

**ORDINANCE #65717**  
**Board Bill No. 326**

**AN ORDINANCE DESIGNATING A PORTION OF THE CITY OF ST. LOUIS, MISSOURI A REDEVELOPMENT AREA; APPROVING A REDEVELOPMENT PLAN; AND APPROVING REDEVELOPMENT PROJECT AREA NUMBER 1 AND THE PROJECTS THEREIN UNDER THE REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT ACT; AND MAKING FINDINGS RELATED THERETO.**

**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, 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**, at the direction of the Board of Aldermen, staff and consultants have prepared a plan for redevelopment titled "Redevelopment Plan-Paul Brown/Arcade Redevelopment Area" dated August 14, 2002 (the "Redevelopment Plan"), for an area generally bounded by Olive Street on the North, 8th Street on the East, Pine Street on the South, and 9th Street on the West (the "Redevelopment Area"), which Redevelopment Area is more fully described in the Redevelopment Plan; and

**WHEREAS**, the Redevelopment Plan envisions the acquisition and rehabilitation of three structures to create residential, office and retail space, and the construction of parking and sidewalk improvements, landscaping and abatement of asbestos and other environmental contaminants (the "Redevelopment Project"); and

**WHEREAS**, Paul Brown Developer, L.P. (the "Developer"), in response to the City's solicitation of proposals from developers, submitted its development proposal dated July 24, 2002 (the "Redevelopment Proposal"), for redevelopment of the Redevelopment Area; and

**WHEREAS**, on October 16, 2002, 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, the Redevelopment Project and the Redevelopment Proposal; and

**WHEREAS**, following the conclusion of the public hearing, the TIF Commission at its October 16, 2002 meeting voted to recommend to the Board of Aldermen the designation of the Redevelopment Area as a redevelopment area, the approval of the Redevelopment Plan, and adoption of the redevelopment project for Redevelopment Project Area Number 1 as set forth in the Redevelopment Plan (the "RPA 1"); 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 and to adopt the Redevelopment Plan and implement the redevelopment project set forth in RPA 1 in order to encourage and facilitate the redevelopment of the Redevelopment Area.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. LOUIS, MISSOURI, AS FOLLOWS:**

**SECTION 1.** 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(1) of the TIF Act, and has not been subjected to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment allocation financing and the Redevelopment Plan. This finding includes and the Redevelopment Plan sets forth and the Board of Aldermen hereby finds and adopts by reference: (a) a detailed description of the factors that qualify the Redevelopment Area as a "blighted area" and (b) 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 here in full.

(b) The Redevelopment Plan conforms to the City’s 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 business and residences in Ordinance No. 62481 adopted December 20, 1991.

(e) The Redevelopment Plan includes 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, which cost-benefit analysis shows the impact on the economy if the project is not built and is built pursuant to the Redevelopment Plan and is incorporated herein as if fully set forth here in full.

(f) The Redevelopment Plan does not include the initial development of any gambling establishment.

(g) The Redevelopment Area includes only those parcels of real property and improvements thereon substantially benefited by the proposed Redevelopment Project and improvements.

**SECTION 2.** The Redevelopment Area is hereby designated as a "redevelopment area" as defined in Section 99.805(10) of the TIF Act.

**SECTION 3.** The Redevelopment Plan and the redevelopment projects within RPA 1 described in the Redevelopment Plan are hereby approved and adopted. A copy of the Redevelopment Plan setting forth the RPA 1 is attached hereto as Exhibit A and incorporated herein by reference.

**SECTION 4.** The Mayor and Comptroller of the City and all other officers, agents, representatives and employees of the City are hereby authorized to take any and all actions as may be deemed necessary, desirable, convenient or proper to carry out and comply with the intent of this Ordinance with regard to the implementation of the Redevelopment Plan and to execute and deliver for and on behalf of the City all certificates, instruments or other documents as may be necessary, desirable, convenient or proper to carry out the matters herein authorized.

**SECTION 5.** 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 6.** This Ordinance shall become effective upon adoption by the Board of Aldermen and approval by the Mayor or failure of the Mayor to so approve or disapprove within twenty (20) days after its presentation to the Mayor.

**EXHIBIT A**  
Redevelopment Plan  
(Attached hereto.)

See Exhibit A on file in the Register’s Office.

**Approved: December 10, 2002**