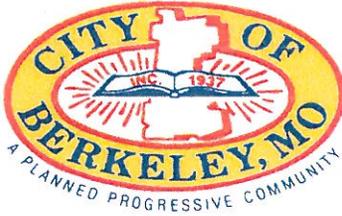


PLAN COMMISSION MEETING MINUTES OF October 13, 2016



City of Berkeley City Plan Commission Meeting Minutes Thursday, October 13, 2016

Note: The agenda for this meeting was posted on the bulletin board at the City Hall complex, 8425 Airport Road, October 7, 2016 at 5:00 p.m. in compliance with the Open Meetings Law.

Call to Order and Roll call

The Regular Meeting of the City of Berkeley Planning and Zoning Commission was held at Berkeley City Hall. Council Chambers, 8425 Airport Road, Thursday, October 13, 2016. The meeting was called to order at 6:07 P.M. by Chairperson Robert Phillips. Those present at roll call were Will Ferguson and Carolyn Grimes. A quorum was established.

Absent: Kyra Watson and Mayor Hoskins.

Staff present, in their advisory capacity, included: Debra Irvin, Municipal Service Manager/Building Commissioner, James Linhardt, Fire Chief, and Sarita Kimble, Recording Secretary.

Agenda items were taken in the order prescribed in the minutes. The following is a summary of the proceedings of this meeting.

Approval of Minutes

Motion by Carolyn Crimes and seconded by Will Ferguson to approve the minutes from the August 11, 2016 meeting. Approved 3-0

Public Comment

Chairperson Phillips asked if anyone from the audience wished to address the Commission. With no public comment, he moved to the next item on the agenda.

New Business:

Case Number 16-12

An application request for Special Use, submitted by DFE Enterprises, for change of ownership D/B/A Stealth Recovery at 8870 Frost Avenue, in the City of Berkeley, St. Louis County, Missouri.

Chairperson Phillips noted that the applicant has not shown up. THIS ITEM WAS TABLED UNTIL THE NOVEMBER 10, 2016 CITY PLAN COMMISSION MEETING.

Case Number 16-13

An application request for Special Use, submitted by Renita Addison, to operate a Hair Salon at 8557 Airport Road, in the City of Berkeley, St. Louis County, Missouri.

Renita Addison was present to address the City Plan Commission and answer questions. Building Commissioner Debra Irvin gave an overall presentation of the applicant's request, and a brief history of the location. The other issues of concern are as outlined in the "Staff Report and Recommendation" dated September 30, 2016.

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Ms. Addison began by stating that she will have an occupancy load of no more than 25 patrons (by appointment ONLY), in addition; two (2) licensed hairstylist's. Hours of operation Sunday – Monday 9:00AM – 8:00PM and Tuesday – Saturday 6:00AM – 1:00AM. Business name is noted as Splitt Endz.

After discussion, Chairperson Phillips entertained a motion *Carolyn Crimes made a motion, to forward a favorable recommendation for this request to the City Council to hold a Public Hearing on November 7, 2016. Will Ferguson seconded and the motion carried 3-0. A list of conditions is attached and made a part of these minutes.*

Case Number 16-14

An application request for Special Use, submitted by Willie Morris, to operate a bar and grill at 6130 Madison, in the City of Berkeley, St. Louis County, Missouri.

THIS ITEM IS TO BE TABLED INDEFINITELY AT THE REQUEST OF THE APPLICANT.

Case Number 16-15

A request to amend the Zoning Code by adding “new definitions” and “creating a new section” in Chapter 500 Entitled, “Model Housing Code” in the City of Berkeley, St. Louis County, Missouri.

Building Commissioner Debra Irvin gave an overall presentation indicating the Model Housing Code will be a new addition to Chapter 500, however, Chapter 400 will provide a more definitive guide for inspectors to use when performing housing inspections and all information will be contained in one section of the code.

The inscription and specifications for “Mechanical” will be based on the International Code Council 2009 Code HVAC (furnace/water heater).

After review and discussion, Chairperson Phillips entertained a motion *Carolyn Crimes made a motion, to forward a favorable recommendation to the City Council to hold a Public Hearing on November 7, 2016, to Amend Chapter 500 of the Municipal Code creating a new section entitled “Model Housing Code” to the Model Housing Code and by adding new definitions to Chapter 400. Will Ferguson seconded and the motion carried 3-0.*

Case Number 16-16

A request to amend the Zoning Code by adding “new definitions” and regulating asphalt driveways, in the City of Berkeley, St. Louis County, Missouri.

Building Commissioner Debra Irvin gave an overall presentation and began by stating that regulating asphalt driveways will be a more definitive guide for contractors making repairs and inspectors inspecting the contractor's work, and to consider grandfathering owner-occupied homes, since the repairs and maintenance could be costly to elderly residents.

After much review and discussion, Chairperson Phillips entertained a motion *Carolyn Crimes made a motion, to forward a favorable recommendation to the City Council to hold a Public Hearing on November 7, 2016, to Amend Chapter 400 of the Municipal Code by adding new definitions and regulating asphalt driveways. Will Ferguson seconded and the motion carried 3-0.*

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Case Number 16-17

A request to amend the Zoning Code by adding “new definitions” and establishing “Tree Preservation” Code throughout certain districts.

Building Commissioner Debra Irvin gave an overall presentation and stated the City of Berkeley has implemented a five (5) year plan with MSD to maintain compliance with Storm Water Prevention and National Resources by the preservation of trees within the City’s right-of-way.

The tree preservation plan shall ensure the protection of remaining trees and vegetation on any site subject to authorized land disturbance and shall include such specifications, standards and precautionary measures.

After discussion, Chairperson Phillips entertained a motion *Carolyn Crimes made a motion, to forward a favorable recommendation to the City Council to hold a Public Hearing on November 7, 2016, to Amend Chapter 400 of the Municipal Code by adopting a “Tree Preservation” Code and adding new definitions. Will Ferguson seconded and the motion carried 3-0.*

Case Number 16-18

A request to amend the Zoning Code by grandfathering non-conforming Lot sizes in Section 400.110 “R-3” districts regulating single family homes.

Building Commissioner Debra Irvin gave an overall presentation and began by stating this action item is a request for the Board of Adjustment 2012 to grandfather the existing Lot sizes in Section 400.110 R-3 Single Family zoning districts so that they do not have to meet the 6,000 sq. ft.; and 50 ft. wide.

After much discussion, Chairperson Phillips entertained a motion *Carolyn Crimes made a motion, to forward a favorable recommendation to the City Council to hold a Public Hearing on November 7, 2016, to amend the Zoning Code by grandfathering non-conforming Lot sizes in Section 400.110 “R-3” districts regulating single family homes. Will Ferguson seconded and the motion carried 3-0.*

Case Number 16-19

An application request for Special Use, submitted by Mary Ann Griffin, for a dine-in and carryout restaurant, Soups, Salads, Sandwiches Bistro, located at 8573 Airport Road and 6201 Madison Road, in the City of Berkeley, St. Louis County, Missouri.

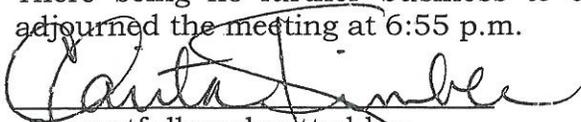
Chairperson Phillips noted that the applicant has not shown up. THIS ITEM WAS TABLED UNTIL THE NOVEMBER 10, 2016 CITY PLAN COMMISSION MEETING.

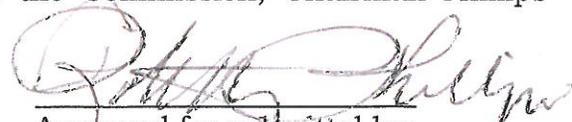
Concluded

That the next regularly scheduled meeting of the City Plan Commission is held on Thursday, November 10, 2016 at 6:00 p.m. and that consideration of the dates and times of future Committee meetings be deferred to this meeting.

Adjournment

There being no further business to come before the Commission, Chairman Phillips adjourned the meeting at 6:55 p.m.


Respectfully submitted by:
Sarita Kimble, Recording Secretary


Approved for submittal by:
Robert Phillips, Chairperson

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Conditions for Case No. 16-13

The following conditions are recommended as a condition of approval from Public Hearing to be held by the City Council on Case No. 16-13 – 8557 Airport Road (Hair Salon)

- a. Established business name as Splitt Endz.
- b. Established hours of operation Sunday – Monday 9:00AM – 8:00PM (by appointment ONLY) and Tuesday – Saturday 6:00AM – 1:00AM
- c. 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.
- d. 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 Road.
- f. The Special Use Permit take effect upon the approval by City Council.
- 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.

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Case No. 16-15

Amending the Zoning Code by adding new definitions and creating a new section in Chapter 500 entitled, "Model Housing Code".

The Model Housing Code (MHC) will be a new addition to Chapter 500; however, all definitions will be added to Chapter 400 of the Zoning Code. The MHC will be a more definitive guide for inspectors to use when performing housing inspection and all information will be contained in one section of the code.

The inscription and specifications for "Mechanical" will be based on the 2009 International Code Council – Code HVAC (furnace/water heater).

Case No. 16-16

Amending the Zoning Code by adding new definitions and regulating asphalt driveways in the City of Berkeley.

Regulating asphalt driveways will be a more definitive guide for contractors making repairs and inspectors inspecting the contractor's work.

OTHER DEFINITIONS:

1. Oil Spots – oil spots are a common problem in parking lots and driveways. These areas must be treated before sealcoating or the oil and chemicals will seep up through the newly applied material and render your sealed surface ineffective.
2. Grass – Poorly maintained driveways will often have grass growing up through the cracks. Cleaning the cracks should be standard practice before sealing them. Use a heat lance to burn out the crack and/or blow out the cracks depending on the severity of the problem.
3. Mud, tree sap, berry stains, etc. – Anything that would sit between the asphalt and the sealer must be removed. Without removing it the sealer cannot properly adhere to the asphalt and will eventually (sooner than later most likely) peel off.

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Case No. 16-17

Amending the Zoning Code by adding new definitions and establishing "Tree Preservation" Code throughout certain districts.

Establishing the Tree Preservation Code throughout certain districts will be a new addition to Chapter 400 of the zoning code. Adopting a Tree Preservation Plan will bring the city into compliance with MSD Stormwater Protection Plan by audit year 2017-2018.

The tree preservation plan shall ensure the protection of remaining trees and vegetation on any site subject to authorized land disturbance and shall include such specifications, standards and precautionary measures.

PLAN COMMISSION MEETING MINUTES OF October 13, 2016

Case No. 16-18

Amending the Zoning Code by grandfathering non-conforming lot sizes in Section 400.110 "R-3" districts regulating single family homes for the creation of forty (40) new homes.

This action item is a request for the Board of Adjustment 2012 to grandfather the existing lot sizes in Section 400.110 R-3 Single Family zoning districts so that they do not have to meet the 6,000 sq. ft. and 50 ft. wide.