



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: 23-20

Date: September 13, 2023

Petitioner: City of Berkeley
8425 Airport Rd
Berkeley MO 63134

Current Owner: Various

Request: Proposed Re-zoning of 9379 Koenig Circle Drive from R-2 Single Family to M-1 Industrial.

Location: 9379 Koenig Circle Drive.

Size: .39 acres

Current Zoning: R-2

Proposed Zoning: M-1

Existing Use: Vacant lot

Proposed Use: unchanged.

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. 23-20: Re-zoning of 9379 Koenig Circle Drive from R-2 Single Family to M-1 Industrial**

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

BACKGROUND

This Ordinance proposes to change the zoning of one parcel (9379 Koenig Circle Drive) from single family to industrial zoning. Single-parcel zoning changes are generally discouraged as spot zoning. However, in this instance the circumstances make it not only allowable but preferable to make this change.

- This parcel is completely surrounded by industrially zoned parcels.
- Aerial photos on the St. Louis County Parcel Viewer website going back to 1937 show that neither this property, nor the land surrounding it, was ever residential (but for one house), and when it did develop, it developed as industrial.
- This parcel was consolidated with its neighbors by vote of Council on April 15, 2019, under Ordinance #4537, as part of a Special Use Permit the (current) owner applied for and received to operate a limousine service. The consolidation does not appear to have been recorded. *(the architect who drew the proposed consolidation died shortly after the Special Use Permit was approved.)

On September 27, 2023, the Plan Commission voted unanimously to recommend approval of this proposed rezoning.

RECOMMENDATION

Plan Commission recommends Approval of this Rezoning.

JUSTIFICATION

It is unclear why this parcel is zoned residential, or why the approved consolidation was never recorded. The Applicant for the 2019 Special Use and lot consolidation still owns these properties and still operates his business from them. Staff therefore recommend rezoning this lot to Industrial, as it was clearly intended to be.

SUPPORTING DOCUMENTS

1. Memorandum to Council, August 21, 2023.
2. Staff report for Amending 9379 Koenig Circle Drive from R-2 to M-1.
3. Ordinance #4537, approving the lot consolidation of 9373-79 Koenig Circle Drive.

IMPACT ON BUDGET

None.

Respectfully submitted,
Nathan Mai-Lombardo