



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, September 21, 2020 in by way of Zoom, for the purpose of considering the following proposition:

1. **Case #20-13: Shall a Special Use Permit be granted to Li Hang Chen to operate Canton House Chop Suey to be located at 8525 Airport Road, Berkeley, St. Louis County Missouri?**
2. **Case #20-15: Shall a Special Use Permit be granted to Kimberley Henderson to operate a Convenience Store, located at 8351 Frost Ave in the City of Berkeley, St. Louis County Missouri?**
3. **Case #20-16: Shall a Special Use Permit be granted to Gay Thompson to operate a Private School to be located at 6301 Garfield Ave, Berkeley, St. Louis County Missouri?**
4. **Case #20-17: Shall a Special Use Permit be granted to Latasha Edwards to operate a Carryout soup and sandwich shop located at 8555 Airport Rd, Berkeley, St. Louis County Missouri?**
5. **Case #20-19: Shall a variance be issued to Kendrick Evans to reduce the required parking spaces from nine to eight to operate a Mini Convenient Mart/Boutique to be located at 8200 Airport Rd, Berkeley, St. Louis County 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, September 21, 2020 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/83424841914?pwd=VXJ2M1JhNE43ODA2TGxFSkR6eFhhdz09>

Password: 083251

Or join by phone:

Dial: US: +1 312 626 6799

Webinar ID: 834 2484 1914

Password: 083251

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 be accessible to the public in real time ONLY by video/audio webinar.

Posted: Thursday, August 27, 2020

Reposted: September 1, 2020



STAFF REPORT

CASE NUMBER: **20-19**

DATE: August 26, 2020

PETITIONER: Kendrick Evans
8200 Airport Rd
Berkeley MO 63134

PROPERTY OWNERS: Kendrick Evans
8200 Airport Road
Berkeley, MO 63134

REQUEST: Parking Variance

PROPERTY ADDRESS: 8200 Airport Road

CURRENT ZONING: "C-1" Industrial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant

PROPOSED USE: Convenient Store/Boutique

RECOMMENDATIONS: Staff recommends approval of variance



REPORT TO CITY COUNCIL

NO TAXES DUE

PUBLIC HEARING

TO: The Honorable Mayor and Members of City Council

FROM: Debra Irvin, City Manager

DATE: August 26, 2020

SUBJECT: **Case #20-19 Shall a variance be issued to Kendrick Evans to reduce the required parking spaces from nine to eight to operate a Mini Convenient Mart/Boutique at 8200 Airport Road, Berkley MO**

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

RECOMMENDATION

Plan Commission heard the matter on August 26, 2020 and referred to City Council for a Public Hearing to consider the approval to reduce the number of required parking spaces at 8200 Airport Road, Berkeley, MO for the operation of a Mini Convenient Mart/Boutique

BACKGROUND

The property that is the subject of this report is located at 8200 Airport Road and is identified by Locator Number 11J230608. The building is approximately 1,765 sq. ft., one-story, brick building and is currently zoned C-1. The property is at the northeast corner of Faye Avenue and Airport Road.

ZONING

The subject property is currently zoned C-1. The subject property is bordered by residential zoning and uses to the north, west and south. The request is a permitted use.

JUSTIFICATION

The site was previously used as a beauty salon therefore, the site will need renovation to accommodate the requested use of a convenient mart. Commercial occupancy permit will be contingent upon the completion of all site improvements and repair of any damaged portions of the structure or lot.

LITTER

The applicant and its employees must monitor and immediately remove trash on the site and the adjacent area; picking up litter around the premises at least twice a day.

SUPPORTING DOCUMENTS

- Special Use Application
- St. Louis County Aerial View
- Site/Floor Plans

- Site Photographs

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.

CONDITIONS OF VARIANCE

Approve, with conditions, the request for a parking variance to Kendrick Evans to operate a Mini-Convenient Mart/Boutique at 8200 Airport Road, Berkeley, St. Louis County, Missouri

1. Consider the variance to reduce the required parking from nine to eight.
 - a. Parking: Section 400.130 (2)(k) Retail store, personal service establishment or household service establishment, except as otherwise specified herein. One (1) parking space for each two hundred (200) square feet of floor area. *(Total of 9-spaces needed)*
2. Security cameras shall 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
3. An alarm system and panic button are required to be installed
4. An after hour contact my file with Camera Registration
5. A sign permit is required
6. Liquor sales prohibited
7. Sale of single cigarettes prohibited
8. No cooking of food of any kind is allowed
9. Hours of operation shall be SUN-SAT, 7am – 8pm
10. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
11. Window signage shall not exceed ten percent (10%) of the window area or ten (10) square feet in area, whichever is the smaller of the dimension.
12. Trash enclosure shall remain in place
13. All site fencing, including the trash enclosure, shall be repaired or replaced if necessary. All fencing shall be white vinyl.
14. Install “No Loitering Signs” around the property
15. Install motion lights at rear of the property
16. No live entertainment on parking lot
17. No food consumed on the parking lot
18. Pick up litter around the premises at least two times a day
19. Deliveries, loading and unloading shall not occur between 6am-9am and 3pm -6pm (school bus and rush hour)

20. 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.
21. No snipe signs or directional signs in the Public Right of Way
22. No human signs permitted
23. The owner shall submit renovation plans to the Building Commissioner for approval
24. Building and site conditions in need of repair shall be completed per the approval of the Building Commissioner.
25. The interior will successfully complete inspection by City's Building and Fire Department prior to the issuance of a Commercial Occupancy permit and the opening of the business for operations.
26. The asphalt parking lot shall be sealed and restriped, for parking
27. Commercial occupancy and business license are required from the City of Berkeley
28. Proof of Retail Sales Tax License is required to sell tobacco products per Section 210.2130 and must be provided prior to securing a business/merchant's license from the City of Berkeley
29. Section 400.130 (K)(2) Noise. Every use shall be so operated that the maximum volume of sound or noise generated does not exceed forty (40) decibels at any point on the lot line of the lot on which the use is located. Outdoor loudspeakers and audible communication systems are not permitted within one thousand (1,000) feet of a residential district.
30. The Business License 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.
31. The Business License 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.
32. Any violations can be a reason for the City to revoke the Business License, according to the City's current regulations. The applicant will comply with all the City's rules and regulations.
33. 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,



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
<input type="checkbox"/> Street Name (New, Change)	<input type="checkbox"/> Liquor/Lottery/Financials (Money Grams/Order)
<input type="checkbox"/> Street Vacation	<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) Kendrick Burns

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

APPLICANT(S) ADDRESS: STREET 2024 mantilla Ln St. Louis Mo 63031

CITY St. Louis STATE Mo ZIP 63031 PHONE 314-252-1113 E-MAIL redyrockcommunications@gmail.com

LOCATION OF PROPOSED USE

STREET ADDRESS: 8200 Airport Rd. 63134

PROPERTY DESCRIPTION: 1 story brick building with basement, pitched roof and a basement

PRESENT ZONING DISTRICT: C-1 PROPOSED ZONING DISTRICT (if applicable) N/A

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Beauty & Barber Salon

THE PROPERTY IS TO USE IT FOR: (Type of Business) ← Error Communications & Gift shop w/ carry out food

DAYS & HOURS OF OPERATION ETC. 10am - 8pm

PROPOSED NAME OF BUSINESS: Redy Rock Communications LLC

APPROXIMATE SIZE OF TRACT: ACRES 0.2 SQ FT OF SPACE (Under roof) 1765

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: _____

ADDRESS: STREET: _____ CITY: _____

STATE: _____ ZIP: _____ PHONE: () _____ E-MAIL: _____

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 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 4-20-20 DATE 4-20-20

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: _____

Exhibit “A” – Site Photos

8200 Airport Road



No Taxes Are Due

Effective 5/11/2020.

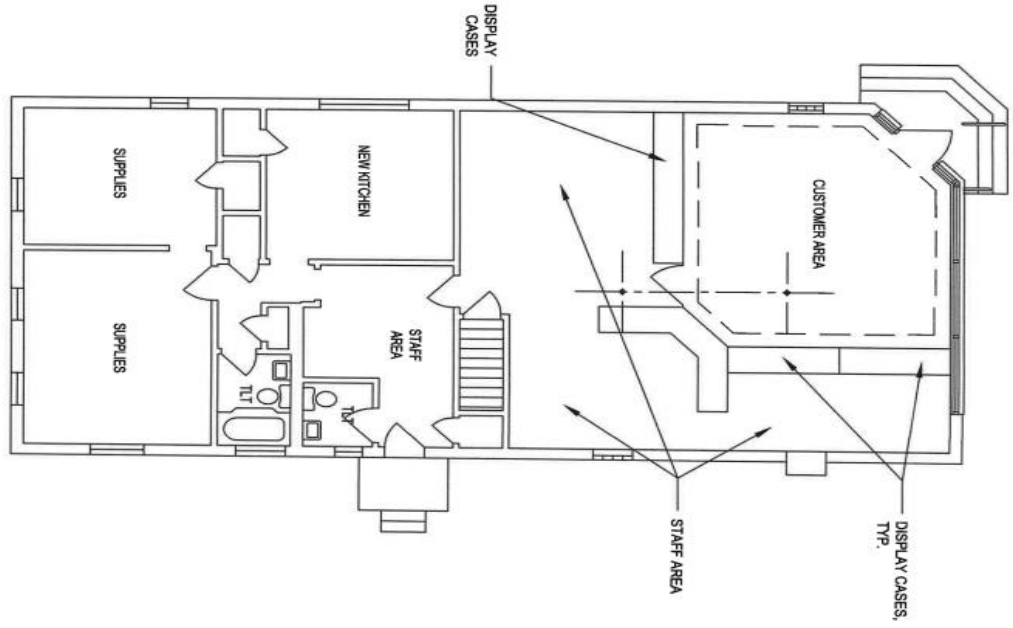
Tax Year: 2020
Locator Number: 11J230608
Owner Name: Dudley Vivian Fay
Property Location: 8200 Airport Rd
Subdivision: Nordell Hills
Block Number: 8
Lot Number:
School Sub Code: 111NE
Legal Description: Lot Pt 1 S Pt
Assessed Value: The 2020 total assessed value will not be available until the end of May.

2020 tax information will be published in the fall of 2020. Below is the latest tax payment information for this account.

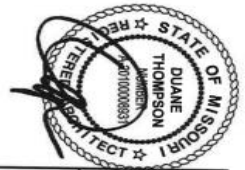
Real Estate Taxes Paid:

Locator Number - 11J230608							
Tax Year	Tax	Interest	Penalties	Other Charges	Total Tax	Amount Paid	Date Paid
2019	\$2,016.54	\$120.99	\$42.75	\$405.29	\$2,585.57	\$2,585.57	3/31/2020

02 FLOOR PLAN
A1.0 SCALE 1/8" = 1'-0"



01 SITE PLAN
A1.0 SCALE 1" = 20'-0"



<p>HT DESIGN LLC CORP. LICENSE # A-2019003750 DUANE THOMPSON - ARCHITECT A-2010008931 2501 S. JEFFERSON. (314) 532-6272</p>	<p>REDYCK COMMUNICATIONS AND GIFT SHOP AT 8200 AIRPORT RD ST. LOUIS, MO 63134</p>	<p>SITE AND FLOOR PLAN - 5-7-2020 A1.0</p>
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