

St. Louis City Ordinance 63183

FLOOR SUBSTITUTE

BOARD BILL NO. [94] 98

INTRODUCED BY ALDERMAN DANIEL MCGUIRE , IRVING C. CLAY, JR.

An ordinance finding that a certain blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1988, 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 Delmar Link 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 April 26, 1994 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 certain properties 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 or otherwise; 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 available ten (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan; 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 Commission ("CDC") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for Delmar Link", dated April 26, 1994, consisting of a Title Page, a Table of Contents Page, and twenty-two (22) 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 CDC 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 CDC 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 CDC 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 CDC 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 CDC; 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, marital status, age, sexual orientation 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, 1988, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the Delmar Link 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.

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 of the Statute.

SECTION FOUR. The Blighting Study and Plan for the Area, dated April 26, 1994 ("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 certain properties in the Area by the exercise of eminent domain or otherwise, as provided in Section D.2 of the Plan.

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. 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, creed, national origin, sex, marital status, age, sexual orientation 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 subcontracts 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 Commission of the City ("CDC");

(d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated December 6, 1984, January 10, 1990 and March 31, 1992.

(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 may seek ten (10) year tax abatement only pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1988, as amended, upon application as provided therein.

SECTION FIFTEEN. Where a proposed modification will substantially change the Plan, the modification must be approved by this Board in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan. The 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 CDC and as further provided in Section H, of the Plan. Changes which are not substantial are those that do not go to the crux of the Plan.

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

Form 4/11/92 Rev.

EXHIBIT "B"

BLIGHTING STUDY AND PLAN
 FOR
 DELMAR LINK AREA
 PROJECT # 325
 LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
 OF THE CITY OF ST. LOUIS
 PLANNED INDUSTRIAL EXPANSION AUTHORITY
 OF THE CITY OF ST. LOUIS
 APRIL 26, 1994
 MAYOR
 FREEMAN R. BOSLEY, JR.
 BLIGHTING STUDY AND PLAN FOR
 DELMAR LINK AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Delmar Link Area ("Area") is located along Delmar Blvd. from De Baliviere Ave./Ruth Porter Mall on the east to the City Limits on the west, plus the area north of Delmar Blvd. between the Metro Link Tracks and the City Limits known as the "Wabash Triangle". The Area encompasses approximately 52 acres in the West End and Skinker/De Baliviere neighborhoods 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 all or portions of City Blocks 3853, 4542, 4543, 4548, 4849E, 4849W, 4850E, 4850W, 4851E, 4851W, 4852, 4854, 4855, 4856N, 4856S, 5408, 5421, 5422, 5512, 5514, 5515, 5668, 5975, and includes all or portions of the following addresses: the 5700-6200 Blocks of Delmar Blvd.; the 500-800 Blocks of Rosedale Ave.; the 500-900 Blocks of North Skinker Blvd., and the 6100-6200 Blocks of Enright Ave., 6100-6200 Blocks of Clemens Ave., 6200 Block of Vernon Ave., 500-600 Block of DesPeres Ave., 6100 Block of Olive Lane, and the 700 Block of Eastgate Ave. The Area is in fair to poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate

maintenance and upkeep, or (2) vacant unimproved property that is underutilized. "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 a 9.1% unemployment rate for the City of St. Louis as of August, 1992. It is estimated that this rate is prevalent for residents of the neighborhoods in and surrounding the Area.

There are currently approximately 1,510 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Land uses within the Area as of August, 1992 include seventy (70) operating businesses and eighteen (18) unoccupied commercial structures. The seventy businesses include three (3) restaurants, three (3) fast-food establishments, three (3) carry-out restaurants, two (2) service stations, two (2) auto repair shops, two (2) car-related retailers, one (1) car wash, one (1) used car lot, seventeen (17) retail stores, four (4) small groceries, one (1) check cashing establishment, one (1) pawn shop, two (2) dry cleaners, two (2) commercial lighting businesses, one (1) health clinic, one (1) medical office, one (1) uniform company, one (1) recycling facility, one (1) thrift store, a Bi-State bus terminal facility, one (1) funeral home, two (2) beauty shops, Southwestern Bell Office Building, one (1) day care center, two (2) churches, three (3) liquor stores, two (2) bars, one (1) realtor, and two (2) offices of elected officials. The Area also includes five (5) single-family houses, one (1) six-family apartment building, half-occupied; thirty-two (32) apartments above storefronts, mostly occupied; and five (5) unimproved lots.

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 property to the east of the Area along the north side of Delmar Blvd. contains institutional and residential uses. The property to the east of the Area along the south side of Delmar Blvd. is dominated by residential uses. The property to the west of the Area on both sides of Delmar Blvd. is improved with mostly commercial uses. The property to the south of the Area is dominated by residential uses with some commercial uses along De Baliviere Ave. and commercial and institutional uses on Skinker Blvd. The property to

the north of the Area is dominated by residential uses with some light industrial in the western portion.

Residential density for the surrounding neighborhoods is approximately 13.54 persons per acre.

5. CURRENT ZONING

The Area is zoned: "F" Neighborhood Commercial District along the south side of Delmar Blvd. from North Skinker Blvd. to the Bi-State MetroLink R.O.W., along the west side of North Skinker Blvd. from the south line of the first parcel north of Delmar Blvd. to Clemens Ave., along the western portion of the south side of Enright Ave. from North Skinker Blvd. to Rosedale Ave., and in the triangular shaped block bounded by North Skinker Blvd., Rosedale Ave., and Clemens Ave.; "G" Local Commercial and Office District along the south side of Delmar Blvd. from the City Limits to North Skinker Blvd, and from the Bi-State MetroLink R.O.W. to the west line of the first parcel west of DeBaliviere Ave., and on the north side of Delmar Blvd. from the City Limits to the west line of the first parcel west of the Ruth Porter Mall; "H" Area Commercial District in the first parcels north and south of Delmar Blvd, west of DeBaliviere Ave. and the Ruth Porter Mall; and "J" Industrial District in the remainder of the Area; pursuant to the Zoning Code of the City of St. Louis, which is incorporated in this Plan by reference.

Current Zoning Districts are shown on Exhibit "F".

6. FINDING OF BLIGHT

The property within the Area is partially unoccupied and in fair to poor condition (as defined in Section A.2 above). The existence of deteriorated property constitutes 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) and Section 100.300 of the Revised Statutes of Missouri (the Planned Industrial Expansion Authority Law).

Portions of the Area have previously been found to be blighted under Chapters 99, 100, or 353 RSMo., including the West End Urban Renewal Area (Ordinance 51799, Chapter 99); Pershing/Waterman (Ordinance 55901, Chapter 353); 700 Rosedale Avenue Industrial (Ordinance 58517, Chapter 100), and Parkview (Ordinance 60233, Chapter 353).

Existing redevelopment areas are shown in Exhibit "I".

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, commercial and light industrial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential and commercial uses permitted in the proposed zoning districts designated "F" Neighborhood Commercial District, "G" Local Commercial and Office District, "H" Area Commercial District, and light industrial uses permitted in the "J" Industrial Districts by the City of St. Louis Zoning Code. In addition, Redevelopers or Industrial Developers (hereinafter collectively referred to as "Redeveloper") contracting with either the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") or the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") to develop property in the Area, and any other person or entity seeking an occupancy permit for a new use after the effective date of approval of this Plan by ordinance, shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, massage establishments, auto and truck dealers (new or used), auto and truck repair shops, motor fuel pumping stations, car lubrication facilities, car wash and detailing facilities, storefront churches, pinball and video arcades, pool halls, second-hand junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, for profit - commercial blood donor facilities, free standing package liquor stores, establishments selling alcoholic beverages by the glass which do not have a restaurant license in addition to a liquor license, check cashing centers, restaurants with no indoor table service which are strictly drive-through or carry-out, and open storage yards.

No commercial use along the south side of Delmar Blvd. shall permit public pedestrian or vehicular access to its property from the alley -only service access from the alley shall be allowed.

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

3. PROPOSED ZONING

The existing "J" Industrial Districts and "H" Area Commercial Districts can remain the same. The existing "G" Local Commercial and Office Districts can remain the same on the north side of Delmar from Hodiament to the first parcel west of the Ruth Porter Mall, and on the south side of Delmar from Hamilton to the first parcel west of DeBaliviere. The remainder of the Area should be zoned

"F" Neighborhood Commercial. All land coverage and building intensities shall be governed thereby.

Proposed Zoning Districts are shown as Exhibit "G".

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 or the PIEA 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 50 to 250 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

A portion of the employment created in the Area will reflect the skill level of the nearby population, and a reasonable opportunity shall be provided in the Area for upward mobility and skill training of the low skilled employees initially hired in 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, but the installation of a median on Delmar Blvd., curb realignments, and landscaping are contemplated.

If a Redeveloper deems it desirable for rights-of-way changes to be made, the 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, LAND USE, URBAN DESIGN, PARKING, SIGN AND SITE REGULATIONS

The Area shall be subject to this Plan, all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code and Zoning District Regulations. The entire Area shall also be subject to the review and stipulations of the Heritage and Urban Design

Commission ("HUDC") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. That portion of the Area that is in the Skinker-DeBaliviere Historic District (Ordinance 57688) shall also be governed by the regulations which apply to that District (See Exhibit "H"). No changes in the building codes or ordinances are required.

8. URBAN DESIGN

a. Urban Design Objectives

The intent is to promote the rehabilitation of as many of the storefronts along Delmar and North Skinker Blvds. as feasible, assure that infill new construction is compatible with the Area, and provide for well-landscaped, light industrial uses in the Wabash Triangle which are complimentary with the Area.

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. Failure to meet this requirement may result in suspension of tax abatement.

b. Urban Design Regulations

(1) New Construction

All new construction along Delmar Blvd. shall be at least one and one-half stories in height, except commercial buildings may be one-story in height if roofs or parapets add height and give the impression of a taller building. Materials on all facades shall be compatible with the existing materials used in structures on Delmar Blvd. and the general high style character of buildings in Skinker-De Baliviere.

Residential construction shall be compatible with nearby existing residential building stock in terms of height, massing, materials, roof fenestration patterns and fenestration proportions. Openings such as windows and doors shall be proportionally similar to existing residential building stock. Any new residential buildings shall be built at the previously established building line.

Commercial construction should be built, whenever possible, at the building line established by commercial buildings presently on the street. If not, the urban character of the neighborhood should be protected by the use of "out" buildings built at the street with entrances at the sidewalk. While the outbuildings need not be two-story, it is especially important that the design of

these outbuildings reflect traditional storefront architecture. Interior activity shall be visible from the street. Awnings and transoms are encouraged.

(2) Rehabilitation

All building rehabilitation shall respect and enhance the original building design. Original openings such as doors and windows shall be retained when possible. Closing of such openings shall be compatible with building design, utilize materials compatible with those on the building and recessed at least two (2) inches.

(a) Exterior Materials:

Exterior materials, when visible from the street, shall be compatible in type and texture with the dominant original materials of the neighborhood - brick masonry, or stucco, with terra cotta and wood used for trim and other architectural features. Artificial masonry such as PermaStone is not permitted. A submission of all building materials to LCRA or PIEA, including mortar color, shall be required prior to approval. Any canopies, coverings or necessary appendages that cannot be constructed of the aforementioned materials must be of material that is compatible in color and texture with these materials.

(b) Details:

Architectural details on existing structures shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted, provided they are in keeping with the building. Both new and replacement window and door frames, when visible from the street, shall be limited to wood or color-finished metal. Raw or unfinished aluminum is not acceptable. Awnings on the front of buildings shall be of canvas or canvas-type material. New buildings should be detailed so as to be compatible with existing buildings, respecting scale, rhythm, window proportions, important cornice lines, use of materials, etc.

Any alteration of the facade of an existing building should closely approximate the original design and detailing of the building, including window and door openings. Restoration of the building to its original appearance is encouraged. Changes in design should be compatible in scale, materials and color with existing features of the building and with adjacent historical structures. If a building has been previously inappropriately "modernized", restoration or design improvement are encouraged.

(c) Roof Shapes:

When there is a strong, dominant roof shape in a block, any proposed new construction or alteration should be compatible with this feature.

(d) Roof Materials:

Roof materials shall be slate tile, copper, asphalt or metal shingles, as long as they are compatible with historic scale and detail. Brightly colored or shiny asphalt or metal shingles and shiny or brightly colored plastic are not appropriate.

c. Fencing

Walls and fences form an important part of the overall streetscape. These should be of brick or stone, or if combined with masonry, wrought or cast iron, when visible from the street, so as to be consistent with existing dominant materials. Concrete walls are also acceptable when a part of the overall building design. No stockade or chain link fencing shall be permitted on a street frontage. If chain link fencing is approved for use on the rear or sides of properties, it shall be vinyl clad or painted with a black matte color, or some other color to reduce its visual impact. If a building is not at the building line, the use of low walls or evergreen hedges to define the building line is encouraged.

d. Landscaping/Buffers

All property shall be well-landscaped, including street trees on approximately twenty-five (25) foot centers and at least two and one-half (2-1/2) inch caliper in size on planting.

All commercial dumpsters visible from the street shall be appropriately screened from public view, in accordance with Plans approved by LCRA/PIEA and HUDC.

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 adequate vehicular parking for the Area.

If parking lots exceed twenty (20) spaces, five percent (5%) 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.

New surface parking shall, where feasible, be accommodated at the sides and rear of buildings, and shall not extend beyond the established front building line. Surface parking 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.

Whenever surface parking currently exists in front of the buildings, it is encouraged that the parking area should be screened with a decorative wall and/or fence of masonry, cast metal, wrought iron, or a combination thereof, with eight foot (8') 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 shall have a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting. PIEA or LCRA may waive the masonry pier requirement for existing commercial surface parking areas in front of buildings.

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 or the PIEA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for each building or building complex. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises; no advertising signs shall be permitted.

New wall signs shall not obstruct any architectural building elements, shall be placed only on the fronts of buildings or on those sides of the buildings fronting on public or private streets or parking areas, shall project no more than eighteen (18) inches from the face of the building, shall not extend above the second floor window sill of the structure, and the total sign area shall be the lesser of either fifty (50) square feet or ten percent (10%) of the ground floor wall surface fronting on such streets or parking areas. Only one sign per business per wall facing on a public or private street shall be permitted.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed. Signage on awnings is limited to awning apron. In no case shall signage be allowed on both an awning apron and a building for the same business.

One ground or monument sign per use may be permitted provided it does not exceed eight (8) feet in height nor exceed twenty-five (25) square feet per side, and provided the LCRA or the PIEA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA or the PIEA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, pole signs, roof signs, moving signs, animated or flashing signs, or message board signs shall not be permitted in the Area, provided, however, that works of art may be painted on exterior walls with the approval of HUDC.

New outdoor advertising devices (billboards), as defined in Section 18 of Ordinance 59979, approved 7/30/86, or as amended, are not permitted. Outdoor advertising devices existing at the time of the effective date of this Ordinance shall be removed within five (5) years from the effective date of this Ordinance, said requirement to be enforced by the Building Division.

Construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, OCCUPANCY, CONDITIONAL USE AND SIGN PERMITS

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

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 or the PIEA 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 two phases. Phase I shall be initiated within approximately two (2) years of approval of this Plan by Ordinance, and completed within approximately five (5) years of approval of this Plan by Ordinance, and shall consist of the redevelopment of approximately 50% of the Area. Phase II shall be initiated within approximately five (5) years of approval of this Plan by Ordinance, and completed within approximately ten (10) years of approval of this Plan by Ordinance, and shall consist of the redevelopment of the remainder of the Area.

The PIEA or LCRA shall have the right to alter the above schedule without prejudicing this Plan, or its implementation, in order to accommodate modifications in the Redeveloper's schedule. Such alteration of the schedule will not constitute a substantial change in the Plan, nor will it require the approval of the St. Louis Board of Aldermen.

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. The PIEA is empowered by Missouri Law to administer "industrial development" of the Area (as defined in Section 100.310(9) R.S. Mo. 1988) pursuant to this Plan and can do so to the extent and in the manner prescribed by the Planned Industrial Expansion Law of Missouri.

Whenever this Area overlaps portions of previously approved Redevelopment Areas, the regulations outlined in this Plan shall supersede all others.

Notwithstanding the foregoing however, prior to the LCRA or PIEA entering into a Redevelopment Agreement with a Redeveloper, the St. Louis Board of Aldermen shall approve the proposal of said Redeveloper, by resolution; provided, however, that if any property in said Redevelopment Agreement is to be acquired by exercise of eminent domain, the Board of Aldermen shall conduct a public hearing, prior to the adoption of said resolution, with notice thereof being contained on a placard to be placed on the properties affected by the Redevelopment Agreement and at each end of every block affected by the Redevelopment Agreement, at least fifteen (15) days prior to the public hearing.

All cost 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"), identifies all the property located in the Area. The LCRA or the PIEA, with the approval of the St. Louis Board of Aldermen by resolution as provided in Section D.1 above, may acquire any properties in the Area by the exercise of eminent domain, except:

- a. Owner-occupied, residential properties;
- b. Properties within the 700 Rosedale Avenue Industrial Redevelopment Area, pursuant to Ordinances 58517 and 58531;
- c. Properties within the Parkview Redevelopment Area, pursuant to Ordinances 60233 and 60346;
- d. Properties already redeveloped pursuant to an existing and completed Redevelopment Agreement authorized by ordinances adopted under the provisions of Chapters 99, 100 or 353 RSMo; or,
- e. Any other property located in the Area on which a lawfully operated use is conducted on the effective date of approval of this Plan by ordinance which substantially complies with the provisions of the Urban Design, Parking and Sign Regulation of this Plan pursuant to a future Redevelopment Agreement with the LCRA or the PIEA.

Other redevelopment areas in the Area are shown in Exhibit "I".

3. PROPERTY DISPOSITION

If the LCRA or the PIEA acquires property in the Area, 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 or the PIEA. Any property acquired by the LCRA or the PIEA and sold to a Redeveloper 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. (1986) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is 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.

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

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, upon application as provided therein.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

If property in the Area is sold by the LCRA or the PIEA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax exempt because it is owned by the LCRA or the PIEA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property.

Thereafter any such corporation shall pay the full amount of taxes.

All payments in lieu of taxes shall be a lien upon the property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said ten (10) year period, shall inure to the benefit of all successors in interest in the property of the redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any contract with the LCRA or the PIEA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

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, gender, sexual orientation, 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, gender, sexual orientation, 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 or the PIEA and a Redeveloper, 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, its heirs, successors or assigns, by the LCRA or the PIEA, the City, 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 length 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) by the LCRA or the PIEA, provided that such modification shall be effective only upon the consent of the St. Louis Community Development Commission (CDC), and the written approval of the Alderman or Aldermen in whose ward such modification would apply. Changes which are not substantial are those that do not go to the crux of this Plan, provided, however, that no land use specifically prohibited by Section B.2 of this Plan shall be modified except by successful appeal to the St. Louis Board of Adjustment in the same manner as is provided in Chapter 26.84, Revised Code of the City.

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

LEGAL DESCRIPTION DELMAR LINK AREA

Beginning at the point of intersection of the west line of the Ruth Porter Mall (City Park) and the north line of a 15' wide east-west alley in City Block 4548; thence westwardly along said north alley line and its westward prolongation diagonally across Goodfellow Blvd. to its point of intersection with the north line of a 20' wide east-west alley in City Block 4543; thence westwardly along said north alley line and its westward prolongation diagonally across Hamilton Blvd. to its point of intersection with the north line of a 15' wide east-west alley in City Block 4542; thence westwardly along said north alley line and its westward prolongation to its point of intersection with the northeastern right-of-way line of MetroLink; thence northwestwardly along said northeastern right-of-way line to its point of intersection with the City of St. Louis Limits line; thence southwestwardly along said City Limits line to its point of intersection with the west terminus line of Clemens Ave. (60' wide) in City Block 4850W; thence southwardly along said west terminus line to its point of intersection with the west line of property now, or formerly, owned by Frederick and Tony Moon; thence southwardly along said west property line to its point of intersection with the west line of property now, or formerly, owned by Marion and Norma Tabacchi; thence southwardly along said west property line to its point of intersection with the west terminus line of Enright Ave. (60' wide); thence southwardly along said west terminus line to its point of intersection with the west line of property now, or formerly, owned by Stanley A. Rossi and Alline Selvazzi, Trustees; thence southwardly along said property line to its point of intersection with the north line of a former 15' wide east-west alley in City Block 4849E; thence westwardly along said north alley line and its westward prolongation across Eastgate Ave. to its point of intersection with the north line of a 15' wide alley in City Block 4849W; thence westwardly along said north alley line to its point of intersection with the City of St. Louis Limits line; thence southwestwardly and southwardly along said City Limits line to its point of intersection with the south line of a 15' wide alley in City Block 5408; thence eastwardly along said south alley line and its eastward prolongation across Skinker Blvd. to its point of intersection with the south line of a 15' wide east-west alley in City Block 5421; thence eastwardly along said south alley line and its eastward prolongation across Rosedale Ave. to its point of intersection with the south line of a 15' wide east-west alley in City Block 5422; thence eastwardly along said south alley line and its eastward prolongation across DesPeres Ave. and the MetroLink right-of-way to its point of intersection with the south line of a 15' wide east-west alley in City Block 5512; thence eastwardly along said south alley line and its eastward prolongation across DeGiverville Ave. to its point of intersection with the south line of a 15' wide east-west alley in City Block 5514; thence eastwardly along said south alley line to its point of intersection with the south line of a 15' wide east-

west alley in City Block 5515; thence eastwardly along said south alley line and its eastward prolongation parallel to Delmar Blvd. across Laurel Ave. and through City Block 5568 to its point of intersection with the west line of DeBaliviere Ave. (100' wide); thence northwardly along the west line of DeBaliviere Ave. and its northward prolongation across Delmar Blvd. to its point of intersection with the west line of the Ruth Porter Mall; thence northwardly along said west line of the Ruth Porter Mall and its northward prolongation across the 15' wide east-west alley in City Block 4548 to its point of intersection with the north line of said alley, the point of beginning.

INSERT EXHIBITS "B" "C" "D"

EXHIBIT "E"

FORM: 10/05/93

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, and any entity formed to implement the project of which the Redeveloper 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 dated December 6, 1984, January 10, 1990, March 31, 1992, and all guidelines herein.

The Redeveloper 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 Redeveloper 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 Redeveloper fails to attain that goal, the Redeveloper may be required to show good cause therefor; provided however, that 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 Redeveloper 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, its successors or assigns upon the basis of race, color, religion, national origin, sex, marital status, age, sexual orientation or physical handicap 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 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 and the LCRA for referral of Jobs Training Partnership Act 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
05/26/94	05/26/94	HUDZ		06/24/94
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/17/94	06/24/94		06/24/94	06/30/94
ORDINANCE	VETOED		VETO OVR	
63183				