



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

Posted: Thursday, August 27, 2020

Reposted: September 1, 2020



STAFF REPORT

CASE NUMBER: **20-16**

DATE: August 26, 2020

PETITIONERS: Gay Thompson

PROPERTY OWNERS: Harvest Church Assembly

REQUEST: Special Use Permit - Daycare/Head Start, Preschool -4th grade

PROPERTY ADDRESS: 6301 Garfield Avenue

CURRENT ZONING: "C-2" Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Church with Vacant School

PROPOSED USE: same

RECOMMENDATIONS: Staff recommends approval with conditions



REPORT TO CITY PLAN CITY

NO TAXES DUE

PUBLIC HEARING

TO: The Honorable Mayor and Members of the City Council

FROM: Debra Irvin, City Manager

DATE: August 26, 2020

SUBJECT: **Case #20-16:** Shall a Special Use Permit (SUP) be issued to Gay Thompson to operate Private School at 6301 Garfield Avenue, Berkeley, 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 Public Hearing to consider the Special Use Permit application of Gay Thompson to operate a Daycare and Private School at 6301 Garfield Avenue, Berkeley, MO

BACKGROUND

The property that is the subject of this report is located at 6301 Garfield Avenue and is identified by St. Louis County Locator Number 11K622015. The property is situated on 1.24 acres. Applicant will use four classrooms on the second level, an office on the first level and the cafeteria for delivered prepared foods. The daycare and private school will serve 6-weeks to 4th-grade.

ZONING CODE

This location is zoned C-2 Local Commercial District and in accordance with Special Use provisions through *400.140 D (12) colleges, and private schools* are allowed to operate under a Special Use Permit.

SUPPORTING DOCUMENTS

- Staff Report
- Special Use Application – Exhibit A
- Site Photographs –Exhibit B

OPTIONS OF THE COUNCIL

1. Recommend denial of the Petitioner's request.
2. Recommend approval of one use 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 fifteen calendar days after the Plan Commission meeting, and/or date specified by the City Clerk.

Respectfully Submitted,

CONDITIONS OF SUP

Approve, with conditions, the request for a Special Use Permit Gay Thompson to operate a Private School at 6301 Garfield Avenue, Berkeley, St. Louis County, Missouri,

1. Hours of operations shall be **6:00 am - 6:00 p.m., Monday thru Friday**
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. Teachers shall be certified in accordance to State Certification requirements
7. Student and teacher shall adhere to COVID-19 social distancing and masks
8. Opening date: Immediately after Council Approval on September 21, 2020
9. Ratio of number of infants (4) Number of teachers per infants 1) _____
10. Number of children between 2-year-old (8) Number of teachers per 2-year old (1 plus Teacher's Aide)
11. Number of children between 3-13-year-old (25) Number of teachers per 3-13 (2 plus teacher's aide)
12. After-school hours 3:30m – 6:pm
13. A student drop and pickup lane must be designated on Garfield or Madison
14. No outdoor classroom unless approved at this time.
15. No cooking allowed in cafeteria, food shall be pre-packaged and served at the school
16. Pick up litter around the premises at least two times a day
17. Deliveries, loading and unloading shall not occur between 6am-9am and 3pm -6pm (school bus and rush hour)
18. 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.
19. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
20. Sign permit is required for new signs
21. No banners, balloons, flags or festoons in right of way
22. No snipe signs or directional signs in the Public Right of Way
23. No human signs permitted directing patrons to the school
24. Occupancy permit and Business License shall be posted at all times
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. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
27. Commercial occupancy and business license are required from the City of Berkeley
28. This Special Use Permit 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.
29. 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.
30. 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.

31. 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.
32. 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. The City Council shall provide that the permit be exclusive only for the holder and non-transferable.
33. 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 the regulations and restrictions of this Chapter or the requirements of the special use permit.

RESPONSIBILITY OF THE OWNER

1. Remove and replace dilapidated fence along Hanley Road at Church Parking lot
 - a. A permit is required with plans to install a new fence
2. The owner shall seal and re-strip asphalt parking lot

SUMMARY AND DECISION

The City Council members can modify or add any other conditions with the recommendations of the Plan Commission.

Respectfully Submitted,

Exhibit "A" – SUP Application



8-17-2020 - Council
 9-9-2020 - Plan Commission
 10-5-2020 - PH

TYPE OF APPLICATION

(Please check all that apply)

<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 (Land Use)
<input type="checkbox"/> Street Name (New, Change)	<input type="checkbox"/> Variance (Building Code)
<input type="checkbox"/> Street Vacation	<input type="checkbox"/> Liquor/Lottery/Financials (Money Grams/Order)
<input type="checkbox"/> Medical Marijuana (Dispensary)	<input type="checkbox"/> Medical Marijuana (Grow Facility)
<input type="checkbox"/> Medical Marijuana (Researching/Testing)	<input type="checkbox"/> Building Code Appeal
<input type="checkbox"/> Food Truck - SUP \$100.00	<input type="checkbox"/> Food Truck - Fire Inspection \$75.00
<input type="checkbox"/> Food Truck Business License \$75.00	<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.
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) Gay Thompson

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

APPLICANT(S) ADDRESS: STREET 1215 Herman's Lake Dr

CITY Florissant STATE MO ZIP 63034 PHONE 495-6145 E-MAIL oakbridgebls@gmail.com

LOCATION OF PROPOSED USE

STREET ADDRESS: 6301 Garfield Ave 11K 622015

PROPERTY DESCRIPTION: 6 wks - thru 4th grade

PRESENT ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT (if applicable) _____

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Church

* THE PROPERTY IS TO USE IT FOR: (School, private school (2nd floor) (4 rooms))

PROPOSED NAME OF BUSINESS: Oak Bridge School

APPROXIMATE SIZE OF TRACT: ACRES 1.24 SQ FT OF SPACE (Under roof) office on 1st floor

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Harvest Church Assembly

ADDRESS: STREET: 6301 Garfield Ave CITY St. Louis

STATE: MO ZIP: 63134 PHONE: 314-486-1425 E-MAIL: FRANK.Thompson77@yahoo.com

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: Gay Thompson 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 Gay Thompson OWNER(S) SIGNATURE Gay Thompson
 DATE 7/29/2020 DATE 7/29/2020

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: Debra M. Horn

DATE PAID 7/31/2020 Debit/Credit RECEIPT NO: 43351 CASE NO: 20-16

Exhibit "B" –Site Photo

