

**MEETING OF THE CITY COUNCIL  
VIA VIDEOCONFERENCE  
Monday, October 26, 2020  
6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held via videoconference, on Monday, October 26, 2020, Mayor Terry Crow called the meeting to order at 6:31 p.m.

Mayor Crow thanked Linda Schaeffer, the Acting City Clerk that is sitting in for Ms. Reese tonight. And on behalf of his colleagues, the City Manager, and staff, he would like to extend their deepest sympathies and condolences for the passing of LaRette's mother, Ms. Linda Turner.

**B. ROLL CALL**

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

Councilmember Stacy Clay  
Councilmember Aleta Klein  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson

Also, in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Director of Planning & Zoning, Clifford Cross, and Director of Public Works, Sinan Alpaslan

**C. APPROVAL OF AGENDA**

Mayor Crow noted that no changes were made to the Agenda during the Study Session.

Councilmember Cusick moved to approve the Agenda as presented, seconded by Councilmember Clay and the motion carried unanimously.

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. September 29, 2020, Study Session Minutes were moved by Councilmember Klein, it was seconded by Councilmember Smotherson, and the motion carried unanimously.
2. September 29, 2020, Regular Session Minutes were moved by Councilmember Cusick, it was seconded by Councilmember Hales, and the motion carried unanimously.
3. October 12, 2020, Regular Session Minutes were moved by Councilmember Clay, it was seconded by Councilmember Cusick, and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Marian Reed is nominated for reappointment to the Commission of Arts and Letters by Councilmember Bwayne Smotherson. It was seconded by Councilmember Hales and the motion carried unanimously.
2. Christine Mackey Ross is reappointed to the Historic Preservation Commission by Councilmember Aleta Klein. It was seconded by Councilmember Cusick and the motion carried unanimously.
3. Larry White is nominated to the Historic Preservation Commission by Councilmember Tim Cusick. It was seconded by Councilmember McMahon and the motion carried unanimously.

## **G. SWEARING IN TO BOARDS & COMMISSIONS**

## **H. CITIZEN PARTICIPATION**

### ***Procedures for submitting comments for Citizen Participation and Public Hearings:***

*ALL written comments must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting.*

*Please note, when submitting your comments, a **name and address must be provided.** Please also note if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record.*

Mayor Crow thanked citizens for their participation in this process which everyone realizes has been a real challenge.

## **I. PUBLIC HEARINGS**

1. Avenir Project (Charles Deutsch & Company) 353 Redevelopment Plan, Including Tax Abatement.

Mayor Crow stated due to the number of citizens comments the Public Hearing held on October 12th remained open to allow more time to receive additional comments. All these comments have been reviewed by members of Council, and as a result, the hearing was closed at 6:36 p.m.

2. Map Amendment – Avenir Zoning Map Amendment/Preliminary Plan

Mayor Crow stated due to the number of citizens comments the Public Hearing held on October 12th remained open to allow more time to receive additional comments. All these comments have been reviewed by members of Council, and as a result, the hearing was closed at 6:37 p.m.

3. 7800-7812 Groby Map Agreement

Mayor Crow opened the Public Hearing at 6:37 p.m. After confirming that no comments had been filed, the hearing was closed at 6:38 p.m.

## **J. CONSENT AGENDA**

1. Crown Center – Amended Final Approved Planned Development – 1 Year Extension Request
2. Transfer Station Bid Award
3. Parking Study
4. Parking Garage Overhead Door Replacement
5. Golf Course Netting Contract
6. Agreement for Administrative Support Services between the City and LSBD

Councilmember Cusick moved to approve Items 1 through 6 of the Consent Agenda, sit was seconded by Councilmember McMahon and the motion carried unanimously.

## **K. CITY MANAGER'S REPORT**

## L. UNFINISHED BUSINESS

1. **BILL 9412** – AN ORDINANCE AMENDING SECTION 400.070 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE OFFICIAL ZONING MAP, BY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATIONS OF MULTIPLE PROPERTIES FROM GENERAL COMMERCIAL (“GC”), SINGLE-FAMILY RESIDENTIAL (“SR”), MEDIUM DENSITY RESIDENTIAL (“MR”) & HIGH-DENSITY RESIDENTIAL OFFICE (“HRO”) TO PLANNED DEVELOPMENT – MIXED-USE (“PD-M”) DISTRICT; AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9412 was read for the second and third time.

Councilmember Klein moved to approve; it was seconded by Councilmember Clay.

Councilmember Hales stated on October 12th, Council delayed its consideration of this matter based on the number of emails received expressing concerns about notice and the need for more communication. In the interim, he received one phone call and participated in a Zoom meeting hosted by the Developer to address some of these concerns, along with Councilmember McMahon. However, within the last 48 to 24 hours, Council has received over twenty emails requesting more time for dialogue and citing inaccurate information, such as there were no plans related to where construction workers would park, and that tonight, Council would be voting on whether or not construction should begin. Furthermore, he was surprised to learn that the residents of this neighborhood had conducted their own meeting where members of Council and the Developer had been excluded.

Councilmember Hales stated the Developer addressed the issue of parking during his meeting, noting that the first stage of the development would include the construction of a parking garage which is where his workers would be required to park. And while he believes both he and Councilmember McMahon are extremely open to hearing residents' concerns, the receipt of communications one or two days before a meeting does not provide Council with sufficient time to address these issues.

Councilmember Hales stated based on his belief that there are a lot of potential benefits; his preference as it relates to this Bill and the Resolution, is to delay consideration until the next meeting. However, this delay should not resemble what occurred in the past with a flood of emails directed to Council at the eleventh hour. And if residents should decide to conduct another meeting, it's important to both he and Councilmember McMahon that they, along with the Developer be included.

Councilmember McMahon stated his experiences with respect to both meetings and the lack of response from citizens are identical to Councilmember Hales. And by way of a letter to Council and residents, it was the Developer's belief that the concerns he had received prior to the meeting held by neighboring residents had been addressed. So, while residents certainly have the right to exclude anyone from their meetings, it's rather hard to dig into issues raised 24 hours before a meeting.

For example, one email cited, *"The zoning must revert to the original zoning of a single resident, per Section 400.7020(b) of the Ordinance"*. However, once he determined that this language was not mentioned anywhere in Section 400.7020(b), he was left scrambling trying to figure out how to work through this issue.

Councilmember McMahon stated he thinks the Developer is trying to do his best to meet everyone's concerns. And while he is happy to have these discussions, this type of inaccurate or misinformation puts him in a tough spot to suggest that a ruling on these issues be delayed. Especially since the Resolution associated with this Bill does not represent a final determination.

As it relates to this Bill, Councilmember McMahon asked if the zoning amendment for the Planned District is a tool that helps the City deal with multiple parcels of land? Mr. Rose stated as they've learned from the NOVUS Project, it is a major benefit to have one owner for multiple parcels of land when you are trying to develop a specific area. Councilmember McMahon asked if it would be correct to assume that without this amendment the owner of a property could allow any business that falls under a permitted use in the General Commercial District to occupy that space without having to ask for a change in the zoning? Mr. Rose asked Mr. Cross if he could speak to permitted land uses?

Mr. Cross stated that is correct, there could be a lot more intense uses in this area than what is being proposed by this development. Each underlying Zoning District has predetermined permitted uses and as long as a business meets all of the requirements, by right, they are permitted to occupy that space. These same districts also have conditional uses. And if a business falls under that category the process entails a Public Hearing and a vote by Council to approve the Conditional Use Permit (CUP).

Councilmember McMahon asked Mr. Rose if staff was confident in the current process undertaken for this development? Mr. Rose stated staff strongly believes the steps taken in this process are appropriate for this type of development.

Councilmember Hales asked Mr. Cross if he would explain the planning process as it relates to the Preliminary Plan and the additional steps that must be taken once it is approved? Mr. Cross stated when you evaluate a planned development like this; the first step is a map amendment to identify the specific components of the plan. The next step is the Preliminary Development Plan. Acceptance of a Preliminary Plan gives the developer the green light to complete the rest of their legwork. Once all of that is done, the developer must go back to the Plan Commission with their Final Development Plan. This plan illustrates that everything that has been done to prepare for construction is consistent with the Preliminary Plan. The Commission's recommendation is then submitted to Council for review, and if approved, the Final Development Plan is recorded. Mr. Cross stated the Ordinance specifically states that no construction can take place until after the Final Development Plan has been approved. So, the Preliminary Plan in no way starts the permitting process.

Councilmember Hales questioned whether common themes like construction hours could be incorporated into the Preliminary Plan, to address some of the concerns that have been espoused throughout this process? Mr. Rose stated concerns of this nature can be included as a condition of approval, although he would have to ask either Mr. Mulligan or Mr. Cross for the best approach on how it should be done.

Mr. Cross stated any condition(s) that Council believes are necessary should be contained in the motion to approve the Preliminary Plan. And so, this would go back to Council's point about garnering more community engagement to help formulate exactly what conditions might be needed.

Councilmember Hales stated there also seemed to be some confusion about the process regarding the Developer's request for abatement. Is that a part of the Preliminary Plan on tonight's Agenda? Mr. Rose stated the abatement is not a part of the Preliminary Plan and will be determined independently from the zoning action currently under consideration. He stated the City will utilize a consultant to provide them with recommendations on what if any abatement would be appropriate for this development.

Councilmember Hales stated given some of the new questions that have been raised he would like to make a motion to delay the consideration of this item until the November 9th Council meeting in order to conduct another Zoom meeting to talk through some of these issues with residents and the Developer. The motion was seconded by Councilmember McMahon.

Councilmember Smotherson stated his assumption is that all members of Council will be allowed to participate in this meeting? Councilmember McMahon stated his understanding is that is exactly what they are shooting for. But the one thing he would like to add is that while Council is certainly listening to its residents and trying to work their way through this, what he would like residents to understand is that members of this Council have also had to live through these types of developments. From his own experience, he has had to live through the construction of condos on Gannon, North and South, the Walgreens on Delmar, the Crown Center expansion, and the influx of new mansions. So, while it's a tough and often unpleasant decision, sometimes you have to ask yourself; are the disruptions created by these new developments in my life, going to be good for my neighborhood and the community as a whole?

Mayor Crow thanked the City Manager and his staff for their diligence in working through this process and expressed his appreciation to the citizens who have given Council a great deal to think about. He stated while most of these concerns have been right on point, there were a couple of things he would take issue with.

To those who expressed concerns regarding their expectations that Council and this administration would give notice to this entire community, and have accused the City of rushing this process, he would note that the City has not only followed the rules governing this process but has expanded them to give more residents notice and an opportunity to express their concerns. Except for keeping the Public Hearing open; which in his experience is extremely rare, this same process was followed with the Hawthorne School conversion, COCA's expansion, Kingsland Walk, and Mansions on the Park. So even though he feels very comfortable with how the City has handled this project, he will support Councilmember Hales' motion to delay consideration on this matter, in the hope that there will be fruitful conversations that encompass all parties.

A former resident of Clayton took issue with U City's planning process, but in his opinion, you only have to look at the Centene Development to gain an appreciation for how the City's process really works.

Concerns related to density and setbacks have been satisfactorily resolved by staff, and the issue of abatement will not be considered during any of tonight's actions.

However, to a much broader context, comments like, *"I love going to the Starbucks on North and South, but don't you dare put one in my backyard,"* is probably not the best message to send to this Council or the rest of this community. Mayor Crow stated U City was developed as a residential community and the result is that it has paid the price for disallowing commercial developments, and there is a need to grow the City's tax base. So, like it or not, there is likely going to be an Urgent Care at Delmar and Old Bonhomme, another senior living center, and an eastward expansion of Olive. And that means that more construction will be forthcoming.

Voice vote on Councilmember Hales' motion to delay consideration carried unanimously.

Mayor Crow asked Mr. Mulligan if it was procedurally correct to conduct a voice vote rather than a roll call vote? Mr. Mulligan stated that it was.

- BILL 9413** – AN ORDINANCE AMENDING SECTION 400.070 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE OFFICIAL ZONING MAP, BY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF 7800 AND 7812 GROBY ROAD FROM SINGLE-FAMILY RESIDENTIAL DISTRICT ("SR"), TO LIMITED COMMERCIAL DISTRICT ("LC"); CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9413 was read for the second and third time.

Councilmember Cusick moved to approve, it was seconded by Councilmember Klein.

Councilmember Cusick stated he believes this is a good plan for the area that he will be happy to see come to fruition.

Roll Call Vote Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Smotherson, Councilmember Clay, Councilmember Klein, and Mayor Crow.

**Nays:** None.

- BILL 9414** – AN ORDINANCE AMENDING CHAPTER 120, ARTICLE I OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO COMMISSIONS, AUTHORITIES, BOARDS, AND COMMITTEES, BY ENACTING THEREIN A NEW SECTION TO BE KNOWN AS SECTION 120.160. CERTAIN PERSONS RELATED TO CITY EMPLOYEES INELIGIBLE TO SERVE. Bill Number 9414 was read for the second and third time.

Councilmember Cusick moved to approve, it was seconded by Councilmember McMahon.

Councilmember Clay stated although he is supportive of this concept, he is a little concerned about what might happen on some of these Boards/Commission, especially if the intent is for this Bill to go into effect immediately.

Therefore, he would like to offer an amendment implementing a grandfather clause that would allow any member impacted by this Ordinance to remain until their term expires.

Mayor Crow stated if this Bill were to pass, his understanding is that staff would conduct a review of the City's Boards/Commissions to determine if any conflicts exist. Mr. Rose stated that is correct. That being the case, Mayor Crow stated it would appear as though Councilmember Clay's amendment would defeat the purpose of this Bill, as well as Mr. Rose's objective for bringing this forward to Council.

Mr. Rose stated the purpose of this Bill is to resolve potential conflicts of interest in the future and address any current situations where a perceived conflict of interest exists.

Councilmember Clay stated with that understanding, he would like to move forward with his amendment. The Motion to Amend was seconded by Councilmember Smotherson.

Councilmember McMahon stated it sounds like this amendment would create a gap for someone whose marital status changes. And if that change falls under this amended clause then the next step would require the adoption of rules related to recusals. He stated his son lost a job at the pool when the City decided to bring all of its services back in-house because of their relationship. So, that's kind of how these things go.

Councilmember Smotherson asked Mr. Rose if he was aware of how many of these conflicts currently existed? Mr. Rose stated while the intent is to examine all of the Boards/Commissions to ensure full compliance, he believes everyone is aware of at least one instance.

Councilmember Hales asked if this amendment would require the Ordinance to be rewritten?

Mr. Mulligan stated if this amendment is approved, he would suggest that it be incorporated into Section 2 of the Bill, which addresses when it takes effect. So, the process would require a motion that includes the proposed language in Section 2; a second, and then a vote. If approved, Council would then proceed to vote on the Bill as amended.

Mayor Crow stated he believes adding a grandfather clause to this Bill would simply cause any conflict to linger for at least two years and he does not think that is what Council has been elected to do. However, he would like to leave the responsibility of identifying any potential conflicts of interest up to the City Manager and his staff.

Roll Call Vote on the Motion to Amend Was:

**Ayes:** Councilmember Smotherson and Councilmember Clay.

**Nays:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Klein, and Mayor Crow.

The Motion to Amend fails.

Councilmember Smotherson stated since members of a Board/Commission vote as a group and one person's vote cannot impact the majority's recommendation, he is curious to know the definition for a conflict of interest?

Mayor Crow stated in his mind unless they recuse themselves, a conflict of interest can exist no matter which way individuals vote, be it in the majority or minority.

Mr. Rose stated as a hypothetical if someone on the Parks Commission has a spouse or domestic partner who is an employee in the Park's Department, a conflict of interest could easily be perceived based on the notion that this member would have greater access to information or more influence on the decisions being made by that Commission, than their colleagues. Albeit legal, this advantage could have an unjust influence on the entire process.

Councilmember Smotherson stated while he appreciates that clarification, in his mind, using that same hypothetical with two good friends could lead to the same perceived notions of a conflict of interest.

Mayor Crow stated the Ordinance is written in a way to preclude such a notion.

Councilmember Hales stated he thinks the issue of perception is a very important conversation to have and believes it warrants an even broader discussion as it relates to members of this Council and their spouses.

Councilmember Klein stated she struggled with this concept because some people will take this personally when that is absolutely not the case. However, she voted against the amendment because if there is a conflict that has or may become an issue for some people, it is something that needs to be resolved.

Roll Call Vote on Bill 9414 Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Klein, and Mayor Crow.

**Nays:** Councilmember Smotherson and Councilmember Clay

The Motion to Approve Bill 9414 passes.

Councilmember Smotherson stated this discussion made him reflect on his personal relationships, and as a result, he would ask the Mayor to officially remove him as the Council Liaison for the Arts & Letters Commission and reassign him to another entity.

## **M. NEW BUSINESS**

### *RESOLUTIONS*

#### **1. Resolution 2020-15—Avenir Preliminary Plan Approval**

Councilmember McMahon moved to approve; it was seconded by Councilmember Cusick.

Mayor Crow stated based on the previous conversations any action on this Resolution will more than likely parallel the action taken on Bill Number 9412.

Councilmember McMahon stated he has already received several emails asking for a meeting, so he would move that this Resolution be delayed for consideration until the November 9th Council meeting. Seconded by Councilmember Hales and the motion carried unanimously.

## **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

## **O. COUNCIL COMMENTS**

Councilmembers McMahon and Cusick urged everyone to go out and vote.

Councilmember Cusick stated he and his colleagues have received emails from residents concerned about their safety at the poles in the event of any protests. And although he has not had a one-on-one conversation with Chief Hampton, he is convinced that his Department will handle any protests on Election Day the same way they have in the past. He stated he is aware that the St. Louis County Board of Elections Commissioner has contacted the Chief to advise him of the City's polling locations. In fact, many of the libraries are open for anyone interested in voting early. Councilmember Cusick urged everyone to be safe by remembering to wear a mask and practicing social distancing.

Councilmember Hales reported that the Plan Commission has already conducted a number of planning sessions to look at Avenir's abatement request, and he is confident in their ability to provide Council with a sound recommendation. He then thanked all of the residents who participated in tonight's meeting and expressed hope that the next two weeks will result in very productive conversations.

Councilmember Clay reported that the last meeting of the Library Board consisted of discussions about their ability to start moving forward with their planned renovation. Residents approved a bond issue allowing for these renovations which have been delayed as a result of COVID. Councilmember Clay encouraged residents to contact the library because even he was surprised at the variety of services they offer. Currently, they serve as a point of contact for seniors seeking Medicare during its open enrollment period. So, it is a tremendous resource that many may not be aware of.

**P.** Motion to go into a Closed Session according to Missouri Revised Statutes 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 or attorneys.

Councilmember Cusick made a motion to go into a Closed Session, it was seconded by Councilmember Hales.

Roll Call Vote Was:

**Ayes:** Councilmember Hales, Councilmember Cusick, Councilmember Smotherson, Councilmember Clay, Councilmember Klein, Councilmember McMahan, and Mayor Crow.

**Nays:** None.

**Q. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and closed the regular City Council meeting at 7:45 p.m. to go into a Closed Session. The Closed Session reconvened in an open session at 8:15 p.m.

Linda Schaeffer  
Acting City Clerk



## Linda Schaeffer

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**From:** Gregory Rose  
**Sent:** Monday, October 26, 2020 11:39 AM  
**To:** Linda Schaeffer  
**Subject:** FW: City Council Meeting on Monday, October 26, 2020 at 6:30 p.m. about Avenir Project on Delmar

**Importance:** High

Linda: FYI.

**From:** valmik thakore <valmikt@hotmail.com>  
**Sent:** Monday, October 26, 2020 11:10 AM  
**To:** Council Comments Shared <councilcomments@ucitymo.org>; Jeff Hales <halesforucity@gmail.com>; Steve McMahon <steve\_mcmahon@att.net>; Terry Crow <mayor@ucitymo.org>; Gregory Rose <grose@ucitymo.org>; Clifford Cross <ccross@ucitymo.org>  
**Cc:** Tim Cusick <cusickward2@gmail.com>; Aleta Klein <kleinward2@gmail.com>; Bwayne Smotherson <bsmotherson@gmail.com>; Stacy Clay <clayucity@gmail.com>  
**Subject:** Re: City Council Meeting on Monday, October 26, 2020 at 6:30 p.m. about Avenir Project on Delmar  
**Importance:** High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**This is a public comment on City Council [Agenda Item I, sub-items 1 & 2](#) ("Avenir Project 353 Redevelopment Plan, Including Tax Abatement" & "Avenir Zoning Map Amendment/Preliminary Plan", respectively) for the [University City Council Meeting on October 26, 2020](#).**

**From:** Valmik Thakore and Rajul Thakore  
Owners of 8727 West Kingsbury Avenue, University City, MO, 63124.

### **Tax Abatement Related IMPORTANT ADDITIONAL COMMENT**

We, Citizens of University City, need to know the amounts of tax reductions by each line item per year for the 20 years and the total amounts for the 20 year period (based on current rates and estimated projected assessment of the proposed Avenir Project and difference between current assessment of the project area) for all applicable taxes for each of the current taxing entities, e.g. City, County, Police, Fire, School District, Library, etc.

**Please provide this information to [all the citizens and business owners](#) of the City and [allow sufficient time for providing comments](#) on this major economic issue that impacts them.** Currently in Covid-19 era many cities are facing reduced revenues for foreseeable future forcing them to cut jobs and services and many

citizens are unemployed or have reduction in income, including senior citizens like us reliant on our interest income. I am surprised that this is not shared with all of us in a transparent manner and is not a requirement under sunshine laws. This information is a required **before any discussion and decision on the requested tax abatement under Chapter 353 of the Missouri Revised Statutes.**

Thanks

Valmik Thakore and Rajul Thakore



Virus-free. [www.avast.com](http://www.avast.com)

# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

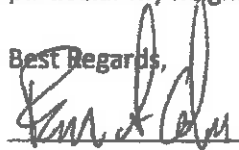
10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

 for KPB Properties



Property Owner(s) (signed)

Date

Name: Roger Cohen

Address: 500 Kingdel

Phone: 314-540-3261

email: RocketPolymers@Att.Net

Additional Comments:

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10/24/2020

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Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Don A. Colem for KPB Properties

10/26/20

Property Owner(s) (signed)

Date

Name: Rex

Address: 506 Kingdel

Phone: 540-3201

email: Rocket Polymers @ Att.Net

Additional Comments:

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Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Timothy Pohlman  
Heidi Pohlman

10/24/2020  
10/24/2020

Property Owner(s) (signed)

Date

Name: Timothy + Heidi Pohlman

Address: 512 Kingdel

Phone: 314-569-0978

email: STLHLP@MAC.COM

Additional Comments:

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# PETITION

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10/24/2020

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Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

William P. Knapp

10/26/2020

Property Owner(s) (signed)

Date

Name: William P. Knapp

Address: 8700 Delmar Blvd

Phone:

email: wpk317@hotmail.com

Additional Comments:

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# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

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Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

John M. Gerardi

10/25/2020

Property Owner(s) (signed)

Date

Name: John M. Gerardi?

Address: 8700A Delmar Blvd

Phone: 314-567-8970

email: JGerardi @ Hotmail.com

Additional Comments:

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# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

 \_\_\_\_\_ 10/25/20  
Property Owner(s) (signed) Date

Name: Jason + Michelle Rudman

Address: 8681 W Kingsbury Ave  
St Louis, MO 63124

Phone:

email: jrr42788@gmail.com

Additional Comments:

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# PETITION

Finance Department

## NOTICE OF PROTEST

Sincerely,

TO: University City, City Council  
We appreciate your cooperation in this regard. Should you have additional questions, please contact our office at (801) 205-18544.  
Avenir Project hearing 10/26/20

and provide the date the business was last conducted.  
If you are a business owner, please send a letter to the City of University City, Missouri, at the address below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.  
The possession of a retail sales license shall be a prerequisite to the issuance of any city or county occupation license or any state license which is required, for conducting any business where goods are sold at retail. The revocation of a retailer's license by the Director shall render the occupation of a retailer's license of the state null and void.  
Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Section 144.083.2, RSMo, states:

*Laura Jane*

10/25/20

The State of Missouri has requested that we inform you that your license is null and void as of October 15, 2020.

Property Owner(s) (signed)

Date

that your retail sales tax license has been revoked.

Please be advised that the City of University City has received notice from the State of Missouri

Phone: 314-989-0344

email: laura@mat.com

Additional Comments:

University City, MO 63130  
6951 Corbett Ave

Sistahs Peace of Mind Salon and Spa LLC

October 21, 2020

### REVOCATION NOTICE



# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Rebecca & Harris Hrustic

10/25/20

Property Owner(s) (signed)

Date

Name: Harris Hrustic  
Rebecca Hrustic

Address: 8685 W. Kingsbury  
Ave

Phone: 314 569 4036

email:

rlmunsen@hotmail.com

Additional Comments:

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# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Paul Schippers

10/25/20

Property Owner(s) (signed)

Date

Name: Paul Schippers

Address: 8689 W King St

Phone: 636 795 7001

email: U-City MU

Additional Comments:

63124

# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Jacob Schanfer/Diana Dickes

10/25/20

Property Owner(s) (signed)

Date

Name: Diana Dickes

Address: 8705 Tinsdale

Phone:

email: jschanfer@p.wustl.edu

Additional Comments:

dianadickes@gmail.com

# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

 Deborah Dunn 10/25/20

Property Owner(s) (signed)

Name: Charles & Deborah Dunn

Date

Phone: 314-651-0631

Address: 8686 Barbey  
email: dunn@wustl.edu

Additional Comments:

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# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/26/2020

RE: Avenir Development Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, we the undersigned do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. Along with experts in city zoning and urban planning, we don't feel the variances as proposed are legal and in fact in University City's best interest. As property owners of lots within 185 feet of this proposed project, this letter in combination with signatures from all of us in subsequent pages below within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Respectfully Submitted by Property Owners in pages 1 through 11 attached:

NAME	ADDRESS
Charles & Deborah Dunn	8686 Barby Ave.
Diana Dickes & Jacob Schafer	8705 Teasdale
Paul Schippers	8689 W. Kingsbury Ave
Rebecca & Haris Hrustic	8685 W. Kingsbury Ave.
Laura Lane	8677 W. Kingsbury Ave.
Jason & Michelle Rudman	8681 West Kingsbury Ave.
John M. Girardi	8700A Delmar Blvd.
William P. Knapp	8700 Delmar Blvd.
Timothy & Heidi Pohlman	512 Kingdel Ave.
Roger Cohen	506 Kingdel Ave.
Roger Cohen	500 Kingdel Ave.

### CONTACT:

William Ash 8690 West Kingsbury Ave University City, Missouri 63124 [wmash47@gmail.com](mailto:wmash47@gmail.com)  
314 569-3299

**From:** Mike Green mgreen@reanalysts.net  
**Subject:** Avenir  
**Date:** October 22, 2020 at 8:19 AM  
**To:** Zack Deutsch zdeutsch@thegatesworth.com



Hi Zach – I have looked over the plans and elevations you sent and have driven by the site. While I have not undertaken any kind of formal study, I can tell you that in my opinion as someone who has been involved in real estate valuation for the past 30 years that the proposed development will be a major asset to the community, both neighboring and the wider area. While there is no doubt that during construction there will be some inconveniences to immediately neighboring properties, the final development, considering the buffering, elevation changes and its overall attractiveness in design and style will only enhance property values in the area and continued to do so into the future, as the Gatesworth has over the last several years.

Regards,

A handwritten signature in black ink, appearing to read 'Mike Green'.

**Michael A. Green**  
Principal



**Real Estate**  
**ANALYSTSLIMITED**

6255 Knox Industrial Drive, St. Louis, MO 63139  
PH 314.965.1171 | FX 314.965.2622  
appraisers@reanalysts.net

Additional Contact Information

Direct - 314-818-7997  
Cell - 314-974-5894  
Website - [www.reanalysts.net](http://www.reanalysts.net)

## Linda Schaeffer

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**From:** Sharon Bateman <sharon.bateman123@gmail.com>  
**Sent:** Monday, October 26, 2020 12:12 PM  
**To:** Council Comments Shared  
**Subject:** Avenir

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to encourage you to vote against any tax abatement for this project. This is an unneeded development in a quiet neighborhood, which will essentially alter its character. It will significantly increase traffic and congestion on Delmar and will make the I-170/Delmar intersection even more congested than it is now.

Please know I am not "anti" Development for University City. I applaud the Costco development and the new development at the southeast corner of I-170 and Olive. Those are major arteries with a major intersection and streets to support it. The Avenir project does not have the same characteristics.

Thank you.

Sharon Bateman  
348 N Price Rd  
Ward 1

Please overlook any typos. Sent from my iPhone.



## Linda Schaeffer

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**From:** William Ash <wmash47@gmail.com>  
**Sent:** Monday, October 26, 2020 12:01 PM  
**To:** Council Comments Shared  
**Subject:** Me4ting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

For Agenda items 1 and 2

- a) proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally. Please deny the Avenir development proposal and re-submit to planning.
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

I strongly endorse the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmik Thakore and Roger Cohen

William Ash  
8690 West Kingsbury Ave.

**Linda Schaeffer**

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**From:** Harrison4513@sbcglobal.net  
**Sent:** Monday, October 26, 2020 11:57 AM  
**To:** Council Comments Shared  
**Subject:** NO on tax Abatement ... VEHEMENTLY OPPOSED ... Council Meeting Monday, October 26: Development West of 170 on Delmar

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon...

My name is Denise Harrison.

I live at 800 University Place. Been a resident of University City for over 15 years.

**I AM VEHEMENTLY OPPOSED TO ANY TAX ABATEMENT FOR THIS PROJECT.**

I question the timing and the tax abatement. It's my understanding because of covid, the market demand has transitioned away from multiunit homes to single family homes which is forecasted to stay awhile. If it is decided to go forward with this type of project, there is no need for a tax abatement. This is a risky proposition. With loss tax revenues from covid and the trolley failure, the last thing UCity needs to do is offer any tax abatement. So, if they go forward, they go forward paying the taxes this City could use on more solid less risky projects for UCity. The market for multiunit properties is cyclical. This is an enormously high risk proposition in a transitioning real estate market. I vote no on tax abatement.

Denise Harrison

Sent from my iPhone

**Linda Schaeffer**

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**From:** Marsha Whelan <mkw1@att.net>  
**Sent:** Monday, October 26, 2020 11:33 AM  
**To:** Council Comments Shared  
**Subject:** Tax Abatement

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not grant such a huge tax abatement on \$80million project! Just lower my taxes. Marsha Whelan

## Linda Schaeffer

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**From:** Asim Thakore <asim.thakore@gmail.com>  
**Sent:** Monday, October 26, 2020 11:29 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Terry Crow; Tim Cusick; Aleta Klein; Bwayne Smotherson; Stacy Clay  
**Subject:** Re: comment for agenda items 10-26 board meeting

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Additional public comment for agenda items re Avenir for 10-26-2020 meeting. This is in addition to---not a replacement of---my previous comments.

I just read that the Crown Center will be held to the 30 foot setback rule for their building. Why is Avenir being granted multiple variances for setbacks?

Why allow anybody any variances in the law at all? Because they have money? Is a poor kid from north of Delmar granted any "variances" in application of the law? Is the City committed to equal application of the law?

We have laws for a reason. Selective enforcement of the law is inherently discriminatory. I believe some of you have some legal background and would agree with this principle. In this instance, it is beneficial to someone, but that does not mean there isn't societal harm.

Thank you,

Asim Thakore  
8727 W Kingsbury Ave

On Mon, Oct 26, 2020 at 10:56 AM Asim Thakore <[asim.thakore@gmail.com](mailto:asim.thakore@gmail.com)> wrote:

Dear Council,

I have **attached** additional comments regarding the Avenir project for tonight's meeting. Please review this and my comments for the 10-12 meeting.

I am very concerned about the plan and process surrounding this project. I do not think either align with the values we espouse as a City. Many folks have been disenfranchised or locked out, despite being asked to subsidize the profits of someone far richer than themselves.

Thank you,

Asim Thakore

## Linda Schaeffer

---

**From:** Robert Kuhlman <rk-gw467@att.net>  
**Sent:** Monday, October 26, 2020 11:29 AM  
**To:** Council Comments Shared; lreese@ucitymo.gov  
**Cc:** Jeff Hales; Steve McMahon  
**Subject:** October 26 Council Meeting Public Comments - Avenir Project

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As a resident of University City with home address at 8670 West Kingsbury Ave. I am writing to have my comments read and considered by the City Council as they deliberate granting the various requested made by Mr. Charles Deutsch and the Charles Deutsch and Company relating to the proposed Avenir project on Delmar and Kingdel avenues. By now the Council should have received a number of citizen's comments from the property owners of the Kingdel Neighborhood Group (the "KNG").

I write in full support of the comments and concerns expressed by my neighbors. Specifically, I am opposed to the city granting ANY type of setback or zoning variance for this project. The project should be properly designed to adhere to whatever setback or property line demarcation currently exists under the current code. There should be no need to alter either Kingdel Ave or Delmar Ave to accommodate a larger footprint for this development.

I also write to support my fellow citizens in being total opposed to any form of tax abatement for this project. The case made by Mr. Deutsch goes against the intended purpose of the law or rules he is hoping to use to be granted this kind of assistance. It does not seem at all reasonable that he can claim the existing properties should be blighted as he has been the owner of these properties and should have been maintaining them all along. Furthermore, given the current (and possibly) prolonged COVID pandemic crises, I think it is unconscionable that the city consider giving up even a penny of potential revenue for such a project - especially for twenty years to come. We simply cannot afford it.

The Council has already received letters of comment regarding this project from Mr. Valmik Thakore and Mr. Roger Cohn As well as a statement from the whole group of neighbors of KNG. I FULLY SUPPORT THIER CONCERNS AND REQUESTS regarding this project and the decisions before the council.

Thank you,  
Sent from my iPad

**Linda Schaeffer**

---

**From:** Gigi Werner <gigiwerner01@gmail.com>  
**Sent:** Monday, October 26, 2020 11:15 AM  
**To:** Council Comments Shared  
**Subject:** avenir development proposal -agenda items 1 and 2 under public hearings for Oct 26,2020 meetigg

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I fully support the position of the Kingsbury Neighbors Group:

I stongl agree for more review time,I agree with Valmik Thakoces plan, I agree traffic increase is unacceptable,I agree there should be no granting of tax abatement

signed MaryLWerner 8762 West Kingsbury

Linda Schaeffer

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**From:** valmik thakore <valmikt@hotmail.com>  
**Sent:** Monday, October 26, 2020 11:10 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Terry Crow; Gregory Rose; Clifford Cross  
**Cc:** Tim Cusick; Aleta Klein; Bwayne Smotherson; Stacy Clay  
**Subject:** Re: City Council Meeting on Monday, October 26, 2020 at 6:30 p.m. about Avenir Project on Delmar

**Importance:** High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**This is a public comment on City Council Agenda Item I, sub-items 1 & 2 (“Avenir Project 353 Redevelopment Plan, Including Tax Abatement” & “Avenir Zoning Map Amendment/Preliminary Plan”, respectively) for the University City Council Meeting on October 26 , 2020.**

From: Valmik Thakore and Rajul Thakore  
Owners of 8727 West Kingsbury Avenue, University City, MO, 63124.

### **Tax Abatement Related IMPORTANT ADDITIONAL COMMENT**

We, Citizens of University City, need to know the amounts of tax reductions by each line item per year for the 20 years and the total amounts for the 20 year period (based on current rates and estimated projected assessment of the proposed Avenir Project and difference between current assessment of the project area) for all applicable taxes for each of the current taxing entities, e.g. City, County, Police, Fire, School District, Library, etc.

**Please provide this information to all the citizens and business owners of the City and allow sufficient time for providing comments on this major economic issue that impacts them. Currently in Covid-19 era many cities are facing reduced revenues for foreseeable future forcing them to cut jobs and services and many citizens are unemployed or have reduction in income, including senior citizens like us reliant on our interest income. I am surprised that this is not shared with all of us in a transparent manner and is not a requirement under sunshine laws. This information is a required before any discussion and decision on the requested tax abatement under Chapter 353 of the Missouri Revised Statutes.**

Thanks

Valmik Thakore and Rajul Thakore

This is a public comment on Board Agenda Items 1 & 2 (Avenir Project) for the October 26thth, 2020, University City City Council Meeting.

My name is Rajul Thakore. My husband and I own the property at 8727 W Kingsbury Ave, University City, MO, 63124. Our house is in the neighborhood impacted by the proposed Avenir development. I am very concerned about the new apartment complex and urge the Council to reject the plan.

We moved here in 2010 to enjoy our retirement. We specifically picked the neighborhood and U City because it was verdant, peaceful, and walkable. The houses are appropriately sized for the lots and are all occupied. The new apartment complex would tear down trees, increase noise, and make the streets unwalkable. We do not have sidewalks in our neighborhood, so we have to walk in the road. The new complex's height would also dominate the neighborhood and ruin the feel and privacy we enjoy. Someone from the 4th floor could easily look into our yards.

The apartment complex will bring much more traffic, which will make it much harder for me to walk in the neighborhood and out to Delmar and get the exercise I am supposed to per my doctor's orders. I try to walk one hour each day. I am not sure if I will be able to do that safely or at all if this building is built.

We know and get along well with our neighbors, and feel like we fit in University City. We don't want to have to move and re-adjust at our age because our quality of life will be ruined.

I am also concerned about crime; with such a big complex, we do not know who will be coming and going. This has been a relatively safe neighborhood even if we have had some property crime that the City does not seem to care about. There is quick access to 170 so we have suspicious vehicles and people going through cars sometimes. This will get worse when the new apartment complex draws attention to the neighborhood.

Such a big complex will make our neighborhood a much less attractive place to live and greatly reduce our property values. This will mean less taxes for University City.

We were living relatively peacefully even during the COVID crisis until this was thrown in our laps at the 11th hour. I cannot help but question the timeframe of this and whether this moment of crisis was intentionally picked in the hopes of soft opposition.

Thank you,

Rajul Thakore

8727 W Kingsbury Ave



**Linda Schaeffer**

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**From:** Asim Thakore <asim.thakore@gmail.com>  
**Sent:** Monday, October 26, 2020 10:57 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Terry Crow; Tim Cusick; Aleta Klein; Bwayne Smotherson; Stacy Clay  
**Subject:** comment for agenda items 10-26 board meeting  
**Attachments:** Oct 26th Meeting Public Comment Asim Thakore.odt

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council,

I have **attached** additional comments regarding the Avenir project for tonight's meeting. Please review this and my comments for the 10-12 meeting.

I am very concerned about the plan and process surrounding this project. I do not think either align with the values we espouse as a City. Many folks have been disenfranchised or locked out, despite being asked to subsidize the profits of someone far richer than themselves.

Thank you,

Asim Thakore



This is an **additional** public comment for Board Agenda Items 1 + 2 for the October 26<sup>th</sup>, 2020, University City City Council Meeting. I have already provided comment for the Oct 12<sup>th</sup> meeting and urge the council to review it again.

My name is Asim Thakore. I live at 8727 W Kingsbury Ave. Our house would be impacted by the proposed Avenir development.

I am urging the Board to reject the proposed plan and send it back to the Planning Commission for further study, including commissioning/inviting independent, outside experts to provide further input on a number of issues that have been overlooked.

My concerns are as follows:

**1) Density:** The plan as written is in violation of multiple University City zoning ordinances. I am aware that the developer has been granted variances and waivers, etc (more on that in a bit). These variances/waivers do not address every issue; there are still multiple portions of the plan that remain illegal despite the laws being waived.

**2) Pedestrian Concerns/U City Comprehensive Plan:** Since the COVID crisis/lockdowns began in March, I have replaced visits to the gym with walks through University City. From the neighborhood, there is currently no access to the north side of Delmar. Because the south side of Delmar is all parking from Price Rd to Kingdel, you either have to walk back through the neighborhood and turn right and walk on the shoulder of Price Rd with cars coming up behind you and cross Delmar there, or walk down to the crosswalk at 170, where there are cars and buses making speedy turns onto 170 and there is barely enough time to cross without jogging (and I say this as someone in his 30s, I can't imagine someone in their 60s making it across).

What you see happening most frequently is people just darting across Delmar at Kingdel, which is dangerous.

Add in multiple curbcuts for the Avenir project AND a drive thru coffee shop and the south side of Delmar becomes unusable for pedestrians; based on how the drive-thru Starbucks at North and South and Delmar backs up at multiple times throughout the day, you will have gridlock and traffic spillover into the street.

Also, Avenir claims that there will be very few cars exiting their garage during morning rush. If they are catering to "Clayton professionals", how do we expect a 400+ spot garage to not be very busy during morning rush. **Does the council expect that "Clayton professionals" will be getting up an hour early to take the bus one exit down 170 to work? Let's be serious: every single one of these "Clayton professionals" will own and use their cars frequently.**

All of these run counter to U City's Comprehensive Plan Update of 2005, which states in Chapter 3 that good planning "Encourage new housing development that...supports pedestrian oriented activities."

**The Avenir Project does the exact opposite; it stifles pedestrian-oriented activities (and pedestrian activities in general).** It does nothing to address the current issues, and exacerbates them by adding more high-speed traffic. The traffic studies presented say they cannot get an accurate count because of COVID. **We should wait until COVID recedes before moving forward with this project so we can**

**do a real traffic study.**

Given that the City's own traffic consultants said that there were already significant problems on 170 on/off-ramps, the City should take a step back, **pause**, and coordinate the Avenir, Delcrest, Crown Center, and Costco plans for traffic with MODOT, St Louis County, Great Rivers Greenway, Loop + Olive + other business owners (**what will they think of their clientele being delayed/potentially driven elsewhere by delays**)?

Also, given that the Delmar exit is used by almost every U City resident/visitor, we need to **pause** and have a robust public process for comment and impact studies. Doing this the right way---with citywide coordination---will have enormous payoff for the City down the road.

**3) Treescape/treeline:** The project plan would destroy many beautiful, old trees that provide significant environmental (by creating oxygen and filtering out harmful gasses...yes, trees don't soak up **just** CO2, but other gasses as well) and aesthetic benefit, as well as increasing property value.

Avenir should build around these trees instead of destroying them. University City boasts a "Tree City USA" designation. Let's try to live up to that.

**4) Tax Abatement/long-term economic impact:** What is the exact dollar amount of the tax abatement?

What is the exact dollar amount of services provided per average citizen? Mr Deutsch says that the abatement will pay for itself with sales tax, but we need to know average sales tax generated per resident and average services demanded per resident.

For such a big expenditure of taxpayer money, the notification requirement should be citywide, not just those within 180 feet. I am surprised that this isn't standard procedure/required by law.

**The process should be put on hold until every U City taxpayer---including small businesses---can be notified and have ample time to provide public comment.**

Furthermore, this is a big risk given that there is already a glut of luxury housing in the area. Mr Deutsch says that "Clayton professionals" will rent his properties. Why would they, when there are multiple high-rises in Clayton itself that have bars, restaurants, and shopping within walking distance?

We know that this will eventually be senior living. Will seniors generate enough in sales tax to make up for the services they use? **Given senior spending habits and the number of ambulance call-outs, etc, it's clear that this tax abatement will not pay for itself.**

Furthermore, I am sure the Council is aware that the economy is currently being propped up by low interest rates and cash infusions from the government. Interest rates will stay very low through 2022, then will go up as the Fed grapples with inflation. I believe the Planning Commission has an economist from the St Louis Fed as a member now; **please consult him and independent experts before going through with this.**

**When interest rates go up, credit available to consumers will decrease. When this happens, folks will have less money in their pocket for high rents.** Speaking of high rents, does the Council know that each and every new dwelling unit built---regardless of rent---reduces rents overall? This has been shown in multiple economic studies.

**Does the City Council think the current/medium-range economic climate is a good one in which to make a big bet like this?**

**Further study is required by outside experts.**

**5) Public Comments Spam Filter/COVID concerns:** I know for a fact that one person's public comments have bounced back to their email repeatedly because of the City's spam filter incorrectly flagging them as such. Does the Council know how many other citizens have not be able to provide comment because of technical issues? If not, they need to extend the time period for comment, fix the technical issue, and make a forceful effort to invite comment by all---this includes an obvious notice in ROARS and sending letters to residents AND business owners with plenty of lead time given current USPS delays.

That said, the process should be put on hold until the COVID crisis abates; we simply cannot have a robust democratic process by Zoom. The current climate does not allow for in-person or door-to-door organizing. Also, because we can't attend Board meetings in person, we cannot express our views as powerfully as we could.

A significant portion of University City are seniors or economically disadvantaged persons, or both. Both populations are known to have barriers to technological access. They are disenfranchised by the current situation. Please understand that I'm not blaming the Council for COVID or for continuing to meet. I'm just saying that the only business being conducted should be that which is entirely necessary to "keep the lights on"/emergency business that is critical to health and safety.

Also, we have not even mentioned folks who have visual or hearing impairments who are disenfranchised by Zoom meetings.

I am surprised there are not regulations surrounding access to technology and participation in the process. I do not have time to review the Americans with Disabilities Act, but this is of serious concern and I urge the Council to come into compliance with the spirit of the law.

**Please place this plan on hold until the public can fully participate in the democratic process and issues of access are addressed.**

**6) Minority Contractors:** We need some guarantees that there will be an equitable and fair use of minority owned firms for this project in exchange for millions in taxpayer money.

**7) Carbon-neutral/green development:** In exchange for taxpayer money AND parking waivers, the developer must commit to a 100% carbon-neutral construction process and green development. This may have to include rooftop solar, rainwater collection, etc. Best practices should be defined and put into place by relevant outside experts.

**8) Process:** Simply put, the entire process of the project has not been good enough and undermines faith in the Council and the City. If the Council knew about this in May (or even August), why weren't we told right away? Why wait until October?

Why only tell people within 180 feet? I understand that if it's my neighbor building a garage or a greenhouse or something, but a project of this scale impacts the entire city.

The whole process feels very, very rushed, which creates a perhaps-warranted suspicion that it's trying to be jammed through before people realize what's going on.

I know that the City is trying very hard to be Clayton. I'm not sure why, because while Clayton is great, we have our own unique qualities. We should be leaning into our strengths as the most economically, socially, racially, educationally, and internationally diverse community in the region. You got that right with the "Neighborhood To The World" branding. You keep getting it wrong with these rushed development projects with big tax handouts and scant due diligence. We're getting to be known as easy marks. One thing that is a hallmark of Clayton is good process (I lived there for 25 years). We are very, very far from good process.

I am NOT opposed to development. However, development must be done in a consultative, equitable manner that enhances pedestrian access, increases use of transit, and provides true benefit to the citizens and wider community. The Avenir project plan is a disaster.

Do the smart thing for the City and vote against this plan. Send it back, and work the process in a proper fashion.

Thank you.

**Linda Schaeffer**

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**From:** Mike <mike@maljl.com>  
**Sent:** Monday, October 26, 2020 10:50 AM  
**To:** Council Comments Shared; halesforucity@gmail.org; Steve McMahon  
**Subject:** Avenir Development

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We live at 8677 W. Kingsbury.

We fully support the position of the Kingsbury Neighbors' Group:

1. Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
2. We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
3. We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
4. We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Having lived through Mr. Deutsch's prior expansion, we have learned that he has little regard for the rules. Construction regularly disregarded University City guidelines on construction hours causing significant disruption both early in the morning and during the weekend.

We strongly support the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmic Thakore and Roger Cohen

Michael Lane  
Laura Lane  
8677 W. Kingsbury Ave

**Linda Schaeffer**

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**From:** Kathryn Blair <kblair51@icloud.com>  
**Sent:** Monday, October 26, 2020 10:35 AM  
**To:** Council Comments Shared  
**Subject:** Avenir Development proposal comments Oct 26 mt

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I just read the letters submitted by my neighbors Valmic Thakore and Roger Cohen and strongly endorse their objections regarding the Avenir Development proposal. Please add my concerns to my previous comments.

Thank you,

Kathryn Blair  
8834 Washington Ave.  
St. Louis, MO. 63124  
kblair5511@gmail.com  
(314) 640-2870



## Linda Schaeffer

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**From:** Charles Deutsch <CDeutsch@thegatesworth.com>  
**Sent:** Monday, October 26, 2020 10:34 AM  
**To:** Terry Crow; Jeff Hales; Steve McMahon; Tim Cusick; Stacy Clay; Bwayne Smotherson; Aleta Klein; Council Comments Shared  
**Cc:** Gregory Rose; Clifford Cross; John F Mulligan; Sinan Alpaslan; LaRette Reese; Zack Deutsch  
**Subject:** AVENIR DEVELOPMENT  
**Attachments:** Appraiser Letter.pdf

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Council Members,

First and foremost, we want to share with you that we have established lines of communication with the Delprice neighborhood, as well as a process to ensure ongoing and direct communication with neighborhood residents.

On October 16th, we mailed the Delprice neighborhood residents a letter (copied to you) in a sincere effort to try to address questions and concerns raised in comments submitted to the City, in advance of the Council meeting of October 12th. The letter addressed various issues and invited neighborhood residents to a Zoom meeting held the evening of October 22nd, which several neighborhood residents attended.

We opened the meeting with a project design summary, with the intention to address those previously expressed questions and concerns. We stated unequivocally that we have no intention of further expansion west of Kingdel Drive. We expressed that the 6.5-acre tract, which we have assembled over the last 17 years, was done to secure The Gatesworth Campus, because this tract contains all the frontage along Delmar that is essentially north of and abuts The Gatesworth Campus.

We also informed the residents that this acreage has been identified in the City masterplan for redevelopment for at least the last 35 years, as a transitional use between I-170 and Kingdel Drive. As such, we stated that multi-family was actually a very gentle transitional alternative to the more intensive commercial uses, that would likely develop there if not for our multi-family proposal. Further, we noted that our proposal would result in actually protecting and securing the Delprice neighborhood.

We went on to illustrate that there would be absolutely no building entrances (just 2 indirect fire exits) accessible to Kingdel, and that as a further assurance against the unlikely potential for increased neighborhood traffic, the City could restrict parking along the east side of Kingdel Drive. Other subjects covered included that the project will consist of high-end apartments and thus not pose a risk of increased crime, the abundance of self-contained parking provided by Avenir, the abundant provision for construction parking, and the safety and convenience that would be accomplished by the restriping of Delmar along the Avenir frontage.

Finally, we addressed concerns that Avenir might adversely impact property values. This concern has been raised a number of times during prior expansions of The Gatesworth and has proven to be entirely unfounded. To demonstrate that, we selected two homes whose lot lines actually abut McKnight Place Assisted Living, and another home whose lot line actually abuts The Gatesworth. We charted the appraised value of all three homes at the start of construction of McKnight Place Assisted Living, during its construction,

and after its completion. During all three time periods, county information evidenced that the values of all three homes actually increased significantly. We also provided a letter from a well-established, local real estate appraisal firm, Real Estate Analysts Limited, which confirmed our findings that Avenir will, in fact, enhance property values in the area (letter attached).

After our presentation, several residents raised questions, which we believe were clarified. This included a healthy discussion about the appropriateness of tax abatement for Avenir.

Further, contact information (phone and email), for both Charles and Zachary Deutsch, was provided. We urged the residents to contact us any time during either the predevelopment or construction phase of Avenir, with any future concerns, which we pledged to promptly respond to and try to address.

Finally, we have established a website, AvenirSTL.com. It contains our contact information and will be updated with milestone events, as we progress with the project through completion. In the near future, a letter will be mailed to residents of the Delprice neighborhood, informing them of the website and our commitment to periodically update it, to ensure that the most up to date information, along with our direct contact information, is available. As we will further inform the neighborhood residents, we are committed to hold further neighborhood meetings as needed and appropriate, to ensure that resident questions and concerns are heard, as we endeavor to address them.

We repeat that we are committed to promptly responding to resident questions and concerns, and we also make this same commitment to you.

Sincerely,

Charles Deutsch  
314-372-2272  
[cdeutsch@thegatesworth.com](mailto:cdeutsch@thegatesworth.com)

Zachary Deutsch  
314-373-4700  
[zdeutsch@thegatesworth.com](mailto:zdeutsch@thegatesworth.com)

1 McKnight Place  
St. Louis, MO 63124

## Linda Schaeffer

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**From:** Ilene Murray <ilenemurray@att.net>  
**Sent:** Monday, October 26, 2020 10:23 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Avenir proposal for Delmar and 170

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Gentlemen,

I wrote to you last week before the Council meeting and, since the Avenir project was placed on hold until this week, I'd like to add a few more thoughts.

Now that I have read and discussed Valmik Thakore's astute analysis of the project, it is even more obvious why this plan needs to be seriously reconsidered. Mr. Thakore has pointed out clearly that there are code violations in the original plan that would be extremely harmful to our neighborhood. The proposed high-density structure and free-standing coffee shop are absolutely guaranteed to change the character of this section of the city, and to honor that disruption with a tax abatement is even more egregious.

The area covered by this project is not blighted, run down, or crime infested. It is a stable, solid, quiet part of the city, representing suburban growth after World War II. Homes in the area are well-tended, modernized, and sought after. Allowing the continued bulldozing and expanding by Charles Deutsch's company to swallow this section of University City piece by piece for no reason other than to make money is just plain wrong.

The small buildings currently on Delmar have been allowed to deteriorate on purpose. There is absolutely no reason why they can't be rehabbed or even replaced with one or more structures that would be appropriate to a residential area. Our neighborhood is not opposed to developing that property, but we are appalled at the lack of sensitivity being shown to the needs and atmosphere of the surroundings. It is also extremely disheartening to see the city government jumping on board without considering what a project of this scale will do to the people who live there. Just look at how overwhelming the Mansions on Delmar is and how it overpowers that part of the street. Would you want that in your part of the city, looming over your houses? Neither do those of us who live in the Kingdel subdivision.

Thank you for your willingness to reconsider this project and to respect the wishes of the people who live close to it.

Sincerely,  
Ilene Murray  
8724 Teasdale Ave.  
[ilenemurray@att.net](mailto:ilenemurray@att.net)



## Linda Schaeffer

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**From:** Heidi Pohlman <stlhp@me.com>  
**Sent:** Monday, October 26, 2020 10:09 AM  
**To:** Council Comments Shared  
**Cc:** Jeff Hales; Steve McMahon; Clifford Cross  
**Subject:** Agenda item for Monday's Meeting - 10/26 continued public hearing

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Dear Council Members:

We are submitting comments on agenda items 1 and 2 under Public Hearings for the 10/26/2020 City Council Meeting. Please also find below our original comments sent prior to the October 12 city council meeting, attached for record in this meeting

We have gathered as a neighborhood, and we fully support the position of the Kingdel Neighbors Group. We are opposed to both the density of the Avenir project and the request for tax abatement, and have the following requests related to our opposition.

- please allow more time for the full review and approval process of the Avenir proposal to allow for full neighborhood and broader community input AND to allow for plan revisions;
- we agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulations of plans;
- we feel an increase in traffic coming through and parking in the neighborhood to be unacceptable and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd;
- we feel that no tax abatement for the project should be granted. We are not a depressed area that is trying to attract business. With an abatement, the other U City residents will be essentially be footing the bill, paying for increases in services used by these properties.

Two aspects also seem unrelated to the project, and we believe should be excluded. The coffee shop won't be servicing the residences, but rather the general public increasing congestion at the Delmar – 170 intersection. This will likely create congestion problems similar to those at the Delmar – North & South intersection. Additionally, the Gatesworth overflow parking lot should also be excluded from this project as it too is unrelated to the residential project.

Further to our previous comments, we fully believe this dense project is beyond the scope of the neighborhood and would forever change the fabric of our neighborhood.

Thank you for taking our community comments into consideration as you review the Avenir project, rezoning and tax abatement request.

Heidi and Tim Pohlman  
512 Kingdel Dr.  
University City, MO 63124

On Oct 11, 2020, at 8:00 PM, Heidi Pohlman <stlhlp@me.com> wrote:

Dear Council:

I am writing regarding an agenda item for Monday's meeting, to provide comments for the public hearing on Monday October 12, 2020 re: Charles Deutsch and Company and the rezoning of our neighborhood. We would like to speak out against the development and the negative impacts it will bring.

We are disappointed that we were not provided timely notice to gather information and fully comment on the proposed plan. This is *not* the first time the city has been less than transparent about Charles Deutsch and Company's proposed plans and projects. Nor is this the first time you've provided little to no notice of proposed changes by said developer. Further the notice sent from the city includes jargon and acronyms that require a real estate developer to understand, and the map provided is unclear.

The mixed use development is not needed, we have ample large developments at 170 & Olive including a new area currently under construction. We also have plenty of mixed use south of us, at Ladue Road and Brentwood.

Our neighborhood is a wonderful, quiet area that is pedestrian and dog friendly. We've enjoyed living here for 20 years. There is a variety of wildlife, including falcons, hawks, songbirds, raccoon, and opossums. The creation of a this new development will drastically change the nature of the neighborhood, driving out wildlife, increasing traffic, and making it less safe. It also has the potential to drive down property values – hurting not only the residents but the city itself.

Please consider our comments as you evaluate the preliminary plan and rezoning.

Sincerely,

Heidi and Timothy Pohlman  
512 Kingdel Drive  
University City, MO 63124

**Linda Schaeffer**

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**From:** Jerrold Tiers <jtiers4ucity@gmail.com>  
**Sent:** Monday, October 26, 2020 10:11 AM  
**To:** Council Comments Shared  
**Subject:** Locating the Police Department  
**Attachments:** New Police Station.pdf

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Comments attached. Please have them put in the record.

Thank you.

Jerrold Tiers  
314 882 6488  
[jtiers4ucity@gmail.com](mailto:jtiers4ucity@gmail.com)

## Comments on locating the new Police Station

Honorable Mayor and Council members:

I urge the City Council of University City to reject the idea of trying to put the Police Department back into the Annex.

Several reasons for putting the Police into the Annex have been put forward. One old, tired reason is for easier supervision. Another is the question of what else to do with the annex building, if not put the Police there. It has been mentioned that City Hall was renovated, so therefore it is not reasonable to move City offices from the renovated space to the Annex. The cost of both a new station and renovations for offices has been brought up as an obstacle. Finally, the idea that it will be close to the Loop has been brought up.

The objections I see to these ideas include the following:

1. Back in the 1980s, we did not have email, or Zoom meetings, but in recent times, there is no need for a physical meeting, it is more efficient and productive to email, call, or have a Zoom type meeting. There is no need of physical closeness for ease of supervision. The Chief can still come to City Hall if that is actually needed.
2. The new economic hub of the City will be Olive Street. Everyone realizes this, the new development at I170 is the beginning of the shift. It makes far more sense to place the Police station near the economic center, with perhaps a storefront satellite station in the Loop.
3. People recommending the Annex to help with supervision of our Police are really saying that we have the wrong Police Chief, that Chief Hampton needs daily close supervision. This idea is both not true, and also insulting to Chief Hampton, who appears to me to be doing quite a good job.
4. A new building can provide the needed specialized Police facilities far more effectively than "shoehorning" them into the Annex could ever do. It should ensure decades of usefulness, which the Annex cannot provide. Even if the annex can somehow be made to suit present needs, we may be faced with problems in only a few years.
5. New construction can provide modern seismic protection, which the Annex was never designed for. The Police must remain operational in a seismic event, and that cannot be guaranteed in the annex.

As for what else to do with the building, and potential costs, those appear not to be serious obstacles. The City offices, aside from the first and second floors of the current City Hall building, are cramped and unsuitable. And I understand the building needs more work, so even keeping the offices in place has a cost, regardless of the expensive work which was done many years ago. Those City offices need a better space, but where will they go if the Police are in the Annex?

Conversion of the Annex to office space should not be a large expense, as the main issues with the building have been already addressed. The Annex will have to be cleared in any case, since the existing internal layout (which I have toured) is seriously dilapidated and unsuitable for any use at present.

Office space is relatively "universal", requiring little in the way of specialized facilities. Many inexpensive potential floor plans, both open plan, and divided layouts, would suit City offices very well. One need only visit the County offices in Northwest Plaza to understand that. Plus, while the Police need is relatively immediate, the offices can be moved as and when money becomes available.

The use of the Annex for the Police is old thinking, as well as inefficient and actually counterproductive. It should be rejected in favor of a more forward-looking plan which will last well into the future.

Thank you,  
Jerrold Tiers  
7345 Chamberlain Ave.



**Linda Schaeffer**

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**From:** DB Ashman <dbashman@yahoo.com>  
**Sent:** Monday, October 26, 2020 9:57 AM  
**To:** Council Comments Shared  
**Subject:** Submitting comments on agenda items 1 and 2 under Public Hearings for the 10/26/2020 City Council meeting

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Dvora Ashman  
8820 Washington Ave  
St Louis MO 63124

**Submitting comments on agenda Items 1 and 2 under Public Hearings for the 10/26/2020 City Council meeting**

I fully support the position of the Kingsbury Neighbors' Group:

- a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

**Linda Schaeffer**

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**From:** Kathy Victor <KathyVictor@STLDA.COM>  
**Sent:** Monday, October 26, 2020 9:29 AM  
**To:** Jeff Hales; Steve McMahon  
**Cc:** Council Comments Shared  
**Subject:** Avenir Development

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Hale and Mr. McMahon.

I sent you an email last week, but wanted to send another. This past Friday evening the residents of Kingdel Neighborhood Group had another Zoom meeting.

Based upon our Zoom discussion, Roger Cohen and Valmic Thakore sent you letters stating the specific objections to the Avenir Development.

I hope you will seriously consider the protests being made in those letters. The Avenir density calculation is not accurate and must be reviewed and revised. The project cannot be rushed through without further examination.

Respectfully yours,  
Kathy Victor  
8739 Washington Ave.  
314-223-2658

## Linda Schaeffer

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**From:** Rose OBrien <obrienrose@sbcglobal.net>  
**Sent:** Monday, October 26, 2020 9:03 AM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Avenir

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I strongly endorse the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmik Thakore and Roger Cohen. It will be directly across from my home. I purchased my home a year ago and am very pleased to be in a quiet, calm neighborhood. The Avenir project takes that environment away and adds significant building for no real reason. They want luxury housing, but the luxury housing down the street still has vacancies - it seems that they will build a grand complex that will sit open. They have currently let the property they own on Delmar become quite run down - who is to say they won't do the same when they can't get the residents to move into their location. It will be a lot of construction for quite some time that will be very disruptive to all of the neighboring houses.

I fully support the position of the Kingsbury Neighbors' Group:

- a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Rose O'Brien  
314-974-3055  
obrienrose@sbcglobal.net



**Linda Schaeffer**

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**From:** mlaz279293@aol.com  
**Sent:** Monday, October 26, 2020 8:22 AM  
**To:** Council Comments Shared  
**Subject:** PLEASE Cancel my previous comments sent last night and post this one instead. thank you!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the University City Council and Planning Commissioner, and Traffic Commissioner

As a longtime resident of the Kingdel/ DelPrice neighborhood, I strongly request that you cancel the vote for the Avenir Project and tax abatement proposal and send the plans back to the Planning Commission, as there are serious flaws in the proposal and changes need to be made to fit the existing rules before anything should be allowed to be started.

The explanation in letters from both Roger Cohen and Valmik Thakore state the points that make me come to this decision and the reason I know I am justified to ask you to rethink this. If we are changing rules and using incorrect data to make the project fit into what the developer wants is done, that is not right. I support the Kingdel Neighbor Group objections.

The way I understand it, is simple. A developer has to have a certain amount of square feet per unit in order to comply with the density rules and zoning for the amount of units he wants to build. 6000 square feet per residence is what is needed.

Since on this project proposal, the coffee shop square feet and its parking lot and another parking lot belonging to a different development, were used and both which are not part of this project, but were included in the figures, they should not be used for the calculations. These figures were most likely added either to make the number of units to be built fit in with the existing codes, or was a mistake that was overlooked.

There is also not enough parking for everything. With a 258 unit building, lots of units will be having 2 cars, visitors parking, and what about employee parking for the building -it takes a lot of maintenance, leasing, cleaning, etc for a building that size. There is just not enough parking for all of this. People will end up parking in our neighborhood.

And a tax abatement should not be given for this project. No one is forcing anyone to do this project that will make the owners a lot of money at the expense of the residents of University City. And this could set a precedent for other projects in the

future. Do we really need another apartment building at the west end of our city, where there are already several complexes.

The project should be stopped for now until more studies are done.

This development is going to forever change our wonderful, quiet, peaceful neighborhood with little crime.

Traffic will be terrible on Delmar. Look at the mess at the Starbucks on North and South and Delmar and getting on and off I 170 during the construction period and afterwards.

There will be more noise and dirt and make the neighborhood much brighter with all the lights that might disturb residents privacy and peacefulness.

Drivers will be cutting through our neighborhood off Price, making it more dangerous and difficult to walk our dogs, for pedestrians and joggers and children playing outside.

When the Gatesworth opened, there was a terrible problem for a while with employees speeding down Washington Ave to get to work.

Another traffic impact study should be commissioned to include the entire neighborhood, not just up to Kingdel. It should go up to Price and Delmar, as that is part of our area as well and include all of Washington Ave, W. Kingsbury, Teasdale, Del Price Ct and Westridge Ct. using pre Covid figures.

We should have many more hearings that include the Council, residents of the neighborhood, and the developer and plenty of notice given to all about it.

I have a lot more concerns, but for now, will end with this.

**PLEASE SAVE OUR NEIGHBORHOOD!!!!!!**

THANK YOU.

Margie Lazarus  
8808 Washington Ave.

## Linda Schaeffer

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**From:** Rajul Thakore <rajulthakore@hotmail.com>  
**Sent:** Monday, October 26, 2020 1:38 AM  
**To:** Council Comments Shared  
**Subject:** Fw: public comment for agenda items at 10-26 board meeting

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**From:** Rajul Thakore  
**Sent:** Monday, October 26, 2020 5:29 AM  
**To:** councilcomments@ucitymo.org <councilcomments@ucitymo.org>; halesforucity@gmail.com <halesforucity@gmail.com>; steve\_mcmahon@att.net <steve\_mcmahon@att.net>; cusickward2@gmail.com <cusickward2@gmail.com>; kleinward2@gmail.com <kleinward2@gmail.com>; bsmotherson@gmail.com <bsmotherson@gmail.com>; clayucity@gmail.com <clayucity@gmail.com>  
**Subject:** public comment for agenda items at 10-26 board meeting

This is a public comment on Board Agenda Items 1 & 2 (Avenir Project) for the October 26th<sup>th</sup>, 2020, University City City Council Meeting.

My name is Rajul Thakore. My husband and I own the property at 8727 W Kingsbury Ave, University City, MO, 63124. Our house is in the neighborhood impacted by the proposed Avenir development. I am very concerned about the new apartment complex and urge the Council to reject the plan.

We moved here in 2010 to enjoy our retirement. We specifically picked the neighborhood and U City because it was verdant, peaceful, and walkable. The houses are appropriately sized for the lots and are all occupied. The new apartment complex would tear down trees, increase noise, and make the streets unwalkable. We do not have sidewalks in our neighborhood, so we have to walk in the road. The new complex's height would also dominate the neighborhood and ruin the feel and privacy we enjoy. Someone from the 4th floor could easily look into our yards.

The apartment complex will bring much more traffic, which will make it much harder for me to walk in the neighborhood and out to Delmar and get the exercise I am supposed to per my doctor's orders. I try to walk one hour each day. I am not sure if I will be able to do that safely or at all if this building is built.

We know and get along well with our neighbors, and feel like we fit in University City. We don't want to have to move and re-adjust at our age because our quality of life will be ruined.

I am also concerned about crime; with such a big complex, we do not know who will be coming and going. This has been a relatively safe neighborhood even if we have had some property crime that the City does not seem to care about. There is quick access to 170 so we have suspicious vehicles and people going through cars sometimes. This will get worse when the new apartment complex draws attention to the neighborhood.

Such a big complex will make our neighborhood a much less attractive place to live and greatly reduce our property values. This will mean less taxes for University City.

We were living relatively peacefully even during the COVID crisis until this was thrown in our laps at the 11<sup>th</sup> hour. I cannot help but question the timeframe of this and whether this moment of crisis was intentionally picked in the hopes of soft opposition.

Thank you,

Rajul Thakore  
8727 W Kingsbury Ave



## Linda Schaeffer

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**From:** Sarah Myers <shmyers4@gmail.com>  
**Sent:** Sunday, October 25, 2020 9:57 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Avenir Project Proposal & 10/26/2020 meeting

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Hello, I am Sarah Herstand Myers and I own the property at 8716 W Kingsbury Ave, University City, MO, 63124. Please accept these comments pertaining to an agenda item for Monday's meeting (10.26.2020) regarding the proposed Avenir development. My earlier comments were emailed to you for the meeting on Monday, October 12, 2020, regarding the same, and are already part of the official record.

Please know that I fully support the position of the Kingdel Neighbors' Group (including the residents on Kingdel, West Kingsbury, Washington, and Barby Lane.) I remain opposed to the proposed Avenir development as the proposal stands today. I am glad for the additional meeting on Monday the 26th, yet I believe we need still more time for the review and approval process. I believe we also need time to return the proposal for another UCity planning meeting/process and additional traffic and parking studies given the concerns cited below. Two of my neighbors, Valmik Thakore and Roger Cohen have submitted more specific and eloquent letters than mine. I have read them carefully and fully agree with those letters.

One of my many specific traffic/parking concerns is that the current Avenir proposal seems to eliminate the Delmar turn lane recommended in the previously submitted traffic study. Even with that lane, the resulting traffic will change the traffic volume and flow in the area (and our neighborhood) quite a bit. Furthermore, we all know what happened to traffic flow at the Delmar and North & South intersection when the Starbucks was put in. That was likely studied in some way, yet those of us who drive that route with any regularity know the backup that regularly occurs (pre-pandemic anyway) in the mornings on North & South, along with occasional gridlock at the intersection of North & South and Delmar, and overflow parking into neighboring business lots – where it is not allowed but occurs anyway. Let's learn from that and be very thorough and appropriately cautious.

There is also an extremely small number of guest parking spaces given the number of apartments being proposed. Overflow neighborhood parking is bound to occur for that and other reasons.

I feel strongly, as does the entire Kingdel Neighbors' Group, that the level of non-residential traffic (including parking) coming into and through our neighborhood under the Avenir project as currently proposed is unacceptable. It will completely change the character of the neighborhood and make it noisier, dirtier, and far less safe – both from a traffic perspective and a crime perspective. This is currently a very walkable (and bike-able, trike-able, and cane-able (white cane and other kinds, too) neighborhood even though we do not have sidewalks. We have walkers with a variety of disabilities who use ski poles. Need I go on? It will be too dangerous to do any of these things under the current proposal, and that's leaving the increased crime part out of it – which we cannot do. This free-flowing neighborly parade of folks around the neighborhood helps us know each other, keep up with each other, be social, be a neighborhood.

I do not believe any tax abatement should be granted regardless of the other points, but that certainly should not happen without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Another big concern of mine is that the math just doesn't seem to work regarding density figures and requirements. Among other things – all of which are addressed in Mr. Thakore's letter -- it seems to fall apart.

completely without the existing Gatesworth parcel (containing a parking lot if I'm reading the maps correctly) being added to the proposed "new" project area. I'm not an expert in this area, but I do know something is not adding up.

Because of the "math issue" it seems to me that there were mistakes made in the planning meeting that allowed the Avenir proposal to move forward. I understand that mistakes happen, but I would think this is fixable. I don't know how far the purview of the City Council extends, but I do hope the proposed project can be returned to the planning committee for further study.

Furthermore, a truly open public process would also be very helpful. There are ways to conduct Zoom meetings that would allow the City Council meetings and planning meetings to really function as hearings, and not just be "hearings" in name only. As it stands now, those submitting comments cannot actually be seen or heard. That missing piece turns what is supposed to be a public hearing into something else.

In conclusion, I am not vehemently opposed to the whole idea of these apartments, but I am vehemently opposed to the plan as it stands. Perhaps with a return to the planning commission, some modifications to the scale of the plan, some increases in guest parking, the inclusion of appropriate parking for vendors and employees, (and aren't there supposed to be loading docks?) **a removal of Vacation A**, no entrance to the project area except from Delmar, and no tax abatement, I think we can end up with something everyone – the neighborhood, the city, and the developer can live with. And if the coffee shop can truly be a neighborhood coffee shop instead of a Highway 170 commuter coffee shop, that would help a lot, too. Finally, I believe those of us who live in the Kingdel neighborhood would need a clear and firm agreement as to the schedule for when any proposed construction would and would not be allowed to occur.

Thank you for your time.

Sarah Herstand Myers

## **Linda Schaeffer**

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**From:** Donna Wilensky <mmwtwins@gmail.com>  
**Sent:** Sunday, October 25, 2020 11:03 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Avenir Development Project

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am strongly endorsing the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmic Thakore and Roger Cohen.

In my prior e-mails that were sent to ALL of you, I continue to vehemently oppose this WHOLE development project for all the reasons I mentioned and subsequent reasons that have been mentioned over and over again by numerous others who are also VERY MUCH AGAINST THIS PROJECT.

By now I would think that it is QUITE OBVIOUS AND CLEAR that NO ONE is in favor of this project in any way shape or form!

Other than PURE GREED, it is totally unnecessary!!! It is very sad and disheartening especially in these most difficult times that we all are living in, that certain people are so BLIND and Heartless that ALL they can see is \$\$\$\$\$ Dollar Signs!!!

Donna Wilensky

## Linda Schaeffer

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**From:** Donna Wilensky <mmwtwins@gmail.com>  
**Sent:** Sunday, October 25, 2020 11:18 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Re: Avenir Development Project

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I need to add to this my address 8801 Washington Ave. U. City, MO. 63124

I am submitting these comments on Agenda Items 1 and 2 under Public Hearings for the 10/26/2020 City Council Meeting.

On 10/25/20 11:03 PM, Donna Wilensky wrote:

> I am strongly endorsing the objections expressed regarding the Avenir  
> Development Proposal in letters as submitted by Valmic Thakore and  
> Roger Cohen.  
>  
> In my prior e-mails that were sent to ALL of you, I continue to  
> vehemently oppose this WHOLE development project for all the reasons I  
> mentioned and subsequent reasons that have been mentioned over and  
> over again by numerous others who are also VERY MUCH AGAINST THIS  
> PROJECT.  
>  
> By now I would think that it is QUITE OBVIOUS AND CLEAR that NO ONE is  
> in favor of this project in any way shape or form!  
>  
> Other than PURE GREED, it is totally unnecessary!!! It is very sad  
> and disheartening especially in these most difficult times that we all  
> are living in, that certain people are so BLIND and Heartless that ALL  
> they can see is \$\$\$\$\$\$ Dollar Signs!!!  
>  
> Donna Wilensky  
>

## Linda Schaeffer

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**From:** Donna Wilensky <mmwtwins@gmail.com>  
**Sent:** Sunday, October 25, 2020 11:25 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon  
**Subject:** Fwd: Avenir Development Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am including my address: 8801 Washington Ave. U City, Mo. 63124

I am submitting these comments on agenda items 1 and 2 under Public Hearings for the 10/26/2020 City Council Meeting

----- Forwarded Message -----

**Subject:** Avenir Development Project  
**Date:** Sun, 25 Oct 2020 23:03:22 -0500  
**From:** Donna Wilensky <mmwtwins@gmail.com>  
**To:** [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), Jeff Hales <chalesforucity@gmail.com>, [steve\\_mcmahon@att.net](mailto:steve_mcmahon@att.net)

I am strongly endorsing the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmic Thakore and Roger Cohen.

In my prior e-mails that were sent to ALL of you, I continue to vehemently oppose this WHOLE development project for all the reasons I mentioned and subsequent reasons that have been mentioned over and over again by numerous others who are also VERY MUCH AGAINST THIS PROJECT.

By now I would think that it is QUITE OBVIOUS AND CLEAR that NO ONE is in favor of this project in any way shape or form!

Other than PURE GREED, it is totally unnecessary!!! It is very sad and disheartening especially in these most difficult times that we all are living in, that certain people are so BLIND and Heartless that ALL they can see is \$\$\$\$\$ Dollar Signs!!!

Donna Wilensky

**Linda Schaeffer**

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**From:** natalie crane <natalie.w.crane@gmail.com>  
**Sent:** Sunday, October 25, 2020 9:15 PM  
**To:** Council Comments Shared  
**Subject:** Against Avenir Project

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I am strongly opposed to the Avenir Project. I have serious concerns that this construction will be detrimental to the neighborhood, in terms of safety as well as noise pollution and excessive housing and construction that will produce buildings that are unnecessary in this area. By building new housing and hotels there will be many more people and cars that do not belong to the neighborhood that will in turn disrupt traffic and endanger residents walking. More housing means more cars which means more noise at all hours in what is a quiet neighborhood. The additional traffic will also distress the numerous dogs in the neighborhood which will increase barking and in turn increase noise pollution. There are also already unused units in the area so no additional housing is required. This project will also damage the property value in the area, making it more complicated to maintain value and draw new residents.

Do not make the mistake of going through with this construction.

Sincerely,  
Natalie Orr

8701 Washington Ave, St. Louis, MO 63124

## Linda Schaeffer

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**From:** valmik thakore <valmikt@hotmail.com>  
**Sent:** Sunday, October 25, 2020 8:57 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Terry Crow; Gregory Rose; Clifford Cross  
**Cc:** Tim Cusick; Aleta Klein; Bwayne Smotherson; Stacy Clay  
**Subject:** City Council Meeting on Monday, October 26, 2020 at 6:30 p.m. about Avenir Project on Delmar  
**Attachments:** Public Comments for Council Meeting on Oct 26 2020.pdf; Pertinent Sections of University City Zoning Oct 25 2020.pdf; Public Comments on Agenda Items for Oct 26 and Oct 12 2020.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

This is a public comment on City Council for "**On Agenda Item I, sub-items 1 & 2**" ("Avenir Project 353 Redevelopment Plan, Including Tax Abatement" & "Avenir Zoning Map Amendment/Preliminary Plan", respectively) for the University City Council Meeting on October 26, 2020.

From: Valmik and Rajul Thakore, 8727 W Kingsbury Ave, University City, MO, 63124.

I am attaching three (3) PDFs of my additional comments for this meeting, pertinent sections of the City's Zoning Ordinance and my comments sent earlier for the October 12, 2020 meeting.

Sincerely,  
Thank you.

Valmik Thakore



Virus-free. [www.avast.com](http://www.avast.com)





This is a public comment on City Council Agenda Item I, sub-items 1 & 2 (“Avenir Project 353 Redevelopment Plan, Including Tax Abatement” & “Avenir Zoning Map Amendment/Preliminary Plan”, respectively) for the University City Council Meeting on October 26, 2020. These comments are in addition to the comments provided earlier for the University City Council Meeting on October 12, 2020.

Dear Council,

My name is Valmik Thakore. My wife and I own and live at 8727 W Kingsbury Ave, University City, MO, 63124. I am providing additional public comment about the Avenir project as an architect-urban designer with an M.Arch and Urban Design degree from Washington University and 46 years of professional experience as a planner-urban designer on major projects including Design Guidelines for Laclede’s Landing, Lake Placid Winter Olympics Planning, Fort Leonard Wood and Fort Leavenworth.

These comments are in regards to Agenda Items.

While the time period allowed for additional comment was too brief, a review of the Avenir project plan has raised red flags, especially with regards to the project’s compliance with University City’s Zoning Ordinances.

My comments will refer significantly to University City’s Zoning Ordinances, and I have attached several pertinent sections as a PDF for the Council’s review, as I will refer to them throughout this letter. However, I wish to highlight certain specific sections as areas of concern:

**Section 400.010- Intent and Purpose:**

***“1. To protect the character and stability of residential, commercial, industrial, recreational, and public use areas within the City of University City and promote their orderly and beneficial development”***

**AND**

***2. “To protect and to conserve the value of buildings and other improvements, and to minimize any adverse impact of development on adjoining or other nearby properties”***

***4. “To establish standards to which land, buildings, structures and their uses must conform, including:***

***“a. Standards regulating the intensity of land use and the density of population, including provisions for open areas around buildings and structures necessary to provide adequate light, ventilation and privacy,***

***b. Limitations on the height and size of buildings and structures.”***

Within the Zoning Ordinances, there are some specific regulations that apply to the Avenir project plan. They include, but are not limited to:

**Division 11: "PD" Planned Development District**

**Section 400.720 Intent and Purpose [of Planned Development District].**

**a. to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment;**

**b. "These planned development regulations are not intended to allow excessive densities, or the development of incompatible land uses, either within the development, or as the development relates to the general neighborhood."**

**Section 400.750- Types of Planned Developments.**

**Planned Development — Mixed Use (PD-M)**

The PD-M also establishes objectives for PD-M districts including point 4, which states:

**"4. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program;"**

**The Avenir project fails to meet all of these regulations in either intent and/or purpose.**

**Planned Development — Mixed Use (PD-M).**

A) Per Section 400.750,# E, "Planned Development – Mixed Use (PD-M)", the project is required to meet PD-R and PD-C regulations.

Density calculations for the Avenir Project must follow regulations set forth in Section 400.780 Density and Dimensional Regulations and Performance Standards, C.

"Planned Development — Residential (PD-R):

**1. Density. While the district regulations specify upper limits to residential density, density of a planned development may be limited to that which is established in the original residential district or which is consistent and compatible with nearby existing developed areas."**

Our neighborhood (Kingdel/Delprice, comprised of the area of University City south of Delmar and West of I-170), within which the Avenir project is located **is and always has been zoned for single family residential.** The existing density of the neighborhood is about four (4) dwelling units per acre. **The proposed density of the apartments in Lot 1 of the Avenir project is over 53 dwelling units per acre which is excessive and far exceeds the density limits set forth in the regulations.**

The same zoning regulation (sec 400.750, C, #2, “Calculation of Density”)reads : b. “To compute the number of dwelling units per net acre, fifteen percent (15%) of the gross acreage of the parcel shall be deducted and the net acreage divided by the lowest minimum lot size of the underlying residential district.”

Based on these regulations, dwelling units/apartments within Lot 1 of the Avenir Project should be calculated using the total area of Lot 1 at 211,256.65 square feet (square footage taken from Avenir Project proposal, pg. 25 under “Site Coverage Table”) which includes the following “underlying residential districts”:

1.) “SR” Single-family residential = 80,274 square feet

2.) “MR” Medium-density residential = 78,286 square feet

**Sub Total of “SR” + “MR” = 158,560 square feet**

3.) Remaining area is from existing “HR-O” district = 52,697 square feet.

**Total Gross Site Area of Lot 1 = 211,257 square feet**

The gross square footage of existing districts are based on information provided in an email from Mr Clifford Cross, University City Planning Director to me on October 22, 2020.

Per Sec, 400.750, C, #2, the project density must be calculated separately based on the existing zoning of each underlying district and 15% area must be deducted from each sub-category.

The net areas for each subdistrict should divided by the applicable minimum lot size area (per the attached zoning regulations for each residential subdistrict) OR “average per dwelling lot area” detailed in the City’s regulations (see attached).

The 52,697 square feet of the proposed Avenir development currently zoned as “HR-O” districts within Lot 1 used to be zoned as “SR” or single-family residential lots on Barby Lane before the area was re-zoned for the Gatesworth (“Gatesworth 2<sup>nd</sup> Edition The Lot 2” as it is called in St Louis County records). The 52,697 square feet were intended for use by the Gatesworth. If those square feet are not to be used by the Gatesworth and instead used in the Avenir project, then the zoning must revert to the original zoning, of “SR” single-family residential per Sec. 400.720 point B and best practices of urban planning. Also, this area of Lot 1 should be calculated as “SR” single-family residential for density calculations of the project.

**Lot 3:** Lot 3 of the proposed Avenir project does not comply with Sec. 400.720 #B (“not intended to allow excessive densities”) of the City’s Zoning Ordinance. In the Avenir proposal, the entirety of land in Lot 3 is used to calculate and increase the overall dwelling density of the project. However, in Avenir’s project proposal, Lot 3 is exclusively used for Gatesworth parking and is not even connected to

**any part of the Avenir project.** This area and any other areas that are not part of the actual Avenir project **must be excluded** from the PD-M zoning that Avenir is requesting.

**Lot 2:** Lot 2 (“Coffee Shop” area in Avenir project plan) is also misused to inflate the density of the project: this is strictly a strip-commercial type/drive-thru coffee shop geared to serve highway traffic (per the traffic report’s morning rush-hour volumes included in the Avenir project plan). **It is not a neighborhood coffee shop;** it is not easily accessible by the neighborhood nor is it pedestrian-friendly, it increases traffic and danger.

Thus, the coffee shop does not meet the overall regulations of **Sec 400.720 Intent and Purpose, #A:** *“to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment;”*

If this strip-commercial/drive-thru coffee shop is allowed, a motorist or pedestrian passing by after completion would have no inkling that it was part of this project. **This does not meet the purpose or intent of a Planned Development District and must be excluded** from the PD-M zoning that Avenir is requesting.

**Other Concerns:**

1. Avenir’s project plan does not show any loading docks as required per off-street parking and loading regulations
2. Sec 400.780 #C, #6., #a., of the Zoning Ordinance states that:

“Where a “PD-R” development proposes residential development along the perimeter of the site, which is higher in density than that of an adjacent residentially zoned property, there shall be a **minimum thirty (30) foot wide buffer area.** The buffer area shall be kept free of buildings or structures and shall be landscaped or protected by natural features so that **all higher-density residential buildings are effectively screened** from the abutting lower-density residential property.”

The Avenir project **does NOT meet the requirements for a 30 foot buffer or “effectively screened”.**

Furthermore, the Avenir project does not meet the privacy requirements of **Sec. 400.010 #A, #4, #a** “provisions for open areas around buildings and structures necessary to provide adequate light, ventilation and **privacy,**”. Especially to the existing neighborhood residential units and their yards.

3. The Traffic Report prepared by Avenir’s consultant estimates **only 65 cars exiting the 424 garage during the morning rush hour for luxury apartments seems very low** and per the consultant, is based on national studies, which typically include large urban areas with extensive public transport systems and high-cost parking in central business districts that disincentivize car use. The traffic study should be based on actual, St. Louis-based, real-life commuting patterns and the regional preference for an individual, car-based lifestyle. Personally, I worked in Clayton for over 30 years and lived in either Clayton or University City the entire time—only a couple of miles from work—but always used my car to commute. These traffic projections should be revised, as should the flawed Comprehensive Traffic Study commissioned by the University City done by Lockmueller Group. The Lockmueller Group’s traffic projections should also

be revised based on the St. Louis region's transportation preferences and patterns.

4. Charles Deutsch and Company's letter dated October 16, 2020 stats that the Avenir Project will have "luxury one-bed and two-bed apartments, with rents ranging from \$1,600 to \$3,600 per month."-much higher than the monthly income of a large portion of University City families. Given that a mortgage payment should be a maximum of 30% of a borrower's income, it's reasonable to assume that the renters will be making 60,000 to 130,000 dollars or more per year. The Avenir proposal shows apartments with 630 sft. to 1445 sft. area. Based on this information, any form of Tax Abatment financed by ordinary, medium to lower income citizens of the City does not seem to be a reasonable use of our limited resources. Our tax dollars should not be used to finance the luxirious life style at cost to the average tax payer.

**Because of the issues listed above, the project should be sent back to the Planning Commission. The Planning Commission should consult with independent, non-interested experts in planning to provide guidance on all of the above regulations, intent and purpose. These experts could include the American Institute of Architects (non-St. Louis based chapter), professors from the faculty of Washington University's School of Architecture, and other independent planning and design experts.**

Thank you,

Valmik Thakore, M.Arch, Washington University in St. Louis, Retired Architect



Pertinent Sections of University City Zoning Ordinances copied by Valmik Thakore from City website:

## University City Zoning Ordinances

### Section 400.010- Intent and Purpose.

A. This Chapter is intended to be utilized in conjunction with the University City subdivision and land development regulations to ensure that the **development of land within the City occurs in a manner that protects**, provides for and promotes the public health, safety, convenience, comfort, and general welfare of the residents of University City. Specific purposes of this Chapter include the following:

**1. To protect the character and stability of residential**, commercial, industrial, recreational, and public use areas within the City of University City and promote their orderly and beneficial development;

**2. To protect and to conserve the value of buildings and other improvements, and to minimize any adverse impact of development on adjoining or other nearby properties;**

4. To establish standards to which **land, buildings, structures and their uses must conform**, including:

**a. Standards regulating the intensity of land use** and the density of population, including provisions for open areas around buildings and structures necessary to provide adequate light, ventilation and **privacy**,

**b. Limitations on the height and size of buildings and structures,**

## Division 11: "PD" Planned Development District

### Section 400.720 Intent and Purpose.

A. The purpose of the planned development districts is to provide a means of achieving greater flexibility in development of land in a manner not always possible in conventional zoning districts; **to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment;** and to retain maximum control over both the design and future operation of the development.

B. The City Council, upon review by the Plan Commission, may, by an ordinance adopted in the same manner as a rezoning is approved, authorize a planned development district when the proposed development or use of a specific tract of land or area warrants greater flexibility, control and density than is afforded under the general regulations of standard zoning districts. **These planned development regulations are not intended to allow excessive densities, or the development of incompatible land uses, either within the development, or as the development relates to the**

**general neighborhood**. The City Council may, upon proper application, approve a planned development to facilitate the use of flexible techniques of land development and site design by providing relief from conventional zoning standards in order to achieve one (1) or more of the following objectives:

1. Site planning that better adapts to site conditions and its relation to surrounding properties that would not otherwise be possible or would be inhibited under the district regulations applicable to the property;
2. Functional and beneficial uses of open space areas;
3. Preservation of natural features of a development site;

**4. Creation of a safe and *desirable living environment for residential areas characterized by a unified building and site development program*;**

5. The proposed development is rational and economical in relation to public utilities and services;
6. Efficient and effective traffic circulation, both within and adjacent to the development site.

#### **Section 400.750- Types of Planned Developments.**

##### **Planned Development — Mixed Use (PD-M).**

E. Planned Development — Mixed Use (PD-M). "PD-M" developments shall incorporate the regulations set forth in both Subsections dealing specifically with "PD-R" and "PD-C" developments.

#### **Section 400.780 Density and Dimensional Regulations and Performance Standards.**

##### **C. Planned Development — Residential (PD-R).**

1. Density. While the district regulations specify upper limits to residential density, ***density of a planned development may be limited to that which is established in the original residential district or which is consistent and compatible with nearby existing developed areas.***

##### **2. Calculation of density.**

***b. To compute the number of dwelling units per net acre, fifteen percent (15%) of the gross acreage of the parcel shall be deducted and the net acreage divided by the lowest minimum lot size of the underlying residential district.***

#### **Division 1: "SR" Single-Family Residential District**

##### **Section 400.160 Density and Dimensional Regulations.**



A. Minimum Lot Size.

1. **Single-family detached dwellings.** Except as provided for in Article V "Supplementary Regulations", Section 400.1020, the minimum lot area and width for single-family detached dwellings shall be as follows:

- a. Minimum lot area. **Six thousand (6,000) square feet.**

**Division 3: "MR" Medium Density Residential District**

**Section 400.280 Density and Dimensional Regulations.**

A. - 2. Town-house, attached single-family, and garden-type dwellings. See Article V "Supplementary Regulations," Sections 400.1120, 400.1125, or 400.1130 as applicable.

**Section 400.1120- Town-House Dwellings.**

**Density And Dimensional Regulations — When All Units Are On Same Lot.**

**1. Minimum Lot Area.**

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

**Section 400.1130- Garden Apartment Buildings.**

C. Density And Dimensional Regulations.

1. Minimum lot area.

- b. Average per dwelling unit. **Twelve hundred (1,200) square feet.**

**Section 400.780- Density and Dimensional Regulations and Performance Standards.**

**C. Planned Development — Residential (PD-R).**

6. Perimeter buffer requirements.

- a. Where a "PD-R" development proposes residential development along the perimeter of the site, which is higher in density than that of an adjacent residentially zoned property, there shall be a **minimum thirty (30) foot wide buffer area.** The buffer area shall be kept free of buildings or structures and shall be landscaped or protected by natural features so that **all higher-density residential buildings are effectively screened** from the abutting lower-density residential property.



**This is a public comment on City Council Agenda Item I, sub-items 1 & 2 (“Avenir Project 353 Redevelopment Plan, Including Tax Abatement” & “Avenir Zoning Map Amendment/Preliminary Plan”, respectively) for the University City Council Meeting on October 12 and 26, 2020.**

My wife and I own the property at 8727 W Kingsbury Ave, University City, MO, 63124. Our house is in the neighborhood impacted by the proposed Avenir development.

As an urban designer, planner, and architect with considerable experience in urban design guidelines, large-scale (1 million sq ft+) projects, and over 46 years of experience in the field, I have major concerns about both sub-items on the agenda. My concerns are not limited to those listed here, but because of the irregular and rushed timeframe imposed upon citizens by the Board/ City for such a major project, I am choosing to highlight the following after a limited and rushed review:

### **1. Character**

a) First and foremost, this project would change the character of University City and the Delmar corridor, especially west of I-170. Currently, the Delmar corridor consists of residential properties from the Lions in the Loop through to Price Road. While a variety of architectural styles are featured, all of the buildings are built at appropriate scale. West of I-170 to Price, University City boasts appropriately scaled and appropriately dense residential neighborhoods. This creates a peaceful, walkable city that is the envy of many in the region. An overly dense, big-box apartment complex would tear that fabric and make the surrounding areas less attractive, leading to a lower quality of life for citizens and less overall tax revenue for the city due to a decline in property values.

### **2. Density, Traffic, Parking, Noise and Nuisance**

a) The proposed project increases the density from 40 residential units and one low-density office building to 258 units with inadequate parking and a high-traffic drive-through retail space. This is a dramatic increase in density that will create much more traffic and put a strain on the community.

b) Building density and scale will increase from 2 stories to 5 stories (more than doubling the height), and to 4 stories at Kingdel and Delmar (doubling the height). This will create an imposing streetscape that looms over the neighborhood and stifles daily life.

c) The area will experience **increased traffic** from trip generations of approximately **5 times** the current level generated by the site’s current uses. This additional traffic will create left-turn issues during both rush hours and present a hazard for vehicular traffic and pedestrians due to increased accidents.

d) The 10% waiver granted for reduced parking will cause parking spillover into our neighborhood, especially on Kingdel because of the courtyard entrances to the proposed development. Visitor parking is very limited (19 spots for 258 units), especially considering that 65% are 1 bedroom units, which will skew younger. Employee parking is non-existent, and there is no identifiable delivery zone. Visitors, employees, Amazon, USPS, FedEx, Uber, Grubhub, etc., will all use our neighborhood and the courtyard for entrance/parking. This will cause crowding, double-parking, and late-night traffic and lower property values of our peaceful neighborhood, as well as increasing risk of vehicular injury and property damage/crime.

A courtyard entry from Kingdel or Barby should not be allowed should the development go forward.

Adequate employee and visitor parking as well as a delivery zone should be provided on site.

### 3. Zoning/Site Plan

a) The proposed Zoning Map Amendment to Planned Development-Mixed (PD-M) would **require a 50 foot setback under PD-M regulations**. However, the developer has requested a setback waiver to 24 feet, thereby going against the PD-M regulations and the spirit/intent of the regulation. This will have a negative impact on our property values, quality of life, and neighborhood fabric. **The waiver should not be granted** in order to protect the citizens of University City.

b) Furthermore, the developer is requesting an **additional setback waiver** along Kingdel from the requested 24 feet to even less distance (“Kingdel Encroachment”, per the developer). This would exacerbate the issues I listed in the point directly above. **This waiver should not be granted.**

c) The boundary adjustments requested under **Vacation A (page 29 of Avenir document)** should not be allowed. Rather, the City should retain the property for the probable future need of lane adjustments/widening of Delmar that will arise from this project. Retaining the property mentioned in **Vacation A** will also help the visual scale along Delmar and lessen the negative impact of the drastic increase in vertical scale.

d) **Vacation B (page 29, Avenir)** on Barby Ln should only be allowed if the developer is willing to **pay fair value** to the city based on the proposed density of Lot 1, appraised as High Density Residential (HD) or Commercial, whichever is higher. **This land should not be given away for free.**

e) The Floor to Area Ratio (FAR) Waiver requested on page 27 of Avenir’s document is unspecified, and thus, troubling. **This waiver should not be allowed.** Once the City grants a Planned Development, the developer should abide by the rules. **Incessant granting of waivers make laws and development plans pointless.**

f) The Site Coverage calculations shown on **page 25-26** of the Avenir document **CONFLICTS with the landscape plan on Avenir’s page 35 [also in Appendix M1-75 as “Outdoor Courtyard Map”]**: page 35’s Landscape Plan shows paved areas and a pool in the courtyard while page 25 shows the same area as open green space. Paving and a pool will increase the Site Coverage dramatically and lead to **greatly increased stormwater runoff and will violate PD-M regulations on ground coverage.** This will have a strong negative impact on our neighborhood and property values.

g) The City and Board should verify that the Development meets Site Coverage code and act to protect the interests of University City citizens.

### 4. Chapter 353 Usage Tax Abatement/Blighting

a) The developer has requested a 100% Tax Abatement for 10 years and a further 50% for 10 years under Chapter 353. The developer claims a positive economic impact for University City, but unless we

are expecting an exponential increase in University City's population, this will simply have a negative impact on existing properties in historic U City neighborhoods. We are simply shifting renters around.

b) The developer's Chapter 353 Tax Abatement is based on a blight study commissioned by the developer (page 33, Avenir document). Avenir is the long-time owner (see page 100 of the PDF package /page M1-10- "assembled over the last 17 years") and CAUSE of blight in the properties mentioned. Avenir let their property decline into what they call a state of "Physical Deterioration", which led to a reduction in what they call "Reasonable Taxes", created "Conditions Conducive to Ill Health, Transmission of Disease, and Crime".

Now, Avenir wants to profit from their willful neglect AND reduce the taxes paid for the next 20 years. This is adding insult to the injury caused to our neighborhood over the last 17 years.

c) A tax abatement simply means that OUR taxes will remain high or be increased to provide police, fire, EMS, school, library, etc. services to 258 new units. We will be subsidizing the developer's profits while having our property values decline and quality of life destroyed.

**There should be no tax abatement. I say this as a citizen and an urban designer.**

If Avenir wants to pursue a reasonable development at human scale that actually benefits University City and its existing citizens, they should be welcomed to do so with a modified plan that meets all code requirements and zoning regulations. A plan that incorporates neighborhood consultation by providing adequate time for review and public comment should be submitted **after the COVID-19 crisis has been resolved.**

Sincerely,

Valmik Thakore, Master of Architecture & Urban Design, Washington University in St Louis  
Retired Architect  
8727 W Kingsbury Ave, University City, MO



**Linda Schaeffer**

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**From:** Jonah Orr <jonah.p.m.orr@gmail.com>  
**Sent:** Sunday, October 25, 2020 8:30 PM  
**To:** Council Comments Shared  
**Subject:** City Council Comments: 8701 Washington Avenue against Avenir  
**Attachments:** Jonah Orr Petition\_page\_1.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

University City Council:

Attached is my signed petition against the development and rezoning known as "Avenir". I live at 8701 Washington Avenue, And my property backs up caddy corner against the area to be developed. University City has become my new home, and I have never felt more comfortable in a new place than I am now. The community here is strong, close knit, and safe. And I chose this city because it looks after its residents.

His neighborhood is a gem in the rough that is greater St. Louis. Many of us have previously rented in this neighborhood just waiting for a house to come on the market to buy, and we have stayed because it is safe, quiet, and close knit. This development does not belong here, particularly when there are, just on the other side of the highway, areas that genuinely need development and attention.

The committee should not move forward with this, and I am writing to adamantly stand against its advancement.

Regards,

Jonah Orr, MD

8701 Washington Ave  
St. Louis, MO 63124

# PETITION

## NOTICE OF PROTEST

TO: University City, City Council

10/24/2020

Avenir Project hearing 10/26/20

With reference to Section 400.3200 of the University City Zoning Ordinance, by my signature below I do hereby formally protest the Avenir project whose zoning variances have been recommended for approval by the city planning commission. I along with experts in city zoning and urban planning don't feel the variances as proposed are legal and in fact in University City's best interest. As a property owner of a lot within 185 feet of this proposed project, this letter in combination with signatures from others within that radius, from not less than 30% of the neighborhood, should serve to trigger the 2/3 majority vote needed to pass any zoning changes allowed. We request this project be reevaluated by the planning commission, with greater attention being paid to the density requirements a project like this must by law meet, to fit into a predominantly single family residential neighborhood.

Thank you in advance for helping us to protect and preserve what's great about U-City and in particular my neighborhood.

Best Regards,

Jonah Orr

10/25/2020

Property Owner(s) (signed)

Date

Name: Jonah Orr

Address: 8701 Washington Ave

Phone: 301 641 4599

email: jonah.p.m.orr@gmail.com

Additional Comments:

I am a new member of this community, and I chose University City and this area for its quiet comfort away from St. Louis. If this Avenir development were in place when I bought I would never have come. Please don't take away the quiet of our homes.

Page of Pages



**Linda Schaeffer**

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**From:** mlaz279293@aol.com  
**Sent:** Sunday, October 25, 2020 8:25 PM  
**To:** Council Comments Shared  
**Subject:** letter from concerned resident for item on meeting agenda tomorrow evening, Oct 26, 2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the University City Council and Planning Commissioner, and Traffic Commissioner

As a longtime resident of the Kingdel/ DelPrice neighborhood, I strongly request that you table the vote for the Avenir Project and tax abatement proposal and send the plans back to the Planning Commission, as there are serious flaws in the proposal and changes need to be made to fit the existing rules before any development should be allowed to be started.

The explanation in letters from both Roger Cohen and Valmik Thakore that have been sent to you, state the points that make me come to this decision and the reason I know I am justified to ask you to rethink this. If we are changing rules and using incorrect data to make the project fit into what the developer wants to be done, that is not right. I support the Kingdel Neighbor Group objections as well.

The way I understand it, it's simple. A developer has to have a certain amount of square feet per unit in order to comply with the density rules and zoning for the number of units he wants to build. 6000 square feet per residence is what is needed, but that is not the case here.

Since on this project proposal, the coffee shop square footage and its parking lot and another parking lot belonging to a different development were also included to this plan, both which are not part of this project, but were included to make more square footage, they should not be included. This gives the proposal more square footage than it actually has for the number of units allowed in the apartment building. These figures were most likely added either to make the number of units to be built fit in with the existing codes, or was a mistake that was overlooked but

either way, they are not right. This proposal violates the general spirit and intent of the zoning code.

There is also not enough parking for everything needed. With a 258 unit building, lots of units will be having 2 cars, visitors parking, and what about employee parking for the building -it takes a lot of maintenance, leasing, cleaning, etc for a building that size. There is just enough parking for all of this. People will end up parking in our neighborhood.

The project should be stopped for now until more studies are done.

And why should a tax abatement be given, as no one is forcing the developer to do this project. He will be making money at the expense of the rest of University City, including our schools.

This development is going to forever change our wonderful, quiet, peaceful neighborhood with little crime.

Traffic will be terrible on Delmar. Look at the mess at the Starbucks on North and South and Delmar and getting on and off I 170 during the construction period and afterwards will be overwhelming.

There will be more dirt and noise.

People will be cutting through our neighborhood from Price making it more dangerous and difficult to walk our dogs or for pedestrians, joggers, and children playing.

When the Gatesworth opened, there was a terrible problem for a while with employees speeding down Washington Ave from Price to get to work

Another traffic impact study should be commissioned to include the entire neighborhood, not just up to Kingdel like it was in the past. It should go up to Price and Delmar, as that is part of our area as well and include all of Washington Ave, W. Kingsbury, Teasdale, Del Price Ct and Westridge Ct.

We should have many more hearings that include the Council, residents of the neighborhood and the developer and a proper notice should be given to all.

I have a lot more concerns, but for now, will end with this.

**PLEASE SAVE OUR NEIGHBORHOOD!!!!!!**

THANK YOU.

Margie Lazarus

8808 Washington Ave.

## Linda Schaeffer

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**From:** Edwin van Norden <edwinvannorden@gmail.com>  
**Sent:** Sunday, October 25, 2020 8:11 PM  
**To:** Terry Crow; Jeff Hales; Steve McMahon  
**Cc:** Tim Cusick; Aleta Klein; Bwayne Smotherson; Stacy Clay; Council Comments Shared  
**Subject:** Avenir Project

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Councilmen,

As residents of Delprice neighborhood, my wife and I are against the rapid development of Avenir apartments without constructive dialogue with the residents of this neighborhood. We believe the comments that Valmik Thakore and other residents have already delivered to University City officials are valid and need to be addressed before moving forward with the apartment complex.

The main points of concern for us are as follows:

- (1) Increased traffic at the intersection of Delmar and 170. Adding hundreds of commuters at the corner of Delmar/170 will certainly cause a heavy line of cars trying to get on 170 in the morning and again in the evening which will make the commute for current residents miserable.
- (2) Use of Washington, Teasdale and W Kingsbury as free parking for visitors and residents of Avenir apartments. If Avenir does not have sufficient parking, it is clear to us that the overflow of apartment dwellers and visitors will park along what are now quiet streets and turn this safe and serene neighborhood into an overflow parking lot for Avenir. Solutions to this issue include (a) parking by permit only signs posted along all aforementioned streets, and (b) install gates at the entry points of Kingdel and Washington so that only residents have access to the neighborhood.
- (3) Will our real estate taxes increase to subsidize the tax abatement offered to the Avenir project? Why is tax abatement necessary when the apartment complex will rake in \$1600 and more per month per luxury apartment? Shouldn't all property owners in the area be responsible for their own real estate taxes?

We hope that more thought and analysis will go into the planning process, as well as continued dialogue with neighborhood residents before approving the Avenir project.

Sincerely and respectfully,

Edwin van Norden  
Yuliana Erazo  
8733 Washington Avenue  
347-827-8978

## Linda Schaeffer

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**From:** vanikahannah@gmail.com  
**Sent:** Sunday, October 25, 2020 8:00 PM  
**To:** Council Comments Shared  
**Cc:** Jeff Hales; Steve McMahon  
**Subject:** 26 October 2020 Agenda Item: Avenir

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I fully support the position of the Kingsbury Neighbors' Group:

- a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

I strongly endorse the objections expressed regarding the Avenir Development Proposal in letters as submitted by Valmik Thakore and Roger Cohen.

Sincerely,  
V A Hannah  
8701 W Kingsbury Ave

**Linda Schaeffer**

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**From:** Rebecca Hrustic <rlmunsen@hotmail.com>  
**Sent:** Sunday, October 25, 2020 7:56 PM  
**To:** Council Comments Shared  
**Subject:** Avenir Proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

For the record, we fully support the position of the Kingsbury Neighbors' Group:

- a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Rebecca and Haris Hrustic  
8685 W. Kingsbury Ave  
University City, MO 63124

## Linda Schaeffer

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**From:** Jaci Benson <jmbenson85@gmail.com>  
**Sent:** Sunday, October 25, 2020 7:19 PM  
**To:** Council Comments Shared; Jeff Hales; Steve McMahon; Clifford Cross; Terry Crow  
**Cc:** Keenan McRoberts  
**Subject:** Avenir Project Proposal follow-up

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**To:** University City Councilmen and Director of Planning and Development  
**From:** Jacqueline M. Benson McRoberts and Keenan C. McRoberts  
Homeowners and residents, 8768 W Kingsbury Ave., St. Louis, MO 63124  
**Re:** Avenir Project Proposal  
**Date:** Sunday, October 11, 2020

Dear Councilmen and Director of Planning and Development,

We are writing in regard to an **agenda item for the meeting on Monday, October 26, 2020.**

In addition to our prior comments in the thread below about our personal concerns, we fully support the following position of the Kingsbury Neighbors' Group:

a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;

b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;

c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.

d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Sincerely,

Residents and Homeowners at 8768 W Kingsbury Ave., St. Louis, MO 63124

Jacqueline Benson McRoberts, Ph.D., Crop Efficiency Platform Lead, Bayer Crop Science

Keenan McRoberts, Ph.D., Vice President Science and Program Strategy, United Soybean Board

On Sun, Oct 11, 2020 at 3:23 PM Jaci Benson <jmbenson85@gmail.com> wrote:

**To:** University City Councilmen and Director of Planning and Development  
**From:** Jacqueline M. Benson McRoberts and Keenan C. McRoberts

Homeowners and residents, 8768 W Kingsbury Ave., St. Louis, MO 63124

**Re:** Avenir Project Proposal

**Date:** Sunday, October 11, 2020

Dear Councilmen and Director of Planning and Development,

I am writing in regard to an **agenda item for the meeting on Monday, October 12, 2020.**

We are writing to express our grave concern about the proposed rezoning and 258-unit apartment complex plus potential commercial entities that have been proposed in the Kingdel neighborhood. The best part about leaving work is knowing that we will be returning to the calm of our neighborhood, graced with lovely mid-century homes, old-growth trees, familiar neighbors, and families walking down the street. When we turn into the neighborhood, it's as if you've driven 20 miles out of the city. One of our favorite activities is strolling on the low-traffic, sidewalk-free streets with our one-year old daughter. This may feel unsafe to others not familiar with our neighborhood, but neighbors take great caution in driving around corners because of the frequency with which the residents of the neighborhood exercise, walk, bike, stroll and play in the safe streets, including in the evening and at night. One of the things we really love about our neighborhood is the bimodal age distribution, meaning that we have significant populations of both retired and young families. This neighborhood is significant because it provides both the comforts of suburban living with the experience of the city, and is economically accessible to burgeoning career professionals, families and those on fixed incomes.

Our primary concerns with this development are the following:

- 1) Safety.
  - a. We believe it will be less safe to walk around the neighborhood both due to incoming traffic and exposure to people who do not care about the neighborhood. Transient dwellers and customers that the proposed development would bring would damage this amazing, safe environment and culture that defines the neighborhood.
  - b. While we've had limited petty theft occurrences (two car break-ins to be precise in our six-year tenure), we have grave concerns that crime will increase multi-fold in the neighborhood. We would expect an increase in both crime frequency and severity (beyond petty theft to home break-ins and other potentially worse nefarious activity).
- 2) Natural setting with abundant wildlife
  - a. Increased traffic would negatively impact the biodiversity and urban ecological paradise experienced in the neighborhood. In our yard alone we frequently enjoy sightings of the following: wild turkey, coyotes, foxes, racoons, possums, rabbits, woodchucks, and more than 50 species of birds (including great horned owls that nest annually in our backyard, immature red tailed hawks, hummingbirds, numerous woodpecker species, numerous songbird species, goldfinches, and many more).
- 3) Property values
  - a. The aforementioned points and others will significantly decrease residential property values in the neighborhood.
  - b. Kingdel neighbors the attractive Olivette, Ladue, Clayton and Creve Coeur municipalities, which have schools with higher ratings, and frequently larger homes and bigger yards. We considered these options when we first moved to St. Louis, but our drive to be in University City, close to action with higher diversity, prevailed over these appealing features in other neighborhoods. We both work in Chesterfield and could have chosen a home anywhere. We chose our home to be here. With an apartment complex and commercial activity in the heart of this neighborhood, we would not have made this choice and we do not believe that other young professionals like us would make it either.



In summary we've dreamed about watching our daughter grow up in this neighborhood and know that this will be a reason to leave it and find a home elsewhere. What type of communities are you trying to create in University City? We believe that peaceful, intellectual foundations are a defining factor of University City that make it an attractive place to call home. This type of development would undermine the very reason we chose to live in this neighborhood in the first place. Thank you for your consideration – we support action taken to prevent the rezoning and building of an apartment complex and associated commercial entities in this serene Kingdel neighborhood.

Sincerely,

Residents and Homeowners at 8768 W Kingsbury Ave., St, Louis, MO 63124

Jacqueline Benson McRoberts, Ph.D., Crop Efficiency Platform Lead, Bayer Crop Science

Keenan McRoberts, Ph.D., Vice President Science and Program Strategy, United Soybean Board



**Linda Schaeffer**

---

**From:** Shirley Seele <seele.a.shirley@gmail.com>  
**Sent:** Sunday, October 25, 2020 3:54 PM  
**To:** Council Comments Shared  
**Cc:** Jeff Hales; Steve McMahon  
**Subject:** Avenir Proposal on Oct. 26 meeting agenda

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council, Mr. Hales and Mr. McMahon,

I (any many other residents) would ask that the Council not vote to approve the Proposal on October 26, but give more time for review and the approval process, full neighborhood and community input, and allow time for any plan revisions.

Secondly, the traffic studies did not include Kingdel, cut-through traffic from Price to Delmar via Washington, and I-170 traffic coming or leaving from the Starbucks in the new development. It would be beneficial to improve the traffic study by including these considerations into Traffic Study and compute pre-pandemic conditions.

Thirdly, I oppose any Tax Abatement for an \$80,000.000 project, not for Seniors, but for luxury apartments. University City and the St. Louis County should have the tax revenue for continued maintenance and growth of our area.

Thank you for your consideration,  
Shirley Seele  
8716 Washington Avenue  
Resident of University City for 26.5 years

Sent from my iPad

**Linda Schaeffer**

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**From:** Chris Norber <jcnorber@yahoo.com>  
**Sent:** Sunday, October 25, 2020 3:49 PM  
**To:** Council Comments Shared  
**Subject:** Luxury Apartment Complex on Delmar

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

If this project is accepted by the University City Council, I won't believe that SOMEONE at City Hall is not accepting "pay-back" for it. The whole project is laughable. We shouldn't need to "fight City Hall" - City Hall should be fighting for US. And that tax abatement thing ??? - I pay my real estate taxes, and I am not a millionaire ! THAT'S the FROSTING on the cake !!!! - not that the traffic issue isn't icing on the cake! Tell Charlie to take his "development" somewhere else.

## Linda Schaeffer

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**From:** Roger <rocketpolymers@att.net>  
**Sent:** Sunday, October 25, 2020 3:19 PM  
**To:** Council Comments Shared  
**Subject:** Avenir Zoning and Abatement Comment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To University City Council and Whom else it may concern,

I'd like to express my continued opposition to this development as is currently drawn. If the council would take a look at Sec 34-142.4 Item number 4 requires that: Granting the desired variance does not Violate the general spirit and intent of the Zoning Code.

The proposed project clearly violates the spirit AND intent of the Zoning Code. The violation comes in allowing the residential density to multiply by 5 times. The spirit and Intent of the code was to PREVENT this density in a predominantly 1-4 family(bldg.) neighborhood. Furthermore, this development will absolutely adversely affect the adjacent properties, both in the short run and the long run. Noise and congestion in and out of that project are not "benefits" to the single family homes it backs up to. Furthermore, the developer was unwilling to commit to a written construction schedule or indicate where construction workers were going to park. The logical answer is they are going to fill our neighborhood with trucks and construction vehicles. There are no sidewalks in the adjoining neighborhood. People walk their dogs and their children, I see seniors with aides and kids learning to ride bikes on a regular basis. People are going to cut through this neighborhood(from Price Rd.) to get to the retail space. It happens currently during busy traffic times at Price and Delmar. Is that going to multiply 5 times as well. Has there been a traffic study identifying the ambient traffic flow in and out of the neighborhood currently? Can we get guarantees the developer will mitigate this problem if ambient traffic hits some targeted rate in the future? The traffic in the neighborhood will not change(in any appreciable way) at all, as a result of expansion in the neighborhood itself. There are only two undeveloped buildable lots. We can attribute any traffic increases to this project. Traffic, especially transient commuters or retail customers may not be aware there are people IN the neighborhood streets. This is a direct Adverse effect to an adjoining neighborhood of a project with the density proposed. I've taken the liberty of posting below the cities Review Considerations:

VII. Review Considerations In determining whether the evidence presented supports the findings required in Section VI, the Board of Adjustment shall consider the extent to which the evidence demonstrates that:

1. The particular physical surroundings, shape, or topographical condition of the property involved would result in a practical difficulty or unnecessary hardship upon or for the owner, lessee, or occupant, as distinguished from an inconvenience, if the provisions of the Zoning Code were literally enforced;
2. The request for a Variance is not based primarily upon the desire of the owner, lessee, occupant or applicant to secure a greater financial return from the property;
3. The granting of the Variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the property is located; and
4. The proposed Variance will not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

This request for variance is 100 PERCENT based upon the owners desire to "secure a greater return from the property." This request for variance will substantially increase the congestion in public streets that at times are already very congested. In fact, the success of the project relies heavily on a substantial increase in congestion.

This property will be developed, whether or not the city grants abatement. I have no problem with a development of appropriate size and scale for the area to be built. This is excessive, egregious and is in violation of the city's Zoning Requirements both legally and "the spirit and intent" of the laws. The laws were designed to hear and protect the neighbors, not enable real estate developers. This project has been designed with absolute indifference to its neighbors, while at the same time asking to keep valuable tax dollars out of the system.

No Tax Abatement should be granted.

The project should be limited in scale to the original zoning, including square footages calculated on the footprint of the residential bldg only.

Finally, nothing should be approved without majority consent of the property owners in the adjoining neighborhoods.

Thank you for your time and commitment to University City.

Regards,

Roger Cohen  
506 and 500 Kingdel

314-540-3261  
314-533-9200  
314-533-5051 (fax)

## Linda Schaeffer

---

**From:** Kathy Victor <KathyVictor@STLDA.COM>  
**Sent:** Friday, October 23, 2020 11:50 AM  
**To:** Terry Crow; Jeff Hales; Steve McMahon  
**Cc:** Council Comments Shared; Aleta Klein; Tim Cusick; Bwayne Smotherson; Stacy Clay  
**Subject:** Avenir Project  
**Attachments:** Valmik's Comments on Proposed Avenir 3.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor Crow and Councilman Hale and Councilman McMahon,

I am a member of the Kingdel Neighborhood and adamantly against the proposed Avenir project!

This is a situation where the U City officials have rushed a developer's plans through the City government process without adequately researching the impact this project will have on the surrounding neighborhood and U City at large.

I am requesting that you postpone moving forward with Avenir until the following has been completed:

1. Provide additional time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions.
2. Allow Valmik Thakore's plan analysis and objections (attached) to be taken under consideration by the City Council, and require a reformulation of plans submitted by Charles Deutsch and Company conducive to the welfare of both our neighborhood and University City residents generally.
3. Provide an additional comprehensive traffic and parking studies, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd. (this project will greatly increase traffic within our neighborhood and will cause a huge congestion problem at the 170 /Delmar intersection)
4. There needs to be an independent financial review that proves the need for such tax abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Avenir is not in the best interests of the residents of U City. I hope that you will give this project the scrutiny it deserves and not allow Charles Deutsch to intimidate you into a project that benefits his empire but at the expense of U City neighbors.

Respectfully yours,  
Kathy Victor  
8739 Washington Ave.  
U City, MO 63124  
314-223-2658

**Kathy Victor**  
St. Louis Design Alliance, Inc.  
6014 Delmar Blvd.

**Saint Louis, MO 63112**  
p: 314-863-1313 Ext. 300  
f: 314-863-1393  
[www.stlda.com](http://www.stlda.com)



**Linda Schaeffer**

---

**From:** Mary Blair <mgblair56@gmail.com>  
**Sent:** Saturday, October 24, 2020 8:02 AM  
**To:** Council Comments Shared  
**Subject:** agenda item Oct 26 council mtg

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

This comment is in regards to the Avenir project on the October 26 council mtg.

I fully support the position of the Kingsbury Neighbors' Group:

a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;

b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;

c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.

d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Mary Blair  
8756 W Kingsbury Ave  
University City, MO 63124

**Linda Schaeffer**

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**From:** Kathryn Blair <kblair51@icloud.com>  
**Sent:** Saturday, October 24, 2020 6:00 AM  
**To:** Council Comments Shared  
**Subject:** Avenir Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I fully support the position of the Kingsbury Neighbors' Group:

- a) Please give more time for the review and approval process of the Avenir proposal to allow for full neighborhood and community input, and allow time for plan revisions;
- b) We agree that Valmik Thakore's plan analysis and objections to the Avenir proposal be taken under serious consideration, and require a reformulation of plans submitted by Charles Deutsch and Company to be conducive to the welfare of both our neighborhood and University City residents generally;
- c) We feel an increase in traffic coming through and parking within our neighborhood to be unacceptable, and we ask that additional comprehensive traffic and parking studies be initiated, based on pre-pandemic traffic levels and parking patterns, and relevant to our neighborhood from I-170 to Price Rd.
- d) We feel that no tax abatement for the Avenir project should be granted without both independent financial review that proves the need for such abatement, and a signed community benefits agreement agreed to by Charles Deutsch and Company.

Kathryn Blair

8834 Washington Ave

St Louis, MO 63124

**Linda Schaeffer**

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**From:** Rajul Thakore <rajulthakore@hotmail.com>  
**Sent:** Sunday, October 18, 2020 7:34 PM  
**To:** Council Comments Shared  
**Subject:** Oct 12 comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I noticed that my public comment for Oct 12 (sent from this email address) was not included in the comments posted to this URL:

<https://apps.ucitymo.org/PublicPortal/0/edoc/182268/2020-10-12%20Public%20Hearing%20and%20Citizen%20Comments.pdf>

Please review and see if I have missed something. It is entirely possible I did.

If my comments for the Oct 12th meeting are missing, please include them.

Thank you,

Rajul Thakore  
8727 W Kingsbury Ave

## Linda Schaeffer

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**From:** Dunn, Deborah <dunn@wustl.edu>  
**Sent:** Friday, October 16, 2020 8:53 AM  
**To:** Council Comments Shared  
**Subject:** Council meeting 10-12  
**Attachments:** letter to U City.docx

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you Lurette for your patience.

**Debbie Dunn | Clinical Research Specialist**  
**Assistant to Michael A. Kass, MD**  
**Bernard Becker Distinguished Professor**  
**Senior Associate Dean for Human Research Protections Office**  
**Department of Ophthalmology | Washington University School of Medicine**  
Campus Box 8096 | 660 South Euclid Avenue | St. Louis, MO 63110-1093  
Phone (314)273-1903 | Fax (314)747-2851 | [dunn@wustl.edu](mailto:dunn@wustl.edu)

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