



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, March 7, 2022 via the Zoom platform, for the purpose of considering the following proposition:

- 1. Case #22-01: Shall a Special Use Permit be granted to CF Altitude LLC dba Alta for the continued operations of a Convenience Store, Liquor, and Lottery business, located at 8601 Airport Rd, 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: 837 2374 5818

Pass code: 821902

Posted: Thursday Feb 17, 2022 by 2:00 PM



STAFF REPORT

CASE NUMBER: **22-01**

DATE: February 9, 2022

PETITIONER: **CF Altitude OOC dba Alta
8400 E. Prentice Ave, Ste 400
Greenwood Village, CO 80111**

PROPERTY OWNERS: Western Oil Inc
3553 Rider Trail So
Earth City, MO 63045
(314) 738-9900

REQUEST: Approval of a Special Use Permit

PROPERTY ADDRESS: 8601 Airport Road

CURRENT ZONING: "C-2" Local Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Convenience Store, Liquor, Lottery, Money Orders

PROPOSED USE: Convenience Store, Liquor, Lottery



REPORT TO CITY COUNCIL

TO: Members of the City Council

FROM: Debra M. Irvin, City Manager

DATE: February 9, 2022

SUBJECT: **Case # 22-01** A request for Special Use Permit (SUP) for the continued operations of a Convenience Store, Liquor, and Lottery located at 8601 Airport Road in the City of Berkeley, St. Louis County, Missouri.

RECOMMENDATION

Plan Commission recommends approval, with conditions, of the SUP for the continued operations of a Convenience Store, Liquor, and Lottery located at 8601 Airport Road in the City of Berkeley, St. Louis County, Missouri.

BACKGROUND

The property that is the subject of this report is located at 8601 Airport Road and is identified by St. Louis County Locator Number 11K341543, approximately 1.19 acres. The property is the location of an approximately 3,535 square foot, one-story, masonry building. The property is currently zoned C-2. The building was originally constructed in 1998.

JUSTIFICATION

This request is for a continued operation.

SUPPORTING DOCUMENTS

- Special Use Application
- St. Louis County Aerial View
- Site/Floor Plans
- Site Photographs

OPTIONS

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

PUBLIC NOTICE AND COMMENT

Public Hearing notification is applicable before the City Council, notices shall be mailed to owners and occupants of the property within 185 feet of the site. This public hearing shall be published, posted and scheduled for the next available date as determined by the City Clerk.

REQUESTED COUNCIL ACTION

The Board can consider the following items in their positive recommendation to the City Council for this Special Use Permit:

1. Operator shall adhere to all St Louis County Health provisions while under COVID mandate
2. Security cameras shall always be installed at perimeter and interior of space and monitored by the business operator at all times; registration is required to be filed with Police Department.
3. Hours of operations shall be from Seven (7) days a week/24-hours
4. Carryout liquor sales are permitted
5. Occupant shall provide a trash enclosure
6. 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. Pick up litter around the premises at least two times a day
7. Sign permit is required for new wall/window signs
8. No banners, balloons, flags or festoons in right of way, unless approved by City Council
9. No human signs permitted directing patrons to the bar
10. No live entertainment on parking lot
11. Deliveries, loading and unloading shall not occur between 6am-9am and 3pm -6pm (school buses and rush hour)
12. The owner shall submit renovation plans to the Building Commissioner for approval
13. Building and site conditions in need of repair shall be completed per the approval of the Building Commissioner.
14. 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.
15. *The owner shall repair, seal and re-strip asphalt parking lot for mini-strip plaza*
16. Commercial occupancy and business license are required from the City of Berkeley
17. Section 400.130 (K)(2) Noise. Every use shall be so operated that the maximum volume of sound or noise generated does not exceed forty (40) decibels at any point on the lot line of the lot on which the use is located. Outdoor loudspeakers and audible communication systems are not permitted within one thousand (1,000) feet of a residential district.
18. 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.
19. 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 approves is secured.
20. 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.
21. 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.
22. 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.

23. 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.
24. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.



TYPE OF APPLICATION

(Please check all that apply)

INITIAL FEE \$350

<input type="checkbox"/> Preliminary (Plats)	<input checked="" 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"/> Food Truck - SUP \$100.00	<input type="checkbox"/> Food Truck - Fire Inspection \$75.00
<input type="checkbox"/> Food Truck Business License \$75.00	<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.
3. DONOT 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) CF Altitude LLC dba AltaAPPLICANT IS (CHECK ONE): OWNER _____ AGENT _____ PURCHASER OF CONTRACT _____ TENANT XAPPLICANT(S) ADDRESS: STREET 8400 E Prentice Ave, STE 400CITY Greenwood Village STATE CO ZIP 80111 PHONE _____ E-MAIL _____

LOCATION OF PROPOSED USE

STREET ADDRESS: 8601 Airport RoadPROPERTY DESCRIPTION: Current fuel station with convenience store that is changing ownershipPRESENT ZONING DISTRICT: Class C Commercial PROPOSED ZONING DISTRICT (if applicable) N/ATHE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Fuel station with convenience storeTHE PROPERTY IS TO USE IT FOR: (Type of Business) Fuel station with convenience storeDAYS & HOURS OF OPERATION ETC. 24 hours per day/7 days per weekPROPOSED NAME OF BUSINESS: Alta Convenience 8672APPROXIMATE SIZE OF TRACT: ACRES 1.18 SQ FT OF SPACE (Under roof) _____IF APPLICANT IS NOT OWNER, OWNER(S) NAME: Western Oil, Inc.ADDRESS: STREET: 3553 Rider Trail South CITY Earth CitySTATE: MO ZIP: 63046 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 this application. Attach additional names/dates/signatures/date pages as needed.)

APPLICANT(S) SIGNATURE: Richard Sprunt OWNER(S) SIGNATURE: Greg M. Ellis
 DATE: 11/9/2021 DATE: 11-4-2021

On this date 11/11/21, all items necessary for a technical review of the proposed special use permit plan have been submitted andConstitute a COMPLETE APPLICATION. STAFF SIGNATURE: JK Campbell - PW SecretaryDATE PAID 11/16/21 ☐ Cash ☒ Check ☐ Money Order ☐ Debit/Credit RECEIPT NO: 50193 CASE NO: 22-01

Site Photographs (File Photos) –



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Ownership & Assessment

Owner/Assessment

Property

Sketch

Tax Info & Receipt

Tax History

Documents

2022

2021

2020

2019

2018

2017

2016

2015

2014

2013

2012

2011

[Glossary](#)[Print Page](#)[Printable Version](#)

Hide ↓

Ownership and Legal Information: 11K341543 - 2022

Locator No.:	11K341543	Tax Year:	2022
Tax District:	111NE	City Code: ↗	007
Site Code:	0203	Destination Code:	
Owner's Name:	WESTERN OIL INC		
Taxing Address:	8601 AIRPORT RD SAINT LOUIS, MO 63134		
Care-Of Name:			
Mailing Address:	3553 SOUTH RIDER TRL EARTH CITY, MO 63045		
Subdivision Book - Page:			
Assessor's Book - Page:	06 - 0030		
City Name: ↗	BERKELEY		
Subdivision Name:	GOLDER GREEN		
Legal Description:			
Lot Number:	2	Block Number:	
Lot Dimensions:	0203 / 0218 - 0202 / 1RR	Total Acres:	1.19
Tax Code - Description:	A - TAXABLE	Land Use Code: ↗	553
Deed Document Number:	2004012600469	Deed Type: ↗	WD
Deed Book and Page:	Book: 15603 Page: 0376	Trash District: ↗	NOT APPLICABLE
Deed Index List:	View Deed Index Information Recorded With Locator Number 11K341543		
School District:	FERGUSON-FLORISSANT	County Council District: ↗	1