

**ORDINANCE #71273**  
**Board Bill No. 142**

An ordinance approving a blighting study and Redevelopment Plan for the 4320-4330, 4350 and 4350R S. Kingshighway Blvd. Redevelopment Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2016, as amended ("RSMo"), (the "Statute" being Sections 99.300 to 99.715 inclusive), and as defined in Section 353.020 RSMo, finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to twenty years of tax abatement provided as follows: fifteen years (15) years of tax abatement based on 95% of the assessed value of the incremental improvements, followed by 5 years of tax abatement based on 90% of the assessed value of the incremental improvements; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

**WHEREAS**, the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire or other causes, or any combination of such factors, retards the provision of housing accommodations and constitutes an economic and social liability and a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Attachment "A"; and

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

**WHEREAS**, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a land clearance project ("Project") under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for the 4320-4330, 4350 and 4350R S. Kingshighway Blvd.," dated August 25, 2020 consisting of a Title Page, a Table of Contents Page, and nine (9) numbered pages, attached hereto and incorporated herein as Attachment "B" ("Plan"); and

**WHEREAS**, under the provisions of the Statute it is required that this Board take such actions as may be required to approve the Plan; and

**WHEREAS**, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and

**WHEREAS**, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Area; and

**WHEREAS**, the Plan has been presented and recommended by LCRA to this Board for review and approval; and

**WHEREAS**, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Plan conforms to said general plan; and

**WHEREAS**, this Board has duly considered the reports, recommendations and certifications of the LCRA and the Planning Commission; and

**WHEREAS**, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

**WHEREAS**, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of the Project, including those relating to prohibitions against discrimination because of race, color, familial status, national origin or ancestry, sex, marital status, age, sexual orientation, gender identity or expression, religion or disability; and

**WHEREAS**, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

**WHEREAS,** it is necessary that this Board take appropriate official action respecting the approval of the Plan.

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2016, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 4320-4330, 4350 and 4350R S. Kingshighway Blvd. Area.

**SECTION TWO.** The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

**SECTION THREE.** The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 and Section 353.020 of the Statute.

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated August 25, 2020, ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

**SECTION FIVE.** The Plan for the Area is feasible and conforms to the general plan for the City.

**SECTION SIX.** The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

**SECTION SEVEN.** The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

**SECTION EIGHT.** The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Area by the exercise of eminent domain.

**SECTION NINE.** The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**SECTION TEN.** The Plan for the Area gives due consideration to the provision of adequate public facilities.

**SECTION ELEVEN.** In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

**SECTION TWELVE.** All parties participating as owners or purchasers of properties in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, familial status, national origin or ancestry, sex, marital status, age, sexual orientation, gender identity or expression, religion or disability in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

**SECTION THIRTEEN.** In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;
- (d) To adhere to the requirements of Ordinance No. 69427, 70767 and 71094, as may be amended or supplemented, pertaining to minority-owned and women-owned business participation, workforce development, and prevailing wage compliance, to the extent the provisions of those ordinances apply to the Project.
- (e) To comply with the requirements of Ordinance #60275 of the City;
- (f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and
- (g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

**SECTION FOURTEEN.** Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, RSMo, as amended, upon application as provided therein. LCRA shall provide the Redeveloper(s) with a Certificate of Qualification of Tax Abatement as provided in Section 99.700, RSMo, and any redevelopment agreement, and the Redeveloper shall file such certificate with the City Assessor within thirty (30) days receipt thereof as required by Section 99.705, RSMo. The City Assessor shall, promptly after receipt of the certificate, provide a written certification of the current assessed value of the then-existing applicable real property or portion thereof (the "Base Assessed Value") to the Redeveloper(s).

In lieu of the tax abatement available pursuant to Sections 99.700 - 99.715, RSMo, as amended, any Redeveloper(s) may seek tax abatement pursuant to Chapter 353, RSMo, as amended, upon compliance with the procedures set forth therein and in Chapter 11.06 of the City Code, as amended. The terms of the tax abatement available to the applicable real property or portion thereof will be set forth in a Redevelopment Agreement between the LCRA and the Redeveloper. The Redevelopment Agreement shall provide that tax abatement shall begin in the year during which an urban redevelopment corporation acquires title to the applicable real property or portion thereof and continue no longer than twenty (20) years thereafter (the "Chapter 353 Tax Abatement Period"), provided, however, that:

PILOTs will be imposed to ensure that the total revenues payable to the affected taxing jurisdictions from PILOTs and unabated ad valorem taxes (including those set forth in Section 353.110, RSMo) equals at least:

For years one through fifteen of the Chapter 353 Tax Abatement period, at least:

Ninety-five percent (95%) of the ad valorem taxes that would be imposed based on the then-current tax levy rates and the assessed value of the land and improvements included in the applicable real property or portion thereof in the year prior to the urban redevelopment corporation's acquisition thereof (subject to adjustment pursuant to Section 353.110.2, RSMo, if the land was tax

exempt prior to acquisition by the urban redevelopment corporation) (the "Base Tax Value"); plus five percent (5%) of the difference between the ad valorem real estate taxes that would be due if there were no tax abatement and Base Tax Value.

For years fifteen through twenty of the Chapter 353 Tax Abatement period, at least ten percent (10%) of the ad valorem real estate taxes that would be due if there were no tax abatement.

Pursuant to Section 71.801, RSMo., all calculations of PILOTs and abated taxes shall exclude any ad valorem real property tax imposed by a Special Business District.

The tax abatement described above shall not apply to special assessments and shall not serve to reduce or eliminate any other licenses or fees owing to the City or any other taxing jurisdiction with respect to the applicable real property or portion thereof, except as expressly described above. Nothing in this Redevelopment Plan shall prevent the City Assessor from increasing or decreasing the assessed value of the any real property or portion thereof that is not acquired by an urban redevelopment corporation in accordance with the Redevelopment Plan and Redevelopment Agreement.

All unabated ad valorem real estate taxes and PILOTs shall be collected by the City Collector of Revenue in the same manner as regular ad valorem real estate taxes. Each phase of the project will require LCRA Board approval and redeveloper designation when financing is secured. Up to twenty five-year tax abatement has been authorized for the Area; however, abatement of shorter duration or quantity may be granted for a particular phase if the financial proformas do not support twenty (20) years.

**SECTION FIFTEEN.** Any proposed modification which will substantially change the Plan must be approved by the St. Louis Board of Aldermen in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, or to the boundaries of the Area. The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA in accordance with its July 24, 2018 policy governing time extensions as may be amended.

**SECTION SIXTEEN.** The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

**Board Bill Number 142  
ATTACHMENT "A"**

**4320-4330, 4350 AND 4350R S. KINGSHIGHWAY BLVD.  
LEGAL DESCRIPTION**

**4320-4330 S. KINGSHIGHWAY BLVD.  
C. B. 6455 KINGSHIGHWAY  
278 FT X 140 FT  
U S SUR 3017 ETAL ADDN  
BND N 667 FT S SL  
CHIPPEWA  
Parcel # 645500050**

**4350 S. KINGSHIGHWAY BLVD.  
C. B. 6455 KINGSHIGHWAY  
180 FT X 140 FT  
U S SURVEY 3017 ETAL ADDN  
BOUNDED S-318.77 FT N NL OF LANSDOWNE  
Parcel # 645500040**

**4350R S. KINGSHIGHWAY BLVD.  
C. B. 6455 NO FRONT  
2.13 ACRES  
U S SURVEY 3017 ETAL ADDN  
BOUNDED W-140 FT E EL OF KINGSHIGHWAY  
Parcel #645500220**

Board Bill Number 142  
ATTACHMENT "B"  
Form: 1/24/20

BLIGHTING STUDY AND REDEVELOPMENT PLAN  
FOR THE  
4320-4330, 4350 And 4350R S. Kingshighway Blvd.  
Redevelopment Area  
PROJECT # 2385  
August 25, 2020  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS

MAYOR  
LYDA KREWSON

BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR  
4320-4330, 4350 And 4350R S. Kingshighway Blvd.  
REDEVELOPMENT AREA

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#### **A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

##### 1. DELINEATION OF BOUNDARIES

The 4320-4330, 4350 And 4350R S. Kingshighway Blvd. Redevelopment Area ("Area") encompasses approximately 3.62 acres in the Bevo Mill Neighborhood of the City of St. Louis ("City").

The legal description of the Area is attached and labeled **Exhibit "A"**. The boundaries of the Area are delineated on **Exhibit "B"** ("Project Area Plan").

##### 2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Blocks 6454.00, and includes 4320-4330, 4350 And 4350R S. Kingshighway Blvd. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on **Exhibit "B"** (Project Area Plan) and enumerated in **Exhibit "F"** (Blighting Report).

Unemployment figures, computed by the Missouri State Employment Service, indicate a 5.2% unemployment rate for the City as of March 2020. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

##### 3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area includes an unoccupied property.

The land use, including the location of public and private uses, streets and other rights-of-way, is shown on **Exhibit "B"**.

##### 4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for commercial purposes.

Residential density for the surrounding neighborhoods is approximately 14.45 persons per acre in the Bevo Mill neighborhood.

5. CURRENT ZONING

The Area is currently zoned "F" Neighborhood Commercial District, by the City of St. Louis Zoning Code, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in the conditions outlined in **Exhibit "F"**. The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300 *et seq.* of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law) and as defined in Section 353.020 RSMo as evidenced by the Blighting Report attached hereto, labeled **Exhibit "F"** and incorporated herein by this reference.

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive mixed-use property pursuant to plans by or presented to the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") (the "Project").

The City Planning Commission adopted a Sustainability Plan on January 9, 2013. As Amended this Redevelopment Plan contributes to the sustainability of the City as outlined in the Sustainability Report (**Exhibit G**).

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are mixed-use permitted in zones designated "F" Neighborhood Commercial District, by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the LCRA to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area only for mixed-use.

This Area is in the Market Types E Category of the January 2019 St. Louis Market Value (MVA). This type has higher than average levels of owner occupancy.

**Exhibit "C"** (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2020) designates it as a Regional Commercial Area (RCA) and the Institutional Preservation and Development Area (IPDA).

3. PROPOSED ZONING

The zoning for the Area can remain "F" Neighborhood Commercial District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Strategic Land Use Plan" (2020). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

There are no new jobs are proposed for the area.

6. CIRCULATION

The Proposed Land Use Plan (**Exhibit "C"**) indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

A Redeveloper(s) shall redevelop the Area in accordance with this Plan and the redevelopment agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property shall be redeveloped such that it is an attractive mixed-use asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **Rehabilitation** shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on their lot so that any existing recurrent building masses and spaces are continued as well as the pattern of setback from the street.
- 3.) **Exterior Materials** All new building materials on facades visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to approval.
- 4.) **Architectural Details** on existing structures shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes.** When one roof shape is employed in a predominance of existing buildings in a block, any proposed new construction or alteration should be viewed with respect to its compatibility with the existing adjacent buildings.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. **Landscaping and Sidewalk Maintenance**

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.



Ornamental or shade trees shall be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible. Sidewalks shall be repaired/replaced to insure safe walkability in the city.

**d. Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property in the Area off the alley, and at least one space shall be provided for each residential unit. In addition, surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2 ½) feet high on planting and maintained at three and one-half (3 ½) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, this Plan and agreements between the LCRA and the Redeveloper(s).

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper(s).

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious redevelopment that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately three (3) years of approval of this Plan by City ordinance.

The LCRA may alter the above schedule in accordance with its July 24, 2018 policy governing time extensions, as may be amended.

**D. EXECUTION OF PROJECT****1. ADMINISTRATION AND FINANCING**

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

**2. PROPERTY ACQUISITION**

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the properties located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

**3. PROPERTY DISPOSITION**

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2016) as amended, for uses in accordance with this Plan.

**4. RELOCATION ASSISTANCE**

The property within the Area is currently unoccupied. If the property should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the Project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

The Redeveloper(s) may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, RSMo, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Revised Statutes of Missouri, 2016, as amended, shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of twenty (20) years from the commencement of such tax abatement for each specific parcel of property within the Area, in accordance with the following provisions.

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of Revised Statutes of Missouri, 2016, as amended, or if any such corporation shall own property within the Area, then for the twenty (20) year period after the date the redevelopment corporation shall acquire title to each specific parcel of property in the Area, taxes on that specific parcel of property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which the corporation shall have acquired title to that property.

- In addition to such taxes, any such corporation shall during the first fifteen (15) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon five percent (5%) of the assessed value of the incremental improvements for that specific parcel of property with the Area.

- During the next five (5) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon ten percent (10%) of the assessed value of the incremental improvements for that specific parcel of property within the Area.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during said twenty (20) year period for each specific parcel of property within the Area, shall inure to the benefit of all successors in interest in the property of the development corporation, so long as such successors shall continue to use the property as provided in this Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond twenty (20) years for each specific parcel of property within the Area after the development corporation shall have acquired title to each specific parcel of property.

## **G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS**

### **1. LAND USE**

Redeveloper(s) shall not discriminate on the basis of race, color, familial status, national origin, sex, marital status, age, sexual orientation, gender identity or expression, religion or disability in the lease, sale or occupancy of the Area.

### **2. CONSTRUCTION AND OPERATIONS**

A Redeveloper(s) shall not discriminate on the basis of race, color, familial status, national origin, sex, marital status, age, sexual orientation, gender identity or expression, religion or disability in the construction and operation of any Project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the Project, including enforcement, contracting, operating and purchasing.

### **3. LAWS AND REGULATIONS**

Redeveloper(s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination, affirmative action, workforce development, and prevailing wage compliance, including the City Guidelines for Minimum Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in **Exhibit "E"**, attached.

### **4. ENFORCEMENT**

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and Redeveloper(s), which Agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against Redeveloper(s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

## **H. MODIFICATIONS OF THIS PLAN**

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, or to the boundaries of the Area.

This Plan may be otherwise modified by LCRA (e.g. urban design regulations, development schedule) in accordance with its July 24, 2018 policy governing time extensions, as may be amended.

## **I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the

commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby and shall remain in full force and effect.

**EXHIBIT "A"**

**4320-4330, 4350 And 4350R S. Kingshighway Blvd.  
LEGAL DESCRIPTION**

**C. B. 6454 KINGSHIGHWAY BLVD  
47.948 FT / 47.679 FT X  
120 FT 3 3/8 IN  
SURVEY 3217 ADDN  
BOUNDED N-LANSLOWNE  
Parcel # 64540000800**

See attached Exhibits B, C & D.

**EXHIBIT "E"  
FORM: 05/01/20**

**EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES**

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the Project of which the Redeveloper(s) is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper(s) shall contractually require its contractors and subcontractors, and the contractors and subcontractors of its commercial tenants, to comply with such laws.

The Redeveloper(s) and its contractors will not contract or subcontract with any party known to have been found in violation of any such Laws, ordinances, regulations or these guidelines.

The Redeveloper(s) shall fully comply with Ordinance No. 69427, 70767 and 71094, as may be amended and or supplemented, pertaining to minority-owned and women-owned business participation, workforce development, and prevailing wage compliance, to the extent the provisions of those ordinances apply to the Project.

The Redeveloper(s) agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper(s), its successors or assigns upon the basis of race, color, familial status, national origin or ancestry, sex, marital status, age, sexual orientation, gender identity or expression, religion or disability in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the Project.

The Redeveloper(s) of non-residential properties shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 (First Source Jobs Policy) which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

EXHIBIT "F"

Blighting Report for the
4320-4330, 4350 And 4350R S. Kingshighway Blvd.

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, insanitary or unsafe conditions, deteriorating or inadequate site improvements, improper subdivision or obsolete platting and conditions which endanger life or property by fire or other causes.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the taxing districts that depend upon it as a revenue source, as well as a public, health and safety liability. It, therefore, qualifies as a "blighted area" as such time is defined in Sections 99.320(3) and 353.020 (2) of the Missouri Revised Statute (2000) as amended.

Subject Property is: vacant land unoccupied residential
X unoccupied/occupied commercial

Subject Property is: X secured

The subject property has X has not a predominance of defective or inadequate streets
If answer is yes, explain:

The subject property X has has not insanitary or unsafe conditions
If answer is yes, explain: The property is unoccupied. Portions of it are subject to illegal dumping, and use by transients.

The subject property X has has not deterioration of site conditions
If answer is yes, explain: The unoccupied property is in fair condition.

The subject property has X has not improper subdivision or obsolete platting
If answer is yes, explain:

The subject property X has has not conditions which endanger life or property by fire or other cause. If answer is yes, explain: The unoccupied property is consequently subject to illegal dumping and use by transients, which combine to make it a significant fire risk.

The subject property does X does not retard the provision of housing accommodations
If answer is yes, explain:

The subject property X does does not constitute an economic liability
If answer is yes, explain: The unoccupied property is significantly deteriorated. This reduces the value of surrounding properties and would take significant investment to bring up to code.

The subject property does X does not constitute a social liability
If answer is yes, explain:

The subject property X is is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The unoccupied property is subject to illegal dumping, rat infestation, and fire.

The subject property X is is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The unoccupied property is significantly deteriorated, with the deteriorated site conditions listed above.

The subject property is X is not detrimental because of lack of air sanitation or open space. If answer is yes, explain:

The subject property is X is not detrimental because of high density of population.
If answer is yes, explain:

The subject property is X is not detrimental because of overcrowding of buildings, overcrowding of land.
If answer is yes, explain:

The subject property \_\_\_\_\_ has \_\_\_\_X\_\_\_\_ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: The unoccupied property is subject to illegal dumping. It is also subject to use by transients.

## EXHIBIT "G"

EXHIBIT  
"G"**SUSTAINABILITY IMPACT STATEMENT - RESIDENTIAL**

The St. Louis Planning Commission adopted a Sustainability Plan on January 9, 2013. The following chart shows how the objectives of this Redevelopment Plan relate to selected Functional Categories and development related Objectives of the City's Sustainability Plan. The Mayor has issued a Sustainable Action Agenda (SAA). The following chart also shows items that may relate to development projects.

		Applicable	Not Applicable
<b>I. URBAN CHARACTER, VITALITY AND ECOLOGY</b>			
A1	Reinforce the City's Central Corridor as the dynamic "heart" of the region		X
A3	Develop designated areas via incentives for "green" and technical industries		
A4	Increase riverfront development and provide safe public access and associated recreational activity		X
A5	Provide development incentives to encourage transit-oriented development	X	
B1	Prioritize infill development to develop thriving compact communities/vibrant mixed-use main streets		X
SAA2	Make LRA land available at no cost for smart, productive, create re-use of the land.		X
B2	Update local street design standards and implement the Complete Streets Ordinance		X
B3	Create Citywide, and multiple neighborhood-scale mobility plans		X
B4	Discourage development that reduces transit, bike and pedestrian activities	X	
C1	Design public spaces and neighborhood streets as gathering spaces for people		X
C5	Maintain public spaces and neighborhood streets		X
D7*	Expand the City's urban tree canopy	X	
SAA4	Increase the Number of Trees Planted by 16,000 or 15%	X	
E1	Celebrate and increase activity along the Mississippi River		X
E2	Remove/change infrastructure to improve riverfront access		X
F1	Preserve and reuse buildings as a means of achieving sustainability		X
F2	Continue to integrate preservation into the planning and building approval process		X
F4	Protect historic properties vulnerable to foreclosure, tax forfeiture, or demolition		X
F5	Promote the redevelopment of historic homes and commercial properties		X
G1	Develop affordable homes in concert with long-range transit and development planning		X

G2	Encourage mixed-use affordable housing in high amenity neighborhoods	X	
G4	Integrate low income housing into market-rate and mixed-use development		X
G6	Experiment with new ways to create partnerships to build sustainable and affordable housing		X
G8	Offer housing that is energy efficient and environmentally sustainable		X
H4	Continue to remove site contamination and promote brownfields redevelopment		X
I4	Ensure urban agriculture is a profitable, viable enterprise		
J4	Preserve neighborhood residential areas/commercial and mixed-uses on corners/major corridors	X	
J5	Increase the effectiveness of major commercial corridors		
J8	Incorporate sustainability in economic development programs		X
<b>II. ARTS, CULTURE AND INNOVATION</b>			
A4	Encourage the development of affordable artist housing, studios and ventures		X
A5	Diversify the City's range of arts, creative and innovative industries		X
SAA6	Build Phase II of CORTEX bioscience and technology research district		
C2	Facilitate development of arts, culture and innovative TODs		
C5	Target developing arts and cultural districts for streetscape and public space improvements		
E1	Use distinctive public art, architecture, landscape to build City and neighborhood identity		X
F1	Revitalize existing and develop new arts and cultural facilities		
<b>III. EMPOWERMENT, DIVERSITY AND EQUITY</b>			
E4	Expand the capacity to create additional affordable housing units		X
E5	Create pathways for qualified low-income families to become homeowners		X
SAA10	Implement Board Bill 297 pertaining to workforce inclusion		X
F1	Address blighting and environmental health hazards	X	
F6	Ensure the application of universal design and accessibility codes		X
<b>IV. HEALTH, WELL-BEING AND SAFETY</b>			
A5	Plan and design buildings, spaces and environments for safety	X	
B5	Reduce exposure of lead-paint poisoning	X	
C1	Eliminate food deserts and improve access to fresh produce		
C3	Support urban agriculture opportunities in the City		X



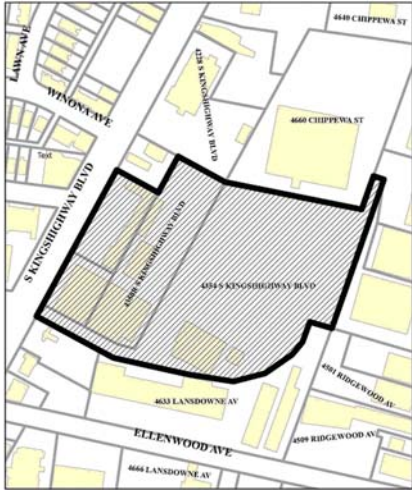
End chronic Homelessness		X
Design buildings to encourage physical activity		X
<b>V. INFRASTRUCTURE, FACILITIES AND TRANSPORTATION</b>		
Advance the City as a transportation hub		
Encourage transit oriented development		X
Increase bike racks by 150%	X	
Use pilot projects to explore ways to achieve net zero storm water discharge		X
Strive for the highest levels of energy efficiency and maximize clean energy in buildings		X
Ensure building and site development integrated with natural site ecology		X
Advance the use of high-efficiency building related water systems and technologies		X
Encourage re-use of materials and divert waste from land-fills		X
Provide healthy interior environments in commercial buildings		
<b>VI. PROSPERITY, OPPORTUNITY AND EMPLOYMENT</b>		
Require a sustainability impact statement for all new City development		
Increase the inventory and availability of business and industrial real estate through environmental clean-up and land assembly		
Encourage small scale redevelopment with economic incentives		
Leverage the Mississippi River as an inexpensive transportation, drinking water and recreational resource		
Focus on small and local businesses as a key part of the City economy		
Re-use existing buildings for inexpensive incubation of entrepreneurial ideas		
Pursue transit oriented development at MetroLink stations and major bus nodes to encourage more walking/fewer carbon emissions		X
Market and encourage living in the City to recent college graduates	X	
Promote flexible development approaches by developers, land owners and business firms	X	
Direct new commercial and mixed-use development to designated corridors and districts that demonstrate market support		X
Create at least 8,500 new jobs at Ballpark Village, CORTEX, Carondelet Coke, St. Louis Army Ammunition Plant and North Riverfront		
Foster innovation		X
Remediate and prepare at least 40 vacant properties for redevelopment	X	
<i>Please comment in what ways you believe the Mayor's Sustainability Action Agenda overlaps with your successes on your project.</i>		



ORDINANCE NO. 71273 - EXHIBITS B, C & D

**Exhibit B**  
Project Area Plan-  
Existing Uses & Conditions

4320-4330, 4350 and 4350R South Kingshighway Blvd.



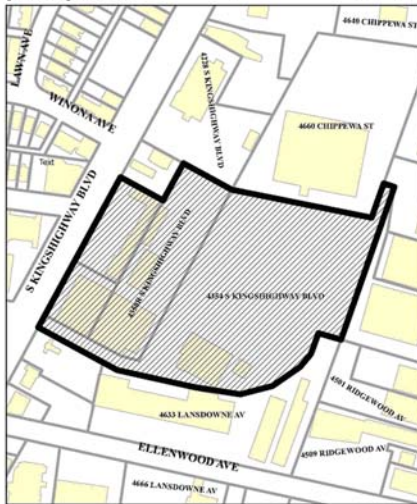
**Exhibit C**  
Project Area Plan-  
Proposed Land Use

4320-4330, 4350 and 4350R South Kingshighway Blvd.



**Exhibit D**  
Project Area Plan-  
Project Acquisition

4320-4330, 4350 and 4350R South Kingshighway Blvd.



**BOARD BILL NUMBER 142  
FISCAL NOTE**

Preparer's Name: Matt Bauer

Phone Number or Email Address: (will be available publicly) bauerm@stlouis-mo.gov

Bill Sponsor: Alderwoman Carol Howard

<b>Bill Synopsis:</b>	Allows up to twenty years of tax abatement provided as follows: fifteen years (15) years of tax abatement based on 95% of the assessed value of the incremental improvements, followed by five (5) years of tax abatement based on 90% of the assessed value of the incremental improvements for the 4320-4330, 4350 And 4350R S. Kingshighway Blvd. Area
<b>Type of Impact:</b>	None.
<b>Agencies Affected:</b>	None.

**SECTION A  
Does this bill authorize:**

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? \_\_\_Yes \_\_\_X\_\_\_ No.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? \_\_\_Yes \_\_\_X\_\_\_ No.
- A commitment of city funding in the future under certain specified conditions? \_\_\_Yes \_\_\_X\_\_\_ No.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget \_\_\_Yes \_\_\_X\_\_\_ No.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? \_\_\_Yes \_\_\_X\_\_\_ No.
- A capital improvement project that increases operating costs over the current adopted city budget? \_\_\_Yes \_\_\_X\_\_\_ No.
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? \_\_\_Yes \_\_\_X\_\_\_ No.

**If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill.  
Complete Section B of the form below.**

Estimated Fiscal Impact of Tax Abatement				
SoGro Apartments 4350 R S Kingshighway Blvd., 4350 S Kingshighway Blvd., 4320-4330 S. Kingshighway Blvd.				
Residential rate=\$8.2756/\$100** Commercial rate=\$9.9156/\$100**	Est. Annual Share of Property Tax Fractions	Total Nominal Abatement Value	Average Annual Abatement Value (1st 5 Years)	Revenue Collected During Abatement (Nominal)
State - Blind Pension	\$0.0300	\$50,573	\$7,016	\$11,355
School District - General Fund	\$5.0342	\$8,486,508	\$338,219	\$1,905,405
Community College District	\$0.2112	\$356,035	\$14,189	\$79,938
Metropolitan Sewer District (MSD)	\$0.1159	\$195,381	\$7,787	\$43,867
Library District	\$0.5496	\$926,500	\$36,924	\$208,019
Zoo, Museum, & Botanical Garden	\$0.2694	\$454,147	\$18,099	\$101,966
Community Mental Health District	\$0.0883	\$148,854	\$5,932	\$33,421
Sheltered Workshop District	\$0.1472	\$248,145	\$9,890	\$55,714
Community Children Service Fund	\$0.1865	\$314,396	\$12,530	\$70,589
City of St. Louis				
Municipal Operation	\$1.4600	\$2,461,225	\$98,089	\$552,599
Interest and Public Debt	\$0.1333	\$224,713	\$8,956	\$50,453
M & M Surtax (Commercial Only)	\$1.6400	\$0	\$0	\$0
<b>Total Nominal Values</b>		<b>\$13,866,477</b>	<b>\$552,630</b>	<b>\$3,113,325</b>
<b>Net Present Value of the Tax Abatement</b>				<b>\$7,494,140</b>

ASSUMPTIONS:  
Estimate based on Net Operating Income projections from developer. Assumes that tax rates stay constant over the entire period. Discounted at 6%. Uses cap rate tables established by the City Assessor's office to determine estimated market value of property. 2% annual property value growth rate assumed.  
\*\*Tax rates are subject to change

Approved: January 27, 2021

**ORDINANCE #71274**  
**Board Bill No. 147**

An ordinance authorizing and directing the Director of Streets to permanently close, barricade or otherwise impede the flow of traffic on Vernon Avenue by blocking said traffic flow at the west curb line of North Kingshighway Boulevard at the intersection of the Vernon Avenue and North Kingshighway Boulevard.

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

**SECTION ONE.** The Director of Streets is hereby authorized and directed to permanently close, barricade or otherwise impede the flow of traffic on Vernon Avenue by blocking said traffic flow at the east west curb line of North Kingshighway Boulevard at the intersection of the Vernon Avenue and North Kingshighway Boulevard.

**SECTION TWO.** 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 this ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Approved: January 27, 2021**

**ORDINANCE #71275**  
**Board Bill No. 149**

An ordinance amending **Ordinance 71111** prohibiting such traffic along West Park Avenue from the eastern boundary of Hampton Avenue to the eastern boundary of Hughes Place, to extend said prohibition to include commercial vehicle traffic along Hughes Place between the northern boundary of Dale Avenue and the northern boundary of West Park Avenue; and containing an emergency clause.

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

**SECTION ONE.** Section Two of **Ordinance 71111** is hereby amended to be and read as follows:

Restricted Right-of-Way. No person shall drive, tow, or move any commercial vehicle along West Park Avenue from the eastern boundary of Hampton Avenue to the eastern boundary of Hughes Place, **and along Hughes Place from the northern boundary of Dale Avenue to the northern boundary of West Park Ave.**

**SECTION TWO.** Section Four of **Ordinance 71111** is hereby amended to be and read as follows:

The Director of Streets is hereby directed to place signs notifying drivers of the prohibition on commercial vehicles on restricted right-of-ways. Said signs shall be of a conspicuous size and placed in a conspicuous location facing the flow of traffic at the intersections where a restricted right-of-way begins. The notice on said signs shall include the number of this ordinance, and shall be substantially in the following form:

PROHIBITED  
COMMERCIAL VEHICLES  
Except as Authorized By:  
**Ord. No. 71111**

**SECTION THREE.** 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, this ordinance shall become effective immediately upon its passage and approval by the Mayor.

**Approved: January 27, 2021**

**ORDINANCE #71276**  
**Board Bill No. 156**

An ordinance recommended by the Board of Public Service to conditionally vacate above surface, surface and sub-surface rights for vehicle, equestrian and pedestrian travel in Louisa from Second eastwardly 167.50 feet to terminus and the remaining 115 foot section of the 15 foot wide north/south alley in City Block 769 as bounded by St. George, DeKalb (vacated), Louisa and Second in the City of

St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

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

**SECTION ONE.** The above surface, surface and sub-surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

A tract of land being Louisa Street, 60 feet wide, and a North/South alley, 15 feet wide, lying East of South Second Street and bounded by City Block 769 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at the intersection of the Easterly line of said South Second Street, 60 feet wide, with the Southerly line of said Louisa Street; thence along the Northeasterly prolongation of the Easterly line of said South Second Street, North 37 degrees 49 minutes 21 seconds East, 60.00 feet to the Northerly line of said Louisa Street, said point being the Southwestern corner of Lot 1 in Block 78 of St. George Addition; thence Eastwardly along the Northerly line of said Louisa Street, South 52 degrees 08 minutes 03 seconds East, 152.50 feet to its intersection with the Westerly line of said North/South alley, said point being the Southeastern corner of Lot 6 in Block 78 of St. George Addition; thence Northwardly along the Westerly line of said alley, North 37 degrees 49 minutes 21 seconds East, 115.00 feet to the terminus of said alley; thence Eastwardly along the terminus line of said alley, South 52 degrees 08 minutes 03 seconds East, 15.00 feet to the Easterly line of said alley; thence Southwardly along Easterly line of said alley, South 37 degrees 49 minutes 21 seconds West, 175.00 feet to the Southerly line of said Louisa Street; thence Westwardly along the Southerly line of said Louisa Street North 52 degrees 08 minutes 03 seconds West, 167.50 feet to the Point of Beginning, according to Survey Number 206220, executed by James Surveying Company, during the month of January, 2016, and containing 11,775 square feet, more or less.

are, upon the conditions hereinafter set out, vacated.

**SECTION TWO.** Electro Properties, LLC will use vacated area to consolidate property for industrial expansion.

**SECTION THREE.** All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated alley and street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and franchise holders, except such rights as are specifically abandoned or released herein.

**SECTION FOUR.** The owners of the land may, at their election and expense remove the surface pavement of said so vacated alley and street provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

**SECTION FIVE.** The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation hereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

**SECTION SIX.** The owner(s) shall not place any improvement upon, over or in the area(s) vacated without:

1. Lawful permit from the Building Division or Authorized City agency as governed by the Board of Public Service.
2. Obtaining written consent of the utilities, governmental service entities and franchise holders, present or future. The written consent with the terms and conditions thereof shall be filed in writing with the Board of Public Service by each of the above agencies as needed and approved by such Board prior to construction.

**SECTION SEVEN.** The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

**SECTION EIGHT.** In the event that granite curbing, cobblestones or bricks are removed within the vacated area, the Department of Streets of the City of St. Louis must be notified. Owner(s) must have curbing, cobblestones and bricks returned to the Department of Streets in good condition.

**SECTION NINE.** This ordinance shall be ineffective unless within three hundred sixty (360) days after its approval, or such longer time as is fixed by the Board of Public Service not to exceed three (3) days prior to the affidavit submittal date as specified in the last section of this ordinance, the owner(s) of the area to be vacated must fulfill the following monetary requirements, if applicable, as specified by the City of St. Louis Agencies listed below. All monies received will be deposited by these agencies with the Comptroller of the City of St. Louis.

1. CITY WATER DIVISION so as to cover the full expenses of removal and/or relocation of Water facilities, if any.
2. CITY TRAFFIC AND TRANSPORTATION DIVISION so as to cover the full expenses of removal, relocation and/or purchase of all lighting facilities, if any. All street signs must be returned.
3. CITY STREET DEPARTMENT so as to cover the full expenses required for the adjustments of the City's alley(s), sidewalk(s) and street(s) as affected by the vacated area(s) as specified in Sections Two and Eight of the Ordinance.

**SECTION TEN.** An affidavit stating that all of the conditions be submitted to the Director of Streets for review of compliance with conditions 365 days (1 year) from the date of the signing and approval of this ordinance. Once the Director of Streets has verified compliance, the affidavit will be forwarded to the Board of Public Service for acceptance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

**ORDINANCE #71276**  
**Board Bill No. 156**  
**Maps and Petition**  
(Is On File in the Register's Office.)

**Approved: January 27, 2021**

**ORDINANCE #71277**  
**Board Bill No. 159**

An ordinance dissolving special allocation funds for the 4494 Lindell redevelopment area and terminating the designation of a certain portion of The City of St. Louis, Missouri, relating to such as a redevelopment area, repealing **Ordinance No. 70157** and authorizing certain actions relating thereto.

**WHEREAS**, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

**WHEREAS**, the Act authorizes municipalities to adopt an ordinance dissolving the special allocation fund for a redevelopment area and terminating the designation of the redevelopment area as a "redevelopment area" and thereafter distribute the remaining funds as required upon the occurrence of certain conditions; and

**WHEREAS**, the 4494 Lindell Redevelopment Plan envisioned the reconstruction of a building at 4494 Lindell Avenue into commercial space ("4494 Lindell Redevelopment Project") and the City Board of Aldermen passed and the Mayor signed **Ordinance No. 70157**, designating the 4494 Lindell redevelopment project area as a "redevelopment area" as defined in Section 99.805(12) of the Act ("4494 Lindell Redevelopment Area"), approving that redevelopment plan and that redevelopment project, adopting tax increment financing within the 4494 Lindell Redevelopment Area, and establishing a special allocation fund for the 4494 Lindell Redevelopment Area, and Section Seven of Ordinance No. 70158 provides that said ordinance shall terminate ninety (90) days after the effective date or December 15, 2015, unless extended by the City Board of Estimate and Apportionment, if a redevelopment agreement relating to the 4494 Lindell Redevelopment Project has not been executed, and no such redevelopment agreement has been executed nor the time extended; and

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

**SECTION ONE.** The Board of Aldermen hereby repeals **Ordinance No. 70157**, dissolves the special allocation funds for the 4494 Lindell Redevelopment Area, and terminates the designation of the 4494 Lindell Redevelopment Area as a "redevelopment area" pursuant to the Act.

**SECTION TWO.** The City Finance Officer ("Comptroller") is hereby directed to disburse, after the payment of City's expenses, all funds in the above named special allocation funds for the 4494 Lindell Redevelopment Area, the appropriate taxing districts in the manner provided in the Act.

**SECTION THREE.** The Mayor and Comptroller are hereby authorized and directed to execute all documents, if any, and take such necessary steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance.

**SECTION FOUR.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen has or would have enacted the valid sections without the void ones, unless the court finds the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**BOARD BILL NUMBER 159  
FISCAL NOTE**

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 Bill Sponsor: Alderman Roddy

<b>Bill Synopsis:</b>	The bill terminates the Special Allocation Funds for 4494 Lindell and allows for the taxing jurisdictions to receive all taxes assessed and paid; no longer collecting the PILOTs and EATs because the Redevelopment Agreement was not timely signed by the Developer and the project failed.
<b>Type of Impact:</b>	Taxes will be received as assessed on the real estate, and from the sales, utility and earnings.
<b>Agencies Affected:</b>	No City Agency would be impacted financially by this ordinance.

**SECTION A  
Does this bill authorize:**

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? \_\_\_ Yes \_\_X\_\_ No.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? \_\_\_ Yes \_\_X\_\_ No.
- A commitment of city funding in the future under certain specified conditions? \_\_\_ Yes \_\_X\_\_ No.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget \_\_\_ Yes \_\_X\_\_ No.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? \_\_\_ Yes \_\_X\_\_ No.
- A capital improvement project that increases operating costs over the current adopted city budget? \_\_\_ Yes \_\_X\_\_ No.
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? \_\_\_ Yes \_\_X\_\_ No.

**If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill.  
Complete Section B of the form below.**

**SECTION B**

- Does the bill require the construction of any new physical facilities?
  - If yes, describe the facilities and provide the estimated cost: \_\_\_\_\_ Yes \_\_\_\_ No.
  - \_\_\_\_\_
  - \_\_\_\_\_
  
- Is the bill estimated to have a direct fiscal impact on any city department or office? \_\_\_\_\_ Yes \_\_\_\_ No.
  - If yes, explain the impact and the estimated cost: \_\_\_\_\_
  - \_\_\_\_\_
  
- Does the bill create a program or administrative subdivision? \_\_\_\_\_ Yes \_\_\_\_ No.
  - If yes, then is there a similar existing program or administrative subdivision? \_\_\_\_\_ Yes \_\_\_\_ No.
  - If yes, explain the how the proposed programs or administrative subdivisions may overlap: \_\_\_\_\_
  - \_\_\_\_\_
  
- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources: \_\_\_\_\_
- \_\_\_\_\_

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

<b>Financial Estimate of Impact on General Fund</b>			
<b>Fiscal Impact</b>	<u><b>Year 1 (current)</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>Additional Expenditures</b>			
<b>Additional Revenue</b>			
<b>Net</b>			
<b>Financial Estimate of Impact on Special Funds</b>			
<b>Fiscal Impact</b>	<u><b>Year 1 (current)</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>Additional Expenditures</b>			
<b>Additional Revenue</b>			
<b>Net</b>			

- Describe any assumptions used in preparing this fiscal note: \_\_\_\_\_
- \_\_\_\_\_
  
- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note: \_\_\_\_\_
- \_\_\_\_\_
  
- Have the financial estimates of this bill been verified by the City Budget Division? \_\_\_\_\_ Yes \_\_\_\_ No.
  - If yes, by whom? \_\_\_\_\_

Approved: January 27, 2021

**ORDINANCE #71278**  
**Board Bill No. 165**

An ordinance repealing **Ordinance No. 66420, Ordinance No. 64928, Ordinance No. 65724, Ordinance No. 65910, and Ordinance No. 65443**, dissolving the special allocation funds for Maryland Plaza North, the Convention Headquarters Hotel, 1141-115 1 South Seventh Street, 1312 Washington and MLK Plaza area redevelopment projects and terminating the designation of a portion of The City of St. Louis, Missouri, as redevelopment areas and authorizing certain actions relating thereto.

**WHEREAS**, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

**WHEREAS**, the Section 99.850.2 requires "(u)pon the payment of all redevelopment project costs, retirement of obligations and the distribution of any excess moneys pursuant to section 99.845 and this section, the municipality shall adopt an ordinance dissolving the special allocation fund for the redevelopment area and terminating the designation of the redevelopment area as a redevelopment area" and thereafter distribute the remaining funds as required by the Act; and

**WHEREAS**, the Maryland Plaza North Redevelopment Plan ("Maryland Plaza North Redevelopment Plan") envisioned rehabilitation and reconstruction of buildings on lots located at 21-65 Maryland Plaza and 21-59R Maryland Plaza (the "Maryland Plaza North Redevelopment Project"); and

**WHEREAS, Ordinance No. 66420** affirmed the Maryland Plaza North Redevelopment Project Area as a "redevelopment area" as defined in Section 99.805(12) of the Act (the "Maryland Plaza North Redevelopment Area"), approved the Maryland Plaza North Redevelopment Plan and the Maryland Plaza North Redevelopment Project, adopted tax increment financing within the Maryland Plaza North Redevelopment Area, and established the Maryland Plaza North Special Allocation Fund for the Maryland Plaza North Redevelopment Project, and the City entered into a redevelopment agreement between The City of St. Louis and Rothschild Development, Ltd. (the "Maryland Plaza North Developer"), whereby the Maryland Plaza North Developer agreed to carry out the Maryland Plaza North Redevelopment Plan on behalf of the City, and **Ordinance No. 66435** authorized the issuance of Tax Increment Revenue Notes (the issuance of Tax Increment Revenue Notes (Maryland Plaza North Redevelopment Project) in an amount not to exceed \$1,033,418.00 plus Issuance Costs; and

**WHEREAS**, The City of St. Louis, Missouri, Taxable Tax Increment Revenue Notes (Maryland Plaza North Redevelopment Project) Series 2009 have been paid and retired; and

**WHEREAS**, all "redevelopment project costs" under the Act were incurred, all obligations have been retired and no further obligations will be issued with respect to the Maryland Plaza North Redevelopment Plan; and

**WHEREAS**, the Convention Headquarters Hotel Redevelopment Plan ("Convention Headquarters Hotel Redevelopment Plan") envisioned the rehabilitation and reconstruction of two historic hotels, Gateway and Lennox, into a 1,000 room convention headquarters hotel, with residential, retail, convention, tourism and entertainment activity supported by adequate parking (the "Convention Headquarters Hotel Redevelopment Project"); and

**WHEREAS, Ordinance No. 64928** affirmed the Convention Headquarters Hotel Redevelopment Project Area as a "redevelopment area" as defined in Section 99.805(12) of the Act (the "Convention Headquarters Hotel Redevelopment Area"), approved the Convention Headquarters Hotel Redevelopment Plan and the Convention Headquarters Hotel Redevelopment Project, adopted tax increment financing within the Convention Headquarters Hotel Redevelopment Area, and established the Convention Headquarters Hotel Special Allocation Fund for the Convention Headquarters Hotel Redevelopment Project, and the City entered into a redevelopment agreement between The City of St. Louis and Historic Restoration Inc., Washington Avenue Historic Developer, L.L.C. and Housing Horizons, LLC (the "Convention Headquarters Hotel Developer"), whereby the Convention Headquarters Hotel Developer agreed to carry out the Convention Headquarters Hotel Redevelopment Plan on behalf of the City, and **Ordinance No. 68930** authorized the HUD loan; and

**WHEREAS**, HUD loan has been paid and retired; and

**WHEREAS**, all "redevelopment project costs" under the Act were incurred, all obligations have been retired and no further obligations will be issued with respect to the Convention Headquarters Hotel Redevelopment Plan; and

**WHEREAS**, the 1141-1151 South Seventh Street Redevelopment Plan ("1141-1151 South Seventh Street Redevelopment Plan") envisioned the redevelopment of the Maloney Electric Building and the parcel at 1146 South Seventh Street (the "1141-1151 South Seventh Street Redevelopment Project"); and



**WHEREAS, Ordinance No. 65724** affirmed the 1141-1151 South Seventh Street Redevelopment Project as a "redevelopment area" as defined in Section 99.805(12) of the Act (the "1141-1151 South Seventh Street Redevelopment Area"), approved the 1141-1151 South Seventh Street Redevelopment Plan and the 1141-1151 South Seventh Street Redevelopment Project, adopted tax increment financing within the 1141-1151 South Seventh Street Redevelopment Area, and Section Six established the 1141-1151 South Seventh Street Special Allocation Fund for the 1141-1151 South Seventh Street Redevelopment Project, and authorized the City to enter into a redevelopment agreement between The City of St. Louis and KRM Properties II, LLC (the "1141-1151 South Seventh Street Developer"), whereby the 1141-1151 South Seventh Street Developer agreed to carry out the 1141-1151 South Seventh Street Redevelopment Plan on behalf of the City, and **Ordinance No. 65715** authorized the issuance of Tax Increment Revenue Notes (1141-1151 South Seventh Street Redevelopment Project) in an amount not to exceed \$1,131,600.00 plus Issuance Costs; and

**WHEREAS,** The City of St. Louis, Missouri, Taxable Tax Increment Revenue Notes (1141-1151 South Seventh Street Redevelopment Project) Series 2005 have been paid and retired; and

**WHEREAS,** all "redevelopment project costs" under the Act were incurred, all obligations have been retired and no further obligations will be issued with respect to the 1141-1151 South Seventh Street Redevelopment Plan; and

**WHEREAS,** the 1312 Washington Redevelopment Plan ("1312 Washington Redevelopment Plan") envisioned renovation and rehabilitation of 1312 Washington (the "1312 Washington Redevelopment Project"); and

**WHEREAS, Ordinance No. 65910** affirmed the 1312 Washington Avenue Redevelopment Project Area as a "redevelopment area" as defined in Section 99.805(12) of the Act (the "1312 Washington Avenue Redevelopment Area"), approved the 1312 Washington Avenue Redevelopment Plan and the 1312 Washington Avenue Redevelopment Project, adopted tax increment financing within the 1312 Washington Avenue Redevelopment Area, and Section Seven established the 1312 Washington Avenue Special Allocation Fund for the 1312 Washington Redevelopment Project, and the City entered into a redevelopment agreement between The City of St. Louis and 1312 Washington, L.L.C. (the "1312 Washington Avenue Developer"), whereby the 1312 Washington Avenue Developer agreed to carry out the 1312 Washington Avenue Redevelopment Plan on behalf of the City, and **Ordinance No. 65912** authorized the issuance of Tax Increment Revenue Notes (the issuance of Tax Increment Revenue Notes (1312 Washington Avenue Redevelopment Project) in an amount not to exceed \$400,000.00 plus Issuance Costs, as defined in the latter ordinance; and

**WHEREAS,** The City of St. Louis, Missouri, Taxable Tax Increment Revenue Notes (1312 Washington Avenue Redevelopment Project) Series 2009 have been paid and retired; and

**WHEREAS,** all "redevelopment project costs" under the Act were incurred, all obligations have been retired and no further obligations will be issued with respect to the 1312 Washington Avenue Redevelopment Plan; and

**WHEREAS,** the MLK Plaza Redevelopment Plan ("MLK Plaza Redevelopment Plan") envisioned the construction of approximately 40,900 square feet retail development for a grocery store and the development of an additional outlot with approximately 5700 square feet with related parking (the "MLK Plaza Redevelopment Project"); and

**WHEREAS, Ordinance No. 65443** affirmed MLK Plaza Redevelopment Project as a "redevelopment area" as defined in Section 99.805(12) of the Act (the "MLK Plaza Redevelopment Area"), approved the MLK Plaza Redevelopment Plan and the MLK Plaza Redevelopment Project, adopted tax increment financing within the MLK Plaza Redevelopment Area, and established the MLK Plaza Special Allocation Fund for the MLK Plaza Redevelopment Project, and the City entered into a redevelopment agreement between The City of St. Louis and Page Partners, LLC (the "MLK Plaza Developer"), whereby the MLK Plaza Developer agreed to carry out the MLK Plaza Redevelopment Plan on behalf of the City, and **Ordinance No. 65486** authorized the issuance of Tax Increment Revenue Notes (MLK Plaza Redevelopment Project), Series 2002 in an amount not to exceed \$2,250,000.00 plus Issuance Costs, which Notes were refunded by the issuance of The Industrial Development Authority of the City of St. Louis, Missouri Tax Increment Refunding Revenue Bonds, Series 2004 (MLK Plaza Redevelopment Project) in the amount of \$2,680,000.00 plus Issuance Costs; and

**WHEREAS,** The Tax Increment Revenue Notes (MLK Plaza Redevelopment Project), Series 2002, in an amount not to exceed \$2,250,000.00 plus Issuance Costs Industrial Development Authority City of St. Louis, Missouri, Tax Increment Revenue Bonds (MLK Plaza Redevelopment Project) Series 2004 have been paid and retired; and

**WHEREAS,** all "redevelopment project costs" under the Act were incurred, all obligations have been retired and no further obligations will be issued with respect to the MLK Plaza Redevelopment Plan.

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

**SECTION ONE.** The Board of Aldermen hereby repeals **Ordinance No. 66420** (as it relates only to the Maryland Plaza North Special Allocation Fund, **Ordinance No. 64928, Ordinance No. 65724, Ordinance No. 65910, and Ordinance No. 65443** dissolving,

respectively, the Maryland Plaza North Special Allocation Fund, the Convention Headquarters Hotel Special Allocation Fund, 1141-1151 South Seventh Street, 1312 Washington and MLK Plaza Special Allocation Fund and terminates the designation of each of these Redevelopment Areas as a "redevelopment area" pursuant to the Act.

**SECTION TWO.** The City Finance Officer ("Comptroller") is hereby directed to disburse, after the payment of City's expenses, all funds in these enumerated Special Allocation Funds for these Redevelopment Areas to the appropriate taxing districts in the manner provided in the Act.

**SECTION THREE.** The Mayor and Comptroller are hereby authorized and directed to execute all documents, if any, and take such necessary steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance.

**SECTION FOUR.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen has or would have enacted the valid sections without the void ones, unless the court finds the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**BOARD BILL NUMBER 165  
FISCAL NOTE**

Preparer's Name: Thomas J. Ray  
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 tray@armstrongteasdale.com  
 Bill Sponsor: Alderman Roddy

<b>Bill Synopsis:</b>	The bill terminates the Special Allocation Funds for Maryland Plaza North, the Convention Headquarters Hotel, 1141-1151 South s Seventh Street, 1312 Washington and MLK Plaza area redevelopment projects and allows for the taxing jurisdictions to receive all taxes assessed and paid; no longer collecting the PILOTs and EATs because the Notes/Bonds were paid and retired.
<b>Type of Impact:</b>	Taxes will be received as assessed on the real estate, and from the sales, utility and earnings.
<b>Agencies Affected:</b>	No City Agency would be impacted financially by this ordinance.

**SECTION A  
Does this bill authorize:**

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? \_\_\_ Yes \_\_\_X\_\_\_ No.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? \_\_\_ Yes \_\_\_X\_\_\_ No.
- A commitment of city funding in the future under certain specified conditions? \_\_\_ Yes \_\_\_X\_\_\_ No.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget \_\_\_ Yes \_\_\_X\_\_\_ No.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? \_\_\_ Yes \_\_\_X\_\_\_ No.
- A capital improvement project that increases operating costs over the current adopted city budget? \_\_\_ Yes \_\_\_X\_\_\_ No.
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? \_\_\_ Yes \_\_\_X\_\_\_ No.

**If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill.  
Complete Section B of the form below.**

**SECTION B**

- Does the bill require the construction of any new physical facilities?
  - If yes, describe the facilities and provide the estimated cost: \_\_\_\_\_ Yes \_\_\_ No.
  - \_\_\_\_\_
  - \_\_\_\_\_
  
- Is the bill estimated to have a direct fiscal impact on any city department or office? \_\_\_\_\_ Yes \_\_\_ No.
  - If yes, explain the impact and the estimated cost: \_\_\_\_\_
  - \_\_\_\_\_
  
- Does the bill create a program or administrative subdivision? \_\_\_\_\_ Yes \_\_\_ No.
  - If yes, then is there a similar existing program or administrative subdivision? \_\_\_\_\_ Yes \_\_\_ No.
  - If yes, explain the how the proposed programs or administrative subdivisions may overlap: \_\_\_\_\_
  - \_\_\_\_\_
  
- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources: \_\_\_\_\_
- \_\_\_\_\_

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

<b>Financial Estimate of Impact on General Fund</b>			
<b>Fiscal Impact</b>	<b><u>Year 1 (current)</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>Additional Expenditures</b>			
<b>Additional Revenue</b>			
<b>Net</b>			
<b>Financial Estimate of Impact on Special Funds</b>			
<b>Fiscal Impact</b>	<b><u>Year 1 (current)</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>Additional Expenditures</b>			
<b>Additional Revenue</b>			
<b>Net</b>			

- Describe any assumptions used in preparing this fiscal note: \_\_\_\_\_
- \_\_\_\_\_
  
- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note: \_\_\_\_\_
- \_\_\_\_\_

- Have the financial estimates of this bill been verified by the City Budget Division? \_\_\_\_\_ Yes \_\_\_\_\_ No.
- If yes, by whom? \_\_\_\_\_

Approved: January 27, 2021

**ORDINANCE #71279**  
**Board Bill No. 166**  
**As Amended**

An ordinance pertaining to the Excise laws of the City of St. Louis, amending **Ordinance 68536**, Sections 14.06.100, 14.06.210, 14.06.220 and 14.06.240, presently codified in Chapter 14.06 of the Revised code of the City of St. Louis, having as their subject matter drink license licensing, employee related licensing requirements, and employee criminal background checks, and containing a severability, emergency clauses and penalty clause.

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

**SECTION ONE.** Section 14.06.100 of **Ordinance 68536**, approved December 6, 2009, and codified in Chapter 14.06.100 of the Revised Code of the City of St. Louis, is hereby amended to be and read in words and figures as follows:

14.06.100 Qualifications of licensee-Natural persons.

A. No natural person shall be qualified for a license under the provisions of this chapter or title unless he: (1) is of good moral character; (2) is registered to vote in this state; (3) has paid all taxes and license fees due and/or payable by him to the City; (4) has never been convicted since the ratification of the Twenty First Amendment of the Constitution of the United States of a violation of the provisions of any state or federal statute governing, regulating, or otherwise applicable to the manufacture or sale of intoxicating liquor or nonintoxicating beer; (5) has not been convicted of violating the provisions of any state or federal statute relating to prostitution, contribution to the delinquency of a minor or sexual offenses involving persons other than consenting adults; ~~(6) has not been convicted of violating any provision of state or federal law making it a felony to use, possess, or sell a controlled substance;~~ ~~(7) (6)~~ has not had a license issued under the provisions of this chapter or title, or their predecessors, revoked within two years of the date of his petition; ~~(8) (7)~~ was not a managing officer, corporate officer, or stockholder, holding ten percent or more of the outstanding stock or other financial interest, of a corporation which had a license under the provisions of this chapter or title, or their predecessors, revoked within two years of the date of his petition; and ~~(9) (10)~~ is not indebted to any person, partnership or corporation which would not be qualified for a license under the provisions of this chapter, provided that the Excise Commissioner may waive this prohibition where he finds that the person, partnership or corporation to whom an applicant or licensee is indebted (a) has not, since the ratification of the Twenty First Amendment to the United States Constitution, been convicted of a violation of the provisions of any state or federal statute governing, regulating, or otherwise applicable to the manufacture or sale of intoxicating liquor or nonintoxicating beer, and (b) is of good moral character. An applicant or licensee who is not an assessed taxpayer must file a return for all property for which he is legally subject to taxation at the earliest date such return is acceptable to the city assessor. The Excise Commissioner may at his reasonable discretion, require applicants to submit to fingerprint based criminal background checks. The Board of Aldermen specifically finds that crimes of the nature enumerated in subparagraph 5 above make a person unfit and incompetent to possess a liquor license.

**SECTION TWO.** Section 14.06.210 of **Ordinance 68536**, approved December 6, 2009, and codified in Chapter 14.06.210 of the Revised Code of the City of St. Louis, is hereby amended to be and read in words and figures as follows:  
 14.06.210 Employees-Qualifications.

A. No person licensed under the provisions of this chapter or title may employ any person: (1) whose license issued under the provisions of this chapter or title, or their predecessors, has been revoked during the preceding two years; (2) who was a managing officer, corporate officer or corporate stockholder holding more than 5% of stock of a corporation whose license issued under the provisions of this chapter or title, or their predecessors, has been revoked during the preceding two years; (3) who has been convicted since the ratification of the Twenty First Amendment to the Constitution of the United States of violating the provisions of any state or federal statute governing, regulating, or otherwise applicable to the manufacturer or sale of intoxicating liquor or nonintoxicating beer; or (4) has been convicted of violating the provisions of any state or federal statute relating to prostitution, contribution to the delinquency of a minor, or sexual offenses involving persons other than consenting adults; ~~or (5) has been convicted of any state or federal statute making it a felony to use, possess or sell a controlled substance.~~ The Board of Aldermen specifically finds that crimes of the nature enumerated in subsection (A)(4) of this section make a person unfit and incompetent to work on or about a licensed premises.

~~**B. A person who has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor or nonintoxicating beer, and who is not otherwise disqualified by operation of the provisions of subsection A of this section, shall nevertheless be presumed to be disqualified from working on a licensed premises in a capacity related to sale or handling of**~~

alcoholic beverages. However, such person or his employer may request a hearing before the Excise Commissioner on such issue. If, after a hearing, the Excise Commissioner determines that as a result of the crime for which said person was convicted, and the factual basis underlying such conviction, he is not unfit or incompetent to work in a capacity related to sale or handling of alcoholic beverages, he shall then allow such person to be employed in such capacity. Where such person is found to be unfit or incompetent, he shall be disqualified from working in such capacity.

**SECTION THREE.** Section 14.06.220 of Ordinance 68536, approved December 6, 2009, and codified in Chapter 14.06.220 of the Revised Code of the City of St. Louis, is hereby repealed.

~~14.06.220 Employees-Fingerprinting-~~

~~Persons licensed under the provisions of this title shall require their employees to submit to fingerprinting when it is deemed necessary by the Excise Commissioner in order to determine if they meet qualifications of employees.~~

**SECTION FOUR.** Section 14.06.240 of Ordinance 68536, approved December 6, 2009, and codified in Chapter 14.06.240 of the Revised Code of the City of St. Louis, is hereby amended to be and read in words and figures as follows:

14.06.240 Licensees to ~~notify Excise Commissioner of~~ perform background checks on employees.

~~All persons to whom a drink, C.O.L. or package license has been issued under the provisions of this chapter or title shall obtain a Missouri State Highway Patrol Criminal record check and notify the Excise Commissioner in writing of all employees who handle or sell, or assist in the handling or sale of intoxicating liquor or nonintoxicating beer in any manner, or function in an administrative, managerial or supervisory capacity with respect to employees who do handle or sell intoxicating liquor or nonintoxicating beer. The notice shall be in writing and must be delivered in person to the Excise Commissioner's office or deposited in the United States mail on or before the fifth day of the month following the date on which the persons first became employees. Provided, that there shall be no penalty imposed on a licensee for employing an ineligible employee if the licensee: (1) was unaware that such employee was ineligible for employment under the provisions of this chapter and title, (2) has timely notified the Excise Commissioner of his employment of said employee as provided herein, and (3) within fourteen (14) days of being notified by the Excise Commissioner that such employee is ineligible removes the employee from the position for which he is ineligible by either dismissing or transferring him.~~

A. It shall be the responsibility of each person or entity to whom a drink, C.O.L. or package license has been issued under the provisions of this chapter to insure that each prospective employee whose job will be to handle or sell, or assist in the handling or sale of intoxicating liquor or nonintoxicating beer in any manner, or function in an administrative, managerial or supervisory capacity with respect to employees who handle or sell intoxicating liquor or nonintoxicating beer, are free of any criminal history which may be disqualifying under provisions of this ordinance. License-holders shall perform or cause to perform criminal background checks sufficiently accurate to identify disqualifying convictions, and/or require prospective employees to provide evidence through a criminal background conducted by the St. Louis Metropolitan Police Department or the St. Louis County Police Department that they have no such disqualifications.

B. All persons to whom a drink, Consumption of Liquor ("COL") license or package license has been issued under the provisions of this chapter or title shall certify to the Excise Commissioner at the time of issuance or renewal of license that such background checks have been performed, and will be performed for any new employees hired subsequent to the issuance or renewal in accordance with Section 14.06.240 Section (A) and that no evidence of disqualifying factors has been found. Evidence of such background checks shall be maintained by the license holder and made available to the Excise Commissioner upon written request.

C. Provided, that there shall be no penalty imposed on a licensee for employing an ineligible employee if the licensee: (1) presents evidence that a background check was performed, and (2) such background check did not indicate that such employee was ineligible for employment under the provisions of this chapter and title.

D. The provisions of this chapter notwithstanding, the Excise Commissioner may require license applicants to submit to a fingerprint based criminal background check prior to approval of licensing.

**SECTION FOUR.** Severability. The sections, subsections and clauses of this Ordinance shall be severable. In the event that any section, subsection or clause of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections, subsection, or clauses of this ordinance are valid, unless the court finds the valid sections of the ordinance are so essential and inseparably connected with dependent upon the void section that it cannot be presumed that this Board of Alderman would have enacted the valid section without the void ones, or unless the court finds that the valid sections standing alone are incomplete and incapable of being executed in accordance with the legislative intent.

**SECTION FIVE. Penalty clause.** Any person convicted of violating this ordinance or title shall in addition to any administrative fine imposed be punished by a fine of not less than one-dollar (\$1.00) nor more than five-hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment.

**SECTION SIX. Emergency Clause.** The passage of this Ordinance being deemed necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist within the meaning of Section 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

**Approved: February 1, 2021**

**ORDINANCE #71280**  
**Board Bill No. 178**

An Ordinance amending **Ordinance No. 70501**; approving and authorizing the execution of a First Amendment to Redevelopment Agreement between The City of St. Louis, Missouri and Alterra Jefferson Arms, LLC; authorizing other related actions; and containing a Severability Clause.

**WHEREAS**, the Board of Aldermen adopted, and on February 15, 2017, the Mayor approved **Ordinance No. 70501**, which Ordinance authorized the City to enter into a redevelopment agreement (the "Redevelopment Agreement") with Alterra Jefferson Arms, LLC (the "Developer") with respect to the and the redevelopment project described therein (the "Redevelopment Project"); and

**WHEREAS**, Section 3.4 of the Redevelopment Agreement as authorized by the City provides that, the Developer shall substantially commence or cause commencement of the construction of the Work within two hundred seventy (270) days of the date of the Redevelopment Agreement and complete or cause the Work to be substantially complete, as those terms are defined therein, not later than December 31, 2020 absent any event of Force Majeure and not later than December 31, 2021 in the event of a delay caused by an event of Force Majeure; and

**WHEREAS**, the City has determined that it is necessary to amend **Ordinance No. 70501** to authorize the City to execute an Amendment to the Redevelopment Agreement, in order to amend the Redevelopment Agreement as it concerns the date by which the Work must be complete or substantially complete; and

**WHEREAS**, the City and the Developer desire to enter into a First Amendment to Redevelopment Agreement in substantially the form of **Exhibit A** attached hereto (the "First Amendment") to provide additional time for the Developer to complete the Redevelopment Project.

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

**SECTION ONE.** The Board of Aldermen hereby approves, and the Mayor and Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the First Amendment, and the City Register is hereby authorized and directed to attest to the First Amendment and to affix the seal of the City thereto. The First Amendment shall be in substantially the form attached, with such changes therein as shall be approved by said Mayor and Comptroller executing the same and as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized.

**SECTION TWO.** The Mayor and Comptroller of the City or their designated representatives are hereby authorized and directed to take any and all actions to execute and deliver for and on behalf of the City any and all additional certificates, documents, agreements or other instruments as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such action by the Mayor and the Comptroller or their designated representatives.

**SECTION THREE.** The Mayor and the Comptroller or their designated representatives, with the advice and concurrence of the City Counselor and after approval by the Board of Estimate and Apportionment, are hereby further authorized and directed to make any changes to the documents, agreements and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such changes by the Mayor and the Comptroller or their designated representatives.

**SECTION FOUR.** It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such

finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

**SECTION FIVE.** After adoption of this Ordinance by the Board of Aldermen, this Ordinance shall become effective on the 30th day after its approval by the Mayor or adoption over her veto; *provided that* if, within ninety (90) days after the effective date of the Ordinance, the Developer has not (i) executed the First Amendment and (ii) paid all fees due to the City and the St. Louis Development Corporation in accordance with the terms of the Redevelopment Agreement and the First Amendment, the provisions of this Ordinance shall be deemed null and void and of no effect and all rights conferred by this Ordinance on the Developer shall terminate, *provided further*, however, that prior to any such termination, the Developer may seek an extension of time in which to execute the First Amendment from the Board of Estimate and Apportionment, which extension may be granted in the sole discretion of the Board of Estimate and Apportionment.

**EXHIBIT A**  
**FORM OF FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ST. LOUIS AND THE DEVELOPER**  
 (Attached hereto.)

**EXHIBIT A**  
**FORM OF FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ST. LOUIS AND THE DEVELOPER**  
 (Is On File in the Register’s Office)

**BOARD BILL NUMBER 178**  
**FISCAL NOTE**

Preparer's Name: David G. Richardson  
 Contact Information: Husch Blackwell LLP  
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 (314) 480-1718  
 David.Richardson@huschblackwell.com  
 Bill Sponsor: Alderwoman Tammika Hubbard

<b>Bill Synopsis:</b>	Board Bill 178 amends <b>Ordinance No. 70501</b> related to the Jefferson Arms TIF and authorizes the execution of the First Amendment to Redevelopment Agreement between the City and Alterra Jefferson Arms, LLC.
<b>Type of Impact:</b>	While the Redevelopment Agreement related to tax increment financing was approved by Ordinance No. 70501 the amendment to the ordinances will not have any additional impact.
<b>Agencies Affected:</b>	None.

**SECTION A**  
**Does this bill authorize:**

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? \_\_\_ Yes \_\_\_ X \_\_\_ No.
- An undertaking of a new service for which no funding is provided in the current adopted city budget? \_\_\_ Yes \_\_\_ X \_\_\_ No.
- A commitment of city funding in the future under certain specified conditions? \_\_\_ Yes \_\_\_ X \_\_\_ No.
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget \_\_\_ Yes \_\_\_ X \_\_\_ No.
- An execution or initiation of an activity as a result of federal or state mandates or requirements? \_\_\_ Yes \_\_\_ X \_\_\_ No.
- A capital improvement project that increases operating costs over the current adopted city budget? \_\_\_ Yes \_\_\_ X \_\_\_ No.

- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? \_\_\_ Yes \_\_\_ X \_\_\_ No.

**If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill.  
Complete Section B of the form below.**

**SECTION B**

- Does the bill require the construction of any new physical facilities?
  - If yes, describe the facilities and provide the estimated cost: \_\_\_ Yes \_\_\_ No.  
\_\_\_\_\_
- Is the bill estimated to have a direct fiscal impact on any city department or office? \_\_\_ Yes \_\_\_ No.
  - If yes, explain the impact and the estimated cost:  
\_\_\_\_\_
- Does the bill create a program or administrative subdivision? \_\_\_ Yes \_\_\_ No.
  - If yes, then is there a similar existing program or administrative subdivision? \_\_\_ Yes \_\_\_ No.
  - If yes, explain the how the proposed programs or administrative subdivisions may overlap:  
\_\_\_\_\_
- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources:  
\_\_\_\_\_

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

<b>Financial Estimate of Impact on General Fund</b>			
<b>Fiscal Impact</b>	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
<b>Additional Expenditures</b>	N/A	N/A	N/A
<b>Additional Revenue</b>	N/A	N/A	N/A
<b>Net</b>	N/A	N/A	N/A
<b>Financial Estimate of Impact on Special Funds</b>			
<b>Fiscal Impact</b>	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
<b>Additional Expenditures</b>	N/A	N/A	N/A
<b>Additional Revenue</b>	N/A	N/A	N/A
<b>Net</b>	N/A	N/A	N/A

- Describe any assumptions used in preparing this fiscal note:  
\_\_\_\_\_



- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note:  
\_\_\_\_\_  
\_\_\_\_\_
  
- Have the financial estimates of this bill been verified by the City Budget Division?      \_\_\_ Yes \_\_\_ No.
  - If yes, by whom? \_\_\_\_\_

**Approved: February 9, 2021**





