

ORDINANCE #68720
Board Bill No. 105

An Ordinance to amend Ordinance No. 58728, approved December 23, 1982, and as amended by Ordinance No. 59248, approved September 10, 1984, and as amended by Ordinance No. 60530, approved October 30, 1987 and as amended by Ordinance No. 65133 approved on January 18, 2001 enlarging the boundaries thereof, and as amended by Ordinance No. 66767 approved on or about June 30, 2005, relating to the Locust Central Business District, a special business district, established pursuant to the provisions of Sections 71.790 – 71.808 R.S.Mo.; by repealing Section One of Ordinance No. 65133 which contains the boundaries of the District and enacting a new section pertaining to the same subject matter, and enlarging the boundaries of the District; and containing effectiveness, severability, savings and emergency clauses.

WHEREAS, the Board of Aldermen did on June 18, 2010 introduce Resolution No. 116 declaring its intention to amend the Locust Central Business District (the "LBD") which was established by Ordinance No. 58728, approved December 23, 1982, and which was subsequently amended from time to time, by enlarging the LBD to include all the real property within the area of the geographic boundaries of the LBD and calling for a public hearing on the matter; and

WHEREAS, a public hearing was held at _____ on _____, by the Board of Aldermen; and

WHEREAS, on _____ 2010 the Board of Aldermen adopted Resolution No. 116.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 65133, approved on or about January 18, 2001, is hereby amended by repealing Section One thereof and enacting in lieu thereof a new Section One to be and read as follows:

SECTION ONE. A Special Business District, to be known as the "Locust Central Business District", is hereby established for the area of the City depicted in Exhibit "A" attached hereto and incorporated herein, and described as follows:

A parcel of property beginning at the intersection of the centerlines of 18th Street and Delmar Boulevard, thence west along the centerline of Delmar Boulevard to the centerline of Leffingwell Avenue, thence south along the centerline of Leffingwell Avenue to the centerline of the east-west alley between Washington Avenue and Samuel Shepard Drive, thence west along the centerline of said alley to the centerline of Cardinal Avenue thence north to the centerline of Samuel Shepard Drive, thence west to the centerline of Theresa thence south along the centerline of Theresa to the centerline of Washington Boulevard, thence west along said centerline to its intersection with the Northerly extension of the Westerly property line of a tract of land conveyed to Mon F. Wong and Jean Y. h/w; thence Southerly along said Northerly extension of said Westerly property line and its Southerly extension thereof to the centerline of an alley; thence Easterly along said centerline to the centerline of Theresa Avenue; thence Southerly along said centerline to the centerline of Olive Street; thence Southeasterly along said centerline to its intersection with the Northerly extension of the Easterly property line of a tract of land conveyed to St. Louis University; thence Southerly along said Northerly extension and Easterly property line and its Southerly extension thereof to the centerline of Lindell Blvd.; thence east to the centerline of Olive street, thence east along the centerline of Olive Street to the centerline of 23rd Street, thence south along the centerline of 23rd Street to the centerline of Market Street, thence east along the centerline of Market Street to the center line of 22nd Street, thence south along the centerline of 22nd Street to the centerline of Clark Street, thence west along the centerline of Clark Street to the centerline of Jefferson Avenue, thence south along the centerline of Jefferson Avenue to the centerline of Scott Avenue, thence east along the centerline of Scott Avenue to a point of intersection with the western line of the right-of-way of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, thence north along the western line of the right-of-way of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District to the centerline of 21st Street, thence north along the centerline of 21st Street to the centerline of Market Street, thence east along the centerline of Market Street to the centerline of 18th Street, thence north along the centerline of 18th Street to the point of beginning.

Excluded from the area herein above described shall be the following properties:

- (1) located in City Block 1696E: Parcel 10 (the building and property known or formerly known as Harry's Restaurant, with a street address of 2144 Market Street).

(2) located in City Block 1709A: Parcel 20 (the building and property known or formerly known as Marcone Appliance Parts Center, with a street address of 2300 Clark Street).

(3) located in City Block 1709A: Parcel 10 (the building and property known or formerly known as the Bissell property, with a street address of 300 South Jefferson).

(4) located in City Block 1709B: Parcel 50 (the building(s) and property known or formerly known as United Parcel Service, with a street address of 520 South Jefferson Avenue).

(5) located in City Block 1709B: Parcel 40 (the building and property owned by Ramona Lockhead, a married person, commonly known or formerly known as the "Dixie Cream" building, with a street address of 2215 Scott Avenue).

(6) located in City Block 1709B: Parcels 30 and 90 (the building and property known or formerly known as the Area Rescue Consortium of Hospitals ("ARCH"), with a street address of 2207 Scott Avenue).

SECTION TWO. Except as otherwise amended herein, all provisions of Ordinance No. 58728, approved December 23, 1982, and Ordinance No. 59248, approved September 10, 1984, Ordinance No. 60530, approved October 30, 1987, and Ordinance No. 65133, approved on or about January 18, 2001, and Ordinance No. 66767 approved on or about June 30, 2005 shall remain in full force and effect.

SECTION THREE. Severability Clause. If any sentence, clause, section or any part of this ordinance is for any reason held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intent of the Board of Aldermen that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

SECTION FOUR. Effectiveness Clause. This ordinance shall not be effective unless and until the following proposition, submitted to the qualified voters in the Locust Central Business District at the City-wide election to be held on November 2, 2010, or the next City-wide election thereafter, shall receive in its favor the votes of the majority of the qualified voters voting at said election for or against said proposition. Said proposition shall be in substantially the following form:

OFFICIAL BALLOT

PROPOSITION _____

Shall a tax of \$0.85 per \$100.00 valuation be imposed on all real property, located in the Locust Central Business District as established by Ordinance No. 58728, approved December 23, 1982, as amended by Ordinance No. 59248, approved September 10, 1984, as amended by Ordinance No. 60530, approved October 30, 1987, and as amended by Ordinance No. 65133, approved on or about January 18, 2001, enlarging the boundaries thereof, and Ordinance No. 66767, and Ordinance No. _____ to include all areas of real property for the purposes set forth in said Ordinance No. 58728, Ordinance No. 59248, Ordinance No. 60530, Ordinance No. 65133, Ordinance No. 66767 and Ordinance No. _____?

_____ YES

_____ NO

SECTION FIVE. Savings Clause. The repeal of any ordinance or section thereof by this ordinance shall not affect or impair any prosecution had or commenced in any case before such repeal takes effect; but every such prosecution had or commenced shall remain in full force and effect for all intents and purpose as if such ordinance or section thereof so repealed had remained in force. No offense committed and no penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or section thereof shall be repealed by this ordinance, shall be discharged or affected by such repeal or alteration; but prosecutions for such offenses, penalties, fines, or forfeitures shall be instituted and proceeded within all respects as if such prior ordinance or section thereof had not been repealed or altered.

SECTION SIX. 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.

Approved: July 13, 2010