

1 **BOARD BILL NO.507 INTRODUCED BY ALDERMAN CHARLES Q. TROUPE**

2 An ordinance approving an amended plan for the Natural Bridge Ave./Euclid Ave./Shreve
3 Ave./Sacramento Ave. Area after affirming that the area blighted by Ordinance 67814 known as
4 the Natural Bridge Ave./Euclid Ave./Shreve Ave./Sacramento Ave. Area ("Area") as described in
5 Exhibit "A-1" attached hereto and incorporated by reference, is a blighted area as defined in
6 Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being
7 Sections 99.300 to 99.715 inclusive), and that all additional property contained in the amended area
8 as described in "Exhibit A" is found to be blighted as defined in Section 99.320 of the Revised
9 Statutes of Missouri, 2000, as amended, affirming that redevelopment and rehabilitation of the
10 Area is in the interest of the public health, safety, morals and general welfare of the people of the
11 City; approving the Amended Blighting Study and Plan dated January 22, 2008 ("Amended Plan"),
12 incorporated herein by Exhibit "B" for an amended Area ("Amended Area"), incorporated herein
13 by Exhibit "A," pursuant to Section 99.430; finding that no property in the Area may be acquired
14 by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the
15 exercise of eminent domain; finding that the property within the Area is currently partially
16 occupied, and that the Redeveloper shall be responsible for providing relocation assistance
17 pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of
18 the Amended Plan; finding that financial aid may be necessary to enable the Area to be
19 redeveloped in accordance with the Amended Plan; finding that there shall be available up to ten
20 (10) year tax abatement; and pledging cooperation of the Board of Aldermen and requesting
21 various officials, departments, boards and agencies of the City to cooperate and exercise their
22 respective powers in a manner consistent with the Plan.

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WHEREAS, by Ordinance 67814, this Board found the property located in the Natural Bridge Ave./Euclid Ave./Shreve Ave./Sacramento Ave. Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe condition, 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 amended Area, said amended Area being more fully described in Exhibit "A" is hereby found to be a "blighted area"; 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, by Ordinance 67814, this Board also approved a Redevelopment Plan for the Area, dated June 26, 2007; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 67814 by approving an Amended Area; and

1 WHEREAS, the LCRA has recommended such an amended plan to the Planning
2 Commission of the City of St. Louis (“Planning Commission”) and to this St. Louis Board of
3 Aldermen ("Board"), titled "Amended Blighting Study and Plan for the Natural Bridge Ave./Euclid
4 Ave./Shreve Ave./Sacramento Ave.", dated June 26, 2007, amended January 22, 2008, consisting
5 of a Title Page, a Table of Contents Page, and Fourteen (14) numbered pages, attached hereto and
6 incorporated herein as Exhibit "B" ("Amended Plan"); and

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

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

12 WHEREAS, the LCRA and the Planning Commission have made and presented to this
13 Board the studies and statements required to be made and submitted by Section 99.430 and this
14 Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully
15 aware of the conditions in the Amended Area; and

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

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

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

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

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

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

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

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

16 **SECTION ONE.** The finding of the Board of Aldermen, by St. Louis Ordinance 67814,
17 that certain property described therein (and described herein as Exhibit "A-1" attached hereto and
18 incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of
19 Missouri, 2000, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended)
20 is hereby confirmed.

21 **SECTION TWO.** The redevelopment of the Amended Area as described in Exhibit "A",
22 as provided by the Statute, is necessary and in the public interest, and is in the interest of the public
23 health, safety, morals and general welfare of the people of the City.

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

4 **SECTION FOUR.** The Amended Blighting Study and Plan for the Area, amended
5 January 22, 2008 ("Amended Plan") having been duly reviewed and considered, is hereby
6 approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board
7 of Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of
8 this meeting.

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

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

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

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

22 **SECTION NINE.** The property within the Amended Area is currently partially occupied.
23 All eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section

1 Thirteen, below) shall be given relocation assistance by the Redeveloper at its expense, in
2 accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

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

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

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

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

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

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

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

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

5 (b) That in undertaking construction under the agreement with the LCRA and the
6 Amended Plan, bona fide Minority Business Enterprise (“MBE’s”) and Women Business
7 Enterprise (“WBE’s”) will be solicited and fairly considered for contracts, subcontracts and
8 purchase orders;

9 (c) To be bound by the conditions and procedures regarding the utilization of MBE’s
10 and WBE’s established by the Community Development Commission of the City;

11 (d) To adhere to the requirements of the Executive Order of the Mayor of the City,
12 dated July 24, 1997.

13 (e) To comply with the requirements of Ordinance No. 60275 of the City;

14 (f) To cooperate with those programs and methods supplied by the City with the
15 purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and
16 material supplier participation in the construction under this Agreement. The Redeveloper will
17 report semi-annually during the construction period the results of its endeavors under this
18 paragraph, to the Office of the Mayor and the President of this Board; and

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

1 The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-
2 profit organization owned, operated and controlled by minority group members who have at least
3 fifty-one percent (51%) ownership. The minority group member(s) must have operational and
4 management control and interest in capital and earnings commensurate with their percentage of
5 ownership. The term Minority Group Member(s) shall mean persons legally residing in the United
6 States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native
7 Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines,
8 Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or
9 Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The
10 term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit
11 organization owned, operated and controlled by a woman or women who have at least fifty-one
12 percent (51%) ownership. The woman or women must have operational and managerial control
13 and interest in capital and earnings commensurate with their percentage of ownership.

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

16 **SECTION FOURTEEN.** The Redeveloper may seek ten (10) year real estate tax
17 abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended,
18 upon application as provided therein. Such real estate tax abatement shall not include any Special
19 Business District, Neighborhood Improvement District, Commercial Improvement District, or any
20 other similar local taxing district created in accordance with Missouri law, whether now existing or
21 later created.

22 In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban
23 redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall

1 hereby be entitled to real property ad valorem tax abatement which shall not include any
2 Special Business District, Neighborhood Improvement District, Commercial Improvement
3 District or any other single local taxing district created in accordance with Missouri law,
4 whether now existing or later created, for a total period of up to ten (10) years from the
5 commencement of such tax abatement, in accordance with the following provisions this
6 Plan:

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

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

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

15 The Amended Plan may be otherwise modified (e.g. urban design regulations, development
16 schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the
17 the Planning Commission of the City. Changes which are not substantial are those that do not go to
18 the crux of the Amended Plan.

19 **SECTION SIXTEEN.** The sections of this Ordinance shall be severable. In the event that
20 any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the
21 remaining sections of this Ordinance are valid, unless the court finds the valid sections of the
22 Ordinance are so essential and inseparably connected with and dependent upon the void section
23 that it cannot be presumed that this Board would have enacted the valid sections without the void

1 ones, or unless the court finds that the valid sections standing alone are incomplete and are
2 incapable of being executed in accordance with the legislative intent.

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