DATE: June 13, 2005

SUBJECT: SP #296 SITE PLAN AMENDMENT AND REVIEW of a modeling and career Center; premises known as 4820A 31st Street South. (RPC #29-015-017)

Applicant:
John Casablanca's Modeling and Career Center

By:
Richard Gans, Vice President
648 Trade Center Boulevard
Chesterfield, Missouri 63005

C.M. RECOMMENDATION:

Discontinue the site plan amendment for the John Casablanca’s Career and Modeling Center effective July 31, 2005.

ISSUES: The applicant is requesting that the site plan amendment be allowed to continue through the end of July 2005 to allow time for the business to close out classes.

SUMMARY: At its April 22, 2004, meeting the County Board approved the site plan amendment for the John Casablanca’s Modeling and Career Center for a period of eight months subject to conditions and with a review in January 2005. At its February 2005 meeting the County Board renewed the site plan amendment for the subject use and the new conditions that became effective in January 2005. The applicant was informed that the use would be reviewed again by the County Board in July 2005 and that should the applicant continue to occupy the site at that time the recommendation to the County Board would be to discontinue the site plan amendment for the center. Therefore, it is recommended that the site plan for John Casablanca’s Modeling and Career Center be discontinued.

BACKGROUND: In 1992, this site plan was approved for two office buildings with a reduction from the Zoning Ordinance requirements of 37 parking spaces that would be required for medical office use. John Casablanca’s Career and Modeling Center began operating at this location without the required site plan amendment approval more than two years prior to County Board approval in April 2004. At the April 24, 2004, County Board meeting, John Casablanca’s Modeling and Career Center was granted a site plan amendment to offer modeling and career
services in the evenings and on weekends. The County Board required that the use be reviewed in January 2005 and approved a new set of conditions that would become effective for this use on January 1, 2005. The County Board approval of April 2004 further stipulated that one year prior to the expiration of the lease (September 2006) the use would be administratively reviewed and immediately scheduled for review by the County Board. It further stated that the use would automatically terminate as of September 30, 2007.

The required January 2005 review of the site plan was deferred to the February 12, 2005, County Board meeting to allow the review and a proposed new site plan amendment request to permit the applicant to continue operation on the site under the expired conditions of site plan approval to be considered simultaneously. In February the applicant withdrew the new site plan amendment request, and the County Board renewed the site plan amendment for the John Casablanca’s Modeling and Career Center with a review in five (5) months (July 2005).

**DISCUSSION:** Since the February 2005 review, the applicant states that plans to relocate to new space have again proven unsuccessful. Staff reminded the applicant that during the last review (February 2005), the applicant was informed that the staff recommendation to renew the site plan amendment was for a maximum of five months (July 2005) and that if the applicant continued to occupy the site during the July 2005 review period, the staff recommendation to the County Board would be to discontinue the use at this location. The applicant is aware that the recommendation is to discontinue the use, however, he has requested that the use be allowed to continue at this location through the end of July 2005 to allow time for business to close out classes. The neighborhood does not object to permitting the applicant to continue operation on the site through July 2005. Therefore it is recommended that this site plan amendment permitting the operation of John Casablanca’s Modeling and Career Center be discontinued effective July 31, 2005.
**PREVIOUS COUNTY BOARD ACTIONS:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Action Description</th>
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<tbody>
<tr>
<td>February 6, 1988</td>
<td>Deferred action on the proposed rezoning until March 5, 1988.</td>
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<tr>
<td>March 5, 1988</td>
<td>Deferred action on the proposed rezoning until June 11, 1988.</td>
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<tr>
<td>June 11, 1988</td>
<td>Deferred action and advertised a public hearing for consideration of rezoning from &quot;C-1&quot; to &quot;RA14-26&quot; and &quot;C-1-O&quot; on August 13, 1988.</td>
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<tr>
<td>August 13, 1988</td>
<td>Approved rezoning northeastern corner, lot 2b on subdivision plat to &quot;RA14-26&quot;. Took no action on the remainder of the area.</td>
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<td>April 4, 1992</td>
<td>Approved the following:</td>
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<td>(A) General Land Use Plan Amendment for the western one-third of the subject property from &quot;Low Medium&quot; Residential (16-36 units per acre), to &quot;Service Commercial&quot; (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R.), and took no action on the remaining portion of the subject site designated &quot;Low-Medium&quot; Residential (16-36 units per acre).</td>
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<td>(B) Rezoning from &quot;C-1&quot; Local Commercial District to &quot;C-O-1.0&quot; Commercial Office Building, Hotel and Apartment District.</td>
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<td>(C) Site Plan for two existing office buildings to eliminate the requirement for additional parking that would be required to permit future occupancy by medical offices subject to conditions.</td>
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<tr>
<td>February 7, 2004</td>
<td>Deferred site plan amendment request (SP #296) for the John Casablanca Modeling and Career Center to the March 13, 2004 County Board meeting.</td>
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<tr>
<td>March 13, 2004</td>
<td>Deferred site plan amendment requests (SP #296) for the John Casablanca Modeling and Career Center and the Huntington Learning Center to the April 24, 2004 County Board meeting.</td>
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<tr>
<td>April 24, 2004</td>
<td>Approved site plan amendment (SP #296) for an after school supplemental tutoring program (Huntington Learning Center) subject to all previous conditions and nine (9) new conditions that John Casablanca’s Career and Modeling Center</td>
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</table>
apply solely to the after school and supplemental tutoring use with an administrative review in September 2005 and a review by the County Board in September 2006.

Approved site plan amendment (SP #296) for a modeling and career center (John Casablanca’s Career and Modeling Center) subject to all previous conditions and ten (10) new conditions applicable until December 31, 2004 and subject to ten (10) new conditions that become effective January 1, 2005, that apply solely to the modeling and career center with a review by the County Board at the first regular meeting in January 2005.

January 29, 2005  Deferred review of SP #296 for the John Casablanca’s Career and Modeling Center to the February 2005 County Board meeting.

February 12, 2005  Renewed SP #296 for the John Casablanca’s Career and Modeling Center subject to conditions and with a review in five (5) months (July 2005).
Approved Conditions:

THE FOLLOWING CONDITIONS (1-10) ARE APPLICABLE UNTIL DECEMBER 31, 2004:

1. The applicant agrees to comply with the requirements of the Child Care Office, the Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office prior to the issuance of a Certificate of Occupancy.

2. The applicant agrees to require that all parents escort their younger children (through age 8) into and out of the building at all times.

3. The applicant agrees to secure the appropriate Certificate of Occupancy within one (1) month (May 31, 2004) of County Board approval. In the event no Certificate of Occupancy has been obtained by June 1, 2004, the applicant agrees that the career and modeling center will immediately cease operations.

4. The applicant shall ensure that the John Casablanca's Modeling and Career Center’s enrollment is limited so as to ensure a maximum of 45 students/staff on site at any given time during the weekdays; and to ensure a maximum of 50 students/staff on site on Saturdays at any given time; and a maximum of 35 students/staff on site on Sundays at any given time.

5. The property owner agrees to notify the Fairlington Villages Unit Owners and the Fairlington Citizens Association if the subject space is no longer used by the John Casablanca Modeling and Career Center.

6. The applicant shall limit the days and hours of operation for student participants of the John Casablanca Modeling and Career Center: to Monday through Friday from 1 p.m. to 9 p.m. until December 31, 2004, and thereafter from 1 p.m. to 8:30 p.m.; Saturdays between 9:30 a.m. and 5 p.m., and Sundays (until December 31, 2004) from 10 a.m. to 4 p.m. All Sunday hours shall cease as of December 31, 2004, unless otherwise approved by the County Board through a site plan amendment. There shall be no class offerings or student activity on the site after 5 p.m. on Saturdays and Sundays.

7. The applicant agrees to designate a suitable area on-site away from the building's entrance along 31st Street South where students/staff can congregate and smoke. The area shall be located on the side of the building or along the rear of the building sufficiently away from the entrances used by the students/parents participating in the Huntington Learning Center and sufficiently away from the immediate residences so as to minimize its impact on others. The area shall be identified in writing to the Zoning Administrator, the Fairlington Civic Association and the Fairlington Villages Unit Owners prior to the issuance of a Certificate of Occupancy.
8. The applicant shall ensure that the enrollment and hours of operation (as set forth in Conditions #4 and #6) for the John Casablanca Career and Modeling Center shall remain in effect until the expiration of its current lease (September 30, 2007). One (1) year prior to the expiration of its current lease, the use shall be reviewed administratively (September 2006) and immediately scheduled for review by the County Board. The applicant agrees that the approval for the modeling and career center use shall automatically terminate as of September 30, 2007, unless otherwise approved by the County Board. In the event the County Board approves the use to continue, new conditions will be effective as of October 1, 2007 thereby allowing the applicant and property owner sufficient time to determine whether to renew the lease for the John Casablanca Career and Modeling Center, subject to the new conditions or to let the lease expire.

9. The applicant agrees to include information in its enrollment package that is provided to all students enrolling in classes to remind the parents and students to obey the posted speed limit, to park on site and not on the streets and to obey traffic signs in the Fairlington neighborhood.

10. The applicant agrees to require that all parents and students vacate the premises promptly upon conclusion of classes. The applicant agrees that this requirement shall be in the form of written correspondence to each participant. The applicant agrees to post the requirement in a conspicuous location in the building and to provide a written copy of the document to each participant. In addition, a copy of the document shall be provided to the Fairlington Citizens Association, the Fairlington Villages Unit Owners and the Zoning Administrator prior to the issuance of a Certificate of Occupancy.

THE FOLLOWING CONDITIONS (1-10) BECOME EFFECTIVE JANUARY 1, 2005:

1. The applicant agrees to comply with the requirements of the Child Care Office, the Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office prior to the re-issuance of a Certificate of Occupancy, should such a re-issuance be necessary.

2. The applicant agrees to require that all parents escort their younger children (through age 8) into and out of the building at all times.

3. Intentionally omitted.

4. The applicant shall ensure that the John Casablanca's Modeling and Career Center's enrollment is limited so as to ensure a maximum of 45 students/staff on site at any given time during the weekdays; and to ensure a maximum of 65 students/staff on site on Saturdays at any given time.
5. The property owner agrees to notify the Fairlington Villages Unit Owners and the Fairlington Citizens Association if the subject space is no longer used by the John Casablanca Modeling and Career Center.

6. The applicant shall limit the days and hours of operation for student participants of the John Casablanca’s Modeling and Career Center: to Monday through Friday from 1 p.m. to 8 p.m., and Saturdays between 9 a.m. and 2 p.m. There shall be no class offerings or student activity on the site after 2 p.m. on Saturdays and no class offerings or student activity on the site on Sundays.

7. The applicant agrees to designate a suitable area on-site away from the building's entrance along 31st Street South where students/staff can congregate and smoke. The area shall be located on the side of the building or along the rear of the building sufficiently away from the entrances used by the students/parents participating in the John Casablanca’s Modeling and Career Center and sufficiently away from the immediate residences so as to minimize its impact on others. The area shall be identified in writing to the Zoning Administrator, the Fairlington Civic Association and the Fairlington Villages Unit Owners prior to the issuance of a Certificate of Occupancy.

8. The applicant shall ensure that the enrollment and hours of operation (as set forth in Conditions #4 and #6) for the John Casablanca Career and Modeling Center shall remain in effect until the expiration of its current lease (September 30, 2007). One (1) year prior to the expiration of its current lease, the use shall be reviewed administratively (September 2006) and immediately scheduled for review by the County Board. The applicant agrees that the approval for the modeling and career center use shall automatically terminate as of September 30, 2007, unless otherwise approved by the County Board. In the event the County Board approves the use to continue, new conditions will be effective as of October 1, 2007, thereby allowing the applicant and property owner sufficient time to determine whether to renew the lease for the John Casablanca Career and Modeling Center, subject to the new conditions, or to let the lease expire.

9. The applicant agrees to include information in its enrollment package that is provided to all students enrolling in classes to remind the parents and students to obey the posted speed limit, to park on site and not on the streets, to obey traffic signs in the Fairlington neighborhood, and to promptly leave the premises once classes end.

10. The applicant agrees to require that all parents and students vacate the premises promptly upon conclusion of classes. The applicant agrees that this requirement shall be in the form of written correspondence to each participant. The applicant agrees to post the requirement in a conspicuous location in the building and to provide a written copy of the document to each participant. In addition, a copy of the document shall be provided to the Fairlington Citizens Association, the

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John Casablanca’s Career and Modeling Center

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Fairlington Villages Unit Owners and the Zoning Administrator prior to the issuance of a Certificate of Occupancy.