



8425 Airport Road

Berkeley Missouri 63134-2098

(314) 524-3313

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the City Council of the City of Berkeley that a virtual public hearing will be held at 1:00 pm on Monday, July 19, 2021 via the Zoom platform, for the purpose of considering the following proposition:

1. **Case #21-03: Shall a Special Use Permit be granted to George Smith to operate a towing and storage of vehicles at 8533 Wabash Ave, Berkeley, MO?**
2. **Case #21-06: Shall a Special Use Permit be granted to John & Pamela Dillon to operate a church and ministry services at 6301 Garfield Ave, Berkeley, MO?**

All interested parties shall be afforded, at such public hearing, a reasonable opportunity to express their views regarding the item set forth above.

Deanna L. Jones

Deanna L. Jones – City Clerk, MPCC/MMC

Zoom.us
Meeting ID: 853 9772 5603
Pass code: 779702

Posted: Wednesday, June 23, 2021 by 12:00 PM

STAFF REPORT

CASE NUMBER: **21-06**

DATE: June 3, 2021

PETITIONERS: John W. and Pamela K. Dillon

PROPERTY OWNERS: Harvest Church Assembly

REQUEST: Special Use Permit – Church and Ministry Operations

PROPERTY ADDRESS: 6301 Garfield Avenue

CURRENT ZONING: “C-2” Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Church with Vacant School

PROPOSED USE: same

RECOMMENDATIONS: Plan Commission recommends approval with conditions to the City Council



REPORT TO CITY COUNCIL

NO TAXES DUE

TO: Members of the City Council

FROM: Debra Irvin, City Manager

DATE: June 15, 2021

SUBJECT: **Case #21-06:** Shall a Request for a Special Use Permit (SUP) to John W. and Pamela K. Dillon to operate a church and ministry services at 6301 Garfield Avenue, Berkeley, MO

We have investigated the Subject item, above, and present the following as our findings:

RECOMMENDATION

City Plan Commission will hear the matter on June 15, 2021 and refer to City Council for review and consideration of a Special Use Permit application of John W. And Pamela Dillon to operate a Church and Ministry at 6301 Garfield Avenue, Berkeley, MO

BACKGROUND

The property that is the subject of this report is located at 6301 Garfield Avenue, 6305 Garfield Avenue, and 6307 Madison Avenue and is identified by St. Louis County Locator Number 11K622015/11K621993 The property is situated on 1.24 acres. Applicant will use the entire building for church and ministry services. Classrooms will be used for Sunday School and Prayer meetings.

ZONING CODE

This location is zoned C-2 Local Commercial District and in accordance with Special Use provisions through **400.140 D (22) Churches and places of worship shall be located on sites of not less than two (2) acres used exclusively by the church or place of worship.**

SUPPORTING DOCUMENTS

- Staff Report
- Special Use Application – Exhibit A
- Site Photographs –Exhibit B

OPTIONS OF THE COUNCIL

1. Recommend denial of the Petitioner's request.
2. Recommend approval of one use of the Petitioner's request

PUBLIC NOTICE AND COMMENT

Public Hearing notification is applicable. Upon recommendation by City Plan Commission to City Council, notices shall be mailed to owners and occupants of property within 185 feet of the site. This public hearing shall be published, posted and scheduled fifteen calendar days after the Plan Commission meeting, and/or date specified by the City Clerk.

CONDITIONS OF SUP

Approve, with conditions, the request for a Special Use Permit to John W. and Pamela K. Dillon to operate a church at 6301 Garfield Avenue, Berkeley, MO

1. Proposed name of the business- *Agape Time Ministries International and Couch Training Facilities (only one business license will be issued)*
2. Hours of operations shall be **9:00 am – 11:00 p.m., Sunday thru Saturday**
 - a. **Sunday Traditional Worship (8am and 11:30am)**
 - i. Expression Services
 - b. Evening Services – Thursday's (Character Building) 2pm – until adjourned
 - c. Sunday Fellowship (Dining Experience) 2pm – 6:00pm
 - d. Conferences to be held at the site
 - e. Saturday Leadership Training (all day)
3. Security cameras shall be installed at exterior perimeter and monitored by the ministry operators at all times; registration is required to be filed with Police Department
4. An alarm system and panic button are required to be installed
5. An after-hour contact shall be filed with Camera Registration
6. No cooking allowed in cafeteria without an approved kitchen plan and fire suppression system
7. Banquet Facilities
8. No part of the buildings shall be rented or leased to other parties
9. Outdoor tent services or any open-air events shall be approved by City Council prior to the event
10. Pick up litter around the premises at least two times a day
11. The building, lot, landscaping, and yard areas shall be maintained and kept free and clear of any debris or trash or weeds including maintenance of all landscaped areas.
12. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
13. Sign permit is required for new signs
14. No banners, balloons, flags or festoons in right of way
15. No snipe signs or directional signs in the Public Right of Way
16. Occupancy permit and Business License shall be posted at all times
17. The interior will successfully complete inspection by City's Building and Fire Department prior to the issuance of a Commercial Occupancy permit and the opening of the business for operations.
18. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
19. Commercial occupancy and business license are required from the City of Berkeley
20. This Special Use Permit will be revoked if for any reason the applicant ceases operation and closes its doors to the public for a period of six (6) months or more and not complying with the City's Special Use Permit.
21. The Special Use Permit shall not be assigned, or sold, or conveyed, or operated by another without prior approval by the City Council and occupancy permit, building permit or business license shall be issued to such assignee until such approval is secured.
22. Any violations can be a reason for the City to revoke this permit, according to the City's current regulations. The applicant will comply with all the City's rules and regulations.

23. If the City Council determines that the public health, welfare and safety are adequately protected in view of the foregoing criteria, then the special use permit shall be granted; but if it is negative as to any of such paragraphs, then the special use permit shall be denied.
24. In granting such special use permits, the City Council may provide that the permit be valid for a limited period of time not to exceed ten (10) years. Upon expiration of the time limit specified in the permit, the holder of the permit may request the permit be reviewed by the City Council, and the City Council may extend it for another limited period of time not to exceed ten (10) years. The City Council shall provide that the permit be exclusive only for the holder and non-transferable.
25. The City Council may, in accordance with Section [400.580](#), institute a rezoning. The City Council, after a public hearing, may revoke a special use permit for failure of compliance with the regulations and restrictions of this Chapter or the requirements of the special use permit.
26. The Owner/Operator understands each of the conditions set out herein and accepts and agrees to them.

RESPONSIBILITY OF THE OWNER

1. Remove and replace dilapidated fence along Hanley Road at Church Parking lot
2. The owner shall seal and re-strip asphalt parking lot

SUMMARY AND DECISION

The Plan Commission members can modify or add any other conditions with their recommendations to the City Council for this project.

Respectfully Submitted,

Exhibit "A" – SUP Application

6301 Garfield rec'd application 4/27/2021

PUBLIC WORKS DIVISION - 8425 AIRPORT ROAD BERKELEY, M SSOURI 63134-2098 -- (314) 524 3313 FAX (314) 264-2074

TYPE OF APPLICATION

(Please check all that apply)

INITIAL FEE \$350

<input type="checkbox"/> Preliminary (Plats)	<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Re-approval (Plats)	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Amending (Plats)	<input type="checkbox"/> Resubdivision/Reconsolidation
<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Business Name/Ownership Change
<input type="checkbox"/> Lot Consolidation	<input type="checkbox"/> Variance (Land Use)
<input type="checkbox"/> Street Name (New, Change)	<input type="checkbox"/> Variance (Building Code)
<input type="checkbox"/> Street Vacation	<input type="checkbox"/> Liquor/Lottery/Financials (Money Grams/Order)
<input type="checkbox"/> Medical Marijuana (Dispensary)	<input type="checkbox"/> Medical Marijuana (Grow Facility)
<input type="checkbox"/> Medical Marijuana (Researching/Testing)	<input type="checkbox"/> Building Code Appeal
<input type="checkbox"/> Other	<input type="checkbox"/> Other

REQUIREMENTS:

1. Prepare twenty (20) legible sets of drawings detailing interior & exterior of property.
2. Submit a completed application three (3) weeks prior to Planning meeting. (SEE attached Deadline & Meeting dates)
3. **DO NOT** destroy, tear down or remodel proposed business structure until 'FINAL' approval by City Council.
4. If you do not submit your application in a timely manner your request will be considered on the next meeting date.

APPLICANT(S) LEGAL NAME(S) John W. & PAMELA K. DILLON

APPLICANT IS (CHECK ONE): OWNER ☐ AGENT ☐ PURCHASER OF CONTRACT ☒ TENANT ☐

APPLICANT(S) ADDRESS: STREET 1208 Cannondale Court

CITY Florissant STATE MO ZIP 63034 PHONE 314 398 5954 E-MAIL atmi2000@sbccglobal.net

LOCATION OF PROPOSED USE

STREET ADDRESS: 6301 Garfield Ave & 6307 Madison Ave

PROPERTY DESCRIPTION: Church & a

PRESENT ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT (If applicable) _____

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Church & Ministry

THE PROPERTY IS TO USE IT FOR: (Type of Business) Church Ministry

DAYS & HOURS OF OPERATION ETC. Mon - Sunday 9am - 11pm

PROPOSED NAME OF BUSINESS: AGAPE TIME MINISTRIES International Church Facility

APPROXIMATE SIZE OF TRACT: ACRES 6301 1.24 6307 8.43 SQ FT OF SPACE (Under roof) _____

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: _____

ADDRESS: STREET: _____ CITY: _____

STATE: _____ ZIP: _____ PHONE: () _____ E-MAIL: _____

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: _____ SIGNATURE _____

By signing this application the owner(s) and applicant(s) attest that all information and facts provided on this form and attachments are complete and accurate and that any omission or incorrect fact or information may invalidate any notice or subsequent action taken by the City of Berkeley Board of Adjustments, City of Berkeley Planning & Zoning Commission. (All applicants and owners shall sign the application. Attach additional name/address/signature/date pages as needed.)

APPLICANT(S) SIGNATURE Pamela Dillon OWNER(S) SIGNATURE _____

DATE 4/12/2021 DATE _____

On this date 5/31/2021, all items necessary for a technical review of the proposed special use permit plan have been submitted and




Constitute a COMPLETE APPLICATION. STAFF SIGNATURE: Achard

DATE PAID 5/20/21 Cash ☐ Check ☐ Money Order ☐ Debit/Credit ☐ RECEIPT NO: 47434 CASE NO: 21-06

Exhibit “B” –Site Photos





5		11K622015	6301 GARFIELD AVE	HARVEST CHURCHASSEMBLY
6		11K622015	6305 GARFIELD AVE	HARVEST CHURCHASSEMBLY
7		11K621993	6307 MADISON AVE	HARVEST CHURCHASSEMBLY