

Introduced by: City Manager Nathan Mai-Lombardo
of the City of Berkeley, MO

A RESOLUTION AUTHORIZING SALEH MAHMOUD A SPECIAL USE PERMIT TO OPERATE “JET PLAZA CAR WASH”, UNDER PROVISIONS OF THE ZONING LAWS OF THE CITY OF BERKELEY, FOR USE ON CERTAIN DESCRIBED PROPERTY, AND PROVIDING THE CONDITIONS OF SUCH USAGE TO BE LOCATED AT 9310 NATURAL BRIDGE ROAD

WHEREAS, Saleh Mahmoud has applied for the renewal of a Special Use Permit to operate “Jet Plaza Car Wash”, a self-service car wash, located at 9310 Natural Bridge Road; and

WHEREAS, said car wash has been operating under ownership since 2005; and

WHEREAS, due notice of the time, place and purpose of a virtual public hearing was published in a newspaper of general circulation in the City or posted on the city’s website, being published at least fifteen (15) days prior to the date of the hearing, and written notices of said hearing were mailed to the last known places of abode of the owners of all property lying within one hundred eighty-five (185) feet of all boundaries of the property under consideration for a Special Use Permit; and

WHEREAS, such public hearing was duly held by the Council, on March 4, 2024, in the City Hall of the City of Berkeley, Missouri, in conformity with said public notice at which hearing the parties of interest were given an opportunity to be heard.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BERKELEY, MISSOURI AS FOLLOWS:

SECTION 1. The City Council determines that the public health, welfare, and safety are adequately protected in view of the foregoing criteria, and the Special Use Permit shall be granted as the Council affirmatively finds as to the required criteria.

SECTION 2. The use of said tracts for the aforesaid purpose is granted subject to the following conditions:

- 1) Building and structures thereon shall meet the requirements of the Zoning, Fire, and Building Codes for the District where in the property is located and trash containers shall be enclosed and concealed from public view.
- 2) Plans for grading, landscaping, building construction, including parking areas up to code and artificial lighting must be approved by the Director of Public Works of the City of Berkeley.
- 3) The additional uses allowed here in may be revoked by the Council after the Applicants or Assignees have had the opportunity to be heard thereon, upon the happening of any of the following events:
 1. The Applicant herein shall cease to be the owner of all the aforescribed property in this Resolution.
 2. The applicant herein has failed to meet or to continue to meet the conditions contained in this resolution or any ordinance of the City.
 3. This Special Use Permit will be null and void if work is not started within one hundred eighty (180) days of the date of its granting, and is in full operation within one (1) year of such date.
 4. This Special Use Permit will be null and void if for any reason the permittee ceases operation and closes its door to the public for a period of six (6) months or more.
 5. Lot to be kept free and clear of any debris or trash.

6. Establish hours of operation will be: 5:00 am until 1:00 am; seven (7) days a week.
7. All ramps and walkways meet the American Disability Act specifications.
8. This Special Use Permit shall not be assigned, nor sold, nor conveyed, no operated by another without prior approval by the Council and no Occupancy Permit, Building Permit, or Business License shall be issued to such assignee until such approval is secured.

SECTION 3. The Department of Public Works shall be charged with responsibility for the enforcement of this Resolution and incorporated therein all necessary reports.

SECTION 4. This Resolution shall be in full force and effect from and after the date of its passage.

PASSED this day of **2024**

Mayor Babatunde Deinbo

ATTEST:

Deanna Jones, City Clerk

Approved as to Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman-at-Large Crawford-Graham	Aye	___	Nay	___	Absent	___	Abstain	___
Mayor Deinbo	Aye	___	Nay	___	Absent	___	Abstain	___



9310 Natural Bridge Road; Aerial photo of site.



Zoning Map of Site.