

**ORDINANCE #66420**  
**Board Bill No. 185**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE ARGYLE TAX INCREMENT FINANCING REDEVELOPMENT PLAN PROVIDING FOR ADDITIONAL REDEVELOPMENT PROJECTS THEREIN; MAKING FINDINGS WITH RESPECT THERETO; AUTHORIZING CERTAIN ACTIONS BY CITY OFFICIALS; AND CONTAINING A SEVERABILITY CLAUSE.**

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

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

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

**WHEREAS**, the City's Board of Aldermen did duly consider and adopt Ordinance No. 64516 on December 11, 1998 establishing a redevelopment area (the "Area") and approving a redevelopment plan titled the "Argyle Tax Increment Financing Redevelopment Plan" (the "Redevelopment Plan") pursuant to and in accordance with the Act; and

**WHEREAS**, staff and consultants of the City prepared for consideration by the TIF Commission a proposed Amendment to the Plan dated May 19, 2004 (the "Amendment") which provides for additional residential, commercial and office uses within the Area (the "Redevelopment Projects"); and

**WHEREAS**, on June 2, 2004, 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 Plan and the Redevelopment Projects; and

**WHEREAS**, on June 2, 2004, the TIF Commission found that completion of the Redevelopment Projects would provide a substantial and significant public benefit through the creation of new jobs, the elimination of blight, the preservation of historic structures, the strengthening of the employment and economic base of the City, increased property values and tax revenues, stabilization of the Redevelopment Area, and facilitation of economic stability for the City as a whole; and

**WHEREAS**, on June 2, 2004, the TIF Commission voted to recommend that the Board of Aldermen adopt an ordinance in the form required by the Act (i) approving the Amendment, (ii) approving the Redevelopment Projects as described within the Redevelopment Plan, and (iii) approving the issuance of a tax increment financing revenue notes in the amount as specified in the Redevelopment Plan and the Amendment; and

**WHEREAS**, the Board of Aldermen has received the recommendations of the TIF Commission regarding the Redevelopment Plan, the Amendment and the Redevelopment Projects and wishes to accept the recommendation that the Redevelopment Plan be amended to provide for additional Redevelopment Projects therein in accordance with the Amendment; and

**WHEREAS**, the Amendment will have no adverse effect on the operation or effectiveness of the Redevelopment Plan or any related financings; and

**WHEREAS**, in accordance with the Redevelopment Plan and the TIF Act, the Board of Aldermen hereby determines that it is necessary and advisable and in the best interest of the City and of its inhabitants to approve and implement the Amendment.

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

**SECTION ONE.** The Board of Aldermen hereby adopts the foregoing recitals as findings.

**SECTION TWO.** The Redevelopment Plan is hereby ratified and approved. The Amendment to the Redevelopment Plan,

as reviewed and recommended by the TIF Commission on June 2, 2004 and attached hereto as **Exhibit A**, is hereby approved and the Redevelopment Plan and Redevelopment Projects therein are hereby deemed amended in accordance therewith.

**SECTION THREE.** 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 the Amendment 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 FOUR.** The Mayor and the Comptroller or their designated representatives are hereby further authorized and directed to make any changes to the documents and instruments approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance and necessary, desirable, convenient or proper in order to carry out the matters herein authorized.

**SECTION FIVE.** 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 SIX.** All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

**EXHIBIT A**

**AMENDMENT TO  
ARGYLE TAX INCREMENT FINANCING (TIF)  
REDEVELOPMENT PLAN  
FOR THE  
ARGYLE  
REDEVELOPMENT AREA  
St. Louis, Missouri  
May 19, 2004  
AMENDING PLAN DATED  
October 30, 1998  
St. Louis Development Corporation  
City of St. Louis**

**Francis G. Slay  
Mayor**

**Barbara Geisman  
Executive Director for Development**

**INTRODUCTION AND BACKGROUND**

By Ordinance No. 64516, the City of St. Louis (“City”), upon the recommendation of its TIF Commission (“TIF Commission”), approved the Argyle Tax Increment Financing Redevelopment Plan for the Argyle Redevelopment Area, dated October 30, 1998 (the “Argyle Redevelopment Plan”). The TIF Commission is considering approving the use of tax increment financing to pay a portion of the costs associated with two additional redevelopment projects within the Argyle Redevelopment Area: the Maryland Plaza North Project and Maryland Plaza South Project (collectively referred to as the “Maryland Plaza Projects”), both of which are discussed in further detail below. In order to provide such financing for the Maryland Plaza Projects, the TIF Commission and the City must make corresponding modifications to the Argyle Redevelopment Plan. The Argyle Redevelopment Plan shall be amended as follows:

1. Section 3.2 “Proposed Land Use Plan” of the Argyle Redevelopment Plan shall be amended by adding the following

paragraph at the end of the section:

**Maryland Plaza TIF Projects.** The Maryland Plaza TIF Projects consist of two separate redevelopment projects: the Maryland Plaza North Project and the Maryland Plaza South Project. The Maryland Plaza North Project is located at 21-65 Maryland Plaza and 21-59 R Maryland Plaza. The Maryland Plaza North Project is generally bounded by the first east-west alley north of Maryland Plaza, commonly known as Carriage Lane, on the north, by the parcels known commonly as 309-313 North Euclid Avenue and 1-17 Maryland Plaza on the east, by Maryland Plaza on the south, and by the parcel commonly known as 69 Maryland Plaza on the west. The Maryland Plaza North Project contains seven primary structures to be rehabilitated into condominium townhouse units, along with the construction of new garages. The Maryland Plaza South Project is located at the area generally bounded by Maryland Plaza on the north, the first north-south alley (entrance to the Chase Garage) which is east of Kingshighway on the west, the first east-west alley which is south of Maryland Plaza on the south and York Avenue on the east, and comprises a portion of City Block 3882. The Maryland Plaza South Project encompasses approximately 1.1 acres and generally consists of three mixed-use retail/office buildings to be rehabilitated and related public infrastructure improvements to portions of the adjacent public right of way along Maryland Plaza.

2. Section 4.0 “The Redevelopment Program and Activities” of the Argyle Redevelopment Plan shall be amended by adding the following paragraph at the end of the section:

**Maryland Plaza TIF Projects**

- Rehabilitate the seven historic townhouses located at 21-65 Maryland Plaza into residential use.
- Rehabilitate approximately 83,000 square feet into retail, service, commercial and office uses.

3. Section 5.0 “Estimated Redevelopment Project Costs” of the Argyle Redevelopment Plan shall be amended by deleting the first full paragraph on page 12 and the table entitled “Estimated Other Public Improvement Costs” and inserting the following new paragraph and table:

The estimated development costs associated with public improvements planned for Maryland Avenue are as follows:

**ESTIMATED MARYLAND AVENUE PUBLIC IMPROVEMENT COSTS**

Maryland Avenue Improvements (resurfacing, streetscaping, lighting fountain relocation and sidewalks)	\$3,500,000
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4. Section 5.0 “Estimated Redevelopment Project Costs” of the Argyle Redevelopment Plan shall be amended by adding a new paragraph and table at the end of the section

The estimated total development cost of the Maryland Plaza North Project is approximately \$10,200,000. The estimated total development cost of the Maryland Plaza South Project is approximately \$20,570,000. The Estimated Total Redevelopment Projects Costs for the Maryland Plaza TIF Projects are set forth in greater detail in Exhibit G attached hereto. The estimated reimbursable redevelopment costs associated with the additional private and public projects planned for the Redevelopment Area are indicated in the table below. Additionally, TIF revenue not used for the Maryland Plaza North and Maryland Plaza South projects may be shifted to the “Other Projects” category set forth in the table below:

**ESTIMATED TIF-FUNDED REDEVELOPMENT PROJECT COSTS – ADDITIONAL PROJECTS**

Maryland Plaza North	\$1,035,000
Maryland Plaza South	\$1,700,000
Other Projects (including, but not limited to, public improvements to York, Euclid and Lindell and other development projects within the Redevelopment Area)	\$265,000

5. Section 6.0 “Estimated Redevelopment Project Costs” of the Argyle Redevelopment Plan shall be amended by deleting

the eighth bullet point on page 14 in its entirety and replacing it with the following:

- Real estate and economic activity taxes generated by any significant new investment in the Saks Building, Maryland Plaza Townhouses, Fairmont, KPLR and other existing commercial spaces (the “Excluded Sites” – see Exhibit B for complete list of Excluded Sites by address and parcel ID number), will be captured by and placed in the TIF Special Allocation Fund as required by statute.

With respect to the fifteen Excluded Sites comprising the Maryland Plaza North Project (21, 21R, 27, 27R 35, 35R, 43, 43R, 47, 47R, 55, 55R, 59, 59R and 65 Maryland Plaza), PILOTS attributable to the difference between the 2004 equalized assessed value and the 1998 equalized assessed value for such 15 parcels shall be available for financing the redevelopment project costs of the Public Parking Garage/Library Project and the General Activities outlined in this Plan. PILOTS attributable to the increase in the current equalized assessed value above the 2004 equalized assessed value in the Maryland Plaza North Project and 50% of all EATS above the amount of EATS generated by the Maryland Plaza North Project in 2004 shall be used and pledged to pay for or finance reimbursable redevelopment project costs associated with the Maryland Plaza North Project only.

With respect to the three Excluded Sites comprising the Maryland Plaza South Project (26, 42 and 46 Maryland Plaza), all PILOTS attributable to the difference between the 2004 equalized assessed value and the 1998 equalized assessed value for such parcels shall be available for financing the redevelopment project costs of the Public Parking Garage/Library Project and the General Activities outlined in this Plan. PILOTS attributable to the increase in the current equalized assessed value above the 2004 equalized assessed value in the Maryland Plaza South Project and 50% of all EATS above the amount of EATS generated by the Maryland Plaza South Project in 2004 shall be used and pledged to pay for or finance reimbursable redevelopment project costs associated with the Maryland Plaza South Project only.

PILOTS generated from any other Excluded Sites that previously were granted real estate tax abatement will be captured by the TIF upon expiration of said abatement, placed in the Special Allocation Fund, and be available for financing the redevelopment project costs of the Public Parking Garage/Library Project and other redevelopment activities outlined in this Plan. PILOTS generated by new investment in other Excluded Sites and all EATS generated by new investment in other Excluded Sites shall be treated as surplus under the Act rather than being used for any of the Redevelopment Project Costs described herein.

6. Section 6.0 “Estimated Redevelopment Project Costs” of the Argyle Redevelopment Plan also shall be amended by deleting the first full bullet point on page 16 in its entirety.
7. This Amendment shall be effective upon approval by the City through an effective ordinance.
8. The Argyle TIF Plan is incorporated into and made a part of this Amendment by this reference.

## EXHIBIT G: ESTIMATED TOTAL REDEVELOPMENT PROJECT COSTS

**MARYLAND PLAZA TIF PROJECTS****Maryland Plaza South Project**

<b>Acquisition</b>	\$3,800,000
<b>Prof. Fees and Soft Costs</b>	
Architectural	\$303,000
Environmental & Engineering	\$50,000
Property Survey	\$12,000
Property Appraisal	\$12,000
Legal Fees	\$175,000
Developer Fee	\$1,719,401
Construction Management Fee	\$484,330
Miscellaneous Fees	\$50,000
<b>Interim/Financing Costs</b>	
Construction Period Insurance	\$200,000
Construction Period Interest	\$600,000
Construction Period Taxes	\$75,000
Title, Loan & Disbursing	\$350,000
Utilities	\$50,000
<b>Marketing Costs</b>	
Advertising & Promotions	\$145,000
Sales Literature	\$30,000
Commission	\$95,274
Signage	\$35,000
Display Costs - Furnishings	\$10,000
Management	\$60,000
Miscellaneous	\$8,250
<b>Construction Costs</b>	
Sake Bldg.	\$4,251,000
Medical Arts	\$2,945,000
Greenberg	\$400,000
Street Improvements	\$3,800,000
<b>Total</b>	<b>\$11,396,000</b>
<b>Contingency</b>	\$911,680
<b>Total</b>	<b>\$20,571,935</b>

Maryland Plaza North Project

## USES

Acquisition Costs

Purchase Price	\$	2,880,000	
Carrying Costs and Preparation	\$	400,000	
Total	\$	3,280,000	

Hard Construction Costs

Unit Hard Construction Costs		\$,136,720	
Garages	\$	600,000	
Sitework, Pool, Landscaping, Lighting	\$	500,000	
<b>Total Hard Construction Costs</b>	<b>\$</b>		<b>6,236,720</b>

Soft Construction Costs

Legal	\$	30,000	
Accounting	\$	10,000	
Utilities	\$	4,000	
Real Estate Taxes	\$	40,000	
Insurance	\$	10,000	
Fees	\$	10,000	
Miscellaneous	\$	30,000	
Construction Period Interest	\$	350,000	
Architect	\$	120,000	
Engineering	\$	20,000	
Marketing	\$	25,000	
Contingency	\$	75,000	
<b>Total Soft Costs</b>	<b>\$</b>	<b>724,000</b>	

**TOTAL USES (Excluding Developer's Fee)** \$ **10,240,720**

**Approved: August 2, 2004**