ORDINANCE #67034
Board Bill No. 400
Committee Substitute

An ordinance approving a Redevelopment Plan for the Forest Park Southeast II Scattered Sites Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated January 24, 2006 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that any property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain or otherwise; finding that the property within the Area is unoccupied, 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 not be available real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

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

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

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

WHEREAS, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of Aldermen ("Board"), titled "January 24, 2006, consisting of a Title Page, a Table of Contents Page, and fifteen (15) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and

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

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

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

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

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

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

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

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a

redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap; and

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

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

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

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

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

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

SECTION FOUR. The Blighting Study and Plan for the Area, dated January 24, 2006 ("Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

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

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

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

SECTION EIGHT. The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") **may** acquire **any** property in the Area by the exercise of eminent domain or **otherwise**.

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

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

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

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

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

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

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment

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

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

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

(b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly considered for contracts, subcontracts and purchase orders;

(c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's established by the City;

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

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

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

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

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

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

SECTION FOURTEEN. The Redeveloper may **not seek tax abatement** as a result of this Plan.

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

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

sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

EXHIBIT "A"

Forest Park Southeast II Scattered Sites .AREA
LEGAL DESCRIPTION

Parcel 1 C.B. 5113B ARCO 25 FT X 126 FT 6 IN
MCREE PLACE ADDN BLOCK 4 LOT 3
5113-02-0250
4219 Arco Avenue

Parcel 2 C.B. 5112B ARCO 25 FT X 146 FT 9 3/8 IN/135 FT 4 IN
MCREE PLACE ADDN BLOCK 8 LOT 37
5112-02-0140
4316 Arco Avenue

Parcel 3 C.B. 5109 ARCO 25 FT X 130 FT
MCREE PL ADDN BLOCK 10 LOT 43
5109-00-0100
4440 Arco Avenue

Parcel 4 C.B. 5108 OAKLAND 25 FT X 125 FT
MCREE PL ADDN BLOCK 9 LOT 40
5108-00-0050
4454 Oakland Avenue

Parcel 5 C.B. 5108 OAKLAND AVE 43 FT 4 IN/38FT X 125 FT
MCREE PLACE ADDN LOTS 43 & E-44
5108-00-0020
4460 Oakland Avenue

Parcel 6 C.B. 5114-A CHOUTEAU 25 FT X 133 FT 5 ½ IN
MCREE ADDN BLOCK 1 LOT 94
5114-01-0160
4202 Chouteau Avenue

Parcel 7 C.B. 5114C CHOUTEAU AVE 25 FT X 133 FT 5 ½ IN
MCREE PL BLOCK 6 LOT 145
5114-11-0110
4374 Chouteau Avenue

Parcel 8 C.B. 5113B GIBSON AVE, 31 FT 4 ¾ IN X 125 FT 6 IN/120 FT 10 1/8 IN
MCREE PL ADDN BLOCK 4 LOT W-58 E-59
5113-02-0150
4306 Gibson Avenue

Parcel 9 C.B. 5113B GIBSON 25 FT X 126 FT 6 IN
MCREE PL ADDN BLOCK 4 LOT 71
5113-02-0050
4336 Gibson Avenue

Parcel 10 C.B. 3972 SWAN 25 FT X 125 FT
LACLED RACE COURSE ADDN BLOCK 1 LOT 46
3972-00-0270
4227 Swan avenue

Parcel 11 C.B. 3976 SWAN AVE 30 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 5 LOT W PT-8 & E PT-9
3976-00-0160
4320 Swan Avenue

Parcel 12 C.B. 3991 BOYLE AVE 22 X 150 FT
MCREE CITY ADDN BLOCK 23 LOT PT 17 BND 3 FT S NL OF LOT 16
3991-00-0070
1304 S. Boyle Avenue

Parcel 13 C.B. 3978 VISTA AVE 25 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 7 LOT 42
3978-00-0350
4237 Vista Avenue

Parcel 14 C.B. 3973 TOWER GROVE AV 42 FT 11 IN X 85 FT 6 IN
LACLEDE RACE TR ADDN LOTS PTS 53, 54, 55, & 56
BND S-41 FT 2 IN N NL SWAN
3973-00-0230
1119 Tower Grove Avenue

Parcel 15 C.B. 3977 NORFOLK 25 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 6 LOT 44
3977-00-0290
4233 Norfolk Avenue

Parcel 16 C.B. 3991 MANCHESTER 35 FT X 150 FT
MCREE CITY ADDN BLOCK 3 LOT E-3
3991-00-0250
4180 Manchester Avenue

Parcel 17 C.B. 3972 MANCHESTER 25 FT X 125 FT
LACLEDE RACE TRACT ADDN BLOCK 1 LOT 7
3972-00-0160
4216 Manchester Avenue

Parcel 18 C.B. 5112A MANCHESTER 127 FT 4 ¼ IN X 15 FT/IRREG
MCREE PL ADDN BLOCK 3 LOT 26
5112-01-0040
4229 Manchester Avenue

Parcel 19 C.B. 5112 MANCHESTER BILL BOARD
IMP ONLY GATEWAY BB #292
4243 Manchester Avenue

Parcel 20 C.B. 3972 MANCHESTER 25 FT X 125 FT
LACLEDE RACE TRACK ADDN BLOCK 1 LOT 15
3972-00-0100
4236 Manchester Avenue

Parcel 21 C.B. 3972 MANCHESTER 40 FT X 125 FT
LACLEDE RACE TR ADDN BLOCK 1 LOT 20 E-21
3972-00-0070
4248 Manchester Avenue

Parcel 22 C.B. MANCHESTER AVE 30 FT X 125 FT
LACLEDE RACE TRACT ADDN BLOCK 1 LOTS W-22 E-23

3972-00-0050
4256 Manchester Avenue

Parcel 23 C.B. 5112B MANCHESTER 50 FT X 125 FT
MCREE PLACE ADDN BLOCK 8 LOTS 6-7
5112-02-0260
4333 Manchester Avenue

Parcel 24 C.B. 5113C GIBSON
50 FT X 126 FT 6 IN MCREE ADDN BLOCK 7 LOT 80-81
4364 Gibson Avenue
5113-11-0170

EXHIBIT "B"
Form: 01/18/06

BLIGHTING STUDY AND PLAN
FOR THE
FOREST PARK SOUTHEAST II SCATTERED SITES AREA
PROJECT #9972
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
JANUARY 24, 2006

MAYOR
FRANCIS G. SLAY

BLIGHTING STUDY AND PLAN FOR
Forest Park Southeast II Scattered Sites Area

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The Forest Park Southeast II Scattered Sites Area ("Area") encompasses approximately 2.5 acres in the Forest Park southeast neighborhood of the City of St. Louis ("City") and is bounded by S. Kingshighway Blvd. to the west, S. Vandeventer Ave. to the east and south.

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

2. GENERAL CONDITION OF THE AREA

The Area comprises three parcels in CB 5113B, two parcels in CB 5112B, one in CB 5109, two in CB 5108, one in each of CB 5114A and 5114C, four in CB 3972, one in CB 3976, one in each of 3978, 3973, 3977, , 5113C, 5112B, 5112, 5112A, one in CB 3991, 5108. The Area is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is under-utilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in

order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate an 8.3 % unemployment rate for the City as of November, 2005. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include fourteen unoccupied single family, one unoccupied four family, seven unoccupied two family residential buildings. There are also seven mixed-use buildings in the Area.

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

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

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

Residential density for the surrounding neighborhoods is approximately 8.99 persons per acre.

5. CURRENT ZONING

The Area is zoned "B" Two-Family Dwelling District, “F” Neighborhood Commercial and “G” Local Commercial and Office District, pursuant to the Zoning Code of the City, which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

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

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

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

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area have not yet been determined, but may range from “A” Single Family Dwelling District to “G” Local Commercial and Office District by the City of St. Louis Zoning Code. Redevelopers authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall be permitted to use said property only for the above proposed purposes.

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

3. PROPOSED ZONING

The zoning for the Area can remain "B" Two-Family Dwelling District, “F” Neighborhood Commercial and “G”

Local Commercial and Office District All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

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

5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately 18 new jobs will be added as a result of the proposed development.

6. CIRCULATION

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

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

7. BUILDING AND SITE REGULATIONS

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

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

8. URBAN DESIGN

a. Urban Design Objectives

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

b. Urban Design Regulations

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

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

c. Landscaping

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

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

Existing, healthy trees shall be retained, if feasible.

d. Fencing

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

9. PARKING REGULATIONS

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

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire project. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

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

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

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

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

12. PUBLIC IMPROVEMENTS

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

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

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

C. PROPOSED SCHEDULE OF DEVELOPMENT

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

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

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

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

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

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

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may acquire any property in the area through the exercise of eminent domain or otherwise.

3. PROPERTY DISPOSITION

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

4. RELOCATION ASSISTANCE

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

E. COOPERATION OF THE CITY

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

F. TAX ABATEMENT

A Redeveloper may not seek tax abatement as a result of this Redevelopment Plan.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

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

2. CONSTRUCTION AND OPERATIONS

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

3. LAWS AND REGULATIONS

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

4. ENFORCEMENT

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

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

H. MODIFICATIONS OF THIS PLAN

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

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

I. DURATION OF REGULATION AND CONTROLS

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

J. EXHIBITS

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

K. SEVERABILITY

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

remain in full force and effect.

EXHIBIT "A"

Forest Park Southeast II Scattered Sites .AREA
LEGAL DESCRIPTION

Parcel 1 C.B. 5113B ARCO 25 FT X 126 FT 6 IN
MCREE PLACE ADDN BLOCK 4 LOT 3
5113-02-0250
4219 Arco Avenue

Parcel 2 C.B. 5112B ARCO 25 FT X 146 FT 9 3/8 IN/135 FT 4 IN
MCREE PLACE ADDN BLOCK 8 LOT 37
5112-02-0140
4316 Arco Avenue

Parcel 3 C.B. 5109 ARCO 25 FT X 130 FT
MCREE PL ADDN BLOCK 10 LOT 43
5109-00-0100
4440 Arco Avenue

Parcel 4 C.B. 5108 OAKLAND 25 FT X 125 FT
MCREE PL ADDN BLOCK 9 LOT 40
5108-00-0050
4454 Oakland Avenue

Parcel 5 C.B. 5108 OAKLAND AVE 43 FT 4 IN/38FT X 125 FT
MCREE PLACE ADDN LOTS 43 & E-44
5108-00-0020
4460 Oakland Avenue

Parcel 6 C.B. 5114-A CHOUTEAU 25 FT X 133 FT 5 ½ IN
MCREE ADDN BLOCK 1 LOT 94
5114-01-0160
4202 Chouteau Avenue

Parcel 7 C.B. 5114C CHOUTEAU AVE 25 FT X 133 FT 5 ½ IN
MCREE PL BLOCK 6 LOT 145
5114-11-0110
4374 Chouteau Avenue

Parcel 8 C.B. 5113B GIBSON AVE, 31 FT 4 ¾ IN X 125 FT 6 IN/120 FT 10 1/8 IN
MCREE PL ADDN BLOCK 4 LOT W-58 E-59
5113-02-0150
4306 Gibson Avenue

Parcel 9 C.B. 5113B GIBSON 25 FT X 126 FT 6 IN
MCREE PL ADDN BLOCK 4 LOT 71
5113-02-0050
4336 Gibson Avenue

Parcel 10 C.B. 3972 SWAN 25 FT X 125 FT
LACLED RACE COURSE ADDN BLOCK 1 LOT 46
3972-00-0270
4227 Swan avenue

Parcel 11 C.B. 3976 SWAN AVE 30 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 5 LOT W PT-8 & E PT-9
3976-00-0160
4320 Swan Avenue

Parcel 12 C.B. 3991 BOYLE AVE 22 X 150 FT
MCREE CITY ADDN BLOCK 23 LOT PT 17 BND 3 FT S NL OF LOT 16
3991-00-0070
1304 S. Boyle Avenue

Parcel 13 C.B. 3978 VISTA AVE 25 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 7 LOT 42
3978-00-0350
4237 Vista Avenue

Parcel 14 C.B. 3973 TOWER GROVE AV 42 FT 11 IN X 85 FT 6 IN
LACLEDE RACE TR ADDN LOTS PTS 53, 54, 55, & 56
BND S-41 FT 2 IN N NL SWAN
3973-00-0230
1119 Tower Grove Avenue

Parcel 15 C.B. 3977 NORFOLK 25 FT X 125 FT
LACLEDE RACE COURSE ADDN BLOCK 6 LOT 44
3977-00-0290
4233 Norfolk Avenue

Parcel 16 C.B. 3991 MANCHESTER 35 FT X 150 FT
MCREE CITY ADDN BLOCK 3 LOT E-3
3991-00-0250
4180 Manchester Avenue

Parcel 17 C.B. 3972 MANCHESTER 25 FT X 125 FT
LACLEDE RACE TRACT ADDN BLOCK 1 LOT 7
3972-00-0160
4216 Manchester Avenue

Parcel 18 C.B. 5112A MANCHESTER 127 FT 4 ¼ IN X 15 FT/IRREG
MCREE PL ADDN BLOCK 3 LOT 26
5112-01-0040
4229 Manchester Avenue

Parcel 19 C.B. 5112 MANCHESTER BILL BOARD
IMP ONLY GATEWAY BB #292
4243 Manchester Avenue

Parcel 20 C.B. 3972 MANCHESTER 25 FT X 125 FT
LACLEDE RACE TRACK ADDN BLOCK 1 LOT 15
3972-00-0100
4236 Manchester Avenue

Parcel 21 C.B. 3972 MANCHESTER 40 FT X 125 FT
LACLEDE RACE TR ADDN BLOCK 1 LOT 20 E-21
3972-00-0070
4248 Manchester Avenue

Parcel 22 C.B. MANCHESTER AVE 30 FT X 125 FT
LACLEDE RACE TRACT ADDN BLOCK 1 LOTS W-22 E-23

3972-00-0050
4256 Manchester Avenue

Parcel 23 C.B. 5112B MANCHESTER 50 FT X 125 FT
MCREE PLACE ADDN BLOCK 8 LOTS 6-7
5112-02-0260
4333 Manchester Avenue

Parcel 24 C.B. 5113C GIBSON
50 FT X 126 FT 6 IN MCREE ADDN BLOCK 7 LOT 80-81
4364 Gibson Avenue
5113-11-0170

See attached Exhibits B, C & D

EXHIBIT "E"
FORM: 08/02/99

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

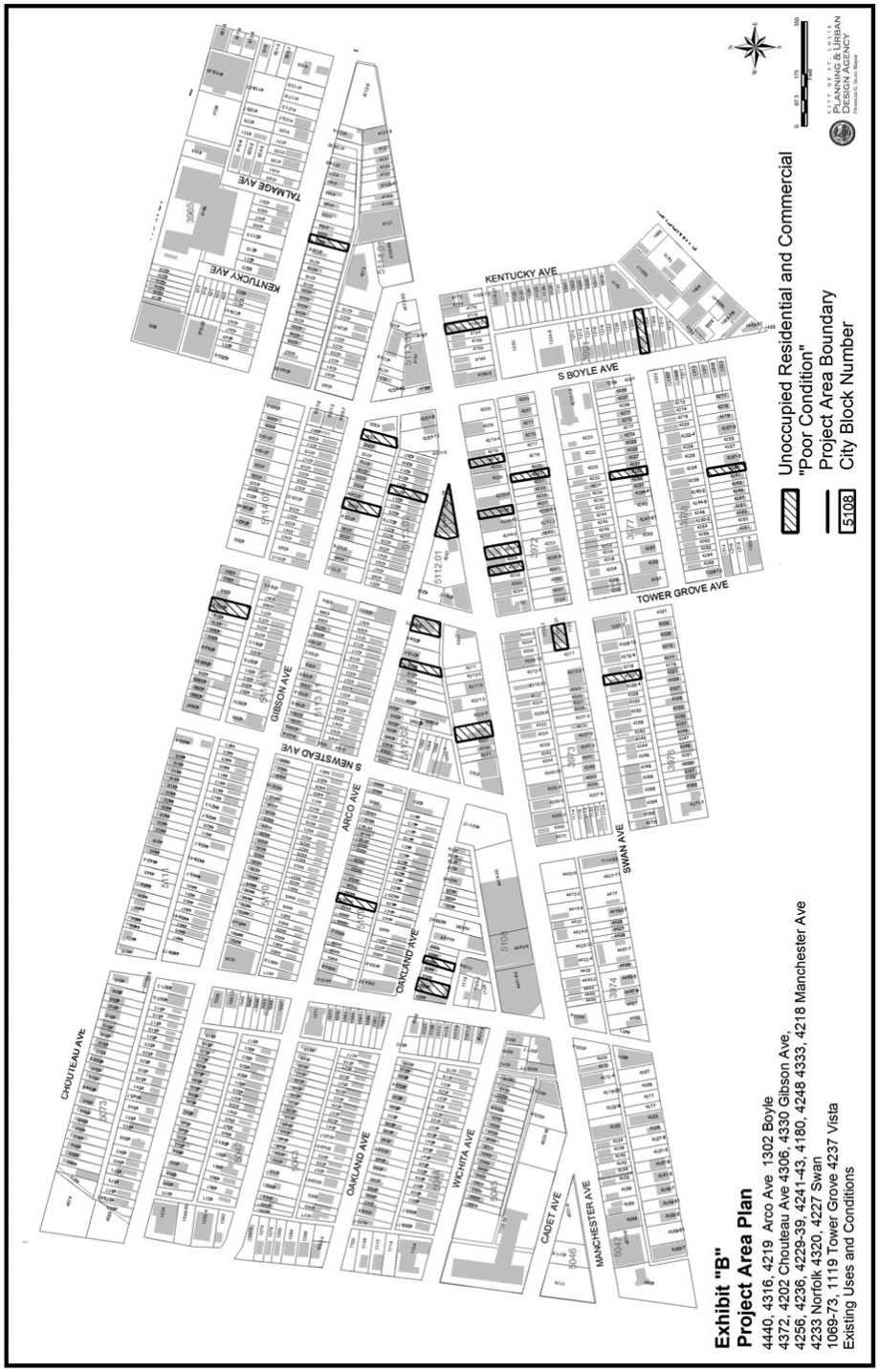
The Redeveloper shall fully comply with Executive Order #28 dated July 24, 1997 relating to minority and women-owned business participation in City contracts.

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

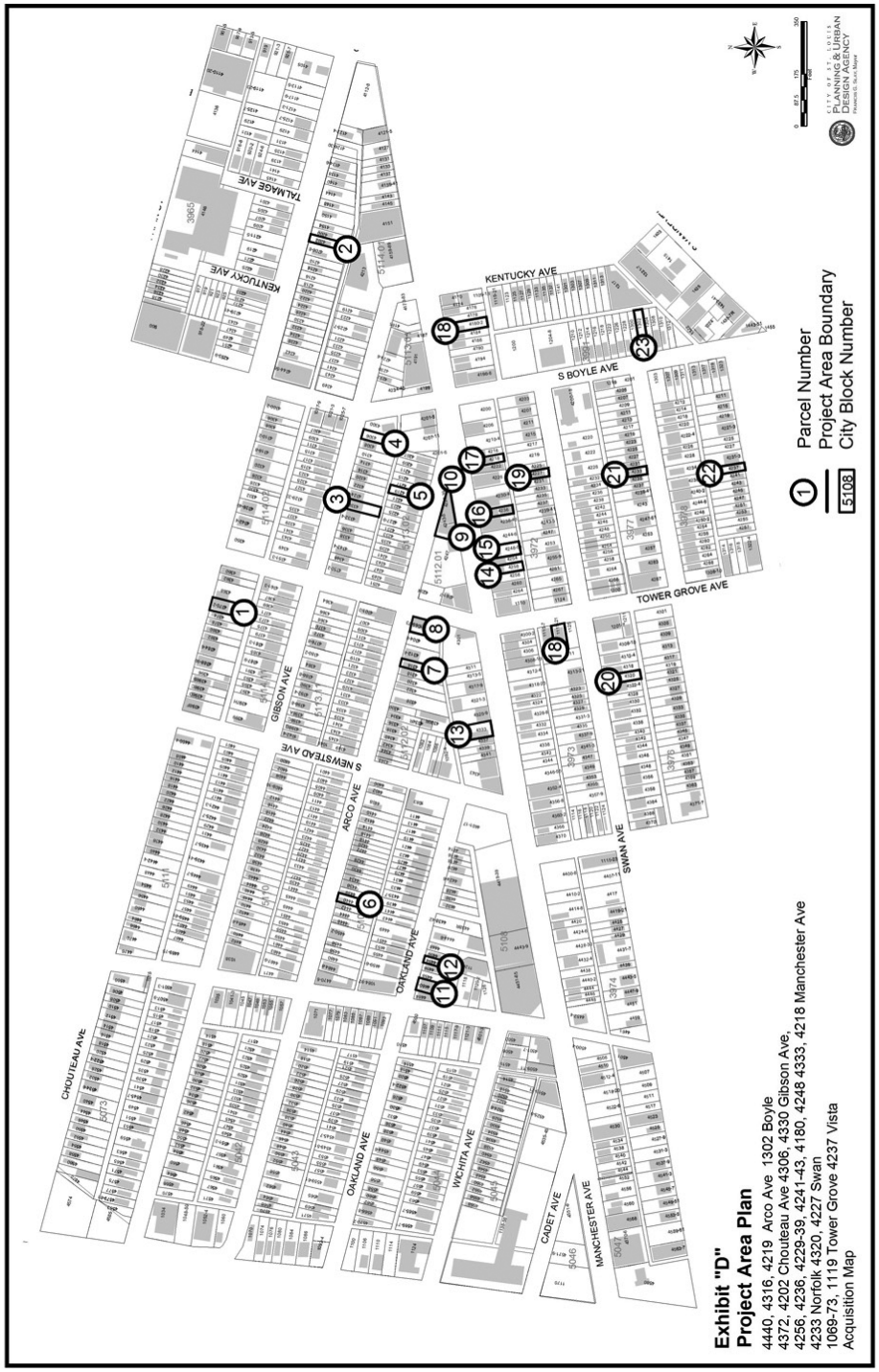
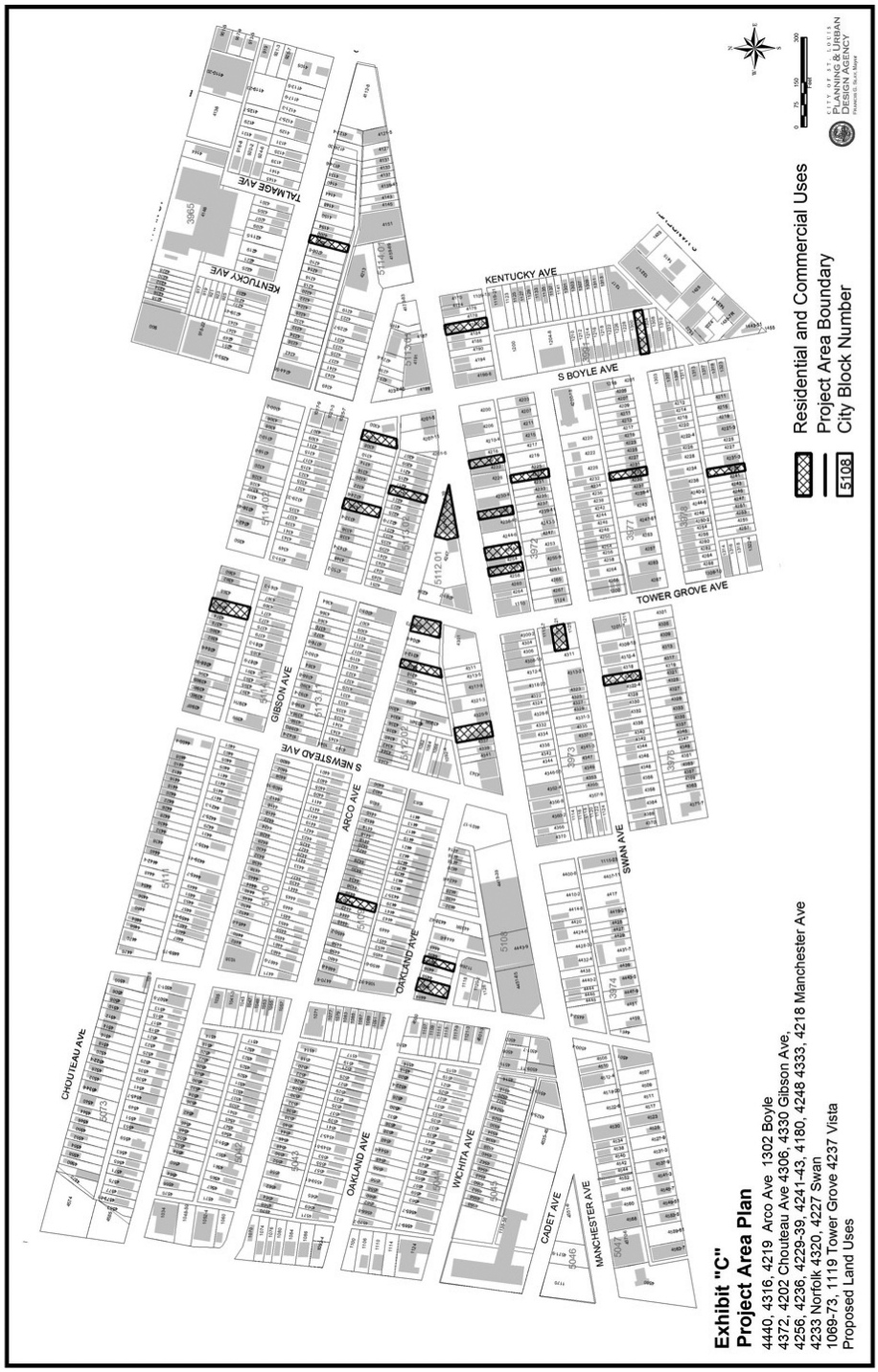
The Redeveloper shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 which is codified at Chapter 3.09 of the Revised Ordinances of the City of St. Louis.

Approved: March 14, 2006

ORDINANCE NO. 67034 - EXHIBIT B



ORDINANCE NO. 67034 - EXHIBIT C



ORDINANCE NO. 67034 - EXHIBIT D