

ORDINANCE #65206
Board Bill No. 10
Floor Substitute

An ordinance repealing Ordinance 59267; Ordinance 60878 ; Ordinance 62016; Ordinance 63457 and Ordinance 64235; and enacting in lieu thereof a new ordinance pertaining to the regulation of dogs and cats in the City of St. Louis, to be codified as Chapter 10.04 of the Revised Code of the City of St. Louis; containing a penalty clause, a severability clause and an emergency clause.

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

SECTION ONE. Ordinance 59267, Ordinance 60878, Ordinance 62016, Ordinance 63457 and Ordinance 64235 are hereby repealed and enacted in lieu thereof are the following sections:

10.04.010 Definitions.

For the purpose of this chapter the following words or phrases shall have the meaning given herein.

A. “Animal agency” means any corporation, association, individual, partnership, or entity of any kind under contract with the City of St. Louis to perform services under this chapter.

B. “Cat” means all members of the *Felis domesticus*, either male or female, four months of age or older.

C. “City” means the City of St. Louis, Missouri.

D. “Dangerous dog” means any dog that, according to the records of the Health Commissioner, (1) has inflicted severe injury on a human being without provocation on public or private property, (2) has killed a domestic animal without provocation while off the owner’s property, (3) has been previously found to be potentially dangerous, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

E. “Dog” means *Canis familiaris* either male or female, four months of age or older.

F. “Federal Laboratory Animal Welfare Act” means Public Law 89-544, as amended (7 U.S.C. 2131), and all regulations issued pursuant thereto.

G. “Health Commissioner” means the Health Commissioner of the City of St. Louis, Missouri, in the Department of Health and Hospitals, or his designee.

H. “Health officer or agent” means any individual employed by, contracted with, or appointed by the City or the Health Commissioner for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the regulation or licensure of animals, control of animals, or seizure and impoundment of animals, and including any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

I. “Kitten” means all members of the *Felis domesticus*, under four months of age.

J. “Owner” means the holder of the vaccination-registration certificate or, in the case of no certificate, any person who possesses or harbors one or more dogs or cats.

K. “Potentially dangerous dog” means any dog that when unprovoked; (1) inflicts bites on a human or domestic animal either on public or private property, (2) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals, (3) has been found running or being at large and collected by the City twice in any eighteen (18) month period or (4) has been found running or being at large with a group of three or more at large dogs.

L. “Private practitioner” means a graduate Veterinarian licensed by the State of Missouri to practice medicine.

M. “Property enclosure of a dangerous dog” means, while on the owner’s property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

N. “Puppy” means *Canis familiaris*, either male or female, under four months of age.

O. “Severe injury” means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or breaking of skin.

P. “Spay or neuter” means to alter surgically, chemically or by any other methods approved by the Health

Commissioner a dog or cat for the purpose of rendering such animal incapable of reproduction.

Q. "Veterinarian" means a graduate of an accredited Veterinary College who is approved by the Health Commissioner to perform certain rabies control functions.

10.04.020 Service animals.

It is unlawful for any service animal trained to guide or assist a person with a disability, including those persons with mobility, visual or hearing impairments, when actually accompanying this person with a disability, to be prohibited admission to any place or vehicle which a person with a disability has a lawful right to enter. The service animal must wear the proper restraints and/or harness. At all times, the service animal or person must have in or on their possession, identification of training as a service animal, for the service animal. The service animal is allowed to accompany the person with a disability in all areas of public accommodation open to other patrons. The service animal shall not be separated from the person with a disability that it serves.

10.04.040 Transient dogs.

An owner who is either passing through the City or who has been a resident thereof for less than thirty days and who has a dog in his possession or control shall show evidence of the dog's having received rabies immunization, of any approved type, which would produce an immunization period covering the time in St. Louis. If the imported dog remains in St. Louis more than thirty days, the owner shall procure a St. Louis vaccination-registration certificate in accordance with the provisions of this chapter.

10.04.050 Vaccination-registration certificate required.

No dog or cat, as defined in Section 10.04.010, shall be permitted within the limits of the City unless such dog or cat is registered and the fee imposed by this chapter is paid, except that transient dogs, as defined herein, are excepted from such certificate for the period stipulated above.

10.04.060 Vaccination-registration of dogs, cats, kittens, puppies required—Kennels—Exceptions—Tags.

A. Every person who owns any dog, cat, kitten or puppy, whether in a kennel or not, that is kept any time during the year within the City, or permits a dog, cat, kitten or puppy to come upon, on or in the City, or to remain in or about his home, place of business or other premises in the area affected by this chapter, shall have such dog, cat, kitten or puppy vaccinated against rabies, and registered as provided in Section 10.04.070. Such dogs or cats must be vaccinated with a vaccine approved by the Health Commissioner, and at a frequency approved by the Health Commissioner for said vaccine.

B. Puppies and kittens shall be confined to their owner's premises. Every person who is responsible for any puppy or kitten shall have such puppy or kitten vaccinated against rabies, and registered as provided in this chapter on or before the puppy or kitten reaches four (4) months of age, but not earlier than three (3) months of age.

C. Every dog or cat which has been vaccinated in accordance with the provisions of the chapter shall at all times wear the registration tag in the manner herein prescribed in subsection D of Section 10.04.070.

D. It shall be unlawful for any person to own any dog or cat unless such dog or cat has been vaccinated against rabies and wears a current, unexpired registration tag, and the owner possesses a certificate issued in accordance with the provisions of this chapter.

10.04.070 Vaccination-registration system— Requirements, fees and information files.

A. The Commissioner shall prepare certificates in triplicate and numbered tags for distribution to veterinarians in a form he deems is best calculated to further the progress of the program provided for in this chapter. Spaces shall be provided for the following information and for such other information as the Health Commissioner may require to be filled in by the veterinarians legally authorized to vaccinate dogs and cats:

1. The name and address and phone number of the owner;
2. The date the vaccination was administered and the type of vaccine administered;
3. The breed, markings, sex and name of the vaccinated dog or cat.

B. The Health Department shall establish a fee of Fifty Dollars (\$50.00) for each combined unit of corresponding vaccination-registration certificate and tag for the purpose of maintaining the system of vaccination-registration except that the fee shall be Forty-Six Dollars (\$46.00) less for the vaccination-registration certificate and tag for dogs or cats that have been spayed or neutered. The fee shall be the same for all vaccination-registration certificates and tags issued, regardless of the length of time for which they are issued. Maintenance expenses shall include materials, notification, filing, investigation, and enforcement to increase and maintain a high level of rabies immunization in the City. Each registrar shall order from the Health Division the number of certificates and tags needed to perform his duties as registrar, and pay to the Health Division with the order, the fee for each certificate and tag ordered. The registrar shall be reimbursed and paid the fee for each certificate and tag by the owner of or other person assuming responsibility over the dog or cat being vaccinated and registered, and which reimbursement and payment may be retained by the registrar.

C. It shall be the duty of every veterinarian to be a registrar under this program and when vaccinating any dog or cat to fill out in triplicate copies, the certificate obtained from the Health Commissioner, with the information required in subsection A of this section, and immediately present one copy to the owner of the vaccinated dog or cat and mail one (1) copy to the Health Division, by the tenth (10th) day of the following month, for filing and statistical purposes. The Health Division shall maintain cross files of certificates by the name of the owner and the number of the certificate. The remaining copy of the certificate shall be retained by the person performing the vaccination. The owner's copy of the certificate shall be retained by the owner of the vaccinated dog or cat for inspection by an authorized representative of the Health Commissioner or any police officer.

D. At the time of the vaccination of any dog or cat, the person performing the vaccination shall also deliver to the owner of the said dog or cat, the tag obtained from the Health Division, as evidence of such inoculation. Every owner of a vaccinated dog or cat shall attach the tag evidencing rabies vaccination and registration to the collar or harness of the vaccinated dog or cat and such collar or harness shall be worn by that dog or cat at all times. Any dog or cat found without a tag shall be deemed to be not vaccinated, unless proof of vaccination is provided to the satisfaction of the Animal Regulation Center.

E. No person shall divulge, distribute, disseminate, give, transfer, show, make available or allow a copy to be made of the name or address of any owner of a dog or cat registered under this chapter to or by any person other than an officer of a county, municipal, state or federal office or department for the purpose of licensing, tax collection, law enforcement, or rabies or other disease control in his respective jurisdiction; nor shall any of the persons authorized to be in possession of such names or addresses use such information for any purpose other than those allowed above nor shall any other person make any use, relating to dogs or puppies, cats or kittens, of any such name or address that has been obtained as a direct or indirect result of the vaccination-registration program provided for in this chapter; nor shall any person pose as, or falsely claim to be a Health Division employee or an agent of the Health Commissioner or of any other governmental agency while soliciting, or making a survey of the names and addresses of dog or cat owners.

10.04.080 Registration tags—Nontransferability and prohibited uses.

Registration tags shall not be transferred from dog or cat to another dog or cat and no person shall affix a registration tag to a dog, cat, puppy or kitten other than the animal for which the tag was issued at the time of its rabies vaccination-registration, nor shall any person affix a registration tag to an animal that has not been vaccinated against rabies, nor shall any person counterfeit, alter, obliterate or attempt to counterfeit, alter or obliterate any rabies-registration tags.

10.04.090 Registration tag—Replacement after loss.

The owner of a dog or cat who loses his registration tag shall report the loss promptly to the Health Commissioner, and upon proof of prior registration there shall be issued a new dog or cat registration and tag upon the payment of one dollar (\$1.00). The Health Commissioner shall enter the number of the replacement tag on the immunization certificate delivered to him when the original registration tag was issued.

10.04.100 Registration tag—Unauthorized use prohibited.

No person shall make use of, or have in his possession, any St. Louis dog or cat registration tag not authorized by the Health Commissioner or make use of, or have in his possession, a stolen or counterfeit registration tag.

10.04.110 Animal regulation center established—Functions and operation.

There shall be a facility, to be called the Animal Regulation Center, which is to have all legitimate functions of a municipal animal pound, which may be operated by the City or animal agency. The Health Commissioner shall establish the standards of operations of such Animal Regulation Center. In addition to the above functions, the Animal Regulation Center will perform such rabies and animal disease control functions as are required by this chapter or assigned by the Health Commissioner.

10.04.120 Housing of stray and biting animals.

A. All stray animals collected shall be confined at the Animal Regulation Center; provided, however, that during an emergency period when facilities are inadequate at the Center, the Health Commissioner is authorized to make provisions for adequate housing and care elsewhere.

B. Biting dogs or cats or dogs or cats suspected of having rabies confined for isolation and observation shall be handled under procedures established by the Health Commissioner. The Health Commissioner is authorized to provide for such isolation and observation at the Animal Regulation Center, at a hospital or facility of a private veterinary practitioner having the staff and equipment to handle such cases, or in a home, provided that any dog or cat authorized by the Director of Animal Regulation Center for home observation is impounded in an escape-proof enclosure for a period of not less than ten (10) days.

C. Should the Health Commissioner authorize observation at a hospital or facility of a private veterinary practitioner, the owner of a cat or dog may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain the name and address of the facility where the isolation and observation will be done, a description of the dog or cat, and any other information required by the Director of the Animal Regulation Center for his records. Release will be ordered by the Director of the Animal Regulation Center upon verification by the veterinarian that there were no clinical symptoms of rabies on the tenth day after the bite. Verification shall include proof of possession of a valid current license tag.

D. Should the Health Commissioner authorize home observation, the owner of a dog or cat may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain any information reasonably required by the Director of the Animal Regulation Center, and the filing of such application authorizes the Director of the Animal Regulation Center, to conduct reasonable investigations of the premises proposed for the home observation. Release from home observation will be ordered by the Director of the Animal Regulation Center upon verification that there were no clinical symptoms of rabies on the tenth day after the bite and in the case of a dog or cat held for observation, verification shall include proof of a valid current license tag.

E. Any carnivorous animal, other than a dog or cat, running at large that has bitten any person, or any other animal other than a dog or cat, that is suspected of being afflicted with rabies may be destroyed immediately for the purpose of being tested for rabies, at the direction of the Animal Regulation Center.

F. All animals collected and confined shall be properly housed, fed, watered, and cared for. The Health Commissioner or agency under contract with the City shall provide for all necessary facilities, food, water, vehicles and other equipment required to carry out the provisions of this chapter. Where confinement for isolation and observation is mandatory, the owner may order that certain protective sera or other medication be administered to his dog. This may be done for a fee, determined by the Health Commissioner or his agent, which is payable in advance.

G. No biting animal should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.130 Notice to owner.

Upon the collection and holding of any animal there shall be kept in the records of the Animal Regulation Center a detailed description of each animal. The Animal Regulation Center shall immediately notify the owner from whom the animal was taken, if the owner can be determined. These records shall be available for public inspection.

10.04.140 Running at large.

The Health Commissioner or his agents shall take up and hold any dog which may be found running or being at large in the City contrary to the provisions of this chapter or any lawful order made pursuant thereto. Dogs found running at large may be pursued across, or taken upon, unenclosed private property, unless specifically prohibited by the owner.

10.04.150 Release fees—Licensed dogs or cats.

Licensed animals taken up and confined in the Rabies Control Center may be released to the owner upon the furnishing of adequate proof that the animal was licensed at the time of the confinement and the payment of a service fee to the Center. The service fee shall be Twenty dollars (\$20.00) for the first three (3) days and Ten dollars (\$10.00) per day additional after that period of time. After a five (5) day holding period, the animal may be disposed of by any method provided by City Ordinance. No dog or cat should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.160 Release fees—Unlicensed animals.

Unlicensed animals taken up and confined at the Animal Regulation Center may be released to the owner by having them licensed and the payment of a service fee of Twenty dollars (\$20.00) for the first three (3) days and Ten dollars (\$10.00) per day additional after that period. After five (5) days confinement, the Animal Regulation Center may order disposal of the animal by any method provided by this chapter. No dog or cat should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered and micro-chipped for identification have been followed.

10.04.065 Neuter Assistance and Education Fund.

All fees and penalties collected under the provisions of Sections 10.04.150 and 10.04.160, not to exceed Twenty Thousand Dollars (\$20,000) each fiscal year, shall be deposited into a special fund to be known as the Neuter Assistance and Education Fund (the Fund). The purpose of the Fund shall be to offer financial assistance to qualified St. Louis City residents for the spaying or neutering of their dogs and cats and to create public awareness regarding efforts to control pet overpopulation in the City of St. Louis. The Health Commissioner is authorized and directed to establish rules and regulations for the administration of the Fund and the criteria by which residents shall be deemed qualified for financial assistance from the Fund.

10.04.170 Adoption of strays.

After notice required by Section 10.04.130 has been given, if the owner is known, and after the five days of holding for all stray animals required by Ordinance 60878, or any subsequent ordinance, has elapsed, then such animal may be released to any person upon payment of the fees required under this section or any other ordinance and provided all other requirements for adoption are met. No dog or cat should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered have been followed.

10.04.180 Release of animals held for observation.

Biting and other animals that must be observed for a period of ten days at the Animal Regulation Center shall be released

to their owners upon payment of a Fifty dollar (\$50.00) service fee for the observation period, provided all other requirements of this chapter are met. Animals may be held for the owner for a maximum of three days past the observation period for a fee of Ten dollars (\$10.00) per day if the owner makes such a request. If no such request for extra holding time is made, the animal may be disposed of in any way provided by in this chapter at the discretion of the Director of the Animal Regulation Center.

10.04.190 Disposal of unclaimed animals.

Animals not claimed by their owners shall be held for five days or for ten days for dogs or cats under observation for rabies, after which the animals may be disposed of as provided for in Section 10.04.170 or 10.04.200 or may be humanely put to death in a manner prescribed by the Health Commissioner.

10.04.210 Destruction of sick and severely injured animals.

Collected, unidentified animals which are brought to the Center by the fieldsmen in a visibly sick condition due to canine distemper, hepatitis, leptospirosis, advanced demodectic or sarcoptic mange, or other serious communicable disease, or are severely injured, which in a veterinarian's judgment renders the animal beyond a reasonable hope of recovery, may be ordered destroyed at once by the veterinarian or, in his absence, by the Director of the Animal Regulation Center. Sick animals whose ownership can be determined shall be placed in isolation until the owner can be contacted for instructions as to destruction, treatment, or release to a private veterinarian for treatment. Such release shall be made only after all requirements of this chapter, as to licensing and fees, are met or provided for.

10.04.220 Leashing of dogs.

No owner of any dog shall permit such dog to be found at large on the streets of the City or in any public place or on another person's private property, unless such dog is on a leash, not longer than six feet in length and held by or under control of a responsible person so as to effectively prevent it from biting any person or animal. All dogs are prohibited from running or being at large unless under restraint as described above.

10.04.225 Stray cats, prohibited.

No owner of any cat shall permit such cat to be found at large on the streets of the City or in any public place or on another person's property.

10.04.230 Enticing dog or cat—Refusal to surrender.

No person shall entice any dog or cat out of the enclosure of the owner thereof or molest or seize any dog or cat while lawfully held or led by any responsible person, except that no person shall refuse to surrender any dog that has bitten a person to an agent of the Health Commissioner for isolation and observation as required by this chapter.

10.04.240 Rabies or suspicion of rabies.

Every person owning or harboring an animal known to have or suspected of having rabies, or which has been bitten by or exposed to a rabid animal, shall confine and isolate such animal in some secure place and immediately notify the Animal Regulation Center as to where the animal is confined. If required by the Health Commissioner or the Rabies Control Officer, he shall surrender the animal to the Animal Regulation Center for disposal.

10.04.250 Veterinarian reports.

Every veterinarian in the City shall report at once, by telephone and also in writing, every case of clinical rabies, of which he has knowledge, to the Health Commissioner. Veterinarians shall submit the brain of all animals treated by them and dying of rabies or suspected rabies to the Health Division Laboratory for confirmation of diagnosis. Veterinarians vaccinating dogs that are kept within the City shall furnish the owner with a certificate of immunization giving the name and address of the owner, the date of immunization, the type of vaccine used, the sex and complete description of the dog and any other information required by the Health Commissioner.

10.04.260 Procedure when animal bites person.

In case an animal bites any person, the Animal Regulation Center shall immediately be notified by any person with knowledge of such incident. Such animal immediately comes under the jurisdiction of the Health Commissioner or his assigns, and the Animal Regulation Center shall supervise the isolation and observation of such animal. Dogs and cats that have bitten any person shall be handled in accord with subsections B, C and D of Section 10.04.120, and all other animals shall be handled in accord with subsection E of Section 10.04.120.

10.04.270 Dangerous dogs.

A. It is unlawful for any person to have a dangerous dog in the City without a certificate of registration issued under this chapter. This section shall not apply to dogs used by law enforcement officials for police work.

B. The Health Commissioner of the City shall issue a certificate of registration to the owner of each dangerous dog if the owner presents to the animal control unit sufficient evidence of:

1. A proper enclosure to confine a dangerous dog and the posting of a notice conspicuously visible to the public at each entrance to the premises and on each side of the proper enclosure, reading in letters not less than two inches high "DANGEROUS DOG — BEWARE." In addition, each such notice shall conspicuously display a warning symbol that informs children of the presence of a dangerous dog;

2. a. A surety bond issued by a surety insurer qualified under the chapter in a form acceptable to the animal control authority in the sum of at least fifty thousand dollars, payable to any person injured by the dangerous dog; or

b. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified in the amount of at least fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog. Such surety bond or insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the Health Commissioner.

3. Sufficient evidence that such animal has been spayed or neutered and micro-chipped for identification.

4. In addition, the owner shall provide the Health Commissioner with the following information prior to the issuance of a certificate of registration:

- a. Name and address of owner;
- b. Dog's name;
- c. Photograph of dog;
- d. Location where dog is to be enclosed;
- e. Veterinarian's name;
- f. Dog's immunization number.

In case a minor is the keeper or owner of such dog, the duties imposed by this section shall devolve upon the adult person in whose family the minor lives or who is in charge of the premises where such dog is kept.

C. The fee for the registration of dangerous dogs shall be established by the Health Commissioner and shall equal the estimated costs of administering the provisions of this chapter with respect to dangerous dogs.

D. It is unlawful to permit or allow a dangerous dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash not longer than six (6) feet and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

E. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner of the dog or was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

F. Any dangerous dog shall be immediately confiscated by an animal control authority if the (a) dog is not validly registered under this chapter, (b) owner does not secure and maintain the liability insurance coverage required by this chapter, (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner or outside of the proper enclosure and not under physical restraint of the responsible person.

G. Upon any attack or assault by a dangerous dog, the Health Commissioner or his designee is hereby empowered to confiscate and destroy such vicious dog.

H. Upon any aggressive attack or assault by any dog causing the severe injury or death of any human, the Health Commissioner or his designee is hereby empowered to confiscate and destroy such vicious dog.

10.04.275 Neutering and spaying, exceptions.

The provisions of this ordinance regarding the neutering, spaying and micro-chipping of dogs and cats shall not apply to any animal that is to be trained and actively used by law enforcement agencies for law enforcement and rescue activities; any guide, signal or service dog; any animal documented and certified by a licensed veterinarian as not being a proper subject for spaying and neutering or micro-chipping due to health reasons; and all animals owned by certified and licensed breeders.

10.04.280 Dogfighting.

No person shall enter a dog in a dog fight.

10.04.285 Tethering, confinement and treatment of dogs and cats on owners property.

A. No dog or cat shall be tied, hitched or fastened to any rope, chain or cord that is directly attached to the animal's neck. Animals that must be tied, hitched or fastened to restrain them must wear a properly fitted collar or harness made of leather or nylon, not of the choker type. The tying device shall be attached to the animal's collar or harness and shall be at least ten (10) feet in length and free from obstruction or items which may cause the tying device to become caught, wrapped or twisted or prevent the animal from reaching food, water or shelter.

B. All areas where an animal is confined or tethered shall be kept in a sanitary manner. The person responsible for the animal shall sanitize the area regularly to prevent health, odor or sanitation problems.

C. All dogs and cats shall be treated humanely and shall not be beaten, tormented, overworked, neglected or cruelly treated, except that reasonable force may be used to drive off vicious animals. No animal shall be induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices which may cause physical injury or suffering.

10.04.290 Emergency decrees.

In times of emergency conditions which, in the opinion of the Health Commissioner, present real or potential dangers to the human or animal population of the City because of a weakness in the rabies control program or the threat or actual presence of rabies in the City, the Health Commissioner shall use his charter powers to issue any decrees or use any other available means necessary to eliminate or abate hazards to the people of the City. Such decrees may order confinement, or other regulation, of animals other than dogs, low-cost mass immunization clinics, or any other measure reasonably related to the protection of the health and welfare of the public.

10.04.300 Regulations by Health Commissioner.

The Health Commissioner, after consultation with the Board of Health and with the approval of the Director of Health and Hospitals, may make and adopt such reasonable rules and regulations as are necessary for the proper and efficient administration of this chapter.

10.04.310 Feces removal—Required.

It shall be the duty of every dog owner, defined and identified under the provision of Sections 10.04.010 et al. of the Revised Code of the City and the applicable provisions of Ordinance 57980 of the City of St. Louis, 1980, to remove any feces left by said dog on any sidewalk, gutter, street, park or other public area, or on any private property used by said dog for depositing any feces, if the same is done in the presence of the owner of said dog, or in the presence of any person exercising control over said dog at the time of said offense.

10.04.330 Feces removal—Confinement of dog.

Every dog found to be in violation of Sections 10.04.310 and 10.04.320 that is not properly registered and vaccinated, as required by Section 10.04.070, shall be confined as a stray dog, whether the same at the time of detention for violation of Sections 10.04.310 and 10.04.320 is on a leash or other restraining device or not; and the same shall be held and detained in all respects as called for by Section 10.04.010 et al. of the Revised Code of the City of St. Louis, 1980, until released or provided by Section 10.04.160, and upon release, shall still be answerable and chargeable with an offense under Sections 10.04.310 and 10.04.320.

10.04.340 Feces removal— Service dog excepted.

The provisions of Sections 10.04.310 through 10.04.320 shall not apply to a service dog accompanying any person with visual or mobility disabilities.

10.04.350 Penalty for violation.

Every person found guilty for the first time of a violation of any provision of this ordinance shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Upon a finding of guilt of a second violation, the person shall be punished by a fine of not less than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment; upon a third and subsequent violation, the person shall be punished by a fine of not less than five hundred dollars (\$500.00) and by imprisonment for not less than ten (10) days.

SECTION TWO. SEVERABILITY CLAUSE. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION THREE. Emergency clause.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become

effective immediately upon its passage and approval by the mayor.

Approved: June 21, 2001

ORDINANCE #65207
Board Bill No. 16

An ordinance affirming that the Development Area approved by Ordinance 62870, known as the Southtown ("Area") as described in Exhibit "A-1" attached hereto and incorporated by reference, is a blighted area as defined in Section 100.310 (2), (11), (18) of the Revised Statutes of Missouri, 1994, as amended, (the "Statute" being Sections 100.300 to 100.620 inclusive), affirming that development 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 Amended Blighting Study and Plan dated March 27, 2001 for the Area ("Amended Plan"), incorporated herein by Exhibit "B," finding that certain property in the Area may be acquired by the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") through the exercise of eminent domain or otherwise; finding that the property within the Area is currently partially occupied and the Developer 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 Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to **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 exercise their respective powers in a manner consistent with the Plan.

WHEREAS, there is a need for the PIEA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a project under said Statute, pursuant to plans by or presented to the PIEA under Section 100.440.1 (4) and

WHEREAS, by Ordinance 62870, this Board found the property located in the Southtown Area to be a "blighted area" as defined in Section 100.310 (2) (11) (18) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 62870, this Board also approved a Development Plan for the Area, dated December 15, 1992; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 62870 by reducing the number of properties subject to eminent domain;

WHEREAS, the PIEA has recommended such an amended plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for Southtown," dated July 28, 1992, amended March 27, 2001, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended 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 Amended Plan; and

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

WHEREAS, the PIEA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 100.400 and this Board has been fully apprised by the PIEA 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 PIEA 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 Plan conforms to said general plan; and

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

WHEREAS, the Amended 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 100.400 of the Statute, this Board advertised 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 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 Amended Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 62870, that certain property described therein (and described herein as Exhibit "A-1" attached hereto and incorporated herein) is a blighted area, as defined in Section 100.310 (2), (11), and (18) of the Revised Statutes of Missouri, 1994, as amended (the "Statute" being Section 100.300 to 100.620 inclusive, as amended) is hereby confirmed.

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

SECTION THREE. The Amended Area qualifies as a development 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 100.310 (2), (11), and (18) of the Statute.

SECTION FOUR. The Amended Blighting Study and Plan for the Area, amended March 27, 2001 ("Amended 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 Amended Plan with the Minutes of this meeting.

SECTION FIVE. The Amended Plan for the Amended 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 Amended Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Amended Plan for the Amended Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Amended Plan for the Amended Area 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 developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Amended Plan for the Amended Area provides that the Planned Industrial Expansion Authority of the City of St. Louis ("PIEA") may acquire any property in the Amended Area by the exercise of eminent domain except parcels 2, 3, 4, 5, 6, 8, 9 and 10 as designated on Exhibit "D" to the attached Plan.

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

SECTION TEN. The Amended Plan for the Amended Area 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 Development ("Developer") 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 is a party, and shall be enforceable by the PIEA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for development of any portion of the Amended Area, all Redevelopers 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 PIEA and the Amended Plan, bona fide Minority Business Enterprise ("MBE's") and Women Business Enterprise ("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 MBE's and WBE's established by the

Community Development Commission of the City;

- (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 Developer 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 Fourteen 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 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 term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN.

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

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

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

SECTION FIFTEEN. Any proposed modification which will substantially change the Amended Plan, shall be approved by the St. Louis Board of Aldermen 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 the Planning Commission of the City. Changes which are not substantial are those that do not go to the crux of the Amended 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 "A"

SOUTHTOWN AREA
LEGAL DESCRIPTION

All of Blocks 4169W and 4170W, and a portion of Block 4170E in the City of St. Louis, together with portions of Beck Ave., Chippewa St., Kingshighway Blvd., Tholozan Ave., and Ridgewood Ave., more specifically described as follows:

Beginning at the point of intersection of the southward prolongation of the east line of property now, or formerly, owned by Edward Muehlheausler in City Block 4170E and the south line of Chippewa St. (80 feet wide); thence westwardly along said south line of Chippewa St., across all intersecting streets, to its point of intersection with the west line of Kingshighway Blvd. (100 feet wide); thence northwardly along said west line of Kingshighway Blvd., across all intersecting streets, to its point of introduction with the north line of Tholozan Ave. (60 feet wide); thence eastwardly along said north line of Tholozan Ave., across all intersecting streets, to its point of intersection with the east line of Ridgewood Ave. (50 ft. wide); thence southwardly along said east line of Ridgewood Ave., across all intersecting streets and alleys, to its point of intersection with the south line of an east-west 15' wide alley in City Block 4170E; thence eastwardly along said south line of said alley to its point of intersection with the east line of property now, or formerly, owned by Edward Muehlheausler; thence southwardly along said property line and its southward prolongation, across all intersecting streets, to its point of intersection with the south line of Chippewa St., the point of beginning.

AMENDED BLIGHTING STUDY AND PLAN
FOR
SOUTHTOWN AREA
PROJECT # 4324

LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

PLANNED INDUSTRIAL EXPANSION AUTHORITY
OF THE CITY OF ST. LOUIS
JULY 28, 1992

AMENDED DECEMBER 15, 1992
REVISED SEPTEMBER 26, 1995
AMENDED DECEMBER 14, 1998
AMENDED MARCH 27, 2001

MAYOR
FRANCIS G. SLAY

AMENDED BLIGHTING STUDY AND PLAN FOR
SOUTHTOWN AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Southtown Area ("Area") is bounded by Chippewa St. on the south, Kingshighway Blvd. on the west, Tholozan Ave. on the north, and Ridgewood Ave. on the east, plus one parcel east of Ridgewood Ave. The Area encompasses approximately 15.3 acres in the Tower Grove South neighborhood of the City of St. Louis ("City").

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 all of City Blocks 4169W and 4170W, and a portion of City Block 4170E, and includes the following addresses: 4473-4693 Chippewa St., 3600-3846 Kingshighway Blvd., 4534 Tholozan Ave. and 4482-4606 & 4481-4621 Beck Ave. The Area is in fair 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 underutilized. "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.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8.0% unemployment rate for the City of St. Louis as of October, 1992. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently approximately 150 jobs within the Area.

3. PRESENT LAND USE AND DENSITY OF THE AREA

Existing land uses within the Area include an unoccupied, three-story department store building; an occupied automobile dealership; an occupied supermarket; an electric substation; six (6) commercial/industrial uses, and five (5) occupied residential uses.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The properties to the east of the Area are primarily used for residential purposes. The properties to the south, west and north are primarily used for commercial/industrial purposes.

Residential density for the surrounding neighborhoods is approximately 13.3 persons per acre.

5. CURRENT ZONING

The Area is zoned "G" Local Commercial and Office District and "J" Industrial District, pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is partially unoccupied and in fair condition (as defined in Section A(2) above). The existence of deteriorated property constitutes 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) and Section 100.300 of the revised status of the State of Missouri (the Planned Industrial Expansion 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 commercial uses, with emphasis on large retail business activity.

The Area has been one of the City's premier shopping destinations and is the retail and commercial center of many southwestern city neighborhoods. The presence of an unoccupied three story department store building has provided an opportunity for development at this strategic retail location. Depending on the feasibility of a development program, existing buildings may be adaptively reused or demolished in favor of new construction. A comprehensive approach to creating a modern retail image for the Area is the goal of this Plan.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "G" Local Commercial and Office District by the City of St. Louis Zoning Code. Redevelopers or Industrial Developers (hereinafter collectively referred to as "Redeveloper") contracting with either the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), storefront churches, 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, automobile service or stations, or storage facilities.

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

3. PROPOSED ZONING

The zoning for the Area should all be "G" Local Commercial and Office 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

Approximately 250 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. Redevelopment of the Area may necessitate the closing of Beck Ave. between Ridgewood Ave. and Kingshighway Blvd. The layouts, levels and grades of all other 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

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.

8. URBAN DESIGN

a. Urban Design Objectives

The intent is to create a distinctive, inviting, highly attractive, and cohesive retail complex accented by extensive internal and external landscaping.

b. Urban Design Regulations

Assuming all of the existing structures are removed (with the possible exception of the former Famous-Barr Building and the Union Electric substation) and the site is more suitably graded, the complex should feature a contemporary design expression of relatively tall, predominately single story masonry (preferably brick) structures which are carefully integrated with one another and into the surrounding street and pedestrian corridors. The site design will need to ensure that the corner of Kingshighway and Chippewa has a dominant presence, particularly if it may be determined that demolition of the former Famous-Barr Building would be essential to redevelopment of the property.

Where possible, new structures should be positioned near street corridors with customer parking, servicing and internal circulation utilizing the interior areas of the property.

c. Landscaping

The property shall be extensively and tastefully landscaped. Perimeter street trees of a minimum caliper of 2 1/2 inches and generally on 25-35 feet centers (depending upon tree type, presence of street furniture, etc.) shall be provided in tree lawns (preferably) or tree wells, and shrubs on the property shall be retained. Additional trees and shrubs shall be provided on the property in a pattern of generously sized grassed or ground covered areas at the periphery and within the property. Provision of evergreen landscaping buffers or similar screening measures shall apply to property facing unscreened residential properties.

d. Fencing

Any fencing facing public streets shall be distinctive consisting of decorative metal, brick or similar masonry or a combination of decorative metal and masonry. Metal fencing shall have a black matte finish color.

Each Redeveloper 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 this requirement may result in suspension of tax abatement.

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.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be effectively buffered. One option would be 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 along with interspersed shade trees. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The 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, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire building. 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, shall be placed only on the fronts of buildings or on those sides of the buildings fronting on public or private streets, shall project no more than eighteen (18) inches from the face of the building, shall not extend above the second floor window sill of the structure, and the total sign area shall be the lesser of either one hundred (100) square feet or ten percent (10%) of the ground floor wall surface fronting on such streets.. Only one sign per business per wall facing on a public or private street shall be permitted.

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. Signage on awnings is limited to awning apron. In no case shall signage be allowed on both an awning apron and a building for the same business.

One ground or monument sign for the Area may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall 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 or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City of St. Louis 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 three (3) years of the original approval date of this Plan by ordinance (February 8, 1993) and completed within approximately six (6) years of the original approval date of this Plan by ordinance (February 8, 1993).

Development of the portion of the Area south of Beck Avenue shall be completed within four (4) years of the original approval date of this Plan by Ordinance (February 8, 1993). Development of the portion of the Area north of Beck Avenue shall be initiated within four (4) years of the original approval date of this Plan by Ordinance (February 8, 1993), and completed within six (6) years of the original approval date of this Plan by Ordinance (February 8, 1993).

The LCRA or the PIEA 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 all the property located in the Area. The LCRA may acquire any properties in the Area by the exercise of eminent domain, except Parcels 2, 3, 4, 5, 6, 8, 9, and-10, as designated on Exhibit "D" to this Plan.

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. (1994) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently partially 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 of St. Louis 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 to Sections 99.700 - 99.715, Revised Statutes of Missouri, upon application as provided therein.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

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

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

In lieu of tax abatement provided herein, the City may provide Tax Increment Financing ("TIF") under a separate administrative and legislative process. A Redeveloper may seek such financing pursuant to Sections 99.800 - 99.865, Revised Statutes of Missouri, for eligible public project costs. Under Missouri law, TIF requires that an area be blighted and that any additional ad valorem taxes and other taxes generated from the TIF Area be captured to service bonds used to pay for specified public costs in the redevelopment project.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, 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, religion, national origin, marital status, sex, age, 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) 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 of St. Louis, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Where a proposed modification will substantially change this Plan, the modification must 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 modification shall be effective only upon the consent of the St. Louis Community Development Commission. 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"**SOUTHTOWN AREA
LEGAL DESCRIPTION**

All of Blocks 4169W and 4170W, and a portion of Block 4170E in the City of St. Louis, together with portions of Beck Ave., Chippewa St., Kingshighway Blvd., Tholozan Ave., and Ridgewood Ave., more specifically described as follows:

Beginning at the point of intersection of the southward prolongation of the east line of property now, or formerly, owned by Edward Muehlheausler in City Block 4170E and the south line of Chippewa St. (80 feet wide); thence westwardly along said south line of Chippewa St., across all intersecting streets, to its point of intersection with the west line of Kingshighway Blvd. (100 feet wide); thence northwardly along said west line of Kingshighway Blvd., across all intersecting streets, to its point of introduction with the north line of Tholozan Ave. (60 feet wide); thence eastwardly along said north line of Tholozan Ave., across all intersecting streets, to its point of intersection with the east line of Ridgewood Ave. (50 ft. wide); thence southwardly along said east line of Ridgewood Ave., across all intersecting streets and alleys, to its point of intersection with the south line of an east-west 15' wide alley in City Block 4170E; thence eastwardly along said south line of said alley to its point of intersection with the east line of property now, or formerly, owned by Edward Muehlheausler; thence southwardly along said property line and its southward prolongation, across all intersecting streets, to its point of intersection with the south line of Chippewa St., the point of beginning.

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 4/8/92**

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 Orders of the Mayor of the City dated December 6, 1984, January 10, 1990, March 31, 1992, 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.

For purposes of this section, the term "minority business enterprise" (or "MBE") means a business at least fifty-one percent (51%) of which is owned and controlled by minority group members. The term "women business enterprise" (or "WBE") means a business at least fifty-one percent (51%) of which is owned and controlled by females.

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, religion, national origin, sex, marital status, age 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 and/or PIEA, 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 and/or PIEA 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.

Approved: June 25, 2001

ORDINANCE NO. 65207 - EXHIBITS B, C & D

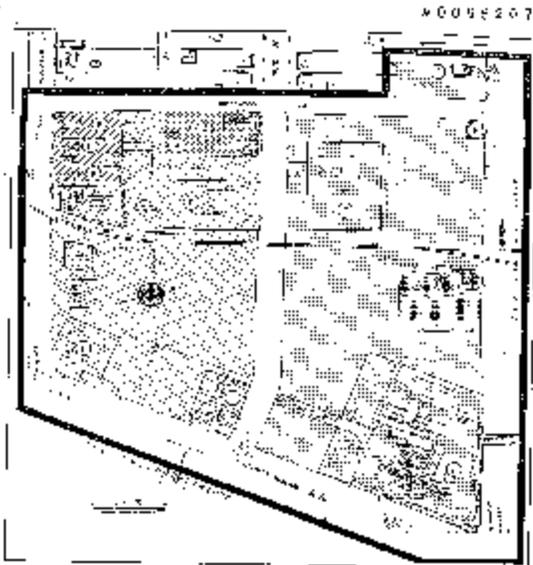


Exhibit B - Project Area Plan
Existing Uses and Conditions

- Use Conditions
- Use Identification
- Residential
- Commercial
- Other

Southtown Area Plan

Project Area Boundary

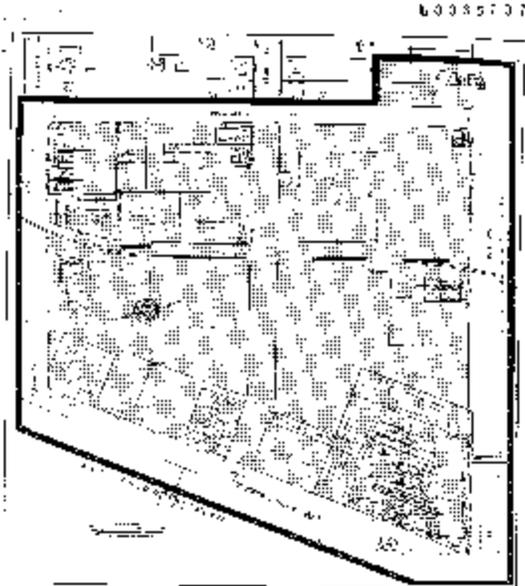


Exhibit C - Proposed Land Use

Commercial

Southtown Area Plan

Project Area Boundary

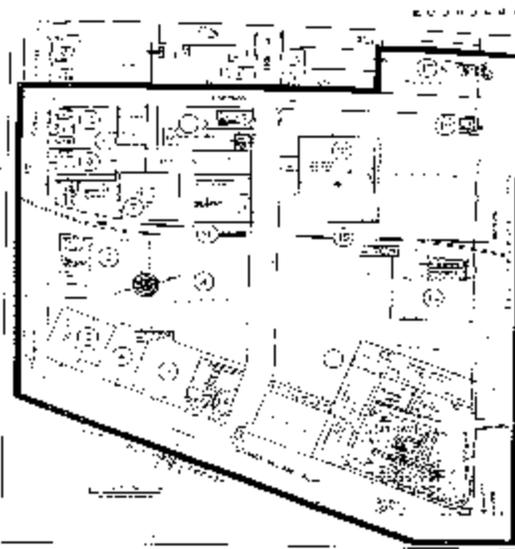


Exhibit D - Acquisition Map

- Parcel Number
- Block Number

Southtown Area Plan

Project Area Boundary



ORDINANCE #65208
Board Bill No. 17

An ordinance affirming that the Redevelopment Area approved by Ordinance 64637, known as the Southtown ("Area") as described in Exhibit "A" attached hereto and incorporated by reference, is a blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1994, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), affirming that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Amended Blighting Study and Plan dated March 27, 2001 for the Area ("Amended Plan"), incorporated herein by Exhibit "B" for an Amended Area ("Amended Area"), incorporated herein by Exhibit "A," pursuant to Section 99.430; finding that certain 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 or otherwise; finding that the property within the Area is currently partially occupied, **and the Redeveloper 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 Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available up to 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 exercise their respective powers in a manner consistent with the Plan.

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

WHEREAS, by Ordinance 64637, this Board found the property located in the Southtown Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 64637, this Board also approved a Redevelopment Plan for the Area, dated December 14, 1998; and

WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan approved by Ordinance 64637 by reducing the number of properties subject eminent domain; 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 St. Louis Board of Aldermen ("Board"), titled "Amended Blighting Study and Plan for Southtown", dated December 14, 1998, amended March 27, 2001, consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended 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 Amended Plan; and

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

WHEREAS, the LCRA and the Planning Commission have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully aware of the conditions in the 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 Plan conforms to said general plan; and

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

WHEREAS, the Amended 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 Amended 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 Amended Plan.

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

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 64637, that certain property described therein (and described herein as Exhibit "A-1" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

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

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 Blighting Study and Plan for the Area, amended March 27, 2001 ("Amended 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 Amended Plan with the Minutes of this meeting.

SECTION FIVE. The Amended Plan for the Amended 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 Amended Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Amended Plan for the Amended Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Amended Plan for the Amended Area 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 developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Amended Plan for the Amended Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire any property in the Amended Area by the exercise of eminent domain **except parcels 2, 3, 4, 5, 6, 8, 9 and 10 as designated on Exhibit "D" to the attached Plan..**

SECTION NINE. The property within the Amended Area is currently **partially occupied/unoccupied. If it should become occupied**, all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen, 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 Amended Plan for the Amended Area 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") 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 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, all Redevelopers 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 ("MBE's") and Women Business Enterprise ("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 MBE's and WBE's established by the

Community Development Commission of the City;

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

SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1994, as amended, upon application as provided therein.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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

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

SECTION FIFTEEN. Any proposed modification which will substantially change the Amended Plan, shall be approved by the St. Louis Board of Aldermen 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. Changes which are not substantial are those that do not go to the crux of the Amended 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 "A"

SOUTHTOWN AREA
LEGAL DESCRIPTION

All of Blocks 4169W and 4170W, and a portion of Block 4170E in the City of St. Louis, together with portions of Beck Ave., Chippewa St., Kingshighway Blvd., Tholozan Ave., and Ridgewood Ave., more specifically described as follows:

Beginning at the point of intersection of the southward prolongation of the east line of property now, or formerly, owned by Edward Muehlheausler in City Block 4170E and the south line of Chippewa St. (80 feet wide); thence westwardly along said south line of Chippewa St., across all intersecting streets, to its point of intersection with the west line of Kingshighway Blvd. (100 feet wide); thence northwardly along said west line of Kingshighway Blvd., across all intersecting streets, to its point of introduction with the north line of Tholozan Ave. (60 feet wide); thence eastwardly along said north line of Tholozan Ave., across all intersecting streets, to its point of intersection with the east line of Ridgewood Ave. (50 ft. wide); thence southwardly along said east line of Ridgewood Ave., across all intersecting streets and alleys, to its point of intersection with the south line of an east-west 15' wide alley in City Block 4170E; thence eastwardly along said south line of said alley to its point of intersection with the east line of property now, or formerly, owned by Edward Muehlheausler; thence southwardly along said property line and its southward prolongation, across all intersecting streets, to its point of intersection with the south line of Chippewa St., the point of beginning.

AMENDED BLIGHTING STUDY AND PLAN
FOR
SOUTHTOWN AREA
PROJECT # 4324

LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS

PLANNED INDUSTRIAL EXPANSION AUTHORITY
OF THE CITY OF ST. LOUIS
JULY 28, 1992

AMENDED DECEMBER 15, 1992
REVISED SEPTEMBER 26, 1995
AMENDED DECEMBER 14, 1998
AMENDED MARCH 27, 2001

MAYOR
FRANCIS G. SLAY

AMENDED BLIGHTING STUDY AND PLAN FOR
SOUTHTOWN AREA

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Southtown Area ("Area") is bounded by Chippewa St. on the south, Kingshighway Blvd. on the west, Tholozan Ave. on the north, and Ridgewood Ave. on the east, plus one parcel east of Ridgewood Ave. The Area encompasses approximately 15.3 acres in the Tower Grove South neighborhood of the City of St. Louis ("City").

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 all of City Blocks 4169W and 4170W, and a portion of City Block 4170E, and includes the following addresses: 4473-4693 Chippewa St., 3600-3846 Kingshighway Blvd., 4534 Tholozan Ave. and 4482-4606 & 4481-4621 Beck Ave. The Area is in fair 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 underutilized. "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.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8.0% unemployment rate for the City of St. Louis as of October, 1992. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently approximately 150 jobs within the Area.

3. PRESENT LAND USE AND DENSITY OF THE AREA

Existing land uses within the Area include an unoccupied, three-story department store building; an occupied automobile dealership; an occupied supermarket; an electric substation; six (6) commercial/industrial uses, and

five (5) occupied residential uses.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The properties to the east of the Area are primarily used for residential purposes. The properties to the south, west and north are primarily used for commercial/industrial purposes.

Residential density for the surrounding neighborhoods is approximately 13.3 persons per acre.

5. CURRENT ZONING

The Area is zoned "G" Local Commercial and Office District and "J" Industrial District, pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is partially unoccupied and in fair condition (as defined in Section A(2) above).

The existence of deteriorated property constitutes 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) and Section 100.300 of the revised status of the State of Missouri (the Planned Industrial Expansion 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 commercial uses, with emphasis on large retail business activity.

The Area has been one of the City's premier shopping destinations and is the retail and commercial center of many southwestern city neighborhoods. The presence of an unoccupied three story department store building has provided an opportunity for development at this strategic retail location. Depending on the feasibility of a development program, existing buildings may be adaptively reused or demolished in favor of new construction. A comprehensive approach to creating a modern retail image for the Area is the goal of this Plan.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "G" Local Commercial and Office District by the City of St. Louis Zoning Code. Redevelopers or Industrial Developers (hereinafter collectively referred to as "Redeveloper") contracting with either the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), storefront churches, 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, automobile service or stations, or storage facilities.

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

3. PROPOSED ZONING

The zoning for the Area should all be "G" Local Commercial and Office 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

Approximately 250 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. Redevelopment of the Area may necessitate the closing of Beck Ave. between Ridgewood Ave. and Kingshighway Blvd. The layouts, levels and grades of all other 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

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.

8. URBAN DESIGN

a. Urban Design Objectives

The intent is to create a distinctive, inviting, highly attractive, and cohesive retail complex accented by extensive internal and external landscaping.

b. Urban Design Regulations

Assuming all of the existing structures are removed (with the possible exception of the former Famous-Barr Building and the Union Electric substation) and the site is more suitably graded, the complex should feature a contemporary design expression of relatively tall, predominately single story masonry (preferably brick) structures which are carefully integrated with one another and into the surrounding street and pedestrian corridors. The site design will need to ensure that the corner of Kingshighway and Chippewa has a dominant presence, particularly if it may be determined that demolition of the former Famous-Barr Building would be essential to redevelopment of the property.

Where possible, new structures should be positioned near street corridors with customer parking, servicing and internal circulation utilizing the interior areas of the property.

c. Landscaping

The property shall be extensively and tastefully landscaped. Perimeter street trees of a minimum caliper of 2 1/2 inches and generally on 25-35 foot centers (depending upon tree type, presence of street furniture, etc.) shall be provided in tree lawns (preferably) or tree wells, and shrubs on the property shall be retained. Additional trees and shrubs shall be provided on the property in a pattern of generously sized grassed or ground covered areas at the periphery and within the property. Provision of evergreen landscaping buffers or similar screening measures shall apply to property facing unscreened residential properties.

d. Fencing

Any fencing facing public streets shall be distinctive consisting of decorative metal, brick or similar masonry or a combination of decorative metal and masonry. Metal fencing shall have a black matte finish color.

Each Redeveloper 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 this requirement may result in suspension of tax abatement.

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.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall

be effectively buffered. One option would be 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 along with interspersed shade trees. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The 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, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire building. 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, shall be placed only on the fronts of buildings or on those sides of the buildings fronting on public or private streets, shall project no more than eighteen (18) inches from the face of the building, shall not extend above the second floor window sill of the structure, and the total sign area shall be the lesser of either one hundred (100) square feet or ten percent (10%) of the ground floor wall surface fronting on such streets.. Only one sign per business per wall facing on a public or private street shall be permitted.

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. Signage on awnings is limited to awning apron. In no case shall signage be allowed on both an awning apron and a building for the same business.

One ground or monument sign for the Area may be permitted provided it does not exceed ten (10) feet in height nor exceed fifty (50) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall 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 or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City of St. Louis 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 three (3) years of the original approval date of this Plan by ordinance (February 8, 1993) and completed within approximately six (6) years of the original approval date of this Plan by ordinance (February 8, 1993).

Development of the portion of the Area south of Beck Avenue shall be completed within four (4) years of the original approval date of this Plan by Ordinance (February 8, 1993). Development of the portion of the Area north of Beck Avenue shall be initiated within four (4) years of the original approval date of this Plan by Ordinance (February 8, 1993), and completed within six (6) years of the original approval date of this Plan by Ordinance (February 8, 1993).

The LCRA or the PIEA 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 all the property located in the Area. The LCRA may acquire any properties in the Area by the exercise of eminent domain, except Parcels 2, 3, 4, 5, 6, 8, 9, and-10, as designated on Exhibit "D" to this Plan.

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. (1994) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently partially 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 of St. Louis 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 to Sections 99.700 - 99.715, Revised Statutes of Missouri, upon application as provided therein.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

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

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

In lieu of tax abatement provided herein, the City may provide Tax Increment Financing ("TIF") under a separate administrative and legislative process. A Redeveloper may seek such financing pursuant to Sections 99.800 - 99.865, Revised Statutes of Missouri, for eligible public project costs. Under Missouri law, TIF requires that an area be blighted and that any additional ad valorem taxes and other taxes generated from the TIF Area be captured to service bonds used to pay for specified public costs in the redevelopment project.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, 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, religion, national origin, marital status, sex, age, 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) 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 of St. Louis, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Where a proposed modification will substantially change this Plan, the modification must 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 modification shall be effective only upon the consent of the St. Louis Community Development Commission. 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"**SOUTHTOWN AREA
LEGAL DESCRIPTION**

All of Blocks 4169W and 4170W, and a portion of Block 4170E in the City of St. Louis, together with portions of Beck Ave., Chippewa St., Kingshighway Blvd., Tholozan Ave., and Ridgewood Ave., more specifically described as follows:

Beginning at the point of intersection of the southward prolongation of the east line of property now, or formerly, owned by Edward Muehlheausler in City Block 4170E and the south line of Chippewa St. (80 feet wide); thence westwardly along said south line of Chippewa St., across all intersecting streets, to its point of intersection with the west line of Kingshighway Blvd. (100 feet wide); thence northwardly along said west line of Kingshighway Blvd., across all intersecting streets, to its point of introduction with the north line of Tholozan Ave. (60 feet wide); thence eastwardly along said north line of Tholozan Ave., across all intersecting streets, to its point of intersection with the east line of Ridgewood Ave. (50 ft. wide); thence southwardly along said east line of Ridgewood Ave., across all intersecting streets and alleys, to its point of intersection with the south line of an east-west 15' wide alley in City Block 4170E; thence eastwardly along said south line of said alley to its point of intersection with the east line of property now, or formerly, owned by Edward Muehlheausler; thence southwardly along said property line and its southward prolongation, across all intersecting streets, to its point of intersection with the south line of Chippewa St., the point of beginning.

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 4/8/92**

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 Orders of the Mayor of the City dated December 6, 1984, January 10, 1990, March 31, 1992, 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.

For purposes of this section, the term "minority business enterprise" (or "MBE") means a business at least fifty-one percent (51%) of which is owned and controlled by minority group members. The term "women business enterprise" (or "WBE") means a business at least fifty-one percent (51%) of which is owned and controlled by females.

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, religion, national origin, sex, marital status, age 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 and/or PIEA, 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 and/or PIEA 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.

Approved: June 25, 2001

ORDINANCE NO. 65208 - EXHIBITS B, C & D

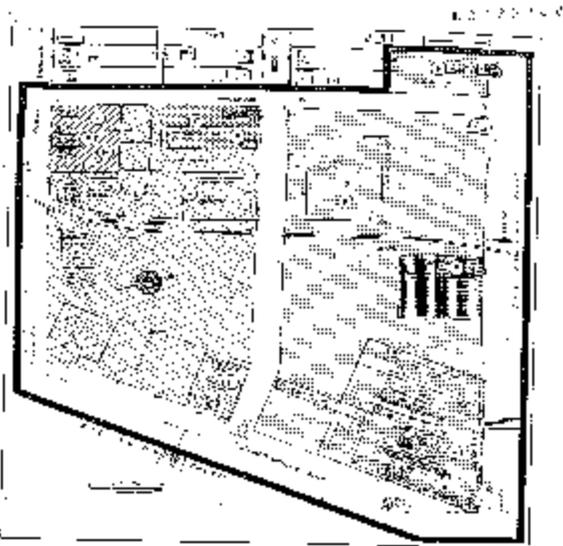


Exhibit B - Project Area Plan
Existing Uses and Conditions

- Public Office
- New Condominium
- Residential Condominiums
- Industrial
- Utility

Southtown Area Plan

Project Area Boundary

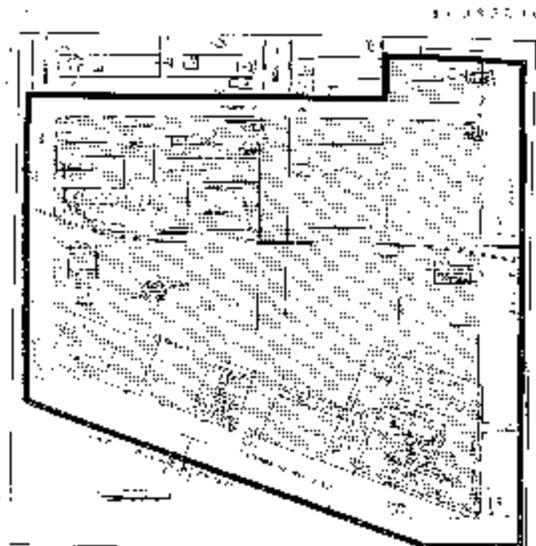


Exhibit C - Proposed Land Use

- Commercial

Southtown Area Plan

Project Area Boundary

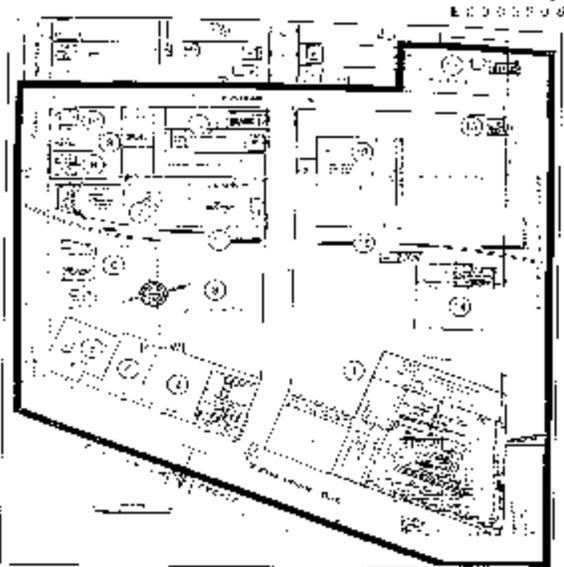


Exhibit D - Acquisition Map

- Parcel Number
- Block Number

Southtown Area Plan

Project Area Boundary



**ORDINANCE #65209
Board Bill No. 59**

An ordinance authorizing and directing the Director of Streets to temporarily close, barricade or otherwise impede the flow of traffic thru the north-south alley in City Block 1564 by blocking said traffic flow at a point 285 feet north of the north curb line of Potomac Street, and containing an emergency clause.

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

SECTION ONE: The Director of Streets is hereby authorized to temporarily close and barricade, for a period of six months, the north-south alley in City Block 1564 by blocking said traffic flow at a point 285 feet north of the north curb line of Potomac Street.

SECTION TWO: Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: June 25, 2001