



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, February 04, 2019 in the City Hall Council Chambers, located at 8425 Airport Road, Berkeley, Missouri 63134, for the purpose of considering the following proposition:

**Case #19-01: Shall a Special Use Permit be granted to Amon Aziz to operate Pharaoh's Donuts, a bakery shop, located at 9650 Natural Bridge Road, in the City of Berkeley, St. Louis County, Missouri?**

**Case #19-02: Shall the City Manager's request be granted to amend the Zoning Code by adding a new section, Motorize Food Vehicles?**

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

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Deanna L. Jones – City Clerk, MPCC/MMC

If you are a person with a disability and have special needs, please notify the City Manager at (314) 524-3313, no later than 48 business hours prior to the meeting. The City will make reasonable accommodations upon your arrival at the meeting.

Posted: Friday, January 11, 2019 by 5:00 PM  
Amended: Wednesday, January 16, 2019



## **STAFF REPORT**

**CASE NUMBER:** **19-01**

**DATE:** January 10, 2019

**PETITIONER:** Amon Aziz  
200 No. 7<sup>th</sup> Street  
Saint Louis MO 63101

**PROPERTY OWNERS:** PCGM Properties Inc Mo Corp  
Roy Collins  
1181 South Sumter Blvd  
Suite 260  
North Port, FL 34287

**REQUEST:** Approval of a Special Use Permit to operate Pharaoh's Donuts, a bakery shop

**PROPERTY ADDRESS:** 9650 Natural Bridge Road

**CURRENT ZONING:** "C-2" Local Commercial District

**PROPOSED ZONING:** Zoning to remain the same

**EXISTING USE:** Vacant

**PROPOSED USE:** Bakery

**RECOMMENDATIONS:** Plan Commission recommends approval with conditions



# REPORT TO CITY COUNCIL

## Taxes paid in full

### PUBLIC HEARING FEBRUARY 4, 2019

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

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

**DATE:** January 10, 2019

**SUBJECT:** **Case # 19-01** – A request for a Special Use Permit by Amon Aziz, to operate a bakery and hot food sales, with limited interior seating and drive-thru operations.

The Applicant Amon Aziz is requesting a Special Use Permit to convert an existing 1,982 s.f. restaurant building into a donut shop (with drive-through service) located on a 0.40-acre site in the Natural Bridge Corridor. The Applicant is utilizing existing access driveways on both sides of Natural Bridge Road (one-way exit) and Brown Road.

Pharaoh's Donuts is an existing business located at 200 N. 7<sup>th</sup> Street in downtown Saint Louis. Pharaoh's Donuts, a bakery that's been providing donuts to 40 gas stations and corner stores in Missouri and Illinois for the last 20 years.

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 Amon Aziz and Pharaoh's Donuts, 9650 Natural Bridge Road, in the City of Berkeley, St. Louis County, Missouri.

#### **BACKGROUND**

The current zoning is C-2 General Commercial District. The locator #13K540531 is, and the total acreage of the parcel is about 0.40 acres. The records indicate that this was built in 1984 and has a total area under roof of about 1982 square feet. The former uses were Sweetie Pies, and Del Taco.

#### **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 ten years



### **SUPPORTING DOCUMENTS**

- -Staff Report
- -Special Use Application
- -St. Louis County Aerial Property View
- -Site Photographs

### **OPTIONS OF THE COMMISSION**

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

### **REQUESTED CITY COUNCIL ACTION**

Plan Commission recommends that the City Council hold a public hearing and issue a Special Use Permit to by Amon Aziz, to operate a bakery and food with limited interior seating and drive-thru operations at 9650 Natural Bridge, Berkeley MO 63134 in accordance with the City’s regulations.

Since it is a C-2 zone and this type of business is allowed in **Section 400.140(D) (24)** of the Municipal Code as “

### **Staff request approval, with the following conditions:**

1. Established hours of operations - Drive-thru 24 hours; lobby service 5am – 8pm
2. Owner shall sealed and striped the entire parking lot– 12 spaces
3. The entire interior will be thoroughly inspected by City’s Building and Fire Departments. The St. Louis County Health Department needs to be brought in for their inspection of the restaurant.
4. The applicant will need to acquire all the necessary building/occupancy & fire safety permits from the City of Berkeley and other jurisdictions, after getting Council’s approval on this Special Use Permit application. The applicant is being informed of the following.
5. 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.
6. Commercial occupancy inspection and business license will be required from the City of Berkeley.
7. 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.
8. This Special Use Permit shall not be assigned, or sold, or conveyed, without prior written approval from the City Council.
9. 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.
10. The applicant needs to provide a written time schedule by when these outstanding items mentioned above will be completed.

11. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
12. 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.
13. Approve to serve hot food items; if grill or fryer is used, a fire suppression system is required.

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 Photographs – 9650 Natural Bridge**  
**Front Entrance**



**Rear Entrance**

