

MEMORANDUM



PLANNING & ZONING COMMISSION

CITY OF BERKELEY – ECONOMIC DEVELOPMENT DIVISION

"Preserve and improve the health, safety, and welfare of our citizens, businesses and the general public in the City of Berkeley' while at the same time maintaining property values and improving the quality of life in the City of Berkeley."

TO: City Manager DATE: June 18, 2025

FROM: Jeremy Taylor, Economic Development Coordinator c: City Manager's Office
City Clerk's Office
Board of Adjustment
Public Works Secretary
Applicant
File

THROUGH: Economic Development Department

SUBJECT: Restaurant located at 8363 Airport Rd. (WARD 3)

STAFF REPORT

CASE NUMBER PZ25-06

I. PROJECT DESCRIPTION:

This request comes before the Commission from business owner Randy Johnson. Randy is requesting a Special Use Permit (SUP) to include the sale of Liquor. Mr. Johnson is a longtime resident of the St. Louis Metro Area being born in the North St. Louis Area. Mr. Johnson has been a restaurateur and caterer for over 35 years. Additionally, Mr. Johnson has specialized in BBQ for the past 17 years. Which brings him to his latest venture to be located at 8363 Airport Road, a BBQ Restaurant. The property was purchased in 2024 and is currently under renovations. Mr. Johnson has complied with all of the necessary building permits and has respected the City's policies and procedures. Furthermore, Mr. Johnson's upstanding character can be seen through his plans to hold annual Thanksgiving Day events at his restaurant for the less fortunate. His philanthropic activities extend to other communities as well. Lastly, it is important to note that the restaurant is located next door to Fire House 1.

38 **II. EXISTING SITE CONDITIONS:**

39 The existing property is currently under renovation and is roughly 65-70% complete. The
40 security system which includes cameras has been installed. Mr. Johnson has been informed
41 that applying for a SUP at this phase will still require him to pass Commercial Occupancy
42 Inspection within the allotted statutory time limit given after the SUP is granted. Mr.
43 Johnson is planning to use available public parking for the restaurant. (SEE ATTACHED
44 REPORT PHOTOS)

45
46 **III. SURROUNDING PROPERTIES:**

47 Property is currently zoned as "C-2" General Commercial District and all surrounding
48 properties are zoned the same. It is also important to note that the business is located
49 next door to Fire House 1.

50
51 **IV. ORDINANCE CONDITIONS:**

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53 **1.** In accordance with Chapter 200, Title II, Public Health, Safety, and Welfare, Section 265
54 business, commercial entity, and/or commercial property has both interior and exterior
55 cameras.

56
57 ANSWER: TBD

58
59 **2.** The compatibility with surrounding uses and compatibility with the surrounding
60 neighborhood.

61
62 ANSWER: Business is deemed compatible.

63
64 **3.** The comparative site, floor area and mass of the proposed structure in relationship to
65 adjacent structures and buildings in the surrounding properties and neighborhood.

66
67 ANSWER: Business is deemed compatible.

68
69 **4.** The frequency and duration of various indoor and outdoor activities and special events
70 and the impact of these activities on the surrounding area.

71
72 ANSWER: The business is located in the Airport Road Corridor which is designed for frequent
73 in and out traffic so, this use will not have a significant impact on the surrounding area.

74
75 **5.** The number of transit movements generated by the proposed use and relationship to the
76 amount of traffic on abutting streets and on minor streets in the surrounding neighborhood,
77 not in terms of the street's capacity to absorb the additional traffic, but rather in terms of
78 any significant increase in hourly or daily traffic levels.

79
80 ANSWER: The impact on traffic should be minimal as the Airport Road Corridor is already
81 busy.

6. The capacity of adjacent streets to handle increased traffic in terms of traffic volume.

ANSWER: The impact on traffic should be minimal as the Airport Road Corridor is already busy.

7. The added noise level created by activities associated with the proposed use and the impact of the ambient noise level of the surrounding area and neighborhood.

ANSWER: No significant increase in noise is expected.

8. In commercial districts, the negative impact on the economic viability of the commercial area of businesses with poor appearance due to type of goods or services offered; limited business hours or other evidence of limited use of building for commercial purposes; and interruption of the continuity of retail sales uses and walk-in customers in commercial areas predominately oriented to retail sales.

ANSWER: As this business is of similar uses as the surrounding businesses, the type of use should not inherently a negative impact. It is up to the Applicant to demonstrate their past experience in this type of business and show that this specific Application is a benefit to the community.

9. The requirements for public services where the demands of the proposed use is in excess of the individual demand of adjacent land uses in terms of Police and fire protection, the presence of any potential or real fire hazards created by the proposed use.

ANSWER: There should be no increase in use of public services from this use.

10. The general appearance of the neighborhood will not be adversely affected by the location of the proposed use on the parcel, nor will the materials used in the construction of the proposed buildings of the special use be greatly dissimilar, or that the general architecture of the building stand out or create a visual problem within the neighborhood.

ANSWER: As this business is of similar uses as the surrounding businesses, the type of use should not inherently a negative impact. It is up to the Applicant to demonstrate their past experience in this type of business and show that this specific Application is a benefit to the community.

11. The impact of night lighting in terms of intensity and duration and frequency of use as it impacts adjacent properties and in terms of presence in the neighborhood.

ANSWER: There will be no change in night lighting.

125 **12.** The impact of the landscaping of the proposed use in terms of maintained landscaped
126 areas versus areas to remain in a natural state, openness of landscape versus the use of
127 buffers and screens.

128
129 ANSWER: There is no significant change.

130
131 **13.** The impact of a significant amount of hard-surfaced areas for buildings, sidewalks,
132 drives, parking areas, and service areas in terms of noise transfer, water runoff and heat
133 generation.

134
135 ANSWER: Very low impact. Significantly no change.

136
137 **14.** The potential for the proposed use to remain in existence for a reasonable period of
138 time and not become vacant, or unused. Consideration should also be given to unusual
139 single purpose structures or components of a more temporary nature.

140
141 ANSWER: Business is located in a prime location. Applicant when initially interviewed
142 appears to have the best intentions to keep business operational. There are zero businesses
143 that are of similar specific type of restaurant within a visible radius giving likelihood of long-
144 term success due to low competition.

145
146 **15.** In the case of any antenna, any interference with a neighbor's vision, appearance or
147 utilization of their property.

148
149 ANSWER: N/A

150
151 **16.** In addition to any other requirements, all requirements outlined in FCC Ruling PRB-1
152 shall be met for any amateur radio towers and/or antennas. Due to the City's closeness to
153 the St. Louis International Airport, any applicant shall provide a letter from the Airport
154 Commission or the FAA stating that the proposed radio tower, antenna or wave length will
155 not interfere with Airport operations and/or communications.

156
157 ANSWER: N/A

158
159 **V. ADDITIONAL PLANNING COMMISSION CONDITIONS:**

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161 **1.** The proposed names on the Special Use Permit shall be **Randy Johnson.**

162
163 **2.** The proposed name of business shall be **Bonehead's Bar B Que.**

164
165 **3.** Hours of Operation shall be **Sunday 11a-6p, Monday-Thursday 11a-7p, Friday-Saturday**
166 **11a-8p.**

- 168 **4.** Unless noted as a non-conforming condition or noted herein, building and site shall
169 comply with all applicable health, safety, building and sign code standards as required by the
170 City of Berkeley.
- 171
- 172 **5.** The building, lot, yard, and landscaped areas shall be maintained and kept free and clear
173 of any debris or trash.
- 174
- 175 **6.** The owner/operator of this facility need to possess a current State of Missouri
176 Certification. A copy of which should be provided to the city.
- 177
- 178 **7.** A sign permit is required for banners, pennants, festoons, human sign, searchlights are
179 prohibited. Business signage shall be limited to no more than 10% of window space.
- 180
- 181 **8.** No banners, balloons, flags, festoons, snipe signs, or directional signs are to be in the
182 Public Right of Way.
- 183
- 184 **9.** No metal bars, mesh, or other durable material shall be installed over any portion of the
185 frontage window or frontage opening in commercial buildings.
- 186
- 187 **10.** The exterior area shall be maintained and kept free and clear of any debris or trash or
188 weeks.
- 189
- 190 **11.** Buildings and site conditions in need of repair shall be repaired or replaced per the
191 approval of the Building Commissioner.
- 192
- 193 **12.** The building, lot, landscaping, and yard areas shall be maintained and kept free and
194 clear of any debris, trash, or weeds including maintenance of all landscaped areas.
- 195
- 196 **13.** Only 10% of windows space shall be used for window signage. The petitioner will be
197 permitted exterior signage as per the City's sign code.
- 198
- 199 **14.** The premise shall be subject to adherence to City of Berkeley annual fire inspections and
200 life safety plans.
- 201
- 202 **15.** All required inspections by the City are required before issuance of occupancy permit or
203 business license will be issued.
- 204
- 205 **16.** The interior will be thoroughly inspected by City's Building Commissioner and Fire
206 Department, and any and all other jurisdictions, if applicable. All permits that are required
207 by any of said mention must be received. Once, all required inspections are completed;
208 apply for all necessary building/occupancy & fire safety permits from the City of Berkeley,
209 and other jurisdictions, after obtaining City Council's approval on this Special Use Permit.
210 Commercial Occupancy permit and Business License is required and shall be posted at all
211 times.

212
213 **17.** In granting such special use permits, the City Council may provide that the permit be
214 valid for a limited period of time not to exceed ten (10) years. Upon expiration of the time
215 limit specified in the permit, the holder of the permit may request the permit be reviewed
216 by the City Council, and the City Council may extend it for another limited period of time not
217 to exceed ten (10) years. The City Council shall provide that the permit be exclusive only for
218 the holder and non-transferable. **At this time the Planning Commission is recommending**
219 **that the Council grant the Special Use Permit to applicant for a period of no more than**
220 **TBD before renewal.**

221
222 **18.** The Special Use Permit will be revoked if for any reason the applicant ceases operations
223 and closes its doors to the public for a period of six (6) months or more, and not complying
224 with the City's Special Use Permit. The Special Use Permit shall not be assigned, or sold, or
225 conveyed, or operated by another without prior approval by the City Council and occupancy
226 permit, building permit or business license shall be issued to such assignee until such
227 approves is secured.

228
229 **19.** Any violations can be a reason for the City to revoke this permit, according to the City's
230 current regulations. To occupy the building and facilities the applicant must comply with all
231 the applicable rules and regulations pertaining to health and safety for vehicular and
232 pedestrian traffic, zoning, building, sign codes, fire and safety protection standards as
233 required by the City Fire Department, City of Berkeley, St. Louis County, State of Missouri,
234 and Federal rules and regulations.

235
236 **20.** Prior to issuance of an Occupancy Inspection and Permits, the above noted conditions,
237 the conditions as described in the attached Report, and the inspections as part of the
238 normal occupancy permit process shall be met, and as approved by the City Council. This
239 Special Use Permit takes effect upon the approval by City Council.

240
241 **21.** Must fill out and file the following with the City's Business Office/Finance Department
242 where applicable: Business Owner Information Sheet, Miscellaneous Service Occupation
243 License, Manufacturer's License, Merchant's License, Sign License, Vending Machine
244 License, Liquor License, and/or any other Licenses that apply.

245
246 **22.** Commercial occupancy and business license are required from the City of Berkeley.
247 Occupancy Permit and Business License shall be posted at all times. Planning Commission
248 shall require that business owner take no more than six (6) months to obtain an occupancy
249 permit.

250
251 **23.** The City Council may, in accordance with Section 400.580, institute a rezoning. The City
252 Council, after a public hearing, may revoke a special use permit for failure of compliance
253 with regulations and restrictions of this Chapter or the requirements of the special use
254 permit.

256 **24.** If the City Council determines that the public health, welfare, and safety are adequately
257 protected in view of the foregoing criteria, then the special use permit shall be granted; but
258 if it is negative as to any of such paragraphs, then the special use permit shall be denied.
259

260 **25.** No part of the business or property shall be rented or leased to outside parties other
261 than what was described by Special Use Permit applicant. Business owner shall submit to
262 quarterly inspections from the Planning Commission to ensure compliance with all City
263 regulations as well as the terms and conditions of this report.
264

265 **26.** Upon the permanent closing of the business, business owner must remove all signage
266 and leave property condition free of trash, debris, boxes, etc. both inside and out.
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268 **VI. STAFF ANALYSIS:**

269 The applicant/petitioner has done their best to remain compliant with the process.
270 Business does not propose any significant risk of noise violations and is compliant with
271 current zoning regulations.
272

273 **VII. STAFF RECOMMENDATIONS:**

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275 **Suggested Motion:**

276 To move to grant approval for the Special Use Permit applied for by Randy
277 Johnson for a restaurant seeking and Liquor License located at 8363
278 Airport Road, Berkeley, Mo 63134.
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