

2

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

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

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

20 **WHEREAS,** the Planning Commission has reviewed said Sketch Plan and
21 determined compatibility with the City's Comprehensive City Plan of 1947 and other
22 applicable zoning and redevelopment regulations established for the proposed Planned

1 Unit Development District provided the subsequent Detailed Development Plan include
2 documentation as to the details of the development; and

3 **WHEREAS**, the Planning Commission made all requisite findings as required by
4 26.80.050 of the Revised Code of the City of St. Louis and approved and adopted said
5 Sketch Plan by Resolution No. PDA-174-05-PUD on November 2, 2005 with conditions
6 and has provided a report of its vote to the Clerk of the Board of Aldermen;

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

9 **SECTION ONE.** Findings of Fact.

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

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

22 The Sketch Plan is the first step in the approval of a project seeking to be developed
23 within and in accordance with the rules pertaining to a Planned Unit Development

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1 District. At a later time, the Developer submits for review by the Planning Commission a
2 Detailed Development Plan for a portion of, or all, of the area included in the Planned
3 Unit Development District. This Detailed Development Plan is compared for conformity
4 with the approved Sketch Plan by the Planning Commission. The Planning Commission
5 on November 2, 2005, in making its recommendation to the developer and the Board of
6 Aldermen regarding the Park East Lofts Sketch Plan, included two conditions within the
7 recommendation regarding modifications to the presented Sketch Plan that are
8 recommended to be included in the Detailed Development Plan. They are: (i) the
9 applicant explore ways to reduce the impact of the proposed building on the adjacent
10 Buckingham Condominium building, 4928 Buckingham Court, and that this be
11 documented in the subsequent Development Plan; and (ii) to ensure that the proposed
12 private alley will be adequate for the needs of the Park east Lofts development project
13 and the western end of Buckingham Court from a traffic circulation and aesthetic
14 viewpoint, the applicant meet with the Director of the Street Department and the
15 President of the Board of Public Service and receive their written approval of the
16 proposed private alley, and that this be documented in the subsequent Development Plan.

17 **SECTION THREE.** In addressing the requirements set forth in 26.80.050.H of
18 the Revised Code of the City of St. Louis pertaining to Detailed Development Plan
19 Standards, the submittal of the Detailed Development Plan for the Park East Lofts
20 Planned Unit Development District shall include documentation showing a minimum of
21 20% of the site in open space, but none of the open space shall be required to be public.

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

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

6 **PARCEL 1: PART OF LOT 16**

7

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

11

12 Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet
13 wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection
14 also being the Southeast corner of said City Block 3884; thence along said North right-of-
15 way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of
16 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet
17 wide; thence along said East right-of-way line of South Court, North 08 degrees 00
18 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of Lot 17 of
19 said Dameron's Subdivision, said corner also being the Southwest corner of Lot 18 of
20 said Dameron's Subdivision and the Southeast corner of that portion of South Court
21 vacated by Ordinance No. 63607; thence along the South line of said vacated portion of
22 South Court, North 82 degrees 00 minutes 00 seconds West, a distance of 44.00 feet to
23 the Southeast corner of said Lot 16, said corner also being the TRUE POINT OF
24 BEGINNING for the herein described tract; thence along the South line of said Lot 16,
25 North 82 degrees 00 minutes 00 seconds West, a distance of 55.00 feet; thence leaving
26 said South line of Lot 16, North 08 degrees 00 minutes 00 seconds East, a distance of
27 99.02 feet to the South right-of-way line of Buckingham Court, 50 feet wide, said corner
28 also on the North line of said Lot 16; thence along said South right-of-way line of
29 Buckingham Court and said North line of Lot 16, South 82 degrees 00 minutes 00
30 seconds East, a distance of 55.00 feet to the Northeast corner of said Lot 16, said corner
31 also being the Northwest corner of said vacated portion of South Court; thence along the
32 East line of said Lot 16 and the West line of said vacated portion of South Court, South
33 08 degrees 00 minutes 00 seconds West, a distance of 99.02 feet to the Point of
34 Beginning.

35

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

38

39 **PARCEL 2: LOT 18**

40

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1 A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being of
2 all Lot 18 of Dameron's Subdivision, filed for record in Plat Book 19, Page 124 in the
3 land Records of said City of St. Louis more particularly described as follows:
4

5 Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet
6 wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection
7 also being the Southeast corner of said City Block 3884; thence along said North right-of-
8 way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of
9 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet
10 wide; thence along said East right-of-way line of South Court, North 08 degrees 00
11 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of Lot 17 of
12 said Dameron's Subdivision, said corner also being the Southeast corner of that portion of
13 South Court vacated by Ordinance No. 63607, the Southwest corner of said Lot 18 and
14 the TRUE POINT OF BEGINNING for the herein described tract; thence along the East
15 line of said vacated portion of South Court and the West line of said Lot 18, North 08
16 degrees 00 minutes 00 seconds East, a distance of 99.02 feet to the South right-of-way
17 line of Buckingham Court, 50 feet wide, said corner also being the Northeast corner of
18 said vacated portion of South Court and the Northwest corner of said Lot 18; thence
19 along said South right-of-way line of Buckingham Court and the North line of said Lot
20 18, South 82 degrees 00 minutes 00 seconds East, a distance of 85.02 feet to the
21 Northeast corner of said Lot 18, said corner also being the Northwest corner of Lot 20 of
22 said Dameron's Subdivision; thence along the common line between said Lots 18 & 20,
23 South 08 degrees 00 minutes 00 seconds West, a distance of 99.02 feet to the Southwest
24 corner of said Lot 20, said corner also being the Southeast corner of said Lot 18 and on
25 the North line of said Lot 17; thence along the common line between said Lots 17 & 18,
26 North 82 degrees 00 minutes 00 seconds West, a distance of 85.02 feet to the Point of
27 Beginning.
28

29 Containing 8,420 square feet (0.19 acres) according to a survey by J. R. Grimes
30 Consulting Engineers, Inc.
31

32 **PARCEL 3: PART OF SOUTH COURT**
33

34 A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being all
35 of that portion of South Court, 44 feet wide, vacated by Ordinance No. 63607 more
36 particularly described as follows:
37

38 Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet
39 wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection
40 also being the Southeast corner of said City Block 3884; thence along said North right-of-
41 way line of Laclede Avenue, North 82 degrees 00 minutes 00 seconds West, a distance of
42 200.10 feet to its intersection with the East right-of-way line of South Court, 44 feet
43 wide; thence along said East right-of-way line of South Court, North 08 degrees 00
44 minutes 00 seconds East, a distance of 99.02 feet to the Northwest corner of said Lot 17,
45 said corner also being the Southeast corner of that portion of South Court vacated by

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1 Ordinance No. 63607, the Southwest corner of said Lot 18 and the TRUE POINT OF
2 BEGINNING for the herein described tract; thence North 82 degrees 00 minutes 00
3 seconds West, a distance of 44.00 feet to the Southeast corner of Lot 16 of said
4 Dameron's Subdivision; thence along the East line of said Lot 16, North 08 degrees 00
5 minutes 00 seconds East, a distance of 99.02 feet to the South right-of-way line of
6 Buckingham Court, 50 feet wide, said corner also being the Northeast corner of said Lot
7 16; thence along said South right-of-way line of Buckingham Court, South 82 degrees 00
8 minutes 00 seconds East, a distance of 44.00 feet to the Northwest corner of said Lot 18;
9 thence along the West line of said Lot 18, South 08 degrees 00 minutes 00 seconds West,
10 a distance of 99.02 feet to the Point of Beginning.

11
12 Containing 4,355 square feet (0.10 acres) according to a survey by J. R. Grimes
13 Consulting Engineers, Inc.

14
15 **PARCEL 4: LOT 20**

16
17 A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being all
18 of Lot 20 of Dameron's Subdivision, filed for record in Plat Book 19 page 124 in the land
19 Records of said City of St. Louis more particularly described as follows:

20
21 Commencing at the intersection of the West right-of-way line of Euclid Avenue, 60 feet
22 wide and the North right-of-way line of Laclede Avenue, 80 feet wide, said intersection
23 also being the Southeast corner of said City Block 3884, the Southeast corner of Lot 19,
24 thence along said North right-of-way line of Laclede Avenue and the South line of Lots
25 19 and 17, North 82 degrees 00 minutes 00 seconds West, a distance of 200.10 feet to the
26 Southwest corner of said Lot 17, said corner also being on the East right-of-way line of
27 South Court, 44 feet wide; thence along said East right-of-way line of South Court and
28 the West line of Lot 17, North 08 degrees 00 minutes 00 seconds East, a distance of 99.02
29 feet to the Northwest corner of said Lot 17, said corner also being the Southwest corner
30 of said Lot 18 of said Dameron's Subdivision; thence along the common line between
31 Lots 17 & 18, South 82 degrees 00 minutes 00 seconds East, a distance of 85.02 feet to
32 the Southwest corner of said Lot 20, said corner also being the Southeast corner of said
33 Lot 18 and the TRUE POINT OF BEGINNING for the herein described tract; thence
34 along the common line between said Lots 18 & 20, North 08 degrees 00 minutes 00
35 seconds East, a distance of 99.02 feet to the Northeast corner of said Lot 18, said corner
36 also being the Northwest corner of said Lot 20 and on the South right-of-way line of
37 Buckingham Court, 50 feet wide; thence along the North line of said Lot 20 and said
38 South right-of-way line of Buckingham Court, South 82 degrees 00 minutes 00 seconds
39 East, a distance of 100.84 feet to the Northeast corner of said Lot 20, said corner also
40 being on the West right-of-way line of Euclid Avenue; thence along said West right-of-
41 way line of Euclid Avenue and the East line of said Lot 20, South 00 degrees 10 minutes
42 48 seconds East, a distance of 100.04 feet to the Southeast corner of said Lot 20, said
43 corner also being the Northeast corner of said Lot 19; thence along the common line
44 between said Lot 20 and Lots 17 & 19, North 82 degrees 00 minutes 00 seconds West, a
45 distance of 100.84 feet to the point of beginning.

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1
2 Containing 9,280 square feet (0.21 acres) according to a survey by J. R. Grimes
3 Consulting Engineers, Inc.

4
5 **PARCEL 5: BUCKINGHAM COURT**
6

7 A tract of land lying in City Block 3884 of the City of St. Louis, Missouri and being part
8 of Buckingham Court, 50 feet wide, as shown on Dameron's Subdivision, a subdivision
9 recorded in Plat Book 19, Page 124 of the Recorder's Office of St. Louis City, Missouri
10 and being more particularly described as follows:
11

12 Beginning at the intersection of the West right-of-way of Euclid Avenue, 60 feet wide
13 and the South right-of-way of said Buckingham Court, said point also being the Northeast
14 corner of Lot 20 of said Dameron's Subdivision and the TRUE POINT OF BEGINNING
15 for the herein described tract; thence along the North line of said Lot 20, the North line of
16 Lots 18 & 16 of said Dameron's Subdivision, and the North line of South Court, 44 feet
17 wide, as vacated by Ordinance No. 63607, North 82 degrees 00 minutes 00 seconds West,
18 a distance of 251.65 feet; thence leaving said North line of Lot 16, North 08 degrees 00
19 minutes 00 seconds East, a distance of 50.00 feet to the Southwest corner of Lot 4 of said
20 Dameron's Subdivision; thence along the South line of said Lot 4 and the South line of
21 Lot 2 of said Dameron's Subdivision, South 82 degrees 00 minutes 00 seconds East, a
22 distance of 244.46 feet to the Southeast corner of said Lot 2, said point also being on said
23 West right-of-way of Euclid Avenue; thence South 00 degrees 10 minutes 48 seconds
24 East, a distance of 50.51 feet to the Point of Beginning.
25

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

28 **SECTION FOUR. Severability Clause.**

29 The provisions of this ordinance shall be severable. In the event that any provision of this
30 ordinance is found by a court of competent jurisdiction to be unconstitutional, the
31 remaining provisions of this ordinance are valid unless the court finds the valid
32 provisions of this ordinance are so essentially and inseparably connected with, and so
33 dependent upon, the void provision that it cannot be presumed that the Board of
34 Aldermen would have enacted the valid provisions without the void ones or unless the

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1 Court finds that the valid provisions, standing alone, are incomplete and incapable of
2 being executed in accordance with the legislative intent.

3 Planned Unit Development District

4 Sketch Plan

5 Park East Lofts PUD

6 (City Block 3884)

7 PDA-174-05-PUD

8 City of St. Louis Planning Commission

9 November 2, 2005 Meeting

10 At its November 2, 2005 meeting, the Planning Commission recommended
11 approval of Resolution No. PDA-174-05-PUD -- the Park East Lofts PUD's Sketch Plan -
12 - which calls for the development of a \$20 Million, six-story mixed use building,
13 including 48 residential condominium units, approximately 250 parking spaces,
14 approximately 6,000 square feet of retail space, and adding a 12-foot wide private alley,
15 all in City Block 3884. The Planning Commission's recommendation for approval
16 included the following two conditions regarding the presented Sketch Plan and future
17 detailed Development Plan: (i) the applicant explore ways to reduce the impact of the
18 proposed building on the adjacent Buckingham Condominium building, 4928
19 Buckingham Court, and that this be documented in the subsequent Development Plan;
20 and (ii) to ensure that the proposed private alley will be adequate for the needs of the
21 Park east Lofts development project and the western end of Buckingham Court from a
22 traffic circulation and aesthetic viewpoint, the applicant meet with the Director of the
23 Street Department and the President of the Board of Public Service and receive their

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- 1 written approval of the proposed private alley, and that this be documented in the
- 2 subsequent Development Plan.

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