

#### **MEMORANDUM**

**TO:** Members of the City Planning Commission and City Council

**FROM:** Elliot Liebson, Director of Planning and Development

**THRU:** Nathan Mai-Lombardo, City Manager

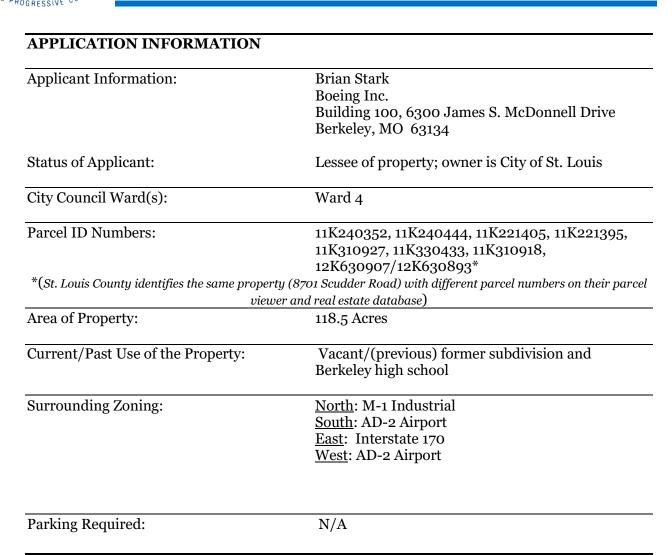
**SUBJECT:** Case 23-22; Brownleigh Tract Lot Consolidation

**MEETING DATE:** November 8, 2023

Applicant seeks to consolidate all lots in an area bounded by Scudder Road, James McDonnell Boulevard, Airport Road, and Interstate 170

STAFF RECOMMENDATION: Approval

CC: Deanna Jones, City Clerk



#### **MAPS**

### **Proposed Boundary Adjustment/Consolidation Plan:**

(see attached)



#### ZONING IMPACT ANALYSIS

1. Whether the consolidation proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

Yes. This proposal is for consolidating lots for the purpose of building an advanced aircraft manufacturing facility. Apart from Interstate 170 to the east (which forms it's own buffer from the residential districts adjacent to it), the entire site is surrounded by other Boeing facilities, and by St. Louis Lambert International Airport and it's ancillary facilities.

2. Whether the consolidation proposal will adversely affect the existing use or usability of adjacent or nearby property;

No. The proposed future development is identical to what has already been built in the area (aircraft/aerospace manufacturing). It would fit in appropriately and would not affect any existing use.

3. Whether the property to be affected by the consolidation proposal has a reasonable economic use as currently zoned;

The current zoning of the property is not at issue; it is the lack of consolidation that makes development of this property unfeasible at the moment.

4. Whether the consolidation proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

Consolidation of these parcels will have no impact on any of the above utilities and/or transportation issues.

5. Whether the consolidation proposal is in conformity with the policies and intent of the land use plan;

Yes. The proposed consolidation "will protect airport operations and ensure a compatible relationship between airport uses and other uses in the vicinity of such airport operation and to ensure comprehensive, uniform development of the airport district." (Ch. 5, pg. 9; 'Future land use plan', Berkeley comprehensive plan, 2009)

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the consolidation proposal; and

No. There are no other pertinent conditions or concerns with this site.

7. Whether the consolidation proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of City of Berkeley.

No. The proposed use allowable under this zoning is suitable for the area, and any site environmental concerns will have to be addressed in any development plan.



### PLANNER'S RECOMMENDATION

Approval.

The Boeing project will be a huge economic benefit to the City and the region, but it is simply not possible to begin construction without consolidating the parcels involved and clearing any fees or fines owed on each parcel.

This development is highly suitable for the area, would be an improvement to the site, and would take particular care to manage the natural characteristics of the site.

Any specific concerns with the livability of the development would be considered when the applicant requested their Land Disturbance permits.

#### PLANNING COMMISSION RECOMMENDATION

**TBD** 

PREPARED BY: Elliot Liebson, Director of Planning and Development

**REVIEWED BY:** Nathan Mai-Lombardo, City Manager

# **PLANNING & DEVELOPMENT APPLICATION**

(Please check all that apply)		INITIAL FEE: \$350 (non-refundable)					
Preliminary (Plats)		Special Use Permit					
☐ Re-Approval (Plats) ☐ Amending (Plats) ☐ Site Plan ☐ Lot Consolidation		☐ Zoning Change ☐ Resubdivision/Reconsolidation ☐ Business Name/Ownership Change ☐ Variance (Land Use)					
				Street Name (New, Change)		☐ Variance (Building Code)	
				Street Vacation		Liquor/Lottery/Financials (Money Grams/Order	
				☐ Medical Marijuana (Dispensary)		Medical Marijuana (Grow Facility)	
☐ Medical Marijuana (Researching/Testing)		☐ Building Code Appeal					
Food Truck - SUP \$100.00 (City Events Only)		Food Truck - Fire Inspection \$75.00					
Food Truck Business License \$75.00		Other					
<ol><li>DO NOT destroy, tear</li></ol>	r down or remodel propo your application in a time (E(S): Jacobs OWNER AGENT 1001 Highlands Park Street St. Louis, MO 63110 City	W, Ste 400					
FIIONE.	EMAIL:						
	LOCATION	OF PROPOSED USE					
STREET ADDRESS: 8800 Airport Road		Road					
LEGAL DESCRIPTION:							
		Research and Industrial District					
PROPOSED ZONING DISTRICT (IF APPLICABLE): No pro		oposed change in zoning					
		NS: Former residential neighborhood, presently v	vacant lots				
PROPERTY TO BE USED FO							
I WOLLKII IO DE OSED FO	K (THE OF DUSINESS):						
DAVO O HOUDO OF ODDE	NON ETC						
APPROXIMATE SIZE OF TR.	ACT: ACRES 118.5	SO, FT, OF SPACE (LINDER RO	IOE)				

Staff Signature:

Date Paid: \_\_\_\_\_/ \_\_\_\_\_/ \_\_\_\_\_

PUBLIC PUBLIC	C WORKS DIVISION   8425 Airport Road,	Berkeley, Missouri 63134-2098	(314) 524-3313 FAX: (314) 264-2074			
<u>IF APPLICANT IS NOT</u>	OWNER:					
OWNER(S) NAME:	The Lambert International Airport					
	P.O. Box 10212/10701 Lambert International Blvd, MTN -2276					
	St. Louis, MO 63145 -0212					
PHONE: (	<i>city</i> .) EMAIL:	STATE	ZIP			
I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER:  Applicant(s) Signature						
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) signatur	e:  Nancy Digitally signed by Nancy Decker DN: cn=Nancy Decker, c=US, email=nancy decker@jacobs.co Date: 2023.10.30.12.39.57 - 04'00'		30 October 2023			
Owner(s) Signature:	Porta la Tul	Date:	10,31,2023			
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.						

Date: \_\_\_\_/\_\_\_\_

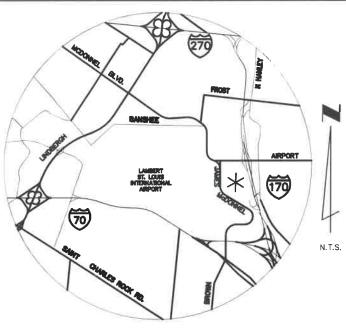
☐ Cash ☐ Check ☐ Money Order ☐ Debit/Credit

Receipt No: \_\_\_\_\_ Case No: \_\_\_\_



## **DESCRIPTION AND EXPLANATION OF PROPOSED PROJECT:**

This submittal is for the consolidation of lots on the Brownleigh Site (sections including Scudder Rd, and to the north of	
Scudder Rd.) of the Boeing STL Expansion project. We will follow up with an additional lot consolidation application when the information is ready for the section of the Brownleigh Site south of Scudder Rd. Please contact Sinan Alpaslan	
with any questions.	
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### SITE LOCATION MAP N.T.S.

#### SURVEY NOTES

- 1. BASIS OF BEARINGS ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD82 2011 EPOCH 2010.0)
- BOUNDARY CORNER MONUMENTS WERE NOT SET AT THE TIME OF RECORDING DUE TO THE PROPOSED SITE GRADING AND CONSTRUCTION. MONUMENTS SHALL BE PLACED AFTER CONSTRUCTION OR WITHIN ONE YEAR OF THE RECORDING OF THIS PLAT.
- FIELD WORK FOR THE SURVEY WAS PERFORMED DURING THE MONTHS OF MARCH THROUGH AUGUST, 2023.
- 4. DAVID MASON & ASSOCIATES, INC. PREPARED THIS SURVEY USING INFORMATIONAL REPORT NUMBER NCS-1167055-WA1 WITH AN EFFECTIVE DATE OF MARCH 16, 2023, AT 8:00 AM, PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, REVISED AUGUST 8, 2023, AT 8:00AM.
- 5. SUBDIVISIONS OF RECORD:
- A) KATHMAR (PB 12, PG 16)

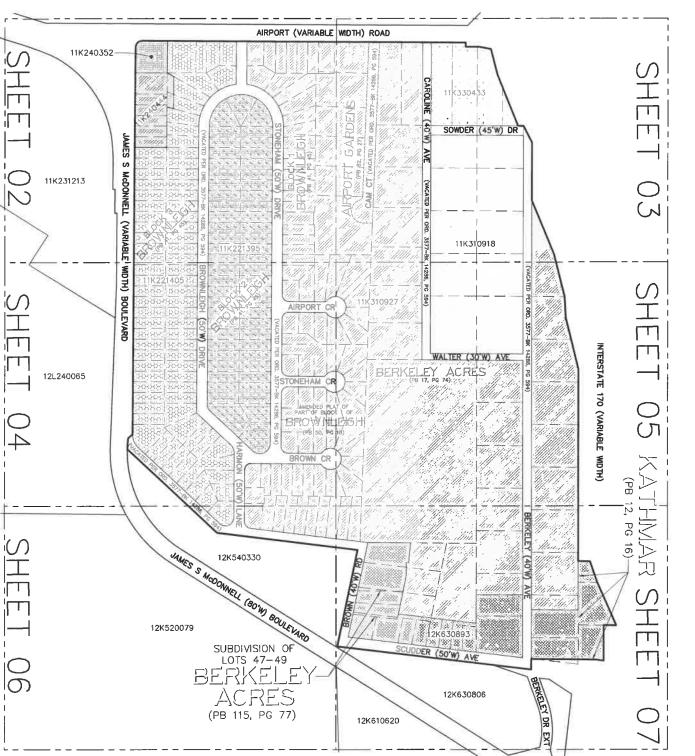
  B) BROWNLEICH SUBDIVISION (PB 41, PG 45)

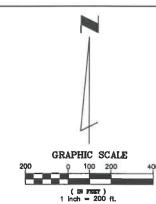
  C) AMDED PLAT OF PART OF BLOCK I OF BROWNLEIGH SUBDIVISION
- D) BERKELEY ACRES (PB 17, PG 74)
  E) AIRPORT GARDENS (PB 82, PG 27)
  F) SUBDIVISION OF LOTS 47-49 OF BERKELEY ACRES
- (PB 115 , PG 77)
- 6. SEE SHEET 6 FOR THE LEGAL DESCRIPTION OF THE CONSOLIDATION

## **BOUNDARY ADJUSTMENT / CONSOLIDATION PLAT**

ALL OF THE LOTS IN BLOCKS 1, 2, & 3 OF BROWNLEIGH SUBDIVISION PLAT (PB 41, PG 45); ALL OF THE LOTS IN BLOCK 1 OF THE AMENDED PLAT OF PART OF BLOCK 1 OF BROWNLEIGHSUBDIVISION (PB 50, PG 18); ALL LOTS OF BERKELEY ACRES SUBDIVISION (PB 17, PG 74), EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF MISSOURI FOR INTERSTATE 170; ALL OF THE LOTS IN AIRPORT GARDENS(PB 82, PG 27); & LOTS 1 - 3 OF KATHMAR (PB 12, PG 16) EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF MISSOURI FOR INTERSTATE 170: ALL OF THE VACATED RIGHT OF WAY INSIDE OF THE LISTED SUBDIVISIONS PER ORDINANCE 3577 RECORDED IN DEED BOOK 14286, PAGES 594-597; A TRACT OF LAND IN THE NORTHEAST PART OF **SECTION 9. TOWNSHIP 46 NORTH, RANGE 6 EAST** ALL IN THE CITY OF BERKELEY, ST. LOUIS COUNTY, MISSOURI

TOTAL AREA OF CONSOLIDATED BOUNDARY = 5,163,320 SQUARE FEET, OR 118.534 ACRES ±









#### LEGEND AND ABBREVIATIONS

SET 5/8" DIA IRON ROD W/CAP (UNLESS NOTED OTHERWISE) (TO BE SET) SET 5/8" DIA IRON ROD W/ALUM. CAP

COTTON PICKER SPINDLE (FOUND)

CROSS (FOUND) ANCHOR (FOUND) IRON PIPE (FOUND) IRON ROD (FOUND)

CONC MONUMENT (FOUND) ORIGINAL LOT LINE

FENCE (SIZE AND TYPE NOTED)

(R) (S) (30'W) DENOTES RECORD INFORMATION DENOTES SURVEYED INFORMATION RIGHT OF WAY WIDTH

WEST FOUND DEED BOOK PLAT BOOK ORDINANCE

SURVEY RECORD BOOK PAGE RIGHT OF WAY

BOUNDARY ADJUSTMENT CONSOLIDATION PLAT BROWNLEIGH TRACT 8800 BLOCK OF AIRPORT ROAD BERKELEY, MISSOURI 63134

Jeremiah D. Ditch Missouri PLS 2020023887

### SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY TO THE BOEING COMPANY, THE CITY OF ST. LOUIS-AIRPORT AUTHORITY, AND THE CITY OF BERKELEY MISSOURI, THAT WE HAVE PERFORMED A PROPERTY BOUNDARY SURVEY AND BOUNDARY ADJUSTMENT/LOT CONSOLIDATION PLAT OF THE ABOVE-DESCRIBED PROPERTIES AND THE RESULTS OF SAID SURVEY ARE SHOWN HEREON. WE HERE BY CERTIFY THAT THIS PLAT OR MAP AND THE SURVEY THAT IT REPRESENTS MEETS OR EXCEEDS THE "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS AN URBAN CLASS PROPERTY IN EFFECT AT THE DATE OF THIS RECORDING.

WE ALSO CERTIFY, THIS PLAT IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS, AND THE PLAT FULLY COMPLIES WITH THE PROVISIONS DETAILED IN "CHAPTER 405, SECTION 405.080 (ORDINANCE NO. 1987 § 1, 11-19-1973)" — PLAT RECORDING REQUIREMENTS, OF THE CITY OF BERKELEY, MISSOURI.

DATE OF PLAT OR MAP:

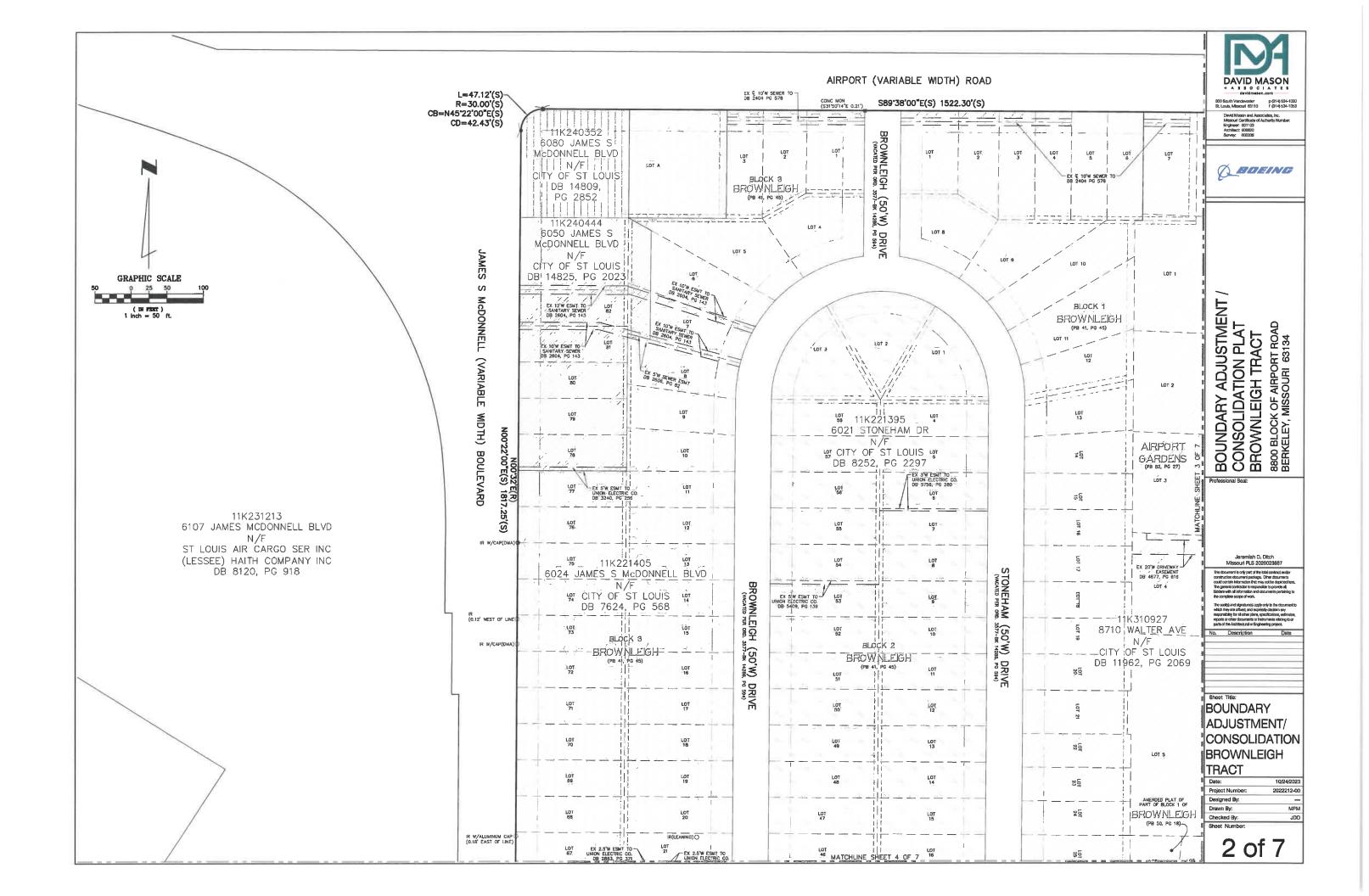
DAVID MASON & ASSOCIATES, INC. LS 336-D 800 SOUTH VANDEVENTER AVE. ST. LOUIS, MISSOURI 63110 (314) 534-1030

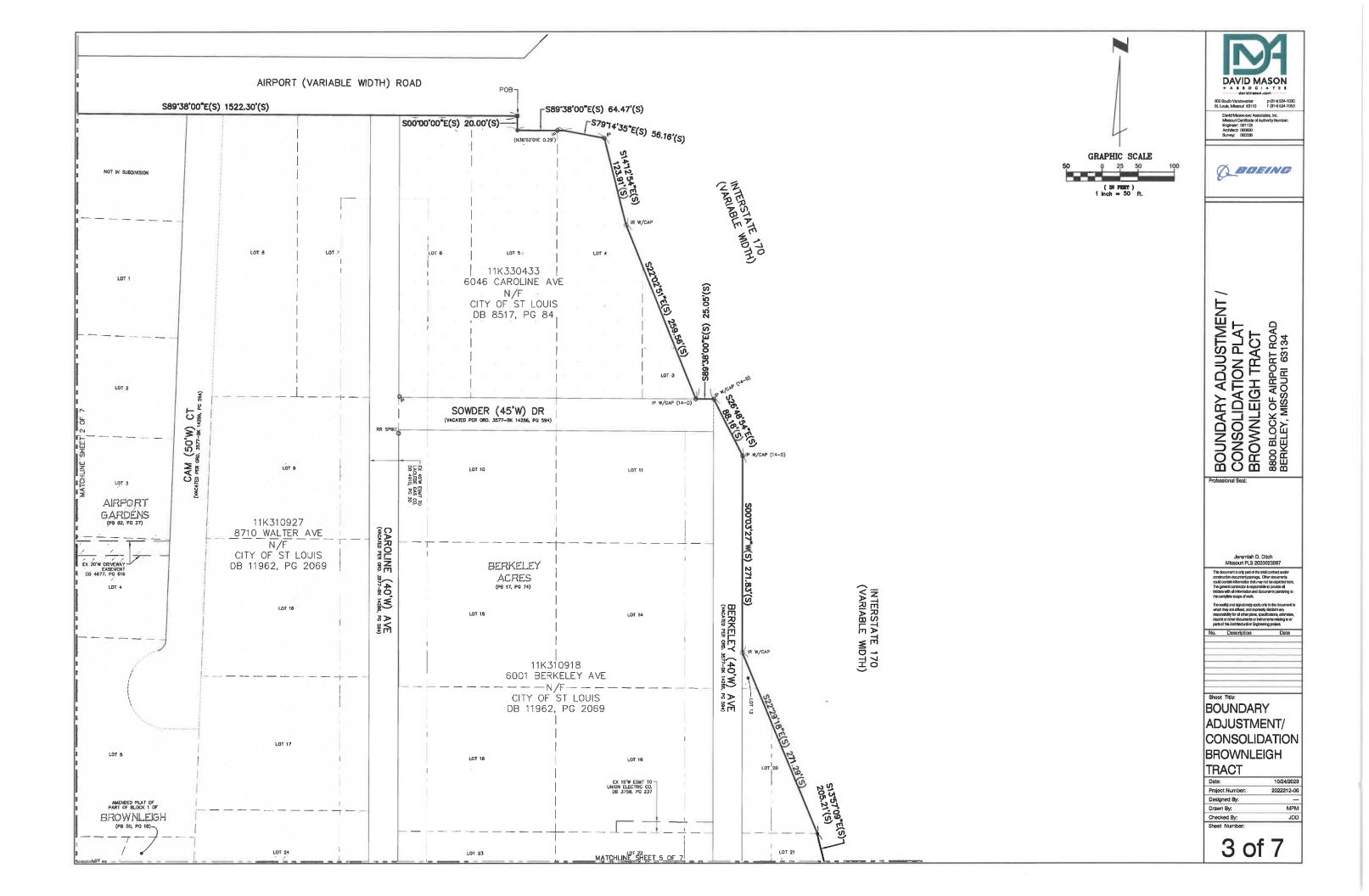
JEREMIAH D. DITCH, MISSOURI PLS - 2020023887

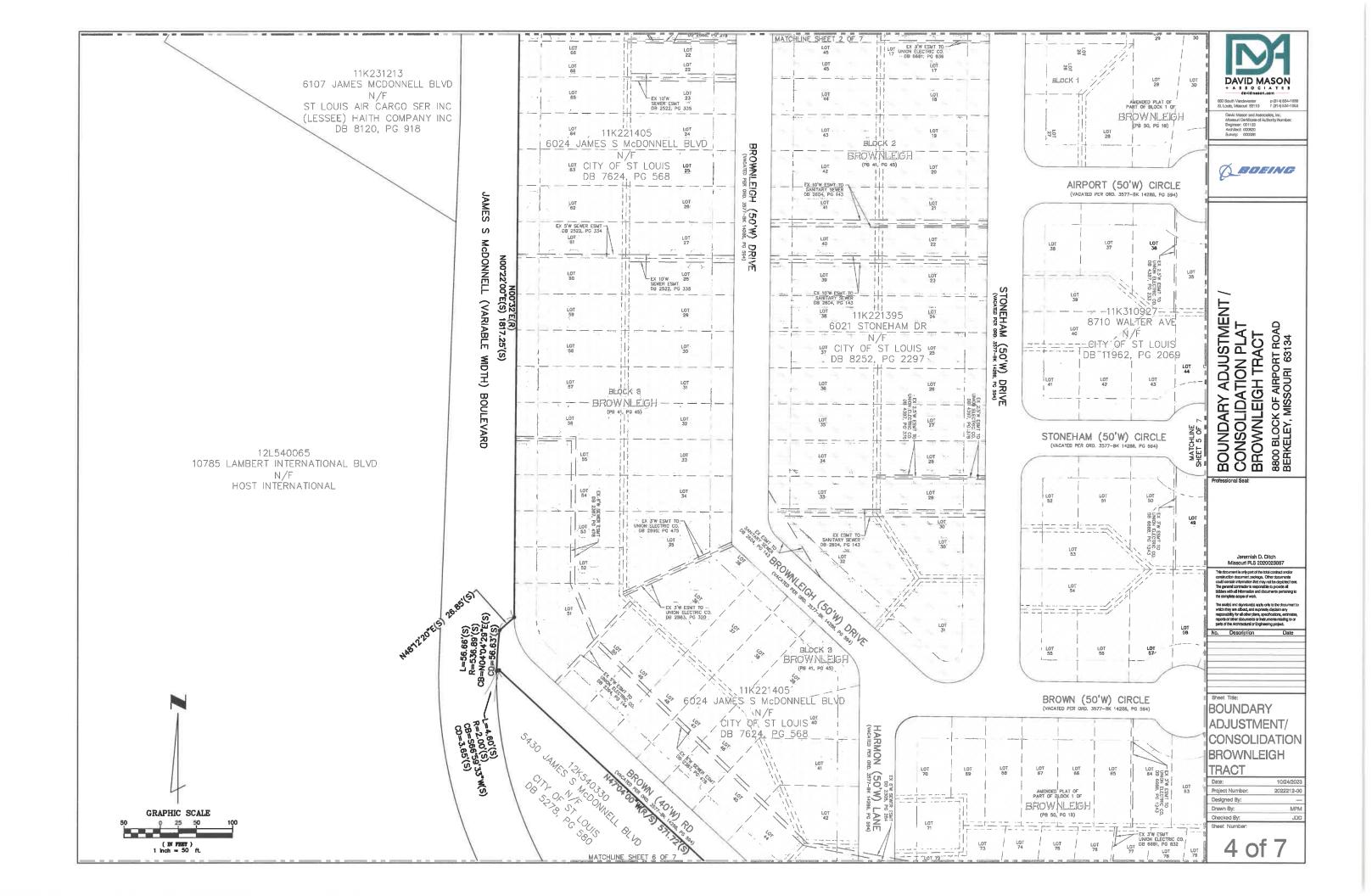
BOUNDARY ADJUSTMENT/ CONSOLIDATION BROWNLEIGH TRACT

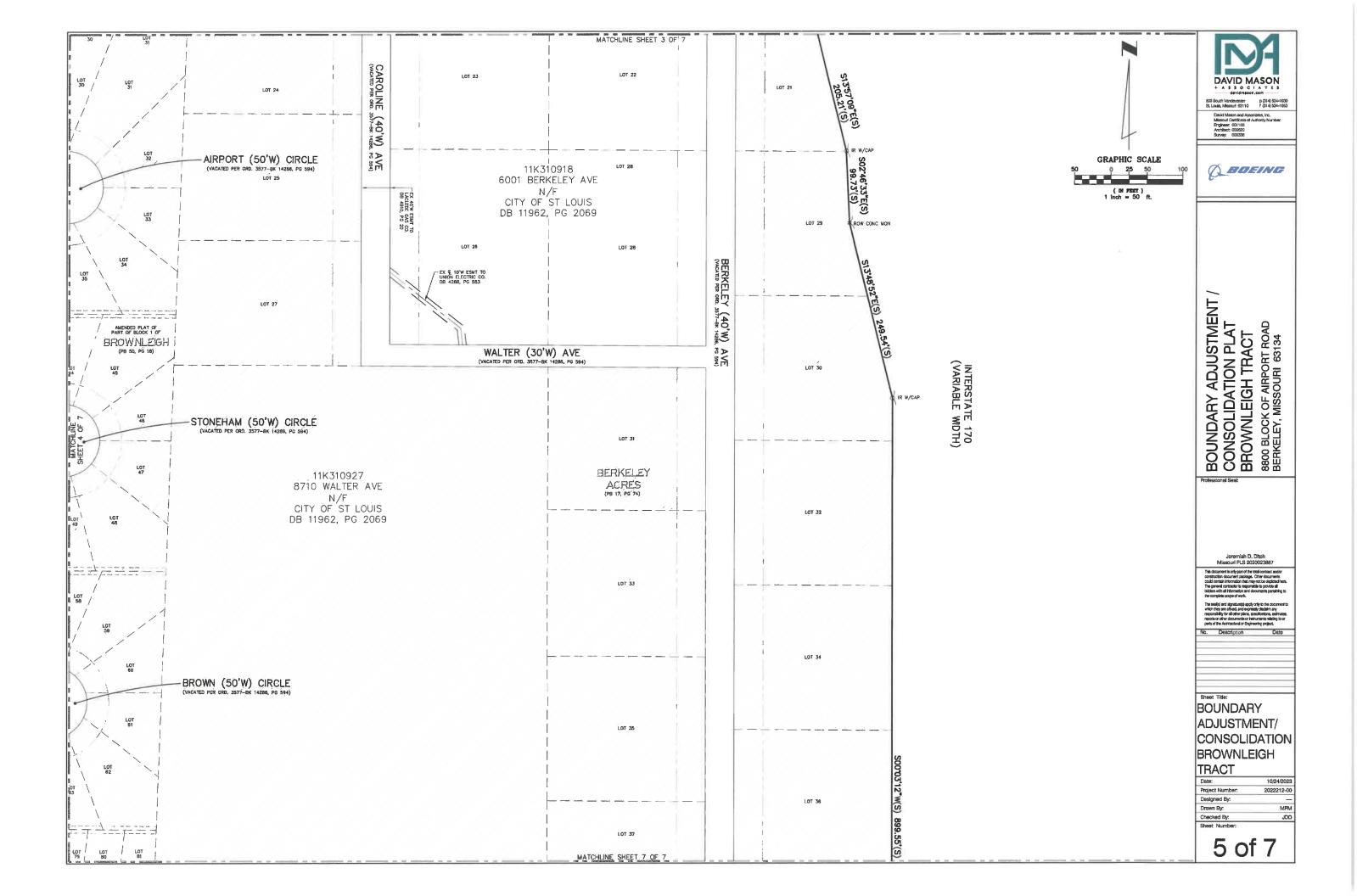
10/24/2023 Project Number 2022212-00 Designed By: Drawn By: MPM Checked By: JDD

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#### LEGAL DESCRIPTION

A TRACT OF LAND, being located within the boundaries of the subdivisions of "Brownleigh" Subdivision as recorded in Survey Record Book 41, Page 45, "Berkeley Acres" as recorded in Plat Book 17, Page 74, "Airport Gardens" as recorded in Plat Book 82, Page 27, a portion of "Kathmar" Subdivision, as recorded in Plat Book 12, Page 16, the "Amended Plat of Part of Block 1 of Brownleigh" as recorded in Plat Book 50, Page 18, "Berkeley Acres Re-Subdivisions of Part of Lot 31" as recorded in Plat Book 143, Page 1, and Berkeley Acres Re-Subdivisions of Part of Lots 47, 48, & 49 as recorded in Plat Book 115, Page 77, as well as the Street Vacation Ordinance Number 3577, recorded in Deed Book 14286, Page 0594. All being and being situated in Fractional Section 9, Township 46 North, Range 6 East of the 5th Principal Meridian, City of Berkeley, in Saint Louis County, Missouri and being more particularly described as follows:

#### "BROWNLEIGH TRACT"

From the POINT OF BEGINNING: BEGINNING at an Iron Rod, with cap stamped "DMA, From the POINT OF BEGINNING: BEGINNING at an Iron Rod, with cap stamped "DMA, INC L.S.—3360" located at the intersection point of the Southern Right—of—Way line of Airport Road (public, variable width), with the Western Right—of—Way line for Interstate Highway 170 at 0n Ramp "13" (Airport Road onramp), according to Highway Plans for Interstate 170, Federal Project number I—170—5 (158); THENCE, continuing coincident with the Western Right—of—Way line of Interstate 170, the following courses and distances: South 00 degrees 00 minutes, 00 seconds East, 20.00 feet to an Iron Rod with cap stamped "DMA, INC L.S.—3360"; THENCE, South 89 degrees 38 minutes, 00 seconds East, 64.47 feet; THENCE, South 79 degrees 14 minutes 35 seconds East, 56.16 feet to an Iron Pipe; THENCE, South 14 degrees 12 minutes 54 seconds East, 133 91 feet to an Iron Pipe; With cap stamped "IS—140": minutes, 54 seconds East, 123.91 feet to an Iron Pipe with ap stamped "LS-14D"; THENCE, South 22 degrees 02 minutes 51 seconds East, 259.56 feet to an Iron Pipe THENCE, South 22 degrees 02 minutes 51 seconds East, 259.56 feet to an Iron Pipe with cap stamped "LS-14D"; THENCE, South 89 degrees 38 minutes 00 seconds East, 25.05 feet to an Iron Pipe with cap stamped "LS-14D"; THENCE, South 26 degrees 48 minutes 54 seconds East, 88.16 feet to an Iron Pipe with cap stamped "LS-14D"; THENCE, South 00 degrees 0.3 minutes 27 seconds West, 271.83 feet to an Iron Rod with cap; THENCE, South 22 degrees 29 minutes, 18 seconds East 271.29 feet to an Iron Rod with cap stamped "DMA, INC L.S.-336D"; THENCE, South 13 degrees 57 minutes 09 seconds East, 205.21 feet to an Iron Rod with cap; THENCE, South 02 degrees 46 minutes, 33 seconds East, 99.73 feet to a Concrete Right-of-Way Monument; THENCE, South 13 degrees 48 minutes 52 seconds East, 249.54 feet to an Iron Rod with cap; THENCE, South 00 degrees 0.3 minutes 12 seconds West, 899.55 feet to an Iron Pipe; THENCE, South 89 degrees 0.5 minutes 25 seconds East, 54.86 feet to an Iron Pipe; THENCE, South 19 degrees 11 minutes 27 seconds East, 105.73 feet to an Iron Row with cap stamped "DMA, INC L.S.-336D"; THENCE, South 19 May INC L.S.-336D"; THENCE, South 19 Legrees 11 minutes 27 seconds East, 205.73 feet to an Iron Ripe, stamped "DMA, INC L.S.-336D"; THENCE, South 19 May INC L.S.-336D"; THENCE, South 54.86 feet to an Iron Pipe; THENCE, South 19 degrees 11 minutes 27 seconds East, 105.73 feet to an Iron Rod with cap stamped "DMA, INC L.S.—336D"; THENCE, South 23 degrees 45 minutes 20 seconds East, 218.87 feet to an Iron Pipe with cap stamped "LS—14D"; THENCE, North 89 degrees 17 minutes 18 seconds West, 59.23 feet to a point at which a steel Right-of-Way Marker bears South 89 degrees 17 minutes 18 seconds East, 1.27 feet distant; THENCE, South 00 degrees 06 minutes 10 seconds East, 165.73 feet to a Concrete Right-of-Way Monument; THENCE, North 82 degrees 21 minutes 38 seconds West, 35.58 feet to an Iron Rod with cap stamped "DMA, INC L.S.—336D" still in said Western Right-of-Way line of Interstate 130 et the Souther Road express. 170, at the Scudder Road overpass; THENCE, continuing coincident with said Western Right-of-Way of Interstate 170, North 89 degrees 27 minutes 24 seconds West, 289.08 feet; THENCE, North 83 degrees 12 minutes 00 seconds West, 12.60 feet to an Iron Rod with cap stamped "DMA, INC L.S.-3360"; THENCE, South 00 degrees 03 minutes 27 seconds West, 50.35 feet to an Iron Rod with cap stamped "DMA, INC L.S.-3360" at the intersection point of said Western Right-of-Way line of Interstate 170 and the Southern Right-of-Way line of said Vacated Scudder Road; THENCE, deporting said Western Right—of—Way line of interstate 170, and continuing with said Southern Right—of—Way line of Vacated Scudder Road, (formerly 50 feet wide); THENCE, departing said Right—of—Way line of Interstate 170, and continuing along said Southern Right—of—Way line of Vacated Scudder Road, North 83 degrees 12 minutes 00 seconds West, 917.78 feet to an Iron Rod with cap stamped "DMA, INC L.S.-336D", located at the intersection point of the Western Right-of-Way of Vacated Brown Road, (formerly 40 feet wide, A.K.A. Country Day Lane) with said Southern Right-of-Way line of former Scudder Road (both roads Vacated per Southern Right-of-Way line of former Scudder Road (both roads Vacated per Ordinance 3577, as recorded in Book 14286, Page 594); THENCE, departing said Scudder Road and continuing with the former Westerly and Southerly Right-of-Way line of Vacated Brown Road the following courses and distances: North 11 degrees 42 minutes 07 seconds East, 462.28 feet to an Iron Rod with cop stamped "DMA, INC L.S.-3360"; THENCE, North 83 degrees 00 minutes 00 seconds West, 663.40 feet to an Iron Rod with cap stamped "DMA, INC L.S.-3360"; THENCE, North 47 degrees 04 minutes 00 seconds West, 571.72 feet to an Iron Rod with cap stamped "DMA, INC L.S. 336D" and a point of curvature; THENCE, following a curve to the left, and concave to the south, an Arc Length of 4.60 feet, said curve having a Radius of 2.00 feet, a Chord that bears South 66 degrees 59 minutes 33 seconds West, and 3.65 feet distant to an Iron Rod with cap stamped "DMA, INC L.S.-3360" at the cusp of two curves in the Eastern Right-of-Way of James S. McDonnell Boulevard (public, variable width, and formerly Brown Road) as relocated and described in Deed Book 7323, Page 1352 of Saint Louis County Records; THENCE, continuing coincident with said Eastern Right—of—Way of James S. McDonnell Boulevard the following courses and distances: departing the aforementioned Southerly Right—of—Way of Vacated Brown Road, and continuing along a non-tangent curve to the right, concave to the east, and having an Arc Length of 56.66 feet, a Radius of 536.89 feet, a Chord that bears North 04 degrees 04 minutes 29 seconds East, and is 56.63 feet distant to an Iron Rod with cap stamped "DMA, INC L.S. 336D": THENCE, along a line, not tangent to the previous curve, North 48 degrees 12 minutes 20 seconds East, 26.85 feet to an Iron Rod with cap stamped "DMA, INC L.S. 336D"; THENCE, North 00 degrees 22 minutes 00 seconds East, 1,817.25 feet to an Iron Rod with cap stamped "DMA, INC L.S. 336D" at a point of curvature for the rounding of the intersection of said Eastern Right-of-Way line of said James S. McDonnell Boulevard and the Southern Right-of-Way line of the aforementioned Airport Road (public, variable width); THENCE, along said rounding, a curve to the right, an Arc Length of 47.12 feet, having a Radius of 30.00 feet, a Chord that bears North 45 degrees 22 minutes 00 seconds East, and is 42.43 feet distant to an Iron Rod with cap stamped "DMA, INC L.S. 336D"; THENCE, departing said Eastern Right-of-Way for James S. McDonnell Boulevard, and continuing coincident with aforesaid Southern Right-of-Way of Airport Road, South 89 degrees 38 minutes 00 seconds East, 1,522.30 feet, to the POINT OF BEGINNING. The Brownleigh Tract adjusted boundary is containing a total area of 5,163,320 square feet, or 118.534 acres more or less.

