



8425 Airport Road

Berkeley Missouri 63134-2098

(314) 524-3313

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the City Council of the City of Berkeley that a public hearing will be held at 7:00 pm on Monday, October 16, 2023 in the council chambers of the City Council at 8425 Airport Road, and by way of Zoom, for the purpose of considering the following propositions:

1. **Case #23-19:** Shall the City of Berkeley Amend Section 400.140 (C-2 General Commercial) of Chapter 400 of the Municipal Code?
2. **Case #23-20:** Shall the City of Berkeley Rezone 9379 Koenig Circle Drive from R-2 Single Family to M-1 Industrial District?

All interested parties shall be afforded, at such public hearing, a reasonable opportunity to express their views regarding the item set forth above.

10-16-2023 Council Meeting 7pm In-Person and Zoom

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/82813550578?pwd=blQrdTdHSTdVaE43OXp0U2VycW96UT09>

Passcode: 200486

Or One tap mobile:

+13126266799,,82813550578#,,, *220486# US

+13092053325,,82813550578#,,, *200486# US

Or join by phone:

Dial: +1 312 626 6799

Webinar ID: 828 1355 0578

Passcode: 200486

Deanna L. Jones

Deanna L. Jones – City Clerk, MPCC/MMC

The meeting will be accessible by the public in real time by video/audio webinar and in person.

Posted: Tuesday, October 3, 2023



STAFF REPORT

Case Number:	23-19
Date:	September 27, 2023
Petitioner:	City of Berkeley 8425 Airport Rd Berkeley MO 63134
Current Owner:	Various
Request:	Proposed Amendment to Section 400.140 (C-2).
Location:	Citywide
Size:	N/A
Current Zoning:	C-2
Proposed Zoning:	unchanged
Existing Use:	N/A
Proposed Use:	Hotels, sit-down restaurants, and entertainment would be permitted by right
Recommendation:	Staff recommends approval



REPORT TO CITY COUNCIL

To: Mayor Deinbo and Members of the City Council
FROM: Nathan Mai-Lombardo City Manager
DATE: October 16, 2023
SUBJECT: **Case No. 23-19: Amending Section 400.140 (C-2 General Commercial)**

The above Subject item has been investigated, and the findings are listed as follows:

BACKGROUND

This Ordinance proposes to make two changes to the C-2 General Commercial Zoning District:

- Change sit-down restaurants, hotels and motor lodges, and entertainment places (listed in the Ordinance) permissible by right instead of by special use.
- Eliminating all Sign Code regulations, which will be covered in the proposed Sign Code changes.

RECOMMENDATION

Plan Commission does not recommend Approval of this proposed change.

JUSTIFICATION

As with the changes in the new Downtown Code, the purpose of the change is to facilitate development that makes sense in C-2, particularly along Natural Bridge by the airport. The sign regulations were removed for clarity since they will now be located in the new Sign Code.

In response to questions raised at the September 13, 2023 meeting of the Commission, Staff have made the following revisions:

- 1) *All uses are now identified by their NAICS (North American Industry Classification System) Code. This is a standard system for identifying use types that is used by industry and municipalities nationwide.*
- 2) *The proposed use changes are shown in red.*
- 3) *All the detail requirements from the original Code are used in the new format.*

This system allows the Code to be both flexible and restrictive, and makes it very clear what is permissible and what is prohibited. For example: industrial uses are not listed, and are therefore not permitted in C-2. Anyone can search the use codes at <https://www.naics.com/search/>

The Plan Commission met on September 27, 2023, and voted against recommending this proposed Amendment to Council.

SUPPORTING DOCUMENTS

1. Staff report and draft Ordinance for revising Section 400.140 (C-2 General Commercial)

OPTIONS

1. Recommend approval of the proposed Amendment.
2. Recommend denial of the proposed Amendment.

IMPACT ON BUDGET

None.

**Respectfully submitted,
Nathan Mai-Lombardo**