

STAFF REPORT

CASE NUMBER: **19-19**

DATE: October 28, 2019

PETITIONER: Keri Gilyard
6223 Witsell Avenue
St Louis MO 63134
(314) 619-4811
Email: kerileeg18@gmail.com

PROPERTY OWNERS: Crosby Realty
8542-8560 Airport Road
St. Louis, MO 63121

REQUEST: Special Use Permit – Barber Shop

PROPERTY ADDRESS: 8544 Airport Rd

SIZE: Approximately 1,200 square feet

CURRENT ZONING: “C-2” Local Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant

PROPOSED USE: Barber Shop

RECOMMENDATIONS: Staff recommends referral to Planning Commission



REPORT TO CITY COUNCIL

TAXES DUE

TO: The Honorable Mayor and Members of the City Council

FROM: Kimberly Smith-Drake, Economic Development Coordinator

THRU: Debra Irvin, City Manager

DATE: October 28, 2019

SUBJECT: **Case No. 19-19 - A request for a Special Use Permit by Keri Gilyard to operate The Franchise Hair Gallery at 8544 Airport Road, in the City of Berkeley, St. Louis County, Missouri**

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

RECOMMENDATION

Staff recommends referral to the Planning Commission for review of the request for a Special Use Permit by Keri Gilyard to operate The Franchise Hair Gallery at 8544 Airport Road, in the City of Berkeley, St. Louis County, Missouri.

BACKGROUND

The property is a multi-tenant commercial building, approximately 1200 sq. ft. property locator number 11K340508. The property that is the subject of this report is located at the corner of Garfield and No. Hanley Rd. The property is zoned "C-2" Local Commercial District.

JUSTIFICATION

"C-2" zoning requirements:

- Front yard: Twenty-five (25) feet
- Side yard: Five (5) feet
- Rear yard: Ten (10) feet and Twenty-five (25) Residential
- Landscaping: A planting strip of twenty (20) feet shall be established and maintained within the required front yard. The business is going into an existing building. There is no landscaping requirements for this business.
- Staff Research - Area approximately 1200 square feet – 4 off street parking spaces for employee parking.

SUPPORTING DOCUMENTS

- Staff Report
- Special Use Application
- Site Photos

OPTIONS OF CITY COUNCIL

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

REQUESTED ACTION(S) FROM THE PLAN COMMISSION

Staff request approval with conditions for the request of a Special Use Permit by **Keri Gilyard to operate The Franchise Hair Gallery** at 8544 Airport Road, in the City of Berkeley, St. Louis County, Missouri:

1. Name of Business, The Franchise Hair Gallery
2. Register the business with the State of Missouri and obtain FEIN from IRS
3. Hours of operations shall be from 9:00am - 6:00pm, Monday through Saturday
4. Pick up litter around the premises at least twice a day
5. Deliveries, loading and unloading shall not occur between 7am-9am and 4pm -6pm
6. Occupancy load will be determined by Fire Marshall and shall be posted
7. Contact the Saint Louis County Department of Public Health for an inspection
8. Building renovation and floor plan must meet City of Berkeley building and code regulations
9. Equipment installation, i.e., appliances, HVAC, bowls must be permitted through the City of Berkeley
10. Building shall require the installation of a first floor rest room that meets ADA compliance
11. The building, lot, landscaping, and yard areas shall be maintained and kept free and clear of any debris or trash or weeds including maintenance of all landscaped areas.
12. Exterior building and site conditions in need of repair as approved by the Building Commissioner.
 1. Replace all bad wood around exterior of building and replace with new wood
 2. Remove all boards;
 1. Replace entry door
 2. Replace windows with block glass on the Garfield side of the building.
 3. Paint exterior
 4. Owner shall remove vegetation in parking space, seal and strip spaces
 5. Stripe parking spaces on Garfield
 6. Owner shall comply with Ordinance 4373 and install a commercial enclosure
 7. Maintain grass in the greenspace along Airport Road
 8. All brick shall be tuck-pointed
 9. Overhang shall be repaired and painted
13. A parking plan that satisfies the specified requirement of 12 regular spaces and one (1) handicapped parking space for a total of thirteen (13) spaces. The site plan includes 5 spaces on the premises and additional open street parking is available on Airport Road.
14. No loitering at this site is allowed, post signs to that affect
15. No snipe signs or directional signs in the Public Right of Way
16. Only 10% of windows space shall be used for window signage
17. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
18. This Special Use Permit will be revoked if for any reason the applicant ceases operation 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.
19. 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.
20. Any violations can be a reason for the City to revoke this permit, according to the City's current regulations. The applicant will comply with all the City's rules and regulations.
21. Prior to issuance of any Occupancy Permit, the above noted conditions, the conditions as

described in the attached Report, the inspections as part of the normal occupancy permit process shall be met, and as approved by the City Council.

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.
23. 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.
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 the regulations and restrictions of this Chapter or the requirements of the special use permit.
25. Self-latching safety doors at exits

SUMMARY AND DECISION

The City Council members can modify or add any other conditions for this business.

Respectfully submitted

Kimberly Smith-Drake
Economic Development Coordinator



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"/> 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) Keri Gilyard

APPLICANT IS (CHECK ONE): OWNER AGENT PURCHASER OF CONTRACT TENANT

APPLICANT(S) ADDRESS: STREET 6223 Witsell ave

CITY Berkeley STATE Mo ZIP 63134 PHONE (314) 619-4811 E-MAIL kerileeg18@gmail.com

LOCATION OF PROPOSED USE

STREET ADDRESS: 8544 Airport rd Berkeley Mo 63134

PROPERTY DESCRIPTION: Multi-tenant space

PRESENT ZONING DISTRICT: C-2 PROPOSED ZONING DISTRICT (if applicable) N/A

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: _____

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

DAYS & HOURS OF OPERATION ETC. Monday - Saturday 9:00am - 6:00pm

PROPOSED NAME OF BUSINESS: The Franchise Hair Gallery

APPROXIMATE SIZE OF TRACT: ACRES _____ SQ FT OF SPACE (Under roof) _____

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Crosby RITV

ADDRESS: STREET: 8544 Airport Rd CITY Berkeley

STATE: Mo ZIP: 63134 PHONE: (314) 329-1457 E-MAIL: TK Higgin Doets @ Gmail

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: _____

SIGNATURE

By signing this application the owner(s) and applicant(s) attest that all information and data 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 plans/address/signature/date pages as needed.)

APPLICANT(S) SIGNATURE [Signature]

OWNER(S) SIGNATURE _____

DATE 10/28/19

DATE 10/28/19

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 _____ Cash Check Money Order Debit/Credit RECEIPT NO: _____ CASE NO: _____

Site Photos

FRONT OF BUILDING (ENTRANCE DOOR AND EMERGENCY EXIT DOOR)



SIDE OF BUILDING: (PARKING LOT ON GARFIELD)



Real Estate Tax Amounts Due

This page shows all the real estate tax amounts that are due on the parcel described below. If no taxes are due then the last tax payment information is shown.

If you have any questions you can contact the [Collection Division](#) via phone or email. For contact information [click here](#).

Taxes Are Due

Effective 10/28/2019.

Locator Number: 11K340508
Owner Name: Crosby Realty L L C
Property Location: 8542 Airport Rd
Subdivision: Kinloch Park
Block Number: 20
Lot Number:
School Sub Code: 111NE
Legal Description: Lots 32 & 33 & Lot Pts 30 & 31 & 63 & 64
Assessed Value: \$30,080.00

Real Estate Taxes Due:

Locator Number - 11K340508					
Tax Year	Taxes	Interest	Penalties	Sewer Lateral Fee	Amount Due
2019	\$3,262.27	\$0.00	\$0.00	\$0.00	\$3,262.27
Total Amount Due >>					\$3,262.27

Note that commercial surcharges apply to this property.