P & Z Case 047-15
Mireya Gonzalez
(P & Z Recommended Approval for a two-year Special Use Permit)

RESOLUTION NO. 2016-001

A RESOLUTION granting a Special Use Permit (First Request) to Mireya Gonzalez for the operation of a day care center located at 1918 South Sergeant Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on December 14, 2015, recommended that a Special Use Permit be granted for the operation day care center located at 1918 South Sergeant Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on January 4, 2016, in compliance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Joplin, as follows:

That a Special Use Permit be granted to Mireya Gonzalez for the operation of a day care center in the City of Joplin, Missouri, on the following described real estate, to-wit:

> ALL OF LOTS NUMBERED 146 AND 145 EXCEPT FOR THE SOUTH THIRTY (30) FEET FOR STREET RIGHT OF WAY IN A.F. FRYE'S ADDITION IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, AND ALL OF LOTS NUMBERED 117 AND 116 EXCEPT FOR THE SOUTH THIRTY (30) FEET FOR STREET RIGHT OF WAY IN SOUTH JOPLIN LAND COMPANY'S SECOND ADDITION IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

and the said Special Use Permit is hereby issued with the following conditions and made a part thereof:

1. This Special Use Permit is issued to Mireya Gonzalez for the operation of a family child care home at 1918 South Sergeant Avenue.

2. The permit shall be valid for two (2) years renewable in December 2017.

3. One (1) parking space for each employee shall be provided.

4. Compliance with all provisions of Code of State Regulations, Title 19 – Department of Health and Senior Services, Division 30 – Division of Health Standards and Licensure, Chapter 60 – License-Exempt Child Care Facilities, Chapter 61 – Licensing Rules for Family Day Care Homes RSMo, as amended is required.

5. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshal is required.

6. The number of children allowed in the facility at any one time shall be limited to the amount determined by the Department of Health and Senior Services, Bureau of Child Care.

7. The operator of the facility located at 1918 South Sergeant Avenue shall provide information from a certified laboratory indicating that the corrected lead levels for lead in the soil does not exceed 400 ppm (parts per million) as required by the Missouri Department of Health letter to the City of Joplin dated August 30, 1995. This condition is placed on those areas for the permitted Child Care Facility used as playgrounds by the children under the Permittee's supervision.

8. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.

9. Any other conditions set by the City Council of the City of Joplin.

The violation of any condition set forth in this Resolution shall be interpreted as a violation of Appendix 29-A (Zoning Code) of the Municipal Codes of the City of Joplin and shall be administered in accordance with the provisions of Section 34 (Violation and Penalty) of Appendix 29-A of that Code. Conviction in Municipal Court for violation of any condition as set forth in this Resolution shall cause the immediate termination of this Special Use Permit and require the applicant as named in Item No. 1 above to reapply for renewal.

The Municipal Planner is hereby authorized and directed to issue said permit to Mireya Gonzalez in accordance with the plans and specifications on file in the Office of the Building Official.

The City Clerk is hereby ordered to file this Resolution with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2016.

_____
Michael L. Seibert, Mayor

ATTEST: _____
Barbara L. Hogelin, City Clerk