

ORDINANCE #69418
Board Bill No. 271

An ordinance approving a blighting study and redevelopment plan dated December 11, 2012 for the 4251-53 Russell Blvd. Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "A", 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 attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that none of the property within the Area is occupied, but if it should become occupied the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a ten (10) year real estate tax abatement; and pledging cooperation of this St. Louis Board of Aldermen ("Board") 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 a severability clause.

WHEREAS, the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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 and 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, this Board has considered the "Blighting Study and Redevelopment Plan for the 4251-53 Russell Blvd. Redevelopment Area" dated December 11, 2012, consisting of a Title Page; a Table of Contents Page, sixteen (16) numbered pages including Exhibits "C" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

WHEREAS, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

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

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 RSMo, as amended, and this Board has been fully apprised by the LCRA and the Planning Commission 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 the Planning Commission 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 the Planning Commission has advised this Board that the Plan conforms to that general plan; and

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

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

WHEREAS, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 4251-53 Russell Blvd. Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated December 11, 2012 which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

SECTION TWO. The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

SECTION NINE. None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced by the Redeveloper(s) (as defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper(s) at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan 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(s)") 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(s) 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, Redeveloper(s) 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 Business Enterprises (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;

- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997, as has been extended.

- (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

- (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 pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance of the City 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 entered into directly by Redeveloper(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 which

shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of the 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 urban redevelopment corporation shall own property within the Area, then for a period of up to the first ten (10) years after the date such urban redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to that property. In addition to such taxes, any such urban redevelopment corporation shall for a period of up to ten (10) years make a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such urban redevelopment corporation for such period of up to the first ten (10) years of the 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 prior to the calendar year during which such urban redevelopment corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in the Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond ten (10) years after any urban redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan 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 revisions shall be effective only upon the consent of the Planning Commission of the City.

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.

ATTACHMENT "A"

**THE 4251-53 RUSSELL BLVD. AREA
LEGAL DESCRIPTION**

C B 4936 RUSSELL
47 FT 5 IN/43 FT 5 1/8 IN X 114 FT 4 IN
TYLER PLACE ADDN
BLOCK 47 LOT 17

PARCEL # 4936-00-0400

**ATTACHMENT "B"
Form: 2/8/13**

**BLIGHTING STUDY AND REDEVELOPMENT PLAN
FOR THE
4251-53 RUSSELL BLVD. REDEVELOPMENT AREA**

PROJECT# 1702
DECEMBER 11, 2012
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

MAYOR
FRANCIS G. SLAY

**BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
4251-53 RUSSELL BLVD. REDEVELOPMENT AREA**

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"F"	BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 4251-53 Russell Blvd. Redevelopment Area ("Area") encompasses approximately .12 acres in the Shaw neighborhood of the City of St. Louis ("City") and is located on the north side of Russell Blvd. between Tower Grove Ave. and Klemm St.

The legal description of the Area is attached and labeled Attachment "A". The boundaries of the Area are delineated on Exhibits "B", "C" and "D" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 4936. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 9.3% unemployment rate for the City for the month of October, 2012. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied four family building. The land uses within the Area, including the location of public and private uses, streets and other rights-of-way, is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are used primarily for residential purposes.

Residential density for the surrounding neighborhoods is approximately 17.85 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "B" Two Family Residential District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

None of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard

to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300-99.715 et seq. RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in zones designated "B" Two Family Residential District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area for only the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2011) designates it as a Neighborhood Preservation Area (NPA).

3. PROPOSED ZONING

The proposed zoning for the Area is "B" Two Family Residential District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2011). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

There are no new jobs expected to be created in this Area because of the proposed redevelopment.

6. CIRCULATION

The Project Area Plan-Proposed Land Uses Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by City ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the Redevelopment Agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise,

including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. Urban Design Objectives

The property in the Area shall be redeveloped such that it is an attractive residential asset to the surrounding neighborhood.

b. Urban Design Regulations

- 1.) **Rehabilitation** shall respect the original exterior of the structures in the Area in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "PermaStone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 4.) **Architectural Details** on existing structures in the Area shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. Landscaping

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

d. Fencing

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

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

Where feasible, parking shall be limited to the rear of the property in the Area off the alley, and at least one space shall be provided for each residential unit. In addition, surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2 ½) feet high on planting and maintained at three and one-half (3 ½) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. All new signs shall be restricted to standard sale/lease signs.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately two (2) years of approval of this Plan by City ordinance.

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

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

2. PROPERTY ACQUISITION

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, RSMo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, 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 a period of up to 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for such period of up to the ten (10) years make a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such corporation shall have acquired title to such property. If such property shall be tax-exempt because it is owned by the LCRA and leased to any such urban redevelopment corporation, then such corporation for a period of up to the first ten (10) years of the lease shall make payment 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 prior to the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond ten (10) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS1. LAND USE

A Redeveloper(s) 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, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper (s) 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 (s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Minimum Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper (s), which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper (s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

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

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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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.

If answer is yes, explain: _____

The subject property _____X_____ has _____ has not insanitary or unsafe conditions

If answer is yes, explain: The property is unoccupied. As such, it is subject to illegal dumping, rat infestation, and use by transients. It is also a fire hazard.

The subject property _____X_____ has _____ has not deterioration of site conditions

If answer is yes, explain: Mortar is missing, the roof needs replacement, as do all mechanical systems.

The subject property _____ has _____X_____ has not improper subdivision or obsolete platting

If answer is yes, explain: _____

The subject property _____X_____ has _____ has not conditions which endanger life or property by fire or other cause.

If answer is yes, explain: The building is unoccupied, consequently it is subject to illegal dumping and use by transients, which combine to make it a significant fire risk.

The subject property _____ does _____X_____ does not retard the provision of housing accommodations

If answer is yes, explain: _____

The subject property _____X_____ does _____ does not constitute an economic liability

If answer is yes, explain: The building is unoccupied and significantly deteriorated. It drags down the value of surrounding properties and would take significant investment to bring up to code.

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

If answer is yes, explain: _____

The subject property _____X_____ is _____ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The building is unoccupied and subject illegal dumping, rat infestation, and fire.

The subject property _____X_____ is _____ is not detrimental because of dilapidation, deterioration, age or obsolescence.

If answer is yes, explain: The building is significantly deteriorated, with the deteriorated site conditions listed above.

The subject property _____ is _____X_____ is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property _____ is _____X_____ is not detrimental because of high density of population.

If answer is yes, explain: _____

The subject property _____ is _____X_____ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property _____X_____ has _____ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: The unoccupied building is subject to illegal dumping and rat infestation. It is also subject to use by transients and as an unsafe play areas by neighborhood children.

Approved: February 21, 2013

ORDINANCE NO. 69418 - EXHIBITS B, C & D



Exhibit B
Project Area Plan
 4251-53 Russell Blvd. Redevelopment Area
Existing Uses and Conditions
 [Shaded Box] Unoccupied Residential, Fair Condition
 [Dashed Line] Project Area Boundary
 [Grey Box] Buildings
 [Box 1234] City Block Number

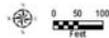


Exhibit C
Project Area Plan
 4251-53 Russell Blvd. Redevelopment Area
Proposed Land Uses
 [Hatched Box] Residential Use
 [Dashed Line] Project Area Boundary
 [Grey Box] Buildings
 [Box 1234] City Block Number



Exhibit D
Project Area Plan
 4251-53 Russell Blvd. Redevelopment Area
Project Acquisition Map
 [Box 1234] Parcel Number
 [Dashed Line] Project Area Boundary
 [Grey Box] Buildings
 [Box 1234] City Block Number



ORDINANCE #69419
Board Bill No. 272

An ordinance approving a blighting study and redevelopment plan dated December 11, 2012 for the 2621-23 S. 11th St. Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "A", 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 attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that none of the property within the Area is occupied, but if it should become occupied the Redeveloper (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a five (5) year real estate tax abatement; and pledging cooperation of this St. Louis Board of Aldermen ("Board") 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 a severability clause.

WHEREAS, the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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 and 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, this Board has considered the "Blighting Study and Redevelopment Plan for the 2621-23 S. 11th St. Redevelopment Area" dated December 11, 2012, consisting of a Title Page; a Table of Contents Page, sixteen (16) numbered pages including Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

WHEREAS, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

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

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 RSMo, as amended, and this Board has been fully apprised by the LCRA and the Planning Commission 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 the Planning Commission 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 the Planning Commission has advised this Board that the Plan conforms to that general plan; and

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

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

WHEREAS, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 2621-23 S. 11th St. Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated December 11, 2012 which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

SECTION TWO. The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

SECTION NINE. None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced by the Redeveloper (as 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 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, Redeveloper 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 Business Enterprises (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;

- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997, as has been extended.

- (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

- (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 pursuant to the Plan. The Redeveloper will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance of the City 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 entered into 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 Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

SECTION FOURTEEN. 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 which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) 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 up to the first five (5) years after the date the redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which the corporation shall have acquired title to that property. In addition to such taxes, any such corporation shall for up to the same five (5) 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 prior to the calendar year during which such corporation shall have acquired title to that property. If property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for up to the first five (5) years of the 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 prior to the calendar year during which such corporation shall lease that 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 five (5) 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 the property as provided in this Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond five (5) 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 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 revisions shall be effective only upon the consent of the Planning Commission of the City.

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.

ATTACHMENT "A"

**THE 2621-23 S. 11th St. AREA
LEGAL DESCRIPTION**

PARCEL #1

C.B. 793 11TH
21 FT 6 3/8 IN / 22 FT 6 3/8 IN X 142 FT
LYNCH ADDN
LOT S9 N8

PARCEL # 0793-00-0180

PARCEL #2

C.B. 793 11TH
17 FT 11 IN / 17 FT 3 7/8 IN X 142 FT 3
LYNCH ADDN
LOT S8 & N9

PARCEL # 0793-00-0190

BLIGHTING STUDY AND REDEVELOPMENT PLAN
FOR THE
2621-23 S. 11TH ST. REDEVELOPMENT AREA
PROJECT# 1703
DECEMBER 11, 2012
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
2621-23 S. 11TH ST. REDEVELOPMENT AREA

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- "A" LEGAL DESCRIPTION
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- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
- "F" BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 2621-23 S. 11TH ST., Redevelopment Area ("Area") encompasses approximately .14 acres in the Soulard neighborhood of the City of St. Louis ("City") and is located on the western side of S. 11th St. between Lynch St. and Sidney St.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibits "B", "C" and "D" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 793.00. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 9.3% unemployment rate for the City for the month of October, 2012. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied multi-family building.

The land uses within the Area, including the location of public and private uses, streets and other rights-of-way, is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are used primarily for residential purposes.

Residential density for the surrounding neighborhoods is approximately 8.96 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "D" Multiple Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

None of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300-99.715 *et seq.* RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in zones designated "D" Multiple Family Dwelling District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area for only the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2011) designates it as a Neighborhood Preservation Area (NPA).

3. PROPOSED ZONING

The proposed zoning for the Area is "D" Multiple Family Dwelling District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2011). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

There are no new jobs expected to be created in this Area because of the proposed redevelopment.

6. CIRCULATION

The Project Area Plan-Proposed Land Uses Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by City ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the Redevelopment Agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property in the Area shall be redeveloped such that it is an attractive residential asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **Rehabilitation** shall respect the original exterior of the structures in the Area in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 4.) **Architectural Details** on existing structures in the Area shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. **Landscaping**

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

d. **Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

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

Where feasible, parking shall be limited to the rear of the property in the Area off the alley, and at least one space shall be provided for each residential unit. In addition, surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2 ½) feet high on planting and maintained at three and one-half (3 ½) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. All new signs shall be restricted to standard sale/lease signs.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately two (2) years of approval of this Plan by City ordinance.

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

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

2. PROPERTY ACQUISITION

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, RSMo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

Any Redeveloper(s) 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 which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) 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 a period of up to the first five (5) 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the same five (5) 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for such period of up to the five (5) years make a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such corporation shall have acquired title to such property. If such property shall be tax-exempt because it is owned by the LCRA and leased to any such urban redevelopment corporation, then such corporation for a period of up to the first five (5) years of the lease shall make payment 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 prior to the calendar year during which such corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 five (5) year period, shall inure to the benefit of all successors in interest in the property of the urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond five (5) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS1. LAND USE

A Redeveloper(s) 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, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper (s) 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 (s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Minimum Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper (s), which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper (s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

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

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 City ordinance, and for additional five (5) year periods unless before the commencement of any such five (5) year period the St. Louis Board of Aldermen shall terminate this Plan at 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"**THE 2621-23 S. 11TH ST. AREA
LEGAL DESCRIPTION****PARCEL #1**

C.B. 793 11TH
21 FT 6 3/8 IN / 22 FT 6 3/8 IN X 142 FT
LYNCH ADDN
LOT S9 N8

PARCEL # 0793-00-0180**PARCEL #2**

C.B. 793 11TH
17 FT 11 IN / 17 FT 3 7/8 IN X 142 FT 3
LYNCH ADDN
LOT S8 & N9

PARCEL # 0793-00-0190

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 02/08/08

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper(s) and its contractors will not contract or subcontract with any party known to have been found in violation of any such Laws, ordinances, regulations or these guidelines.

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

The Redeveloper(s) agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper(s), its successors or assigns upon the basis of race, color, 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(s) shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 (First Source Jobs Policy) which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

EXHIBIT "F"

**BLIGHTING REPORT FOR THE
2621-23 S. 11TH ST. REDEVELOPMENT AREA**

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, unsanitary or unsafe conditions, deterioration or inadequate site improvements, improper subdivision or absolute platting and conditions which endanger life or property by fire or other curses.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the

ORDINANCE NO. 69419 - EXHIBITS B, C & D



Exhibit B
Project Area Plan
2621-23 S. 11th St. Redevelopment Area
Existing Uses and Conditions
Unoccupied Residential, Poor Condition
Project Area Boundary
Buildings
City Block Number

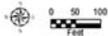


Exhibit C
Project Area Plan
2621-23 S. 11th St. Redevelopment Area
Proposed Land Uses
Residential
Project Area Boundary
Buildings
City Block Number



Exhibit D
Project Area Plan
2621-23 S. 11th St. Redevelopment Area
Project Acquisition Map
Parcel Number
Project Area Boundary
Buildings
City Block Number



ORDINANCE #69420
Board Bill No. 278

An ordinance pertaining to the 41XX-43XX Lindell Historic District; amending Ordinance #59442, approved March 14, 1985 and having as its subject matter the boundary and regulations and standards for the 41XX-43XX Lindell Historic District, and providing new standards for the 41XX-43XX Lindell Historic District.

Be it ordained by the City of St. Louis as follows:

SECTION TWO, Ordinance 59442, approved March 14, 1985 is hereby repealed and replaced with:

SECTION TWO

The proposed standards to be applied within the district are set out in the "41XX-43XX Lindell Historic Rehabilitation and New Construction Standards" recommended by the Preservation Board on December 17, 2012 and the Planning Commission on January 9, 2013, and which are adopted and incorporated herein by reference, and copies of which shall be filed for inspection in the Office of the Register and in the Office of the Building Commissioner.

41XX-43XX LINDELL HISTORIC DISTRICT
REHABILITATION AND NEW CONSTRUCTION STANDARDS

The prime objective in the 4100-4300 Lindell Historic District is to maintain the distinctive character, quality of construction and individual architectural integrity of the buildings within the district. While there is neither one prevalent architectural style nor a dominant building material, these blocks of Lindell represent the various periods of development of the prominent thoroughfare.

As this historic district is located in an area for which form based zoning has been adopted, the Regulating Plan, Building Envelope Standards and Building Development Standards of the Central West End Form Based Zoning District will be used to review new construction within the historic district.

DEFINITIONS

Awning: A light weight exterior roof-like shade that projects over a window or door.

Block face: The street front, or principle elevations, of buildings that face the street within a block; a block face typically exhibits overall characteristics provided by the scale, massing, and spacing of the buildings and their principal materials.

Canopy: A protective roof-like covering supported by framework over a walkway or door.

Communication Devices: Devices used to send, receive or process any form of communication. This can include, but is not limited to, antennae, cables, wires, dishes, or mounting equipment.

Façade: An exterior wall of a building. The street façade is the wall of a building that faces the street.

Fenestration: The design and placement of windows in a building.

Mechanical Equipment: HVAC units, solar panels, satellite dishes, antennae, electrical or gas meters, conduit, cell towers, etc.

Retaining Wall: A wall that holds back the earth behind it and used to make changes in grade.

Visible: For the purposes of these standards, visibility shall be determined as viewed from the street and sidewalk and shall refer to architectural elements that can be seen when viewed from six feet or less above street grade. Landscaping is not permanent and shall not be considered when determining visibility. Fences and free-standing walls are considered permanent, and objects hidden by them shall not be considered visible.

EXISTING RESIDENTIAL BUILDINGS

These standards shall be used for the review of proposed alterations to existing buildings.

A. ADDITIONS

Additions to existing buildings shall be secondary in scale and architectural presence to the main building, and shall be compatible in height, roof shape, and materials.

B. MAINTAINING ARCHITECTURAL CHARACTER

The removal of character-defining architectural elements is prohibited. No elements shall be added that would alter the original design and style of a building.

C. EXTERIOR MATERIALS

All new building materials shall be compatible in type and texture with the dominant materials of the existing building, which are likely to be brick masonry, stone masonry and stucco. Terra cotta and wood may be appropriate to use for trim and architectural features. Artificial masonry, such as "Permastone" and an Exterior Insulation and Finishing System (EIFS), is not permitted.

D. ARCHITECTURAL ELEMENTS AND DETAILS

Architectural elements and details on façades facing the street and portions of other visible façades of existing buildings shall be maintained in a similar size, profile and material. Replacement windows and doors shall fit existing openings and be of similar size and profiles as existing units. Windows may be wood or aluminum. The fenestration pattern of the façade will not be altered by the blocking of windows or the creation of new window openings. Doors will be wood. Canvas awnings may be installed where appropriate.

E. ROOF MATERIALS

Roof materials shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not allowed.

F. WALLS, FENCES AND ENCLOSURES

Walls, retaining walls and fences shall be brick, stone or stucco, wood, wrought iron or evergreen hedge when visible from the street, as is consistent with existing dominant materials. No side yard fence shall be over six feet in height.

G. LANDSCAPE PAVING AND CURB CUTS

If there is a predominance of particular types or qualities of landscape paving, any new paving shall be compatible in color and material in order to provide continuity. Asphalt is not an acceptable material for use in pedestrian areas. Where curb cuts and driveways did not historically exist, new ones shall not be introduced. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed.

H. MODERN ELEMENTS

All communication devices, mechanical equipment, and solar panel installations shall be placed so as to be not visible, or if that is not possible, minimally visible.

I. SIGNS

When residential buildings are used for commercial purposes, the standards for commercial signs in the following section shall be used.

J. MODIFICATIONS FOR ACCESSIBILITY

The guidance above shall not prohibit the installation of a handrail or ramp that provides accessibility to people with disabilities.

A discreet ramp to the main entrance may be constructed, but only in a manner that minimizes its impact on the historic building. The ramp shall not dominate the front of the building and shall not obscure character-defining architectural features. No

historic fabric from the entrance steps, stoop or porch shall be removed or significantly impacted by the construction of a ramp. The use of traditional landscape elements that incorporate a ramp or shield it from view is encouraged.

EXISTING COMMERCIAL BUILDINGS

A. ADDITIONS

Additions to existing buildings shall be secondary in scale and architectural presence to the main building, and shall be compatible in height, roof shape, and materials.

B. MAINTAINING ARCHITECTURAL CHARACTER

The removal of character-defining architectural elements is prohibited. No elements shall be added that would alter the original design and style of a building.

C. EXTERIOR MATERIALS

All new building materials shall be compatible in type and texture with the dominant materials of the existing building, which are likely to be brick masonry, stone masonry and stucco. Terra cotta and wood may be appropriate to use for trim and architectural features. Artificial masonry, such as "Permastone" and an Exterior Insulation and Finishing System (EIFS), is not permitted.

D. ARCHITECTURAL ELEMENTS AND DETAILS

Architectural elements and details on façades facing the street and portions of other visible façades of existing buildings shall be maintained in a similar size, profile and material. Replacement windows and doors shall fit existing openings and be of similar size and profiles as existing units. Windows may be wood or aluminum. The fenestration pattern of the façade will not be altered by the blocking of windows or the creation of new window openings. Doors will be wood or metal. Canvas awnings may be installed where appropriate, but cannot conceal a flat canopy.

E. ROOF MATERIALS

Roof materials shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not allowed.

F. WALLS, FENCES AND ENCLOSURES

Walls, retaining walls and fences shall be of brick, stone, concrete or stucco, wood, wrought iron or evergreen hedge when visible from the street, as is consistent with existing dominant materials. No side yard fence shall be over six feet in height.

G. PARKING AND CURB CUTS

All additional off-street parking shall be located behind or to the side of commercial buildings. Where visible from the street, screening with visually opaque landscaping or a masonry or poured concrete wall with masonry veneer or other appropriate finish is required.

Where curb cuts and driveways did not historically exist, new ones shall not be introduced. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed.

H. PAVING MATERIALS

New paving shall be natural-colored concrete or concrete tinted to match existing paving. Asphalt paving is not allowed on any area for pedestrian use, exclusively, and is acceptable on vehicular-use areas only.

I. MODERN ELEMENTS

All communication devices, mechanical equipment and solar panel installations shall be placed so as to be minimally visible from the public areas of the district.

J. MODIFICATIONS FOR ACCESSIBILITY

The guidance above shall not prohibit the installation of a handrail or ramp that provides accessibility to people with disabilities.

A discreet ramp to the main entrance may be constructed, but only in a manner that minimizes its impact on the historic building. The ramp shall not dominate the front of the building and shall not obscure character-defining architectural features. No historic fabric from the entrance steps, stoop or porch shall be removed or significantly impacted by the construction of a ramp. The use of traditional landscape elements that incorporate a ramp or shields it from view is encouraged.

K. SIGNS

Wall signs shall be placed below the second floor window sill level. Wall signs should be designed to complement the existing building and shall never cover windows or other architectural elements. Where more than one wall sign exists on a single structure or a series of related structures, all signs shall be related in character, color and placement. There shall be no more than one wall sign per façade and it shall state only the name and address of the building.

Projecting signs must not obstruct the view of adjacent signs, obstruct windows or other architectural elements or extend above the second floor windowsill level. Only one projecting sign is allowed per street frontage for each establishment.

Signs shall be in accordance with the zoning ordinance. In no case will the following be allowed:

1. Non-appurtenant advertising signs.
2. Back-lit or internally-lighted signs.
3. Signs in excess of 25 feet in height.
4. Roof top signs.
6. Flashing or rotating elements.
7. Painted wall signs.

Approved: February 21, 2013

**ORDINANCE #69421
Board Bill No. 279**

An ordinance approving a blighting study and redevelopment plan dated December 11, 2012 for the 3530 Utah St. Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "A", 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 attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that none of the property within the Area is occupied, but if it should become occupied/and the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a ten (10) year real estate tax abatement; and pledging cooperation of this St. Louis Board of Aldermen ("Board") 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 a severability clause.

WHEREAS, the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or

constitutes 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 and 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, this Board has considered the “Blighting Study and Redevelopment Plan for the 3530 Utah St. Redevelopment Area” dated December 11, 2012, consisting of a Title Page; a Table of Contents Page, nine (9) numbered pages and Exhibits “A” – “F” attached hereto and incorporated herein as Attachment “B” (“Plan”); and based on the information in the Plan, specifically the Blighting Report in Exhibit “F” to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

WHEREAS, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis (“Planning Commission”) and to this Board; and

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

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 RSMo, as amended, and this Board has been fully apprised by the LCRA and the Planning Commission 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 the Planning Commission 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 the Planning Commission has advised this Board that the Plan conforms to that general plan; and

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

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

WHEREAS, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the “Statute” being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment “A”, attached hereto and incorporated herein, known as the 3530 Utah St. Area (“Area”). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit “F” (“Blighting Report”) to the Blighting Study and Redevelopment Plan for the Area dated December 11, 2012 which is attached hereto, and labeled Attachment “B” and incorporated herein by reference (“Plan”).

SECTION TWO. The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

SECTION NINE. None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced by the Redeveloper(s) (as defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper(s) at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan 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(s)") 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(s) 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, Redeveloper(s) 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 Business Enterprises (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;

(d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997, as has been extended.

(e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

(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 pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance of the City 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 entered into directly by Redeveloper(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of the 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 urban redevelopment corporation shall own property within the Area, then for a period of up to the first ten (10) years after the date such urban redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to that property. In addition to such taxes, any such urban redevelopment corporation shall for a period of up to ten (10) years make a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be taxexempt because it is owned by the LCRA and leased to any such corporation, then such urban redevelopment corporation for such period of up to the first ten (10) years of the 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 prior to the calendar year during which such urban redevelopment corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in the Plan and in any agreement with the LCRA. In no event shall such benefits extend

beyond ten (10) years after any urban redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan 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 revisions shall be effective only upon the consent of the Planning Commission of the City.

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.

ATTACHMENT "A"

**3530 UTAH ST. REDEVELOPMENT AREA
LEGAL DESCRIPTION**

Parcel 1

St. Pius V School Property

PROPOSED LOT B - LEGAL DESCRIPTION

A PARCEL OF BEING ALL OF LOTS 32, THRU 34,41 THRU 45, THE EASTERN PART OF LOTS 15, 35 AND THE WESTERN PART OF LOT 46, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE AND PART OF THE 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERN LINE OF UTAH STREET, 60 FEET WIDE WITH THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 160.25 FEET ALONG THE SOUTHERN LINE OF SAID UTAH STREET, TO THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 112.00 FEET, ALONG THE SOUTHERN LINE OF SAID UTAH STREET, TO THE NORTHEASTERN CORNER OF SAID LOT 32, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 24 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 32, TO THE NORTHERN LINE OF SAID VACATED ALLEY, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 33.00 FEET, TO A POINT IN THE WESTERN LINE OF THE NORTH/SOUTH ALLEY, 20 FEET WIDE; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 7.50 FEET, ALONG THE WESTERN LINE OF SAID ALLEY, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 5.00 FEET, ALONG THE WESTERN LINE OF SAID ALLEY, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 135.00 FEET, ALONG THE A LINE PARALLEL THE WESTERN LINE OF SAID LOT 46, TO THE NORTHERN LINE OF SAID McKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 163.66 FEET ALONG THE NORTHERN LINE OF SAID McKEAN AVENUE, TO A POINT; THENCE NORTH 08 DEGREES 54 MINUTES 24 SECONDS EAST 160.49 FEET, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 13.65 FEET, TO A POINT; THENCE NORTH 08 DEGREES 54 MINUTES 24 SECONDS EAST 109.50 FEET, TO THE SOUTHERN LINE OF SAID UTAH STREET AND TO THE POINT OF BEGINNING AND CONTAINING 37,808 SQUARE FEET OR 0.87 ACRE MORE OR LESS AS PREPARED BY PITZMANS COMPANY.

Parcel 2

A PARCEL OF BEING THE WESTERN 10.00 FEET OF LOT 46, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF McKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 289.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 46; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 46, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 10.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY, TO A POINT; THENCE SOUTH 08 DEGREES 54

MINUTES 09 SECONDS WEST 127.50 FEET, ALONG A LINE PARELLEL THE WESTERN LINE OF SAID LOT 46, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 10.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 1,275 SQUARE FEET OR 0.03 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 3

A PARCEL OF BEING ALL OF LOT 45, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 259.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 45; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 45, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 30.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 45, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 45, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 30.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 3,825 SQUARE FEET OR 0.09 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 4

A PARCEL OF BEING ALL OF LOT 44, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 229.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 44; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 44, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 30.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 44, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 44, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 30.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 3,825 SQUARE FEET OR 0.09 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 5

A PARCEL OF BEING ALL OF LOTS 15, 40 THRU 43 OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 69.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 40; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 40, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 160.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 43, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 43, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 160.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 20,400 SQUARE FEET OR 0.47 ACRE, AS PREPARED BY PITZMANS COMPANY.

ATTACHMENT "B"
Form: 1/7/13

**BLIGHTING STUDY AND PLAN
FOR THE
3530 UTAH ST.
REDEVELOPMENT AREA
PROJECT #1707
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
December 11, 2012**

**MAYOR
FRANCIS G. SLAY**

**BLIGHTING STUDY AND PLAN FOR
3505 UTAH ST. REDEVELOPMENT AREA**

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EXHIBITS

- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN-EXISTING USES AND CONDITIONS
- "C" PROJECT AREA PLAN-PROPOSED LAND USE
- "D" PROJECT AREA PLAN-ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
- "F" BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 3530 Utah St. Redevelopment Area ("Area") encompasses approximately 1.6 acres in the Tower Grove East neighborhood of the City of St. Louis ("City") and is located on the south side of Utah St. just east of Grand Ave.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibits "B", "C" and "D" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 1495 and includes the following addresses: 3522-30 Utah St. and 3521-41 McKean Ave. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 9.3% unemployment rate for the City for the month of October, 2012. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied school building.

The land uses within the Area, including the location of public and private uses, streets and other rights-of-way, is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are used primarily for residential and institutional purposes.

Residential density for the surrounding neighborhoods is approximately 17.73 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "B" Two-Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

None of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300 et seq. RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED REDEVELOPMENT AND REGULATIONS

1. REDEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive commercial/institutional uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial/institutional uses that may require a variance in zones designated "B" Two-Family Dwelling District by the City of St. Louis Zoning Code or rezoning to "H" Area Commercial. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall not be permitted to use the property within the Area for any of the following:

pawn shops, adult bookstores, X-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), pinball 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, check cashing centers, any use (except for financial institutions or pharmacies) 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, automobile service or stations.

Exhibit "C" (Project Area Plan-Proposed Land Use) shows the proposed uses for the Area. The General Plan for the City, which includes the "Strategic Land Use Plan" (as amended 2012) designates the Area as a Institutional Preservation and Development Area (IPDA).

3. PROPOSED ZONING

The zoning for the Area may remain "B" Two-Family Dwelling District if a variance is granted for the proposed uses or may be rezoned to "H" Area Commercial. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2012). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

Approximately 120 to 140 new permanent full time equivalent jobs are expected to be created if the Area is

redeveloped in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed redevelopment.

6. CIRCULATION

The Project Area Plan-Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by City ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the redevelopment agreement ("Agreement") (if any), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. Urban Design Objectives

Restore the existing structure to historic standards.

b. Urban Design Regulations

The historic district guidelines will be followed.

c. Landscaping

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

d. Fencing

New fencing may be ornamental metal, chain link or a good quality, privacy fence provided it is not wood stockade style. In no case shall the fencing have razor or brushed wire on top if it is visible from any street. In residential or commercial zoning districts and fencing across from residential uses in any zoning district new fencing in front yards or along streets shall be limited to ornamental metal or good quality privacy fencing provided it is not wood stockade style.

9. PARKING REGULATIONS

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

Surface parking shall not extend beyond the established 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. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2)

inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and agreements between the LCRA and the Redeveloper(s). A uniform signage plan must be prepared by the Redeveloper(s) for the entire Area. 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, and shall project no more than eighteen (18) inches from the face of the building: **Upper Level** signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5')). **Pedestrian level** signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Projecting signs shall be governed by the City Code, but may not obscure an architectural building element.

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 and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

One ground or monument sign per use may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, 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, except that 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 of the Area or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper(s).

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When redeveloped in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious redevelopment that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF REDEVELOPMENT

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately two (2) year(s) of approval of this Plan by City ordinance.

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

D. EXECUTION OF PROJECT**1. ADMINISTRATION AND FINANCING**

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

2. PROPERTY ACQUISITION

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

None of the property within the Area is currently occupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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, which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or other similar local taxing districts created in accordance with Missouri law, whether now existing or later created, 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 a period of up to the first ten (10) years after the date the redevelopment corporation shall acquire title to the property in the Area, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which the urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for such period of up to the ten (10) years 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be taxexempt because it is owned by the LCRA and leased to any such urban redevelopment corporation, then such corporation for a period of up to the first ten (10) years of the 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 prior to the calendar year during which that corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond ten (10) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

A Redeveloper(s) shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper(s) 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(s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for 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 an Agreement between the LCRA and a Redeveloper(s), which Agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper(s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

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

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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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"

**3530 UTAH ST. REDEVELOPMENT AREA
LEGAL DESCRIPTION**

Parcel 1

St. Pius V School Property

PROPOSED LOT B - LEGAL DESCRIPTION

A PARCEL OF BEING ALL OF LOTS 32, THRU 34,41 THRU 45, THE EASTERN PART OF LOTS 15, 35 AND THE WESTERN PART OF LOT 46, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE AND PART OF THE 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERN LINE OF UTAH STREET, 60 FEET WIDE WITH THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 160.25 FEET ALONG THE SOUTHERN LINE OF SAID UTAH STREET, TO THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 112.00 FEET, ALONG THE SOUTHERN LINE OF SAID UTAH STREET, TO THE NORTHEASTERN CORNER OF SAID LOT 32, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 24 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 32, TO THE NORTHERN LINE OF SAID VACATED ALLEY, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 33.00 FEET, TO A POINT IN THE WESTERN LINE OF THE NORTH/SOUTH ALLEY, 20 FEET WIDE; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 7.50 FEET, ALONG THE WESTERN LINE OF SAID ALLEY, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 5.00 FEET, ALONG THE WESTERN LINE OF SAID ALLEY, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 135.00 FEET, ALONG THE A LINE PARALLEL THE WESTERN LINE OF SAID LOT 46, TO THE NORTHERN LINE OF SAID McKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 163.66 FEET ALONG THE NORTHERN LINE OF SAID McKEAN AVENUE, TO A POINT; THENCE NORTH 08 DEGREES 54 MINUTES 24 SECONDS EAST 160.49 FEET, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 13.65 FEET, TO A POINT; THENCE NORTH 08 DEGREES 54 MINUTES 24 SECONDS EAST 109.50 FEET, TO THE SOUTHERN LINE OF SAID UTAH STREET AND TO THE POINT OF BEGINNING AND CONTAINING 37,808 SQUARE FEET OR 0.87 ACRE MORE OR LESS AS PREPARED BY PITZMANS COMPANY.

Parcel 2

A PARCEL OF BEING THE WESTERN 10.00 FEET OF LOT 46, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF McKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 289.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE

SOUTHWESTERN CORNER OF SAID LOT 46; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 46, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 10.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG A LINE PARELLEL THE WESTERN LINE OF SAID LOT 46, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 10.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 1,275 SQUARE FEET OR 0.03 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 3

A PARCEL OF BEING ALL OF LOT 45, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 259.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 45; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 45, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 30.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 45, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 45, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 30.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 3,825 SQUARE FEET OR 0.09 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 4

A PARCEL OF BEING ALL OF LOT 44, OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 229.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 44; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 44, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 30.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 44, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 44, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 30.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 3,825 SQUARE FEET OR 0.09 ACRE, AS PREPARED BY PITZMANS COMPANY.

Parcel 5

A PARCEL OF BEING ALL OF LOTS 15, 40 THRU 43 OF TOWER GROVE HEIGHTS AMENDED SUBDIVISION, RECORDED IN PLAT BOOK 16 PAGE 135, OF THE CITY OF ST. LOUIS RECORDER'S OFFICE, IN BLOCK 1495, CITY OF ST. LOUIS, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF MCKEAN AVENUE, 60 FEET WIDE, SAID POINT BEING SOUTH 81 DEGREES 03 MINUTES 07 SECONDS EAST 69.40 FEET FROM THE EASTERN LINE OF GRAND AVENUE, 80 FEET WIDE, TO THE SOUTHWESTERN CORNER OF SAID LOT 40; THENCE NORTH 08 DEGREES 54 MINUTES 09 SECONDS EAST 127.50 FEET ALONG THE WESTERN LINE OF SAID LOT 40, TO THE SOUTHERN LINE OF 15 FOOT WIDE, ALLEY VACATED BY ORDINANCE 49393 AND 52411, TO A POINT; THENCE SOUTH 81 DEGREES 03 MINUTES 14 SECONDS EAST 160.00 FEET, ALONG THE SOUTHERN LINE OF SAID VACATED ALLEY TO THE NORTHEAST CORNER OF SAID LOT 43, TO A POINT; THENCE SOUTH 08 DEGREES 54 MINUTES 09 SECONDS WEST 127.50 FEET, ALONG THE EASTERN LINE OF SAID LOT 43, TO THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO A POINT; THENCE NORTH 81 DEGREES 03 MINUTES 07 SECONDS WEST 160.00 FEET ALONG THE NORTHERN LINE OF SAID MCKEAN AVENUE, TO THE POINT OF BEGINNING AND CONTAINING 20,400 SQUARE FEET OR 0.47 ACRE, AS PREPARED BY PITZMANS COMPANY.

If answer is yes, explain: any unoccupied building is a greater fire risk

The subject property _____ does does not retard the provision of housing accommodations

If answer is yes, explain: _____

The subject property does _____ does not constitute an economic liability

If answer is yes, explain: an unoccupied building provides little to the economic value of the neighborhood or the City

The subject property _____ does does not constitute a social liability

If answer is yes, explain: _____

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

The subject property is _____ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: the building is deteriorating and its obsolete design makes its revenue challenging

The subject property _____ is is not detrimental because of lack of air sanitation or open space If answer is yes, explain: _____

The subject property _____ is is not detrimental because of high density of population.

If answer is yes, explain: _____

The subject property _____ is is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property has _____ has not conditions which endanger life or property by fire and other causes.

If answer is yes, explain: an unoccupied building is always greater risk of fire

The subject property _____ has has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: see above

Approved: February 21, 2013

ORDINANCE NO. 69421 - EXHIBITS B, C & D



Exhibit B
Project Area Plan
3530 Utah St. Area
Existing Uses and Conditions
Institutional Use and Parking, Fair Condition
Project Area Boundary
Buildings
City Block Number



Exhibit C
Project Area Plan
3530 Utah St. Area
Proposed Land Uses
Commercial/Institutional Use
Project Area Boundary
Buildings
City Block Number



Exhibit D
Project Area Plan
3530 Utah St. Area
Project Acquisition Map
Parcel Number
Project Area Boundary
Buildings
City Block Number

ORDINANCE #69422
Board Bill No. 282

An ordinance approving a blighting study and redevelopment plan dated December 11, 2012 for the 2707 Rauschenbach Ave. Redevelopment Area (as further defined herein, the "Plan") after finding that said Redevelopment Area ("Area") is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, as amended (the "Statute" being Sections 99.300 to 99.715 RSMo inclusive, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "A", 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 attached hereto and incorporated herein as Attachment "B", pursuant to Section 99.430 RSMo, as amended; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that all property within the Area is occupied, and the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Plan to 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 up to a fifteen (15) year real estate tax abatement; and pledging cooperation of this St. Louis Board of Aldermen ("Board") 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 a severability clause.

WHEREAS, the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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 and 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, this Board has considered the "Blighting Study and Redevelopment Plan for the 2707 Rauschenbach Redevelopment Area" dated December 11, 2012, consisting of a Title Page; a Table of Contents Page, ten (10) numbered pages and Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, and

WHEREAS, there is a need for the LCRA to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

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

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 RSMo, as amended, and this Board has been fully apprised by the LCRA and the Planning Commission 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 the Planning Commission 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 the Planning Commission has advised this Board that the Plan conforms to that general plan; and

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

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

WHEREAS, the Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held at the time and place designated in those notices 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, as amended (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Attachment "A", attached hereto and incorporated herein, known as the 2707 Rauschenbach Ave. Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated December 11, 2012 which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

SECTION TWO. The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan 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, 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 redevelopments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

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

SECTION TEN. The Plan 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(s)") 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(s) 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, Redeveloper(s) 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 Business Enterprises (as further defined below, "MBEs") and Women's Business Enterprises ("as further defined below ("WBEs") 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 MBEs and WBEs established by the City;

- (d) To adhere to the requirements of the Executive Order of the Mayor of the City, dated July 24, 1997, as has been extended.

- (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

- (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 pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance of the City 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 entered into directly by Redeveloper(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having 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(s)" as used in this Section shall include heirs, successors in interest, and assigns.

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 which

shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to fifteen (15) years from the commencement of such tax abatement, in accordance with the following provisions of the 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 urban redevelopment corporation shall own property within the Area, then for a period of up to the first ten (10) years after the date such urban redevelopment corporation shall acquire title to property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to that property. In addition to such taxes, any such urban redevelopment corporation shall for a period of up to ten (10) years make a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such urban redevelopment corporation for such period of up to the first ten (10) years of the 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 prior to the calendar year during which such urban redevelopment corporation shall lease such property.

For the ensuing period of up to five (5) years following the original period described above, any such urban redevelopment corporation shall pay taxes and payments in lieu of taxes as provided above in an amount based upon fifty percent (50%) of the then normal assessment of the land and improvements. Thereafter any such urban redevelopment corporation shall pay the full amount of taxes.

All payments in lieu of taxes shall be a lien upon the real 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 fifteen (15) year period, shall inure to the benefit of all successors in interest in the property of the urban redevelopment corporation, so long as such successors shall continue to use such property as provided in the Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond fifteen (15) years after any urban redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan 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 revisions shall be effective only upon the consent of the Planning Commission of the City.

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.

ATTACHMENT "A"

**THE 2707 RAUSCHENBACH AVE. AREA
LEGAL DESCRIPTION**

All of Lots Nos. 1, 2, 3, 4 and the South part of Lot No. 5 in Block No. 15 of Union Addition and in Block No. 1096 of the City of St. Louis Missouri, together fronting 195 feet, more or less on the West line of Rauschenbach Avenue, by a depth Westwardly of 180 feet along the South line of an alley, running East and West in said block as and dedicated in Plat book 11 page 117 from the east line of Twenty Second Street, bounded on the East by Rauschenbach Avenue, on the North by said East and West alley in said block, on the West by Twenty Second Street and on the South by the South line of Lot No. 1 of said Block and addition

Also described as beginning at the intersection of the South line of a 15 feet wide alley with the East line of 22nd Street, 60 feet wide,

said point being the Northwest corner of property formerly of the Board of the President and Directors of the St. Louis Public Schools, thence Eastwardly along said South line, 180.00 feet to a point on the West line, 194.71 feet to the Southeast corner of Lot 1; thence Westwardly along the south line of Lot 1, 180.00 feet to a point on the said East line of 22nd Street; thence along said East line of 22nd Street, 194.71 feet to the point of beginning.

Parcel #1096-00-0180-0

ATTACHMENT "B"
Form: 01/02/13

BLIGHTING STUDY AND REDEVELOPMENT PLAN
FOR THE
2707 RAUSCHENBACH AVE. REDEVELOPMENT AREA
PROJECT # 1708
December 11, 2012
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
2707 RAUSCHENBACH AVE. REDEVELOPMENT AREA

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- "F" BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 2707 Rauschenbach Ave. Redevelopment Area ("Area") encompasses approximately 0.70 acres in the St. Louis Place neighborhood of the City of St. Louis ("City") and is located on the west side of St. Louis Place Park, just south of St. Louis Ave.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibits "B", "C" and "D" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 1096 and includes the following addresses: 2705-07 Rauschenbach Ave. and 2708 N. 22nd St. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 9.3% unemployment rate for the City for the month of October, 2012. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There is currently one job within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an occupied residential building.

The land uses within the Area, including the location of public and private uses, streets and other rights-of-way,

is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are used primarily for residential purposes.

Residential density for the surrounding neighborhoods is approximately 6.64 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "A" Single-family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

All of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300-99.715 et seq. RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in zones designated "A" Single-Family Dwelling District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area for only the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2012) designated it as a Neighborhood Preservation Area (NPA).

3. PROPOSED ZONING

The zoning for the Area may remain "A" " Single-Family Dwelling" District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2012). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

No new jobs will be created in this Area because the proposed redevelopment is residential.

6. CIRCULATION

The Project Area Plan-Proposed Land Uses Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by City ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the Redevelopment Agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property in the Area shall be redeveloped such that it is an attractive residential asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **Rehabilitation** shall respect the original exterior of the structures in the Area in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design
- 2.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 3.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 4.) **Architectural Details** on existing structures in the Area shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. Landscaping

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

d. Fencing

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

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

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. All new signs shall be restricted to standard sale/lease signs.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately two (2) years of approval of this Plan by City ordinance.

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

D. EXECUTION OF PROJECT**1. ADMINISTRATION AND FINANCING**

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

2. PROPERTY ACQUISITION

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, RSMo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

All of the property within the Area is currently occupied. All eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

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

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to fifteen(15) 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 a period of up to 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be tax-exempt because it is owned by the LCRA and leased to any such urban redevelopment corporation, then such corporation for a period of up to the first ten (10) years of the lease shall make payment 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 prior to the calendar year during which such corporation shall lease such property.

For the ensuing period of up to five (5) years following the original period described above, any such urban redevelopment corporation shall pay taxes and payments in lieu of taxes as provided above in an amount based upon fifty percent (50%) of the then normal assessment of the land and improvements. Thereafter any such urban redevelopment corporation shall pay the full amount of taxes.

All payments in lieu of taxes shall be a lien upon the real 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 fifteen (15) year period, shall inure to the benefit of all successors in interest in the property of the urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond fifteen (15) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

A Redeveloper(s) shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

For the ensuing period of up to five (5) years following the original period described above, any such urban redevelopment corporation shall pay taxes and payments in lieu of taxes as provided above in an amount based upon fifty percent (50%) of the then normal assessment of the land and improvements. Thereafter any such urban redevelopment corporation shall pay the full amount of taxes.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper (s) 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 (s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Minimum Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper (s), which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper (s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

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

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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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"**THE 2707 RAUSCHENBACH AVE. AREA
LEGAL DESCRIPTION**

All of Lots Nos. 1, 2, 3, 4 and the South part of Lot No. 5 in Block No. 15 of Union Addition and in Block No. 1096 of the City of St. Louis Missouri, together fronting 195 feet, more or less on the West line of Rauschenbach Avenue, by a depth Westwardly of 180 feet along the South line of an alley, running East and West in said block as and dedicated in Plat book 11 page 117 from the east line of Twenty Second Street, bounded on the East by Rauschenbach Avenue, on the North by said East and West alley in said block, on the West by Twenty Second Street and on the South by the South line of Lot No. 1 of said Block and addition

Also described as beginning at the intersection of the South line of a 15 feet wide alley with the East line of 22nd Street, 60 feet wide, said point being the Northwest corner of property formerly of the Board of the President and Directors of the St. Louis Public Schools, thence Eastwardly along said South line, 180.00 feet to a point on the West line, 194.71 feet to the Southeast corner of Lot 1; thence Westwardly along the south line of Lot 1, 180.00 feet to a point on the said East line of 22nd Street; thence along said East line of 22nd Street, 194.71 feet to the point of beginning.

Parcel #1096-00-0180-0

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 02/08/08****EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES**

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper(s) and its contractors will not contract or subcontract with any party known to have been found in violation of any such Laws, ordinances, regulations or these guidelines.

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

The Redeveloper(s) agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper(s), its successors or assigns upon the basis of race, color, 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

The subject property _____ is _____ X _____ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property _____ has _____ X _____ has not conditions which endanger life or property by fire and other causes. If answer is yes, explain: _____

The subject property _____ X _____ has _____ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: see above

Approved: February 21, 2013

ORDINANCE NO. 69422 - EXHIBITS B, C & D



Exhibit B
Project Area Plan
 2707 Rauschenbach Ave.
Existing Uses and Conditions
 [Diagonal Hatching] Residential Use, Fair Conditions
 [Solid Grey] Project Area Boundary
 [Light Grey] Buildings
 [123] City Block Number



Exhibit C
Project Area Plan
 2707 Rauschenbach Ave.
Proposed Land Uses
 [Cross-hatching] Residential
 [Solid Grey] Project Area Boundary
 [Light Grey] Buildings
 [123] City Block Number



Exhibit D
Project Area Plan
 2707 Rauschenbach Ave.
Project Acquisition Map
 [Thick Black Border] Parcel Number
 [Solid Grey] Project Area Boundary
 [Light Grey] Buildings
 [123] City Block Number



**ORDINANCE #69423
Board Bill No. 283**

An ordinance pertaining to the Central West End Historic District; amending Ordinance #56768, approved June 19, 1974 and having as its subject matter the boundary and regulations and standards for the Central West End Historic District, and providing new standards for the Central West End Historic District.

Be it ordained by the City of St. Louis as follows:

SECTION TWO, Ordinance 56768, approved June 19, 1974 is hereby repealed and replaced with:

SECTION TWO

The proposed standards to be applied within the district including, but not limited to demolition, facades, setbacks, height, scale, materials, color and texture, for all structures and the design details of all fences, streets and drives, street furniture, signs and landscape materials are set out in the "Central West End Historic District Standards" recommended by the Preservation Board on December 17, 2012 and the Planning Commission on January 9, 2013, and which are adopted and incorporated herein by reference, and copies of which shall be filed for inspection in the Office of the Register and in the Office of the Building Commissioner.

Central West End Historic District Standards

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I. INTRODUCTION

The primary objective of the Central West End Historic District is to maintain the distinctive character, quality of construction and individual architectural integrity of structures within the historic district. **In pursuit of this objective, these standards embrace as their fundamental or underlying guiding principle the concept that original or historically significant materials and architectural features of the buildings within the historic district shall be maintained and repaired whenever possible rather than replaced.** While there is neither one prevalent architectural style nor a dominant building material, there is a sense of scale, richness of detail and quality of construction that creates an overall image within this historic district. Historic architectural features and materials shall be retained. Where severe deterioration requires replacement, the new shall match the old in design, color, texture and other visual qualities. A Cultural Resources Office permit is required for any exterior change to a property even though that work may not require a Building Permit. No permit is needed for the installation of art.

Each structure shall be recognized as a physical record of its time and place. Alterations that have acquired architectural significance over time shall be retained. Alterations and new construction which create a false sense of historical development, such as adding conjectural features or inappropriate decorative elements, shall not be undertaken. Further, new construction shall be differentiated from the old, but shall be compatible in size, scale, setback, and proportion to existing, adjacent structures.

Some block faces within the historic district exhibit a continuity of design with uniform building heights, setbacks, materials, window sizes, spacing and landscape treatment. These elements help to create an unusually strong “streetscape” which must receive special attention during the design review process. When new construction is proposed, consideration of the “streetscape” and compatible relationships between the new structures and existing ones are of utmost importance.

Developers and others, therefore, shall demonstrate compliance with existing scale, size, setback, and proportion by providing, along with other construction documents, photographs, a street elevation and plan of the proposed project showing adjacent properties. Visual compliance shall be judged on massing and detail in addition to size and scale.

It is not the intention of these regulations to discourage contemporary design that, through careful attention to scale, materials, siting and landscaping, is harmonious with the existing historic structure. The historic character of the historic district is not enhanced by new construction that attempts to mimic the historic.

These revised historic district standards for commercial properties and other places of public accommodation integrates accessibility provisions for people with disabilities and encourage the provision of accessibility for private residences. The standards seek to increase the instances where accessibility is possible, and recognize that accessibility can be accomplished without compromising the historic integrity of historic buildings and the neighborhood. These standards shall not be used to claim exemption from accessibility requirements mandated by city, state or federal law. Similarly, these historic district standards shall be met when changes

are proposed for accessibility. Both goals of retaining historic integrity and accessibility for people with disabilities can be met through the use of sophisticated design solutions.

These standards address common situations and are not intended to address every eventuality that may occur. The interpretation of these standards shall recognize that due to the physical nature of a property, the historic arrangement of buildings on a property, the historic use, a proposed new use, and other factors, instances could arise in which the literal interpretation of one or more components of these standards would result in a hardship for a property owner. In these instances, the intent of the ordinance that designated the historic district and these standards shall guide decision making.

The following are specific standards to govern the use of structures and to establish criteria by which alterations to existing structures—as well as new construction—can be reviewed for compliance with these standards. Some of the guidelines are precise, whereas others are necessarily more general, allowing a range of alternative solutions which are compatible with the existing context. In order for these standards to be of optimal value for the developer, architect and client, or individual property owner, they should be studied thoroughly **before** design work begins or contracts are signed for construction materials or services. Questions should be directed to the Cultural Resources Office.

II. DEFINITIONS

Accessible Route: A continuous unobstructed path.

Accessory Structure: A subordinate building, the use of which is incidental to that of the primary structure on a site, including a garage, carriage house, greenhouse, playhouse, etc.

Appendage: A set of steps, stoop, porch, or deck attached or immediately adjacent to the primary building.

Art: A feature with primarily artistic qualities, and is not a building element, such as a sculpture. An artistically-designed bench shall be categorized by its function.

Awning: A light weight exterior roof-like shade that projects over a window or door.

Balustrade: A series of short posts, or balusters, and the handrail they support.

Block face: The collective street front, consisting of the principle elevations of buildings that face the street within a block; a block face typically exhibits overall characteristics provided by the scale, massing, and spacing of the buildings and their principal materials.

Brick mold: A trim piece covering the joint between a masonry wall and a window frame.

Canopy: A protective roof-like covering mounted on a metal framework over a walkway or adjacent to a door.

Capital: The decorative head or crowning feature of a column or post.

Carriage House: A building originally used to protect carriages and horses, and often containing living quarters. Typically it is a two-story structure located at the rear of the building lot adjacent to an alley.

Cast Iron: An historic building material. A method of manufacturing certain historic iron building elements where molten iron alloy is poured into molds and then machined.

Caulking: A flexible sealant material used to close joints between materials; includes tar and oakum, lead, putty, and modern elastomeric compounds such as silicone and polyurethane.

Column: A vertical element that supports part of a building or structure.

Communication Devices: Equipment used to send, receive or process any form of communication. This can include, but is not limited to, antennae, cables, wires, dishes, or mounting apparatus.

Corner Lot: A lot abutting on two streets at their intersection.

Cornice: The decorative portion of a building where an exterior wall meets the roof. In addition to being decorative, the cornice often camouflages the gutter and visually supports the roof overhang. In the Central West End, cornices are made of a variety of materials

and designs, incorporating brackets, dentil moldings, and ogee moldings. Cornices are typically constructed of brick, built-up pieces of wood, sheet metal, or combinations of all three materials. As used herein, cornices include crown moldings.

Crown Molding: A horizontal molding at the top of any feature that angles away from the vertical surface.

Deck: A floor that is exposed to the elements.

Dentil: A small square tooth-like block, used in a series or row as decoration on a Classical cornice.

Dormer: A structure projecting from a sloping roof or mansard, usually containing a window.

Eave: The projection of a roof beyond the wall below.

Entasis: A slight curving of the outline of the shaft of a column so that it is wider in the middle. This corrects an optical illusion that causes perfectly straight sides to appear concave.

Façade: An exterior wall of a building. The street, or front, façade is the building wall that faces the street.

Fascia: A flat, horizontal band or member between moldings, especially in a cornice.

Fenestration: The design and placement of windows in a building.

Flat Roof: Roofs that are essentially flat, typically having a slope of ¼ inch per foot to ½ inch per foot and usually waterproofed with a built-up roof.

Gable End: The triangular upper portion of a wall at the end of a pitched roof.

Glazing Compound: Any type of sealant, such as putty, used at the edges of a pane of glass to prevent leakage of air or water.

High-rise Building: A building with occupied floors located more than 75 feet above the lowest level of fire department vehicle access.

Highly Visible: Seen in entirety and not at an oblique angle that diminishes appreciably the perception of the width of the feature.
Institutional Building: Any building originally designed for use by a religious, educational, fraternal, social, or medical organization for other than for-profit business purposes.

Low- and Mid-rise Building: A building with a mean roof height of 75 feet, or less.

Masonry: A family of building techniques that uses stone, brick, or concrete block units, usually joined by mortar, to form walls and other parts of a building.

Mansard: A roof having a double slope on all four sides with the lower slope, which frequently incorporates dormer windows, being almost vertical and the upper slope almost horizontal.

Mechanical Equipment: HVAC units, solar panels, satellite dishes, antennae, electrical or gas meters, conduit, cell towers, etc.

Mullion: A vertical post or other upright that separates two or more units of sash placed in a single opening.

Muntin: A strip of wood or metal that separates and holds in place the glass panes of a window sash or door.

Parapet: Those portions of the walls of a building that project above the roof, other than the chimney.

Parcel: A contiguous land area which is considered as a unit, is subject to a single ownership, and is legally recorded as a single piece.

Pediment: A decorative gable placed above a facade, porch, window or door, often used in Classic Revival architecture.

Pilaster: A shallow pier or rectangular column that projects slightly from a wall.

Porch: A covered and floored area of a building, especially a house, that is open at the front and, usually, the sides; typically partially enclosed with columns and railings.

Primary Structure: A structure considered to be the main building on the property.

Repointing: The process of repairing mortar joints in a masonry wall, wherein existing mortar is removed to a prescribed depth back from the face of the masonry, after which new mortar is pressed into the joints and properly tooled.

Retaining Wall: A wall that holds back the earth behind it and used to make changes in grade.

Sash: The portion of a window that holds the glass; its character is derived from its material; the dimensions of all its components; its operation (as in being double-hung, casement, awning or other type); and its configuration (as in divided by muntins into lights).

Siding: The finish covering of an exterior wall of a building.

Site: A parcel or parcels of land bounded by a property line or a designated portion of a public right-of-way on which a building or other feature is located.

Special Window: A window with sash that is highly ornate, unusual, or particularly fine in detail that is a major factor in the historic character of the building.

Standard Window: A window with sash that is typical for the time and style of the building and does not have any unusual qualities.

Stoop: A small porch, platform, or staircase leading to the entrance of a house or building.

Storefront: The front of a store or shop at street level, usually having one or more windows for the display of goods or wares.

Storm Door: An outer door, historically made of wood, which protect the vestibule or the primary door.

Street Furniture: A piece of equipment, such as a streetlight or bench, but excluding art, placed near the street for the benefit of the public.

Streetscape: The assemblage of components that establish the character of the public circulation area, including the street, sidewalks, building line (setback), street furnishings and lighting, landscaping in front of buildings, and block faces.

Stucco: Plaster or plaster-like material used for surfacing the exterior walls of a building.

Tooth-In: A masonry technique used to form a new opening or to close up an existing opening in a masonry wall. In the case of a new opening in a brick wall, the edges of the new opening are first notched beyond the actual width dimensions of the opening. This notching allows for the insertion of half bricks aligning with the ends of the full bricks. The result is an opening jamb that is smooth, neatly aligned, and has the hard surface of the bricks properly exposed at the jamb edges. The reverse process is used to brick in an opening in an attempt to blend the new bricks with those already existing.

Transom: The window over the top of a door, either fixed or operable.

True Divided Light Window: A window sash in a window or door that is composed of several small panes held in place by muntins.

Veranda: A roofed space attached to the exterior wall of a house, typically with columns, pillars or posts supporting the roof and of a size to be considered an outdoor sitting room.

Visible: For the purposes of these standards, can be seen when viewed from six feet or less above street grade from the street or sidewalk. Landscaping is not permanent and shall not be considered when determining visibility. Fences and free-standing walls are considered permanent, and objects hidden by them shall not be considered visible.

Water Table: A molding or band that projects from an exterior wall and is intended to divert rainwater from the face of the wall surface below.

Wrought Iron: An historic building material. A method of manufacturing iron building elements in which iron is heated in a forge and shaped while soft, either by bending or hammering. Fences and gates often incorporate wrought iron elements.

Weatherstripping: A narrow, compressible band of material used between the edge of a door or window and the jambs, sill, and head to seal against air and water infiltration. Materials include felt, spring metal, plastic foam, and wood edged with rubber; types include interlocking and friction.

Wythe: A term used in masonry construction to describe the thickness of a wall. A two-wythe brick wall is one that is two bricks thick. Most brick walls in historic residential structures are three-wythes thick.

III. RESIDENTIAL AND INSTITUTIONAL DESIGN STANDARDS

Alterations to Existing Structures:

Repairs and Rehabilitation to Historic Residential and Institutional Buildings

On historic residential and institutional buildings, original architectural elements and decorative details, windows, brackets, friezes, balconies, shutters, historic glass, etc., provide texture that is an important feature of the historic district. In an effort to retain this texture, substitution of historic materials is discouraged. Wherever possible, elements should be repaired rather than replaced. The Cultural Resources Office should be contacted for professional advice. The addition or removal of decorative elements, e.g., window pediments, bracketed hoods over doors, door surrounds, etc., normally is prohibited unless addition or replacement would return the building to its original design. Proposed exceptions shall be subject to review for design suitability and approval by the Cultural Resources Office staff.

A. Materials

Original or historically significant materials shall be maintained and repaired rather than replaced. Where repair is not possible, materials should be replaced in-kind, i.e., new materials should match the existing in type, size, shape, profile, and material. For example, if a wood porch balustrade cannot be repaired it should be replaced with a new balustrade of the same design and material. Use of imitative materials on historic buildings is generally discouraged, especially when visible from the street, and will be evaluated on a case-by-case basis.

1) Masonry – Bricks and Mortar; Stone

Repair and replace damaged bricks and mortar with bricks and mortar to match the existing. Repair damaged stone with stone to match the existing. Care should be taken to repoint historic masonry with mortar that matches the existing in color, texture, strength and composition. Using an inappropriate mortar mix with a higher concentration of Portland cement can cause damage to historic bricks and stone. Mortar joints should also match the existing (original) joint profile, i.e., concave tooled joint, v-shaped joint, flush joint, etc. Information on appropriate mortar mixes is available online from the National Park Service's Preservation Brief #2 (Appendix 2).

Previously unpainted brick or stone shall not be painted. Where masonry has been painted, either in contravention of these standards or prior to their adoption, and paint can be safely removed, this should be done.

Waterproof coatings on historic masonry are not permitted because their application can result in damage to the building. See National Park Service's Preservation Brief #1 (Appendix 1) for more information on this topic.

Sandblasting of masonry, either for cleaning or paint removal, is prohibited. Other cleaning and paint removal techniques require a permit and shall be submitted for review by the Cultural Resources Office.

2) Stucco

Repair existing stucco with stucco that matches the original stucco in strength, color, texture, and composition. Information on an appropriate mix and the correct method of repair for historic stucco can be obtained from the National Park Service's Preservation Brief #22 (Appendix 5). As much original stucco as possible should be retained. New stucco should never be applied over existing stucco. If the original finish or texture is evident, it should be replicated in the new stucco. Masonry that shows no evidence of previous stucco applications shall not have stucco applied to it. In many instances the patina of historic stucco is an important feature and should be left unpainted. Waterproof coatings on historic stucco are not permitted. Prefabricated and panelized materials that resemble stucco (E.I.F.S. for example) shall not be used to replace historic stucco. Prefabricated cementitious stucco may be used on non-visible facades and new accessory structures. See the National Park Service's Preservation Brief #1 (Appendix 1) for more information on this topic.

3) Siding

Wholesale replacement of original siding is discouraged. When it is necessary to replace deteriorated siding, it should be replaced with siding that matches the materials and appearance of the historic in size, thickness, exposure, and profile of the original. Imitative materials such as vinyl and aluminum siding are not appropriate for historic buildings and their use is not permitted on historic buildings in the historic district. Where inappropriate imitative replacement materials have been used, their removal is encouraged. Cementitious siding is permissible if demonstrated to match the historic material in appearance and when used in an entire replacement or in upper-story areas. Other innovative substitute materials shall be subject to evaluation for appropriateness by the Cultural Resources Office on a case-by-case basis.

4) Paint

Although there is no specific palette of “approved colors,” it is recommended that the color of paint used be appropriate to the style of architecture, the character of the adjacent buildings, and the neighborhood.

B. Architectural Elements

Original or historically significant architectural features shall be maintained and repaired rather than replaced. Architectural elements on existing structures shall be maintained in their original size, proportion, detailing and material(s). No historic architectural detail or trim shall be obscured, covered or sheathed with material of any kind. It is understood, however, that historically correct awnings, storm sash or shutters may partially obscure some details when viewed from certain angles. (See paragraph B.5.)

1) Windows

For more information on this subject, see the National Park Service’s Preservation Brief #9 (Appendix 3).

The windows in historic buildings in the historic district include two broad categories that shall be considered in different ways:

- a) **Special Windows.** These windows are character-defining features of historic buildings and are usually found on a street-facing façade. They may be quite large, as in a stair hall window. They may have an unusual pattern of divided lights, or muntins, or an unusual configuration of muntins: a fanlight window is an example. Special windows might have leaded glass, colored or “art glass,” or curved glass. Due to the importance of these windows in the character of the historic building, and the difficulty in replicating these windows, they shall be preserved through in-kind repair and maintenance. Enhanced thermal efficiency shall be achieved with the use of caulking, glazing compound, weather-stripping and/or interior or exterior storm sash compatible in design and color with the existing fenestration. If Special Windows must be replaced, property owners shall obtain custom-made replicas in order to preserve the character of the windows.
- b) **Standard Windows.** Standard Windows have sash that was typical for the time and style of the building and do not have any unusual qualities. Common 1/1 double-hung windows (two operable sashes with undivided clear glass panes) are Standard Windows, whereas diamond-patterned casement windows are Special Windows. Standard Windows appear on the front façade and other walls of buildings. The location and visibility of these windows determine what is appropriate if and when they are replaced.

The historic character of a building is best maintained through the preservation of original and historic Standard Window sash and trim through maintenance and repair. That approach should be the first choice when windows require attention.

Exterior storm windows are recommended for Standard Windows. Storm sash must fit within the frame of the existing window and match its glass area: e.g., the horizontal division of the storm window must align with the meeting rail of a double-hung window. Raw or unfinished aluminum is not acceptable for storm windows. Historic brickmold and window frames shall not be obscured or sheathed in any way to accommodate storm windows.

If the property owner proposes to replace historic Standard Windows, the replacement components (e.g., brickmold, mullions, sash, muntins, and other window details) shall match the originals in height, width, depth, profile, shape, and geometric pattern. Windows with arched heads shall be replaced with windows with arched heads that reproduce the radius of the original arch. The replacement sash shall replicate, or appear to replicate,

the original in operation. Proposed replacement components, i.e., sash and/or trim, shall be evaluated for compliance with these criteria. Manufacturers' standard products can be approved for installation when they replicate historic or original sash, and if they fit the openings. Each window replacement project must identify appropriate sash and trim that meet the criteria.

Standard Windows in Street-facing Façades

1. Windows in all street-facing façades shall be, in order of preference:
 - a. Existing windows, repaired and retained.
 - b. Replacement windows, if existing windows are not historic and/or cannot be repaired and kept in use. Replacement windows shall duplicate the original, and meet the requirements for replication of height, width, depth, profile, shape, geometric pattern, and installation. (See paragraph above) Glass size in replacement windows shall be the same as that of the original sash.
2. Replacement windows shall be wood, clad wood, or a composite material.

No existing window opening in a street-facing façade shall be altered in length or width, or be blocked in on the exterior. No new window openings shall be created in a street-facing façade.

Standard Windows in Visible Side Elevations

Replacement windows on highly-visible side elevations shall meet the requirements for windows in street-facing façades. These windows shall be of wood, wood-clad, or aluminum.

Replacement windows seen only at a very oblique angle, or at a distance, where materials and details cannot be perceived from the public areas of the historic district shall maintain the size, configuration and operation of original/historic windows and trim, but may be wood, aluminum, or vinyl.

New openings added where no windows existed before shall be the same proportion as adjacent windows and shall be toothed-in, not saw-cut. Where existing windows are to be made shorter or longer, the width of the opening shall remain the same. Windows may be converted to doors by lengthening the vertical dimension, but not the horizontal one.

Windows to be abandoned shall be filled in with painted shutters, retaining window sills and brickmold; or by brick that matches the adjacent brick to the extent possible and is set back from the plane of the exterior wall by 2 inches. Arches or lintels above the openings shall be retained; sills may be removed.

Standard Windows on Rear Elevations

Replacement windows may be of any material. Window openings may be altered.

Windows in rear façades of corner buildings that are as fully articulated as the side façade shall meet the requirements of Standard Windows In Visible Side Elevations.

c) General Requirements

Neither leaded nor art glass shall be used as a replacement in windows that were originally or historically clear glass. The use of reflective or tinted window glass (as distinguished from art glass) and glass block is prohibited, unless proven to be the original material.

Security bars or security screens are not permitted on windows above the basement level unless it can be demonstrated through an historic photograph or drawing that they originally existed on the windows.

In all cases, the original brickmold shall be retained or its size and its general profile duplicated. Brickmolds and window sills shall not be wrapped in coil stock.

2) Doors

Original or historic doors when visible shall be preserved through in-kind repair and maintenance. Security bars or security screens are not permitted on a door above the basement level unless it can be demonstrated through an historic photograph or drawing that they originally existed on the doors. Leaded, colored, and reflective glass shall not be used as a replacement material in door panel that was not originally or historically that material. If original and historic doors have been removed, or cannot be repaired, replacement doors will be wood and replicate the design and proportions of an historic door appropriate for the design of the building. Raw or unfinished aluminum is not acceptable for storm doors. See paragraphs B.9 and IV.B.2 9 below for guidance on modifications for accessibility.

3) Porches and Balconies

Porches, verandas, and balconies are considered to be character-defining features on buildings in the historic district, and careful attention should be paid to their maintenance and/or restoration. Original or historic porches, verandas, and balconies, including their component elements such as columns, pilasters, handrails, balusters, pediments, cornices, steps, etc., shall be preserved through in-kind repair and maintenance when visible. Photographic evidence will be provided of the deteriorated condition of an original or historic porch, veranda, or balcony or any of its component elements to justify replacement. The replacement elements shall replicate the originals in size, dimensions, proportion, profile, shape, geometric pattern, color, and, in the case of column shafts, taper or entasis. Replicas shall be made of the same materials as the historic porch or porch component. In rare instances when a persuasive argument is presented, a compatible substitute material may be considered. In the case of non-structural ornamental detail situated at or above cornice-level, replicated elements may be fabricated of a substitute material, for example cast stone or molded fiberglass, that exactly replicates the details and dimensions of the original. If an original or historic porch, veranda, or balcony, or any constituent element(s) thereof, has/have been removed, these may be replicated when evidence, (e.g., an historic drawing or photograph) is available to document what was previously there.

4) Architectural Detail

Original or historic details shall be preserved through in-kind repair and maintenance and shall not be obscured, covered or sheathed. Photographic evidence will be provided of the deteriorated condition of original or historic details and component elements such as pediments, fascias, cornices, brackets, dentils, pilasters, columns, capitals, bases, etc., to justify replacement. The replacements shall exactly replicate the original or historic details and component elements in size, dimensions, proportion, profile, shape, geometric pattern, color, and in the case of column shafts, entasis or taper. Replicas shall be of the same materials as the original or historic details or component elements, or may be fabricated of a substitute material, for example cast stone or molded fiberglass, that exactly replicates the size, proportion, profile, shape, color, and geometric pattern of the original or historic element. If an original or historic detail or component element has been removed, it should be replicated when evidence (e.g., an historic drawing or photograph) is available to document what was originally there.

5) Awnings, Canopies, and Wooden Shutters

Canvas awnings that have the form of traditional, retractable awnings, mounted within window openings are appropriate on residential structures. Canopies are often found over side or carriage entrances as well as front entrances. They are constructed of iron and glass, copper-sheathed wood and other hard materials. These shall be preserved or, if they have been removed, may be replicated when evidence (e.g., an historic drawing or photograph) is available to document what was originally there. Canvas-covered, metal-framed canopies may be appropriate at entrances to multi-family residential buildings. Original operable wooden shutters should be preserved or replicated when they have been removed. Replacement shutters shall match the original or historic shutters in appearance, be constructed so as to be, or appear to be, operational and shall have appropriate hardware. Most importantly, shutter dimensions and shape shall equal those of the window opening.

6) Entry Vestibules

Entry vestibules originally designed as open, i.e., without doors, shall not be enclosed.

7) Roofs

The visible form of the roof, as in its shape and pitch, and the presence or absence of dormers and other roof elements, shall not be altered. Materials used on historic pitched roofs and dormers in the historic district are slate, terra cotta mission tile, copper, and terne metal. Original or existing slate, tile and metal roofs shall be preserved through repair and maintenance. Original or historic roof material shall not be replaced with another type of historic material that would change the character of the roof: i.e., replacing historic ceramic tiles with slate shingles. Photographic evidence shall be provided of the deteriorated condition of roofing materials to justify replacement. Original or historic roofing material shall be used wherever the roof is visible. Materials that replicate the original may

be used if the original or historic material is unavailable and the substitute material is approved by the Cultural Resources Office. Skylights shall not be introduced in existing roofs where visible from the sidewalk or street. Existing historic skylights should be restored or replaced in kind. Removal of non-historic modern skylights that are visible from the sidewalk or street is encouraged.

8) Chimneys

Chimneys are a character-defining feature of buildings within the historic district and shall be preserved through repair and maintenance. If an original or historic chimney has been altered or removed, it should be restored when an historic drawing, photograph, or physical evidence is available to document what was previously extant.

9) Modifications for Accessibility

The guidance above shall not prohibit the installation of a handrail or ramp that provides accessibility to people with disabilities. A discreet ramp to the main entrance may be constructed, but only in a manner that minimizes its impact on the historic building. The ramp shall not dominate the front of the building and shall not obscure character-defining architectural features. No historic fabric from the entrance steps, stoop or porch shall be removed or significantly impacted by the construction of a ramp. The use of traditional landscape elements that incorporate a ramp or shield it from view is encouraged.

Site Work

A. Walls, Fences and Enclosures

Walls, fences, gates and other enclosures form an important part of the overall streetscape. Original or historic walls, iron fences and gates, gatehouses, and other enclosures, as well as arches and other historic architectural features, shall always be preserved through repair and maintenance. When non-original or non-historic retaining walls or tie-walls require replacement, the original grade of the site shall be returned if feasible or more appropriate materials shall be used. New walls, fences and other enclosures shall be brick, stone, stucco, wood, wrought iron or evergreen or deciduous hedge when visible from the sidewalk or street, as is consistent with the existing dominant materials within the historic district.

Opaque fences or walls are permitted only along alleys or enclosing the side and/or rear yard of the primary structure. No opaque fence shall be erected in front of the primary structure on the lot. An exception to this prohibition may occur at corner properties on heavily traveled thoroughfares where a side yard fence set back from the property line a minimum of three (3) feet to create a landscape area with appropriate evergreen and deciduous planting would be acceptable. Transparent fences and/or evergreen or deciduous hedges may extend beyond the front building line.

B. Landscaping

If there is a predominance of a particular feature, type or quality of landscape design, any new landscaping shall be compatible when considering mass and continuity. In particular, original or historic earth terraces shall be preserved and shall not be altered or interrupted by the introduction of retaining walls, landscape ties, architectural or landscaping concrete block, etc. Wherever such retaining walls have compromised historic terraces, the removal of the walls and restoration of the historic terraces is encouraged. Where appropriate, tree lawns shall be preserved or restored.

C. Paving and Ground Cover Materials

Where there is a predominant use of a particular ground cover or paving material, any new or added material should be compatible with the existing streetscape. Crushed rock is not acceptable for paving or as a replacement material for lawns or vegetative ground cover. Asphalt is not an acceptable material for walkways or for driveways when visible from the sidewalk or street. Brick paving, when used, should be installed with a compacted or constructed base and with materials and techniques that will provide a stable, firm and slip-resistant surface suitable as an accessible route.

D. Exterior Furnishings, Lighting and Utilities

The design and location of all permanent exterior furnishings such as gazebos, garden sheds, and fountains require a permit approved by the Cultural Resources Office prior to placement. They shall either have authentic period styling or be of high quality contemporary design and be of a material and scale appropriate to the main building and the landscape in which they are situated. Special permits must be obtained if street furniture is placed in the public right-of-way.

Original or historic light standards, lamps, and lanterns shall be preserved through repair and maintenance. If they have been

removed, their replication is encouraged when an historic drawing or photograph is available to document what was originally there. All new lighting fixtures, whether free-standing or attached to a structure, shall be either authentic period styling or high quality contemporary design of appropriate material and size and shall be of scale and height appropriate to the building where they are installed. In all cases, attention shall be given to the quality or intensity of light emitted to ensure that it is compatible with the character of the historic residential environment. No exposed conduit shall be used. Well-designed landscape and architectural lighting is permitted; however, lighting fixtures must either be recessed or screened by plantings. Security lighting shall not be of a direction or intensity that is invasive of neighboring properties or pedestrians. All exterior lighting must comply with the attached guidelines (Appendix 6) that limit light pollution. Where possible, new utility lines shall be underground.

E. Mechanical Equipment

HVAC condensing units, solar panels, communication devices, such as satellite dishes, antennae, etc., shall not be visible from the sidewalk or street. Condensing units should be placed on the rear of the building's roof or at the rear of the property and should be screened appropriately. Electrical meters and conduit should be placed in an unobtrusive location and be painted to match the building. Free-standing cell towers are not permitted in the historic district. Cell towers that are incorporated in church steeples or on roofs of tall buildings shall not be visible from the street or sidewalk.

F. Signs

All signs within the historic district shall be reviewed and permitted by the Cultural Resources Office and be appropriate to the character of the building they identify.

G. Curb Cuts and Driveways

Where curb cuts for vehicles and driveways did not historically exist, new ones shall not be introduced. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed. However, where a parcel is not served by alley access, proposed exceptions shall be considered on a case-by-case basis and evaluated for design suitability. Removal of non-historic curb cuts and driveways and restoration of the historic landscape, tree lawn, and curbing is encouraged.

New Construction or Additions to Existing Residential or Institutional Buildings:

When designing a new residential or institutional building, the height, scale, mass, and materials of the existing buildings and the context of the immediate surroundings shall be strongly considered. When designing an addition to an historic building, the addition shall be compatible in height, scale, mass, and materials to the historic fabric of the original building. The new addition, however, should be easily distinguishable from the existing historic building.

A. Height, Scale and Mass

A new low-rise building, including all appurtenances, must be constructed within 15 percent of the average height of existing low-rise buildings that form the block-face. Floor levels, water tables and foundation levels shall appear to be at the same level as those of neighboring buildings. When one roof shape is employed in a predominance of existing buildings in the streetscape, any proposed new construction or alteration shall follow the same roof design.

A new high-rise building may be located either on a block face with existing high-rise structures or on a corner site. A new high-rise building may exceed the average height of existing structures on the relevant block face. In all cases, window levels, water tables and foundation levels of the new building shall be comparable to those of neighboring buildings. Special emphasis shall be given to the design of the building base and to upper story setbacks as they relate to and affect neighboring buildings.

For those portions of the historic district located in areas governed by Form Based Zoning, the building heights prescribed for new construction have been determined appropriate from both the historic district and Form Based Zoning perspectives. The 3-story minimum height for these areas is hereby adopted by these Standards. The maximum heights for *Boulevard Type 1 Development* (24 stories west of Newstead Avenue and 12 stories east of Newstead Avenue) are hereby adopted. For the small area of the historic district within the *Neighborhood Core Development* area of the Form Based Zoning code, the 6-story minimum height and unlimited maximum height are also adopted.

For Form Based Zoning that occurs after the adoption of these standards, consultation shall determine appropriate heights for new buildings within the historic district that will not directly conflict with these standards and should be used in conjunction with these standards.

B. Location

A new or relocated structure shall be positioned on its respective lot so that the width of the façade and the distance between buildings shall be within 10 percent of such measurements for a majority of the existing structures on the block face to ensure that any existing rhythm of recurrent building masses to spaces is maintained. The established setback from the street shall also be strictly maintained. Garages and other accessory buildings, as well as parking pads, must be sited to the rear of, and if at all possible, directly behind the main building on the lot.

C. Exterior Materials

In the historic district, brick and stone masonry and stucco are dominant, with terra cotta, wood and metal used for trim and other architectural features. Exterior materials on new construction shall conform to established uses. For example, roof materials shall be slate, tile, copper or architectural composite shingles where the roof is visible from public or common areas.

All new building materials shall be the same as the dominant materials of adjacent buildings. Artificial masonry is not permitted, except that cast stone that replicates sandstone or limestone is allowed when laid up in the same manner as natural stone. Cementitious or other paintable siding of appropriate dimension is an acceptable substitute for wood clapboards. A submission of samples of all building materials, including mortar, shall be required prior to approval.

The pointing of mortar joints on masonry additions to historic buildings shall match that on the original building in color, texture, composition and joint profile.

D. Fenestration

New buildings and building additions shall be designed with window openings on all elevations visible from the street. Windows on the front façade shall be of the same proportions and operation as windows in adjacent buildings and their total area should be within 10% of the window area of the majority of buildings on the block.

E. Decks

Given the urban context of the neighborhood, the relative narrowness of building lots, and the general interests of privacy, terraces or patios at grade are preferable to elevated decks. When it is desired to construct a deck, such construction shall be at the rear of the residence. Where visible from the street, design and construction shall be compatible with the building to which it is appended, and the deck shall be constructed of finished materials, be of a shape and scale similar to that of an historic porch or patio, and be partially screened with landscaping or opaque fencing to limit visibility.

F. Accessory Buildings

A new accessory building, including a garage, shall be designed and constructed in a manner that is complementary in quality and character with the primary structure and neighboring buildings. Complementary structures are appropriate in scale and use a similar type and quality of materials. Design details from the main building should not be replicated, but such details may be modified and reduced in scale to express the same architectural presence in a simpler way. When not visible, materials other than those of the primary building may be used for exterior walls.

G. Curb Cuts and Driveways

Where curb cuts for vehicles and driveways did not exist historically, new ones shall not be introduced. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed. Where a parcel is not served by alley access, proposed exceptions shall be considered on a case-by-case basis and evaluated for design suitability.

H. Coordination with Form Based Zoning

When portions of the historic district are located in an area for which a form-based code has been adopted, the Regulating Plan, Building Envelope Standards and Building Development Standards will be used in conjunction with these standards to review new construction within that portion of the historic district.

IV. COMMERCIAL BUILDING DESIGN STANDARDS

Repairs and Rehabilitation to Historic Commercial Buildings

On historic commercial buildings, original architectural elements as decorative details, windows, brackets, friezes, balconies, shutters, historic glass, etc. provide texture that is an important feature of the historic district. In an effort to retain this texture, substitution of historic materials is discouraged. Wherever possible, elements should be repaired, rather than replaced. The Cultural Resources Office should be contacted for professional advice. Addition or removal of decorative elements, e.g., window pediments, bracketed hoods over doors, door surrounds, etc. normally is prohibited unless replacement would return the building to its original design. Proposed exceptions shall be subject to review for design suitability and approval by the Cultural Resources Office staff.

A. Materials

Original or historically significant materials shall be maintained and repaired rather than replaced. Where repair is not possible, materials should be replaced in-kind, i.e., new materials should match the existing in type, size, shape, profile, and material. Use of imitative materials on historic commercial buildings is generally discouraged and will be evaluated on a case-by-case basis.

1) Masonry – Bricks and Mortar; Stone

Repair and replace damaged bricks and mortar with new bricks and mortar to match existing. Repair damaged stone with new stone to match existing. Care should be taken to repoint historic masonry with mortar that matches the existing in color, texture, strength, and composition. Using an inappropriate mortar mix with a higher concentration of Portland cement can cause damage to historic bricks and stone. Mortar joints should also match the existing (original) joint profile, i.e., concave tooled joint, v-shaped joint, flush joint, etc. Information on an appropriate mortar mix is available on line from the National Park Service's Preservation Brief #2 (Appendix 2).

Previously unpainted brick or stone shall not be painted. Where masonry has been painted, either in contravention of these standards or prior to their adoption, and paint can be safely removed, this should be done.

Waterproof coatings on historic masonry are not permitted because their application can result in damage to the building. See National Park Service's Preservation Brief #1 (Appendix 1) for more information on this topic.

Sandblasting of masonry, either for cleaning or paint removal, is prohibited. Other cleaning and paint removal techniques require a permit that must be approved by the Cultural Resources Office.

2) Stucco

Repair existing stucco with stucco that matches the original stucco in strength, color, texture, and composition. Information on an appropriate mix and the correct method of repair for historic stucco can be obtained from the National Park Service's Preservation Brief #22 (Appendix 5). As much original stucco as possible should be retained. New stucco should never be applied over existing stucco. If the original finish or texture is evident, it should be replicated in the new stucco. Masonry that shows no evidence of previous stucco applications shall not have stucco applied to it. In many instances the patina of historic stucco is an important feature and should be left unpainted. Waterproof coatings on historic stucco are not permitted. Prefabricated cementitious stucco may be used on non-visible facades and new accessory structures. See the National Park Service's *Preservation Brief #1* (Appendix 1) for more information on this topic.

3) Siding

Wholesale replacement of original historic siding is discouraged. When it is necessary to replace deteriorated siding, it should be replaced with siding that matches the size, thickness, exposure, and profile of the original. Synthetic materials such as vinyl siding are not appropriate for historic buildings and their use is not permitted in the historic district. Where inappropriate siding materials have been used, their removal is encouraged. Cementitious (cement/fiberglass) siding is permissible if demonstrated to match the historic material in appearance and when used in an entire replacement or in upper-story areas. Other innovative substitute materials shall be subject to evaluation for appropriateness by the Cultural Resources Office on a case-by-case basis.

4) Paint

Although there is no specific palette of "approved colors," the color of paint used should be appropriate to the style of

architecture, the character of the adjacent buildings, and the neighborhood.

B. Architectural Elements

Original or historically significant architectural features shall be maintained and repaired rather than replaced. Architectural elements on existing structures shall be maintained in their original size, proportion, detailing and material(s). No historic architectural detail or trim shall be obscured, covered or sheathed with material of any kind, it being understood, however, that historically correct awnings or shutters may partially obscure some details when viewed from certain angles. (See paragraph B.5.)

1) Windows

For more information on this subject, see the National Park Service's Preservation Brief #9 (Appendix 3).

The windows in historic buildings in the historic district include two broad categories that shall be considered in different ways:

- a) **Special Windows.** These windows are character-defining features of historic buildings and are usually found on a street-facing façade. They may be quite large, as in a stair hall window. They may have an unusual pattern of divided lights, or muntins, or an unusual configuration muntins; a fanlight window is an example. Special windows might have leaded, colored or "art glass" or curved glass. Due to the importance of these windows in the character of the historic building, and the difficulty in replicating these windows, they shall be preserved through in-kind repair and maintenance. Enhanced thermal efficiency shall be achieved with the use of caulking, glazing compound, weatherstripping and/or interior or exterior storm sash compatible in design and color with the existing fenestration. If Special Windows must be replaced, property owners shall obtain custom-made replicas in order to preserve the character of the windows.
- b) **Standard Windows.** Standard Windows have sash that was typical for the time and style of the building and do not have any unusual qualities. Common 1/1 double-hung windows (two operable sashes with undivided clear glass panes) are Standard Windows, whereas diamond-patterned casement windows are Special Windows. Standard Windows appear on the front façade and other walls of buildings. The location and visibility of these windows determine what is appropriate if and when they are replaced.

The historic character of a building is best maintained through the preservation of original and historic Standard Window sash and trim through maintenance and repair. That approach should be the first choice when windows require attention.

Exterior storm windows are recommended for Standard Windows. Storm sash must fit within the frame of the existing window and match its glass area: e.g., the horizontal division of the storm window must align with the meeting rail of a double-hung window. Raw or unfinished aluminum is not acceptable for storm windows. Historic brickmolds and window frames shall not be obscured or sheathed in any way to accommodate storm windows.

If the property owner proposes to replace historic Standard Windows, the replacement components (e.g., brickmolds, mullions, sash, muntins, and other window details) shall match the originals in height, width, depth, profile, shape, and geometric pattern. Windows with arched heads shall be replaced with windows with arched heads that reproduce the radius of the original arch. The replacement sash shall replicate, or appear to replicate, the original in operation. Proposed replacement components, i.e., sash and/or trim, shall be evaluated for compliance with these criteria. Manufacturers' standard products can be approved for installation when they replicate historic or original sash, and if they fit the openings. Each window replacement project must identify appropriate sash and trim that meet the criteria.

Standard Windows in Street-facing Façades

1. Windows in all street-facing façades shall be, in order of preference:
 - a. Existing windows, repaired and retained.
 - b. Replacement windows, if existing windows are not historic and/or cannot be repaired and kept in use. Replacement windows shall duplicate the original, and meet the requirements for replication of height,

width, depth, profile, shape, geometric pattern, and installation. (See paragraph above.) Glass size in replacement windows shall be the same as that of the original sash.

2. Replacement windows shall be wood, clad wood, or a composite material.

No existing window opening in a street-facing façade shall be altered in length or width, or be blocked in on the exterior. No new window openings shall be created in a street-facing façade.

Standard Windows in Visible Side Elevations

Replacement windows on highly-visible side elevations shall meet the requirements for windows in street-facing façades. These windows shall be of wood, wood-clad, or aluminum.

Replacement windows seen only at a very oblique angle, or at such a distance, where materials and details cannot be perceived from the public areas of the historic district shall maintain the size, configuration and operation of original/historic windows and trim, but may be wood, aluminum, or vinyl.

New openings where no windows existed before shall be the same proportion as adjacent windows and shall be toothed-in, not saw-cut. Where existing windows are to be made shorter or longer, the width of the opening shall remain the same. Windows may be converted to doors by lengthening the vertical dimension, but not the horizontal one.

Windows to be abandoned shall be filled in with painted shutters, retaining window sills and brickmold; or by brick that matches the adjacent brick to the extent possible and is set back from the plane of the exterior wall by 2 inches. Arches or lintels above the openings shall be retained; sills may be removed.

Standard Windows on Rear Elevations

Replacement windows may be of any material. Window openings may be altered.

Windows in rear façades of corner buildings that are as fully articulated as the side façade shall meet the standards of windows in visible side elevations.

- c) General Requirements

Neither leaded nor art glass shall be used as a replacement in windows that were originally or historically clear glass. The use of reflective or tinted window glass (as distinguished from art glass) and glass block is prohibited unless proven to be the original material.

Security bars or security screens are not permitted on windows above the basement level unless it can be demonstrated through an historic photograph or drawing that they originally existed on the windows.

In all cases, the original brickmold shall be retained or its size and its general profile duplicated. Brickmolds and window sills shall not be wrapped in coil stock.

2) Doors

Original or historic doors when visible shall be preserved through repair and maintenance. If original and historic doors have been removed, or cannot be repaired, replacement doors will be wood and replicate the proportions of the appropriate historic door. Security bars or screens are not permitted on doors above the basement level unless it can be demonstrated through an historic photograph or drawing that they originally existed on the doors. Use of reflective or tinted glass (as distinguished from art glass) in doors is prohibited. Leaded, colored, and reflective glass shall not be used as a replacement material in door panel that was not originally or historically that material.

In order to provide accessibility to people with disabilities to commercial spaces and places of public accommodation, it may be necessary to install a ramp or sloped pavement. Such work shall not destroy historic fabric, although providing access to enter a rehabilitated space is a high priority and shall be provided if at all possible. Slight modifications to the entrance may be acceptable to provide 32-inch-wide openings, flush thresholds, and the use of swing-clear hinges. When entrance hardware of historic commercial properties or places of public accommodation have pinch and twist functions that are not accessible, the historic hardware shall be maintained while allowing the door to function as a push/pull operation during business hours. Automatic door opening

mechanisms may be installed in a manner that does not harm historic materials.

3) Porches and Balconies

Porches, verandas, and balconies are considered to be character-defining features on buildings in the historic district, and careful attention should be paid to their maintenance and/or restoration. Original or historic porches, verandas, and balconies including their component elements such as columns, pilasters, hand rails, balusters, pediments, cornices, steps, etc., shall be preserved through in-kind repair and maintenance when visible. Photographic evidence will be provided of the deteriorated condition of an original or historic porch, veranda, or balcony or any of its component elements to justify replacement. The replacements shall replicate the originals in size, proportion, dimensions, height, profile, shape, and geometric pattern, color, and, in the case of column shafts, taper or entasis. Replicas shall be made of the same materials as the historic porch or porch component unless this is not technically feasible, in which case a compatible substitute material, from which replicas are fashioned as described above, may be considered. In the case of non-structural ornamental detail situated at or above cornice-level, including column or pilaster capitals, replicated elements may be fabricated of a substitute material, for example cast stone or molded fiberglass, that exactly replicates the dimensions of the original. If an original or historic porch, veranda, or balcony, or any constituent element(s) thereof has/have been removed, these may be replicated when evidence (e.g. an historic drawing or photograph) is available to document what was previously extant.

4) Architectural Detail

Original or historic cornice detail shall be preserved through repair and maintenance and shall not be obscured, covered or sheathed. Photographic evidence will be provided of the deteriorated condition of an original or historic details and component elements such as pediments, fascias, cornices, brackets, dentils, pilasters, columns, capitals, bases, etc., to justify replacement. The replacements shall exactly replicate the original or historic details and component elements in size, proportion, dimensions, profile, shape, geometric pattern, color, and in the case of column shafts, entasis or taper. Replicas shall be of the same materials as the original or historic details or component elements, or may be fabricated of a substitute material, for example cast stone or molded fiberglass, that exactly replicates the size, proportion, profile, shape, color, and geometric pattern of the original or historic element. If an original or historic detail or component element has been removed, it should be replicated when evidence (e.g., an historic drawing or photograph) is available to document what was previously there.

5) Awnings, Canopies, and Wooden Shutters

Canvas awnings that have the form of traditional, retractable awnings, mounted within window openings, are appropriate on commercial structures. All awnings shall conform in size, shape, material and style to the opening to which they are attached. Barrel or balloon shapes should be avoided in favor of traditional sloped shapes with or without valances and end pieces, and all awnings shall fit within the openings to which they are affixed.

Canopies are constructed of iron and glass, copper-sheathed wood and other hard materials. These should be preserved or, if they have been removed, may be replicated when an historic drawing or photograph is available to document what was previously extant. Canvas-covered, metal-framed canopies are appropriate at entrances to hotels and other commercial buildings.

Original operable wooden shutters should be preserved or replicated when they have been removed. Replacement shutters must match the original or historic shutters in appearance and material, shall be or appear to be operational and have the appropriate hardware. Shutter dimensions and shape shall equal those of the window opening and be properly mounted. Fixed shutters are not appropriate.

6) Entry Vestibules

If an entry vestibule originally designed as open (e.g., without a door) is proposed for closure to meet a building's security or energy use needs, such alteration of the entry shall be considered on a case-by-case basis.

7) Roofs

The visible form of the roof, its shape and pitch, and the presence or absence of dormers and other roof elements, shall not be altered. Materials used on historic pitched roofs and dormers in the historic district are slate, terra cotta mission tile, copper, and terne metal. Original slate, tile and metal roofs shall be preserved through repair and maintenance. Original or historic roof material shall not be replaced with another type of historic material that would change the character of the roof: i.e., replacing historic ceramic tile with slate shingles. Photographic evidence shall be provided of the deteriorated condition of original or historic roofing materials to justify replacement. When replacement materials are necessary, the original or historic material shall be used wherever the roof is visible from the sidewalk or street. Materials that replicate the original may be used if the original or historic material is unavailable and

the substitute material is approved by the Cultural Resources Office. Skylights shall not be introduced in existing roofs when they are visible from the sidewalk or street. Existing historic skylights should be restored or replaced in kind. Removal of non-historical modern skylights that are visible from the sidewalk or street is encouraged.

8) Chimneys

Chimneys are a character-defining feature of buildings within the historic district and shall be preserved through repair and maintenance. If an original or historic chimney has been altered or removed, it should be restored when an historic drawing or photograph, or physical evidence is available to document what was previously extant.

9) Storefronts

The area of the first floor historically enclosed with a storefront shall not be expanded or reduced. When original and historic storefront fabric is present, it shall be retained and restored or rehabilitated.

When an original or historic storefront no longer exists, the replacement storefront shall conform to the following applicable situation:

- a) If part of a building with other intact historic storefronts, it shall respect the scale, proportion, pattern, color, details and material of those historic storefronts; or
- b) If part of a building with no remaining historic storefronts, it shall be compatible with the rest of the building in scale, design, materials, color and texture and may be of contemporary design.

Prefabricated commercial storefront framing components, tinted glazing, and clear-finish aluminum are not appropriate for infill storefronts of historic buildings in the historic district.

Additional guidance and insight to storefront design in the context of historic buildings can be found in National Park Service's Preservation Brief #11 (Appendix 4).

Site Work

A. Walls, Fences and Enclosures

Walls, fences, gates and other enclosures form an important part of the overall streetscape. Original or historic walls, iron fences and gates, gatehouses, and other enclosures, as well as arches, and other historic architectural features, shall always be preserved through repair and maintenance. When non-original or non-historic retaining walls or tie-walls require replacement, the original grade of the site shall be returned if feasible or more appropriate materials shall be used. New walls, fences and other enclosures shall be brick, stone, stucco, wood, wrought iron or evergreen or deciduous hedge when visible from the sidewalk or street, as is consistent with the existing dominate materials within the historic district.

Opaque fences or walls are permitted only along alleys or enclosing the side and rear yard of the primary structure. No opaque fence shall be erected in front of the primary structure on the lot. An exception to this prohibition may occur at corner properties. Where the building abuts the sidewalk and outdoor café dining is permitted, a metal fence of simple design may be erected to enclose the dining area and separate it from pedestrian traffic. A minimum 48" clear accessible route is required for pedestrian traffic whether or not the dining area is enclosed.

B. Parking

All off-street parking, whether a surface lot or a parking structure, that is required for new or existing commercial buildings shall be located behind or to the side of the building. Where visible from the street, parking shall be effectively screened using appropriate materials such as masonry walls, iron fencing, opaque landscaping, etc. Where possible, entry and exit to all parking shall be from an alley; or if this is not possible, from a secondary street.

C. Landscaping

If there is a predominance of a particular feature, type or quality of landscape design, any new landscaping shall be compatible when considering mass and continuity. In particular, original or historic earth terraces shall be preserved and shall not be altered or interrupted by the introduction of retaining walls, landscape ties, architectural or landscaping concrete block, etc. Wherever such retaining walls have compromised historic terraces, the walls' removal and restoration of the terraces is encouraged. Where

appropriate, tree lawns shall be preserved or restored.

D. Paving and Ground Cover Materials

Where there is a predominant use of a particular ground cover or paving material, any new or added material should be compatible with the existing streetscape. Crushed rock is not acceptable for paving or as a replacement material for lawns or vegetative ground cover. Brick paving, when used, should be installed with a compacted or constructed base and with materials and techniques that will provide a stable, firm and slip-resistant surface suitable as an accessible route. Asphalt is not acceptable for walkways or for drive-ways visible from the sidewalk or street.

E. Exterior Furnishings, Lighting and Utilities

The design and location of all permanent exterior furnishings such as gazebos, garden sheds, and fountains require a permit approved by the Cultural Resources Office prior to placement. They shall either have authentic period styling or be of high quality contemporary design and be of a material and scale appropriate to the main building and the landscape in which they are situated. Special permits must be obtained if street furniture is placed in the public right-of-way.

Original or historic light standards, lamps, and lanterns shall be preserved through repair and maintenance. If they have been removed, their replication is encouraged when an historic drawing or photograph is available to document what was originally there. All new lighting fixtures, whether free-standing or attached to a structure, shall be either authentic period styling or high quality contemporary design and shall be of a scale and height appropriate to the building to which they are appurtenant. In all cases, attention shall be given to the quality or intensity of light emitted to ensure that it is compatible with the character of the historic commercial environment. No exposed conduit shall be used. Well-designed landscape and architectural lighting is permitted; however, lighting fixtures must either be recessed or be screened by plantings. Security lighting shall not be of a direction or intensity that is invasive of neighboring properties. All exterior lighting must comply with guidelines that limit light pollution. (Appendix 6.) Where possible, new utility lines shall be underground.

F. Mechanical Equipment

HVAC condensing units, communication devices such as satellite dishes and antennae, etc., shall not be visible from the sidewalk or street. Condensing units should be placed on the roof or to the rear of the property and should be screened appropriately. Electrical meters and conduit should be placed in an unobtrusive location and be painted to match the building. Free-standing cell towers are not permitted in the historic district. Cell towers that are incorporated on roofs of tall buildings shall not be visible from the street or sidewalk.

G. Signs

Signs on commercial buildings shall be in accordance with applicable provisions of the zoning ordinance. Signs are further restricted as stated below.

The following are not allowed:

1. Non-appurtenant advertising signs.
2. Pylon signs.
3. Wall signs above the second floor window sill level.
4. Roof-top signs.
5. Projecting signs that obstruct the view of adjacent signs, obstruct windows or other architectural elements or extend above the second floor window sill level.
6. Signs with flashing or moving elements.

Only one projecting sign is permitted for each establishment, unless it occupies a corner storefront; in this case, two signs are permitted, one on each façade.

Brass or bronze wall plaques identifying the name of the business or businesses are appropriate and should be encouraged.

When an existing non-conforming sign needs to be replaced, it shall be replaced with a sign that conforms to these standards.

H. Curb Cuts and Driveways

No curb cuts for vehicles and driveways shall be introduced into the historic streetscape. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed. However, where a parcel is not served by alley access, proposed exceptions shall be considered on a case-by-case basis and evaluated for design suitability. Removal of non-historic curb cuts and driveways and restoration of original landscape, tree lawn, and curbing is encouraged.

New Construction or Alterations to Existing Commercial Structures:

When designing a new commercial building, or an addition to an historic commercial building, height, scale, mass, and materials in adjacent buildings as well as the context of the immediate surroundings, shall be strongly considered. When designing an addition to an historic building, the addition shall be compatible in height, scale, mass, and materials to the historic fabric of the original building. The new addition, however, shall be easily distinguishable from the existing historic building. The design of primary entrances to new commercial buildings shall afford accessibility in conjunction with aesthetic and contextual solutions.

A. Height

A new low-rise building, including all appurtenances, must be constructed within 15% of the average height of existing low-rise commercial buildings that form the block face. Floor levels, water tables and foundation levels shall appear to be at the same level as those of neighboring buildings. When one roof shape is employed in a predominance of existing buildings in the streetscape, any proposed new construction or alteration shall follow the same roof design.

A new high-rise building may be located either on a block face with existing high-rise structures or on a corner site. A new high-rise building may exceed the average height of existing structures on the relevant block faces. In all cases, floor levels, water tables and foundation levels of the new buildings shall be comparable to those of neighboring buildings. Special emphasis shall be given to the design of the building base and to upper story setbacks as they relate to and affect neighboring buildings.

For those portions of the historic district located in areas governed by Form Based Zoning, the building heights prescribed for new construction have been determined appropriate from both the historic district and Form Based Zoning perspectives. The 3-story minimum height for these areas is hereby adopted by these Standards. The maximum heights for *Boulevard Type 1 Development* (24 stories west of Newstead Avenue and 12 stories east of Newstead Avenue) are hereby adopted. For the small area of the historic district within the *Neighborhood Core Development* area of the Form Based Zoning Code, the 6-story minimum height and unlimited maximum height are also adopted.

For form-based zoning that occurs after the adoption of these standards, consultation shall determine appropriate heights for new buildings within the historic district that will not directly conflict with these standards and should be used in conjunction with these standards.

B. Location

A new or relocated structure shall be positioned on its respective lot so that the width of the façade and the distance between buildings shall be within 10% of such measurements for a majority of the existing structures on the block face to ensure that any existing rhythm of recurrent building masses to spaces is maintained. The established set back from the street shall also be maintained. Garages and other accessory buildings as well as parking pads must be sited to the rear of, and if at all possible, directly behind, the main building on the lot.

C. Exterior Materials

In the historic district, brick and stone masonry and stucco are dominant, with terra cotta, wood and metal used for trim and other architectural features. Roof materials shall be slate, clay tile, copper or architectural composite shingles where the roof is visible from public or common areas.

All new building materials shall be the same as the dominant materials of adjacent buildings. Artificial masonry is not permitted, except that cast stone that replicates sandstone or limestone is allowable when laid up in the same manner as the natural stone. Cementitious or other paintable siding of appropriate dimension is an acceptable substitute for wood clapboards. A submission of samples of all building materials, including mortar, shall be required prior to approval.

The pointing of mortar joints on masonry additions to historic buildings shall match that on the original building in color, texture,

composition and joint profile.

D. Fenestration

New buildings and building additions shall be designed with window openings on all main elevations. Windows on the front façade shall be of the same proportions as windows in adjacent buildings and their total area should be within 10% of the window area of the majority of buildings on the block.

E. Accessory Buildings

When visible from the street, a new accessory building shall be designed and constructed in a manner that is complementary in quality and character to the primary structure and neighboring buildings.

F. Curb Cuts and Driveways

Where curb cuts for vehicles and driveways did not historically exist, they shall not be introduced. Curb cuts for pedestrians at street intersections, mid-block crossings, passenger drop-off and loading zones, and similar locations shall be allowed. Where a parcel is not served by alley access, proposed exceptions shall be considered on a case-by-case basis and evaluated for design suitability.

G. Coordination with Form Based Zoning

When portions of the historic district are located in an area for which a form based code has been adopted, the Regulating Plan, Building Envelope Standards and Building Development Standards will be used in conjunction with these standards to review new construction within that portion of the historic district.

V. Demolition

Buildings identified as contributing properties in the Central West End *Certified Local Historic District*¹ are considered historically significant to the character and integrity of the historic district. However, construction continued after the period of significance identified for the district and those buildings may also be architecturally significant, having become part of the historic character of the Central West End. Any of these buildings determined eligible for listing in the National Register of Historic Places by the State Historic Preservation Officer or that are determined by the Cultural Resources Office to be Merit or High Merit properties are also historically significant. All architecturally and historically significant buildings are an irreplaceable asset, and as such their demolition is not allowed without a specific recommendation for demolition from the Cultural Resources Office, a full hearing by the Preservation Board, and approval by that Board.

When reviewing any application for demolition within the historic district, the Cultural Resources Office shall consider the following criteria:

1. Its architectural quality and special character, if any;
2. Condition of the building;
3. Its presence in the historic district, as in its relative visibility;
4. The immediate setting;
5. The impact of its removal on the urban fabric; and
6. Any construction proposed to replace it.

These standards shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in the historic district which does not involve a change in design, material, color or outward appearance, nor to prevent the demolition of any feature or structure which the building commissioner shall certify is dangerous and unsafe, nor to prevent the construction of necessary elements required to provide for accessibility and accessible routes throughout the neighborhood.

VI. Appendices

The following Preservation Briefs and lighting guidelines are appendices to this ordinance and part of the historic district's Standards. Copies of the Briefs can be found on line at: <http://www.nps.gov/history/hps/tps/briefs/presbhom.htm>.

- 1: Preservation Brief # 1, Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings
- 2: Preservation Brief # 2, Repointing Mortar Joints in Historic Masonry Buildings
- 3: Preservation Brief # 9, The Repair of Historic Wood Windows
- 4: Preservation Brief #11, Rehabilitating Historic Storefronts
- 5: Preservation Brief # 22, The Preservation and Repair of Historic Stucco
- 6: Simple Guidelines for Lighting Regulations. Source: International Dark-Sky Association website: http://www.darksky.org/index.php?option=com_content&view=article&id=745

Note: Appendices not included herein as they are available on the provided websites.

¹ The Central West End Historic District is a local historic district certified by the National Park Service's Office of the National Register of Historic Places. That office, as well as the Missouri State Historic Preservation Office, has maps that indicate which buildings are contributing resources.

Approved: February 21, 2013

ORDINANCE #69424
Board Bill No. 287

An Ordinance Approving The Petition Of An Owner Of Certain Real Property To Establish A Community Improvement District, Establishing The Union Station Community Improvement District, Finding A Public Purpose For The Establishment Of The Union Station Community Improvement District, Authorizing the Execution of a Transportation Project Agreement Between The City And The Union Station Transportation Development District, Prescribing The Form And Details Of Said Agreement, Making Certain Findings With Respect Thereto, Authorizing Other Related Actions In Connection With The TDD Project, And Containing A Severability Clause.

WHEREAS, the City is a body corporate and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution, and laws of the State of Missouri; and

WHEREAS, Section 67.1400 et seq, RSMo, (the "CID Act") authorizes the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a petition has been filed with the City, requesting formation and establishment of the Union Station Community Improvement District (the "CID"), signed by the authorized representatives of the owners of more than fifty percent by assessed value and per capita of the property located within the proposed boundaries of the CID (the "Petition"); and

WHEREAS, the Register of the City of St. Louis did review and determine that the Petition substantially complies with the requirements of the CID Act; and

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act was held 9:00 a.m. on January 30, 2013, by the Board of Aldermen; and

WHEREAS, the Union Station Transportation Development District (the "TDD") intends to undertake that certain "TDD Project" as described and defined in that certain Transportation Project Agreement (the "Transportation Project Agreement"), the form of which is attached hereto as **Appendix B**, which TDD Project will provide a benefit to the City by increasing the available supply of parking; and

WHEREAS, the City constitutes the "local transportation authority" for the purposes of the TDD Project, and as no portion of the proposed project has been or is intended to be merged into the State highways and transportation system under the jurisdiction of the Missouri Highway Transportation Commission, approval of the TDD Project is vested exclusively with the City; and

WHEREAS, the TDD Act provides that prior to construction or funding of a proposed project, such project shall be submitted to the local transportation authority for its prior approval, subject to any required revisions of such project, and the district and local transportation authority in question entering into a mutually satisfactory agreement regarding the development and future

maintenance of the TDD Project; and

WHEREAS, the City hereby desires and intends to approve the TDD Project, subject to the TDD and the City entering into a mutually satisfactory agreement regarding the development and future maintenance of the TDD Project; and

WHEREAS, the City intends to enter into the Transportation Project Agreement and incorporated herein by reference, with the TDD, as a mutually satisfactory agreement regarding the development and future maintenance of the TDD Project; and

WHEREAS, the TDD Act provides that, within six months after development and initial maintenance costs of a project have been paid, the district shall transfer control and ownership of the project in question to the local transportation authority pursuant to contract; and

WHEREAS, the TDD Act intends to transfer and the City intends to accept such control and ownership pursuant to and on the terms set forth in the Transportation Project Agreement; and

WHEREAS, the Board of Aldermen hereby determines that the terms of the Transportation Agreement are acceptable, and that the execution, delivery and performance by the City and the TDD of their respective obligations are in the best interests of the City and the health, safety, morals and welfare of its residents; and

WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the owners of real property located within the CID, as well as the City as a whole, will benefit from the establishment of the CID and the other transactions described herein.

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

SECTION ONE.

(a) A community improvement district, to be known as the "Union Station Community Improvement District" (hereinafter referred to as the "CID"), is hereby established pursuant to the CID Act on certain real property described below to contract with a private property owner to demolish, remove, renovate, reconstruct, rehabilitate, repair and/or equip the existing building within the CID, impose a sales and use tax and carry out other functions as set forth in the Petition, which is attached hereto as **Appendix A** and incorporated herein by this reference.

(b) The CID boundaries are set forth in the Petition and are generally described as follows: generally bounded on the west by a portion of South 20th Street and the eastern line of the parcel located at 326 South 21st Street and including that property located at 156 South 21st Street; on the south by the northern line of the parcel located at 514 South 21st Street; on the east by South 18th Street; on the north by Market Street.

SECTION TWO. The CID is authorized by the Petition, in accordance with the CID Act, to impose a tax upon retail sales within the CID to provide funds to accomplish any power, duty or purpose of the CID.

SECTION THREE. The CID is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all, part or any combination of the revenues of the CID and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the CID, and if issued by the CID, shall bear such date or dates, and shall mature at such time or times, but not more than twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the CID shall determine subject to the provisions of Section 108.170, RSMo. The CID is also authorized to issue such obligations to refund, in whole or part, obligations previously issued by the CID.

SECTION FOUR.

(a) Pursuant to the Petition, the CID shall be in the form of a political subdivision of the State of Missouri, known as the "Union Station Community Improvement District."

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the CID shall be the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the CID shall submit to the Board of Aldermen a proposed annual budget for the CID, setting forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than sixty (60) days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements, but shall only be recommendations.

(d) The CID shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

SECTION FIVE. The CID is authorized to use the funds of the CID for any of the improvements, services or other activities authorized under the CID Act.

SECTION SIX. Pursuant to the CID Act, the CID shall have all of the powers necessary to carry out and effectuate the purposes of the CID and the CID Act as set forth in the CID Act.

SECTION SEVEN. The City of St. Louis hereby finds that the uses of the CID proceeds as provided for in the Petition will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the CID.

SECTION EIGHT. The property within the CID is a “blighted area” pursuant to Section 67.1401.2(3) of the CID Act because such property was blighted under Sections 99.300 to 99.715, RSMo, pursuant to Ordinance No. 58219, was blighted under Chapter 353 RSMo, pursuant to Ordinance No. 57286, as amended by Ordinances 58294 and 58800, and because such property suffers from significant deteriorations of the train shed roof and other site improvements and the economic underutilization and social risk resulting from extensive vacancies throughout the CID.

SECTION NINE. Within one hundred twenty (120) days after the end of each fiscal year, the CID shall submit a report to the Register of the City and the Missouri Department of Economic Development stating the services provided, revenues collected and expenditures made by the CID during such fiscal year, and copies of written resolutions approved by the board of directors of the CID during the fiscal year. The Register shall retain this report as part of the official records of the City and shall also cause this report to be spread upon the records of the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

SECTION TEN. The term for the existence of the CID shall be as set forth in the Petition, as may be amended from time to time, or as such term may be otherwise modified in accordance with the CID Act.

SECTION ELEVEN. Pursuant to the CID Act, the Board of Aldermen shall not decrease the level of publicly funded services in the CID existing prior to the creation of the CID or transfer the burden of providing the services to the CID unless the services at the same time are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision of the publicly funded services between areas included in the CID and areas not so included.

SECTION TWELVE. The Register shall report in writing the creation of the Union Station Community Improvement District to the Missouri Department of Economic Development.

SECTION THIRTEEN. The Petition provides that the CID shall be governed by a Board of Directors consisting of five individual directors (collectively the “Directors” and each a “Director”), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act and the qualifications set forth in the Petition. By his approval of this ordinance, the Mayor does hereby appoint the following named individuals as Directors of the CID for the terms set forth below, and by adoption of this ordinance, the Board of Aldermen hereby consents to such appointments:

<u>Name</u>	<u>Term</u>
Cathy Raftery	2 years
Steve O’Loughlin	2 years
Joe Mooney	2 years
Craig Cobler	4 years
Robert O’Loughlin	4 years

SECTION FOURTEEN. The Board of Alderman hereby approves the TDD Project as submitted to the City.

SECTION FIFTEEN. The Board of Alderman further finds and determines that it is necessary and desirable to enter into the Transportation Project Agreement with the TDD in order to implement the TDD Project.

SECTION SIXTEEN. The Board of Aldermen finds and determines that the TDD Project is necessary and desirable in order to increase the supply of available parking in the City.

SECTION SEVENTEEN. The Board of Alderman hereby approves, and the Mayor and Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, the Transportation Project Agreement by and between the City and the TDD in similar form to that attached hereto as **Appendix B** and incorporated herein by this reference, and the City Register is hereby authorized and directed to attest to the Transportation Project Agreement and to affix the seal of the City thereto. The Transportation Project Agreement shall be in substantially the form attached, with such changes therein as shall be approved by said Mayor and Comptroller executing the same and as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized.

SECTION EIGHTEEN. The Mayor and Comptroller of the City or his or her designated representatives are hereby authorized and directed to take any and all actions to execute and deliver for and on behalf of the City any and all additional certificates, documents, agreements or other instruments as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Alderman necessary to authorize such action by the Mayor or Comptroller or his or her designated representatives.

SECTION NINETEEN. The Mayor and Comptroller and his or her designated representatives, with the advice and concurrence of the City Counselor, are hereby further authorized and directed to make any changes to the documents, agreements and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Alderman necessary to authorize such changes by the Mayor or Comptroller or his or her designated representatives.

SECTION TWENTY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this ordinance.

APPENDIX A

Petition to Establish the Union Station Community Improvement District

SEE ATTACHED

APPENDIX B

Form of Transportation Project Agreement

SEE ATTACHED

UNION STATION TRANSPORTATION DEVELOPMENT DISTRICT

TRANSPORTATION PROJECT AGREEMENT

THIS UNION STATION TRANSPORTATION PROJECT AGREEMENT (this "Agreement") is made and entered into as of the ___ day of _____, 20___, by and between the UNION STATION TRANSPORTATION DEVELOPMENT DISTRICT, a political subdivision duly organized and existing under the laws of the State of Missouri (the "TDD"), and the CITY OF ST. LOUIS, MISSOURI, a city and political subdivision duly organized and existing under its charter and the Constitution and laws of the State of Missouri (the "City").

Recitals:

A. The TDD is a political subdivision and transportation development district formed pursuant to the Missouri Transportation Development District Act, Sections 238.200 to 238.275 of the Revised Statutes of Missouri, as amended (the "TDD

Act”).

B. USH, LLC, a Missouri limited liability company, or an affiliate (the “Company”), is the owner of certain real property described on Exhibit A, attached hereto and incorporated herein by this reference, together with certain improvements thereon, located in the City (the “Property”).

C. The TDD shall acquire from the Company a leasehold interest in a portion of the Property, upon which the Company may design, develop, and construct a TDD Project (as hereinafter defined), may cause the design, development, and construction of a TDD Project, or which may be acquired for a TDD Project.

D. The City and the TDD desire to enter into this Agreement in order to: (i) acknowledge the general economic benefit and value to the community created by the TDD Project and to provide for public access within the TDD Project on the terms set forth herein; (ii) memorialize the agreement of the City, acting in its capacity as local transportation authority (as defined in the TDD Act) regarding development and future maintenance of the TDD Project; and (iii) serve as the contract pursuant to which the TDD shall transfer control and ownership of the TDD Project to the City after the costs thereof have been paid in accordance with Section 238.275.1 of the TDD Act. The City acknowledges that it is entering into this Agreement for the overall benefit of the community and that the commitment to provide public access to the TDD Project does not constitute a specific economic benefit to the City or the TDD.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, receipt and sufficiency of which are acknowledged, the TDD and the City hereby agree as follows:

Section 1. Definitions. In addition to the capitalized terms defined elsewhere in this Agreement and in the Recitals, the following capitalized terms used in this Agreement shall have the meanings ascribed to them in this Section.

Lease. That certain lease agreement entered into between the Company, as landlord, and the TDD, as tenant, for the TDD Project, as may be amended from time to time by the parties thereto.

Obligations. Obligations issued by the TDD or any other political subdivision to finance the TDD Project.

TDD Sublease. That certain sublease agreement entered into between the TDD, as Landlord, and the Company, as subtenant, as may be amended from time to time by the parties thereto.

TDD Project. The Transportation Project described in the Petition for the Creation of a Transportation Development District, filed in the Circuit Court of the City of St. Louis.

TDD Sales Tax. The transportation development district sales tax that the TDD is authorized to impose pursuant to Section 238.235 of the TDD Act.

Term. The period commencing on the date of execution of the Lease and, unless otherwise terminated hereunder prior thereto, continuing until the end of the calendar month that includes that date that is the later of: (i) the end of the TDD Project’s reasonably expected useful life, as determined by an engineer qualified to provide engineering services in the State of Missouri; or (ii) the satisfaction in full of all Obligations.

Section 2. Access to TDD Project. The TDD shall, and shall cause its agents and contractors to, comply with any and all applicable laws in connection with its operation of the TDD Project. Prior to the Transfer (as hereinafter defined), the TDD shall retain all operational control of the TDD Project. After the Transfer, the City shall have all operational control of the TDD Project for the duration of the Lease term, subject to any existing encumbrances.

Section 3. Transfer of Ownership and Control. The City and the TDD agree to execute an Assignment of Lease Agreement in form mutually agreeable to the parties immediately upon maturity or termination of the Obligations, by which the TDD transfers to the City its interest in the Lease for the remaining term of the Lease (the “Transfer”). The TDD and the City acknowledge that, upon execution, the transactions contemplated by the Assignment of Lease Agreement shall constitute the transfer of control and ownership of the Project as required pursuant to Section 238.275 of the TDD Act, provided that the TDD shall remain responsible for operation and maintenance of the Project even after such transfer, in accordance with Section 4 hereinafter.

Section 4. TDD Project Operation and Maintenance. Except as otherwise provided in the Lease, while the Obligations remain outstanding, the TDD shall perform, or cause to be performed, all obligations connected with or arising out of owning, occupying or using the TDD Project or any part thereof, including without limitation the payment of all expenses required for the

operation of the TDD Project, including, without limitation, payment of any real or personal property taxes, assessments, payments in lieu of taxes assessed, any expenses incurred, performance of any cleaning or maintenance services required to maintain the TDD Project in good condition, and provision of any repairs for any damage to the TDD Project (the "TDD Maintenance"). The TDD agrees to operate and maintain the TDD Project in accordance with all applicable laws and regulations. Following the satisfaction in full of all Obligations, and during the remaining Term of this Agreement, the City shall be responsible for the TDD Maintenance.

Section 5. Indemnification and Release. To the extent permitted by law, the TDD agrees to indemnify, defend, and hold the City, its employees, agents, and independent contractors and consultants harmless from and against any and all suits, claims, costs of defense, damages, injuries, liabilities, and costs and/or expenses, including court costs and reasonable attorneys' fees and expenses, resulting from, arising out of, or in any way connected with: (i) the acquisition of the TDD Project, including liability under any Environmental Laws; and (ii) the negligence or willful misconduct of the TDD or its respective employees, agents or independent contractors in connection with the management, and acquisition of the TDD Project. To the extent permitted by law, the City agrees to indemnify, defend, and hold the TDD and its employees, agents, and independent contractors harmless from and against any and all suits, claims, damages, injuries, liabilities, and costs and/or expenses, including court costs and reasonable attorneys' fees and expenses, resulting from, arising out of, or in any way connected with the negligence or willful misconduct of the City, its employees, agents, and independent contractors and consultants, or arising from a default by the City of its obligations hereunder. The indemnifications set forth in this Section shall survive termination or expiration of this Agreement.

Section 6. Miscellaneous.

6.1 Representations and Warranties of the TDD. The TDD hereby represents and warrants to the City that: (i) the TDD is authorized to enter into and perform this Agreement and each agreement to be executed and performed by the TDD pursuant to this Agreement; (ii) this Agreement was duly authorized by the governing body of the TDD; and (iii) this Agreement is binding upon, and enforceable against the TDD, in accordance with its terms.

6.2 Representations and Warranties of the City. The City hereby represents and warrants to the TDD that: (i) the City is authorized to enter into and perform this Agreement and each agreement to be executed and performed by the City pursuant to this Agreement; (ii) this Agreement was duly authorized by the governing body of the City; and (iii) this Agreement is binding upon, and enforceable against the City, in accordance with its terms.

6.3 Termination. In the event that the Ordinance authorizing the execution of this Agreement shall become ineffective, then this Agreement shall terminate.

6.4 Applicable Law. This Agreement shall be taken and deemed to have been fully executed, made by the parties in, and governed by, the laws of the State of Missouri.

6.5 Representatives Not Personally Liable. No elected or appointed official, agent, employee or representative of the City or the TDD shall be personally liable to the Company in the event of any default or breach by any party under this Agreement, or for any amount which may become due to any party or on any obligations under the terms of this Agreement. No member, partner, agent, employee or representative of the Company shall be personally liable to the City or the TDD in the event of any default or breach by any party under this Agreement, or for any amount which may become due to any party or on any obligations under the terms of this Agreement.

6.6 Entire Agreement; Amendment. This Agreement constitutes the entire agreement between the TDD and the City with respect to the matters herein and no other agreements or representations other than those contained in this Agreement have been made by the parties. It supercedes all prior written or oral understandings with respect thereto. This Agreement shall be amended only in writing and effective when signed by the authorized agents of the TDD and the City.

6.7 Counterparts. This Agreement is executed in multiple counterparts, each of which shall constitute one and the same instrument.

6.7 Severability. In the event any term or provision of this Agreement is held to be unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect to the extent the remainder can be given effect without the invalid provision, unless the unenforceable or invalid term or provision is such that a court reasonably would find that the parties, or any of them, would not have entered this Agreement without such term or provision, or would not have intended the remainder of this Agreement to be enforced without such term or provision.

6.8 Notices. Any notice, demand, or other communication required by this Agreement to be given by any party hereto to the others shall be in writing and shall be sufficiently given or delivered if dispatched by certified mail, postage prepaid, or

delivered personally as follows:

In the case of the TDD: Union Station Transportation Development District
c/o Lodging Hospitality Management
111 Westport Plaza, Suite 500
St. Louis, Missouri 63146
Attention: Craig Cobler

With a copy to: Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105
Attention: David Richardson, Esq.

In the case of the City, to: City of St. Louis
City Hall
1200 Market Street
St. Louis, Missouri 63103
Attention: Mayor, Room 200
Attention: Comptroller, Room 212

With a copy to: St. Louis Development Corporation
1015 Locust Street, Suite 1200
St. Louis, Missouri 63101
Attention: Executive Director

and

City Counselor
City of St. Louis
1200 Market Street, Room 314
St. Louis, Missouri 63103
Attention: Patricia A. Hageman

or to such other address with respect to either party as that party may, from time to time, designate in writing and forward to the other as provided in this Section.

[Signature Pages to Follow.]

IN WITNESS WHEREOF, the parties have caused this Union Station Transportation Development District Transportation Project Agreement to be executed as of the date first written above.

UNION STATION TRANSPORTATION DEVELOPMENT DISTRICT

By: _____, Chairman

ATTEST:

By: _____, Secretary

IN WITNESS WHEREOF, the parties have caused this Union Station Transportation Development District Transportation Project Agreement to be executed as of the date first written above.

CITY OF ST. LOUIS, MISSOURI

By: Mayor

 By: Comptroller

Attest:

 Register

Approved as to form:

 City Counselor

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1: (Parcel ID: 16680001000)

A tract of land in Blocks 1668, 1669, 1670, 1695E, 1696E and 1697E in the City of St. Louis, Missouri, being more particularly described as follows:

Beginning at a point, said point being the intersection of the South line of Market Street (86 feet wide) and the West line of 18th Street (80 feet wide), South 14 degrees 48 minutes 41 seconds West 849.48 feet to a point; thence South 75 degrees 13 minutes 38 seconds East 42.01 feet to a point; thence South 14 degrees 41 minutes 51 seconds West 154.64 feet to a point; thence North 75 degrees 13 minutes 34 seconds West 650.88 feet to a point; thence North 14 degrees 46 minutes 26 seconds East 24.35 feet to a point; thence North 75 degrees 12 minutes 51 seconds West 162.63 feet to a point; thence North 14 degrees 49 minutes 33 seconds East 315.09 feet to a point; thence South 75 degrees 11 minutes 25 seconds East 30.00 feet to a point; thence North 14 degrees 49 minutes 33 seconds East 60.00 feet to a point; thence North 15 degrees 11 minutes 25 seconds West 7.06 feet to a point; thence North 14 degrees 49 minutes 33 seconds East, 565.97 feet to a point; thence South 75 degrees 07 minutes 35 seconds East 142.26 feet to a point; thence North 14 degrees 49 minutes 09 seconds East 40.00 feet to a point; thence South 75 degrees 07 minutes 35 seconds East 605.75 feet to the point of beginning, EXCEPTING THEREFROM the following Tracts A and B:

Tract A:

A tract of land in City Block 1668 and the North and South alley and part of the East and West alley in said City Block and part of the North 1/2 of Walnut Street, 50 feet wide, as vacated by Ordinance #1 5989 and part of the East 1/2 of 20th Street, 60 feet wide, as vacated by Ordinance #37334 and described as follows:

Beginning at a point in the East line of 20th Street, 60 feet wide, as vacated by Ordinance #37334, 119 feet South of the Northwest corner of said City Block; thence Eastwardly and parallel with the North line of Walnut Street, 50 feet wide, to a point in the West line of property conveyed to Tenninal Railroad Association of St. Louis by deed recorded in Book 1037 page 237 of the City Records, said point being 100 feet 2-3/4 inches from the East line of 20th Street, measured on a line parallel with the North line of Walnut Street, 50 feet wide; thence Southwardly along the West line of property conveyed to Tenninal Railroad Association of St. Louis, as aforesaid, 31 feet 10 inches; to the Southwest corner thereof; thence East along the South line of property conveyed to Terminal Railroad Association of St. Louis, as aforesaid, 50 feet to the point of intersection of the West line of a North and South alley 12 feet wide and the North line of an East and West alley 12 feet wide; thence East along the North line of the East and West alley; 12 feet wide, 6 feet to a point; thence South and parallel with the East line of 20th Street, 60 feet wide, 6 feet to a point in the center line of the East and West alley, 12 feet wide; thence East along the center line of the East and West alley 12 feet wide, 56 feet to a point; thence South along the direct prolongation Northwardly and Southwardly of a line 212 feet East of and parallel with the East line of 20th Street, 60 feet wide, 181 feet to a point in the center line of Walnut Street 50 feet wide; thence West along the center line of Walnut Street; 50 feet wide, 242 feet to the point of intersection with the center line of 20th Street, 60 feet wide; thence Northwardly along the center line of 20th Street, 60 feet wide, 218 feet 9-112 inches to the point of intersection of the direct prolongation Westwardly of a line which is 119 feet South of the Northwest corner of City Block 1668; thence Eastwardly along the direct prolongation Westwardly of said line, 30 feet to the point of beginning.

Tract B:

Lots 28, 29, 30 and 31 in Block 9 of Central Addition to said City of St. Louis, part of the North 1/2 of an East and West alley 10 foot wide and part of the West 1/2 of the North and South alley 15 feet wide, vacated by Ordinance No, 15989 in City Block 1669

and part of the South 1/2 of Walnut Street, 50 feet wide, vacated by Ordinance #15989 and described as follows: Beginning at a point in the South line of Walnut Street, 50 feet wide, said point being also the Northwest corner of said Lot 28; thence South along the West line of Lot 28 and its direct prolongation Southwardly 100 feet to a point in the center line of the East and West alley 10 feet wide; thence Eastwardly along the center line of the East and West alley 10 feet wide; 105 1/2 feet to the point of intersection with the center line of the North and South alley 15 feet wide; thence North along the center line of the North and South alley 15 feet wide, 125 feet to the point of intersection with the center line of Walnut Street, 50 feet wide; thence West along the center line of Walnut Street, 50 feet wide, 105-1/2 feet to a point thence South along the direct prolongation Northwardly of the West line of said Lot 28) 25 feet to the point of beginning.

PARCEL 4: (Parcel ID: 4570001000)

A tract of land in Blocks 457, 458, 459, 1671, 1672, 1673, 1692 South, 1692 North and 1695 East in the City of St. Louis, Missouri and being more particularly described as follows:

Commencing at the intersection of the southerly line of Market (86 feet wide) Street and the Westerly line of 18th (80 feet wide) Street; thence along the West line of 18th Street the following courses and distances; South 14 degrees 48 minutes 41 seconds West 849.48 feet; thence South 75 degrees 13 minutes 38 seconds East 42.01 feet; thence South 14 degrees 41 minutes 51 seconds West, 154.64 feet to the true point of beginning; thence continuing on the West right of way line of 18th Street, South 14 degrees 41 minutes 51 seconds West 17.99 feet; thence leaving said West right of way line, North 75 degrees 20 minutes 44 seconds West 42.07 feet, thence South 14 degrees 45 minutes 12 seconds West 53.35 feet; thence North 75 degrees 14 minutes 48 seconds West 20.68 feet; thence South 14 degrees 45 minutes 12 seconds West 50.00 feet; thence South 75 degrees 14 minutes 48 seconds East 20.68 feet; thence South 14 degrees 45 minutes 12 seconds West 125.10 feet; thence South 75 degrees 14 minutes 48 seconds East 42.29 feet to the West right of way line of 18th Street; thence South 14 degrees 41 minutes 51 seconds West along said West right of way line, 104.47 feet; thence leaving said right of way line, North 75 degrees 12 minutes 20 seconds West 107.88 feet; thence North 53 degrees 27 minutes 06 seconds West 16.98 feet; thence North 75 degrees 12 minutes 20 seconds West 97.81 feet; thence North 49 degrees 12 minutes 20 seconds West 24.97 feet; thence North 75 degrees 12 minutes 20 seconds West 102.00 feet; thence South 14 degrees 47 minutes 40 seconds West 92.85 feet; thence South 75 degrees 12 minutes 20 seconds East 17.22 feet; thence South 14 degrees 47 minutes 40 seconds West 299.60 feet; thence along the Northerly and Easterly lines of property now or formerly of The Terminal Railroad Association, the following courses and distances: North 72 degrees 37 minutes 53 seconds West 335.33 feet to a point of non-tangential curvature; thence along said curve, radius equal to 398.59 feet, central angle equal to 66 degrees 23 minutes 26 seconds, bearing to the radius point being North 31 degrees 16 minutes 43 seconds East. an arc distance of 461.86 feet; thence North 07 degrees 40 minutes 09 seconds West along a tangential line 83.00 feet; thence North 14 degrees 49 minutes 09 seconds East 320.00 feet to a point of the South right of way line of Clark (60 feet wide) Avenue; thence South 75 degrees 12 minutes 51 seconds East along said South right of way line and its direct prolongation Eastwardly, a distance of 304.76 feet; thence South 14 degrees 46 minutes 26 seconds West 24.35 feet; thence South 75 degrees 13 minutes 34 seconds East 650.88 feet to the true point of beginning, EXCEPTING THEREFROM the following Tracts 4A, 48 and 4C.

Tract 4A:

A tract of land in City Block 1672 and 1673 of the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the intersection of the South line of Market (86 feet wide) Street and the West line of I 8th (80 feet wide) Street; thence along the West line of I 8th Street the following courses and distances: South 14 degrees 48 minutes 41 seconds West 849.48 feet; thence South 75 degrees 13 minutes 38 seconds East 42.01 feet; thence South 14 degrees 41 minutes 51 seconds West 505.55 feet; thence leaving said West road line and continuing along the North line of the Union Station Powerhouse Lease Parcel, the following courses and distances: North 75 degrees 12 minutes 20 seconds West 107.88 feet; thence North 53 degrees 27 minutes 06 seconds West 16.98 feet; thence North 75 degrees 12 minutes 20 seconds West 97.81 feet; thence North 49 degrees 12 minutes 20 seconds West 24.97 feet; thence North 75 degrees 12 minutes 20 seconds West 134.80 feet to the true point of beginning; thence leaving said North line and continuing along the West line of said Union Station Powerhouse Lease Parcel the following courses and distances: South 14 degrees 28 minutes 30 seconds West 82.84 feet; thence South 03 degrees 35 minutes 32 seconds West 105.54 feet; thence leaving said West Line and continuing along the Southerly and Westerly lines of the hereinafter described parcel the following courses and distances: North 59 degrees 11 minutes 17 seconds West 6.89 feet to the point of curvature; thence on a tangent curve to the right; radius equal to 70.00 feet, through an arc distance of 90.00 feet to a point of tangency; thence North 14 degrees 28 minutes 30 seconds East a distance of 117.57 feet; thence South 75 degrees 12 minutes 20 seconds East 37.00 feet to the true point of beginning; and

Tract 4B:

A tract of land in City Block 457, 458 and 1672 in the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the intersection of the South line of Market (86 feet wide) Street and the West line of 18th (80 feet wide) Street; thence along the West line of 18th Street the following courses and distances: South 14 degrees 48 minutes 41 seconds West a distance of 849.48 feet; thence South 75 degrees 13 minutes 38 seconds East a distance of 42.01 feet; thence South 14 degrees 41 minutes 51 seconds West a distance of 895.58 feet to the Northerly line of property now or formerly of the Terminal Railroad Association; thence North 72 degrees 37 minutes 53 seconds West along said North property line, a distance of 329.67 feet to the true point of beginning; thence continuing along said North property line, North 72 degrees 37 minutes 53 seconds West a distance of 29.72 feet; thence leaving said property line, North 17 degrees 22 minutes 07 seconds East a distance of 57.71 feet; thence North 14 degrees 33 minutes 48 seconds East a distance of 140.04 feet; thence North 03 degrees 35 minutes 32 seconds East a distance of 112.74 feet; thence North 14 degrees 28 minutes 30 seconds East a distance of 82.84 feet; thence South 75 degrees 12 minutes 20 seconds East a distance of 32.80 feet to the Northwesterly corner of the Power House Lease Parcel; thence along the Westerly line of said Power House Lease Parcel the following courses and distances; South 14 degrees 47 minutes 40 seconds West a distance of 92.86 feet; thence South 75 degrees 12 minutes 20 seconds East a distance of 17.22 feet; thence South 14 degrees 47 minutes 40 seconds West a distance of 299.60 feet to the true point of beginning; and

Tract 4C:

A tract of land in City Blocks 457, 458, 1672 and 1673 in the City of St. Louis, Missouri, and being more particularly described as follows:

Commencing at the intersection of the South line of Market (86 feet wide) Street and the West line of 18th (80 feet wide) Street; thence along the West line of 18th Street the following courses and distances: South 14 degrees 48 minutes 41 seconds West 849.48 feet; thence South 75 degrees 13 minutes 38 seconds East 42.01 feet; thence South 14 degrees 41 minutes 51 seconds West 505.55 feet; thence leaving said West road line and continuing along the North line of the Union Station Powerhouse Lease Parcel, the following courses and distances: North 75 degrees 12 minutes 20 seconds West 107.88 feet; thence North 53 degrees 27 minutes 06 seconds West 16.98 feet; thence North 75 degrees 12 minutes 20 seconds West 97.81 feet; thence North 49 degrees 12 minutes 20 seconds West 18.67 feet to the East and South line of the Grand Central Parcel; thence along said East and South line the following courses and distances: South 14 degrees 47 minutes 40 seconds West 24.00 feet (23.93 feet measured); thence South 75 degrees 12 minutes 20 seconds East 2.77 feet; thence South 08 degrees 56 minutes 46 seconds East 35.68 feet; thence South 26 degrees 42 minutes 53 seconds West 91.20 feet; thence South 48 degrees 53 minutes 25 seconds West 21.57 feet; thence North 75 degrees 12 minutes 20 seconds West 109.63 feet to the West line of the Union Station Powerhouse Lease Parcel; thence along said West line the following courses and distances: South 03 degrees 35 minutes 32 seconds West 20.24 feet; thence North 59 degrees 11 minutes 17 seconds West 6.89 feet to a point of curve; thence along a curve to the right having a radius of 70 feet a distance of 23.28 feet to the actual point of beginning of the tract herein described; thence continuing along the aforesaid curve to the right, the radius point of which bears North 49 degrees 52 minutes 01 seconds East 70 feet from the last mentioned point, a distance of 66.72 feet to the Northernmost corner of the herein described tract; thence South 14 degrees 28 minutes 30 seconds West 36.14 feet; thence South 40 degrees 07 minutes 59 seconds East 36.14 feet to the actual point of beginning.

PARCEL 4: (Parcel ID: 4570001000)

A tract of land in Blocks 457, 458, 459, 1671, 1672, 1673, 1692 South, 1692 North and 1695 East in the City of St. Louis, Missouri and being more particularly described as follows:

Commencing at the intersection of the southerly line of Market (86 feet wide) Street and the Westerly line of 18th (80 feet wide) Street; thence along the West line of 18th Street the following courses and distances; South 14 degrees 48 minutes 41 seconds West 849.48 feet; thence South 75 degrees 13 minutes 38 seconds East 42.01 feet; thence South 14 degrees 41 minutes 51 seconds West, 154.64 feet to the true point of beginning; thence continuing on the West right of way line of 18th Street, South 14 degrees 41 minutes 51 seconds West 17.99 feet; thence leaving said West right of way line, North 75 degrees 20 minutes 44 seconds West 42.07 feet, thence South 14 degrees 45 minutes 12 seconds West 53.35 feet; thence North 75 degrees 14 minutes 48 seconds West 20.68 feet; thence South 14 degrees 45 minutes 12 seconds West 50.00 feet; thence South 75 degrees 14 minutes 48 seconds East 20.68 feet; thence South 14 degrees 45 minutes 12 seconds West 125.10 feet; thence South 75 degrees 14 minutes 48 seconds East 42.29 feet to the West right of way line of 18th Street; thence South 14 degrees 41 minutes 51 seconds West along said West right of way line, 104.47 feet; thence leaving said right of way line, North 75 degrees 12 minutes 20 seconds West 107.88 feet; thence North 53 degrees 27 minutes 06 seconds West 16.98 feet; thence North 75 degrees 12 minutes 20 seconds West 97.81 feet; thence North 49 degrees 12 minutes 20 seconds West 24.97 feet; thence North 75 degrees 12 minutes 20 seconds West 171.79 feet; thence South 14 degrees 28 minutes 30 seconds West, 153.71 feet; thence South 40 degrees 07 minutes 59 seconds East, 36.14 feet; thence along a curve to the left having a radius of 70.00 feet, an arc length of 23.28 feet, and a chord which bears South 49 degrees 39 minutes 38 seconds East, a chord distance of 23.17 feet; thence South 59 degrees 11 minutes 17 seconds East, 6.89 feet; thence South 03 degrees 35 minutes 32 seconds West, 7.20 feet; thence South 14 degrees 33 minutes 48 seconds West, a distance of 140.04 feet to a point; thence South 17 degrees 22 minutes 07 seconds West, a distance of 57.71 feet to a point; thence along the Northerly and Easterly lines of

property now or formerly of The Terminal Railroad Association, the following courses and distances: North 72 degrees 37 minutes 53 seconds West 305.62 feet to a point of non-tangential curvature; thence along said curve, radius equal to 398.59 feet, central angle equal to 66 degrees 23 minutes 26 seconds, bearing to the radius point being North 31 degrees 16 minutes 43 seconds East, an arc distance of 461.86 feet; thence North 07 degrees 40 minutes 25 seconds East (North 07 degrees 40 minutes 09 seconds West record) along a tangential line 83.02 feet (83.00' Record); thence North 14 degrees 49 minutes 09 seconds East 320.00 feet to a point of the South right of way line of Clark (60 feet wide) Avenue; thence South 75 degrees 12 minutes 51 seconds East along said South right of way line and its direct prolongation Eastwardly, a distance of 304.76 feet; thence South 14 degrees 46 minutes 26 seconds West 24.35 feet; thence South 75 degrees 13 minutes 34 seconds East 650.88 feet to the true point of beginning.

PARCEL 5:

Tract 5A:

(Parcel ID: 16960400100)

A tract of land in Block 1696 West and partly in Block 1697 West in the City of St. Louis, Missouri and being more particularly described as follows:

Beginning at a point, said point being the intersection of the North line of Eugenia Street, 60 feet wide, with the East line of 21st Street, 60 feet wide; thence North 14 degrees 49 minutes 09 seconds East, along the East line of 21st Street 439.97 feet to a point; thence South 75 degrees 55 minutes 07 seconds East along the South line of a 20 foot wide alley 325.70 feet to a point on the West line of 20th Street, 60 feet wide; thence South 14 degrees 49 minutes 33 seconds West along the West line of 20th Street 304.11 feet to a point; thence North 75 degrees 11 minutes 25 seconds West 70.00 feet to a point; thence South 14 degrees 49 minutes 33 seconds West 140.00 feet to a point on the North line of Eugenia Street; thence North 75 degrees 11 minutes 25 seconds West along the North line of Eugenia Street 255.62 feet to the point of beginning.

Tract 5B:

(Parcel ID: 16960401000)

A tract of land in the southeast corner of City Block 1696 West, fronting 70 feet on Eugenia Street and fronting 140 feet on Twentieth Street, the north line parallel to Eugenia Street and the West line parallel to Twentieth Street.

Approved: February 21, 2013

**ORDINANCE #69425
Board Bill No. 289**

An ordinance recommended by the Board of Public Service to amend Section One of Ordinance 69237 dated July 24, 2012 by revising legal description of the western 178.18' ± 10.28' of the 20' wide east/west alley in City Block 6190 as bounded by Chippewa, Donovan and Lansdowne in the City of St. Louis, Missouri, as hereinafter described.

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

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

Part of the 20 foot wide alley in City Block 6190 of the City of St. Louis, Missouri, and being more particularly described as follows:

Beginning at a point on the northern right-of-way line of Lansdowne Avenue (60 feet wide) and on the southeastern line of a 20 foot wide alley, said point also being the southwestern corner of Lot 9 in Block 1 of St. Louis Hills, in City Block 6190; thence west along said northern right-of-way line, 31.93 feet to a point being the southeastern corner of Lot 8 in Block 1 of said St. Louis Hills, in City Block 6190; thence leaving said northern right-of-way line, northeastwardly along the northwestern line of said 20 foot wide alley, also being the southeastern line of Lots 3 through 8 of said St. Louis Hills, in City Block 6190, 188.45 feet to the southeastern corner of said Lot 3; thence leaving said corner, southeastwardly through said 20 foot wide alley along a line perpendicular to the southeastern line of said Lot 3, 10.00 feet to a point in the centerline of said 20 foot wide alley; thence northeastwardly, parallel to the southeastern line of said Lot 3, along the centerline of said alley, 4.33 feet to a point; thence southeastwardly through said 20 foot wide alley along a line perpendicular to the

southeastern line of said Lot 3, 10.00 feet to the northeastern corner of Lot 10 in Block 1 of said St. Louis Hills, in City Block 6190 and being on the southeastern line of the said 20 foot wide alley; thence leaving said corner southwestwardly along the southeastern line of said 20 foot wide alley and the northwestern line of Lots 9 and 10 in Block 1 of said St. Louis Hills, in City block 6190, 167.90 feet back to the POINT OF BEGINNING and containing 3,563 square feet.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: The passage of this ordinance is deemed necessary and shall become effective immediately upon its passage and approval by the Mayor. All the conditions of Ordinance 69237 are still required to be fulfilled.

Approved: February 21, 2013

ORDINANCE #69426
Board Bill No. 291

An Ordinance designating a portion of the City of St. Louis, Missouri as a redevelopment area known as the Carondelet Coke Redevelopment Area pursuant to the Real Property Tax Increment Allocation Redevelopment Act; approving a redevelopment plan and a redevelopment project with respect thereto; adopting tax increment financing within the redevelopment area; making findings with respect thereto; establishing the Carondelet Coke Special Allocation Fund; authorizing certain actions by City officials; and containing a severability clause.

WHEREAS, the City of St. Louis, Missouri (the "City"), is a body corporate and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution and laws of the State of Missouri; and

WHEREAS, on December 20, 1991, pursuant to Ordinance No. 62477, the Board of Aldermen of the City created the Tax Increment Financing Commission of the City of St. Louis, Missouri (the "TIF Commission"); and

WHEREAS, the TIF Commission is duly constituted according to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri (2000), as amended (the "TIF Act"), and is authorized to hold public hearings with respect to proposed redevelopment areas and redevelopment plans and to make recommendations thereon to the City; and

WHEREAS, staff and consultants of the City and Green Street Development Group, LLC, a Missouri limited liability company, (the "Developer"), prepared a plan for redevelopment titled the "Carondelet Coke Redevelopment Area TIF Redevelopment Plan" dated December 21, 2012, (the "Redevelopment Plan") for an area located in City Blocks 3266, 3259 and 3248 consisting of 53.6 acres and four (4) parcels, generally bounded by properties East of South Broadway, South of Espenschied Street, west of the Mississippi River and north of River Des Peres (the "Redevelopment Area" or "Area"), which Redevelopment Area is more fully described in the Redevelopment Plan, attached hereto and incorporated herein as **Exhibit A**; and

WHEREAS, the Redevelopment Plan proposes to redevelop the Redevelopment Area in phases by construction of new buildings with related parking and other improvements in the Redevelopment Area into commercial space, as set forth in the Redevelopment Plan (the "Redevelopment Project," or "TIF Project"); and

WHEREAS, on January 9, 2013, after all proper notice was given, the TIF Commission held a public hearing in conformance with the TIF Act and received comments from all interested persons and taxing districts relative to the Redevelopment Area, the Redevelopment Plan, and the Redevelopment Project; and

WHEREAS, on January 9, 2013, the TIF Commission found that completion of the Redevelopment Project would provide a substantial and significant public benefit through the elimination of blighting conditions, the creation of new jobs in the City, increased property values and tax revenues, stabilization of the Redevelopment Area, facilitation of the economic stability of the City as a whole, and further found that without the assistance of tax increment financing in accordance with the TIF Act, the Redevelopment Project is not financially feasible and would not otherwise be completed; and

WHEREAS, on January 9, 2013, the TIF Commission voted to recommend that the Board of Aldermen adopt an ordinance in the form required by the Act (i) adopting tax increment financing within the Redevelopment Area, (ii) approving the Redevelopment Plan, (iii) approving and designating the Redevelopment Area as a "redevelopment area" as provided in the Act, (iv) approving the Redevelopment Project as described within the Redevelopment Plan, and (v) approving the issuance of one or more

tax increment financing revenue notes in the amount as specified in the Redevelopment Plan; and

WHEREAS, the Developer has demonstrated that the Redevelopment Project would not reasonably be anticipated to be developed without the adoption of tax increment financing and, therefore, redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan is not feasible and would not otherwise be completed; and

WHEREAS, the Board of Aldermen has received the recommendations of the TIF Commission regarding the Redevelopment Area and the Redevelopment Plan and finds that it is desirable and in the best interests of the City to designate the Redevelopment Area as a “redevelopment area” as provided in the TIF Act, adopt the Redevelopment Plan and Redevelopment Project in order to encourage and facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, the Redevelopment Area qualifies for the use of tax increment financing to alleviate the conditions that qualify it as a “blighted area” as provided in the TIF Act and as set forth herein; and

WHEREAS, the property constituting the Redevelopment Area is underutilized and vacant, thus discouraging investment and encouraging crime and vagrancy, and the Redevelopment Area represents a social and economic liability to the City; and

WHEREAS, it is necessary and desirable and in the best interest of the City to approve the Redevelopment Project to allow the rehabilitation of the Redevelopment Area into commercial space; and

WHEREAS, it is necessary and desirable and in the best interest of the City to adopt tax increment allocation financing within the Redevelopment Area and to establish a special allocation fund for the Redevelopment Area in order to provide for the promotion of the general welfare through redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan which redevelopment includes, but is not limited to, assistance in the physical, economic, and social development of the City of St. Louis, providing for a stabilized population and plan for the optimal growth of the City of St. Louis, encouragement of a sense of community identity, safety and civic pride, and the elimination of impediments to land disposition and development in the City of St. Louis.

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

SECTION ONE. The Board of Aldermen hereby makes the following findings:

A. The Redevelopment Area on the whole is a “blighted area”, as defined in Section 99.805 of the TIF Act, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. This finding includes, the Redevelopment Plan sets forth, and the Board of Aldermen hereby finds and adopts by reference: (i) a detailed description of the factors that qualify the Redevelopment Area as a “blighted area” and (ii) an affidavit, signed by the Developer and submitted with the Redevelopment Plan, attesting that the provisions of Section 99.810.1(1) of the TIF Act have been met, which description and affidavit are incorporated herein as if set forth herein.

B. The Redevelopment Plan conforms to the comprehensive plan for the development of the City as a whole.

C. In accordance with the TIF Act, the Redevelopment Plan states the estimated dates of completion of the Redevelopment Project and retirement of the financial obligations issued to pay for certain redevelopment project costs and these dates are twenty three (23) years or less from the date of approval of the Redevelopment Project.

D. A plan has been developed for relocation assistance for businesses and residences as set forth in Ordinance No. 62481 adopted December 20, 1991.

E. A cost-benefit analysis showing the economic impact of the Redevelopment Plan on each taxing district which is at least partially within the boundaries of the Redevelopment Area is on file with the St. Louis Development Corporation, which cost-benefit analysis shows the impact on the economy if the Redevelopment Project is not built, and if the Redevelopment Project is built pursuant to the Redevelopment Plan as well as a fiscal impact study on every affected political subdivision and sufficient information from the Developer for the TIF Commission to evaluate whether the Redevelopment Project is financially feasible.

F. Redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan is not financially feasible without the assistance of tax increment financing and would not otherwise be completed.

G. The Redevelopment Plan does not include the initial development or redevelopment of any “gambling

establishment” as that term is defined in Section 99.805(6) of the TIF Act.

H. The Redevelopment Area includes only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed Redevelopment Project.

SECTION TWO. The Redevelopment Area described in the Redevelopment Plan is hereby designated as a “redevelopment area” as defined in Section 99.805(11) of the TIF Act.

SECTION THREE. The Redevelopment Plan as reviewed and recommended by the TIF Commission on January 9, 2013, including amendments thereto, if any, and the Redevelopment Project described in the Redevelopment Plan are hereby adopted and approved. A copy of the Redevelopment Plan is attached hereto as **Exhibit A** and incorporated herein by reference.

SECTION FOUR. There is hereby created and ordered to be established within the treasury of the City a separate fund to be known as the “Carondelet Coke Special Allocation Fund.” To the extent permitted by law and except as otherwise provided in the Redevelopment Plan, the City hereby pledges funds in the Carondelet Coke Special Allocation Fund for the payment of redevelopment project costs and obligations incurred in the payment thereof.

SECTION FIVE. Tax increment allocation financing is hereby adopted within the Redevelopment Area. After the total equalized assessed valuation of the taxable real property in the Redevelopment Area exceeds the certified total initial equalized assessed valuation of the taxable real property in the Redevelopment Area, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in the Redevelopment Area by taxing districts and tax rates determined in the manner provided in Section 99.855.2 of the TIF Act each year after the effective date of this Ordinance until redevelopment costs have been paid shall be divided as follows:

A. That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the Redevelopment Project shall be allocated to and, when collected, shall be paid by the City Collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

B. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the Redevelopment Project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the Redevelopment Project shall be allocated to and, when collected, shall be paid to the City Treasurer, who shall deposit such payments in lieu of taxes into the Carondelet Coke Special Allocation Fund for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the Redevelopment Project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable.

SECTION SIX. In addition to the payments in lieu of taxes described in Section Five of this Ordinance, fifty percent (50%) of the total additional revenue from taxes, penalties and interest which are imposed by the City or other taxing districts, and which are generated by economic activities within the area of the Redevelopment Project over the amount of such taxes generated by economic activities within the area of the Redevelopment Project in the calendar year prior to the adoption of the Redevelopment Project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to Section 70.500 of the Revised Statutes of Missouri (2000) as amended, or taxes levied for the purpose of public transportation pursuant to Section 94.660 of the Revised Statutes of Missouri (2000) as amended, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds in a separate segregated account within the Carondelet Coke Special Allocation Fund.

SECTION SEVEN. The Comptroller of the City is hereby authorized to enter into agreements or contracts with other taxing districts as necessary to ensure the allocation and collection of the taxes and payments in lieu of taxes described in Sections Five and Six of this Ordinance and the deposit of the said taxes or payments in lieu of taxes into the Carondelet Coke Special Allocation Fund for the payment of redevelopment project costs and obligations incurred in the payment thereof, all in accordance with the TIF Act.

SECTION EIGHT. The City Register is hereby directed to submit a certified copy of this Ordinance to the City Assessor, who is directed to determine the total equalized assessed value of all taxable real property within the Redevelopment Area as of the date of this Ordinance, by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract or

parcel of real property within the Redevelopment Area, and shall certify such amount as the total initial equalized assessed value of the taxable real property within the Redevelopment Area.

SECTION NINE. The Mayor and Comptroller of the City or their designated representatives are hereby authorized and directed to take any and all actions as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such action by the Mayor and the Comptroller or their designated representatives.

SECTION TEN. The Mayor and the Comptroller or their designated representatives, with the advice and concurrence of the City Counselor and after approval by the Board of Estimate and Apportionment, are hereby further authorized and directed to make any changes to the documents, agreements and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the Board of Aldermen necessary to authorize such changes by the Mayor and the Comptroller or their designated representatives.

SECTION ELEVEN. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

SECTION TWELVE. After adoption of this Ordinance by the Board of Aldermen, this Ordinance shall become effective on the 30th day after its approval by the Mayor or adoption over his veto; *provided that* if, within ninety (90) days after the effective date of an ordinance authorizing the City to enter into a redevelopment agreement pertaining to the Redevelopment Project, the Developer or its affiliate or designee, has not (i) executed such redevelopment agreement and (ii) paid all fees due to the City in accordance with the terms of the redevelopment agreement, the provisions of this Ordinance shall be deemed null and void and of no effect and all rights conferred by this Ordinance on Developer, shall terminate, *provided further*, however, that prior to any such termination the Developer may seek an extension of time in which to execute the Redevelopment Agreement, which extension may be granted in the sole discretion of the Board of Estimate and Apportionment of the City of St. Louis.

**EXHIBIT A
CARONDELET COKE REDEVELOPMENT AREA
TIF REDEVELOPMENT PLAN**

Is on file in the Register's Office.

Approved: February 21, 2013

**ORDINANCE #69427
Board Bill No. 297
Committee Substitute**

An ordinance repealing ordinance 68412 and enacting in lieu thereof an ordinance pertaining to City public works projects, Tax Increment Financed (TIF) Projects and St. Louis City Bonded Projects, establishing apprenticeship training, and workforce diversity, and city resident programs for City-funded public works contracts, Tax Increment Financed (TIF) Projects and St. Louis City Bonded Projects; establishing a Community Jobs Board; containing definitions; construction workforce development and compliance fee; implementation and administration; waivers exceptions; non-compliance; non-discrimination policy requirement; reporting requirement; severability clause and an effective date.

WHEREAS, the City of St. Louis is committed to working in partnership with labor, business and the community to create a skilled workforce that reflects the diversity of the population of City; and

WHEREAS, a well-trained, diverse workforce is critical to the economic and social vitality of the City and the region; and

WHEREAS, statistical data and other evidence shows that minorities and women are under-represented in the skilled workforce of the construction industry, that such under-representation is due to past discriminatory barriers and that a diversity

program is needed to rectify such under-representation; and

WHEREAS, the City's public works contracts, Tax Increment Financed (TIF) Projects and St. Louis City Bonded Projects can provide training and job opportunities as a means to increase the skills and diversity of the construction industry workforce; and

WHEREAS, the City is committed to ensuring that employment opportunities on City public works projects, Tax Increment Financed (TIF) Projects and St. Louis City Bonded Projects, are offered to City residents; and

WHEREAS, the City is committed to using training that is accepted industry-wide so that the resulting journey-level workers can enter the region's pool of skilled labor, fully qualified for jobs throughout the industry; and

WHEREAS, the City is committed to promoting apprenticeship opportunities on public works projects, Tax Increment Financed (TIF) Projects and St. Louis City Bonded Projects and ensuring that all contractors participate in this requirement.

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

SECTION ONE. Ordinance 68412 is hereby repealed and enacted in lieu thereof is the following:

SECTION TWO. Definitions. When used in this ordinance:

1. "Labor Hours" shall mean the total number of work hours workers receive as an hourly wages who are directly employed on the site of the public works project. "Labor Hours" shall include hours performed by workers employed by the contractor and all subcontractors working on the project. "Labor Hours" shall not include hours worked by non-working foremen, superintendents, owners and workers who are not subject to prevailing wage requirements.
2. "Agency" shall mean the St. Louis Agency for Training and Employment (SLATE).
3. "SLDC" shall mean the St. Louis Development Corporation.
4. "Minorities" shall mean persons who are citizens or lawful permanent residents of the United States and who:
 - a. Have origins in any of the Black racial groups of Africa ("Black Americans");
 - b. Have origins in any of the peoples of Mexico, Puerto Rico, Cuba, Central or South America, regardless of race ("Hispanic Americans");
 - c. Have origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent or the Pacific Islands ("Asian Americans"); or
 - d. Maintain cultural identification through tribal affiliation or community recognition with any of the original peoples of the North American continent; or those who demonstrate at least one-quarter descent from such groups ("Native Americans").
5. "Public Works Contract" shall mean, for the purposes of this Ordinance, a contract for construction work entered into by the Board of Public Service and signed by the President of the Board of Public Service in the name of the City, for which the design team's estimated base value of the contract is One Million Dollars or more.
6. "City Bonded Projects" shall mean, for the purposes of this Ordinance, those projects which are supported for the development of local infrastructure with bonds issued by the Comptroller's Office.
7. "Tax Increment Financed (TIF) Project" shall mean, for the purposes of this Ordinance, those projects outlined in Missouri's Real Property Tax Increment Allocation Redevelopment Act, §§ 99.800-99.865, RSMo.

SECTION THREE. Apprenticeship Goal. On each Public Works Contract, Tax Increment Financed (TIF) Project and St. Louis City Bonded Project for which the design team's estimated base value of the contract is One Million Dollars or more, the Agency shall set a goal that a minimum percentage of fifteen percent (15%) of all the contract's Labor Hours are to be performed by apprentices enrolled in any training program approved or recognized by the United States Department of Labor, Employment and Training Administration (ETA), Office of Apprenticeship (OA). This goal shall be subject to the waiver provision set forth in Section Nine. Such Apprentices, if they are minorities and/or women, may also be counted towards the goals set forth in Section Four.

SECTION FOUR. Participation Goals for Minorities and Women. On each Public Works Contract, Tax Increment Financed (TIF) Project and St. Louis City Bonded Project for which the design team's estimated base value of the contract is One Million Dollars or more, the Agency shall set a goal that 25% of all Labor Hours are to be performed by Minorities and 5% of all contract Labor Hours are to be performed by women.

SECTION FIVE. City Resident Participation. On each Public Works Contract, Tax Increment Financed (TIF) Project and St. Louis City Bonded Project for which the design team's estimated base value of the contract is One Million Dollars or more, the Agency shall set a goal that 20% of all Labor Hours are to be performed by persons who reside in the City of St. Louis ("City Residents"). Such City Residents, if they are minorities and/or women, may also be counted towards the goals set forth in Section Four.

SECTION SIX. Construction Workforce Development and Compliance Fee.

The Agency and SLDC shall determine the incremental costs associated with implementation of monitoring and compliance on these projects and will establish appropriate fees and other funding sources to cover the costs of monitoring and compliance on these projects to support workforce development, diversity and inclusion initiatives including pre-apprenticeship programs.

SECTION SEVEN. Implementation and Administration. The Agency and SLDC shall be responsible for the administration and implementation of this ordinance and shall develop and adopt rules in furtherance of such administration and implementation. Said rules shall set forth a system for monitoring contractors' actual use of apprentices, minorities, women and City Residents. The Agency and SLDC shall establish contract specification language to implement the apprenticeship goals, the participation goals for minorities and women, and the city resident participation goals, and said language shall be included in all applicable contracts as determined by the Agency and SLDC. The Agency shall secure additional expert services as is deemed necessary to effectively implement this Ordinance.

Pre-Award Conferences ("Conferences") shall be held by the Board of Public Service for General Contractors and Sub Contractors. Conferences shall be for the following purposes: (a) to confirm that the apparent lowest and most responsive bidder is committed to meeting the goals established in the bid solicitation; and (b) to offer to apparent lowest and most responsive bidder the resources of SLATE in consultation with the Construction Prep Center, the Construction Career Academy and ACCESS St. Louis, to assist the bidder and subcontractors in meeting such goals.

SECTION EIGHT. Community Jobs Board. The Mayor of the City of St. Louis with the President of the Board of Aldermen shall appoint a Community Jobs Board with approval from the Board of Aldermen, which shall have thirteen (13) members. Two (2) members shall be appointees of the Comptroller; two (2) representatives of women construction contractors' associations; two (2) members shall be representatives of minority construction contractors' association(s); three (3) members shall be representatives of community and faith based organizations; two (2) members shall be representatives of construction labor unions; and two (2) members shall be representatives of general and prime construction contractor associations. The Community Jobs Board shall create a labor, management and community sub-committee to review the impact of the Ordinance on specific projects and the Board shall review and provide feedback to the Agency on the manner in which this Ordinance is implemented and to review the results of the implementation of this Ordinance and provide feedback to the Agency on whether or not this Ordinance is achieving the intended results. The Agency shall provide quarterly reports, including a report of any waivers granted by the Agency during the preceding quarter, to the Community Jobs Board and shall schedule quarterly meetings of the Community Jobs Board. Members of the Community Jobs Board shall serve in staggered two year terms.

SECTION NINE. Waivers and Exceptions. The Agency is authorized to issue a written waiver or reduction of the goals set forth in Sections Three, Four and Five of this ordinance on specific contracts for one or more of the following reasons:

- A. The Agency determines that the project carries a disproportionately high ratio of material costs to Labor Hours, which does not make the goals economically feasible;
- B. The project is being undertaken in connection with an emergency;
- C. The Agency otherwise determines that a waiver or reduction is appropriate.

Waivers or reductions may be made before or during the bidding process if information related to A, B and C of this section not previously known is brought to the attention of the contracting agency. No waivers shall be granted following the award of a contract unless such contract is terminated and the project is re-bid.

SECTION TEN. Non-Compliance. The failure to meet the requirements of this Ordinance, including but not limited to failure to submit required documentation and reporting, failure to meet to resolve issues and failure to use of good faith efforts to comply, constitutes a material breach of the Ordinance.

1. If there is a violation of this ordinance, the Agency will first cite the violator in writing giving them notice of the violation and a five day notice cure.

2. If after the five days there is no cure, punitive actions may be taken by the Agency.

Remedies for Breach – In the event of a breach of this Ordinance, the Agency shall place the Developer and the General Contractor on a list maintained by the Agency and the Developer and General Contractor may be barred from participating in public works contracts or Tax Increment Financed (TIF) Projects for a period up to two years following the notice of violation in addition to any other sanctions available to the Board of Public Service for public works contracts. The Agency shall make quarterly reports to the TIF Commission, the Board of Public Service, the Board of Aldermen, the Mayor and the Comptroller of the City of St. Louis regarding the Developers and General Contractors cited and listed for violations of the Ordinance.

SECTION ELEVEN. Non-discrimination Policy Requirement. On each City Public Works Contract, Tax Increment Financed (TIF) Project and St. Louis City Bonded Project for which the design teams estimated base value of the contract is one million dollars (\$1,000,000) or more, the Agency shall require that all contractors assigned to work have a personnel policy which prohibits discrimination based upon race, color, creed, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity or expression.

SECTION TWELVE. Reporting Requirement. The Agency shall furnish an annual report to the Board of Aldermen on or before September 30 of each year for the preceding fiscal year, describing the progress of administering and implementing the requirements of this ordinance.

SECTION THIRTEEN. Severability Clause. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION FOURTEEN. Effective Date. The provisions of this ordinance shall become effective sixty days after its approval by the mayor or sixty days after its adoption over the veto of the mayor. Said provisions shall apply to all Requests for Proposals or bids issued, and contracts awarded pursuant thereto, on or after said sixty day period.

Approved: February 21, 2013