Special Use Permit Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only
Case No.: 08-23
Filing Fee: $550.00
Received: 2/16/23
Date Advertised: _____
Proj. No.: 23-089
Public Hearing Date: 4/10/23

Applicant: Anderson Engineering Inc Phone No.: 417-782-7399

Address: 811 East 3rd Street Joplin, MO Email: cshort@ae-inc.com; Swagg

Owner: Bates Building Phone No.: 417.385.1360

Address: 1700 East 4th Joplin, MO Email: _____

Location of Property: 22nd & Rangeline Joplin mo

Present Use of Property: vacant

Proposed Use of Property: fast serve carry-out restaurant

Current Zoning: C1PD Acreage: 0.6

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	vacant	C1
South	residential	C1-PD
East	commercial	C1-PD/C3
West	single family residential	R1

Character of the Neighborhood: Mixture of Residential and commercial on the edge of Rangeline

Instructions:
The following checklist is to be completed **by the applicant**. Please indicate whether the following standards are met, in the applicant's opinion. A separate sheet explaining how each standard is met **must** be included with the application.

Yes	No	
⦿	○	Is deemed necessary for the public convenience at that location.
⦿	○	Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.
⦿	○	Is found to be generally compatible with the neighborhood in which it is proposed.
⦿	○	Will comply with the height and area regulations of the district in which it is located unless specifically granted.
⦿	○	Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential use from injurious effect.
⦿	○	Adequate utility, drainage, and other such necessary facilities have been or will be provided.
○	⦿	Should this Special Use Permit be valid only for a specific time period?

If yes, what length of time?_____

Operational Information:
The Special Use Permit that will be issued will have set of conditions that will require information regarding the following (additional conditions may be imposed by the Commission and Council):

Hours of Operation: 10am-11pm

Days of Operation: Monday-Sunday

Number of Off-street Parking Spaces: 20

Signs (Generally signs are limited to one sign not larger than one (1) foot by two (2) feet set no more than six (6) feet off the ground and at least ten (10) feet inside the property line): _____

1

Number of Employees and/or Assistants: _____

Nature of Business: Carry-out restaurant

Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
⦿	○	Completed and signed application.
⦿	○	Legal description of the property from a deed or certified survey. Must be legible.
⦿	○	Additional sheet explaining how the above criteria are met.
⦿	○	One copy of the necessary descriptive material related to the intensity and extent of the proposed use, including any traffic conditions that may result; any danger from fire hazards; how the proposed use may affect the character of the surrounding properties; and how the proposed use will benefit the City of Joplin.
⦿	○	One copy of a site plan of the property showing location of off-street parking and any required screening, location of the structure(s) or proposed structure(s), access to the site from public right-of-way, and any other information requested by staff, the Planning & Zoning Commission, or City Council.

Violation of any condition as part of an approved Special Use Permit will cause a complaint to be filed with the Municipal Court and the Permit to be suspended immediately requiring reapplication.

Applications that are incomplete or missing required documents will **not** be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: _____ **Date:** 2-10-23

Special Use Permit Procedures

Applicability. A special use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses. These uses may not be appropriate generally throughout a district, but due to the specific design and operational characteristics of the use on a particular site or due to conditions around the proposed location of the use, could be appropriate in limited circumstances. These uses require a case-specific review to determine the compatibility in a specific context and location. Special use permits may be initiated by the property owner.

The special use permit process applies to uses identified as a special use in the applicable zoning district by Article 4, Table 4-03, Use Table.

Review Criteria. A special use permit shall be reviewed according to the following criteria:

1. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the comprehensive plan.
2. Any site development or construction proposed with the use complies with the requirements of this code, including all specific conditions for the particular use.
3. Whether any additional site-specific conditions are necessary to meet the purposes, intent, or design objectives of any applicable subsections of this code or are necessary to mitigate any other potential impacts that are specific to the proposed use.
4. The impact on the public realm, including the design and function of the streetscape and relationship of building and site elements to the streetscape.
5. Compatibility with the character of the area considering building scale, building form, architectural character, landscape, and site design.
6. Compatibility with other uses or potential development in the area considering operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property.
7. Whether a limited period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and on-going enforcement of the permit.
8. The adequacy of drainage, utilities, police, fire, refuse collection, and other public facilities and services.
9. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
10. The recommendations of professional staff or other technical reviews associated with the application.

Review Procedure. In addition to the general requirements in Table 2-1 and Section 2.01, the following requirements are specific to special use permit applications.

1. Applications may be accompanied by site plan where they are necessary to review conformance with standards of this code and any performance criteria for the particular uses.
2. The Director shall review the application and determine if the review or comment of any other department or agency is required.

3. The Planning Commission may recommend, and the City Council may approve any additional conditions on the use including the physical development, operations, maintenance or any other limitation it feels necessary to ensure the application meets the criteria in this location.

Effect of Decision. Approval of a special use permit, and satisfaction of all conditions of the special use permit, shall authorize the applicant to apply for a building permit, and other applicable permits. Approval shall be valid for one year, and any application not acted upon within this period shall be void and require a new application. A special use permit shall expire at end of any period specified in the permit, or if the use is abandoned for more than 12 months. Any expansion or other change in scale, intensity or operation of the use that could increase its impact shall require the permit to be amended through the same process as the original approval. A special use may be revoked through the same procedures granting the use, upon a finding that the conditions of approval have not been met, or the use has otherwise violated the provisions of this code or any other applicable law.

Web Copy

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RECORDER OF DEEDS SEAL JASPER COUNTY, MO

Charlotte Pickering
Recorder of Deeds

General Warranty Deed
(Corporation)

This Deed, made and entered into on March 29, 2022, by and between **Grantor(s):** Fagan Holdings & Investments, Inc., organized and existing under the laws of the United States of America, and **Grantee(s):** Pizza Properties, LLC. **Mailing Address of the Grantee(s):** 14247 County Road 200, Jasper MO 64755

Witnesseth, that the Grantor(s), for and in consideration of the sum of One Dollar ($1.00) and other valuable consideration paid by the said Grantee(s), the receipt of which is hereby acknowledged, do(es) by these presents ***Grant, Bargain and Sell, Convey and Confirm*** unto the Grantee(s), the following described Real Estate, situated in the County of Jasper, and State of Missouri, to-wit:

TRACT 1:
ALL OF LOT NUMBERED TEN (10) EXCEPT THE EAST 90 FEET AND EXCEPT THE WEST 102 FEET IN KINDRED'S SUB-DIVISION IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

TRACT 2:
ALL OF THE EAST 90 FEET OF LOT NUMBERED TEN (10) IN KINDRED'S SUB-DIVISION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

Subject to Building lines, easements, restrictions and conditions of record, if any, and to any zoning law or ordinance affecting the herein described property.

To Have and To Hold the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s) and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that Grantor(s) and the heirs, executors, administrators, and assigns of such Grantor(s), shall and will **Warrant and Defend** the title to the premises unto the Grantee(s), and to the successors and assigns of such Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

Charlotte Pickering, Recorder of Deeds

Web Copy

In Witness Whereof, the Grantor(s) has or have hereunto set their hand or hands the day and year first above written.

Fagan Holdings & Investments, Inc.

By: Brad Fagan
Name: Brad Fagan
Title: President

State of Missouri }
} ss.
County of Jasper }

On, March 29, 2022, before me personally appeared Brad Fagan, to me personally known, who, being by me duly sworn, did say that he is the President of Fagan Holdings & Investments, Inc., a Corporation, and that said instrument was signed in behalf of said Corporation, by authority of its Board of Directors, and said President acknowledged said instrument to be the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My term expires:

SCOTT ALAN LAURIDSEN
Notary Public-Notary Seal
State of Missouri,Jasper County
Commission #20225029
My Commission Expires: 11/4/2024

Charlotte Pickering, Recorder of Deeds