



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing has been called and will be held for the City of Berkeley Missouri on Monday the **03rd day of November 2025** to begin at 7:00 P.M., in the City Hall City Council Chambers, 8425 Airport Road.

The purpose of this public hearing is to consider granting certain Special Use Permits.

1. **Case PZ25-09:** Shall a request for a Special Use Permit be granted to Dorothy Mae Edwards and Sherry Edwards-Jackson for a Restaurant located at 8363 Frost Avenue?

BY ORDER OF THE PLANNING COMMISSION

Posted: October 23, 2025

Time: 5:00pm

MEMORANDUM



CITY COUNCIL

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 Council

DATE: November 3, 2025

FROM: Joanna Campbell
Public Works Secretary

cc: City Manager's Office
City Clerk's Office

THROUGH: Economic Development Department

Applicant
File

SUBJECT: CARRYOUT RESTAURANT. (WARD 1)

PLAN COMMISSION REPORT CASE NUMBER PZ25-09

I. PROJECT DESCRIPTION:

This request comes before the Commission from Dorothy Mae Edwards and Sherryl Edwards-Jackson, the owners of Dorothy Mae's Soul Food & Catering Services, for a carryout restaurant located at 8363 Frost Avenue, former D&K's. The location selected is currently not operating.

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.

III. SURROUNDING PROPERTIES:

Property is currently zoned as "C-1" Local Commercial District.
Properties to the north, east, and west are zoned "R-1" Single Family Residence District.
Property to the south is zoned "C-1" Commercial District.

39
40 **IV. ORDINANCE CONDITIONS:**

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

44 ANSWER: Yes

- 45
46 2. The compatibility with surrounding uses and compatibility with the surrounding
47 neighborhood.

48 ANSWER: Business is deemed compatible.

- 49
50 3. The comparative site, floor area and mass of the proposed structure in relationship to
51 adjacent structures and buildings in the surrounding properties and neighborhood.

52 ANSWER: Business is deemed compatible.

- 53
54 4. The frequency and duration of various indoor and outdoor activities and special events and
55 the impact of these activities on the surrounding area.

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

- 59
60 5. The number of transit movements generated by the proposed use and relationship to the
61 amount of traffic on abutting streets and on minor streets in the surrounding neighborhood,
62 not in terms of the street's capacity to absorb the additional traffic, but rather in terms of
63 any significant increase in hourly or daily traffic levels.

64 ANSWER: The impact on traffic should be minimal as the Frost Avenue Corridor is
65 already busy.

- 66
67 6. The capacity of adjacent streets to handle increased traffic in terms of traffic volume.

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

- 70
71 7. The added noise level created by activities associated with the proposed use and the
72 impact of the ambient noise level of the surrounding area and neighborhood.

73 ANSWER: No significant increase in noise is expected.

- 74
75 8. In commercial districts, the negative impact on the economic viability of the commercial
76 area of businesses with poor appearance due to type of goods or services offered; limited
77 business hours or other evidence of limited use of building for commercial purposes; and
78 interruption of the continuity of retail sales uses and walk-in customers in commercial
79 areas predominately oriented to retail sales.

80 ANSWER: As this business is of similar uses as the surrounding businesses, the type
81 of use should not inherently a negative impact. It is up to the Applicant to
82 demonstrate their past experience in this type of business and show that this
83 specific Application is a benefit to the community.
84

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

88 ANSWER: There should be no increase in use of public services from this use.
89

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

94 ANSWER: As this business is of similar uses as the surrounding businesses, the type
95 of use should not inherently a negative impact. It is up to the Applicant to
96 demonstrate their past experience in this type of business and show that this
97 specific Application is a benefit to the community.
98

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

101 ANSWER: There will be no change in night lighting.
102

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

106 ANSWER: The lot is fully paved, and the Applicant is a tenant, and not the property
107 owner, there is no impact to landscaping, or new landscaping expected.
108

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

112 ANSWER: Very low impact. Significantly no change.
113

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

117 ANSWER: Business is located in a prime location. Applicant when initially
118 interviewed appears to have the best intentions to keep business operational. There
119 are zero businesses that are of similar type of restaurant within a visible radius
120 giving likelihood of long-term success due to low competition.
121

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

124 ANSWER: N/A
125

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

131 ANSWER: N/A
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V. PLAN 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 **Thursday – Saturday from 11:30 AM – 7:30 PM and Sunday from 11:00 AM – 6:00 PM.**
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.
7. A sign permit is required for banners, pennants, festoons, human sign, searchlights are prohibited. Business signage shall be limited to no more than 10% of window space.
8. No banners, balloons, flags, festoons, snipe signs, or directional signs are to be in the Public Right of Way.
9. No metal bars, mesh, or other durable material shall be installed over any portion of the frontage window or frontage opening in commercial buildings.
10. The exterior area shall be maintained and kept free and clear of any debris or trash or weeks.
11. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
12. 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.
13. Only 10% of windows space shall be used for window signage. The petitioner will be permitted exterior signage as per the City's sign code.
14. The premise shall be subject to adherence to City of Berkeley annual fire inspections and life safety plans.
15. All required inspections by the City are required before issuance of occupancy permit or business license will be issued.

- 180 16. The interior will be thoroughly inspected by City's Building Commissioner and Fire
181 Department, and any and all other jurisdictions, if applicable. All permits that are required
182 by any of said mention must be received. Once, all required inspections are completed;
183 apply for all necessary building/occupancy & fire safety permits from the City of Berkeley,
184 and other jurisdictions, after obtaining City Council's approval on this Special Use Permit.
185 Commercial Occupancy permit and Business License is required and shall be posted at all
186 times.
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- 188 17. In granting such special use permits, the City Council may provide that the permit be valid
189 for a limited period of time not to exceed ten (10) years. Upon expiration of the time limit
190 specified in the permit, the holder of the permit may request the permit be reviewed by the
191 City Council, and the City Council may extend it for another limited period of time not to
192 exceed ten (10) years. The City Council shall provide that the permit be exclusive only for
193 the holder and non-transferable. **At this time the Planning Commission is**
194 **recommending that the Council grant the Special Use Permit to applicant for a period**
195 **of no more than five (5) years before renewal.**
196
- 197 18. The Special Use Permit will be revoked if for any reason the applicant ceases operations
198 and closes its doors to the public for a period of six (6) months or more, and not complying
199 with the City's Special Use Permit. The Special Use Permit shall not be assigned, or sold, or
200 conveyed, or operated by another without prior approval by the City Council and occupancy
201 permit, building permit or business license shall be issued to such assignee until such
202 approves is secured.
203
- 204 19. Any violations can be a reason for the City to revoke this permit, according to the City's
205 current regulations. To occupy the building and facilities the applicant must comply with all
206 the applicable rules and regulations pertaining to health and safety for vehicular and
207 pedestrian traffic, zoning, building, sign codes, fire and safety protection standards as
208 required by the City Fire Department, City of Berkeley, St. Louis County, State of Missouri,
209 and Federal rules and regulations.
210
- 211 20. Prior to issuance of an Occupancy Inspection and Permits, the above noted conditions, the
212 conditions as described in the attached Report, and the inspections as part of the normal
213 occupancy permit process shall be met, and as approved by the City Council. This Special
214 Use Permit takes effect upon the approval by City Council.
215
- 216 21. Must fill out and file the following with the City's Business Office/Finance Department
217 where applicable: Business Owner Information Sheet, Miscellaneous Service Occupation
218 License, Manufacturer's License, Merchant's License, Sign License, Vending Machine
219 License, Liquor License, and/or any other Licenses that apply.
220
- 221 22. Commercial occupancy and business license are required from the City of Berkeley.
222 Occupancy Permit and Business License shall be posted at all times. Planning Commission
223 shall require that business owner take no more than six (6) months to obtain an occupancy
224 permit.
225
- 226 23. The City Council may, in accordance with Section 400.580, institute a rezoning. The City
227 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.

24. 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.

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

26. Upon the permanent closing of the business, business owner must remove all signage and leave property condition free of trash, debris, boxes, etc. both inside and out.

VI. PLAN COMMISSION RECOMMENDATIONS:

Recommends approval with conditions.



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