



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 20, 2023 in the council chambers of 8425 Airport Rd, 63134 and via Zoom, for the purpose of considering the following proposition:

1. **Case #23-01:** Shall a request be granted to the Bayless Family for a Special Use Permit to continue the operations of Oscar's Barber and Beauty Take 2, a business located at 8438 Airport Road, Berkeley MO 63134?
2. **Case #23-02:** Shall a request be granted to Leandrew Hunter Jr a Special Use Permit to operate an Emission Inspection Auto Garage business located at 5930 Evergreen Blvd, Berkeley MO 63134?

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*

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Deanna L. Jones – City Clerk, MPCC/MMC

Zoom.us

Meeting ID: 837 6766 6170

Pass code: 570822

Posted: Wednesday, March 9, 2023



## **STAFF REPORT**

CASE NUMBER: **23-01**

DATE: March 20, 2023

PETITIONER: Sandra Bayless, Angela P. Bayless, & Shalimar Ali El

PROPERTY OWNERS: Sandra Bayless  
15 N Dade Ave.  
St. Louis, MO 63135

REQUEST: Special Use Permit

PROPERTY ADDRESS: 8438 Airport Road  
Berkeley, MO 63134

SIZE: 2,820 square feet

CURRENT ZONING: "C-2" Local Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Full-Service Barber & Beauty Salon

PROPOSED USE: Full-Service Barber & Beauty Salon

RECOMMENDATIONS: Plan Commission recommends approval of  
Special Use Permit



# REPORT TO CITY COUNCIL

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

**FROM:** Nathan Mai-Lombardo, City Manager

**DATE:** March 20, 2023

**SUBJECT:** **Case # 23-01** – Shall a request for a Special Use Permit from Sandra Bayless, Angela P. Bayless, and Shalimar Ali El to continue the operations of *Oscar's Barber and Beauty Take 2*, a business located at 8438 Airport Road, Berkeley, MO 63134.

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

## **PROPERTY LOCATION**

8438 Airport Road – is zoned C-2.

## **RECOMMENDATION**

Plan Commission recommends referral to the Plan Commission.

***Note: Case 22-07 and Resolution #3650 is associated with this application.***

***Resolution #3650 needs to be repealed and replaced with a new Resolution.***

## **SUPPORTING DOCUMENTS**

- Staff Report
- Special Use Application
- Site Photographs

## **SPECIAL USE CONDITIONS**

1. The business name will be: *Oscar's Barber & Beauty Salon Take 2*
2. Names on the Special Use Permit will be Sandra Bayless, Angela P. Bayless, and Shalimar Ali El.
3. Hours of Operation shall be Tuesday & Wednesday from 9:00 am – 4:00 pm; Thursday from 9:00 am – 5:00 pm; Friday from 9:00 – 6:00 pm; Saturday from 8:00 am – 5:00 pm.
4. Unless noted as a non-conforming condition or noted herein, building and site shall comply with all applicable health, safety, building and sign code standards as required by the City of Berkeley.
5. The building, lot, yard, and landscaped areas shall be maintained and kept free and clear of any debris or trash.
6. Prior to issuance of any Occupancy Permit the above noted conditions shall be met.
7. A sign permit is required. Banners, pennants, festoons, human sign, searchlights are *prohibited*. Business signage shall be limited to no more than
8. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
9. The exterior area shall be maintained and kept free and clear of any debris or trash or weeds.
10. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
11. 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.
12. 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.
13. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
14. All required inspections by the city are required before issuance of occupancy permit or business license will be issued.
15. 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.
16. 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.
17. Substantial work or construction as determined by the City Council under the permit shall be commenced within ninety (90) days and completed with actual occupancy within one hundred eighty (180) days or the permit shall terminate. The permit may be extended by the City Council. The City Council may condition the permit with conditions to protect

the public health, safety and general welfare. “*Actual occupancy*” shall mean the business is open to the public.

18. 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 approval is secured.
19. 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.
20. 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.
21. 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.
22. 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.

**TYPE OF APPLICATION**

(Please check all that apply)

**INITIAL FEE: \$350 (non-refundable)**

<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): Sandra Bayless, Angela P. Bayless, Shalimar H. ElAPPLICANT IS (check one): OWNER ☒ AGENT ☐ PURCHASER OF CONTRACT ☐ TENANT ☐APPLICANT(S) ADDRESS: 15 N. Dade  
Ferguson MO 63135  
City State Zip  
PHONE: (314) 766-3375 EMAIL: sandrabayless51@gmail.com  
314 363 5728**LOCATION OF PROPOSED USE**STREET ADDRESS: 8438 Airport RoadPROPERTY DESCRIPTION: Barber and Beauty Salon

PRESENT ZONING DISTRICT: \_\_\_\_\_

PROPOSED ZONING DISTRICT (IF APPLICABLE): \_\_\_\_\_

PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Barber and Beauty SalonPROPERTY TO BE USED FOR (TYPE OF BUSINESS): Barber and Beauty Salon**DAYS & HOURS OF OPERATION ETC:** Tuesday & Wednesday 9-4, Thursday 9-5, Friday 9-6, Sat 8-5PROPOSED NAME OF BUSINESS: Oscar's Barber and Beauty

APPROXIMATE SIZE OF TRACT: ACRES \_\_\_\_\_ SQ. FT. OF SPACE (UNDER ROOF) \_\_\_\_\_



**IF APPLICANT IS NOT OWNER:**

OWNER(S) NAME: \_\_\_\_\_

OWNER(S) ADDRESS: \_\_\_\_\_

STREET

CITY

STATE

ZIP

PHONE: (\_\_\_\_) \_\_\_\_ - \_\_\_\_ EMAIL: \_\_\_\_\_

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: \_\_\_\_\_

*Applicant(s) 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 the application. Attach additional name/address/signature/date pages as needed.)

Applicant(s) signature: *Sandra Bayless* Date: 12 / 29 / 2022

Owner(s) Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**OFFICE USE ONLY**

All items necessary for a technical review of the proposed special use permit plan have been submitted and constitute a COMPLETE APPLICATION.

Staff Signature: *MC-PW Secretary* Date: 12 / 29 / 2022

Date Paid: 12 / 29 / 2022 ☒ Cash ☐ Check ☐ Money Order ☐ Debit/Credit

Receipt No: 56655 Case No: 2023-01



## Site Photographs (File Photos) –





## SIDEWALK

2	3	4
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AIRPORT RD

**PARKING LOT**

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8438

מחזור ח' תשס"ח

SECRET

14

15

16

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11

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1. Signage
2. Parking Spot
3. Parking Spot
4. Parking Spot
5. Parking Spot

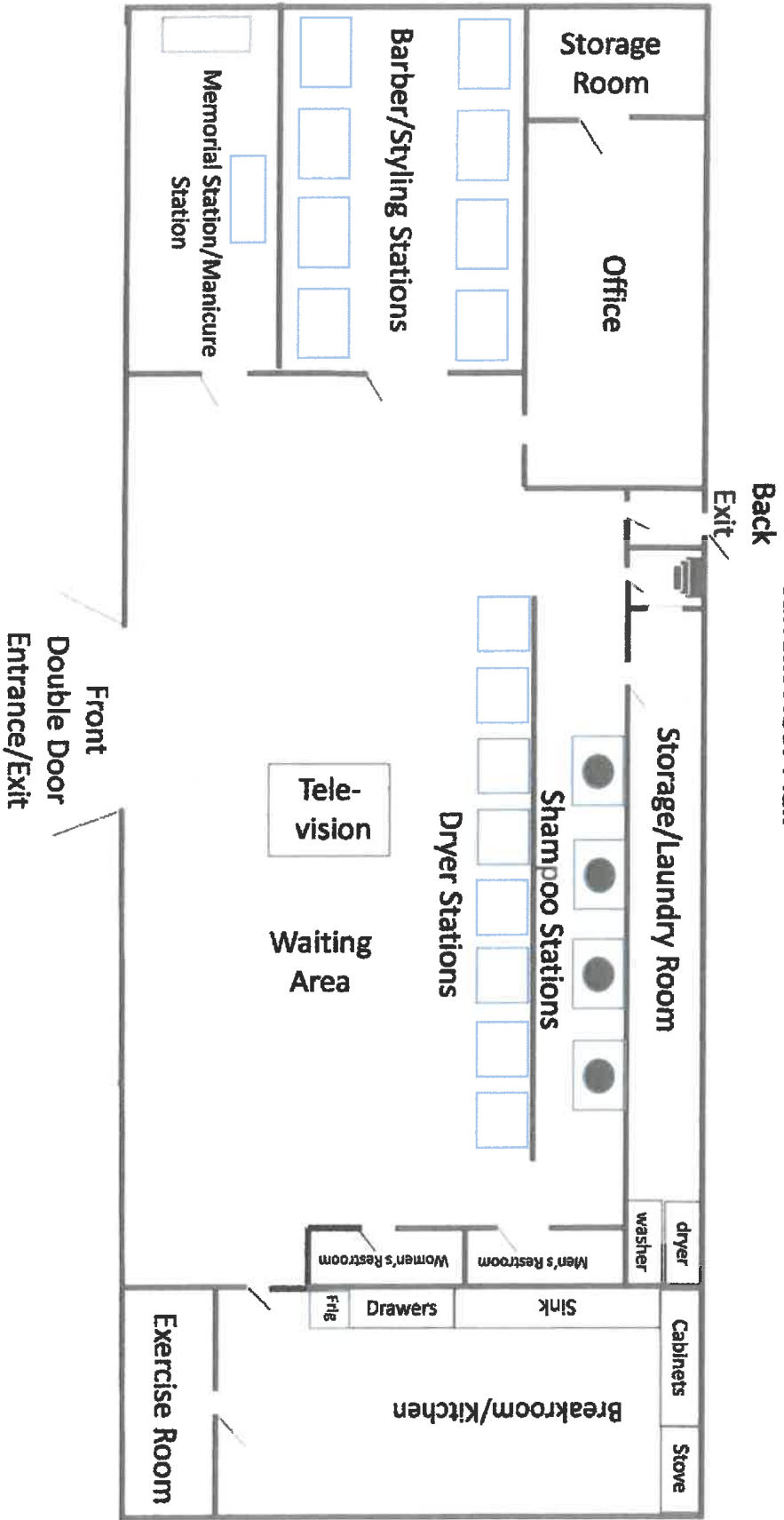
6. Parking Spot  
7. Parking Spot  
8. Parking Spot  
9. Parking Spot  
10. Parking Spot

11. Parking Spot
12. Parking Spot
13. Parking Spot
14. Sidewalk
15. Sidewalk

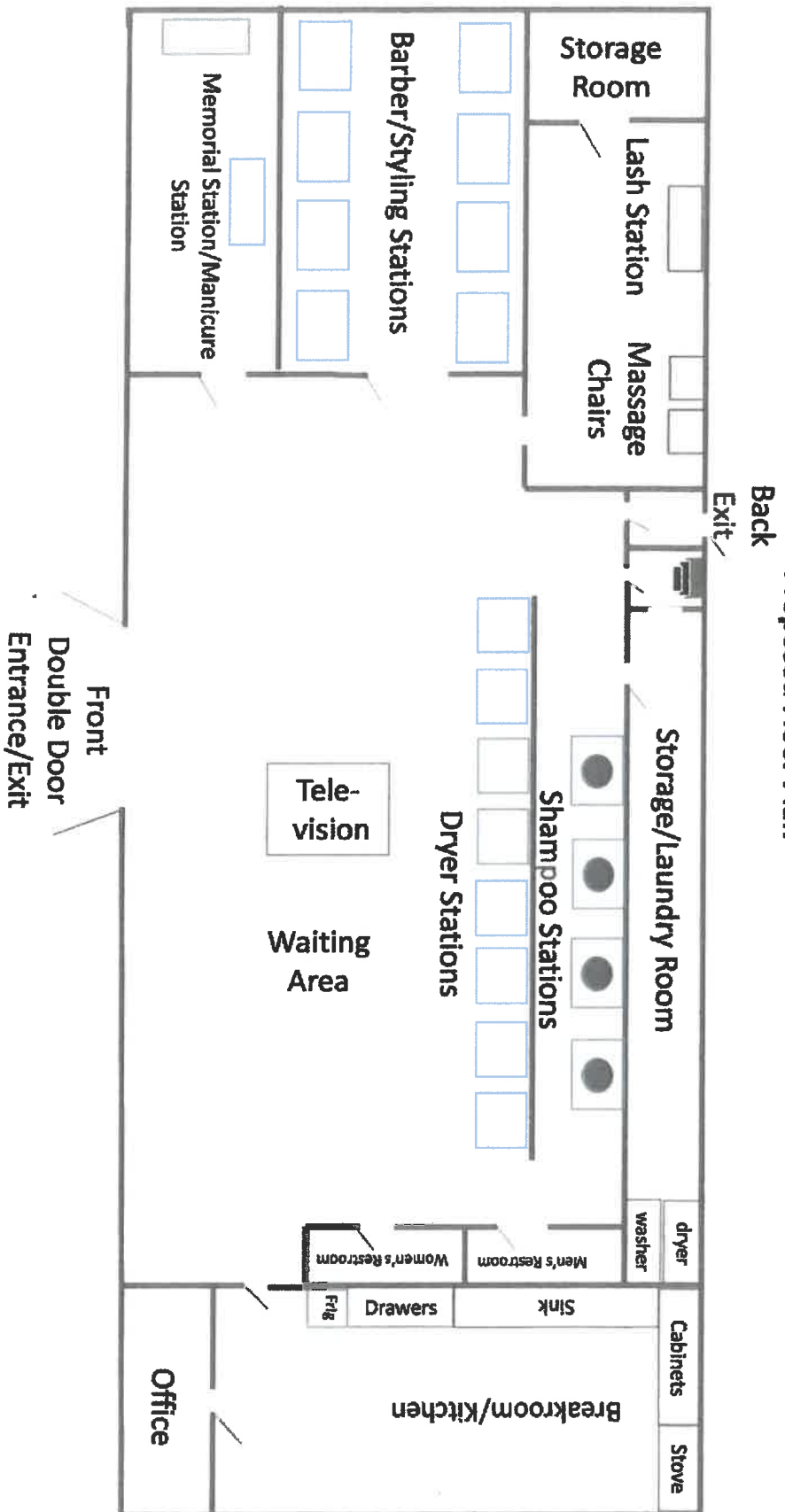
16. Sidewalk
17. Sidewalk
18. Wheelchair Ramp
19. Air Conditioner
20. Window

21. Window  
22. Window  
23. Window  
24. Window  
23. Window

**Current Floor Plan**



# Proposed Floor Plan



*Dr. Sam Page*  
*County Executive*



*Erica Savage*  
*Acting Director of Revenue*

March 17, 2022

Attention: Berkeley City Hall  
8425 Airport Rd.  
Berkeley, MO. 63134

Sandra Bayless located at 8438 Airport Rd. St. Louis, MO. 63134 is in a bankruptcy case 22-40491. The real estate taxes for the years 2016-2017 and 2020-2021 are covered and protected under the bankruptcy laws.

Sandra Bayless does not need to pay the taxes directly to St. Louis County Collector since she is making payments to the bankruptcy lawyer, who then sends us payments for the real estate taxes to be paid.

The Bankruptcy Department  
314-615-4208

St. Louis County Collector of Revenue  
41 S. Central  
St. Louis, MO. 63105

COLLECTION DIVISION