

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO TRUDY TAYLOR FOR OPERATION OF A CHILD CARE FACILITY ON PROPERTY AT 7406 NORTH MAIN.**

**WHEREAS**, Pursuant to Section 32-39 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for a Special Use Permit on property at 7406 North Main, legally described as Lot 10, Linden West 2<sup>nd</sup> Plat; and

**WHEREAS**, public hearings have been held after the publishing of the required notices; and

**WHEREAS**, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, as follows:**

**SECTION 1.** That Trudy Taylor is hereby granted a Special Use Permit for operation of a day care facility on property at 7406 N. Main, the effective date of which shall be the enactment date of this Ordinance and expiring 10 years from the date of passage of this ordinance, all subject to the following conditions:

1. This Special Use Permit is issued to Trudy Taylor to be used at this address only. This Special Use Permit shall be non-transferable to any other person or company, or to any other location. Any change in operation of the business by Trudy Taylor or change in ownership shall render this Special Use Permit null and void.
2. Trudy Taylor shall maintain a Child Care License as required by the State of Missouri, Division of Family Services. If, for any reason, the State of Missouri revokes or suspends the Child Care License, this Special Use Permit shall also be revoked or suspended.
3. No person other than Trudy Taylor shall be employed at this location or any other address in association with the childcare operated by Trudy Taylor, except in emergency situations as required by State Day Care Licensing.
4. The maximum number of children in care on the premises at any one time shall be limited to ten (10) full-time.
5. Hours of operation shall be limited to 6:30 AM to 5:30 PM, Monday through Friday.
6. Trudy Taylor must reside at this address for this permit to be valid.
7. Trudy Taylor shall apply for and maintain all applicable State and City Business and Occupational Licenses.

8. Trudy Taylor shall comply with all fire safety requirements made by the City of Gladstone Fire Inspector in addition to all fire safety requirements for any State license.

9. No structural changes shall be made to the house or property for the purpose of operating the child care other than those structural changes required by the State of Missouri or the City of Gladstone pursuant to the City Code.

10. A 42" tall fence is to be maintained in good condition around the child play area as long as this operation exists.

11. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation 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, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 14<sup>TH</sup> DAY OF DECEMBER, 2020.**

  
Jean B. Moore, Mayor

ATTEST:

  
Ruth Bocchino, City Clerk

1<sup>st</sup> Reading: December 14, 2020

2<sup>nd</sup> Reading: December 14, 2020

File # 2020-12



## *Request for Council Action*

RES #

BILL # 20-36

ORD # 4.536

Date: 12/8/2020

Department: Community Development

Meeting Date Requested: 12/14/2020

Public Hearing: Yes  Date: 12/14/2020

Subject: In-Home Childcare Facility - Special Use Permit

Background:

Trudy Taylor has had a special use permit for operating an in-home childcare facility dated back to 1998. Mrs. Taylor is requesting another renewal of her existing special use permit.

Mrs. Taylor has operated this childcare business from her home under Special Use Permits granted for (3) years in 1992, (5) years in 1995, (10) years in 2000, and (10) years in 2010 for a total of twenty-eight (28) years without any incident requiring City involvement.

A hand written letter from Trudy Taylor is included in your packet.

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

Public/Staff Input/Commission: Public Comments – None; Staff Comments – City Staff recommends that the request be approved contingent upon the conditions listed in the staff report; Commissioner Comments – A commissioner asked if the fence is in good standing. The fence meets city code and staff has not received any complaints. The Special Use Permit was approved unanimously. 10 Yes – 0 No

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

Austin Greer, Assistant To the City Manager/Planning Administrator

PC  
City Attorney

SW  
City Manager

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

PLANNING COMMISSION  
GLADSTONE, MISSOURI  
*Gladstone City Hall/Some were present via zoom*  
Monday, December 7th, 2020  
7:00 pm

**Item 1 on the Agenda: Roll Call.**

**Present:** Chase Cookson  
Mike Ebenroth  
JN Hernandez  
Alicia Hommon  
Brenda Lowe  
Gary Markenson  
Katie Middleton, Vice-Chair  
Kim Murch  
Bill Turnage  
Jennifer McGee, Chair

**Absent:** James New  
Larry Whitton

**Council & Staff Present:**

Bob Baer, Asst. City Administrator (via zoom)  
Austin Greer, Planning Administrator  
Angie Daugherty, Admin. Assistant

**Item 2 on the Agenda: Pledge of Allegiance.**

Chairperson McGee led the group in reciting the Pledge of Allegiance.

**Item 3 on the Agenda: Approval of the October 5th, 2020 minutes.**

**MOTION: By Mr. Turnage second by Mr. Ebenroth to approve the October 5th, 2020 meeting minutes. All said Aye. The motion carried. (10 Yes- 0 No)**

**Item 4 on the Agenda: Public Hearing: on a Special Use Permit at 7406 N Main. Applicant /Owner Trudy Taylor. File #2020-012.**

Mr. Greer read the staff report. Trudy Taylor has had a Special Use Permit for operating an in-home child care facility dated back to 1998. Mrs. Taylor is requesting another renewal of her existing Special Use Permit. Mrs. Taylor has operated this business from her home under Special Use Permit granted back in 1992 all the way through 2010 and is asking for another extension and there has been zero incidences requiring city involvement at her location. The City Staff recommends that the following conditions be considered if the Planning Commission and City Council choose to approve this project request.

- 1.) The Special Use Permit is issued to Trudy Taylor to be used at this address alone. This Special Use Permit shall be nontransferable to another person or company or to another location. Any change in operation of the business of Trudy Taylor or change of ownership shall render this Special Use Permit null and void.
- 2.) Trudy Taylor shall maintain a child care license as required by the State of Missouri Division of Child Services. If for any reason the State of Missouri revokes or suspends the child care license the Special Use Permit shall also be revoked or suspended.
- 3.) No person other than Trudy Taylor shall be employed at this location or at another address in association with the child care operated by Trudy Taylor. Except in emergency situations as required by state daycare licensing.
- 4.) The maximum number of children in care on the premises at any one time shall be limited to 10 full time none related.
- 5.) Hours of operation shall be limited to 6:30am to 5:30pm Monday through Friday.
- 6.) Trudy Taylor must reside at this address for this permit to be valid.
- 7.) Trudy Taylor must apply for and maintain all applicable state and city business and occupational licenses.
- 8.) Trudy Taylor must comply with all fire safety requirements made by the City of Gladstone Fire Inspector. In addition to all fire safety requirements for any state license.
- 9.) No structural changes shall be made to the house or property for the purpose of operating the child care other than the structural changes required by the State of Missouri or the City of Gladstone up to city code.
- 10.) A 42-inch-tall fence is to be maintained and in good condition around the child play area as long as this operation exist.
- 11.) Any false statements in the application or violation of these conditions or any other city code requirements may result in the cancelation of this Special Use Permit. City Staff recommends that the request be approved contingent upon the condition listed above for a period of 10 years.

Chairperson McGee asked if the applicant was present and would like to speak.

The applicant did not have anything to add.

Chairperson McGee asked if anyone in the audience that wished to speak in favor or opposing of this application.

Mr. Greer said no audience members would like to speak here in City Hall.

Chairperson McGee asked for discussion from the Planning Commission. Ms. Lowe needed Clarification on the number of children that can be kept at the home? Mr. Lowe thinks she heard 10 non related. Mr. Greer said 10 has been the number that has been used but if there were siblings they could go to this facility together. Mr. Markenson asked if the fence is in existence? Mr. Greer said yes the fence is there and in good condition.

Chairperson McGee close the public hearing.

**MOTION: By Mr. Markenson, second by Mix Hernandez to approve Special Use Permit at 7406 N Main file number 2020-012.**

<b>Vote: Mr. Cookson</b>	<b>Yes</b>
<b>Mr. Ebenroth</b>	<b>Yes</b>
<b>Mix Hernandez</b>	<b>Yes</b>
<b>Ms. Hommon</b>	<b>Yes</b>
<b>Ms. Lowe</b>	<b>Yes</b>
<b>Mr. Markenson</b>	<b>Yes</b>
<b>Ms. Middleton</b>	<b>Yes</b>
<b>Mr. Murch</b>	<b>Yes</b>
<b>Mr. Turnage</b>	<b>Yes</b>
<b>Chairperson McGee</b>	<b>Yes</b>

**All said Aye. The motion carried. (10-Yes, 0-No)**

**Item 5 on the Agenda:** Public Hearing: of a request for a Site Plan Revision and Zoning change at 5610 N Oak Trafficway. Applicant/Owner AutoSmart LLC File #2020-013.

Mr. Greer read the staff report. The applicant is proposing to construct a brand new Jeep Showroom between the 2 existing dealership buildings. The applicant is proposing to replat multiple properties into one plat and rezone the various commercial properties into cp3 planning district commercial. With an increase in impervious service on the Southwest and Northeast areas of the property. There will be storm water infrastructure upgrades. A new 6-foot vinyl fence earth tone in color and landscaping on the North side of the property will be installed. From that neighborhood meeting a concern was raised regarding the demolition of 2 homes currently owned by the applicant AutoSmart LLC in order to expand the parking lot adjacent to Northeast 57<sup>th</sup> Street. These 2 homes are located at 205 and 203 NE 57<sup>th</sup> Street and are currently being used as rental property by the applicant. In addition, the applicant is also installing an 8-foot vinyl privacy fence earth tone in color to separate the residential properties in the Gladstone Dodge property on the entire West side of the property. We have learned that some of the residents do have issues with vehicle delivery on 57<sup>th</sup> street. We have been working with the applicant and Mr. Mark Spurgeon on that progress as well as some of the representatives of the neighborhood. At this point we have not been able to come to a resolution on the delivery of vehicles on 57<sup>th</sup> Street. But this is something we are trying to work through. 2 featured manicured areas will be irrigated and maintained. Northeast corner of the property adjacent to Northeast 57<sup>th</sup> Street and N Oak Trafficway as well as the Southwest corner of the property adjacent to NE Englewood Rd. In order to improve traffic flow within the dealership on N Oak Trafficway the entry exit located to the South of the property adjacent to the intersection of N Oak Trafficway and Northeast Englewood Rd will be permanently closed and infilled with curb and gutter. City Staff recommends that the following conditions be considered if the Planning Commission and City Council choose to approve this project request.

- 1.) Keep an active business license perpetuity.
- 2.) All exterior lighting shall be LED.
- 3.) Trash service deliveries and distributions will be scheduled between the hours of 7am till 10pm.
- 4.) Any and all disturbed areas shall be sodded.



## Community Development Department

### Staff Report

Date: December 8, 2020

File #:

Requested Action: Renewal of Special Use Permit

Date of PC Consideration: December 7, 2020

Date of Council Consideration: December 14, 2020

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Applicant: Trudy Taylor

Owner: Trudy Taylor

Architect/  
Engineer: N/A

Address of Property: 7406 N. Main

### Planning Information

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- Current Zoning: R-1 Single Family Dwelling Unit
- Zoning History: R-1 Single Family Dwelling Unit
- Planned Land Use: R-1 Single Family Dwelling Unit
- Surrounding Uses: R-1 Single Family Dwelling Unit; Linden West Elementary School
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

### Additional Information

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- Public Utility Availability: Existing
- Traffic Impacts: None
- Parking Required: 2  
Parking Provided: 2+
- Proposed Signage: None

### Analysis

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Trudy Taylor has had a special use permit for operating an in-home childcare facility dated back to 1998. Mrs. Taylor is requesting another renewal of her existing special use permit.

Mrs. Taylor has operated this childcare business from her home under Special Use Permits granted for (3) years in 1992, (5) years in 1995, (10) years in 2000, and (10) years in 2010 for a total of twenty-eight (28) years without any incident requiring City involvement.

## **Recommended Conditions**

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City Staff recommends that the following conditions be considered if the Planning Commission and City Council choose to approve this project request:

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2. Trudy Taylor shall maintain a Child Care License as required by the State of Missouri, Division of Family Services. If, for any reason, the State of Missouri revokes or suspends the Child Care License, this Special Use Permit shall also be revoked or suspended.
3. No person other than Trudy Taylor shall be employed at this location or any other address in association with the child care operated by Trudy Taylor, except in emergency situations as required by State Day Care Licensing.
4. The maximum number of children in care on the premises at any one time shall be limited to ten (10) full-time.
5. Hours of operation shall be limited to 6:30 AM to 5:30 PM, Monday through Friday.
6. Trudy Taylor must reside at this address for this permit to be valid.
7. Trudy Taylor shall apply for and maintain all applicable State and City business and occupational licenses.
8. Trudy Taylor shall comply with all fire safety requirements made by the City of Gladstone Fire Inspector in addition to all fire safety requirements for any State license.
9. No structural changes shall be made to the house or property for the purpose of operating the child care other than those structural changes required by the State of Missouri or the City of Gladstone pursuant to the City Code.
10. A 42" tall fence is to be maintained in good condition around the child play area as long as this operation exists.
11. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

## **Recommendation**

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Staff is recommending approval of this special use permit request for a period of ten (10) years.



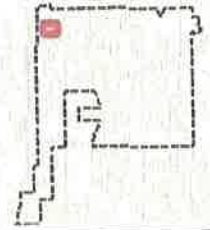
State

My home daycare is licensed for ten children, from birth to twelve.. with only 2 under the age of two. I currently have six children enrolled. My hours of operation are 7:00 AM to 5:30 PM. My husband Keith & I have been married for forty years & have three grown children and nine grandchildren.

Judy Taylor 10-14-20

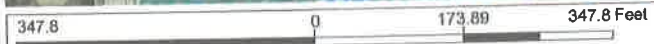


# Gladstone, MO



- Legend**
- Stop Sign
  - KCPL Lights
  - Gladstone Lights
  - School Point
  - Bike Parking
  - Bus Stop
  - Point of Interest
  - Church
  - Apartment Point
  - Street Centerline
  - Edge Of Pavement
  - Driveway
  - City Limits
  - Parcel
  - House Number
  - Building Footprint
  - School Polygon
  - City Park
  - Villages
  - Apartment Polygon

1 in. = 174ft.



**Notes**

Trudy Taylor Daycare SUP  
7408 N Main  
December 2020

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**