Z&P Meeting: September 13, 2021
City Council Meeting: October 4, 2021

STAFF PLANNING REPORT
Special Use Permit

CASE 048-21 A request for a Special Use Permit for the operation of a short-term rental.

LOCATION 4477 Bradley Dr.

APPLICANT Rachel Bemo

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Single-family Home	Approximately 0.8 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Single-family Residential	Single-family Residential	Single-family Residential	Single-family Residential

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Bradley Dr.	Local	50'

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES Utilities do not need to be extended to the property.

FLOOD PLAIN N/A

STAFF ANALYSIS

IS DEEMED NECESSARY FOR THE PUBLIC CONVENIENCE AT THAT LOCATION.

Short-term rentals are generally offered in residential areas as an alternative form of short-term stay compared to typical hotels and motels. While it is some distance via road route to the property, its location within a residential area is consistent with the majority of short-term rentals found across the country.

IS SO DESIGNED, LOCATED, AND PROPOSED TO BE OPERATED THAT THE PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED.

The residential character of the structure and property will remain unaltered with this proposed use. Conditions set forth below limit the number of individuals that may occupy the rental at any one time based on the number of bedrooms, further securing the residential nature.

IS FOUND TO BE GENERALLY COMPATIBLE WITH THE NEIGHBORHOOD IN WHICH IT IS PROPOSED.

This short-term rental has been in operation prior to the application for this special use permit, and large groups, sometimes exceeding 20 individuals, have stayed at this location. Additionally, the applicant has advertised that the home could sleep up to 26 total people between the upper and lower levels of the house. That number of people staying on a property zoned R-1 is not compatible.

WILL COMPLY WITH THE HEIGHT AND AREA REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED UNLESS SPECIFICALLY GRANTED.

The existing building is in compliance with height and area regulations as specified in the R-1 zoning district. No additional structure, or addition to the existing structure, is planned.

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 ANY INJUIOUS EFFECT.

There is ample storage space for vehicles off-street, even when excluding parking areas within the attached garage. Approximately 14 vehicles would be able to park off-street on hard-surface areas. There is a semi-circular drive that provides an adequate and safe loading area.

ADEQUATE UTILITY, DRAINAGE, AND OTHER SUCH NECESSARY FACILITIES HAVE BEEN OR WILL BE PROVIDED.

Utilities are presently in place. Drainage is handled via a stormwater ditch running parallel to the street. No alterations to the site are planned that would increase impervious area or stormwater runoff.

DISCUSSION

The applicant is requesting a Special Use Permit for the first time with this application for the operation of short-term rental, colloquially referred to as an Airbnb. The facility provides up to 14 off-street

parking spaces and employs 0 assistants or employees other than the homeowner.

We have received considerable protest from the properties within 185 feet and those of the Silver Creek community. As of 9 September 2021, the Planning Office has received 65 unique protest petitions.

CONDITIONS

1. This Special Use Permit is issued to Rachel Bemo for the operation of a short-term rental at 4477 Bradley Dr.
2. The permit shall be valid for 1 year upon approval, being eligible for renewal in October 2022.
3. Off street parking for at least two (2) vehicles shall be provided.
4. Occupancy shall be limited to 6 persons total or other limit as set by the City Council.
5. The property owner shall ensure the following information is conspicuously posted within the short-term rental:
    a. Special Use Permit Determination Form.
    b. City of Joplin Noise Ordinance.
    c. Contact info for person(s) responsible for day-to-day operation of the short-term rental.
    d. Trash collection schedule.
    e. That the short-term rental may not be rented solely for weddings, receptions, parties, or other similar event.
6. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshal is required.
7. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
8. Any other conditions set by the City Council of the City of Joplin.

SPECIAL USE PERMIT APPLICATION

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 048-21
Filing Fee: ~~$500.00~~ $550.00
Date Advertised: 8-27-21
Date Notices Sent 8-27-21
Public Hearing Date: 9-13-21

APPLICANT: Rachel Bemo (formerly Higdon) PHONE: 417-439-9293

ADDRESS: 1813 Central St. Joplin, MO 64801 EMAIL: rachelbemo@att.net

OWNER: Rachel Bemo PHONE:

ADDRESS: EMAIL:

LOCATION OF PROPERTY: 4477 Bradley Drive, Joplin, MO

LEGAL DESCRIPTION: See included Legal Description Affidavit

PRESENT ZONING CLASSIFICATION: R-1 ACREAGE: 0.77

PRESENT USE OF PROPERTY:

PROPOSED LAND USE ACTIVITY: Short term rental
16 up and 10 downstairs.

ADJACENT ZONING AND LAND USE:

	Land Use	Zoning
North	Single family - Yes.	R-1
South	"	R-1
East	"	R-1
West	"	R-1

Does the proposed special use meet the following standards? If yes, attach a separate sheet explaining why.

	YES	NO
1. Is deemed necessary for the public convenience at that location.	X	

2. Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected. X ____

3. Is found to be generally compatible with the neighborhood in which it is proposed. X ____

4. Will comply with the height and area regulations of the district in which it is located unless specifically granted. X ____

5. 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 any injurious effect. X ____

6. Adequate utility, drainage, and other such necessary facilities have been or will be provided. X ____

Should this special use be valid only for a specific time period? Yes ____ No X
If Yes, what length of time? ____

Attachments Required:
1. One copy of a legal description of the property on which the use is to be located.
2. 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 impact the character of the surrounding properties; and how the proposed use will benefit the City of Joplin.
3. Site plans and landscape plans must be submitted for the site before a Special Use Permit can be advertised for public hearing.

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)

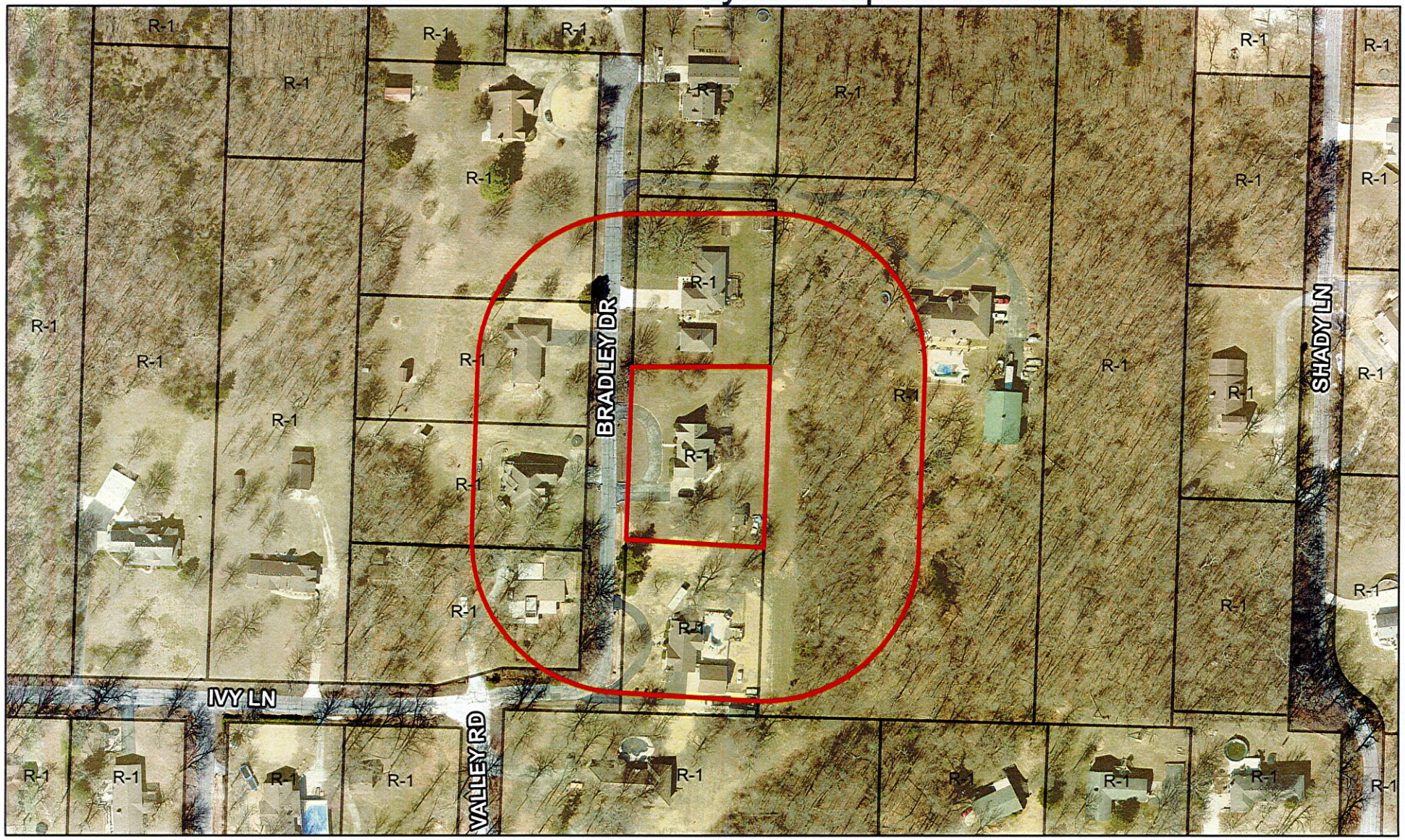
1. Hours of Operation. short term rental - any
2. Days of Operation. short term rental - any
3. Number of Off-street Parking Spaces. 7
4. Signs (Generally signs are limited to one sign not larger that one (1) foot by two (2) feet set no more than six (6) feet off the ground and at least ten (10) feet inside the property line.) none
5. Number of Assistants or employees. 1
6. Nature of the Business. short term rental
7. Location of the Business. 4477 Bradley Drive, Joplin, MO

Violation of any condition will cause a complaint to be filed with the Municipal Court and the Permit will be suspended immediately requiring reapplication.

SIGNATURE: Rachel Bemo DATE: 8/18/21

BY: Rachel Bemo TITLE: n/a

Case 048-21 - 4477 Bradley Dr - Special Use Permit



Case 048-21: 4477 Bradley Dr. - A request for a Special Use Permit (1st Request) for the operation of a short-term rental – Rachel Bemo

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