



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 public hearing will be held at 7:00 pm on Monday, March 20, 2023 in the council chambers of 8425 Airport Rd, 63134 and via Zoom, for the purpose of considering the following proposition:

1. **Case #23-01:** Shall a request be granted to the Bayless Family for a Special Use Permit to continue the operations of Oscar's Barber and Beauty Take 2, a business located at 8438 Airport Road, Berkeley MO 63134?
2. **Case #23-02:** Shall a request be granted to Leandrew Hunter Jr a Special Use Permit to operate an Emission Inspection Auto Garage business located at 5930 Evergreen Blvd, Berkeley MO 63134?

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 6766 6170

Pass code: 570822

Posted: Wednesday, March 9, 2023



STAFF REPORT

CASE NUMBER: **23-02**

DATE: March 20, 2023

PETITIONER: Leandrew Hunter Jr.

PROPERTY OWNERS: Tom Scott
P.O. Box
St. Louis, MO 63105

REQUEST: Special Use Permit

PROPERTY ADDRESS: 5930 Evergreen Blvd
Berkeley, MO 63134

SIZE: 2,820 square feet

CURRENT ZONING: “M-1” Industrial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant

PROPOSED USE: Safety and Emission Inspections

RECOMMENDATIONS: Plan recommends approval of Special Use Permit



REPORT TO CITY COUNCIL

NO TAXES DUE

TO: Mayor and Members of the City Council

FROM: Nathan Mai-Lombardo, City Manager

DATE: March 20, 2023

SUBJECT: **Case # 23-02** – Shall a request for a Special Use Permit from Leandrew Hunter Jr. to operate *Complete Auto Inspections LLC* a Safety and Emission Inspection Auto Garage business located at 5930 Evergreen Blvd, Berkeley, MO 63134.

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

PROPERTY LOCATION

5930 Evergreen Blvd – is zoned “M-1” Industrial District.

RECOMMENDATION

Plan Commission recommends approval of Special Use Permit.

SUPPORTING DOCUMENTS

- Staff Report
- Special Use Application
- Site Photographs

CONDITONS

The Commission shall consider the following conditions:

1. The name of the business shall be ***Complete Auto Inspections LLC***.
2. Hours of operation: Monday through Friday from 8:00 AM to 6:00 PM.
3. Shall adhere and comply with “performance standards” in terms of vibrations, noise, odor, smoke, toxic gases, emissions, and air pollution.
4. No dumping of oil on property or in Storm Sewer.
5. Salvaging or storing of tires is prohibited.
6. No sale of motor vehicles is allowed.
7. No outdoor storage or overnight parking of any vehicle.
8. Unless noted as a non-conforming condition or noted herein, building and site shall comply with all applicable health, safety, building and sign code standards as required by the City of Berkeley.
9. The building, lot, yard, and landscaped areas shall be maintained and kept free and clear of any debris or trash.
10. Prior to issuance of any Occupancy Permit the above noted conditions shall be met.
11. A sign permit is required. Banners, pennants, festoons, human sign, searchlights are *prohibited*. Business signage shall be limited to no more than
12. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
13. The exterior area shall be maintained and kept free and clear of any debris or trash or weeds.
14. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
15. The building, lot, landscaping, and yard areas shall be maintained and kept free and clear of any debris, trash, or weeds including maintenance of all landscaped areas.
16. Only 10% of windows space shall be used for window signage. The petitioner will be permitted one exterior wall mounted sign at the front wall of the business.
17. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
18. All required inspections by the city are required before issuance of occupancy permit or business license will be issued.
19. The interior will be thoroughly inspected by City's Building Commissioner and Fire Department, and any and all other jurisdictions, if applicable. All permits that are required by any of said mention must be received. Once, all required inspections are completed; apply for all necessary building/occupancy & fire safety permits from the City of Berkeley, and other jurisdictions, after obtaining City Council's approval on this Special Use Permit. Commercial Occupancy permit and Business License is

required and shall be posted at all times.

20. 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.
21. Substantial work or construction as determined by the City Council under the permit shall be commenced within ninety (90) days and completed with actual occupancy within one hundred eighty (180) days or the permit shall terminate. The permit may be extended by the City Council. The City Council may condition the permit with conditions to protect the public health, safety and general welfare. "*Actual occupancy*" shall mean the business is open to the public.
22. The Special Use Permit will be revoked if for any reason the applicant ceases operations 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. 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.
23. Any violations can be a reason for the City to revoke this permit, according to the City's current regulations. To occupy the building and facilities the applicant must comply with all the applicable rules and regulations pertaining to health and safety for vehicular and pedestrian traffic, zoning, building, sign codes, fire and safety protection standards as required by the City Fire Department, City of Berkeley, St. Louis County, State of Missouri, and Federal rules and regulations.
24. Prior to issuance of an Occupancy Inspection and Permits, the above noted conditions, the conditions as described in the attached Report, and the inspections as part of the normal occupancy permit process shall be met, and as approved by the City Council. This Special Use Permit takes effect upon the approval by City Council.
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 regulations and restrictions of this Chapter or the requirements of the special use permit.
26. 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.

**TYPE OF APPLICATION**

(Please check all that apply)

INITIAL FEE: \$350 (non-refundable)

<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 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. **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): Leandrew Hunter JrAPPLICANT IS (check one): OWNER ☐ AGENT ☐ PURCHASER OF CONTRACT ☐ TENANT ☒APPLICANT(S) ADDRESS: 8514 Mora Ln

Street

St. Louis

City

MO

State

63147

Zip

PHONE: (314) 307 - 0281

EMAIL: leandrew.hunter2925@gmail.com**LOCATION OF PROPOSED USE**STREET ADDRESS: 5930 Evergreen BlvdPROPERTY DESCRIPTION: Garage/ShopPRESENT ZONING DISTRICT: "M-1" Industrial

PROPOSED ZONING DISTRICT (IF APPLICABLE): _____

PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: _____

PROPERTY TO BE USED FOR (TYPE OF BUSINESS): Safety & Emission Inspection**DAYS & HOURS OF OPERATION ETC:**PROPOSED NAME OF BUSINESS: Complete Auto Inspections LLC

APPROXIMATE SIZE OF TRACT: ACRES _____ SQ. FT. OF SPACE (UNDER ROOF) _____

125432377

**IF APPLICANT IS NOT OWNER:**OWNER(S) NAME: Tom Scottx OWNER(S) ADDRESS: PO Box 11676
STREET St Louis MO 63105
CITY STATE ZIPPHONE: (314) 574 0902 EMAIL: TScott53@gmail.com

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER:

Applicant(s) Signature T. Scott / [Signature]

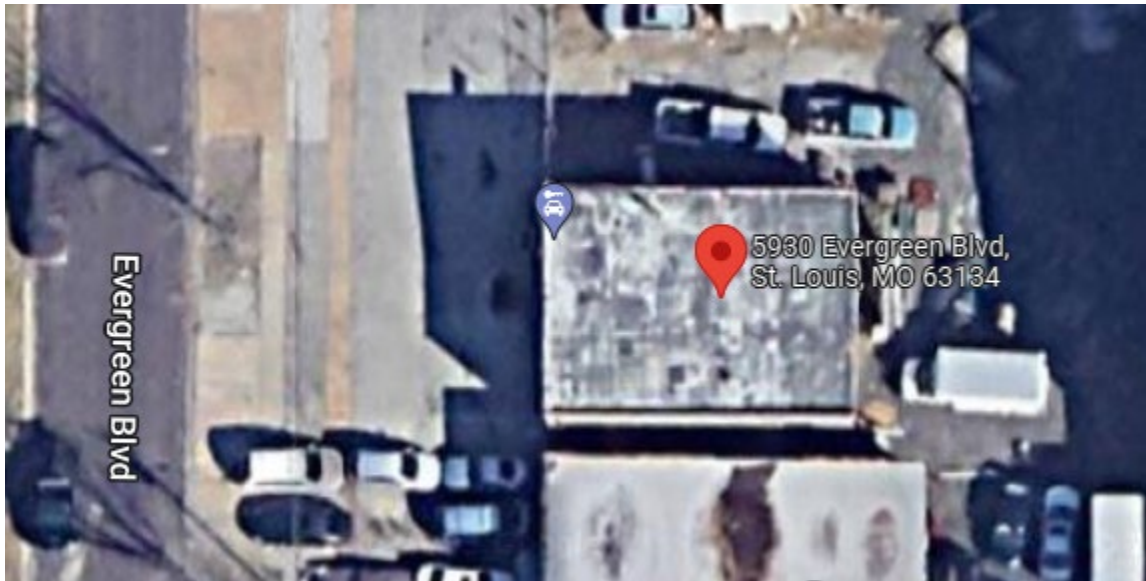
By signing this application, the owner(s) and applicant(s) attest that all information and facts provided on this form and attachments are complete and accurate and that any omission or incorrect fact or information may invalidate any notice or subsequent action taken by the City of Berkeley Board of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

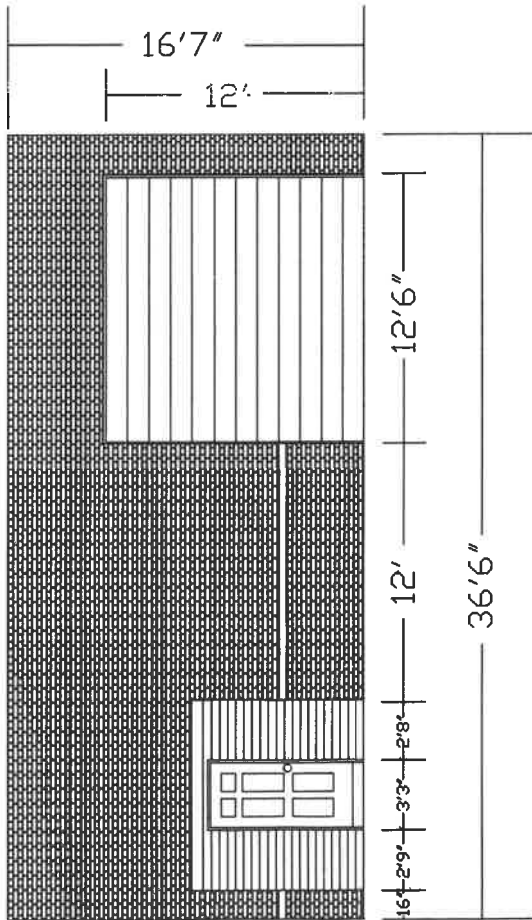
Applicant(s) signature: [Signature]Date: 1 / 9 / 23x Owner(s) Signature: T. ScottDate: 1 / 9 / 23**OFFICE USE ONLY**

All items necessary for a technical review of the proposed special use permit plan have been submitted and constitute a COMPLETE APPLICATION.

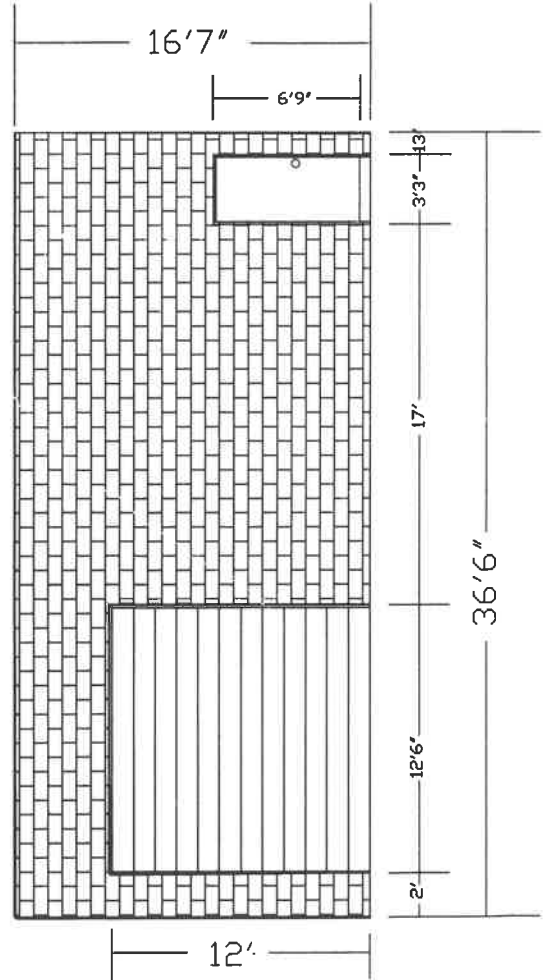
Staff Signature: [Signature] - PW SecretaryDate: 01 / 09 / 2023Date Paid: 01 / 09 / 2023☐ Cash ☐ Check☐ Money Order☒ Debit/CreditReceipt No: 56904Case No: 23-02

Site Photographs (File Photos) –

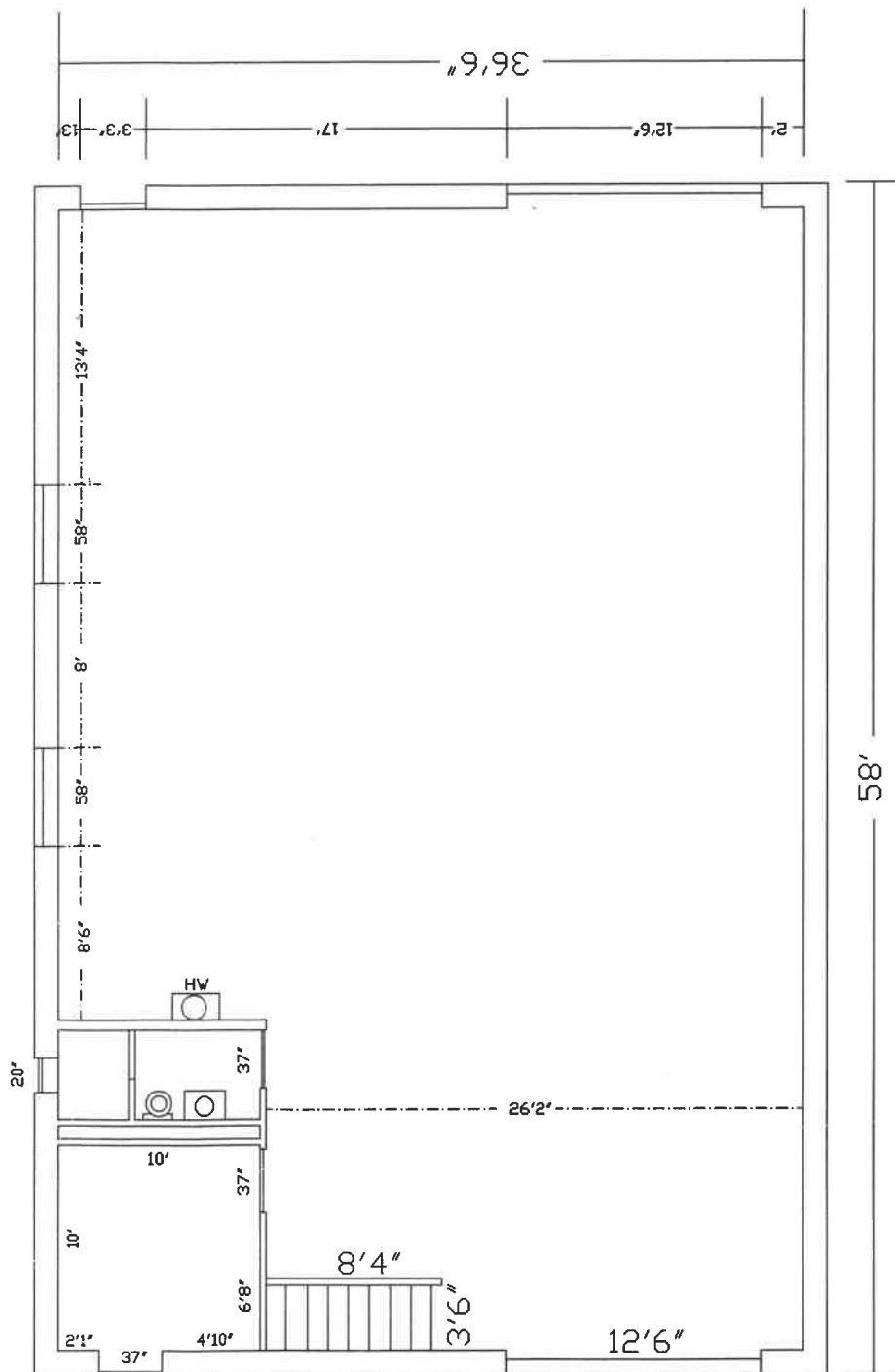




5930 EVERGREEN BLVD
FRONT ELEVATION (WEST >
CONCRETE BLOCK BLDG CLAD WITH BRICK & MORTAR
12'X12' OVERHEAD DOOR 36"X80"STEEL ENTRY DOOR
PLOT DESIGNED BY FLY 12/07/2022



5930 EVERGREEN BLVD
REAR ELEVATION (EAST >
CONCRETE BLOCK BLDG
12'X12' OVERHEAD DOOR 36"X80"STEEL ENTRY DOOR
PLOT DESIGNED BY FLY 12/07/2022



5930 EVERGREEN BLVD

OVERHEAD PLOT (WEST)

CONCRETE BLOCK BLDG
CLAD WITH BRICK & MORTAR

12'X12' OVERHEAD DOOR
36"X80"STEEL ENTRY DOOR

CONCRETE FLOOR

FLAT STEEL ROOF

FORCED AIR GAS FURNACE

12'X12' OVERHEAD DOOR

36"X80"STEEL ENTRY DOOR

PLOT DESIGNED BY FLY 12/07/2022