue a special use permit under such conditions as to the operation, site development, parking, signs and time limit as may be deemed necessary in order that such use will not seriously injure the appropriate use of neighboring property and will conform to the general intent and purpose of Title VII Zoning and Planning Ordinance of the City Code; and

WHEREAS, the City Council has received testimony and information from ATP and its many volunteers that provide services to those in Gladstone that are in dire need of support and the City Council applauds these efforts; and

WHEREAS, the City Council has also received testimony and information regarding concerns about certain aspects of ATP’s operations including the appropriateness of its uses at this location and its impact on neighboring properties and property owners; and

WHEREAS, the City Council desires to balance the proposed uses of the property by ATP with the needs to insure public safety and neighborhood preservation in the area surrounding ATP which includes the neighborhoods both north and south of Englewood Road from North Oak Trafficway to Antioch Road; and

WHEREAS, the City Council believes that communication and documentation of activities that occur related to the operations on ATP’s property is key to measuring the actual impact of this operation on the area surrounding ATP; and

WHEREAS, the City Council desires to document activity related to the Special Use Permit to help ensure that the uses authorized herein are consistent with the provisions of Section 7.165.010 of the City Code and to provide a factual basis for consideration of any future renewal request by ATP of the Special Use Permit; and

WHEREAS, the City Council desires to issue a Special Use Permit to ATP for the uses stated in and subject to the conditions stated in this Ordinance that are deemed necessary in order that such uses will not seriously injure the appropriate use of neighboring property and will conform to the general intent and purpose of Title VII Zoning and Planning Ordinance of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. SPECIAL USE PERMIT:

THAT, A Turning Point is hereby granted a Special Use Permit for operation of a social services organization on property located at 1900 and 1904 NE Englewood Road, the effective date of which shall be the enactment date of this Ordinance and expiring one (1) year from the effective date, all subject to the terms and conditions set forth herein.

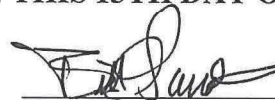
1. This Special Use Permit is issued to ATP for this location only. If ATP relocates, sells, or leases this location to another tenant, either ATP or the other tenant(s) must reapply for a new permit to continue the uses authorized in this Ordinance. This Special Use Permit is non-transferable to another tenant occupying space at this location. Expansion of uses not contained in the submitted application or this Ordinance is prohibited.
2. ATP shall apply for and maintain all applicable State, County, and City business and occupational licenses. A copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m., Monday – Saturday each week except at otherwise provided herein.
4. This Special Use Permit allows the following uses at 1900 and 1904 NE Englewood Road:
 - Food Pantry
 - Wardrobe Clothes Closet
 - Education Academy
 - Site to store, prepare, and load vehicles for the Community Meals outreach program
 - Day Center Services (Guesthouse)
 - Services provided shall be shower and laundry facilities, hot meals, computer/internet access, and case management.
 - Hours of operation for these services shall be limited to Monday – Friday from 10:00 a.m. to 2:00 p.m. each week.
 - Community Meetings
 - Support Groups
 - Community Garden
 - One (1) community garden not exceeding 3,600 sq. ft.
 - The Institute job training program
 - Gymnasium for youth sports leagues, practices, tournaments, performances, recreation, and educational activities.

5. All building and fire safety requirements shall be complied with and maintained as required.
6. The six (6) foot privacy fence, as well as the property located north and south of and adjacent to the privacy fence (residential homes to commercial use), shall be maintained by ATP.
7. Signage shall follow all rules and regulations associated with all applicable City sign ordinances. Landscaping approved by the Community Development Department shall be installed and maintained around the monument sign located adjacent to NE Englewood Road.
8. All mechanical equipment located on the roof and the ground shall be screened from public view similar in design to the rest of the structure. All screening shall be approved by the Community Development Department.
9. Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
10. Dumpster enclosures shall be constructed with materials consistent with the primary building. Specific colors and materials shall be approved by the Community Development Department.
11. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles other than one (1) ATP box truck shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless pursuant to a valid building permit.
12. Overnight accommodations of any kind on the property are prohibited. However, this prohibition does not include temporary overnight stays not to exceed five (5) nights at a time of six (6) occasions per year by organizations performing mission work in and around the greater Kansas City area. In addition, this condition does not include the on-site manager position and his/her immediate family who reside on the property.
13. ATP shall submit an annual report of services provided by program type to Community Development Department as an attachment to any Special Use Permit renewal application. ATP shall track all service usage by place of residence. For clients that are currently classified as houseless, ATP shall attempt to determine previous locations of habitation.
14. ATP shall provide education to all clients concerning appropriate access and use of services including, but not limited to, activities and behavior in and around the area surrounding ATP. ATP shall provide these educational materials and operational procedures to the Community Development Department within thirty (30) days of the effective date of this Ordinance.
15. In the spirit of community partnership, ATP shall facilitate and host a meeting every other month inviting the City's Police Department and area residents, property owners, parents, churches, and businesses to discuss the overall operation and any concerns related to ATP's use of the property. ATP shall create written minutes of these meetings and submit them to participants and the Community Development Department with seven (7) days of each such meeting.
16. Within thirty (30) days of the effective date of this Ordinance, ATP shall submit an emergency and security plan to the City's Police Department and Community Development Department that outlines how emergencies and security will be

- addressed. This security plan should consider mechanisms that include nearby properties.
17. Within thirty (30) days of the effective date of this Ordinance, ATP shall create a plan that provides for a volunteer or staff onsite monitor/greeter to be present during peak Guesthouse hours who is responsible to oversee access to the property and to facilitate pedestrian clients onto and off of the property. A copy of the plan and implementation schedule shall be provided to the Community Development Department.
 18. Within thirty (30) days of the effective date of this Ordinance, ATP shall develop a rapid communication tool (e.g., text group, walkie talkie, monitored email, app, etc.) that allows area residents to alert ATP of concerns as they arise. ATP shall provide the Community Development Department with information regarding the mechanism developed to implement this requirement. ATP shall document the number, type of concern, and outcome of each response and submit the resulting data to the Community Development Department periodically upon request and as part of any future Special Use Permit renewal application.
 19. In the event that staff leadership changes with ATP, the new leadership shall schedule a meeting with the City Manager and Police Chief to review the Special Use Permit and discuss performance expectations. If possible, this should occur prior to any transition taking place but in no event shall occur later than thirty (30) days after any transition.
 20. Any false statements in the application submitted by ATP or violation of the conditions stated in this Ordinance or other City Code requirements may, after reasonable notice under the circumstances has been provided to ATP by the City, result in the suspension, modification, revocation, cancellation, or non-renewal of this Special Use Permit.

SECTION 2. SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 13TH DAY OF FEBRUARY, 2023.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

First Reading: February 13, 2023

Second Reading: February 13, 2023

File #



Request for Council Action

RES # City Clerk Only

BILL # 23-04

ORD # 4.626

Date: 2/8/2023

Department: Community Development

Meeting Date Requested: 2/13/2023

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: A Turning Point – One (1) Year Special Use Permit Request

Background:

City Manager Wingerson and I have met with A Turning Point leadership on two different occasions since the January 23rd City Council meeting.

Additional conditions have been added to the draft ordinance and A Turning Point leadership and City Staff are in agreement on those conditions as well as a one (1) year Special Use Permit.

Budget Discussion: Funds are budgeted in the amount of \$0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$

Public/Board/Staff Input:

Staff: City Staff recommends that the request be approved contingent upon the conditions listed in the draft ordinance.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor.

Austin Greer
Department Director/Administrator

JM
City Attorney

SW
City Manager