



City of Jackson

EXHIBIT

A

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT REQUEST: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on February 9, 2022, at a regular meeting in consideration of the following:

Special Use Permit for an existing daycare under new ownership in an R-4 General Residential District as 1327 East Main Street

Applicant: **Tot Spot Academy and Preschool, LLC**

Filing Date of Application/Fee: **December 28, 2021**

Submission Date of Application to Commission: **February 9, 2022**

Public Hearing Date: **waived**

In examining this consideration, the following factors were considered and found as noted:

Administrative Staff Findings: Yes/No

1. Application provided all necessary information: ☐ Yes ☐ No
2. Generally conforms with City Comprehensive Plan: ☐ Yes ☐ No
3. Generally conforms with Major Street Plan: ☐ Yes ☐ No

Planning & Zoning Commission Findings: Yes/No

1. Creates adverse effects on adjacent property: ☐ No ☐ Yes
2. Creates adverse effects on traffic movement or safety: ☐ No ☐ Yes
3. Creates adverse effects on fire safety: ☐ No ☐ Yes
4. Creates adverse effects on public utilities: ☐ No ☐ Yes
5. Creates adverse effects on general health and welfare: ☐ No ☐ Yes

Following consideration of testimony, comments, exhibits and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

THE ABOVE APPLICATION IS:

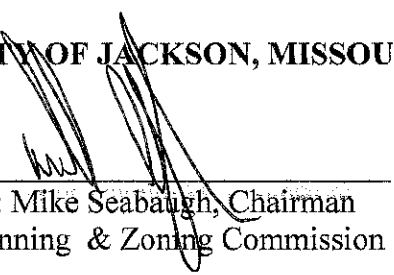
☐ Approved
☐ Disapproved
☒ Approved with conditions specified below

By a roll call of 9 ayes, 0 nays, 0 abstentions and 0 absent this 9th day of February, 2022.

SPECIAL CONDITIONS:

- 1) Compliance with all ordinances of the City of Jackson.
- 2) Only one (1) detached and one attached sign, each not more than forty (40) square feet in sign face area, containing only the name of the day care facility shall be permitted.
- 3) At least six (6) off-street parking spaces shall be provided for the daycare facility.
- 4) All off-street parking shall be restricted to the proposed parking facilities of the day care center only. No parking associated with said day care facility shall be permitted on or along East Main Street., Donald Street, or Tracy Street. Additionally, no parking shall be permitted in access driveway or parking lots owned by adjacent owners.
- 5) Permitted hours of operation for said day care center shall be no earlier than 6:00 a.m. to no later than 6:00 p.m.
- 6) The applicant shall make every attempt to remove the making, creation, or permitting of any unreasonably loud, disturbing, or unnecessary noise as generated by the day care facility. Honking and/or other disturbing or unnecessary noises as defined in Chapter 43 Article IV of the City code shall not be permitted.

CITY OF JACKSON, MISSOURI


By: Mike Seabaugh, Chairman
Planning & Zoning Commission

ATTEST:

By: 
Janet Sanders, Building & Planning Manager



REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

APPLICATION DATE: 12-28-21

TYPE OF APPLICATION: Rezoning X Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

1327 East Main Street Jackson, Missouri 63755

CURRENT PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Tot Spot Academy and Preschool, LLC Stacey Bertrand-McIntosh
Mailing Address: 338 State Hwy BB
City, State ZIP: Millersville MO 63766

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): NA
Mailing Address: _____
City, State, ZIP: _____

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Stacey Bertrand-McIntosh
Mailing Address: 338 State Hwy BB
City, State ZIP: Millersville MO 63766
Contact's Phone: (573) 225-8959
Email Address (if used): staceybmclntosh@yahoo.com
darren.mcintosh72@yahoo.com

CURRENT ZONING: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input checked="" type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| | <input type="checkbox"/> I-3 (Planned Industrial Park) |

CURRENT USE OF PROPERTY: _____

Childcare

PROPOSED ZONING: (check all that apply)

R-1	(Single-Family Residential)	C-1	(Local Commercial)
R-2	(Single-Family Residential)	C-2	(General Commercial)
R-3	(One- And Two-Family Residential)	C-3	(Central Business)
R-4	(General Residential)	C-3	(Central Business)
MH-1	(Mobile Home Park)	C-4	(Planned Commercial)
O-1	(Professional Office)	I-1	(Light Industrial)
CO-1	(Enhanced Commercial Overlay)	I-2	(Heavy Industrial)
		I-3	(Planned Industrial Park)

PROPOSED USE OF PROPERTY: _____

Childcare

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

see attached

REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

There is a great need for Early Learning and quality childcare in Jackson Mo. I recieved a grant through childcare relief act from the state of Mo, for upgrades to the property, furniture and supplies. I have 20 years Child Development experience being a director in private Preschool's and in Child Development in two public school districts as a Parent Educator. I can offer more Knowledge for families for growth of their children in Early Learning.

DRAWINGS (FOR SPECIAL USE PERMITS ONLY): If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

OWNER SIGNATURES:

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

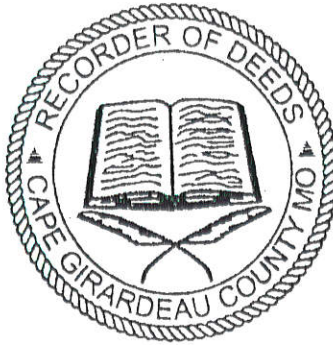
Stacy Bernhard-Medlock

Please submit this application along with appropriate non-refundable application fee to:

Janet Sanders
Building & Planning Superintendent
City of Jackson
101 Court Street
Jackson, MO 63755

573-243-2300 ext.29 (ph)
573-243-3322 (fax)
jsanders@jacksonmo.org

APPLICATION FEES:	Rezoning:	\$200.00
	Special Use Permit:	\$100.00



eRecorded
DOCUMENT #
2021-16763

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
12/21/2021 11:33:26 AM
REC FEE: 27.00
PAGES: 2

WARRANTY DEED

This Warranty Deed made and entered into this 17th day of December, 2021, by and between **JUST KIDS LEARNING DEVELOPMENT CENTER, LLC, a Missouri Limited Liability Company**, hereinafter referred to as **GRANTOR**, and **Tot Spot Academy and Preschool, LLC, a Missouri Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

338 State Highway BB, Millersville, MO 63766

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:


Part of Survey 797, Township 31 North, Range 13 East and Part of Lot 1 of Shawnee Heights Subdivision in the City of Jackson, in Cape Girardeau County, Missouri, described as follows:
Commence at the Southwest corner of Lot 7 of East Land Subdivision to the City of Jackson, being on the North line of East Main Street; thence South 7 degrees 46' West, along the West line of said Subdivision, 65.0 feet for a point of beginning on the South line of said subdivision and the South line of East Main Street; thence South 7 degrees 46' West, 311.7 feet; thence North 78 degrees 40' East, 51.21 feet; thence North 62 degrees 00' East, 115.16 feet; thence North 7 degrees 46' East, 228.3 feet, the South line of East Main Street; thence North 82 degrees 31' West, along the South line of East Main Street, 141.85 feet to the Point of Beginning.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns **FOREVER**, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

GRANTOR:

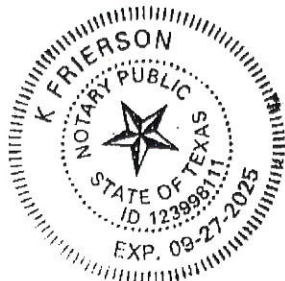
**JUST KIDS LEARNING DEVELOPMENT
CENTER, LLC**, a Missouri Limited
Liability Company

BY: 
Donald E. Harris, Member

STATE OF Texas)
) ss.
COUNTY OF Parker)

On this 17 day of December, 2021, before me personally appeared **Donald E. Harris, Member of JUST KIDS LEARNING DEVELOPMENT CENTER, LLC, a Missouri Limited Liability Company**, to me known to be the person described in and who executed the within Warranty Deed in behalf of said limited liability company and acknowledged to me that he or she executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.




Notary Public
My commission expires:



1327 E. Main St.
Location Map



1327 E. Main St.
Properties Within 185'