

RESOLUTION # 3393

Introduced by: Council Members Present
of the City of Berkeley, MO

A RESOLUTION AUTHORIZING RENITA ADDISON A SPECIAL USE PERMIT TO OPERATE A HAIR SALON BUSINESS LOCATED AT 8557 AIRPORT RD., IN THE CITY OF BERKELEY, ST. LOUIS COUNTY, MISSOURI

WHEREAS, Renita Addison, has applied to such City for the issuance of a Special Use Permit to operate a Hair Salon Business; and

WHEREAS, in accordance with the applicable Ordinance of the City of Berkeley, such application was submitted to the City Plan Commission for its investigation and reports, and further, that such City Plan Commission has returned its final report and recommendation wherein it recommended to approve the issuance of a Special Use Permit to Renita Addison to operate a Hair Salon business located at 8557 Airport Road; and

WHEREAS, due notice of the time, place and purpose of a public hearing was published in two (2) consecutive issues of a newspaper of general circulation in the City or posted on the city's website, the first notice being published at least ten (10) days prior to the date of the hearing, and written notices of said hearing were mailed to the last known places of abode of the owners of all property lying within one hundred eighty five (185) feet of all boundaries of the property under consideration for a Special Use Permit; and

WHEREAS, such public hearing was duly held by the Council, on November 07, 2016, in the City Hall of the City of Berkeley, Missouri, in conformity with said public notice at which hearing the parties of interest were given an opportunity to be heard; and

Now Therefore, Be It Resolved by the Council of the City of Berkeley, Missouri as Follows:

SECTION 1 The City Council determines that the public health, welfare, and safety are adequately protected in view of the foregoing criteria, and the Special Use Permit shall be granted as the Council affirmatively finds as to the required criteria.

SECTION 2 The use of said tracts for the aforesaid purpose is granted subject to the following conditions:

- a) Hours of operation: 6:00 am – 1:00 am Sunday – Saturday and some holidays
- b) Petitioner shall comply with State Licensing for Cosmetologist
- c) Petitioner shall comply with designed occupancy load as set by Fire Marshall
- d) This site shall comply with all the applicable 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, and St. Louis County. Commercial Occupancy Inspection is required.
- e) 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 along Airport Rd.
- f) Hours of operation as identified by Petitioner are (7 days a week) Sunday – Saturday 6am-1am, and some holidays; due to customers with special needs.
- g) Business signage shall be limited to no more than 10% of window space. The petitioner will be permitted one exterior wall mounted sign at the front of the business.
- h) Commercial occupancy and business license is required from the City of Berkeley.
- i) The City Council members can modify or add any other conditions with these recommendations.

- j) 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.
- k) 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 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.
- l) 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.
- m) 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.

SECTION 3 The Department of Public Works shall be charged with responsibility for the enforcement of this Resolution.

SECTION 4 This Resolution shall be in full force and effect from and after the date of its passage.

Passed: _____ day of _____ 2016

ATTEST:

Theodore Hoskins, Mayor

Deanna Jones, City Clerk

Final Roll Call:

Approved As To Form:
Donnell Smith, City Attorney

Mayor Hoskins	Aye ___ Nay ___ Absent ___ Abstain ___
Councilwoman Hoskins	Aye ___ Nay ___ Absent ___ Abstain ___
Councilwoman Kirkland	Aye ___ Nay ___ Absent ___ Abstain ___
Councilwoman Mathison	Aye ___ Nay ___ Absent ___ Abstain ___
Councilman-at-Large McDaniel	Aye ___ Nay ___ Absent ___ Abstain ___
Councilwoman Mitchell	Aye ___ Nay ___ Absent ___ Abstain ___
Councilwoman Williams	Aye ___ Nay ___ Absent ___ Abstain ___