



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, May 2, 2022 in the council chambers of 8425 Airport Rd, 63134 and via Zoom, for the purpose of considering the following proposition:

1. **Case #22-04: Shall a request for a Special Use Permit be granted to Edward Moore to continue the operations of an established barber shop located at 8237 Airport Rd, Berkeley, MO?**
2. **Case #22-06: Shall a request for a Special Use Permit be granted to Victoria Smith to continue the operations of an existing child care center located at 6100-6104 Madison, Berkeley, MO?**

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: 889 5332 7912
Pass code: 798431

Posted: Thursday April 14, 2022



STAFF REPORT

CASE NUMBER: 22-04

DATE: April 13, 2022

PETITIONER Edward Moore
20 Buckeye Drive
St Louis MO 63135

PROPERTY OWNERS: TMK Real Estate LLC
8233 Airport Rd.
Berkeley, MO 63134

REQUEST: Change of Ownership and Operator

LOCATION: 8237 Airport Road

SIZE: 1,000 Square Feet

CURRENT ZONING: C-1, Local Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Hair Salon

PROPOSED USE: Hair Salon

RECOMMENDATION: Plan Commission recommends approval of Special Use Permit for change of ownership/operator



REPORT TO CITY COUNCIL

TO: Members of the City Council

FROM: Col. Art Jackson, City Manager

DATE: April 13, 2022

SUBJECT: **Case # 22-04** – Shall a request by Edward Moore, d/b/a “*2 The Life Barber Shop*” for a Special Use Permit (SUP) to continue the operations located at 8237 Airport Road, Berkeley Mo. The space is an existing hair salon. Mr. Moore is seeking his own SUP and business license.

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

ZONING AND DESCRIPTION OF SITE

The current zoning of property is C-1 Local Commercial District. The area under roof is about 1100 square feet. This is a change of ownership, at 8237 Airport Road. This use is allowed as a Special Use under *Section 400.130 (14)* Personal services, including barbershop, beauty parlors, cleaning and laundry establishments, photographers, shoe repair, tailoring, dressmaking and similar uses.

BACKGROUND

The space is an existing hair salon; the current operator is leaving and the building owner, desire to rent the space to the applicant Edward Moore. Mr. Moore is familiar with the area; he is relocating his business from Ferguson to Berkeley.

RECOMMENDATION

Staff recommends review and consideration of approval with conditions

SUPPORTING DOCUMENTS

- -Staff Report
- -Special Use Application
- -Site Photographs

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 one year.

OPTIONS OF THE COUNCIL

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

CONDITIONS

CASE NO 20-22- CONDITONS OF SPECIAL USE PERMIT (SUP) -8237 AIRPORT ROAD

1. Business Name – “***2 The Life Barber Shop***”
2. Hours of operation: 8:00 am - 9:00 pm Monday- Saturday. Any change of hours shall be approved by the City Council.
3. 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.
4. An alarm system is required to be installed.
5. An after-hour contact must be included with the Camera Registration.
6. Operator shall not allow or permit customers to loiter on the lot, play loud music, or engage in any illegal activity while waiting for beauty/barber services.
7. Alcohol is *prohibited* for use or sale at the barber shop
8. Install "No Loitering" and "No Loud Music" signs at entrance wall.
9. All barber and beauticians shall adhere to **RSMo329.030**. *License required*. — It is unlawful for any person in this state to engage in the occupation of cosmetology or to operate an establishment or school of cosmetology, unless such person has first obtained a license as provided by this chapter.
10. Hair braiders shall adhere to **RSMo 329.275**, registration requirements.
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 weeks.
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. 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.
22. 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.
23. 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.
24. 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.
25. 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.

Respectfully submitted,

Site Photographs (File Photos) –



**TYPE OF APPLICATION**

(Please check all that apply)

INITIAL FEE \$350

<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) Edward MooreAPPLICANT IS (CHECK ONE): OWNER _____ AGENT _____ PURCHASER OF CONTRACT _____ TENANT ☒APPLICANT(S) ADDRESS: STREET 20 Buckeye dr
CITY St. Louis STATE MO ZIP 63135 PHONE _____**LOCATION OF PROPOSED USE**STREET ADDRESS: 8237 DurbinPROPERTY DESCRIPTION: STIP MUL

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

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Barber Shop SalonTHE PROPERTY IS TO USE IT FOR: (Type of Business) Barber ShopDAYS & HOURS OF OPERATION ETC. Mon-Sat 8am-9pmPROPOSED NAME OF BUSINESS: 2 The Life Style Barber ShopAPPROXIMATE SIZE OF TRACT: ACRES 2 SQ FT OF SPACE (Under roof) 1,000IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Tom KirbyADDRESS: STREET: 82210299 CITY ST. LouisSTATE: MO ZIP: 63121 PHONE: (314) 265-1145 E-MAIL: TK Liquor DoctorI HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: [Signature] SIGNATURE dg mull

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] OWNER(S) SIGNATURE [Signature]DATE 3/17/22DATE 3/17/22On this date 3-17-22, all items necessary for a technical review of the proposed special use permit plan have been submitted andConstitute a COMPLETE APPLICATION. STAFF SIGNATURE: [Signature]DATE PAID 3-17-22 X Cash ☒ Check ☐ Money Order ☐ Debit/Credit RECEIPT NO: 52291 CASE NO: 22-04