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3 **AN ORDINANCE APPROVING THE DEVELOPMENT PLAN**  
4 **SUBMITTED FOR THE REDEVELOPMENT OF THAT CERTAIN**  
5 **TRACT OF LAND IN THE KINGSDELL REDEVELOPMENT**  
6 **AREA, WHICH AREA HAS BEEN FOUND TO BE BLIGHTED BY**  
7 **THE CITY OF ST. LOUIS, WHICH AREA SHOULD BE**  
8 **REDEVELOPED AS NECESSARY AND IN THE PUBLIC**  
9 **INTEREST, SAID TRACT BEING DESCRIBED IN EXHIBIT A;**  
10 **AUTHORIZING THE MAYOR AND COMPTROLLER TO ENTER**  
11 **INTO AN AGREEMENT ON BEHALF OF THE CITY OF ST.**  
12 **LOUIS WITH THE DEVELOPER; SETTING FORTH THE**  
13 **TERMS AND CONDITIONS OF SAID AGREEMENT,**  
14 **INCLUDING PROVISION FOR PILOT PAYMENTS;**  
15 **INCORPORATING BY REFERENCE CHAPTER 353, REVISED**  
16 **STATUTES OF MISSOURI 2000, AND ORDINANCE NO. 64516,**  
17 **AND CONTAINING A SEVERABILITY CLAUSE.**

18  
19 **WHEREAS**, the Board of Aldermen of the City of St. Louis has found and  
20 designated the Redevelopment Area to be a blighted area within the meaning of and as  
21 defined in the Urban Redevelopment Corporation Law, Section 353.020, RSMo. 2000,  
22 and Chapter 11.06 of the Revised Code of Ordinances of the City of St. Louis, pursuant  
23 to Ordinance No. \_\_\_\_ [Board Bill #\_\_\_\_]; and  
24

25 **WHEREAS**, the Board of Aldermen of the City of St. Louis has previously found  
26 and designated the Redevelopment Area to be a blighted area pursuant to Ordinance No.  
27 64516 pursuant to Chapter 99, RSMo., and pursuant to Ordinance No. 56791 pursuant to  
28 Chapter 353, RSMo.; and  
29

30 **WHEREAS**, the Kingsdell Redevelopment Corporation did submit a  
31 Development Plan (the "Plan") for the redevelopment of the Kingsdell Redevelopment  
32 Area, such redevelopment area being described within **Exhibit A** hereto, and referred to  
33 in hereinafter as "Redevelopment Area"; and  
34

35 **WHEREAS**, the Kingsdell Redevelopment Corporation (hereinafter  
36 "Developer") is an urban redevelopment corporation formed and existing under Chapter  
37 353, RSMo. 2000, having been incorporated on August 3, 2005; and  
38

39 **WHEREAS**, the Planning Commission of the City of St. Louis did conduct an  
40 open meeting on October 5, 2005, for the purpose of reviewing and evaluating the  
41 Development Plan so submitted and did duly transmit its recommendation to the Mayor,  
42 the Board of Alderman and the HUDZ committee of the Board of Alderman; and  
43

44 **WHEREAS**, the Plan has been presented to and recommended by the Planning  
45 Commission of the City of St. Louis to this Board for review and approval; and  
46

1           **WHEREAS**, a general plan has been prepared and is recognized and used as a  
2 guide for the general development of the City and the Planning Commission has advised  
3 this Board that the Plan conforms to said general plan; and  
4

5           **WHEREAS**, the Board of Alderman has duly considered the recommendation of  
6 the Planning Commission and finds that the redevelopment of the Redevelopment Area  
7 by Developer in accordance with its Development Plan (hereinafter "Development Plan")  
8 is necessary, in the public interest, and serves a public purpose; and  
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10           **WHEREAS**, the Board of Alderman finds that the Development Plan complies  
11 with all requirements of Chapter 11.06 of the Revised Code of the City of St. Louis, and  
12 the Developer has complied with all the requirements imposed upon it by Chapter 353,  
13 RSMo. 2000; and  
14

15           **WHEREAS**, the blighted character of the Redevelopment Area is shown by the  
16 study entitled "Data and Analysis on Conditions of Blight for Kingsdell Redevelopment  
17 Area" submitted by Developer to the City Planning Commission on August 3, 2005;  
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19 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF**  
20 **THE CITY OF ST. LOUIS, MISSOURI AS FOLLOWS:**  
21

22           **Section One.** The foregoing recitals are hereby incorporated herein by reference  
23 as findings of the Board of Aldermen.  
24

25           **Section Two.** The Redevelopment Area is that certain tract of land being  
26 described within **Exhibit A** attached hereto and incorporated herein by reference.  
27

28           **Section Three.** It is hereby determined, found and declared that the Development  
29 Plan, attached hereto as **Exhibit A** and incorporated herein by reference, submitted by  
30 Kingsdell Redevelopment Corporation for the redevelopment of the Redevelopment Area  
31 is necessary and in the public interest to remediate the blight determined, found and  
32 declared by Ordinance No. \_\_\_\_ [Board Bill# \_\_\_\_] and as such is approved in  
33 accordance with provisions of this ordinance.  
34

35           **Section Four.** The Board of Alderman has reviewed the previous designation of  
36 the Redevelopment Area as blighted area and hereby reaffirms the finding and  
37 declaration of blight pursuant to Ordinance No. 64516.  
38

39           **Section Five.** The Mayor and Comptroller of the City of St. Louis are hereby  
40 authorized and directed to enter into and deliver on behalf of the City, an agreement by  
41 and between said City and the Developer, its successors and assigns, in substantially the  
42 same form as set forth in **Exhibit B**, attached hereto and incorporated herein by  
43 reference. In the event of any conflicts or differences between the provisions of the  
44 Development Plan and the Development Agreement hereinafter recited, the Development  
45 Agreement shall govern and said Development Plan shall be deemed to be amended.  
46

**Date: October 14, 2005**

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**Board Bill # 281**

**SPONSORED BY ALDERWOMAN KREWSON**

1           **Section Six.** The sections of this ordinance shall be severable. In the event any  
2 section of this ordinance is found by a court of competent jurisdiction to be invalid, the  
3 remaining sections of this ordinance are valid, unless the court finds the valid Sections of  
4 this ordinance are so essentially and inseparably connected with, and so dependent upon,  
5 the void sections, that it cannot be presumed that the Board of Alderman would have  
6 enacted the valid sections without the void ones; or unless the court finds that the valid  
7 sections, standing alone, are incomplete and are incapable of being executed in  
8 accordance with the legislative intent. If any part of this ordinance regarding the rights of  
9 Developer are found invalid or unconstitutional, Developer shall thereafter at its election  
10 have the right to be released from the Development Agreement herein contained.

11  
12           **Section Seven.** The provisions of Chapter 353, RSMo. 2000, are incorporated  
13 herein by reference.

14  
15           **Section Eight.** If the Redevelopment Area is not acquired within the period  
16 provided for in the Development Agreement or as extended under the provisions of  
17 Section 6 and 7 of the Development Agreement, the redevelopment rights shall  
18 automatically expire.

19  
20           **Section Nine.** Eminent domain is not authorized to be utilized by City or any  
21 developer within the Redevelopment Area at any time during the term of the  
22 Development Plan and the Development Agreement.

23  
24           **Section Ten.** The Developer shall make a PILOT payment to City each tax year  
25 (real property) in the amount of \$533,783.00, which amount shall be increased annually  
26 by adding 1.5% (cumulatively) thereto.

27  
28           **Section Eleven.** The Developer has acknowledged the City's fair employment  
29 practices provisions of Ordinances No. 47957, and has agreed to be bound by the terms  
30 and spirit of said Ordinance, and, further, will make all facilities in the Redevelopment  
31 Area available without regard to race, religion, color or national origin.

32  
33           **Section Twelve.** Notwithstanding Section 11.06.230.D, the use of the area  
34 included within the Development Plan shall be limited to the uses described in the  
35 Development Plan for a period of not less than ten (10) years from the effective date of  
36 this Ordinance.

37  
38 PASSED this \_\_\_\_ day of \_\_\_\_\_, 2005.

39  
40  
41 \_\_\_\_\_  
42 MAYOR

Date of Approval: \_\_\_\_\_

43 ATTEST:

44  
45 \_\_\_\_\_  
46 CITY CLERK

**Date: October 14, 2005**

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**Board Bill # 281**

**SPONSORED BY ALDERWOMAN KREWSON**