

**ORDINANCE #66983**  
**Board Bill No. 328**  
**Committee Substitute**

**AN ORDINANCE ESTABLISHING AND CREATING A PLANNED UNIT DEVELOPMENT DISTRICT FOR A PORTION OF CITY BLOCK 3884 TO BE KNOWN AS THE "PARK EAST LOFTS PLANNED UNIT DEVELOPMENT DISTRICT"; AND CONTAINING A SEVERABILITY CLAUSE.**

**WHEREAS**, the zoning ordinance of the City of St. Louis authorizes the establishment and creation of Planned Unit Development Districts (PUD's), a special zoning "overlay" tool authorizing the appropriate development of residential or commercial uses, or the combination thereof, in the best interests of the City and to provide for a scale and flexibility of development which could not otherwise be achieved through the existing single-use zoning districts, without detriment to neighboring properties; and

**WHEREAS**, on November 2, 2005, at the regular November meeting of the Planning Commission of the City of St. Louis, a Sketch Plan submitted as a request for Planned Unit Development District designation by Opus NWR Development, Inc. and the Treasurer's Office of the City of St. Louis for property under the ownership of the Treasurer's Office of the City of St. Louis in City Block 3884 was presented; and

**WHEREAS**, the Planning Commission has reviewed said Sketch Plan and determined compatibility with the City's Comprehensive City Plan of 1947 and other applicable zoning and redevelopment regulations established for the proposed Planned Unit Development District provided the subsequent Detailed Development Plan include documentation as to the details of the development; and

**WHEREAS**, the Planning Commission made all requisite findings as required by 26.80.050 of the Revised Code of the City of St. Louis and approved and adopted said Sketch Plan by Resolution No. PDA-174-05-PUD on November 2, 2005 with conditions and has provided a report of its vote to the Clerk of the Board of Aldermen;

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

**SECTION ONE.** Findings of Fact.

The Board of Aldermen of the City of St. Louis hereby find and determine that: (i) the Park East Lofts Planned Unit Development District, as submitted by Opus NWR Development, Inc. and the Treasurer's Office of the City of St. Louis and recommended by the City of St. Louis Planning Commission with conditions, encourages appropriate development; (ii) the Park East Lofts Sketch Plan approved with conditions by the Planning Commission on November 2, 2005 is in the best interest of the City of St. Louis; (iii) the Park East Lofts Sketch Plan with conditions recommended by the Planning Commission accomplishes the purposes set forth in 26.80.050.A of the Revised Code of the City of St. Louis; and (iv) the Park East Lofts Sketch Plan with conditions recommended by the Planning Commission meets the conditions set forth in 26.80.050.E of the Revised Code of the City of St. Louis.

**SECTION TWO.** Requirements Regarding Detailed Development Plan.

The Sketch Plan is the first step in the approval of a project seeking to be developed within and in accordance with the rules pertaining to a Planned Unit Development District. At a later time, the Developer submits for review by the Planning Commission a Detailed Development Plan for a portion of, or all, of the area included in the Planned Unit Development District. This Detailed Development Plan is compared for conformity with the approved Sketch Plan by the Planning Commission. The Planning Commission on November 2, 2005, in making its recommendation to the developer and the Board of Aldermen regarding the Park East Lofts Sketch Plan, included two conditions within the recommendation regarding modifications to the presented Sketch Plan that are recommended to be included in the Detailed Development Plan. They are: (i) the applicant explore ways to reduce the impact of the proposed building on the adjacent Buckingham Condominium building, 4928 Buckingham Court, and that this be documented in the subsequent Development Plan; and (ii) to ensure that in the event the proposed private alley indicated on the Sketch Plan is built, that it will be adequate for the needs of the Park East Lofts development project and the western end of Buckingham Court from a traffic circulation and aesthetic viewpoint, the applicant meet with the Director of the Street Department and the President of the Board of Public Service and receive their written approval of the proposed private alley, and that this be documented in the subsequent Development Plan. In the alternative, the Detailed Development Plan may eliminate the private alley and provide for ingress and egress onto Euclid by way of a private drive, with any remaining space in the former Buckingham right of way to be green space. In addition, the Detailed Development Plan may provide for approximately fifty-two living units in the Project, and for balconies extending a maximum of six feet beyond the building line on the east side of the building.

**SECTION THREE.** In addressing the requirements set forth in 26.80.050.H of the Revised Code of the City of St. Louis pertaining to Detailed Development Plan Standards, the submittal of the Detailed Development Plan for the Park East Lofts Planned Unit Development District shall include documentation showing a minimum of 3,000 sq. ft. [20%] of the site in open space, but none of the open space shall be public.

**SECTION FOUR.** Establishment and Creation of Park East Lofts Planned Unit Development District.

The Park East Lofts Planned Unit Development District, as proposed in the Park East Lofts Sketch Plan (attached hereto as **Exhibit A**), is hereby approved and adopted as recommended by the Planning Commission. There is hereby created a Planned Unit Development District, to be known as the Park East Lofts Planned Unit Development District, for the real property described below:

**PARCEL 1: PART OF LOT 16**

A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being part of Lot 16 of Dameron's Subdivision, filed for record in Plat Book 19, Page 124 in the land Records of said City of St. Louis more particularly described as follows:

Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection also being the Southeast corner of said City Block 3884; thence along said North right-of-way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet wide; thence along said East right-of-way line of South Court, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of Lot 17 of said Dameron's Subdivision, said corner also being the Southwest corner of Lot 18 of said Dameron's Subdivision and the Southeast corner of that portion of South Court vacated by Ordinance No. 63607; thence along the South line of said vacated portion of South Court, North 82 degrees 00 minutes 00 seconds West, a distance of 44.00 feet to the Southeast corner of said Lot 16, said corner also being the TRUE POINT OF BEGINNING for the herein described tract; thence along the South line of said Lot 16, North 82 degrees 00 minutes 00 seconds West, a distance of 55.00 feet; thence leaving said South line of Lot 16, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the South right-of-way line of Buckingham Court, 50 feet wide, said corner also on the North line of said Lot 16; thence along said South right-of-way line of Buckingham Court and said North line of Lot 16, South 82 degrees 00 minutes 00 seconds East, a distance of 55.00 feet to the Northeast corner of said Lot 16, said corner also being the Northwest corner of said vacated portion of South Court; thence along the East line of said Lot 16 and the West line of said vacated portion of South Court, South 08 degrees 00 minutes 00 seconds West, a distance of 99.02 feet to the Point of Beginning.

Containing 5,445 square feet (0.13 acres) according to a survey by J. R. Grimes Consulting Engineers, Inc.

**PARCEL 2: LOT 18**

A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being of all Lot 18 of Dameron's Subdivision, filed for record in Plat Book 19, Page 124 in the land Records of said City of St. Louis more particularly described as follows:

Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection also being the Southeast corner of said City Block 3884; thence along said North right-of-way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet wide; thence along said East right-of-way line of South Court, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of Lot 17 of said Dameron's Subdivision, said corner also being the Southeast corner of that portion of South Court vacated by Ordinance No. 63607, the Southwest corner of said Lot 18 and the TRUE POINT OF BEGINNING for the herein described tract; thence along the East line of said vacated portion of South Court and the West line of said Lot 18, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the South right-of-way line of Buckingham Court, 50 feet wide, said corner also being the Northeast corner of said vacated portion of South Court and the Northwest corner of said Lot 18; thence along said South right-of-way line of Buckingham Court and the North line of said Lot 18, South 82 degrees 00 minutes 00 seconds East, a distance of 85.02 feet to the Northeast corner of said Lot 18, said corner also being the Northwest corner of Lot 20 of said Dameron's Subdivision; thence along the common line between said Lots

18 & 20, South 08 degrees 00 minutes 00 seconds West, a distance of 99.02 feet to the Southwest corner of said Lot 20, said corner also being the Southeast corner of said Lot 18 and on the North line of said Lot 17; thence along the common line between said Lots 17 & 18, North 82 degrees 00 minutes 00 seconds West, a distance of 85.02 feet to the Point of Beginning.

Containing 8,420 square feet (0.19 acres) according to a survey by J. R. Grimes Consulting Engineers, Inc.

PARCEL 3: PART OF SOUTH COURT

A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being all of that portion of South Court, 44 feet wide, vacated by Ordinance No. 63607 more particularly described as follows:

Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection also being the Southeast corner of said City Block 3884; thence along said North right-of-way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet wide; thence along said East right-of-way line of South Court, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of said Lot 17, said corner also being the Southeast corner of that portion of South Court vacated by Ordinance No. 63607, the Southwest corner of said Lot 18 and the TRUE POINT OF BEGINNING for the herein described tract; thence North 82 degrees 00 minutes 00 seconds West, a distance of 44.00 feet to the Southeast corner of Lot 16 of said Dameron's Subdivision; thence along the East line of said Lot 16, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the South right-of-way line of Buckingham Court, 50 feet wide, said corner also being the Northeast corner of said Lot 16; thence along said South right-of-way line of Buckingham Court, South 82 degrees 00 minutes 00 seconds East, a distance of 44.00 feet to the Northwest corner of said Lot 18; thence along the West line of said Lot 18, South 08 degrees 00 minutes 00 seconds West, a distance of 99.02 feet to the Point of Beginning.

Containing 4,355 square feet (0.10 acres) according to a survey by J. R. Grimes Consulting Engineers, Inc.

PARCEL 4: LOT 20

A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being all of Lot 20 of Dameron's Subdivision, filed for record in Plat Book 19 page 124 in the land Records of said City of St. Louis more particularly described as follows:

Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection also being the Southeast corner of said City Block 3884, the Southeast corner of Lot 19, thence along said North right-of-way line of Laclede Avenue and the South line of Lots 19 and 17, North 82 degrees 00 minutes 00 seconds West, a distance of 200.10 feet to the Southwest corner of said Lot 17, said corner also being on the East right-of-way line of South Court, 44 feet wide; thence along said East right-of-way line of South Court and the West line of Lot 17, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of said Lot 17, said corner also being the Southwest corner of said Lot 18 of said Dameron's Subdivision; thence along the common line between Lots 17 & 18, South 82 degrees 00 minutes 00 seconds East, a distance of 85.02 feet to the Southwest corner of said Lot 20, said corner also being the Southeast corner of said Lot 18 and the TRUE POINT OF BEGINNING for the herein described tract; thence along the common line between said Lots 18 & 20, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the Northeast corner of said Lot 18, said corner also being the Northwest corner of said Lot 20 and on the South right-of-way line of Buckingham Court, 50 feet wide; thence along the North line of said Lot 20 and said South right-of-way line of Buckingham Court, South 82 degrees 00 minutes 00 seconds East, a distance of 100.84 feet to the Northeast corner of said Lot 20, said corner also being on the West right-of-way line of Euclid Avenue; thence along said West right-of-way line of Euclid Avenue and the East line of said Lot 20, South 00 degrees 10 minutes 48 seconds East, a distance of 100.04 feet to the Southeast corner of said Lot 20, said corner also being the Northeast corner of said Lot 19; thence along the common line between said Lot 20 and Lots 17 & 19, North 82 degrees 00 minutes 00 seconds West, a distance of 100.84 feet to the point of beginning.

Containing 9,280 square feet (0.21 acres) according to a survey by J. R. Grimes Consulting Engineers, Inc.

## PARCEL 5: BUCKINGHAM COURT

A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being part of Buckingham Court, 50 feet wide, as shown on Dameron's Subdivision, a subdivision recorded in Plat Book 19, Page 124 of the Recorder's Office of St. Louis City, Missouri and being more particularly described as follows:

Beginning at the intersection of the West right-of-way of Euclid Avenue, 60 feet wide and the South right-of-way of said Buckingham Court, said point also being the Northeast corner of Lot 20 of said Dameron's Subdivision and the TRUE POINT OF BEGINNING for the herein described tract; thence along the North line of said Lot 20, the North line of Lots 18 & 16 of said Dameron's Subdivision, and the North line of South Court, 44 feet wide, as vacated by Ordinance No. 63607, North 82 degrees 00 minutes 00 seconds West, a distance of 251.65 feet; thence leaving said North line of Lot 16, North 08 degrees 00 minutes 00 seconds East, a distance of 50.00 feet to the Southwest corner of Lot 4 of said Dameron's Subdivision; thence along the South line of said Lot 4 and the South line of Lot 2 of said Dameron's Subdivision, South 82 degrees 00 minutes 00 seconds East, a distance of 244.46 feet to the Southeast corner of said Lot 2, said point also being on said West right-of-way of Euclid Avenue; thence South 00 degrees 10 minutes 48 seconds East, a distance of 50.51 feet to the Point of Beginning.

Containing 0.28 acres (12,400 square feet) according to a survey by J. R. Grimes Consulting Engineers, Inc.

**SECTION FIVE.** Severability Clause.

The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

**Approved: February 16, 2006**