ORDINANCE #65823
Board Bill No. 360

An ordinance affirming that the area blighted by Ordinance 63862, known as the Gilmore Scattered Sites Area ("Area") as described in Exhibit "A-1" attached hereto and incorporated by reference, is a blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1994, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), affirming 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 Amended Blighting Study and Plan dated November 19, 2002, ("Amended Plan"), incorporated herein by Exhibit "B" for an Amended Area ("Amended Area"), incorporated herein by Exhibit "A," pursuant to Section 99.430; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is currently partially occupied and the Redeveloper shall be responsible for providing relocation assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to ten (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the Plan.

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a Land Clearance Project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, by Ordinance, this Board found the property located in the Gilmore Scattered Sites Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 63862, this Board also approved a Redevelopment Plan for the Area, dated November 19, 2002; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 63862 by approving an Amended Area; and

WHEREAS, the LCRA has recommended such an amended plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for Gilmore Scattered Sites Area ", dated May 28, 1996, amended July 28, 1998 and November 19, 2002, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended Plan"); and

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

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

WHEREAS, the Amended 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 said general plan; and

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

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

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

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

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

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 63862, that certain property described therein (and described herein as Exhibit "A-1" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the Amended Area as described in Exhibit "A", 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 Amended Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the additional property included in the Amended Area is also blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Amended Blighting Study and Plan for the Area, amended November 19, 2002 ("Amended Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of this meeting.

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

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

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

SECTION EIGHT. The Amended Plan for the Amended Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Amended Area by the exercise of eminent domain.

SECTION NINE. The property within the Amended Area is currently partially occupied. All eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen, below)

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

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Amended 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 Amended 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 Amended Plan; and

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

SECTION TWELVE. All parties participating as owners or purchasers of property in the Amended 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 in the Amended 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 Amended Area, all Redevelopers shall agree:

(a) To use the property in accordance with the provisions of the Amended 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 Amended Plan, bona fide Minority Business Enterprise ("MBE's") and Women Business Enterprise ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;

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

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

(e) To comply with the requirements of Ordinance No. 60275 of the City;

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

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

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

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

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1994, as amended, upon application as provided therein based on the assessment on the improvements located on the property as of January 1, 2000. Such real estate tax abatement shall not include any Special Business District taxes which may be assessed for the property located in a Special Business District.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District taxes which may be assessed for the property located in a Special Business District for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions this Plan:

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

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

SECTION FIFTEEN. Any proposed modification which will substantially change the Amended Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the Amended Plan was first approved. Modifications which will substantially change the Amended 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 Amended Area, or to other items which alter the nature or intent of the Amended Plan.

The Amended 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 the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of the Amended Plan.

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

EXHIBIT "A"

THE AMENDED GILMORE AVENUE SCATTERED SITES AREA
LEGAL DESCRIPTION

Parcel No. 1 C. B. 5414 Oriole Avenue, 25 ft. x 131 ft. 1 in., W. Walnut Park Addition, Block 4 Lot 38, 5314 Oriole Avenue, 5414-00-120

Parcel No. 2 C. B. 5414 Oriole Avenue, 50 ft. x 136 ft. 2 in., Walnut Park Addition, Block 4 Lot 39 & 40, 5318 Oriole Avenue, 5414-00-130

Parcel No. 3 C. B. 5414 Oriole Avenue, 21 ft. 4 in. x 136 ft. 2 in., Walnut Park Addition, Block 19, Lot W. Pt. 17, 5330 Oriole Avenue, 5414-00-150

Parcel No. 4 C. B. 5414 Oriole Avenue, 24 ft. 10 in. x 136 ft. 2 in., Walnut Park Addition, Block 19, Lot E-17, 5332 Oriole Avenue, 5414-00-160

Parcel No. 5 C. B. 5414 Gilmore Avenue, 50 f t. x 142 ft. 6 in., Walnut Park Addition, Block 19, Lot 11, 5225 Gilmore Avenue, 5414-00-370

Parcel No. 6 C. B. 5414 Gilmore Avenue, 30 ft. x 142 ft. 4 in., Walnut Park Addition, Lot W-10, 5233 Gilmore Avenue, Lot W-10, 5414-00-360

Parcel No. 7 C. B. 5414 Gilmore Avenue, 27 ft. x 142 ft. 4 in., Walnut Park Addition, Block 19 Lot N-9 S-8, 5241 Gilmore Avenue, 5414-00-340

Parcel No. 8 C. B. 5414 Gilmore Avenue, 33 ft. x 142 ft. 4 in., W. Walnut Park Addition, Block 19 Lot E-8, 5245 Gilmore Avenue, 5414-00-330

Parcel No. 9 C. B. 5414 Gilmore, 50 ft. x 142 ft. 4 in., Walnut Park Addition, Block 19 Lot 3, 5265 Gilmore Avenue, 5414-00-250

Parcel No. 10 C. B. 5414 Thekla, 31 ft. x 70 ft., Walnut Park Addition, Block 19, Lots S-20, & SE-19, 5780 Thekla Avenue, 5414-00-220

Parcel No. 11 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 21, 5220 Gilmore Avenue, 5123-00-060

Parcel No. 12 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 20, 5216 Gilmore Avenue, 5123-00-050

Parcel No. 13 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot W-25, 5242 Gilmore Avenue, 5123-00-110

Parcel No. 14 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 24, 5236 Gilmore Avenue, 5123-00-100

Parcel No. 15 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot E-30, 5268 Gilmore Avenue, 5123-00-180

Parcel No. 16 C. B. 5392 Oriole, 50 ft. x 136 ft. 9 in., West Walnut Park Addition, Block 5 Lot 39, 40, 5130 Oriole Avenue, 5392-00-030

Parcel No. 17 C. B. 5129 Thekla, 52 ft. x 90 ft., Walnut Park Addition, Lots SW 15-16 5801 Thekla Avenue, 5129-00-0390

Parcel No. 18 C. B.5129 Thekla, 43 ft. x 90 ft.,Walnut Park Addition, Lot Pt. 15-16 Boundaries bd. S. 52 ft. N. of Oriole, 5805 Thekla Avenue, 5129-00-400

Parcel No.19 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18, Lot W-32, 5274 Gilmore, 5123-00-0200

Parcel No. 20 C. B. 5414 Oriole, 50 ft. x 136. 17 ft., Soaring Heights Plat 1, Lot B 5326 Oriole Avenue, 5414-00-0520

EXHIBIT "B"
Form: 12/2/02

Amended
BLIGHTING STUDY AND PLAN
FOR THE
THE GILMORE SCATTERED SITES AREA
PROJECT #4711
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
MAY 28, 1996
Amended July 28, 1998
Amended November 19, 2002

MAYOR

FRANCIS G. SLAY

AMENDED BLIGHTING STUDY AND PLAN FOR THE GILMORE SCATTERED SITES AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Gilmore Avenue Scattered Sites Area ("Area") is located between the boundaries of Riverview Boulevard to the west, Harney Avenue to the north, Lillian Avenue to the south and Robin Avenue to the east, in the Walnut Park East Neighborhood. The amended area adds one parcel, 5326 Oriole Street to the original Area.

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

2. GENERAL CONDITION OF THE AREA

The Area comprises twenty separate parcels of City Blocks 5414, 5123, and 5392 and includes the following addresses: 5220, 5225, 5233, 5236, 5241, 5242, 5245, 5265, 5268, 5274 Gilmore Avenue; 5130, 5314, 5318, 5326, 5330 and 5332 Oriole Avenue; 5801-03, 5805-07 and 5780 Thekla Avenue. The Area is in fair to poor condition. The physical conditions within the Area are sown on Exhibit “B” (Project Area Plan). For the purpose of this Plan, “Fair Condition” means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized, “Poor Condition” means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 10.0% unemployment rate for the City as of June 2002. It is estimated that this rate is prevalent for 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 three unoccupied, single-family residential buildings (5314 Oriole Avenue and 5330 Oriole Avenue and 5274 Gilmore Avenue); three unoccupied, two-family residential buildings; two unoccupied four-family residential buildings; and eleven vacant lots (5130 and 5318 Oriole Avenue, 5216, 5220, 5225, 5233, 5236, 5242, 5265, 5266, 5268 Gilmore Avenue; one occupied single-family residential building. (5326 Oriole)

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

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

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

Residential density for the surrounding neighborhoods is approximately 16.74 persons per acre.

5. CURRENT ZONING

The Area is zoned “A” Area Single-Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is partially occupied and in poor to fair condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are in residential uses permitted in Areas designated "C" Multi-Family Dwelling and Neighborhood Commercial District by the City of St. Louis Zoning Code. Redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the proposed land use.

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

3. PROPOSED ZONING

The zoning for the Area can remain "A" Single-Family Dwelling District. “A” Single-Family Dwelling, and “F” Neighborhood Commercial 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 of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

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

6. CIRCULATION

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

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 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.

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

8. URBAN DESIGN

a. Urban Design Objectives

The properties shall be developed so they are attractive residential assets to the surrounding neighborhood.

b. Urban Design Regulations

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design.

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

c. Landscaping

The property 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.

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 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 (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) 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 approval 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 development. 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, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by 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 development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

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

2. PROPERTY ACQUISITION

The Property Acquisition Map, 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 who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (1994) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is partially occupied. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Status of Missouri 1994, as amended, upon application as provided therein based on the assessment on the improvements located on the property as of January 1, 2000. 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, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

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

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

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

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

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

H. MODIFICATIONS OF THIS PLAN

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

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

THE AMENDED GILMORE AVENUE SCATTERED SITES AREA
LEGAL DESCRIPTION

Parcel No. 1 C. B. 5414 Oriole Avenue, 25 ft. x 131 ft. 1 in., W. Walnut Park Addition, Block 4 Lot 38, 5314 Oriole Avenue, 5414-00-120

Parcel No. 2 C. B. 5414 Oriole Avenue, 50 ft. x 136 ft. 2 in., Walnut Park Addition, Block 4 Lot 39 & 40, 5318 Oriole Avenue, 5414-00-130

Parcel No. 3 C. B. 5414 Oriole Avenue, 21 ft. 4 in. x 136 ft. 2 in., Walnut Park Addition, Block 19, Lot W. Pt. 17, 5330 Oriole Avenue, 5414-00-150

Parcel No. 4 C. B. 5414 Oriole Avenue, 24 ft. 10 in. x 136 ft. 2 in., Walnut Park Addition, Block 19, Lot E-17, 5332 Oriole Avenue, 5414-00-160

Parcel No. 5 C. B. 5414 Gilmore Avenue, 50 f t. x 142 ft. 6 in., Walnut Park Addition, Block 19, Lot 11, 5225 Gilmore Avenue, 5414-00-370

Parcel No. 6 C. B. 5414 Gilmore Avenue, 30 ft. x 142 ft. 4 in., Walnut Park Addition, Lot W-10, 5233 Gilmore Avenue, Lot W-10, 5414-00-360

Parcel No. 7 C. B. 5414 Gilmore Avenue, 27 ft. x 142 ft. 4 in., Walnut Park Addition, Block 19 Lot N-9 S-8, 5241 Gilmore Avenue, 5414-00-340

Parcel No. 8 C. B. 5414 Gilmore Avenue, 33 ft. x 142 ft. 4 in., W. Walnut Park Addition, Block 19 Lot E-8, 5245 Gilmore Avenue, 5414-00-330

Parcel No. 9 C. B. 5414 Gilmore, 50 ft. x 142 ft. 4 in., Walnut Park Addition, Block 19 Lot 3, 5265 Gilmore Avenue, 5414-00-250

Parcel No. 10 C. B. 5414 Thekla, 31 ft. x 70 ft., Walnut Park Addition, Block 19, Lots S-20, & SE-19, 5780 Thekla Avenue, 5414-00-220

Parcel No. 11 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 21, 5220 Gilmore Avenue, 5123-00-060

Parcel No. 12 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 20, 5216 Gilmore Avenue, 5123-00-050

Parcel No. 13 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot W-25, 5242 Gilmore Avenue, 5123-00-110

Parcel No. 14 C. B. 5123 Gilmore, 50 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot 24, 5236 Gilmore Avenue, 5123-00-100

Parcel No. 15 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18 Lot E-30, 5268 Gilmore Avenue, 5123-00-180

Parcel No. 16 C. B. 5392 Oriole, 50 ft. x 136 ft. 9 in., West Walnut Park Addition, Block 5 Lot 39, 40, 5130 Oriole Avenue, 5392-00-030

Parcel No. 17 C. B. 5129 Thekla, 52 ft. x 90 ft., Walnut Park Addition, Lots SW 15-16 5801 Thekla Avenue, 5129-00-0390

Parcel No. 18 C. B.5129 Thekla, 43 ft. x 90 ft.,Walnut Park Addition, Lot Pt. 15-16 Boundaries bd. S. 52 ft. N. of Oriole, 5805 Thekla Avenue, 5129-00-400

Parcel No.19 C. B. 5123 Gilmore, 25 ft. x 138 ft. 6 in., Walnut Park Addition, Block 18, Lot W-32, 5274 Gilmore, 5123-00-0200

Parcel No. 20 C. B. 5414 Oriole, 50 ft. x 136. 17 ft., Soaring Heights Plat 1, Lot B 5326 Oriole Avenue, 5414-00-0520

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 05/26/99

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

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

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

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

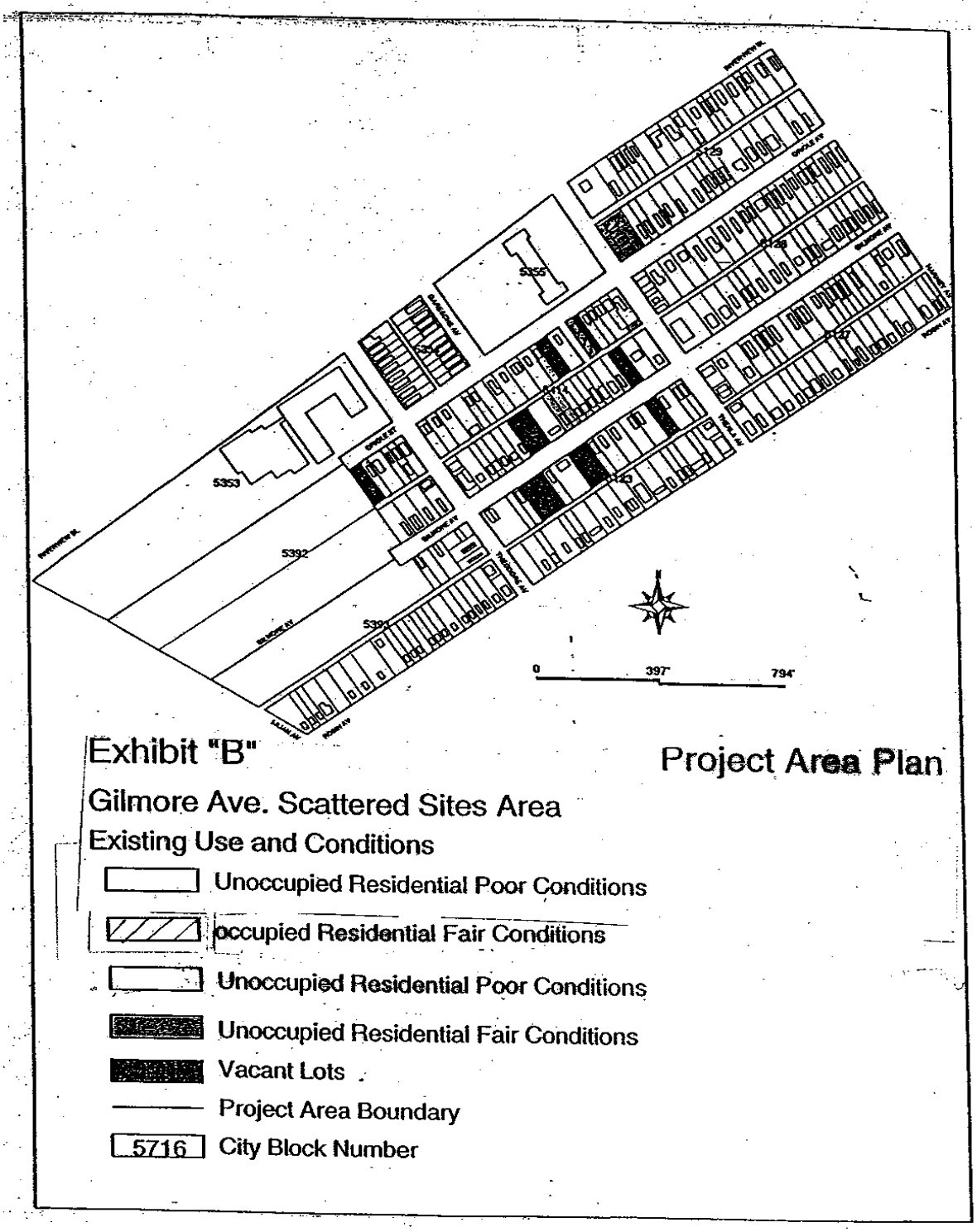
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

Approved: February 22, 2003

ORDINANCE NO. 65823 - EXHIBIT B

65823



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ORDINANCE NO. 65823 - EXHIBIT C

65823

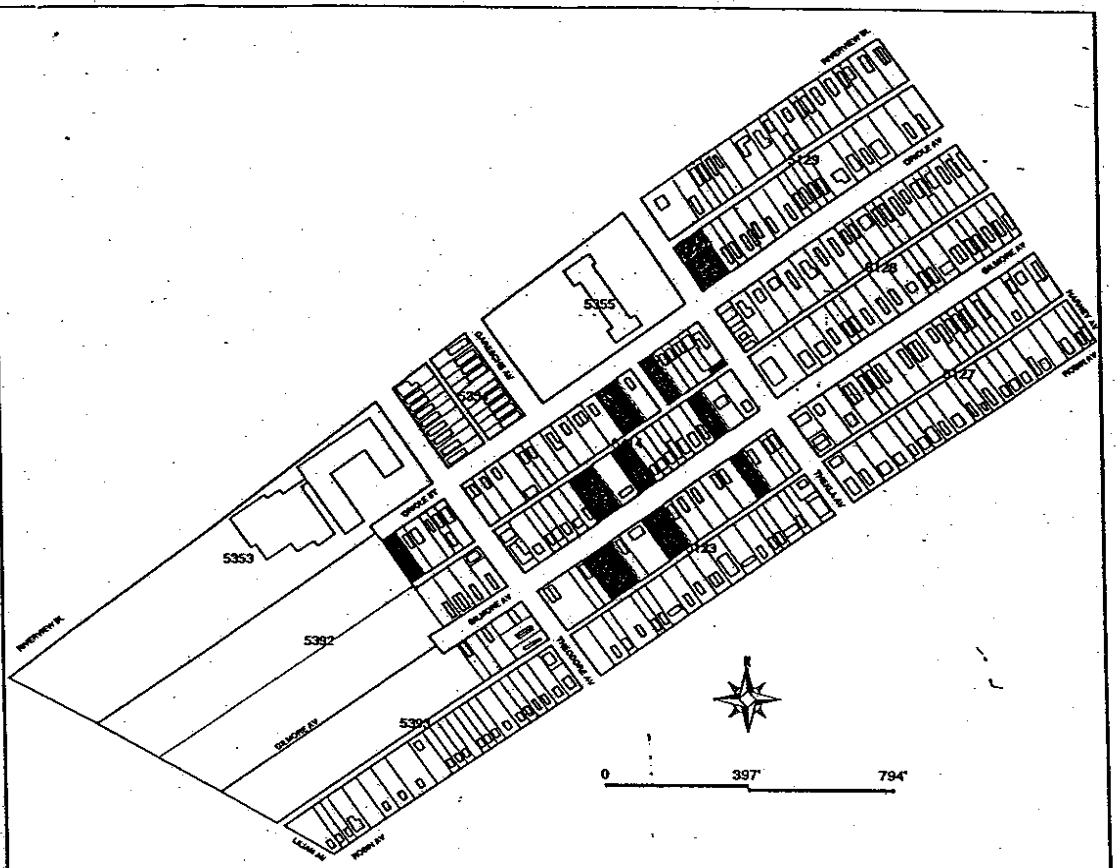


Exhibit "C"

Gilmore Ave. Scattered Sites Area

Proposed Land Use

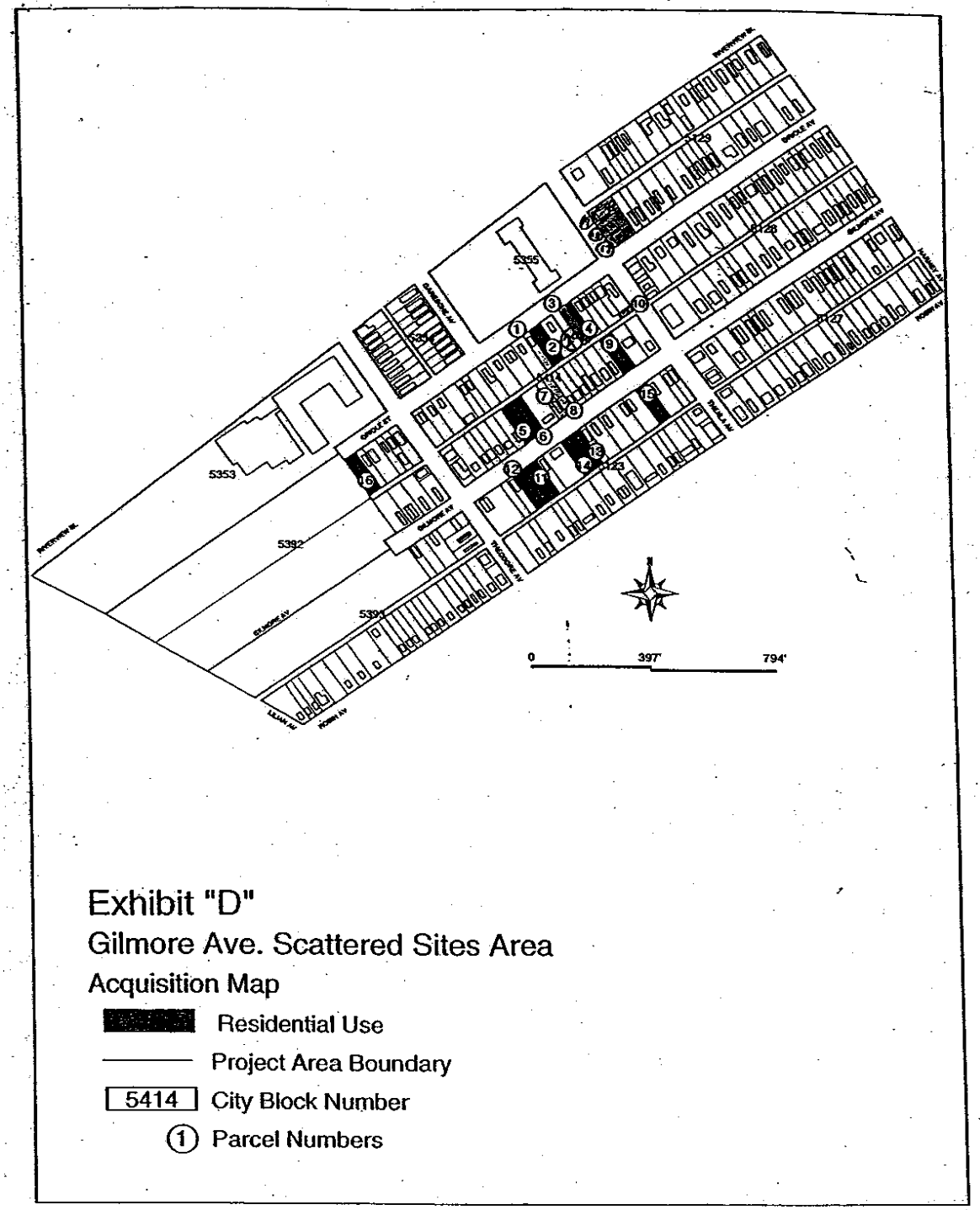
Residential Use

Project Area Boundary

5414 City Block Number

ORDINANCE NO. 65823 - EXHIBIT D

65823



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