



MEETING MINUTES

City of Berkeley City Plan Commission Wednesday, October 12, 2022 1:00 P.M.

Virtual Zoom Meeting, 8425 Airport Road, St. Louis, MO 63134

Note: The agenda for this meeting was posted and is in compliance with the Open Meetings Law.

Members Present: Kevin Spraggins, Mayor Deinbo, Carolyn Crimes, Deborah White

Staff present: Nathan Mai-Lombardo-City Manager, Col Art. Jackson-Police Chief,
James Linhardt-Fire Chief, Joanna Campbell-Public Works Secretary

CALL TO ORDER / DECLARATION OF QUORUM

The Plan Commission members met in a virtual setting on Wednesday, October 12, 2022; Chairman Spraggins called the meeting to order at 1:00 pm. Quorum was established.

MINUTES

Approval of September 14, 2022 City Plan Meeting Minutes. Chairman Spraggins made the **MOTION** to approve the minutes. Commissioner Crimes **SECONDED** the motion. A voice vote was taken, and the minutes were unanimously *approved* with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

PUBLIC COMMENT:

None.

OLD BUSINESS

Chairman Spraggins made the **MOTION** to take Case 22-12 off the table. Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously *approved* with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Case No. 22-12 – A request for a Special Use Permit to Thomas Walker to operate *The Blockstyle XChange*, a retail store at 8533 Airport Road, Berkeley MO 63134.

Chairman Spraggins brought forth Case 22-12. Applicant Thomas Walker was present. Applicant stated that he wanted to open a cell phone store that sold hookah products and also run a U-Haul Moving Truck Rental business in the same location. The moving trucks would be parked on the side of the building by the business.

City Manager Mai-Lombardo stated that a truck rental business was not allowed per the City of Berkeley code, therefore the Applicant could not include that into the business.

Commissioner Crimes stated that due to the type of products that the Applicant was wanting to sell, the business would need to be labeled as a convenience store.

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Commission wanted more details on the merchandise the Applicant was wanting to sell which was hookah products, tobacco, tobacco products, cell phones and accessories.

Applicant also stated that he had security cameras that he could monitor and an alarm system.

Commission addressed concern with some products that could be sold at the business that could be used for illegal substances.

Chairman Spraggins gave an overview of the conditions.

Chairman Spraggins made the **MOTION** to amend Condition #1 to *“The Blockstyle Convenience Store,”* to amend Condition #2 to *“Monday through Saturday from 10:00 am – 8:00 PM and Sunday from 10:00 AM – 6:00 PM,”* and to add a condition stating, *“Business owner to provide a list of items to be sold to the Chief of Police.”* Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Chairman Spraggins made the **MOTION** to approve the Special Use Permit for Case 22-12 with amended and added conditions. Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

NEW BUSINESS:

Case No. 22-16 – A request for a Special Use Permit for Kenndis Joy to operate *Enjoyable Connections LLC*, an event center located at 6112-6116 Madison Avenue, Berkeley, MO 63134.

Chairman Spraggins brought forth Case 22-16. Applicant Kenndis Joy was present. Applicant stated that the business would be for event rentals. Renovations would be made to have themed spaces including outdoor space as well. The outdoor space would be renovated, the gangway fenced off, the ground paved, and the outdoor space completely fenced in. Plans were in place to have the kitchen renovated to a commercial kitchen for catering.

Fire Chief Linhardt stated that a commercial kitchen hood suppression system was required and that the max occupancy of the building was only 100. If the Applicant wanted an increased occupancy capacity, a sprinkler system would need to be installed. Applicant stated that the max of 100 was fine. Applicant was also researching proper grease disposal with the Health Department.

Applicant requested a liquor license to sell liquor by the drink only. The City of Berkeley Code does state that liquor cannot be sold within 300 feet of a daycare, but that the City Council retains discretion to make exceptions on a case-by-case basis, but requires a favorable vote of five (5) members of the Council. Section 600.210

Applicant stated she would have security available based on the type of event and staff would be hired to provide security.

Chairman Spraggins made the **MOTION** to amend Condition #4 to *“Liquor sales by the drink only permitted temporarily for twelve (12) months from the date of approved Special Use permit.”* Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Chairman Spraggins made the **MOTION** to approve the Special Use Permit for Case 22-16 with amended condition. Mayor Deinbo **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

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Case No. 22-13 – A request for a Special Use Permit business name change to Cymone McClellan to operate 314 Kitchen, formerly Nephew’s Grill, a restaurant at 8624 Frost Avenue, Berkeley MO 63134.

Chairman Spraggins brought forth Case 22-13. Terra Davis was present for the meeting. Chairman Spraggins stated that the Applicant needed to be present and proceeded with the meeting until the Applicant could be present.

Applicant Cymone McClellan was available at 3:00 PM.

Chairman Spraggins brought forth Case 22-13 again with Applicant present.

Applicant stated that the business had ceased their contract with the *Nephew’s* franchise and changed their business name to *314 Kitchen*. The business was still under Infusion Food Service. Commissioner Crimes addressed the issue with the uniformity of the signs with the entire strip mall. Commission addressed issues with security, loitering, and cleanliness of the property. Applicant stated that she did have cameras installed. Commission recommended that Applicant hire staff to clean the exterior of the property on a regular basis.

Chairman Spraggins made the **MOTION** to approve the Special Use Permit for Case 22-13 for the business name change. Mayor Deinbo **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Case No. 22-15 – A request for a Special Use Permit for Femitha Mitchell to operate Smart Start Preschool Learning Academy, a daycare/family resource center at 6315 Garfield Avenue, Berkeley MO 63134.

Chairman Spraggins brought forth Case 22-15. No Applicant was available. Chairman proceeded with the meeting until Applicant was present.

Applicant Femitha Mitchell was available at 3:34 PM.

Applicant stated that she was taking over the daycare business at this location and implementing a family resource center which would provide various resources to families such as sports, foreign language education, homes, jobs, etc. The business would provide transportation, open 24 hours, 7 days a week, and allow children ages 0-14.

Chairman Spraggins gave a brief overview of the conditions.

Chairman Spraggins made the **MOTION** to approve the Special Use Permit for Case 22-15. Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

OTHER BUSINESS

None

CONCLUDED

The next regularly scheduled meeting of the City Plan Commission is held on **Wednesday, November 9, 2022 at 1:00 p.m.**

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ADJOURNMENT

No further business came before the Commission. Chairman Spraggins made the **MOTION** to adjourn. Commissioner Crimes **SECONDED** the motion. A voice vote was taken, and the motion was unanimously *approved* with a voice vote 4:0; Spraggins, Deinbo, Crimes, White. Chairman Spraggins adjourned the meeting at 3:56 PM.

Respectfully submitted by:
Joanna Campbell, Public Works Secretary
Recording Secretary

Approved for submittal by:
Kevin Spraggins
Chairman