

ORDINANCE #67224
Board Bill No. 134

An ordinance approving an amendment to the Redevelopment Plan for the Charles Russell Area ("Area") after affirming that the Area blighted by Ordinance 60365, approved June 18, 1987 ("1987 Plan") as described in Exhibit "A" attached hereto and incorporated by reference is a blighted area 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), affirming that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the amendment to the 1987 Plan dated April 25, 2006 for the Area ("Amendment to the 1987 Plan"), and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and exercise their respective powers in a manner consistent with the amendment to the 1987 Plan.

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

WHEREAS, by Ordinance 60365 this Board found the property located in the Charles Russell Area to be a "blighted area" as defined in Section 99.320 (3) of the statute and said property remains blighted; and

WHEREAS, by Ordinance 60365 this Board also approved a Redevelopment Plan for the Area dated February 27, 1987, said Plan providing for a ten-year tax abatement and

WHEREAS, it is desirable and in the public interest to approve an amendment to the Redevelopment Plan approved by Ordinance 60365 by allowing a period of tax abatement for "up to" ten years; and

WHEREAS, the LCRA has recommended the amendment to the 1987 Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board") and incorporated herein as Exhibit "B" (Amendment to the 1987 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 Amendment to the 1987 Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Amendment to the 1987 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 Amendment to the 1987 Plan has been presented and recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Amendment to the 1987 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 Amendment to the 1987 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 related 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 Amendment to the 1987 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 Amendment to the 1987 Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis ordinance 60365, that certain property described therein (and described herein as Exhibit “A” attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320 (3) of the revised statutes of Missouri, 1986, as amended (the “Statute” being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. The redevelopment of the 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 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 Amendment to the 1987 Plan for the Area, dated April 25, 2006 and incorporated herein as Exhibit “B” having been duly reviewed and considered, is hereby approved and incorporated by reference, and the President or Clerk of this St. Louis Board of Aldermen (“Board”) is hereby directed to file a copy of said Amendment to the 1987 Plan with the minutes of this meeting.

SECTION FIVE. The Amendment to the 1987 Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. In order to implement and facilitate the effectuation of the Amendment to the 1987 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 Amendment to the 1987 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 Amendment to the 1987 Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendment to the 1987 Plan.

SECTION SEVEN. 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”

**LEGAL DESCRIPTION
CHARLES RUSSELL REDEVELOPMENT AREA**

Parcels 1-3 (1715-33 S. 9th Street)

Lots 6, 7, and 8 in block 386 of the City of St. Louis, fronting 90 feet, more or less, on the west line of 9th Street, by a depth westwardly of 114 ft., more or less, to an alley, and part of lots 9 and 10 in block 386 of the City of St. Louis, fronting 60 ft., more or less, on the west line of 9th Street, by a depth westwardly of 68 ft. ½ inch, more or less, bordered west by property now or formerly owned by Kinney and south by the north line of Soulard Street.

Parcel 4 (1730-32 South 10th Street)

Lot 10 in Soulard's 2nd Add'n. and in block 386 of the City of St. Louis, fronting 30 ft. on the east line of 10th Street, by a depth 114 ft. to an alley, bordered south by the north line of Soulard Street.

Parcel 5 (1804-06 South 10th Street)

Lot 2 in block 385 of the City of St. Louis fronting 30 ft., more or less, on the east line of 10th Street by a depth eastwardly of 114 ft., more or less, to an alley.

Parcel 6 (1820-34 S. 10th Street)

Lots 6, 7, 8, 9, & 10, in block 113 of Julia C. Soulard's third addition and in block 385 of the City of St. Louis, together fronting 150 ft. on the east line of 10th Street, by a depth eastwardly of 114 ft. to an alley, bordered south by the north line of Emmet Street.

Parcel 7 (1817-21 South 10th Street)

Lots 5 & 6 in block 114 of Julia C. Soulard's third addition in block 394 of the City of St. Louis, fronting 60 ft. on the west line of 10th Street, by a depth westwardly of 114 ft. to an alley.

EXHIBIT "B"

**AMENDMENT TO THE 1987 PLAN
CHARLES RUSSELL REDEVELOPMENT AREA
DATED APRIL 25, 2006**

Section F

Plan language pertaining to real estate tax abatement shall be amended as follows to allow real estate tax abatement for a period of up to ten (10) years:

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

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, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

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

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

Approved: August 3, 2006