

MEMORANDUM



PLANNING & ZONING COMMISSION

CITY OF BERKELEY – ECONOMIC DEVELOPMENT DIVISION

"Preserve and improve the health, safety, and welfare of our citizens, businesses and the general public in the City of Berkeley" while at the same time maintaining property values and improving the quality of life in the City of Berkeley."

TO: City Manager DATE: August 04, 2025

FROM: Jeremy Taylor, Economic Development Coordinator c: City Manager's Office
City Clerk's Office
Board of Adjustment
Public Works Secretary
Applicant
File

THROUGH: Economic Development Department

SUBJECT: Carryout Restaurant. (WARD 1)

STAFF REPORT

CASE NUMBER PZ25-09

I. PROJECT DESCRIPTION:

This request comes before the Commission from the owners of Dorothy Mae's Soul Food & Catering Services located at 8363 Frost Ave. The location selected is currently not operating, but a similar restaurant named D&K's used to occupy the same space. Dorothy Mae Edwards and Sherryl Edwards-Jackson have a combined experience in the culinary arts spanning over seven decades. Cooking has been in their family's blood for generations. One of their cousins was a chef for then Governor Clinton of Arkansas and that position opened up doors for the family to cook at the White House when he became President of the United States. Sherryl Edwards-Jackson has been a long-term resident of Berkeley and cherishes the idea of contributing to her community through her restaurant.

II. EXISTING SITE CONDITIONS:

The existing property has been kept in relatively good condition. The property does need to be made "restaurant ready" as it has been vacant for some time now.

38 **III. SURROUNDING PROPERTIES:**

39 Property is currently zoned as "C-1" Local Commercial District and all surrounding properties
40 are zoned the same.

41
42 **IV. ORDINANCE CONDITIONS:**

43
44 **1.** In accordance with Chapter 200, Title II, Public Health, Safety, and Welfare, Section 265
45 business, commercial entity, and/or commercial property has both interior and exterior
46 cameras.

47
48 ANSWER: Yes

49
50 **2.** The compatibility with surrounding uses and compatibility with the surrounding
51 neighborhood.

52
53 ANSWER: Business is deemed compatible.

54
55 **3.** The comparative site, floor area and mass of the proposed structure in relationship to
56 adjacent structures and buildings in the surrounding properties and neighborhood.

57
58 ANSWER: Business is deemed compatible.

59
60 **4.** The frequency and duration of various indoor and outdoor activities and special events
61 and the impact of these activities on the surrounding area.

62
63 ANSWER: The business is located in the Frost Avenue Corridor which is designed for
64 frequent in and out traffic so, this use will not have a significant impact on the surrounding
65 area.

66
67 **5.** The number of transit movements generated by the proposed use and relationship to the
68 amount of traffic on abutting streets and on minor streets in the surrounding neighborhood,
69 not in terms of the street's capacity to absorb the additional traffic, but rather in terms of
70 any significant increase in hourly or daily traffic levels.

71
72 ANSWER: The impact on traffic should be minimal as the Frost Avenue Corridor is already
73 busy.

74
75 **6.** The capacity of adjacent streets to handle increased traffic in terms of traffic volume.

76
77 ANSWER: The impact on traffic should be minimal as Frost Avenue Corridor is already busy.

78
79 **7.** The added noise level created by activities associated with the proposed use and the
80 impact of the ambient noise level of the surrounding area and neighborhood.

ANSWER: No significant increase in noise is expected.

8. In commercial districts, the negative impact on the economic viability of the commercial area of businesses with poor appearance due to type of goods or services offered; limited business hours or other evidence of limited use of building for commercial purposes; and interruption of the continuity of retail sales uses and walk-in customers in commercial areas predominately oriented to retail sales.

ANSWER: As this business is of similar uses as the surrounding businesses, the type of use should not inherently a negative impact. It is up to the Applicant to demonstrate their past experience in this type of business and show that this specific Application is a benefit to the community.

9. The requirements for public services where the demands of the proposed use is in excess of the individual demand of adjacent land uses in terms of Police and fire protection, the presence of any potential or real fire hazards created by the proposed use.

ANSWER: There should be no increase in use of public services from this use.

10. The general appearance of the neighborhood will not be adversely affected by the location of the proposed use on the parcel, nor will the materials used in the construction of the proposed buildings of the special use be greatly dissimilar, or that the general architecture of the building stand out or create a visual problem within the neighborhood.

ANSWER: As this business is of similar uses as the surrounding businesses, the type of use should not inherently a negative impact. It is up to the Applicant to demonstrate their past experience in this type of business and show that this specific Application is a benefit to the community.

11. The impact of night lighting in terms of intensity and duration and frequency of use as it impacts adjacent properties and in terms of presence in the neighborhood.

ANSWER: There will be no change in night lighting.

12. The impact of the landscaping of the proposed use in terms of maintained landscaped areas versus areas to remain in a natural state, openness of landscape versus the use of buffers and screens.

ANSWER: The lot is fully paved, and the Applicant is a tenant, and not the property owner, there is no impact to landscaping, or new landscaping expected.

13. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas, and service areas in terms of noise transfer, water runoff and heat generation.

ANSWER: Very low impact. Significantly no change.

14. The potential for the proposed use to remain in existence for a reasonable period of time and not become vacant, or unused. Consideration should also be given to unusual single purpose structures or components of a more temporary nature.

ANSWER: Business is located in a prime location. Applicant when initially interviewed appears to have the best intentions to keep business operational. There are zero businesses that are of similar type of restaurant within a visible radius giving likelihood of long-term success due to low competition.

15. In the case of any antenna, any interference with a neighbor's vision, appearance or utilization of their property.

ANSWER: N/A

16. In addition to any other requirements, all requirements outlined in FCC Ruling PRB-1 shall be met for any amateur radio towers and/or antennas. Due to the City's closeness to the St. Louis International Airport, any applicant shall provide a letter from the Airport Commission or the FAA stating that the proposed radio tower, antenna or wave length will not interfere with Airport operations and/or communications.

ANSWER: N/A

V. ADDITIONAL PLANNING COMMISSION CONDITIONS:

1. The proposed names on the Special Use Permit shall be **Dorothy Mae Edwards and Sherryl Edwards-Jackson.**

2. The proposed name of business shall be **Dorothy Mae's Soul Food & Catering Services.**

3. Hours of Operation shall be **Wed-Sat 12pm – 8pm, Sun 12pm – 5pm.**

4. Unless noted as a non-conforming condition or noted herein, building and site shall comply with all applicable health, safety, building and sign code standards as required by the City of Berkeley.

5. The building, lot, yard, and landscaped areas shall be maintained and kept free and clear of any debris or trash.

6. The owner/operator of this facility need to possess a current State of Missouri Certification. A copy of which should be provided to the city.

- 170 7. A sign permit is required for banners, pennants, festoons, human sign, searchlights are
171 prohibited. Business signage shall be limited to no more than 10% of window space.
172
- 173 8. No banners, balloons, flags, festoons, snipe signs, or directional signs are to be in the
174 Public Right of Way.
175
- 176 9. No metal bars, mesh, or other durable material shall be installed over any portion of the
177 frontage window or frontage opening in commercial buildings.
178
- 179 10. The exterior area shall be maintained and kept free and clear of any debris or trash or
180 weeks.
181
- 182 11. Buildings and site conditions in need of repair shall be repaired or replaced per the
183 approval of the Building Commissioner.
184
- 185 12. The building, lot, landscaping, and yard areas shall be maintained and kept free and
186 clear of any debris, trash, or weeds including maintenance of all landscaped areas.
187
- 188 13. Only 10% of windows space shall be used for window signage. The petitioner will be
189 permitted exterior signage as per the City's sign code.
190
- 191 14. The premise shall be subject to adherence to City of Berkeley annual fire inspections and
192 life safety plans.
193
- 194 15. All required inspections by the City are required before issuance of occupancy permit or
195 business license will be issued.
196
- 197 16. The interior will be thoroughly inspected by City's Building Commissioner and Fire
198 Department, and any and all other jurisdictions, if applicable. All permits that are required
199 by any of said mention must be received. Once, all required inspections are completed;
200 apply for all necessary building/occupancy & fire safety permits from the City of Berkeley,
201 and other jurisdictions, after obtaining City Council's approval on this Special Use Permit.
202 Commercial Occupancy permit and Business License is required and shall be posted at all
203 times.
204
- 205 17. In granting such special use permits, the City Council may provide that the permit be
206 valid for a limited period of time not to exceed ten (10) years. Upon expiration of the time
207 limit specified in the permit, the holder of the permit may request the permit be reviewed
208 by the City Council, and the City Council may extend it for another limited period of time not
209 to exceed ten (10) years. The City Council shall provide that the permit be exclusive only for
210 the holder and non-transferable. **At this time the Planning Commission is recommending
211 that the Council grant the Special Use Permit to applicant for a period of no more than
212 TBD years before renewal.**
213

214 **18.** The Special Use Permit will be revoked if for any reason the applicant ceases operations
215 and closes its doors to the public for a period of six (6) months or more, and not complying
216 with the City's Special Use Permit. The Special Use Permit shall not be assigned, or sold, or
217 conveyed, or operated by another without prior approval by the City Council and occupancy
218 permit, building permit or business license shall be issued to such assignee until such
219 approves is secured.

220
221 **19.** Any violations can be a reason for the City to revoke this permit, according to the City's
222 current regulations. To occupy the building and facilities the applicant must comply with all
223 the applicable rules and regulations pertaining to health and safety for vehicular and
224 pedestrian traffic, zoning, building, sign codes, fire and safety protection standards as
225 required by the City Fire Department, City of Berkeley, St. Louis County, State of Missouri,
226 and Federal rules and regulations.

227
228 **20.** Prior to issuance of an Occupancy Inspection and Permits, the above noted conditions,
229 the conditions as described in the attached Report, and the inspections as part of the
230 normal occupancy permit process shall be met, and as approved by the City Council. This
231 Special Use Permit takes effect upon the approval by City Council.

232
233 **21.** Must fill out and file the following with the City's Business Office/Finance Department
234 where applicable: Business Owner Information Sheet, Miscellaneous Service Occupation
235 License, Manufacturer's License, Merchant's License, Sign License, Vending Machine
236 License, Liquor License, and/or any other Licenses that apply.

237
238 **22.** Commercial occupancy and business license are required from the City of Berkeley.
239 Occupancy Permit and Business License shall be posted at all times. Planning Commission
240 shall require that business owner take no more than six (6) months to obtain an occupancy
241 permit.

242
243 **23.** The City Council may, in accordance with Section 400.580, institute a rezoning. The City
244 Council, after a public hearing, may revoke a special use permit for failure of compliance
245 with regulations and restrictions of this Chapter or the requirements of the special use
246 permit.

247
248 **24.** If the City Council determines that the public health, welfare, and safety are adequately
249 protected in view of the foregoing criteria, then the special use permit shall be granted; but
250 if it is negative as to any of such paragraphs, then the special use permit shall be denied.

251
252 **25.** No part of the business or property shall be rented or leased to outside parties other
253 than what was described by Special Use Permit applicant. Business owner shall submit to
254 quarterly inspections from the Planning Commission to ensure compliance with all City
255 regulations as well as the terms and conditions of this report.

257 **26.** Upon the permanent closing of the business, business owner must remove all signage
258 and leave property condition free of trash, debris, boxes, etc. both inside and out.
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260
261 **VI. STAFF ANALYSIS:**

262 The applicant/petitioner has done their best to remain compliant with the process.
263 Business does not propose any significant risk of noise violations and is compliant with
264 current zoning regulations.
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266 **VII. STAFF RECOMMENDATIONS:**

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268 **Suggested Motion:**

269 No suggestion at this time from the Economic Development Department.
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PLANNING & DEVELOPMENT APPLICATION

(Please check all that apply)

INITIAL FEE: \$350 (non-refundable)

<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 (City Events Only)	<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 one (1) legible set of drawings and one (1) PDF High Resolution copy on a USB drive detailing interior & exterior of property.
2. Submit a completed application three (3) weeks prior to Plan Commission 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): Dorothy Mae Edwards / Sherry I Edwards-JacksonAPPLICANT IS (check one): OWNER ☐ AGENT ☐ PURCHASER OF CONTRACT ☐ TENANT ☒APPLICANT(S) ADDRESS: [REDACTED]

Street Florissant Mo 63033
City State Zip

PHONE: [REDACTED] MAIL: [REDACTED]@com**LOCATION OF PROPOSED USE**STREET ADDRESS: 8363 Frost Ave.LEGAL DESCRIPTION: Dorothy Mae's Soul Food and Catering Services LLC

PRESENT ZONING DISTRICT: _____

PROPOSED ZONING DISTRICT (IF APPLICABLE): _____

PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: _____

PROPERTY TO BE USED FOR (TYPE OF BUSINESS): carryout restaurantDAYS & HOURS OF OPERATION ETC: Wed-Saturday 12pm-8pm Sunday 12-5pmPROPOSED NAME OF BUSINESS: Dorothy Mae's Soul Food & Catering

APPROXIMATE SIZE OF TRACT: ACRES _____ SQ. FT. OF SPACE (UNDER ROOF) _____

**IF APPLICANT IS NOT OWNER:**OWNER(S) NAME: Kimistry Victorious - LoveOWNER(S) ADDRESS: 224 N Hwy 61

STREET

Florissant

MO

STATE

63031

ZIP

PHONE: [REDACTED] EMAIL: [REDACTED]

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: _____

Applicant(s) 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: Dorothy EdwardsDate: 7 / 15 / 25Owner(s) Signature: [Signature]Date: 07 / 15 / 25**OFFICE USE ONLY**

All items necessary for a technical review of the proposed special use permit plan have been submitted and constitute a COMPLETE APPLICATION.

Staff Signature: [Signature] PW SecretaryDate: 7 / 15 / 25Date Paid: 7 / 15 / 25☒ Cash☐ Check☐ Money Order☐ Debit/CreditReceipt No: 73864

Case No: _____

**DESCRIPTION AND EXPLANATION OF PROPOSED PROJECT:**

Dorothy Mae's Soul Food and Catering is inspired from "Pain to Purpose". As a child Sherryl Jackson was teased and taunted by her childhood peers consistently each time that she would go outside to play about her skin color, that of being "too dark" and labeled as "Darkie". As a result of being harassed and tormented by it, she began to retreat not only to the house, but to the kitchen with her Grandmother, Mrs. Dorothy Mae Edwards where she encouraged, comforted and taught her for over 4 decades the craft of soul food cooking with love. We look to come into the community to build up each and every individual that comes through the doors, with great customer service, authentic and delicious soul food, in a positive and uplifting atmosphere, that will bring about an exquisite experience to the palate and the soul. We will offer take out and catering services specializing in southern classics such as: fried chicken, fried fish, turkey wings, smothered pork chops, beef brisket, oxtails, fish and grits, meatloaf, short ribs, mixed greens, baked macaroni and cheese, candied yams, dressing, fried green tomatoes, tripe sandwiches, black eyed peas and so much more. As a way of showing our appreciation to the city of Berkeley we would be willing to allow the Police officers of Berkeley a free meal while on duty twice a month as well as city officials and host yearly a back to school donation for Berkeley Elementary School where customers could bring in needed items, book bags, notebooks, school supplies and receive a discount as well as (lover)

(con't.)

offering pro bono work for events, pertaining to the city of Berkeley Mo. Our motto is:

"Gathered in Grace and Seasoned with Soul + Love"
We look to this business not being of benefit to us solely, but the citizens of Berkeley, from the youth to elderly as well.