

AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO BRIGHTON LEARNING CENTER FOR THE PURPOSE OF OPERATING A CHILD CARE FACILITY AT 7260 NE ANTIOCH ROAD.

WHEREAS, pursuant to Section 32-39 of Ordinance No. 2.292, being the Gladstone Zoning Ordinance, public notice was made of a request to grant a Special Use Permit on property located at 7260 NE Antioch Road, 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 of such Special Use Permit requesting certain conditions as incorporated herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. SPECIAL USE PERMIT:

THAT, Brighton Learning Center is hereby granted a Special Use Permit for the operation of a child care facility on property located at 7260 NE Antioch Road, the effective date of which shall be the enactment date of this Ordinance and expiring **five (5)** years from this date, all subject to the terms and conditions set forth herein:

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. Brighton Learning Center shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 6:30 am to 10:00 pm, Monday – Friday.
4. All building and fire safety requirements shall be complied with and maintained as required.
5. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances.
6. Trash service and commercial deliveries shall occur between the hours of 7:00 am to 10:00 pm.
7. The dumpster enclosure shall be maintained with materials consistent with the primary building.
8. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.

9. 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, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 9TH DAY OF JANUARY, 2023.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

1st Reading: January 9, 2023

2nd Reading: January 9, 2023

File #



Request for Council Action

RES # City Clerk Only

BILL # 23-01

ORD # 4.619

Date: 1/3/2023

Department: Community Development

Meeting Date Requested: 1/9/2023

Public Hearing: Yes Date: 1/9/2023

Subject: Brighton Learning Center – Five (5) Special Use Permit Request

Background:

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

Alecia and Darron Jones have been operating their flagship location in Gladstone at 7227 N Euclid Avenue for over 11 years.

Alecia and Darron Jones submitted a narrative further explaining their child care facility called Brighton Learning Center. The document can be found in your packet.

During the Planning Commission meeting on December 19th, Planning Commissioners discussed and unanimously voted in favor of a five (5) year Special Use Permit due to the owners good standing as business owners in the City of Gladstone for well over a decade. City staff agreed and therefore have made the necessary changes from proposing a one (1) year Special Use Permit to a five (5) year Special Use Permit in the ordinance.

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

Public/Board/Staff Input:

Public: No comments

Board: Voted unanimously in favor of a five (5) year Special Use Permit

Staff: Staff agreed with Planning Commission on a five (5) year Special Use Permit

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

Austin Greer
Department Director/Administrator

JM
City Attorney

SW
City Manager



Community Development Department

Staff Report

Date: 1/3/2022

File #:

Requested Action: Special Use Permit

Date of PC Consideration: 12/19/2022

Date of Council Consideration: 1/9/2023

Applicant: Darron & Alecia Jones, Brighton Learning Center

Owner: Same as Applicant

Address of Property: 7260 NE Antioch Rd, Gladstone, MO 64119

Planning Information

- Current Zoning: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling (Split Zoning)
- Zoning History: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling
- Planned Land: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling
- Surrounding Uses: R-1 Single Family, RP-2 Planned District, Two Family Dwelling, R-3 Garden Apartment Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Split Zoning – A single lot or parcel containing two or more different zoning classifications.

The land in which the building, parking lot, and play area are located are zoned CP-0. The most northern section of the property that is undeveloped is zoned RP-2.

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: NE 72nd Terrace and NE Antioch Road
- Traffic Impacts: None
- Parking Provided: Approximately 25 parking spaces

Analysis

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

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Alecia and Darron Jones submitted a narrative further explaining their child care facility called Brighton Learning Center. The document can be found in your packet.

During the Planning Commission meeting on December 19th, Planning Commissioners discussed and unanimously voted in favor of a five (5) year Special Use Permit due to the owners good standing as business owners in the City of Gladstone for well over a decade. City staff agreed and therefore have made the necessary changes from proposing a one (1) year Special Use Permit to a five (5) year Special Use Permit in the ordinance.

Recommended Conditions

City Staff recommends that the following conditions be considered if the City Council approves this five (5) year Special Use Permit.

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. Brighton Learning Center shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 6:30 a.m. to 10:00 p.m., Monday – Friday.
4. All building and fire safety requirements shall be complied with and maintained as required.
5. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances.
6. Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
7. The dumpster enclosure shall be maintained with materials consistent with the primary building.
8. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.
9. 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

City Staff recommends that the request be **APPROVED** contingent upon the conditions listed above.

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Monday, December 19th, 2022
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Gary Markenson
Kate Middleton
Bill Turnage
Mike Ebenroth, Chair
Jennifer McGee
Kim Murch
Chase Cookson, Vice Chair
Spencer Davis

Absent: Larry Whitton
Brenda Lowe, Secretary
James New

Council & Staff Present:

Austin Greer, Community Development Director
Angie Daugherty, Admin. Assistant
Jean B. Moore, Mayor Pro Tem

Item 2 on the Agenda: Pledge of Allegiance.

Chair Ebenroth led the group in reciting the Pledge of Allegiance to the United States of America.

Item 3 on the Agenda: Approval of the December 5th, 2022 Minutes. The minutes from the meeting will be considered at the next Planning Commission meeting in 2023.

Item 4 on the Agenda: Public Hearing: A Special Use Permit to operate a childcare facility of property located at 7260 NE Antioch Rd. Applicant/Owner Darron and Alicia Jones. *The City Council Public Hearing is scheduled for Monday, January 9, 2023.*

Mr. Greer read the staff report,

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

Alecia and Darron Jones have been operating their flagship location in Gladstone at 7227 N Euclid Avenue for over 11 years.

Alecia and Darron Jones submitted a narrative further explaining their childcare facility called Brighton Learning Center. The document can be found in your packet.

City Staff recommends that the following conditions be considered if the Planning Commission and City Council approve this one (1) year Special Use Permit.

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
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9. 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.

City Staff recommends that the request be **APPROVED** contingent upon the conditions listed above.

Mrs. Jones stated that they have operated a childcare facility for almost 12 years. Prior to that she taught in the North Kansas City School District. Her and her husband opened up a childcare facility after having three kids of their own. We are planning on opening our hopefully soon to be a 3rd location. Currently, we have one in Gladstone and another in Kansas City off of Barry Rd. We currently have about 150 kids enrolled in these two locations. We employ almost 40 teachers and we now have a waitlist over seven pages long of people needing childcare.

Mr. Jones stated that this is a family owned business. We enjoy being a part of Gladstone and we have committed a lot to this business and location. We have had tremendous feedback as far as their school readiness programs and we could employ up to 10 to 15 more teachers.

Mr. Murch asked Mr. Greer what the current zoning is at their current flagship location.

Mr. Greer stated CP-1.

Mr. Murch asked is it commercial.

Mr. Greer stated yes sir, their flagship location is zoned commercial CP-1. In the zoning code C1 or CP-1 is the lowest minimum zoning you can have to have a private school or childcare facility. This particular location happens to be a split zoning but the part that they are interested in is zoned CP-0 non-retail which is why a special use permit is needed for this location. This is also why Caroline's House previously needed and operated off of a special use permit as well.

Mr. Murch asked what is a CP-0

Mr. Greer stated it is considered non-retail or office such as a lawyer, architect, accountant type of office setting.

Mr. Markenson stated that he passes Caroline's House every day and he thought what a waste for that space to be vacant. It is a beautiful facility. He is glad it is being used for a quality day care and child care services are in great need. My wife worked in daycare licensing in Jefferson City and he is curious if they participate in any food programs offered by the state.

Mrs. Jones stated that they do not because you have to have a certain amount of lower income families and currently we do not have that.

Mr. Murch stated based on the history of the facility that was there for many years on 72nd and Euclid why are we doing a one-year special use permit versus a five-year special use permit.

Mr. Greer stated that he is probably referencing one of their previous meetings where there was a jump to a seven-year special use permit instead of starting with a one-year special use permit. Mr. Markenson made a great point at our last meeting that we shouldn't get out of the habit of starting with one year to start and I wholeheartedly agree with him. Also, this particular situation and use is completely different than the situation and use in a previous meeting earlier this month. However, if the Planning Commission agrees with Mr. Murch I am certainly open and agreeable to starting Brighton Learning Center with a five-year special use permit given their history and good standing in the community.

Mr. Murch stated that he is going off of the history of the subject facility and asked the owners if they rent or own the building.

Mrs. Jones stated that her and her husband own the property.

Mr. Murch stated that for them to make that type of investment in a property to only get a one-year special use permit isn't fair and doesn't feel like city staff is being very business friendly to people that have a proven track record of being good business people in Gladstone. Does it typically start out as one year then go to five years? Does the 72nd and Euclid location have a special use permit?

Mr. Greer stated that special use permits historically start with one year, then five years, then ten years and no the 72nd and Euclid location does not have a special use permit because the property has the correct commercial zoning. If the other planning commissioners agree with Mr. Murch and there is a number of years you all are thinking of I am more than open to hear it. Thank you.

Mr. Murch stated that since they are good business people and the history of that facility is a childcare facility then I would propose starting them out with a five year special use permit.

Mr. Greer stated that if this is something that the Planning Commission would like to entertain, I would certainly be open to it. Mr. Murch makes some great points and I certainly agree with them but I would like to see an agreement amongst all the Planning Commissioners to start out with a higher number of years.

Mr. Davis stated he is happy that they are here tonight and that more childcare services in our community are certainly needed.

Mrs. Jones stated that they had an open house last week and over three days they had almost 50 tours for their newest location.

Mr. Davis asked Mr. Greer his thoughts about permanently changing the zoning for this property.

Mr. Greer stated that he thinks permanently changing the zoning to something else opens up that property to more intense uses listed in the zoning code and my concern would be to what comes after the childcare facility if they were to move out and sell the property. If rezoned to a more intense type of zoning, then the next use after the childcare facility may not be compatible to the residential zoning that surrounds it.

Mr. Cookson stated that he is open to starting with a five-year special use permit.

Mr. Greer stated that he would like to hear from the other Planning Commissioners to see if they are open to what Mr. Murch suggested.

Mr. Turnage asked Mr. Greer if there has been any communication from neighbors living next to the subject property.

Mr. Greer stated no sir.

Mrs. Jones stated that they went door to door and everyone that they were able to talk to were really supportive.

Ms. Middleton stated that she is ok with the five-year special use permit as well.

Ms. McGee stated that she is ok with the five-year special use permit.

Mr. Greer stated he will make that change from one year to five years and put this in front of City Council for their consideration. Thank you.

MOTION: By Mr. Markenson, second by Ms. McGee to approve the Special Use Permit located at 7260 NE Antioch Rd for a five-year period.

Yes - 8 No - 0

The motion carried. (8-0)

Item 5 on the Agenda: Communication from the Public

No communication

Item 6 on the Agenda: Communication from the City Council

Council Member Moore stated that she wanted to thank everyone for being part of this Planning Commission. Also, Merry Christmas and Happy Holidays.

Item 7 on the Agenda: Communications from the City Staff

Mr. Greer said he wanted to wish everyone a Merry Christmas and Happy Holidays as well.

Item 8 on the Agenda: Communications from the Planning Commission Members

Mr. Markenson stated that there were about 700 visitors at the Museum for Santa Clause and pictures with Santa.

Chair Ebenroth wanted to wish everyone a Merry Christmas.

Item 9 on the Agenda: Adjournment

Chair Ebenroth adjourned the meeting at 7:15 pm.

Respectfully submitted:

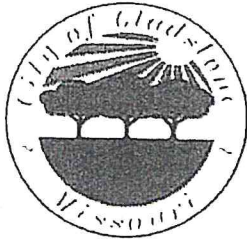
Mike Ebenroth, Chair

Approved as submitted _____

Angie Daugherty, Recording Secretary

Approved as corrected _____

DEVELOPMENT APPLICATION



CITY OF GLADSTONE
7010 N HOLMES STREET
GLADSTONE, MISSOURI 64118
PHONE: 436-4110 FAX: 436-2228

File #: SUP22-00002
Application Date: Nov. 21st
PC Date: Dec 19th
CC Date: Jan 9th

Application Type:

- (PH) Special Use Permit (\$500)
- (PH) Zoning Change (\$500)
- (PH) Site Plan Revision (\$500)
- (PH) Right-of-Way Vacation (\$200)
- (PH) Variance - BZA (\$200)
- Final Plat/Replat (\$75)

Address of Action: 7260 NE Antioch Rd

Legal Description: Gladstone MO 64119
Attach under separate cover if needed.

Proposed Change: Proposed change is for special use permit so to operate a child care center.

Applicant/Property Owner Information:

- Applicant(s) Darron & Alecia Jones
Company Brighton Learning Center
Address _____
Phone 816-377-3678 Fax: _____ E-Mail: djonesblcKC@gmail.com
- Property Owner (if different than applicant) _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- Architect/Engineer _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____

Please indicate in one box above which person is to be the contact.

Applicant's Signature [Signature] Date 11/10/2022

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, Darron Jones (Owner's name), do hereby authorize Darron Jones (Applicant's name)

to apply for the following action on my property at 7260 NE Antioch Rd
Gladstone MO 64119

- a. Rezone from _____ to _____
- b. Site Plan Revision _____
- c. Special Use Permit Daycare
- d. Variance _____
- e. Plat/Replat _____

Date: 11-15-2022 Owner's Signature: [Signature]

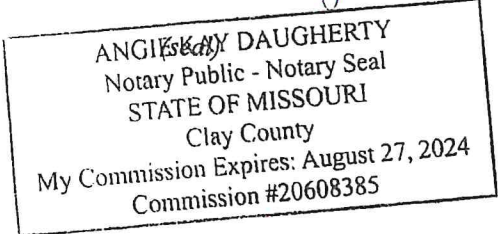
NOTARIZATION

State of Missouri
County of Clay

Subscribed and sworn before me this 15 day of November, 2022.

Notary's Signature: [Signature]

My Commission expires: August 27-2024



City of Gladstone Special Use Permit Narrative

Brighton Learning Center is a family owned early education center that has been operating in Gladstone for over eleven years at our flagship location off of Euclid and 72nd Street. We opened there with a handful of teachers and under fifteen students and a mission to use the experience and education we gained from the University of Missouri degrees and working in local school districts (North Kansas City and Park Hill) to impact a younger generation. From then we have grown over the last eleven years to two (soon to be three!) locations, thirty-six teachers and over 150 students, with over 50 more on our waiting list. Our six page waiting list is both a testament to the quality of care and education provided at Brighton Learning Center and the void that is needing to be filled in our community. Between the devastating effects of the covid-19 pandemic and the job shortage that plagued the hospitality industry over the last two years; the Gladstone area lost several childcare facilities to closures. We are seeking to help fill that gap with this potential third location at 7260 NE Antioch Road.

Employing quality teachers from the surrounding area is also a huge calling for us as we strive to pay a fair and living wage and provide competitive benefits to our teachers. We plan to employ ten to fifteen more staff with the opening of this third location, creating more jobs in the area as well. For the safety of the students, other staff members and surrounding community, teachers are all fingerprinted, background checked, CPR and first aid certified as well as being well versed in what to do in emergencies.

Our entire team at Brighton Learning Center works with each family individually to make sure that area children receive the quality, affordable childcare, and early education that we are known for. We also encourage

family and community involvement through many different family-focused events such as the grandparents' day lunch, field day, our annual family BBQ, bike day, literacy night and so many more activities. We also visit many Kansas City attractions, such as the Kansas City Zoo, Kaleidoscope, Science City, pumpkin patches and more, through field trips that extend our students' learning experiences.

We are excited to grow our business by this third location in the community we have both lived in and worked in for the past decade. Thank you for your consideration!



All-America City

Gladstone



2008

TO: Property Owners Within 185' & Other Interested Parties
FROM: Community Development Department
DATE: November 30th, 2022
SUBJECT: Brighton Learning Center 7260 NE Antioch Rd.

PUBLIC HEARING

All persons are hereby notified that the Gladstone Planning Commission will conduct a public hearing on December 19th, 2022 at 7:00 PM in the Council Chamber of Gladstone City Hall on a request for a Special Use Permit at 7260 NE Antioch Rd. legally described as 007260 NE ANTIOCH RD MEADOWBROOK MANOR NORTH TR B

Applicant: Darron & Alecia Jones

Owner: Same

Subsequently, at its regular meeting of January 9th, 2023, at 7:30 PM, the City Council will conduct a public hearing on the same request.

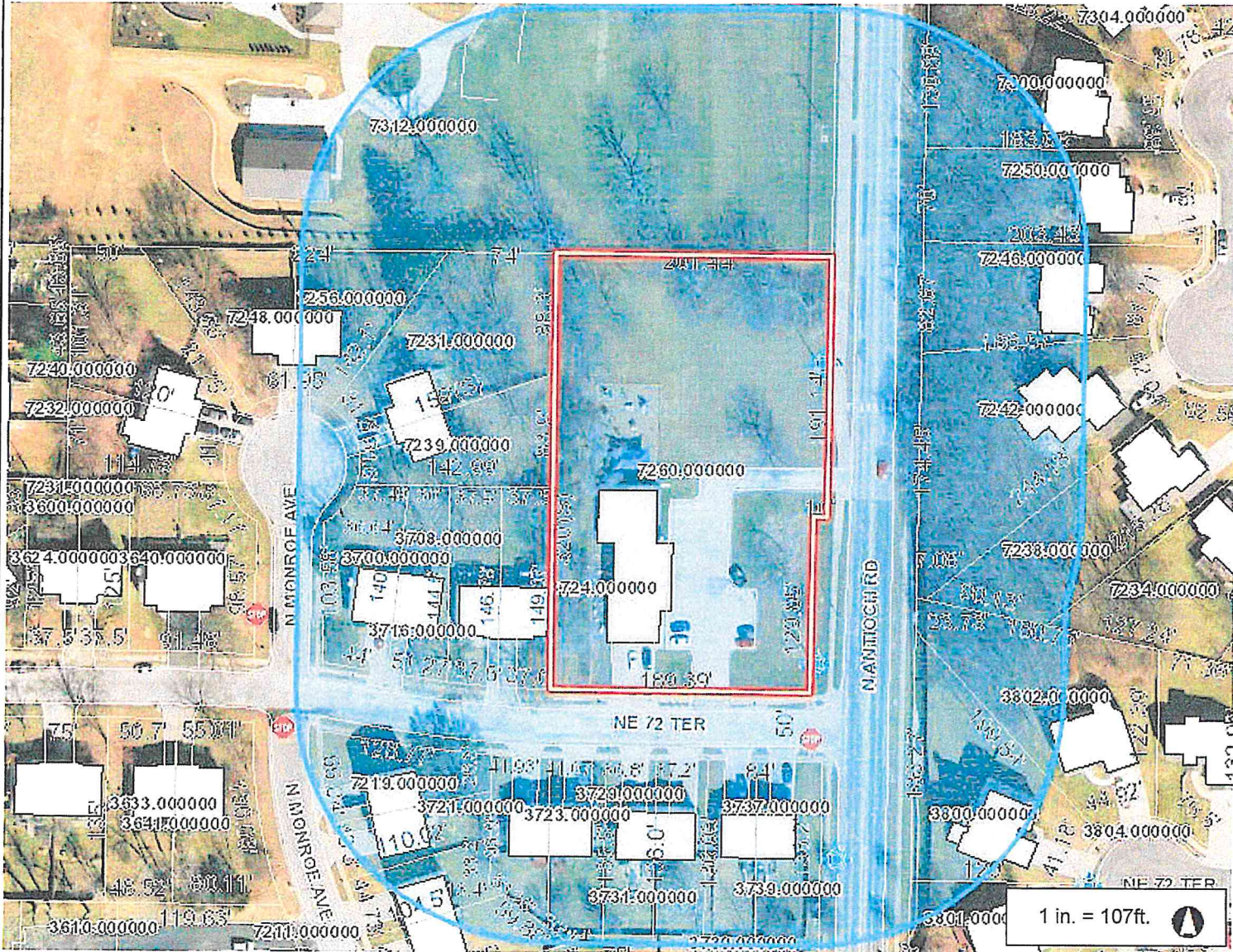
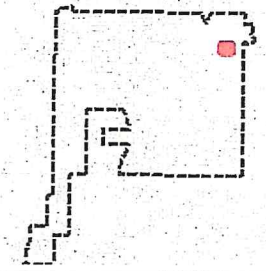
In summary:

Brighton Learning Center is a family owned children's early education center. The proposed address above is a third location in addition to their flagship location at Euclid and 72nd St. here in Gladstone. Previously, 7260 NE Antioch Rd. operated as Caroline's House, also a childcare facility for many years.

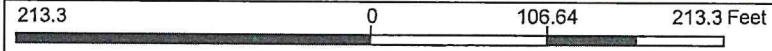
If you have any questions or concerns, please contact Austin Greer, Community Development Director & Assistant To the City Manager at austing@gladstone.mo.us and/or 816-423-4102.



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. = 107ft.

Notes

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