

# REPORT TO CITY COUNCIL

## PUBLIC HEARING December 5, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Debra Irvin, Municipal Services Manager/Building Commissioner

**DATE:** November 14, 2016

**SUBJECT:** **Case No. 16-21** - A request for a Special Use Permit by Tamera Keefe, Clementine's Ice Cream Co to Manufacture, Package And Store Ice Cream at 6138 Madison Ave, in the City of Berkeley, St. Louis County, Missouri, located on Madison, north of the intersection of Airport Road and Hanley Rd.

We have investigated the Subject item, above, and present the following as our findings:

### RECOMMENDATION

Staff recommends approval, with conditions, of the request for a Special Use Permit by Tamera Keefe, Clementine's Ice Cream Co to manufacture, package and store Ice Cream at 6138 Madison Ave, in the City of Berkeley, St. Louis County, Missouri, located on Madison, north of the intersection of Airport Road and Hanley Rd.

### BACKGROUND

The property is a single story commercial building, approximately 3,675 sq. ft. The property that is the subject of this report is located at the northern corner of Airport and No. Hanley Rd. The property is zoned "C-2" Local Commercial District. The property to the east and west is "R-2", Residential. The properties to the south are "C-2", and "R-4", and R-3 residential single family homes.

### JUSTIFICATION

"C-2" zoning requirements:

- Front yard: Twenty-five (25) feet
- Side yard: Five (5) feet
- Rear yard: Ten (10) feet and Twenty-five (25) Residential
- Landscaping: A planting strip of twenty (20) feet shall be established and maintained within the required front yard. The business is going into an existing building. There is no landscaping requirements for this business.
- Parking: Ice cream manufacturing employees- one (1) parking space for each one hundred (100) feet of floor area.
- Staff Research - Area approximately 3,675 square feet - 4 off street parking and side parking lot for employee parking.

### SUPPORTING DOCUMENTS

- Staff Report
- Pictures of exterior of lot

- Plan of building interior

### **OPTIONS**

1. Recommend approval of the Petitioner's request.
2. Recommend denial of the Petitioner's request.

### **REQUESTED CITY COUNCIL ACTION(S)**

Approve, with conditions, the request for a Special Use Permit by Tamera Keefe, *Clementine's Ice Cream Co* to manufacture, package and store ice cream at 6138 Madison Ave, in the City of Berkeley, St. Louis County, Missouri, located on Madison, north of the intersection of Airport Road and Hanley Rd.

1. Hours of operations shall be from **7:00 a.m. until 10:00pm., 7 days** a week.
2. Number of employees per day **7-8 employee, per shift (2 shifts)**.
3. 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.
4. Buildings and site conditions in need of repair shall be repaired or replaced per the approval of the Building Commissioner.
5. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
6. 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.
7. Substantial work or construction as determined by the City Council under the permit shall be commenced within ninety (90) days and completed with actual occupancy within one hundred eighty (180) days or the permit shall terminate. The permit may be extended by the City Council. The City Council may condition the permit with conditions to protect the public health, safety and general welfare.
8. 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.

### **PUBLIC NOTICE AND COMMENT**

Public Hearing notification is applicable before the 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.

**Respectfully submitted,**

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**Debra M. Irvin, Building Commissioner**

Received From: CLEMENTINE'S ICE CREAM  
6138 MADISON AVE  
Date: 10/21/2016 Time: 9:40:58 AM  
Receipt: 19642 \*\*\* REPRINT \*\*\*  
Cashier: WellsL

ITEM REFERENCE	AMOUNT
-----	
SUP SPECIAL USE PERMITS	
SPECIAL USE PERMITS	\$350.00
-----	
TOTAL	\$350.00
CHECK 1178	\$350.00
Total Tendered:	\$350.00
Change:	\$0.00

### TYPE OF APPLICATION

Nov. 10 P4Z

(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"/> Street Name Change
<input type="checkbox"/> Lot Consolidation	<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. (SEE attached Deadline & Meeting dates)
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) NAME(S) Clementine's Ice Cream Co

APPLICANT IS: OWNER \_\_\_\_\_ AGENT \_\_\_\_\_ PURCHASER OF CONTRACT \_\_\_\_\_ LEASEE

APPLICANT(S) ADDRESS: STREET 6138 Madison Ave.

CITY Berkeley STATE MO ZIP 63134 PHONE 949.433.7848 E-MAIL tamara@clementines.com

#### LOCATION OF PROPOSED USE

STREET ADDRESS, PROPERTY DESCRIPTION OF THE LOCATION FOR THE PROPOSED BUSINESS USE: 6138 Madison Ave, Berkeley, MO 63134

PRESENT ZONING DISTRICT: \_\_\_\_\_ PROPOSED ZONING DISTRICT (If applicable) \_\_\_\_\_

THE PROPERTY HEREIN IS PRESENTLY BEING USED AS FOLLOWS: Ice Cream Mfg.

THE REQUEST IS TO USE IT FOR: (Overview/Nature of business, hours of operation etc.) Ice Cream Mfg.

APPROXIMATE SIZE OF TRACT: \_\_\_\_\_ ACRES \_\_\_\_\_ SQUARE FEET 3750

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: \_\_\_\_\_

ADDRESS: STREET: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER BASED ON: \_\_\_\_\_

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 Tamara Keep OWNER(S) SIGNATURE Tamara Keep

DATE 10/18/10 DATE 10/18/10

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.

DATE PAID 10/21/10 Cash  Check  Money Order  Debit/Credit RECEIPT NO: 19042 CASE NO: 1621



## Real Estate Information Printable Version

6138 MADISON AVE, SAINT LOUIS, MO 63134

### Ownership and Legal Information: 11K340351 - 2016

Locator No.	Tax Year	Tax District	City Code	Site Code	Destination Code
11K340351	2016	111NE	007	0203	
<b>Owner's Name:</b>	Bellos Judith Lee Etal				
<b>Taxing Address:</b>	6138 Madison Ave Saint Louis, MO 63134				
<b>Care-Of Name:</b>					
<b>Mailing Address:</b>	Same as the taxing address.				
<b>Subdivision Book - Page:</b>					
<b>Assessor's Book - Page:</b>	06 - 0053				
<b>City Name:</b>	Berkeley				
<b>Subdivision Name:</b>	Kinloch Park				
<b>Legal Description:</b>	Blk 20, Lots 19 & 20 <small>Important: This is a brief legal description and is not meant for use in recorded legal documents.</small>				
<b>Lot Number:</b>		<b>Block Number:</b>			
<b>Lot Dimensions:</b>	0050 / 0050 - 0110 / 0110		<b>Total Acres:</b>		
<b>Tax Code - Description:</b>	A - Taxable		<b>Land Use Code:</b>	637	
<b>Deed Document Number:</b>	1999081600674		<b>Deed Type:</b>	WD	
<b>Deed Book and Page:</b>	<b>Book:</b> 12244	<b>Page:</b> 1601	<b>Trash District:</b>	Not Applicable	
<b>Deed Index List:</b>	<a href="#">View Deed Index Information Recorded With Locator Number 11K340351</a>				
<b>School District:</b>	Ferguson-Florissant		<b>County Council District:</b>	1	

**Assessment Information:** 11K340351 - All Available Years

Year	Property Class	Appraised Values			%	Assessed Values		
		Land	Improv.	Total		Land	Improv.	Total
2016	Residential:				19%			
	Agriculture:				12%			
	Commercial:	66,200	54,200	120,400	32%	21,180	17,340	38,520
	<b>Total:</b>	<b>66,200</b>	<b>54,200</b>	<b>120,400</b>		<b>21,180</b>	<b>17,340</b>	<b>38,520</b>
2015	Residential:				19%			
	Agriculture:				12%			
	Commercial:	66,200	54,200	120,400	32%	21,180	17,340	38,520
	<b>Total:</b>	<b>66,200</b>	<b>54,200</b>	<b>120,400</b>		<b>21,180</b>	<b>17,340</b>	<b>38,520</b>
2014	<b>Total:</b>	42,600	83,600	126,200		13,630	26,750	40,380
2013	<b>Total:</b>	42,600	83,600	126,200		13,630	26,750	40,380
2012	<b>Total:</b>	42,600	85,300	127,900		13,630	27,300	40,930
2011	<b>Total:</b>	42,600	85,300	127,900		13,630	27,300	40,930
2010	<b>Total:</b>	42,600	86,200	128,800		13,630	27,580	41,210
2009	<b>Total:</b>	42,600	86,200	128,800		13,630	27,580	41,210
2008	<b>Total:</b>	14,700	101,100	115,800		4,700	32,350	37,050
2007	<b>Total:</b>	14,700	101,100	115,800		4,700	32,350	37,050
2006	<b>Total:</b>	11,300	98,500	109,800		3,620	31,520	35,140
2005	<b>Total:</b>	11,300	98,500	109,800		3,620	31,520	35,140

**Building Information:** 11K340351 - 2016 - Card 1

Locator Number	Tax Year	Card Number	Total Living Units
11K340351	2016	1	0
<b>Year Built:</b>	1966	<b>Number of Units:</b>	
<b>Building Number:</b>	0001	<b>Area Under Roof:</b>	3,675 ft <sup>2</sup>
<b>Structure Type:</b>	Warehouse	<b>Class:</b>	C
<b>Grade:</b>	C	<b>Identical Units:</b>	1
<b>Improvement Name:</b>	Artic Dairy		

**Sales Information:** 11K340351 - All Available Years

Sale Date	Sale Price	Sale Type	Sale Validity Code - Name	Book - Page
08/16/1999	\$85,000	Land And Building	2 - Not Open Market	12244 - 1601
03/01/1989	\$85,000	Land And Building	X - Valid Sale	8476 - 433
06/01/1983	\$75,000	Land And Building	X - Valid Sale	10000 - 538

**Exterior Building Information:** 11K340351 - 2016 - Card 1

Line	Sect	From	To	Year Built	Total Area	Peri-meter	Use Type	Wall Height	Wall Type	Construction Type
1	01	01	01		3,675 ft <sup>2</sup>	248	Warehouse	14 ft	Concrete Block	Wood Frame, Joist And Beam

**Interior Building Information:** 11K340351 - 2016 - Card 1

Line	Sect	From	To	Finish %	Partition	Heat / AC	Plumbing	Physical Condition	Funct. Util.
1	01	01	01	100	Normal	Unit Heaters / None	Adequate	Normal	Normal

**Other Building Features Information:** 11K340351 - 2016 - Card 1

Line	Int/Ext Line	Description	Measure 1	Measure 2	Elev. Stops	Identical Units
1	1	Overhead Dr-Wood/Mtl	10	10		1

**Other Buildings and Yard Information:** 11K340351 - 2016

Description	Year Built	Units	Total Area	Grade	Condition
Paving Concrete Average	1966	1	50 x 28 = 1,400 ft <sup>2</sup>	C	Normal

Listed below are all the available online documents for this parcel.

**Documents:** 11K340351 - All Available Years

Tax Year	Document Title	Date	View
2015	Change Of Assessment Notice - Front	06/26/2015	<a href="#">View</a>
2015	Change Of Assessment Notice - Back	06/26/2015	<a href="#">View</a>
2015	Projected Tax Liability Notice - Back	06/26/2015	<a href="#">View</a>
2015	Projected Tax Liability Notice - Front	06/26/2015	<a href="#">View</a>
2013	Change Of Assessment Notice - Front	05/29/2013	<a href="#">View</a>
2013	Change Of Assessment Notice - Back	05/29/2013	<a href="#">View</a>
2013	Projected Tax Liability Notice - Back	05/29/2013	<a href="#">View</a>
2013	Projected Tax Liability Notice - Front	05/29/2013	<a href="#">View</a>
2011	Change Of Assessment Notice - Front	06/08/2011	<a href="#">View</a>
2011	Change Of Assessment Notice - Back	06/08/2011	<a href="#">View</a>
2011	Assessor's Tornado Letter	06/08/2011	<a href="#">View</a>
2011	Projected Tax Liability Notice - Back	06/08/2011	<a href="#">View</a>
2011	Projected Tax Liability Notice - Front	06/08/2011	<a href="#">View</a>
2009	Change Of Assessment Notice	06/15/2009	<a href="#">View</a>
2009	Projected Tax Liability Notice	06/15/2009	<a href="#">View</a>

Information on this page is current as of Tuesday, October 25, 2016.

ST. LOUIS COUNTY, MISSOURI



# Real Estate Tax History Statement

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 10/26/2016.

**Locator Number:** 11K340351  
**Owner Name:** Bellos Judith Lee Etal  
**Property Location:** 6138 Madison Ave  
**Subdivision:** Kinloch Park  
**Block Number:**  
**Lot Number:**  
**School Sub Code:** 111NE  
**Legal Description:** Blk 20, Lots 19 & 20  
**Assessed Value:** \$38,520.00

Office Use: TP4OT1159360Y4936KJ1815ECI 10/26/2016 1:40:33 PM

15 11K340351 BEL-ALL PAID

**Real Estate Tax History:**

Tax Year	Owner's Name	Tax Code	Sewer Lateral Fee	Total Assessed Value	Amount Due	Amount Paid	Date Paid
2015	Bellos Judith Lee Etal	111NE	\$0.00	\$38,520.00	\$4,683.27	\$4,683.27	3/9/2016
2014	Bellos Judith Lee Etal	111NE	\$0.00	\$40,380.00	\$4,578.26	\$4,578.26	12/31/2014
2013	Bellos Judith Lee Etal	111NE	\$0.00	\$40,380.00	\$4,375.34	\$4,375.34	12/28/2013
2012	Bellos Judith Lee Etal	111NE	\$0.00	\$40,930.00	\$4,228.98	\$4,228.98	12/18/2012
2011	Bellos Judith Lee Etal	111NE	\$0.00	\$40,930.00	\$4,221.33	\$4,221.33	12/14/2011
2010	Bellos Judith Lee Etal	111NE	\$0.00	\$41,210.00	\$4,062.00	\$4,062.00	12/30/2010
2009	Bellos Judith Lee Etal	111NE	\$0.00	\$41,210.00	\$3,898.43	\$3,898.43	12/31/2009
2008	Bellos Judith Lee Etal	111NE	\$0.00	\$37,050.00	\$3,556.30	\$3,556.30	12/19/2008
2007	Bellos Judith Lee Etal	111NE	\$0.00	\$37,050.00	\$3,612.25	\$3,612.25	12/27/2007

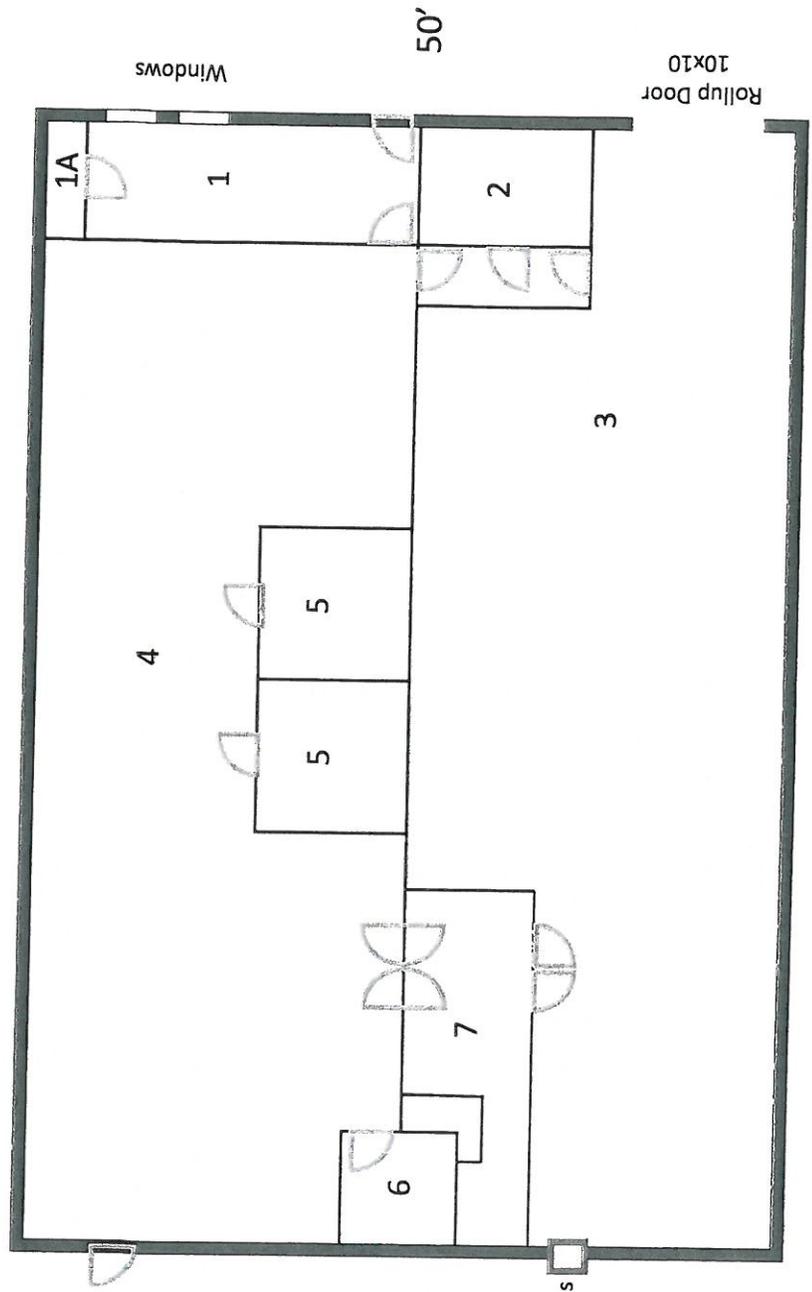
2006	Bellos Judith Lee Etal	111NE	\$0.00	\$35,140.00	\$3,583.10	\$3,583.10	12/31/2006
2005	Bellos Judith Lee Etal	111NE	\$0.00	\$35,140.00	\$3,567.43	\$3,567.43	12/27/2005
2004	Bellos Judith Lee Etal	111NE	\$0.00		\$3,240.51	\$3,240.51	12/30/2004
2003	Bellos Judith Lee Etal	111NE	\$0.00		\$3,200.94	\$3,200.94	12/17/2003
2002	Bellos Judith Lee Etal	111NE	\$0.00		\$2,671.68	\$2,671.68	12/18/2002
2001	Bellos Judith Lee Etal	111NE	\$0.00		\$2,188.82	\$2,188.82	12/27/2001
2000	Bellos Judith Lee Etal	111NE	\$0.00		\$1,851.54	\$1,851.54	12/21/2000
1999	Gondolfo Madda Etal	111NE	\$0.00		\$1,876.44	\$1,876.44	12/16/1999

Note that commercial surcharges are not included in the tax Amount Due column for tax years prior to 2002.

 **Close Window**

Clementine's Creamery, 6138 Madison Ave Berkeley MO 63134

- 1. Admin 21x10
- 1a. Electrical room
- 2. Walk in Fridge 10x8
- 3. Warehouse 73x24
- 4. Food Production 65x25
- 5. Walk in Freezer 10x10
- 6. Bathroom 6x6
- 7. Storeroom 15x10



MADISON AVE

75'  
NORTH