



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**June 12, 2017**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS**

1. Proclamation recognizing David White in achieving the rank of Eagle Scout in the Boy Scouts of America, Troop 493 in University City

**E. APPROVAL OF MINUTES**

1. May 22, 2017 Study session minutes
2. May 22, 2017 Regular session minutes

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

**G. SWEARING IN to BOARDS & COMMISSIONS**

1. Lauren Masterson-Rodriguez was sworn into Arts and Letters in the City Clerk's office

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

**I. PUBLIC HEARINGS**

1. Community Development Block Grant (CDBG)
2. University City FY2018 Proposed Budget

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Approve Liquor License for Asian Kitchen  
*VOTE REQUIRED*

**L. UNFINISHED BUSINESS**

*BILLS*

1. **Bill 9316** - AN ORDINANCE AMENDING SECTIONS 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120 AND 400.1125 OF CHAPTER 400 - ZONING CODE, OF THE UNIVERSITY CITY MUNICIPAL CODE, TO REVISE CERTAIN ATTACHED SINGLE-FAMILY DWELLINGS AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS AS PROVIDED HEREIN

**M. NEW BUSINESS**  
*RESOLUTIONS*

*BILLS*

1. **BILL 9317** - AN ORDINANCE AMENDING CHAPTER 330 OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN
2. **BILL 9318** - AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business
  - a. **Change to Council Rules of Order and Procedure – Rule 14**  
*Requested by City Council*  
Discussion and Vote

**O. CITIZEN PARTICIPATION (continued if needed)**

**P. COUNCIL COMMENTS**

**Q. ADJOURNMENT**



# PROCLAMATION OF THE CITY OF UNIVERSITY CITY

## RECOGNIZING DAVID WHITE IN ACHIEVING THE RANK OF EAGLE SCOUT IN THE BOY SCOUTS OF AMERICA, TROOP 493 IN University City, MO

WHEREAS, the Boy Scouts of America has existed for 107 years creating a strong foundation of leadership, service, and community for millions of America's youth since its inception, however, only approximately 4 percent of all Boy Scouts in the nation annually earn the rank of Eagle Scout, which is the highest rank in scouting; and

WHEREAS, David White is a member of the Boy Scouts of America/Greater St. Louis Area Council, Pathfinder District, Troop 493 in University City, Missouri, first beginning in 2011 earning the ranks of Scout, Tender Foot, Second Class, First Class, Star, Life and most recently the Eagle Scout rank; and

WHEREAS, David White obtained the highest rank of Cub Scouting, the Arrow of Light, camped in the wilderness for over 60 nights, hiked almost 100 miles, completed countless hours of service in our community, was elected to the Order of the Arrow and completed his Ordeal; and

WHEREAS, David White has remained committed to the scout law by being Trustworthy, Loyal, Helpful, Friendly, Courteous, Kind Obedient, Cheerful, Thrifty, Brave Clean and Reverent; and

WHEREAS, David White has earned a Gold Palm, a Silver Palm and Bronze Palm for earning over 38 merit badges, 17 more than required for Eagle Scout, and served in distinguished leadership roles in Boy Scout Troup 493 including Assistant Patrol Leader, Patrol Leader; Assistant Senior Patrol Leader and Senior Patrol Leader; and

WHEREAS, David White completed his Eagle Scout project in 2017 by planning, preparing, organizing and building picnic tables, including ADA accessible tables, for Jackson Park Elementary School in University City; and

WHEREAS, David has truly exhibited exemplary leadership in his community and in his Boy Scout Troop, demonstrating the commitment and dependability of America's youth.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of University City Missouri recognizes David White's achievement of obtaining the rank of Eagle Scout on February 9, 2017, and congratulates him on such a distinguished and well deserved accomplishment; and

BE IT FURTHER RESOLVED that the City Council of University City Missouri wishes David White success in all future endeavors, and hopes that he will continue to exhibit strong and positive leadership within his community, county, and country and have set our hands and caused the Seal of the City of University to be affixed this 12<sup>th</sup> day of June, in the year of Two Thousand and Seventeen.

SEAL:

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ATTEST: \_\_\_\_\_  
LaRette Reese, Interim City Clerk



**UNIVERSITY CITY COUNCIL  
STUDY SESSION**

5th Floor of City Hall  
6801 Delmar  
May 22, 2017  
5:30 p.m.

**MEETING CALLED TO ORDER**

The City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, May 22, 2017. Mayor Welsch called the Study Session to order at 5:30 p.m. In addition, the following members of Council were present:

Councilmember Rod Jennings; (*Arrived at 5:38 p.m.*)  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Bwayne Smotherson

Also in attendance was Interim City Manager, Charles Adams; Special Counsel, John F. Mulligan; Director of Public Works and Parks, Sinan Alpaslan; MSD Project Manager, Steven Roberts; MSD Assistant Director of Engineering, Brad Nevois; Public Information Manager, Lance LeComb; Senior Project Manager for Wade Trim, John Weiland, and Andy Likes, Rebecca Loslie and Jim Calls from Burns & McDonnell.

Councilmember Crow stated either by consensus at this meeting or by motion during the regular meeting, he would ask that Council give consideration to allowing citizen participation throughout the Council Business portion of the agenda; specifically on items that require a vote.

Hearing no other requests, Mayor Welsch proceeded as follows:

**AGENDA**

*(Requested by Interim City Manager, Charles Adams)*

**1. MSD Storage Facility Proposed Locations**

Director of Public Works and Parks, Sinan Alpaslan provided the following background associated with MSD's Proposal for a Waste Water Storage Facility in U City.

In November of 2015, staff was approached by MSD to discuss their proposal to construct a wastewater storage facility in the area bounded by 82nd Blvd., the south and east River Des Peres Main Channel, and Canton Avenue. The project aims to alleviate surcharges of the sewer system during wet weather under MSD's Project Clear Program.

Initially, MSD's method for wastewater storage was an underground tunnel. The storage removes the surcharge from the system where it is temporarily retained and placed back into the system after the rain event.

Due to engineering concerns, this method was later revised to above-ground storage tanks. Staff inquired whether MSD would be willing to consider alternative locations for visible above-ground storage tanks; i.e., the south side of Olive Blvd., from 81st Street to the River Des Peres Main Channel. MSD presented staff with the results of their investigation in November of 2016, which found the alternative location to be unfeasible based on the following rationale:

- Constructability concerns for bringing sewer discharge from the sewer collection area to south of Olive Blvd., which would require moving more flow into the storage location.
- A retaining wall adjacent to 81st Street that was too close for construction clearances and an existing restaurant that would have to be removed.
- Large pump house required to pump sewer from north of Olive Blvd. to the south of Olive Blvd.

Mr. Alpaslan stated at this point, he would like to turn the meeting over to the representatives from MSD who will present additional information on the two options as outlined for the proposed storage facility.

Andy Likes, Consultant for Burns & McDonnell, introduced the following members of the project team; Rebecca Losli of Burns & McDonnell; Jim Calls, Project Manager for Burns & McDonnell, Steven Roberts, Project Manager for MSD, Brad Nevois, Assistant Director of Engineering for MSD, and John Weiland, Senior Project Manager for Wade Trim. Mr. Likes stated each member of the team will present various aspects of the project, and at the conclusion of their presentation Council would be provided with an opportunity to ask questions.

### **Background: Project Clear-Lemay**

- MSD is both a stormwater and wastewater utility
- MSD covers approximately 525 square miles, which includes 90 municipalities; has 1.3 million customers and 7 treatment plants
- All of U City's stormwater and wastewater drains into the Lemay treatment plant

Mr. Likes stated problems caused by excessive rainwater are a result of sewers built many years ago that were not designed to handle today's capacity. So, in order to achieve the project's long-term initiative to improve water quality and alleviate surcharges of the sewer system, old sewers are being repaired and maintained; new sewers are being added; storage tanks are being built, and sump pumps, as well as downspouts, are being removed from sewer systems to increase their capacity across the entire St. Louis region.

*(Video Presentation Depicting Proposed Storage Tanks)*

### **U City Characteristics**

- Two separate storage tanks buried 13 feet underground
- Each tank holds approximately 4.6 million gallons of water that are diverted back into the sewer system once pipes have capacity
- Several new sewers will be built in order to gain access to the tanks

- The system will include unmanned pump stations and an odor control unit that can be activated automatically

### **Why Project Clear; Why Now**

Ms. Losli stated Project Clear has been designed to help reduce wastewater overflows from the sanitary collection system, basement backups within U City and other municipalities, increase the reliability of MSD's system, and develop a utility of the future for decades to come.

Ms. Losli provided Council with an 11 X 7 photograph of a map illustrating the following information:

- **Gray lines** = model sewers that are greater than 12 inches. MSD uses these hydraulic technical models to analyze sewer capacities.
- **Red labels** = where overflows have been determined.
- **Purple dots** = water backups due to overcharged mains from rain water. There are over 600 dots in U City representing approximately 400 locations.
- U City's watershed is located in the northern portion of the Lemay Service area. MSD's planning is determined on a watershed basis and the map indicates the highest parts of the watershed that flow into the lower parts of the topography where pipes can be as large as 78 inches in diameter.

Ms. Losli provided Council with another map to help facilitate their understanding of why the storage tanks should be built in U City. The major trunk sewers for the watershed are shown in different colors. And hydraulic models have shown that the Hafner Court storage facility, which will be a junction for three major sanitary sewers; the UR-10 branch; UR-6 Branch, and UR-8 & 9 Branch, represents the ideal strategic location.

- Two additional storage facilities are planned for the U City watershed where overflow will be stored before entering the combined sewer system.
- Strategic locations for additional facilities have also been identified for the City of Pagedale.

Storage tanks have either been completed or designed for areas similar to the options discussed at tonight's meeting.

- **Completed** - St. Ann's Coldwater Tank for Lambert Airport; thirteen residential buyouts were associated with this 6 million gallon storage facility located near the Cypress exit.
- **In Progress** - Crestwood's Gravois Creek Sanitary Storage Facility; consisting of two 8 million gallon tanks situated between residential and commercially zoned properties.

Why now? Ms. Losli stated MSD's Project Clear is a long-term effort by the Metropolitan St. Louis Sewer District undertaken as part of an agreement with the U.S. Environmental Protection Agency and the Missouri Coalition for the Environment. Contained within this program are numerous projects focused on three categories of work: Get the rain out; Repair and maintain, and Build system improvements. In order to accomplish all three phases of this program, it is critical that MSD maintains its estimated timeframe and continues to move forward with the planning and designing of these system improvements.

## **Site Options**

Mr. Calls stated the map provided by Ms. Losli that illustrates where the three major sewers converge is the location MSD is looking to build these storage facilities.

He stated that per the request of Mr. Alpaslan, an underground facility, as well as another location had been evaluated. However, Operations concluded that the rock cover did not present the ideal thickness needed to build a safe underground facility, and the proposed location of Olive Blvd. demonstrated problems associated with the retaining wall and necessitated pumping water across Olive Blvd. to the site, which was deemed to be unfeasible. So, here are the characteristics of the two options being proposed.

**Option One** - The Hafner Court area is common to both Option One and Two. Sewage will be picked up from the west, taken to the storage tanks, and then once the tanks are drained the water will flow across Hafner Court and back into the sewer system.

- Option One utilizes approximately 6 acres
- Requires the acquisition of the Hafner Court Apartments and 31 residential parcels; 50 percent rental; 50 percent owner-occupied
- Eighteen of the 31 parcels are within the one hundred year flood plain
- It will consist of two, 4.6 million gallon tanks; 180 foot in diameter; 35 feet above grade; a pump station which pumps into the tanks; a control building that houses the electrical equipment, and an odor control system

Mayor Welsch asked whether Option One would include Olive Blvd. Mr. Calls stated Olive Blvd. is located below this site and is buffered by several properties.

**Option Two** - Includes the Hafner Court area and consists of 3.97 acres.

- It requires the acquisition of 20 residential parcels; 8 rentals; 12 owner-occupied.
- Nineteen of these homes are within the one hundred year flood plain.
- It will consist of two, 4.6 million gallon tanks; 180 foot in diameter; 35 feet above grade; a pump station which pumps into the tanks; a control building that houses the electrical equipment, and an odor control system

Mr. Alpaslan stated that three Hafner Court apartment buildings and one Westover apartment building located on the other side of the channel were also included in the U.S. Army Corps' Five Year Analysis Study.

Mr. Alpaslan asked whether Westover was included in Option One. Mr. Calls stated that it would be included in both options.

Mr. Adams informed Council that Westover is located on the east side of the Hafner Court Apartments. So although some of Hafner's buildings are located on the Westover site, they are all a part of the same complex.

Councilmember Carr questioned whether it was correct to assume that Westover would be included in Option Two? Mr. Calls informed Councilmember Carr that Westover would be included in both options.



Mr. Calls stated the Hafner Court area comprises 5.6 acres, and with the exception of one vacant parcel, the rest is owned by Hafner Court Apartments. Ninety-nine percent of this area is within the one hundred year floodplain or floodway. So the intent is to remove the apartments and following construction, restore the area to a green space.

### **Advantages/Disadvantages**

- Option One encompasses a larger area
- Option One displaces 30 homes
- Option One requires more connecting sewers
- Option Two encompasses a smaller area
- Option Two displaces 20 homes
- Option Two decreases the length of connecting drainage because the facility would be closer to the discharge site
- Both options help to alleviate flood-prone properties

Mr. Likes stated they would like to receive Council's feedback regarding their preference of the two proposed options by the end of June. He then thanked Council for their time and opened the floor up for questions.

Councilmember Jennings stated many residents have expressed an interest in learning more about these proposals, so he would like to invite members of MSD's team to the U City Police Department's Focus Group Meeting tomorrow night at the Heman Park Community Center, at 6 p.m. He then asked if someone could provide him with information about other cities where similar storage facilities have been built. Mr. Likes stated they are currently engineering for Crestwood, the tank in St. Ann is in place now, and in addition to the facilities previously mentioned by Ms. Losli, facilities are being developed in Hazelwood and Pagedale.

Councilmember Jennings asked if MSD had reached any conclusions based on data obtained from the implementation of these other storage facilities? Mr. Lance LeComb stated based on data retrieved from two major storms in St. Ann; one prior to construction of the facility in 2011, and the second in 2013, after the tank and several other projects were completed and online, MSD has seen a 40 percent reduction in basement backups and sewer overflows. St. Louis has the fourth largest sewer system in the U.S., falling right behind New York, Chicago and L.A. So there is a lot of data on this type of work that has already been tried and proven throughout the country that MSD has been able to mimic and tailor to its own needs. Mr. LeComb assured Council that MSD would not have even considered this concept prior to seeing the value of what had been delivered in other communities in terms of environmental protection and customer service.

Councilmember Jennings asked if waste and sewer water would continue to be separated by the use of these tanks? Mr. LeComb stated MSD has two different systems; a combined sewer system that houses wastewater and stormwater and a separate system designed to only handle wastewater. However, as a result of the current capacity issues, stormwater does get into this separate system and that's what they are working to eliminate through the installation of these tanks. Councilmember Jennings asked if it was correct to assume that MSD does not have the capacity to keep waste and stormwater separate?

Mr. LeComb stated although there will still be some linkage of the two, the tanks will introduce enough capacity to eliminate separate sewer overflows; which per the Clean Water Act must be alleviated. Basement backups augment these capacity issues, so by introducing enough capacity through the implementation of this project to reduce or alleviate these sewer overflows, MSD will also reduce the number of basement backups that have occurred in this area.

Councilmember Jennings stated based on information contained within the maps, it appears as though Wellston and Forest Park would be the lowest points in the watershed and not U City. Ms. Losli stated that although these two areas could be considered the lowest points when looking at the lower right corner of the map, hydraulic models used to analyze sewer capacity have identified the strategic points where the greatest impact would be derived from the installation of these facilities. Councilmember Jennings stated the point he was trying to make was whether it would make more sense to build these facilities at the lowest points on the map which appear to be outside of U City? Mr. LeComb stated this is merely one of many storage projects taking place throughout the community. So there will be additional tanks and storage features constructed throughout the City at some of these lower spots Councilmember Jennings has identified. He stated that the proposals for U City are related to the location of MSD's trunk sewers. And while it may not be the precise lowest spot topographically, it is the area where they have experienced the most significant bottleneck. Mr. LeComb informed Councilmember Jennings that he did not believe they would be able to make tomorrow's meeting but would certainly welcome the opportunity to come back at a future meeting, or even set up a special meeting on MSD's dime and time.

Councilmember Carr stated from what she's been hearing tonight, this is really a done deal and all U City will get to do is pick the color of the dress they're going to put on? Mr. LeComb stated that U City's proposals are premised on MSD's Consent Decree with the U.S. Environmental Protection Agency and the Missouri Coalition for the Environment, and the fact that MSD is a government agency. Therefore, consideration must be given to finding the lowest cost; the most effective means to achieve the right balance and these are the options that fit into those parameters. So to answer your question, yes, MSD has provided U City with two options, but at the end of the day this work needs to be completed, and engineering standards dictate that this work be accomplished in specific locations. Councilmember Carr stated she grew up near a water storage tank in Florida; they are ugly and the smell was overwhelming. Admittedly that was fifty years ago, but the fact still remains that she does not have a lot of confidence in MSD's assurances about anything. So from her perspective, what MSD is going to do is build a three-story tank in an essentially perturbed and fairly dense neighborhood. Mr. LeComb stated that while the points made are well taken, he would respectfully counter with the fact that MSD has experienced good success with the St. Ann tank, and 99 percent of the people who pass by think that it's an office building. So there is a lot that can be done with these tanks in terms of screening. Councilmember Carr noted that the two municipalities had very different characteristics; St. Ann's tank is located off of the highway in a commercial area, but U City's tanks will be located within one or two-story neighborhoods where there is no major interchange. Mr. LeComb informed Councilmember Carr that St. Ann's tank was located approximately 40 yards away from a residential neighborhood.

Councilmember Crow stated he would yield to his 3rd Ward colleagues where this is going to have the greatest impact, and simply ask a few questions. Has MSD already reached an agreement with the apartment complex regarding the acquisition of their property? Mr. LeComb stated tonight's presentation to Council has been their first step with regards to rolling out the full vision of this program, so no agreements have been made with Hafner Court. He acknowledged that there would be specific buy-out guidelines that must be followed, which mimic the Federal program in terms of being quite generous.

So typically, that yields success in negotiating a price. Councilmember Crow stated that if Council is allowed to get involved with certain aspects of this project he would request that a determination be made as to whether the tanks could be built lower than 15 feet underground, and that some type of screening be added to truly make them look like a commercial building. Because in his mind, those two factors could make a huge difference to residents living in these neighborhoods and individuals who travel down Olive. Mr. LeComb stated all of those points are well taken because the ultimate aesthetics for St. Ann's storage tanks were made in consultation with the community. So there are a number of options available and once MSD gets to the final design phase it will lend itself to other options that may not currently be on the table. In spite of the fact that there will be certain limitations, MSD does want these tanks to blend in as much as possible. So he thinks it would be fair to say that the same type of consultative process will be conducted with the community of U City.

Councilmember Smotherson stated his impression of tonight's meeting was to allow Council with an opportunity to make a recommendation on whether this project should be accepted or rejected. So he is extremely disturbed to learn that U City really has no choice in the matter. Mr. LeComb informed Councilmember Smotherson that MSD had evaluated a number of locations, as well as a number of options, all of which had challenges similar to what has been discussed at this meeting. He stated that MSD did not want to have this conversation without the ability to offer any options, and so based on all of the findings, MSD's belief is that they have presented U City with the best options available to accomplish the goals that have been established. Mr. LeComb stated there will always be challenges associated with the location of these tanks. And while he would certainly be willing to run through a couple of the other options that were evaluated and illustrate why they were more challenging, the truth of the matter is that MSD has a Consent Decree which compels them to get this work done. There is also a schedule that must be adhered to, and the fact that these are public dollars means that MSD has to bring this project in as cost-consciously as possible while being strategically effective with what needs to be accomplished within each community. So the bottom line is that from an engineering perspective, MSD does not have a lot of options simply because of the way the sewers have been laid out in this area. Councilmember Smotherson asked what MSD's schedule entailed with respect to the initiation of community engagement? Mr. Brad Nevois stated 90 days after receipt of U City's recommendation MSD will commence work with the buy-out consultant and begin contacting each individual resident. Councilmember Smotherson asked if MSD would provide residents with suggestions or recommendations for relocation that included the boundaries of U City? Mr. Nevois stated MSD follows the Uniform Relocation Act which entails interviewing residents to determine their current situation and presenting them with three options. So, although MSD can definitely present an option that allows them to remain in U City, residents are not bound by law to take that option.

He stated that their practice is to start as close as they can to their current residence, assuming there is similar stock available that meets the requirements for a decent, safe and sanitary home.

Councilmember Smotherson stated he would concur with the comments made by Councilmember Carr, in that the locations designated for U City simply cannot be compared to the locations selected for St. Ann or Crestwood. So his hope is that MSD will give the aesthetics of this project serious consideration to ensure that these tanks are at least visually appealing to those residents who will be impacted.

Councilmember Glickert agreed that based on the location these facilities should not look like industrial tanks. Nonetheless, he had noticed one facility in the PowerPoint presentation that appeared to have a window facade which he thinks would be appropriate for this area. Mr. LeComb stated that was a picture of the St. Ann facility. Councilmember Glickert asked what location or locations had been identified for Pagedale? Mr. Nevois stated two smaller tanks are being proposed for Pagedale and MSD is still in the process of working with them to determine the exact locations. Councilmember Glickert questioned whether any measures had been established to prevent a loss of power to the pump stations? Mr. Nevois stated there are one of two options; a generator to provide redundant power or the ability to phase in power from two different sources, which must be negotiated with Ameren.

Councilmember McMahon echoed the concerns of his colleagues regarding the aesthetics and questioned why this presentation had not been offered to residents since Council apparently has no decision-making authority with respect to this project? Mr. LeComb stated that MSD's protocol is to always work through the elected officials first to obtain feedback since they represent the community as a whole. Mr. Nevois stated MSD is certainly aware that the heavy lifting associated with this project falls on their shoulders. However, once these options were presented to staff, Mr. Alpaslan requested that Council be allowed to articulate their desires since they knew the community better than MSD and could recommend how to implement this project in a way to ensure that it represented the best possible fit for the City.

Mayor Welsch asked if MSD could provide Mr. Alpaslan with answers to the following questions:

1. How far will the tanks be located away from homes that remain in this area?
2. What kind of expansive landscaping will be provided between the tanks and neighboring residents?
3. Is there any sound associated with the operation of these tanks?
4. Can the 40 percent reduction rate for basement backups be enhanced if the tanks were designed to be larger?

Mr. LeComb stated 40 percent was merely an example of the success realized based on comparisons made with two storms at the beginning of this project, and prior to the completion of all of their work in St. Ann. He stated MSD is dealing with an area in U City which consists of separate sewer overflows. So enough improvements have to be made to the system to eliminate these separate sewer overflows.

Pursuant to questions raised by Mayor Welsch and Councilmember Jennings, Mr. LeComb noted that the size of these tanks was not an option. So in lieu of their suggestions, he would put together a sample of options that are available and provide them for Council's review.

Councilmember Carr asked whether eminent domain would be used in the acquisition of properties? Mr. Nevois stated typically, MSD has been very successful in reaching mutual agreements. However, they also understand that in order to build a public project there will be times when all of the property owners may not be willing to reach an agreement. But eminent domain is only utilized as a last resort.

In closing, Mr. LeComb stated that while all of the points made this evening were well taken, he would ask Council to remember that the intended purpose of this project is to take sewage out of the environment and the basements of U City residents. He then thanked Council for tonight's opportunity and advised them that any information requested would be provided to staff as quickly as possible.

### **ADJOURNMENT**

Hearing no additional questions or comments, Mayor Welsch adjourned the Study Session at 6:26 p.m.

Larette Reese  
Interim City Clerk



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**May 22, 2017**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on the fifth floor of City Hall, on Monday, May 22, 2017, Mayor Shelley Welsch, called the meeting to order at 6:30 p.m.

**B. ROLL CALL**

In addition to the Mayor, the following members of Council were present:

Councilmember Rod Jennings  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Bwayne Smotherson

Also in attendance was Interim City Manager, Charles Adams and City Attorney, John Mulligan.

**C. APPROVAL OF AGENDA**

Councilmember Carr questioned whether Council was using the Agenda that was sent out earlier today? Mayor Welsch stated the correct Agenda now has four items under Unfinished Business.

Councilmember Crow asked all of his colleagues to respectfully allow members of the public to participate during the Council Reports/Business section of the agenda; specifically on items that require a vote. He noted that it serves no purpose for citizens to speak after Council has already discussed the matter and voted.

Mayor Welsch stated although she is willing to go along with the majority of Council for tonight's meeting, she would like to clarify that when this section was added to the Agenda in 2010, it was designed to allow members of Council to discuss important issues. So, the fact that it is now being utilized on a regular basis for discussions and votes exceeds the purpose of its original intent.

Councilmember Carr stated things evolve, and today, this is a portion of the Agenda where Council can address business that is not covered under any other portions of the Agenda. So she absolutely agrees that citizens should be allowed to comment, and thinks there is a need for Council to not only be flexible but perhaps, revisit this issue to make the necessary revisions.

Voice vote to approve the Agenda as presented carried unanimously.

## **D. PROCLAMATIONS**

## **E. APPROVAL OF MINUTES**

1. May 8, 2017, Study Session Minutes were moved by Councilmember Jennings, it was seconded by Councilmember McMahon and the motion carried unanimously.
2. May 8, 2017, Regular Session Minutes were moved by Councilmember Carr, it was seconded by Councilmember Glickert and the motion carried unanimously.

## **F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Lauren Masterson-Rodriguez was nominated to Arts and Letters by Mayor Welsch, seconded by Councilmember Glickert and the motion carried unanimously.

## **G. SWEARING INTO BOARDS & COMMISSIONS**

## **H. CITIZEN PARTICIPATION (Total of 15minutesallowed)**

### **Jeff Hales, 7471 Kingsbury, University City, MO**

Mr. Hales thanked Councilmembers Crow and Carr for identifying the need to include citizen comments during the Council Reports/Business section of the Agenda. He stated that he found this evening's Study Session somewhat stunning, in that the shoe now appears to be on the other foot for those members of Council who endorsed the bond issue, telling everyone; this is your choice, and you're going to love it. However, the question he has is where are these storage tanks in Ladue, Creve Coeur, and Clayton? He stated there is no doubt in his mind that this site was chosen because of the land acquisition. And believes the addition of these tanks will adversely impact the neighborhoods in this area because to even suggest that they look like an office building is laughable. Mr. Hales stated the one study Council should be asking for is how much these tanks affect property values and whether the remaining homes will lend themselves to being owner or rental occupied. So his hope is that Council will give this considerable consideration and that more meetings will be held prior to implementation.

### **Gabriel Angeri, 8633 Mayflower Court, University City, MO**

Mr. Angeri appeared before Council to voice his vigorous opposition to the RFP issued for the proposed redevelopment of the Olive/170 interchange. Many residents; including himself, that have lived in this area in excess of 40 years, were dismayed by this proposal and are truly disheartened by the thought of losing this gem of a block to redevelopment.

### **Kathy Straatmann, 6855 Plymouth Avenue, University City, MO**

Ms. Straatmann stated anyone who has ever had to deal with MSD knows that they are a big bully. She stated her interpretation of their use of the word "*unfeasible*," meant that other options; like underground tanks, were more expensive. Ms. Straatmann stated her hope is that U City will not just kowtow to MSD, but presses them to find a feasible option that will be pleasing to the people who must live in these areas.

## **I. PUBLIC HEARINGS**

Zoning Code Text Amendment pertaining to multi-family residential developments and attached single-family dwellings.

Mayor Welsch opened the public hearing at 6:44 p.m., and hearing no requests to speak the hearing was closed at 6:45 p.m.



**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Traffic Signal Maintenance Agreement Renewal.

Councilmember Jennings moved to approve, seconded by Councilmember Glickert and the motion carried unanimously.

**L. UNFINISHED BUSINESS**

*BILLS*

1. **BILL 9315** - An ordinance authorizing the execution of a retainer agreement for City Attorney Services. Bill 9315 was read for the second and third time.

Councilmember Glickert moved to approve, it was seconded by Councilmember Carr.

Mayor Welsch stated that she had talked to both Mr. Adams and Mr. Mulligan about her inability to support this Ordinance based on her belief that an RFP should have been issued to solicit bids for this service. And in spite of the fact that she does believe Mr. Mulligan is a fine attorney, this Ordinance increases the City Attorney's salary by \$100 an hour.

Roll Call Vote Was:

**Ayes:** Councilmember McMahon, Councilmember Crow, Councilmember Glickert, Councilmember Smotherson, Councilmember Jennings and Councilmember Carr.  
**Nays:** Mayor Welsch.

**M. NEW BUSINESS**

*RESOLUTIONS*

*BILLS*

*Introduced by Councilmember Smotherson*

1. **BILL 9316** - An Ordinance amending Sections 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120 and 400.1125 of Chapter 400 - Zoning Code, of the City of University City Municipal Code, to revise certain attached single family dwellings and multi-family residential developments as provided herein. Bill 9316 was read for the first time.

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed

Mayor Welsch made the appointments that were needed.

2. Council liaison reports on Boards and Commissions

Councilmember Carr provided an update on some of the items brought forward at the last Park Commission Meeting:

- Consideration of the budget - How the budget affects maintenance and improvements for 17+ parks and parklands.

- First Resolution - Whereas \$100,000 in tree removal is actually for street trees and not trees located in parks, the Park Commission proposes to remove the cost from this fund; the Park and Stormwater Sewage Fund, and instead, use it for other park improvements for the 2018 budget. *(The motion carried unanimously)*
- Second Resolution - Whereas Ruth Park Golf Course and Driving Range generates revenue above expenses, the Park Commission believes revenue generated to Ruth Park in Fiscal Year 2018 and thereafter, should be treated as a separate enterprise fund. Should 2018 and thereafter, generate total revenue in excess of golf course-related expenditures 50 percent of such excess should be retained and remain in the separate enterprise fund to be used for Ruth Park Golf Course and Driving Range capital improvements, and the remainder given to the other University City parks. *(The motion carried unanimously)*

Councilmember Carr stated the Commission has asked that these Resolutions be submitted to Council for their consideration.

Mayor Welsch asked Councilmember Carr if she could provide each member of Council with a copy of the Resolutions and Councilmember Carr agreed to do so.

Mayor Welsch informed Council that the Library Board was also working on their budget, and wished to encourage everyone to participate in their Memorial Day Run, which will be held next Monday.

Mayor Welsch stated she also attended the EDRST Meeting last Thursday, where the Quarterly Reports from all grant recipients were reviewed and discussed.

Mayor Welsch asked Mr. Adams if he would provide a copy of the Quarterly Reports to each member of Council.

### 3. Boards, Commissions, and Task Force Minutes

Mayor Welsch thanked Mr. Adams for the Task Force Minutes that had been provided to Council.

### 4. Other Discussions/Business

#### a) **Removal of Sign Prohibiting Flyers in Council Chambers**

*Requested by Councilmembers Smotherson and McMahon.*

Councilmember Smotherson stated in accord with the decision issued by the ACLU, and until new policies and procedures have been established, he would make a motion to remove the sign prohibiting flyers in Council Chambers. It was seconded by Councilmember McMahon.

#### Citizen's Comments

##### **Donna Marin, 7445 Wellington, University City, MO**

Ms. Marin stated while it may seem insignificant to remove the sign, she thinks its removal and the adoption of a la sa fair attitude carries certain ramifications that are not self-evident. Ms. Marin displayed several flyers to Council and stated that if Council accepts the definition of a flyer as being a document intended for dissemination to the general public, then the harmless flyer announcing Pinkie's desire to run for the office of dog catcher would be just as acceptable as the other political flyer announcing that Hitler is running for office. She stated she does not believe this is a First Amendment issue. First of all, no speech is being stifled because Council permits citizens to come up and express their views.

And secondly, there are numerous buildings in U City that permit individuals to put up flyers; namely, the library. So Council can remove the sign and have no restrictions on flyers; change the restrictions to adopt an attitude that flyers must reflect the community, or leave the sign in place. But whatever the case, this motion should be given careful consideration, keeping in mind the ramifications this decision might bring about.

**Jeff Hales, 7471 Kingsbury, University City, MO**

Mr. Hales stated the question that comes to mind is how many of the Mayors whose pictures are hanging on the wall served when there were no signs like this in Chambers? And while he would agree that Council needs to be thoughtful and deliberate in their decision-making, the time for taking those actions would have been prior to the Mayor's decision to have someone removed from Chambers. The people in this room are adults, and if Ms. Marin or anyone else wants to put an offensive flyer on the table that speaks to that individual and not the practices or policies of this Council. Mr. Hales asked Council to consider amending their motion to include that the signs posted at the front of Chambers stating, "*City Council and Staff Only Beyond this Point,*" also be removed.

Council's Comments

Councilmember Carr stated although she values Ms. Marin's viewpoint, she would remind her, as well as everyone in this room, that when political flyers are disseminated by either a citizen or this governmental body, they must include a "*Paid for by*" attribution. So while some flyers could certainly be offensive, Council is not at liberty to discriminate based on content of the speech, be it written or spoken.

Councilmember Crow acknowledged appreciation for the concerns expressed by Ms. Marin and Mr. Hales, specifically with respect to Mr. Hales' comment regarding the pictures on the wall. Because everyone in this room with a little bit of gray hair recognizes that over the past hundred years this Council Chamber has survived; as has this Council, through a significant amount of societal upheavals. And in spite of this turmoil, U City seems to still have its reputation intact. As a result, he feels pretty comfortable saying that if something offensive is placed on that table, then so be it. He stated that U City has experienced protests for just about everything. And while you may not necessarily have agreed with the message, you do think that they have a right to express their opinions. That's why he would agree that it is time for this sign, as well as the two yellow signs; which have been unevenly enforced, to be removed. Councilmember Crow made a motion to amend Councilmember Smotherson's original motion to include that the two yellow signs also be removed.

Councilmember Glickert stated his belief is that someone just put the sign there because he does not recall any action being taken by this Council with respect to whether the sign should or should not be posted. So, that in and of itself indicates that the whole concept is just wrong. And this issue should be revisited to determine whether new policies and procedures need to be established, particularly in light of the comments made by Ms. Marin.

Councilmember McMahon stated he would like to thank the speakers as well because their comments helped to clarify a delicate issue that should not be taken lightly; the expression of free speech. How can this Council make a just determination of what speech is offensive and what speech is not? He stated that his stance has always been to err on the side of allowing more open discussions because that provides him with an opportunity to listen and gain a better understanding of where an individual stands on a particular issue; good, bad or indifferent.

So he would like to thank Councilmember Glickert for pointing out that the sign was put up by Lehman Walker, the former City Manager; without discussion of Council because that reveals where he stood on the issue of a citizen's First Amendment rights. Councilmember McMahon stated now is the right time to have these discussions, so that moving forward more people will be eager to enter these Chambers and express their opinions, knowing that they will be heard and not dismissed.

Mayor Welsch stated when she became a member of Council in 2002 she was approached by her predecessor, Mayor Adams. He informed her that this type of signage should be removed from the Chamber because no political materials were to be displayed within the four walls of City Hall. She stated that although she never made the determination of whether this was a law or merely habit, the signage was removed. Mayor Welsch stated her concerns are similar to those expressed by Ms. Marin, and thinks that certain restrictions should be adopted to ensure that flyers reflect the attitude of the community and ensure that the City will not be held liable. So, she is not against removing the signs, as long as Council has a process in place for what can and cannot be displayed in a public meeting, or on a public shelf. Mayor Welsch stated that prior to this meeting she had discussed this topic with Mr. Mulligan, and if Mr. Adams is amenable to doing so, she would like him to speak to Council on this issue.

Mr. Mulligan stated although he had not been able to research this specific issue in advance of tonight's meeting, a City does have the authority to regulate the time, place and manner of speech. So while he would agree that Council should stay away from the issue of content, some subjects, such as how many or how long they can remain, are appropriate regulations that Council may want to give additional thought and study to, prior to the formalization of any new rules.

Councilmember Carr stated that first, she would like to offer a second to the amendment made by Councilmember Crow, and second, remind everyone that this City signed a Consent Judgment wherein it promised not to create any further rules that limited content-based speech. So while she understands much of the rationale, she just doesn't buy it. The removal of these signs simply says that Council is willing to engage with their constituents. And in order to send a clear message, Council must begin to form the habit of administering everything equally to all; which in this case means making no rules. Councilmember Carr stated she is very much in favor of taking down the signs and allowing common sense and general respect to be the guide, rather than individual rules.

Voice vote on the amended motion to remove the two yellow signs in addition to the sign prohibiting flyers in Council Chambers carried unanimously.

Roll Call Vote on the Motion to Remove All of the Aforementioned Signs in Council Chambers Was:

**Ayes:** Councilmember Smotherson, Councilmember Jennings, Councilmember Carr, Councilmember McMahon, Councilmember Crow, and Councilmember Glickert.

**Nays:** Mayor Welsch.

**Dissenting Opinion:** Mayor Welsch stated she has real concerns that the City may run into trouble if something inappropriate is placed on the shelf in Chambers.

## **b) City Manager Search - Setting the Agenda**

*Requested by Councilmembers Carr and McMahon*

Councilmember Carr stated Council has been presented with four options from Mr. Szymborski, the GovHR-USA representative in charge of this search.

### **Option One:**

- Monday, June 12th, meeting with Mayor and City Council
- Community forum held during Council Meeting
- Tuesday, June 13th, meeting with the Interim City Manager and Department Directors

### **Option Two:**

- Monday, June 12th, meeting with Mayor and City Council
- Community forum held during Council Meeting

### **Option Three:**

- Monday, June 12th, meeting with Mayor and City Council prior to meeting
- Tuesday, June 13th, meeting with Interim City Manager and Department Directors
- Wednesday, June 14th, Community Forum held at 6 p.m.

### **Option Four:**

- Monday, June 12th, meeting with Interim City Manager
- Meeting with Department Directors
- Meeting with Mayor and City Council prior to meeting
- Community forum held during Council Meeting

Councilmember Carr stated she thinks Option three best fulfills her desire to have a separate Community Forum dedicated to eliciting input from residents. And although her initial thought was to exclude Department Directors, she now thinks that doing so would assist Mr. Szymborski in understanding the City's operations and leadership requirements.

Mayor Welsch stated that by Charter, Council must hold a public hearing on the budget during the June 12th meeting. So based on that fact, and her belief that the Community Forum should be a separate, standalone meeting, she would also favor Option three.

Councilmember Jennings stated although his preference would also be Option three, he is concerned that one hour may not be enough time to fully engage with the community. So he would suggest that the forum be extended until 8 p.m.

Mayor Welsch asked Councilmember Carr if she would communicate Council's suggestion to have a slightly later start time and an extended end time.

Councilmember Carr made a motion to adopt Option three, and ask that the Community Forum start at 6:30 and be extended to 8:30. It was seconded by Councilmember Jennings.

Roll Call Vote on Option Three Was:

**AYES:** Councilmember Jennings, Councilmember Carr, Councilmember McMahon, Councilmember Crow, Councilmember Glickert, Councilmember Smotherson and Mayor Welsch.

**NAYS:** None.

## **c) Storm Water Issues: Task Force or Master Plan?**

*Requested by Councilmembers Carr and Smotherson*

Councilmember Carr stated several members of Council have been meeting with residents; who she likes to refer to as victims that have experienced stormwater-related problems. And in every case, she has thought about what the City should have done two years ago, which was to develop a Stormwater Master Plan. She stated the main reason this plan is so important is not about trying to stop the communities upstream from pumping water into U City as a result of new construction, it's about establishing a visual aid that will assist the City in prioritizing its problems. Right now all we can say to these residents are *"I'm really sorry. Have you called MSD? Have you called FEMA? Let me come and look at it."* But that's not enough. These problems encompass more than the overland flooding or the two deaths in 2008. This City's stormwater-related issues are based on the fact that it is located in a watershed comprised of unevenly graded properties.

Council has just been told that MSD is planning to install several storage tanks in Ward 3, which she has grave concerns about. And while their prediction is that these tanks will provide a 40 percent reduction in basement backups and sewer overflows, over the years none of their projections have ever seemed to quite pan out. Councilmember Carr stated her belief is that U City must take care of its own house; therefore she would like to propose several ways that this can be done.

1. The set-aside of funding for a consultant to assist the City in the development of a Stormwater Master Plan.
2. The formulation of a Task Force, by means of a Resolution, to appoint individuals with expertise in this area who can assist with the development of a Master Plan.
3. The formulation of a Neighborhood Improvement District (NID), which essentially allows residents to borrow money that is repaid back to the City.

Councilmember Carr stated U City is fortunate to have some great experts who for years have expressed a desire to help the City with the resolution of these problems. And even without the City's approval, she held a Town Hall Meeting on dry flood proofing. So whether this comes about through the hiring of a consultant; which Ladue elected to do, or a Task Force, the bottom line is U City is way behind the power curve and now is the time to take some action. Councilmember Carr stated since the development of a Master Plan will have a significant impact on the Public Works Department, she would also like to suggest that Mr. Alpaslan and Mr. Kalter be appointed as staff liaisons, should Council elect to proceed with formalizing a Task Force.

Councilmember Jennings stated he has received numerous calls as a result of the recent storms, wherein he learned that there were eight homes on Trenton with considerable damage that no one is willing to take any responsibility for. So he thinks a Task Force is something Council should give consideration to. Every home should have an emergency plan, and the same should hold true for this City.

Mayor Welch stated while she would support the formation of a Task Force, she would like to respectfully say that U City has been doing a lot with respect to its stormwater-related problems, and is one of the most active members of the Regional Watershed Task Force. She stated that U City is a lot different from Ladue, who is located at the top of a much smaller watershed. U City is located at the bottom of the watershed, which hinders its ability to control water that not only comes from Ladue, but Olivette, parts of Creve Coeur, Overland, Pagedale and Bel-Nor.

Mayor Welsch stated she has been involved with the River project for a long time and would agree that there is plenty of expertise within the community that also includes the River Des Peres Watershed Coalition.

So her thinking is that the priority list might be clarified even more moving forward, by evaluating whether new codes should be established for buildings, or advocating with other communities to implement improvements to their codes. Because as Councilmember Carr has alluded to, much of the City's problems are direct results of new construction in neighboring communities that have failed to maintain this water on their properties. So, if Council elects to proceed with the option of formalizing a Task Force, prior to its initiation she would suggest that Council receives an update from staff to learn exactly what is going on, to ensure that individuals possessing the right area of expertise are being appointed.

Councilmember Carr asked Mr. Alpaslan if he would provide Council with his thoughts on the implementation of a Task Force and what he believes should be included in the initial list of priorities? Mr. Alpaslan stated in his personal and professional opinion, there is a need to increase the City's resilience against these threats that are a result of the changing nature of global rainfall events, upstream developments, and the City's, as well as MSD's, aging infrastructure. So although there is still some confusion about what MSD does or does not maintain, they have started to become more proactive through the passage of bond issues to assist them in maintaining these waterways and resolving some of the problems.

Mr. Alpaslan stated some of the current problems are associated with significant rainfall events that impact the City's sewer overcharges causing backups onto properties, as well as flooding issues associated with the City of Overland that in some instances, caused residents to experience in excess of 3 feet of water backing up in their basements. He stated that he had also attended a conference at the beginning of May and learned that there are a lot of options that a consultant or Task Force could explore, such as flood proofing or a community flood-alert system. So these residents are looking for some type of support, and if U City is prepared with a list of prioritized projects, it will be in a much better position to approach MSD and determine if they can provide any assistance.

Mr. Mulligan stated he had been present at the Study Session and realizes that this is a complex subject. But to the extent that anyone interpreted MSD's remarks as it's a take it or leave it transaction; and interpreted that to mean that the City has no discretion or legal position with respect to this matter, he would like to inform Council, as well as the citizens in this room, that that is not a position he would necessarily agree with. There are a number of legal issues raised by this particular project that Council may want further inquiry, study, and advice on. So he would be remiss if he allowed everyone to leave tonight's meeting thinking that the City had no options.

Councilmember Jennings questioned whether the fact that this is a Federally mandated project in which MSD has acknowledged their intent to comply through the execution of a Consent Decree, would lead to the issuance of penalties as a result of non-compliance or the initiation of legal actions which cause the project to be delayed? Mr. Mulligan stated since this is his first time hearing about this project, he has not had an opportunity to read the Consent Decree. But the point he was trying to clarify is that there are a number of issues, such as eminent domain, the City's zoning authority or whether the Federal guidelines are being applied as intended, that the City may want to look at prior to making a recommendation. Councilmember Jennings stated his only concern is that the City proceeds with caution.

Councilmember Carr expressed appreciation for Mr. Mulligan's comments and suggested that consideration be given to perhaps, making him a member of the Task Force to assist with some of the legal issues.

She then made a motion that Council move forward to establish a Task Force through the drafting of a formal Resolution that could be amended, tweaked, and represents a collaborative effort on the part of Council.

Mr. Mulligan reiterated the fact that although he has not explored all of the City's options, his only intent was to make everyone aware that in spite of the fact that MSD's comments could be interpreted to mean one thing, does not necessarily make it true.

Councilmember Carr's motion was seconded by Councilmember Smotherson.

Councilmember Crow thanked Mr. Mulligan for his comments and acknowledged that these types of discussions embody the very reason why City Attorney should be present at Council Meetings. However, his preference is that Mr. Mulligan not be placed on the Task Force simply because of the cost associated with him attending those meetings. Secondly, he thinks that any further advice proffered by Mr. Mulligan should be provided to Council during Executive Sessions.

Voice vote on Councilmember Carr's motion to establish a Task Force carried unanimously.

**d) ROARS: University City Newsletter, Council Corner**  
*Requested by Councilmembers Carr and Smotherson*

Councilmember Carr stated last week she received a letter from the City's PR representative at ESM that she would ask Ms. Reese to distribute. Essentially, the letter states that a Councilmember's Corner will be added to *ROARS*, which she was somewhat excited about. However, upon receipt of the schedule listing the order of rotation for scripting this column, she noticed that the Mayor's name had been omitted. Leading her to believe that there would now be two columns; one for the Mayor, and one for Council.

Councilmember Carr stated the dilemma with respect to this issue arises pursuant to a January, 2013 decision made by Council. She stated that page 2 of the January 28th Meeting Minutes, have been highlighted to reflect a discussion regarding the elimination of two columns. Council's belief, at that time, was that by allowing the Mayor to weigh-in on every letter propagated the myth that the Mayor is separate from, and above the rest of Council, which is not the case in U City. While the Mayor does have the authority to preside over meetings, she does not have the authority to be the person in charge of Council. After a lengthy discussion, Mayor Welsch informed Council that Mr. Walker had made a decision that it would be in the best interest of the City to have the Mayor write a City-wide column, rather than individual members of Council. Thereafter, a roll call vote was taken which was approved by a majority, and Council's motion to have one column in which all members of Council would be allowed to participate in, became the policy.

Mayor Welsch informed Councilmember Carr that there had been no mention of a Mayor's column; that there has not been a Mayor's column since Council's decision in 2013, and what had occurred in this instance, was an omission made on the representative's part, to include her name in the rotation.

Councilmember Carr noted that the last issue of *ROARS* contained a very extensive column written by both the Mayor and Councilmember Smotherson. Nevertheless, in her opinion, it would be much better if Council retained the original rotation established of cycling through all Wards, the Mayor, and then cycling back through the Wards again.



That way no one will get the impression that the opinions of a specific Ward are being given more weight than another Ward. Councilmember Carr stated there is also an election coming up in ten months, in which Councilmember Glickert might be participating. But according to the new schedule, his rotation does not occur until after the election. So, she would suggest that the rotation schedule be realigned to make it evenly balanced, and include the Mayor's name.

Councilmember Carr stated she does not recall any action being taken by Council which authorized MSW's 2016 contract, which at this time was in excess of \$8,000 a month, exceeding the City Managers \$25,000 contract restriction. And later, when MSW submitted their proposal, it indicated that their agreement was attached. But no agreement was ever provided to Council in their packets, and once again, they voted on an item without having the contract in front of them. So going forward, she would like to see all contracts prior to taking a vote, and if anyone is able to find the answer to her question about authorization in the minutes, please let her know and she would be happy to retract her statement.

Councilmember Carr asked Mr. Adams if it was possible for ESM's representative to rework the schedule of rotation? Mr. Adams stated a portion of the rotation schedule that has evolved was based on his interjections to ensure that every member of Council had an opportunity to participate. So, while he certainly does not have a problem with this request, he would suggest that Council develops a schedule that would be accommodating to everyone and then he would submit it to the representative.

Councilmember Jennings stated he would like to make sure that the newsletter includes a City-wide article so that residents are aware of the City's day-to-day operations. He suggested that it be written by the Chief Executive Officer; i.e., the City Manager.

Mayor Welsch asked Mr. Adams if he would attempt to locate a copy of the contract that Councilmember Carr has referred to? Because she thinks that when MSW; which is now ESM, was brought on board Brighton was still managing *ROARS*. That responsibility has now switched over to ESM, so part of the monthly cost is probably for the production and mailing of *ROARS*. But it would be helpful if that information could be clarified.

**O. CITIZEN PARTICIPATION (continued if needed)**

**P. COUNCIL COMMENTS**

Councilmember Glickert informed Council that he had completed a final draft of the job description for the position of City Clerk, to include benefits, that he will submit to Council within the next 10 days for their consideration and approval.

Councilmember Crow stated he appreciates the fact that Council is now having robust conversations in both Study Sessions and Regular Council Meetings, and thinks this is the time for members to have healthy conversations amongst themselves, rather than one-way conversations. He stated the reason for this comment is to identify and highlight for the record, the one-way conversation conducted by the Mayor in the May 15th University City Bulletin. Within these comments, the Mayor appears to go to great lengths to paint members of Council; and one member in particular, in a not-so-flattering light. Her first comment which references the RFP(s) for EMS. *"Councilmember Terry Crow stated on two occasions that there was only one response to the RFP put out on EMS services in 2004. That is not the case. Abbott and Gateway both responded, Gateway made it through the process and was chosen.*

*That is how RFP(s) work."* This is a statement that he actually agrees with; even though he does not appreciate her coloration of the issue, *"Other misinformation or alternative facts"*.

The Mayor was correct, he was incorrect, and it really wasn't hard for him to admit that he had made this mistake.

The Mayor's second comment was about the budget. *"My Council colleague also stated that for the next two months the Council will be focusing solely, it would appear, on the FY-2018 budget. Hmm. Staff has already provided Council with a draft budget to review that Council will have a number of opportunities to discuss. In my opinion, we can walk and chew gum at the same time. Our consideration of the budget should not mean that we won't do anything else."* Councilmember Crow stated that once again, he would agree with the Mayor's comments since there is nothing preventing her from bringing anything else forward during this period of time. But on the other hand, nothing he said with respect to the budget was incorrect or out of the ordinary. And in his opinion, the Mayor's constant diatribes' against members of Council do not serve her or the citizens of this City well.

The Mayor's third comment refers to censures. *"Then we were all advised that the Council will be looking at some much-needed censures of members of Council. Apparently these are much-needed now, but the Council won't do them now; apparently waiting for a more opportune time. We should be in the business of governing, not staging theatrics."* Councilmember Crow stated when looking back at the history of U City he has not been able to find any other instance where someone has censured as many people as Mayor Welsch. Her rationale for implementing these censures was to protect the integrity of the body and democracy as a whole, but when the shoe was on the other foot, and Council sought to censure her and Councilmember Glickert for their actions, it's called *"theatrics"*.

The Mayor's fourth comment refers to the police station, which he'll simply paraphrase. The majority does not want to decide how to proceed with a new facility for the police station until after a new City Manager is hired. That will be more months. Councilmember Crow stated, here again, the Mayor's right, it will be more months, but she has had six years to take care of the police station and nothing has happened. She sat still when money was set aside in the budget for the police station, and she continued to sit still even when she maintained a super majority. So if it takes Council a few more months to make sure that it's done right, then so be it. But do not lecture him through an email to citizens about doing something wrong, when in fact, he is proceeding in the exact manner Council had advised everyone that it would.

The Mayor's fifth comment refers to streets. *"Our streets continue to deteriorate because members of the current majority on Council actively worked against a 20 million dollar bond issue."* You bet we did. Councilmember Crow stated in spite of the fact that this was the worst bond proposal he has ever seen, the City's streets are deteriorating because money was taken from the Street Department's budget and spent on pet projects.

The Mayor's sixth comment refers to the pension plans. Evidentially, he was being lectured to here, because the Pension Board has not been providing reports to Council on a regular basis. *"The Pension Plan Board meets four times a year. We are trying to meet more because as you know, we have an unfunded liability in both of our plans. Recently there was a tax that was passed for emergency services that hopefully will give us some additional funds and hopefully we can take care of some part of the unfunded liability in that plan."* Councilmember Crow stated every member of this Council is aware of the unfunded liability and he thinks it's safe to say that every member is concerned about that liability. So it is very disingenuous to say that the Pension Board has not made any reports, when in fact, their liaison, just like every other member, has the same access to the Pension Board's minutes as they do to any of the other Commission's minutes.

Mr. Crow stated that the Mayor's final comment; which he found extremely annoying, states, *"I and others mention these issues as often as we can. But you have to be working with colleagues who understand some of the extremely challenging issues we are facing."*

Mr. Crow asked how much more demeaning can you be to your colleagues? He stated in spite of the fact that he would be willing to put his education and experience up against members sitting on this dais, he does not believe that anyone should belittle their colleagues in public by saying that they are not up to the task. Mayor Welsch has had seven years to address these challenges, but instead, she has spent her time settling political scores at the expense of the City's public safety, infrastructure, and reputation. And her efforts, through the dissemination of this email to play the innocent martyr are self-serving and clearly falling on death ears. When it's your actions that have resulted in the City's misfortunes you should at least have enough integrity to take responsibility for those actions.

- Q.** Roll-Call Vote to go into a Closed Council Session according to RSMo 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect legal consideration.

Councilmember Carr moved to approve, it was seconded by Councilmember Jennings.

Roll Call Vote Was:

**AYES:** Councilmember Carr, Councilmember McMahon, Councilmember Crow, Councilmember Smotherson, Councilmember Glickert, Councilmember Jennings and Mayor Welsch.

**NAYS:** None.

**R. ADJOURNMENT**

Mayor Welsch thanked everyone for their attendance and closed the City Council meeting at 7:59 p.m.

LaRette Reese  
Interim City Clerk

DRAFT



6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

### NOTICE OF PUBLIC HEARING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS -FY18

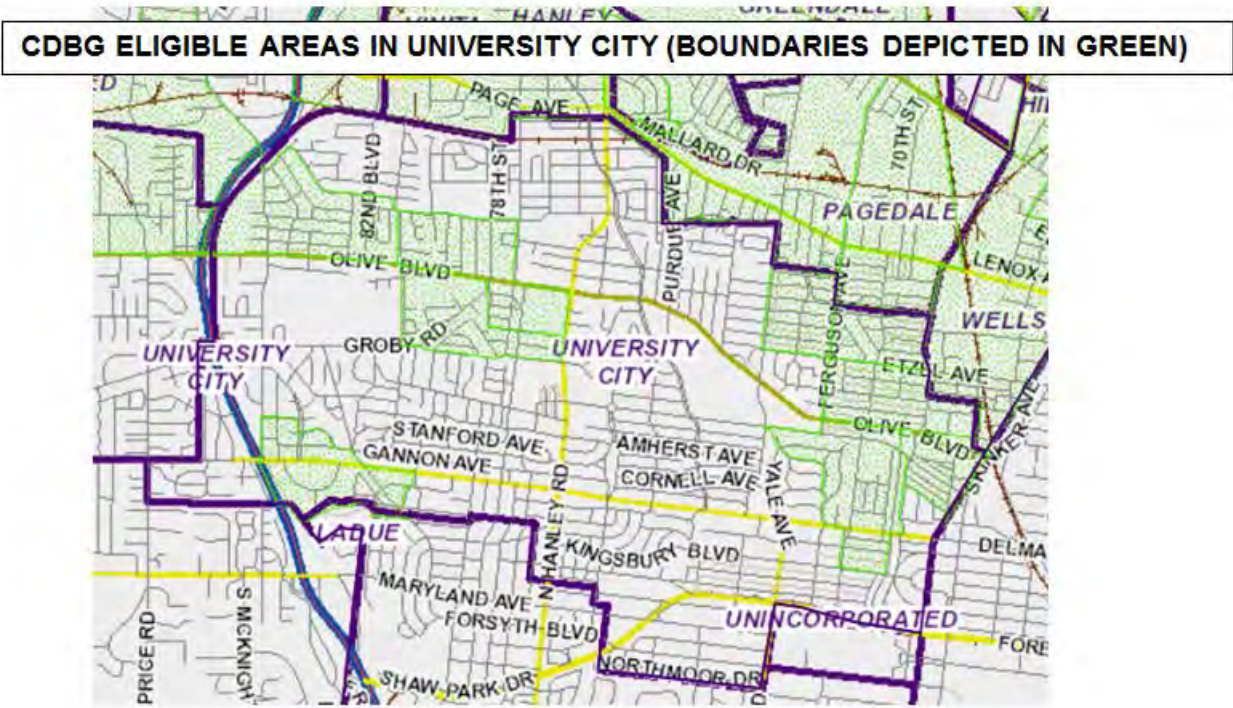
The City of University City, Missouri will hold a public hearing on Monday, June 12, 2017 at 6:30 p.m. in the 5<sup>th</sup> floor City Council Chambers, 6801 Delmar Boulevard, 63130 to consider the use of the City's allocation of Community Development Block Grant Funds in keeping with the National Objectives of the CDBG/Housing and Urban Development program as defined in 24 CFR 570.201-207 as follows:

Home Improvement Activities	
Home Improvement Loan Program	\$80,000
Home Repair Emergency Program	<u>\$20,400</u>
<b>Total Allocation</b>	<b>\$103,400</b>

The programs will achieve the following goals, among other objectives:

1. Benefit low and moderate income persons
2. Prevent or eliminate slums or blight
3. Address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

*The funds will be available after January 1, 2018.* For persons with disabilities who require special arrangements to attend, or if you have any questions, please contact LaRette Reese at 314-505-8531. All interested parties are invited to attend.





Department of Community Development  
6801 Delmar Boulevard University City, Missouri 63130 | 314-505-8500

### MEMORANDUM

TO: TINA CHARUMILIND, DIRECTOR OF FINANCE  
FROM: ANDREA RIGANTI, DIRECTOR OF COMMUNITY DEVELOPMENT *AR*  
DATE: JUNE 7, 2017  
SUBJ: FY18 CDBG PUBLIC HEARING AND FUND ALLOCATION REQUEST  
CC: CHARLES ADAMS, INTERIM CITY MANAGER

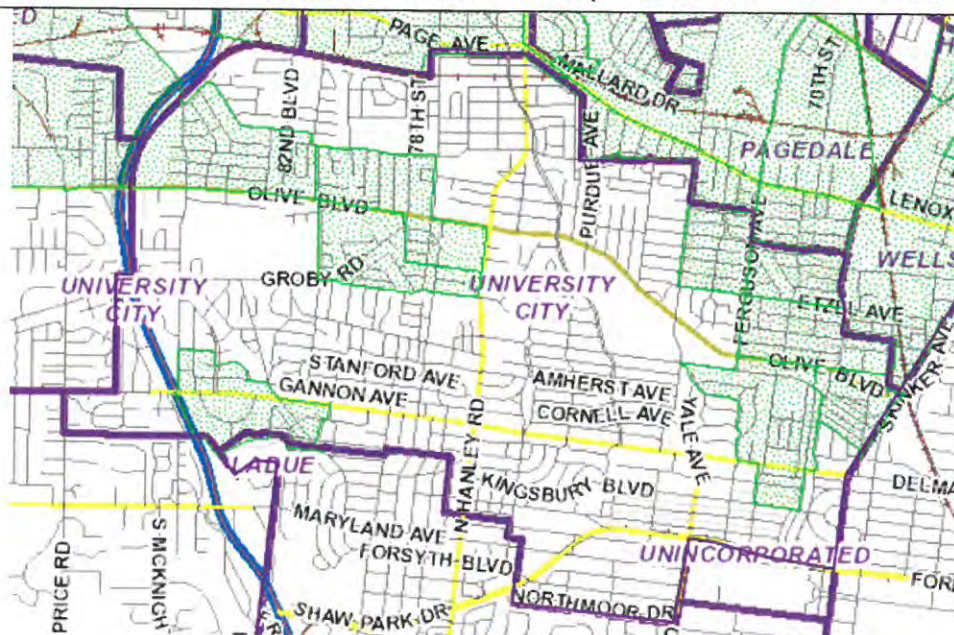
#### Summary

The Department of Community Development proposes to use the City's \$103,400 allocation of Community Development Block Grant (CDBG) funds to meet **critical housing needs** of low to moderate income residents. There would be two types of assistance provided with CDBG funds: a forgivable loan for home improvements to augment the St. Louis County program and an emergency repair fund for homes. Additional details on each program are provided in this memorandum. Both programs would assist with identified unmet housing needs and be in keeping with National Objectives of the CDBG/Housing and Urban Development program as defined in 24 CFR 570.201-207. Specifically, the programs will:

1. Benefit low and moderate income persons
2. Prevent or eliminate slums or blight
3. Address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

In the past, the City used CDBG funds for public works projects such as streets, sidewalks and alleys or policing in CDBG eligible areas (see map below). While these efforts are eligible uses of CDBG funds and important services, they can be supported through other City funds and resources. However, there is not an available pool of funding for housing and community development activities. The benefits of the home improvement programs are critical community development initiatives that well extend beyond the homeowners to the greater community, with the maintenance of strong neighborhood fabric, the upkeep of the housing stock and resultant effect on property values.

#### CDBG ELIGIBLE AREAS IN UNIVERSITY CITY (BOUNDARIES DEPICTED IN GREEN)



## **Definition of Need**

The identified need for home repair assistance is greater than the services and funding available. This statement is supported by quantitative and qualitative information.

*Assisting senior residents.* According to the 2010 US Census, about 16% of University City residents are 65 year or older. This age cohort is expected to increase in the next several years. Many of these residents are living at low to moderate fixed income levels and do not have adequate funds to properly maintain their homes. Both the City's 2012 Senior and Youth Task Force report and the St. Louis County Age Friendly Action Plan of 2015 identify home repair needs as a high priority in order for University City and St. Louis County seniors to age in place.

The City coordinates volunteer home improvement assistance days that target seniors and low to moderate income individuals. The volunteer effort began about seven years ago with one service day a year on national Make a Difference Day, but has grown to four volunteer days per year. The large number of applications received for these efforts are often beyond the scope of services provided by volunteers and the financial capacity of donated funds.

*Lack of alternative resources.* While there are a few local and regional non-profit organizations that offer home repair programs, there are not enough funds to assist all of those in need. The City's Senior Service Coordinator receives a significant volume of calls requesting home repair assistance from seniors, and makes referrals to agencies that have waiting lists. Likewise, property maintenance inspectors are asked by homeowners cited for property maintenance violations for financial assistance, and/or additional time to find resources to abate the violation.

*Number of properties in disrepair or poor condition.* There are over 50 properties currently in the St. Louis County Trustee receivership. Although these properties were placed in the Trustee program due to tax default, many of them were abandoned and derelict. Some of these instances could be avoided if additional financial resources were available and directed to low and moderate income homeowners.

## **Proposed Programs**

*Home Improvement Loan Program* - \$80,000 is proposed to be allocated to the existing St. Louis County Home Improvement Loan Program (HIP). The HIP offers up to a \$5,000 forgivable loan to income qualified individuals for essential home improvement projects. The City's \$80,000 allocations would augment existing funds and could be earmarked for senior residents. It would assist many residents currently on the HIP waiting list. Information on the HIP is attached.

*Home Maintenance Emergency Fund* - \$20,400 available for home issues that require immediate attention, such as plumbing, flooding issues, or roof repairs, etc.. The emergency fund would be administered by the Department of Community Development based on needs of low-moderate income older residents and meet St. Louis County and HUD CDBG guidelines. It would fill the void in service between the HIP and other services available. The fund would also provide the City with the ability to respond quickly and effectively to the needs of older residents so they can remain in a safe and accessible home.

Online Services | Your Government | Property and Roads | Law and Public Safety | Health and Wellness | Parks and Recreation | Access STLCO

**PROPERTY AND ROADS**

Home » Property and Roads » Community Development » Home Improvement Program

- Assessment
- Clean Green Beautiful
- Construction and Permits
- Community Development
- Public Notices
- CDBG
- 1st Home Down Payment Loan
- Housing Policy Priorities
- Home Improvement Program
- Lead Hazard Control
- Consolidated Plan/CAPER
- For-Sale Housing Production
- Rental Housing Production
- Energy Efficiency/Green Building
- Fair Housing/Equal Opportunity
- Universal Design
- Neighborhood Stabilization Program
- Opportunities for Small and Section 3 Businesses
- Section 108 Loan Guarantee Program
- Wellston Choice Neighborhood Plan
- Community Planning & Revitalization
- Countywide Planning & Policy
- Neighborhood Services
- Occupancy Permits
- Planning Zoning and Subdivision Information
- Real Estate Information
- Subdivision Trustee Resource Center
- Taxes and Deeds
- Transportation
- Trash Collection

**Home Improvement Program**

The Home Improvement Program (HIP) is a federally funded program, which provides technical advice and financial assistance to qualified homeowners for a variety of home repairs. The program is administered by St. Louis County's Department of Planning, Office of Community Development.

The applicant must be the owner and occupant of the property to be improved. Gross household income from all occupants must meet established low-moderate Income Limits. Homeowners must be current in their mortgage payments and real estate taxes must be paid in full. Applicants are served on a first-come first-served basis until all funds are committed. Applications are taken over the telephone in an interview process.

Approved repairs or replacements necessary to maintain minimum housing code standards are eligible. Homeowners are required to solicit bids and select their own general contractor. The check will be submitted directly to the contractor following final inspection. A participant can receive 100% of the cost of correcting authorized repairs, based on a maximum benefit limit of \$5,000. Program participation is limited to Once In A Lifetime Program Participation, regardless of the fact they married or moved to a different address after five years.

Homeowners are required to sign a 5-year Forgivable Loan Agreement that provides for an **annual reduction of twenty percent** of the amount of the grant, as long as they **continue to own and occupy** their house. This 5-year Forgivable Loan Agreement will be on record with the St. Louis County Recorder of Deeds office as a lien against the property.

Interested residents should contact the HIP satellite offices to make an application:

Clayton Office	South County Office
41 S. Central, 5th Floor	4546 Lemay Ferry Road
St. Louis, MO 63105	St. Louis, MO 63129
(314) 615-8232	(314) 615-4025

**Program Information**

Subordination Worksheet  
pdf | doc

**Contact Information**

Office of Community Development  
41 S. Central, 5th Floor  
Clayton, MO 63105  
Phone: (314) 615-4592  
Fax: (314) 615-8674  
Relay Missouri 1-800-735-2966

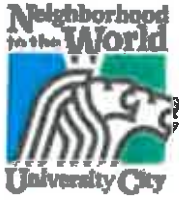
**Main Location:**  
41 South Central  
Clayton, MO 63105

**North - Satellite Center:**  
Village Square Shopping Center  
21 Village Square

**West - Satellite Center:**  
Clarkson Wilson Centre  
82 Clarkson Wilson Centre

**South - Satellite Center:**  
Keller Plaza  
4544 Lemay Ferry Road





## City Manager's Report Agenda Item Cover

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**MEETING DATE:** June 12, 2017

**AGENDA ITEM TITLE:** Liquor License for Wu's Kitchen (Asian Kitchen),  
8423-25 Olive Blvd.

**AGENDA SECTION:** City Manager's Report

**CAN THIS ITEM BE RESCHEDULED? :** Yes

**BACKGROUND REVIEW:** Wu's Kitchen, primarily Asian Kitchen Restaurant, has applied for a liquor license: Beer and Wine, by the Drink, Retail including Sunday sales. This location currently has a liquor license to sell beer and wine by the drink, retail. This request is a change in managing officer and fictitious name. Applicant is Sandy Tsai. A background check revealed no disqualifying information.

**ATTACHMENTS:** Background check

**RECOMMENDATION:** Approval





CITY OF UNIVERSITY CITY
APPLICATION FOR LIQUOR LICENSE
University City Municipal Code, Chapter 600 Section 600.060

INSTRUCTIONS: Read each question carefully. Make certain that each question is answered completely and correctly before you submit this application. If you need additional space, use the additional sheet provided at the end of this application. If a question does not apply to you, write N/A in the space, do not leave any blank fields. Submit all documents as requested. PLEASE PRINT CLEARLY.

Please note that this application may only be completed and filed by a sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license.

AN APPLICANT IS NOT PERMITTED TO OPERATE UNTIL LICENSE IS ISSUED

Applications must be accompanied by a non-refundable application filing fee of \$25.00

Type of license requested- separate license shall be obtained for each of the following classes of sales: (Please check each classification that applies)

- 2- All kinds of intoxicating liquor, by the drink, retail. \$450.00
4- CLUB: All kinds of intoxicating liquor, by the drink, retail. 200.00
5- Malt liquor not in excess of 5% alcohol wholesaler to wholesaler. 75.00
6- Intoxicating liquor not in excess of 22% alcohol wholesaler to wholesaler. 150.00
7- Malt liquor not in excess of 5% alcohol wholesaler to retailer. 150.00
8- Intoxicating liquor not in excess of 22% alcohol wholesaler to retailer. 300.00
9- Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the package, retail. 75.00
10- Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the drink, retail. 75.00
11- Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail. 75.00
12- Intoxicating liquor not more than 22%, by the package, retail. 75.00
13- Intoxicating liquor of all kinds, wholesaler to wholesaler. 375.00
14- Intoxicating liquor of all kinds, wholesaler to retailer. 750.00
15- Intoxicating liquor of all kinds, by the package, retail. 150.00
Sunday Liquor License. 300.00

**I. BUSINESS APPLYING FOR LICENSE**

A. BUSINESS NAME AND TYPE <b>ASIAN KITCHEN</b>		<input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company
B. DESCRIPTION OF PREMISES AND ADDRESS: DESCRIPTION: <b>1 STY CONC BLUCK &amp; STONE COMMERCIAL SEE ATTACHED</b> ADDRESS: <b>8423 OLIVE BLVD UNIVERSITY CITY, MO 63132</b> HOURS OF OPERATION: <b>TUES - THURS 11:00 AM - 9:00 PM FRI - SUN 11:00 AM - 10:00 PM</b> MONDAY - CLOSE		C. PHONE: <b>(314) 989-9377</b>

**II. MANAGING OFFICER**

A. NAME: (LAST) <b>TSAI</b> (FIRST) <b>SANDY</b> (MIDDLE INITIAL) <b>H</b>		
B. ADDRESS, CITY & ZIP CODE: <b>176 CEDAR BRIDGE COURT, ST. LOUIS, MO 63141</b>		C. PHONE: <b>(314) 989-9377</b>
D. DATE OF BIRTH: [REDACTED]	F. BUSINESS PHONE: (IF DIFFERENT FROM ABOVE) <b>(314) 220-6266</b>	
G. PREVIOUS ADDRESS, IF NOT AT PRESENT ADDRESS FOR 5 YEARS OR MORE: <b>N/A</b>		
H. IF FOREIGN BORN, PLEASE STATE COUNTRY, PLACE AND STATE OF NATURALIZATION: <b>REPUBLIC OF CHINA, TAIWAN, MISSOURI</b>		
I. MISSOURI RESIDENT SINCE: (MONTH & YR) <b>MARCH 1989</b>	K. TOWNSHIP: <b>MARYLAND HEIGHTS</b>	L. COUNTY: <b>ST. LOUIS</b>
M. CURRENT BUSINESS OR OCCUPATION OF APPLICANT: <b>RESTAURANTEUR</b>		
N. NAME OF CORPORATION, PARTNERSHIP OR CLUB: (IF APPLICABLE) <b>WU'S KITCHEN LLC.</b>		

<b>FOR PARTNERSHIP OR LIMITED PARTNERSHIP</b>	<b>NUMBER OF MEMBERS: N/A</b>
A2. STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL PARTNERS: (USE PAGE 7 IF NECESSARY) <b>N/A</b>	

<b>FOR CORPORATION OR LIMITED LIABILITY COMPANY</b>	<b>NUMBER OF MEMBERS: 3</b>
A3. STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL OFFICERS, DIRECTORS AND STOCKHOLDERS OWNING 1% OR MORE INTEREST IN THE CORPORATION OR MEMBERS OF A LIMITED LIABILITY COMPANY. (USE PAGE 7 IF NECESSARY)	
<b>YAN CHEN 1348 COLISEUM DR. CHESTERFIELD, MO 63017 (314) 229-5603 [REDACTED]</b>	
<b>YOUFA WU 1348 COLISEUM DR. CHESTERFIELD, MO 63017 (314) 229-5603 [REDACTED]</b>	
<b>SANDY H. TSAI 176 CEDAR BRIDGE CT. ST. LOUIS, MO 63141 (314) 220-6266 [REDACTED]</b>	

<b>OTHER PERSONS</b>	<b>NUMBER OF MEMBERS:</b>
A4. LIST NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH FOR ALL OTHER PERSONS WHO HAVE AN INTEREST IN THE BUSINESS FOR WHICH LICENSE IS REQUESTED. (USE PAGE 7 IF NECESSARY) <b>N/A</b>	
B4. IN WHAT TYPE OF BUSINESS IS EACH OF THE ABOVE PERSONS ENGAGED: (USE PAGE 7 IF NECESSARY)	
<b>YAN CHEN RESTAURANT</b>	
<b>YOUFA WU RESTAURANT</b>	
<b>SANDY TSAI RESTAURANT</b>	

**III. OTHER INFORMATION**

A. IS APPLICANT A QUALIFIED VOTER IN THE STATE OF MISSOURI?  
 YES  NO

B. IS APPLICANT AN ASSESSED, TAX PAYING CITIZEN IN THE STATE OF MISSOURI?  
 YES  NO

C. HAS APPLICANT PREVIOUSLY HELD A LIQUOR LICENSE OF ANY TYPE?  
 YES  NO (IF YES, EXPLAIN, SEE ITEM D)

D. EXPLAIN (WHEN, WHERE?)  
 N/A

E. HAS APPLICANT, OR ANY EMPLOYEE, OR PROPOSED EMPLOYEES, EVER BEEN DENIED A LIQUOR LICENSE, OR HAD A LICENSE TO SELL LIQUOR REVOKED?  
 YES  NO (IF YES, EXPLAIN, SEE ITEM F)

F. EXPLAIN (WHEN, WHERE?)  
 N/A

G. HAS APPLICANT EVER BEEN EMPLOYED IN ANY CAPACITY BY A BUSINESS WITH A BEER, WINE OR LIQUOR LICENSE?  
 YES  NO (IF YES, EXPLAIN, SEE ITEM H)

H. EXPLAIN (WHEN, WHERE?)  
 N/A

I. HAS THE APPLICANT, EMPLOYEE, OR PROPOSED EMPLOYEE EVER BEEN CONVICTED OF A VIOLATION OF ANY LAW REGULATING, CONTROLLING, OR PROHIBITING THE SALES OR MANUFACTURING OF INTOXICATING LIQUOR?  
 YES  NO (IF YES, EXPLAIN, USE PAGE 7 IF NECESSARY)

J. HAS ANY DISTILLER, WHOLESALER, WINE MAKER, BREWER OR ANY EMPLOYEE, OR AGENT THEREOF, HAVE OR PROPOSE TO HAVE, ANY FINANCIAL INTEREST IN THE BUSINESS TO WHICH THIS APPLICATION APPLIES?  
 YES  NO (IF YES, EXPLAIN, USE PAGE 7 IF NECESSARY)

K. INDICATE THE TYPE OF BUSINESS, IF ANY, APPLICANT PROPOSES TO CONDUCT ON PREMISES IN ADDITION TO SALE OF INTOXICATING LIQUOR:  
 RESTAURANT  
 HOTEL DINING ROOM  
 OTHER (PLEASE EXPLAIN)

L. STATE ESTIMATE OF ANNUAL SALES VALUE: FOOD \$ 388,000.00 OTHER (INCLUDING LIQUOR) \$ 800.00

M. IS THERE A SCHOOL, CHURCH, SYNAGOGUE, PUBLIC PARK OR PLAYGROUND WITHIN ONE HUNDRED FIFTY (150) FEET OF THE PROPOSED BUSINESS?  YES  NO (IF YES, STATE THE NAME AND APPROXIMATE DISTANCES):

N. IS THE APPLICANT INDEBTED TO ANY PERSON FOR MONEY OR PROPERTY, TO BE USED IN THE LICENSED BUSINESS? (IF YES, STATE AMOUNT OF INDEBTEDNESS AND TO WHOM IT IS OWED.)  
 YES  NO

AMOUNT OWED: \$	NAME:
ADDRESS, CITY, STATE, & ZIP:	
PHONE:	OCCUPATION:



**Inter-office Memo**



Date: 5/19/17

**TO:** Colonel Hampton, Chief of Police  
**FROM:** Lieutenant Isenberg  
**SUBJECT:** 8423 Olive (Liquor License Application)  
**CC:**

---

Business

Asian Kitchen  
8423 Olive Blvd.  
University City, MO 63132  
314-989-9377

Applicant

Sandy H. Tsai  
A/F

[REDACTED]  
176 Cedar Bridge Court  
St. Louis, MO 63141  
314-220-6266

Wu Kitchen, LLC  
8423 Olive  
University City, MO 63132

Sir,

I have reviewed the findings of the investigation completed by Detective Adam Gersman concerning the liquor license application submitted by Sandy H. Tsai for Asian Kitchen located at 8423 Olive Blvd., University City, MO 63132. Det. Gersman's investigation was thorough and revealed no cause for a denial for a City of University Liquor License as applied for by Sandy H. Tsai.

Respectfully Submitted,

Lt. Isenberg.

STATE OF MISSOURI )  
 ) SS.  
COUNTY OF ST. LOUIS )

Comes now SANDY H. TSHI of lawful age, being first duly sworn upon oath, deposes and says that he or she: (1) is the sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license, (2) is authorized to make this application, (3) has read this application and understands same, (4) knows the contents of this application, (5) swears that the answers and statements contained in this application are true and correct, and (6) on behalf of the applicant, agrees to comply with all laws of the City of University City and the State of Missouri relevant to the applicant's business.

Sandy Tshi  
SIGNATURE OF APPLICANT/MANAGING OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DAY 8TH OF MAY 2017

Dana P. Albert  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DANA P. ALBERT  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires January 20, 2018  
Commission Number: 14149525

THIS SECTION FOR CITY USE ONLY

APPROVALS:

Police Chief	_____	Date: _____
Comments:	_____	
Community Development	<u>(Signature)</u>	Date: <u>5/25/17</u>
Comments:	_____	
City Manager	_____	Date: _____
Comments:	_____	

IV. SUNDAY LIQUOR LICENSE

If application is for Sunday liquor license, complete the following section:

Under the provisions of Chapter 600, Section 600.260 of the Municipal code of the City of University City, application is hereby made for a license to sell intoxicating liquor between the hours of 9:00 A.M. and midnight on Sundays.

A. APPLICANT NAME: (LAST) TSAI (FIRST) SANDY (MIDDLE INITIAL) H

B. BUSINESS NAME: ASIAN KITCHEN PHONE NUMBER: (314) 989-9377

Type of Liquor License held or applied for:

- 1-2 All kinds of intoxicating liquor, by the drink, retail
- 9 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the package, retail
- 10 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the drink, retail
- 11 Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail
- 12 Intoxicating liquor not more than 22%, by the package, retail
- 15 Intoxicating liquor of all kinds, by the package, retail

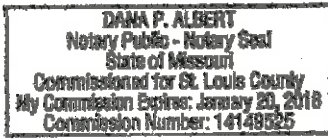
For the purpose of obtaining said Sunday Liquor license: applicant states that at least fifty percent (50%) of the gross income of the restaurant bar at the above location is derived from the sale of prepared meals or food consumed on the premises, or which has an annual gross income of at least two hundred seventy-five thousand dollars (\$275,000.00) from the sale of prepared meals or food.

Sandy Tsai  
Signature of Applicant

MEMBER  
Title of Applicant

5/8/17  
Date

Dana P. Albert





V. RECOMMENDATIONS- COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11

Five recommendations are required for Applicants petitioning for a license to sell intoxicating liquor by the drink at retail under section 600.080 of University City Municipal Code.

Each of the following recommendations is to be filled in and signed by a creditable resident, real property tax-paying citizen of University City, vouching for the character of the applicant.

1) Date: 5/5/2017 Name: TO & QUAN PROPERTIES LLC  
Location of University City real property taxed in your name: 8406 OLIVE BLVD  
How long have you known applicant? 10 YEARS + Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? YES  
Phone Number: (314) 991-1888 Signature: [Signature]

2) Date: 5/5/2017 Name: Zilu Management LLC  
Location of University City real property taxed in your name: 8324 Olive Blvd.  
How long have you known applicant? 10 years + Are you related? No  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? Yes  
Phone Number: 314-779-9098 Signature: [Signature]

3) Date: 5/5/17 Name: Wei Hong  
Location of University City real property taxed in your name: 7740 Olive Blvd  
How long have you known applicant? 10 yrs + Are you related? No  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? No  
Do you vouch for applicant's moral character and reputation? Yes  
Phone Number: 314 726 0363 Signature: [Signature]

4) Date: 5/5/2017 Name: Olive Supermarket  
Location of University City real property taxed in your name: 8041 Olive Blvd  
How long have you known applicant? 5 years Are you related? NO  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? NO  
Do you vouch for applicant's moral character and reputation? Yes  
Phone Number: 314 997-5168 Signature: [Signature]

5) Date: 5/7/17 Name: Bome Properties LLC  
Location of University City real property taxed in your name: 8336-8338 Olive Blvd  
How long have you known applicant? 2 years Are you related? No  
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? No  
Do you vouch for applicant's moral character and reputation? Yes  
Phone Number: 314 484 8686 Signature: [Signature]



6801 Delmar Blvd  
 University City, MO 63130  
 Tel: (314) 505-8544  
 Fax: (314) 863-0921

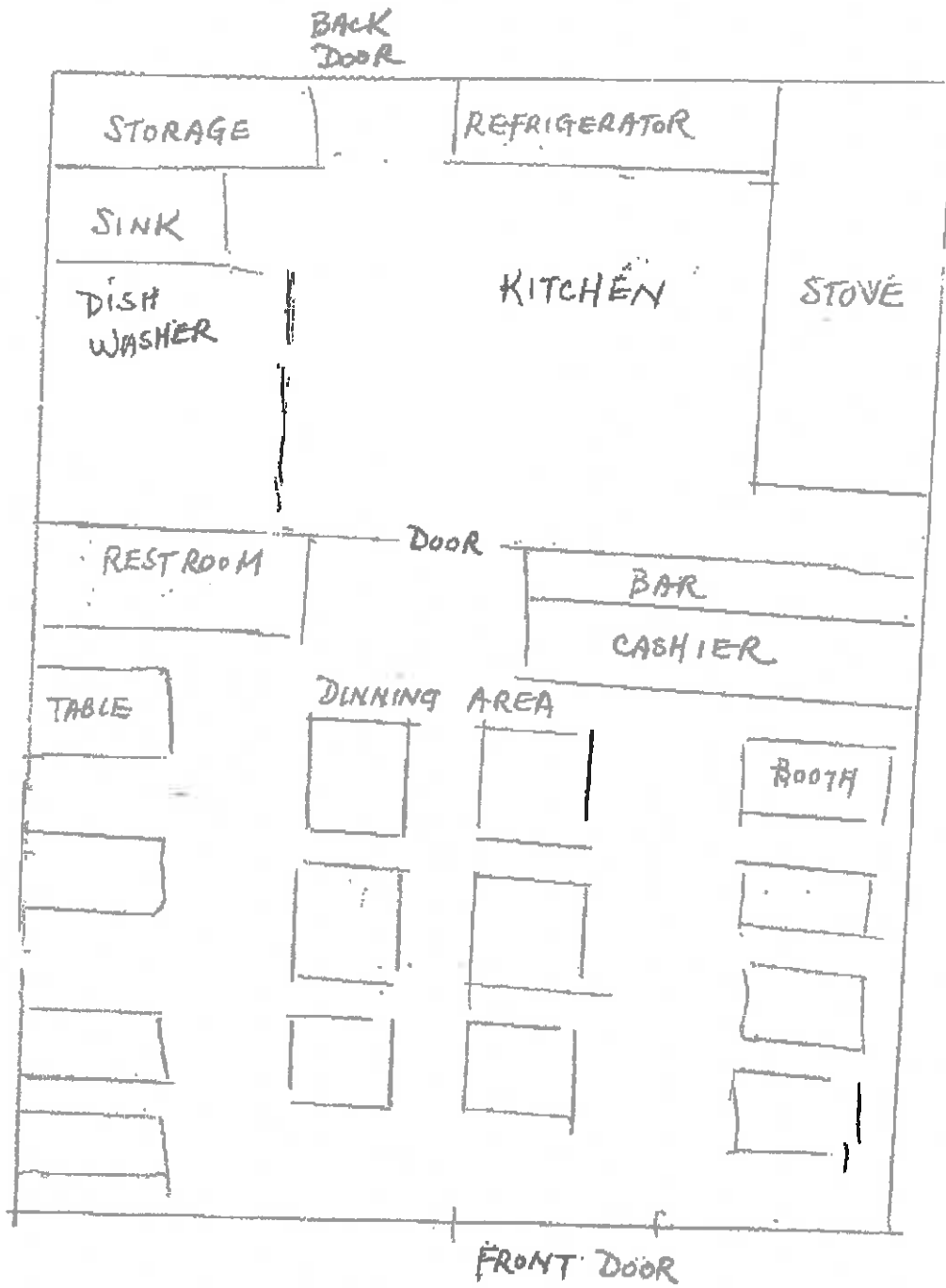
**VI. PETITION - COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11**

Under Chapter 600, Section 600.080, a petition must be submitted in favor of the license. **Please Note:** In the absence of valid petitions, the city council must have a five-sevenths vote to approve the license.

The undersigned taxpaying citizens, record owners of property within a radius of 200 feet of the primary public entrance of the premises in which the applicant proposes to sell intoxicating liquor, and owners occupying or conducting a business on the main or surface floor of buildings within such radius, hereby approve the foregoing application, and consent to the issuance to the applicant of a license to sell intoxicating liquor by the drink, to be consumed on the premises where sold:

NAME	ADDRESS
Make Architects, Inc.	8328-R Olive Blvd, University City
Two Thumps Up	8502 Olive Blvd U. City
Mr. Nice Guy	8506 Olive Blvd. U. City
Daegony Lee	8619 Olive Blvd U. city
Jaeb (Kidd) - No Bu	8643 Olive Blvd U. city
Yanshi Gunbar	8941 Olive Blvd, U. city.
Li (Jin) Lian	8319 Olive Blvd.
Wang	8237 Olive Blvd
Chimney Li	8237 Olive K.C.
Express to Oling	8027 Olive Blvd
7-ELEVEN (IKE) @	8159 OLIVE BLVD
Lulu Sengul Citrus Ln	8224 Olive Blvd
PUSA	8168 Olive Blvd

(Attach additional sheet if necessary)



8423-25 OLIVE BLVD  
ASIAN KITCHEN

2040 SF



ASIAN KITCHEN  
KOREAN CUISINE

4)989-9377

# ASIAM KITCHEN

KOREAN CUISINE







2016

LOCAL PAR NUMBER <b>18Q240104</b>	ASSessment YEAR <b>10SCH</b>	CITY CODE <b>105</b>	INSTR CODE	ST LOUIS COUNTY, MISSOURI REAL ESTATE TAX BILL			11/03/2016	PIN <b>6080</b>
VALUATION <b>95,000</b>	TYPE <b>RESIDENTIAL</b>	X RATE PER \$100 <b>7.7588</b>	CURRENT TAX <b>7,370.88</b>	INTEREST <b>0.00</b>	FEES/CHARGES <b>0.00</b>	SPECIAL ASSESSMENT <b>28.00</b>	<b>PAY THIS AMOUNT</b>	
							<b>\$7,398.88</b>	

*Primary*

Make check payable to: COLLECTOR OF REVENUE

PRINT MAILING ADDRESS CHANGE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TS/ GEORGE & SANDY HW  
176 CEDAR BRIDGE CT  
SAINT LOUIS, MO 63141-7201

DESCRIPTION OF PROPERTY <b>176 CEDAR BRIDGE CT SAINT LOUIS BLK LOT 316 LADUE FARM ESTATES PLAT 3 S 24 78</b>	<i>1789-present</i>
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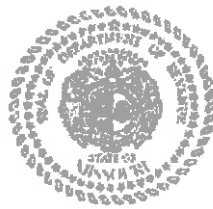
RY165000011 XA1828240104C886C UD0000739888 DX1061316 9



5/4/2017

Confirmation Letter

TAXATION DIVISION  
P.O. BOX 3666  
JEFFERSON CITY, MO 65105-3666



**STATE OF MISSOURI**  
**Department of Revenue**  
Telephone: (573) 751-9268  
Fax: (573) 522-1265  
E-mail: [taxclearance@dor.mo.gov](mailto:taxclearance@dor.mo.gov)

ASIAN KITCHEN  
WUS KITCHEN LLC  
13481 COLISEUM DR  
CHESTERFIELD, MO 63017

**DATE: May 4, 2017**  
**MISSOURI TAX ID NUMBER:**  
**23281065**  
**University City**

## CERTIFICATE OF NO TAX DUE

To Whom it may concern: The Department of Revenue, State of Missouri, certifies that the above listed taxpayer/account has filed all required returns and paid all sales or withholding tax due, including penalties and interest, or does not owe any sales and withholding tax, according to the records of the Missouri Department of Revenue as of May 3, 2017. These records do not include returns that are not required to be filed as of this date for taxes previously collected or that have been filed but not yet processed by the Department.

This statement only applies to sales and withholding tax due and does not limit the authority of the Director of Revenue to assess, and/or collect liabilities under appeal, in default of an installment agreement entered into with the Director of Revenue or that become known to the Missouri Department of Revenue as a result of audit, review of the taxpayer's records, or determination of successor liability.

**THIS CERTIFICATE REMAINS VALID FOR 90 DAYS FROM THE ISSUANCE DATE.**

DIRECTOR OF REVENUE OR DELEGATE  
STATE OF MISSOURI

BY:

A handwritten signature in black ink that reads "Esta Zaring".

Esta Zaring  
Administrator, Business Tax





## Council Agenda Item Cover

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**MEETING DATE:** June 12, 2017

**AGENDA ITEM TITLE:** Text Amendments to Sections 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120, and 400.1125 of the University City Zoning Code (pertaining to attached single-family dwellings and multi-family residential developments)

**AGENDA SECTION:** Unfinished Business

**COUNCIL ACTION:** Passage of Ordinance required for Approval

**CAN THIS ITEM BE RESCHEDULED? :** Yes

**BACKGROUND REVIEW:** Attached are the documents for the above-referenced Text Amendments to the University City Zoning Code.

The proposed text amendments would allow attached single-family dwellings and provide clarity to existing terms and definitions currently used for attached single-family dwellings and multiple-family residential developments.

The Plan Commission considered the matter at their April 26 meeting and recommended approval of the proposed Text Amendments by a vote of 6 to 0.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The public hearing and first reading should take place on May 22, 2017. The second and third readings and passage of the ordinance could occur at the subsequent June 12, 2017 meeting.

**Attachments:**

- 1: Transmittal Letter from Plan Commission
- 2: Materials for April 26, 2017 Plan Commission meeting
- 3: Draft Ordinance

**RECOMMENDATION:** Approval

ATTACHMENT 1:  
Transmittal Letter from Plan Commission



**Plan Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

May 10, 2017

Ms. LaRette Reese  
Interim City Clerk  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: Zoning Code Text Amendment –  
Attached single-family dwellings and multiple-family residential developments

Dear Ms. Reese,

At its regular meeting on April 26, 2017 at 6:30 pm in the Heman Park Community Center, 975 Pennsylvania Avenue, the Plan Commission considered a Zoning Code Text Amendment proposal related to attached single-family dwellings and multiple-family residential developments in certain residential zoning districts.

By a vote of 6 to 0, the Plan Commission recommended approval of the proposed Text Amendment.

Sincerely,

Cirri Moran, Chairperson  
University City Plan Commission

ATTACHMENT 2:  
Materials for April 26, 2017 Plan Commission meeting



## Department of Community Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

# MEMORANDUM

TO: Plan Commission members

FROM: Zach Greatens, Planner

DATE: April 21, 2017

SUBJECT: April 26, 2017 Plan Commission meeting – Proposed Text Amendments (PC 17-03) related to multi-family residential developments and attached single-family dwellings

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At the upcoming Plan Commission meeting on April 26, the Plan Commission will consider Text Amendments to the Zoning Code pertaining to multi-family residential developments and attached single-family dwellings. At their meeting on March 22, the Code Review Committee (CRC) recommended approval of the proposed Text Amendments. The proposed Text Amendments are shown in Attachment A.

Recently, there has been interest from developers for the City to allow attached single family dwellings with each dwelling unit on individual, subdivided lots in certain residential zoning districts. Further, among the goals of the 2005 Comprehensive Plan Update and the recommendations from the Environmental Protection Agency (EPA) Sustainable Code Audit conducted in 2012 called for housing opportunities that are available to all with a diversity of scale, price, style, and are located in safe areas; flexibility in land use regulations so that a variety of developments are more feasible; and housing diversity by providing a range of housing size and price choices.

On review, "attached single family dwellings" is defined in our Zoning Code as "*one of a series of two to eight attached dwelling units, each of which is located on its own subdivided lot of record.*" They are currently allowed as a conditional use in the "HRO" – High Density Residential/Office District and as a permitted use in the "PD" – Planned Development District. This type of residential use is not allowed in any other zoning districts, nor are there any development standards. Staff recognizes there is a demand for this type of development in the area and allowing it would add to the diversity in housing choices in the City, as recommended in the 2005 Comprehensive Plan Update and the 2012 EPA Sustainable Code Audit.

Up until the late-1990s, attached single family dwellings were permitted in the "LR" – Limited Residential District and the "MR" – Medium Density Residential District. However, there is no detailed information available regarding their removal from these two zoning districts. They were allowed as a permitted use, subject to Site Plan approval, and meeting the regulations for townhouses in place then.

For reference, the current definitions for two-family dwellings, townhouse apartment dwellings and other types of multi-family residential development from the Zoning Code are included below:

*Dwelling, Two-Family* – A dwelling containing two (2) dwelling units on a single lot of record.

*Dwelling, Apartment* – A building, or portion thereof, designed for occupancy by three (3) or more families living independently of each other. This definition does not include "attached single-family" dwellings.

*Dwelling, Town House Apartment* – An apartment dwelling, two (2) or three (3) stories in height,

and containing three (3) to eight (8) dwelling units, which are separated by partition walls, extending from basement to roof without openings, and where each dwelling unit is not located on its own subdivided lot of record.

*Dwelling, Garden Apartment* – A two- or three-story apartment dwelling containing not more than twelve (12) dwelling units that are individually rented or owned, with common access to all units typically provided by open or enclosed stairways and hallways.

*Dwelling, Elevator Apartment* – An apartment dwelling of more than three (3) stories in height and containing more than twelve (12) dwelling units that are individually rented or owned, with primary access to each floor, above the first (1st) floor, provided by means of an elevator.

There are three developments in University City where attached single family dwellings were included, two of which were developed within the last 30 years. One is in the Village of University Place, on Hanley Road, just west of University City High School, built in multiple phases between 1991 and 1998. The other is on Swarthmore Court, southwest of the intersection of Olive Boulevard and 81<sup>st</sup> Street, north of Brittany Woods Middle School, built in multiple phases between 1989 and 2006.

In staff's opinion, allowing attached single family dwellings would benefit University City by providing an additional option for low to medium density multi-family residential development, adding to the variety of housing choices in University City. Attached single family dwellings would be compatible with the uses currently permitted in the "MR", "HR", and "HRO" Districts since they could be similar in appearance to townhouse apartment dwellings, which are currently allowed in all multi-family residential districts, except they are individual subdivided lots. The same setbacks and landscape buffering requirements as the currently permitted multi-family residential uses would apply. It should also be noted that although attached single family dwellings are permitted in "PD" – Planned Development Districts, one acre is the minimum required for a "PD" District site. As a built-out community, most sites in University City that become available for residential infill development are often much smaller than one acre, thus making it unlikely that a property owner would be able to take advantage of the Planned Development process for attached single family dwelling development. Rather, it may entice redevelopment on smaller lots in dense areas such as the northeastern part of the City.

In conjunction with the proposed amendments, in order to provide more clarity, staff also recommends that some of the existing terms and definitions currently used for multi-family residential developments be revised. Currently, the Zoning Code uses the term "apartment dwelling" for multiple family dwellings, which are then further classified into "townhouse apartment dwellings", "garden apartment dwellings", and "elevator apartment dwellings". The use of the term "apartment" generally has the connotation for rental units. However, while many existing multi-family developments in University City contain rental units, there are many that are individually owned as condominiums. Thus, to clarify, staff is proposing changes to some of the definitions and terms. A synopsis of the proposed Text Amendments is included in Attachment B.

Attachment C includes a summary of staff research of other St. Louis area communities that allow attached single family dwellings and some general regulation information. It should be noted that in some communities, the terms "townhouse" and "rowhouse" are used interchangeably with "attached single family dwellings" and similarly defined as in University City.

Based on the preceding considerations, staff recommends the Plan Commission make a recommendation for approval of the proposed Text Amendments as set forth in Attachment A. The Plan Commission's recommendation would be forwarded to City Council. A formal public hearing would be held at the City Council level.



ATTACHMENT "A"

Proposed Text Amendments pertaining to certain types of multi-family residential developments

Proposed deletions are shown as ~~red strikethrough~~. Proposed additions are shown as blue underlined. Staff comments are shown in italics.

**Chapter 400 – Zoning Code**

**Article II – Definitions**

Section 400.030 Definitions

*Some of the definitions included below are not proposed to be amended, but were included for reference.*

Dwelling – A building, or portion thereof, used exclusively for residential purposes, except for hotels, motels, house trailers or major recreational equipment.

Dwelling, Attached Single-Family – ~~One (1) of a series of t~~Two (2) ~~to eight (8)~~ attached dwelling units sharing common wall(s), with each ~~of which is located~~ unit on its own ~~subdivided~~ individual lot of record.

Dwelling, ~~Apartment~~ Multiple-Family – A building, or portion thereof, designed for occupancy by three (3) or more families living independently of each other. This definition does not include "attached single-family" dwellings.

Dwelling, Detached Single-Family – A dwelling unit which is entirely surrounded by open space on its own subdivided lot of record.

Dwelling, Two-Family – A dwelling containing two (2) attached dwelling units, both on a single lot of record.

Dwelling, Elevator-~~type~~ Apartment – ~~An apartment~~ type of multi-storied, multiple-family dwelling of more than three (3) stories in height ~~and~~ or containing more than twelve (12) dwelling units ~~that are individually rented or owned,~~ with primary access to each floor, above the first (1st) floor, provided by means of an elevator.

Dwelling, Garden-~~type~~ Apartment – A type of two- or three-story ~~apartment~~ multiple-family dwelling containing not more than twelve (12) dwelling units ~~that are individually rented or owned,~~ with common access to all units typically provided by open or enclosed stairways and hallways. Access to the second (2nd) and third (3rd) floors may be provided by means of an elevator.

Dwelling, Town-~~H~~ouse Apartment – ~~An apartment~~ type of multiple-family dwelling, ~~two (2) or three (3) stories in height, and~~ containing three (3) to eight (8) contiguous dwelling units, which are separated by ~~partition~~ common wall(s), extending from basement to roof without openings, and where each dwelling unit ~~is~~ may or may not be located on its own ~~subdivided~~ individual lot of record.

## ATTACHMENT "A"

Dwelling Unit – One (1) or more rooms located within a dwelling, forming a habitable unit designed for one (1) family.

*It should be noted that all references to apartment dwellings, town house apartment dwellings, garden apartment dwellings, and elevator apartment dwellings that are not included below will be amended to reflect the revised terminology in the definitions above.*

### Article IV. District Regulations

#### Division 2. "LR" Limited Residential District

Section 400.210. Conditional Uses.

A. The following land uses and developments may be permitted in the "LR" district, subject to the issuance of a conditional use permit in accordance with the procedures and standards contained in Article XI "Conditional Uses":

1. Convents and rectories, in connection with a place of worship and located on the same or adjacent lot;
2. Dormitories;
3. Dwellings, garden ~~type apartments~~;
4. Dwellings, town-house ~~apartments~~;
5. Dwellings, attached single-family;
- ~~5-6.~~ Group homes for the disabled, small, where the group home dwelling unit is one thousand (1,000) feet or less from any existing group home dwelling unit;  
(re-number remaining items accordingly)

Section 400.220. Density and Dimensional Regulations.

A. Minimum Lot Size.

1. Single-family detached and two-family dwellings. Except as provided for in Article V "Supplementary Regulations", Section 400.1020, the minimum lot area and width for single-family detached and two-family dwellings shall be as follows:
  - a. Minimum lot area. Six thousand (6,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
2. Town-house ~~apartment~~, attached single-family, and garden ~~type apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

B. Building Setback Requirements.

1. Single-family detached and two-family dwellings. Except as provided for in Article V "Supplementary Regulations", Division 2, the following setback requirements shall apply to single-family detached and two-family dwellings in the "LR" district:
  - a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
2. Town-house ~~apartment~~, attached single-family, and garden ~~type apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

### Division 3. "MR" Medium Density Residential District

Section 400.260. Permitted Uses.

A. The following land uses and developments are permitted in the "MR" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.270.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Dwellings, two-family;
3. Dwellings, garden-~~type~~ [apartment](#);
4. Dwellings, town-house ~~apartment~~;
5. [Dwellings, attached single-family](#);
- ~~5-6.~~ Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
(re-number remaining items accordingly)

Section 400.280. Density and Dimensional Regulations.

A. Minimum Lot Size.

1. Dwellings, single-family and two-family.
  - a. Minimum lot area. Six thousand (6,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
2. Town-house ~~apartment~~, [attached single-family](#), and garden-~~type~~ ~~apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, [400.1125](#), or 400.1130 as applicable.

B. Building Setback Requirements.

1. Dwellings, single-family and two-family.
  - a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
2. Town-house ~~apartment~~, [attached single-family](#), and garden-~~type~~ ~~apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, [400.1125](#), or 400.1130 as applicable.

### Division 4. "HR" High Density Residential District

Section 400.320. Permitted Uses.

A. The following land uses and developments are permitted in the "HR" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.330.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Dwellings, elevator-~~type~~ [apartment](#), up to a F.A.R. of one (1.0);
3. Dwellings, garden-~~type~~ [apartment](#);
4. Dwellings, town-house ~~apartment~~;
5. [Dwellings, attached single-family](#);
- ~~5-6.~~ Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
(re-number remaining items accordingly)

ATTACHMENT "A"

Section 400.340. Density and Dimensional Regulations.

A. Minimum Lot Size.

1. Dwellings, two-family.
  - a. Minimum lot area. Five-thousand (5,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
2. Town-house ~~apartment~~, attached single-family, garden-type ~~apartment~~, and elevator-type ~~apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

B. Building Setback Requirements.

1. Dwellings, two-family.
  - a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
2. Town-house ~~apartment~~, attached single-family, garden-type ~~apartment~~, and elevator-type ~~apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

**Division 5. "HRO" High Density Residential/Office District**

Section 400.380. Permitted Uses.

A. The following land uses and developments are permitted in the "HRO" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.390.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Dwellings, elevator-type ~~apartment~~, up to a F.A.R. of one (1.0);
3. Dwellings, garden-type ~~apartment~~;
4. Dwellings, town-house ~~apartment~~;
5. Dwellings, attached single-family;
- ~~5-6.~~ 6. Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
(re-number remaining items accordingly)

Section 400.390. Conditional Uses.

A. The following land uses and developments may be permitted in the "HRO" district, subject to the issuance of a conditional use permit in accordance with the procedures and standards contained in Article XI, "Conditional Uses":

1. Auditoriums and other places of public assembly;
2. Convalescent and nursing homes;
3. Day care centers;
4. Dormitories;
- ~~5.~~ 5. ~~Dwellings, attached single-family~~;
- ~~6-5.~~ 5. Dwellings, detached single-family;
- ~~7-6.~~ 6. Dwellings, elevator apartment, with a F.A.R. between one (1.0) and three (3.0) (see Section 400.400(D));  
(re-number remaining items accordingly)

## ATTACHMENT "A"

### Section 400.400. Density and Dimensional Regulations.

#### A. Minimum Lot Size.

1. Mixed-use (residential/non-residential) buildings.
  - a. Minimum lot area. Thirty thousand (30,000) square feet.
  - b. Minimum lot width and depth. One hundred fifty (150) feet.
2. Town-house ~~apartment~~, attached single-family dwellings, garden-type apartment, and elevator-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

#### B. Building Setback Requirements.

1. Mixed-use (residential/non-residential) buildings.
  - a. Minimum right-of-way setback. Thirty (30) feet.
  - b. Minimum property line setback. Twenty-five (25) feet.  
Where a property line abuts a "SR" or "LR" district, then minimum building setbacks shall be in accordance with Section 400.1140(C)(3), Article V "Supplementary Regulations".
2. Town-house ~~apartment~~, attached single-family dwellings, garden-type apartment, and elevator-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

## ARTICLE V. Supplementary Regulations

### Division 4. Supplemental Residential Development Standards

#### Section 400.1110. General.

The following standards are intended to provide for adequate daylight, open space, and privacy for occupants of town-house ~~apartments~~, attached single-family, garden-type apartments, and elevator-type apartments dwellings. Deviation from the strict application of these standards shall only be permitted for developments approved under the provisions of a "planned development" (see Division 11, Article IV of this Chapter).

#### Section 400.1120. Town-~~H~~ouse ~~Apartment~~ Dwellings.

A. Development Location. Within the "LR" district, town-house ~~apartment dwelling~~ developments shall be located on a "major street", as specified in the motor vehicle and traffic regulations of the University City Municipal Code (Title III). At least thirty percent (30%) of the development's boundary shall be coterminous with the right-of-way of the major street.

#### B. Vehicle Access.

1. Eight (8) or fewer dwelling units. Access may be provided directly to the individual dwelling units from a public street right-of-way, except as prohibited in Subsection (B)(3) of this Section.
2. Nine (9) or more dwelling units. Access to the individual dwelling units shall be provided by internal access drives (public or private). The internal access drive(s) shall intersect with a major or secondary street, but not closer than one hundred fifty (150) feet to an existing street intersection (measured from the centerline of the existing street intersection to the centerline of the access drive).
3. Access to Big Bend Boulevard, Delmar Boulevard, Hanley Road, and Olive Boulevard limited. There shall be no direct access to/from individual town-house ~~apartment~~ dwellings and these major streets. Only an internal access drive serving the development shall be permitted to intersect with these major streets.

ATTACHMENT "A"

C. Density And Dimensional Regulations – when all units are on same lot.

1. Minimum lot area.

a. Minimum.

(1) Per development. Twenty thousand (20,000) square feet, except:

(a) "MR" zoned property. Eight thousand (8,000) square feet.

(b) "HR" zoned property. Six thousand (6,000) square feet.

(2) Average per dwelling unit. Fifteen hundred (1,500) square feet.

b. Minimum lot depth. One hundred (100) feet.

c. Minimum lot width. Seventy (70) feet.

d. Minimum unit width. Fifteen (15) feet.

e. Minimum/maximum unit groupings. Three / eight (3/8).

f. Minimum building setbacks.

(1) From street right-of-way. Twenty (20) feet.

(2) From rear property line. Twenty (20) feet.

(3) From private drives or parking areas. Ten (10) feet.

(4) Adjacent to "SR" zoned property. Twenty-five (25) feet.

(5) Adjacent to "LR" zoned property. Twenty (20) feet.

(6) Adjacent to property in the same zoning district. Five (5) feet.

(7) Adjacent to all other properties. Ten (10) feet.

g. Minimum distance between buildings. All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

D. Density and Dimensional Regulations – when each unit is on its own individual lot.

1. Minimum lot area. Two thousand (2,000) square feet.

2. Minimum lot width. Twenty (20) feet.

3. Minimum lot depth. Eighty (80) feet.

4. The same setbacks as specified in Section C above shall apply. A side yard setback of zero (0) feet shall be allowed along property lines where units are attached.

5. Minimum distance between buildings. All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

Section 400.1125. Attached Single-Family Dwellings.

A. Density and Dimensional Regulations

1. Minimum lot area. Two thousand (2,000) square feet

2. Minimum lot width. Twenty (20) feet

3. Minimum Building width. Twenty (20) feet

4. Maximum number of attached units. Two (2)

5. Minimum building setbacks

(1) From street right-of-way. Twenty (20) feet

(2) From rear property line. Twenty (20) feet

(3) From side property line. Five (5) feet, except:

(a) Where units are attached along a shared common wall. Zero (0) feet.

ATTACHMENT "B"

<b>Synopsis of Proposed Text Amendments</b>	
<b>Current Regulations</b>	<b>Proposed Changes</b>
Definitions	
<ul style="list-style-type: none"> <li>• Apartment Dwelling</li> </ul>	- Change Apartment Dwelling to Multiple-Family Dwelling
<ul style="list-style-type: none"> <li>• Elevator Apartment Dwelling</li> </ul>	- Change Elevator Apartment Dwelling to Elevator-type Dwelling
<ul style="list-style-type: none"> <li>• Garden Apartment Dwelling</li> </ul>	- Change Garden Apartment Dwelling to Garden-type Dwelling
<ul style="list-style-type: none"> <li>• Town House Apartment Dwelling</li> </ul>	- Change Town House Apartment Dwelling to Townhouse Dwelling and revise to allow dwelling units on individual subdivided lots
<ul style="list-style-type: none"> <li>• Attached Single-Family Dwelling</li> </ul>	- Revise Attached Single-Family Dwellings to allow as two attached dwelling units and remove maximum of eight dwelling units
LR – Limited Residential District	
<ul style="list-style-type: none"> <li>• Town House Apartment Dwellings and Garden Apartment Dwellings – conditional uses</li> </ul>	Add Attached Single-Family Dwellings as conditional use
MR – Medium Density Residential District	
<ul style="list-style-type: none"> <li>• Town House Apartment Dwellings and Garden Apartment Dwellings – permitted uses</li> </ul>	Add Attached Single-Family Dwellings as permitted use
HR – High Density Residential District	
<ul style="list-style-type: none"> <li>• Town House Apartment Dwellings and Garden Apartment Dwellings – permitted uses</li> </ul>	Add Attached Single-Family Dwellings as permitted uses
HRO – High Density Residential/Office District	
<ul style="list-style-type: none"> <li>• Town House Apartment Dwellings and Garden Apartment Dwellings – permitted uses</li> <li>• Attached Single-Family Dwellings – conditional use</li> </ul>	<ul style="list-style-type: none"> <li>• Delete Attached Single-Family Dwellings from conditional uses</li> <li>• Add Attached Single-Family Dwellings to permitted uses</li> </ul>
Supplementary Regulations – Supplementary Residential Development Standards	
<ul style="list-style-type: none"> <li>• Provides development standards for multi-family residential developments – Town House Apartment Dwellings, Garden Apartment Dwellings, and Elevator Apartment Dwellings</li> </ul>	<ul style="list-style-type: none"> <li>• Revise development standards for Town House Apartment Dwellings to allow dwelling units on individual lots                             <ul style="list-style-type: none"> <li>- Minimum lot size = 2,000 sq. ft.</li> <li>- Minimum lot width = 20 ft.</li> <li>- Minimum unit width = 20 ft.</li> <li>- Setbacks same except no setback where units are attached</li> </ul> </li> <li>• Add development standards for Attached Single-Family Dwellings                             <ul style="list-style-type: none"> <li>- Minimum lot size = 2,000 sq. ft.</li> <li>- Minimum lot width = 20 ft.</li> <li>- Minimum unit width = 20 ft.</li> <li>- Setbacks – similar to existing two-family dwelling regulations except no setback where units are attached</li> </ul> </li> </ul>

ATTACHMENT "C"

Research Summary - Zoning requirements for attached single family dwellings in the St. Louis area			
Municipality	Permitted/Conditional Use?	Zoning Districts	Notes
City of St. Louis	Permitted	C and D - Multi-family residential districts	C District = 1,000 sq. ft. minimum lot area per dwelling unit D District = 850 sq. ft. minimum lot area per dwelling unit Code uses term "townhouse" with same meaning as attached single family dwellings as in U City Code
St. Louis County	Permitted	R-5, R-6, R-6A, R-6AA, R-7 (multi-family residential districts with varying allowable densities); MXD (mixed-use district); Form Based District	Minimum lot size range - 1,750, 2,000, 3,000, 4,000, and 6,000 sq. ft. per unit Code uses terms "attached single family dwelling" and "rowhouse" as same meaning
Clayton	Conditional	R-4, R-5, R-6, R-7 (multi-family residential districts)	Use terms attached single family dwellings and town house; subject to minimum lot size requirements per district regulations
Brentwood	Permitted	AR - Attached Single Family Residential District; MR - Multi-Family Residential District	AR District - 2,000 sq. ft. minimum lot size, 2,500 sq. ft. if only two units MR District - Maximum density of 20 units per acre Code uses terms townhouse and two-family dwelling similarly
Maplewood	Permitted	LR and MR - Multi-family residential districts	2,000 sq. ft. minimum lot size Code uses terms townhouse and attached single family dwelling similar to current University City Zoning Code
Chesterfield	Permitted	R-4, R-5, R-6 - Multi-family residential districts; PUD - Planned Unit District	R-4, R-5, R-6 - 4,500 sq. ft. minimum lot area per dwelling units PUD - Minimum lot area established through PUD process
Olivette	Permitted	AR - Attached Single Family Residential District; PASF - Planned Attached Single Family District	AR District = 4,000 sq. ft. minimum lot size PASF District = 3,000 sq. ft. minimum lot size



ATTACHMENT 3:  
Draft Ordinance



**INTRODUCED BY:**

**DATE:**

**BILL NO. 9316**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120 AND 400.1125 OF CHAPTER 400 - ZONING CODE, OF THE UNIVERSITY CITY MUNICIPAL CODE, TO REVISE CERTAIN ATTACHED SINGLE-FAMILY DWELLINGS AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS AS PROVIDED HEREIN.**

**WHEREAS**, Chapter 400 of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and regulates the uses on which the premises located therein may be put; and

**WHEREAS**, said Chapter 400 also establishes definitions, regulations, and standards for attached single-family dwellings and multiple-family developments in certain residential zoning districts; and

**WHEREAS**, the City Plan Commission, in a meeting held at the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on April 26, 2017 at 6:30 pm, recommended approval of amendments of Sections 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120, and 400.1125 of said Code; and

**WHEREAS**, due notice of a public hearing to be held by the City Council in the 5<sup>th</sup> Floor City Council Chambers at City Hall at 6:30 pm, May 22, 2017, was duly published in the St. Louis Countian, a newspaper of general circulation within said City on May 6, 2017; and

**WHEREAS**, said public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning said amendments of the Zoning Code were duly heard and considered by the City Council.

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

**Section 1.** Sections 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120 and 400.1125 of Chapter 400 of the Zoning Code, of the University City Municipal Code are amended as provided herein. Language to be deleted from the Zoning Code is represented as ~~stricken through~~; language to be added to the Code is shown as underlined. This Ordinance contemplates no revisions to the Code other than those so designated; any language or

provisions from the Code omitted from this Ordinance is represented by an ellipsis and remains in full force and effect.

**Section 2.** Chapter 400 of the University City Municipal Code is hereby amended to allow attached single-family dwellings and provide clarity to existing terms and definitions currently used for attached single-family dwellings and multiple-family residential developments as follows:

*(Some of the definitions included below are not proposed to be amended, but were included for reference.)*

## **Chapter 400 – Zoning Code**

### **Article II – Definitions**

#### Section 400.030 Definitions

Dwelling – A building, or portion thereof, used exclusively for residential purposes, except for hotels, motels, house trailers or major recreational equipment.

Dwelling, Attached Single-Family – ~~One (1) of a series of t~~Two (2) ~~to eight (8)~~ attached dwelling units sharing common wall(s), with each ~~of which is located~~ unit on its own ~~subdivided~~ individual lot of record.

Dwelling, ~~Apartment~~ Multiple-Family – A building, or portion thereof, designed for occupancy by three (3) or more families living independently of each other. This definition does not include "attached single-family" dwellings.

Dwelling, Detached Single-Family – A dwelling unit which is entirely surrounded by open space on its own subdivided lot of record.

Dwelling, Two-Family – A dwelling containing two (2) attached dwelling units, both on a single lot of record.

Dwelling, Elevator-~~type~~ Apartment – ~~An apartment~~ type of multi-storied, multiple-family dwelling of more than three (3) stories in height ~~and~~ or containing more than twelve (12) dwelling units ~~that are individually rented or owned,~~ with primary access to each floor, above the first (1st) floor, provided by means of an elevator.

Dwelling, Garden-~~type~~ Apartment – A type of two- or three-story ~~apartment~~ multiple-family dwelling containing not more than twelve (12) dwelling units ~~that are individually rented or owned,~~ with common access to all units typically provided by open or enclosed stairways and hallways. Access to the second (2nd) and third (3rd) floors may be provided by means of an elevator.

Dwelling, Town-~~H~~ouse Apartment – ~~An apartment~~ type of multiple-family dwelling, ~~two (2) or three (3) stories in height, and~~ containing three (3) to eight (8) contiguous dwelling

units, which are separated by ~~partition~~ common wall(s), extending from basement to roof without openings, and where each dwelling unit ~~is~~ may or may not be located on its own ~~subdivided~~ individual lot of record.

Dwelling Unit – One (1) or more rooms located within a dwelling, forming a habitable unit designed for one (1) family.

*(It should be noted that all references to apartment dwellings, town house apartment dwellings, garden apartment dwellings, and elevator apartment dwellings that are not included below should be amended to reflect the revised terminology in the definitions above.)*

## **Article IV. District Regulations**

### **Division 2. "LR" Limited Residential District**

Section 400.210. Conditional Uses.

A. The following land uses and developments may be permitted in the "LR" district, subject to the issuance of a conditional use permit in accordance with the procedures and standards contained in Article XI "Conditional Uses":

1. Convents and rectories, in connection with a place of worship and located on the same or adjacent lot;
2. Dormitories;
3. Dwellings, garden-type ~~apartments~~;
4. Dwellings, town-house ~~apartments~~;
5. Dwellings, attached single-family;
- ~~5.~~ 6. Group homes for the disabled, small, where the group home dwelling unit is one thousand (1,000) feet or less from any existing group home dwelling unit;  
*(re-number remaining items accordingly)*

Section 400.220. Density and Dimensional Regulations.

A. Minimum Lot Size.

1. Single-family detached and two-family dwellings. Except as provided for in Article V "Supplementary Regulations", Section 400.1020, the minimum lot area and width for single-family detached and two-family dwellings shall be as follows:
  - a. Minimum lot area. Six thousand (6,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
2. Town-house ~~apartment~~, attached single-family, and garden-type ~~apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

B. Building Setback Requirements.

1. Single-family detached and two-family dwellings. Except as provided for in Article V "Supplementary Regulations", Division 2, the following setback requirements shall apply to single-family detached and two-family dwellings in the "LR" district:

- a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
2. Town-house ~~apartment~~, attached single-family, and garden-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

### **Division 3. "MR" Medium Density Residential District**

#### Section 400.260. Permitted Uses.

A. The following land uses and developments are permitted in the "MR" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.270.

- 1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
- 2. Dwellings, two-family;
- 3. Dwellings, garden-type apartment;
- 4. Dwellings, town-house ~~apartment~~;
- 5. Dwellings, attached single-family;
- ~~5.~~ 6. Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
(re-number remaining items accordingly)

#### Section 400.280. Density and Dimensional Regulations.

##### A. Minimum Lot Size.

- 1. Dwellings, single-family and two-family.
  - a. Minimum lot area. Six thousand (6,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
- 2. Town-house ~~apartment~~, attached single-family, and garden-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

##### B. Building Setback Requirements.

- 1. Dwellings, single-family and two-family.
  - a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
- 2. Town-house ~~apartment~~, attached single-family, and garden-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, or 400.1130 as applicable.

### **Division 4. "HR" High Density Residential District**

#### Section 400.320. Permitted Uses.

A. The following land uses and developments are permitted in the "HR" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.330.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Dwellings, elevator-type apartment, up to a F.A.R. of one (1.0);
3. Dwellings, garden-type apartment;
4. Dwellings, town-house apartment;
5. Dwellings, attached single-family;
- ~~5.~~ 6. Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
*(re-number remaining items accordingly)*

Section 400.340. Density and Dimensional Regulations.

A. Minimum Lot Size.

1. Dwellings, two-family.
  - a. Minimum lot area. Five-thousand (5,000) square feet.
  - b. Minimum lot width. Fifty (50) feet.
2. Town-house apartment, attached single-family, garden-type apartment, and elevator-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

B. Building Setback Requirements.

1. Dwellings, two-family.
  - a. Minimum front yard setback. Twenty (20) feet.
  - b. Minimum side yard setback. Five (5) feet.
  - c. Minimum rear yard setback. Twenty-five (25) feet.
2. Town-house apartment, attached single-family, garden-type apartment, and elevator-type apartment dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

## **Division 5. "HRO" High Density Residential/Office District**

Section 400.380. Permitted Uses.

A. The following land uses and developments are permitted in the "HRO" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.390.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Dwellings, elevator-type apartment, up to a F.A.R. of one (1.0);
3. Dwellings, garden-type apartment;
4. Dwellings, town-house apartment;
5. Dwellings, attached single-family;
- ~~5.~~ 6. Group homes for the disabled, small, where the group home dwelling unit is more than one thousand (1,000) feet from any existing group home dwelling unit;  
*(re-number remaining items accordingly)*

## Section 400.390. Conditional Uses.

A. The following land uses and developments may be permitted in the "HRO" district, subject to the issuance of a conditional use permit in accordance with the procedures and standards contained in Article XI, "Conditional Uses":

1. Auditoriums and other places of public assembly;
2. Convalescent and nursing homes;
3. Day care centers;
4. Dormitories;
- ~~5. Dwellings, attached single-family;~~
- ~~6.~~ 5. Dwellings, detached single-family;
- ~~7.~~ 6. Dwellings, elevator apartment, with a F.A.R. between one (1.0) and three (3.0) (see Section 400.400(D));  
(re-number remaining items accordingly)

## Section 400.400. Density and Dimensional Regulations.

### A. Minimum Lot Size.

1. Mixed-use (residential/non-residential) buildings.
  - a. Minimum lot area. Thirty thousand (30,000) square feet.
  - b. Minimum lot width and depth. One hundred fifty (150) feet.
2. Town-house ~~apartment~~, attached single-family dwellings, garden-~~type apartment~~, and elevator-~~type apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

### B. Building Setback Requirements.

1. Mixed-use (residential/non-residential) buildings.
  - a. Minimum right-of-way setback. Thirty (30) feet.
  - b. Minimum property line setback. Twenty-five (25) feet.  
Where a property line abuts a "SR" or "LR" district, then minimum building setbacks shall be in accordance with Section 400.1140(C)(3), Article V "Supplementary Regulations".
2. Town-house ~~apartment~~, attached single-family dwellings, garden-~~type apartment~~, and elevator-~~type apartment~~ dwellings. See Article V "Supplementary Regulations", Sections 400.1120, 400.1125, 400.1130, or 400.1140 as applicable.

## **ARTICLE V. Supplementary Regulations**

### **Division 4. Supplemental Residential Development Standards**

#### Section 400.1110. General.

The following standards are intended to provide for adequate daylight, open space, and privacy for occupants of town-house ~~apartments~~, attached single-family, garden-~~type apartments~~, and elevator-~~type apartments~~ dwellings. Deviation from the strict application of these standards shall only be permitted for developments approved under the provisions of a "planned development" (see Division 11, Article IV of this Chapter).



Section 400.1120. Town-~~H~~ouse ~~Apartment~~ Dwellings.

A. Development Location. Within the "LR" district, town-house ~~apartment~~ dwelling developments shall be located on a "major street", as specified in the motor vehicle and traffic regulations of the University City Municipal Code (Title III). At least thirty percent (30%) of the development's boundary shall be coterminous with the right-of-way of the major street.

B. Vehicle Access.

1. Eight (8) or fewer dwelling units. Access may be provided directly to the individual dwelling units from a public street right-of-way, except as prohibited in Subsection (B)(3) of this Section.
2. Nine (9) or more dwelling units. Access to the individual dwelling units shall be provided by internal access drives (public or private). The internal access drive(s) shall intersect with a major or secondary street, but not closer than one hundred fifty (150) feet to an existing street intersection (measured from the centerline of the existing street intersection to the centerline of the access drive).
3. Access to Big Bend Boulevard, Delmar Boulevard, Hanley Road, and Olive Boulevard limited. There shall be no direct access to/from individual town-house ~~apartment~~ dwellings and these major streets. Only an internal access drive serving the development shall be permitted to intersect with these major streets.

C. Density And Dimensional Regulations – when all units are on same lot.

1. Minimum lot area.
  - a. Minimum.
    - (1) Per development. Twenty thousand (20,000) square feet, except:
      - (a) "MR" zoned property. Eight thousand (8,000) square feet.
      - (b) "HR" zoned property. Six thousand (6,000) square feet.
    - (2) Average per dwelling unit. Fifteen hundred (1,500) square feet.
  - b. Minimum lot depth. One hundred (100) feet.
  - c. Minimum lot width. Seventy (70) feet.
  - d. Minimum unit width. Fifteen (15) feet.
  - e. Minimum/maximum unit groupings. Three / eight (3/8).
  - f. Minimum building setbacks.
    - (1) From street right-of-way. Twenty (20) feet.
    - (2) From rear property line. Twenty (20) feet.
    - (3) From private drives or parking areas. Ten (10) feet.
    - (4) Adjacent to "SR" zoned property. Twenty-five (25) feet.
    - (5) Adjacent to "LR" zoned property. Twenty (20) feet.
    - (6) Adjacent to property in the same zoning district. Five (5) feet.
    - (7) Adjacent to all other properties. Ten (10) feet.
  - g. Minimum distance between buildings. All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

D. Density and Dimensional Regulations – when each unit is on its own individual lot.

1. Minimum lot area. Two thousand (2,000) square feet.

- 2. Minimum lot width. Twenty (20) feet.
- 3. Minimum lot depth. Eighty (80) feet.
- 4. The same setbacks as specified in Section C above shall apply. A side yard setback of zero (0) feet shall be allowed along property lines where units are attached.
- 5. Minimum distance between buildings. All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

Section 400.1125. Attached Single-Family Dwellings.

A. Density and Dimensional Regulations

- 1. Minimum lot area. Two thousand (2,000) square feet
- 2. Minimum lot width. Twenty (20) feet
- 3. Minimum Building width. Twenty (20) feet
- 4. Maximum number of attached units. Two (2)
- 5. Minimum building setbacks
  - (1) From street right-of-way. Twenty (20) feet
  - (2) From rear property line. Twenty (20) feet
  - (3) From side property line. Five (5) feet, except:
    - (a) Where units are attached along a shared common wall. Zero (0) feet.

\* \* \*

**Section 3.** This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

**Section 4.** Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

**Section 5.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

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INTERIM CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

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CITY ATTORNEY





## Council Agenda Item Cover

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**MEETING DATE:** June 12, 2017

**AGENDA ITEM TITLE:** (1) Convert one-way section of Loop South Ave. from Kingsland Ave to the east from one-way to two-way traffic and; (2) Prohibit parking on the North side of the street

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** Yes

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### BACKGROUND REVIEW:

The Traffic Commissioners received a traffic request to consider changing Loop South Ave. from Kingsland Boulevard to the east from one-way to two-way traffic. Per minimum street width requirements in the applicable area this action requires prohibiting parking on the North side of Loop South Ave. The Loop Business District was the requestor and business representatives from the Delmar Loop area of the request also supported the request during the Traffic Commission deliberations.

At the March 8, 2017 Traffic Commission meeting, the Commissioners recommended that the City Council approve the request and staff followed up by obtaining a pavement marking design for the street in its two-way configuration for the Commission's and City Council's information and Street Division's implementation, if approved by the City Council.

### RECOMMENDATION:

It is the recommendation of the Public Works and Parks Department that the attached ordinances be approved to amend the respective Municipal Code sections to:

1. Convert one-way section of Loop South Ave. from Kingsland Ave. to the east from one-way to two-way traffic and
2. Prohibit parking on the North side of the street.

### ATTACHMENTS:

1. Bill 9317 amending Section 330.010 – One-way Streets and Alleys – Schedule IV One-way streets designated
2. Bill 9318 amending Section 355.100 – Parking in Prohibited or Restricted Zone
3. Staff Report
4. Approved minutes from the Traffic Commission March 8, 2017 meeting
5. Pavement marking design – Loop South Ave.



INTRODUCED BY:

DATE:

BILL NO: 9317

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 330 OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:**

**Section 1.** Chapter 330 of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be added to the Code is represented as highlighted. This Ordinance contemplates no revisions to the Code other than those so designated; any language or provisions from the Code omitted from this Ordinance is represented by an ellipsis and remains in full force and effect.

**Section 2.** Chapter 330 of the University City Municipal Code is hereby amended to **Remove** Loop South Street: One way eastbound from Kingsland Avenue to a point four hundred twenty-four (424) feet east of the east curb line of Kingsland Avenue North side from Leland Avenue to Kingsland Boulevard where the City has designated as a “One Way Street”, to be edited to the Traffic Code as the “Chapter” – Chapter 330, as follows:

**Traffic Schedules**

**Chapter 330: One-Way Streets and Alleys**

**Section 330.010 One-Way Streets and Alleys**

**The following areas are “One-Way Streets and Alleys At All Times” and are regulated as set forth in section 330.010 of this Code:**

<b>Street</b>	<b>Block</b>	<b>Scope</b>
<b>Loop South Street</b>	<b>6600</b>	<b>One Way Street Removed</b>

\* \* \*

**Schedule IV** One-way streets designated

The following streets or parts of streets are hereby designated as one-way streets, and traffic shall move only in the direction indicated on such streets or parts of streets:

- Balson Avenue: From Warder Avenue to Wilner Avenue, traffic in the north lane shall move in a westbound direction only. From Warder Avenue to Wilner Avenue, traffic in the south lane shall move in an eastbound direction only.
- Bartmer Avenue: In the 6700 block, traffic shall move in a westbound direction only.
- Bland Drive: From Northmoor Drive to Forsyth Boulevard, traffic shall move in a northbound direction only.
- Cabanne Avenue: From its "Y" intersection with North Drive to Eastgate Avenue, traffic shall move in an eastbound direction only.

- Cates Avenue: From Westgate Avenue to Eastgate Avenue, traffic shall move in an eastbound direction only.
- Chamberlain Avenue: In the 6700 block, traffic shall move in an eastbound direction only.
- Corbitt Avenue: One way westbound between Pennsylvania and Purcell.
- Corbitt Avenue: One way eastbound between Purcell and Ferguson.
- Crest Avenue: One way eastbound between Sadler and Kingsland.
- East Park Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a northbound direction only.
- Geoffrey Lane: From Delmar Boulevard to West Canterbury, traffic shall move in a northbound direction only.
- George Street: From a point one hundred fifty-six (156) feet north of the north line of Olive Boulevard to Wellington Avenue, traffic shall move in northbound direction only.
- Interdrive Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a southbound direction only.
- Irma Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a southbound direction only.
- Leona Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a northbound direction only.
- Limit Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a northbound direction only.
- Lindell Boulevard: From Asbury Avenue to a point one hundred twenty (120) feet north of north curb line of Forsyth Boulevard, traffic shall move in a westbound direction only.
- ~~Loop South: One way eastbound from Kingsland Avenue to a point four hundred twenty-four (424) feet east of the east curb line of Kingsland Avenue.~~
- Melrose Avenue: One way westbound between Ferguson and Purcell north of the River Des Peres.
- Melrose Avenue: One way eastbound between Ferguson and Purcell south of the River Des Peres.
- Melrose Avenue: One way eastbound between Pennsylvania and Purcell.
- North Drive: From Eastgate Avenue to its "Y" intersection with Cabanne Avenue, traffic shall move in a westbound direction only.
- Pennsylvania Avenue: From Cornell Avenue to Vernon Avenue, traffic shall move in a northbound direction only.
- Polk Avenue: From the Greensfelder School to Fullerton Avenue, traffic shall move in a southbound direction only.
- Purcell Avenue: One way northbound between Melrose and Roberts east of River Des Peres.
- Purcell Avenue: One way southbound between Melrose and Roberts west of River Des Peres.
- Raymond Avenue: One way westbound between Ferguson and Pennsylvania.
- Roberts Avenue: One way eastbound between Ferguson and Pennsylvania.
- Rossi Drive: From Waterman Avenue to Pershing Avenue, traffic shall move in a southbound direction only.
- Sixty-sixth Street: From Vernon Avenue to Chamberlain Avenue, traffic shall move in a northbound direction only.
- Syracuse Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a southbound direction only.
- Waldron Avenue: From Carlyle Avenue to Canton Avenue, traffic shall move in a northbound direction only.



- Warder Avenue: From Delmar Boulevard to the southern city limits, traffic shall move in a southbound direction only.
- West Canterbury Drive: From LePere Road to Delmar Boulevard, traffic shall move in a southbound direction only.
- Westgate Avenue: From Delmar Boulevard south to the Parkview Subdivision line, traffic shall move in a southbound direction only.
- Westgate Avenue to Melville Avenue Alley: In the alley two hundred (200) feet south of Delmar Boulevard, traffic shall move in a westbound direction only.

**Section 3.** This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

**Section 4.** Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

**Section 5.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
INTERIM CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## STAFF REPORT

MEETING DATE: April 12, 2017  
APPLICANT: Loop Special Business District, 6504 Delmar Blvd  
Location: Loop South Street between Kingsland Ave and the Rear Parking Lot of the Commerce Bank Building  
Request: Make the Street Two Way  
Attachments: EDSI Draft Plan

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### Existing Conditions:

#### Loop South Street



Currently Loop South St., Kingsland Avenue to a point four hundred and twenty four (424) feet to the east is designated as one way with traffic traveling eastward. During the Trolley construction the street was opened to two way traffic for the flow of traffic. There is currently parking on both sides of the street except where prohibited by time restraints.

#### **Request:**

Permanently make Loop South Street Two way

#### **Conclusion/Recommendation:**

It was decided at the February and March Traffic Commission Meeting to have a traffic engineer assist with the roadway design and signage to implement two-way traffic. In the attachment there are two drawings one is the plan sheet and the other is a section detail sheet that shows existing condition and proposed improvement. It is recommended the Traffic Commission review both plans for comments to be sent back to the engineer.



Department of Public Works and Parks

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

TRAFFIC REQUEST FORM

LOCATION OF REQUEST: LOOP SOUTH (FROM MELVILLE TO KINGSLAND)

STATE THE NATURE OF YOUR REQUEST: TO PERMANENTLY MAKE IT TWO-WAY TRAFFIC

IT WAS TWO-WAY FOR ABOUT A YEAR AND A HALF DURING TROLLEY CONSTRUCTION AND IT WORKED EXCEPTIONALLY WELL FOR TRAFFIC FLOW.

WHAT ACTION ARE YOU REQUESTING THAT THE CITY TAKE CONCERNING YOUR REQUEST? SAME AS ABOVE.

THE LOOP SPECIAL BUSINESS DISTRICT DISCUSSED IT AT THE LAST TWO MONTHLY MEETINGS OPEN TO THE PUBLIC, EVERY MERCHANT AND PROPERTY OWNER IN ATTENDANCE WERE IN FAVOR OF MAKING IT TWO-WAY. IT WAS PUBLISHED IN THE NEWSLETTERS THAT GO TO EVERY MERCHANT AND PROPERTY OWNER.

WHAT IMPACT WOULD THE ACTION HAVE ON ANY ADJACENT RESIDENTS OR STREETS? IT WOULD HAVE A POSITIVE IMPACT FOR EVERYONE, IT'S A COMMERCIAL STREET PARALLEL TO DELMAR, NO RESIDENTIAL PEOPLE WOULD BE NEGATIVELY AFFECTED.

NOTE: The Public Works Department staff will review this request and, if warranted, this matter will appear as an agenda item for a traffic commission meeting. If a meeting is held, you will be encouraged to attend so that you may state your concerns.

NAME: JOE EDWARDS, CHAIRMAN, LOOP SBD (SPECIAL BUSINESS DISTRICT)
ADDRESS: C/O BLUEBERRY HILL, 6504 DELMAR, UNIVERSITY CITY, MO 63130
PHONE (HOME): PHONE (WORK): 314-727-0110 DIRECT
Email: FAX (WORK) 314-727-1288
Date: JANUARY 5, 2017

Please return the completed form to the Public Works and Parks Department, 3rd floor of the City Hall, attention Angelica Gutierrez, Public Works Liaison of the Traffic Commission, via email at agutierrez@ucitymo.org.

Or, by mail/fax: Traffic Commission
C/O Public Works Department
6801 Delmar Blvd. 3rd Floor
University City, MO 63130
(314) 505-8560
(314) 862-0694 (fax)

www.ucitymo.org



## Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

### CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION March 8, 2017

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, March 8, 2017, Chairman Jeff Hales called the meeting to order at 6:32 p.m. In addition to Chairman Hales, the following members of the commission were present:

- Bart Stewart
- Eva Creer
- Curtis Tunstall
- Derek Helderman
- Jeffrey Mishkin

Also in attendance:

- Errol Tate (non-voting commission member – Public Works Liaison)
- Sinan Alpaslan (Public Works Director)
- Councilmember Bwayne Smotherson (non-voting commission member—Council Liaison)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison)

Absent (excused):

- Jeff Zornes

### 3. Approval of Agenda

Mr. Tunstall moved to approve the agenda and was seconded by Mr. Helderman. The motion carried unanimously.

### 4. Approval of the Minutes

#### A. January 11, 2017 Minutes

Mr. Tunstall made a motion to approve the minutes of the January 11, 2017 meeting and was seconded by Helderman. The motion carried unanimously.

### 5. Agenda Items

#### a. Restriction of high profile vehicles parking in the westbound lane of Forsyth in-between the entrance and exit of Bethel Lutheran Church at 7001 Forsyth Blvd.

Mr. Tate presented the request from Bethel Lutheran Church and members Gary Sheetz and Wayne Flesch.

Churchmember Gary Sheetz of 7722 Lyle of Richmond Heights addressed the commission about the issues with the poor visibility from the western exit



## Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

drive from the church. He noted that cars often park right to the edge of the driveway and high profile vehicles block the line of sight for vehicles attempting to exit the church lot. The church operates a nursery school daily with regular pickup and drop-off. He requested a restriction on the height of the vehicles parked between the entry and exit driveways and a parking restriction of 10 to 15 feet east of the western exit.

Mr. Tunstall asked Mr. Sheetz and Mr. Sheetz confirmed that nature of the request is safety related.

Mr. Mishkin asked if the restrictions were to be everyday at all hours of the day. Mr. Sheetz confirmed that they would like the restrictions to be at all hours of the day, every day of the week.

Mr. Tunstall asked if they were seeking no parking in the space between the driveways or if the request was for parking of low profile vehicles. Mr. Sheetz clarified that they sought to restrict all parking for 10 to 15 feet to the east of the western exit drive and restrict the remaining spaces to low profile vehicles.

Mr. Stewart asked about the current no parking restriction in front of the church. Mr. Helderman clarified that the current restrictions restrict parking during certain hours.

Mr. Mishkin asked if the city had any restrictions about parking distance from driveways. Sgt. Whitley stated there were no such restrictions in the code and no such restrictions related low profile or compact cars.

Mr. Hales asked if there was an existing ordinance defining compact cars. Mr. Tate stated that the commission had discussed but no action had been taken.

Mr. Alpaslan stated that the staff would have to review and propose an ordinance to accommodate compact or low profile vehicle only parking restriction.

Mr. Helderman stated he thought it would be best to implement compact car parking in the entire space between the driveways.

Mr. Mishkin asked what the enforcement of a compact car only restriction. Sgt. Whitley stated that a compact car would typically be less than 60 inches and violators would be ticketed. He stated that the police would use common sense on enforcement on the height levels.

Mr. Hales stated that he thought the issue was really related to the height and not necessarily the length. He asked if the commission could consider a restriction of no van, truck or SUV parking.



## Traffic Commission

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Mr. Mishkin asked if there had been any accidents. Mr. Sheetz stated there were none that he could recall but there have been a number of close calls. Mr. Mishkin asked if the commission could recommend church parking only in those spaces. Mr. Helderman indicated he thought limiting parking to the church would not be enforceable.

Sgt. Whitley stated that the 10 foot parking restriction would reduce the number of cars that could park between the driveway from 3 to 2.

Mr. Hales stated that he thought if a new restriction on van, truck and SUV parking were to be implemented, that it would be helpful if the public works and police department staff could provide a recommendation on the circumstances or instances where such a restriction should be implemented, such as only near commercial driveways. He suggested that the commission could proceed with restricting parking 10 feet to the east of the western driveway for now and continue discussing the new parking restrictions for high profile vehicles in the coming meetings.

Mr. Helderman asked if the current signage restricting parking during certain hours would remain. Mr. Sheetz stated that was not requested to change.

Mr. Mishkin made a motion to recommend restricting all parking for a distance of 10 feet to the eastern edge of the western driveway exit of Bethel Lutheran Church and was seconded by Mr. Tunstall. The motion carried unanimously.

**b. Permanently make Loop South a two way street from Kingsland Avenue to a point four hundred and twenty-four feet to the east.**

Mr. Tate presented the staff recommendation to make this portion of Loop South two-way.

Mr. Hales informed the commission that he also spoke with Jessica Bueler who is the Marketing Director for the Loop Special Business District and she conveyed that the businesses in the loop were strongly in favor of the two way traffic on Loop South. He also indicated that Mr. Edwards had come to the previous meeting at which there was no quorum and expressed his support for the proposal as well.

Boo McLaughlin, Executive Director of Craft Alliance (6640 Delmar) presented a letter signed by representatives of Commerce Bank, McArthurs Bakery and Pitaya in support of the recommended two-way traffic on Loop South. She stated that two-way traffic is more convenient to their customers and will be more convenient to delivery trucks with the opening of the Loop Trolley.

Mr. Tate informed the commission that a traffic engineer would be evaluating the street and that the parking would be moved from the southern side to the northern side of the street.



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Mr. Stewart asked if the commission was being asked to make a recommendation on the 2-way traffic only or if the commission was to make a recommendation on the parking as well.

Mr. Tate stated that the timing of the implementation of the two way street and new parking on the north side would take place at the same time.

Mr. Mishkin asked if the city would install parking meters. Mr. Tate stated the city would stripe the spaces.

Mr. Helderman asked if the businesses needed to sign a petition. Mr. Hales stated that there is no requirement in the code, bylaws or charter that the commission get a petition except in the case of residential parking permits. He stated that he believed it was completely within the purview of the commission to make a recommendation.

Mr. Hales asked Ms. McLaughlin if the change of allowing parking on only one side of Loop South was known to her and businesses. Ms. McLaughlin stated that she and the Loop Businesses were not aware of the change in parking to the north side, but did not believe it makes a difference.

Mr. Hales asked if staff was concerned about the potential of losing spaces by moving parking from the south to the north side. Mr. Alpaslan indicated that was a concern and he suggested that the parking engineer provide two options to see if it would be feasible to keep parking on the south side.

Mr. Mishkin asked where the majority of the customers park. Ms. McLaughlin indicated that most people park in the lots behind the buildings and on Loop South.

Mr. Helderman made a motion to recommend that Loop South become two-way traffic as recommended by staff and was seconded by Mr. Mishkin. The motion carried unanimously.

### **c. No Parking on west side of North and South Road between Gannon Ave. and Cornell Ave.**

Mr. Hales introduced the petition from Genevieve Kramer of 7732 Gannon Ave. He commented that there were a lot of people who showed up for this issue at the previous meeting at which there was not a quorum. The petitioner did not show up and was not in attendance on this night.

Mr. Tate presented the request from Ms. Kramer and initially requested that the traffic commission make a recommendation to take to St. Louis County



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but stated that upon further review that staff believed the request should be denied because of the existing parking restriction.

Mr. Hales stated that the road is a county road and the city does not have jurisdiction.

Ms. Natasha Kwon of 622 North and South addressed the commission as a resident and an owner of businesses at North and South and Gannon. She was strongly against the proposed restriction and suggested a stop sign at North and South and Gannon because of the high number of pedestrians and her observations of speeding traffic.

Mr. Mishkin asked what the parking restriction would do to the nearby businesses. Ms. Kwon stated that it would be very negative for the local businesses. Mr. Mishkin asked what the purpose of the four-way stop. Ms. Kwon indicated it was about safety.

Mr. Hales stated that the commission has discussed this intersection and said when he first saw this proposal he was strongly opposed it. He noted that this intersection has very good sightlines from Gannon eastbound looking northbound on North and South because of the 35ft parking restriction for the bus stop. He stated that commission has talked about pedestrian safety at this intersection multiple times in the past and has suggested that city work with the county to install LED solar operated crossing signals at the crosswalk on North and South and Gannon as well as others on Delmar, but the county has not been very receptive to it. He stated that he believes what would really help is if the business community and neighbors contacted the county requesting a signalized crosswalk, it might make a difference.

Sgt. Whitley stated the St. Louis County examined it and decided against crossing signals.

Councilman Smotherson recommended to Ms. Kwon that she contact St. Louis County Councilwoman Hazel Erby with her concerns over the crosswalk safety.

Ms. Mary Adams (6985 Dartmouth) is the Executive Director of the University City Chamber of Commerce and came to speak on behalf of the local businesses. She expressed concern over the potential loss of parking spaces for the local businesses. She emphasized the access to parking being directly related to a business' ability to thrive.

Mr. Hales stated that the floor was open to anyone to make a motion in favor of the proposed restriction. No motions were made. No action was recommended.





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### **d. Senn Bierwerks Site Plan Update for Information Only**

Mr. Alpaslan provided an informational update on the Senn Bierwerks site. He indicated that the traffic patterns on Olive and North and South are still awaiting review and proposals from MODOT and St. Louis County Traffic. He informed the commission that the city has requested the proposed implementation along Olive and North and South which will be brought to the traffic commission as soon as it is received. Mr. Smotherson stated his reason for bringing this to the commission was that the City Council has approved the site plan and he thought the commission should be aware of the proposed changes with the implications to traffic on North and South and Olive which are the jurisdiction of St. Louis County and MODOT respectively.

Mr. Mishkin expressed concern over potential traffic issues related to ingress and egress from the lots. Mr. Alpaslan stated that because Olive is a State road and North and South is a County road that they are responsible for reviewing and making changes to their roads. He indicated that it is possible that one or both agency could recommend changes at which point the commission would be updated.

### **e. Loop Trolley “Do Not Pass” Code Amendment**

Mr. Tate presented the staff recommendation to amend the traffic code to add a do not pass ordinance restricting the passing of the Loop Trolley.

Mr. Hales stated he looked back through the minutes in December of 2012 and Officer Margul indicated that the commission would have to look at whether it wanted to recommend allowing passing of the trolley and asked what considerations went into the recommendation from staff prohibiting passing of the trolley.

Mr. Alpaslan stated that passing of the trolley would violate the rules of the road and the pavement markings because the trolley travels in the traffic lane. He stated that the only area where traffic could pass the trolley would be at Leland where the trolley is in the turn lane.

Mr. Mishkin expressed concern about the trolley travelling in the left hand turn lane while travelling east with through traffic at Leland. Mr. Alpaslan stated that the trolley has its own traffic signal and the traffic has a pre-empt device which will allow the trolley to continue east through the intersection while through traffic heading east will have a red light. He stated that at the Leland intersection, the traffic signal will govern the traffic movement.

Mr. Mishkin expressed concern that the through traffic would proceed when it sees the trolley proceeding through the intersection. Mr. Hales stated he



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shared Mr. Mishkin's concerns and hoped that the traffic engineers had considered these issues.

Mr. Hales asked what the signage would be like in the loop. Mr. Alpaslan stated that the trolleys will have signs on the rear of the trolley stating "Do Not Pass".

Mr. Hales asked if the ordinance applied to bicycle traffic. Mr. Stewart stated that there is a new bike route, but his understanding was that bikes are not prohibited on Delmar. Mr. Alpaslan stated that there is no prohibition to bicycle traffic on Delmar; the signage discouraging bikes is not regulatory, but he indicated that staff would be looking at that. Mr. Alpaslan stated he understood the concerns of the commission about bicycles.

Mr. Helderman stated that while he shared many of the concerns expressed he made a motion to approve the ordinance as recommended. Ms. Creer seconded and the motion carried unanimously.

### **f. Loop Trolley "Obstruction Zone" Create Chapter to the Code**

#### **i. The Loop Trolley Track Layout Plans**

Mr. Tate stated that the purpose of this ordinance was to restrict vehicles from stopping on the trolley tracks.

Mr. Mishkin mad a motion to recommend the ordinance as recommended by staff and was seconded by Mr. Stewart. The motion passed unanimously.

### **6. Council Liaison Report**

None

### **7. Miscellaneous Business**

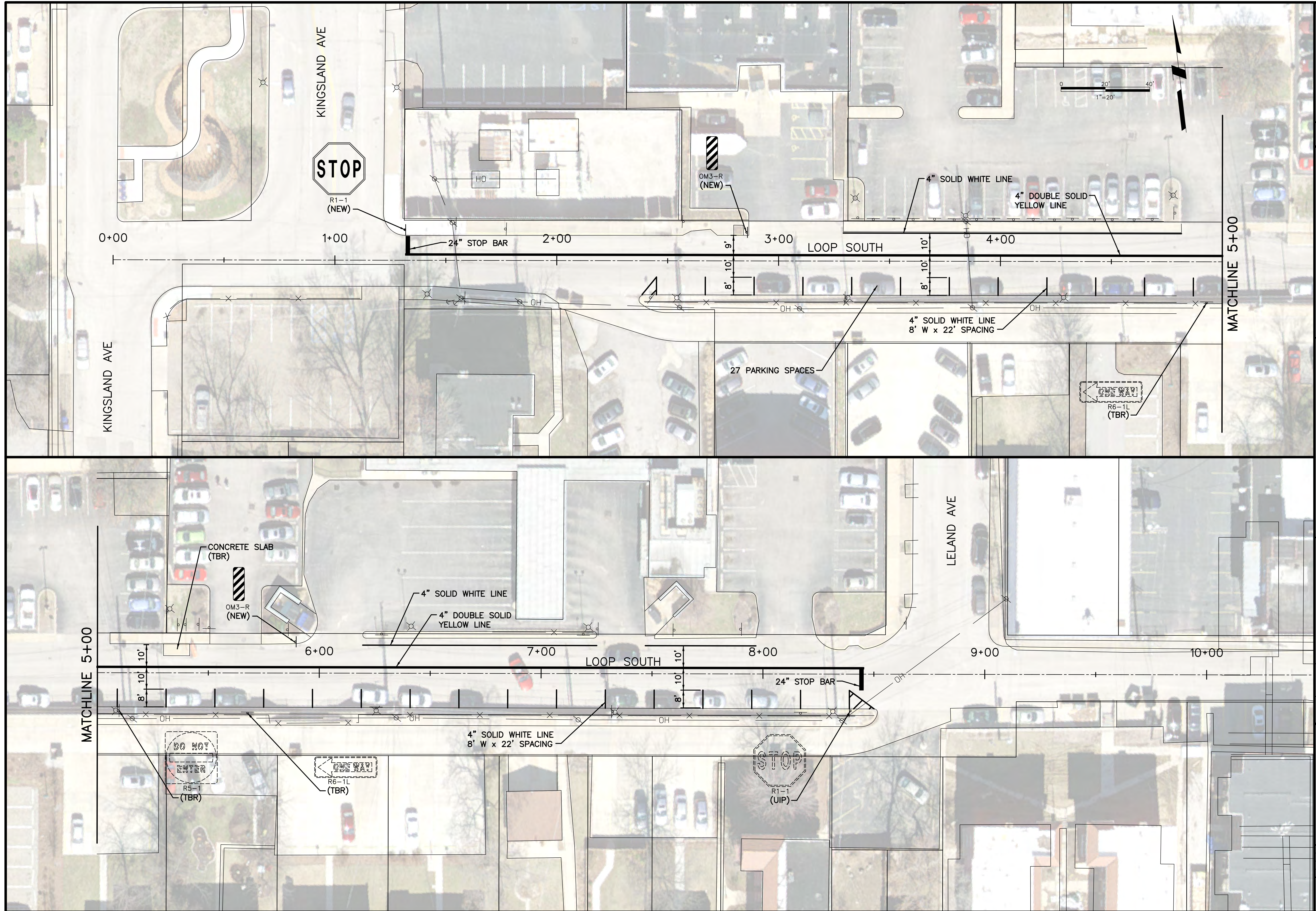
Mr. Tate stated he had one issue that will be coming to the commission at the April meeting related to the study on the school zone speed limit study.

### **8. Adjournment.**

Mr. made a motion to adjourn the meeting and was seconded by Mr. Mishkin. The motion unanimously carried and the meeting was adjourned at 8:16pm.

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary

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EDSI  
ENGINEERING DESIGN SOURCE, INC.  
1000 N. STATE ST.  
CLIFTON, MO 63017

CONCEPTUAL  
LOOP SOUTH

PREPARED FOR:  
CITY OF UNIVERSITY CITY

REV	DATE	DESCRIPTION

JOHN A. HOCK  
MO CIVIL LICENSE NO. E-23292

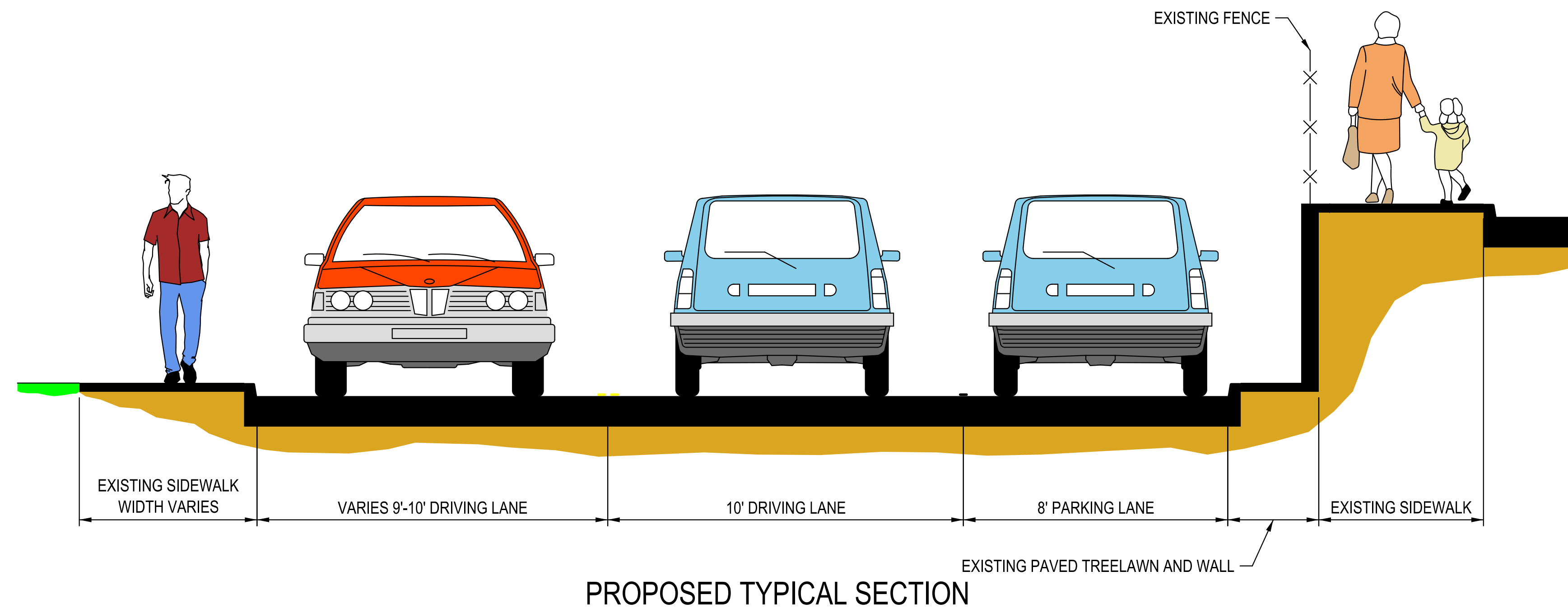
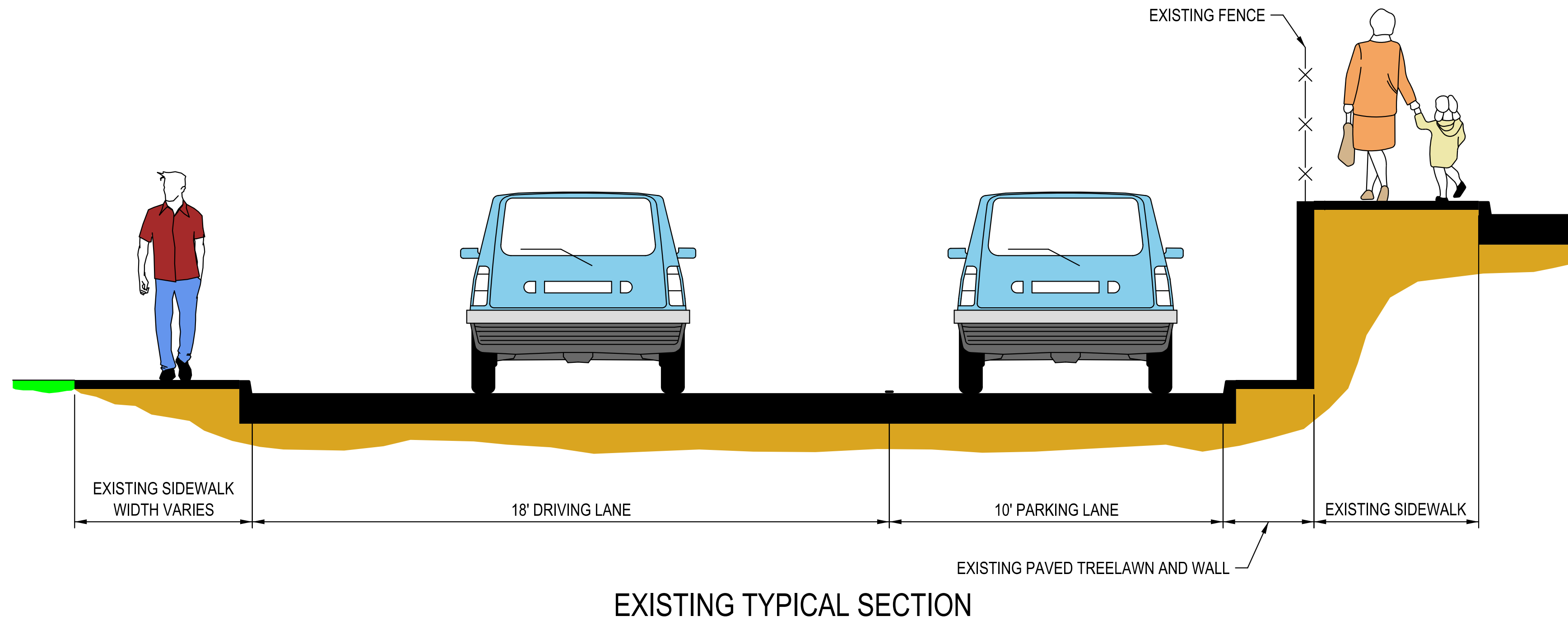
DATE:  
PROJECT # E17015  
DATE 4/25/2017  
DRAWN BY GDO  
CHECKED BY JAH

SHEET NO  
1 OF 2

MO CORP. ENGINEERING LICENSE NO. E-1583-P  
MO CORP. SURVEYING LICENSE NO. 2002030547

CITY: UNIVERSITY CITY COUNTY: ST. LOUIS STATE: MISSOURI

PLAN SHEET



EDSI  
 ENGINEERING DESIGN SOURCE, INC.  
 1111 W. STATE ST., SUITE 200  
 CHESTERFIELD, MO 63017

MO CORP. ENGINEERING LICENSE NO. E-1583-P  
 MO CORP. SURVEYING LICENSE NO. 2002039547

CONCEPTUAL  
 LOOP SOUTH

CITY: UNIVERSITY CITY | COUNTY: ST. LOUIS | STATE: MISSOURI

PREPARED FOR:  
 CITY OF UNIVERSITY CITY

TYPICAL SECTION

REV	DATE	DESCRIPTION

JOHN A. HOCK  
 MO CIVIL LICENSE NO. E-23292

DATE:	
PROJECT #	E17015
DATE	4/25/2017
DRAWN BY	GDO
CHECKED BY	JAH

SHEET NO  
 2 OF 2



## Council Agenda Item Cover

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**MEETING DATE:** June 12, 2017

**AGENDA ITEM TITLE:** (1) Convert one-way section of Loop South Ave. from Kingsland Ave to the east from one-way to two-way traffic and (2) prohibit parking on the North side of the street

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** Yes

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### BACKGROUND REVIEW:

The Traffic Commissioners received a traffic request to consider changing Loop South Ave. from Kingsland Boulevard to the east from one-way to two-way traffic. Per minimum street width requirements in the applicable area this action requires prohibiting parking on the North side of Loop South Ave. The Loop Business District was the requestor and business representatives from the Delmar Loop area of the request also supported the request during the Traffic Commission deliberations.

At the March 8, 2017 Traffic Commission meeting, the Commissioners recommended that the City Council approve the request and staff followed up by obtaining a pavement marking design for the street in its two-way configuration for the Commission's and City Council's information and Street Division's implementation, if approved by the City Council.

### RECOMMENDATION:

It is the recommendation of the Public Works and Parks Department that the attached ordinances be approved to amend the respective Municipal Code sections to:

1. Convert one-way section of Loop South Ave. from Kingsland Ave. to the east from one-way to two-way traffic and
2. Prohibit parking on the North side of the street.

### ATTACHMENTS:

1. Bill 9317 amending Section 330.010 – One-way Streets and Alleys – Schedule IV One-way streets designated
2. **Bill 9318 amending Section 355.100 – Parking in Prohibited or Restricted Zone**
3. Staff Report – refer to previous items attached to Bill 9317
4. Approved minutes from the Traffic Commission March 8, 2017 meeting - refer to previous items attached to Bill 9317
5. Pavement marking design – Loop South Ave. - refer to previous items attached to Bill 9317



INTRODUCED BY:

DATE:

BILL NO: 9318

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:**

**Section 1.** Schedule III of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be added to the Code is represented as highlighted. This Ordinance contemplates no revisions to the Code other than those so designated; any language or provisions from the Code omitted from this Ordinance is represented by an ellipsis and remains in full force and effect.

**Section 2.** Schedule III of the University City Municipal Code is hereby amended to add Loop South Street: North side from Leland Avenue to Kingsland Boulevard where the City has designated as a “No Parking Zone”, to be edited to the Traffic Code as the “Schedule” – Schedule III, as follows:

**Traffic Schedules**

**Schedule III: Parking Restrictions**

**Table III-E Parking Prohibited On Certain Streets At All Times.**

**The following areas are “Reside Parking Prohibited on Certain Streets At All Times” and are regulated as set forth in section 355.100 of this Code:**

<b>Street</b>	<b>Block</b>	<b>Scope</b>
<b>Loop South Street</b>	<b>6600</b>	<b>North Side</b>

\* \* \*

**Section 3.** This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

**Section 4.** Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

**Section 5.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
INTERIM CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

DRAFT





## Council Agenda Item Cover

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**MEETING DATE:** June 12, 2017

**AGENDA ITEM TITLE:** Change to Council Rules of Order and Procedure--Rule 14

**AGENDA SECTION:** Council Reports/Business

**CAN THIS ITEM BE RESCHEDULED? :** Yes

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### **BACKGROUND REVIEW:**

Change to Council Rules of Order and Procedure--Rule 14

### **RECOMMENDATION:**

Current:

The Citizen Participation sections of the agenda are designed to allow members of the general public time to express their thoughts and concerns to members of the Council, staff and the community at large. This section of the agenda is not meant to be time for a discussion between the speaker, members of the Council or City staff. This is not to disallow a simple answer.

Update:

The Citizen Participation sections of the agenda are designed to allow members of the general public time to express their thoughts and concerns to members of the Council, staff and the community at large. **The content of the speech will not be restricted.** This section of the agenda is not meant to be time for a discussion between the speaker, members of the Council or City staff. This is not to disallow a simple answer.

### **ATTACHMENTS:**

