

Summary

Board Bill Number 235

As Amended

Primary Sponsor: Alderman Brandon Bosley

January 8, 2021

This Board Bill would to approve a Chapter 99 Redevelopment Plan and Blighting Study for the Natural Bridge/North Grand/St. Louis/ North Vandeventer Redevelopment Area. This authorizes up to a twenty-five (25) year tax abatement for the Area.

BOARD BILL NUMBER 235 AS AMNEDED INTRODUCED BY: ALDERMAN BRANDON BOSLEY

1 An ordinance approving a Redevelopment Plan dated November 17, 2020 (“Plan”) for the Natural
2 Bridge/North Grand/St. Louis/ North Vandeventer Area ("Area") in the City of St. Louis (“City”)
3 after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of
4 Missouri, 2016, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), finding that
5 there shall be available up to a twenty-five (25) year tax abatement; and pledging cooperation of the
6 Board of Aldermen and requesting various officials, departments, boards and agencies of the City to
7 cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

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

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

1 **WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of
2 St. Louis (“Planning Commission”) and to this St. Louis Board of Aldermen ("Board"), titled
3 "Blighting Study and Plan for the Natural Bridge/North Grand/St. Louis/ North Vandeventer
4 Area," dated November 17, 2020 consisting of a Title Page, Table of Contents Pages, and nine (9)
5 numbered pages, and **Exhibits A-G** attached hereto and incorporated herein as **Attachment "B"**
6 ("Plan"); and

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

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

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

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

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

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

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

4 **WHEREAS**, this Board is cognizant of the conditions which are imposed on the undertaking and
5 carrying out of the Project, including those relating to prohibitions against discrimination because
6 of race, color, familial status, national origin or ancestry, sex, marital status, age, sexual orientation,
7 gender identity or expression, religion or disability; and

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

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

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

15 **SECTION ONE.** There exists within the City a blighted area, as defined by Section 99.320 of the
16 Revised Statutes of Missouri, 2016, as amended, (the "Statute" being Sections 99.300 to 99.715
17 inclusive, as amended) described in **Attachment "A"**, attached hereto and incorporated herein,
18 known as the Natural Bridge/North Grand/St. Louis/ North Vandeventer Area.

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

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

3 **SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 17, 2020, having
4 been duly reviewed and considered, is hereby approved and incorporated herein by reference, and
5 the President or Clerk of this Board is hereby directed to file a copy of said Plan with the Minutes
6 of this meeting.

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

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

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

14 **SECTION EIGHT.** The Plan for the Area provides that the LCRA may not acquire any property
15 in the Area by the exercise of eminent domain.

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

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

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

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

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

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

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

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

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

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

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

6 (d) To adhere to the requirements of Ordinance Nos. 69427, 70767 and 71094, as may be
7 amended or supplemented, pertaining to minority-owned and women-owned business participation,
8 workforce development, and prevailing wage compliance, to the extent the provisions of those
9 ordinances apply to the Project;

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

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

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

18 The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit
19 organization owned, operated and controlled by minority group members who have at least fifty-
20 one percent (51%) ownership. The minority group member(s) must have operational and
21 management control, interest in capital and earnings commensurate with their percentage of
22 ownership. The term Minority Group Member(s) shall mean persons legally residing in the United

1 States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native
2 Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines,
3 Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or
4 Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The
5 term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit
6 organization owned, operated and controlled by a woman or women who have at least fifty-one
7 percent (51%) ownership. The woman or women must have operational and managerial control,
8 interest in capital and earnings commensurate with their percentage of ownership.

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

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

15 In lieu of the tax abatement available pursuant to pursuant to Sections 99.700 – 99.715, RSMo, as
16 amended, any Redeveloper(s) may seek tax abatement pursuant to Chapter 353, RSMo, as
17 amended, upon compliance with the procedures set forth therein and in Chapter 11.06 of the City
18 Code, as amended. The terms of the tax abatement available to the applicable real property or
19 portion thereof will be set forth in a Redevelopment Agreement between the LCRA and the
20 Redeveloper. The Redevelopment Agreement shall provide that tax abatement shall begin in the
21 year during which an urban redevelopment corporation acquires title to the applicable real property
22 or portion thereof and continue no longer than twenty-five (25) years thereafter (the “Chapter 353

1 Tax Abatement Period”), provided, however, that: PILOTs will be imposed to ensure that the total
2 revenues payable to the affected taxing jurisdictions from PILOTs and unabated ad valorem taxes
3 (including those set forth in Section 353.110, RSMo) equals at least: For years one through ten of
4 the Chapter 353 Tax Abatement period, at least: One hundred percent (100%) of the ad valorem
5 taxes that would be imposed based on the then-current tax levy rates and the assessed value of the
6 land and improvements included in the applicable real property or portion thereof in the year prior
7 to the urban redevelopment corporation’s acquisition thereof (subject to adjustment pursuant to
8 Section 353.110.2, RSMo, if the land was tax exempt prior to acquisition by the urban
9 redevelopment corporation) (the “Base Tax Value”); plus Five percent (5%)of the difference
10 between the ad valorem real estate taxes that would be due if there were no tax abatement and Base
11 Tax Value. For years eleven through twenty-five of the Chapter 353 Tax Abatement period, at least
12 fifty percent (50%) of the ad valorem real estate taxes that would be due if there were no tax
13 abatement. Pursuant to Section 71.801, RSMo., all calculations of PILOTs and abated taxes shall
14 exclude any ad valorem real property tax imposed by a Special Business District.

15 All unabated ad valorem real estate taxes and PILOTs shall be collected by the City Collector of
16 Revenue in the same manner as regular ad valorem real estate taxes. Each phase of the project will
17 require LCRA Board approval and redeveloper designation when financing is secured. Up to twenty
18 five-year tax abatement has been authorized for the Area; however, abatement of shorter duration or
19 quantity may be granted for a particular phase if the financial proformas do not support twenty-five
20 (25) years. A Community Improvement District (“CID”) may be established for the Area and a
21 portion of the taxes abated will equal the amount of the CID special assessment. If the CID special

1 assessment generates more revenue than expected, the portion of the tax abatement tied to the CID
2 would end early.

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

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