



8425 Airport Road

Berkeley Missouri 63134-2098

(314) 524-3313

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## 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, February 01, 2021 in by way of Zoom, for the purpose of considering the following proposition:

1. **Case #20-24: Shall a Special Use Permit be granted to Theodore Williamson, to operate Beeline Towing, located at 6555 Romiss Court, Berkeley Missouri?**
2. **Case #20-28: Shall a Special Use Permit be granted to Satguru Sahib LLC as the new owner and change of business name for the existing Mobil Mart/Service Station Convenience Store, located at 6800 North Hanley, Berkeley Missouri?**
3. **Case #20-31: Shall a Special Use Permit be granted to Alkeshia Anderson to operate Hildi's Kids Daycare, located at 8604-8608 Frost Ave, Berkeley, 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, February 1, 2021 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/83802962692?pwd=R2pFeVB5WkIVQ09VTIjLWjk5TmZDZz09>

Password: 346382

Or join by phone:

Dial: US: +1 312 626 6799

Webinar ID: 838 0296 2692

Password: 346382

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

Posted: Tuesday, January 19, 2021



## STAFF REPORT

CASE NUMBER: **20-31**

DATE: January 13, 2021

PETITIONERS: Alkesha Anderson

PROPERTY OWNERS: Bronson Realty

REQUEST: Special Use Permit

PROPERTY ADDRESS: 8604-8608 Frost Avenue

CURRENT ZONING: "C-2" Commercial District

PROPOSED ZONING: Zoning to remain the same

EXISTING USE: Vacant Parcel

PROPOSED USE: Daycare/head Start, Preschool and Learning Center

RECOMMENDATIONS: Plan Commission Recommends Approval



## REPORT TO CITY COUNCIL

### NO TAXES DUE

**TO:** The Members of the City Council

**FROM:** Debra M. Irvin, City Manager

**DATE:** January 13, 2021

**SUBJECT:** **Case # 20-31** – Shall a request from Alkesha Anderson to be considered for a Special Use Permit to operate a Hildi’s Kids Daycare at 8604-8608 Frost Avenue

### **BACKGROUND**

Applicant Alkesha Anderson appeared before the City Council on January 4, 2021; city council referred the matter to be heard before the Plan Commission.

### **SUBJECT PROPERTY**

8604-8608 Frost Avenue, the locator # 10K320262, and the total acreage of the parcel is about 1.50 acres. The records indicate that this was built in 1958 and has a total area under roof of about 2942 square feet. The building is currently vacant.

### **ZONING**

The current zoning is C-2 General Commercial District, which allows for this use under the Special Use Process. The building was previously occupied by “We are Family” daycare.

### **LITTER**

The applicant and its employees will regularly monitor the property site and area immediately adjacent to the site to ensure that all trash is picked up around the premises at least twice a day.

### **SUPPORTING DOCUMENTS**

- -Staff Report
- -Special Use Application
- -Site Photographs

### **PROCEDURE:**

The City Council may modify the staff recommendations to the permit as necessary to preserve the health, safety, general welfare, beauty, and tranquility of the City, and may recommend a specific expiration date of the permit.

### **OPTIONS OF THE COUNCIL**

1. –Recommend approval of the applicant’s request.
2. –Recommend denial of the applicant’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 the property within 185 feet of the

site. This public hearing shall be published, posted and scheduled for the next available date as determined by the City Clerk.

**RECOMMENDATION:** Plan Commission members recommend the approval of the Special Use to *Alkeshia Anderson* to operate *Hilidi's Kids* with the following conditions:

**CONDITIONS:**

1. School opening date: February 2021
2. Hours of operations shall be from 7-days a week; 6am – Midnight
3. Number of infants \_\_\_\_\_ Number of children between 2-4 years \_\_\_\_\_  
Number of teachers per students \_\_\_\_\_ teachers for infants; \_\_\_\_\_-teachers for 2-4 years
4. Asphalt mill and pave shall be done by the owner on entire parking lot.
5. Create a drop-off zone in front of entry doors
6. A trash enclosure is required for all commercial trash dumpster
7. 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.
8. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
9. Facility subject to St Louis County health department regulations and State Fire Marshal
10. Signs are *prohibited* in the city's right of way
11. No banners, balloons, flags or festoons in the city's public right of way
12. No snipe signs or directional signs in the city's public right of way
13. No human signs permitted directing patrons to the restaurant
14. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
15. Occupancy permit and Business License shall be posted at all times
16. No live entertainment in or outside of the building
17. Pick up litter around the premises at least two times a day
18. Deliveries, loading and unloading shall not occur between 6am-9am and 3pm -6pm (*school bus and rush hour*)
19. 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.
20. An alarm system and panic button are required to be installed.
21. An after-hour contact must be included with the Camera Registration.
22. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
23. Install "*No Loitering*" and "*No Loud Music*" signs at entrance wall.
24. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
25. 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.
26. 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.
27. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
28. All required inspections by the city are required before issuance of occupancy permit or business license.
29. The interior shall 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.

30. 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.
31. 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.
32. 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.
33. 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.
34. 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.
35. 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.

### **CODE REFERENCE**

#### **Section 605.130. Special Land Use Permit Required.**

Prior to the issuance of any business license herein, the applicant must secure an additional land use permit, pursuant to Chapter 400, Zoning, of the Municipal Code of the City, and receive approval of the Director of Public Works relative to the construction of the parking lots and all buildings.

#### **Section 605.160. Maintenance of Parking Lot.**

Every parking lot shall be paved with asphalt or other similar paving as approved by the Director of Public Works, and be kept clean and free of litter and debris.



### TYPE OF APPLICATION

(Please check all that apply)

**INITIAL FEE \$350**

<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): Alkesha Anderson

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

APPLICANT(S) ADDRESS: STREET 709 Sterling Terrace Court  
CITY St. Charles STATE MO ZIP 63301 PHONE 314-58-3319 E-MAIL AlkeshaAnderson@gmail.com

#### LOCATION OF PROPOSED USE

STREET ADDRESS: 8604-8608 First Avenue

PROPERTY DESCRIPTION: Daycare facility Heildi's Kids

PRESENT ZONING DISTRICT: C-2 PROPOSED ZONING DISTRICT (If applicable) None

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: Daycare Centers

THE PROPERTY IS TO USE IT FOR: (Type of Business) Daycare Center

DAYS & HOURS OF OPERATION ETC. 1am - 12pm

PROPOSED NAME OF BUSINESS: Heildi's Kids

APPROXIMATE SIZE OF TRACT: ACRES \_\_\_\_\_ SQ FT OF SPACE (Under roof) \_\_\_\_\_

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Bronson Real Estate

ADDRESS: STREET: PO Box 210299 CITY St Louis

STATE: MO ZIP: 63121 PHONE: 314-365-1145 E-MAIL: liquordocor@gmail.com

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: A. Anderson 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 A. Anderson OWNER(S) SIGNATURE \_\_\_\_\_

DATE 12/30/2020 DATE \_\_\_\_\_

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: \_\_\_\_\_

DATE PAID \_\_\_\_\_  Cash  Check  Money Order  Debit/Credit RECEIPT NO: \_\_\_\_\_ CASE NO: 20-31

This information reflects the tax status for the account and tax year(s) indicated.  
 If you have any questions you can contact the Collection Division by calling (314) 615-5500.

Effective 12/21/2020.

**Locator Number:** 10K320262  
**Owner Name:** Bronson Real Estate Llc  
**Property Location:** 8604 Frost Ave  
**Subdivision:** Hazelwood Farm  
**Block Number:**  
**Lot Number:**  
**School Sub Code:** 111NE  
**Legal Description:** Lot Pt 31  
**Assessed Value:** \$49,600.00

Office Use: TTD424632802J32K50810BNY 12/21/2020 11:00:50 AM

20 10K320262 BRO-TAX DUE

**Real Estate Tax History:**

Tax Year	Owner's Name	Tax Code	Sewer Lateral Fee	Total Assessed Value	Amount Due	Amount Paid	Date Paid
2020	Bronson Real Estate Llc	111NE	\$0.00	\$49,600.00	\$5,624.80	\$0.0	Not Paid
2019	Bronson Real Estate Llc	111NE	\$0.00	\$49,600.00	\$5,379.27	\$5,379.27	12/17/2019
2018	Bronson Real Estate Llc	111NE	\$0.00	\$48,060.00	\$5,456.17	\$5,456.17	12/26/2018
2017	Bronson Real Estate Llc	111NE	\$0.00	\$48,060.00	\$5,408.23	\$5,408.23	10/22/2018
2016	Bronson Real Estate Llc	111NE	\$0.00	\$49,310.00	\$5,727.10	\$5,727.10	10/22/2018
2015	P&B Real Estate	111NE	\$0.00	\$49,310.00	\$5,544.85	\$5,544.85	11/17/2015
2014	P&B Real Estate	111NE	\$0.00	\$60,600.00	\$8,289.73	\$8,289.73	11/17/2015
2013	P&B Real Estate	111NE	\$0.00	\$60,600.00	\$9,124.18	\$9,124.18	11/17/2015
2012	P&B Real Estate	111NE	\$0.00	\$60,640.00	\$9,861.81	\$9,861.81	11/17/2015
2011	P&B Real Estate	111NE	\$0.00	\$60,640.00	\$10,972.22	\$10,972.22	11/17/2015
2010	P&B Real Estate	111NE	\$0.00	\$62,140.00	\$11,870.27	\$11,870.27	11/17/2015

