

BY: Councilmember Luther
 FIRST READING: July 17, 2024
 SECOND READING: August 7, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIDGETON, MISSOURI, DETERMINING THAT THE 11974-11982 PAUL MAYER AVENUE REDEVELOPMENT AREA (THE "AREA") IS A BLIGHTED AREA AS DEFINED IN CHAPTER 353, REVISED STATUTES OF MISSOURI; APPROVING THE 11974-11982 PAUL MAYER AVENUE DEVELOPMENT PLAN DATED AS OF MAY 6, 2024, FOR THE AREA; AUTHORIZING TAX ABATEMENT FOR THE AREA; AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BY AND AMONG THE CITY, SAVOY HILLTOP REDEVELOPMENT CORPORATION, CLAYTON MARYLAND, LLC AND BRIDGETON HILLTOP COMMUNITY IMPROVEMENT DISTRICT; AND DIRECTING AND AUTHORIZING CITY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME.

WHEREAS, Clayton Maryland, LLC has prepared and provided to the City of Bridgeton (the "**City**") that certain Analysis for Designation of the 11974-11982 Paul Mayer Avenue Redevelopment Area (the "**Area**") as a "Blighted Area" dated December 21, 2023 (the "**Blight Analysis**") regarding the Area, which Blight Analysis concludes that the Area meets the requirements of a "blighted area" as defined in The Urban Redevelopment Corporation Law, Chapter 353 of the Revised Statutes of Missouri ("**Chapter 353**") and Urban Redevelopment Procedures, Chapter 145 of the City Code of the City of Bridgeton ("**Chapter 145**"), said Area being further described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, a public hearing was duly held on August 7, 2024, as required by Section 353.060 of the Revised Statutes of Missouri and Section 145.060 of the City Code of the City of Bridgeton, for the stimulation of comment prior to a determination of whether the Area is blighted and other matters set forth in Chapter 353; and

WHEREAS, by reason of age, obsolescence, inadequate or outmoded design or physical deterioration, the City has determined that the Area has become an economic and social liability, and that such conditions are conducive to ill health, transmission of disease, crime, or inability to pay reasonable taxes; 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 Chapter 353; and

WHEREAS, the clearance, redevelopment, replanning, rehabilitation, or reconstruction of the Area is necessary in the best interest of the City and its citizens; and

WHEREAS, in order for tax abatement by the City to be granted with respect to any property located in the Area, a development plan and development agreement must be

submitted to and approved by ordinance of the City Council in its sole discretion in accordance with the requirements of Chapter 353 and Chapter 145; and

WHEREAS, Clayton Maryland, LLC, a Missouri limited liability company ("**Developer**") submitted to the City the Development Plan for the 11974-11982 Paul Mayer Avenue Redevelopment Area (as may have been amended, the "**Plan**") and the Redevelopment Agreement by and among the City, Savoy Hilltop Redevelopment Corporation, Developer and Bridgeton Hilltop Community Improvement District (as may have been amended, the "**Development Agreement**") proposing that certain tax abatement be granted with respect to the Area; and any notice of the contents of any amendments to the Plan and the Redevelopment Agreement was given at the public hearing; and

WHEREAS, the approval of the Plan and construction of the redevelopment project described therein is necessary for the preservation of the public peace, property, health, safety, morals and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BRIDGETON, MISSOURI, AS FOLLOWS:

Section One. The City Council of the City (the "**City Council**") hereby finds and determines that the Area meets the statutory definition of "blighted area" as defined in Section 353.020(2), Revised Statutes of Missouri and Section 145.010.A, City Code of the City of Bridgeton.

Section Two. Redevelopment of the Area is necessary and in the best interest of the City and its citizens.

Section Three. The approval of the Development Plan and construction of the Redevelopment Project is necessary for the preservation of the public peace, health, safety, morals, and general welfare of the people of the City.

Section Four. The Plan in the form attached hereto as Exhibit B and incorporated herein by this reference, which includes as an exhibit the Analysis for Designation of the 11974-11982 Paul Mayer Avenue Redevelopment Area as a "Blighted Area" dated December 21, 2023, having been duly reviewed and considered by the City Council, is hereby approved.

Section Five. The proposed Development Agreement, substantially in the form attached hereto as Exhibit C, designating Developer as the Developer for the Area, is hereby approved by the City Council, with such amendments, revisions and alterations thereto as shall be approved by the Mayor in order to accomplish the purposes of this Ordinance, the Mayor's signature thereon being satisfactory evidence of his approval. The Mayor is hereby authorized to enter into and perform on behalf of the City the Development Agreement. The City Clerk is hereby authorized to attest, and affix the seal of the City to said Development Agreement. All officers, agents and employees of the City are hereby authorized to take

such further action and execute such other documents, certificates and instruments as may be necessary or desirable to implement and carry out the terms of this Ordinance.

Section Six. The availability of tax abatement pursuant to Chapter 353 is a contributing factor in the development of the redevelopment area, or any portion thereof, in accordance with the Plan. As provided in and subject to all of the limitations, qualifications, and termination provisions stated in the Plan and in the Development Agreement, tax abatement of up to 100% for the first 10 years, except for the Land Taxes as defined in the Development Agreement, and 50% of the ad valorem tax rate for such year multiplied by the difference between the Full Assessed Value and the Base Assessed Value (as both terms are defined in the Development Agreement) for the next 15 years, in addition to the obligation to make PILOT Payments as described in the Development Agreement, after the date that tax abatement first becomes effective for each portion of the Area to be redeveloped, having been duly considered by the City Council, is hereby approved.

Section Seven. All real property in the Area shall be acquired by Savoy Hilltop Redevelopment Corporation, a Missouri urban redevelopment corporation within the time frame set forth in the Development Agreement. In the event that all real property in the Area is not acquired or controlled within such time period, the development rights and tax abatement set forth in the Plan and the Development Agreement for such portions of the real property not acquired or controlled shall expire.

Section Eight. The use of the Area shall be limited to those uses described in the approved Plan from the date upon which tax abatement for the Area is instituted until the date upon which tax abatement for the Area expires as set forth in the Plan and the Development Agreement.

Section Nine. The sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance shall remain valid, unless the court finds the valid portions of the Ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative interest.

Section Ten. This Ordinance shall be in full force and effect after its passage and approval.

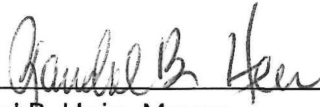
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BILL NO 6447

ORDINANCE NO. 24-35

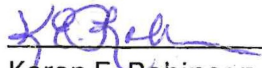
PASSED THIS 7th DAY OF AUGUST, 2024

APPROVED THIS 7th DAY OF AUGUST, 2024



Randal B. Hein, Mayor

ATTEST:



Karen E. Robinson, MRCC-S/CMC
City Clerk

Signed this 7th day of August, 2024

EXHIBIT A

DESCRIPTION OF AREA

Legal Description:

Parcel 1: A tract of land being Lot D of Resubdivision Plat of Lot 1 and Common Ground of Hilltop Plaza, as per plat thereof recorded in Plat Book 354 Pages 644 and 645 of the St. Louis County Records, in the City of Bridgeton, St. Louis County, Missouri.

Being the same property acquired by instrument recorded in Book 17785 page 5965.

Parcel 2: A tract of land being Lot A1 of the Resubdivision of Adjusted Lot A of the Boundary Adjustment Plat of Lots A and C of the Resubdivision of Lot 1 and Common Ground of Hilltop Plaza, as per plat thereof recorded in Plat Book 371 Page 289 of the St. Louis County Records, in the City of Bridgeton, St. Louis County, Missouri.

Property Address: 11974, 11978 and 11982 Paul Mayer Ave, Bridgeton, Missouri 63044

EXHIBIT B

PLAN

EXHIBIT C
DEVELOPMENT AGREEMENT

