

Summary

Board Bill 183

Sponsored by Alderman Joseph Roddy

Date: December 13, 2019

This Board Bill seeks to approve a Chapter 99 Redevelopment Plan and Blighting Study for the 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave. Redevelopment Area. This Board Bill will allow 4540 Swan Ave. and 1305 & 1305R South Taylor Ave. to have 10 years of tax abatement based on 75% of the assessed value of the incremental improvements

The project consists of two industrial buildings in the Forest Park Southeast neighborhood. The prospective redeveloper proposes demolishing the buildings and constructing an apartment building. The apartment building will have 307 units, 1,450 square feet of commercial space and 381 parking spaces. The acquisition cost for all four parcels is \$4.5 million, and construction costs are estimated at \$55 million.

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BOARD BILL NUMBER 183 INTRODUCED BY ALDERMAN JOSEPH RODDY

1 An ordinance approving a Redevelopment Plan dated November 19, 2019 (“Plan”) for the 4500-
2 4540 Swan Ave. and 1305 & 1305R South Taylor Ave. Area ("Area") in the City of St. Louis (“City”)
3 after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of
4 Missouri, 2016, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), finding that
5 there shall be available ten (10) year tax abatement (based on 75% of the assessed value of the
6 incremental improvements) for 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave.; and
7 pledging cooperation of the Board of Aldermen.

8 **WHEREAS**, by reason of predominance of defective or inadequate street layout, unsanitary
9 or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting,
10 there exist conditions which endanger life or property by fire or other causes and constitute an
11 economic or social liability or a menace to the public health, safety, morals or welfare in the present
12 condition and use of the Area, said Area being more fully described in **Attachment "A"**; and

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

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

20 **WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the
21 City of St. Louis (“Planning Commission”) and to this St. Louis Board of Aldermen ("Board"), titled
22 "Blighting Study and Plan for the 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave.,"

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1 dated November 19, 2019 consisting of a Title Page, Table of Contents Pages, and eight (8)
2 numbered pages, and **Exhibits A-G** attached hereto and incorporated herein as **Attachment "B"**
3 ("Plan"); and

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

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

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

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

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

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

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

22 **WHEREAS**, this Board is cognizant of the conditions which are imposed on the undertaking
23 and carrying out of the Project, including those relating to prohibitions against discrimination

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1 because of race, color, familial status, national origin or ancestry, sex, marital status, age, sexual
2 orientation, gender identity or expression, religion or disability; and

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

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

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

10 **SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by
11 Section 99.320 of the Revised Statutes of Missouri, 2016, as amended, (the "Statute" being Sections
12 99.300 to 99.715 inclusive, as amended) described in **Attachment "A"**, attached hereto and
13 incorporated herein, known as the 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave.
14 Area.

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

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

20 **SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 19, 2019,
21 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by
22 reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby
23 directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (b) That in undertaking construction under the agreement with the LCRA and the Plan,
20 bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's")
21 will be solicited and fairly considered for contracts, subcontracts and purchase orders;

22 (c) To be bound by the conditions and procedures regarding the utilization of MBE's
23 and WBE's established by the City;

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1 (d) To adhere to the requirements of Ordinance #70767 and the Executive Orders #28
2 and #47, as may be amended and supplemented.

3 (e) To comply with the requirements of Ordinance #60275 of the City;

4 (f) To cooperate with those programs and methods supplied by the City with the purpose
5 of accomplishing, pursuant to this paragraph, minority and women subcontractors and material
6 supplier participation in the construction under this Agreement. The Redeveloper will report semi-
7 annually during the construction period the results of its endeavors under this paragraph, to the Office
8 of the Mayor and the President of this Board; and

9 (g) That the language of this Section Thirteen shall be included in its general construction
10 contract and other construction contracts let directly by Redeveloper.

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

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

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

12 During the Tax Abatement Period, and subject to continued compliance with the Plan and any
13 redevelopment agreement, the Redeveloper(s) (or subsequent owners of the applicable real property
14 or portion thereof) shall pay unabated ad valorem real estate taxes and make additional payments in
15 lieu of taxes ("PILOTS") as follows:

16 During each year of the Tax Abatement Period, unabated ad valorem real estate taxes will be imposed
17 based on the then-current tax levy rates and the Base Assessed Value of the applicable real property
18 or portion thereof pursuant to Section 99.710, RSMo; and

19 During each year of the Tax Abatement Period, PILOTS shall equal: In each of years one through ten
20 of the Tax Abatement Period, an amount equal to twenty five percent (25%) of the difference between
21 the ad valorem real estate taxes that would be due if there were no abatement and the amount of taxes
22 actually due (as described above); and

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1 Pursuant to Section 99.715, RSMo, nothing in the Plan shall prevent the City Assessor from
2 increasing or decreasing the assessed value of the any real property or portion thereof that is not
3 subject to a Certificate of Qualification of Tax Abatement properly filed with the City Assessor.

4 All unabated ad valorem real estate taxes and PILOTs shall be collected by the City Collector of
5 Revenue in the same manner as regular ad valorem real estate taxes.

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

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

ATTACHMENT "A"

**4500-4540 SWAN AVE. AND 1305 & 1305R SOUTH TAYLOR AVE.
LEGAL DESCRIPTION**

**C.B.5048 SWAN AVE
206 FT 10 5/8 IN / 197 FT 8 3/4 IN X
387 FT / 319 FT 4 7/8 IN
GIBSON HTS ADDN
PT OF BLOCK BND E-TAYLOR & N-SWAN
PARCEL 504800040**

**C.B. 5048 SWAN
1.404 ACRES
GIBSON HTS ADDN
BD W-407 FT 1 7/8 IN E OF KINGSHIGHWY
PARCEL 504800030**

**C.B. 5048 TAYLOR AVE
.649 ACRES
GIBSON HEIGHTS ADDN
PARCEL 504800057**

**C B 5048 TAYLOR AVE
0.870 ACRES
GIBSON HTS ADDN
BND N-398 FT S OF SWAN
PARCEL 504800050**

BLIGHTING STUDY AND REDEVELOPMENT PLAN

FOR THE

4500-4540 SWAN AVE. AND 1305 & 1305R SOUTH TAYLOR AVE.
Redevelopment Area

PROJECT # 2359

November 19, 2019

LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

MAYOR
LYDA KREWSON

**BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
4500-4540 SWAN AVE. AND 1305 & 1305R SOUTH TAYLOR AVE.
LEGAL DESCRIPTION REDEVELOPMENT AREA**

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave. Redevelopment Area ("Area") encompasses approximately 6.13 acres in the Forest Park Southeast 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 Block 5048 and includes 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave. 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 2.9% unemployment rate for the City as of October 2019. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently 10 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include two warehouses and a parking lot.

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 mixed-use purposes to the West and residential purposes to the North and East.

Residential density for the surrounding neighborhoods is approximately 7.06 persons per acre in the Forest Park Southeast neighborhood.

5. CURRENT ZONING

The Area is currently zoned "J" Industrial District and "K" Unrestricted District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is used as two industrial buildings and a parking lot 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) 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 residential and commercial use.

The City Planning Commission adopted a Sustainability Plan on January 9, 2013. 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 include residential which is not permitted in zones designated “J” Industrial District and “K” Unrestricted District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis (“LCRA”) to redevelop property in the Area (hereafter referred to as “Redeveloper(s)”) shall be permitted to use the property within the Area only residential use after approval of modifications or exceptions to the current zoning.

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 2019) designates it as a Business and Industrial Preservation and Development Area (BIPDA).

3. PROPOSED ZONING

The proposed land use of the Area will require rezoning or a variance to the “J” Industrial District and “K” Unrestricted District Zoning. 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 but will require modifications to the local objectives as defined by the General Plan of the City of St. Louis which includes the “Strategic Land Use Plan of the City of St. Louis”

(2019). 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

Approximately 8 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 residential and commercial asset to the surrounding neighborhood.

b. Urban Design Regulations

- 1.) Rehabilitation shall respect the original exterior of the structures in the Area 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 the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) New Exterior Materials on facades of structures in the Area 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 building permit approval.
- 4.) Architectural Details on existing structures in the Area 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 that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 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 property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2 inches and generally 30-35 feet on center as determined by the Parks Department of the City, 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.

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

9. PARKING REGULATIONS

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

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 shall take place in a single phase initiated within approximately two (2) years of approval of this Plan by City ordinance and completed within approximately five (5) 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 of Missouri.

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 property 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 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 ad valorem real estate tax abatement (the “Tax Abatement Period”) 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).

During the Tax Abatement Period, and subject to continued compliance with the Plan and any redevelopment agreement, the Redeveloper(s) (or subsequent owners of the applicable real property or portion thereof) shall pay unabated ad valorem real estate taxes and make additional payments in lieu of taxes (“PILOTs”) as follows:

During each year of the Tax Abatement Period, unabated ad valorem real estate taxes will be imposed based on the then-current tax levy rates and the Base Assessed Value of the applicable real property or portion thereof pursuant to Section 99.710, RSMo; and

During each year of the Tax Abatement Period, PILOTs shall equal:

In each of years one through ten of the Tax Abatement Period, an amount equal to twenty five percent (25%) of the difference between the ad valorem real estate taxes that would be due if there were no abatement and the amount of taxes actually due (as described above); and

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. Pursuant to Section 99.715, RSMo, nothing in the Plan shall prevent the City Assessor from increasing or decreasing the assessed value of the any real property or portion thereof that is not subject to a Certificate of Qualification of Tax Abatement properly filed with the City Assessor.

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.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

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 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

A Redeveloper(s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, 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 a 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 the 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 fifteen years commencing with the effective date of approval of this Plan by ordinance.

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"

**4500-4540 SWAN AVE. AND 1305 & 1305R SOUTH TAYLOR AVE.
LEGAL DESCRIPTION**

**C.B.5048 SWAN AVE
206 FT 10 5/8 IN / 197 FT 8 3/4 IN X
387 FT / 319 FT 4 7/8 IN
GIBSON HTS ADDN
PT OF BLOCK BND E-TAYLOR & N-SWAN
PARCEL 504800040**

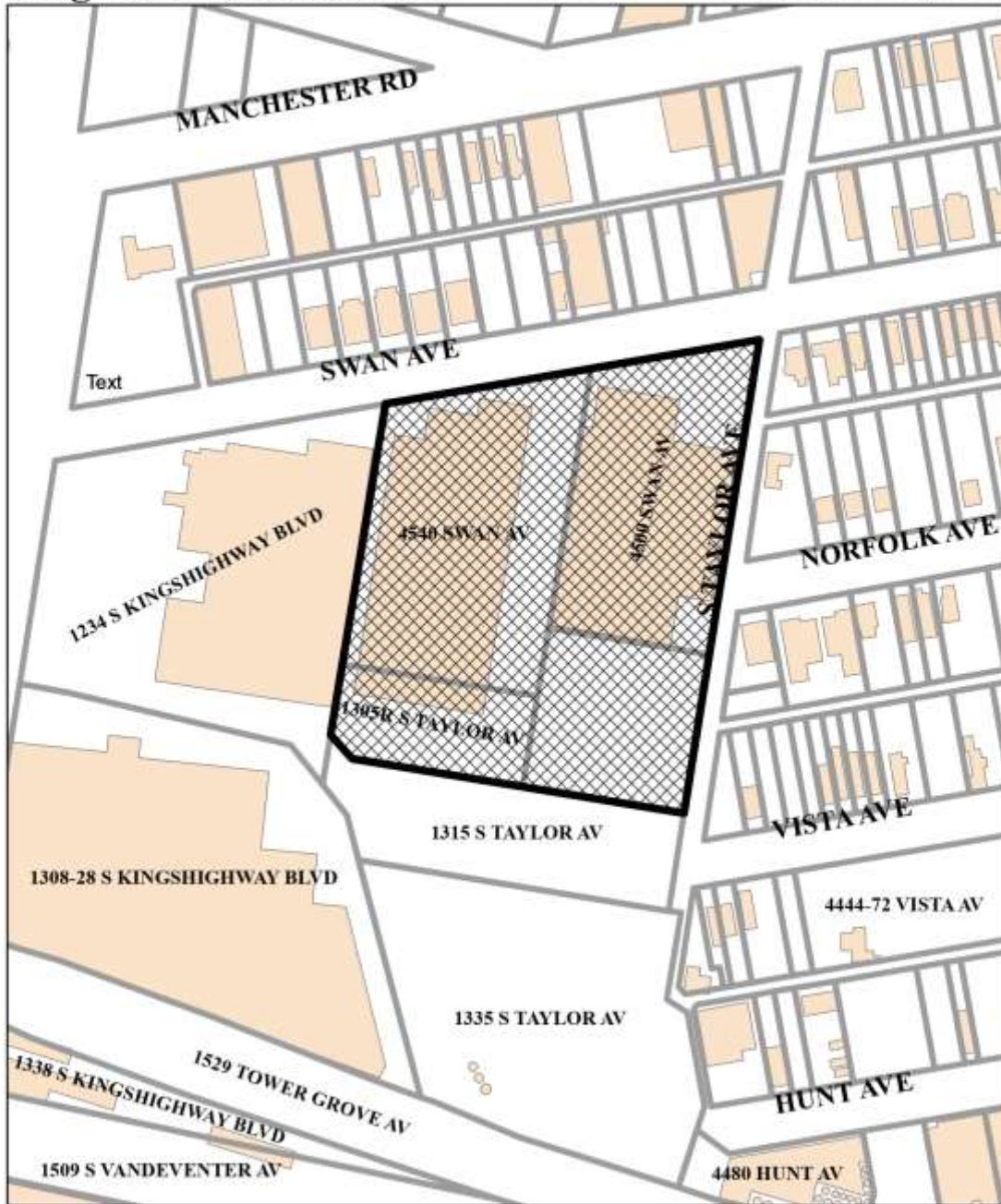
**C.B. 5048 SWAN
1.404 ACRES
GIBSON HTS ADDN
BD W-407 FT 1 7/8 IN E OF KINGSHIGHWY
PARCEL 504800030**


**C.B. 5048 TAYLOR AVE
.649 ACRES
GIBSON HEIGHTS ADDN
PARCEL 504800057**

**C B 5048 TAYLOR AVE
0.870 ACRES
GIBSON HTS ADDN
BND N-398 FT S OF SWAN
PARCEL 504800050**

Exhibit B
Project Area Plan-
Existing Uses & Conditions

4500-4540 Swan Ave. and
1305 & 1305R South Taylor Ave.



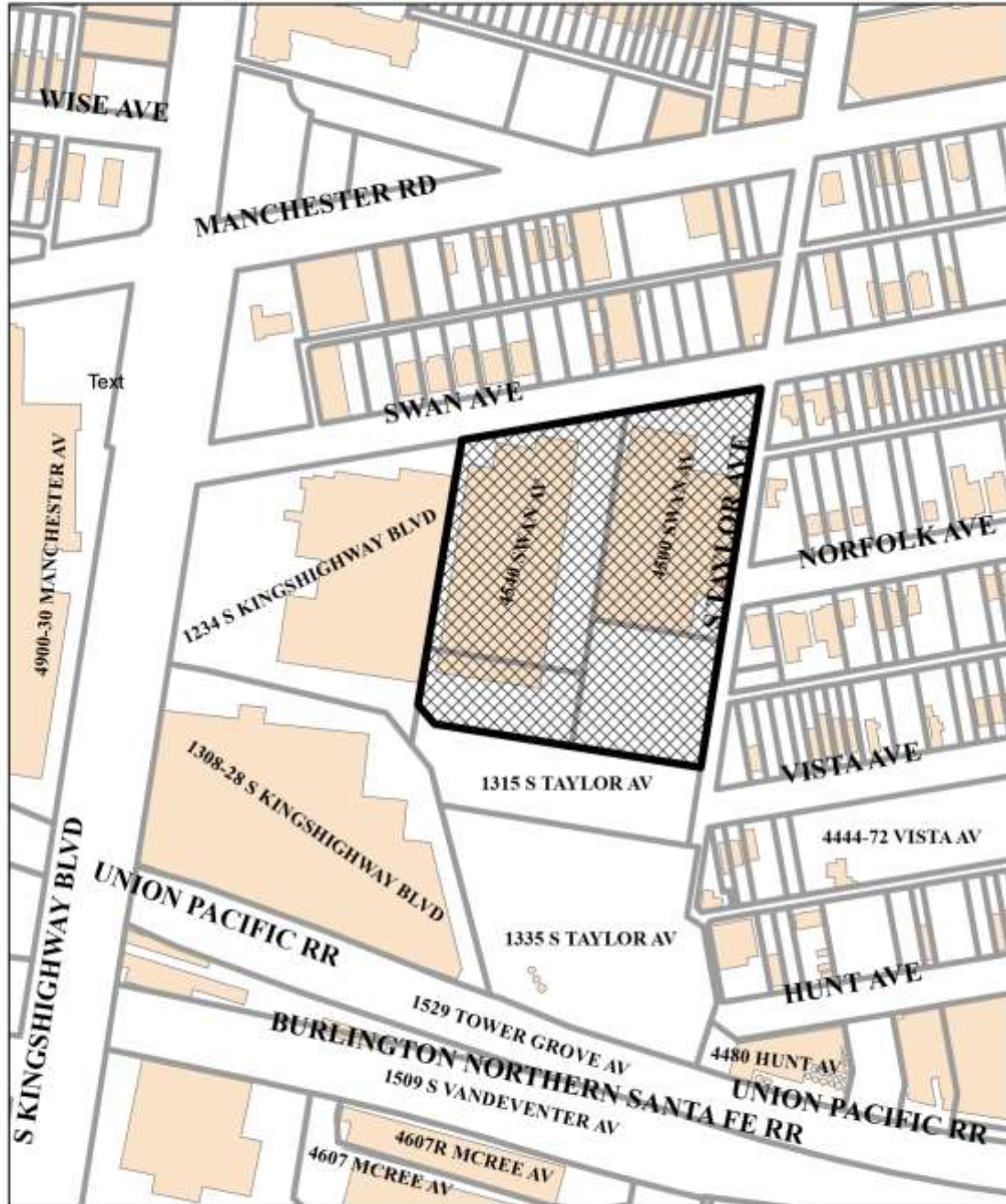
 Commercial/ Fair Condition

0 0.01 0.02 0.04 0.06 0.08 Miles



Exhibit C Project Area Plan- Proposed Land Use

4500-4540 Swan Ave. and
1305 & 1305R Taylor Ave.

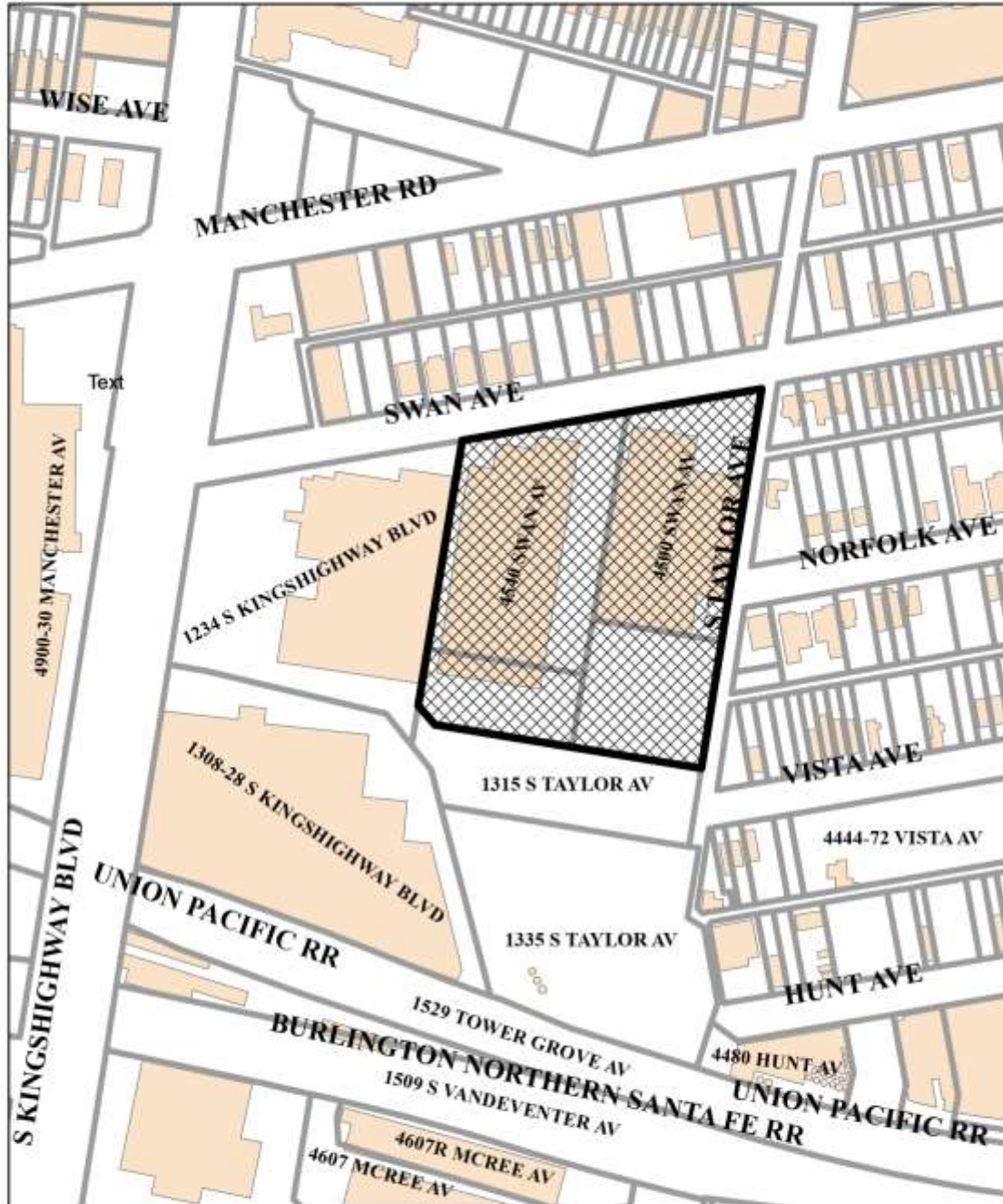


 Residential

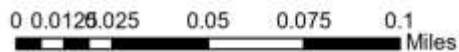


Exhibit D Project Area Plan- Project Acquisition

4500-4540 Swan Ave. and
1305 & 1305R Taylor Ave.



 No Eminent Domain



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 #70767, as may be amended and supplemented.

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.

If answer is yes, explain: The property is substandard compared with other properties in the neighborhood. The value of the property is much lower than the surrounding properties thus causing an economic blight of the area.

The subject property _____ does X does not constitute a social liability

If answer is yes, explain: _____

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

The subject property _____ is X is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: _____

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, and juvenile delinquency.

If answer is yes, explain: _____

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 |
|---|--|------------|----------------|
| I. URBAN CHARACTER, VITALITY AND ECOLOGY | | | |
| 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 | | |
| F5 | Promote the redevelopment of historic homes and commercial properties | | |
| | | | |
| 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 |
| II. ARTS, CULTURE AND INNOVATION | | | |
| 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 | | |
| III. EMPOWERMENT, DIVERSITY AND EQUITY | | | |
| 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 | |
| IV. HEALTH, WELL-BEING AND SAFETY | | | |
| 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 |

Exhibit G-2

| | | |
|---|---|---|
| End chronic Homelessness | | X |
| Design buildings to encourage physical activity | | X |
| V. INFRASTRUCTURE, FACILITIES AND TRANSPORTATION | | |
| 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 | | |
| VI. PROSPERITY, OPPORTUNITY AND EMPLOYMENT | | |
| 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 | | |
| <i>Please comment in what ways you believe the Mayor's Sustainability Action Agenda overlaps with your successes on your project.</i> | | |

Exhibit G-3

BOARD BILL NUMBER 183

FISCAL NOTE

Preparer's Name Zachary Wilson

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

Bill Sponsor Alderman Roddy

| | |
|---------------------------|---|
| Bill Synopsis: | This Board Bill seeks to approve a Chapter 99 Redevelopment Plan and Blighting Study for the 4500-4540 Swan Ave. and 1305 & 1305R South Taylor Ave. Redevelopment Area. This Board Bill will allow 4540 Swan Ave. and 1305 & 1305R South Taylor Ave. to have 10 years of tax abatement based on 75% of the assessed value of the incremental improvements |
| Type of Impact: | None this year. Financial score card that was presented to LCRA on November 19, 2019 is attached |
| Agencies Affected: | 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.

Swan Multifamily (name TBD) Financial Impact Report

| Market Average Rate of Return | | Project 10 Year Rate of Return | |
|-------------------------------|-------------------|--------------------------------|---------------|
| Low End of Range | High End of Range | No Incentives | w/ Incentives |
| 6.4% | 8.9% | 4.1% | 4.6% |

| 10-Year Revenues to the City | |
|--|-------------|
| Gross City Revenue Generated by Project* | \$3,516,896 |
| - City Portion of Incentive | \$1,247,124 |
| - Revenue Lost to Substitution Effect | \$1,468,090 |
| = Net Revenue to the City | \$801,682 |
| - Baseline Revenue (If No Project) | \$113,843 |
| = Net New Revenue to City | \$687,839 |
| = Net New Revenue to School District | \$757,665 |

| 30 Year Return on Investment to the City | |
|--|-------------|
| Opportunity Cost/Investment | \$1,814,165 |
| Average Residential Cost | \$1,849,107 |
| Net Return After Incentive | \$5,937,787 |
| 30 Year ROI (Opp. Cost) | 227% |
| 30 Year ROI (Avg. Cost) | 221% |

| | |
|----------------------|----------------|
| Value Score | 19.0 |
| Tax Revenue Score | 19.0 |
| Increment Score | 1.2 |
| Total Score | 39.2/40 |
| Project Grade | ☆☆☆☆☆.75/5 |

| TIF Capture Percentages | |
|-------------------------|-----|
| Property Tax PILOTs | N/A |
| Sales Tax | N/A |
| Food & Beverage Tax | N/A |
| Earnings & Payroll Tax | N/A |
| Parking Tax | N/A |
| Utility Tax | N/A |

| Project Financing | Amount | Percent |
|--|---------------------|---------------|
| Federal Historic Tax Credits | \$0 | |
| State Historic Tax Credits | \$0 | |
| State Brownfields Tax Credits | \$0 | |
| New Market Tax Credits | \$0 | |
| TIF | \$0 | |
| Hotel Sales Tax Rebate | \$0 | |
| CID/TDD | \$0 | |
| Private Debt | \$42,000,000 | 65% |
| 3rd Pos. Debt: | \$0 | |
| Equity | \$27,963,355 | 35% |
| Deferred Developer Fee | \$0 | |
| Other Public: | \$0 | |
| Total Project Sources (Permanent) | \$64,963,355 | 100.0% |
| Uses of Funds | | |
| Land/Building Acquisition | \$4,750,000 | 7% |
| Construction Hard Costs | \$53,047,355 | 82% |
| Infrastructure Hard Costs | \$400,000 | 1% |
| Development Soft Costs | \$1,850,000 | 3% |
| Financing Costs | \$1,242,000 | 2% |
| Developer's Fee | \$2,324,000 | 4% |
| Total Reserves | \$1,350,000 | 2% |
| Total Project Uses | \$64,963,355 | 100.0% |
| % Local Public to Private Investment (excluding CID/TDD) | | 5.1% |
| % Total Public to Private Investment (excluding CID/TDD) | | 5.1% |

| Substitution Rates | |
|--------------------|--------|
| Payroll | #DW/01 |
| Retail Sales | N/A |
| Restaurant | N/A |
| Residents | 83% |
| Hotel | N/A |

| | |
|---|------|
| TIF Payoff Year | N/A |
| Break Even Year | 2022 |
| Years to Break Even (from project completion) | 1 |

* City Revenue projections exclude personal property, parking and utility tax estimates.