



8425 Airport Road

Berkeley Missouri 63134-2098

(314) 524-3313

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## 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, April 18, 2022 via the Zoom platform, for the purpose of considering the following proposition:

1. **Case #22-02: Shall a request for a Special Use Permit be granted to MBR Management to operate an established Domino's Pizza located at 9432 Natural Bridge Rd, Berkeley, MO?**
2. **Case #22-03: Shall a requested for a Special Use Permit be granted to Pandey Hotel St. Louis, LLC to operate RL Hotel located at 9600 Natural Bridge 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*

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Deanna L. Jones – City Clerk, MPCC/MMC

Zoom.us

Meeting ID: 821 0187 9464

Pass code: 860094

Posted: Thursday Mar 31, 2022

## **STAFF REPORT**

CASE NUMBER: **22-02**

DATE: March 9, 2022

PETITIONER: MBR Management  
Domino's No. 1517  
9432 Natural Bridge Rd.  
St. Louis, MO 63134

PROPERTY OWNERS: MBR Management  
201 N Main, Ste 300  
St. Charles, MO 63301

REQUEST: Special Use Permit for Domino's Pizza: New Ownership,

PROPERTY ADDRESS: 9432 Natural Bridge Road

CURRENT ZONING: "C-2" Local Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Pizza Restaurant

PROPOSED USE: same

RECOMMENDATIONS: Plan Commission recommends approval with conditions



## REPORT TO CITY COUNCIL

*No Taxes Due at this time*

**TO:** The Honorable Members of the City Council

**FROM:** Debra M. Irvin, City Manager

**DATE:** March 9, 2022

**SUBJECT:** **Case # 22-02** – Shall a request for a Special Use Permit by MBR Management, located at 9432 Natural Bridge Road

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

### **RECOMMENDATION**

Plan Commission recommends approval, with certain conditions, for a Special Use Permit, for MBR Management, 9432 Natural Bridge Road, in the City of Berkeley, St. Louis County, Missouri to continue the operations of Domino's pizza restaurant.

### **BACKGROUND**

The current zoning is C-2 General Commercial District. The locator # is 13K610236. *At this time no taxes are due.*

### **PROCEDURE:**

The Commission may recommend modifications to the permit of approval as necessary to preserve the health, safety, general welfare, beauty, and tranquility of the City, and may recommend a specific expiration date of the permit. If no date is specified, the term shall be one year.

### **SUPPORTING DOCUMENTS**

- -Staff Report
- -Special Use Application
- -Site Photographs

### **OPTIONS OF THE COUNCIL**

1. –Recommend approval of the applicant's request.
2. –Recommend denial of the applicant's request.

## **REQUESTED COUNCIL ACTION**

Recommend to the City Council that the Special Use Permit be issued to MBR Management at 9432 Natural Bridge Road, Berkeley, Missouri 63134 in accordance with the City's regulations.

Its C-2 zone and this type of food chain is allowed in **Section 400.140(D) (1)** of the Municipal Code as "Bars, taverns, restaurants and package liquor stores." *Requiring a Special Use Permit.*

Staff request approval, with the following stipulations:

1. Hours of operation 7-days a week 10:30 am to 1:00am
2. Dine In, Carry Out, and delivery services
3. Secure St. Louis County Health Department inspection certification for the restaurant
4. Secure the payment of delinquent Real Estate taxes through agreement with St. Louis County Department of Revenue
5. The applicant must secure business and liquor licenses from the City of Berkeley, St. Louis County and the State of Missouri to be in compliance with federal and state laws.
6. The entire interior will be thoroughly inspected by City's Building and Fire Departments.
7. To continue occupying the building and facilities while complying with all the applicable rules and regulations of the City of Berkeley, St. Louis County, State and Federal rules and regulations.
8. Any vehicle licensed in excess of twelve thousand (12,000) pounds gross vehicle weight is not permitted on the parking lot for long-term overnight parking
9. No truck, truck trailer or vehicle of any type shall be used for storage purposes, not on skids, jacks or any other device that will make them immobile or inoperable. No repair of any nature will be performed on these parking lots.
10. Commercial occupancy and business license will be required from the City of Berkeley.
11. This Special Use Permit will be revoked if for any reasons the applicant ceases operations and not complying with the City's Special Use Permit.
12. This Special Use Permit shall not be assigned, or sold, or conveyed, without prior written approval from the City Council.
13. Any violations can be a reason for the City to revoke this permit, according to the City's current regulations. The applicant agrees to comply with all the City's rules and regulations.
14. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
15. 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 the holder may request a review and the City Council may extend it for another limited period of time not to exceed ten (10) years.

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

**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.

**Respectfully submitted,**

**Site Photograph – 9432 Natural Bridge**



## TAX HISTORY – PAID IN FULL

### Important Message:

- 2022 Individual Personal Property Declarations are in the mail and are **due by April 1, 2022**.
- If you are a new Missouri resident or this is your first time filing a declaration in St. Louis County, please complete the [New Resident Personal Property Declaration form](#).
- For questions contact 314-615-5500.

[Print Tax History Statement](#) 

Effective 3/3/2022

**Locator Number:** 13K610236  
**Owner Name:** Central Missouri Pizza Inc  
**Property Location:** 9432 Natural Bridge Rd  
**Subdivision:** Llewellyn Place  
**Block Number:**  
**Lot Number:** 1  
**School Sub Code:** 111BP  
**Legal Description:**  
**Assessed Value:**

### Real Estate Tax History:

Tax Year	Owner Name	Tax Code	Sewer Lateral Fee	Total Assessed Value	Amount Due	Amount Paid	Date Paid
2021	Central Missouri Pizza Inc	111BP	\$0.00	\$88,380.00	\$9,956.53	\$9,956.53	11/29/2021
2020	Central Missouri Pizza Inc	111BP	\$0.00	\$90,560.00	\$10,266.16	\$10,266.16	11/19/2020
2019	Central Missouri Pizza Inc	111BP	\$0.00	\$90,560.00	\$9,821.50	\$9,821.50	12/10/2019
2018	Central Missouri Pizza Inc	111BP	\$0.00	\$88,000.00	\$9,990.46	\$9,990.46	12/6/2018
2017	Central Missouri Pizza Inc	111BP	\$0.00	\$63,320.00	\$7,125.47	\$7,125.47	12/12/2017
2016	Central Missouri Pizza Inc	111BP	\$0.00	\$63,330.00	\$7,355.47	\$7,355.47	11/29/2016
2015	Central Missouri Pizza Inc	111BP	\$0.00	\$63,330.00	\$7,121.39	\$7,121.39	12/9/2015
2014	Central Missouri Pizza Inc	111BP	\$0.00	\$44,760.00	\$5,074.87	\$5,074.87	12/8/2014
2013	Central Missouri Pizza Inc	111BP	\$0.00	\$44,760.00	\$4,849.90	\$4,849.90	12/16/2013



# APPLICATION



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

1517

## 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 12/28/2021
<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. **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) MBR Management Corporation dba Domino's

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

APPLICANT(S) ADDRESS: STREET 201 N Main Street, Suite 300

CITY St. Charles STATE MO ZIP 63301 PHONE  E-MAIL

### LOCATION OF PROPOSED USE

STREET ADDRESS: 9432 Natural Bridge Road

PROPERTY DESCRIPTION: Stand Alone Commercial Building

Purchased Existing Business/Property on 12/28/21

PRESENT ZONING DISTRICT: C-2 PROPOSED ZONING DISTRICT (If applicable)

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Delivery/Carryout Restaurant

THE PROPERTY IS TO USE IT FOR: (Type of Business) Delivery/Carryout Restaurant

DAYS & HOURS OF OPERATION ETC. Mon-Sun 10:30a-1a

PROPOSED NAME OF BUSINESS: Domino's #1517

APPROXIMATE SIZE OF TRACT: ACRES  SQ FT OF SPACE (Under roof) 1600

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: MBR Berkeley Natural Bridge Road Property, LLC

ADDRESS: STREET: 201 N Main Street, Suite 300 CITY St. Charles

STATE: MO ZIP: 63301 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 Kellie Brinkman -AP OWNER(S) SIGNATURE

DATE 1-14-22

DATE 1-14-22

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

Constitute a COMPLETE APPLICATION. STAFF SIGNATURE:

DATE PAID

Cash ☐ Check ☐ Money Order ☐ Debit/Credit ☐

RECEIPT NO: 51263

CASE NO: 22-02





**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"/> Reapproval (Plats)	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Amending (Plats)	<input type="checkbox"/> Resubdivision/Reconsolidation
<input type="checkbox"/> Site Plan	<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) NAME(S) Pandey Hotel St. Louis, LLCAPPLICANT IS: OWNER \_\_\_\_\_ AGENT ☒ PURCHASER OF CONTRACT \_\_\_\_\_ LEASEE \_\_\_\_\_APPLICANT(S) ADDRESS: STREET 9600 Natural Bridge RdCITY Berkeley STATE MO ZIP 63134 PHONE 314-798-0080 E-MAIL Henry.hermes@hotel-rl.comPROPERTY DESCRIPTION AND STREET ADDRESS OR, IF NO STREET ADDRESS, THEN A GENERAL STREET LOCATION AND/OR DESCRIPTION: Multi-story hotel building located at 9600 Natural Bridge Rd Berkeley, MO 63134PRESENT ZONING DISTRICT: C-2 PROPOSED ZONING DISTRICT (If applicable) \_\_\_\_\_THE PROPERTY HEREIN IS PRESENTLY BEING USED AS FOLLOWS: Closed

THE REQUEST IS TO USE IT FOR: (Overview/Nature of business, hours of operation etc.) \_\_\_\_\_

Hotel/Hospitality, 24 hour service, food service, liquor licenseAPPROXIMATE SIZE OF TRACT: \_\_\_\_\_ ACRES 3.27 Acres SQUARE FEET 114,115 Sq Ft 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 BASED ON: General Manager of business location

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 [Signature] OWNER(S) SIGNATURE [Signature]DATE 2/1/2022 DATE 2/1/2022

On this date, all items necessary for a technical review of the proposed special use permit plan have been submitted and constitute a COMPLETE APPLICATION.

DATE PAID \_\_\_\_\_ Cash ☐ Check ☐ Money Order ☐ Debit/Credit \_\_\_\_\_ RECEIPT NO: \_\_\_\_\_ CASE NO: **22-03**