

ORDINANCE #66356
Board Bill No. 132

An ordinance establishing and creating a Planned Unit Development District for all of City Block 1087.05, a portion of City Block 1088 to be known as the "5th Ward Elderly Development Planned Unit Development District"; containing a severability clause and an emergency 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 June 2, 2004, at the regular June 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 Pyramid Construction, Inc. for property in all of City Block 1087.05, a portion of City Block 1088, a portion of Sullivan Avenue, and all of the east-west alley located in City Block 1087.05 was presented; and

Whereas, the Planning Commission has reviewed said Sketch Plan and determined compatibility with other applicable zoning and redevelopment regulations established for the proposed Planned Unit Development District area; 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-072-04-PUD on June 2, 2004 and such resolution has been provided to 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 5th Ward Elderly Development Planned Unit Development District, as proposed in the Pyramid Construction, Inc. Sketch Plan, encourages appropriate development of residential uses; (ii) the Pyramid Construction, Inc. Sketch Plan approved by the Planning Commission on June 2, 2004 is in the best interest of the City of St. Louis; (iii) the Pyramid Construction, Inc. Sketch Plan accomplishes the purposes set forth in 26.80.050.A of the Revised Code of the City of St. Louis; and (iv) the Pyramid Construction, Inc. Sketch Plan meets the conditions set forth in 26.80.050.E of the Revised Code of the City of St. Louis.

SECTION TWO. Establishment and Creation of 5th Ward Elderly Development Planned Unit Development District.

The 5th Ward Elderly Development Planned Unit Development District, as proposed in the Pyramid Construction, Inc. Sketch Plan (attached hereto as Exhibit A), is hereby approved and adopted. There is hereby created a Planned Unit Development District to be known as the 5th Ward Elderly Development Planned Unit Development District for the real property described below:

A tract of land being all of City Block 1087-N and the South part of City Block 1088 of the City of St. Louis, and all of vacated Sullivan Street, 60' wide, and all of a vacated alley, 15' wide, contained within City Block 1087-N, of the City of St. Louis, Missouri, and more particularly described as follows: Beginning at the Southeast corner of City Block 1087-N, said point is also at the intersection of the West line of 23rd Street, 60' wide, with the North line of Dodier Street, 50' wide; thence along the South line of City Block 1087-N and along the North line of said Dodier Street, N 75o05'35" W a distance of 500.67' by survey, to the Southwest corner of City Block 1078-N and to the intersection of the East line of 25th Street, 60' wide, with the North line of Dodier Street, 50' wide; thence along the West line of City Block 1087-N and City Block 1088 and their North prolongation, N 15o08'55" E a distance of 436.76' by survey, to the South line of an Alley, 20' wide, and to the Northwest corner of Lot 1 in Block 23 of Union Addition in City Block 1088; thence along the North line of Lots 1 through 10 and along the South line of said Alley, 20' wide, S 75o12'12" E a distance of 500.16' by survey, to the Northeast corner of Lot 10 and also to the West line of 23rd Street, 60' wide; thence along the East line of said Lot 10 and along the East line of City Block 1088, S 15o06'00" W a distance of 144.95' by survey, to the Southeast corner of said Lot 10; thence continuing along the North prolongation of City Block 1087-N, S 15o04'18" W a distance of 292.77' by survey, to the Southeast corner of City Block 1087-N and also to the

intersection of the West line of 23rd Street, 60' wide, with the North line of Dodier Street, 50' wide, and also to the point of beginning containing 5.02 Acres, more or less, according to a Survey performed by T.L. Consultants in March, 2004.

SECTION THREE. 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.

SECTION FOUR. Emergency Clause.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the mayor.

EXHIBIT A

See attached Exhibit A.

Approved: July 31, 2004

ORDINANCE NO. 66356 - EXHIBIT A

