8425 Airport Road

### 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, July 17, 2023 in the council chambers of 8425 Airport Rd, 63134 and by the way of Zoom, for the purpose of considering the following proposition:

1. Case #23-10: Shall a Lot Consolidation and Site Plan with Improvements of North Park Lot 6 of Plat 3, Adjusted Lot 7 of Plat 8, and Adjusted Lot 9 of NorthPark commonly known as 4800 N. Hanley and 4901 & 5321 Hern Avenue in Berkeley MO, and Resubdivision of said Consolidated Lots into Lots 1 and 2, be granted to Stock and Associates on behalf of NorthPark Partners?

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

### Zoom.us

https://us02web.zoom.us/j/84866557157?pwd=OHI2UDIvRGI4eHBnS3VnR0lBbnllUT09

Meeting ID: 848 6655 7157

Pass code: 554024

Or One tap mobile:

+13052241968,,84866557157#,,,,\*554024# US +13092053325,,84866557157#,,,,\*554024# US

Deanna L. Jones - City Clerk, MPCC/MMC

Deanna L. Jones

Posted: Thursday, July 6, 2023

257 Chesterfield Business Parkway, St. Louis, MO 63005 636.530.9100 – Main | 636.530.9130 – Fax www.stockassoc.com



February 13, 2023 April 19, 2023 – Updated May 22, 2023 – Updated July 6, 2023 – Updated

Honorable Mayor & City Council City of Berkeley 8425 Airport Road Berkeley, MO 63134

Attention: Mr. Nathan Mai-Lombardo, CPM,

City Manager

(<u>nathan@ci.berkeley.mo.us</u>)

Mr. Elliot Liebson, City Planner (eliebson@ci.berkeley.mo.us)

Honorable Mayor & City Council City of Ferguson 110 Church Street Ferguson, MO 63135

Attention: Ms. Rachel St. Pierre

Community Development Director (<a href="mailto:rstpierre@fergusoncity.com">rstpierre@fergusoncity.com</a>)

Mr. Christopher Crabel, Assistant to City Planner (ccrabel@fergusoncity.com)

Mr. David Musgrave,

Director of Parks & Recreation (<a href="mailto:dmusgrave@fergusoncity.com">dmusgrave@fergusoncity.com</a>)

RE: Proposed "Project Scannell" @ NorthPark Lot 6, Adjusted Lots 7 & 8, Located within the City limits of Berkeley and Ferguson, MO (Stock Project No. 222-321)

Dear Nathan, Elliot, Rachel, Chris, & David,

Pursuant to our "Pre-Application" Project Meeting on Friday 2/10/2023, our 2/13/2023, 4/19/2023, and 5/22/2023 letters, and recent emails we respectfully request the following consideration:

On behalf of Scannell Properties – Mr. Cam Duff, we request that the City of Berkeley consider allowing the City of Ferguson to review and approve the Project: Grading, Drainage, Stormwater Prevention Plan, Site Improvement Plans and the Building Permit.

Our request is based on our understanding that the City of Berkeley is currently without staff within its Building and Public Works Department.

To be efficient and expeditious in allowing this project to commence construction "As Soon as Possible" we believe that having One (1) Review Authority for permitting will be the best course of action.

Our "Tentative" Entitlement Approval Process through each City for Site Plan Preliminary Plat and Lot Consolidation Plat is as follows:



	City of Berkeley	City of Ferguson	
1. Formal Submission:	5/16/2023 (Complete)	5/16/2023 (Complete)	
2. Preliminary Review – City Council	6/5/2023 (Complete)	N/A	
3. Planning Commission:	6/14/2023 (Complete)	6/21/2023 (Complete)	
4. City Council:	6/26/2023 (Meeting Cancelled)	6/27/2023 First Reading (Complete)	
5. Board of Adjustment (Height Variance):	N/A	Awaiting Date from City	
6. City Council:	7/17/2023 First Reading	7/25/2023 Second Reading	
7. City Council:	Second Reading	N/A	

As always, we thank you for your continued assistance and consideration with this project. Should you have any questions and/or comments please do not hesitate to call. If the "Tentative" Schedule needs any adjustments, please let us know.

Sincerely,

George M. Stock, P.E.

President

CC: Mr. Cam Duff, Scannell Properties (cam.duff@scannellproperties.com)

Mr. Larry Chapman, Seneca Commercial Real Estate (<a href="mailto:lchapman@seneca-cre.com">lchapman@seneca-cre.com</a>)

Ms. Caroline Saunders, Schott Hamilton (caroline@schotthamilton.com)

Ms. Carol Martin, Clayco (martinc@claycorp.com)

Mr. Ryan Schriber, P.E., Senior Associate (<u>ryan.schriber@stockassoc.com</u>)

Mr. John Willems, P.E., Senior Associate (john.willems@stockassoc.com)

Mr. Joe Pfleger, P.L.S., VP of Surveying (joe.pfleger@stockassoc.com)

Mr. Norbert Wildhaber, P.E., P.L.S., Assistant Survey Manager (Norbert.wildhaber@stockassoc.com)

Ms. Cheri Evans (cheri.evans@stockassoc.com)

July 6, 2023 Page 2



### REPORT TO CITY COUNCIL

TO: The Honorable Mayor and Members of the City Council

FROM: Nathan Mai-Lombardo, City Manager

**DATE:** July 17, 2023

SUBJECT: Case No. 23-10: A request from Stock and Associates on behalf of NorthPark Partners for lot consolidation and site plan review and approval of Lot 6 of Plat 3, Adjusted Lot 7 of Plat 8, and Adjusted Lot 9 of NorthPark commonly known as 4800 N. Hanley and 4901 & 5321 Hern Avenue.

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

### **BACKGROUND**

Petitioner Stock and Associates on behalf of NorthPark Partners is requesting a referral to the City Plan Commission for lot consolidation/resubdivision, and site plan review and approval of Lot 6 of Plat 3, Adjusted Lot 7 of Plat 8, and Adjusted Lot 9 of NorthPark commonly known as 4800 N. Hanley and 4901 & 5321 Hern Avenue for Commercial Office and Warehouse building, and a separate Maintenance Building.

On June 14, 2023, the Plan Commission met and recommended the Council approve the lot consolidation/resubdivision and site development plan. At the time of this meeting, Staff's understanding per the Code was that the maximum allowed height of a structure in this District is forty-five (45) feet. The maximum height of this proposal is fifty-three point five (53.5) feet, which would necessitate a Variance from the Board of Adjustment in order to be approved. The Plan Commission recommended Approval of this Case with the Condition that a Variance is granted by the Board of Adjustment prior to final approval by Council.

Subsequently, the Applicant presented to Staff a copy of Ordinance 3765, passed by Council in 2007, which raised the height limit of a structure in the AD Airport District to seventy-five (75) feet. Staff has researched this Ordinance with the City Clerk and the City's website host, and found it to be genuine, and that to date it as not been reversed, annulled, or otherwise amended. The proposed height of the structure is therefore in compliance with Zoning, and no Variance is required. The City now brings this Application to Council without the Variance requirement.

### **ZONING**

The current zoning is AD- Airport District. This will remain unchanged.

EXISTING USE: vacant lot

PROPOSED USE: commercial office and warehouse with separate maintenance building

### **SUPPORTING DOCUMENTS**

- Staff Report
- -Site Plan, Lot Consolidation, and Resubdivision Application
- -St. Louis County Aerial Property View
- Ordinance 3765, revising the maximum allowed height of a structure in the AD Airport District to seventy-five (75) feet.
- June 14, 2023 Minutes of the Berkeley City Plan Commission

### **RECOMMENDATION**

Plan Commission recommends approval.

### **PROCEDURE**:

The Council may recommend modifications to the plat of approval as necessary to preserve the health, safety, general welfare, beauty, and tranquility of the City.

### REQUESTED ACTION OF THE CITY COUNCIL

Approval of the Lot Consolidation and Site Plan with Improvements for 4600 North Hanley, Berkeley, MO 63134 in accordance with the City's regulations.

### **PUBLIC NOTICE AND COMMENT**

Public Hearing notification is applicable. Upon recommendation by City Plan Commission to City Council, notices shall be mailed to owners and occupants of property within 185 feet of the site. This public hearing shall be published, posted and scheduled at a date specified by the City Clerk.

**Introduced By: Council Present** 

AN ORDINANCE PURSUANT TO CHAPTER 89 OF THE REVISED STATUTES OF MISSOURI (2000), AS AMENDED, AMENDING THE ZONING CODE OF THE CITY OF BERKELEY (THE "CITY") TO INCREASE THE HEIGHT LIMITATION FOR STRUCTURES IN THE AIRPORT DISTRICT FROM FORTY-FIVE FEET TO SEVENTY-FIVE FEET.

WHEREAS, on August 4, 2003 the City Council adopted Ordinance No. 3596 approving execution by the City of that certain Intergovernmental Joint Cooperation and Development Assistance Agreement, dated January 10, 2004 (the "Cooperation Agreement"), by and among the City of Kinloch, the City of Ferguson, the City of Berkeley, the City of St. Louis, the County of St. Louis and the State of Missouri acting by and through its Department of Economic Development; and

**WHEREAS**, in order to comply with the Cooperation Agreement, an amendment to the Zoning Ordinance of the City of Berkeley, Missouri ("Zoning Ordinance") was adopted creating a new zoning district, the "Airport District"; and

WHEREAS, the Plan Commission, after due and lawful notice, held a public hearing to consider the Airport District zoning amendment; and

WHEREAS, after due consideration of the recommendation received by the Plan Commission and after due consideration of the amendment, the City Council finds that it is necessary and desirable for the City to amend the Zoning Ordinance of the City and approve and authorize adoption of the new height restriction as set forth herein.

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, AS FOLLOWS:

**SECTION ONE.** The City Council hereby adopts the foregoing recitals as findings and further finds as that the City of Berkeley, under the authority granted to it by Chapter 89 of the Revised Statutes of Missouri (2004), as amended, after a duly called public hearing held on November 19, 2007, and after considering the views of all those who came before it, and after review of the Airport District height restriction amendment; determines that the Airport District, height restriction amendment, is acceptable and in the best interests of the City and the health, safety, morals and welfare of its residents.

**SECTION TWO.** All ordinances, parts of ordinances, or provisions of the City Municipal Code in conflict with any provisions of this Ordinance are hereby repealed.

**SECTION THREE.** The height restrictions for structures in the Airport District shall be increased from forty five (45) feet to seventy five (75) feet.

**SECTION FOUR.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

**SECTION FIVE.** This Ordinance shall take effect and be in full force and effect from and after the date of its passage and approval.

1<sup>st</sup> Reading this 3<sup>rd</sup> day of December, 2007.

2<sup>nd</sup> Reading this <u>17<sup>th</sup></u> day of <u>December</u>, 2007.

PASSED and APPROVED this \_\_\_\_17th day of \_\_\_December\_\_\_, 2007.

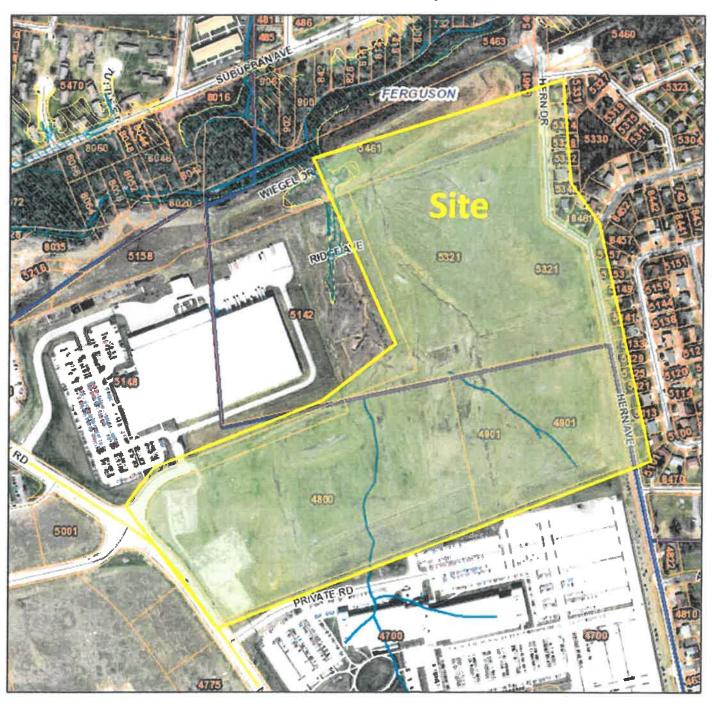
Kyra Watson, Mayor

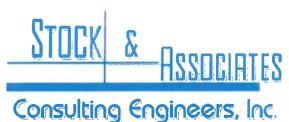
ATTEST:

Octavia Pittman, City Clerk



## Aerial view of NorthPark Project Site:





Mr. Larry Chapman (Lchapman@seneca-cre.com) w/package

Ms. Carol Martin (martine@claycorp.com ) w/package Mr. Howl Bean ( HBean astlpartnership.com ) w/package Mr. Rodney Crim (RCrim(a stlpartnership.com) w/package

### LETTER OF TRANSMITTAL

Consulting Engineers, Inc.  257 Chesterfield Business Parkway St. Louis, MO 63005 T: (636) 530-9100   F: (636) 530-9130 E-mail: general@stockassoc.com  City of Berkeley 8425 Airport Rd. Berkeley, MO 63134		DATE: JOB NO.  05/16/2023 223-7321  ATTENTION:  Mr. Elliot Liebson  RE:  Project Scannell  4800 N. Hanley and 4901, 5321 Hern Ave.				
WE ARE SE	ENDING YOU	J: ⊠ Attached □	Under Separa	te cover via <u>Hand De</u>	divery the following items:	
□ Sho	p Drawings	□ Prints		Plans 🔲 Sampl	les     Specifications	
Co <sub>1</sub>	☐ Copy of Letter ☐ Change Order ☐					
Copies	Date	No.		Descriptio	n	
20 1 1	4/21/23 4/21/23 4/21/23	C1.0, L1.01, P1.0, A5.30, A5.31 & 1of 1 3 pgs. CK# 23135		ment Plan/Preliminary Plat/ Architectural andscape/ Lighting Plan/ Subdivision Plat		
		TED as checked belo		C Prophasia		
_	☑ For Approval ☐ Approved as Submitted		Resubmitcopies for approval			
	<ul> <li>☐ For your use</li> <li>☐ Approved as noted</li> <li>☐ Returned for corrections</li> </ul>			copies for distribution corrected prints		
	lliot, Pursua		r continued co	nould you have any question & support Sincerely, Ryan Schribe		
			BIGHED:	Ryan Schriber, P.E.		
СОРУ	Mr. R	eorge Stock, P.E., Pr yan Schriber, P.E. ( <u>r</u> am Duff – Scannell (	an.schriber@sto			

PUBLIC WORKS DIVISION | 8425 Airport Road, Berkeley, Missouri 63134-2098 (314) 524-3313 FAX: (314) 264-2074

### **TYPE OF APPLICATION**

(Please check all that apply)

			INITIAL FE	E: \$350 (non-refundable		
Preliminary (Plats)			Special Use Permit			
Re-Approval (Plats)			Zoning Change			
Amending (Plats)		<b>X</b> 1	Resubdivision/Reconsolidation			
Site Plan			Business Name/Ownership Change			
Lot Consolidation		0	☐ Variance (Land Use)			
Street Name (New, Chang	je)		☐ Variance (Building Code)			
Street Vacation			Liquor/Lottery/Financials (Money Grams/Order			
Medical Marijuana (Dispensary)			Medical Marijuana (Grow Facility)			
Medical Marijuana (Resea	arching/T	esting)	Building Code Appeal			
Food Truck - SUP \$100.0	0		ood Truck - Fire Inspection	\$75.00		
Food Truck Business Lice	ense \$75.0	0 🔲 0	Other			
2. Submit a completed application three (3) weeks prior to Planning Meeting. 3. DO NOT destroy, tear down or remodel proposed business structure until 'FINAL' approval by City Counce. 4. If you do not submit your application in a timely manner your request will be considered on the next meeting date.  Stock and Associates Consulting Engineers Inc.  APPLICANT (S) LEGAL NAME(S):  APPLICANT IS (check one):  OWNER AGENT PURCHASER OF CONTRACT TENANT  257 Chesterfield Business Parkway  Street						
	Chesterfiel	d	МО	63005		
PHONE: 636-530-9100	City	EMAIL: geo	State rge.stock@stockassoc.com	Zip		
		LOCATION OF I	PROPOSED USE			
	48	00 N. Hanley, and 490	1, 5321 Hem Ave			
STREET ADDRESS:	10	t 6 of Plat 3. Adil of 7	of Plat 8, and Adj Lot 9 of a BAP			
PROPERTY DESCRIPTION:  AD Airport District						
PRESENT ZONING DISTRICT:	,					
PROPOSED ZONING DISTRIC	T (IF APPLICA	N/A I <i>BLE</i> ):				
PROPERTY IS PRESENTLY BE PROPERTY TO BE USED FOR		AS FOLLOWS: _	/acant Lots 340,937 Sq. Ft. Office, Warehouse, Distr 0 Sq. Ft. Maintenance Building	ibution, Building and a		
DAYS & HOURS OF OPERATION						
	ON ETC:					
PROPOSED NAME OF BUSINE	Pmie	ct Scanneil				

IF APPLICANT IS NOT OWNER(S) NAME:	OWNER:	NorthPark Partners LLC By: 70/170 Investment Co By: CRG Services Manage	mpany, L.L.C.	у сопрану			
OWNER(S) ADDRESS	2199 Inner	Belt Bus CenterDr					
	STREET	St. Louis	A	MO	69114		
	CITY			TATE	ZIP		
PHONE: 314-952-	7790	EMAIL	LCHAPMAN@SENE	CA-CRE.COM			
I HAVE AUTHORITY	FO ACT OI	N BEHALF OF THE O	Applicant(s)				
			Lawrence R.	Chapman Jr., Vi	ce-President		
By signing this applicat and attachments are co notice or subsequent a Commission. (All applic pages as needed.)  Applicant(s) signature	mplete an ction taker cants and c	d accurate and that a by the City of Berkel	ny omission or inc ey Board of Adjust	orrect fact or i ments, City of h additional na	information i Berkeley Pla ame/address	may invalidate any	
Owner(s) Signature:				Date:	/	_/	
OFFICE USE ONLY							
All items necessary for a technical review of the proposed special use permit plan have been submitted and constitute a COMPLETE APPLICATION.							
Staff Signature:				Date:	/_	/	
Date Paid:/	_/		Cash Check		y Order	Debit/Credit	
			Receipt No:		Case No:		

# PROJECT SCANNELL

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# SITE DEVELOPMENT PLAN / PRELIMINARY PLAT / SUBDIVISION PLAT PACKAGE



C1.0 C2.0 L1.01 P1.0 A5.30 A5.31

SITE PHOTOMETRIC PLAN
EXTERIOR ELEVATIONS - COLORED - VMF
EXTERIOR ELEVATIONS - COLORED - VMF NORTHPARK PLAT 15 - SUBDIVISION PLAT

SHEET INDEX
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SITC DEVELOPMENT PLAN / PRELIMINARY PLAT

Consulting Engineers, Inc.

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