City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: September 6, 2016

Item: RESOLUTION NO. 2016-016
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Resolution
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 8/8/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 022-16: 2306 Xenia Street – A request for a Special Use Permit (First Request) for the operation of a Day Care Home – Yvonne Vonderosa.

STAFF SUMMARY:
This Special Use Permit request is for the operation of a Day Care Home at 2306 Xenia Street. This is a permitted home occupation conditional upon the issuance of a Special Use Permit from the City of Joplin. The day care will be limited to ten children and will have one employee. Operational hours will be from 6:30 a.m. to 5:30 p.m., Monday through Friday. There are two off street parking spaces provided by the property owner.

The following items are conditions for consideration of the Special Use Permit:

1. This Special Use Permit is issued to Yvonne Vonderosa for the operation of a Day Care Home at 2306 Xenia Street.
2. The permit shall be valid for two (2) years renewable in July 2018.
3. Care shall be given to no more than ten (10) children not related to the provider.
4. One (1) parking space for each employee shall be provided.
5. 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.
6. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshall is required.
7. 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.

8. The operator of the facility located at 2306 Xenia 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) 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.
9. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
10. Any other conditions set by the City Council of the City of Joplin.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Yvonne Vonderosa requested a special use permit for a home pre-school day care.

Mr. Smith asked Ms. Vonderosa if she has operated a day care home before or if she was present for some other request. She replied it was for the day care home, and the homeowner at that time opposed the request. He expressed concern about insurance and liability. Since that time, she has purchased the home. The deed is now in her name, so those issues have been resolved.

PUBLIC COMMENT:
None.