ORDINANCE #69303
Board Bill No. 133

An ordinance approving an amended blighting study and redevelopment plan dated June 26, 2012 for the 210 North Tucker Blvd. Redevelopment Area (as further defined herein, the "Amended Plan") after affirming that the area blighted by Ordinance #69053 known as the 210 North Tucker Blvd. Redevelopment Area ("Area") as described in Attachment "A-1" incorporated herein 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 RSMo inclusive as amended), and that all additional property contained in the amended Area as described in Attachment "A" ("Amended Area") is found to be blighted as defined in Section 99.320 RSMo, as amended, affirming and finding that redevelopment and rehabilitation of the Amended 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, incorporated herein by Attachment "B" pursuant to Section 99.430 RSMo, as amended for the Amended Area; affirming and finding that there is a feasible financial plan for the redevelopment of the Amended Area which affords maximum opportunity for redevelopment of the Amended Area by private enterprise; finding that no property in the Amended Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA"), a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that the property within the Amended Area is partially occupied, and the Redeveloper(s) (as defined herein) shall be responsible for providing relocation assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that financial aid may be necessary to enable the Amended Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to ten (10) 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 exercise their respective powers in a manner consistent with the Amended Plan; and containing a severability clause.

WHEREAS, by Ordinance #69053, this Board found the property located in the 210 North Tucker Blvd. Area to be a "blighted area" as defined in Section 99.320 (3) RSMo, as amended, and the property remains blighted; and

WHEREAS, by Ordinance #69053, this Board also approved a Redevelopment Plan for the Area, dated September 27, 2011; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance #69053 by approving an Amended Plan for an Amended Area; and

WHEREAS, the LCRA has recommended such an Amended Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board, titled "Amended Blighting Study and Plan for 210 North Tucker Blvd. Redevelopment Area", dated September 27, 2011, amended June 26, 2012, consisting of a Title Page, a Table of Contents Page, ten (10) numbered pages, and Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Amended Plan"); and based on the information in the Amended Plan, specifically the Blighting Report in Exhibit "F" to the Amended Plan, considered each parcel of property in the Amended Area and affirmed and found the preponderance of the Amended Area to be blighted, and

WHEREAS, the predominance of defective or inadequate street layout, insanitary or unsafe condition, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmolded design and conditions which endanger life or property by fire or other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Amended Area, said Amended Area being more fully described in Attachment "A" and 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, to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4) RSMo, as amended; and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Amended Area and finding and affirming the Amended Area to be blighted, approved the Amended Plan and recommended approval of the Amended Plan to the Planning Commission and to this Board; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Amended Plan; 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 RSMo, as amended and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the Amended Area; and

WHEREAS, the Amended Plan has been presented and recommended by LCRA and the Planning Commission to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and the Planning Commission has advised this Board that the Amended Plan conforms to said general plan; and

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

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

WHEREAS, the Amended Plan prescribes 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 RSMo, as amended, this Board placed public notices in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Amended Plan, and said hearing was held at the time and place designated in those notices 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 as may be required to approve the Amended Plan; and

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

SECTION ONE. The finding of the St. Louis Board of Aldermen, (“Board”) by Ordinance #69053, that certain property described therein (and described herein as Attachment "A-1" incorporated herein by reference) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby affirmed, and there exists within the City of St. Louis (“City”) additional blighted properties, as defined by Section 99.230 RSMo, as amended, which, together with the properties in Attachment “A-1” are known as the Amended 210 North Tucker Blvd. Redevelopment Area as described in Attachment “A”, attached hereto and incorporated herein be referenced (“Amended Area”). The existence of additional deteriorated property and other conditions constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Amended Area as blighted within the meaning of Section 99.230(3) RSMo, as amended, and are evidenced by the Blighting Report attached as Exhibit “F” (“Blighting Report”) to the Amended Blighting Study and Redevelopment Plan for the Amended Area dated June 26, 2012 which is attached hereto, and labeled Attachment “B” and incorporated herein by reference (“Amended Plan”).

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

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

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

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

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

SECTION EIGHT. The Amended Plan provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Amended Area by the exercise of eminent domain.

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

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

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

(a) Pledges its cooperation in helping to carry out the Amended Plan;

(b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent with the Amended Plan; and

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

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

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Amended Area, Redeveloper(s) shall agree:

(a) To use the property in accordance with the provisions of the Amended Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;

(b) That in undertaking construction under the agreement with the LCRA and the Amended Plan, bona fide Minority Business Enterprise (as further defined below, (“MBEs”) and Women Business Enterprise (as further defined below (“WBEs”) 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 MBEs and WBEs established by the City;

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

(e) To comply with the requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant

to this paragraph, minority and women subcontractors and material supplier participation in the construction pursuant to the Amended Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director – Certification and Compliance 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(s).

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by Minority Group Member(s) (as defined below) who have at least fifty-one percent (51%) ownership therein. 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 having at least fifty-one percent (51%) ownership. The woman or women must have operational and managerial control and interest in capital, earnings commensurate with their percentage of ownership.

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

SECTION FOURTEEN. The Redeveloper(s) may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, RSMo, 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(s) 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 similar 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 this Plan:

> If property in the Amended Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such urban redevelopment corporation shall own property within the Amended Area, then for a period of up to the first ten (10) years after the such urban redevelopment corporation shall acquire title to such property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to that property. In addition to such taxes, any such urban redevelopment corporation shall for a period of up to ten (10) years make 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be tax exempt because it is owned by the LCRA and leased to any such corporation, then such urban redevelopment corporation for such a period of up to 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 prior to the calendar year during which such urban redevelopment corporation shall lease such property.
>
> All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any agreement with the LCRA. In no event shall such benefits extend beyond ten (10) years after the redevelopment corporation shall have acquired title to the property.

SECTION FIFTEEN. Any proposed modification which will substantially change the Amended Plan, shall be approved by this Board in the same manner as the Amended Plan was first approved. Modifications which will substantially change the Amended Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement,

to the boundaries of the Amended Area, or to other items which alter the nature or intent of the Amended Plan.

The Amended Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Planning Commission of the City.

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.

ATTACHMENT "A"

210 N. TUCKER BLVD. REDEVELOPMENT AREA
LEGAL DESCRIPTION

Parcel #1 – 210 N. Tucker

Part of Block 503 of the City of St. Louis, including the alley now vacated by Ordinance No. 51433, described as follows"

Beginning at the intersection of the East line of 12th Boulevard with the North line of Pine Street, thence Northwardly along the East line of 12th Boulevard 233 feet 3-3/4 inches to the South line of Olive Street, thence Eastwardly along the South line of Olive Street 197 feet 5-1/2 inches to a point distant 238 feet West of the West line of 11th Street, thence Southwardly parallel with 11th Street 104 feet 1-5/8 inches to an alley, 20 feet wide, thence Westwardly along the North line of said alley 97 feet 2-1/8 inches to the West line of another alley; thence Southwardly along the West line of the last mentioned alley, 129 feet 1-3/4 inches to the North line of Pine Street; thence Westwardly along the North line of Pine Street, 100 feet 3-1/4 inches to the point of beginning.

Parcel #2 – 1115R Pine St.

CB 0503 ALLEY
64.92 FT X 55 FT
LUCAS & HUNT ADDN
BNDE – 140 FT W OF 11TH ST.

ATTACHMENT "A-1"

210 N. TUCKER BLVD. REDEVELOPMENT AREA
LEGAL DESCRIPTION

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ATTACHMENT "B"
Form: 10/05/11

AMENDED BLIGHTING STUDY AND PLAN
FOR THE
210 N. TUCKER BLVD.
REDEVELOPMENT AREA
PROJECT #1591
September 27, 2011

Amended June 26, 2012
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
210 N. TUCKER BLVD. REDEVELOPMENT AREA

PAGE

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 1
6. FINDING OF BLIGHT 2

B. PROPOSED REDEVELOPMENT AND REGULATIONS 2

1. REDEVELOPMENT OBJECTIVES 2
2. PROPOSED LAND USE OF THE AREA 2
3. PROPOSED ZONING 2
4. RELATIONSHIP TO LOCAL OBJECTIVES 2
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 5

C. PROPOSED SCHEDULE OF REDEVELOPMENT 5

D. EXECUTION OF PROJECT 6

1. ADMINISTRATION AND FINANCING 6
2. PROPERTY ACQUISITION 6
3. PROPERTY DISPOSITION 6
4. RELOCATION ASSISTANCE 6

E. COOPERATION OF THE CITY 6

F. TAX ABATEMENT 6

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS 7

1. LAND USE 7
2. CONSTRUCTION AND OPERATIONS 7
3. LAWS AND REGULATIONS 8
4. ENFORCEMENT 8

H. MODIFICATIONS OF THIS PLAN 8

I. DURATION OF REGULATION AND CONTROLS 8

J. EXHIBITS 8

K. SEVERABILITY 9

E X H I B I T S

"A"	LEGAL DESCRIPTION
"B"	PROJECT AREA PLAN - EXISTING USES AND CONDITIONS
"C"	PROJECT AREA PLAN - PROPOSED LAND USES
"D"	PROJECT AREA PLAN - ACQUISITION MAP
"E"	EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
“F”	BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 210 N. Tucker Blvd. Redevelopment Area ("Area") encompasses approximately 0.85 acres in the Downtown neighborhood of the City of St. Louis ("City") and is located on the east side of Tucker Blvd. between Olive St. and Pine St.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibits "B", “C” and “D” ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 503 and includes the following addresses: 200-20 Tucker Blvd., 1130-44 Olive St. and 1115R and 1131-43 Pine St. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" (“Project Area Plan-Existing Uses and Conditions”) and enumerated in Exhibit “F” “Blighting Report.”

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate an 8.8% unemployment rate for the City for the month of April, 2012. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently approximately 116 jobs within the Area over three shifts.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include a partially occupied eighteen (18) story 422,000 sq. ft. commercial building and a 3600 sq. ft one-story building at 1115R Pine Street.

The land uses within the Area, 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 used primarily for Commercial uses.

Residential density for the surrounding neighborhoods is approximately 5.63 persons per acre for 2010.

5. CURRENT ZONING

The Area is currently zoned "I" Central Business District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

Some of the property within the Area is occupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300 et seq. RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED REDEVELOPMENT AND REGULATIONS

1. REDEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive commercial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in zones designated "I" Central Business District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall not be permitted to use the property within the Area for any of the following:

pawn shops, adult bookstores, X-rated movie houses, massage parlors or 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 for financial institutions or pharmacies) that utilizes 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 service or stations.

Exhibit "C" (Project Area Plan-Proposed Land Use) shows the proposed uses for the Area. The General Plan for the City, which includes the "Strategic Land Use Plan" (as amended 2011) designates the Area as a Specialty Mixed-Use Area (SMUA).

3. PROPOSED ZONING

The zoning for the Area may remain "I" Central Business District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2011). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

Approximately 100 to 200 new permanent full time equivalent jobs are expected to be created if the Area is

redeveloped in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed redevelopment.

6. CIRCULATION

The Project Area Plan-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 City 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.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the redevelopment agreement ("Agreement") (if any), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) 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

The existing building should be enhanced to better contribute to the important Twelfth Street Streetscape.

b. Urban Design Regulations

Enhance existing structure.

c. Landscaping

The Area 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.

d. Fencing

New fencing may be ornamental metal, chain link or a good quality, privacy fence provided it is not wood stockade style. In no case shall the fencing have razor or brushed wire on top if it is visible from any street. In residential or commercial zoning districts and fencing across from residential uses in any zoning district new fencing in front yards or along streets shall be limited to ornamental metal or good quality privacy fencing provided it is not wood stockade style.

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.

All permanent at-grade parking areas shall be screened on street-facing sides with a decorative wall and/or fence

of masonry, cast metal, wrought iron, or a combination thereof, with eight foot masonry piers capped with appropriate stone material located at gates, corners and every twenty-five (25) feet along the perimeter. All such cast metal or wrought iron fencing must be planted with a continuous evergreen hedge at least two and one-half (21/2) feet high on planting and which is maintained at a minimum height of three and one-half (3-1/2) feet at maturity.

If parking lots exceed twenty-five (25) spaces, three percent (3%) of the interior of the parking lots shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. These 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 agreements between the LCRA and the Redeveloper(s). A uniform signage plan must be prepared by the Redeveloper(s) for the entire Area. 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.

Projecting signs shall be governed by the City Code, but may not obscure an architectural building element.

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.

Painted wall signs, roof signs, pole 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 of the Area 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 recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper(s).

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 redeveloped in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious redevelopment that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF REDEVELOPMENT

It is estimated that the implementation of this Plan will take place in multiple phases initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately five (5) years of approval of this Plan by City ordinance.

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

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer redevelopment 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.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

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(s).

2. PROPERTY ACQUISITION

The Project Area Plan-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(s) who shall agree to redevelop such property in accordance with this Plan and the agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper(s) 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. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

Some of the property within the Area is currently occupied. All eligible occupants displaced as a result of the implementation of this 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 the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper(s) may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 -99.715, RSMO, as amended, upon application as provided therein. Such real estate tax abatement shall not include taxes collected for any Special Business District Neighborhood Improvement District, commercial Improvement district, or other similar local taxing districts created in accordance with Missouri law, whether now existing or later created

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) 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 taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or other similar local taxing districts 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 a period of up to the first ten (10) years after the date the redevelopment corporation shall acquire title to the property in the Area, taxes on such property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which the urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for such period of up to the ten (10) years 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 prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. If such property shall be tax exempt because it is owned by the LCRA and leased to any such urban redevelopment corporation, then such corporation for a period of up to the first ten (10) years of the 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 prior to the calendar year during which that corporation shall lease such property.

All payments in lieu of taxes shall be a lien upon the real 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 urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond ten (10) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

A Redeveloper(s) 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, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper(s) 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(s) 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 an Agreement between the LCRA and a Redeveloper(s), 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(s), 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, redevelopment schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the PDA.

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 City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at 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"

210 N. TUCKER BLVD. REDEVELOPMENT AREA
LEGAL DESCRIPTION

Parcel #1 – 210 N. Tucker

Part of Block 503 of the City of St. Louis, including the alley now vacated by Ordinance No. 51433, described as follows”

Beginning at the intersection of the East line of 12th Boulevard with the North line of Pine Street, thence Northwardly along the East line of 12th Boulevard 233 feet 3-3/4 inches to the South line of Olive Street, thence Eastwardly along the South line of Olive Street 197 feet 5-1/2 inches to a point distant 238 feet West of the West line of 11th Street, thence Southwardly parallel with 11th Street 104 feet 1-5/8 inches to an alley, 20 feet wide, thence Weswardly along the North line of said alley 97 feet 2-1/8 inches to the West line of another alley; thence Southwardly along the West line of the last mentioned alley, 129 feet 1-3/4 inches to the North line of Pine Street; thence Westwardly along the North line of Pine Street, 100 feet 3-1/4 inches to the point of beginning.

Parcel #2 – 1115R Pine St.

CB 0503 ALLEY
64.92 FT X 55 FT
LUCAS & HUNT ADDN
BNDE – 140 FT W OF 11TH ST.

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 03/10/08

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) 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(s) shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper(s) and its contractors 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(s) shall fully comply with Executive Order #28 dated July 24, 1997 (as may be extended) relating to minority and women-owned business participation in City contracts.

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

EXHIBIT "F"

Blighting Report for the 210 N. Tucker Blvd. Redevelopment Area

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, insanitary or unsafe conditions, deteriorating or inadequate site improvements, improper subdivision or obsolete platting and conditions which endanger life or property by fire or other causes.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the taxing districts that depend upon it as a revenue source, as well as a public, health and safety liability. It, therefore, qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: _____ vacant land _____ unoccupied/occupied residential
_____X_____ occupied commercial

Subject Property is: _____X_____ secured _____ unsecured

The subject property _____ has _____X_____ has no predominance of defective or inadequate streets
If answer is yes, explain: _____

The subject property _____X_____ has _____ has no insanitary or unsafe conditions
If answer is yes, explain: The building contains some environmental hazards.

The subject property _____ has _____X_____ has no deterioration of site conditions
If answer is yes, explain: _____

The subject property _____ has _____X_____ has no improper subdivision or obsolete platting
If answer is yes, explain: _____

The subject property _____ has _____X_____ has no conditions which endanger life or property by fire or other cause. If answer is yes, explain: _____

The subject property _____ does _____X_____ does not retard the provision of housing accommodations
If answer is yes, explain: _____

The subject property _____X_____ does _____ does not constitute an economic liability
If answer is yes, explain: The building is only 40% occupied and requires major upgrades to increase occupancy.

The subject property _____ does _____X_____ does not constitute a social liability
If answer is yes, explain: _____

The subject property _____ is _____X_____ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: _____

The subject property _____ is _____X_____ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The unoccupied portion of the building (floors 9-18) are very obsolete and cannot attract occupancy without major upgrades.

The subject property _____ is _____X_____ is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property _____ is _____X_____ is not detrimental because of high density of population.
If answer is yes, explain: _____

The subject property _____ is _____X_____ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property _____ has _____X_____ has not conditions which endanger life or property by fire and other causes. If answer is yes, explain: _____

The subject property _____X_____ has _____ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: See above.

Approved: November 27, 2012

ORDINANCE NO. 69303 - EXHIBIT B

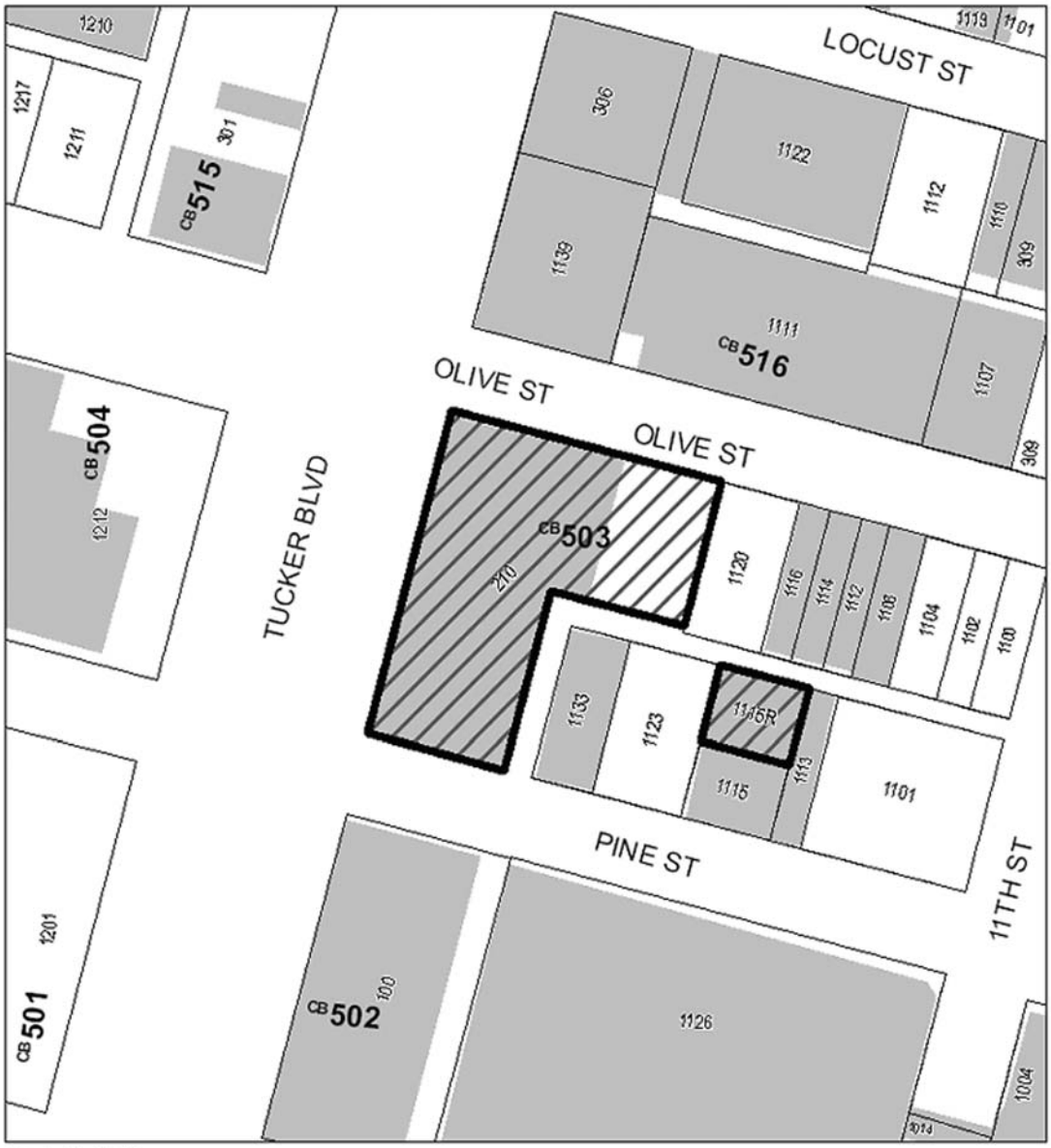

Exhibit B
Project Area Plan
210 North Tucker Boulevard
Existing Uses and Conditions

- Commercial, Fair Condition
- Project Area Boundary
- Buildings
- 1234 City Block Number

0 30 60 Feet

ORDINANCE NO. 69303 - EXHIBIT C

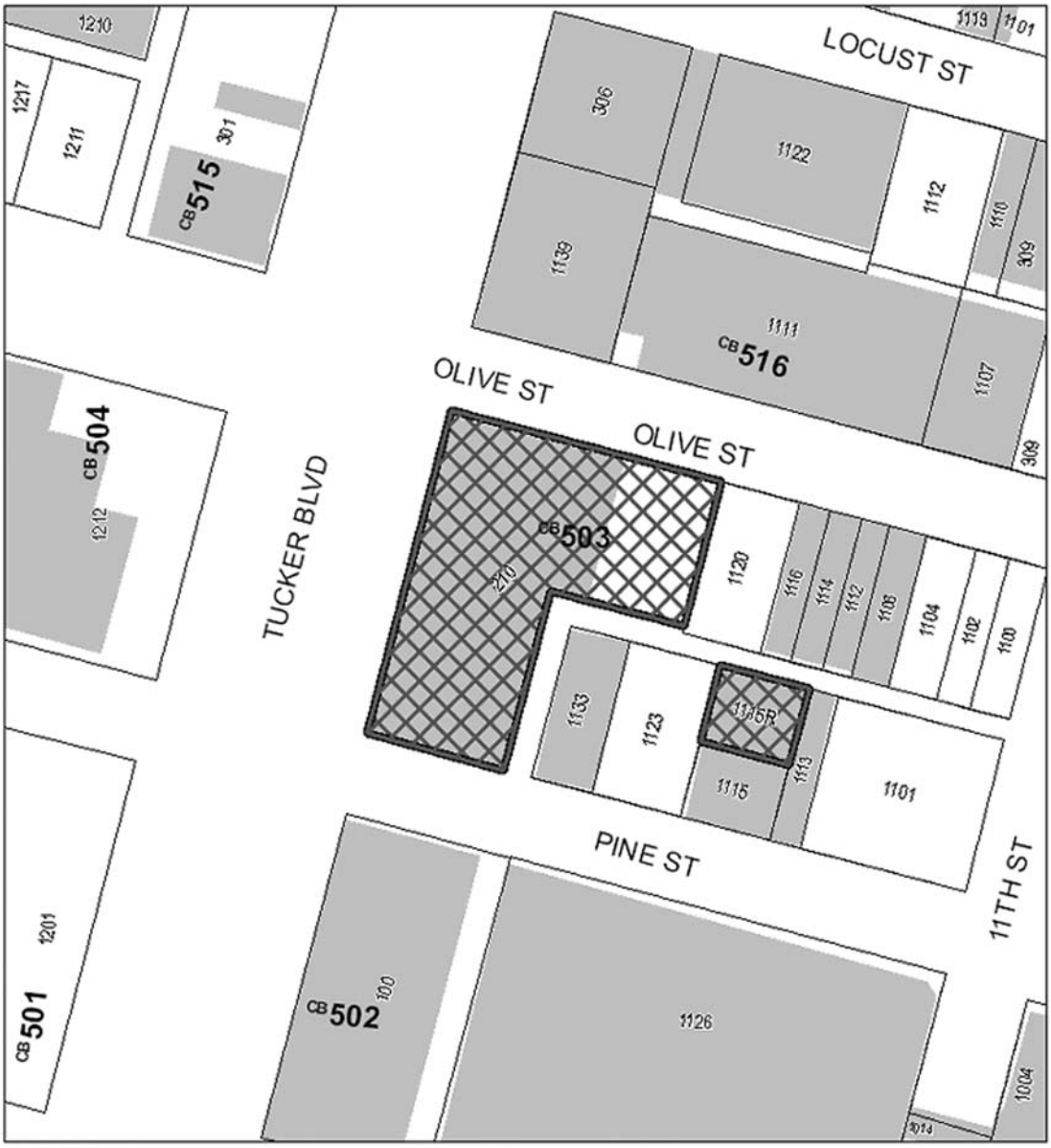

Exhibit C
Project Area Plan
210 North Tucker Boulevard

Proposed Land Uses

- Commercial Use
- Project Area Boundary
- Buildings
- 1234 City Block Number

0 30 60 Feet

ORDINANCE NO. 69303 - EXHIBIT D

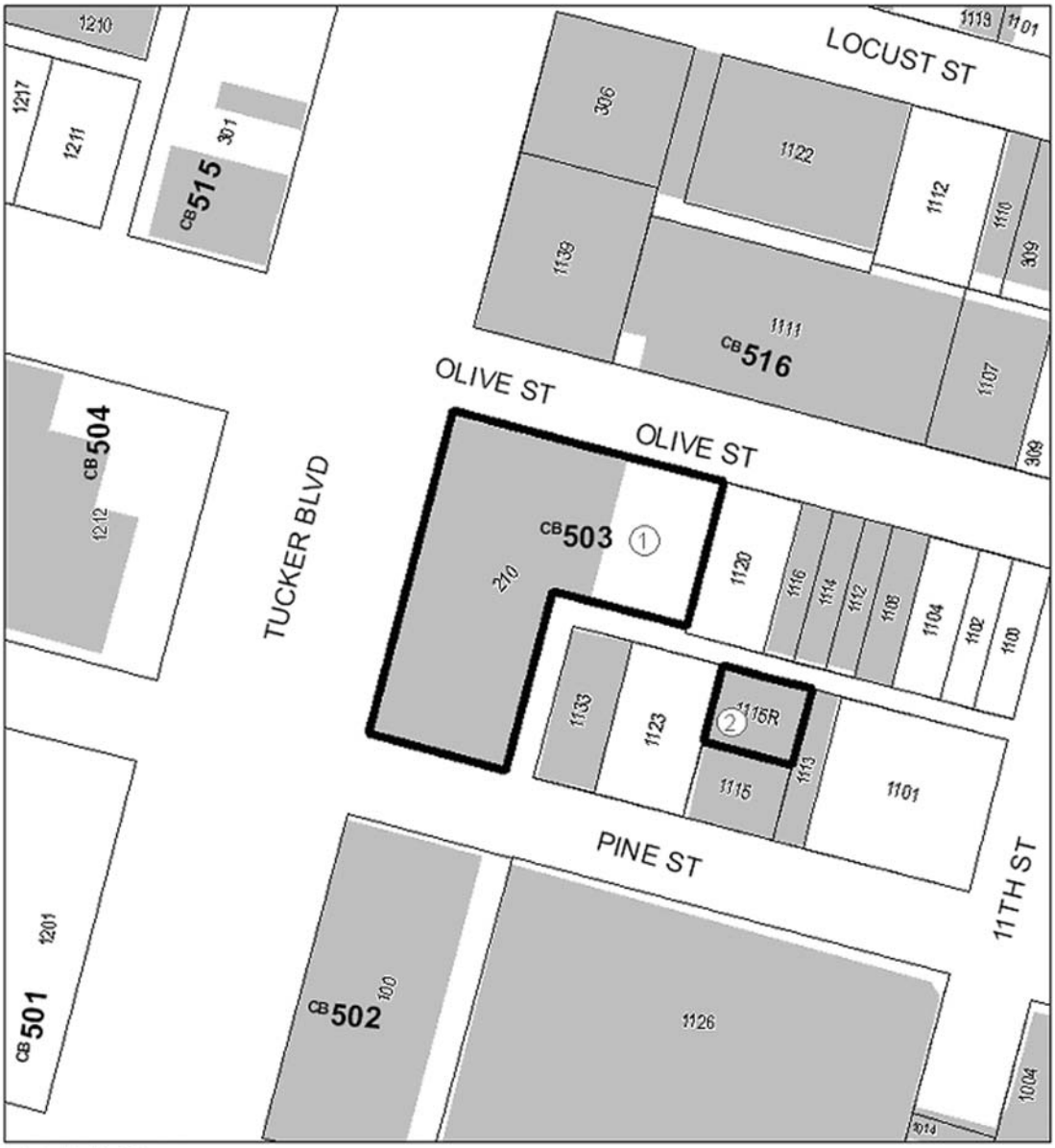

Exhibit D
Project Area Plan
210 North Tucker Boulevard
Project Acquisition Map

(1) Parcel Number
Project Area Boundary
Buildings
1234 City Block Number

0 30 60
Feet