

**ORDINANCE #68327
Board Bill No. 114**

An ordinance pertaining to massage therapists and massage facilities; containing definitions; requirements of the massage therapist license; requirements of the massage facility business license; no transferring of licenses; advertising; inspections; in-office massage; suspension and/or revocation of licenses; therapeutic massage schools, renewal of licenses; persons under the age of eighteen; and containing an emergency clause.

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

SECTION ONE. Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Massage therapy" shall mean a health care profession which involves the treatment of the body's tonus system through the scientific or skillful touching, rubbing, pressing or other movements of the soft tissues of the body with the hands, forearms, elbows, or feet, or with the aid of mechanical apparatus, for relaxation, therapeutic, remedial or health maintenance purposes to enhance the mental and physical well-being of the client, but does not include the prescription of medication, spinal or joint manipulation, the diagnosis of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law, or to those occupations defined in chapter 329, RSMo.

B. "Massage Business or Facility" shall mean an establishment where any person performs massage or permits massage therapy to be performed for compensation. The operator of a massage business or facility must obtain a massage facility business license pursuant to Section Three.

C. "Massage Therapist" shall mean a person who has completed all requirements of this chapter for a massage therapist business license in order to practice massage within the City. Upon receipt of a massage therapist business license from the license collector of the City, a massage therapist may perform massage for compensation, but only at a licensed massage facility.

D. "Patron" shall mean any person who receives massage subject to the provisions of this ordinance under circumstances wherein it is reasonably expected that the patron will pay money or give any other consideration therefore.

E. "Sexual or genital areas" shall mean the genitals, pubic area, anus or perineum of any person, and the vulva or breasts of a female.

SECTION TWO. Massage Therapist Business License.

It shall be unlawful for any person to perform massage for compensation within the City without first obtaining a massage therapist business license, pursuant to this ordinance. A complete application shall be submitted to the Board of Public Service.

A. License application. An applicant for a massage therapist business license must furnish the Board of Public Service with a valid photo identification issued by an agency of either the State of Missouri or the United States of America, and an original or certified copy of the massage therapy certificate/license issued to the applicant by the Missouri Department of Economic Development, Division of Professional Registration, Missouri State Board of Therapeutic Massage, and the full license fee established by Section Three.

B. Application review. The Board of Public Service shall obtain confirmation from the Missouri Department of Economic Development, Division of Professional Registration, Missouri State Board of Therapeutic Massage that the certificate/License presented by the applicant is not under suspension or revocation, and remains in good standing.

C. Display of license/limitations on off-premise massage. The massage therapist business license shall be displayed at all times by the licensee openly and conspicuously on the premises of the massage facility where the massage is performed.

D. Exemptions. Practitioners who are exempt from the provisions of the Missouri Massage Therapy licensing law, Secs. 324.240, et seq. RSMo., shall not be required to obtain a massage therapist business license under the provisions of this ordinance.

SECTION THREE Massage Facility Business License required.

A. It shall be unlawful for any person to operate or maintain a massage facility in the City without first obtaining a massage facility business license pursuant to this ordinance. A complete application shall be submitted to the Board of Public Service. The massage facility business license shall be in addition to any other business license, including any massage therapist business license, required the owner or operator of the massage facility.

B. License. An applicant for a massage facility business license must furnish the Board of Public Service with the original massage business license issued to the applicant by the Missouri Department of Economic Development, Division of Professional Registration, Missouri State Board of Therapeutic Massage and a fee of one hundred dollars (\$100.00) for each massage facility.

C. Application review. The Board of Public Service shall obtain confirmation from the Missouri Department of Economic Development, Division of Professional Registration, Missouri State Board of Therapeutic Massage that the massage business license presented by the applicant is not under suspension or revocation, and remains in good standing. Approval by the Board of Public Service of a massage facility business license shall also be contingent on the following:

1. Location of facility. The massage facility shall comply with the City's Zoning Code.
2. Location in hotel or motel. The massage facility may be located in a hotel or motel only in a space specifically designated and dedicated for that purpose by responsible and identifiable hotel or motel management. The space so designated and dedicated shall be used solely for massage services and for no other purpose at any time.
3. Inspection by the Department of Health and regulations. No massage facility business license shall be approved by the Board of Public Service unless the Director of the City's Department of Health Department or his/her designee certifies to the Board of Public Service that the massage facility complies with all applicable health and safety laws, and any regulations as promulgated by the Director of the Department of Health.

D. The massage facility business license shall be displayed at all times by the licensee openly and conspicuously on the premises of the massage facility where the massage is performed.

E. Responsibility of license holder. The holder of a massage facility business license may hire or contract with massage therapists holding valid massage therapist business licenses from the City to perform massage at the facility for compensation. Massage facility business licensees are at all times responsible for any act or conduct in violation of this chapter of any massage therapist on the massage facility premises.

Nothing contained in this section shall be construed to eliminate other requirements of statute, regulation or ordinance concerning the maintenance of such premises, nor preclude authorized inspection thereof.

SECTION FOUR No transfer of license.

A. Massage facility licenses and massage therapist business licenses are not transferable and such authority as a license confers shall be conferred only on the location or person identified therein.

B. Fees paid and licenses obtained pursuant to this ordinance shall be in addition to and not in lieu of any other fees or licenses required to be paid or obtained pursuant to this ordinance or any other ordinances of this City.

SECTION FIVE Operating regulations.

Operation of a massage facility shall be subject to the following regulations:

1. Hours. The facility shall be closed and operations shall cease between the hours of 12:00 midnight and 6:00 a.m. each day.
2. Separation of sexes. It shall be unlawful for patrons of opposite sex to receive massage in the same room at the same time.
3. Danger to safety, health. No massage therapy shall be provided which in the opinion of the Health Department would impair the safety or health of any person and after such notice in writing to the licensee from such Health Department official.
4. Alcoholic beverages. No intoxicating liquor or non-intoxicating beer, nor the consumption thereof, shall be permitted on any premises licensed pursuant to this ordinance.
5. Conduct on premises. All persons holding a massage facility business license shall at all times be responsible for the conduct of business on the licensed premises, and for any act or conduct of any massage therapist utilizing the facility which constitutes a violation of the provisions in this chapter. Any violation of city, state or federal laws committed on the licensed premises by any such holder of a massage facility business license, holder of a massage therapist business license, or employee of the facility that affects the eligibility or suitability of such person to hold a license, may be grounds for suspension or revocation of the business license.
6. Sanitation of premises. All portions of a licensed facility, including appliances, shall be kept clean and operated in a sanitary condition.
7. Sanitation of massage therapists and employees. All massage therapists shall be clean and wear clean clothes. Provisions for a separate massage therapist/employee dressing room for each sex must be available on the premises with individual lockers for each massage therapist and employee. Doors to such dressing rooms shall open inward.
8. Dress of massage therapists and employees. At all times all massage therapists and employees must be fully and modestly dressed in opaque attire that does not expose to view any sexual or genital areas.

9. Dress of patrons. The sexual and genital areas of a patron must be covered by towels, cloths or undergarments when the patron is in the presence of a massage therapist or employee. Any contact with a patron's sexual or genital areas is strictly prohibited.

10. Laundry. All sheets and towels provided patrons in massage facilities shall be clean and laundered after each use and stored in a sanitary manner.

11. Cleaning premises. Wet and dry heat rooms, shower compartments and toilet rooms shall be thoroughly cleaned each day the facility is in operation. Bathtubs shall be thoroughly cleaned after each use.

SECTION SIX Advertising.

No massage therapist or massage facility operator licensed pursuant to this ordinance shall place, publish or distribute or cause to be placed, published or distributed any advertising matter pertaining to massage that would reasonably suggest to prospective patrons that any service is available other than massage as defined in and regulated by this division; or that massage therapists or employees are dressed in any manner other than required by this ordinance.

SECTION SEVEN Inspections, immediate right of entry.

The St. Louis Police Department and the Department of Health officials may from time to time inspect a licensed massage facility to determine compliance with any provisions of this ordinance.

It shall be unlawful for any person holding a massage facility business license, a massage therapist business license or an employee of such licensee to refuse such inspection officer immediate access to the premises or to hinder such officer in any manner; such refusal or hindrance on the part of any license holder or employee shall be grounds for the immediate revocation or suspension of any relevant massage therapist or massage facility business license.

SECTION EIGHT. Suspension/revocation and promulgation of rules.

A. Whenever a majority of the persons, if any, owning property, and a majority of persons, if any, occupying premises or conducting any business on the main surface floor of premises within a prescribed petition circle drawn by a radius of three hundred feet plus one-half of the width of the front of the arcade from the center of the premises projected to the street, shall sign and thereafter file a written petition before the Board of Public Service demanding the revocation of the license which has been issued in accordance with this Chapter, the license shall be revoked and be held null and void if a majority of the Board of Public Service finds that the petition is in the form prescribed in this section.

B. In addition to the revocation by neighborhood petition, a majority of the Board of Public Service may suspend any or all of a licensee's licenses for a period of not more than thirty days or any portion thereof, or may revoke any or all of a licensee's licenses issued in accordance with Chapter whenever it is found that the licensee has obtained any license through misrepresentation or fraud or that the licensee has disregarded or violated any of the regulations or laws pertaining to massage therapy. The licensee shall be notified in writing of the charges or infractions. These shall be mailed to the licensee at the address of any of his licensed premises or at the last known residence of the licensee. A public hearing shall be held before the Board of Public Service at a specified time. At the hearing, evidence under oath shall be heard concerning the charges or infractions and the licensee or his attorney may present evidence in answer to defense thereto. Evidence of infractions or violations other than those specified in writing to the licensee may also be presented at the hearing, provided, however, that the licensee shall be given reasonable additional time, if he or she so requests, to prepare his answer or defense to such additional infractions or violations. The Board of Public Service shall render a decision within fourteen days after completion of the formal hearing and shall mail a copy of its decision to the licensee. Appeals from the decision of the Board of Public Service may be taken by the licensee as provided by law. Any person whose license has been revoked shall not again be allowed to obtain a license issued by this ordinance for one year thereafter.

C. A massage therapist whose massage therapist business license is suspended or revoked shall immediately surrender to the Board of Public Service the permit associated with the license.

D. The Board of Public Service is authorized to adopt all necessary forms and to enact, promulgate and enforce all rules and regulations necessary for the reasonable interpretation and enforcement of this chapter.

SECTION NINE Therapeutic massage schools.

A. A school offering massage training must first obtain a Certificate to Operate as a therapeutic massage school from the Missouri Department of Higher Education. Any student of such school may perform massage as part of the curriculum training, provided that:

1. The student does not represent himself or herself as a licensed massage therapist;
2. Neither the student nor an instructor receives compensation for the massage; and
3. Any massage a student performs is personally supervised by a qualified school instructor.

B. Any such school shall prominently display a Missouri Department of Higher Education Certificate to Operate as such.

C. Therapeutic massage schools shall comply with all zoning regulations.

SECTION TEN. Renewal of licenses.

A. Massage facility and massage therapist business licenses shall be issued annually. The first license shall be effective upon approval, and expire one year from date of issuance.

B. Renewal applications must be received by the Board of Public Service no later than thirty (30) days prior to expiration. Applications to renew a massage therapist business or massage facility business license shall satisfy the requirements of an original application and, in the case of an application to renew a massage therapist business license, be accompanied by confirmation from the Missouri Department of Economic Development, Division of Professional Registration, Missouri State Board of Therapeutic Massage that the certificate/License presented by the applicant is not under suspension or revocation, and remains in good standing.

C. If any renewal application contains information that, in the Board of Public Service's opinion, does not warrant renewal or if other information known to the Board of Public Service indicates that renewal is not warranted, the Board of Public Service shall notify the applicant in writing, mailed by regular mail to the applicant at the address on the renewal application, that the license renewal application is denied. In that case applicant may contact the Board of Public Service that applicant desires a public hearing before the Board of Public Service. So notified, the Board of Public Service shall schedule the hearing and the Board of Public Service shall decide the matter.

SECTION ELEVEN. Persons under age 18.

A. No person shall permit any person under the age of eighteen (18) years to come or remain on the premises of a massage facility as a massage therapist or employee of a massage therapist or massage facility.

B. A person under the age of eighteen (18) years may be a patron of a massage therapist only if, while at all times as a patron, the person possesses written, signed consent of a custodial parent or legal guardian.

Approved: April 22, 2009

**ORDINANCE #68328
Board Bill No. 176**

An Ordinance, recommended and approved by the Board of Public Service (the "Board of Public Service"), ratifying the execution by the Mayor of the City of St. Louis (the "City") of a Memorandum of Agreement among the U.S. Army Engineer District, Kansas City, sometimes referred to as the Corps of Engineers, Northwest Division, Kansas City ("CENWK"), the City, and the Metropolitan St. Louis Police Department regarding possible unexploded ordnance in Forest Park, and authorizing and directing the execution of such Memorandum of Agreement by the Comptroller on behalf of the City; with an emergency provision.

WHEREAS, the Defense Environmental Restoration Program (DERP), 10 U.S.C. 2701-2707, 1986 authorizes the Secretary of Defense to conduct response actions at sites which were contaminated while under the jurisdiction of the Department of Defense (DoD); and

WHEREAS, CENWK is charged with fulfilling the DoD's responsibility to clean up contaminated Formerly Used Defense Sites (FUDS) in a geographic area that includes Forest Park; and

WHEREAS, a Munitions and Explosive of Concern Engineering Evaluation/Cost Analysis Report for Forest Park (FUDS #B07M0098800) has been prepared by the U.S. Army Engineer District, Omaha at the request of CENWK and said report has identified an area of concern for unexploded ordnance as a result of former military use of Forest Park and has recommended certain institutional controls; and

WHEREAS, it is in the best interest of the public to institute the recommended institutional controls.

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

SECTION ONE. The execution by the Mayor of the City of St. Louis of the Memorandum of Agreement (MOA) in the form attached hereto as Exhibit A is hereby ratified and approved.. The Comptroller is authorized and directed to execute such MOA on behalf of the City.

SECTION TWO. The Board of Public Service is hereby directed to establish rules and regulations in furtherance of the City's responsibilities under the MOA.

SECTION THREE. In the event that the Area of Concern, either in whole or in part, is subject to sale or transfer of ownership by the City, then terms of that sale or transfer of ownership shall include provisions assigning the City's responsibilities

under the MOA to the new owner.

SECTION FOUR. This being an ordinance for the immediate preservation of the public peace, health or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City Charter and shall become effective immediately upon its passage and approval by the Mayor of the City.

EXHIBIT A

MEMORANDUM OF AGREEMENT (MOA)
BETWEEN
U.S. ARMY ENGINEER DISTRICT, KANSAS CITY
AND
CITY OF ST. LOUIS, MISSOURI
FOR
THE FORMER FOREST PARK RECREATION CAMP,
ST. LOUIS, MISSOURI

1. **Purpose:** The Purpose of this Memorandum of Agreement (MOA) is to define the relationship, responsibilities, and general objectives under which the City of St. Louis, Missouri (City of St. Louis), and the U.S. Army Corps of Engineers, Kansas CITY District (CENWK), will provide future military ordnance and explosives response and institutional controls during any and all construction activities on the site of the Forest Park Area of Concern detailed in the map ("the Site") attached to this document as Appendix A. All of the Parties are vitally interested in ensuring that the public is informed of the potential dangers of military ordnance and explosives on the Site, and in ensuring that qualified personnel perform any necessary emergency response to the discovery of potential military ordnance and explosives at the Site in a swift and proper manner. The MOA is intended to promote coordination and cooperation between the City of St. Louis and CENWK.

2. **Authority:** The MOA is created in accordance with the Defense Environmental Restoration Program (DERP), 10 U.S.C. 2701-2707, 1986, which authorizes the Secretary of Defense to conduct response actions at sites which were contaminated while under the jurisdiction of the Department of Defense (DoD). Additionally, 40 C.F.R. 300.120, designates DoD to be the removal response authority for incidents involving DoD military weapons and munitions under the jurisdiction, custody and control of DoD. The City of St. Louis is authorized to enter into the provisions of this MOA under City of St. Louis Ordinance ____ (Board Bill ____).

3. **Scope:** This MOA defines and establishes mutually agreed upon terms, conditions, roles, and responsibilities related to future institutional controls implemented at the Site and future military ordnance and explosive response activities at the Site to ensure the safe and proper removal and disposal of potential military ordnance and explosives, especially unexploded ordnance (UXO).

4. **CENWK Responsibilities:**

a. CENWK is charged with fulfilling the DoD's responsibility to clean up contaminated Formerly Used Defense Sites (FUDS) in a geographic area that includes the Site.

b. CENWK will be responsible for the overall project management of the ordnance safety oversight efforts, including all funding actions, the coordination of community relations functions, and any notification to the Missouri Department Natural Resources (MDNR), the Environmental Protection Agency (EPA), and the City of St. Louis, if it has not already been notified, of any discovery of potential military ordnance and explosives.

c. CENWK will make a minimum of one visit to the Site every year to remain actively informed of any new or different information regarding the Site.

d. CENWK will provide informational pamphlets related to the potential for military ordnance and explosives on the Site as part of the institutional controls implemented for the Site to the City of St. Louis. The pamphlets will be written in English and Spanish to illustrate and describe military ordnance and explosives items that may be found at the Site to construction workers, maintenance workers, and the general public. The pamphlets will instruct that no one should touch what is suspected to be a military ordnance or explosive item, and a person is to call 911 if a potential military ordnance or explosive item is found. CENWK will routinely check with the City of St. Louis regarding the supply of the informational pamphlets and will provide more pamphlets when necessary.

e. CENWK will be responsible for maintaining a current Point of Contact (POC) list attached to this MOA as Appendix B.

f. CENWK will be responsible for the management and coordination of all funding actions regarding informational pamphlets.

g. CENWK will be responsible for funding requests to FUDS Program Manager at Northwestern Division (NWD).

h. CENWK will be responsible for notification to MDNR and EPA of any changes to the FUDS program that would

affect the terms of this MOA.

i. CENWK will be responsible for the coordination and performance of a five year review that will include a complete survey of the Site to determine if any changes have occurred and conduct interviews with City of St. Louis officials and stakeholders in order to obtain information concerning future land use at the site. This review shall begin five years after the Action Memorandum is signed.

j. The Commander, CENWK, will designate a single POC responsible for coordinating and directing all CENWK requests for assistance from the City of St. Louis.

k. CENWK will be responsible for funding requests if additional work is required at the site.

5. City of St. Louis' Responsibilities:

a. The City of St. Louis will accept informational pamphlets from CENWK regarding the potential for ordnance and explosives to exist on the Site. The City of St. Louis through its Board of Public Service will distribute the informational pamphlets to any person, company, organization, political subdivision, or other entity that plans doing any construction, digging, soil removal, or other activity that might disturb the soil on the Site. The City will include appropriate provisions in its contracts or permits issued for such work.

b. The City of St. Louis will be responsible for notification to CENWK of any changes to land use at the Site that shall include major construction and/or significant excavation type activities, including, but not limited to new buildings and underground utilities.

c. The City of St. Louis will be responsible for notification to CENWK if the Site is sold. In the event that the City of St. Louis should sell the Site identified in this MOA as the Forest Park Area of Concern, then the terms of the sale of the Site to the new property owner shall include a legal mechanism that binds the new owner to the terms of this MOA and shall be added to this MOA as Appendix C.

d. The City of St. Louis will be responsible for providing notification to the buyer of the potential presence of military munitions at the Site and shall also notify buyer of restrictions and other requirements in regard to the presence, location, and disposition of potential military munitions.

6. St. Louis Metropolitan Police Department Responsibilities:

a. The St. Louis Metropolitan Police Department's Bomb and Arson Squad ("St. Louis Bomb Squad") will support CENWK in the capacity of emergency response if military ordnance or explosives are discovered at the Site.

b. Upon the discovery of suspected military ordnance on the Site and notification, the St. Louis Bomb Squad will respond to the location on the Site of the suspected military ordnance. The St. Louis Bomb Squad then will attempt to positively identify the suspected military ordnance as a Stokes Mortar or Livens Projector present at the site. If the St. Louis Bomb Squad is unable to positively identify the military ordnance as a Stokes Mortar or Livens Projector, then the St. Louis Bomb Squad will call the 52nd Explosive Ordnance Group (EOD) of the United States Army for that EOD organization to remove, render safe, or otherwise dispose of the suspected military ordnance or explosive. If the St. Louis Bomb Squad finds and identifies numerous military ordnance or explosives requiring extensive clearance operations, then the St. Louis Bomb Squad will abate the immediate safety threat. The St. Louis Bomb Squad then may recommend to CENWK that it identify the site as requiring full remediation.

c. The St. Louis Bomb Squad shall perform off-site disposal of the above-limited military ordnance and explosives discovered on the Site, unless in-place detonation is deemed necessary for safety reasons.

d. The St. Louis Bomb Squad will secure the area of the Site where the suspected military ordnance or explosive was discovered from all other personnel and the public.

e. The St. Louis Bomb Squad shall distribute any police reports generated as a result of a removal and/or disposal of a suspected military ordnance item to CENWK.

f. The St. Louis Bomb Squad will provide other personnel from the Saint Louis Police Department to secure any UXO items if overnight security is thought to be necessary after the Bomb Squad's team has arrived but before any removal or disposal procedure can be performed.

g. The St. Louis Bomb Squad will coordinate and respond to any news media and public inquiries concerning military ordnance removal or disposal activities at the Forest Park site and immediately notify the CENWK POC.

h. The St. Louis Bomb Squad shall designate a single Point-of-Contact (POC) responsible for coordinating and directing the St. Louis Police Department's activities with CENWK, particularly with regards to notification to CENWK of the discovery of any suspected military ordnance or explosive on the Site.

7. Funding: The City of St. Louis and the St. Louis Metropolitan Police Department have not sought reimbursement

or other payment for previous military ordnance and explosives responses on the Site. Similarly, the City of St. Louis and the St. Louis Metropolitan Police Department will not seek reimbursement or other payment for any future military ordnance and explosives response activities or disbursement of informational pamphlets under this MOA.

8. Duration and Review: The MOA may be modified or amended only upon the written, mutual agreement of both Parties. The MOA shall be effective upon signature of both Parties to the agreement. Any Party can terminate the MOA upon sixty (60) days written notice to the other Party. MDNR and EPA will be notified if the MOA is modified, amended, or terminated.

9. References:

- a. Inventory Project Report, Corps of Engineers Kansas City District, Jun 1995
- b. Archive Search Report, Corps of Engineers St. Louis District, Sep 1997
- c. Munitions and Explosives of Concern Engineering Evaluation/Cost Analysis, Corps of Engineers Omaha District, Sep 2004

MICHAEL A. ROSSI
COL, EN
Commanding, Kansas City District

Date: _____

The City of St. Louis By and Through:

Francis G. Slay
Mayor
City of St. Louis

Darlene Green
Comptroller

Approved as to Form:

City Counselor

ATTEST:

Register

President
Board of Police Commissioners
Saint Louis Ambassadors, Inc.

Appendix B

9/16/04

**Former Forest Park Recreation Camp Project
St. Louis, Missouri**

Points of Contact (POCB)

Corps of Engineers, Kansas City District

Josephine Newton-Lund
Project Manager
CENWK-EC-EE
601 East 12th Street
Kansas City, MO 64106
Josephine.m.Newton-lund@usace.army.mil
816-983-3912

Judy Meier
Formerly Used Defense Site (FUDS) Program Manager
CENWK-PM-ED
601 East 12th Street
Kansas City, MO 64106
Judith.a.Meier@usace.army.mil
816-983-3363

City of St. Louis
Roger Allison
Board of Public Service
City Hall, Room 301
1200 Market Street
St. Louis, MO 63103
allisonr@stlouiscity.com
314-622-3535

Jeff Raffelson
Norman K. Probststein Golf Course
6141 Lagoon Drive
Forest Park
St. Louis, MO 63112
fopogoco@aol.com
314-367-1337

Dan Skillman and Anabeth Weil
St. Louis Department of Parks, Recreation and Forestry
5600 Clayton Road
St. Louis, MO 63110
skillmand@stlouiscity.com and weila@stlouiscity.com
314-289-5340

Dan Esarey
St. Louis Art Museum
Forest Park
1 Fine Arts Drive
St. Louis, MO 63110
sre@slam.org
314-655-5240

St. Louis Metropolitan Police Department

Detective Sgt. Stephen Sorocko
St. Louis Metropolitan Police Department
Bomb and Arson Squad
1200 Clark Avenue
St. Louis, MO 63103
sfsorocko@slmpd.org
314-444-5701 or 314-591-4202

Missouri Department of Natural Resources

Mark Ort
Hazardous Waste Program
P.O. Box 176
Jefferson City, MO 65102
Mark.ort@dnr.mo.org
573-751-1968

Approved: April 22, 2009

**ORDINANCE #68329
Board Bill No. 302
Committee Substitute**

An Ordinance recommended by the Planning Commission on November 5, 2008, to change the zoning of property as indicated on the District Map, from "J" Industrial District to the "H" Area Commercial District, in City Block 940 (2007 Delmar Blvd.); and containing an emergency clause.

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

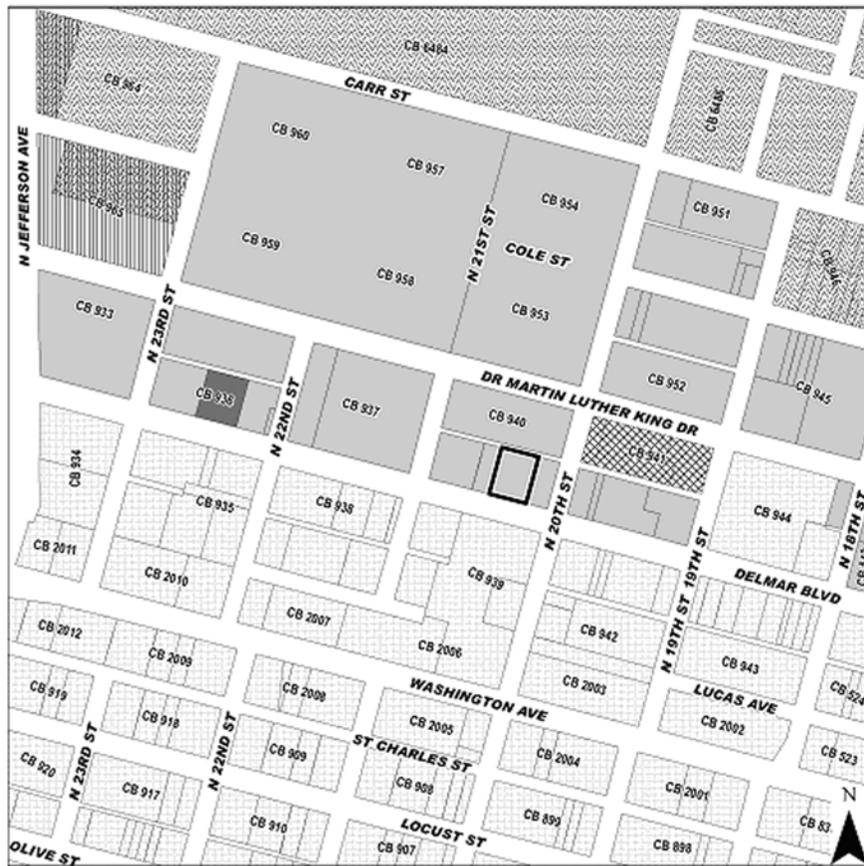
SECTION ONE. The zoning designation of certain real property located in City Block 940 is hereby changed to the "H" Area Commercial District, real property being particularly described and shown in Exhibit A as follows:

Beginning at a point in City Block 940 at the intersection of the and the north line of Delmar Boulevard (80 foot r.o.w.) and the east property line of the real property known as 2007 Delmar Boulevard approximately 70 feet west of the west line of N. 20th Street (60 foot r.o.w.) ; thence westward along said north line approximately 118 feet to the intersection of the west property line of the real property known as 2007 Delmar Boulevard; thence northward along said west line and its continuation approximately 165 155 feet to the mid-point on the north line of the vacated east-west alley (20 foot r.o.w.); thence westward along said north line approximately 118 feet to the continuation and east property line of the real property known as 2007 Delmar Boulevard; thence southward along said east line to the beginning point.

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.

Approved: April 22, 2009

EXHIBIT A DISTRICT MAP



Current Zoning District

	A Single-Family Dwelling District		G Local Commercial District
	B Two-Family Dwelling District		H Area Commercial District
	C Multiple-Family Dwelling District		I Central Business District
	D Multiple-Family Dwelling District		J Industrial District
	E Multiple-Family Dwelling District		K Unrestricted District
	F Neighborhood Commercial District		L Jefferson Memorial District

Rezoning Area

Rezoning Area from J to H

PDA-132-08-REZ
CITY OF ST. LOUIS
PLANNING & URBAN DESIGN AGENCY
FRANCIS G. BEAN, Mayor

ORDINANCE #68330
Board Bill No. 337

An Ordinance recommended by the Planning Commission on December 12, 2008, to change the zoning of property as indicated on the District Map, from "J" Industrial District to the "H" Area Commercial District, in City Block 3919.03 (3810 through 3848 Laclede), so as to include the described parcels of land in City Block 3919.03; 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 Block 3919.03 is hereby changed to the "H" Area Commercial District, real property being particularly described and shown in Exhibit A as follows:

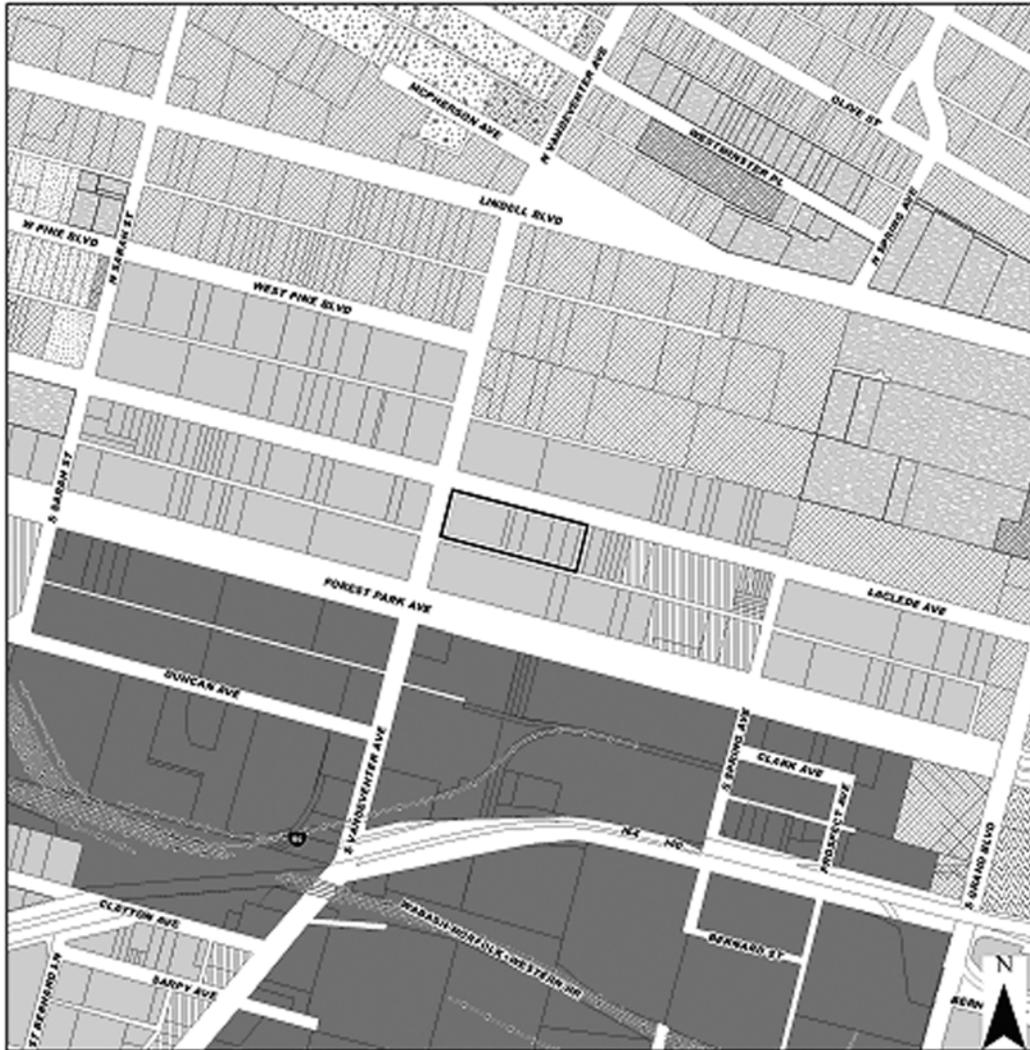
A TRACT OF LAND BEING ALL OF LOTS 3, 6, 7,11,14,15 AND PART OF LOT 2 OF FOREST PARK BOULEVARD ADDITION AND ALL OF LOT 25 AND THE WESTERN ½ OF LOT 26 OF FOREST PARK BOULEVARD SUBDIVISION ALL LOCATED IN CITY BLOCK 3919-E OF THE CITY OF ST. LOUIS, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE (60' WIDE) AND THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE (80' WIDE); THENCE ALONG THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE, SOUTH 71 DEGREES 00 MINUTES 00 SECONDS A EAST DISTANCE OF 541.16 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, ALONG THE EASTERN LINE OF THE WESTERN ½ OF LOT 26, SOUTH 18 DEGREES 35 MINUTES 31 SECONDS WEST A DISTANCE OF 182.07 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF A 20 FEET WIDE ALLEY; THENCE WESTWARDLY ALONG THE NORTHERN LINE OF SAID ALLEY, NORTH 71 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 542.54 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE; THENCE NORTHWARDLY ALONG SAID RIGHT OF WAY, NORTH 19 DEGREES 01 MINUTES 35 SECONDS EAST A DISTANCE OF 182.07 FEET TO THE POINT OF BEGINNING CONTAINING 98,654 SQUARE FEET OF 2.265 ACRES MORE OR LESS.

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.

Approved: April 22, 2009

EXHIBIT A DISTRICT MAP



Current Zoning District

- | | | | |
|--|-------------------------------------|--|-------------------------------|
| | A Single-Family Dwelling District | | G Local Commercial District |
| | B Two-Family Dwelling District | | H Area Commercial District |
| | C Multiple-Family Dwelling District | | I Central Business District |
| | D Multiple-Family Dwelling District | | J Industrial District |
| | E Multiple-Family Dwelling District | | K Unrestricted District |
| | F Neighborhood Commercial District | | L Jefferson Memorial District |

Rezoning Area

Rezoning from "J" to "H"

PDA-146-08-REZ



CITY OF ST. LOUIS
PLANNING & URBAN
DESIGN AGENCY
FRANCIS BLANK BEGET

ORDINANCE #68331
Board Bill No. 338
Committee Substitute

An ordinance relating to cleanup and beautification programs, recommended by the Board of Estimate and Apportionment; establishing an Operation Brightside Agency as a division of the Department of Parks, Recreation and Forestry; and providing for the position and duties of Program Manager of the Operation Brightside Agency in the classified service; providing a vested accrued benefit to employees of Operation Brightside, Inc., a Missouri not-for-profit corporation, who become members of the Employees Retirement System of the City of St. Louis as a result of the creation of the Operation Brightside Agency in the classified service; authorizing a cooperation agreement between the City of St. Louis and Operation Brightside, Inc., a Missouri not-for-profit corporation; providing for the form of such cooperation agreement; with an emergency provision. .

Whereas, for many years Operation Brightside, Inc., a Missouri not-for-profit corporation, has conducted cleanup and beautification programs (the "Programs") in the City in cooperation with City government and citizens;

Whereas, the it is in the best interests of the City and its residents to establish an Operation Brightside Agency as a division of the City's Department of Parks, Recreation and Forestry to conduct the Programs and employ the employees of Operation Brightside, Inc. as the initial employees of such Agency;

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

SECTION ONE. There is hereby established as a division of the Department of Parks, Recreation and Forestry an Operation Brightside Agency, which Agency shall consist of:

A. A Program Manager of the Operation Brightside Agency, who shall be appointed by the Director of Parks, Recreation and Forestry in accordance with Article XVIII of the Charter. The Program Manager shall be the executive head of the Operation Brightside Agency, and shall be responsible for carrying out the duties of such Agency. The Program Manager shall receive a salary fixed in accordance with ordinance provisions. The Program Manager shall organize and coordinate City-wide cleanup and beautification programs with City departments, other governmental entities and private organizations and shall have such additional authority, duties and responsibilities as may be authorized by ordinance;

B. An Operation Brightside Agency staff, to consist of such technical, clerical, stenographic, and other personnel as deemed necessary by the Program Manager. The Program Manager may employ such personnel, and when they are to be compensated, may make such expenditures within the appropriations therefor, or from other funds made available, as may be necessary to carry out the purposes of this ordinance. In all applicable cases, the system of personnel administration in the Operation Brightside Agency shall be in accordance with the merit system requirements of Article XVIII of the Charter, as supplemented by ordinance rules or regulations.

SECTION TWO. Any employees of Operation Brightside, Inc., a Missouri not-for-profit corporation, who become members of the Employees Retirement System of the City of St. Louis as a result of the creation of the Operation Brightside Agency in the classified service pursuant to this ordinance will have a vested accrued benefit immediately upon his or her becoming a Member based on his or her Creditable Service (as that term is defined by subsection 8 of Section Four of Ordinance 66511) since becoming a Member.

SECTION THREE. The Mayor and Comptroller are hereby authorized to execute and deliver, on behalf of the City of St. Louis (the "City") a cooperation agreement with Operation Brightside, Inc., substantially in the form attached hereto as Exhibit A.

SECTION FOUR. This ordinance, being necessary for the immediate preservation of the public health and safety, is declared to be an emergency ordinance under Article IV Sections 19 and 20 of the City Charter.

EXHIBIT A
COOPERATION AGREEMENT

This is an Agreement (the "Agreement") entered into this ___ day of _____, 200_, (the "Date Hereof") by and between the City of St. Louis, Missouri (the "City") a municipal corporation of the State of Missouri (the "City") and Operation Brightside, Inc., a Missouri not-for-profit corporation (" the Corporation").

Premises

1. For many years the Corporation has conducted cleanup and beautification programs (the "Programs") in the City in cooperation with City government and citizens.
2. The City has determined to establish an Operation Brightside Agency (the "Agency") as a division of the City's Department of Parks, Recreation and Forestry to conduct the Programs, and to employ the employees of the Corporation in such Agency.

- 3. The Corporation will continue to exist and own and receive various property and donations which are intended to be used for the Programs.
- 4. The parties wish to agree, as hereinafter provided, on the coordination of the activities of the Agency and the Corporation.
- 5. This Agreement has been authorized as to the City by Ordinance ___ (B.B.____) and is a cooperation agreement under Section 70.210 et seq. RSMo.

Now Therefore, in consideration of the foregoing premises and their respective promises and undertaking hereinafter made, the parties agree as follows:

Terms

1. The term of this Agreement is ten years from the Date Hereof, subject to extension for three successive extended terms of five years each by the City upon written notice to the Corporation not less than ninety days prior to the expiration of the term or of the then-current extended term.

2. The Corporation agrees that the Agency and its employees may occupy and use the building owned by the Corporation at 4646 Shenandoah Avenue, St. Louis Missouri, 63110 (the Real Property". The Corporation hereby grants the Agency and its employees a license to enter upon and utilize the Real Property for their governmental operations. At the request of the Agency the Corporation will execute a lease of the Real Property to the City or the Agency.

3. The Corporation will pay, out of assets on hand and received in the future, all utility costs, loan payments and other expenses relating to the Real Property, and will maintain the current insurance on the Real Property.

4. Upon the request of the Agency, acting through its Program Manager, the Corporation will pay to the City, or reimburse the City for, expenses of the Agency or the City or contractors or other designees of the City or the Agency, for the conduct of the Programs, to the extent of funds available to the Corporation.

5. The Corporation shall copy the Agency on all correspondence of the Corporation, and shall furnish the Agency copies of all bank statements, bills, checks, receipts and deposit slips within one business day after receipt. The Corporation shall provide the Agency upon request access to any financial records of the Corporation.

6. The Corporation shall maintain its corporate status with the State of Missouri and its tax-exempt status with the United States Internal Revenue Service, and any existing liability insurance policies, to which it shall add the City its officers and employees as additional insureds.

In witness whereof the parties have set their hands on this ___ day of ___, 2008.

CITY OF ST. LOUIS, MISSOURI

By: _____
Comptroller, City of St. Louis

Approved as to Form:

City Counselor

Attest

Register

OPERATION BRIGHTSIDE, INC.

By: _____

Attest:

Approved: April 22, 2009

ORDINANCE #68332
Board Bill No. 382

An Ordinance recommended by the Planning Commission on January 7, 2009, to change the zoning of property as indicated on the District Map, from "B" Two-Family Dwelling District & "G" Local Commercial and Office District and "F" Neighborhood Commercial District to the "G" Local Commercial and Office District only, in City Blocks 1820 and 2433 (4342 N Florissant, 2125 Bissell, 2108-22 & 2126 E. Grand), so as to include the described parcels of land in City Blocks 1820 and 2433; 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 1820 and 2433 is hereby changed to the "G" Local Commercial and Office District only, real property being particularly described and shown in Exhibit A as follows:

Parcel 1: 2125 Bissell

A tract of land being the southwestern part of Block 1820 of the said City of St. Louis, State of Missouri, described as follows to wit:

Beginning at the Southwestern corner of the said Block 1820, being the corner where the Northern line of Bissell Street intersects the Eastern line of North Florissant Avenue, running thence Eastwardly along the said Northern line of Bissell Street to the Western line of Lot 2 of said Block 1820 (being the Western line of property now or formerly of Ida J. Zimmer), thence Northwardly along the said Western line of Lot 2 of Block 1820 and the prolongation of said Western line of Lot 2 of Block 1820 to the Southern boundary line of property in said Block 1820 now or formerly of Pennsylvania Mutual Life Insurance Company, thence Westwardly along the Southern boundary line of the said property now or formerly of the Pennsylvania Mutual Life Insurance Company and thence continuing Westwardly along the entire Southern boundary line of the next adjoining property in said Block 1820 now or formerly of John J. Glennon and thence continuing Westwardly along the entire Southern boundary line of the next adjoining property in said Block 1820 now or formerly of Charles P. Leydecker and Grace C. Leydecker and thence continuing Westwardly along the entire Southern boundary line of the next adjoining property in said Block 1820 now or formerly of St. Louis Amusement Company to the Eastern line of North Florissant Avenue and thence Southwardly along the said Eastern line of North Florissant Avenue to the place of beginning.

Parcel 2: 2126 East Grand

A lot in Block 1820 of the city of St. Louis, having a frontage of One hundred fifteen (115) feet on the Southeast line of Grand Avenue, by a depth Southeastwardly between parallel lines of One hundred forty-four (144) feet to property now or formerly owned by Henry Perkinson; bounded Northwest by Grand Avenue, Southeast by property now or formerly owned by Henry Perkinson, excepting that part conveyed to Schwartz according to Instrument recorded in Book 4994, page 356.

Parcel 3: 4342 Florissant

Lots A to N, Inclusive of Perkinson's Subdivision and in City Block 2433 of the City of St. Louis, and the vacated alleys vacated by Ordinance No. 44664 adjacent to Lots A thru I.

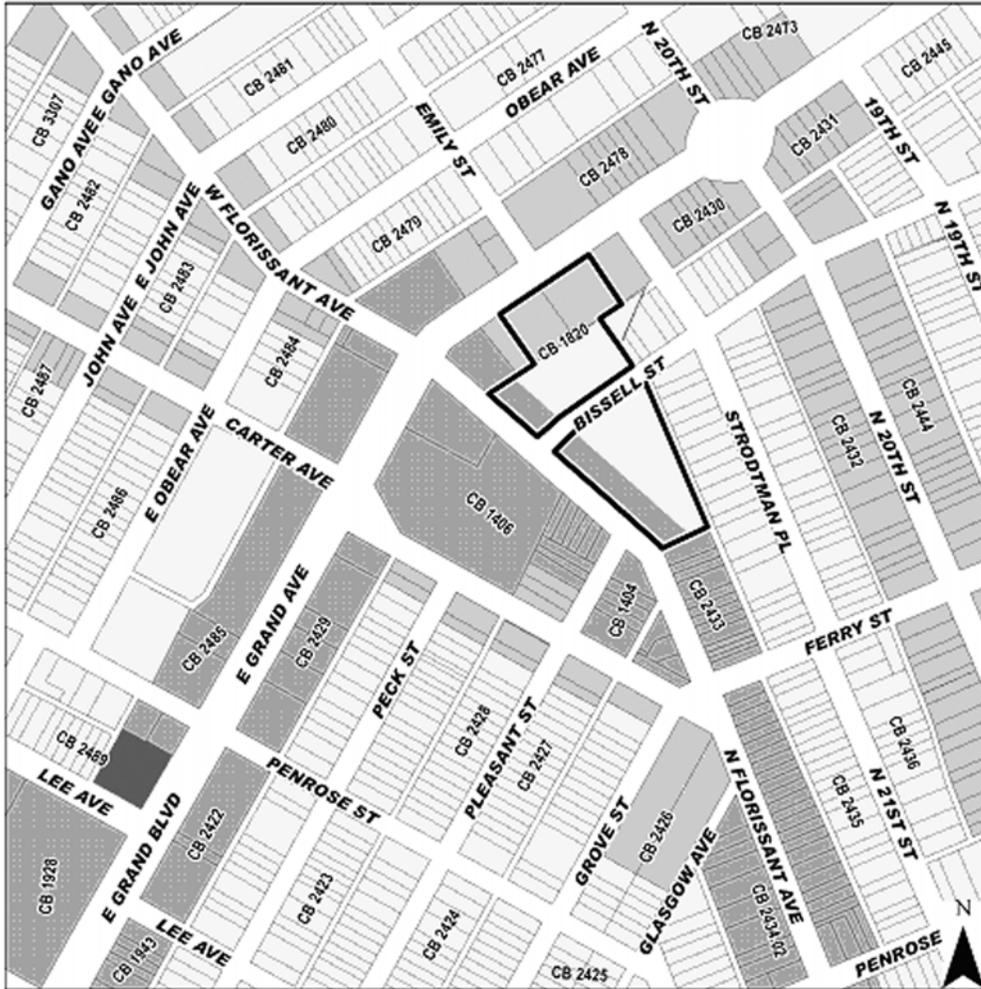
Parcel 4: 2108 East Grand

A Lot in Block 1820 of the city of St. Louis, fronting 139 feet 6 inches on the South line of East Grand Boulevard by a depth Southwardly of 140 feet to a proposed alley 15 feet wide; bounded East by a Line 88 feet 3 inches West of the West line of Strodtman Place and West by property, now or formerly of John J. Glennon.

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.

Approved: April 22, 2009

EXHIBIT A DISTRICT MAP



Current Zoning District

- | | | | |
|--|-------------------------------------|--|-------------------------------|
| | A Single-Family Dwelling District | | G Local Commercial District |
| | B Two-Family Dwelling District | | H Area Commercial District |
| | C Multiple-Family Dwelling District | | I Central Business District |
| | D Multiple-Family Dwelling District | | J Industrial District |
| | E Multiple-Family Dwelling District | | K Unrestricted District |
| | F Neighborhood Commercial District | | L Jefferson Memorial District |

Rezoning Area
 Rezoning from
 "G/B or F to G"

PDA-005-09-REZ



CITY OF ST. LOUIS
 PLANNING & URBAN
 DESIGN AGENCY
 FRANCIS G. BLAIR, Mayor

ORDINANCE #68333
Board Bill No. 381

An Ordinance recommended by the Planning Commission on January 7, 2009, to change the zoning of property as indicated on the District Map, from "G" Local Commercial and Office District to the "C" Multiple-Family Dwelling District, in City Block 3742 (1121-41, 1119, 1111-15 & 1109 N. Vandeventer and 3905 Finney), so as to include the described parcels of land in City Block 3742; 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 Block 3742 is hereby changed to the "C" Multiple-Family Dwelling District, real property being particularly described and shown in Exhibit A as follows:

A TRACT OF LAND BEING PART OF CITY BLOCK 3742 OF THE CITY OF ST. LOUIS, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWEST RIGHT OF WAY LINE OF COOK (80 FOOT WIDE) AVENUE WITH THE NORTHWEST RIGHT OF WAY LINE OF VANDEVENTER (75 FOOT WIDE) AVENUE;

THENCE ALONG SAID NORTHWEST RIGHT OF WAY LINE, SOUTH 29 DEGREES 00 MINUTES 27 SECONDS WEST, A DISTANCE OF 306.97 FEET TO THE NORTHEAST RIGHT OF WAY LINE OF FINNEY (70 FOOT WIDE) AVENUE;

THENCE ALONG SAID NORTHEAST RIGHT OF WAY LINE, NORTH 60 DEGREES 53 MINUTES 51 SECONDS WEST, A DISTANCE OF 115.00 FEET TO THE SOUTHEAST RIGHT OF WAY LINE OF AN ALLEY BEING 15 FOOT WIDE;

THENCE ALONG SAID SOUTHEAST RIGHT OF WAY LINE, NORTH 29 DEGREES 00 MINUTES 27 SECONDS EAST, A DISTANCE OF 306.92 FEET TO THE SOUTHWEST RIGHT OF WAY LINE OF COOK AVENUE, AS AFOREMENTIONED;

THENCE ALONG SAID SOUTHWEST RIGHT OF WAY LINE, SOUTH 60 DEGREES 55 MINUTES 21 SECONDS EAST, A DISTANCE OF 115.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 35,298 SQUARE FEET IS BASED ON A BOUNDARY SURVEY COMPLETED BY COLE AND ASSOCIATES, INC., DURING THE MONTH OF AUGUST, 2008 AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD IF ANY.

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.

Approved: April 22, 2009

EXHIBIT A DISTRICT MAP



Current Zoning District

- | | | | |
|--|-------------------------------------|--|-------------------------------|
| | A Single-Family Dwelling District | | G Local Commercial District |
| | B Two-Family Dwelling District | | H Area Commercial District |
| | C Multiple-Family Dwelling District | | I Central Business District |
| | D Multiple-Family Dwelling District | | J Industrial District |
| | E Multiple-Family Dwelling District | | K Unrestricted District |
| | F Neighborhood Commercial District | | L Jefferson Memorial District |

Rezoning Area

Rezoning from
"G" to "C"

PDA-004-09-REZ



CITY OF ST. LOUIS
PLANNING & URBAN
DESIGN AGENCY
FRANCIS G. BLYDEN, Mayor

ORDINANCE #68334
Board Bill No. 400

AN ORDINANCE APPROVING THE PETITION OF UNIVERSITY VILLAGE APARTMENTS, L.P. AND HARRISON BUILDING, LP, AS THE OWNERS OF CERTAIN REAL PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE WAREHOUSE OF FIXTURES COMMUNITY IMPROVEMENT DISTRICT, FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE WAREHOUSE OF FIXTURES COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the "CID Act") authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a petition has been filed with the City, requesting formation and establishment of the Warehouse of Fixtures Community Improvement District, signed by authorized representatives of the owners of more than fifty percent by assessed value and per capita of the property located within the Warehouse of Fixtures Community Improvement District (as amended, the "Petition"); and

WHEREAS, the Register of the City of St. Louis did review and determine that the Petition substantially complies with the requirements of the CID Act; and

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act, was held at 10:00 a.m. on February 3, 2009, by the Board of Aldermen; and

WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the owners of real property located within the Warehouse of Fixtures Community Improvement District, as well as the City as a whole, will benefit from the establishment of the Warehouse of Fixtures Community Improvement District.

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

Section One.

(a) A community improvement district, to be known as the "Warehouse of Fixtures Community Improvement District" (hereinafter referred to as the "District"), is hereby established pursuant to the CID Act on certain real property described below to provide services, construct improvements, impose assessments and taxes and carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

(b) The District boundaries are set forth in the Petition in Appendix A.

Section Two.

(a) The District is authorized by the Petition, in accordance with the CID Act, to impose a tax upon retail sales within the District, at a rate not to exceed one percent (1%), to provide funds to accomplish any power, duty or purpose of the District.

(b) The District is authorized by the Petition, in accordance with the CID Act, to levy a tax upon real property or on any business located within the District, at a rate not to exceed seven dollars (\$7.00) per one hundred dollars CID Assessed Value, and to be imposed for a period not to exceed twenty (20) years.

(c) The District is authorized by the Petition, in accordance with the CID Act, to levy a special assessment against real property within the District, at a rate not to exceed seven dollars (\$7.00) per one hundred dollars CID Assessed Value, and to be imposed for a period not to exceed twenty (20) years.

Section Three.

The District is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all, part or any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District, shall bear such date or dates, and shall mature at such time or times, but not more than twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in whole or part, obligations previously issued by the District.

Section Four.

(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known

as the Warehouse of Fixtures Community Improvement District.

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the District shall submit to the Board of Aldermen a proposed annual budget for the District, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than sixty (60) days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements, but shall only be recommendations.

(d) The District shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

Section Five. The District is authorized to use the funds of the District for any of the improvements, services or other activities authorized under the CID Act.

Section Six. Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act.

Section Seven. The City shall deposit any monies, revenues or funds received from the CID into the EATs Account of the Special Allocation Fund established by Ordinance No. 67021.

Section Eight. Within one hundred twenty (120) days after the end of each fiscal year, the District shall submit a report to the Register of the City and the Missouri Department of Economic Development stating the services provided, revenues collected and expenditures made by the District during such fiscal year, and copies of written resolutions approved by the board of directors of the District during the fiscal year. The Register shall retain this report as part of the official records of the City and shall also cause this report to be spread upon the records of the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

Section Nine. The term for the existence of the District shall be as set forth in the Petition, as may be amended from time to time or as such term may be otherwise modified in accordance with the CID Act.

Section Ten. Pursuant to the CID Act, the Board of Aldermen shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the burden of providing the services to the District unless the services at the same time are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision of the publicly funded services between areas included in the District and areas not so included.

Section Eleven. The Register shall report in writing the creation of the Warehouse of Fixtures Community Improvement District to the Missouri Department of Economic Development.

Section Twelve. The Petition provides that the District shall be governed by a Board of Directors consisting of five individual directors (collectively the "Directors" and each a "Director"), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the Mayor does hereby appoint the following named individuals as Directors of the District for the terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen hereby consents to such appointments:

1. Richard K. Yackey (four years)
2. Bill L. Bruce (four years)
3. Nick Yackey (two years)
4. Brian L. Bruce (two years)
5. Victoria A. Jansen (two years)

Section Thirteen. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this ordinance.

APPENDIX A

Petition to Establish the Warehouse of Fixtures Community Improvement District
IS ON FILE WITH THE CITY REGISTER.

Approved: May 5, 2009

ORDINANCE #68335
Board Bill No. 401

AN ORDINANCE APPROVING THE SECOND AMENDED PETITION OF 4100 FOREST PARK PARTNERS, LP, AND THE WEST END LOFTS CONDOMINIUM ASSOCIATION AS THE OWNERS OF CERTAIN REAL PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE 4100 FOREST PARK COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a second amended petition has been filed with the City, requesting formation and establishment of the 4100 Forest Park Community Improvement District, signed by authorized representatives of the owners of more than fifty percent by assessed value and per capita of the property located within the 4100 Forest Park Community Improvement District (as amended, the “Petition”); and

WHEREAS, the Register of the City of St. Louis did review and determine that the Petition substantially complies with the requirements of the CID Act; and

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act was held at 10:00 a.m. on February 3, 2009, by the Board of Aldermen; and

WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the owners of real property located within the 4100 Forest Park Community Improvement District, as well as the City as a whole, will benefit from the establishment of the 4100 Forest Park Community Improvement District.

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

Section One.

(a) A community improvement district, to be known as the “4100 Forest Park Community Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant to the CID Act on certain real property to provide services, construct improvements, impose assessments and taxes and carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

(b) The District boundaries are set forth in the Petition in Appendix A.

Section Two.

(a) The District is authorized by the Petition, in accordance with the CID Act, to impose a tax upon retail sales within the District, at a rate not to exceed one percent (1%), to provide funds to accomplish any power, duty or purpose of the District.

(b) The District is authorized by the Petition, in accordance with the CID Act, to levy a tax upon real property or on any business located within the District, at a rate not to exceed seven dollars (\$7.00) per one hundred dollars CID Assessed Value, and to be imposed for a period no longer than twenty (20) years.

(c) The District is authorized by the Petition, in accordance with the CID Act, to levy a special assessment upon real property located within the District, at a rate not to exceed seven dollars (\$7.00) per one hundred dollars CID Assessed Value, and to be imposed for a period no longer than twenty (20) years.

Section Three.

The District is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with other entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all, part or any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District, shall bear such date or dates, and shall mature at such time or times, but not more than twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in whole or part, obligations previously issued by the District.

Section Four.

(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known as the 4100 Forest Park Community Improvement District.

(b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall be the same as the fiscal year for the City of St. Louis.

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the District shall submit to the Board of Aldermen a proposed annual budget for the District, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than sixty (60) days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements, but shall only be recommendations.

(d) The District shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

Section Five. The District is authorized to use the funds of the District for any of the improvements, services or other activities authorized under the CID Act.

Section Six. Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act.

Section Seven. Within one hundred twenty (120) days after the end of each fiscal year, the District shall submit a report to the Register of the City and the Missouri Department of Economic Development stating the services provided, revenues collected and expenditures made by the District during such fiscal year, and copies of written resolutions approved by the board of directors of the District during the fiscal year. The Register shall retain this report as part of the official records of the City and shall also cause this report to be spread upon the records of the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

Section Eight. The term for the existence of the District shall be as set forth in the Petition, as may be amended from time to time or as such term may be otherwise modified in accordance with the CID Act.

Section Nine. Pursuant to the CID Act, the Board of Aldermen shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the burden of providing the services to the District unless the services at the same time are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision of the publicly funded services between areas included in the District and areas not so included.

Section Ten. The Register shall report in writing the creation of the 4100 Forest Park Community Improvement District to the Missouri Department of Economic Development.

Section Eleven. The Petition provides that the District shall be governed by a Board of Directors consisting of five individual directors (collectively the "Directors" and each a "Director"), such Directors to be appointed by the Mayor of the City with the consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the Mayor does hereby appoint the following named individuals as Directors of the District for the terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen hereby consents to such appointments:

1. Richard K. Yackey (four years)
2. Brian Bruce (four years)
3. Bill L. Bruce (two years)
4. Nicholas Yackey (two years)
5. Victoria A. Jansen (two years)

Section Twelve. The City shall deposit any monies, revenues or funds received from the District into the EATs Account of the Special Allocation Fund established by Ordinance No. 67314.

Section Thirteen. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this ordinance.

APPENDIX A

Second Amended Petition to Establish the 4100 Forest Park Community Improvement District
IS ON FILE WITH THE CITY REGISTER.

Approved: May 5, 2009

ORDINANCE 68336
Board Bill No. 375

An ordinance approving a blighting study and redevelopment plan dated December 16, 2008 for the 3810-48 Laclede Avenue Redevelopment Area ("Plan") after finding that said Redevelopment Area ("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, as amended); containing a description of the boundaries of the Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Attachment "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 attached hereto and incorporated herein as Attachment "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 ("LCRA") of the City of St. Louis, a public body corporate and politic created under Missouri law, through the exercise of eminent domain; finding that some of the property within the Area is occupied, and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available up to ten (10) year real estate tax abatement; and pledging cooperation of this St. Louis Board of Aldermen ("Board") 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 the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, inadequate or outmoded design and conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes 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; and

WHEREAS, this Board has considered the "Blighting Study and Redevelopment Plan for the 3810-48 Laclede Avenue Area" dated December 16, 2008, consisting of a Title Page; a Table of Contents Page, nine numbered pages and Exhibits "A" – "F" attached hereto and incorporated herein as Attachment "B" ("Plan"); and based on the information in the Plan, specifically the Blighting Report in Exhibit "F" to the Plan, considered each parcel of property in the Area and found the preponderance of the Area to be blighted, 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 to undertake the redevelopment of the Area as a land clearance project under the Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, the LCRA has, after considering each individual parcel of property in the Area and finding the Area to be blighted, approved the Plan and recommended approval of the Plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this Board; and

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

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

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

WHEREAS, the Plan prescribes 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 placed a public notice in a newspaper of general circulation in the City that a public hearing would be held by this Board on the Plan, and a hearing was held

at the time and place designated in that notice 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 Attachment "A", attached hereto and incorporated herein, known as the 3810-48 Laclede Avenue Area ("Area"). The existence of deteriorated property and other conditions constitutes an economic or social 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 99.320(3) of the Revised Statutes of Missouri, 2000 as amended, and is evidenced by the Blighting Report attached as Exhibit "F" ("Blighting Report") to the Blighting Study and Redevelopment Plan for the Area dated December 16, 2008 which is attached hereto, and labeled Attachment "B" and incorporated herein by reference ("Plan").

SECTION TWO. The redevelopment of the 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 Plan (including the Blighting Report) 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 the Plan with the Minutes of this meeting.

SECTION FIVE. The Plan 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, 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 provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may acquire no property in the Area by the exercise of eminent domain.

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

SECTION TEN. The Plan 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(s)") 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(s) 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, Redeveloper(s) 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, as has been extended.
- (e) To comply with applicable requirements of Ordinance No. 60275 of the City (First Source Jobs Policy, as codified at St. Louis City Revised Code Chapter 3.90);
- (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 pursuant to the Plan. The Redeveloper(s) will report semi-annually during the construction period the results of its endeavors under this paragraph, to the Office of the Assistant Director-Certification and Compliance of the City 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(s).

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(s)" as used in this Section shall include successors in interest and assigns.

SECTION FOURTEEN. The Redeveloper(s) 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(s) 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 property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year two years prior to the calendar year during which the corporation shall have acquired title to that 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 two years prior to the calendar year during which such corporation shall have acquired title to that 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 the 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 two years prior to the calendar year during which such corporation shall lease that 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 the property as provided in this Plan and in any agreement 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 this Board 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.

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 3810-48 LACLEDE AVENUE AREA
LEGAL DESCRIPTION**

A TRACT OF LAND BEING ALL OF LOTS 3,6,7,11,14,15 AND PART OF LOT 2 OF FOREST PARK BOULEVARD ADDITION AND ALL OF LOT 25 AND THE WESTERN 1/2 OF LOT 26 OF FOREST PARK BOULEVARD SUBDIVISION ALL LOCATED IN CITY BLOCK 3919-E OF THE CITY OF ST. LOUIS, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE (60' WIDE) AND THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE (80' WIDE); THENCE ALONG THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE, SOUTH 71 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 541.16 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, ALONG THE EASTERN LINE OF THE WESTERN 1/2 OF LOT 26, SOUTH 18 DEGREES 35 MINUTES 31 SECONDS WEST A DISTANCE OF 182.07 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF A 20 FEET WIDE ALLEY; THENCE WESTWARDLY ALONG THE NORTHERN LINE OF SAID ALLEY, NORTH 71 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 542.54 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE; THENCE NORTHWARDLY ALONG SAID RIGHT OF WAY, NORTH 19 DEGREES 01 MINUTES 35 SECONDS EAST A DISTANCE OF 182.07 FEET TO THE POINT OF BEGINNING CONTAINING 98,654 SQUARE FEET OF 2.265 ACRES MORE OR LESS.

Street Addresses: 3848, 3838, 3834, 3822, 3818, 3812, and 3810 Laclede Avenue

Parcel ID Numbers: 39190300100, 39190300200, 39190300410, 39190300500, 39190300600, 39190300800, and 39190300900

**ATTACHMENT "B"
Form: 12/02/08**

BLIGHTING STUDY AND REDEVELOPMENT PLAN
FOR THE
3810-48 LACLEDE AVENUE
PROJECT # 1382
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
December 16, 2008

MAYOR
FRANCIS G. SLAY

**BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
3810-48 LACLEDE AVENUE AREA**

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EXHIBITS

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- "F" BLIGHTING REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 3810-48 Laclede Avenue Redevelopment Area ("Area") encompasses approximately 2.27 acres in the Midtown Neighborhood of the City of St. Louis ("City") and is located on the southeast corner of Laclede Avenue, and S. Vandeventer Ave., with S. Spring Ave. to the east of the block. .

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 seven parcels of City Block 3919.03. The Area is in fair to poor condition. The parcel by

parcel physical conditions within the Area are shown on Exhibit "B" (Project Area Plan) and enumerated in Exhibit "F" (Blighting Report).

Unemployment figures, computed by the Missouri State Employment Service, indicate an 8.2% unemployment rate for the City as of September, 2008. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently 10-15 jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include an occupied commercial building (3818 Laclede Ave.), an unoccupied industrial building, and vacant land. .

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 uses. .

Residential density for the surrounding neighborhoods is approximately 5.10 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "J" Industrial District pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

Some the property within the Area is occupied and it is in the conditions outlined in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300 *et seq.* of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law) as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment 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 uses permitted in Areas designated "H" Area Commercial District by the City of St. Louis Zoning Code. Redeveloper(s) 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(s)") 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 designated it as a Specialty Mixed use Area (SMUA).

3. PROPOSED ZONING

The zoning for the Area should be changed to "H" Area 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 of the City of St. Louis" (2005). Any specific proposal to the LCRA for redevelopment 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

Ten to twenty new jobs will be created in this Area because the proposed redevelopment is commercial and

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 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.

A Redeveloper(s) shall redevelop the Area in accordance with this Plan and the redevelopment agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) 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 redeveloped such that it is an attractive commercial and residential asset to the surrounding neighborhood.

b. **Urban Design Regulations**

- 1.) **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
- 2.) **New construction** or alterations shall be positioned on their lot so that any existing recurrent building masses and spaces is continued as well as the pattern of setback from the street.
- 3.) **Exterior Materials** All new building materials on facades visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to approval.
- 4.) **Architectural Details** on existing structures shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. Both new and replacement window and doorframes shall be limited to wood or color finished aluminum on the street facing facades, including basement windows. Raw or unfinished aluminum and glass block are not acceptable. Awnings of canvas only are acceptable.
- 5.) **Roof Shapes.** When one roof shape is employed in a predominance of existing buildings in a block, any proposed new construction or alteration should be viewed with respect to its compatibility with the existing adjacent buildings.
- 6.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

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. 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. All new signs shall be restricted to standard sale/lease signs.

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.

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, 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(s).

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 redevelopment that promotes the health, safety, morals, order, convenience, prosperity, general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF REDEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately two (2) year(s) of approval of this Plan by ordinance and completed within approximately three (3) year(s) 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 redevelopment 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 redevelopment of the Area will be borne by the Redeveloper(s).

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(s).

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 or.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) 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

Some 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

Redeveloper(s) 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, Redeveloper(s) 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 property in the Area, taxes on that property shall be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year two years preceding the calendar year during which the corporation shall have acquired title to the 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 two years preceding the calendar year during which such corporation shall have acquired title to that 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 the 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 two years preceding the calendar year during which such corporation shall lease that 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 the property as provided in this Plan and in any Agreement 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

A Redeveloper(s) 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(s) 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(s) 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 Minimum 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 an Agreement between the LCRA and a Redeveloper(s), 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(s), 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 PDA.

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 St. Louis 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 3810-48 LACLEDE AVENUE AREA
LEGAL DESCRIPTION**

A TRACT OF LAND BEING ALL OF LOTS 3,6,7,11,14,15 AND PART OF LOT 2 OF FOREST PARK BOULEVARD ADDITION AND ALL OF LOT 25 AND THE WESTERN ½ OF LOT 26 OF FOREST PARK BOULEVARD SUBDIVISION ALL LOCATED IN CITY BLOCK 3919-E OF THE CITY OF ST. LOUIS, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE (60' WIDE) AND THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE (80' WIDE); THENCE ALONG THE SOUTHERN RIGHT OF WAY LINE OF LACLEDE AVENUE, SOUTH 71 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 541.16 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, ALONG THE EASTERN LINE OF THE WESTERN ½ OF LOT 26, SOUTH 18 DEGREES 35 MINUTES 31 SECONDS WEST A DISTANCE OF 182.07 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF A 20 FEET WIDE ALLEY; THENCE WESTWARDLY ALONG THE NORTHERN LINE OF SAID ALLEY, NORTH 71 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 542.54 FEET TO A POINT ON THE EASTERN RIGHT OF WAY LINE OF VANDEVENTER AVENUE; THENCE NORTHWARDLY ALONG SAID RIGHT OF WAY, NORTH 19 DEGREES 01 MINUTES 35 SECONDS EAST A DISTANCE OF 182.07 FEET TO THE POINT OF BEGINNING CONTAINING 98,654 SQUARE FEET OF 2.265 ACRES MORE OR LESS.

Street Addresses: 3848, 3838, 3834, 3822, 3818, 3812, and 3810 Laclede Avenue

Parcel ID Numbers: 39190300100, 39190300200, 39190300410, 39190300500, 39190300600, 39190300800, and 39190300900

See attached Exhibits B, C & D

**EXHIBIT "E"
FORM: 02/08/08****EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES**

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) 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(s) shall contractually require its contractors and subcontractors to comply with such laws.

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

The Redeveloper(s) 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(s), 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.

Redeveloper(s) shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 (First Source Jobs Policy) which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

EXHIBIT "F"

**Blighting Report for the
3810-48 Laclede Avenue Redevelopment Area**

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, insanitary or unsafe conditions, deterioration or inadequate site improvements, improper subdivision or absolute platting and conditions which endanger life or property by fire or other curses.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the taxing districts that depend upon it as a revenue source, as well as a sound, health safety liability. It, therefore, qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: vacant land unoccupied/occupied residential
 occupied commercial

Subject Property is: secured unsecured

The subject property has has not a predominance of defective or inadequate streets
If answer is yes, explain: _____

The subject property has has not insanitary or unsafe conditions
If answer is yes, explain: Some of the property is vacant land that is overgrown with unsafe surfaces.

The subject property has has not deterioration of site conditions
If answer is yes, explain: There are some crumbling walls on an unoccupied manufacturing building.

The subject property has has not improper subdivision or absolute platting
If answer is yes, explain: _____

The subject property has has not conditions which endanger life or property by fire or other cause. If answer is yes, explain: One of the buildings is unoccupied and could be a fire source if left unsecured.

The subject property does does not retard the provision of housing accommodations
If answer is yes, explain: None of the properties are residential.

The subject property does does not constitute an economic liability
If answer is yes, explain: The vacant land and the unoccupied manufacturing building cannot be used in their current conditions for economic gains.

The subject property does does not constitute a social liability
If answer is yes, explain: _____

The subject property is is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The overgrown property could foster rodents. Stray animals have been reported to CSB.

The subject property is is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The vacant manufacturing building has been cited for a number of violations.

The subject property is is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property is is not detrimental because of high density of population.
If answer is yes, explain: _____

The subject property is is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property has has not conditions which endanger life or property by fire and other causes. If answer is yes, explain: The vacant building has crumbling/falling surfaces on exterior walls. The parking lot has uneven surfaces and needs to be re-surfaced.

The subject property has has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency.
If answer is yes, explain: Rodents and weed overgrowth are both health issues that need to be addressed.

Approved: May 5, 2009

ORDINANCE NO. 68336 - EXHIBITS B, C & D

