



MEETING MINUTES

City of Berkeley City Plan Commission Wednesday, September 13, 2023 1:00 P.M.

Virtual Zoom Meeting, 8425 Airport Road, St. Louis, MO 63134

Note: The agenda for this meeting was posted and is in compliance with the Open Meetings Law.

Members Present: Kevin Spraggins, Mayor Deinbo, Carolyn Crimes (*arrived 1:03 PM*),
DeBora White, Danita Neal (*left at 2:12 PM*)

Staff present: Elliot Liebson-Director of Planning & Economic Development, Col. Art Jackson-Police Chief, James Linhardt-Fire Chief, Joanna Campbell-Public Works Secretary, Dalton Mertens-City Manager Secretary, Donnell Smith-City Attorney

CALL TO ORDER / DECLARATION OF QUORUM

The Plan Commission members met in a virtual setting on Wednesday, September 13, 2023; Chairman Spraggins called the meeting to order at 1:01 pm. Quorum was established.

MINUTES

Approval of August 9, 2023 City Plan Meeting Minutes. Chairman Spraggins made the **MOTION** to approve the minutes. Mayor Deinbo **SECONDED** the motion. A voice vote was taken, and the minutes were unanimously **approved** with a voice vote 5:0; Spraggins, Deinbo, Crimes, White, Neal.

PUBLIC COMMENT:

None.

DISCUSSION:

City Attorney Donnell Smith came before the Plan Commission and spoke. He clarified the role of the Plan Commission Members giving direction on appropriate questions to ask applicants and ensuring that their decisions be based upon the Comprehensive Plan of the City of Berkeley.

OLD BUSINESS

Case # 23-12 – A request by Haytham Dughaim to open a thrift store located at 8520 Airport Road, in Berkeley, MO.

Chairman Spraggins brought forth Case 23-12. Applicant was not present at the time, but arrived later in the meeting. Chairman Spraggins recommended that case to be tabled due to the time constraint and amount of agenda items.

Chairman Spraggins made the **MOTION** to table Case 23-12 until the next Plan Commission meeting. Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

NEW BUSINESS:

Case # 23-16 – A request from Victoria Smith to amend her Special Use Permit for child care facility to include 6106-6108 Madison Ave, in Berkeley, MO.

Chairman Spraggins brought forth Case 23-16. Applicant Victoria Smith was present and stated she was wanting to amend her current Special Use Permit to expand her child care facility which the applicant purchased a year prior. Currently she is licensed for 56 children. She is wanting to acquire licensing for 99 children. The licensing process requires her to obtain an inspection, occupancy permit, and business license through the City of Berkeley.

Chairman Spraggins made the **MOTION** to approve Case 23-16 – A request from Victoria Smith to amend her Special Use Permit for child care facility to include 6106-6108 Madison Ave, in Berkeley, MO. Commissioner Neal **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 5:0; Spraggins, Deinbo, Crimes, White, Neal.

Case # 23-21 – A request from Kenndis Joy to renew the Special Use Permit for her event center at 6112 Madison in Berkeley, MO.

Chairman Spraggins moved to hear Case 23-21 at this time.

Chairman Spraggins brought forth Case 23-21. Applicant Kenndis Joy was present and stated that she was renewing her Special Use Permit that was previously approved due to it expiring. The Special Use Permit expired because she was in the process of renovating the building and obtaining permits through St. Louis County. There was a delay in the drawings review and construction process. Applicant stated that nothing was being changed from the previous Special Use Permit, including the request for a liquor license as stated on condition four. Applicant stated that construction would be finished in about a month's time.

Chairman Spraggins made the **MOTION** to approve Case 23-21 – A request from Kenndis Joy to renew the Special Use Permit for her event center at 6112 Madison in Berkeley, MO. Commissioner Neal **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 5:0; Spraggins, Deinbo, Crimes, White, Neal.

Case # 23-18 – A request from City Staff to amend Article XI (Sign Code).

Chairman Spraggins brought forth Case 23-18. Director of Planning & Economic Development Elliot Liebson presented the case. Liebson stated that the purpose of this change was to make the sign code requirements easily accessible in one place, adding clarifying language, and adjusting the fee structure. Changes to the sign code includes: removing the need for a sign review committee, clarifying when signage is required, stating that signage has to be professionally designed, defining what constitutes as permitted signage in non-residential, commercial, and industrial districts, designating area for signage, propose to allow flat roof signs that can be illuminated at the roof, propose that roof signs not be counted against allowed square footage of signage, clarifying special purpose signs A-frame signs and specialty signs, regulating billboards, adding severability and personal amendment protection language, moving sign code regulations from each individual zoning district into a sign code section for clarity and convenience, and adjusting the fee schedule for sign permit fees. Liebson verified that commercial signage would still not be allowed in residential areas and overall regulations would not change. The square footage allowance will be expanded, but not unlimited. Liebson also stated that City's regulations of signs can only include size, placement, square footage, location, quality of construction, no obscenity or pornography and that the City cannot discriminate against free speech.

PLAN COMMISSION MEETING MINUTES OF SEPTEMBER 13, 2023

Chairman Spraggins made the **MOTION** to approve Case 23-18 – A request from City Staff to amend Article XI (Sign Code). Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Case # 23-19 – A request from City Staff to amend Section 400.140 (C-2 General Commercial) – Zoning District.

Chairman Spraggins brought forth Case 23-19. Director of Planning & Economic Development Elliot Liebson presented the case. Liebson stated that the purpose of this change was to make restaurants, hotels and motor lodges, and entertainment places, including bowling alley, dancing, rollerskating rink, sit-down theatre, video games, and similar uses permitted by right if all code and zoning regulations are met. This would only apply to existing buildings in the correct zoning and that all code regulations are met.

Chairman Spraggins made the **MOTION** to table Case 23-19 & Case 23-20 until the next Plan Commission Meeting. Commissioner Crimes **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

OTHER BUSINESS

None

CONCLUDED

The next scheduled meeting of the City Plan Commission is a special meeting held on **WEDNESDAY, SEPTEMBER 27, 2023 AT 1:00 PM.**

The next regularly scheduled meeting of the City Plan Commission is held on **WEDNESDAY, OCTOBER 11, 2023 AT 1:00 PM.**

ADJOURNMENT

No further business came before the Commission. Chairman Spraggins made the **MOTION** to adjourn. Commissioner White **SECONDED** the motion. A voice vote was taken, and the motion was unanimously **approved** with a voice vote 4:0; Spraggins, Deinbo, Crimes, White.

Chairman Spraggins adjourned the meeting at 3:38 PM.

Respectfully submitted by:
Joanna Campbell, Public Works Secretary
Recording Secretary

Approved for submittal by:
Kevin Spraggins
Chairman