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City of St. Louis
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF BUILDING AND INSPECTION
FRANCIS G. SLAY
MAYOR



FRANK OSWALD
BUILDING COMMISSIONER

December 9, 2015

Raymond Redlich
New Life Evangelistic Center, Inc.
1411 Locust
St. Louis, MO 63103

Re: Exemption Requests of New Life Evangelistic Center, Inc. ("NLEC"); 1411 Locust Street, St. Louis, MO ("Premises")

Dear Mr. Redlich:

This is in response to NLEC's request for exemptions from City Code requirements applicable to applications for occupancy permits for shelters, which you most-recently supplemented in your letter dated October 26, 2015 (received October 29, 2015).¹ NLEC requested exemption from Code requirements that shelters for the homeless must not be within 500 feet of a school and must satisfy the "plat and petition" process, which requires that shelter permit applicants obtain signatures of a majority of the surrounding property owners or residents.

NLEC requests the exemptions to allow 250 to 325 overnight shelter occupants (per your October 26, 2015 supplemental letter).

Based on the information you provided, I recommend the following:

(1) School Spacing Requirement. Linear distancing restrictions are intended to promote the public welfare by controlling negative or harmful secondary effects related to a certain use. Confluence Academy, a public charter high school, is located directly across the street from NLEC's proposed shelter. As previously determined by the City's Board of Public Service ("BPS"), NLEC's existing operations have had considerable negative and harmful effects on its neighborhood. BPS determined that individuals coming and going from NLEC engage in unlawful activities in the neighborhood, including public urination, defecation, using and transacting narcotics, fighting, loitering, disturbances and public drunkenness, among other things. Police confirmed the link between NLEC's shelter and those activities described above. ~~BPS also found that NLEC is uncooperative with police and neighborhood efforts to improve conditions outside the NLEC building.~~

1 NLEC's initial request was incomplete, which prompted my requests for additional information. As used herein, "Exemption Requests" refers collectively to NLEC's original request letter dated September 10, 2015 together with NLEC's supplemental letters dated October 1, 2015 and October 26, 2015.

NLEC proposes no reduction in the number of people that it plans to house in its shelter, nor does it appear that operational changes have been implemented sufficient to mitigate the detriment to the neighborhood. Given the problems caused by NLEC, as documented by BPS, I do not believe it would be sound policy to grant an exemption that would allow NLEC to simply continue "business as usual" with its shelter operations, including 250 to 325 occupants. Therefore, I deny your request for an exemption from the 500-foot spacing requirement contained in Sections 901.2 and 903.1 of Section 25.32.510 of the City Code.

(2) Plat and petition. NLEC also requests an exemption from the plat and petition process requirements contained in Sections 901.2 and 903.1 of Section 25.32.510 of the City Code. For the reasons stated above, I deny NLEC's request for a waiver of the plat and petition requirement.

NLEC's letter dated October 26, 2015 also included a supplemental request for an exemption from the Code requirement that a shelter for the homeless must not be within 500 feet of a church. Your request is based on the premise that NLEC is a church that seeks to operate a shelter on its Premises. I do not believe an exemption is required under these circumstances, but if an exemption is required, I grant NLEC's request.

These decisions regarding NLEC's Exemption Requests will be forwarded to BPS. BPS will affirm or reject my decision. If you are dissatisfied with the result of the BPS action, you may initiate an administrative appeal to the City's Board of Building Appeals, which will convene a contested case proceeding pursuant to the Missouri Administrative Procedure Act for purposes of hearing your appeal. The decision of the Board of Building Appeals will constitute the City's final decision on NLEC's Exemption Requests.

Finally, my decisions regarding your Exemption Requests do not impact your occupancy permit applications for religious assembly on the first floor of the Premises, television studio operations or general business use. Processing of those applications may proceed if you wish. Please advise.

Respectfully submitted,



Frank Oswald
Building Commissioner