

St. Louis City Ordinance 62434

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 205

INTRODUCED BY ALDERMAN DANIEL GRUEN

An ordinance finding that a certain blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), exists in the City of St. Louis ("City") and containing a description of the boundaries of said blighted area, attached hereto and incorporated herein as Exhibit "A", known as the Carondelet Scattered Sites Area ("Area"); finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated August 27, 1991 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that the property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain, excluding 5925-27 S. Broadway; finding that the Area is partially occupied, and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be ten (10) year tax abatement; 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 and containing an emergency clause.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or 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 Exhibit "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 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 Community Development Agency ("CDA") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for the Carondelet Scattered Sites Area" dated August 27, 1991, consisting of a Title Page, a Table of Contents Page, and fifteen (15) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, 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 CDA 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 CDA of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by LCRA and CDA 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 CDA 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 CDA; 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 a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, age, marital status or physical handicap; 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, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the Carondelet Scattered Sites Area ("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 of St. Louis.

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.

SECTION FOUR. The Blighting Study and Plan for the Area, dated August 27, 1991 ("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 acquire any property in the Area by the exercise of eminent domain, excluding 5925-27 S. Broadway.

SECTION NINE. The Area is currently partially 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. In addition, the Redeveloper shall provide timely notice of redevelopment activities to all occupants.

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 property 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, religion, national origin, sex, marital status, age or physical handicap 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 and women subcontractors and material suppliers will be solicited and fairly considered for subcontractors and purchase orders by the general contractor and other subcontractors under the general construction contracts let directly by the Redeveloper;

(c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the Community Development Agency of the City of St. Louis ("CDA");

(d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated December 6, 1984;

(e) To comply with the requirements of Ordinance No. 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 terms "minority contractor" or "minority material supplier" shall mean a business enterprise at least fifty-one percent (51%) of which is owned and

controlled by members of minorities. The terms "members of a minority" or "minority" mean Black Americans, Native Americans, Hispanic Americans, Asians, Pacific Islanders and other protected classes.

The terms "woman contractor" and "woman material supplier" shall mean a business enterprise at least fifty-one percent (51%) of which is owned and controlled by women.

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

SECTION FOURTEEN. The Redeveloper shall agree, by appropriate contract terms, to seek ten (10) year tax abatement only pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1978, as amended, upon application as provided therein.

SECTION FIFTEEN. The Plan may be modified by the LCRA as set forth in Section 99.430 (10), which provides that if the Plan is modified after the lease or sale of real property in the Area, the modification must be consented to by Redevelopers affected by the proposed modification, and where the proposed modification will substantially change the Plan, the modifications must be approved by this Board in the same manner as the Plan was initially approved by this Board.

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.

SECTION SEVENTEEN. This Ordinance, being necessary for the immediate preservation of public health, safety and general welfare, shall be and is hereby declared to be an emergency measure within the meaning of Article IV, Section 20, of the Charter of The City of St. Louis, and as such shall take effect immediately upon its approval by the Mayor.

EXHIBIT "B"
FORM: 8/08/91

BLIGHTING STUDY AND PLAN
FOR
THE CARONDELET SCATTERED SITES AREA
PROJECT # 177
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

August 27, 1991

MAYOR VINCENT C. SCHOEMEHL, JR.

BLIGHTING STUDY AND PLAN FOR
THE CARONDELET SCATTERED SITES AREA

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EXHIBITS

"A" LEGAL DESCRIPTION

"B" PROJECT AREA PLAN

"C" PROPOSED LAND USE

"D" ACQUISITION MAP

"E" EQUAL OPPORTUNITY AND NON- DISCRIMINATION GUIDELINES

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Carondelet Scattered Sites Area (the "Area") is situated between the boundaries of S. Grand Ave. on the west, Bates St. on the north, Broadway Ave. on the east, and Tesson St. on the south. The Area consists of ten scattered sites within the Carondelet neighborhood of the City of St. Louis.

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 includes nine buildings and two vacant lots and comprises nine separate parcels in City Blocks 2868-E, 2918, 3034, 3073, 3082, 3096, 3099, and 3113. The following addresses are included: 5615 Virginia Ave., 7143-57 Virginia Ave., 7629 Ivory Ave., 7631-37 Ivory Ave., 7700-06 Ivory Ave., 7415 Tennessee Ave., 5925-27 S. Broadway, 200-04 Steins St., 206-10 Steins St., 201-07 Steins St. and 7613 Pennsylvania Ave. The Area is in fair condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, fair condition means property that is generally structurally sound but suffers from inadequate maintenance and upkeep. Poor condition means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate an 10.0% unemployment rate for the City of St. Louis as of June, 1991. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are approximately five jobs within the Area.

3. PRESENT LAND USE AND DENSITY OF THE AREA

Existing land use within the Area includes the following: 5925-27 S. Broadway - an 11,000 sq. ft. vacant lot; 7143-51 Virginia Ave. - an unoccupied, two-story, brick rowhouse; 7153-55 Virginia Ave. - occupied, two-story four family brick building; 7157 Virginia - occupied, two-story two family brick building; 7629 Ivory Ave. - an unoccupied, two-story two family brick building; 7631-39 Ivory Ave. - an unoccupied, two-story, multi-unit brick commercial/residential building; 7700-06 Ivory Ave. - occupied, two-story brick commercial building; 5615 Virginia Ave. - an occupied, single story, single family frame building; 7415 Tennessee Ave. - unoccupied, single story one family brick building; 200-04 Steins St. - occupied, single story, stone rowhouse; 206-10 Steins St. -

occupied, single story stone rowhouse; 201-07 Steins St. - unoccupied, two-story, multi-unit brick residential building; 7613 Pennsylvania Ave. - an approximately 2,680 sq. ft. vacant lot, part of the same parcel as 200-04 Steins St.

The land use is shown on Exhibit "B".

4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The properties surrounding the Area have primarily residential uses; however, to the south of 5925-27 S. Broadway there are commercial uses and to the east are industrial uses. Bellerive Park is located to the northeast of 5925-27 S. Broadway. There are also commercial uses to the south and east of 7629 Ivory Ave., 7631-37 Ivory Ave., and 7700-06 Ivory Ave.

Residential density for the surrounding neighborhoods is approximately 8.49 persons per acre.

5. CURRENT ZONING

The Area is zoned "B" Two Family Dwelling District, "F" Neighborhood Commercial District (7629 Ivory Ave., 7631-37 Ivory Ave., and 7700-06 Ivory Ave.), and "G" Local Commercial and Office District pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The properties within the Area are partially occupied and in fair condition (as those terms are defined in Section A(2) above). The existence of underutilized and deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential and/or commercial uses, and light industrial uses at 5925-27 S. Broadway.

The development activity proposed by this Plan contemplates rehabilitation for residential and/or commercial uses. For 5925-27 S. Broadway, the development activity proposed by this Plan contemplates construction for light industrial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "B" Two Family Dwelling District, "F" Neighborhood Commercial District and "G" Local Commercial and Office District by the City of St. Louis Zoning Code and commercial/light industrial uses at 5925-27 S. Broadway as permitted by a variance granted by the City of St Louis. Redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for any use not allowed in the "B" Two Family Dwelling District, "F" Neighborhood Commercial District and "G" Local Commercial and Office District.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area can remain "B" Two Family Dwelling District and "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 "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development 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 eight to ten new jobs will be created in this 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 of St. Louis 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 Heritage and Urban Design Commission (HUDC) of the City of St. Louis. 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.

8. URBAN DESIGN

a. Urban Design Objectives

The properties shall be rehabilitated and constructed so they are attractive residential and/or commercial structures within the surrounding neighborhood. For 5925-27 S. Broadway: To accommodate a landscaped commercial/industrial structure on a presently undeveloped parcel within a surrounding area of mixed uses and modes newer and older structures.

b. Urban Design Regulations

Rehabilitation of the existing structures shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design of the buildings. For 5925-27 S. Broadway: The proposed structure shall be a textured masonry building which is generally compatible with the surrounding structures.

c. Landscaping

The properties shall be well landscaped, including street trees which shall have a minimum caliper of 2-1/2 inches and match the existing tree type on the street. For 5925-27 S. Broadway: The property shall be well landscaped. Perimeter street trees of at least 2-1/2 inches caliper shall be planted near the curb along South Broadway generally on 25 feet centers. These trees shall be a non-ornamental type approved by the City Forestry Division. Planting of similar type, size and spaced trees shall be provided north of the existing sidewalk along Fillmore Street where it is impractical to plant trees near the curb. Existing trees and shrubs on the property shall be retained. Additional shrubs shall be provided near building corners and along parking lot perimeters facing either public streets or residential properties.

Each Redeveloper shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting.

9. PARKING REGULATIONS

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

All permanent at-grade parking areas shall be screened with a decorative wall and/or fence of masonry, cast metal, wrought iron, or a combination thereof, with eight foot masonry piers capped with appropriate stone material located at gates, corners and every twenty-five (25) feet along the perimeter. All such cast metal or wrought iron fencing must be planted with a continuous hedge at least two and one-half (2-1/2) feet high on planting.

If parking lots exceed twenty-five (25) spaces, three percent (3%) of the interior of the parking lots shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. These trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low-lying ground cover or other plant material.

Surface parking shall not extend beyond the established building line and along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire building. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises. The total sign area square footage should be reduced to 50 square feet.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City of St. Louis without 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.

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 development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately three (3) years of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development 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 development of the Area will be borne by the Redeveloper.

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.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may acquire, by exercise of eminent domain, or otherwise, any properties in the Area, except 5925-27 S. Broadway.

3. PROPERTY DISPOSITION

If the LCRA acquires property, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, as determined by an independent appraiser, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The properties within the Area are currently partially 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. In addition, timely notice of development activities shall be provided to all occupants.

E. COOPERATION OF THE CITY

The City of St. Louis 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

A Redeveloper shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement pursuant to Sections 99.700 - 99.715 Revised Statutes of Missouri.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap 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 shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and

affirmative action, including the Community Development Agency Guidelines for Maximum 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 a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) 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, its heirs, successors or assigns, by the LCRA, the City of St. Louis, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Where a proposed modification will substantially change this Plan, the modification must 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 availability of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such modification shall be effective only upon the consent of the St. Louis Community Development Commission. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five (25) 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 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"

FORM: 6/25/91

THE CARONDELET SCATTERED SITES AREA LEGAL DESCRIPTIONS

PARCEL 1

The Southern 40 feet of Lot 1 in Block 4 of JAMES S. THOMAS SUBDIVISION, and in BLOCK 2868-E of the City of St. Louis, fronting 40 feet on the West line of VIRGINIA AVENUE, by a depth Westwardly of 50 feet; bounded South by an alley and North by a line 97 feet South of the South line of Bates Street. 5625 Virginia.

PARCEL 2

The Southern 8 feet of Lot 16, all of Lots 17 and 18 and the Northern 22 feet of Lot 19 in Block 1 of BOWLING AND HELGENBERG'S SUBDIVISION of Block 11 of Survey 2 of the former Town of Carondelet, and in Block 3034 of the City of St. Louis, together fronting 80 feet on the West line of Virginia Avenue, by a depth Westwardly of 114 feet, more or less, to an alley. Together with all improvements thereon known as and numbered as: 7143-51 Virginia.

The Northern 36 feet of Lot No. 20 and the Southern 3 feet of Lot No. 19 in Block No. 1 of Helgenberg's Subdivision of Block No. 11 of Survey 2 of the former town of Carondelet, and in Block No. 3034 of the City of St. Louis, together fronting 39 feet on the West line of Virginia Avenue, by a depth Westwardly between parallel lines of 113 feet 10 inches, more or less, to an alley. Address: 7153 Virginia Avenue.

The Southern part of Lot 20 in Block 1 of Helgenberg's Subdivision of Block 11 of Survey 2 of Carondelet and in Block 3034 of the City of St. Louis, beginning at the intersection of the West line of Virginia Avenue, with the North line of Robert Avenue; thence North along the West line of Virginia Avenue, 20 feet; thence West through the average center of partition wall 113 feet 8-1/4 inches, more or less, to the East line of 15 foot alley; thence South along the East line of said alley 35 feet 6-1/2 inches to the North line of Robert Avenue; thence East along the North line of Robert

Avenue 114 feet 11 inches, more or less, to the point of beginning. 7157 Virginia Avenue.

PARCEL 3

The Eastern part of Lot No. 4 of PETER RICHARD KENRICKS SUBDIVISION of Block 17 of Survey 4 of Carondelet Commons, North of River Des Peres and in Block No. 3099 of the City of St. Louis, fronting 30 feet 7 inches on the West line of Ivory Avenue, by a depth Westwardly of 53 feet 10-1/2 inches on its South line and 69 feet 2/3 on the North line of a line parallel with and distant 69 feet 4 inches East of the East line of Virginia Avenue, and having a width thereon of 25 feet. Together with all said improvements, thereon and known and numbered as 7629 Ivory St.

PARCEL 4

Lots 1, 2 and 3 in P.R. Kenrick's Subdivision of Block 17 of Survey 4 of Carondelet Commons North of the River Des Peres, and in Block 3099 of the City of St. Louis, said lots having an aggregate front of 75 feet on the East line of Virginia Avenue, by a depth along the North line of lot 3 of 123 feet 2-1/2 inches and along the North line of Schirmer Street of 77 feet 8 inches to the West line of Ivory Avenue upon which said parcel has an aggregate front of 91 feet 9 inches. Together with all improvements thereon known as and numbered 7631-33-37 Ivory Street, 7622 Virginia Avenue and 417-29 Schirmer Ave.

PARCEL 5

A parcel of land in the Northeast part of Block 12, Survey 3, of the former TOWN OF CARONDELET and in Block 3113 of the City of St. Louis, described as beginning at the intersection of the East line of Ivory Avenue with the south line of Schirmer Street; thence Southwardly along the East line of Ivory Avenue 73 feet 6-1/4 inches to the intersection with the Southern face of the Southern wall of the 2 story brick building No. 7000-02-06 Ivory Avenue; thence Eastwardly along the South face of said South wall and its prolongation Eastwardly 108 feet 6-1/2 inches to a point distant 99 feet 2-5/8 inches West of the West line of Michigan Avenue, measured parallel with Schirmer Street; thence Southwardly parallel with Michigan Avenue 57 feet 3 inches to the North line of Lot 8 of Winckelmayer's Subdivision thence Eastwardly along the North line of Lot 8 of said Subdivision 14 feet 9 inches to a point distant 84 feet 5-5/8 inches West of the intersection of said North line with the west line of Michigan Avenue; thence Northwardly parallel with Michigan Avenue 120 feet 5-1/8 inches to the South line of Schirmer Street; thence Westwardly along the South line of Schirmer St. 86 feet 5-1/2 inches to the point of beginning, according

to survey by Myers, Keller & Byers Co.; during March 1965 together with all improvements thereon known as and numbered 7700-7706 Ivory Avenue.

PARCEL 6

The Western part of Lot No. 18 of Ivory's Subdivision of Block No. 53 in Survey No. 4 of Carondelet and in Block No. 3073 of the City of St. Louis fronting 25 feet on the East line of an alley, by a depth Eastwardly of 121.16 feet on the South line and 147.50 feet on the North line to property acquired by the State of Missouri under provision of Ordinance No. 49801 and Condemnation Suit No. 46000-E filed April 19, 1962 in relation to Ozark Interstate Route No. 55. 7415 Tennessee Ave.

PARCEL 7

A lot in the southeast 1/4 (quarter) of Block 40 of Eiler's Survey of the former town of Carondelet, and in Block 2918 of the City of St. Louis, fronting 80 feet on the west line of Broadway by a depth westwardly between parallel lines of 149 feet, more or less, to the north and south center line of said block; bounded south by Fillmore Street. Together with all improvements known and numbered as 5925-27 S. Broadway.

PARCEL 8, 10

Parcel 1: The Northern 100 ft. of Lot 1 of John C. Ivory's subdivision of Block 8 of Survey 3 of Carondelet Common and in Block 3096 of the City of St. Louis, having a front of 67 feet 6 inches, more or less, on the south line of Steins Street by a depth Southwardly of 100 feet, more or less; bounded East by Pennsylvania Avenue and South by a line 40 feet North of and parallel with the North line of an alley.

Parcel 2: Lot 2 of John C. Ivory's Subdivision in Block 8 of Survey 3 of the Town of Carondelet and in Block 3096 of the City of St. Louis, fronting 50 feet on the South line of Steins Street by a depth Southwardly of 140 feet to an alley.

Parcel 3: The Southern 40 feet of Lot 1 of John C. Ivory's Subdivision of Block 8 of Survey 3 of Carondelet Commons and in Block 3096 of the City of St. Louis having a front of 40 feet on the West line of Pennsylvania Avenue by a depth Westwardly of 67 feet 6 inches, more or less, to the East line of Lot 2 of said Subdivision; bounded South by an alley. Together with all improvements thereon known and numbered as 200-10 W. Steins & 7613 Pennsylvania.

PARCEL 9

Lot 7 and 8 of John C. Ivory's Subdivision of Block 69 of Eiler's Survey of Carondelet and in Block 3082 of the City of St. Louis, together fronting 72 feet 6 inches on the North line of Steins Street, by a depth Northwardly of 125 feet, more or less, to an alley; bounded on the East by Pennsylvania Avenue, together with all improvements thereon known as and numbered 201-07 W. Steins.

INSERT EXHIBITS "B" "C" "D"

--Not Available in Electronic Format--

EXHIBIT "E"
FORM: 11/05/90

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Developer (which term shall include Developer, any designees, successors and assigns thereof, and any entity formed to implement the project of which the Developer is a general partner), its contractors and subcontractors will include a clause requiring compliance with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination, the Executive Orders of the Mayor of the City of St. Louis dated December 6, 1984 and January 10, 1990, and all guidelines herein.

The Developer and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

In the redevelopment of the Area, there shall be maximum utilization of bona fide minority business enterprises ("MBE's") and women business enterprises ("WBE's" and, together with "MBE's", disadvantaged business enterprises or "DBE's"). The Developer will set a minimum goal of twenty-five percent (25%) MBE participation and five percent (5%) WBE participation under these guidelines. In the event the Developer fails to attain that goal, the Developer may be required to show good cause therefor; however, this requirement will be deemed to have been met when documentation evidences that all available resources (i.e. DBE suppliers, contractors, and subcontractors) willing to perform the work or provide the supplies--at a price which (i) is within the range requested by non-DBE's; or (ii) if higher than that requested by non-DBE's, is attributable to the effects of past discrimination--have been exhausted.

For purposes of this section, the term "minority business enterprise" (or "MBE") means a business at least fifty-one percent (51%) of which is owned and controlled by minority group members. The term "women business enterprise" (or "WBE") means a business at least fifty-one percent (51%) of which is owned and controlled by females.

The Developer 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 Developer, its successors or assigns upon the basis of race, color, religion, national origin, sex, marital status, age or physical handicap in the sale, lease, rental, use or occupancy of any property, or improvements erected or to be erected in the Area or any part thereof, and those covenants shall run and shall be enforceable by the LCRA, the City of St. Louis, and the United States of America, as their interests may appear in the project.

The Developer agrees that if the redevelopment of the Area creates permanent jobs, it shall enter into an Employment Plan with the Saint Louis Agency on Training and Employment (SLATE) and the LCRA for referral of Jobs Training Partnership Act (JTPA) eligible individuals. Said plan shall specify the number of jobs to be covered by the Employment Plan, the target date for referrals to begin, and the procedure for referral.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
09/20/91	09/20/91	HUDZ		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
11/01/91			11/08/91	11/15/91
ORDINANCE	VETOED		VETO OVR	
62434				