

P & Z Case 038-15

Missouri American Water Company

(P & Z Recommended Approval for a permanent Special Use Permit)

RESOLUTION NO. 2015-020

A RESOLUTION granting a Special Use Permit (First Request) to Missouri American Water Company for the operation of a publicly owned utilities facility located at the southwest corner of 15<sup>th</sup> Street and Delaware Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on October 15, 2015, recommended that a Special Use Permit be granted for the operation of a publicly owned utilities facility located at the southwest corner of 15<sup>th</sup> Street and Delaware Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on November 2, 2015, in compliance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Joplin, as follows:

That a Special Use Permit be granted to Missouri American Water Company for the operation of a parking lot in the City of Joplin, Missouri, on the following described real estate, to-wit:

ALL OF THAT PART OF THE EAST FORTY (40) FEET AND THE NORTH ONE HUNDRED (100) FEET OF LOT 96 OF BANKER'S LOT THIRD ADDITION.

and the said Special Use Permit is hereby issued with the following conditions and made a part thereof:

1. This Special Use Permit is issued to Missouri American Water Company for the use of a public utility owned facility (booster station).
2. The permit shall be permanent.
3. The site be screened from residential areas in compliance with the City of Joplin Zoning Code's landscaping requirements.
4. This property will include sound proofing attenuation to alleviate noise concerns from the proposed booster station.
5. This property will not be accessible to the public and will be secured at all times.
6. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
7. Any other conditions set by the City Council of the City of Joplin.

The violation of any condition set forth in this Resolution shall be interpreted as a violation of Appendix 29-A (Zoning Code) of the Municipal Codes of the City of Joplin and shall be administered in accordance with the provisions of Section 34 (Violation and Penalty) of Appendix 29-A of that Code. Conviction in Municipal Court for violation of any condition as set forth in this Resolution shall cause the immediate termination of this Special Use Permit and require the applicant as named in Item No. 1 above to reapply for renewal.

The Municipal Planner is hereby authorized and directed to issue said permit to Missouri American Water Company in accordance with the plans and specifications on file in the Office of the Building Official.

The City Clerk is hereby ordered to file this Resolution with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Michael L. Seibert, Mayor

ATTEST: \_\_\_\_\_  
Barbara L. Hogelin, City Clerk