

ORDINANCE #66233
Board Bill No. 417
Committee Substitute

An ordinance approving a redevelopment plan for the Hampton/Wilson Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "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 Blighting Study and Plan dated December 16, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the 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") through the exercise of eminent domain; finding that the property within the Area is partly occupied and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available twenty (20) year real estate tax abatement; and pledging cooperation of the 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.

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

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

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

WHEREAS, the LCRA has recommended a plan including ten-year real estate tax abatement to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board, titled "Blighting Study and Plan for the Hampton/Wilson Redevelopment Area," dated December 16, 2003; consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

WHEREAS, the LCRA and 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 Area; and

WHEREAS, the Plan including an additional ten-year real estate tax abatement equal to fifty (50%) percent of the assessed value has been presented and not 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 Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

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

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

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

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

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the Hampton/Wilson Area ("Area").

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

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

SECTION FOUR. The Blighting Study and Plan for the Area, dated December 16, 2003 ("Plan") having been duly reviewed and considered, is hereby approved, as modified by the Board of Aldermen, and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 contractors, 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 Contracts Administration Manager 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 let directly by Redeveloper.

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

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700-99.715, Revised Statutes of Missouri, 2000, 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; provided that the Redeveloper shall not be prohibited from causing the creation of a Transportation Development District (a "TDD") under and pursuant to Chapter 238 of the Revised Statutes of Missouri.

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, 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, provided that the Redeveloper shall not be prohibited from causing the creation of a Transportation Development District (a "TDD") under and pursuant to Chapter 238 of the Revised Statutes of Missouri., for a total period of up to twenty (20) years from the commencement of such tax abatement,

in accordance with the following provisions:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for the same ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year preceding the calendar year during which such corporation shall have acquired title to such property. If property shall be tax-exempt because it is owned by the LCRA and leased to any such corporation, then such corporation for the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year preceding the calendar year during which such corporation shall lease such property. For the ensuing period of ten (10) years following the original period stated above, any such corporation shall pay taxes and payments in lieu of taxes as provided above in an amount based upon fifty percent (50%) of the then assessed valuation of the land and improvements. After such aggregate period of twenty years (20) any such corporation shall pay the full amount of taxes. 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 twenty (20) 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 twenty (20) years after the redevelopment corporation shall have acquired title to the property. The Redeveloper shall certify and show good proof to LCRA within 24 months of the enactment into law of this ordinance that the Redeveloper has on vacant parcels of real property within the confines of the 24th ward in the City of St. Louis, Missouri, caused to be built ten (10) single family, 2-story, 1,600 square-foot minimum home with full basement. Failure on the part of the Redeveloper to so certify and show good proof as required herein shall cause a cessation of the tax abatement for Tracts 1, 2, & 3 (as defined in Exhibit "A") and shall place a duty on the Assessor of the City of St. Louis by operation of law to assess said properties forthwith as otherwise required by law. The Housing, Urban Development and Zoning Committee of the Board of Aldermen may, by resolution of such committee, grant to the developer not more than two (2) six (6) month extensions of its duty to cause to be built ten (10) single family homes if such committee makes a finding that unavoidable circumstances prevent the Redeveloper from completing the ten (10) single family homes within the twenty-four month period.

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. Changes which are not substantial are those that do not go to the crux of the Plan.

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

EXHIBIT A

THE HAMPTON/WILSON AREA LEGAL DESCRIPTIONS

Tract 1

The Northern 26 feet of Lot 7 and Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Block 3 of Clifton Dale Subdivision together with the adjacent alleys, 15 feet wide, located in U.S. Survey 2037, City Block 5473, St. Louis City, Missouri.

Tract 2

Part of Lot 12 of D.W. Graham's Subdivision of the Sulphur Spring Tract in Block No. 4636-S of the City of St. Louis, Beginning at the Point of Intersection of the West Line of Hampton Ave. with the North Line of Wilson Ave.; thence Northwardly along the

West Line of Hampton Ave. 100 feet; thence Westwardly and parallel with the North Line of Wilson Ave. to the West Line of Lot 12; thence Southwardly along the West Line of Lot 12 to the North Line of Wilson Ave.; thence Eastwardly along the North Line of Wilson Ave. 383.23 feet, more or less, to the Point of Beginning. Excepting therefrom that part conveyed to the City of St. Louis by Deed Recorded in Book 8908 page 413, and that part conveyed to the City of St. Louis by Deed Recorded in Book 208-M page 2032.

Tract 3

Part of Lot 11 of D.W. Graham’s Subdivision of the Sulphur Spring Tract and in Block No. 1690 of the City of St. Louis, Beginning at a Point in the East line of Lot 11, where the same is intersected by the North Line of Wilson Ave; thence Westwardly along the North line of Wilson Ave., 40 feet to a point; thence Northwardly along a line parallel with the east line of Lot 11, 26.94 feet to a point; thence Northeastwardly to a point in the east line of said Lot 11, said point being 39.62 feet North from the intersection of the East line of said Lot 11 with the North line of Wilson Ave; thence Southwardly along the East line of said Lot 11, 39.62 feet to the point of beginning.

EXHIBIT "B"
FORM: 03/04/04

BLIGHTING STUDY AND PLAN
FOR
THE HAMPTON/WILSON AREA
PROJECT #9655
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
DECEMBER 16, 2003

MAYOR
FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR
THE HAMPTON/WILSON AREA**

		<u>PAGE</u>
A.	EXISTING CONDITIONS AND FINDING OF BLIGHT	1
	1. DELINEATION OF BOUNDARIES	1
	2. GENERAL CONDITION OF THE AREA	1
	3. PRESENT LAND USE OF THE AREA	1
	4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES	1
	5. CURRENT ZONING	2
	6. FINDING OF BLIGHT	2
B.	PROPOSED DEVELOPMENT AND REGULATIONS	
	1. DEVELOPMENT OBJECTIVES	2
	2. PROPOSED LAND USE OF THE AREA	2
	3. PROPOSED ZONING	2
	4. RELATIONSHIP TO LOCAL OBJECTIVES	3
	5. PROPOSED EMPLOYMENT FOR THIS AREA	3
	6. CIRCULATION	3
	7. BUILDING AND SITE REGULATIONS	3
	8. URBAN DESIGN	3
	9. PARKING REGULATIONS	4
	10. SIGN REGULATIONS	4
	11. BUILDING, CONDITIONAL USE AND SIGN PERMITS	5

12. PUBLIC IMPROVEMENTS 6

C. PROPOSED SCHEDULE OF DEVELOPMENT 6

D. EXECUTION OF PROJECT 6

1. ADMINISTRATION AND FINANCING 6

2. PROPERTY ACQUISITION 6

3. PROPERTY DISPOSITION 7

4. RELOCATION ASSISTANCE 7

E. COOPERATION OF THE CITY 7

F. TAX ABATEMENT 7

**G. COMPLIANCE WITH AFFIRMATIVE ACTION AND
NONDISCRIMINATION LAWS AND REGULATIONS 8**

1. LAND USE 8

2. CONSTRUCTION AND OPERATIONS 8

3. LAWS AND REGULATIONS 9

4. ENFORCEMENT 9

H. MODIFICATIONS OF THIS PLAN 9

I. DURATION OF REGULATIONS AND CONTROLS 9

J. EXHIBITS 9

K. SEVERABILITY 10

EXHIBITS

- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Hampton/Wilson Redevelopment Area ("Area") consists of sixteen commercial and residential parcels and vacant land totaling approximately 1.9 acres in the Clifton Heights Neighborhood of the City of St. Louis ("City"). The property is in the blocks bounded approximately by Hampton Avenue on the east, Esther Avenue on the west, I-44 on the north and Elizabeth Avenue on the south.

The legal description for 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 part of City Blocks 1690, 4636 and 5473 and is in poor to fair condition. The physical conditions within the Area are shown 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, of outmoded design, and/or obsolete. "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, or is otherwise an economic and social liability.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 10.5% unemployment rate for the City as of July 2003. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include partly occupied residential structures in Poor to Fair Condition, a vacant restaurant structure in Poor Condition, and vacant lots in Poor to Fair Condition. Three families currently occupy existing residential structures. The first is obligated to pay a monthly rental rate of \$450.00 (on a month-to-month term), the second is obligated to pay a monthly rental rate of \$450.00 (on a month-to-month term), and the third is obligated to pay a monthly rental rate of \$400.00 (with a term expiring on December 31, 2004). The first tenant is bound by a consent judgment for rent and possession arising out of failure to pay rents due, which judgment obligates the tenant to vacate the premises by May 1, 2004. No other residential or commercial structures are being marketed for lease.

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 residential and commercial. Residential density for the surrounding neighborhoods is approximately 11.16 persons per acre.

5. CURRENT ZONING

The Area is zoned "H" Area Commercial 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 partly occupied and in Poor to Fair Condition (as defined in Section A(2) above). The existence of deteriorated and/or obsolete property, obsolete platting, and/or inadequate street layout constitutes both an economic and social liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens and to the public safety and welfare. 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 Blighting Study and Plan (this "Plan") is to reduce or eliminate blighted conditions that are present in the Area, to enhance the economic utilization of the Area, and to facilitate commercial redevelopment in the Area.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "H" Area Commercial by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall

not be permitted to use said property for the following:

Pawn shops, adult bookstores, x-rated movie houses, massage parlors or free-standing 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 financial institutions or pharmacies) that utilize 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 or service stations.

3. PROPOSED ZONING

The zoning for the Area or portions has been changed to "H" Area Commercial District to accommodate proposed commercial redevelopment.

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

95-115 new permanent jobs will be created if the Area is developed in accordance with this Plan. The Redeveloper, for itself and its successors and assigns, acknowledges that City Ordinance No. 47957, only to the extent the same remains effective, applies to this Plan and that all such parties are bound by and will comply with the terms of such Ordinance regarding fair employment practices.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed traffic 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.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property shall be constructed so it contains one or more attractive commercial structures within the surrounding neighborhood.

b. Urban Design Regulations

The new structure shall substantially conform to designs and plans approved by the LCRA. Window and door shapes and detailing shall be compatible with the approved plans.

c. Landscaping

The property shall be well landscaped in accordance with applicable City code requirements.

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.

10. SIGN REGULATIONS

All new signs shall be limited as set out in Chapter 26.68 of the Revised Code of the City of St. Louis.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No new building, conditional use, or sign permits shall be issued by the City except in accordance with applicable City code requirements.

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, except as may be otherwise established under any Transportation Development District (a "TDD") formed under Chapter 238 of the Revised Statutes of Missouri.

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 six (6) years of approval of this Plan by ordinance. Demolition of existing structures shall occur within 36 months after approval of this Plan by ordinance.

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

D. EXECUTION OF PROJECT1. 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, except as otherwise

established under any TDD relating to the Area.

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. The estimated cost of the project is approximately \$6,100,000.00, which estimate does not include any land costs, costs of furniture, fixtures and equipment as may be necessary to operate the project, or overhead and profit amounts that will be determined under the project contracts to be negotiated by the Redeveloper.

The Redeveloper and its employees and agents will be active in the management of the project during a period of at least one year from the date of approval of this Plan by ordinance.

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. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently partly 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 Statutes of Missouri 2000, 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; provided that nothing in the foregoing shall prevent the creation of a TDD under Chapter 238 of the Revised Statutes of Missouri relating to the Area.

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, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law (provided that nothing in the foregoing shall prohibit the creation of a TDD relating to the Area), whether now existing or later created, for a total period of up to twenty (20) 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.

For the ensuing period of up to ten (10) years following the original period stated above, any such 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 corporation shall pay the full amount of taxes.

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 twenty (20) 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 twenty (20) years after the redevelopment corporation shall have acquired title to the property.

The Redeveloper shall certify and show good proof to LCRA within 24 months of the enactment into law of this Plan by ordinance (subject to extensions as provided below, the "Home Construction Period") that the Redeveloper has, within the confines of the 24th ward in the City of St. Louis, Missouri, caused to be built ten (10) 2-story, 1,600 square-foot minimum homes, each with full basement. If, due to "unavoidable circumstances," the Redeveloper is prevented from causing the construction of such homes within the Home Construction Period, then the Redeveloper shall have the right to not more than two (2) six (6)-month extensions of the Home Construction Period. Each such option is exercisable upon the Redeveloper's request to the Housing and Urban Development and Zoning Committee of the Board of Aldermen, which Committee shall, if unavoidable circumstances have occurred, so find and shall grant the extension as requested by the Redeveloper.

As used in this Plan, "unavoidable circumstances" shall include, but shall not be limited to, damage or destruction by fire or casualty; general strike; lockout; labor disputes; labor shortages; civil disorder; vandalism; war; acts of God; acts of terrorism, unusually adverse weather; earthquakes; explosions; failure of utilities; shortage or delay in shipment of material or fuel; delays by any seller of any land required to complete the Redeveloper's obligations; City requirements for rezoning or other approvals required for development of the property; disputes with the Redeveloper's contractors; or other causes beyond the Redeveloper's reasonable control, including but not limited to, any litigation affecting the validity of this Plan or the project described herein.

Failure on the part of the Redeveloper to so certify and show good proof as required herein, subject to the extension rights set forth above, shall give the City the right to] cause a cessation of the tax abatement for the Area by notifying the Assessor of the City of St. Louis in writing, with a copy to the Redeveloper, to assess said properties forthwith as otherwise required by law.

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.

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 HAMPTON/WILSON AREA
LEGAL DESCRIPTIONS**

Tract 1

The northern 26 ft. of lot 7 and lots 8-20 of block 3 of Clifton Dale Subdivision together with the adjacent alleys, 15 ft. wide, located in U.S. Survey 2037, City Block 5473, St. Louis City, Missouri.

Tract 2

Part of Lot 12 of D.W. Graham's Subdivision of the Sulphur Spring Tract in Block 4636S of the City of St. Louis, beginning at the point of intersection of the west line of Hampton Ave. with the north line of Wilson Ave., thence northwardly along the west line of Hampton Ave. 100 ft., thence westwardly and parallel with the north line of Wilson Ave. to the west line of lot 12, thence southwardly along the west line of lot 12 to the north line of Wilson Ave., thence eastwardly along the north line of Wilson Ave. 383.23 ft., more or less, to the point of beginning. Excepting therefrom that part conveyed to the City of St. Louis by deed recorded

in book 8908 page 413, and that part conveyed to the City of St. Louis by deed recorded in book 208-M page 2032.

Tract 3

Part of Lot 11 of D.W. Graham's Subdivision of the Sulphur Spring Tract and in Block No. 1690 of the City of St. Louis, Beginning at a Point in the East line of Lot 11, where the same is intersected by the North Line of Wilson Ave; thence Westwardly along the North line of Wilson Ave., 40 feet to a point; thence Northwardly along a line parallel with the east line of Lot 11, 26.94 feet to a point; thence Northeastwardly to a point in the east line of said Lot 11, said point being 39.62 feet North from the intersection of the East line of said Lot 11 with the North line of Wilson Ave; thence Southwardly along the East line of said Lot 11, 39.62 feet to the point of beginning.

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 Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

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

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

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

Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: March 30, 2004

ORDINANCE NO. 66233 - EXHIBIT B

66233

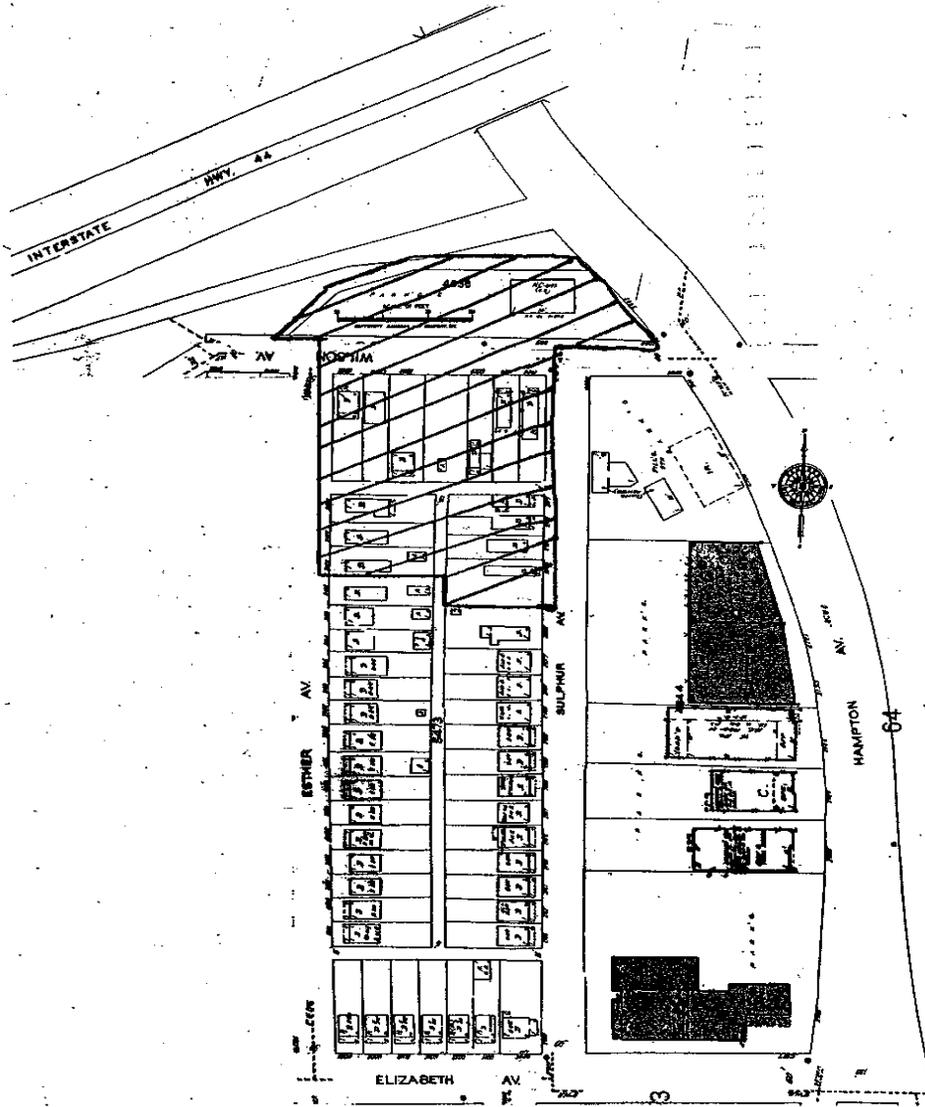


Exhibit B
Hampton/Wilson Area
Project Area Plan

Existing Uses & Conditions
 Residential and commercial, poor to fair condition and vacant lots

ORDINANCE NO. 66233 - EXHIBIT C

6 6 2 3 3

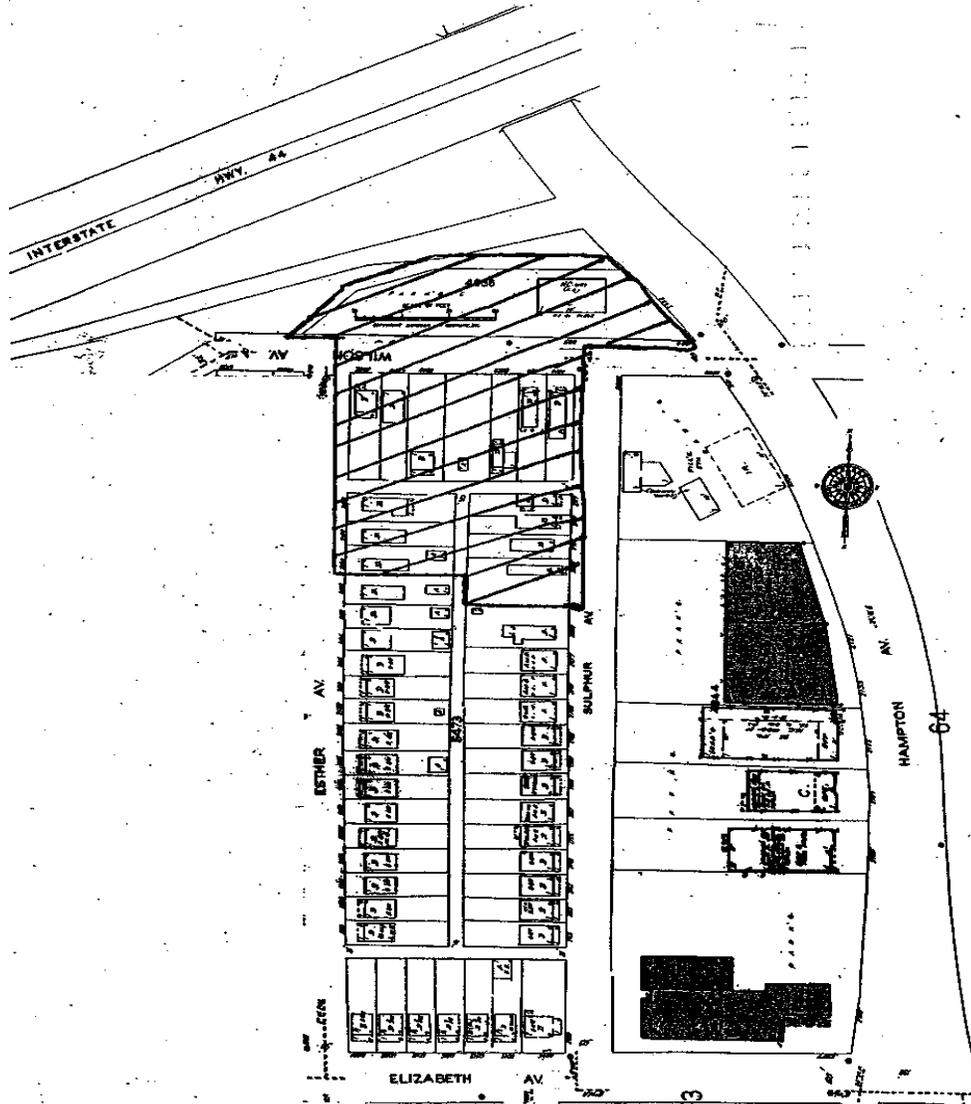


Exhibit C
Hampton/Wilson Area
Project Area Plan
Proposed Land Use
Commercial
5473 - City Block



ORDINANCE NO. 66233 - EXHIBIT D

66233

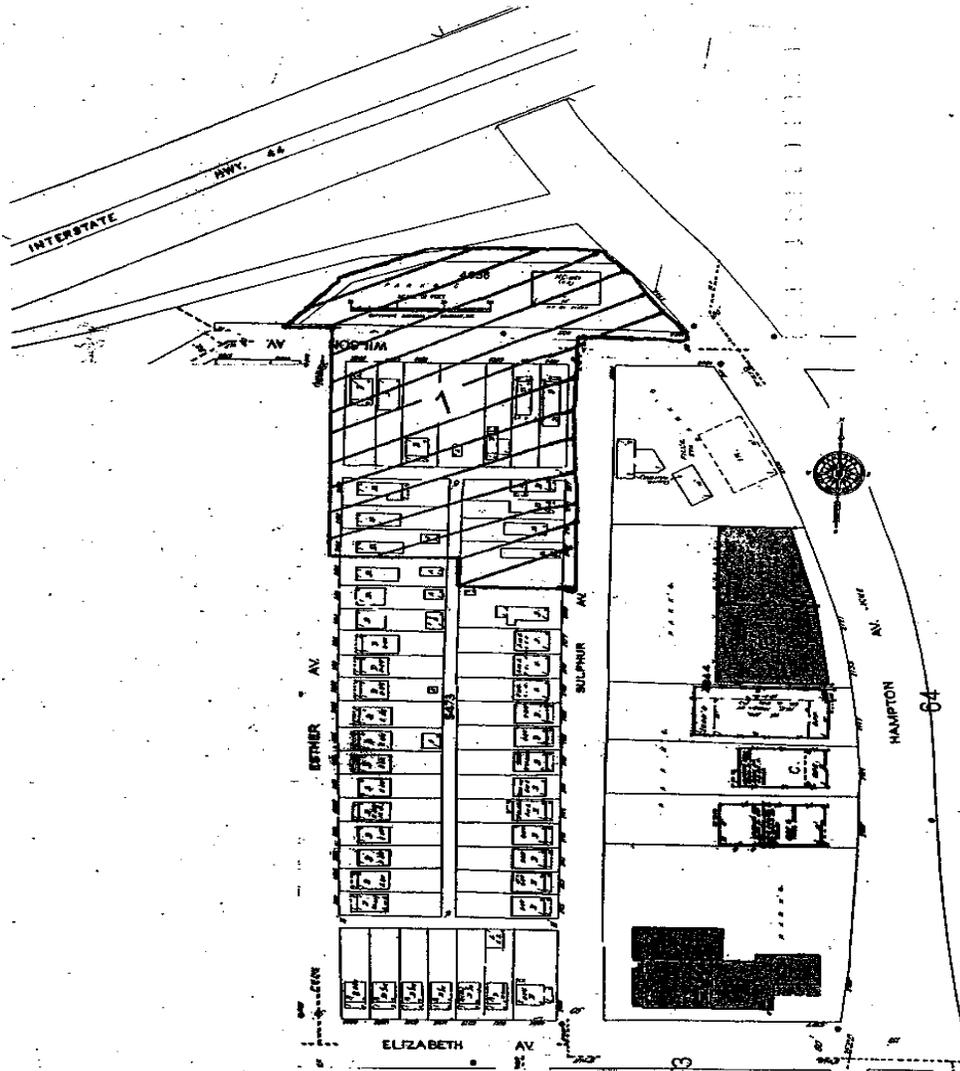


Exhibit D
Hampton/Wilson Area
Property Acquisition Map
1 - Parcel Number