ORDINANCE #66508
Board Bill No. 307

An ordinance approving an amended redevelopment plan for the Stadium South Area (“Area”) after affirming that the Area blighted by Ordinance 62041, as described in Exhibit “A” attached hereto and incorporated by reference is a blighted insanitary, undeveloped industrial area, as defined in Section 100.310(2), (11), (18) of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 100.300 to 100.620 inclusive), affirming that industrial development and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City of St. Louis (“City”); approving the Amended Plan dated September 21, 2004, for the Area ("Amended Plan"), incorporated herein by attached Exhibit "B"; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that certain property in the Area may be acquired by the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") through the exercise of eminent domain or otherwise; finding that the property in the Area is partially occupied, and that any occupants displaced by the Developer shall be relocated in accordance with the Amended Plan; finding that there shall be ten (10) year tax abatement; and pledging cooperation of the 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 Amended Plan;

WHEREAS, by Ordinance 62041, this Board found the Area to be blighted, insanitary, undeveloped industrial area as defined in Section 100.310(2). (11), (18) of the Revised Statutes of Missouri, 2000, as amended; and

WHEREAS, by Ordinance 62041, this Board approved a Redevelopment Plan for the Area, dated February 27, 1987, amended May 30, 1990; and

WHEREAS, it is desirable and in the public interest to amend the tax abatement provisions and update the Redevelopment Plan approved by Ordinance 62041; and,

WHEREAS, there is a need for the PIEA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a "Project", as described in said Statute, pursuant to plans by or presented to the PIEA in accordance with Section 100.440.1(4) of the Statute; and

WHEREAS, the PIEA has recommended such a plan to the Planning Commission ("PDA") and to this St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for Stadium South Area", dated February 27, 1987, amended May 30, 1990, and amended September 21, 2004, consisting of a Title Page, a Table of Contents Page, and fifteen (15) numbered pages attached hereto and incorporated here in Exhibit "B" ("Amended Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financing 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 PIEA, undertake and administer the Amended Plan in the Area; and

WHEREAS, the PIEA and PDA have made and presented to this Board the studies and statements required to be made and submitted by Section 100.400 of the Statute, and this Board had been fully apprised by the PIEA and PDA of the facts and is fully aware of the conditions of the Area; and

WHEREAS, the Amended Plan has been presented and recommended by the PIEA and PDA 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 PDA has advised this Board that the amended Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the PIEA and PDA; and

WHEREAS, the Amended Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public right 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, age, sexual orientation, marital status, or physical handicap; and

WHEREAS, in accordance with the requirements of Section 100.400 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 Amended Plan.

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

SECTION ONE. The finding by the Board of Aldermen, by Ordinance 62041, that certain property described therein (as described therein as Exhibit "A" attached hereto and incorporated herein) is a blighted, insanitary, or undeveloped industrial area, as defined by Section 100.310(2), (11). and (18) of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 100.300 to 100.620 inclusive) is hereby confirmed.

SECTION TWO. Industrial development of the Stadium South Area ("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 of St. Louis ("City").

SECTION THREE. The Area qualifies as an industrial development area in need of industrial development under the provision of the Statute, and the Area is blighted as defined in Section 100.310(2), (11), (18) of the Statute.

SECTION FOUR. The amended Blighting and Study and Plan for the Area, amended September 21, 2004, ("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 Plan with the Minutes of this meeting.

SECTION FIVE. The Amended 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 development activities to be undertaken in accordance with the Amended Plan for the Area, and the proposed financing plan for the Area is feasible.

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

SECTION EIGHT. The Amended Plan for the Area provides that the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") may acquire, by the exercise of eminent domain only properties in the Area which are vacant lots or properties which are owned by any person, partnership, corporation or other entity against which there is a final non-appealable determination of violation of the Building, Housing Maintenance and Fire Prevention Codes of the City of St. Louis as set out in Chapter 25.04 of the St. Louis City Code, as may be amended from time to time, which determination shall be in accordance with said Code and all applicable state and local laws and ordinances. Any modification or revision of this Section Eight will constitute a substantial change in this Plan and must be approved by the Board of Aldermen in the same manner as the Plan was initially approved by this Board.

SECTION NINE. The property within the Area is currently partially occupied. All eligible occupants displaced by the Developer ("Developer" being defined in Section Twelve, below) shall be given relocation assistance by the Developer at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies. In addition, the Developer shall provide timely notice of development activities to all occupants.

SECTION TEN. The Amended 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 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 Area for development ("Developer") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, religion, national origin, sex, marital status, sexual orientation, age 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 Developer is a party, and shall be enforceable by the PIEA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for development of any portion of the Area, all Developers 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 PIEA and the Amended Plan, bona fide Minority Business Enterprises (“MBE”) and Women Business Enterprises (“WBE”) will be solicited and fairly considered for contracts and purchase orders;

(c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the PDA of the City of St. Louis ("PDA");

(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 Developer 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 Developer.

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 "Developer" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. A Developer, which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if such a 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 made a payment in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the improvements located

on the property during the calendar year 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 PIEA 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, land and improvements during the calendar year preceding the calendar year in 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. Said partial tax relief and payments in lieu of taxes provisions during 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 PIEA; however, in no even shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the 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 of St. Louis, shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during 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 PIEA. 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 this 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 Area, or any 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 PIEA provided that such revisions shall be effective only upon the consent of the CDC. 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"

STADIUM SOUTH AREA
LEGAL DESCRIPTION

Beginning at the point of intersection of the center line of Interstate Route I-55 with the east line of 7th Blvd.; thence northeastwardly along the center line of said I-55 to the north line of Convent St.; thence eastwardly along the north line Convent St. to the east line of 3rd St.; thence northwardly along the east line of 3rd St. to the south line of Chouteau Ave.; thence eastwardly along the south line of Chouteau Ave. to the inner harbor line; thence northwardly along the inner harbor line to the eastward projection of the center line of Poplar St.; thence westwardly along the center line of Poplar St to the east line of 7th St (Boulevard); thence southwardly along the east line of said 7th St (Boulevard) to the center line of said I-55, the point of beginning.

EXHIBIT "B"
Form: 10/04/04

AMENDED
BLIGHTING STUDY AND PLAN
FOR THE
STADIUM SOUTH AREA
PROJECT #428 (LCRA)
PROJECT #577 (PIEA)
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
PLANNED INDUSTRIAL EXPANSION AUTHORITY

OF THE CITY OF ST. LOUIS
February 27, 1987
Amended May 30, 1990
Amended September 21, 2004

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
STADIUM SOUTH AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Stadium South Area ("Area") encompasses approximately 110 acres in the Downtown and LaSalle Park Neighborhoods of the City of St. Louis ("City") and is located to the south of the Downtown Sports Stadium Project Area and is bounded on the north by Poplar St. (I-64) on the east by the Mississippi River, on the south by Chouteau Ave. and I-55 and on the west by S. 7th St.

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 all or a portion of City Blocks 40, 41, 42, 43, 44E & W, 49, 50, 51, 52, 53, 73, 76, 77, 78, 109, 147, 148, 149, 150N & S, 151, 152, 153N, 155, 156N & S, 159, 160, 161, 162, 853 & 856 and includes the following addresses: 617-923 Leonore K. Sullivan Blvd. (Wharf St.), 700-922 & 701-923 S. 11th St., 700-922 & 701-923 S. 2nd St., 700-922 & 701-923 S. 3rd St., 606-922 & 605-923 S. 4th St., 606-914 & 605-1153 S. Broadway, 616-1222 & 615-1221 S. 6th St., 600-1230 S. 7th St., 1-629 & 300-630 Chouteau Ave., 100-408 & 101-407 Lombard St., 2-631 & 1-629 Gratriot St., 2-334 & 1-333 Cedar St., 2-200 Plumb St., 400-630 & 401-629 Cerre st., 500-630 & 501-629 Papin St., 500-628 & 501-629 LaSalle St. and 500-628 & 501-629 Hickory St. The Area is in poor to fair condition except as noted in Exhibit "B." 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. "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 9.0% unemployment rate for the City as of May, 2004. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently approximately 200-250 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

The Area can be described in the following three sections:

Section I is the portion lying east of Fourth St. and between Chouteau Ave. and I-64, is dominated by turn-of-the-century, multi-level structures used primarily for warehousing and manufacturing. In addition, St. Mary of Victories, an historic Roman Catholic Church, is located in this section. This section is separated from the River by a flood wall.

Section II of the Area, situated immediately south of the stadium and bounded by S. 7th St., I-64, S. 4th St., and Chouteau Ave., is characterized by a large number of surface parking lots. These lots primarily serve the stadium and provide lower cost day parking for workers in the Central Business District. This section also has several auto repair facilities, some vacant and underutilized industrial structures, a Union Electric transfer yard, and several restaurants.

Section III is situated south of Chouteau Ave., between S. 4th St. and S. 7th St. This section has a number of vacant industrial facilities and the ReAct office headquarters. Madison Public School is located in this segment.

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 light industrial and commercial purposes.

Residential density for the surrounding neighborhoods is approximately 1.25 persons per acre.

5. CURRENT ZONING

Section I of the Area is zoned "L" Memorial District and Section II and II are zoned “J” Industrial District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The Area was originally blighted by Ordinance 60405 (LCRA) and 60406 (PIEA). It continues to be significantly under utilized and in fair to poor condition (as defined in Section A(2) above) except as noted in Exhibit “B.” 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.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive uses compatible with the Central Business District to the north, the LaSalle Park Redevelopment Area to the west and the Kosciusko Redevelopment Area and Soulard Neighborhoods to the south.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial and residential uses permitted in Areas designated "L" Memorial District and the “H” Area Commercial District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") or the Planned Industrial Expansion Authority (“PIEA”) to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the uses listed in Exhibit “F”.

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

3. PROPOSED ZONING

The zoning for Section I of the Area can remain "L" Memorial District, but the remainder of the area should be rezoned to a commercial and residential district more comparable with the neighborhoods to the south, west and north. 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 or the PIEA 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

Approximately 200 to 300 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

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 this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. Urban Design Objectives

Section I and III include a significant number of architecturally and historically significant structures that, where feasible, should be restored. Infill should be compatible in design. Section II can be redeveloped in a manner that is compatible with the Central Business District to the north.

b. 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, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

9. PARKING REGULATIONS

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

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA or PIEA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: Upper Level signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5'). Pedestrian level signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

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

One ground or monument sign per use may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, and provided the LCRA or PIEA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA or PIEA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, roof signs, pole signs, monument signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

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

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 or PIEA, 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 has been initiated and shall be completed within approximately eight (8) year(s) of approval of this Plan by ordinance.

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

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA and the PIEA 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 and the Planned Industrial Expansion 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 or PIEA may acquire by the exercise of eminent domain only properties in the Area which are vacant lots or properties which are owned by any person, partnership, corporation or other entity against which there is a final non-appealable determination of violation of the Building, Housing Maintenance, and Fire Prevention Codes of the City of St. Louis as set out in Chapter 25.04 of the St. Louis City Code (1980), as may be amended from time to time, which determination shall be in accordance with said Code and all applicable state and local laws and ordinances. Any modification or revision of this Section D-2 will constitute a substantial change in this Plan and must be approved by the Board of Aldermen in the same manner as the Plan was initially approved by this Board.

3. PROPERTY DISPOSITION

If the LCRA or PIEA 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 or PIEA. Any property acquired by the LCRA or PIEA 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 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 Statutes of Missouri 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include taxes collected for 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 redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement, which shall not include taxes collected for any Special Business District 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 of this Plan.

If property in the Area is sold by the LCRA or PIEA 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 or PIEA 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 or PIEA. 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 City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA or PIEA 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 or PIEA, 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 or PIEA, 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"

STADIUM SOUTH AREA
LEGAL DESCRIPTION

Beginning at the point of intersection of the center line of Interstate Route I-55 with the east line of 7th Blvd.; thence northeastwardly along the center line of said I-55 to the north line of Convent St.; thence eastwardly along the north line Convent St. to the east line of 3rd St.; thence northwardly along the east line of 3rd St. to the south line of Chouteau Ave.; thence eastwardly along the south line of Chouteau Ave. to the inner harbor line; thence northwardly along the inner harbor line to the eastward projection of the center line of Poplar St.; thence westwardly along the center line of Poplar St to the east line of 7th St (Boulevard); thence southwardly along the east line of said 7th St (Boulevard) to the center line of said I-55, the point of beginning.

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 08/02/99

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.

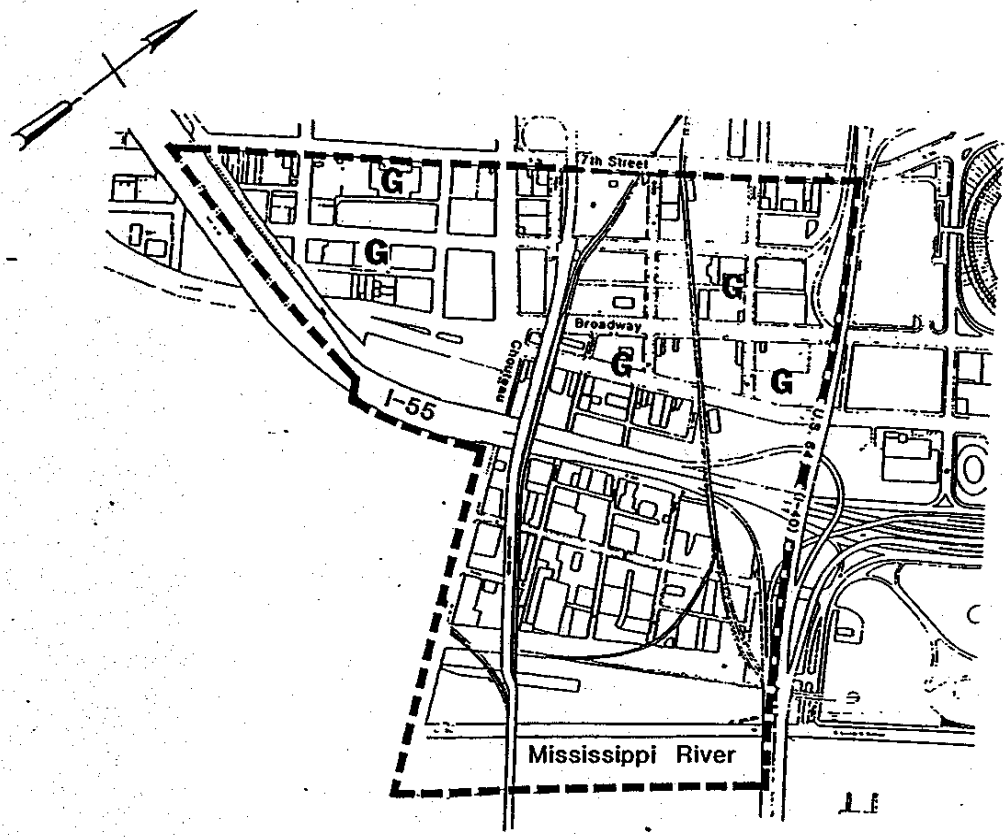
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation 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.

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 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: December 6, 2004

ORDINANCE NO. 66508 - EXHIBIT B

66508



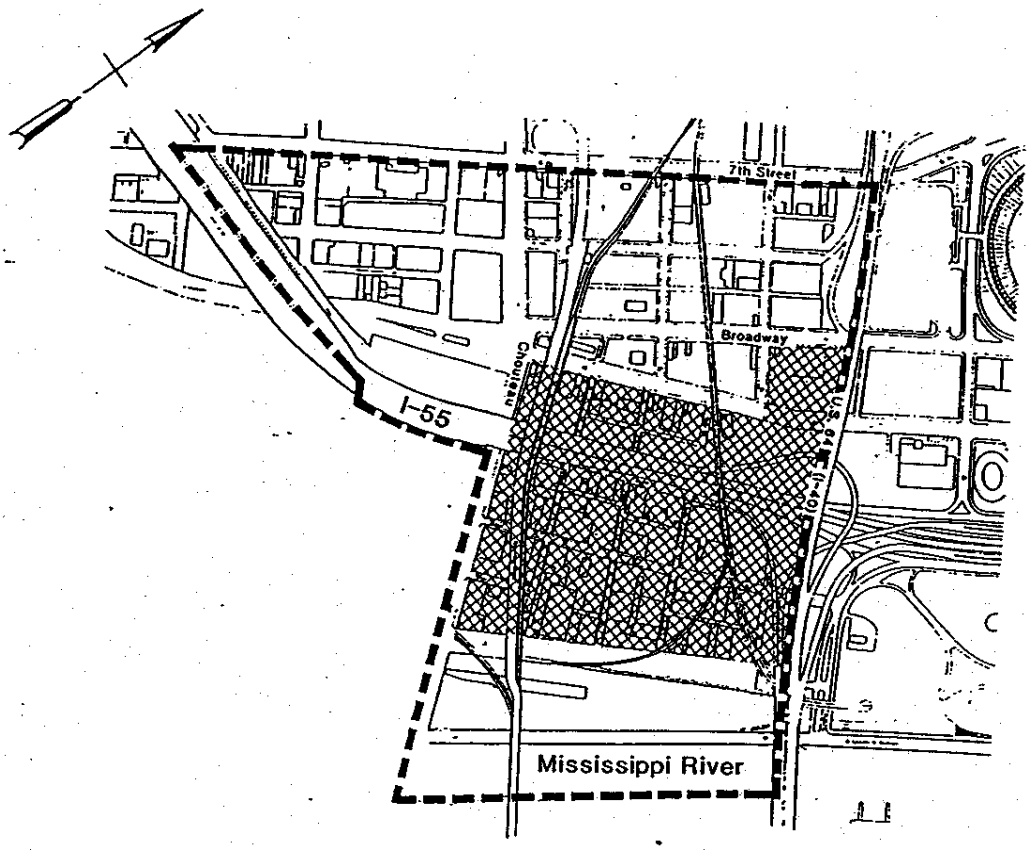
STADIUM SOUTH AREA

EXHIBIT "B" PROJECT AREA PLAN

ALL BLOCKS ARE IN POOR TO FAIR CONDITION EXCEPT THOSE NOTED "G" (GOOD)

ORDINANCE NO. 66508 - EXHIBIT C

66508



STADIUM SOUTH AREA

EXHIBIT "C" PROPOSED LAND USE

COMMERCIAL/INSTITUTIONAL/
LIGHT INDUSTRIAL/RESIDENTIAL USES

AREA WHERE EMPHASIS IS ON RETAINING AND
UPGRADING HISTORIC VINTAGE STRUCTURES

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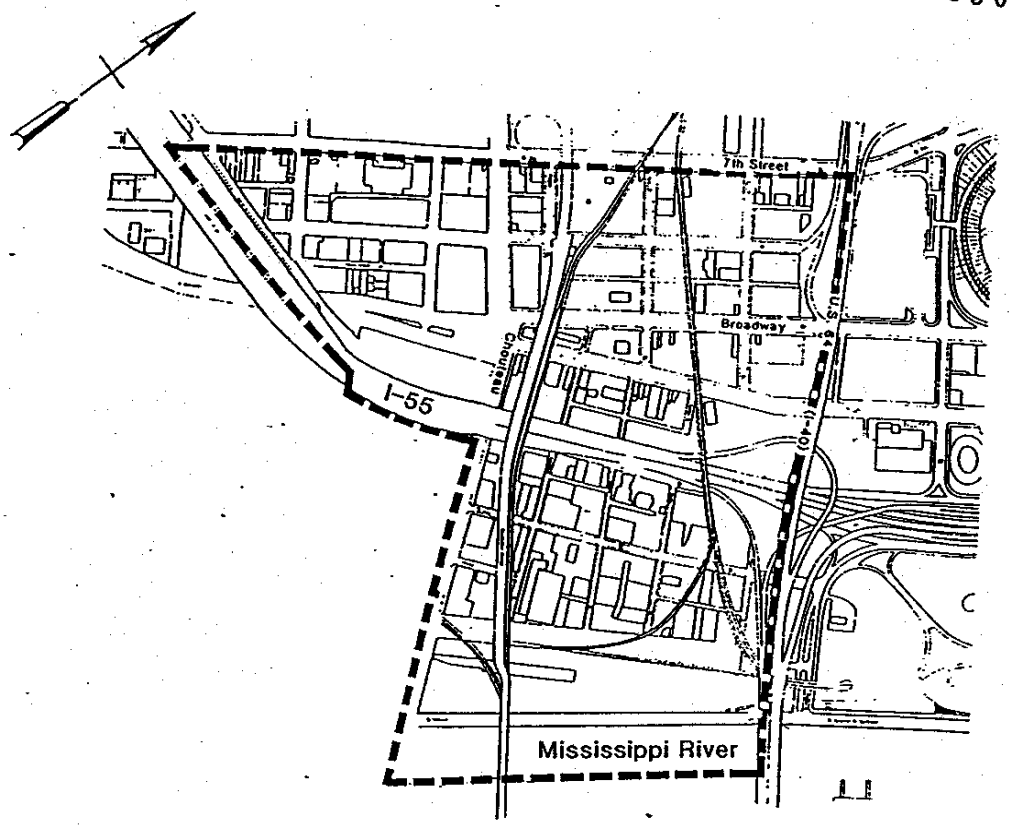
ORDINANCE NO. 66508 - EXHIBIT D

66508



STADIUM SOUTH AREA

EXHIBIT "D" PROPERTY ACQUISITION MAP

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