

**ORDINANCE #67922**  
**Board Bill No. 522**

An ordinance to regulate employer and employee working relationships between the City of St. Louis and all employees under the Classified Service, including a compensation plan, terms and conditions of employment, benefits, leaves of absence, and authorization for a Deferred Compensation Plan; repealing Ordinance 67333 and Ordinance 67807; allocating certain other employees to a grade with rate and including an emergency clause. The provisions of the sections contained in this ordinance shall be effective with the start of the first pay period following approval by the Mayor.

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

**SECTION 1.**  
**ALPHABETICAL LIST OF CLASSES**

(a) Beginning with the effective date of this ordinance, the following positions in the City Service with bi-weekly rates are hereby allocated as listed below in accordance with the classification plan by the Director of Personnel to a grade and overtime code in the following section with rates established in Section 2 of this ordinance in accordance with Section 3(a) and Section 9(e) of Article XVIII of the City Charter.

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Abatement and Exemption Analyst	1424	15	M	1
Account Clerk I	1141	10	G	3
Account Clerk II	1142	11	G	3
Accountant I	1441	13	G	2
Accountant II	1442	14	G	2
Accounting Coordinator	1444	15	P	1
Accounting Manager I	1445	16	M	1
Accounting Manager II	1446	17	M	1
Accounting Officer	1447	16	M	1
Accounting Supervisor	1443	15	P	1
Administrative Assistant I	1621	13	G	3
Administrative Assistant II	1622	14	M	1
Administrative Assistant III	1623	15	M	1
Administrative Assistant to the Mayor	1721	14	M	1
Air Pollution Engineer I	4251	14	P	2
Air Pollution Engineer II	4252	15	P	1
Air Pollution Engineer Supervisor	4253	16	P	1
Air Pollution Inspection Supervisor	3925	14	M	1
Air Pollution Inspector I	3921	12	G	3
Air Pollution Inspector II	3922	13	G	3
Air Pollution Specialist I	3926	12	G	3
Air Pollution Specialist II	3927	14	P	2
Air Pollution Technical Services Manager	3928	16	M	1
Airfield Maintenance Foreman	3322	14	G	3
Airfield Maintenance Supervisor	1638	15	G	2
Airfield Maintenance Worker	3324	12	G	3
Airfield Maintenance Worker (Lead)	3327	13	G	3
Airfield Operations Specialist	1631	13	G	3
Airfield Operations Specialist (Lead)	1635	14	G	3
Airfield Painter/Maintenance Worker	3247	36	T	3
Airfield Painter/Maintenance Worker (Lead)	3248	37	T	3
Airport Administrator	1639	17	M	1
Airport Assistant Director Air Service and Business Development	1688	19	M	1
Airport Assistant Director Community Programs	1655	19	M	1
Airport Assistant Director Finance and Accounting	1651	19	M	1
Airport Assistant Director/Operations & Maintenance	1634	19	M	1
Airport Assistant Director Planning and Engineering	1653	19	M	1
Airport Building Maintenance Supervisor	1684	14	G	2
Airport Community Programs Assistant	1678	10	G	3
Airport Deputy Director Finance and Administration	1686	21	M	1
Airport Deputy Director Planning and Development	1652	21	M	1
Airport Emergency Preparedness Coordinator	1630	14	G	3
Airport Engineering Contracts Manager	1633	18	M	1
Airport Facilities Maintenance Manager	1685	16	M	1
Airport Facility Inspector	3951	37	T	3
Airport Fleet Maintenance Manager	3273	16	M	1
Airport Operations Supervisor	1636	15	M	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Airport Police Captain	2145	15 M	1
Airport Police Chief	2147	17 M	1
Airport Police Lieutenant	2144	14 P	2
Airport Police Officer	2141	12 P	3
Airport Police Sergeant	2143	13 P	3
Airport Power Plant Manager	1687	15 M	1
Airport Properties Division Manager	1654	18 M	1
Airport Properties Inspector	4221	11 G	3
Airport Properties Inspector (Lead)	4222	13 G	3
Airport Properties Specialist	1681	14 G	2
Airport Properties Supervisor	1682	15 P	1
Airport Risk Manager	1683	15 M	1
Airport Senior Deputy Director	1657	22 M	1
Airport Traffic Officer	2172	9 G	3
Animal Care and Control Officer	2113	11 G	3
Animal Regulation Center Supervisor	2116	14 G	2
Applications Support Manager	1361	18 M	1
Arborist	3654	15 P	1
Architect I	4431	13 P	2
Architect II	4432	14 P	1
Architect III	4433	15 P	1
Architectural Manager	4434	17 M	1
Assessor	1439	20 M	1
Asset Manager I	1485	17 M	1
Asset Manager II	1486	19 M	1
Assistant Director of Health and Hospitals	5585	20 M	1
Assistant Fire Chief	2235	81 F	1
Assistant Mechanical Maintenance Worker	3412	9 G	3
Attorney I	2361	15 P	1
Attorney II	2362	17 P	1
Attorney III	2363	18 P	1
Attorney IV	2367	20 M	1
Attorney Manager	2364	20 M	1
Audit Manager	1475	17 M	1
Audit Supervisor	1473	16 P	1
Auditor I	1471	13 G	2
Auditor II	1472	14 G	2
Battalion Fire Chief	2227	77 F	1
Benefits Clerk	1541	10 G	3
Benefits Specialist	1545	12 G	3
Billing Supervisor	1192	14 G	2
Blacksmith	3231	36 T	3
Budget Analyst	1461	14 G	2
Budget Analyst (Senior)	1462	15 P	1
Budget Director	1468	21 M	1
Building Inspection Manager	3857	17 M	1
Building Inspection Supervisor I	3855	39 T	3
Building Inspection Supervisor II	3856	15 M	1
Building Inspector I	3851	36 T	3
Building Inspector II	3852	37 T	3
Building Maintenance and Operations Supervisor	3753	14 G	2
Building Maintenance Worker	3411	10 G	3
Building Records Clerk	1114	9 G	3
Buyer	1223	14 G	2
Capital Improvement Project Liaison	4344	15 P	2
Carpenter	3211	36 T	3
Carpenter (Lead)	3212	37 T	3
Carpenter Foreman	3213	39 T	3
Cashier	1182	9 G	3
Cashier Supervisor	1184	11 G	3
Charitable Programs Coordinator	1699	12 G	3
Chemist I	3551	13 P	2
Chemist II	3552	14 P	2
Chemistry Supervisor	3553	16 P	1
Chemistry Manager	5463	16 M	1
Chief Aviation Planner	1632	17 M	1

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Chief Deputy Marshal	2123	14 M	1
Chief Health Grants Officer	1487	18 M	1
Chief Horticulturist	3638	17 M	1
Chief of Staff	1737	23 M	1
Chief Paramedic	5721	17 M	1
Chief Parole and Probation Officer	2322	15 M	1
Chief Plan Examiner	4233	17 M	1
Chief Staff Officer	1483	21 M	1
City Counselor	2368	22 M	1
City Court Administrator	1676	16 M	1
City Court Judge	2369	17 P	1
City Marshal	2129	15 M	1
City Planning Executive	4143	19 M	1
City Register	1661	14 M	1
City Safety Manager	1534	16 M	1
City Surveyor	4293	15 P	2
Civil Engineer I	4241	14 P	2
Civil Engineer II	4242	15 P	1
Civil Engineer III	4243	16 P	1
Civil Engineer III/Computer Network Coordinator	4244	16 P	1
Civil Engineer Supervisor	4245	16 P	1
Clerical Aide	1111	5 G	3
Clerical Supervisor	1115	13 G	2
Clerk I	1112	8 G	3
Clerk II	1113	9 G	3
Clerk Typist I	1121	8 G	3
Clerk Typist II	1122	9 G	3
Clerk Typist III	1123	10 G	3
Client Service Coordinator I	6147	13 G	3
Client Service Coordinator II	6148	14 G	3
Clinical Nurse Specialist	5656	15 P	1
Commissioner of Buildings	3858	20 M	1
Commissioner of Communications	1811	17 M	1
Commissioner of Corrections	2373	20 M	1
Commissioner of Emergency Management	2181	17 M	1
Commissioner of Equipment Services	3277	19 M	1
Commissioner of Excise	2193	17 M	1
Commissioner of Facilities Management	3755	19 M	1
Commissioner of Forestry	3644	19 M	1
Commissioner of Health	5688	21 M	1
Commissioner of Parks	3645	19 M	1
Commissioner of Recreation	7137	19 M	1
Commissioner of Refuse	3135	19 M	1
Commissioner of Streets	4248	19 M	1
Commissioner of Supply	1229	18 M	1
Commissioner of Traffic	4283	19 M	1
Commissioner of Water	4329	20 M	1
Commissioner on the Disabled	6163	17 M	1
Communications Center Coordinator	2161	14 G	3
Communications Regulatory Manager	1813	16 M	1
Community Development Planner I	4121	13 G	3
Community Development Planner II	4122	14 G	2
Community Development Planner III	4126	15 P	1
Community Development Research Analyst	4184	15 P	1
Community Development Specialist I	4123	13 G	3
Community Development Specialist II	4124	14 G	2
Community Development Supervisor	4127	15 M	1
Community Health Aide	5624	10 G	3
Community Program Aide	6171	10 G	3
Compensation and Employee Relations Manager	1524	19 M	1
Comptroller	1489	2 E	1
Computer Operations Supervisor	1327	13 M	1
Computer Operator I	1323	10 G	3
Computer Operator II	1324	11 G	3
Computer Programmer I	1331	13 G	3
Computer Programmer II	1332	14 G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Computerized Graphics Typesetter	2411	11	G	3
Concrete Finisher	3283	36	T	3
Construction and Maintenance Manager	3759	17	M	1
Construction and Maintenance Superintendent	3758	16	M	1
Construction Equipment Foreman I	3328	39	T	3
Construction Equipment Foreman II	3329	40	T	2
Construction Equipment Operator I	3332	35	T	3
Construction Equipment Operator II	3333	36	T	3
Construction Project Leader	4346	15	P	2
Contract and Inventory Specialist	3754	16	M	1
Contract Compliance Officer	1662	14	G	2
Contract Specialist	1663	11	G	3
Contract Supervisor	1664	15	M	1
Correctional Case Worker	2337	12	G	3
Correctional Case Worker Assistant	2336	11	G	3
Correctional Center Superintendent	2372	19	M	1
Correctional Chief of Security	2338	15	M	1
Correctional Classification Assistant	2333	11	G	3
Correctional Investigator	2339	12	G	3
Correctional Officer I	2331	11	G	3
Correctional Officer II	2332	12	G	3
Correctional Program Manager	2374	16	M	1
Correctional Program Supervisor	2342	13	G	2
Correctional Shift Supervisor	2335	14	G	3
Correctional Training Coordinator	2381	14	G	2
Correctional Unit Manager	2375	15	M	1
Counseling and Testing Coordinator	5641	14	P	2
Court Officer	2334	10	G	3
Cultural Resources Director	1674	18	M	1
Custodian	3711	6	G	3
Custodian (Lead)	3712	7	G	3
Customer Service Manager	1726	16	M	1
Customer Service Manager/Legislative Liaison	3532	16	M	1
Customer Service Representative I	1116	10	G	3
Customer Service Representative II	1117	11	G	3
Customer Service Supervisor	1185	13	G	2
Data Entry Operator	1312	8	G	3
Data Entry Operator (Lead)	1314	10	G	3
Data Entry Supervisor	1315	11	G	3
Data Processing Manager	1365	18	M	1
Decorative Painter	3241	36	T	3
Dental Assistant	5413	7	G	3
Dentist	5541	17	P	1
Deputy Airport Police Chief	2146	16	M	1
Deputy Assessor	1435	17	M	1
Deputy Budget Director	1467	17	M	1
Deputy City Counselor	2366	21	M	1
Deputy City Court Administrator	1675	12	M	1
Deputy City Engineer	4316	21	M	1
Deputy Commissioner of Buildings	3859	19	M	1
Deputy Commissioner of Equipment Services	3275	17	M	1
Deputy Commissioner of Parks	3646	17	M	1
Deputy Commissioner of Refuse	3134	17	M	1
Deputy Commissioner of Streets	4247	17	M	1
Deputy Commissioner of Supply	1228	17	M	1
Deputy Comptroller	1488	21	M	1
Deputy Director of Airports	1656	20	M	1
Deputy Director of Civil Rights Enforcement Agency	6138	16	M	1
Deputy Director of Community Development	4145	20	M	1
Deputy Director of Employment and Training	6228	18	M	1
Deputy Director of Personnel	1528	20	M	1
Deputy Director of Planning and Urban Design	4188	19	M	1
Deputy Director of Public Safety	2152	20	M	1
Deputy Fire Chief	2231	78	F	1
Deputy Marshal	2121	10	G	3
Detention Center Superintendent	2371	18	M	1

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Director of Airports	1658	23	M	1
Director of Civil Rights Enforcement Agency	6139	18	M	1
Director of Community Development	4144	22	M	1
Director of Employment and Training	6229	20	M	1
Director of Health and Hospitals	5589	23	M	1
Director of Human Services	6169	21	M	1
Director of Information Technology	1367	21	M	1
Director of Parks, Recreation and Forestry	3649	21	M	1
Director of Personnel	1529	22	M	1
Director of Planning and Urban Design	4186	20	M	1
Director of Public Safety	2151	22	M	1
Director of Public Utilities	4349	21	M	1
Director of Streets	4249	21	M	1
Disabled Services Representative	6173	11	G	3
Diversity Manager	1544	16	M	1
Document Specialist I	5643	11	G	3
Document Specialist II	5644	12	G	3
Drafter I	4421	10	G	3
Drafter II	4422	12	G	3
Drafting Supervisor	4425	13	G	3
Duplicating Equipment Operator	2412	31	T	3
Electrical Engineer	4261	15	P	1
Electrical Engineer (Senior)	4262	16	P	1
Electrical Inspection Supervisor	3815	15	M	1
Electrical Inspector	3811	36	T	3
Electrical Inspector (Lead)	3812	38	T	3
Electrical Supervisor	3226	15	G	2
Electrician	3223	36	T	3
Electrician (Lead)	3224	38	T	3
Electrician Foreman	3225	39	T	3
Electronic Control Systems Technician	3442	36	T	3
Electronic Instrument Technician	3443	36	T	3
Electronic Technician Supervisor	3444	39	T	3
Emergency Management Specialist	2183	15	M	1
Emergency Management System Technician	2182	36	T	3
Employee Benefits Manager	1526	18	M	1
Employee Training and Development Manager	1527	18	M	1
Employment and Training Representative	6211	12	G	3
Employment and Training Specialist I	6213	13	G	3
Employment and Training Specialist II	6214	14	G	2
Employment and Training Specialist III	6215	15	P	1
Employment and Training Specialist IV	6218	17	P	1
Employment Manager	1525	18	M	1
EMS Chief	5726	16	M	1
EMS Communications Supervisor	5723	14	G	2
EMS Deputy Chief	5725	15	M	1
EMS Dispatcher	5731	11	G	3
EMS Inventory Supervisor	5722	12	G	3
EMS Lead Dispatcher	5732	12	G	3
EMS Training Specialist	5719	14	G	2
EMT (Emergency Medical Technician)	5714	11	G	4
Engineering and Information Systems Manager	4317	19	M	1
Engineering Manager I	4312	17	M	1
Engineering Manager II	4313	18	M	1
Engineering Technician I	4224	13	G	3
Engineering Technician II	4225	14	G	3
Engineering Technician Supervisor	4226	15	P	2
Environmental Court Coordinator	3881	15	M	1
Environmental Court Liaison	5623	13	G	3
Environmental Health Officer	5622	13	G	3
Environmental Health Specialist	5628	13	G	3
Environmental Health Supervisor	5638	14	G	2
Environmental Regulatory Compliance and Safety Manager	1659	19	M	1
Epidemiologist	5642	16	P	1
Equipment Operator	3321	9	G	3
Estimator	4223	13	G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Executive Assistant I	1628	16	M	1
Executive Assistant II	1629	17	M	1
Executive Assistant to the Mayor	1725	20	M	1
Executive Director for Development	1728	23	M	1
Executive Director for Operations	1736	23	M	1
Executive Director of the Affordable Housing Commission	1722	19	M	1
Executive Secretary I	1134	12	G	3
Executive Secretary II	1135	14	G	2
Executive Secretary to the Comptroller	1136	14	G	2
Executive Secretary to the Mayor	1727	21	M	1
Field Inspector	3911	11	G	3
Financial Analyst	1482	15	P	1
Financial Supervisor/Information Systems Coordinator	1484	16	M	1
Fire Alarm Manager	2216	74	F	1
Fire Captain	2226	72	F	3
Fire Chief	2239	83	F	1
Fire Equipment Dispatcher	2212	69	F	3
Fire Private	2222	69	F	3
Fiscal Manager	1448	18	M	1
Fiscal Officer	1490	16	P	1
Fleet Maintenance Foreman I	3266	38	T	3
Fleet Maintenance Foreman II	3267	39	T	3
Fleet Maintenance Manager	3274	16	M	1
Fleet Maintenance Parts Specialist	3287	31	T	3
Fleet Maintenance Parts Supervisor I	3284	33	T	3
Fleet Maintenance Parts Supervisor II	3285	35	T	3
Fleet Maintenance Technician I	3261	31	T	3
Fleet Maintenance Technician II	3262	35	T	3
Fleet Maintenance Technician III	3263	36	T	3
Fleet Maintenance Technician IV	3265	37	T	3
Food Establishment Inspector	5631	13	G	3
Forest Park Executive	3642	17	M	1
Forestry Foreman	3641	11	G	3
Forestry Supervisor	3622	13	G	3
Gardener	3632	10	G	3
Gardener Supervisor	3633	11	G	3
GED Instructor/Employer Job Profiler	6219	13	G	2
Gerontologist	6146	15	P	2
GIS Coordinator/Engineering Inspector	4227	15	G	3
GIS Specialist I/Graphic Designer	4111	13	G	3
GIS Specialist II/Graphic Designer	4112	14	G	3
GIS/Graphic Design Manager	4113	15	M	1
Government Services Administrator	1627	17	P	1
Government Services Analyst	1625	16	P	1
Grants Administrator	1453	15	M	1
Grants Manager	1455	17	M	1
Grants Specialist	1452	10	G	3
Grants Writer	1451	13	G	3
Graphic Artist	4181	11	G	3
Graphic Arts Technician	4187	37	T	3
Graphic Designer	4182	12	G	3
Health Care Compliance Specialist	5515	14	G	3
Health Education Planner	5696	12	G	3
Health Marketing Administrator	5685	16	P	1
Health Planning Executive	5571	17	M	1
Health Services Manager I	5681	17	M	1
Health Services Manager II	5682	18	M	1
Heavy Equipment Operator I	3325	10	G	3
Heavy Equipment Operator II	3326	11	G	3
Help Desk Coordinator	1321	12	G	3
Historic Preservation Planner I	4192	13	G	3
Historic Preservation Planner II	4193	14	P	2
Horticulturist	3637	13	P	2
Housekeeping Manager	3719	14	G	2
Housekeeping Supervisor I	3715	11	G	3
Housekeeping Supervisor II	3716	13	G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Housing Development Analyst	4125	14	G	2
Housing Development Analyst (Senior)	4128	15	P	1
Human Relations Specialist	6131	13	G	2
Human Relations Supervisor	6135	15	M	1
Human Resources Administrator	1522	19	M	1
Human Resources Analyst	1512	14	G	3
Human Resources Assistant	1511	11	G	3
Human Resources Generalist I	1518	14	P	2
Human Resources Generalist II	1519	16	P	1
Human Resources Manager	1523	18	M	1
Human Resources Research Officer	1546	18	P	1
Human Resources Services Supervisor	1521	15	M	1
Human Resources Specialist I	1513	13	G	3
Human Resources Specialist II	1514	14	G	2
Human Resources Specialist III	1515	15	P	1
Human Resources Specialist IV	1516	16	P	1
Human Resources Specialist IV/Systems Analyst	1517	17	P	1
HVAC Foreman	3418	39	T	3
HVAC Mechanic	3417	36	T	3
Industrial Hygienist	5629	14	P	2
Information Security Administrator	1369	17	P	1
Information Systems Administrator	1362	20	M	1
Information Systems Audit Supervisor	1474	17	P	1
Information Systems Coordinator	1322	13	P	2
Information Systems Support Manager	1363	19	M	1
Internal Audit Executive	1476	20	M	1
Internet Services Manager	1368	18	M	1
Interpreter for the Deaf	6174	12	G	3
Inventory Control Specialist	1214	8	G	3
Inventory Control Technician I	1211	8	G	3
Inventory Control Technician II	1212	9	G	3
Inventory Coordinator	1215	10	G	3
Inventory Supervisor	1213	11	G	3
Ironworker	3232	36	T	3
Labor Foreman I	3121	12	G	3
Labor Foreman II	3125	13	G	3
Labor Supervisor	3128	14	G	2
Laboratory Aide	5421	8	G	3
Laboratory Assistant	5422	11	G	3
Laboratory Director	3555	17	M	1
Laboratory Supervisor	5463	16	M	1
Laboratory Technician	3554	11	G	3
Laborer	3111	8	G	3
Laborer (Lead)	3112	9	G	3
Land Acquisition Specialist	3952	11	G	3
Landscape Manager	3635	15	M	1
Lead Abatement Inspector	5626	13	G	3
Lead Abatement Worker	5625	11	G	3
Lead Program Aide	5611	9	G	3
Legal Investigator I	2351	13	G	3
Legal Investigator II	2352	14	G	2
Legal Secretary	1151	12	G	3
Licensed Practical Nurse	5181	11	G	3
Lifeguard	7111	5	G	3
Lifeguard Supervisor	7112	7	G	3
Liquor Control Officer	2191	11	G	3
Liquor Control Supervisor	2192	14	G	3
Machine Shop Foreman	3238	38	T	3
Machinist	3233	36	T	3
Mail Room Supervisor	1186	14	G	3
Maintenance/Bulk Labor Foreman	3126	13	G	3
Mayor	1739	3	E	1
Mechanical Engineer	4271	15	P	1
Mechanical Engineer (Senior)	4272	16	P	1
Mechanical Equipment Inspection Supervisor	3845	15	M	1
Mechanical Inspector	3841	36	T	3

TITLE	CODE	GRADE/ SCHEDULE	OVTM
Mechanical Inspector (Lead)	3842	38 T	3
Mechanical Maintenance Foreman	3415	38 T	3
Mechanical Maintenance Worker	3413	35 T	3
Mechanical Maintenance Worker (Lead)	3414	37 T	3
Medical Record Administrator	5513	13 G	3
Medical Social Worker	6145	14 G	3
Medical Technologist	5461	13 G	3
Medical Technologist (Lead)	5462	14 G	3
Messenger/Mail Clerk	1181	5 G	3
Microcomputer Support Specialist	1328	11 G	3
Municipal Parking Garage Manager	3133	14 M	1
Neighborhood Improvement Program Manager	3872	16 M	1
Neighborhood Improvement Specialist	3871	14 G	2
Network Systems Manager	1364	18 M	1
Nurse Practitioner	5131	16 P	1
Nutrition Program Coordinator	5664	14 P	2
Nutritionist	5663	14 P	2
Operations Assistant-Security	2341	11 G	3
Outreach Worker	5698	11 G	3
Painter	3242	36 T	3
Painter (Lead)	3243	37 T	3
Painter Foreman	3245	39 T	3
Paralegal	2365	12 G	3
Paramedic	5717	13 G	4
Paramedic Crew Chief	5718	14 G	4
Paramedic Supervisor	5716	15 G	4
Park Attendant	3614	10 G	3
Park Facilities Maintenance Superintendent	3617	16 M	1
Park Maintenance Manager	3618	16 M	1
Park Ranger	2132	10 G	3
Park Ranger Manager	2135	14 M	1
Park Ranger Supervisor I	2133	11 G	3
Park Ranger Supervisor II	2134	12 G	3
Park Supervisor I	3612	12 G	3
Park Supervisor II	3613	13 G	3
Parking Garage Attendant	3114	6 G	3
Parking Garage Attendant (Lead)	3115	8 G	3
Parkkeeper	3611	11 G	3
Parole and Probation Officer	2321	13 G	3
Parole and Probation Officer (Lead)	2323	14 G	3
Paving Machine Assistant	3119	9 G	3
Payroll Specialist I	1171	10 G	3
Payroll Specialist II	1172	11 G	3
Payroll Supervisor	1173	14 M	1
Permit Supervisor	1673	14 M	1
Personal Property Appraisal Manager	1415	15 M	1
Personal Property Appraisal Supervisor	1413	14 G	2
Personal Property Appraiser I	1411	11 G	3
Personal Property Appraiser II	1412	12 G	3
Pest Control Worker	5699	9 G	3
Physician	5553	18 P	1
Physician Manager	5554	21 M	1
Plan Examiner	4232	14 P	2
Planning and Programming Executive	4318	19 M	1
Plumber	3251	36 T	3
Plumber Foreman	3253	39 T	3
Plumbing Inspection Supervisor	3824	15 M	1
Plumbing Inspector I	3821	36 T	3
Plumbing Inspector II	3822	38 T	3
President, Board of Aldermen	1748	1 E	1
President, Board of Public Service	4348	23 M	1
Printing and Duplicating Graphics Manager	2413	15 M	1
Printing Supervisor	2414	13 G	2
Probationary Fire Equipment Dispatcher	2211	69 F	3
Probationary Fire Private	2221	69 F	3
Process Control Specialist	4265	15 P	1

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Procurement/Purchasing Manager I	1226	16	M	1
Procurement/Purchasing Manager II	1227	17	M	1
Procurement Specialist	1225	13	G	2
Program Aide	7311	10	G	3
Program Architect	4435	16	P	1
Program Coordinator	1698	14	P	2
Program Engineer	4345	17	P	1
Program Manager I	1693	15	M	1
Program Manager II	1694	16	M	1
Program Specialist I	1696	11	G	3
Program Specialist II	1691	12	G	3
Program Supervisor	1692	13	M	1
Program Worker I	7312	5	G	3
Program Worker II	7313	6	G	3
Program Worker III	7314	7	G	3
Programmer/Analyst I	1341	15	P	2
Programmer/Analyst II	1342	16	P	2
Programmer/Analyst III	1343	17	P	2
Psychologist	6178	15	P	1
Public Health Counselor	5645	13	G	2
Public Health Education Coordinator	5648	15	P	2
Public Health Educator	5695	15	P	1
Public Health Intake Supervisor	5646	15	G	2
Public Health Intake Worker	5647	12	G	3
Public Health Nurse I	5651	14	G	3
Public Health Nurse II	5653	15	G	3
Public Health Nurse III	5654	16	P	2
Public Health Nursing Supervisor	5655	17	M	1
Public Health Program Representative	5693	13	G	3
Public Health Program Specialist	5691	14	G	3
Public Health Program Supervisor	5694	15	G	2
Public Information Assistant	1612	12	G	3
Public Information Manager	1617	18	M	1
Public Information Officer I	1614	13	G	2
Public Information Officer II	1615	15	P	1
Public Information Officer Supervisor	1616	15	M	1
Public Information Officer to the Comptroller	1618	15	P	1
Public Information Officer to the Mayor	1613	16	M	1
Public Information Specialist I	1611	11	G	3
Public Information Specialist II	1610	12	G	3
Public Nuisance Inspector	3861	10	G	3
Public Safety Specialist	2136	15	P	1
Real Estate Development Specialist	1637	14	G	3
Real Estate Records Clerk I	1666	9	G	3
Real Estate Records Clerk II	1668	10	G	3
Real Estate Records Manager	1426	14	M	1
Real Estate Specialist	1667	13	G	3
Real Property Appraisal Manager	1429	16	M	1
Real Property Appraisal Supervisor	1428	15	M	1
Real Property Appraiser I	1421	13	G	3
Real Property Appraiser II	1422	14	G	3
Receptionist	1161	8	G	3
Receptionist to the Mayor	1162	9	G	3
Records Retention Supervisor	1187	14	G	2
Recreation Area Manager	7118	16	M	1
Recreation Assistant	7116	7	G	3
Recreation Leader	7117	10	G	3
Recreation Supervisor I	7114	12	G	3
Recreation Supervisor II	7115	14	G	2
Refuse Route and Safety Coordinator	3931	11	G	3
Refuse Superintendent	3131	16	M	1
Registered Nurse I	5121	14	G	3
Registered Nurse II	5122	15	G	3
Research Analyst to the Mayor	1729	16	P	1
Retirement Officer	1542	12	G	3
Safety Officer I	1531	13	G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Safety Officer II	1532	14	G	2
Safety Officer III	1533	15	P	1
School Crossing Guard	2174	5	G	3
Secretary and Stenographer to the Mayor	1175	11	G	3
Secretary I	1131	9	G	3
Secretary II	1132	10	G	3
Secretary to the Board of Estimate and Apportionment	1137	12	G	3
Secretary to the Board of Public Service	1671	13	M	1
Security Officer	2131	10	G	3
Senior Engineering Executive	4347	20	M	1
Senior Fire Equipment Dispatcher	2215	72	F	3
Senior Plan Examiner	4234	15	P	1
Senior Plan Examiner/Code Development Specialist	4235	16	P	1
Sign Shop Supervisor	3246	38	T	3
Solid Waste Route Foreman	3127	13	G	3
Soulard Market Manager	3757	15	M	1
Special Assistant for Development	1724	17	M	1
Special Assistant to the Comptroller	1672	16	M	1
Special Assistant to the Mayor	1723	17	M	1
Special Assistant to the Water Commissioner	3538	17	M	1
Special Events Program Executive	1697	18	P	1
Special Projects Manager	2382	17	M	1
Specialist on Aging I	6121	13	G	3
Specialist on Aging II	6122	14	G	2
Stationary Engineer	3423	36	T	3
Street and Traffic Inspection Supervisor I	3955	13	G	3
Street and Traffic Inspection Supervisor II	3956	14	M	1
Street and Traffic Inspector	3954	11	G	3
Street and Traffic Liaison	1643	14	M	1
Street Lighting Superintendent	3229	16	M	1
Street Maintenance Superintendent	3132	16	M	1
Superintendent of Soldiers' Memorial	3756	14	M	1
Supervising Deputy Marshal	2124	11	G	3
Supervising Stationary Engineer I	3427	39	T	3
Supervising Stationary Engineer II	3428	14	G	3
Supervisor-STD Intervention and Outreach Program	5649	15	P	2
Survey Projects Coordinator	4246	15	P	1
Surveying Aide	4291	12	G	3
Surveyor	4292	14	G	3
Systems Analyst	1351	15	P	2
Systems Development Manager	1366	19	M	1
Systems Project Leader	1352	18	M	1
Technical Support Specialist I	1371	15	P	2
Technical Support Specialist II	1372	16	P	1
Telecommunications Inspector	1824	13	G	3
Telecommunications Maintenance Supervisor	1854	13	G	3
Telecommunications Specialist	1853	14	G	3
Telecommunications Supervisor	2173	12	G	3
Telecommunications Technician	1855	12	G	3
Telecommunicator	2171	10	G	3
Tow Truck Operator	3311	10	G	3
Towing Services Foreman	3313	11	G	3
Towing Services Manager	3317	15	M	1
Towing Services Supervisor	3314	14	G	2
Trades Helper	3281	31	T	3
Traffic Control Superintendent	3438	16	M	1
Traffic Data Clerk	1188	9	G	3
Traffic Engineer	4281	15	P	1
Traffic Engineer (Senior)	4282	16	P	1
Traffic Engineering Manager	4284	17	M	1
Traffic Violation Bureau Supervisor	1677	13	G	3
Training Specialist	6175	14	G	3
Transportation Center Operation Specialist	3752	11	G	3
Transportation Center Operation Supervisor	3751	16	M	1
Tree Trimmer	3621	10	G	3
Truck Tire Service Worker	3264	9	G	3

TITLE	CODE	GRADE/ SCHEDULE		OVTM
Urban Designer	4185	14	P	2
Urban Forester	3652	14	P	2
Urban Forestry Assistant	3651	11	G	3
Urban Forestry Superintendent	3656	16	M	1
Utility Worker	3117	9	G	3
Utility Worker (Lead)	3118	10	G	3
Veterans Service Officer	1695	14	M	1
Veterinarian	2119	16	P	1
Veterinarian Technician	2118	9	G	3
Video Engineer	1823	40	T	3
Video Production Manager	1812	16	M	1
Video Production Specialist	1822	36	T	3
Video Production Supervisor	1821	40	T	3
Water Billing Clerk	1191	10	G	3
Water Department Liaison	3533	16	P	1
Water Distribution Executive	4314	19	M	1
Water Distribution Superintendent	3535	16	M	1
Water Distribution Supervisor	3534	14	G	2
Water Maintenance Foreman	3517	13	G	3
Water Maintenance Worker	3512	11	G	3
Water Meter and Tap Supervisor	3526	14	M	1
Water Meter Repair Foreman	3525	13	G	3
Water Meter Repair Worker	3523	10	G	3
Water Meter Worker	3521	10	G	3
Water Meter Worker Supervisor	3522	13	G	3
Water Plant Maintenance Foreman	3543	39	T	3
Water Plant Maintenance Manager	3531	17	M	1
Water Plant Maintenance Mechanic	3541	36	T	3
Water Plant Maintenance Mechanic (Lead)	3542	38	T	3
Water Production Engineer	3536	17	M	1
Water Production Executive	4315	19	M	1
Water Services Manager	3537	14	M	1
Water System Inspector	3524	11	G	3
Water Treatment Plant Operations Assistant	3511	32	T	3
Water Treatment Plant Operator	3515	36	T	3
Water Treatment Plant Supervisor I	3514	38	T	3
Water Treatment Plant Supervisor II	3519	39	T	3
Water Utility Worker	3513	10	G	3
Web Development Specialist I	1345	14	P	2
Web Development Specialist II	1346	15	P	1
Welder	3235	36	T	3
Workers Compensation Specialist	1543	13	G	3
X-ray Technician	5441	11	G	3
Zoning Administrator	4165	16	M	1
Zoning Inspector	4163	10	G	3
Zoning Specialist	4162	12	G	3
Zoning Specialist (Lead)	4164	14	G	3

**(b) ELECTED OFFICIAL STAFF POSITIONS:**

The following non-competitive staff positions appointed by the President, Board of Aldermen are hereby allocated as listed below by the Director of Personnel to a grade with rates as established in Section 2 of this ordinance in accordance with Section 3(a) and Section 9(e) of Article XVIII of the City Charter.

TITLE	CODE	GRADE/ SCHEDULE	
Secretary to the President, Board of Aldermen	1741	13	G
Administrative Aide to the President, Board of Aldermen	1743	14	M
Administrative Assistant to the President, Board of Aldermen	1745	16	M
Special Assistant to the President, Board of Aldermen	1746	17	M

**SECTION 2.  
OFFICIAL PAY SCHEDULE FOR CLASSIFICATION GRADES**

The Civil Service Commission, in accordance with Section 7(b)(1) of Article XVIII of the City Charter, recommended pay schedules for all pay grades denoted in Section 1(a) of the classification plan prepared and adopted by the Department of Personnel.

The official pay schedules and their corresponding salary ranges as hereby adopted in this Section 2 are as follows: (a) - General, Professional, and Management Schedule, (b) - Trades Schedule, (c) - Fire Department Schedule, and (d) - Elected Official Schedule.

**(a) GENERAL, PROFESSIONAL, AND MANAGEMENT PAY SCHEDULE:**

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix "G," "P," or "M" shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance:

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS		
GRADE	MINIMUM	MAXIMUM
5	689	1014
6	747	1101
7	812	1197
8	881	1301
9	956	1414
10	1038	1539
11	1129	1674
12	1227	1821
13	1353	2012
14	1551	2307
15	1777	2648
16	2039	3038
17	2339	3490
18	2683	4007
19	3081	4602
20	3538	5286
21	3817	5706
22	4119	6159
23	4445	6650

**(b) TRADES PAY SCHEDULE:**

(1) The following bi-weekly pay schedule for all pay grades denoted with the suffix "T" shall become effective beginning with the bi-weekly pay period starting the effective date of this ordinance:

BI-WEEKLY RANGE OF PAY IN WHOLE DOLLARS		
GRADE	MINIMUM	MAXIMUM
31	1081	1713
32	1131	1791
33	1182	1875
34	1238	1964
35	1295	2051
36	1356	2152
37	1420	2252
38	1484	2353
39	1555	2470
40	1628	2582

**(c) FIRE DEPARTMENT PAY SCHEDULE:**

The bi-weekly pay schedule for all pay grades denoted by the suffix "F" will be adopted in accordance with Section 31 of Article XVIII of the City Charter.

Future salary adjustments made within the ranks and positions of the police force of the City of St. Louis shall be offset by the rates provided in this Section 2(c) in determining the rates for all pay grades denoted by the suffix "F."

BI-WEEKLY RANGE OF PAY								
Years of Service	Class Code							
	2211	2212	2215	2216	2227	2231	2235	2239
	2221	2222	2226					
	69F	69F	72F	74F	77F	78F	81F	83F
0	1394.05							
1		1442.82						
2		1487.95						
3		1571.72						
4		1613.16						
5		1667.01						
6		1720.86						
7		1824.15	2339.96					
8		1898.26	2434.53					
9		1975.03	2532.23	2752.80				
10		1981.88	2539.01	2759.62				
11		2003.33	2545.75	2766.44	3019.89			
12		2010.46	2552.61	2773.22	3026.71	3105.52	3705.38	3859.77
13		2017.20	2559.39	2780.04	3033.41	3208.81	3718.36	3873.29
14		2023.95	2566.17	2786.79	3040.24	3215.55	3731.38	3886.85
15		2030.81	2572.95	2793.56	3047.01	3222.41	3744.39	3900.41
16		2037.55	2579.69	2800.35	3053.84	3229.14	3757.45	3914.01
17		2044.41	2586.55	2807.16	3060.65	3236.01	3770.47	3927.57
18		2051.15	2593.34	2816.83	3067.36	3242.72	3783.45	3941.09
19		2057.89	2600.19	2820.72	3074.17	3249.49	3796.54	3954.73
20		2064.71	2606.90	2827.51	3081.00	3256.3	3809.60	3968.33
21		2071.49	2613.71	2834.28	3087.78	3263.09	3822.58	3981.85
22		2078.27	2620.54	2841.11	3094.52	3269.95	3835.59	3995.41
23		2085.09	2627.32	2847.93	3101.30	3276.65	3848.66	4009.02
24		2091.84	2634.13	2854.71	3108.08	3283.55	3861.59	4022.49
25		2098.65	2640.88	2861.53	3114.94	3290.25	3874.69	4036.14
26		2105.44	2647.66	2868.31	3121.72	3297.04	3887.75	4049.74
27		2112.29	2654.48	2875.05	3128.46	3303.90	3900.84	4063.38
28		2119.04	2661.26	2881.87	3135.20	3310.60	3913.86	4076.94
29		2125.77	2667.96	2888.65	3142.06	3317.46	3926.80	4090.42
30		2132.56	2674.82	2895.35	3148.85	3324.16	3939.90	4104.06

**(d) ELECTED OFFICIAL PAY SCHEDULE:**

(1) The following bi-weekly pay schedule for each Executive pay grade, denoted by the suffix "E," is currently in effect and extends through the term of office for each elected official:

GRADE	BI-WEEKLY RATE
1E	\$3237
2E	\$4010
3E	\$4718

(2) The following bi-weekly pay schedule for each Executive pay grade, denoted by the suffix "E," shall become effective beginning with any term of office starting in 2008:

GRADE	BI-WEEKLY RATE
1E	\$3334
2E	\$4130

3E

\$4860

- (3) The salary of an elected official shall not be increased during the term of office.

(e) **SHIFT DIFFERENTIAL:** Shift differential shall be paid for certain work assignments. The Director of Personnel shall determine the work assignments for which shift differential will be paid. The assignment or removal of an employee from a work assignment having a shift differential shall be determined by the appointing authority and will not constitute a promotion, demotion, advancement or reduction in pay. The shift differential shall be added to the employee's regular bi-weekly rate.

(1) In order for an employee to be eligible for shift differential compensation for a work shift, the employee must regularly work a shift that requires the completion of four (4) hours of work between the hours of 4:00 p.m. and 8:00 a.m. the following morning. Employees who are regularly assigned to work schedules that require them to rotate among three shifts (day, evening, night) on a bi-monthly or more frequent basis shall be eligible for shift differential compensation for all three shifts worked.

For employees whose pay range is established in Section 2(a) or 2(b), the shift differential premium shall be one percent (1%) of the employee's regular base bi-weekly rate for each eligible shift worked in a bi-weekly pay period.

For those employees whose pay range is established in Section 2(c), the shift differential premium shall be \$2.00 per hour for each hour worked between 11:00 p.m. and 7:00 a.m. during an eligible shift.

(2) Except as otherwise provided in this ordinance, shift differential shall not be paid to employees compensated on an hourly or per performance basis, or bi-weekly paid employees who work part-time. Neither shall shift differential be paid to full-time regular employees docked for any portion of an eligible shift.

(3) An employee whose pay range is established in Section 2(a) or 2(b) shall receive shift differential for working a portion of an eligible shift. Shift differential shall only be paid for whole hours worked, providing the portion of the shift not worked is charged to paid leave. A fraction of an hour shall not be counted toward the payment of the differential. An employee whose pay range is established in Section 2(a) or 2(b) shall not receive shift differential compensation for any overtime worked that is not part of their regular schedule.

(4) Employees whose pay range is established in Section 2(c) must work at least 12 hours of a regularly assigned 24 hour shift to be eligible for any shift differential for that shift. Such employees shall not receive shift differential for overtime work, which is not part of their regular schedule.

(f) **WEEKEND DIFFERENTIAL:** When employees whose pay range is established in Section 2(a) or 2(b) work on a Saturday and/or Sunday they may be eligible for weekend differential. This differential shall be one percent (1%) of an employee's base bi-weekly rate and shall not be paid for any overtime worked that is not part of an employee's regular schedule. An employee shall receive weekend differential for working a portion of an eligible day. This differential shall only be paid for whole hours worked, providing the portion of the day not worked is charged to paid leave. Weekend differential shall not be paid to employees compensated on an hourly or per performance basis or bi-weekly paid employees who work part-time. Neither will the weekend differential be paid to full-time regular employees docked for any portion of a day on which the differential would otherwise be paid.

(g) **COMMUTING ALLOWANCE:** Employees residing in the City of St. Louis who are regularly assigned to a position located in a City institution, agency, or facility located outside the corporate limits of the City of St. Louis, and who are regularly assigned to a five-day, forty-hour weekly work schedule, shall be entitled to a commuting allowance in the amount of one hundred twenty-five dollars (\$125.00) bi-weekly. Eligible full-time employees who are assigned to an alternate form of work schedule which reduces the frequency of commuting to work shall be entitled to a commuting allowance which is reduced in proportion to the reduced frequency of commuting.

Only full-time employees who are paid on a bi-weekly basis and are regularly employed ten (10) or more working days in a bi-weekly pay period shall be eligible for the commuting allowance. A period of absence of ten (10) working days or more shall result in suspension of eligibility for the commuting allowance. Suspension of the commuting allowance shall begin during the pay period in which the tenth (10th) day of absence occurs and shall continue for any subsequent full or partial pay periods during the period of absence. Upon return to duty from such absence, an employee again shall be eligible for commuting allowance upon completion of the first full pay period of service for which the allowance would normally be paid.

Employees for whom any form of free transportation (car, truck, bus, etc.) is provided by the City from a place within the corporate City to the work site and back shall not be entitled to the commuting allowance.

**(h) BOARD AND COMMISSION STIPENDS:**

<u>Title Code</u>	<u>Stipend</u>	
Member, Airport Commission	1980-00-B	\$53 per meeting, up to 24 meetings a year
Member, Board of Adjustment	1981-00-B	\$60 per meeting
Member, Board of Air Pollution Appeals and Variance Review	1982-00-B	\$60 per meeting
Member, Board of Equalization	1983-00-B	\$120 per day
Member, Board of Engineers	1984-00-B	\$45 per meeting, up

Member, Board of Examiners of Plumbers	1985-00-B	to 2 meetings a week \$60 per month
Member, Board of Examiners of Fumigators	1986-00-B	\$45 per meeting, up to 3 meetings a month
Member, Board of Examiners of Sign Erectors	1987-00-B	\$45 per meeting, up to 3 meetings a month
Member, Board of Tax Appeals	1988-00-B	\$60 per meeting
Member, Civil Service Commission	1989-00-B	\$55 per meeting, up to 30 meetings a year
Member, Board of Building Appeals	1990-00-B	\$60 per meeting, up to 50 meetings a year
Member, Board of Building Code Review	1991-00-B	\$60 per meeting, up to 1 meeting a week
Member, Boiler Rules Committee	1992-00-B	\$45 per meeting
Member, Committee of Electrical Examiners	1993-00-B	\$45 per meeting, up to 15 meetings a year
Member, Committee on Plumbing Review	1994-00-B	\$45 per meeting, up to 15 meetings a year
Member, Demolition Contractors' Certification Board	1995-00-B	\$45 per meeting, up to 15 meetings a year
Member, Board of Merchants' and Manufacturers' Tax Equalization	1996-00-B	\$83 per day in session, up to 60 meetings during regular 12 week session, but not to exceed 105 meetings a year
Member, Board of Examiners of Sprinkler System Contractors	1997-00-B	\$83 per meeting, up to 15 meetings a year
Member, Board of Examiners for Mechanical Contractors	1998-00-B	\$45 per meeting
Member, Board of Noise Control Appeals	1999-00-B	\$53 per meeting

A person occupying a position as a member of a Board, Commission or Committee shall be paid at the per day, per meeting or per month rate established above.

(i) The Director of Personnel may establish per performance rates of pay, hourly rates of pay, or rates of pay for units of work and the conditions for making of any such payments. Such per performance, hourly, or unit-of-work rates may be computed from the bi-weekly scales established in this ordinance. Per performance, hourly, or unit-of-work rates shall be established considering the nature of employment, community practices in compensating similar employment, and the purpose of the program for which the rate is established. Employees paid per performance, hourly, or unit-of-work rates of pay shall not be entitled to vacation, sick leave or holiday leave with pay or other benefits accorded employees paid on a bi-weekly basis except that an appointing authority, with the prior approval of the Director of Personnel, and when sufficient funds have been appropriated for the fiscal year, may establish a modified level or type of benefit program when the provision of such benefit is needed in order to attract and retain sufficiently qualified employees to work in specific per performance, hourly, or unit-of-work assignments.

Appointing authorities are not permitted to utilize per performance and hourly employees as a method of replacing bi-weekly paid employees who would be entitled to employee benefits. Therefore, per performance and hourly employees will be limited to an equivalent of ten (10) months of full time employment per year.

(j) The Director of Personnel may establish trainee rates of pay. Such trainee rates may be established on an hourly, per performance or bi-weekly basis and shall be less than the rate paid to a regular employee.

(k) The Director of Personnel, with the assistance of appointing authorities concerned, may establish rates and conditions under which compensation may be granted for periods of time during which an employee is away from the job site but restricted in his/her activities because of an assignment by the appointing authority to be available for a call to return to the work site to perform emergency duties. Pay rates and conditions established under the provisions of this Section 2(k) may include reasonable minimum pay guarantees for employees required to return to the work site to perform emergency duties.

The provisions of this Section 2(k) shall not be construed to restrict the right of an appointing authority to establish call back procedures for employees as an established condition of employment.

(l) The Director of Personnel may authorize payment of special recruitment bonuses, travel, moving and related expenses to recruit employees for positions when funds for this purpose are appropriated to the Department of Personnel.

(m) The Director of Personnel may approve the payment of hiring incentives to current employees to recruit qualified personnel for positions that are difficult to fill. Hiring incentives shall be in any amount up to twenty-five percent (25%) of the annual salary of the position for which the recruitment is made.

(n) (1) An appointing authority, with the prior approval of the Director of Personnel, may establish a program of cash

awards or other incentives for an employee or group of employees to recognize and reward increased productivity or effectiveness. The incentives offered under the program may include cash, paid time off and such other reasonable incentives as the Director of Personnel may determine. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose.

(2) The Director of Personnel, upon the request of the appropriate appointing authority, may establish a program of cash awards or other incentives, not to exceed ten percent (10%) of annual salary, for the purpose of providing additional compensation for employees who are fluent in a foreign language and who use this skill in the necessary and regular recurring performance of the duties of their position. Cash awards shall be made from the personal services appropriation of the unit, the account from which the employee's salary is paid or from a general appropriation for this purpose. Cash awards and incentives under this program shall be made in accordance with guidelines established by the Director of Personnel.

(3) Notwithstanding any other provision in this ordinance, the Director of Personnel is authorized to establish a program of incentives not to exceed twenty-five percent (25%) of the maximum of the pay range for the purpose of compensating positions which are extremely hard to fill.

(4) The Director of Personnel may provide an Employee Suggestion Program, which grants cash and other awards to recognize employee suggestions, which improve City services, operations or facilities. Cash awards to employees for suggestions resulting in tangible savings to the City shall not exceed ten percent (10%) of the annual tangible net savings. Cash awards and payments for other awards shall be made from an appropriation for a suggestion program or other appropriate account. The Employee Suggestion Program shall be administered in accordance with regulations established by the Director of Personnel.

(o) (1) An appointing authority may, with the prior approval of the Director of Personnel, establish a program to reimburse, in whole or in part, expenses incurred by employees for the purchase of uniform apparel required in the performance of the duties of their positions, when funds have been budgeted therefore.

An appointing authority may exercise the option to furnish such uniform as may be required in the employee's performance of his/her duties.

The Director of Personnel may establish regulations relating to employees' eligibility for reimbursement for uniforms.

Further, when funds have been budgeted therefore, an appointing authority may authorize reimbursement to uniformed security or correctional employees of up to fifty dollars (\$50) per incident for damage to personal property sustained while the employee was directly engaged in quelling a disturbance while performing assigned and/or authorized duties during a shift.

(2) In addition, an appointing authority who requires employees to provide and maintain their own tools shall provide a tool replacement program and/or annual maintenance allowance, with the prior approval of the Director of Personnel.

(p) An employee who is appointed to a position requiring advanced technical skills or professional qualifications may be paid at a rate up to ten percent (10%) higher than prescribed for the class in Section 2 of this ordinance on recommendation of the appointing authority with the prior approval of the Director of Personnel. Such advancement shall be made solely on the basis that the employee possesses exceptional academic qualifications related to the duties of the position or that the employee is registered or certified by an organization or board recognized by the Director of Personnel to be especially suited, considering the duties of the position, and when such academic qualification, registration, or certification is not deemed a necessary qualification for the class of position. The Director of Personnel may also establish other bonus, incentive, or reimbursement programs to encourage current employees to attain registration, licensure, certification, or proof of professional mastery when it is deemed to be in the best interest of the Classified Service, or when such credentials are clearly recognized as adding to the capability of individuals in that area. Incentives, bonuses, or reimbursements awarded under such programs does not result in an employee being ruled ineligible for bonuses or salary increases permitted under other sections of this pay ordinance.

(q) Temporary assignment differential will be paid for certain assignments when a vacancy exists for any reason (e.g., separations, extended vacation, leave of absence, military leave, etc.) in a position with a higher pay grade, and will be granted for periods not lasting less than one pay period but not more than thirteen (13) pay periods, in total. The Director of Personnel will determine the assignments for which the temporary assignment differential will be paid. The assignment or removal of an employee from said assignment having a temporary assignment differential will be determined by the appointing authority and will not constitute a promotion, demotion, advancement, or reduction in pay. The intended employee must meet the minimum qualifications for the position to be assigned. The temporary assignment differential shall be added to the employee's regular bi-weekly rate.

For an employee whose pay range is established in Section 2(a) and 2(b) with the prior approval of the Director of Personnel, temporary assignment differential will be ten percent (10%) of the employee's regular base bi-weekly rate for each bi-weekly period worked, not to exceed thirteen (13) pay periods.

(r) City employees who are required by their appointing authority to routinely use their personal vehicle in the performance of their duties shall be compensated by using a vehicle maintenance and use allowance of two-hundred forty dollars (\$240.00) per month.

**SECTION 3.  
SUBSISTENCE AND MAINTENANCE CHARGES**

Except as otherwise provided in this ordinance, a deduction shall be made on the payroll or a cash charge shall be collected for subsistence and maintenance provided to employees at a rate to be determined by the employee's department or agency head and the Comptroller of the City of St. Louis. The department or agency head shall establish reasonable charges or deductions which have been calculated and assessed with due consideration for all identifiable costs, including labor and overhead, but shall not exceed the actual cost of the items to the City. When the Department of Personnel determines that the duties and responsibilities of a position require an employee to occupy a room or apartment, there shall be no charge for such accommodations.

Employees residing in City-owned houses or apartments shall be charged for housing and maintenance at the rate established by the Comptroller of the City of St. Louis and deductions at the rate established by the Comptroller shall be made on the payroll. The Comptroller, upon request of the Director of Personnel, shall immediately provide the rates established for City-owned houses or apartments and/or maintenance for employees in the Classified Service. All such charges shall be deducted from the employee's salary on the regular payroll.

**SECTION 4.  
SALARY RANGE LIMITATIONS**

No employee in the Classified Service shall be paid at a rate lower than the minimum or higher than the maximum of the salary range established for the class to which his/her position has been allocated, except as otherwise provided in this ordinance.

**SECTION 5.  
STARTING SALARY**

(a) The rate of pay for an excepted position to be paid upon original appointment to the class shall be determined by the appointing authority for the excepted position.

(b) Except as otherwise provided in this ordinance, the minimum rate of pay for a position shall be paid upon original appointment to the class unless the Director of Personnel finds that it is difficult to secure the services of persons with minimum qualifications or experienced qualified persons at the minimum rate.

The Director may establish a recruitment rate for a single position or all positions in a class and authorize employment at an amount above the minimum but within the regular range of salary established for the class. When a recruitment rate is established for an entire class, employees in such class may have their salaries adjusted to appropriate rates in the new range resulting from the establishment of the recruitment rate.

In the event that the Director of Personnel finds that it is difficult to secure the services of sufficient numbers of employees for a class or occupational series after a diligent recruitment effort, the Director of Personnel may, with the approval of the Civil Service Commission, establish a new maximum rate for the class(es) which is not more than twenty-five percent (25%) above the maximum established in this ordinance.

(c) In Skilled Trades classes, defined as those that have bona fide apprenticeship programs registered with the Department of Labor, new hires who have completed such apprenticeship programs and attained journeyman status shall start at the recruitment rate for the class. New hires in classes in the Trades Pay Schedule who have completed alternative training programs established and approved by the Director of Personnel and attained journeyman status shall also be eligible for a starting salary at the recruitment rate.

(d) Employees with permanent status who are eligible for reemployment as determined by the Rules of the Department of Personnel and Civil Service Commission shall be reemployed at an appropriate rate within the new salary range which takes into consideration the employee's prior service in the position or a similar position, as determined by the Director of Personnel.

**SECTION 6.  
PROMOTION, DEMOTION, REALLOCATION, TRANSFER AND TEMPORARY PROMOTION**

An employee who is transferred, promoted, demoted, or whose position is reallocated after the effective date of this ordinance, shall have his/her rate of pay for the new position determined as follows:

(a) Promotion: This shall be defined as a change of an employee in the Classified Service from a position of one class to a position of another class with a higher pay grade or a higher starting minimum salary.

(1) When an employee is promoted to a position in the General, Professional, Management, or Trades Pay Schedule, the employee's salary shall be set at a rate which is five percent (5%) higher than the rate received immediately prior to promotion. An appointing authority, with the approval of the Director of Personnel, may pay an employee up to twenty percent (20%) when such action is needed to attract experienced, qualified candidates for a position. Such salary determinations shall take into consideration the nature and magnitude of the accretion of duties and responsibilities resulting from the promotion. However, no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(2) Temporary Promotion: Promotions of classified employees whose salary ranges are established in Section 2(a) or 2(b), regardless of status, made for a limited duration, shall result in a salary adjustment as in Paragraph (a)(1) of this Section. Upon expiration of the temporary promotion, the employee shall be returned to his/her former rate of pay, adjusted by any increases the employee may have received in the absence of the temporary promotion. In no case shall the employee's salary be above the maximum of the salary range.

Employees whose salary ranges are established in Section 2(c) of this ordinance, upon receipt of a temporary promotion, shall be granted the new rank with a salary adjustment based on appropriate years of service in accordance with procedures established for a regular promotion. At the end of the temporary promotion, the employee shall be returned to the rank held immediately prior to the temporary promotion. The employee's new rate of pay shall be based on the appropriate years of service.

**(b)** Demotion: This shall be defined as a change of an employee in the Classified Service from a position of one class to a position of another class which has a lower pay grade and a lower starting minimum salary.

(1) If an employee is demoted for disciplinary reasons in accordance with the Rules of the Department of Personnel and Civil Service Commission and established disciplinary procedures, his/her rate of pay shall be established at a rate within the range for the new position to be determined by the appointing authority, with the approval of the Director of Personnel.

(2) If an employee accepts a voluntary demotion, his/her rate of pay shall be reduced to a rate within the range for the new position which is five percent (5%) lower than the rate received immediately prior to demotion, except that employees who are in a working test period and demote to their previous class of position or pay grade, will return to the rate received immediately prior to the promotion, plus any adjustments as otherwise provided in this ordinance. No employee shall be paid less than the minimum nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

(3) When an employee is demoted for reasons in the best interest of the City Service as determined by the Director of Personnel, his/her salary shall not be reduced by reason of the new salary range and grade. If the salary of such employee is above the maximum for the new position the employee's salary shall not be increased so long as he/she remains in the position, except as otherwise provided by this ordinance.

**(c)** Reallocation:

(1) The salary of an employee, which is in excess of the maximum of the range prescribed by this ordinance for the class and grade to which his/her position has been allocated or may be reallocated, shall not be reduced by reason of the new salary range and grade. The salary of such employee shall not be increased so long as he/she remains in the class of position, except as otherwise provided by this ordinance.

(2) If the employee's position is reallocated to a class in a lower pay grade and the employee's rate of pay for the previous position is within the salary range of the new position, his/her salary shall remain unchanged.

(3) The salary of an employee whose position is allocated to a class in a higher pay grade shall be determined in accordance with the provisions of this Section 6 (a)(1) relating to salary advancement on promotion.

**(d)** Transfer: The salary rate of an employee who transfers to a different position in the same class, or from a position in one class to a position in another class in the same pay grade, shall remain unchanged, provided that no employee shall be paid less than the minimum rate nor more than the maximum rate for the new class of position, except as otherwise provided in this ordinance.

#### **SECTION 7. SALARY ADJUSTMENT**

Salary adjustments for all employees in competitive positions shall be based on considerations of merit or success in fulfilling predetermined goals and objectives as herein provided.

**(a)** Competitive positions for which salary is established in Section 2(a) - General, Professional, and Management Schedule, 2(b) - Trades Schedule:

(1) Any employee whose salary is established in the General, Professional, Management, Trades, or Fire Department Pay Schedule shall receive a service rating in accordance with the Service Rating Manual.

(2) Employees who are appointed to a position at the recruitment rate in their respective pay range in the Trades Pay Schedule as a result of the completion of a bona fide apprenticeship program and attainment of journeyman status or alternative training program established and approved by the Director of Personnel, shall be advanced to the advanced salary rate of their respective grade upon completion of the working test period with satisfactory service as determined by the standards established in the Service Rating Manual.

(3) A non-exempt (overtime code 3 or 4) employee whose pay is established in Section 2(a) or 2(b) of this ordinance receives an Overall Rating of "Unsuccessful" as defined by the Service Rating Manual, shall have his/her salary reduced as determined by the standards established in the Service Rating Manual.

**(b)** As used in this ordinance, "anniversary date" means the date following fifty-two (52) weeks of continuous service from the date of original appointment or from the date of the last salary adjustment, if other than a temporary reduction in pay for disciplinary reasons, a demotion or an across-the-board ordinance increase, an increase resulting from an authorized incentive program, or an upgrade of the classification concurrent with adoption of the ordinance. Absence from service as a result of any authorized paid leave, suspensions, military leave, or family/medical leave will not interrupt continuous service. Absence from service for any other cause shall result in breaking continuity of service and establishment of a new anniversary date, except as otherwise provided in this ordinance. The Director of Personnel may authorize different anniversary dates for an employee or groups of employees.

**(c)** An appointing authority may evaluate the performance of an employee whose salary is established in Section 2(a) or 2(b) of this ordinance for the purpose of a salary adjustment only at intervals as described above except in the case of:

(1) Exceptional performance of duties:

The appointing authority, with the prior approval of the Director of Personnel, of an employee who demonstrates exceptional performance of duties or outstanding qualifications may, with the approval of the department or agency head, advance the employee by not more than ten percent (10%) after twenty-six (26) weeks of employment at the same rate in the salary range, which may be in addition to any merit increase received.

(2) Substandard performance of duties:

The appointing authority of an employee whose level of performance is significantly diminished and no longer warrants payment at the current rate within the range may be decreased to a lower rate in the salary range in accordance with the provisions of the Service Rating Manual.

The granting of any such increase or decrease in salary shall be made at the beginning of a payroll period, as determined by the Director of Personnel, following approval of such salary action.

**(d)** Competitive positions for which salary is established in Section 2(c) - Fire Department Schedule:

All employees in the Fire Department Pay Schedule shall have a service rating completed on a calendar year basis provided in the Service Rating Manual.

Probationary Fire Private shall be advanced to the rate for Fire Private at the beginning of the first bi-weekly pay period following one year of service. Probationary Fire Equipment Dispatcher shall follow the same schedule.

Employees whose salaries are established in Section 2(c) of this ordinance shall be advanced in the salary schedule at the beginning of the first bi-weekly pay period immediately following their completion of the required length of service in the class of position.

The salaries established in Section 2(c) of this ordinance shall be changed in accordance with Section 31 of Article XVIII of the City Charter concurrently with a change in the salaries for equivalent and corresponding ranks of officers of the police force of the City of St. Louis as authorized by the State General Assembly and adopted, in whole or in part, by the Board of Police Commissioners.

**(e)** Excepted Position: The pay of an employee in an excepted position shall be adjusted within the range at the discretion of the appointing authority for the excepted position.

**(f)** The Director of Personnel may establish procedures for the review and approval of within range salary adjustments to correct or mitigate serious and demonstrable internal pay inequities. Salary adjustments under this provision shall preclude adjustments to compensate or reward employees for long-term or meritorious service. Upon request from an appointing authority, the Director of Personnel may approve a within range salary adjustment in any whole dollar increment.

**(g)** The pay of any employee may be decreased as a disciplinary action by an appointing authority to a lower rate within a salary range. Any such decrease shall be made in accordance with the Civil Service Rules and established disciplinary procedures. The decrease shall not be greater than fifteen percent (15%) of the current salary rate. In no case shall the decrease be below the minimum of the pay range for the class. The appointing authority may determine that the pay decrease shall be effective for a specific number of bi-weekly pay periods provided, however, that such decrease shall not be effective for more than thirteen (13) bi-weekly pay periods.

**(h)** An employee who is temporarily promoted shall be eligible for within range salary adjustments under provisions of this Section 7.

**(i)** The Director of Personnel may approve a within range salary adjustment or other incentives to retain employees in positions that are difficult to fill, or because of their unique requirements. Said adjustment may only be granted once during a twenty-six (26) week period.

### **SECTION 8. INCOME SOURCES**

Any salary paid to an employee in the Classified Service shall represent the total remuneration for the employee, excepting reimbursements for official travel and other payments specifically authorized by ordinance. No employee shall receive remuneration from the City in addition to the salary authorized in this ordinance for services rendered by the employee in the discharge of the employee's ordinary duties, of additional duties which may be imposed upon the employee, or of duties which the employee may undertake or volunteer to perform.

Whenever an employee not on an approved paid leave works for a period less than the regularly established number of hours a day, days a week or days bi-weekly, the amount paid shall be proportionate to the hours in the employee's normal work week and the bi-weekly rate for the employee's position. The payment of a separate salary for actual hours worked from two or more departments, divisions or other units of the City for duties performed for each of such agencies is permissible if the total salary received from these agencies is not in excess of the maximum rate of pay for the class.

### **SECTION 9. CONVERSION**

- (a) All pay schedules in Ordinance 67807 shall continue in effect.
- (b) The rate of any employee whose salary is established in Section 2(c) of this ordinance shall be adjusted as provided in that section and Section 31, Article XVIII of the City Charter.
- (c) No employee shall be reduced in salary by reason of the adoption of the new pay schedules in this ordinance.
- (d) The salary of an employee serving in a trainee position, which remains above the new trainee rate for his/her position, shall remain unchanged.
- (e) The Director of Personnel may establish a special conversion procedure for a class or position in the event that the Director determines that a serious inequity would be created by the application of the conversion procedures established in this Section 9.
- (f) The Director of Personnel shall establish such procedures as needed to place this ordinance into effect and interpret its provisions.

### **SECTION 10. PAYMENT OF SALARIES**

All compensation for positions in the Classified Service shall be paid bi-weekly. The Director of Personnel and Comptroller shall establish the procedure for listing employees on the various payrolls. The payment due each employee for service, except as otherwise provided, shall be made not later than sixteen (16) days after the end of the bi-weekly pay period. In the event that an employee is dismissed or has been employed for occasional or emergency work, the Comptroller may immediately pay the employee upon termination of service without waiting for the regular bi-weekly pay date of the Department, Division, Section, Office, Agency, Board or Commission where the employee worked.

### **SECTION 11. CHANGES TO CLASSIFICATION PLAN**

Whenever the Department of Personnel finds it necessary to add a new class to the classification plan, the Director of Personnel shall allocate the class to an appropriate grade and schedule in this ordinance, recommend such change to the Civil Service Commission, and notify the Board of Aldermen of this action.

Whenever the Department of Personnel finds it necessary to change the pay schedule of an existing class within the classification plan, the Director of Personnel shall allocate the class to the appropriate schedule in this ordinance, recommend such change to the Civil Service Commission, and notify the Board of Aldermen of this action.

The pay grade allocated to a class of position within the classification plan shall remain unchanged for the duration of the existing compensation ordinance. Whenever the Department of Personnel considers it necessary to change the pay grade of an established class of position, such adjustment can only be made concurrent with the adoption of a new compensation ordinance. Recommendation for the allocation of a new pay grade shall be made by the Director of Personnel to the Civil Service Commission for final approval by the Board of Aldermen.

### **SECTION 12. PAYROLL FORMS**

The Director of Personnel shall prescribe forms on which appointing authorities shall certify to the fact that a vacancy exists in a lawfully created position and to the lawful appointment of a person to fill the position. The Director of Personnel shall indicate on these forms the proper allocation of the position and the rate at which payment is to be made. When approved by the Director of Personnel and submitted to the Comptroller, these forms shall constitute authorization for the initial placing of a person's name on

the payroll. The Comptroller shall not authorize any change in the rate of pay of an individual on the payroll unless approved by the Department of Personnel. The Comptroller shall provide the Department of Personnel with a copy of each payroll audited and found correct within twenty-one (21) days after audit and approval of the payroll by the Comptroller's Office.

### **SECTION 13. CERTIFICATION OF PAYROLL**

The appointing authority shall certify on each payroll or a subsidiary document that each person whose name appears on the payroll has been lawfully appointed at a salary provided by this ordinance and that the employee has actually worked the time for which he/she will be paid, subject to the provisions of this ordinance governing hours of work and leaves of absence in the Classified Service.

### **SECTION 14. MINIMUM WORK HOURS**

Each appointing authority shall establish procedures to assure that the employees under his/her supervision are actively engaged in the performance of the duties of their positions in accordance with the provisions of this section.

(a) Employees whose salaries are established in Section 2(a) or 2(b): Forty (40) hours shall constitute the average minimum required weekly hours of service in an employment cycle under regular full-time employment for all City employees paid on a bi-weekly basis occupying competitive positions in the Classified Service. The minimum daily and annual service required of such employees shall be in proportion to the average minimum weekly hours established.

Appointing authorities shall so arrange the time for reporting for work, for luncheon intermission, and for quitting work of the various employees under their jurisdiction so that the employees will actually be engaged in active performance of their duties for not less than the average minimum number of hours required.

(b) Management and Professional Employees: Appointing authorities for employees occupying full-time positions whose salaries are established in Section 2(a) of this ordinance shall initiate procedures to see that such employees are engaged in the performance of their duties on a full-time basis. Full-time employment for any employee whose classification is denoted in the Management Schedule or Professional Schedule shall be defined as an average of forty (40) hours per week of time devoted to the duties of the position on an annual basis.

(c) Uniformed Fire Personnel: Fifty-two (52) hours shall constitute the average required weekly hours of service in an employment cycle under regular full-time employment for all employees in the Division of Fire and Fire Prevention whose salaries are established in accordance with the provisions of Section 31 of Article XVIII of the City Charter, except that the appointing authority, with the approval of the Director of Personnel, may determine that the minimum work hours provision of Section 14(a) shall apply to employees in certain positions due to the nature of the assignment and/or scheduling requirements. The appointing authority shall so arrange the time for reporting for work and for quitting work of the various employees under the appointing authority's jurisdiction so that the employees will actually be engaged in the active performance of their duties for not less than the average number of hours required.

Each appointing authority shall submit to the Department of Personnel the work schedule established for each position in the work unit. Work schedule reports shall be submitted upon request of the Director of Personnel or whenever the appointing authority proposes to change the work schedule of a position. The work schedule submitted by the appointing authority shall constitute the normal work schedule for the position when approved by the Director of Personnel.

All employees in the Classified Service shall be in attendance at their work in accordance with schedules established under the provisions of this Section 14, subject to other provisions of this ordinance with respect to hours, holidays, vacation and sick leave, military, and special leaves of absence with or without pay herein stated.

### **SECTION 15. OVERTIME**

(a) The Department of Personnel shall determine those positions in the Classified Service of the City of St. Louis which are exempt from overtime compensation and those positions which are not exempt from overtime compensation. The overtime codes established for each class in Section 1(a) of this ordinance shall be interpreted as follows:

#### **OVERTIME CODE:**

- 1 These classes are primarily managerial in nature, but may also include some professional or administrative classes that are ineligible for overtime pay under all but emergency conditions as described in Section 15(d) of this ordinance.
- 2 These are supervisory, professional, and administrative classes that are exempt from overtime compensation, but which the City compensates for overtime at the straight (1.0x) time rate.
- 3 These are non-exempt classes that receive overtime compensation at the one and one-half (1.5x) time rate.

- 4 These non-exempt classes work an average bi-weekly work schedule of 84 hours and, therefore, which receive overtime compensation at the one and one-half (1.5x) time rate.

Any employee in a class which has been allocated to Overtime Code 3 (non-exempt) in this ordinance shall be compensated for overtime work in accordance with the provisions of this section. Each appointing authority shall designate and submit to the Director of Personnel the official work week and schedule or work cycle for all non-exempt positions in the work unit. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. Whenever an Overtime Code 3 employee works hours in excess of the maximum established for an official work week or work cycle, usually forty (40) hours in a work week, such hours shall be paid at the one-and-one-half time (1.5x) rate. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation.

Any employee in a class which has been allocated to Overtime Code 4 (non-exempt) in Section 1(a) of this ordinance shall be compensated for overtime by granting the employee pay or compensatory time off at the one-and one half (1.5x) time rate. Each appointing authority shall designate and submit to the Director of Personnel the official work week or work cycle for all non-exempt (Code 4) positions in the work unit. Whenever a non-exempt (Code 4) employee works in excess of forty (40) hours in a work week, the employee will be paid at the one and one half time (1.5x) rate. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty four (84) for full-time employment. The regular hourly rate of pay for a non-exempt (Code 4) bi-weekly paid employee shall be determined by dividing the employee's regular bi-weekly rate of pay by the average number of regularly scheduled hours of work in a bi-weekly pay period. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation.

Appointing authorities are prohibited from changing employee work schedules to avoid the payment of overtime. For purposes of determining overtime pay rates for non-exempt employees, the regular hourly rate of pay shall be used.

Overtime Code 3 employees under Section 2(c) of this ordinance who are working a nineteen (19) day work cycle are eligible to receive overtime after one hundred forty-four (144) hours are worked in a work cycle, except that the Fire Department shall pay overtime for emergency work at the end of a shift or emergency work required on a separate, non-scheduled day, even if the total number of hours worked in the work cycle is not in excess of one hundred forty-four (144) hours. However, these employees shall not receive additional compensation for regularly scheduled hours in excess of one hundred forty-four (144) hours if they do not actually work more than one hundred forty-four (144) hours in the work cycle because of paid leave. Days scheduled off to reduce average work week to fifty-two (52) hours, compensatory time, vacation, and holiday time shall be scheduled consistent with a reasonable vacation and holiday leave policy to avoid the necessity of actually working more than one hundred forty-four (144) hours during any work cycle.

**(b)** Any employee in a class which has been allocated to Overtime Code 2 in Section 1(a) of this ordinance shall be compensated for overtime by granting the employee pay or compensatory time off at the straight (1.0x) time rate. Each appointing authority shall designate and submit to the Director of Personnel the official work week or work cycle, which is usually forty (40) hours, for all exempt (Code 2) positions in the work unit. Whenever a full-time employee in an exempt (Code 2) position is directed by management, with the approval of the appointing authority, to work hours in excess of the maximum established for an official work week or work cycle it shall be considered overtime. In addition to the actual hours worked, authorized paid time off (vacation, sick leave, compensatory time, holidays) shall count as hours worked for the purpose of determining eligibility for overtime compensation. Straight time (1.0x) overtime shall be compensated at the employee's regular hourly rate of pay, or by granting the eligible employee compensatory time off at the rate of one hour for each hour of overtime worked. The average number of scheduled hours in a bi-weekly pay period shall not be less than eighty (80) for full-time employment. The regular hourly rate of pay for an exempt (Code 2) bi-weekly paid employee shall be determined by dividing the employee's regular bi-weekly rate of pay by the average number of regularly scheduled hours of work in a bi-weekly pay period.

**(c)** Part-time bi-weekly paid employees and employees paid on an hourly or per performance basis shall be compensated for overtime work in accordance with the overtime provisions of this section and with consideration for community practices in compensating similar employment.

**(d)** An appointing authority may compensate Overtime Code 1 employees at the straight-time (1.0x) rate, when both of the following conditions exist: 1) the Mayor of the City of St. Louis declares an emergency due to serious and protracted conditions which threaten continuous City Service, preservation of public peace, health, or safety, and 2) the appointing authority directs an employee or group of employees to work in excess of forty (40) hours per week. The appointing authority shall maintain attendance records of the assignment(s) and submit such records at the request of the Director of Personnel.

**(e)** Pay shall be the regular method of compensation for recorded overtime hours of work for employees in classes with Overtime Code 3 and Overtime Code 4. An appointing authority may compensate a non-exempt bi-weekly paid employee for overtime work by granting the employee compensatory time off in lieu of pay only if the employee requests compensatory time.

Employees engaged in public safety, emergency response or seasonal activity may have a maximum balance of two hundred forty (240) hours of compensatory time; all other employees are allowed a maximum balance of one hundred twenty (120) hours of compensatory time. These maximum balances of compensatory time shall apply to employees working an average work week of forty (40) hours; the maximum balance of compensatory time for employees whose average work week is more or less than forty (40) hours shall be proportionate. No provision of this section establishing a maximum balance of compensatory time shall serve to cancel any compensatory time due to an employee or to deny an employee payment for recorded compensatory time earned in accordance with

the provisions of the compensation ordinance in effect at the time the compensatory time was earned.

Each appointing authority shall establish procedures to assure that non-exempt employees are promptly granted time off when such employees request to use their earned compensatory time. Appointing authorities may not deny non-exempt employees' requests for earned compensatory time off except when such approval would create an extreme business hardship. When an appointing authority determines that the work schedule of the organization will not permit the granting of such time off, the appointing authority shall pay the employee in that same pay period for all or a portion equivalent to the time requested of the employee's accrued compensatory time. This provision requiring the prompt granting of requested time off applies only to compensatory time that is earned as a result of the employee working overtime; it does not apply to compensatory time earned as a result of an incentive program or bonus award program.

Compensatory time earned by exempt employees shall be granted to an employee at the discretion of the appointing authority in one of the following ways: 1) on request of the employee; 2) on termination of services with the City.

(f) Before an employee is transferred, promoted or demoted from a position under one appointing authority to a position under another appointing authority or to another unit with a different appropriation, all compensatory time shall be granted or paid. Upon the death of an employee, the person or persons entitled by law to receive any compensation due to the employee shall be paid any amount due to the employee on the date of death.

(g) All departments shall keep daily attendance records of classified employees and shall submit periodic reports of: 1) unexcused absences and leaves; 2) reports of overtime earned, granted, and paid; or 3) the nonoccurrence of same to the Director of Personnel in the form and on the dates specified.

#### **SECTION 16. HOLIDAYS**

(a) Classified employees working full-time who are paid on a bi-weekly basis shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay or paid leave for regularly scheduled work on the following days:

<u>DATE</u>	<u>HOLIDAY</u>
January 1	New Years Day
Third Monday in January	Rev. Martin Luther King Jr. Day
Third Monday in February	Presidents' Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Day after Thanksgiving	Day after Thanksgiving
December 25	Christmas Day

In addition to the above enumerated holidays, full-time classified employees shall be entitled to leave with pay, pay, or compensatory time off in lieu of pay or paid leave as established by this Section 16 on any day or partial day the Mayor declares by proclamation the closing of City offices.

Employees working full-time and paid a bi-weekly rate whose pay is established in Sections 2(a) and 2(b) of this compensation ordinance shall receive leave with pay, pay or compensatory time off in lieu of pay as holiday compensation in an amount that is proportionate to the number of hours the employee is regularly scheduled to work in a day or shift. For example: Employees working an average of forty (40) hours a week, five (5) days a week, eight (8) hours a day shall receive eight (8) hours of compensation for the holiday; employees working an average of forty (40) hours a week, four (4) days a week, ten (10) hours a day shall receive ten (10) hours of compensation for the holiday.

When the day of observance of a holiday is changed by State or Federal law, it will be so observed by the City of St. Louis. When the day of observance of a holiday is changed by State or Federal executive action, the Mayor shall determine the day of observance by the City of St. Louis. When one of the above enumerated holidays occurs on Sunday, the following Monday shall be observed as the holiday. When one of the above holidays occurs on Saturday, the preceding Friday shall be observed as the holiday.

(b) Each appointing authority shall determine the manner of granting holidays and shall report his/her determination to the Department of Personnel, if required by the Director of Personnel. When full-time employees are required to work on a holiday they shall be entitled to compensation for the holiday and the hours actually worked. Compensation for the holiday shall be in an amount proportionate to the number of hours an employee is regularly scheduled to work in a day or shift.

Except as otherwise provided in this section, when a City holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to have compensatory time added to his/her balance in an amount proportionate to the number of hours regularly scheduled in a day or shift.

If an employee is docked from the payroll for one hour or more on the full scheduled workday preceding a holiday, the full scheduled work day following a holiday, or on a scheduled holiday, the employee shall not be compensated for the holiday.

The holiday compensation procedures established by this Section 16 shall apply to full-time classified employees paid a bi-weekly rate. Part-time bi-weekly paid employees shall be compensated for holidays in proportion to the percentage of time they are regularly scheduled to work. Employees paid on an hourly or per performance basis shall not be entitled to holiday compensation, except as otherwise provided in this ordinance.

In the event that the holiday schedule established in this Section 16 is revised by competent authority, employees who are granted compensatory time in lieu of all holidays shall have their leave benefits adjusted accordingly. The Director of Personnel may establish additional or alternate holiday leave policies for employees occupying public safety positions which qualify for the special overtime pay provisions under Federal law or for employees with official work schedules authorized by the Director of Personnel which exceed the normal forty (40) hour weekly work schedule. Procedures developed in compliance with this Section 16 shall be designed to treat employees in the same manner who work substantially equivalent work schedules.

(c) Employees whose pay is established in Section 2(c) of this ordinance shall be entitled to one hundred twelve (112) hours of leave with pay or compensatory time off in lieu of all holidays occurring in a calendar year. Because of the necessity of maintaining the work schedule of such employees, the Director of Personnel, in cooperation with appointing authorities concerned, shall establish procedures for holiday compensation for such employees who are regularly required to work on holidays. Such procedures shall be designed to treat all employees in the class who work a substantially equivalent schedule in the same manner. The Director of Personnel may establish a procedure for payment of a portion of the one hundred twelve (112) hours of leave in cash as the fair and reasonable equivalent of the number of holidays an employee would normally be required to work. Any such cash payment shall reduce the employee's annual one hundred twelve (112) hour leave balance by a like number of hours.

**SECTION 17.  
VACATION**

Vacation leave with pay shall be granted to bi-weekly paid employees in permanent competitive positions working one-half (50%) time or more. The Director of Personnel may establish additional guidelines and policies to govern the administration of vacation leave benefits in the Classified Service.

(a) Vacation shall be granted to employees with appointment date before April 23, 1989, as follows:

Length of Cumulative Service	PAY ESTABLISHED IN SECTION 2(a) & 2(b)		PAY ESTABLISHED IN SECTION 2(c)	
	Bi-Weekly Accrual Rates	Annual Equivalent	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	5	130	3	78
5 but less than 10 years	6	156	5	130
10 but less than 15 years	7	182	6	156
15 but less than 20 years	8	208	7	182
20 or more years	9	234	8	208

Employees whose pay is established in Sections 2(a), 2(b), and 2(c) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, or twenty (20) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Section 2(a), 2(b), or 2(c) shall accrue vacation at the rate established by Section 17(a).

(b) Vacation shall be granted to employees with appointment date on or after April 23, 1989, as follows:

Length of Cumulative Service	PAY ESTABLISHED IN SECTION 2(a) & 2(b) & 2(c)	
	Bi-Weekly Accrual Rates	Annual Equivalent
1 but less than 5 years	3	78
5 but less than 10 year	5	130
10 but less than 15 years	6	156
15 but less than 20 years	7	182
20 or more years	8	208

Employees whose pay is established in Sections 2(a), 2(b), and 2(c) of this ordinance completing five (5) years of cumulative service, ten (10) years of cumulative service, fifteen (15) years of cumulative service, or twenty (20) years of cumulative service shall have forty (40) hours of vacation added to their accrual. Thereafter, while employed those employees whose pay is established in Section 2(a), 2(b), or 2(c) shall accrue vacation at the rate established by Section 17(b).

(c) All references in this ordinance to accrual rates, additions to, and accrual maximums for vacation are for employees

working a scheduled work week of forty (40) hours. Vacation rates, additions and maximums shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. When an eligible employee's scheduled work week is changed, the employee's rate of accrual shall be changed proportionately. All references to in this ordinance to cumulative service for vacation shall mean cumulative service without a break in service of more than one year. No employee who works less than fifty percent (50%) time or who is serving in a limited-term position shall be eligible to accrue vacation.

**(d)** The maximum vacation balance for those working an average work week of forty (40) hours shall be six hundred (600) hours. Vacation accrual maximums for those working more or less than forty (40) hours per week, but at least fifty percent (50%) time, shall be established in accordance with Section 17(c) of this ordinance.

When an employee's full-time average work week is changed, the maximum vacation balance shall be changed proportionately. In addition, the employee shall have his/her current vacation balance adjusted so that the vacation shall maintain the same position relative to the new maximum balance as existed with the employee's previous maximum balance. Accrual of vacation shall cease when an employee accumulates the maximum vacation balance established for the assigned work schedule and shall not resume until the vacation balance is less than the maximum amount.

**(e)** Accrual of vacation shall begin with the first bi-weekly pay period:

- (1) of appointment;
- (2) of return to duty from leave of absence;
- (3) of restoration to employment of one-half (50%) time or more.

Vacation leave shall be granted in whole hour units. On termination of service, any fractional hour shall be made whole. The accrual of vacation leave shall cease at the beginning of terminal leave.

**(f)** Appointing authorities shall be responsible for establishing all vacation leave schedules, but may not discipline employees by imposing unusual vacation schedules. Vacation shall be granted to the employee at the discretion of the appointing authority as provided by this ordinance in one of the following ways:

- (1) When the employee requests vacation leave in accordance with departmental policies.
- (2) When directed to take paid time off by the appointing authority.
- (3) When an employee is terminated or resigns from the Classified Service.
- (4) When an employee whose salary is established in Section 2(a) or 2(b) reaches the established maximum accrual and would cease accruing vacation, the employee may notify the appointing authority in writing of his/her intention to schedule vacation. Such notice shall be at least seven (7) days prior to the first work day the employee intends to take off. If the appointing authority fails to establish a different vacation schedule, the employee may, at will and without assuming liability for disciplinary action, take the paid leave, which was proposed in writing.

(5) All employees may request payment from the appointing authority for forty (40) hours of vacation accrual in lieu of scheduling paid leave provided that the full vacation allowance for that year is not exceeded. This may be done a maximum of once in each calendar year. Management employees may request payment from the appointing authority for up to an additional forty (40) hours of their vacation accrual balances in lieu of scheduling paid leave if their schedules do not permit them to be absent from work. Employees whose pay is established in Section 2(c) of this ordinance may request payment for up to ninety-six (96) hours of vacation.

**(g)** When the service of an employee is terminated after twelve (12) months of continuous service, any accumulated vacation that is due the employee shall be paid. When employment is terminated before completing twelve (12) months of continuous service, any previously advanced vacation leave shall be deducted from the employee's final pay. During the first twelve (12) months of employment, accrued vacation may be granted to an employee provided that the employee has completed six (6) months of continuous service.

**(h)** Employees who separate from the Classified Service, who are certified from a reemployment list, and who return to the Classified Service within twenty-four (24) months of the separation, will be given credit for prior continuous service in determining the vacation accrual rate in accordance with Section 17(a) or 17(b) of this ordinance and based on the date of the employee's original appointment.

**(i)** Employees who move to the Classified Service from the Unclassified Service shall be given credit for the years of service in the Unclassified Service in determining the vacation accrual rate in accordance with Section 17(a) or 17(b) of this ordinance and based on the date of the employee's original appointment.

**(j)** Employees who return to work from a "reemployment from layoff" eligible list shall be eligible to use vacation as soon as it is accrued provided the employee has completed six (6) months of continuous service prior to the layoff and with approval of the appointing authority. An employee who has completed less than six (6) months of continuous service will be required to complete

the remaining portion of the six (6) months period before being eligible to use vacation.

Any such reemployed worker shall be given credit for prior continuous service in determining the employee's vacation accrual rate in accordance with the schedule established in Section 17(a) or 17(b) of this ordinance and based on the employee's original appointment.

(k) Appointing authorities shall be responsible for the management of their vacation schedules so as to most effectively administer their organizations and fulfill the desire of employees in the establishment of leave schedules.

(l) Accrued vacation shall be carried with an employee when transferred, promoted, or demoted from a position under one appointing authority to a position under another appointing authority without a break in service or change in method of pay. Upon the death of an employee, the person or persons entitled by law to receive any compensation due the employee shall be paid the amount due the employee for accrued vacation.

(m) With the approval of the appointing authority, a retiring employee may be paid on the payroll for accrued vacation in the month prior to retirement without inclusion in the employee's final average compensation. An appointing authority may pay previously accrued vacation off in a lump sum to an employee whose service with the City has terminated. Such payment shall be made on the employee's last regular paycheck. The lump sum payment shall include compensation for any holidays occurring during the employee's terminal vacation leave period.

(n) Employees occupying excepted positions in the Classified Service shall be granted vacation at the discretion of the appointing authority. An employee whose term in an excepted position ends and who is then appointed to a permanent competitive position working one-half (50%) time or more shall become eligible to accrue vacation leave with pay upon appointment to the competitive position. Length of cumulative service for the purpose of determining rate of vacation leave accrual shall be based on the employee's original date of appointment to the excepted position, providing there was no break in service between expiration of the excepted position and appointment to the permanent competitive position. The date of appointment to the permanent competitive position shall be used to determine the appropriate rate of vacation accrual for the corresponding length of cumulative service in accordance with the schedule established in Section 17(b).

(o) Appointing authorities shall report leave with pay for vacation and such other authorized absences as the Director of Personnel shall designate to the Department of Personnel and/or the Comptroller in such form and at such time as the Director of Personnel may require.

#### **SECTION 18. SICK LEAVE**

(a) Sick leave with pay shall be granted to bi-weekly paid employees in permanent competitive positions working one-half (50%) time or more in accordance with regulations and procedures established by the Director of Personnel.

(1) All employees shall accrue three (3) hours of sick leave for each bi-weekly pay period of employment. This accrual rate is established for employees working an average work week of forty (40) hours. Sick leave shall be computed on a proportionate basis for employees whose average work week is more or less than forty (40) hours. An eligible employee may be granted paid sick leave by his/her appointing authority after completing twenty-six (26) weeks of continuous service.

(2) Paid sick leave for maternity reasons shall be considered as temporary physical disability and will be granted only for the period during which the employee is physically unable to perform her job. Rules concerning maternity leave and other qualifying conditions shall be in accordance with regulations and procedures established by the Director of Personnel.

(3) An active employee who is a member of the Employees Retirement System or the Firemen's Retirement System, and who applies for retirement and immediately retires from active service, shall receive payment for his/her sick leave balance less any sick leave credited or paid to a member or used in the calculation of retirement benefits under this or any other ordinance(s). If the employee's retirement system provides for sick leave to be credited or paid to a member or used in the calculation of retirement benefits, this payment shall be limited to a maximum of fifty percent (50%) of the value of the employee's sick leave balance.

If a member of the Employees Retirement System or the Firemen's Retirement System, of the City of St. Louis, who had been otherwise eligible for Normal or Early Service Retirement, dies, his/her estate may receive payment based on the calculation above. Payment shall be made in accordance with the procedures established by the Director of Personnel.

(b) The Director of Personnel may establish a system of cash awards, paid time off or other incentives to reward employees for perfect attendance or low sick leave usage.

(c) An appointing authority shall remove an employee from the payroll for unexcused absence in accordance with regulations and procedures established by the Director of Personnel. When an employee is docked from the payroll under the provisions of this section, the amount deducted from his/her regular bi-weekly rate of pay shall be one times (1.0x) the regular hourly rate as defined in this ordinance for each hour of unexcused absence. If an employee is docked from the payroll for one (1) hour or less in a bi-weekly pay period, he/she will continue to accrue sick leave.

(d) All leave with or without pay for sickness, injury or physical inability to perform assigned duties (including maternity leave)

shall be recorded on the payroll or a subsidiary document in the manner established by the Director of Personnel. Compensation for periods of absence from work when an employee sustains an injury by accident on the job shall be governed by the provisions of Section 24 (Workers' Compensation and Disability Leave) of this ordinance.

(e) An employee who is reemployed from an authorized layoff shall have his/her prior sick leave balance restored, provided this balance has not been credited to the employee's length of service in determining pension benefits paid to the retiree. An employee who is reemployed from an authorized layoff and who has a positive sick leave balance and who completed twenty-six (26) weeks of continuous employment prior to the layoff may take approved sick leave upon reemployment.

(f) Each appointing authority shall institute procedures, in accordance with regulations established by the Director of Personnel that will discourage the improper use of sick leave with pay. When an employee is removed from the payroll for absence not approved by the appointing authority, the employee shall be notified promptly in writing.

(g) The Director of Personnel may establish or authorize the creation of "Sick Leave Bank" programs, and may issue and/or approve such regulations and guidelines as are necessary for implementation.

#### **SECTION 19. MILITARY LEAVE**

The City of St. Louis will follow all applicable state and federal laws on the granting of military leave and reemployment rights.

Before military leave without pay is authorized, the employee shall present to the employee's appointing authority evidence of such military service.

Upon the expiration of military leave of absence, the employee shall be reinstated to the class of position he/she occupied at the time the leave was granted without breaking continuity of service. Failure of an employee to report for duty within the time pursuant to state or federal law shall be just cause for dismissal. The employee's accumulated leave balance(s) shall be restored to the employee upon his/her return.

#### **SECTION 20. EDUCATION REIMBURSEMENT**

An appointing authority may, with the prior approval of the Director of Personnel, authorize salary payments, payments of tuition expenses, fees, books and related material in whole or in part to employees to permit them to attend school, visit other governmental agencies or in any approved manner to devote themselves to improvement of knowledge or skills required in the performance of the duties of their position.

The Department of Personnel may reimburse, in whole or in part, expenses incurred by employees in the pursuit of improvement of the knowledge and skills required in the performance of their positions or in higher positions, when funds have been budgeted therefore.

An appointing authority, with the approval of the Director of Personnel, may establish a program to reimburse, in whole or in part, expenses incurred by employees in the pursuit of improvement of the knowledge and skills required in the performance of the duties of their positions or to improve their professional, technical or managerial knowledge or skill.

#### **SECTION 21. LEAVES OF ABSENCE AND FAMILY/MEDICAL LEAVE**

An employee may request a leave of absence, or an appointing authority may request a leave of absence for an employee, for any reason under the City's general leave policy, or a "Family/Medical Leave of Absence" for certain qualifying reasons under provisions of "The Family and Medical Leave Act of 1993" as provided in this ordinance and under additional provisions and regulations as determined by the Director of Personnel.

(a) An appointing authority, with the approval of the Director of Personnel, may grant an employee in a competitive position a general leave of absence without pay for a period of one year, which may be extended, with the prior approval of the Director of Personnel.

Upon the expiration of such leave of absence, the employee shall be reinstated to the competitive position he/she occupied at the time the leave was granted provided he/she is able to perform the duties of the position. The employee shall be reinstated to the competitive position at the same relative rate in the salary range the employee occupied at the time the leave was initiated. Failure of an employee to report for duty promptly at the expiration of the leave shall be just cause for dismissal. If necessary to the efficient conduct of the business of the City, an employee on leave other than military leave or qualifying family/medical leave may be notified by the appointing authority, with the approval of the Director of Personnel, to return prior to the expiration of such leave. Failure of the employee to return within ten (10) days after receipt of such notice shall terminate his/her leave of absence and be just cause for dismissal, subject to any applicable federal, state or local regulations.

(b) The City of St. Louis will follow all applicable state and federal laws on the granting of family/medical leave.

The Director of Personnel shall establish additional rules, guidelines and procedures for the effective administration of the City's "Family/Medical Leave Policy." The policy shall comply with all provisions of the "Family/Medical Leave Act of 1993" and any amendments thereafter.

(c) Any employee in a competitive position who is appointed to an excepted position in the Classified Service shall be granted an in-service leave without pay from the competitive position during the term to which he/she is appointed to the excepted position. Such leave shall be for the term of the appointment to the excepted position and until his/her successor qualifies. Upon the expiration of the appointment to the excepted position, the employee shall be reinstated to the competitive position he/she occupied immediately prior to the in-service leave. The employee shall be reinstated to the competitive position as provided for temporary promotion in Section 6(a)(2). Employees who are returned to a competitive position shall retain any vacation, compensatory time or sick leave balance in effect at the time of granting of the leave of absence for appointment to the excepted position. Employees shall be given credit for time spent in an excepted appointment in computing eligibility for additional vacation leave accrual.

(d) In the event that emergency conditions occur which require the closing of City-operated facilities or the temporary cessation of functions carried out by classified employees, the Mayor of the City of St. Louis may declare an emergency and require an employee or group of employees to take leaves of absence with or without pay while such emergency conditions exist. In the event that the Mayor requires that the leave of absence be without pay, an employee with vacation or accrued compensatory time may elect to take the accrued time off with pay in lieu of all or a part of such non-paid leave of absence. Such non-paid leave of absence shall not interrupt continuity of service for vacation accrual. An emergency leave of absence declared by the Mayor shall not exceed ninety (90) days.

(e) Employees who are granted general leaves of absence and other non-paid leaves of absence, including investigative leaves of absence, except family/medical leave, must take all accrued vacation at the start of the leave of absence. Employees who are granted or placed on a non-paid leave of absence will not accrue vacation and sick leave during the period of non-paid leave. Upon the expiration of such leaves of absence, the employee shall follow the procedures as established in this Section 21 and any other applicable regulations and procedures as established by the Director of Personnel.

(f) In the event that a fiscal crisis occurs in the City of St. Louis, employees whose pay schedule is designated by "M" or "P" may request to be docked without pay. The request must be in writing at least two weeks prior to the dock and approved by the appointing authority. If approved by the appointing authority, the dock will not affect any employee benefits including, but not limited to, health insurance, pension calculations, anniversary dates, or any employee's service rating or eligibility for promotion. Appointing authorities will still be required to make all appropriate deductions for health insurance and pensions from their accounts.

(g) An appointing authority, with the prior approval of the Director of Personnel, may put an employee on investigative leave of absence without pay pending the outcome of criminal charges pending against the employee.

#### **SECTION 22. INSURANCE BENEFITS**

The City of St. Louis is hereby authorized to devise and establish by contract or otherwise plans for life, health, medical, disability, and other insurance coverage deemed necessary for employees in the Classified Service and other employees for the City and their dependents. The Director of Personnel, with the assistance of the City Health Insurance Committee as established by Ordinance 67665, shall develop and administer programs to provide for such coverage. The Director of Personnel shall confer with the Board of Estimate and Apportionment by February 1st of each year regarding coverage plans and the appropriate funding level. The Director shall then be charged with the responsibility of establishing the applicable funding level and remittance rates for the aforementioned plans and certify same to the Comptroller and Budget Director by March 1st of each year and no officer or employee shall alter or amend such rates.

#### **SECTION 23. DEATH BENEFIT**

In the event any employee of the City whose pay is established by this ordinance dies as a result of injuries arising out of and in the course of his/her employment by the City, the City shall pay compensation in accordance with the Missouri Workers' Compensation Law. The Director of Personnel and the City Counselor shall establish procedures for making the payments required by the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made. Such compensation shall be in addition to any life insurance benefits paid for by the City or by the employee which is available to the employee's beneficiaries and also in addition to any benefit provided by the Employees Retirement System of the City of St. Louis or the Firemen's Retirement System of the City of St. Louis.

#### **SECTION 24. WORKERS' COMPENSATION AND DISABILITY LEAVE**

(a) Any employee in the Classified Service whose class title and grade are established in Section 1(a) and denoted by the suffix "G," "P," "M," "T," or "E" of this ordinance, including employees who are compensated on a per performance or unit of work basis, who shall suffer personal injury by accident or occupational disease arising out of and in the regular course of employment while engaged in or about the premises where an employee's duties are being performed or where an employee's presence is required as part of his/her employment, shall promptly report such injury by accident or occupational disease to his/her immediate supervisor. The supervisor shall in turn report, through the appointing authority, all facts concerning the incident to the City Counselor and the

Director of Personnel. The appointing authority shall promptly provide such written information and recommendations as may be requested by the City Counselor to aid in making the determination of the period of disability. The employee who suffers a personal injury as described in part (a) of this section, and which results in temporary disability, may elect to use sick leave for the first three days of temporary disability. Thereafter, the employee will be compensated at the rate mandated by the Missouri Workers' Compensation Law. If the period of disability extends fourteen (14) calendar days or more, the three days of sick leave used during the first three days of disability will be restored to the employee's sick leave balance. The City Counselor shall determine the actual amount of compensation and length of time during which payments are made for such temporary disability in accordance with the Missouri Workers' Compensation Law.

**(b)** (1) Any employee in the competitive service whose class title and grade are established in Section 1(a) of this ordinance and denoted by the suffix "F" who shall suffer personal injury by accident or occupational disease while engaged in actual fire suppression or related emergency response activities on or about the premises where these activities are being performed, or during transportation to and from the scene of the fire or emergency, shall promptly report such injury to his/her immediate supervisor. The injury shall be promptly reported through appropriate management personnel to the Director of Personnel and the City Counselor. During the period of temporary disability which has been determined by the City Counselor to be a result of an injury by accident or occupational disease as defined above, the employee may be continued on the payroll at the regular bi-weekly rate less any amount the employee would otherwise pay in taxes on that portion of the benefit found to be exempt from taxation under the Missouri Workers' Compensation Law, or the federal tax code. Paid leave granted a bi-weekly paid employee in accordance with the provisions of this section is disability leave and shall not reduce the employee's sick leave balance. Disability leave may also be granted when an employee suffers injury as a result of participation in Training Simulation of an exceptional and highly dangerous nature wherein the appointing authority or the Director of the Department of Public Safety has gained the approval of the Director of Personnel prior to such Training Simulation.

(2) Any employee in the competitive service whose class title and grade are established in Section 1(a) of this ordinance and denoted by the suffix "F" who shall suffer personal injury by accident or occupational disease arising out of and in the regular course of employment while engaged in or about the premises where his/her duties are being performed, except as otherwise provided in Section 24(b)(1) above shall likewise, promptly report such injury to his/her immediate supervisor, who shall report, through his/her appointing authority, all facts concerning the incident to the City Counselor and the Director of Personnel. During any such period of temporary disability, the employee shall be entitled to workers' compensation benefits as prescribed by State Law.

**(c)** The City Counselor, the Director of Personnel, or the appointing authority may require an employee to undergo a physical examination and medical or surgical treatment at the expense of the City to diagnose and treat injuries or illnesses arising out of employment.

**(d)** The City Counselor and the Comptroller shall establish procedures for paying compensation to employees or former employees who are permanently disabled and due compensation under the Missouri Workers' Compensation Law. The Comptroller shall designate the fund or appropriation out of which such payment shall be made.

**(e)** The City Counselor shall be responsible for the administration of the provisions of this Section 24 and shall establish and publish procedural regulations for the administration of the program. Each appointing authority shall establish procedures to comply with the provisions of this section and established regulations.

#### **SECTION 25. JURY AND WITNESS LEAVE**

**(a)** Jury leave with pay shall be granted to bi-weekly paid employees working one-half (50%) time or more for such time when such employees are serving as jurors pursuant to order of the St. Louis Circuit Court or United States District Court in St. Louis. Any bi-weekly paid employee, when so summoned for jury service, shall report such fact within seventy-two (72) hours to his/her appointing authority and display to the appointing authority the summons which the employee has received and shall give the appointing authority in writing the date and the time of such jury service. No bi-weekly paid employee shall receive any compensation from the Jury Commissioner or the United States District Court system for jury service for days the employee receives compensation from the City. A bi-weekly paid employee may keep the jury stipend for days when the employee receives no compensation from the City (off days, docks, leaves, etc.). Upon being discharged from serving as a juror by the Court or Jury Commissioner, the employee shall forthwith report to his/her appointing authority if discharged during their normally scheduled work hours and shall submit to his/her appointing authority a written statement from the Jury Commissioner certifying that the employee has served as a juror and the time and date so served. The appointing authority shall, upon receipt of the statement of jury service, credit the employee with paid jury leave for such service.

**(b)** Leave with pay shall be granted to bi-weekly paid employees for such time when the employee's presence is required by the prosecutor in a criminal proceeding or grand jury procedure, a trial in prosecuting accused criminals (or for jury service in Federal Court). Any bi-weekly paid employee, when so subpoenaed as a prosecution witness or whose presence is required as a part of a grand jury inquiry, shall report such fact within seventy-two (72) hours to his/her appointing authority and shall give the appointing authority in writing the date and time his/her presence is required for such criminal prosecution. Each appointing authority shall establish controls to assure that any paid leave is actually required by the prosecuting authority. An appointing authority may require an employee to furnish satisfactory evidence of being required to be off the job and that all time off was in connection with the prosecution of the case. This procedure shall apply for employee participation in criminal prosecution in State or Federal Courts.

**SECTION 26.  
DEFERRED COMPENSATION**

- (a) Authority is hereby granted for the establishment of a deferred compensation plan for the City of St. Louis.
- (b) In accordance with the regulations applicable to the plan, as set out herein, the Comptroller is authorized to enter into an agreement with eligible participants, whereby said participants may designate a portion of their future earnings to be deducted by the City and placed in a fund to be designated "City of St. Louis Deferred Compensation Plan Fund" for the purpose of providing tax deferred benefits to the participants upon retirement.
- (c) The Board of Estimate and Apportionment is hereby authorized to establish or select a specific plan or plans in accordance with the requirements set out in this ordinance. In establishing the plan, the Board of Estimate and Apportionment may elect to retain outside parties to provide administrative and/or investment services after following competitive bidding procedures. The Board of Estimate and Apportionment is authorized, after analyzing the various competitive bids submitted in accordance with the requirements of this ordinance, to select the plan or plans it determines to meet the requirements established as a part of the competitive bidding procedures and to be in the best interest of the participants. No investment plan shall be considered unless offered by a duly licensed resident agent representing a company duly licensed and authorized by the State of Missouri and other applicable federal regulatory agencies to offer such insurance or investment programs.

In the event Federal or State legislation is changed in a manner affecting and/or relating to any of the aforementioned Deferred Compensation provisions contained in this Section 26, the Board of Estimate and Apportionment of the City of St. Louis may amend the deferred compensation plan accordingly and may execute any and all documents necessary to achieve and effectuate the recommended changes.

**SECTION 27.  
RETIREMENT**

The following provisions shall apply to the Employees Retirement System:

- (a) "Final Average Compensation" is equal to one-half of the sum of (1) and (2) below:
- (1) The annual compensation received by a member for the two (2) consecutive years of creditable service in which the highest compensation was received preceding the termination of his/her employment, and
- (2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.
- (b) If a member has less than two (2) consecutive years of creditable service his/her final average compensation shall be equal to the sum of (1) and (2) below, divided by (3) below and then multiplied by (4) below:
- (1) The sum of monthly compensation received by the member for each consecutive month of creditable service immediately preceding the termination of his/her employment, and
- (2) The balance of a member's sick leave pay as accrued on the date of retirement less sick leave hours paid to the member upon termination of his/her employment and less sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, except that said balance cannot exceed twenty-five percent (25%) of a member's total sick leave as accrued on the date of retirement.
- (3) The number of consecutive months of creditable service immediately preceding the termination of his/her employment, and
- (4) Twelve (12).

The years of creditable service of a member shall be the number of years and completed months of service during which he/she receives compensation from the first day of the calendar month following the date of the beginning of each employment with an employer until his/her employment is terminated, subject to the provisions of this section. The years of creditable service of an employee hired after the operative date who had attained the age of sixty (60) years at initial employment shall be the number of years and completed months of service during which he/she receives compensation from October 1, 1988, and hereafter, from the first day on or after October 1, 1988, of the beginning of each employment with an employer until his/her employment is terminated. No creditable service shall be granted for any period of employment before October 1, 1988, after the calendar month in which the member attains age seventy (70). No creditable service for prior employment shall be granted an employee who becomes a member after April 1, 1960, unless he/she was employed by an employer on April 1, 1960.

A member may elect to use his/her unused sick leave as additional creditable service for the purpose of determining eligibility for retirement benefits under any provision of this ordinance.

A member's sick leave balance at time of retirement less the sum of (a), (b), and (c) below shall be considered as additional creditable service for calculation of retirement benefits under any provision of this ordinance:

- (a) Sick leave hours considered as creditable service for the purpose of determining eligibility for retirement benefits, and
- (b) Sick leave hours paid to the member upon termination of his/her employment, and
- (c) Sick leave hours used in determining final average compensation.

**SECTION 28.  
SEVERABILITY**

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 the Aldermen 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.

**SECTION 29.  
REPEAL OF PREVIOUS ORDINANCES**

Ordinance 67333 and all other ordinances or amendments, or parts thereof conflicting with the provisions of this ordinance are hereby repealed.

**SECTION 30.  
EMERGENCY CLAUSE**

This ordinance being deemed necessary for the immediate preservation of the public peace, health and safety is declared to be an emergency ordinance pursuant to Article IV Section 19 and 20 of the Charter.

**INDEX TO COMPENSATION ORDINANCE**

This index is for general reference purposes and may not reference all provisions of this ordinance. For complete scope refer to specific provisions of this ordinance.

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Approved: March 11, 2008

**ORDINANCE #67923  
 Board Bill No. 528**

An ordinance establishing an enrollment fee for the alternative community service program managed by the Parole and Probation Staff of the Division of Corrections of the City of St. Louis, and containing an emergency clause.

**BE IT ORDAINED BY THE CITY OF SAINT LOUIS, AS FOLLOWS:**

**SECTION ONE.** There is hereby established an enrollment fee of Sixty Dollars (\$60.00) for the alternative community service program managed by the Parole and Probation Staff of the Division of Corrections. The enrollment fee shall be paid to the City by the person ordered to complete community service. No person shall be entitled to participate in the alternative community service program unless the enrollment fee established herein is paid in full; provided however, no enrollment fee shall be required to be paid by any person ordered to complete community service who is determined to be indigent under criteria established by the Division of Corrections.

**SECTION TWO.** The passage of this Ordinance being deemed necessary for the immediate preservation of the public health, welfare, and safety is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

**Approved: March 11, 2008**

**ORDINANCE #67924  
Board Bill No. 343**

An ordinance pertaining to Special Use Districts; establishing The Grove Commercial Area Special Use District (hereinafter the "District"); providing definitions and findings pertaining to said District; further providing use and conditional use regulations for said District; and containing an emergency clause.

**WHEREAS,** Ordinance 66941 provides for the establishment of Special Use Districts (hereinafter "SUD"); and

**WHEREAS,** the purpose for creation of an SUD as an overlay zoning district for a specific Zoning Districts area should be to assist in the implementation of the Strategic Land Use Plan, Commercial District Redevelopment Plan(s) and/or an adopted Neighborhood Plan for a specific geographic area of at least two (2) contiguous acres per a metes and bounds legal description; and

**WHEREAS,** over the last twenty years there have been several Forest Park Southeast neighborhood planning efforts including, but not limited to, the Forest Park Southeast Housing Corporation's Main Street Program, the 1999 Forest Park Southeast Revitalization Plan prepared by Urban Design Associates, the 2005 Strategic Land Use Plan, the 2005 Forest Park Southeast Manchester Road Asset Inventory, and the June 2006 Forest Park Southeast Manchester Avenue Reurbanism Corridor Plan Design Guidelines; and this specific SUD is not in conflict with any such plans; and

**WHEREAS,** the purpose for creation of an SUD as an overlay zoning district for a specific Zoning Districts area should also respond to well-defined health, safety, moral and/or general welfare problems, and shall state the problems addressed by any use being prohibited or limited within the SUD area; and

**WHEREAS,** this specific SUD is being adopted as an overlay district to reflect the character within the commercial zoning of The Grove ("F" Neighborhood Commercial District and "G" Local Commercial and Office District), and the related business oriented zoning districts ("J" Industrial and "K" Unrestricted) as well as certain adjoining residential zoning districts within the Forest Park Southeast Neighborhood which contain existing land uses with health, safety and/or general welfare problems.

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

**SECTION ONE. Definitions.**

- A) Except for terms defined below in this section, all terms used herein in this Ordinance shall have the same meaning as those defined in Title 26 (hereinafter the "Zoning Code") of the Revised Code of the City of St. Louis, 1994, Annotated (hereinafter the "Revised Code").
- B) "Lawfully occupied" shall mean that on the effective date of this Ordinance, or on the effective date of any amendment to this Ordinance, a business owner or operator of a business within the District held a valid occupancy permit and a valid business license from the City of St. Louis.
- C) "Nonconforming use" means any building, structure or land lawfully occupied with a use on the effective date of this Ordinance, or on the effective date of any amendment to this Ordinance, which on said effective date would otherwise be in conflict with one or more of the regulations of The Grove Commercial Area Special Use District.
- D) "Nonconforming building" means any building which existed lawfully prior to the effective date of this Ordinance, or on the effective date of any amendment to this Ordinance, which on said effective date would otherwise be in conflict with one or more of the regulations of The Grove Commercial Area Special Use District.
- E) "Nonconforming structure" means any structure which existed lawfully prior to the effective date of this Ordinance, or on the effective date of any amendment to this Ordinance, which on said effective date would otherwise be in conflict with one or more of the regulations of The Grove Commercial Area Special Use District.

**SECTION TWO. Findings.** The Board of Aldermen hereby finds as follows:

- A) The Special Use District (hereinafter "SUD") established in this Ordinance will assist in the implementation of the Strategic Land Use Plan for a specific geographic area of at least two (2) contiguous acres per metes and bounds legal description as provided in Section Four, and depicted in Exhibit 1, of this Ordinance (the "Boundaries").
- B) The SUD established in this Ordinance as an overlay zoning district for the specific Zoning Districts currently included within Boundaries of the SUD responds to well-defined health, safety, moral and/or general welfare

problems, which problems include, but are not limited to, the following:

- a. Difficulty in attracting new businesses to, and retaining existing businesses in, the SUD due to too many vacant, boarded and/or underutilized commercial and mixed use buildings within the SUD;
- b. Difficulty in attracting new businesses to, and retaining existing businesses in, the SUD due to uncertainty about the establishment of conforming, but potentially undesirable and incompatible, uses, which may occupy vacant and existing commercial and mixed use buildings within the SUD;
- c. Difficulty in attracting new businesses to, and retaining existing businesses in, the SUD due to unattractive appearance of some existing uses within the SUD; and
- d. Difficulty in attracting new and existing residential uses within and in the vicinity of the SUD where commercial and mixed use buildings with above noted conditions or uses are located within the SUD.
- e. Perception of a variety of criminal activities within the SUD.

C) It is in the best interest of the residents of the City to establish the SUD established in this Ordinance.

**SECTION THREE. SUD Established and Named.** There is hereby established The Grove Commercial Area Special Use District (hereinafter the "District").

**SECTION FOUR. SUD Boundaries.** The Boundaries of The Grove Commercial Area Special Use District are hereby described below by a metes and bounds description of an overall area with two internal areas subsequently excluded creating a SUD of approximately 133 acres more or less, and depicted in Exhibit 1 attached hereto, hereby made a part of this Ordinance by this reference:

Beginning at the intersection of the centerlines of South Kingshighway Boulevard and Swan Avenue; and proceeding along the following centerlines and city parcel boundary lines, and their prolongations, in a generally clockwise direction northward along said South Kingshighway to its intersection with the northern boundary line of City Parcel Number 5046-00-0040, commonly known as 1170 South Kingshighway; thence eastward along said boundary to its intersection with Cadet Avenue, thence eastward along Cadet to its intersection with the western boundary line of City Parcel Number 5045-00-0600, commonly known as 4535 Cadet; thence northward along said boundary to its intersection with the east-west alley in City Block 5045; thence eastward along said alley to its intersection with the north-south alley in City Block 5045; thence northward along said alley to its intersection with the northern boundary line of City Parcel Number 5045-00-0250, commonly known as 4509 Manchester; thence eastward along said boundary and its eastern prolongation to its intersection with South Taylor Avenue; thence northward along South Taylor to its intersection with the east-west alley in City Block 5108; thence northeastward along said alley to its intersection with Oakland Avenue; thence eastward along Oakland across South Newstead Avenue to its intersection with the east-west alley in City Block 5112.02; thence northeastward along said alley to its intersection with Tower Grove Avenue; thence northward along Tower Grove to its intersection with Arco Avenue; thence eastward along Arco to its intersection with the eastern boundary line of City Parcel Number 5113-02-0250, commonly known as 4219 Arco; thence northward along said boundary to its intersection with the east-west alley in City Block 5113.02; thence eastward along said alley to its intersection with the western boundary line of City Parcel Number 5113-02-0150, commonly known as 4306 Gibson; thence northward along said boundary and its northeast prolongation across Gibson; thence northward along the western boundary line of City Parcel Number 5114-02-0165, commonly known as 1025 South Boyle; thence northward along said boundary and its northern prolongation to its intersection with the east-west alley in City Block 5114.02; thence westward along said alley across Tower Grove Avenue, South Newstead Avenue and South Taylor Avenue to its intersection with the eastern boundary line of City Parcel Number 5073-00-0186, commonly known as 4506 Chouteau; thence northward along said boundary to its intersection with Chouteau Avenue; thence westward along Chouteau to its intersection with the western boundary line of adjoining City Parcel Number 5233-00-0080, commonly known as 4501 Chouteau; thence northward along said boundary to its intersection with the east-west alley in City Block 5233; thence westward along said alley to its intersection with the western boundary line of City Parcel Number 5233-00-0020, commonly known as 4534 West Papin; northward along said boundary to its intersection with the south boundary line of Interstate Route 64; then eastward along said boundary line of Interstate Route 64 across South Taylor Avenue to its intersection with the western boundary line of City Parcel Number 4807-00-0044, commonly known as 4450 West Papin Street; southward along said boundary to its intersection with the south boundary line of City Parcel Number 4807-00-0044, commonly known as 4450 West Papin Street; eastward along said boundary across South Newstead Avenue to its intersection with the western boundary line of City Parcel 4878-00-0010, commonly known as 4376 West Papin Street; northward along said boundary to its intersection with the south boundary line of Interstate Route 64; eastward along said boundary line of Interstate Route 64 across Tower Grove Avenue, and South Boyle Avenue to its intersection with the south boundary line of the Interstate Route 64 Ramps from South Vandeventer Avenue; thence eastward along said boundary line of the ramps across South Sarah Avenue to its intersection with South Vandeventer Avenue; thence eastward across South Vandeventer to its intersection with the northern boundary line of City Parcel Number 3946-00-0090, commonly known as 904 South Vandeventer; thence eastward along said boundary to its intersection with the

eastern boundary of the same parcel; thence southward along said boundary to its intersection with the northern boundary line of City Parcel Number 3946-00-0040, commonly known as 3923 Chouteau; thence eastward along said boundary to its intersection with the eastern boundary of the same parcel; thence southeastward along said boundary to its intersection with Chouteau Avenue; thence southwestward along the eastern property line of City Parcel Number 5821-00-0040, commonly known as 3936 Chouteau to the southern boundary of said parcel; thence westward along said southern boundary and its western prolongation to its intersection with South Vandeventer Avenue; thence southwestward along South Vandeventer to its intersection with Tower Grove Avenue; thence northward along Tower Grove to its intersection with Hunt Avenue; thence westward along Hunt to its intersection with the western boundary line of City Parcel Number 3982-00-0250, commonly known as 1417 Tower Grove; thence northwardly along said boundary to its intersection with the east-west alley in City Block 3982; thence westward along said alley to its intersection with the western boundary line of City Parcel Number 3982-00-0165, commonly known as 4310 Vista; thence northward along said boundary to its intersection with Vista Avenue; thence eastward along Vista to its intersection with Tower Grove Avenue; thence northward along Tower Grove to its intersection with Norfolk Avenue; thence westward along Norfolk to its intersection with the western boundary line of City Parcel Number 3976-00-0230, commonly known as 4309 Norfolk; thence northward along said boundary to its intersection with the east-west alley in City Block 3976; thence eastward along said alley to its intersection with the western boundary line of City Parcel Number 3976-00-0195, commonly known as 1211 Tower Grove; thence northward along said boundary and the west boundary line of City Parcel Number 3976-00-0190, commonly known as 1201 Tower Grove and its prolongation to the western boundary line of City Parcel Number 3973-00-0240, commonly known as 1125 Tower Grove; thence northward along said boundary and its northern prolongation to its intersection with the east-west alley in City Block 3973; thence westward along said alley across South Newstead Avenue to its intersection with South Taylor Avenue; thence southward along South Taylor to its intersection with Swan Avenue; thence westward along Swan to its intersection with South Kingshighway Boulevard at the point of beginning.

Within the above defined boundaries the following two areas (Area 1 & Area 2) are not included in the "Boundaries".

Area 1 Beginning at the intersection of the centerlines of Chouteau Avenue and the east-west alley in City Block 5114.01; and proceeding along the following centerlines and city parcel boundary lines, and their prolongations, in a generally clockwise direction southwestward and westward along said alley to the eastern boundary line of City Parcel Number 5114-01-0460, commonly known as 4219 Gibson; thence southward along said boundary to its intersection with Gibson Avenue; thence westward along Gibson to its intersection with the western boundary line of City Parcel Number 5114-01-0540, commonly known as 4241 Gibson; thence northward along said boundary and the western boundary of City Parcel Number 5114-01-0020, commonly known as 4242 Chouteau; thence eastward along Chouteau to its intersection at the east-west alley at the point of beginning.

Area 2 Beginning at the intersection of the centerlines of Talmage Avenue and the east-west alley in City Block 3992; and proceeding along the following centerlines and city parcel boundary lines, and their prolongations, in a generally clockwise direction southwardly along Talmage to its intersection with the northeast-southwest alley in City Block 3992; thence southwestward along said alley to its intersection with South Boyle Avenue; thence southward along South Boyle to its intersection with Vista Avenue; thence westward along Vista to its intersection with the north-south alley in City Block 3978; thence northward along said alley to its intersection with the east-west alley in City Block 3978; thence westward along said alley to its intersection with the western boundary of City Parcel Number 3978-00-0030, commonly known as 4264 Norfolk; thence northward along said boundary to its intersection with Norfolk Avenue; thence eastwardly along Norfolk to its intersection with the western boundary of City Parcel Number 3977-00-0360, commonly known as 4257 Norfolk; thence northward along said boundary to its intersection with the east-west alley in City Block 3977; thence eastward along said alley to its intersection with the western boundary of City Parcel Number 3977-00-0010, commonly known as 4258 Swan; thence northward along said boundary and its prolongation along the western boundary of City Parcel Number 3972-00-0380, commonly known as 4261 Swan to its intersection with the east-west alley in City Block 3972; thence eastwardly along said alley across South Boyle Avenue and Kentucky Avenue to its intersection with Talmage Avenue at the point of beginning.

**SECTION FIVE. SUD Use Regulations.** A building, structure or premises may be used for any purpose otherwise allowed in the respective Zoning District in which it is located except for the following uses, which are hereby prohibited:

- A) Adult Book Stores;
- B) Adult Motion Picture Theaters;
- C) Adult Peep Shows;
- D) Massage Establishments (provided, however, that this prohibition shall not be construed to prohibit therapeutic massage by certified professionals);
- E) Free standing Package Liquor Stores;

- F) Blood donor facilities that pay donors for their blood;
- G) Check-Cashing Establishments, centers and/or services (except for Financial Institutions, as defined and regulated in the Zoning Code);
- H) Short-Term Loan Establishments, including, but not limited to, vehicle and/or other such personal property title loan centers or agencies (except for Financial Institutions, as defined and regulated in the Zoning Code);
- I) Pawn Shops;
- J) Restaurants that sell products through a sales window to customers who are in cars, or to customers who are in cars on the restaurant premises, or to customers who may consume the sold products in cars parked on the restaurant premises;
- K) Restaurants that sell products through a sales window to pedestrians outside the building for immediate consumption by the customers either on or off the premises;
- L) Carry-Out Restaurants with no indoor table service;
- M) Any use that utilizes a sales or service window or facility for customers who are in cars (except for Financial Institutions, as defined and regulated in the Zoning Code);
- N) Motor Fuel Pumping Stations;
- O) Car washing or detailing facilities;
- P) Automobile or truck dealers (new or used);
- Q) Automobile, truck, or other equipment rental requiring outside storage of vehicles or equipment;
- R) Rent-to-own furniture, electronics and/or home appliance shops;
- S) Utility stations or towers;
- T) Free standing cell phone towers;
- U) Public storage facilities for rent or lease (provided, however, that this prohibition shall not be construed to prohibit any normal warehouse activities, otherwise allowed in the particular Zoning District where the warehousing is located, for businesses lawfully occupying the same building or adjacent buildings);
- V) Open storage;
- W) Rooming Houses and Boarding Houses (provided, however, that this prohibition shall not be construed to prohibit Bed and Breakfast Establishments as defined and otherwise regulated in Chapter 8.25 of the Revised Code, or Bed and Breakfast Districts as defined and regulated in Chapter 26.66 of the Zoning Code); and
- X) Outdoor Pay Telephones.

**SECTION SIX. SUD Conditional Use Regulations.** Notwithstanding any Zoning District Use or Conditional Use Regulations contained in the Zoning Code to the contrary, the following uses may only be allowed in the District as conditional uses subject to the provisions of Section 26.80.010 of the Zoning Code:

- A) Automobile or truck service and repair shops;
- B) Automobile or truck parts sales (new or used);
- C) Automobile lubrication facilities;
- D) Secondhand or junk clothing or retail shops (hereby defined as stores carrying items having limited collectors' value and not commonly classified as "antique" or "vintage" items and/or commonly valued as "good-as-new" quality of clothing);
- E) Beauty supply stores;
- F) Cell phone, beeper, or pager shops;
- G) Cell phone transmitters on buildings;

- H) Convenience food stores and confectionaries;
- I) Establishments selling alcoholic beverages by the glass which do not have a Restaurant Permit in addition to a Liquor License;
- J) Tattoo and/or body piercing parlors;
- K) Laundromats open to the general public at any time between Midnight and 6:00 AM;
- L) Seasonal businesses leasing locations on an annual basis, while utilizing the premises for access by the general public less than eleven (11) months of the year and/or less than four (4) days a week; and
- M) Pinball/video and/or amusement game arcades.

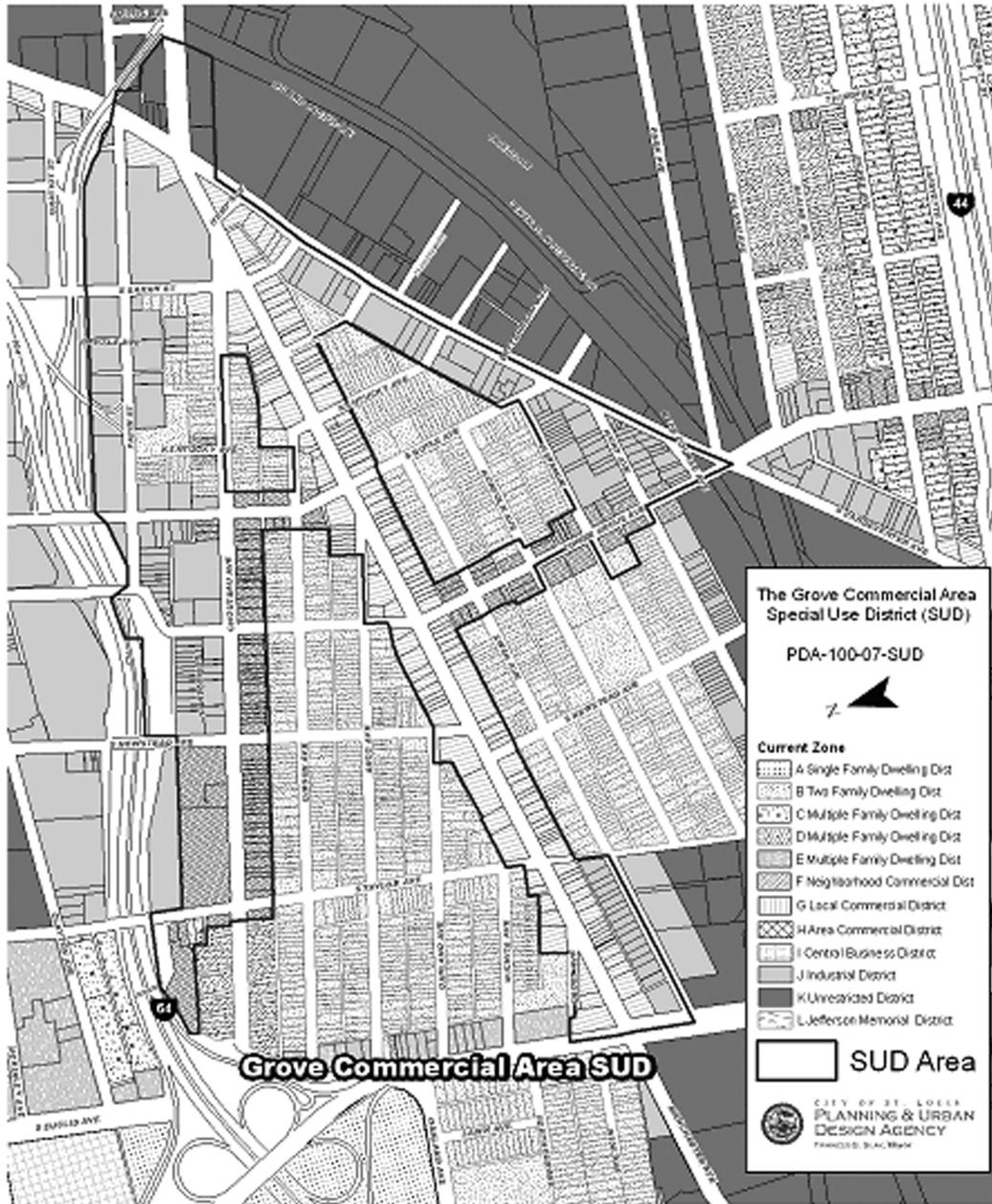
**SECTION SEVEN: Nonconforming Uses; Appeals.** Notwithstanding any provisions of the Zoning Code to the contrary: All businesses lawfully operating within the District on the effective date of this Ordinance, which such business or use would otherwise be prohibited or subject to the granting of a conditional use permit in order to conduct such business lawfully after the effective date of this Ordinance, shall hereby be considered legal and nonconforming uses.

- A) But if any such existing business within the District does not have a valid occupancy permit held by the existing owner or operator and a valid business license from the City of St. Louis held by such owner or operator, such business and use must be discontinued within no more than thirty (30) days from the date upon which the City issues notice of such unlawful occupancy or use.
- B) No new owner or operator of a nonconforming use within the District shall be granted an occupancy permit to continue any such nonconforming use unless such new owner or operator accepts all conditions upon which previous permits and licenses for such operation were based, if any.
- C) If a new owner or operator of a nonconforming use within the District applies for an occupancy permit more than thirty (30) days after the transfer of ownership, such application shall be denied.
- D) If an owner or operator of a nonconforming use within the District discontinues its operations for more than thirty (30) days, any subsequent use in such a building, structure or premises shall conform to the regulations of the District.
- E) Expanding legal nonconforming uses, or structural alterations to nonconforming buildings or structures, within the District are prohibited; and the City shall deny applications for any such expansion and/or structural alternations that do not comply with District regulations.
- F) Owners or prospective owners or operators may appeal permit denials to the City's Board of Adjustment pursuant to the provisions of Chapter 26.84 of the Zoning Code, provided that any such appeals are made within thirty (30) days after a permit application is denied.

**SECTION EIGHT. 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.

# EXHIBIT 1 Boundaries



Approved: March 17, 2008

**ORDINANCE #67925**  
**Board Bill No. 346**  
**Committee Substitute**

An ordinance repealing Ordinance 67113 and in lieu thereof enacting a new ordinance prohibiting the issuance of any package or drink liquor licenses for any currently non-licensed premises within the boundaries of the Fourth Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing exceptions and allowing, during the moratorium period, for the transfer of existing licenses, under certain circumstances, and the issuance of a drink license to persons operating a restaurant at a previously non-licensed premises and containing an emergency clause.

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

**SECTION ONE.** Ordinance number 67113 is hereby repealed and in lieu thereof the following provisions are enacted:

**SECTION TWO.** The existence of alcoholic beverage establishments appears to contribute directly to numerous peace, health, safety and general welfare problems including loitering, littering, drug trafficking, prostitution, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots. The existence of such problems creates serious impacts on the health, safety and welfare of residents of single- and multiple-family within the district, including fear for the safety of children, elderly residents and of visitors to the district. The problems also contribute to the deterioration of the neighborhood and concomitant devaluation of property and destruction of community values and quality of life. The number of establishments selling alcoholic beverages and the associated problems discourage more desirable and needed commercial uses in the area. In order to preserve the residential character and the neighborhood-serving commercial uses of the area, there shall be a moratorium on the issuance of new liquor licenses within the area beginning at the intersection of the centerlines as follows:

Beginning at the intersection of the centerlines of N.Vandeventer Ave. and Evans Ave., and proceeding along the centerlines in a generally clockwise direction west to Marcus Ave., north to Cote Brilliante Ave., west to North Euclid Ave., north to Ashland Ave., east to Shreve Ave., north to Palm St., east to Marcus Ave., south to Lexington Ave., east to Fair Ave., south to Ashland Ave., east to N. Vandeventer Ave., south to the point of the beginning.

Such area shall be known as the Fourth Ward Liquor Control District.

**SECTION THREE.** The Excise Commissioner shall not, for a period of three years, beginning as of the effective date of this Ordinance, approve the issuance of a package liquor license for any premises which is located within the boundaries of the Fourth Ward Liquor Control District established in Section One of this ordinance.

**SECTION FOUR.** Notwithstanding the provisions of Section Three of this Ordinance, the Excise Commissioner shall have authority to:

- (1) Approve transfer of an existing license to another premises within the petition circle of the currently licensed premises, pursuant to the provisions of subsection (B) of section 14.06.330 of Ordinance 61289; and
- (2) Issue a drink license for premises, not licensed as of the effective date of this Ordinance, which currently is or will be, upon opening, operated as a restaurant, as such term is defined in section 14.01.390 of Ordinance 61289.
- (3) Approve the renewal of an existing license under the provisions of Section 14.08.090 of Ordinance 62656.
- (4) Approve the issuance of a new 5% license (Beer License.)

**SECTION FIVE. 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: March 17, 2008**

**ORDINANCE #67926**  
**Board Bill No. 392**

An Ordinance authorizing and directing the Director of Public Safety, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Office of Justice Programs' Bureau of Justice Assistance to fund a Bulletproof Vest Partnership Agreement, appropriating said funds and authorizing the Director of Public Safety, upon approval of the Board of Estimate and Apportionment, to expend funds by entering into contracts or otherwise for grant purposes and containing an emergency clause.

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

**SECTION ONE.** The Director of Public Safety is hereby authorized and directed, on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Office of Justice Programs' Bureau of Justice Assistance to fund a Bulletproof

Vest Partnership Agreement. Said Grant Agreement shall be substantially in words and figures the same as the attached Agreement, which is made part of this Ordinance and is on file in the Register's Office.

**SECTION TWO.** The Director of Public Safety is hereby authorized and directed, upon approval of the Board of Estimate and Apportionment, to expend the funds, which are hereby appropriated for said purpose, by entering into contracts or otherwise received pursuant to the Grant Agreement, totaling \$8,804.47, in a manner that is consistent with the provisions of said Agreement, a copy of which is attached hereto and shall become part of the ordinance.

**SECTION 3.** Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate 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: March 17, 2008**

**ORDINANCE #67927  
Board Bill No. 497**

An ordinance prohibiting the issuance of any package liquor license for any non-licensed premises within the boundaries of the Second Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing exceptions and allowing, during the moratorium period, for the transfer of existing licenses, under certain circumstances, for the renewal of an existing license under the provisions, and issuance of a drink license for premises operated as a restaurant under the provisions ; and containing an emergency clause.

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

**SECTION ONE. LEGISLATIVE FINDINGS.**

The existence of alcoholic beverage establishments appears to contribute directly to numerous peace, health, safety and general welfare problems including loitering, littering, drug trafficking, prostitution, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots. The existence of such problems creates serious impacts on the health, safety and welfare of residents of single- and multiple-family within the district, including fear for the safety of children, elderly residents and of visitors to the district. The problems also contribute to the deterioration of the neighborhood and concomitant devaluation of property and destruction of community values and quality of life. The number of establishments selling alcoholic beverages and the associated problems discourage more desirable and needed commercial uses in the area. In order to preserve the residential character and the neighborhood-serving commercial uses of the area, there shall be a moratorium on the issuance of new liquor licenses within the area beginning at the intersection of the Mississippi River and the centerline of Branch St., and proceeding along the centerlines in a generally clockwise direction west to the intersection of Interstate 70, north along Interstate 70 to E. Grand Ave., west to Blair Ave., north to Linton Ave., west to Conde St., north to Adelaide Ave., east to the intersection with Interstate 70, generally west along Interstate 70 to West Florissant Ave., north to Calvary Ave., northeast to N. Calvary Ave., north to N. Broadway, north to Switzer Ave., northeast to Oriole Ave., north to McLaran Ave., west to Riverview Blvd., south to the Norfolk & Western Railway tracks, west to Trafford Ln., north to McLaran Ave., east to Park Ln., north to the City limits to the northern edge of the city limits, east along the city limits at Watkins Creek to the Mississippi River, and southeast along the Mississippi River to the point of beginning. Such area shall be known as the Second Ward Liquor Control Area.

**SECTION TWO.** The Excise Commissioner is hereby prohibited, for a period of three years, beginning as of the effective date of this Ordinance, from approving the issuance of a package liquor license for any premises which is located within the boundaries of the Second Ward Liquor Control District established in Section One of this ordinance.

**SECTION THREE.** Notwithstanding the provisions of Section Two of this Ordinance, the Excise Commissioner shall have authority to:

- (1) Approve transfer of an existing license to another premises within the petition circle of the currently licensed premises, pursuant to the provisions of subsection (B) of section 14.06.330 of Ordinance 61289; and
- (2) Approve the renewal of an existing license under the provisions of Section 14.08.090 of Ordinance 62656.
- (3) Issue a drink license for a premises, not licensed as of the effective date of this Ordinance, which currently is or will be, upon opening, operated as a restaurant, as such term is defined in section 14.01.390 of Ordinance 61289.

**SECTION FOUR. 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: March 17, 2008**

**ORDINANCE #67928**  
**Board Bill No. 510**

An Ordinance recommended by the Planning Commission on February 6, 2008, to change the zoning of property as indicated on the District Map, from "A" Single-Family Dwelling District to the "H" Area Commercial District, in City Blocks 822 (1415 S. 14th Street), 1250 (1400, 1410-20 & 1410R Dillon and 1419 Carroll) and 1251 (1400 Grattan), so as to include the described parcels of land in City Blocks 822, 1250 and 1251; and containing an emergency clause.

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

**SECTION ONE.** The zoning designation of certain real property located in City Blocks 822, 1250 and 1251 is hereby changed to the "H" Area Commercial District, real property being particularly described as follows:

Parcel I.

A TRACT OF LAND BEING ALL OF CITY BLOCK 1250 AND PART OF CITY BLOCK 822 OF THE CITY OF ST LOUIS, MISSOURI, (INCLUDING A VACATED PORTION OF ST. ANGE AVENUE) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 1 / 2" X 18" REBAR WITH CAP STAMPED "MARLER L.S. 347-D" (TYPICAL), MARKING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CARROLL STREET (60' FEET WIDE) AND THE EAST RIGHT OF WAY LINE OF DILLON STREET (60' FEET WIDE); THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE OF CARROLL STREET, ALONG SAID EAST RIGHT OF WAY OF DILLON STREET, NORTH 08 DEGREES 55 MINUTES 52 SECONDS EAST A DISTANCE OF 351.00 FEET TO THE POINT OF INTERSECTION OF THE EAST LINE OF SAID DILLON STREET WITH THE SOUTH LINE OF PARK AVENUE (80' FEET WIDE); THENCE ALONG THE SAID SOUTH LINE OF PARK AVENUE, SOUTH 69 DEGREES 53 MINUTES 11 SECONDS EAST A DISTANCE OF 296.92 FEET TO A SET RAILROAD SPIKE IN ASPHALT MARKING THE INTERSECTION OF THE SAID SOUTH LINE OF PARK AVENUE WITH THE CENTERLINE OF VACATED ST. ANGE AVENUE (60 FEET WIDE) (VACATED BY ST. LOUIS ORDINANCE NO. 50248); THENCE ALONG THE SAID CENTERLINE OF VACATED ST. ANGE AVENUE, SOUTH 08 DEGREES 55 MINUTES 52 SECONDS WEST A DISTANCE OF 147.33 FEET TO A FOUND 1/2" IRON PIPE; THENCE LEAVING SAID CENTERLINE, SOUTH 81 DEGREES 06 MINUTES 13 SECONDS EAST A DISTANCE OF 139.88 FEET TO A SET REBAR ON THE WEST RIGHT OF WAY LINE OF 14TH STREET (80 FEET WIDE); THENCE ALONG THE SAID WEST LINE OF 14TH STREET, SOUTH 35 DEGREES 53 MINUTES 43 SECONDS WEST A DISTANCE OF 163.76 FEET TO A SET REBAR AT THE INTERSECTION OF THE SAID WEST LINE OF 14TH STREET WITH THE AFORESAID NORTH LINE OF CARROLL STREET; THENCE ALONG THE SAID NORTH LINE OF CARROLL STREET, NORTH 81 DEGREES 06 MINUTES 13 SECONDS WEST A DISTANCE OF 356.92 FEET TO THE POINT OF BEGINNING, CONTAINING 108,822 SQUARE FEET, OR 2.498 ACRES, MORE OR LESS, AS SURVEYED BY MARLER SURVEYING CO., INC. DURING THE MONTH OF FEBRUARY, 2007.

Parcel II.

A TRACT OF LAND BEING ALL OF CITY BLOCK 1251 AND PART OF CITY BLOCK 1254 OF THE CITY OF ST. LOUIS, MISSOURI, (INCLUDING A VACATED PORTION OF GRATTAN STREET) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 1 / 2" X 18" REBAR WITH CAP STAMPED "MARLER L.S. 347-D" (TYPICAL), MARKING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CARROLL STREET (60' FEET WIDE) AND THE WEST RIGHT OF WAY LINE OF VACATED GRATTAN STREET (60' FEET WIDE), VACATED BY ORDINANCE 66809; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE OF CARROLL STREET, ALONG SAID WEST RIGHT OF WAY OF VACATED GRATTAN STREET, NORTH 08 DEGREES 55 MINUTES 52 SECONDS EAST A DISTANCE OF 139.49 FEET TO A SET REBAR; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE OF VACATED GRATTAN STREET, NORTH 17 DEGREES 28 MINUTES 24 SECONDS EAST A DISTANCE OF 67.04 FEET TO A SET REBAR; THENCE NORTH 13 DEGREES 46 MINUTES 04 SECONDS EAST A DISTANCE OF 11.73 FEET TO A SET REBAR; THENCE, NORTH 15 DEGREES 17 MINUTES 51 SECONDS EAST A DISTANCE OF 90.04 FEET TO A SET REBAR; THENCE NORTH 55 DEGREES 36 MINUTES 19 SECONDS EAST A DISTANCE OF 19.44 FEET TO A SET REBAR ON THE SOUTH RIGHT OF WAY LINE OF PARK AVENUE (80 FEET WIDE); THENCE ALONG THE SOUTH LINE OF SAID PARK AVENUE, SOUTH 69 DEGREES 53 MINUTES 11 SECONDS EAST A DISTANCE OF 293.13 FEET TO THE POINT OF INTERSECTION OF THE SAID SOUTH LINE OF PARK AVENUE WITH THE WEST LINE OF DILLON STREET (60 FEET WIDE); THENCE LEAVING THE SAID SOUTH LINE OF PARK, ALONG THE WEST LINE OF DILLON STREET, SOUTH 08 DEGREES 55 MINUTES 52 SECONDS WEST A DISTANCE OF 362.90 FEET TO A SET REBAR MARKING THE INTERSECTION OF THE WEST LINE OF SAID DILLON AVENUE WITH THE NORTH LINE OF AFORESAID CARROLL STREET; THENCE ALONG THE SAID NORTH LINE OF CARROLL STREET, NORTH 81 DEGREES 06 MINUTES 13 SECONDS WEST A DISTANCE OF 331.06 FEET TO THE POINT OF BEGINNING, CONTAINING 126,194 SQUARE FEET, OR 2.897 ACRES, MORE

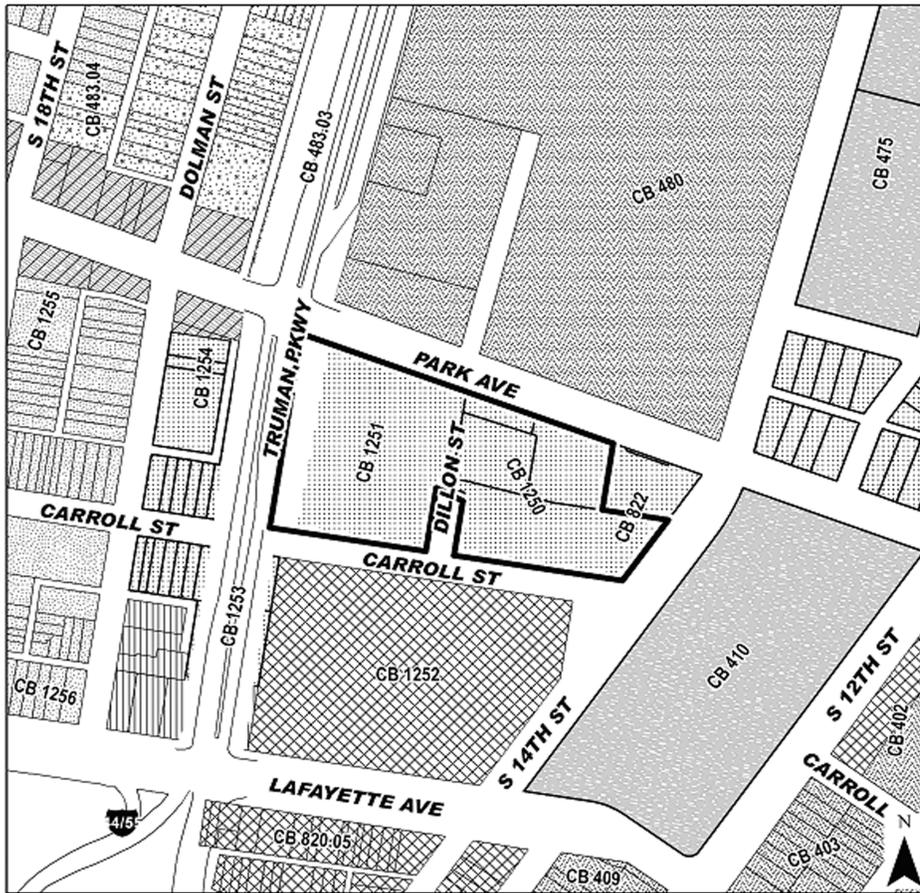
OR LESS, AS SURVEYED BY MARLER SURVEYING CO., INC. DURING THE MONTH OF FEBRUARY, 2007.

Parcel III.

The vacated portion of Dillon Street between City Blocks 1250 and 1251.

**SECTION 2.** This ordinance being necessary for the preservation of the health, safety and welfare shall take effect and be in full force immediately upon approval by the Mayor of the City of St. Louis.

**EXHIBIT A**



Approved: March 17, 2008

**ORDINANCE #67929**  
**Board Bill No. 399**

An ordinance approving a Redevelopment Plan for the Cora Ave./Dr. Martin Luther King Dr./Hills Terrace Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for the Cora Ave./Dr. Martin Luther King Dr./Hills Terrace Area," dated November 13, 2007 consisting of a Title Page, a Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

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

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the Cora Ave./Dr. Martin Luther King Dr./Hills Terrace Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007, ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

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

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

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

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

EXHIBIT "A"

CORA AVE. /DR. MARTIN LUTHER KING BLVD. /HILLS TERRACE AREA  
LEGAL DESCRIPTION

Parcel 1	CB 3775 E DR MLK DR 42 FT 7 IN X 100 FT 3 IN TAYLORS PLACE ADDN BND ON N BY EASTON <b>37750300700</b> 4592 DR. MLK DR.	Parcel 7	CB 3775 E DR MLK DR 49 FT 11 1/2 X 92 FT 7 7/8 IN TAYLORS PLACE ADDN LOT PT 88 <b>37750300400</b> 1416 CORA AVE
Parcel 2	CB 3775 E DR MLK DR 31 FT 7 IIN X 94 FT 1 IN PAGES ADDN BND W-144 FT EEL CORA <b>37750300600</b> 4600 DR. MLK DR	Parcel 8	CB 3775 E DR MLK DR 47 FT 6 IN X 141 FT 6 IN TAYLORS PLACE ADDN LOTS SE 87 SW 86 <b>37750301200</b> 1415 CORA AVE
Parcel 3	CB 3775 E DR MLK DR 48 FT 2 IN X 94 FT 1 IN BRYAN PAGE ADDN LOT PT 87 BND W 90 FT E EL OF CORA <b>37750300500</b> 4604 DR. MLK DR	Parcel 9	CB 3775 E DR MLK DR 45 FT X 137 FT 3 IN TAYLORS PLACE ADDN 47 FT 6 IN X 141 FT 6 IN <b>37750301100</b> 1419 HILLS TERRACE
Parcel 4	CB 3775 E DR MLK DR 91.8 FT X 100 FT TAYLORS PLACE ADDN LOT N88 & NW87 <b>37750300400</b> 4608 DR. MLK DR	Parcel 10	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOT PT 86 & 87 <b>37750301000</b> 1425 HILLS TERRACE
Parcel 5	CB 3775 E DR MLK DR 49 FT 6 IN X 92 FT 4 IN TAYLORS ADDN BND S-105 FT N NL OF ALLEY <b>37750300300</b> 1430 CORA AVE	Parcel 11	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOTS 86 & 87 <b>37750300900</b> 1427 HILLS TERRACE
Parcel 6	CB 3775 E DR MLK DR 49 FT 11 1/4 X FT 92 FT 7 IN 7/8 in TAYLORS PLACE ADDN LOT P 88 <b>37750300200</b> 1422 CORA AVE	Parcel 12	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOTS 86 & 87 <b>37750300800</b> 1429 HILLS TERRACE

EXHIBIT "B"  
Form: 10/17/07

BLIGHTING STUDY AND PLAN  
FOR THE  
CORA AVE. /DR. MARTIN LUTHER KING DR. /HILLS TERRACE REDEVELOPMENT AREA  
PROJECT # 1260  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
NOVEMBER 13, 2007

MAYOR  
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR  
CORA AVE. /DR. MARTIN LUTHER KING DR. /HILLS TERRACE REDEVELOPMENT AREA

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- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The Cora Ave. /Dr. Martin Luther King Dr. / Hills Terrace Area ("Area") encompasses approximately 1.2 acres in the Lewis Place of the City of St. Louis ("City") and is within the boundaries of Dr. Martin Luther King Blvd. Avenue to the north, Hills Terrace to the west and Cora Ave. to the east.

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 a portion of City Block 3775.03 including the following addresses: 4592-408 Dr. Martin Luther King Dr., 1410-22 Cora Ave., 1415-29 Hills Terrace. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.4% unemployment rate for the City as of July, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include twelve vacant parcels and one unoccupied building.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential and commercial uses.

Residential density for the surrounding neighborhoods is approximately 9.50 persons per acre.

5. CURRENT ZONING

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

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City 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, 2000, as amended, (the Land Clearance for Redevelopment Authority Law).

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "J" Industrial District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the following:

pawn shops, adult bookstores, X-rated movie houses, massage parlors or health spas, auto and truck dealers (new or used), pinball arcades, pool halls, secondhand or junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, blood donor facilities, free standing package liquor stores, check cashing centers, automobile service or stations.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The 2005 Strategic Land Use Plan designates it as a Neighborhood Commerce.

3. PROPOSED ZONING

The zoning for the Area can remain "F" Neighborhood Commercial 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 "Strategic Land Use Plan" (2005). 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

This project will create 28 jobs in this Area.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged except for the vacation of the alley in the block.

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 Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

**a. Urban Design Objectives**

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

**b. Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

**c. Landscaping**

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

**d. Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing

behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. 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, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: **Upper Level** signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5')). **Pedestrian level** signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

Painted wall signs, roof signs, pole signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

**D. EXECUTION OF PROJECT****1. ADMINISTRATION AND FINANCING**

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

**2. PROPERTY ACQUISITION**

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

**3. PROPERTY DISPOSITION**

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper 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. (2000) as amended, for uses in accordance with this Plan.

**4. RELOCATION ASSISTANCE**

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

A Redeveloper may seek ten-(10) year real estate tax abatement pursuant to Sections 99.700 – 99.715, Revised Statutes of Missouri 2000, as amended, upon applications as provided therein. Such real estate tax abatement shall not include any Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement, which shall not include any Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions 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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

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

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

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

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

**H. MODIFICATIONS OF THIS PLAN**

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

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

**I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

## EXHIBIT "A"

**CORA AVE. /DR. MARTIN LUTHER KING BLVD. /HILLS TERRACE AREA  
LEGAL DESCRIPTION**

Parcel 1	CB 3775 E DR MLK DR 42 FT 7 IN X 100 FT 3 IN TAYLORS PLACE ADDN BND ON N BY EASTON <b>37750300700</b> 4592 DR. MLK DR.	Parcel 7	CB 3775 E DR MLK DR 49 FT 11 ½ X 92 FT 7 7/8 IN TAYLORS PLACE ADDN LOT PT 88 <b>37750300400</b> 1416 CORA AVE
Parcel 2	CB 3775 E DR MLK DR 31 FT 7 IIN X 94 FT 1 IN PAGES ADDN BND W-144 FT EEL CORA <b>377500300600</b> 4600 DR. MLK DR	Parcel 8	CB 3775 E DR MLK DR 47 FT 6 IN X 141 FT 6 IN TAYLORS PLACE ADDN LOTS SE 87 SW 86 <b>37750301200</b> 1415 CORA AVE
Parcel 3	CB 3775 E DR MLK DR 48 FT 2 IN X 94 FT 1 IN BRYAN PAGE ADDN LOT PT 87 BND W 90 FT E EL OF CORA <b>377500300500</b> 4604 DR. MLK DR	Parcel 9	CB 3775 E DR MLK DR 45 FT X 137 FT 3 IN TAYLORS PLACE ADDN 47 FT 6 IN X 141 FT 6 IN <b>37750301100</b> 1419 HILLS TERRACE
Parcel 4	CB 3775 E DR MLK DR 91.8 FT X 100 FT TAYLORS PLACE ADDN LOT N88 & NW87 <b>37750300400</b> 4608 DR. MLK DR	Parcel 10	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOT PT 86 & 87 <b>37750301000</b> 1425 HILLS TERRACE
Parcel 5	CB 3775 E DR MLK DR 49 FT 6 IN X 92 FT 4 IN TAYLORS ADDN BND S-105 FT N NL OF ALLEY <b>37750300300</b> 1430 CORA AVE	Parcel 11	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOTS 86 & 87 <b>37750300900</b> 1427 HILLS TERRACE
Parcel 6	CB 3775 E DR MLK DR 49 FT 11 ¼ X FT 92 FT 7 IN 7/8 in TAYLORS PLACE ADDN LOT P 88 <b>37750300200</b> 1422 CORA AVE	Parcel 12	CB 3775 E DR MLK DR 25 FT X 137 FT 6 IN TAYLORS PLACE ADDN LOTS 86 & 87 <b>37750300800</b> 1429 HILLS TERRACE

See attached Exhibits B, C & D

**EXHIBIT "E"**  
**FORM: 05/26/99**

**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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redevelopment shall contractually require its contractors and subcontractors to comply with such laws.

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.

The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

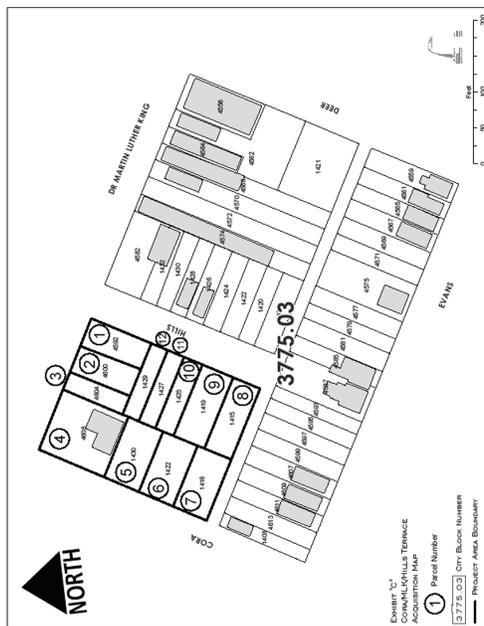
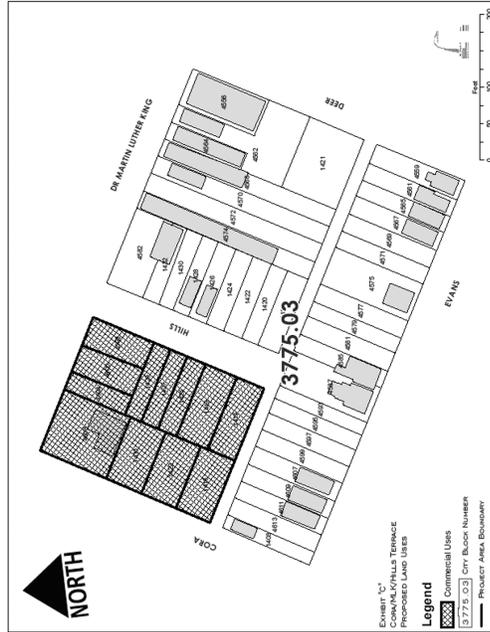
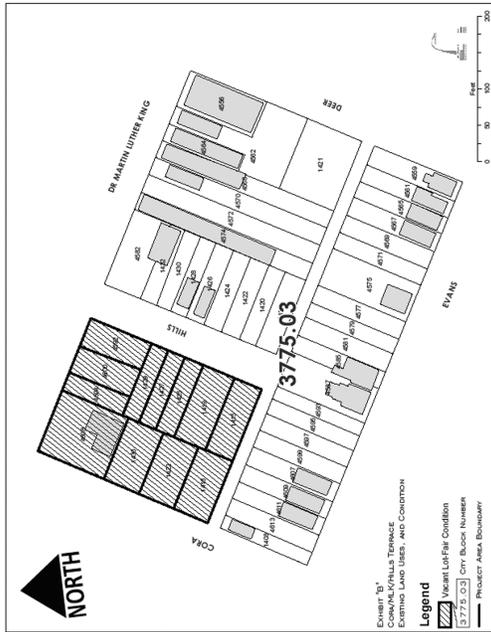
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex,

marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: March 17, 2008

ORDINANCE NO. 67929 – EXHIBITS B, C & D



**ORDINANCE #67930**  
**Board Bill No. 403**

An ordinance approving a Redevelopment Plan for the 5021 Fyler Avenue. Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that **no** property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is **unoccupied**. If it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for 5021 Fyler Avenue Area," dated November 13, 2007, consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

**WHEREAS**, the Plan has been presented and recommended by LCRA (with a five (5) year real estate tax abatement) 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 Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights-of-way, the establishment of new street and sidewalk patterns or other public actions; and

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 5021 Fyler Avenue Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

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

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

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

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

EXHIBIT "A"

5021 FYLER AVENUE AREA  
LEGAL DESCRIPTION

C.B. 4739 FYLER  
3.352 ACRES  
LINDELL EST ADDN  
LOT PT 6 & PT 7  
  
4739-00-01260  
5021 Fyler Avenue

EXHIBIT "B"  
Form 10/15/07

BLIGHTING STUDY AND PLAN  
FOR THE  
5021 FYLER AVENUE AREA  
PROJECT #1259  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
NOVEMBER 13, 2007

MAYOR  
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR  
5021 FYLER AVENUE AREA

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- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The 5021 Fyler Avenue Area ("Area") encompasses approximately 3.352 acres in the North Hampton neighborhood of the City of St. Louis ("City") and is located on north side of Fyler Avenue with Brannon Avenue to the west and S. Kingshighway Blvd. to the east.

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 one parcel in City Blocks 4739. 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 under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 6.1 % unemployment rate for the City as of April, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an occupied warehouse.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for commercial and residential purposes.

Residential density for the surrounding neighborhoods is approximately 13.82 persons per acre.

5. CURRENT ZONING

The Area is zoned "K" Unrestricted District, pursuant to the Zoning Code of the City, which is incorporated in

this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is occupied and in fair condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are commercial uses permitted in Areas designated "K" Unrestricted District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed purposes.

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

3. PROPOSED ZONING

The zoning for the Area can remain "K" Unrestricted 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 Strategic land Use plan (2005). 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

There will be 8-10 new jobs added as a result of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

**a. Urban Design Objectives**

The property shall be developed it is an attractive commercial asset to the surrounding neighborhood.

**b. Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design.

**c. Landscaping**

The property shall be well landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

**d. Fencing**

Fencing in the front yards and facing side streets shall be limited to ornamental metal with black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style.

**9. PARKING REGULATIONS**

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. 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, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: **Upper Level** signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5')). **Pedestrian level** signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

One ground or monument sign per use may be permitted provided it does not exceed twelve (12) feet in height nor exceed one hundred (100) 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.

Roof signs shall be limited as set out in the City Code. 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, 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 without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

**D. EXECUTION OF PROJECT**

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the area through the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently occupied. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

A Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 – 99.715, Revised Statutes of Missouri 2000, as amended, upon applications as provided therein. Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the up to 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, which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions 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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

**G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS****1. LAND USE**

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

**2. CONSTRUCTION AND OPERATIONS**

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

**3. LAWS AND REGULATIONS**

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

**4. ENFORCEMENT**

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

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

**H. MODIFICATIONS OF THIS PLAN**

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen

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

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

**I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

**EXHIBIT "A"**

**5021 FYLER AVENUE AREA  
LEGAL DESCRIPTION**

C.B. 4739 FYLER  
3.352 ACRES  
LINDELL EST ADDN  
LOT PT 6 & PT 7

**4739-00-01260**  
5021 Fyler Avenue

See attached Exhibits B, C & D

**EXHIBIT "E"  
FORM: 08/02/99**

**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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

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.

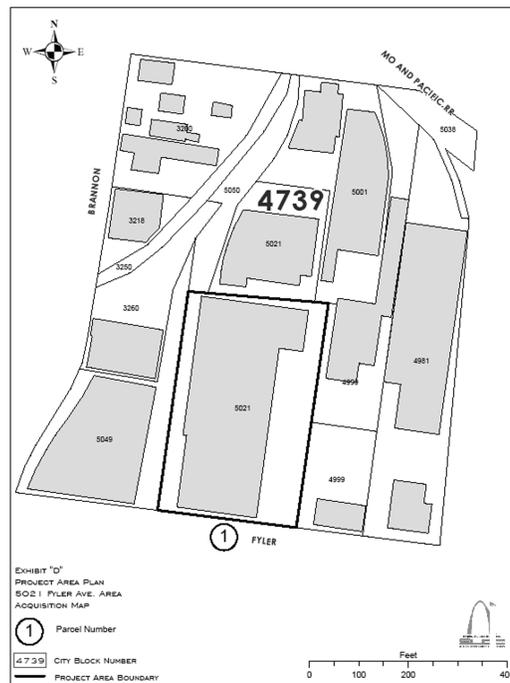
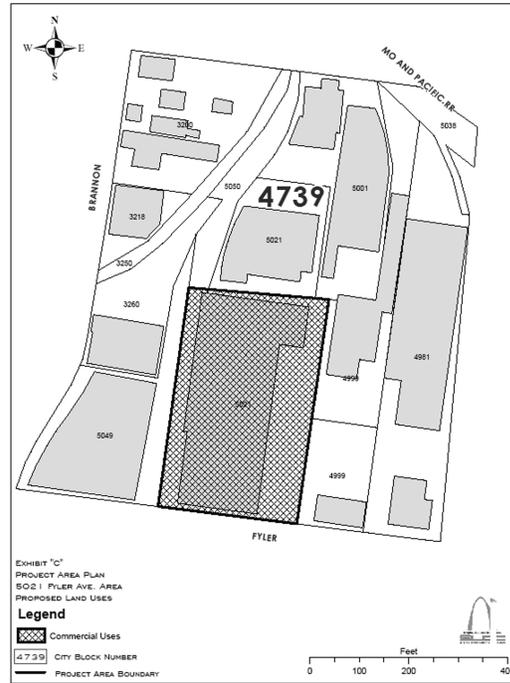
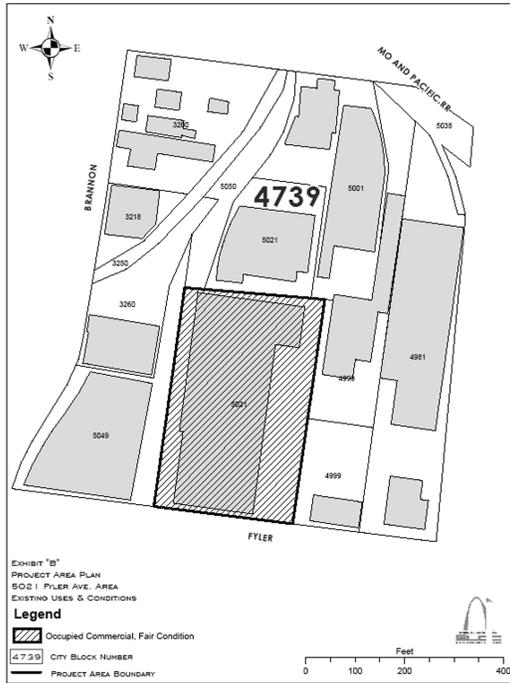
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

**Approved: March 17, 2008**

ORDINANCE NO. 67930 – EXHIBITS B, C & D



**ORDINANCE #67931**  
**Board Bill No. 405**

An ordinance approving a Redevelopment Plan for the 7109 S. Broadway Street Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that **no** property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is **unoccupied**. If it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for 7109 S. Broadway Street Area," dated November 13, 2007 consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

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

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 7109 S. Broadway Street Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

**SECTION FOURTEEN.** The Redeveloper may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein. Such real estate tax abatement shall not include any Special Business District taxes which may be assessed for the property located in a Special Business District.

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 which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

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

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

EXHIBIT "A"

7109 S. BROADWAY STREET AREA  
LEGAL DESCRIPTION

Parcel 1 CB 3041 BROADWAY  
19 FT 6 3/4 IN X 139 FT 5 IN  
EILERS ADDN BOUNDED  
N-78 FT 5 5/8 IN S SL OF BLOW ST

3041-00-00407  
7109 S. Broadway Street

EXHIBIT "B"  
Form 10/22/07

BLIGHTING STUDY AND PLAN  
FOR THE  
7109 S. BROADWAY STREET AREA  
PROJECT #1262  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
November 13, 2007

MAYOR  
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR  
7109 S. Broadway Street Area

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- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
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- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The 7109 S. Broadway Street Area ("Area") encompasses approximately 0.06 acres in the Carondelet neighborhood of the City of St. Louis ("City") and is located on the west side of S. Broadway St. with Blow Street. to the north and Nagel Avenue to the south.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises one parcel of City Block 3041. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.6 % unemployment rate for the City as of August, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied mixed use building.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for commercial purposes.

Residential density for the surrounding neighborhoods is approximately 10.70 persons per acre.

5. CURRENT ZONING

The Area is zoned "F" Neighborhood Commercial District, pursuant to the Zoning Code of the City, which is

incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential and commercial uses permitted in Areas designated "F" Neighborhood Commercial District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed purposes.

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

3. PROPOSED ZONING

The zoning for the Area can remain "F" Neighborhood Commercial 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 Strategic land Use plan (2005). 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 3-5 new jobs will be added as a result of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGNa. **Urban Design Objectives**

The property shall be developed so it is an attractive commercial and residential asset to the surrounding neighborhood.

b. **Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design.

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

c. **Landscaping**

The property shall be well landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

d. **Fencing**

Fencing in the front yards and facing side streets shall be limited to ornamental metal with black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. 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, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

New wall signs shall not obstruct any architectural building elements, and shall project no more than eighteen (18) inches from the face of the building: **Upper Level** signage shall be located just below or above the top floor windows facing in any direction regardless of street orientation, shall not exceed 2% of the area of the façade on which it appears nor have letters more than one foot in height for each ten foot (10') of building height provided that the maximum shall be ten foot (10') high letters (i.e. maximum sign letter height on a fifty foot (50') high building shall be five feet (5')). **Pedestrian level** signage shall be below the second floor window sill of a structure and/or above the store front windows or on the sides of building perpendicular to the street. The total pedestrian level signage per business per façade shall be the lessor of fifty (50) sq. ft. on ten percent (10%) of the ground floor façade area.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed and are placed neatly within the window or door opening. Signage on awnings may be located on the sloping portion of the canvas awning, on the front of a canopy or on the awning valance. In no case shall signage be allowed on both an awning and a building for the same business. Logos and graphic elements may be up to ten (10) sq. ft. in size (depending on the size of the awning), while names or brand copy shall be in proportion to the size of the awning, but in no case shall lettering be more than twelve inches (12") high.

Painted wall signs, roof signs, pole signs, moving signs, animated or flashing signs, or permanent or portable message board signs shall not be permitted in the Area, and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) years of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

**D. EXECUTION OF PROJECT**

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the area through the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

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

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement, which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions 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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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

**G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS****1. LAND USE**

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

**2. CONSTRUCTION AND OPERATIONS**

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

**3. LAWS AND REGULATIONS**

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

**4. ENFORCEMENT**

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

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

**H. MODIFICATIONS OF THIS PLAN**

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen

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

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

**I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

**EXHIBIT "A"**

**7109 S. BROADWAY STREET AREA  
LEGAL DESCRIPTION**

Parcel 1 CB 3041 BROADWAY  
19 FT 6 ¾ IN X 139 FT 5 IN  
EILERS ADDN BOUNDED  
N-78 FT 5 5/8 IN S SL OF BLOW ST

**3041-00-00407**  
7109 S. Broadway Street

See attached Exhibits B, C & D

**EXHIBIT "E"  
FORM: 08/02/99**

**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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

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.

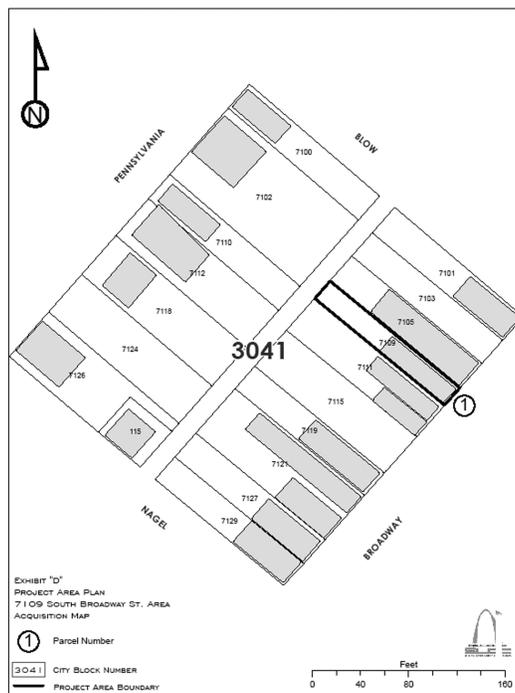
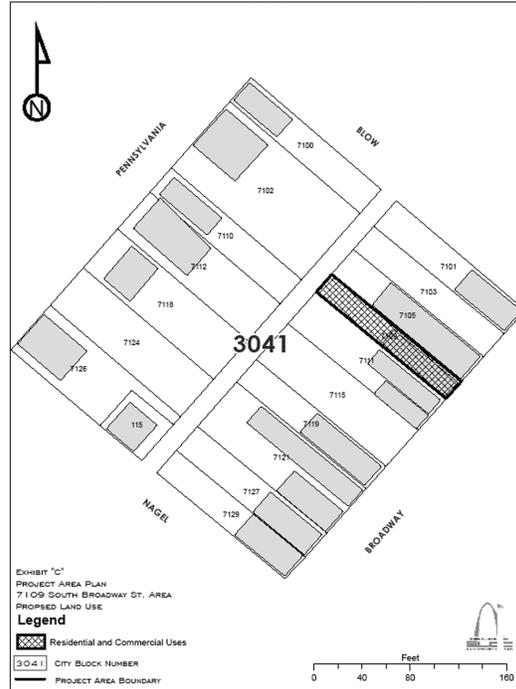
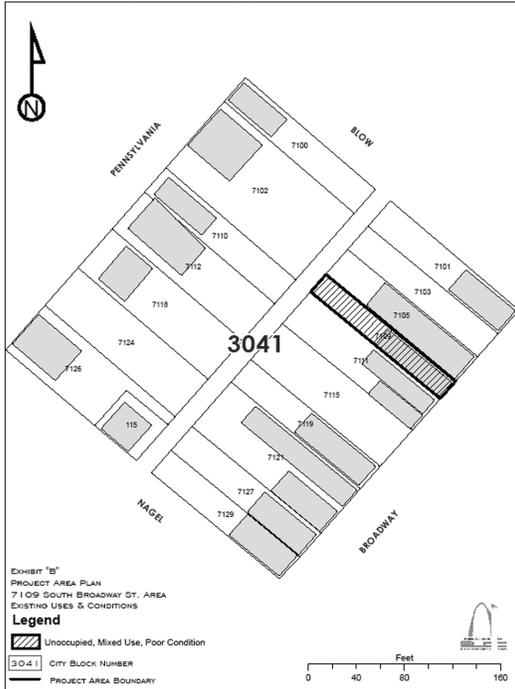
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

**Approved: March 17, 2008**

ORDINANCE NO. 67931 – EXHIBITS B, C & D



**ORDINANCE #67932**  
**Board Bill No. 423**

An ordinance approving a Redevelopment Plan for the 4239 Cleveland Ave. Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for the 4239 Cleveland Ave. Area," dated November 13, 2007 consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

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

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 4239 Cleveland Ave. Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007, ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

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

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

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

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

**EXHIBIT "A"**

**THE 4239 CLEVELAND AVE. AREA  
LEGAL DESCRIPTION**

C. B. 4933 CLEVELAND AVE  
30 FT X 123 FT 5 IN  
TYLER PL ADDN  
BLOCK 44 LOT E 19 W 20

PARCEL # **49330003900**

**EXHIBIT "B"  
Form: 10/19/07**

BLIGHTING STUDY AND PLAN  
FOR THE  
**4239 CLEVELAND AVE. AREA**  
PROJECT # 1261  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
NOVEMBER 13, 2007

MAYOR  
FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR  
4239 CLEVELAND AVE. AREA**

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- "A" LEGAL DESCRIPTION
- "B" PROJECT AREA PLAN
- "C" PROPOSED LAND USE
- "D" ACQUISITION MAP
- "E" EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The 4239 Cleveland Ave. Area (“the Area”) more fully described in Exhibit “A” attached hereto and incorporated herein by reference, consists of an unoccupied two-family house on an area approximating 0.072 acres in the Shaw Neighborhood. The Area is located on the south side of Cleveland Ave. between Tower Grove to the west and Klemm St. to the east.

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 a portion of City Block 4933. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit “B” (Project Area Plan). For the purpose of this Plan, “Fair Condition” means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. “Poor Condition” means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.4% unemployment rate for the City as of July, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an unoccupied residential building.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential properties.

Residential density for the surrounding neighborhoods is approximately 21.59 persons per acre.

5. CURRENT ZONING

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

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 *et seq.* of the Revised Statutes of Missouri 2000, as amended (the Land Clearance for Redevelopment Authority Law).

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "B" Two-Family Dwelling District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The 2005 Strategic Land Use Plan designates it as a Neighborhood Preservation Area.

3. PROPOSED ZONING

The zoning for the Area can remain "B" Two-Family Dwelling District." All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Strategic Land Use Plan" (2005). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

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

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property shall be developed so it is an attractive residential asset to the surrounding neighborhood.

**b. Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

**c. Landscaping**

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, as determined by the Parks Department of the City depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. Existing, healthy trees and shrubs shall be retained, if feasible.

**d. Fencing**

Fencing in the front yards and facing side streets shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matter finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street may be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property alley, and at least one parking space shall be provided for each residential unit. In addition, surface parking shall not exceed beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity.

10. SIGN REGULATIONS

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

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

**D. EXECUTION OF PROJECT**

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper 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. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

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

In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of such tax abatement, in accordance with the following provisions:

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 up to 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 up to 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 up to the first ten (10) years of such lease shall make payments in lieu of taxes to the Collector of Revenue of the City in an amount based upon the assessment on the property, including land and improvements, during the calendar year 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.

**G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS****1. LAND USE**

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

**2. CONSTRUCTION AND OPERATIONS**

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

**3. LAWS AND REGULATIONS**

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

**4. ENFORCEMENT**

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

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

**H. MODIFICATIONS OF THIS PLAN**

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

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

**I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

**EXHIBIT "A"****THE 4239 CLEVELAND AVE. AREA  
LEGAL DESCRIPTION**

C. B. 4933 CLEVELAND AVE  
30 FT X 123 FT 5 IN  
TYLER PL ADDN

BLOCK 44 LOT E 19 W 20

PARCEL # 49330003900

See attached Exhibits B, C & D

**EXHIBIT "E"**  
**FORM: 08/02/99**

**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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

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.

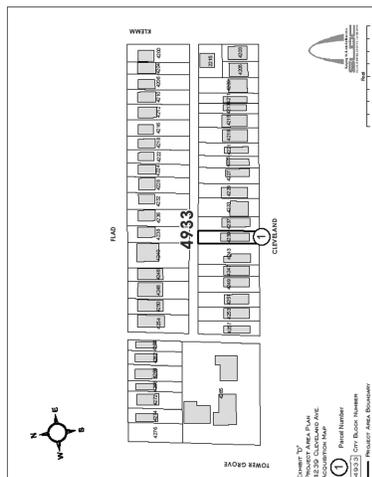
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

**Approved: March 17, 2008**

**ORDINANCE NO. 67932 – EXHIBITS B, C & D**



**ORDINANCE #67933**  
**Board Bill No. 425**

An ordinance approving a Redevelopment Plan for the 1544-1552 Fairmount Ave Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available five (5) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for 1544-1552 Fairmount Ave Area," dated November 13, 2007, consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

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

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 1544-1552 Fairmount Ave Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

**SECTION FOURTEEN.** 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 which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

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 five (5) 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 five (5) 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 five (5) 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 five (5) 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 five (5) years after the redevelopment corporation shall have acquired title to the property.

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

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

**EXHIBIT "A"**

**THE 1544-1552 FAIRMOUNT AREA  
LEGAL DESCRIPTION**

PARCEL #1-1544 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.

DOGTOWN TERRACE RESUBD  
LOT 38A

PARCEL NUMBER: **46130100550**

PARCEL #2-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOGTOWN TERRACE RESUBD  
LOT 37A

PARCEL NUMBER: **46130100540**

PARCEL #3-1548 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOGTOWN TERRACE RESUBD  
LOT 36A

PARCEL NUMBER: **46130100530**

PARCEL #4-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOGTOWN TERRACE RESUBD  
LOT 35A

PARCEL NUMBER: **46130100530**

PARCEL #5-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOGTOWN TERRACE RESUBD  
LOT 34A

PARCEL NUMBER: **46130100530**

BLIGHTING STUDY AND PLAN  
FOR THE  
**1544-1552 FAIRMOUNT AVE. AREA**  
PROJECT # 1263  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
NOVEMBER 13, 2007

MAYOR  
FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR  
1544-1552 FAIRMOUNT AVE. AREA**

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- “A” LEGAL DESCRIPTION
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- “E” EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The 1544-1552 Fairmount Ave. Area (“the Area”) more fully described in Exhibit “A” attached hereto and incorporated herein by reference, consists of a nearly complete two-story, five-unit condo on an area approximating 0.48 acre in the Franz Park Neighborhood. The Area is located on the east side of Fairmount Ave, between Dale Ave. to the north and Mitchell to the south.

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

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 4613. 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 under-utilized. “Poor Condition” means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.4% unemployment rate for the City as of July, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently zero jobs within the Area.

3. PRESENT LAND USE OF THE AREA

The Area includes one partially completed unoccupied five-unit residential structure.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential properties.

Residential density for the surrounding neighborhoods is approximately 9.78 persons per acre.

5. CURRENT ZONING

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

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in fair condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City 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, 2000, as amended, (the Land Clearance for Redevelopment Authority Law).

**B. PROPOSED DEVELOPMENT AND REGULATIONS**

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential uses permitted in Areas designated "A" Single-Family Dwelling District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the following:

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

3. PROPOSED ZONING

The zoning for the Area should remain "A" Single-Family Dwelling. 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 "Strategic Land Use Plan" (2005). 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

There are currently zero jobs within the Area. Completion of the project would result in the creation of zero jobs within the Area.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency (“PDA”) of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

**a. Urban Design Objectives**

The property shall be developed so it is an attractive residential asset to the surrounding neighborhood.

**b. Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

**c. Landscaping**

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

**d. Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property alley, and at least one parking space shall be provided for each residential unit. In addition, surface parking shall not exceed beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity.

10. SIGN REGULATIONS

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

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

### **C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

### **D. EXECUTION OF PROJECT**

#### **1. ADMINISTRATION AND FINANCING**

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

#### **2. PROPERTY ACQUISITION**

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

#### **3. PROPERTY DISPOSITION**

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper 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. (2000) as amended, for uses in accordance with this Plan.

#### **4. RELOCATION ASSISTANCE**

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

### **E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

### **F. TAX ABATEMENT**

A Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

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 five (5) 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 five (5) 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 five (5) 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 five (5) 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 five (5) years after the redevelopment corporation shall have acquired title to the property.

#### **G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS**

##### **1. LAND USE**

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

##### **2. CONSTRUCTION AND OPERATIONS**

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

##### **3. LAWS AND REGULATIONS**

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

##### **4. ENFORCEMENT**

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

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

#### **H. MODIFICATIONS OF THIS PLAN**

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

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

#### **I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

#### **J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

**EXHIBIT "A"****THE 1544-1552 FAIRMOUNT AREA  
LEGAL DESCRIPTION**

PARCEL #1-1544 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOG TOWN TERRACE RESUBD  
LOT 38A

PARCEL NUMBER: **46130100550**

PARCEL #2-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOG TOWN TERRACE RESUBD  
LOT 37A

PARCEL NUMBER: **46130100540**

PARCEL #3-1548 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOG TOWN TERRACE RESUBD  
LOT 36A

PARCEL NUMBER: **46130100530**

PARCEL #4-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOG TOWN TERRACE RESUBD  
LOT 35A

PARCEL NUMBER: **46130100530**

PARCEL #5-1546 FAIRMOUNT  
C.B. 4613A FAIRMOUNT AVE.  
DOG TOWN TERRACE RESUBD  
LOT 34A

PARCEL NUMBER: **46130100530**

See attached Exhibits B, C & D

**EXHIBIT "E"  
FORM: 05/26/99****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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redevelopment shall contractually require its contractors and subcontractors to comply with such laws.

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.

The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

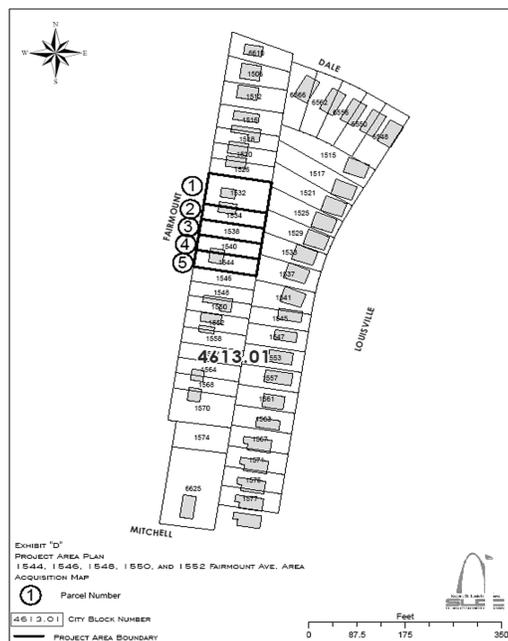
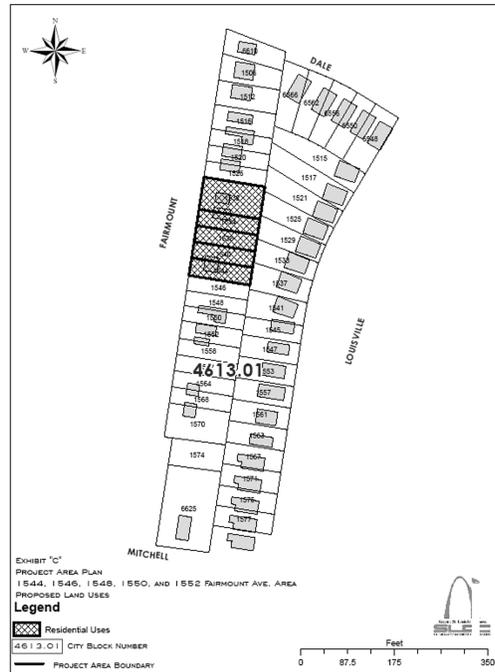
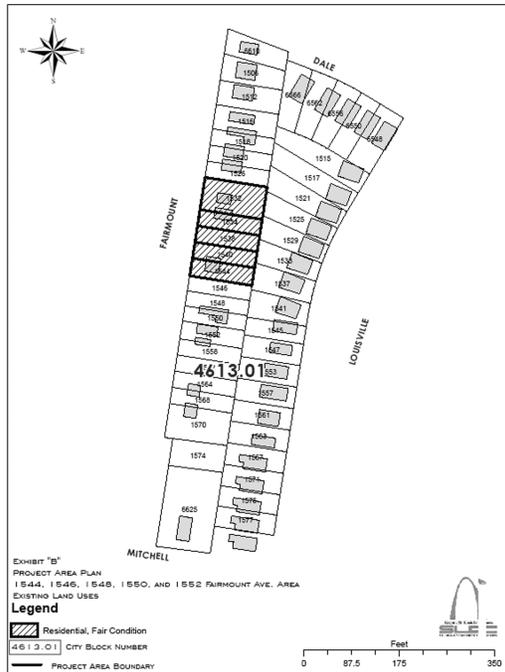
The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any

improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by “anchor tenants”) with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: March 17, 2008

ORDINANCE NO. 67933 – EXHIBITS B, C & D



**ORDINANCE #67934**  
**Board Bill No. 428**

An ordinance approving a Redevelopment Plan for the 3129 Oregon Ave. Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated November 13, 2007 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is unoccupied, but if it should become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available five (5) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

**WHEREAS**, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

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

**WHEREAS**, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for 3129 Oregon Ave. Area," dated November 13, 2007, consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

**WHEREAS**, the LCRA and 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 Area; and

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

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

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

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

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

**SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the 3129 Oregon Ave. Area.

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

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

**SECTION FOUR.** The Blighting Study and Plan for the Area, dated November 13, 2007 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

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

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

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

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

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

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

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

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;
- (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by 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 Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

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

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

**SECTION FOURTEEN.** 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 which shall not include any Special Business District, Neighborhood Improvement District, Commercial Improvement District or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

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 five (5) 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 five (5) 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 five (5) 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 five (5) 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 five (5) years after the redevelopment corporation shall have acquired title to the property.

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

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

**EXHIBIT "A"**

**THE 3129 OREGON AVE. STREET AREA  
LEGAL DESCRIPTION**

PARCEL ONE: 1472 OREGON  
23 FT 9IN X 125 FT

CITY SUBD ADDN  
LOT-S21

PARCEL # 14720001800

**EXHIBIT "B"**  
**Form: 10/19/07**

BLIGHTING STUDY AND PLAN  
FOR THE  
**3129 OREGON AVE. AREA**  
PROJECT # 1257  
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
OF THE CITY OF ST. LOUIS  
November 13, 2007

MAYOR  
FRANCIS G. SLAY

**BLIGHTING STUDY AND PLAN FOR  
3129 OREGON AVE. AREA**

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- “D” ACQUISITION MAP
- “E” EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES

**A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT**

1. DELINEATION OF BOUNDARIES

The 3129 Oregon Ave. Area (“the Area”) more fully described in Exhibit “A” attached hereto and incorporated herein by reference, consists of a two-story residential structure on an area approximating 0.06 acres in the Benton Park West Neighborhood, and is located on the west side of Oregon Ave. between Juniata to the south and Arsenal St. to the north.

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 a portion of City Block 1472. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit “B” (Project Area Plan). For the purpose of this Plan, “Fair Condition” means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. “Poor Condition” means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.4% unemployment rate for the City as of July, 2007. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently zero jobs within the Area.

3. PRESENT LAND USE OF THE AREA

The Area includes one residential building. The property is unoccupied.

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 AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are primarily used for residential properties.

Residential density for the surrounding neighborhoods is approximately 21.03 persons per acre.

5. CURRENT ZONING

The Area is zoned “B”Two-Family District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

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

existence of deteriorated property constitutes both an economic liability to the City 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, 2000, as amended, (the Land Clearance for Redevelopment Authority Law).

## **B. PROPOSED DEVELOPMENT AND REGULATIONS**

### **1. DEVELOPMENT OBJECTIVES**

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

### **2. PROPOSED LAND USE OF THE AREA**

The proposed land uses for the Area are residential uses permitted in Areas designated “B” Two-Family Dwelling District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis (“LCRA”) to develop property in the Area (hereafter referred to as “Redeveloper”) shall not be permitted to use said property for the following:

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

### **3. PROPOSED ZONING**

The zoning for the Area should all be “B” Two-Family Dwelling. 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 “Strategic Land Use Plan” (2005). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

### **5. PROPOSED EMPLOYMENT FOR THIS AREA**

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

### **6. CIRCULATION**

The Proposed Land Use Plan (Exhibit “C”) indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

### **7. BUILDING AND SITE REGULATIONS**

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency (“PDA”) of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

Each Redeveloper shall develop the Area in accordance with this Plan and the Redevelopment Agreement, and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

### **8. URBAN DESIGN**

#### **a. Urban Design Objectives**

The property shall be developed so it is an attractive residential asset to the surrounding neighborhood.

#### **b. Urban Design Regulations**

Rehabilitation shall respect the original exterior in terms of design and materials. Window and door shapes and detailing shall be compatible with the original design

New construction shall be compatible in design with the surrounding neighborhood, if any, in terms of scale, materials, set back, profile and site layout.

**c. Landscaping**

The property shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Ornamental or shade trees should be provided in the front lawns along with evergreen accent shrubs.

Existing, healthy trees shall be retained, if feasible.

**d. Fencing**

Fencing in the front yards shall be limited to ornamental metal with a black matte finish. Fencing behind the building line and not facing a street may be chain link with a black matte finish, or a good quality, privacy fence provided it is not wood stockade style. Fencing facing a side street shall be ornamental metal or a good quality board fence up to six (6) feet in height provided landscaping is provided between the fence and the sidewalk.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

Where feasible, parking shall be limited to the rear of the property alley, and at least one parking space shall be provided for each residential unit. In addition, surface parking shall not exceed beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

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

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

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

**C. PROPOSED SCHEDULE OF DEVELOPMENT**

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

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

**D. EXECUTION OF PROJECT**

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

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

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any property in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper 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. (2000) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

**E. COOPERATION OF THE CITY**

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

**F. TAX ABATEMENT**

A Redeveloper which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to five (5) years from the commencement of such tax abatement, in accordance with the following provisions:

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 five (5) 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 five (5) 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 five (5) 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 five (5) 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 five (5) years after the redevelopment corporation shall have acquired title to the property.

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

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

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

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

**H. MODIFICATIONS OF THIS PLAN**

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

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

**I. DURATION OF REGULATION AND CONTROLS**

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

**J. EXHIBITS**

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

**K. SEVERABILITY**

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

**EXHIBIT "A"**

**THE 3129 OREGON AVE. STREET AREA  
LEGAL DESCRIPTION**

PARCEL ONE: 1472 OREGON  
23 FT 9IN X 125 FT  
CITY SUBD ADDN  
LOT-S21

PARCEL # **14720001800**

See attached Exhibits B, C & D

**EXHIBIT "E"  
FORM: 05/26/99**

**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, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redevelopment shall contractually require its contractors and subcontractors to comply with such laws.

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.

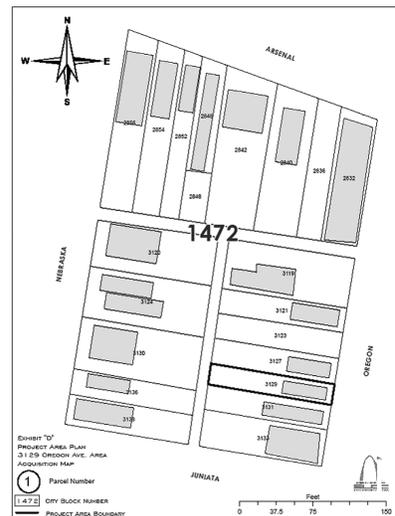
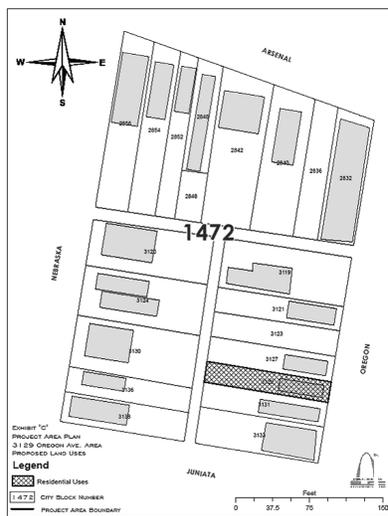
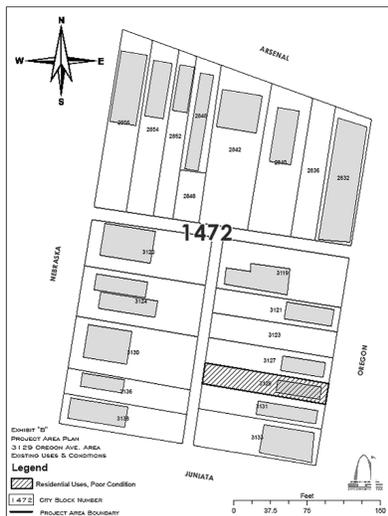
The Redevelopment shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

**Approved: March 17, 2008**

**ORDINANCE NO. 67934 – EXHIBITS B, C & D**



**ORDINANCE #67935**  
**Board Bill No. 439**

An Ordinance Authorizing the Execution of a Second Amendment to a Redevelopment Agreement in connection with the Phased-Redevelopment of the Chouteau/Compton Redevelopment Area.

**WHEREAS**, the Mayor approved Ordinance No. 64602 on February 23, 1999 authorizing the execution of a Redevelopment Agreement between the City of St. Louis, Missouri (the "City") and Chouteau Compton, L.L.C., a Missouri limited liability company (the "Developer"), relating to the development of the Chouteau/Compton Redevelopment Area, established pursuant to Ordinance No. 64522, approved by the Mayor on December 17, 1998; and

**WHEREAS**, the City and the Developer have entered into the aforementioned Redevelopment Agreement, and pursuant thereto, the Developer has acquired the parcels comprising the Chouteau/Compton Redevelopment Area and commenced work on the Chouteau/Compton Redevelopment Project; and

**WHEREAS**, the Mayor approved Ordinance No. 65117 on December 28, 2000 authorizing the execution of a First Amendment to Redevelopment Agreement between the City and the Developer dated as of January 5, 2001 (the "First Amendment to Redevelopment Agreement"), providing for the completion of the Redevelopment Project in phases (each, a "Phase") and for the sale or transfer to one or more qualified developers approved by the Tax Increment Financing Commission of the City of St. Louis, Missouri (each, a "Phase Developer") of individual Phases and for the issuance and assignment of TIF Notes to Phase Developers; and

**WHEREAS**, Phase I of the Redevelopment Plan has been completed with the construction and development (a) on Lot 1 of the Redevelopment Area of an approximate 63,000 square foot office building owned and operated by the State of Missouri and (b) on Lot 3 of the Redevelopment Area of an approximate 12,000 square foot auto parts retail and commercial distribution center operated by Genuine Parts Company doing business as NAPA Auto Parts; and

**WHEREAS**, in conjunction with the completion of Phase I of the Project, all Reimbursable Redevelopment Project Costs available under the Redevelopment Agreement have been expended by the Developer; and

**WHEREAS**, the Developer and the City desire to acknowledge that the "Completion Deadline" has been met for Phase I of the Project and to define and establish a new Completion Deadline for the Project; and

**WHEREAS**, pursuant to the Real Property Tax Increment Allocation Redevelopment Act of the Revised Statutes of Missouri, as amended, the City is authorized to enter into the Second Amendment to Redevelopment Agreement; and

**WHEREAS**, the City has approved the Second Amendment to Redevelopment Agreement in the form attached hereto as Exhibit A; and

**WHEREAS**, the Board of Aldermen hereby determines that the terms of the Second Amendment to Redevelopment Agreement are acceptable and that the execution, delivery and performance by the City and the Developer of their respective obligations under the Redevelopment Agreement, as amended by the First Amendment to Redevelopment Agreement and the Second Amendment to Redevelopment Agreement, are in the best interests of the City and the health, safety, morals and welfare of its residents, and in accord with the public purposes specified in the Redevelopment Plan.

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

**SECTION ONE.** The Board of Aldermen finds and determines that it is necessary and desirable to enter into the Second Amendment to Redevelopment Agreement with the Developer in order to implement the Redevelopment Plan and Redevelopment Project and to enable the Developer to carry out its Proposal for the redevelopment of the Redevelopment Area.

**SECTION TWO.** The Mayor and Comptroller are hereby authorized and directed to execute, on behalf of the City, the Second Amendment to Redevelopment Agreement between the City and the Developer, and the City Register is hereby authorized and directed to attest to the Redevelopment Agreement and to affix the seal of the City thereto. The Second Amendment to Redevelopment Agreement shall be in substantially the form attached hereto as Exhibit A, which Second Amendment to Redevelopment Agreement is hereby approved by the Board of Aldermen with such changes therein as shall be approved by the officers of the City executing the same.

**SECTION THREE.** The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

**SECTION FOUR.** Be it further ordained that all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**EXHIBIT A****SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT**

THIS SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT (this "Amendment") is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between the City of St. Louis, Missouri, a city and political subdivision duly organized and existing under its charter and the Constitution and laws of the State of Missouri (the "City") and Chouteau Compton L.L.C., a limited liability company duly organized and existing under the laws of the State of Missouri (the "Developer").

WITNESSETH:

WHEREAS, the City and the Developer entered into a certain Redevelopment Agreement dated as of March 8, 1999 (the "Redevelopment Agreement"), relating to that certain Redevelopment Plan for the Chouteau/Compton Redevelopment Area dated September 3, 1998 (the "Redevelopment Plan"), pursuant to which the Developer proposed to develop and construct, in cooperation with the City, within the Redevelopment Area, as described in the Redevelopment Plan, a minimum of 200,000 square feet of office or/office/warehouse space (the "Redevelopment Project"); and

WHEREAS, terms defined in the Redevelopment Agreement and used herein shall have the same meaning as so defined; and

WHEREAS, the City has approved the Redevelopment Project as serving a public purpose; and

WHEREAS, the City has agreed to finance a portion of the costs to be incurred in connection with the Redevelopment Project by utilizing tax increment financing in accordance with the Act (as hereinafter defined), and has established the Chouteau/Compton Redevelopment Area (Tax Increment Financing Project) and authorized the issuance and sale of not to exceed \$3,600,000 aggregate principal amount of tax increment revenue notes (the "TIF Notes") under the auspices of the Tax Increment Financing Commission of the City of St. Louis, Missouri (the "TIF Commission"), the proceeds of which are to be used to pay for a portion of the costs of the Redevelopment Project; and

WHEREAS, on December 17, 1998 and February 23, 1999, the Mayor approved Ordinance No. 64522 and Ordinance No. 64602, respectively, designating the Redevelopment Area as a Redevelopment Area pursuant to the Act, approving the Redevelopment Plan for the Redevelopment Area and authorizing the use of eminent domain by and through the City under the auspices of the Act to acquire certain parcels within the Redevelopment Area, and adopting tax increment financing for the Redevelopment Area; and

WHEREAS, on December 28, 2000, the Mayor approved Ordinance No. 65117, approving the phased development of the Redevelopment Area (each, a "Phase") by "Phase Developers" pursuant to the Act, (together with Ordinance No. 64522 and Ordinance No. 64602, the "Ordinances")

WHEREAS, all Phase Work (as defined in the First Amendment to Redevelopment Agreement) of Phase I of the Redevelopment Project has been completed, and all TIF Notes, other than a TIF Note or TIF Notes with respect to the 10% retention required under Section 7(C) of the Redevelopment Agreement (the "Retention TIF Note(s)"), have been issued by the City with respect to Phase I of the Redevelopment Project; and

WHEREAS, the Developer is prepared to cause the redevelopment of Phase II of the Project to be completed on Lot 2 of the Redevelopment Area; and

WHEREAS, the Developer and the City desire to provide for the completion of Phase II, for a revised Project Completion Deadline, and for the issuance of Retention TIF Note(s), all as hereinafter set forth; and

WHEREAS, it is the intent of the City and the Developer, that the Agreement be further amended to implement the foregoing objectives; and

WHEREAS, on \_\_\_\_\_, the Mayor approved Ordinance No. \_\_\_\_\_, authorizing the execution and delivery of this Second Amendment to Redevelopment Agreement;

NOW, THEREFORE, the City and the Developer, in consideration of the premises and the mutual agreements herein contained, subject to the conditions herein set forth, do hereby agree to further amend the Redevelopment Agreement as follows:

1. Definitions. As used in the Redevelopment Agreement, the term "Completion Deadline" is hereby deleted and the term "Phase I Completion Deadline" is inserted in lieu thereof. The term "Project Completion Deadline" means the deadline for completion of Phase II of the Project, which date shall be June 15, 2010.

2. Phase I Completion and Project Completion Deadline. The parties acknowledge that Phase I of the Project was completed prior to the expiration of the Phase I Completion Deadline, notwithstanding the pending issuance of a Certificate of Substantial Completion. Phase II of the Project shall be completed not later than the Project Completion Deadline.



On this \_\_\_\_ day of \_\_\_\_\_, 2008, before me appeared Darlene Green, to me personally known, who, being by me duly sworn, did say that she is the Comptroller of the City of St. Louis, Missouri, that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed on behalf of said City by authority granted her by law; and said Darlene Green acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and State aforesaid, the day and year first above written.

My term expires \_\_\_\_\_

(Seal)

\_\_\_\_\_  
Notary Public

STATE OF MISSOURI     )  
                                  )  
CITY OF ST. LOUIS     )         SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2008, before me appeared Michael J. Barnell, to me personally known, who, being by me duly sworn, did say that he is the Managing Member of Chouteau Compton L.L.C., a Missouri limited liability company, and that said instrument was signed on behalf of said company by authority of its members; and said Michael J. Barnell acknowledged said instrument to be the free act and deed of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and State aforesaid, the day and year first above written.

My term expires \_\_\_\_\_

(Seal)

\_\_\_\_\_  
Notary Public

**EXHIBIT A**

LEGAL DESCRIPTION OF THE REDEVELOPMENT AREA BOUNDARY

A tract of land in Blocks 2235, 2248, 2249 and 2253, of the City of St. Louis, Missouri, together with portions of Compton Avenue, Chouteau Avenue, Ewing Avenue, and Papin Street, adjoining said Blocks; in the City of St. Louis, Missouri; said tract being more particularly described as follows:

Beginning at the point of intersection of the southern line of Chouteau Avenue, 80 feet wide, with the southern prolongation of the eastern line of Ewing Avenue, 50 feet wide (slant); thence N 74°53' W 477.66 feet along the southern line of said Chouteau Avenue, to an angle point therein; thence continuing N 75°00' W 932.73 feet along the southern line of said Chouteau Avenue, to the southern prolongation of the western line of Compton Avenue, 60 feet wide; thence N 14°59' E 674.50 feet along said prolongation and along the western line of said Compton Avenue, to the western prolongation of the northern line of Lot A, of "CHOUTEAU-COMPTON SUBDIVISION," according to plat recorded in Plat Book 69, Page 42, City of St. Louis Recorder's Office; thence S 65°19'50" E 682.43 feet along said prolongation and along the northern line of said Lot A, to an angle point therein; thence continuing S 72°13'40" E 325.92 feet along the northern line of said Lot A, and its eastern prolongation; thence S 74°00' E 511.28 feet to the northern prolongation of the former Ewing Avenue, 50 feet wide (slant), vacated by Ordinance 44665; thence S 25°27' W 113.67 feet along said prolongation and along the eastern line of said former Ewing Avenue; thence S 51°20'40" E 57.60 feet to a point in the northern line of Papin Street, 60 feet wide, said point being the most eastern corner of that portion of Ewing/Papin, vacated by Ordinance 44665; thence S 74°53' E 275.35 feet along the northern line of said Papin Street, to the eastern line of Lot 8, in said Block 2253; thence S 15°07' W 60.00 feet along a line perpendicular to the northern line of said Papin Street, to the southern line of said Papin Street; thence N 74°53' W 262.85 feet along the southern line of said Papin Street, to an angle point therein; thence continuing S 81°34'40" W 95.31 feet along the southern line of said Papin Street, to the eastern line of the aforesaid Ewing Avenue; thence S 25°27' W 308.48 feet along the eastern line of said Ewing Avenue and its southern prolongation, to the southern line of said Chouteau Avenue and the point of beginning and containing 866,985 Square Feet, or 19.9032 acres.

**Approved: March 17, 2008**