

# PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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## MEETING MINUTES

City of Berkeley City Plan Commission

Wednesday, October 14, 2020

1:00 P.M.

Virtual Zoom Meeting, 8425 Airport Road, St. Louis, MO 63134

Note: The agenda for this meeting was posted on the bulletin board at the City Hall complex, 8425 Airport Road and is in compliance with the Open Meetings Law.

Members Present: Mayor Deinbo, Kevin Spraggins, Carolyn Crimes, and Will Ferguson. *DeBora White, Absent.* Staff present: Debra Irvin, City Manager and Jim Linhardt, Fire Chief

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### CALL TO ORDER / DECLARATION OF QUORUM

The Plan Commission members met in a virtual setting on Wednesday October 14, 2020; Chairman Spraggins called the meeting to order at 1:00 pm. A quorum was established.

### MINUTES

Approval of August 26, 2020 City Plan Special Meeting Minutes.

Chairman Spraggins asked for a motion to approve the special minutes. Member Crimes made the **MOTION**, Mayor Deinbo **SECOND** the motion. A voice vote was taken, and the minutes were unanimously approved the minutes with a voice vote 4:0, Spraggins, Crimes, Deinbo, Ferguson

### PUBLIC COMMENT:

None

### OLD BUSINESS

Chairman Spraggins brought forth Case #20-18, a request from Tom Bommarito to purchase a portion of Stansberry St. directly behind 4451 Brown Road for additional parking. With no additional information, the chairman asked for a motion to table until the scheduled meeting. Chairman Spraggins **MOTIONED**, Crimes **SECOND**. A voice vote was taken, and the motion was unanimously approved to table 4:0, Spraggins, Crimes, Deinbo, and Ferguson,

### NEW BUSINESS:

**Case No. 20-20:** A request from Stock and Associates on behalf of North Park Partners for approval of a site development plan and lot consolidation of North Park Plat One Lots 14-19 and North Park Plat Nine 20A and 20B.

Chairman Spraggins brought forth Case #20-20 and allowed the Applicant, George Stock of Stock and Associates to give a thorough PowerPoint presentation of the project. The applicant stated that the land would be used to construct a distribution warehouse for major company. This is a fast pace project, which will be opening its doors in June 2021. Grading is underway and the engineering team has been looking at water runoff at Ramona (Mathison) Lake. The petitioner assured the Plan Commission that drainage will be controlled and will not impact Ramona Lake Fish house or the comfort station. Water will be retained on the parcel and will be directed to Maline Creek. After

## PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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discussions between the Plan Commission members and the petitioner, the chairman called for a **MOTION** to approve the request. Chairman Spraggins made the **MOTION**, Member Crimes **SECOND** the motion. A voice vote was taken, and the case was unanimously approved to be sent to the City Council for a Public Hearing with a voice vote 4:0, Spraggins, Crimes, Deinbo, and, Ferguson

**Case No. 20-21:** A request for a Special Use Permit from Latoya E. Reese to operate a Wig & Lash Parlor located at 8347 Frost Ave, Berkeley, MO

Chairman Spraggins brought forth Case No. 20-21 and allowed the Applicant Latoya E. Reese to give a presentation of her business. The applicant expressed her passion in hair and beauty care for women of all ages. Members of the commission asked if she was licensed by the State of Missouri Professional Board of Regulations, Chapters 328 and 329, RSMo, regulating barbers, cosmetologists, manicurists, estheticians, instructors, salons, barbershops and cosmetology and barber schools. Applicant stated no. CM Irvin explained that hair braiding and hair care is regulated under Missouri Laws 329.010. Further discussions ensued on renovations of spaces, hair washing and use of chemicals. No perm chemicals will be used; however, shampoos and conditioners will be used for hair washing before braiding and hair care treatment. Members asked again on licensing, applicant said she was not a licensed hair care provider, but hair care is her passion. With no further discussion, the chairman called for a **MOTION** to approve the request. Chairman Spraggins made the **MOTION**, Member Crimes **SECOND** the motion. A voice vote was taken, and the motion unanimously *failed* with a voice vote 4:0, Spraggins, Crimes, Deinbo, and, Ferguson.

**Case No. 20-22:** A request for a Special Use Permit from Natara A. Anthony to operate a The Glam Factory, a hair salon at 8237 Airport Road, change of ownership.

Chairman Spraggins brought forth Case No. 20-22 and allowed the Applicant Natara A. Anthony to give presentation of her business. The applicant expressed her desire to continue operating the existing hair salon. She will be the new owner/operator. When asked if she held a license from the State of Missouri Professional Board of Regulations, Chapters 328 and 329, RSMo, regulating barbers, cosmetologists, manicurists, estheticians, instructors, salons, barbershops and cosmetology and barber schools. Applicant stated no. She just moved her from Tennessee with a valid license. CM Irvin stated that her Tennessee license is not recognized in Missouri. Applicant stated that she has clientele, but would do their hair at her home until she is licensed. CM Irvin advised the commission that applicant could obtain the Special Use Permit (SUP) and have other licensed stylists and barbers work for her, giving the applicant an opportunity to get Missouri license. The commission could grant a one-year approval to the applicant until she obtains a state license. Applicant agreed to the one-year SUP as owner of the business, but not doing hair. Applicant stated, she thought she could work under another licensed operator as an apprentice until she could take the exam. Members of the commission went back to the one-year approval to the applicant until she obtains a state license. With no further discussion, the chairman called for a **MOTION** to approve the request. Chairman Spraggins **MOTIONED**, Member Ferguson **SECOND**. A voice vote was taken, and the motion was unanimously approved 4:0, Spraggins, Crimes, Deinbo, and, Ferguson.

### **PUBLIC COMMENTS**

None

### **OTHER BUSINESS**

## PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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CM Irvin mentioned to Commission that the next regularly scheduled meeting is November 11, 2020, which is Veteran's Day, and the city hall is closed for observance. The commission can schedule for another day or move to December meeting. With a discussion among the commission members, Chairman Spraggins called for a **MOTION** to move the meeting to November 12, 2020 at 1:00pm. Chairman Member Ferguson **SECOND**. A voice vote was taken, and the motion was unanimously approved to move the meeting date, 4:0, Spraggins, Crimes, Deinbo, and, Ferguson.

### **CONCLUDED**

That the next regularly scheduled meeting of the City Plan Commission is held on **Wednesday, November 12, 2020 at 1:00 p.m.**

### **ADJOURNMENT**

There being no further business to come before the Commission, the Chairman **MOTIONED** for adjournment, Member Ferguson **SECOND**. A voice vote was taken, and the motion was unanimously approved 5:0, Spraggins, Crimes, Deinbo, Ferguson, and, White. Chairperson Spraggins adjourned the meeting at 2:04 pm

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Respectfully submitted by:  
Debra Irvin, City Manager  
Recording Secretary

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Approved for submittal by:  
Kevin Spraggins

## PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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### **CASE NO. 20-20 -**

Approve, with conditions, the request for approval of a site development plan and lot consolidation of North Park Plat One Lots 14-19 and North Park Plat Nine 20A and 20B

1. This site shall comply with all the applicable regulations pertaining to health, 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 and St. Louis County.
2. The area shall be maintained and kept free and clear of any debris or trash or weeds. All plants/trees/bushes and landscaped material will be properly maintained.
3. During the construction phase, the developer/builder will utilize all BMP's and all applicable regulations.
4. Site shall comply with Section 400-195 AD, subsections (H) and (I)
5. The developer shall file the new site plan with Saint Louis County
6. A fence permit is required for the security fencing as described on the site plan - 8 ft tall 9-gauge, galvanized Chain Link with 3-strands of Barb Wire.
7. A sign permit is required for the two (2) Monument Signs at driveway onto Springdale. The locations are shown on the attached site plan.
8. Due to the nature of this use, sidewalks will not be installed on the southside of Springdale or the northside of Evans.
9. Cease the draining along Mathison Lake single story building and restrooms (1-story concrete block building), formerly known as Ramona Lake adjacent to this parcel.
10. Asphalt Parking lot shall be commercial grade for the weight of Berkeley fire trucks and turnaround for ingress/egress at 26- feet or greater
11. Owner shall install Knox box for rapid access to the fire department.
12. Minimum Site Requirements, Section 400.195 (H)(1) Performance Standards.

**CASE NO. 20-21 CONDITIONS –** Special Use Permit from Latoya E. Reese to operate a Wig & Lash Parlor located at 8347 Frost Ave, Berkeley, MO (*Motion Failed*)

**CASE NO. 20-22 CONDITIONS OF VARIANCE** A request for a Special Use Permit from Natara A. Anthony to operate a The Glam Factory, a hair salon at 8237 Airport Road, change of ownership.

1. Business Name – *“The Glam Factory”*
2. Hours of operation: 8:00 am - 6:00 pm Tuesday- Saturday. Any change of hours shall be approved by the City Council.
3. Special Use Permit is valid for one-year from date of approval by City Council
4. Applicant shall obtain Missouri License within one-year approval window.
5. Applicant shall not act as professional hair stylist/braider without a State of Missouri Cosmetology License pursuant to board enforces Chapters 328 and 329, RSMo, and regulates barbers, cosmetologists, manicurists, estheticians, instructors, salons, barbershops and cosmetology and barber schools.
6. All licensed barbers, cosmetologists, manicurists, estheticians, instructors shall have licensed posted in the salon at all times.

## PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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7. Applicant Tennessee license is not transferable to Missouri
8. 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.
9. An alarm system and panic button are required to be installed.
10. An after-hour contact must be included with the Camera Registration.
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. Install "No Loitering" and "No Loud Music" signs at entrance wall.
14. The exterior area shall be maintained and kept free and clear of any debris or trash or weeks.
15. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
16. 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.
17. 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.
18. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
19. All required inspections by the city are required before issuance of occupancy permit or business license will be issued.
20. 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.
21. In granting such special use permits, the City Council may provide that the permit be valid for a limited period of time of 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.
22. 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.
23. 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.

## PLAN COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 14, 2020

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24. 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.
25. 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.
26. 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.

### **OWNER'S RESPONSIBILITY**

1. Mill and Pave, stripe existing parking lot
2. Cut vegetation from rear parking lot
3. Owner shall provide access to basement of this building for safety inspection