

St. Louis City Ordinance 64594

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 251

INTRODUCED BY ALDERMAN KENNETH JONES

An ordinance finding that a certain blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), exists in the City of St. Louis ("City") and containing a description of the boundaries of said blighted area, attached hereto and incorporated herein as Exhibit "A", known as the Hamilton Heights Scattered Sites III Area ("Area"); finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated July 28, 1998 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is partially occupied, and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with

effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the 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, the LCRA has recommended such a plan to the Community Development Commission ("CDC") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for Hamilton Heights Scattered Sites III", dated July 28, 1998, consisting of a Title Page, a Table of Contents Page, and sixteen (16) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

WHEREAS, the LCRA and CDC 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 CDC of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Plan has been presented and recommended by LCRA and CDC 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 CDC has advised this Board that the Plan conforms to said general plan; and

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

WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights of way, the establishment of new street and sidewalk patterns or other public actions; and

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

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

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

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

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the Hamilton Heights Scattered Sites III Area ("Area").

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

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

SECTION FOUR. The Blighting Study and Plan for the Area, dated July 28, 1998 ("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 Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment

activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

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

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

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

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

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

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

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect

without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

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

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

(b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;

(c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the Community Development Commission of the City ("CDC");

(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 subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and

(g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non profit organization owned, operated and controlled by minority group members who have at least fifty one percent (51%) ownership. The minority group member(s) must have operational and management control, interest in capital and earnings commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons legally residing in the United States who are Black, Hispanic, Native American (American Indian,

Eskimo, Aleut or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole proprietorship, partnership, corporation, profit or non profit organization owned, operated and controlled by a woman or women who have at least fifty one percent (51%) ownership. The woman or women must have operational and managerial control, interest in capital and earnings commensurate with their percentage of ownership.

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

SECTION FOURTEEN. The Redeveloper may seek ten (10) year tax abatement only pursuant to Sections 99.700 99.715, Revised Statutes of Missouri, 1986, as amended, upon application as provided therein.

SECTION FIFTEEN. Any proposed modification which will substantially change the Plan must be approved by the St. Louis Board of Aldermen in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan. The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the CDC. Changes which are not substantial are those that do not go to the crux of the Plan.

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

EXHIBIT "B"

Form: 11/18/98

BLIGHTING STUDY AND PLAN
FOR
THE HAMILTON HEIGHTS SCATTERED
SITES III AREA
PROJECT #030
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
JULY 28, 1998
MAYOR
CLARENCE HARMON

BLIGHTING STUDY AND PLAN FOR
THE HAMILTON HEIGHTS SCATTERED SITES III AREA

A. EXISTING CONDITIONS AND FINDING OF BLIGHT.....1

1. DELINEATION OF BOUNDARIES.....1

2. GENERAL CONDITION OF THE AREA.....1

3. PRESENT LAND USE OF THE AREA.....1

4. PRESENT LAND USE AND DENSITY OF SURROUNDING
PROPERTIES.....1

5. CURRENT ZONING.....2

6. FINDING OF BLIGHT.....2

B. PROPOSED DEVELOPMENT AND REGULATIONS.....2

1. DEVELOPMENT 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...	4
12.	PUBLIC IMPROVEMENTS.....	4
C.	PROPOSED SCHEDULE OF DEVELOPMENT.....	5
D.	EXECUTION OF PROJECT.....	5
1.	ADMINISTRATION AND FINANCING.....	5
2.	PROPERTY ACQUISITION.....	5
3.	PROPERTY DISPOSITION.....	5
4.	RELOCATION ASSISTANCE.....	6
E.	COOPERATION OF THE CITY.....	6
F.	TAX ABATEMENT.....	6
G.	COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS.....	6
1.	LAND USE.....	6
2.	CONSTRUCTION AND OPERATIONS.....	6
3.	LAWS AND REGULATIONS.....	6
4.	ENFORCEMENT.....	7
H.	MODIFICATIONS OF THIS PLAN.....	7
I.	DURATION OF REGULATION AND CONTROLS.....	7
J.	EXHIBITS.....	7
K.	SEVERABILITY.....	8

EXHIBITS

"A" LEGAL DESCRIPTION

"B" PROJECT AREA PLAN

"C" PROPOSED LAND USE

"D" ACQUISITION MAP

"E" EQUAL OPPORTUNITY AND NON DISCRIMINATION GUIDELINES

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Hamilton Heights Scattered Sites III Area ("Area") encompasses approximately 3.60 acres in the Hamilton Heights neighborhood of the City of St. Louis ("City") and is located on the east and west sides of Montclair Ave. and Burd Avenue with Wells Ave. to the North and Ridge Ave. to the South.

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 ten parcels of City Block 3806 WA, 16 parcels of city block 3806 WB, 5 parcels of city block 3806 EA and includes the following address: 1426 48 and 1411 43 Burd Ave., 1422 44 Montclair Ave. and 1401 05, 1411, 1421 41 Montclair Ave., 5586 Wells. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under utilized. "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. Subject property has had substantial fire damage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8% unemployment rate for the City as of April, 1998. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include one partially occupied (1) 8 family residential building, 3 unoccupied single family residential building, 1 occupied single family, three occupied two family, one unoccupied four family residential building, one partially occupied mixed use building and nineteen vacant lots. The land use, including the location or 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 in the surrounding Area have primarily residential uses.

Residential density for the surrounding neighborhoods is approximately 18.05 persons per acre.

5. CURRENT ZONING

The Area is zoned "C" Multi Family Dwelling District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is partially occupied and in poor condition (as defined in Section A(2) above). 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. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "C" Multi Family Dwelling District by the City of St. Louis Zoning Code. Redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for any use not allowed in the "C" and D Multiple Family Dwelling District.

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

3. PROPOSED ZONING

The zoning for the Area can remain "C" Multi Family Dwelling 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 of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the

Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

No new jobs will be created in this Area because the proposed development is residential.

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 Error

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 Heritage and Urban Design Commission ("HUDC") 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 these requirements may result in suspension of tax abatement by the LCRA.

8. URBAN DESIGN

a. Urban Design Objectives

The properties shall be developed so they are attractive residential assets to the surrounding neighborhood.

b. Urban Design Regulations

New construction and rehabilitation of the buildings shall respect the original exterior of the surrounding buildings in terms of design and materials. Window

and door shapes and detailing shall be compatible with the original design of the buildings.

c. Landscaping

The properties shall be well landscaped. Perimeter street trees of a minimum caliper of 2 1/2 inches and generally 30 35 feet on center, 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 HUDC standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property off the alley, and at least one space shall be provided for each residential unit. In addition, 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.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. All area signs shall be restricted to standard sale lease signs.

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.

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, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

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

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by 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 development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

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 the property located in the Area. The LCRA may not acquire the property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (1986) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently partially occupied. If it should become 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 shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement pursuant only to Sections 99.700 99.715, Revised Statutes of Missouri, upon application as provided therein.

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 Community Development Agency 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 and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the Community Development 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"

THE HAMILTON HEIGHTS SCATTERED SITES III AREA
LEGAL DESCRIPTION

Parcel 1 The Southern 40 feet of Lot 33 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 E.A. of the City of St. Louis, fronting 40 feet on the East line of Burd Avenue by a depth Eastwardly of 124 feet 6 1/2 inches to the dividing line of said Block.

3806 07 0080

1426 28 Burd Avenue

Parcel 2 The Northern 10 feet of Lot 33 and the Southern 28 feet of Lot 34 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 EA of the City of St. Louis, fronting 38 feet on the East Line of Burd Avenue, by a depth Eastwardly of 124 feet 6 1/2 inches to the dividing line of said Block.

3806 07 0090

1430 32 Burd Avenue

Parcel 3 The Northern 22 feet of Lot 34 of W.P. & Lucretia Crosswhite#s Subdivision and in Block 3806 EA of the City of St. Louis, fronting 22 feet on the Eastern line of Burd Avenue, by a depth Eastwardly of 124 feet 6 1/2 inches to the dividing line of said Block.

3806 07 0100

1434 Burd Avenue

Parcel 4 Lot 35 of W.P. and Lucretia Crosswhite#s Subdivision and in City Block 3806 EA of the City of St. Louis, fronting 50 feet on the East line of Burd Avenue, by a depth East of 124 feet 6 1/2 inches, more or less, to the dividing line of said Block.

3806 07 0110

1436 38 Burd Avenue

Parcel 5 Lot 36 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 EA of the City of St. Louis, fronting 78 feet 11 1/4 in inches on the east line of Burd Avenue, by a depth Eastwardly on its South line of 124 feet 6 1/2 inches on its North line of 125 feet to the West line of Lot 19 of said Block and Subdivision; bounded South by Lot 35 of said Block and Subdivision and North by Wells Avenue.

3806 07 0140

1442 48 Burd Avenue

Parcel 6 Lot 8 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 WB of the City of St. Louis, fronting 50 feet on the West line of Burd Avenue, by a depth

Westwardly of 118 feet 6 1/2 inches, more or less, to an alley.
3806 10 0220
1411 Burd Avenue

Parcel 7 South 25 feet of Lot 7 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 W.B. of the City of St. Louis, together fronting 25 feet on the West line of Burd Avenue, by a depth Westwardly of 118 feet 6 1/2 inches to an alley.
3806 10 0210
1415 Burd Avenue

Parcel 8 The Northern 25 feet of Lot No. 7 of William P. and Lucretia Crosswhite#s Subdivisions and in Block No. 3806 WB of the City of St. Louis, fronting 25 feet on the West line of Burd Avenue, by a depth Westwardly of 118 feet 6 1/2 inches to an alley.
3806 10 0200
1417 Burd Avenue

Parcel 9 The Southern 25 feet of Lot 6 of Crosswhite Addition and in City Block 3806 WB of the City of St. Louis, fronting 25 feet on the West line of Burd Avenue, by a depth Westwardly of 118 feet 6 1/2 inches to an alley
3806 10 0190
1419 Burd Avenue

Parcel 10 C.B. 3806 W.B Burd Ave. 25 feet x 118 feet 6 1/2 inches Crosswhite address Lot N 6.
3806 10 0180
1421 Burd Avenue

Parcel 11 Lot 5 of Crosswhite#s Subdivision and in Block 3806 WB of St. Louis, fronting 50 feet on the West line of Burd Avenue, by a depth Westly of 118 feet 6 1/2 inches, more or less, to an alley.
3806 10 0170
1425 Burd Avenue

Parcel 12 The Southern 30 feet of lot 4 of Crosswhite#s Addition and in City Block 3806 WB of the City of St. Louis, fronting 30 feet on the West line of Burd Avenue, by a depth Westwardly of 118 feet 6 inches to an alley, 12 feet wide, and bounded North by the Northern 20 feet of Lot.
3806 10 0160
1427 29 Burd Avenue

Parcel 13 The Southern 40 feet of Lot 3 and the Northern 20 feet of Lot 4, Block 8, of Crosswhite#s Addition and in City Block 3806 WB of the City of St. Louis, together fronting 60 feet on the West line of Burd Avenue, by a depth of 118 feet 6 inches to an alley 12 feet wide.

3806 10 0155

1433 37 Burd Avenue

Parcel 14 Lot 2 and the Northern 10 feet of Lot 3 of Crosswhite#s Addition, and in City Block 3806 WB of the City of St. Louis, fronting 60 feet on the West line of Burd Avenue, by a depth of 118 feet 6 inches to an alley 12 feet wide.

3806 10 0150

1439 43 Burd Avenue

Parcel 15 The Southern Half of Lot 14 of Crosswhites Subdivision and in Block 3806 WB of the City of St. Louis, fronting 25 feet on the east line of Montclair Avenue, by a depth Eastwardly of 118 feet 7 15/16 inches to an alley.

3806 10 0060

1422 Montclair Ave.

Parcel 16 C.B. 3806 W B Montclair Ave. 25 feet x 118 feet 6 inches Crosswhite Addr. Lot N.14

3806 10 0070

1424 Montclair Ave.

Parcel 17 Lot 15 of W.P. and Lucretia Crosswhites Subdivision in Block 3806 W.B. fronting 50 feet on the East line of Montclair Ave. by a depth Eastwardly of 118 feet 8 inches to an alley.

3806 10 0080

1426 28 Montclair Ave

Parcel 18 C.B. 3806 W.B Montclair 25 ft x 118 ft 8 inches Lucretia Crosswhite Add. Lot S 16 3806 10 0090

Lot N 16 1432 34 Montclair Ave.

Parcel 19 Lot 17 W.P. and Lucretia Crosswhite#s Subdivision, and in Block 3806 WB of the City of St. Louis, fronting 50 feet on the east line of Montclair Avenue, by a depth Eastwardly of 118 feet 8 inches to the alley

3806 10 0110

1436 Montclair Ave.

Parcel 20 C.B. 3806 W.B. Montclair Ave. 25 feet x 118 feet 7 inches 3806 10 0120 Crosswhite Address 1442 Montclair Ave.

Parcel 21 The Northern part of Lot No. 18 of W.P. and Lucretia Crosswhite' Subdivision and in Block No. 3806 WB of the City of St. Louis, fronting 51 feet 6 1/2 inches on the East line of Montclair Avenue, by a depth Eastwardly of 119 feet 7/8 inch on the South line of Wells Avenue to an alley, having a width thereon of 41 feet 3 3/8 inches; bounded South be a line parallel with and distant 25 feet North of the South line of said Lot No. 18
3806 10 0130
1444 Montclair Ave.

Parcel 22 The Southern part of Lot 27 of W.P and Lucretia Crosswhite's Subdivision and in Block 3806 WA of the City of St. Louis, fronting 38 feet 6 1/2 inches on the West line of Montclair Avenue, by a depth Westwardly of 119 feet 8 inches on the North line and of 120 feet 7/8 inch on the South line to an alley, on which it has a width of 28 feet 2 3/8 inches; bounded South by Ridge Avenue.
3806 09 0230
1401 Montclair Ave.

Parcel 23 The Northern 38 feet of Lot No. 27 of W.P. and Lucretia Crosswhite's Subdivision and in Block No. 3806 WA of the City of St. Louis, fronting 38 feet on the West line of Montclair Avenue, by a depth Westwardly of 119 feet 8 inches to an alley.
3806 09 0220
1405 Montclair Ave.

Parcel 24 The Northern Half of Lot 26 of W.P. and Lucretia Crosswhite's Subdivision and in Block 3806 WA of the City of St. Louis, fronting 25 feet on the West line of Montclair Avenue, by a depth Westwardly of 199 feet 8 inches to the East line of an alley.
3806 09 0200
1411 Montclair Ave

Parcel 25 The North half of Lot 24 in Crosswhite's Addition and in City Block 3806 WA of the City of St. Louis, fronting 25 feet on the west line of Montclair Avenue, by a depth West of 119 feet 8 inches to an alley.
3806 09 0160
1421 Montclair

Parcel 26 The Southern 1/2 of Lot 23 of W.P. and Lucretia Crosswhite's Subdivision and in Block 3806 W A of the City of St. Louis, fronting 25 feet on the West line of Montclair Avenue by a depth Westwardly of 119 feet 8 inches to an alley.
3806 09 0150
1423 Montclair Ave.

Parcel 27 The Northern 1/2 of Lot 23 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 WA of the City of St. Louis, fronting 25 feet on the West line of Montclair Avenue by a depth Westwardly of 119 feet 8 inches to an alley.

3806 09 0140

1427 Montclair Ave

Parcel 28 Lot No. 22 of W.P. and Lucretia Crosswhite#s Subdivision and in Block 3806 WA of the City of St. Louis, fronting 50 feet on the West line of Montclair Avenue, by a depth Westwardly of 119 feet 8 inches to an alley.

3806 09 0130

1431 Montclair Ave.

Parcel 29 The Southern 43 feet 2 inches of Lot 21 of W. P. Lucretia Crosswhite Addition and in City Block 3806 Wa of the City of St. Louis, fronting 43 feet 2 inches on the West line of Montclair Avenue, by a depth Westwardly of 119 feet 8 inches to an alley.

3806 09 0120

1433 Montclair Ave.

Parcel 30 All of Lot 20 and the Northern 6 feet 10 inches of Lot 21, of WA, and Lucretia Crosswhites Addition, of the City of St. Louis, fronting 56 feet 10 inches on the West line of Montclair Avenue, by a depth Westwardly of 119 feet 8 inches, to an alley bounded South by a line lying partly in a partition wall between buildings numbered 1437 39 41 Montclair Avenue.

3806 09 0110

1437 Montclair Ave.

Parcel 31 Lot 19 of W.P. Lucretia Crosswhites Subdivision and in Block 3806 WA of the City of St. Louis, fronting 57 feet 3 1/3 inches on the West line of Montclair Avenue by a depth Westwardly on its South line of 119 feet 8 inches and on its North line of 120 feet 1 1/4 inches to an alley, on which it has a width of 67 feet 11 7/8 inches; bounded North by Wells Avenue.

3806 09 0100

5586 Wells Ave.

EXHIBIT "E"

FORM: 10/29/98

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, and any entity formed to implement the project of which the Redeveloper is a general partner), its contractors and subcontractors will include a clause requiring compliance with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination, the Executive Order of the Mayor of the City dated July 24, 1997 and all guidelines herein.

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.

In the redevelopment of the Area, there shall be maximum utilization of bona fide minority business enterprises ("MBE's") and women business enterprises ("WBE's" and, together with MBE's, "disadvantaged business enterprises" or "DBE's"). The Redeveloper will set a minimum goal of twenty five percent (25%) MBE participation and five percent (5%) WBE participation under these guidelines. In the event the Redeveloper fails to attain that goal, the Redeveloper may be required to show good cause therefor; provided however, that this requirement will be deemed to have been met when documentation evidences that all available resources (i.e. DBE suppliers, contractors, and subcontractors) willing to perform the work or provide the supplies at a price which (i) is within the range requested by non DBE's; or (ii) if higher than that requested by non DBE's, is attributable to the effects of past discrimination have been exhausted.

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 and 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 and interest in capital and earnings commensurate with their percentage of ownership.

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 agrees that if the redevelopment of the Area creates permanent jobs, it shall enter into an Employment Plan with the Saint Louis Agency on Training and Employment and the LCRA for referral of Jobs Training Partnership Act eligible individuals. Said plan shall specify the number of jobs to be covered by the Employment Plan, the target date for referrals to begin, and the procedure for referral.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
12/18/98	12/18/98	HUDZ		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
01/15/99			01/29/99	01/29/99
ORDINANCE	VETOED		VETO OVR	
64594				