

ORDINANCE 70885

BOARD BILL NO. 157 INTRODUCED BY ALDERWOMAN CHRISTINE INGRASSIA

1 An ordinance approving a blighting study and redevelopment plan dated April 24, 2018 for
2 the Chouteau Ave./ Jefferson Ave./ La Salle St./Missouri Ave./ Hickory St./ Mackay Place
3 Redevelopment Area (as further defined herein, the “Plan”) after finding that said Redevelopment
4 Area (“Area”) is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as
5 amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended) and is
6 blighted as defined in Section 353.020 RSMo, as amended; containing a description of the
7 boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as
8 Attachment "A", finding that redevelopment and rehabilitation of the Area is in the interest of the
9 public health, safety, morals and general welfare of the people of the City; approving the Plan
10 attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as
11 amended; finding that there is a feasible financial plan for the redevelopment of the Area which
12 affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no
13 property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the
14 City of St. Louis (“LCRA”), a public body corporate and politic created under Missouri law,
15 through the exercise of eminent domain; finding that none of the property within the Area is
16 occupied, and if it should become occupied, the Redeveloper(s) (as defined herein) shall be
17 responsible for providing relocation assistance pursuant to the Plan to any eligible occupants
18 displaced as a result of implementation of the Plan; finding that financial aid may be necessary to
19 enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available
20 up to a fifteen (15) year real estate tax abatement; and pledging cooperation of this St. Louis Board

1 of Aldermen (“Board”) and requesting various officials, departments, boards and agencies of the
2 City to cooperate and to exercise their respective powers in a manner consistent with the Plan; and
3 containing a severability clause.

4 **WHEREAS**, the predominance of defective or inadequate street layout, insanitary or unsafe
5 conditions, deterioration of site improvements, improper subdivision or obsolete platting,
6 inadequate or outmoded design and conditions which endanger life or property by fire and other
7 causes, or any combination of such factors, retards the provision of housing accommodations or
8 constitutes an economic or social liability or a menace to the public health, safety, morals or welfare
9 in the present condition and use of the Area and such conditions are beyond remedy and control
10 solely by regulatory process in the exercise of the police power and cannot be dealt with effectively
11 by ordinary private enterprise without the aids provided in the Statute; and

12 **WHEREAS**, this Board has considered the “Blighting Study and Redevelopment Plan for
13 the Chouteau Ave./Jefferson Ave./La Salle St./ Missouri Ave./ Hickory St./ Mackay Place
14 Redevelopment Area” dated April 24, 2018, consisting of a Title Page; a Table of Contents Page,
15 thirty (30) numbered pages including Exhibits “A” – “G” attached hereto and incorporated herein as
16 Attachment “B” (“Plan”); and based on the information in the Plan, specifically the Blighting
17 Report in Exhibit “F” to the Plan, considered each parcel of property in the Area and found the
18 preponderance of the Area to be blighted, and

19 **WHEREAS**, there is a need for the LCRA to undertake the redevelopment of the Area as a
20 land clearance project under the Statute, pursuant to plans by or presented to the LCRA under
21 Section 99.430.1 (4) RSMo, as amended; and

22 **WHEREAS**, the LCRA has, after considering each individual parcel of property in the
23 Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan

1 to the Planning Commission of the City of St. Louis (“Planning Commission”) and to this Board;
2 and

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

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

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

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

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

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

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

21 **WHEREAS**, this Board is cognizant of the conditions which are imposed on the
22 undertaking and carrying out of a redevelopment project, including those relating to prohibitions
23 against discrimination because of race, color, familial status, national origin or ancestry, sex,

1 marital status, age, sexual orientation, gender identification or expression, religion, or disability;
2 and

3 **WHEREAS**, in accordance with the requirements of Section 99.430 RSMo, as amended,
4 this Board placed public notices in a newspaper of general circulation in the City that a public
5 hearing would be held by this Board on the Plan, and a hearing was held at the time and place
6 designated in those notices and all those who were interested in being heard were given a
7 reasonable opportunity to express their views; and

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

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

12 **SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as
13 defined by Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being
14 Sections 99.300 to 99.715 inclusive, as amended) and as defined in Section 353.020 of the Revised
15 Statutes of Missouri, as amended described in Attachment "A", attached hereto and incorporated
16 herein, known as the Chouteau Ave./Jefferson Ave./ La Salle St./ Missouri Ave./ Hickory St./
17 MacKay Place Redevelopment Area ("Area"). The existence of deteriorated property and other
18 conditions constitutes an economic and social liability to the City and presents a hazard to the
19 health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted
20 within the meaning of Section 99.320(3) RSMo, as amended, and Section 353.02 of the Revised
21 Statutes of Missouri, as amended, and are evidenced by the Blighting Report attached as Exhibit
22 "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated April

1 24, 2018 which is attached hereto, and labeled Attachment “B” and incorporated herein by
2 reference (“Plan”).

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

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

9 **SECTION FOUR.** The Plan (including the Blighting Report) having been duly reviewed
10 and considered, is hereby approved and incorporated herein by reference, and the President or Clerk
11 of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of the Plan with the
12 Minutes of this meeting.

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

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

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

20 **SECTION EIGHT.** The Plan provides that the Land Clearance for Redevelopment
21 Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of
22 eminent domain.

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

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

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

10 (a) Pledges its cooperation in helping to carry out the Plan;

11 (b) Requests the various officials, departments, boards and agencies of the City, which
12 have administrative responsibilities, likewise to cooperate to such end and to execute their
13 respective functions and powers in a manner consistent with the Plan; and

14 (c) Stands ready to consider and take appropriate action upon proposals and measures
15 designed to effectuate the Plan.

16 **SECTION TWELVE.** All parties participating as owners or purchasers of property in the
17 Area for redevelopment ("Redeveloper(s)") shall agree for themselves and their heirs, successors
18 and assigns that they shall not discriminate on the basis of race, color, race, color, familial status,
19 national origin or ancestry, sex, marital status, age, sexual orientation, gender identification or
20 expression, religion, or disability in the sale, lease, or rental of any property or improvements
21 erected or to be erected in the Area or any part thereof and those covenants shall run with the land,
22 shall remain in effect without limitation of time, shall be made part of every contract for sale, lease,

1 or rental of property to which Redeveloper(s) is a party, and shall be enforceable by the LCRA, the
2 City and the United States of America.

3 **SECTION THIRTEEN.** In all contracts with private and public parties for redevelopment
4 of any portion of the Area, Redeveloper(s) shall agree:

5 (a) To use the property in accordance with the provisions of the Plan, and be bound by
6 the conditions and procedures set forth therein and in this Ordinance;

7 (b) That in undertaking construction under the agreement with the LCRA and the Plan,
8 bona fide Minority Business Enterprises (as further defined below, "MBEs") and Women's
9 Business Enterprises ("as further defined below ("WBEs") will be solicited and fairly considered
10 for contracts, subcontracts and purchase orders;

11 (c) To be bound by the conditions and procedures regarding the utilization of MBEs
12 and WBEs established by the City;

13 (d) To adhere to the requirements of Ordinance No. 70767 and Executive Orders #28
14 and #47 of the Mayor of the City, as may be amended and supplemented, as applicable.

15 (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First
16 Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

17 (f) To cooperate with those programs and methods supplied by the City with the
18 purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and
19 material supplier participation in the construction pursuant to the Plan. The Redeveloper(s) will
20 report semi-annually during the construction period the results of its endeavors under this
21 paragraph, to the Office of the Assistant Director-Certification and Compliance of the City and the
22 President of this Board; and

1 (g) That the language of this Section Thirteen shall be included in its general
2 construction contract and other construction contracts entered into directly by Redeveloper(s).

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

17 The term "Redeveloper(s)" as used in this Section shall include heirs, successors in interest,
18 and assigns.

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

1 In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) which is an urban
2 redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be
3 entitled to real property ad valorem tax abatement which shall not include any Special Business
4 District, Neighborhood Improvement District, Commercial Improvement District or any other
5 single local taxing district created in accordance with Missouri law, whether now existing or later
6 created, for a total period of up to fifteen (15) years from the commencement of such tax abatement
7 for each specific parcel of property within the Area, in accordance with the following provisions:

8 If property in the Area is sold by the LCRA to an urban redevelopment corporation
9 formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall
10 own property within the Area, then for the fifteen (15) year period after the date the
11 redevelopment corporation shall acquire title to each specific parcel of property in the Area,
12 taxes on that specific property shall be based upon the assessment of land, exclusive of any
13 improvements thereon, during the calendar year prior to the calendar year during which the
14 corporation shall have acquired title to that property. In addition to such taxes, any such
15 corporation shall during the same fifteen (15) year period make a payment in lieu of taxes to
16 the Collector of Revenue of the City of St. Louis in an amount based upon five percent (5%)
17 of the then normal assessment of the land and improvements for that specific parcel of
18 property within the Area.

19 All payments in lieu of taxes shall be a lien upon the property and, when paid to the
20 Collector of Revenue of the City shall be distributed as all other property taxes. These
21 partial tax relief and payment in lieu of taxes provisions, during up to said fifteen (15) year
22 period for each specific parcel of property within the Area, shall inure to the benefit of all
23 successors in interest in the property of the development corporation, so long as such

1 successors shall continue to use the property as provided in this Plan and in any agreement
2 with the LCRA. In no event shall such benefits extend beyond fifteen (15) years for each
3 specific parcel of property within the Area after the development corporation shall have
4 acquired title to each specific parcel of property.

5 **SECTION FIFTEEN.** The Plan provides that the Redeveloper(s) shall pursue the creation
6 of a Community Improvement District (“CID”) for the Area and the imposition of a CID special
7 assessment (the “Special Assessment”) to be levied on each parcel in the Area to be no less than
8 fifteen percent (15%) of the amount of the then normal assessment of the land and improvements
9 for that specific parcel of property within the Area. Notwithstanding the foregoing, with respect to
10 any parcels within the Area that are developed as single family residential, the Special Assessment
11 to be levied shall be equal to ninety five percent (95%) of the then normal assessment of the land
12 and improvements for that specific parcel of property within the Area. The Special Assessment
13 shall be used to reimburse Redeveloper(s) for infrastructure and public improvements benefiting the
14 Area. In the event that all financing and obligations related to the CID have been paid in full, the
15 portion of the tax abatement tied to the Special Assessment shall end early.

16 **SECTION SIXTEEN.** The Plan provides that in the event that a particular phase of the
17 redevelopment project has not commenced within eight (8) years of the execution of an agreement
18 between the LCRA and the Redeveloper(s), the parcels located within such phase shall only be
19 eligible for up to ten (10) years of tax abatement.

20 **SECTION SEVENTEEN.** Any proposed modification which will substantially change
21 the Plan must be approved by this Board in the same manner as the Plan was first approved.

22 Modifications which will substantially change the Plan include, but are not necessarily limited to,

1 modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the
2 Area, or to other items which alter the nature or intent of the Plan.

3 The Plan may be otherwise modified (e.g. urban design regulations, development schedule)
4 by the LCRA.

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

ATTACHMENT "A"

Legal Description of the Area

The Area includes the following parcels and all intervening streets and alleys therein:

C.B. 2262 CHOUTEAU AVE
569.64 FT X 287 FT
HUMPHREYS & STANIFORDS ADDNS
WHOLE BLOCK
Tax Record No.: 2262-00-0100-0

C.B. 2263 LASALLE AVE
78 FT 6 IN X 146 FT
U S SURVEY 2017
BD E-188 FT 6 3/4 IN WWL MISSOURI
Tax Record No: 2263-00-0040-0

CB 2263 LASALLE ST
188.39 FT / IRREG
87.40 FT / 146.4 FT
US SURVEY 42017 ADDN
BND N-LASALLE E-MISSOURI
Tax Record No.: 2263-00-0065-0

CB 2263 MISSOURI AV
49 FT X 113 FT
US SURVEY 2017
BND E-MISSOURI AV & S-ALLEY
Tax Record No.: 2263-00-0075-0

C. B. 2268 MISSOURI AV
4.077 ACRES
MOULTON & DILLON'S ADDN
N PART OF BLOCK
Tax Record No.: 2268-00-0350-0

C.B.2268 HICKORY ST.
354.77 FT X 160.86 FT
HICKORY COURT TOWNHOUSES
LOTS 1-28
Tax Record No.: 2268-00-0315-0

C.B. 2268 2276W 2277 W MACKAY PL
50 FT X 294.26 FT
PT DILLONS ADDN
N PT VAC MACKAY ST
Tax Record No.: 2268-00-0045-0

C B 2276W & 2268 CHOUTEAU
1.745 ACS ARMSTRONG-DILLON
ETAL ADDN W PT OF BLK ALSO ADJ
PTS OF VAC STS. & ALLEYS
Tax Record No.: 2276-04-0025-0

ATTACHMENT "B"