

St. Louis City Ordinance 64831

FLOOR SUBSTITUTE

BOARD BILL NO. [99] 49

INTRODUCED BY ALDERMAN PHYLLIS YOUNG, LEWIS REED

An ordinance finding that a certain blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1994, 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 Near Southside Redevelopment 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 March 22, 1999 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 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 or otherwise; finding that the property within 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;

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 Near Southside Redevelopment Area,@ dated March 22, 1999, consisting of a Title Page, a Table of Contents Page, and twenty (20) 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, 1994 as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the Near Southside Redevelopment 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 March 22, 1999 ("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 through negotiations and may exercise the power of eminent domain to acquire any property in the portion of the Area south of Lafayette Ave. and west of Tucker Blvd., and may exercise the power of eminent domain to acquire any properties in the remainder of the Area except 1) those which are owner occupied residences and 2) those parcels, which, at the time of the approval of this Ordinance, were known and numbered as: 1400 LaSalle St., 1019 S. 14th St., 1020 St. Ange St., 1022 St. Ange St., 1321 S. 11th St., 1111 Ruther St., 1114-24 Dolman St. and 1400-14 Park Ave. Such restriction on the use of eminent domain for the specifically numbered parcel(s) shall not apply, however, and the Authority may exercise such power as to said parcel(s) if and when: i) title to said parcel(s) is transferred from the person or entity who/which was the owner at the time of the approval of this Redevelopment plan, (ii) the primary structure on the parcel(s) becomes uninhabitable or is demolished; (iii) there exists no valid, effective occupancy permit for the primary structure located on the parcel(s), or (iv) the parcel(s) is no longer actively and solely used to promote charitable, benevolent, eleemosynary, educational, religious and/or social welfare purposes.

SECTION NINE. The property within 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;

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

(c) To be bound by the conditions and procedures regarding the utilization of 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 July 24, 1997.

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

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

SECTION FOURTEEN. The Redeveloper may seek ten (10) year tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1994, as amended, 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:

If property in the Area is sold by the LCRA 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 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.

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. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by the St. Louis Board of Aldermen in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, 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 revisions shall be effective only upon the consent of the CDC. 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.

EXHIBIT AB@
FORM: 10/13/99

BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
THE NEAR SOUTHSIDE REDEVELOPMENT AREA

PROJECT #9088

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

March 22, 1999

MAYOR CLARENCE HARMON

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Near Southside Redevelopment Area (AArea@) consists of all of city blocks 400, 401, 402, 405, 407, 408, 409, 410, 411, 412, 414, 415, 467E (467.03), 467W (467.04), 468S (468.06), 469, 470E (470.03), 472E (472.03), 472W (472.04), 473E (473.03), 473W (473.04), 475, 476, 477N (477.05), 477S (477.06) 477NA (477.14), 478N (478.05), 478S (478.06), 479, 480, 481N (481.05), 481S (481.06), 482E (482.03), 482WB (482.10), 483E (483.03), 675, 820, 820N (820.05), 820W (820.04), 822, 1250, 1251, 1252, 1253, 1254, and portions of blocks 390, 393, 397, 469, 474E (474.03), 482WA (482.09) and 483W (483.04). The Area consists of approximately 219 acres of land in the LaSalle Park, Peabody/Darst/Webbe and Lafayette Square Neighborhoods of the City of St. Louis (ACity@).

The addresses for the properties located in the Area are as follows: 1026-1626 and 1201-1627 Carroll St., 1000-1758 Chouteau Ave., 1000-1430 and 1001-1439 Dillon St., 1000-1642 and 1001-1643 Dolman St.; 1113-21 Emmet St., 1000-1640 and 1001-1641 Gratten St., 1700-1744 and 1701-1745 Hoehn St., 920-1710 and 901-1711 Hickory St., 1200-1728 and 1201-1625 Lafayette Ave., 900-1038 and 901-1037 LaSalle Park Ct., 1200-1550 and 1201-1551 LaSalle St., 900-1038 and 1001-1049 Lebanon Dr., 1408-14, 1401-1533 and 1701-31 Menard St., 939-1121 and 1100-1120 Morrison Ave., 1000-1636 and 1201-1711 Park Ave., 1500-1600 and 1501-1603 Picker St., 1200-1710 and 1101-1711 Rutger St., 1100-1312 and 1201-1311 Soulard Ave., 1001-1321, 1110-1222, and 1801-1821 S. Eleventh St., 1000-1840 and 1001-1841 S. Fourteenth St., 1101-41 S. Ninth St., 1100-1224 and 1001-1223 S. Tenth St. (Pedestrian Mall) 1000-1320, 1400-1580, 1800-1840 and 1101-1841 S. Tucker Blvd.

The legal description of the Area is delineated on Exhibit "A" and the boundaries of the Area are reflected on a map as Exhibit "B" ("Project Area Map").

2. GENERAL CONDITION OF THE AREA

The Area is in poor to fair condition. 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 under-utilized. "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 6.5% unemployment rate for the City as of November, 1998. It is estimated that there are approximately 100 jobs in the Area.

3. PRESENT LAND USE AND CURRENT ZONING OF THE AREA

Existing land uses within the area include: residential (including five (5) public housing developments), split-use, vacant land and commercial uses. There is a substantial amount of vacant land and structures in the Area. A substantial number of the public housing units are abandoned as are two sites, one occupied by the City Hospital and Malcolm Bliss Hospital. The Area currently contains zoning districts ranging from single-family to light industrial.

The existing land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "C". Exhibit "D" contains a map of the current, generalized zoning of the Area.

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The Area is bounded on the west by Lafayette Square, a City Historic District characterized by many Victorian-style homes. According to the 1990 Census, the population density of Lafayette Square is 5,753 persons per square mile. To the east and southeast of the Area are the LaSalle Park and Soulard neighborhoods. Soulard, in addition to being a City Historic District, was designated as a National Historic District in 1972; its population density, according to the 1990 Census is 6,359 persons per square mile. The same census shows the population density of LaSalle Park as 9,514 persons per square mile. Directly to the north, across Chouteau Ave. is a commercial and industrial area occupied by multiple commercial enterprises including the corporate headquarters of AmerenUE and Ralston Purina Corporation. Interstates 44 and 55 wrap around the area to the south.

5. FINDING OF BLIGHT

The properties within the Area are mostly in poor to fair condition (as defined in Section A(2) above) and are characterized by substantial vacant properties as well as deficiencies in site layout and infrastructure. The existence of deteriorated property constitutes both an economic liability to the City 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 objectives of this Plan are: to facilitate the use, rehabilitation and improvement of commercial, residential and split-use properties; to reduce the high concentration and density of public housing in the Area; to construct new residential and commercial structures; to demolish or renovate dilapidated structures; to create a mixed-use neighborhood allowing for residential, commercial and institutional uses; to make dramatic changes to the "streetscape" so as to recreate the traditional city grid pattern replacing those existing, large blocks currently or previously devoted to public housing and the revitalization of existing educational and recreational institutions.

2. PROPOSED LAND USE AND PROPOSED ZONING OF THE AREA

Subject to the use prohibition set forth at the end of this section, the following are the proposed changes, amendments and/or modification to the existing land-use and zoning classifications in the Area:

As for the sites of the existing public housing developments owned by the St. Louis Housing Authority, it is proposed that a mix of residential and commercial/retail uses be allowed. Thus, the existing Community Unit Plan (CUP) encompassing the present site of the Clinton-Peabody public housing development may be repealed. Consistent with the objective of achieving a historic "city block" lay-out, as described in Section 1 above, it is proposed that new streets and alleys be dedicated in this portion of the Area (See Exhibit "E").

As for the City Hospital/Malcolm Bliss Hospitals site, residential, commercial and/or retail uses are proposed. Therefore, the existing zoning which limits development to residential uses may be replaced with a zoning classification(s) which would permit achieving these proposed usages.

As for the property in the Area located south of Lafayette Street and west of Tucker Blvd., residential, commercial, retail and/or institutional uses are proposed along with zoning classifications to achieve same.

It is proposed that Grattan Street be widened into a parkway to facilitate greater traffic flow from I-55/44 at Lafayette Street through to Chouteau Ave. and downtown, as illustrated on Exhibit "E". Surrounding and adjacent property may need to be acquired to accomplish this goal. As for the property in the Area located west of Grattan Street, residential, commercial/retail and office uses are proposed as well as any rezoning as may be necessary to achieve such uses.

Demolition of some of the existing structures in the Area may be undertaken.

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 the following purposes:

pawn shops, adult bookstores, x-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), storefront churches, pinball or video arcades, pool halls, secondhand or junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, blood donor facilities, free standing package liquor stores, establishments selling or providing liquor and not having gross sales of at least 50% from food items at that location, exterior telephones, check cashing centers, any use (except for financial institutions) that utilizes a sales or service window or facility for customers who are in cars, or restaurants that sell products to customers who are in cars or who consume the sold products in cars parked on the restaurant premises, or sell products through a sales window to customers who are in cars or to pedestrians outside the building for immediate consumption by the customer either on or off the premises, open storage, automobile service facilities, motor fuel pumping stations, detailing or car washes, dyeing and cleaning works, private clubs and lodges, rooming and boarding houses, utility stations, utility towers, barber, beauty and nail shops and beeper and pager shops.

The above prohibition may be enforced through the use of deed restrictions and covenants.

Exhibit AE@ (Proposed Land Use) shows the proposed uses for the Area. Exhibit "F", attached hereto contains a map of the proposed zoning.

3. 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

4. CIRCULATION

The Proposed Land Use Plan (Exhibit "E") indicates the proposed circulation system for the Area. Extensive changes in the layouts, levels and grades of many public rights-of-way are anticipated.

Rights-of-way changes including the possible vacation and/or dedication of streets and alleys will be subject to the review and approval under applicable statutes and ordinances.

5. 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 of redevelopment shall be governed by the Zoning Code. Except as otherwise provided herein, no changes in the building codes or ordinances are required.

6. URBAN DESIGN

To the extent any portion of the Area is encompassed within an area (including historic districts) subject to design, architectural, landscaping, parking and/or signage codes, regulations, laws or guidelines (hereinafter "independent design guidelines"), then those independent design guidelines shall apply to such portion of the Area. As to those portions of the Area not subject to such independent design guidelines, the regulations set forth in paragraphs 7 and 8 below shall govern development, which may be amended consistent with the terms of Section H hereof. Moreover, additional design guidelines may be subsequently established and this Plan so modified consistent with Section H.

7. 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.

8. 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. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, shall be placed only those sides of buildings fronting on public or private streets, 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 (one hundred (100) square feet on the City Hospital/Malcolm Bliss sites) or ten percent (10%) of the ground floor wall surface fronting on such streets. Only one sign per business per wall facing on a public or private street shall be permitted. In addition, one identification sign up to ten (10) sq. ft. in size may be placed on a wall facing a parking area or open space, provided the LCRA confirms that such a sign is required.

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 valance. In no case shall signage be allowed on both an awning valance and a building for the same business.

One ground or monument sign per use may be permitted provided it does not exceed six (6) feet in height nor exceed thirty (30) square feet per side (ten (10) feet in height nor exceed fifty (50) square feet per side on the City Hospital/Malcolm Bliss sites) and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Painted wall signs, roof signs, pole signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the Area

9. PUBLIC IMPROVEMENTS

It is proposed that Peabody Elementary School will be upgraded and the existing 12th & Park recreational community center be replaced with a new center containing ball fields and green space. Additional water, sewage or other public utilities may be required depending on development. In its sole, unrestricted discretion, LCRA may seek or participate in seeking unconditional vacation of certain streets and/or alleys in the Area to achieve the goals and objectives of the Plan. In such event, the costs and expenses associated with the relocation of private utility facilities may be transferred onto the respective private utility company. New parks may also be dedicated.

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. As previously mentioned, LCRA may dedicate or

participate in dedicating new streets and alleys in the Area, including the acquisition of property to achieve or facilitate such goal or objective.

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 may take place in multiple phases initiated within approximately one (1) year of approval of this plan by ordinance and completed within approximately ten (10) years of approval of this Plan by ordinance. The LCRA may alter the above schedule as economic conditions warrant.

The parcels which formerly contained the Darst-Webbe public housing facility are anticipated to be the first phase. Each developer selected by LCRA shall retain the right, however, to modify the phasing of construction.

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. LCRA may enter into cooperative agreements, financing arrangements or other agreements with governmental agencies, federal, state or local, to accomplish the goals and objectives set forth herein.

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, AExhibit G, @ attached identifies all the property in the Area. LCRA may acquire any property in the Area through negotiation. LCRA is authorized to exercise the power of eminent domain as to all properties within the portion of the Area which is located south of Lafayette Ave. and west of Tucker Blvd. (All parcels in City Blocks 408, 409, 414, 415,

820, 820W (820.04) and 820N (820.05) shown on AExhibit G@). LCRA may acquire by eminent domain, any other properties in other portions of the Area except 1) those which are owner occupied residences and 2) those parcels, which, at the time of the approval of this Redevelopment Plan by Ordinance, were known and numbered as: 1400 LaSalle St., 1019 S. 14th St., 1020 St. Ange St., 1022 St. Ange St., 1321 S. 11th St., 1111 Rutger St., 1114-24 Dolman St. and 1400-14 Park Ave. Such restriction on the use of eminent domain for the specifically numbered parcel(s) shall not apply, however, and the Authority may exercise such power as to said parcel(s) if and when (i) title to said parcel(s) is transferred from the person or entity who/which was the owner at the time of the approval of this Redevelopment plan, (ii) the primary structure on the parcel(s) becomes uninhabitable or is demolished; (iii) there exists no valid, effective occupancy permit for the primary structure located on the parcel(s), or (iv) the parcel(s) is no longer actively and solely used to promote charitable, benevolent, eleemosynary, educational, religious and/or social welfare purposes.

3. PROPERTY DISPOSITION

If the LCRA 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. Any property acquired by the LCRA 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. (1994) 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 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 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.

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. 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, creed, national origin, marital status, sex, age, sexual orientation 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, creed, national origin, marital status, sex, age, sexual orientation 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 "H", 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) 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, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, 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 revisions shall be effective only upon the consent of the Community Development Commission of the City. 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 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

NEAR SOUTHSIDE REDEVELOPMENT AREA

All of blocks 400, 401, 402, 405, 407, 408, 409, 410, 411, 412, 414, 415, 467E (467.03), 467W (467.04), 468S (468.06), 469, 470E (470.03), 472E (472.03), 472W (472.04), 473E (473.03), 473W (473.04), 475, 476, 477N (477.05), 477S (477.06), 477NA (477.14), (477.14), 478N (478.05), 478S (478.06), 479, 480, 481N (481.05), 481S (481.06), 482E (482.03), 482WB (482.10), 483E (483.03), 675, 820, 820N (820.05), 820W (820.04), 822, 1250, 1251, 1252, 1253, 1254, and portions of blocks 390, 393, 397, 469, 474E (474.03), 482WA (482.09) and 483W (483.04) in the City of St. Louis more specifically described as follows:

Beginning at the point of intersection of the north line of Chouteau Ave. (80 feet wide) and the northward prolongation of the east line of S. Tenth St. (60 feet wide); thence southwardly along said northward prolongation and said east line of S. Tenth St. to its point of intersection with the north line of Lebanon Dr. (65 feet wide); thence eastwardly along said north line of Lebanon Dr. across all intersecting streets to its point of intersection with the east line of S. Ninth St. (65 feet wide); thence southwardly along said east line of S. Ninth St. to its point of intersection with the south line of Hickory St. (50 feet wide); thence westwardly along said south line of Hickory St. to its point of intersection with the east line of property, now, or formerly, owned by Ralston

Purina in city block 467E known and numbered 920-48 Hickory St., thence southwardly along said east line of said property and its southward prolongation to its point of intersection with the south line of a 15 foot wide east-west alley in City Block 467E; thence westwardly along said south alley line to its point of intersection with the east line of property now, or formerly owned, by LCRA in City Block 467E known and numbered 939 Morrison Ave.; thence southwardly along said east property line and its southward prolongation to its point of intersection with the south line of Morrison Ave. (50 feet wide); thence westwardly along said south line of Morrison Ave. to its point of intersection with the east line of S. Eleventh St. (50 feet wide); thence southwardly along said east line of S. Eleventh St. to its point of intersection with the south line of Rutger St. (60 feet wide); thence westwardly along said south line of Rutger St. to its point of intersection with the east line of S. Tucker Blvd. (100 feet wide); then southwardly along said east line of S. Tucker Blvd. to its point of intersection with the north line of Park Ave. (80 feet wide); thence eastwardly along said north line of Park Ave. across all intersecting streets to its point of intersection with the east line of S. Tenth St.; thence southwardly diagonally across Park Ave. to the point of intersection of the south line of Park Ave. and the east line of S. Tenth St.; thence southwardly along said east line of S. Tenth St. to its point of intersection with the eastward prolongation of the south line of property now, or formerly, owned by the LaSalle Park Redevelopment Corporation known and numbered 1000-12 Park Ave.; thence westwardly along said eastward prolongation and said property line to its point of intersection with the east line of a north-south 20 foot wide alley in City Block 390; thence southwardly along said east alley line to its point of intersection with the eastward prolongation of the south line of property now, or formerly, owned by James and Michael P. Heidenry known and numbered 1414 Menard St.; thence westwardly along said eastward prolongation and said south property line to its point of intersection with the east line of Menard St. (60 feet wide); thence southwardly along said east line of Menard St. to its point of intersection with the south line of Carroll St. (60 feet wide); thence westwardly along said south line of Carroll St. to its point of intersection with the east line of S. Tucker Blvd.; then southwardly along said east line of S. Tucker Blvd. to its point of intersection with the north line of Soulard St. (60 feet wide); thence eastwardly along said north line of Soulard St. to its point of intersection with the east line of S. Eleventh St.; thence southwardly along said east line of S. Eleventh St. to its point of intersection with the northwest ROW line I-55; thence southwestwardly along said I-55 ROW line to its point of intersection with the east line of Tucker Blvd.; thence southwardly along said east line of Tucker Blvd. to its point of intersection with the north line of vacated Geyer Ave. (60 feet wide); thence westwardly along

side north line of vacated Geyer Ave. to its point of intersection with the west line of vacated S. Eighteenth St. (60 feet wide); thence northwardly along said west line of vacated S. Eighteenth St. and S. Eighteenth St. across all intersecting streets to its point of intersection with the north line of Lafayette Ave.; thence eastwardly along said north line of Lafayette Ave. to its point of intersection with the west line of Dolman St. (60 feet wide); thence northwardly along said west line of Dolman St. across all intersecting streets to its point of intersection with the south line of Park Ave.; thence westwardly along said south line of Park Ave. to its point of intersection with the southward prolongation of the west line of the 15 foot wide north-south said alley in City Block 483W; thence northwardly along said prolongation, said west line of said alley, diagonally across Hickory St. to its point of intersection with the north line of Hickory St. (50 feet wide) and the west line of the 20 foot wide north-south alley in City Block 482WA; thence northwardly along said west alley line to its point of intersection with the southeast line of S. Eighteenth St.; thence southwestwardly along said southeast line of S. Eighteenth St. to its point of intersection with eastward prolongation of the north line of LaSalle St. (60 feet wide); thence westwardly along said eastward prolongation of the north line of LaSalle St. to its point of intersection with the west line of W. Eighteenth St.; thence northwardly along said west line of W. Eighteenth St. and its northward prolongation across Chouteau Ave. to its point of intersection with the north line of Chouteau Ave. (80 feet wide); thence eastwardly along said north line of Chouteau Ave. across all intersecting streets to its point of intersection with the northern prolongation of the east line of S. Eleventh St., the point of beginning.

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

EXHIBIT E

FORM: 05/26/99

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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

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.

The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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, creed, 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.

Redeveloper shall fully comply (and ensure compliance by anchor tenants) with the provisions of St. Louis City ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St., Louis. EXHIBIT "H"
FORM: 01/28/98

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 July 24, 1997, 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.

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

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, creed, 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.

Legislative History

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/14/99	05/14/99	HUDZ	11/23/99	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
12/03/99			12/10/99	12/17/99
ORDINANCE	VETOED		VETO OVR	
64831				