P & Z Case 010-18
Bailey Austin
(P & Z Recommended Approval)

**RESOLUTION NO. 2018-011**

A RESOLUTION granting a Special Use Permit (First Request) to Bailey Austin for the operation of a day care center located 3132 E. 12th Street in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on April 9, 2018, recommended that a Special Use Permit be granted for the operation of a day care center located at 3132 E. 12th Street, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on May 7, 2018, 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 Bailey Austin for the operation of a day care center located in the City of Joplin, Missouri, on the following described real estate, to-wit:

HATTENS 3RD ADDITION E 100' LOT 11 & W 1/2 LOT 12 SECTION 7, TOWNSHIP 27, RANGE 32, LOCATED 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 Baily Austin for the operation of a Child Care Facility and shelter at 3132 E. 12th Street.
2. This permit shall be eligible for two (2) years, renewable in May 2020.
3. 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, and Chapter 62 – Licensing Rules for Group Day Care Homes and Child Day Care Centers, RSMo, as amended is required.
4. The compliance with all provisions of the Fire/Safety codes.
5. The operator of the facility located at 3132 E. 12th Street 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).
6. Hours of operation are not to exceed 6:30 a.m. to 7:00 p.m., Monday through Friday.
7. Must have adequate off-street parking for all staff on duty.
8. 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 Bailey Austin 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 _____, 2018.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney