

1 **AN ORDINANCE RECOMMENDED BY THE PLANNING**
2 **COMMISSION AND APPROVING AN AMENDED AND RESTATED**
3 **COMMUNITY UNIT PLAN FOR AN AREA LOCATED IN THE CITY OF**
4 **ST. LOUIS AND COMPRISING A PORTION OF THE WASHINGTON**
5 **UNIVERSITY DANFORTH CAMPUS; PLEDGING COOPERATION OF**
6 **THE BOARD OF ALDERMEN AND REQUESTING VARIOUS**
7 **OFFICIALS, DEPARTMENTS, BOARDS AND AGENCIES OF THE CITY**
8 **TO COOPERATE AND TO EXERCISE THEIR RESPECTIVE POWERS**
9 **IN A MANNER CONSISTENT WITH THE COMMUNITY UNIT PLAN;**
10 **AUTHORIZING AND DIRECTING THE TAKING OF OTHER**
11 **ACTIONS, AND APPROVAL AND EXECUTION OF OTHER**
12 **DOCUMENTS AS NECESSARY OR DESIRABLE TO CARRY OUT AND**
13 **COMPLY WITH THE INTENT HEREOF AND THE COMMUNITY UNIT**
14 **PLAN.**

15 **WHEREAS**, Section 26.80.070 of the Zoning Code of the City of St. Louis authorizes
16 the establishment and creation of Community Unit Plans (CUPs), a special zoning “overlay” tool
17 authorizing the appropriate development of residential or commercial uses, or the combination
18 thereof, to provide for a scale and flexibility of development which could not otherwise be
19 achieved through the existing single use zoning districts; and

20 **WHEREAS**, pursuant to St. Louis City Ordinance 65152 approved February 15, 2001,
21 the City of St. Louis approved the Washington University Hilltop Campus Community Unit Plan
22 (the “2001 CUP”) for an area bounded by Forest Park Parkway on the North, Skinker Boulevard

1 on the East, Forsyth Boulevard on the South and the city limits of the City of St. Louis on the
2 West, which area is legally described on **Exhibit A**, attached hereto and incorporated herein by
3 reference and depicted on the site plan, attached hereto as **Exhibit B** and incorporated herein by
4 reference (the “CUP Area”); and

5 **WHEREAS**, the 2001 CUP anticipated the construction, in four phases and over a period
6 of seven years, of several buildings for use by the Washington University School of Engineering,
7 a new visual arts and design center and the major renovation of three existing buildings along
8 Forsyth Boulevard immediately west of Skinker Boulevard; and

9 **WHEREAS**, Washington University in St. Louis (the “University”) has completed
10 construction of a biomedical research building, visual arts and design center, and the renovation
11 of existing buildings along Forsyth Boulevard in accordance with the 2001 CUP, along with
12 construction of major traffic upgrades to University Circle at the intersection of Brookings Drive,
13 Skinker Boulevard and Lindell Boulevard; and

14 **WHEREAS**, the University is now prepared to move forward with its plans for
15 construction of additional buildings for use by the School of Engineering, which plans contain
16 more detailed information for construction of the University’s engineering campus than the
17 information set forth in the 2001 CUP; and

18 **WHEREAS**, on September 17, 2006, the Hilltop Campus of the University was renamed
19 and dedicated as the Danforth Campus; and

20 **WHEREAS**, Section 26.80.070 of the Zoning Code of the City of St. Louis authorizes
21 the amendment of a Community Unit Plan pursuant to the provisions of the Zoning Code; and

22 **WHEREAS**, on December 5, 2007, the University submitted the “Washington
23 University in St. Louis Danforth Campus Amended and Restated Community Unit Plan” to the

1 Planning Commission (the “Amended Plan”) proposing to (i) update the timing of construction
2 for the remaining phases of development within the CUP Area; (ii) reflect refinements in the
3 expanded engineering campus and other future developments; (iii) change the name of the 2001
4 CUP to the “Washington University in St. Louis Danforth Campus Amended and Restated
5 Community Unit Plan” to be in accord with the renamed and re-dedicated campus; and (iv)
6 address the use of alternative energy sources within the CUP Area to further the University’s
7 environmental initiatives; and

8 **WHEREAS**, the Planning Commission reviewed such Amended Plan at its meeting on
9 December 5, 2007, and reported its findings and recommendations to the Board of Aldermen,
10 which report contains the Planning Commission’s reasons for approval and specific evidence and
11 facts regarding the conditions set forth in Section 26.80.070.C of the Revised Code of the City of
12 St. Louis.

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

14 **SECTION ONE.** Findings of Fact.

15 The Board of Aldermen of the City of St. Louis hereby finds and determines that: (i) the
16 values of buildings and the character of the property adjacent to the CUP Area will not be
17 adversely affected by the Amended Plan; (ii) the Amended Plan is consistent with the intent and
18 purposes of the Zoning Code to promote public health, safety, morals and general welfare; (iii)
19 the average lot area per family will not be reduced from that required by the underlying zoning
20 district; (iv) adoption of the Amended Plan is consistent with the intent of Section 26.80.070 of
21 the Zoning Code of the City of St. Louis; and (v) adoption of the Amended Plan is in the best
22 interests of the citizens of the City of St. Louis.

23 **SECTION TWO.** Approval of an Amended and Restated Community Unit Plan.

1 Pursuant to and in accordance with Section 26.80.070 of the Zoning Code of the City of
2 St. Louis, Community Unit Plan (CUP) approval is hereby given to the proposed Amended Plan
3 in accordance with the application and plans filed on December 5, 2007, designated and
4 identified as the “Washington University in St. Louis Danforth Campus Amended and Restated
5 Community Unit Plan,” a copy of which, including required plans, is attached hereto as **Exhibit**
6 **C** and incorporated herein by reference and is on permanent file in the office of the Zoning
7 Administrator.

8 **SECTION THREE.** Severability.

9 It is hereby declared to be the intention of the Board of Aldermen that each and every
10 part, section and subsection of this Ordinance shall be separate and severable from each and
11 every other part, section and subsection hereof and that the Board of Aldermen intends to adopt
12 each said part, section and subsection separately and independently of any other part, section and
13 subsection. In the event that any part, section or subsection of this Ordinance shall be
14 determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and
15 subsections shall be and remain in full force and effect, unless the court making such finding
16 shall determine that the valid portions standing alone are incomplete and are incapable of being
17 executed in accord with the legislative intent.

18 **SECTION FOUR.** Effective Date.

19 After adoption of this Ordinance by the Board of Aldermen, this Ordinance shall become
20 effective on the 30th day after its approval by the Mayor or adoption over his veto.

EXHIBIT A

LEGAL DESCRIPTION OF THE CUP AREA

Beginning at the Southeasterly corner of said City Block No. 5413, said point being in the Westerly line of Skinker (100' wide) Boulevard at said Westerly line's intersection with the Northerly line of Forsyth Boulevard; thence along said Northerly line, North 89 degrees 59 minutes 40 seconds West, a distance of 570.00 feet to the Southwesterly corner of said "City Block No. 5413"; thence leaving said Northerly line and along the Westerly line of said "City Block No. 5413: North 00 degrees 19 minutes 38 seconds East, a distance of 1159.19 feet to a point in the southerly line of Millbrook (formerly Rock Island Highway) Boulevard; thence along said Southerly line, North 00 degrees 14 minutes 14 seconds East, a distance of 7.59 feet to a point; thence South 89 degrees 42 minutes 52 seconds East, a distance of 170.01 feet to a point; thence South 00 degrees 03 minutes 40 seconds West, a distance of 15.00 feet to a point; thence South 89 degrees 55 minutes 49 seconds East; a distance of 369.74 feet to a point; thence along a curve to the right having a radius of 45.00 feet, the chord of which bears, South 68 degrees 53 minutes 59 seconds East, an arc distance of 33.07 feet to a point in the Westerly line of Skinker (100' wide) Boulevard; thence along said Westerly line, South 00 degrees 19 minutes 45 seconds West, a distance of 1138.90 feet to the point of beginning.

Said tract of land containing 15.116 acres (658,475 S.F.) more or less, and being situated in the City of St. Louis, Missouri.

EXHIBIT B

SITE PLAN OF THE CUP AREA

[Attached hereto.]

EXHIBIT C

WASHINGTON UNIVERSITY IN ST. LOUIS

DANFORTH CAMPUS AMENDED AND RESTATED COMMUNITY UNIT PLAN

[Attached hereto.]