



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 public hearing will be held at 7:00 pm on Monday, March 25, 2024 in the council chambers of the City Council at 8425 Airport Road, and by way of Zoom, for the purpose of considering the following propositions:

1. **Case #24-03:** Shall the City of Berkeley approve a request from Saleh Mahmoud to renew a Special Use Permit for Plaza Jet Car Wash at 9310 Natural Bridge due to a change of ownership

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

### **03-25-2024 Council Meeting 7pm In-Person and Zoom**

Join from a PC, Mac, iPad, iPhone or Android device:

Dial: **+1 312 626 6799**

Webinar ID: **859 4756 3739**

Passcode: **994279**

*Deanna L. Jones*

Deanna L. Jones – City Clerk, MPCC/MMC

The meeting will be accessible by the public in real time by video/audio webinar and in person.

Posted: Monday, February 19, 2024.

Rescheduled from Monday, March 25, 2024

**MEMORANDUM**

**TO:** Mayor Deinbo and members of City Council

**FROM:** Planning and Development

**SUBJECT:** **Case 24-03; A request from Saleh Mahmoud to renew a Special Use Permit for Plaza Jet Car Wash at 9310 Natural Bridge due to a change of ownership.**

**MEETING DATE:** March 4, 2024

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Applicant seeks to renew a Special Use Permit for Plaza Jet Car Wash at 9310 Natural Bridge due to a change of ownership.

**STAFF RECOMMENDATION: Approval**

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**APPLICATION INFORMATION**


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Applicant Information:	Saleh Mahmoud 9310 Natural Bridge Rd Berkeley, MO
Status of Applicant:	Owner
City Council Ward(s):	Ward 5
Parcel ID Number:	13K340634
Area of Property:	.71 Acres
Current/Past Use of the Property:	Car wash
Prior Zoning Cases/History:	none
Surrounding Zoning:	<u>North:</u> M-1 Industrial <u>South:</u> C-2 Commercial <u>East:</u> C-2 Commercial <u>West:</u> C-2 Commercial

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Parking Required: 15 spaces; 19 provided\* (see analysis)

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**MAPS**


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**City of Berkeley Zoning Map and Aerial Photo:**

(see attached)

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**SITE DEVELOPMENT ANALYSIS:**

A car wash was built on this property in 2005, replacing the original car wash built between 1966 and 1970, and demolished in 2004. The Applicant bought the property within the past year and is seeking to renew the Special Use Permit to continue operating the facility as a car wash.

\* The parking requirement is 15 spaces. The site has room for at least 19 parking spaces along the front, side, and rear of the lot, including in front and back of the building itself, but none of these spaces are marked. Staff recommends that marking the minimum number of spaces be required for approval.

Staff is recommending approval of this Special Use Permit.

**PLANNING COMMISSION RECOMMENDATION  
OPTIONS**

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

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**PREPARED BY:** Elliot Liebson, Director of Planning and Development

**REVIEWED BY:** Nathan Mai-Lombardo, City Manager

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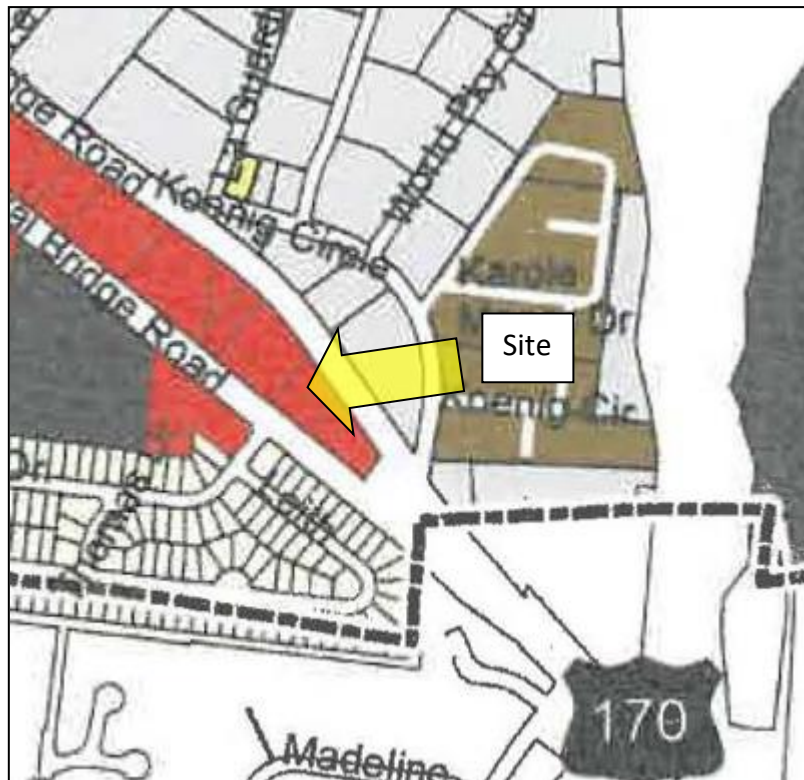
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**PLANNING COMMISSION RECOMMENDATION**

On February 14, 2024, the Plan Commission voted 4-0 in **favor** of recommending this Special Use Permit Application to City Council.



9310 Natural Bridge Road; Aerial photo of site.



Zoning Map of Site.

**Conditions of approval:**

1. Business Name change to: ***Jet Plaza Car Wash***
2. Hours of operations shall be: **open 24 hours**, seven days a week.
3. Security cameras shall be installed at on the property and monitored by the business operator at all times; registration is required to be filed with Police Department.
4. 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.
5. Sign permit is required for new wall/window signs.
6. Building and site conditions in need of repair shall be completed per the approval of the Building Commissioner.
7. 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.
8. The owner shall re-stripe the parking lot for a minimum of fifteen (15) spaces.
9. Commercial occupancy and business license are required from the City of Berkeley.
10. 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.
11. 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.
12. 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 issecured.
13. 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.
14. 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.
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 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.
16. 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.

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