



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 virtual public hearing will be held at 1:00 pm on Monday, February 01, 2021 in by way of Zoom, for the purpose of considering the following proposition:

1. **Case #20-24: Shall a Special Use Permit be granted to Theodore Williamson, to operate Beeline Towing, located at 6555 Romiss Court, Berkeley Missouri?**
2. **Case #20-28: Shall a Special Use Permit be granted to Satguru Sahib LLC as the new owner and change of business name for the existing Mobil Mart/Service Station Convenience Store, located at 6800 North Hanley, Berkeley Missouri?**
3. **Case #20-31: Shall a Special Use Permit be granted to Alkeshia Anderson to operate Hildi's Kids Daycare, located at 8604-8608 Frost Ave, Berkeley, Missouri?**

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

Virtual Council Meeting
Mon, February 1, 2021 1:00 PM (CDT)

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

Please click this URL to join.

<https://us02web.zoom.us/j/83802962692?pwd=R2pFeVB5WklVQ09VTlJLWjk5TmZDZz09>

Password: 346382

Or join by phone:

Dial: US: +1 312 626 6799

Webinar ID: 838 0296 2692

Password: 346382

Deanna L. Jones

Deanna L. Jones – City Clerk, MPCC/MMC

In light of the current public health crisis and the Federal, State, and County Emergency Declarations, and in accord with the provision of Sec. 610.020, RSMo., the City recognizes that it would be dangerous and impractical, if not impossible, for meetings to be physically accessible to the public. The City also recognizes the need for the public's business to be attended to in order to protect the public health, safety, and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons, and employees, this meeting of the City of Berkeley will not be open to public attendance in person. The meeting will accessible by the public in real time ONLY by video/audio webinar.

Posted: Tuesday, January 19, 2021

STAFF REPORT

CASE NUMBER: **20-24**

DATE: November 16, 2020

PETITIONER: Theodore Williamson
16357 Hampden Pl
Florissant MO 63034
Email – beelinetowing2015@yahoo.com

PROPERTY OWNERS: Catalina Holdings LLC
Po Box 515105
Saint Louis, Mo 63151

REQUEST: Special Use Permit

PROPERTY ADDRESS: 6555 Romiss Ct

CURRENT ZONING: “M-1” Industrial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant

PROPOSED USE: Towing, Office, and Transport Company

RECOMMENDATIONS: Plan Commission recommends approval with conditions



REPORT TO CITY COUNCIL

TO: The Members of the City Council

FROM: Debra M. Irvin, City Manager

DATE: November 16, 2020

SUBJECT: **Case # 20-24**– Shall a request for a Special Use Permit be approved for Theodore Williamson doing business as Bee Line Towing at 6555 Romiss Court, Berkeley MO 63134.

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

BACKGROUND

Petitioner Theodore Williamson came before the November 12, 2020 Plan Commission meeting; he has leased the parcels and has been operating a Warehouse Storage and Towing Transport business without a business license and Special Use Permit as required in Section 605.

ZONING

Prior to the issuance of any business license herein, the applicant must secure a *special land use permit*, pursuant to Chapter 400, Zoning, of the Municipal Code, and receive approval of the Director of Public Works relative to the construction of the parking lots and all buildings.

SECTION 400.370 ARCHITECTURAL AESTHETICS.

No building shall be greatly dissimilar in architectural style, size, mass or color so as to appear grossly unattractive, and to have a negative impact on adjacent properties and the surrounding neighborhood.

SUPPORTING DOCUMENTS

1. Application
2. Staff Report
3. Area Photo

PROCEDURE:

The Council 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.

OPTIONS

1. Recommend approval of the Petitioner's request.
2. Recommend denial of the Petitioner's request.

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. This public hearing shall be published, posted and scheduled at a date specified by the City Clerk.

CASE NO. 20-24- CONDITONS OF SPECIAL USE PERMIT (SUP) – 6555 Romiss Ct

1. Business Name – *Beeline Towing Company*
2. Owner shall adhere to Section 605 relating to towing companies, licenses, insurance, and other regulations
3. Hours of operation: 8:00am - 5:00 pm
4. Days of the week *not* specified
5. Parking of tow trucks are allowed
6. No storage of towed vehicles is allowed to be parked/stored inside of the warehouse
7. No storage of vehicles on the parking lot
8. Business owners shall maintain exterior color to earth tones to the exterior of the building, Section 400.370
9. Signs are prohibited in the city's right of way
10. Sign permit is required for new signs; banners, pennants, festoons, human sign, searchlights are prohibited.
11. No banners, balloons, flags or festoons in the city's public right of way
12. No snipe signs or directional signs in the city's public right of way
13. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
14. Occupancy permit and Business License shall be posted at all times
15. Security cameras shall always be installed at perimeter and interior of space and monitored by the business operator at all times; registration is required to be filed with Police Department.
16. An after-hour contact must be included with the Camera Registration.
17. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
18. Install "*No Loitering*" and "*No Loud Music*" signs at entrance wall.
19. The exterior area shall be maintained and kept free and clear of any debris or trash or weeks.
20. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
21. 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.
22. 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.
23. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
24. All required inspections by the city are required before issuance of occupancy permit or business license.
25. The interior shall 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.

26. 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.
27. 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 approves is secured.
28. 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.
29. 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.
30. 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.
31. 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.

SUMMARY AND DECISION

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

EXHIBIT A – APPLICATION

09 17, 2020
City Council



TYPE OF APPLICATION

INITIAL FEE \$350

(Please check all that apply)

<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"/> Other	<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) LEGAL NAME(S) Theodore Williamson
 APPLICANT IS (CHECK ONE): OWNER AGENT PURCHASER OF CONTRACT TENANT
 APPLICANT(S) ADDRESS: STREET 16357 Hampden Pl
 CITY Florissant STATE MO ZIP 63034 PHONE 6364393697 E-MAIL BeeLineTowing2015@yahoo
 LOCATION OF PROPOSED USE yaahoo

STREET ADDRESS: 6555 Romiss Ct
 PROPERTY DESCRIPTION: warehouse parking tow trucks overnight

PRESENT ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT (if applicable): _____

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: N/A

THE PROPERTY IS TO USE IT FOR: (Type of Business) Transport Company

DAYS & HOURS OF OPERATION ETC 9-5 PM

PROPOSED NAME OF BUSINESS: BeeLine

APPROXIMATE SIZE OF TRACT: ACRES 1/8 Acre SQ FT OF SPACE (Under roof) 2500

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Theodore Williamson

ADDRESS: STREET: 16357 Hampden Pl CITY Florissant

STATE: MO ZIP: 63034 PHONE: 636 4393697 E-MAIL BeeLineTowing2015@yahoo

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: Theodore Williamson
 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 this application. Attach additional name/address/signature/date pages as needed.)

APPLICANT(S) SIGNATURE Theodore Williamson OWNER(S) SIGNATURE [Signature]

DATE 09-28-2020 DATE 9/28/2020

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 9/29/20 Cash Check Money Order Debit Card RECEIPT NO: 44105 CASE NO: 20-24

