AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, MAY 2, 2016 - 6:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE APRIL 18, 2016 PLANNING COMMISSION MEETING

IV. PUBLIC HEARING

A. Consideration of a Special Use Permit to allow a Pole Sign for Freddy's Frozen Custard to be located at 1822 E. North Avenue.

V. CONTINUATION SUP#15-18 - Applicant is asking for an extension

A. Continuation of SUP#15-18 – An Extension Request for a Special Use Permit to allow a Daycare to operate at 307 Apple Valley Parkway.

VI. DIRECTOR'S REPORT

VII. NEXT MEETING DATE: May 16, 2016

VIII. ADJOURNMENT

MEETING MINUTES

April 18, 2016

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
April 28, 2016

CALL TO ORDER
Chairman Holly Girgin called the meeting to order at 6:00 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Jeff Davis, Councilman Chet Trutzel, Commissioners Tim McDonough, Chris Christensen, Ryan Finn, Chuck Crate and Larry Thompson.

Staff: Jay Leipzig Community and Economic Development Director; Megan McGuire, City Attorney; Robert Cooper, City Planner; and Ann Keeton, Interim Community Development Administrative Assistant.

Absent: Commissioner Sally Davila

MINUTES
Commissioner Christensen moved to approve the March 21, 2016, Planning Commission meeting minutes. The motion was seconded by Commissioner Thompson. All members present voted in favor and the motion carried.

DISCUSSION – Future Land Use Map
Mr. Cooper presented information about proposed updates to the Future Land Use Map, which is currently being reviewed by the Future Land Use Map Committee. The map is being reevaluated by the Committee which is made up of Commissioners, City Staff, City Officials, and School District representatives. Mr. Cooper displayed a map showing eight focus areas the Committee has identified that may need modification. The criteria the Committee is using to evaluate the map and determine future needs was pointed out by Mr. Cooper, and that criteria included zoning, platting, stormwater detention / stream buffer areas, public utilities, traffic patterns / congestion, and vacant land areas. He went into detail about potential modifications in the eight study areas, which were identified as:

- Area 1: Cunningham Industrial Parkway between 58 Highway and Peculiar Drive,
- Area 2: Larkspur / Powell Parkway;
- Area 3: North Scott between 155th Street and E. North Avenue;
- Area 4: Site of the former Southview Golf Course;
- Area 5: Area east of Loch Lloyd and Holmes Road, south of 58 Highway
    - Discussed the type of development preferred on the property east of Loch Lloyd, and
    - Discussed annexation of property near Holmes Road;
- Area 6: North Cass Interchange between the Outer Road / I-49 and Mullen Road
    - Discussed a gas pipeline easement, and
    - Discussed the types of development that would be beneficial along the Outer Road;
- Area 7: East North Avenue between three-way intersection and Y Highway; and
- Area 8: Bel-Ray Place, including the east Outer Road from Transwest to 58 Highway
    - Mr. Leipzig reported an engineering firm will be conducting a traffic analysis study and making recommendations.

There was conversation about the appearance of several businesses along North Scott and it was mentioned by Mr. Leipzig that the next phase of the North Scott Corridor Plan will be to evaluate incentives along with a North

Scott Corridor guidebook. He announced that in July, a special joint meeting with the Planning Commission and the City Council will be scheduled to discuss the potential modifications to the Future Land Use Map.

DISCUSSION – New Applications for Retail Tobacco Stores

Mr. Cooper presented the staff report and initiated a discussion on changes to the Ordinance language pertaining to retail tobacco stores, specifically smoke shops, hookah bars, e-cigarette shops and vapor shops. He reported that a Resolution passed by the City Council has delayed acceptance and processing on new business applications. He presented a letter in which concerns were voiced from a local business owner about second-hand smoke from an adjoining vapor shop business. The current Ordinance language was provided by Mr. Cooper and he identified three vapor shops licensed by the City. He pointed out the separation requirement in the current Ordinance for retail tobacco stores and he emphasized the complaint received was specifically for a vapor shop. Mr. Leipzig reported that vapor shops could be dealt with the same as tobacco by adding additional provisions and restrictions to control vapor shop smells. Ms. McGuire stressed that the first steps will be to define e-cigarettes / vapor cigarettes and establish their toxicity / health concerns before regulating. It was pointed out in the letter that the vapor shop is near a business where children play and the question was asked, why the shop was approved at that location which is near a playground. Ms. McGuire went on to call attention to the differences between a retail shop selling products and a vapor lounge where the product is used. There was discussion about use and sale of products and ways the Code can be enforced. Mayor Davis added that similar issues are being discussed in neighboring Cass County cities. Mayor Davis recommended new business trends be identified early so the City can have legislation in place before problems occur. Other suggestions included using the term "nicotine" instead of "tobacco" to regulate, and partnering with a university medical expert to educate staff about safety issues the City should be regulating. Future steps that will be taken by staff to begin the process of changing the Ordinance language regarding hookah bars and vapor shops to include: define vapor shops and determine associated health risks by partnering with medical experts; change vapor bars / lounges from the "retail" designation; look at other City's Ordinance language for examples; research articles in the Zoning Bulletin publication; utilize the Planners Advisory Service research team to gather information; and to contact the Missouri Municipal League to discover existing legislation.

DISCUSSION – Commercial Motor Vehicle Sales

Mr. Cooper introduced the next item of business which was a discussion regarding commercial motor vehicle sales. As an example, he presented a brief history of an application the City received for a Special Use Permit (SUP) to open a vehicle sales lot at 100 Electronic Parkway. He indicated the primary focus of discussion is the required size of the vehicle sale /display yard. The existing language requires the vehicle sales site to be at least an acre in size but does not address the display area size, according to Mr. Cooper. Commission members considered language changes to the motor vehicle sales Ordinance and it was recommended by Councilman Trutzel that vehicle sales lots should have frontage on main thoroughfares in the City. It was suggested by Mr. Leipzig that Internet Sales should also be examined and accounted for in the vehicle sales text amendments. In addition, Ms. McGuire reminded Commission members that safety is a primary factor when considering new regulations. To facilitate the creation of amendments to the Ordinance regarding Commercial Motor Vehicle Sales, staff will follow up by contacting the Planning Advisory Service for guidance; by looking at other City's Ordinances for examples to determine which regulations would be applicable to the City of Belton; and including provisions for Internet motor vehicle sales.

DIRECTOR'S REPORT

Mr. Leipzig distributed an article from a magazine titled, "Doing the Right Thing - Ethics for the Commissioners."

There will be a ribbon cutting for Briar Creek Villas on Cunningham Industrial Parkway, on April 19, 2016.

ADJOURNMENT

Commissioner McDonough moved to adjourn the meeting. Commissioner Christensen seconded the motion. All members present voted in favor and the meeting adjourned at 7:18 p.m.

Ann Keeton
Interim Community Development
Administrative Assistant

SUP - POLE SIGN

1822 E. NORTH AVENUE

PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, MAY 2, 2016 – 6:00 P.M.

STAFF: Robert G. Cooper, City Planner

CASE #SUP16-05

Request: Infinity Sign Systems, on behalf of Freddy's Frozen Custard and Steaks, Inc., has requested a Special Use Permit, to allow a 60-foot pole sign to be located in a C-2 (General Commercial) district.

Location: Located on the west side of Interstate 49, just north of 58-Highway, adjacent to the Cedar Tree shopping center. The physical street address is 1822 E. North Avenue.

Property Description: Charter Plaza, 3rd Plat, Lot 1B, Re-plat of Lot 1, Charter Plaza

Owner / Applicant: First States Investors 5200, LLC

Size of Site: 58,643.32-ft² / 1.35-acre

Existing Zoning / Land Use: C-2 / General Commercial

Proposed Use: Restaurant

Surrounding Zoning / Land Use:

North:	C-2	Commercial-Retail
East:	----	I-49
South:	M-1	Commercial-Retail
West:	M-1	Commercial-Retail

Comprehensive Plan: Commercial / Retail-Restaurant

Aerial view of surrounding area

Nature of Current Request

The applicant is asking the Planning Commission to allow a pole sign to be installed at the northeast corner of the site, facing I-49.

The proposal is a mono-pole sign, elevated to 60-feet, with a 260-square foot sign face.

One of the purposes of the sign code is to achieve balance among differing and at times competing goals, such as, encourage the effective use of signs as a means of communication for businesses in the city and, to minimize the possible adverse effects of signs on nearby public or private property, and to implement the goals and objectives of the growth management plan.

The questions then should be asked by the Commission, why is the applicant proposing a 60-foot tall pole sign and not a smaller one. Does the applicant have quantitative data that can show that what they're proposing is accurate and ultimately effective?

CODE CITATION

Pursuant to Section 30-8 of the Unified Development Code, 'Sign types are permitted in C-2 zoning district:

1. Freestanding with one (1) tenant occupying a building;
2. One (1) per establishment;
3. Maximum size: 32-square feet;
4. Maximum height: 6-feet;
5. Direct or indirect lighting;
6. Setback of sign base shall be no less than ten-feet (10') from the property line; and
7. A three-foot landscape ring shall be provided around the sign base.

SPECIAL USE PROVISION – *Some uses of land are not appropriate in all locations within a district or under circumstances where the use imposes an inappropriate impact on the public or neighboring properties and are therefore designated as "special uses".*

These uses may be approved at a particular location through the receipt of a special use permit where the impact of those users does not inappropriately affect or impair the use and enjoyment of neighboring properties.

STAFF REPORT

Welfare and Convenience of the Public

The property sits adjacent to I-49 near the 58-Highway interchange. The Freddy's restaurant will serve the local area with dining amenities. The proposed pole sign will be situated at the northeast corner of the site, clearly visible from the Interstate and area roads making it an easily identifiable landmark, thus adding to the convenience to the general public.

Injury to Surrounding Property

The surrounding area is zoned for commercial and retail use. The projected view of the elevated sign will be a north-south orientation…to be viewed by motorist on Interstate-49 with the projected view of the sign to run perpendicular to the Interstate.

This property is bordered by Interstate-49 to the east with commercial / retail property to the north, south and west. Two commercial shopping centers are located adjacent to the Freddy's restaurant.

Domination of the Neighborhood

This property has frontage along 58-Highway (North Avenue), adjoining commercial users and commercially zoned properties, which encompass the surrounding area. The applicant believes no adjacent property owner will be negatively affected by the special use request. The applicant also believes the sign will have an opposite affect by increasing public awareness of the location of the newest restaurant.

City staff has not received any public comment, either in favor of or opposed to, the requested special use permit allowing a 60-ft. pole sign.

Currently, there are existing pole signs, all of which are located within a half-mile radius of the Freddy's restaurant, which are at least forty-feet in height. McDonald's restaurant has a 76-foot pole sign; Ad Trend Advertising has two 45-foot billboard signs; Belton Regional Hospital has a 40-foot pole sign at their facility, Transwest Trucks and Trailers has a 40-ft. sign, and the Texas Roadhouse has a recently approved 30-ft. pole sign.

Proposed Use will not detract or encroach upon welfare or convenience of the public

It appears to staff; the proposed pole sign will not detract or encroach upon the welfare or convenience of the public. The Freddy's pole sign is designed to enhance good aesthetics and preserve property values by preventing a potentially unsightly and chaotic development that would have a blighting influence upon the community.

The sign structure will be required to meet city code as it relates to design, setback, and landscaping.

STAFF RECOMMENDATION

Staff recommends approval of Special Use Permit16-05, to allow a 60-foot pole sign for the Freddy's Frozen Custard and Steak restaurant, as presented.

PLANNING COMMISSION ALTERNATIVES

The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Chapter 40, Special Use Permits, of the Unified Development Code have been satisfied.

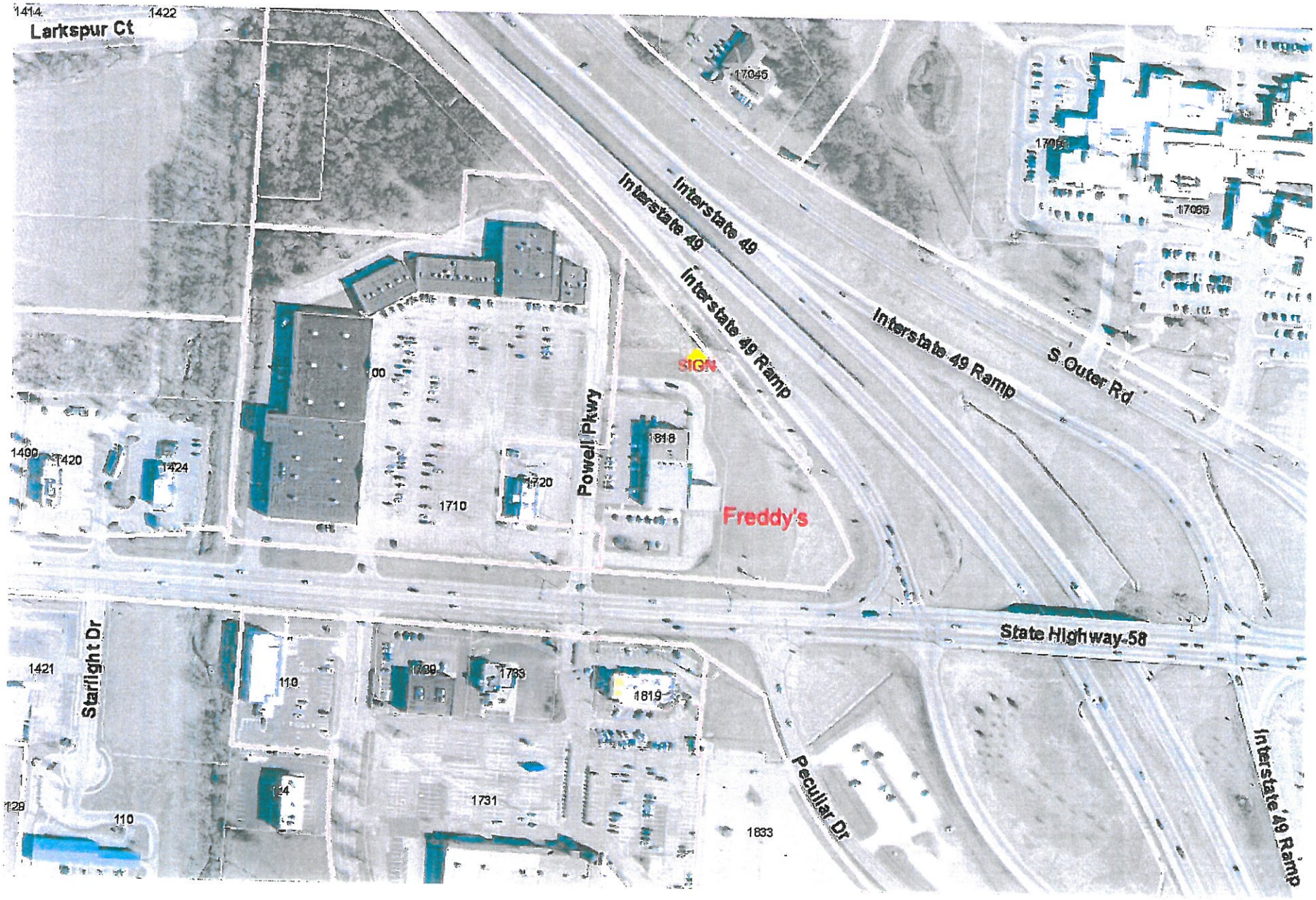
2. Approve the application subject to specified conditions.

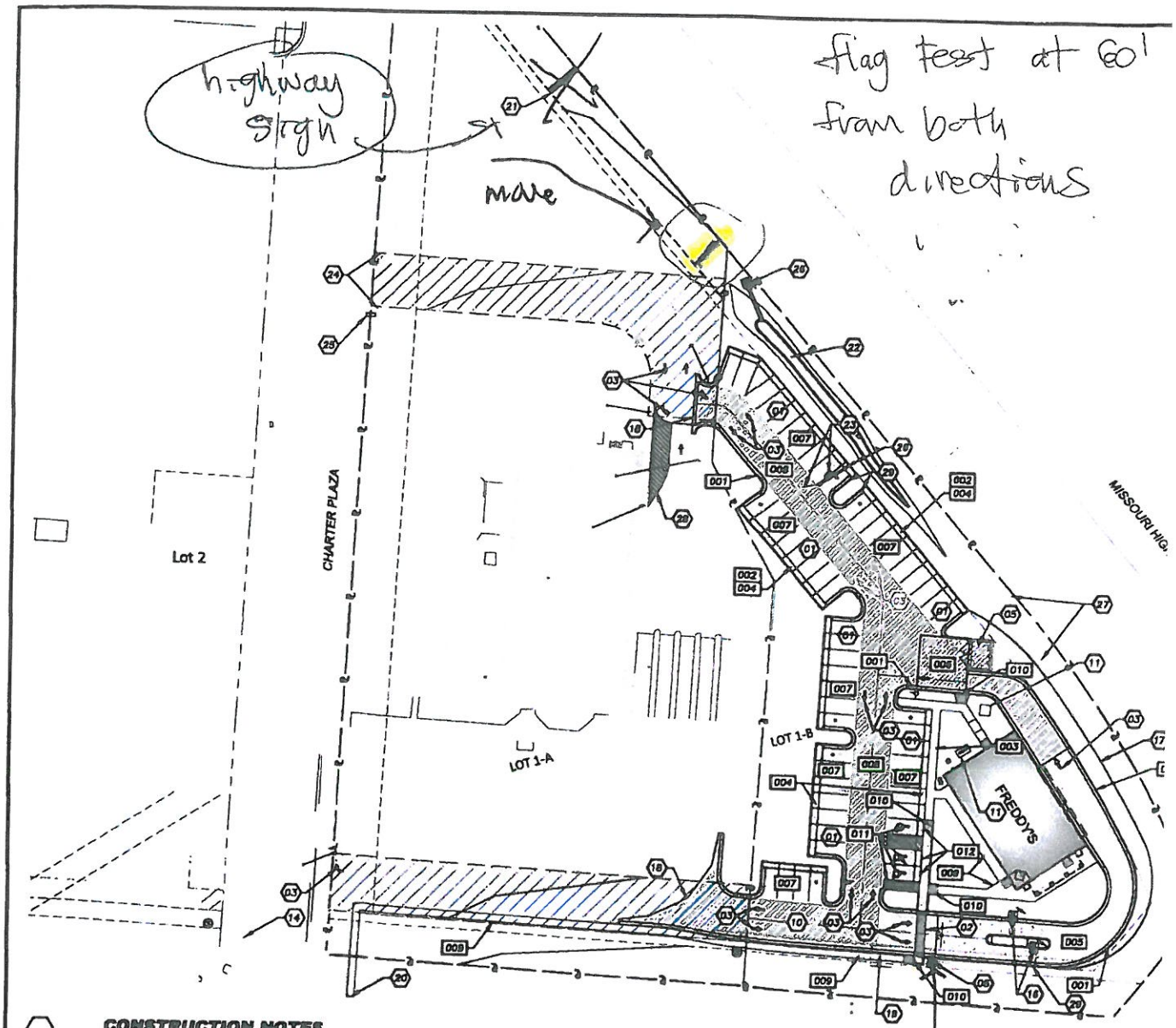
3. Table the application if additional information is needed, such as time of use or other related factors.

4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

Attachments:

1) Sign Elevation
2) Site Plan
3) Sign Location Map


1414
1422
Larkspur Ct
17045
17055
17065
Interstate 49
Interstate 49
Interstate 49 Ramp
Interstate 49 Ramp
S Outer Rd
SIGN
Powell Pkwy
1818
1490
1420
1424
1720
1710
Freddy's
State Highway 58
1421
Starlight Dr
110
1799
1793
1819
124
1731
129
110
1833
Peculiar Dr
Interstate 49 Ramp



monument sign

CONSTRUCTION NOTES

01	LEAD FREE, WATER-BORNE EMULSION BASED YELLOW TRAFFIC PAINT FOR PARKING LOT STRIPING.
02	PROVIDE PAINTED PEDESTRIAN CROSS WALK.
03	DIRECTIONAL TRAFFIC ARROWS
04	TRAFFIC SIGNS.
05	TRASH ENCLOSURE. REFER TO ARCHITECTURAL SHEETS
06	MONUMENT SIGN. REFER TO ARCHITECTURAL SHEETS
10	ALTERNATE ACCESS TO BANK OF AMERICA
11	UTILITY INFRASTRUCTURE, REFER TO UTILITY PLAN
12	PROPOSED FIRE HYDRANT
14	EXISTING FIRE HYDRANT
16	DRIVE-THRU MENU BOARD AND ORDER STATION, REFER TO ARCHITECTURAL SHEETS
17	MODULAR BLOCK RETAINING WALL; REFER TO RETAINING WALL PLAN AND PROFILE
18	REMOVE EXISTING CURB AND PAVEMENT AS REQUIRED TO CONSTRUCT PROPOSED IMPROVEMENTS EXISTING PAVEMENT TO BE SAWCUT TO A MINIMUM OF 1 FOOT PAST THE PROPOSED PAVEMENT AND/OR TO PAVEMENT THAT IS IN GOOD CONDITION.
19	EXISTING BANK OF AMERICA SIGN TO BE RELOCATED (BY OTHERS)
20	CONNECT PROPOSED SIDEWALK TO EXISTING SIDEWALK
21	HIGHWAY SIGN. REFER TO ARCHITECTURAL SHEETS
22	RAIN GARDEN/DETENTION BASIN WITH OUTLET PIPE; REFER TO GRADING PLAN, UTILITY PLAN AND LANDSCAPING PLAN
23	EXTEND EXISTING ROOF DRAIN INTO PROPOSED RAIN GARDEN AND REMOVE EXISTING RIP-RAP. REFER UTILITY PLAN.
24	REMOVE EXISTING ONE WAY SIGNS.
25	WAY FINDING SIGNAGE FOR FREDDY'S
26	INSTALL RIP-RAP BEDDING AT PIPE EXIT (2'x4'X1' THICK, D50=6")
27	REMOVE EXISTING TREE AND GRIND STUMP
28	STRIPPED GORE AREA FOR TRAFFIC CHANNELING
29	ZERO HEIGHT CURB

DETAILS

001	TYPE "B" CONCRETE CURB & GUTTER
002	MODIFIED TYPE "B" CONCRETE CURB & GUTTER
003	MONOLITHIC CURB-SIDEWALK
004	CONCRETE PARKING APRON
005	MEDIUM DUTY PCC PAVEMENT
006	HEAVY DUTY PCC PAVEMENT
007	LIGHT DUTY ASPHALT PAVEMENT
008	HEAVY DUTY ASPHALT PAVEMENT
009	CONCRETE SIDEWALK SECTION
010	SIDEWALK RAMP
011	(ADA) ACCESSIBLE PARKING STRIPING
012	(ADA) ACCESSIBLE PARKING SIGNAGE W/ BOLLARD

TRAFFIC SIGN LEGEND

A	NO LEFT TURN (R3-2)
B	STOP (R1-1)
C	MERGE RIGHT (R4-7)
D	LEFT TURN ONLY (R3-5)
E	END ONE WAY (R6-7)
F	YIELD TO ONCOMING TRAFFIC (R1-2, R1-2aP)

SITE DATA

SITE AREA:
EXISTING IMPERV
PROPOSED IMPE

BUILDING
TOTAL PROPOSED

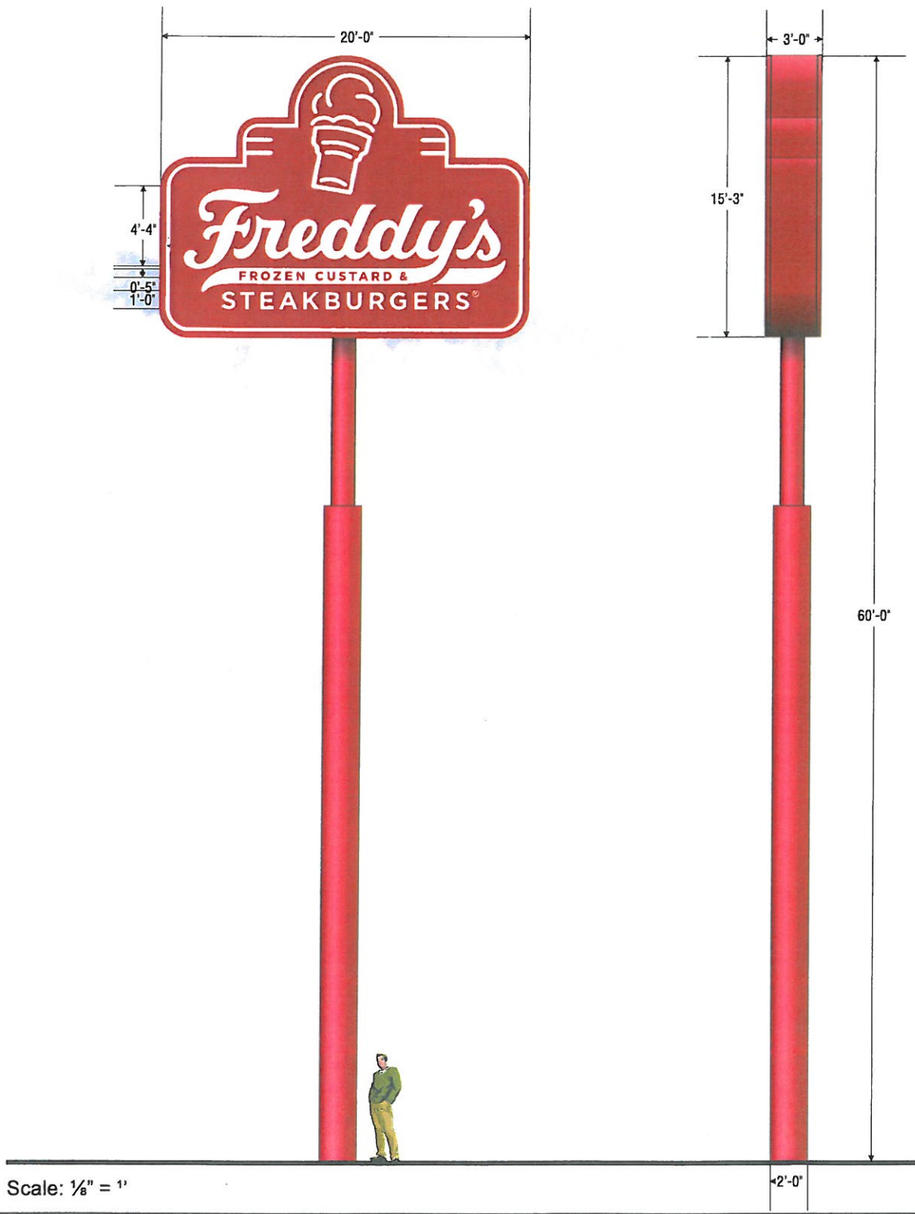
PARKING STALLS
TOTAL PARKING

TOTAL PARKING
1/100 SF OF G

REQUIRED ADA A
(BASED ON 1/2

HANDICAP ADA A

Jan 26, 2018 - 10:33am Plotted By: sandy.ellis V:\021720-Freddy's Master\021720.01-Freddy's - Bolton\04-DWG\Dwg\Sheet\Construction Plans\021720.01-SHT3-C3-GEN.dwg Layout: Site Plan



Scale: 1/8" = 1'

SCOPE OF WORK:

Manufacture and install (1) one D/F internally illuminated pylon sign. The sign is fabricated of .050 aluminum skinned over an angle-iron frame and painted to match PMS 186C. The sign has 3" retainers and WHITE flexible faces with 230-33 RED translucent vinyl graphics applied to the first surface. The sign will be illuminated by Metal Halide lamps that are located inside the 36" deep cabinet.

All electrical to be UL Approved.
Pole and footing TBD.

X DESIGN TYPE

- [ ] INTERIOR
- [ ] EXTERIOR
- [ ] NEON DISPLAYS
- [ ] CHANNEL LETTERS
- [ ] NON-ILLUM SIGNAGE
- [ ] REV. CHANNEL LETTERS
- [ ] DUEL POLE SIGN
- [ ] SINGLE POLE SIGN
- [ ] MONUMENT SIGN
- [ ] DIRECTIONAL
- [ ] CHANGEABLE READER BOARD/ ELE. DISPLAYS

PROJECT TYPE

- [ ] NEW CONSTRUCTION
- [ ] REMODELING
- [ ] TENANT CHANGES
- [ ] LANDLORD IMPROVEMENTS
- [ ] CORPORATE CHANGES
- [ ] AMENDMENTS TO EXCISING SIGNAGE

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

NOTICE:

ALL GRAPHIC REPRODUCTIONS ARE SUBJECTED BY APPROVAL OF AUTHORIZED CLIENT. AS OF APPROVAL BY THE UNDERSIGNED & DATED PRIOR TO ANY FABRICATION OF PRODUCT, TRI CITY SIGN COMPANY HOLDS ALL AGREEMENTS FINAL AND TO CLIENT APPROVAL.

Signed_____ Date_____

Sales Rep._____ Date_____

TRI CITY SIGN COMPANY
Designing Your Future
363 North Elm Street, Grand Island, NE 68801
800.339.4779
tricitysign.com
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DRAWING NO. 3840

SALES DEPT: Tim Marchese

DRAWN BY: Jeremy Cox

Scale: As Noted.
Date: 10.13.15

INSPECTED BY.:

Location: Belton, MO

CONTINUATION - SUP# 15-18

DAYCARE AT

307 APPLE VALLEY PARKWAY

BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, MAY 2, 2016 – 6:00 P.M.

STAFF REPORT: Robert G. Cooper, City Planner

AN EXTENSION OF application #SUP15-18, consideration of a Special Use Permit, to allow a home child care to operate on property zoned R-1 (Single-Family Residential) zoning district, and addressed as 307 Apple Valley Parkway.

NATURE OF THE REQUEST

The Planning Commission originally reviewed and made a recommendation to approve the Special Use Permit on Monday, October 19, 2015.

Recently, the applicant and business owner, Dana and Doug Gaston, are requesting an extension of their special use permit, allowing them to continue to provide home daycare services from their residence for an additional six (6) months, until October 31, 2016. (See Exhibit A)

According to the applicant, the request for an extension is due to the fact they are in the process of saving the money needed for a down-payment on a new place to relocate to. Code and Zoning Enforcement staffs have not received any complaints on the home daycare business since the special use permit was officially accepted by the City Council on October 27, 2015.

Dana Gaston's City of Belton business license expired April 30, 2016. Her State of Missouri License is set to expire on July 3, 2016.

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BACKGROUND:

The 1,320-sq. ft. residential house at 307 Apple Valley Parkway was originally constructed in 1999 as a split-level wood-frame… has five (5) rooms with three (3) of them as bedrooms, with two (2) full size bathroom. There is an attached two-car garage with a double stacking capacity of four (4) vehicles.

SPECIAL USE PROVISION – Some uses of land are not appropriate in all locations within a district or under circumstances where the use imposes an inappropriate impact on the public or neighboring properties and are therefore designated as "special uses". These uses may be approved at a particular location through the receipt of a special use permit where the impact of those users does not inappropriately affect or impair the use and enjoyment of neighboring properties.

CODE CITATION

Pursuant to Section 40-3(6) of the Unified Development Code, 'Day care homes and centers' with more than four (4) children must have a special use permit and must meet the following requirements:

a. Day care homes and centers must be licensed by and in compliance with all state and local laws governing such facilities;

b. Any outdoor areas used by the facility as recreational areas must be enclosed by a fence no less than 42-inches in height;

c. Day care homes and centers must include a designated safe unloading (drop-off) and loading (pick-up) areas for children

****

Location: 307 Apple Valley Parkway

Property Description: Apple Valley, 4th Plat, Lot 178

Deed Holder / Applicant: Sondra Kay Everhart (property owner) / Dana Gaston (applicant / business owner)

Size of Site: 65-ft. x 120-ft. (7,800-sq. ft.) / 0.18-acre

Existing Zoning / Land Use: R-1 / Single-Family Residential (S-FR)

Proposed Use: Home Child Care

Surrounding Zoning / Land Use:

North: R-1 / S-FR
East: R-1 / S-FR
South: R-1 / S-FR
West: R-1 / S-FR

Future Land Use Map: Residential

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STAFF REPORT

The planning commission held a public hearing on September 21, 2015 to receive any public comments. Several of the applicant's neighbors voiced concern about the home daycare business. The following is a list of their concerns:

- No expectation of business operating next to private home in residential neighborhood;
- Expectations of quiet, peaceful and enjoyable home when come home from working all day
- Safety issues at home including car on jacks in driveway and chickens running on property
- Noise from multiple children in backyard can be heard at neighboring homes
- Safety issue for neighbors trying to mow and maintain their property with many children in yard
- Devaluation and lack of marketability of property with business type of activities running in residential neighborhood
- Toys tossed over fence into neighbor's yard
- Traffic added to this area of neighborhood

Following the public hearing, the Planning Commission voted to continue the discussion to the October 5th meeting. Staff meets with the applicant and conducted an onsite inspection on September 28th.

RESULTS OF IN HOME VISIT TO 307 APPLE VALLEY PARKWAY:

1) Cramped space for number of children inside home: There were approximately 6 to 8 children.

2) Most children 4 years old and under: Some of the children were situated in the front living room watching tv and some children were in the kitchen eating.

3) Comment by Dana Gaston that looking to move to different location by April 2016.

4) Areas of concern expressed at public hearing cleaned up – vehicle removed: Mrs. Gaston said she can provide repair receipts showing that the vehicle has been fixed.

During the October 19th meeting, the following items were discussed:

- REQUEST FOR COPY OF STATE LICENSE: Received and attached

- REVIEW OF PERTINENT STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES DAY CARE LICENSE REQUIREMENTS:

19 CSR 30-61.085(2)(B)(1), (2), (3) and (4) Physical Space Ratio: At least thirty-five (35) square feet of usable floor space shall be provided for each child coming into the home for day care. Floor space shall be measured wall-to-wall

from the inside wall of areas used for children's activities. Floor space shall not include food preparation areas, bathrooms, hallways used exclusively as passageways, closets, office space or floor space occupied by furniture or shelving not used by the children or for their activities. Space occupied by permanently placed cots, cribs, beds or playpens used for napping cannot be counted as usable floor space. Cots shall not be set up early or left in place to interfere with children's play activities.

19 CSR 30-61.105(2)(A), (B) and (C) Licensing Capacities: If there is one (1) adult provider, the home may be licensed for up to six (6) children including a maximum of three (3) children under age two (2), or for up to ten (10) children including a maximum of two (2) children under age two(2), or both. If only four children are present, all the children may be under the age of two (2). If the provider has an assistant present, the home may be licensed for up to ten (10) children including a maximum of four (4) children under age two (2) or for up to eight (8) children who may all be under age two (2). A family day care home may be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four (24) hour day. For the remaining six (6) hours of the twenty-four (24) hour day, care may be provided for one-third (1/3) of the licensed capacity of the home.

Staff Recommendation(s) from the previous planning commission meeting

1) Conditionally approve special use permit with some or all of the following conditions:
    a) Bring number of children into compliance with state licensure requirements;

    b) Approve SUP for home occupation day care facility at 307 Apple Valley Parkway until April 1, 2016; and/or

    c) Assist the applicant to find another more suitable location, either in another, more appropriate residential location or a commercial location to conduct child care activities at the level desired.

PREVIOUS PLANNING COMMISSION RECOMMENDATION(S):

Approve the Special Use Permit with condition(s) as proposed to allow a home child care to operate at 307 Apple Valley Parkway and following staff presentation and discussion, the Planning Commission voted 6-2 to approve Special Use Permit #15-18 with condition(s):

- The Special Use Permit shall expire on April 30, 2016

The Planning Commission has the following options:

1. Approve the extension of the special use permit as requested;
2. Approve a 90-day extension of the special use permit; or
3. Deny the request as presented.

ATTACHMENTS:

- Copy of State License
- Copy of City Business License
- Copy of Letter (Exhibit A)

State of Missouri

Department of Health and Senior Services
Family Child Care Home License

This is to certify that DANA GAIL GASTON Number 000289754, at the location known as 307 APPLE VALLEY PKWY BELTON, MO 64012-4743 USA County of CASS is hereby granted this license to conduct and maintain a Family Child Care Home. This Family Child Care Home is licensed to care for a total of 10 boys and girls: ages BIRTH through 12 YEARS; 06:00 AM to 09:00 PM; effective from 08/21/2014 through 07/31/2016.

This license is further limited to: IF ONLY 4 CHILDREN PRESENT, ALL CHILDREN MAY BE UNDER AGE 2 WITH 1 ADULT CAREGIVER * UP TO 10 CHILDREN IN CARE NO MORE THAN 2 CHILDREN UNDER AGE 2 WITH 1 ADULT CAREGIVER * UP TO 10 CHILDREN IN CARE NO MORE THAN 4 CHILDREN UNDER AGE 2 WITH 2 ADULT CAREGIVERS * UP TO 6 CHILDREN IN CARE NO MORE THAN 3 CHILDREN UNDER AGE 2 WITH 1 ADULT CAREGIVER

The licensee agrees to comply with the Missouri State Statute Section 210.201 – 259, RSMo and Department of Health and Senior Services Licensing Rules for Family Child Care Homes.

Direct inquiries about this license to:

Section for Child Care Regulation
3717 South Whitney Avenue
Independence Missouri 64055
816-350-5450

Sue Porting

This certificate must be posted near the entrance of the facility.

BUSINESS LICENSE
City of Belton
506 Main Street
Belton, MO 64012

BUSINESS LICENSE

Business name . : CUDDLE BUGS
Phone number . : (816) 331-8315 Ctl nbr . : 4983
Location addr . : 307 APPLE VALLEY PKWY
Lic Nbr/Class . : 16 00005356 HOME OCC DAYCARE BABYSITTING
Issue date . . : 11/20/15 Expiration date . : 4/30/16
Restriction . . : LICENSE EXPIRES 4/30/16
Comments . . . : SUP 15-18. 10/19/15 PC; 11/10/15 CC

Display in prominent location on business premises.

CUDDLE BUGS
DANA & DOUG GASTON
307 APPLE VALLEY PKWY
BELTON MO 64012

Patricia A. Ledford, City Clerk

BELTON

Subject: Occupational license extension for childcare.

FILE COPY

APR 1 1 2016

Attention : ~~Roger~~ Robert Cooper,planning commissioner. Doug and I need the extra time to save the money to successfully relocate our business .We are asking to live at 307 Apple Valley Parkway until October 31st, 2016. We would appreciate this very much .

Thank you

Dana Gaston, Director and owner of Cuddle Bugs In Home Child Care.

Dana Gaston

Cell 816-982-4372

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EXHIBIT 'A'