



Department of Planning and Development

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PLAN COMMISSION MEETING

Via Video Conference
6:30 pm; Wednesday, May 27, 2020

The Plan Commission held a regularly scheduled meeting via video conference on Wednesday, May 27, 2020. The meeting commenced at 6:30pm and concluded at 9:50pm.

1. Roll Call

Commission Members Present:

Margaret Holly
Ellen Hartz
Michael Miller
Patricia McQueen
Cirri Moran

Absent:

Judith Gainer
Mark Harvey

Staff Present

Gregory Rose, City Manager
John Mulligan, City Attorney
Clifford Cross, Director of Planning and Development

Chairwoman Holly ask if we had any public comments that was presented to staff for the meeting. Mr. Cross indicated he had not received any public comments to present to the Commission. He indicated it was posted in the agenda how to present comments.

2. Approval of Minutes – No Minutes were presented.

3. Hearings

Chairwoman Holly ask if we had any public comments that was presented to staff for the meeting. Mr. Cross indicated he had not received any public comments to present to the Commission. He indicated it was posted in the agenda how to present comments.

4. Old Business

Ms. Holly called on old business and the first item of old business was consideration of “The McKenzie – Annapurna One LLC Development Plan & Blight study 353 recommendation.

Mr. Cross began by explaining that this was a re-evaluation of the previous plan and blight study that was presented back in February in reference to the Delcrest Plaza map amendment, preliminary plan and 353 request. He indicated chapter 510 required the plan

commission review the 353 request as part of the abatement request process. He indicated the role of the commission was tasked with a recommendation approving the plan and the determination of blight to forward to City Council for consideration. He summarized that specific criteria that the Commission considered and indicated that they did in February and ultimately recommended approval of the prior plan and blight study.

Ms. Holly requested Mr. Alston speak for that development and requested if they had any updates. Mr. Alston indicated that there were no changes with the blight study. Ms. Holly ask if approval of the blight study constitute approval of the abatement. Mr. Cross indicated that no it would not, and the Commission would have to act on each one separately.

Ms. Holly as if there were any members that had questions concerning the blight study. No members had questions. Ms. Holly as if there was a motion. Ms. Moran made a motion recommending acceptance of the blight study. The motion was seconded by Mr. Miller. The motion carried unanimously by a 5-0 vote.

Ms. Holly then called for discussion pertaining to the redevelopment plan and associated tax abatement questions and request. Mr. Alston indicated the reason they were making this request was based upon the current pandemic and were requesting flexibility to have minimum maximum option as it pertained to the apartment/hotel ratios. He indicated the minimum model would have the original hotel/residential breakdowns. He indicated the maximum model would increase the number of residential dwelling units to potentially up to 227 units. Mr. Alston further indicated that the new models would not result in parking demand increases.

Ms. Holly request if there were any changes to the tax abatement request. Mr. Alston indicated that there would not. The ultimate goal was to seek flexibility for the project. He ask Mr. Cross if there is any specific detail that he wanted them to address. Mr. Cross indicated that was contingent upon the specific agenda item. Mr. Cross indicated the process associated with request was it would ultimately go to City Council and have a public hearing. At that time Mr. Cross felt there would be more clarification at that point. Mr. Cross indicated that goal of tonight's meeting was to re-affirm the Commission's recommendation for the blight study and updated recommendation of the proposed plan. Mr. Mulligan indicated Mr. Cross had identified the process and that at a prior meeting the Commission had reviewed and recommended the blight study. He indicated that all taxing entities will have the opportunity to comment on the request. He indicated that it was his understanding that the Commission had found adequate evidence of blight. Ms. Holly ask Mr. Mulligan about the amounts and changes relevant to University City. She ask if our decision covers or regulates the school district portion as well. Mr. Mulligan indicated that it would cover the City, School and all other taxing entities. He indicated the updated numbers were provided by Mr. Cross. City Manager Rose commented that the Commission may want to have Mr. Alston comment and highlight those changes so that they would be clear to the Commission and part of the record. Justin Carney responded on behalf of Mr. Alston to provide an overview of the impact statement. Mr. Rose indicated he was trying to better understand the construction concept and the fiscal impact as it relates to property tax values to sales

tax as part of the proposed changes. Mr. Carney compared the proposal to a no build scenario. He indicated that the no build scenario the revenue that comes to the school and city is 1.8 million dollars. He further indicated that range of abatement that was being asked for was between 6.5 to 10 million dollars of abatement. He indicated the abatement changes had really not change much from the prior request. The revenue range, after the abatement, was also similar as it pertains to the school and city would be 6.5 to 11 million dollars in revenue. He further stressed that would be after the actual increment. He further indicated that they had spoke with police and fire. He indicated Fire had no tipping point increases and that police felt it might be equivalent to one officer. Ms. Holly ask for clarification on the tables and wanted confirmation that any of the scenarios is a possibility with the project. Mr. Carney indicated it was correct. Discussion continued to focus on all four scenarios and how they fiscally impacted the City.

Mr. Miller further asked about the restaurant. He wanted clarification on the phasing and breakdown process. Mr. Alston indicated they wanted to separate the hotel from the residential component because of the current conditions with the pandemic. Mr. Alston indicated the goal was to complete it at once but needed the flexibility to adjust to the unknown climate. Mr. Cross clarified why the phasing had to be approved as part of the plan. He indicated that the provisions required final approval prior to obtain a building permit. He indicated that the phasing needed to be incorporated to allow flexibility to adjust to the climate.

Ms. Hartz ask what is the precedent for recommending a flexible plan? Mr. Cross indicated that he did not think the flexibility set a bad precedent. He indicated the ultimate goal was to recommend tax abatement that does not have a negative impact via any model. Mr. Mulligan further stressed the abatement could be contingent upon the projected timeline factoring in plan or completion of the various phases such as the hotel. He further indicated there is flexibility and that would be considered by City Council as part of the negotiation process. Mr. Rose further commented that the Council would not be seeking for a specific amount of abatement but look at the most intense use and if it would be worth abatement. Mr. Rose indicated that if that was the case then that would be the type of recommendation City Council would be seeking.

Ms. McQueen indicated she had a question pertaining to the apartments. Her question was were all the units market rate or were any of them put aside for affordable rates and if the Commission has ever discussed inclusionary zoning. Mr. Alston indicated that it is a market rate project that has some smaller units that allow for lower rents, but they are not affordable units. Ms. McQueen ask if there was the possibility to set aside any of the units for affordable apartments? Mr. Alston indicated that a majority of the units will be studio or one-bedroom units that would result in a higher density with varied rates to support the model. He further indicated that without fully understanding the current the definition of "affordable" he could not commit to that but would be happy to reach back out to her and discuss. Ms. McQueen indicated that she was more specifically looking at the income levels as opposed to the family unit structure. Mr. Alston indicated that technically they are not affordable but based

upon their size that some apartments may be more cost effective. Ms. McQueen noted that our 2005 Comprehensive Plan mentioned income levels.

Ms. Holly asked if our action at this point locked in the development. Mr. Cross indicated no it did not and the recommendation indicated the Commissions comfort with the proposed phasing and development but would not lock in any specific abatement specifics. Ms. Holly ask if there was a motion? Ms. Hartz made a motion that the Commission recommend approval of the redevelopment plan to Council for consideration as part of the 353-abatement request. The motion was seconded by Ms. Moran. Mr. Miller ask if the abatement was predicated on the development completion? Mr. Alston indicated that it would be predicated by the time period in which the project is completed. Mr. Alston indicated it would for example start at the completion of the apartment phase but if you do not build the hotel within the 5-year window then the entire abatement would cease. Mr. Mulligan requested clarification of how those abatements would work. Mr. Rose indicated that the abatement start time and conditions would need to be negotiated as part of the agreement process. Ms. Holly indicated that it was the Commissions responsibility that they are only recommending abatement for consideration by City Council. The motion unanimously passed by a 5-0 vote.

New Business

a. Conditional Use Permit – PC 20-01

PUBLIC HEARING

Applicant: The Trinity Company

Request: Approval for a Conditional Use Permit to establish and operate a Medical Marijuana Dispensary

Address: 6662 Delmar Blvd, Suite A

(VOTE REQUIRED)

Ms. Holly explained the process for the public hearings. Mr. Cross began with the presentation of PC 20-01 and reviewed the application packet. The applicant sought a Conditional Use Permit (CUP) for a Medical Marijuana dispensary at 6662 Delmar Blvd, Suite A. Earlier in the year, the State of Missouri approved 192 dispensaries. Mr. Cross explained that the state regulated use of operations and manufacture, while the City had control over the siting of these dispensaries. The existing zoning at 6662 Delmar Boulevard, Core Commercial (CC), allowed for application for a CUP according to section 400.570 of the code. Mr. Cross reviewed the surrounding zoning and noted that although there was High Density Residential (HR) to the south, it did not fall within the buffer zone required by the ordinance. Mr. Cross also reviewed the standards for a medical marijuana facility, highlighting the buffers required; 500ft from the entry point of the business to any church, school, or day care center. The business must also be at least 150 feet away (from front entrance of business to lot line) from any residentially zoned property. The property at 6662 Delmar met these requirements.

Mr. Cross reviewed the rest of the standards from Div. 15, 400.1495. Mr. Cross reviewed the approval process. The public hearing would be conducted at the Plan Commission

meeting. A recommendation would be forwarded to City Council. Mr. Cross noted the Commission should base this recommendation on the Review Criteria and he reviewed these criteria. Mr. Cross reviewed the future land use for this site as determined by the Comprehensive Plan Update of 2005, which was Mixed-Use/Transit Oriented.

Mr. Cross noted that there were no concerns brought to staff. He stated that the retail use would be a continuance of the use as a non-conforming use. The use should not create any additional parking demand. Mr. Cross cited review criteria #7, which listed options for ways to mitigate potential negative effects as conditions of the CUP.

Mr. Cross reviewed the supplementary regulations, which allowed the Commission to add additional buffering. Staff recommended approval of the request. Mr. Cross reviewed the options to table, approve with or without conditions, or deny. He stressed that the findings of fact should be the basis of the Plan Commission's recommendation. Mr. Cross reviewed the requirements for public hearing notice which had been met by staff.

Ms. Holly asked if the suite would be on the east or west side. Mr. Cross said this was on the east. She asked if there was consumption permitted inside the dispensary. Mr. Cross said the state prohibited consumption within the site, and the state would be the authority for enforcement.

Ms. Holly began the public hearing.

Mark Whitzling, Executive Director of Craft Alliance, 6640 Delmar, said he had no overall objection to what was being proposed. He said there was a limit of 500 feet around schools/daycares, however they run a summer camp with children and estimate the distance to the door of the business to be under 100 feet, with an outdoor space the children used and shared parking where parents would drop off their children. He said Craft Alliance would be moving and this would be their final summer, and they would welcome the approval in September.

Ms. Carr asked if there was an agreement with the owner of the parking lot. Mr. Cross said staff had not been provided with an agreement. Mr. Cross stated that the use was the same; a continued non-conforming use. Ms. Carr stated that she was unclear about the shared parking. Mr. Cross stated that this fell under a continuation of use. Mr. Cross explained they would not meet parking if this was new construction.

Brian Ivy with Idea Architects, 130 West Lockland, Suite 2, Webster Groves, MO spoke with the owners' representatives and council. He stated that they could answer additional questions.

Mr. Miller asked if the 2 spots dedicated for the suite were handicap accessible. The applicants indicated that the parking spaces should be indicated from the prior use. Mr. Miller confirmed that staff at the business would be present between the hours of 8am and 10pm. Mr. Miller reviewed the applicant's experience in this industry. The applicant said the ownership group owned other facilities in California and Nevada, and that having partners who had experience in the industry could be beneficial. Mr. Miller stated that Missouri would potentially move forward with legalizing marijuana for recreation. He noted that University City would be undertaking a comprehensive plan, and that the community may not want a recreational use in the Loop. The applicant said they wished to comply with the state regulations.

Mr. Mulligan asked the applicants if consumption would be allowed in the business. Dan Welsh, the attorney for the applicants, said the state did not permit consumption in the business.

Mr. Miller asked about security inside and outside the building. He was concerned with patrons leaving the premises. Mr. Ivy stated there would be cameras mandated by the state, and that the plan would be to have a security guard in the front of the building. Although they could not escort people to their cars, they would have a good visual on the front of the building. The applicant noted the security guard is an added deterrent to unruly activity. Mr. Miller also confirmed that only someone with a card would be allowed in the building and asked what other inventory would be for sale. The applicants said marijuana-specific products would be sold. The applicants confirmed that they would not allow anyone without the doctor-prescribed card to enter the premises.

Ms. Gainer asked what kind of exterior signage they anticipated. The applicant said they would replace the sign on the front of the building. Mr. Cross noted the Commission could add conditions to the signage if that was a concern. Ms. Hartz said there were already state limitations to what was on the sign. Ms. Gainer asked what the name of the business would be. The applicant said they were not done with branding and that they intend to comply with the regulations of the state.

Ms. Carr asked what the timeline to become operational was. Mr. Welsh said there would be some construction and improvements within the bay. He estimated that the first dispensaries would come online in July/August. He said the applicant's other operations generally got up and running as soon as possible. Ms. Carr stated that there would be children present at Craft Alliance, and that the ordinance created a 500 foot buffer from children. She stated that a condition could be that operations could begin once Craft Alliance had moved. Mr. Harvey asked if it would be in order to set this condition. Mr. Cross noted the question had come up in writing the ordinance, and that this condition could be construed as a taking. Mr. Whitzling said the last day of the camp would be about August 15. Mr. Welsh said the constitution does not allow a municipality to regulate the time a business was opened. Mr. Rose stated that there was the law, and there was the discretion of the Plan Commission and Council. He asked if the applicant would be open to a later start date. Mr. Welsh said the children's camp was not currently contemplated by the ordinance. The applicant said he would not be at liberty to make a commitment for the whole ownership group. He said he was not opposed to the possibility of opening later. Ms. Holly closed the public hearing on this matter.

Mr. Harvey moved for approval of proposed medical marijuana dispensary, PC 20-01 at 6662 Delmar by the Trinity Group. Ms. Moran seconded the motion. Ms. Holly noted that she was a board member at Craft Alliance and said she could recuse herself from the vote. Mr. Mulligan asked if she was being compensated or if her vote on this matter would affect her place on the board. Ms. Holly said no. Mr. Mulligan said this would not be a problem. Mr. Rose recommended tabling the item due to parking concerns. Ms. Moran moved to table the motion on PC-20-01 pursuant to more investigation by staff on the parking issue. Ms. Hartz seconded. Mr. Miller and Ms. Gainer were opposed to the motion to table. The motion passed 4-2.

b. **Conditional Use Permit – PC 20-02**

PUBLIC HEARING

Applicant: GBG Transportation, LLC

Request: Approval for a Conditional Use Permit to establish and operate a Vehicle Service Facility with an Accessory Auto Sales Use

Address: 7804 Olive Blvd

(VOTE REQUIRED)

Mr. Cross explained that the applicant had made the request before at a different site. In that case, the Plan Commission recommended approval of an auto service facility, but denied the accessory auto sales use. The applicant withdrew the original request and has considered another site. The same process must be followed in the General Commercial (GC) district, which was the zoning for 7804 Oliver Boulevard.

Mr. Cross reviewed the application specifics, including the requirement of a CUP for Auto service and sales. He described the surrounding zoning and noted the layout of the surrounding roads at the site. He also gave details about the size of the building, with 14 commercial suites in the building. He noted that 206 parking spaces were dedicated to the site.

He noted that per section 400.510 a CUP was required for Vehicle service facilities. He also noted section 400.530 that auto sales and lease was also a conditional use. He noted that per 400.530 used autos may only be sold along with the sale of new vehicles. Mr. Cross noted staff concerns; the use for outdoor sales or operations, and sufficient landscaping to abutting residential. He noted that auto service is less intense than other uses.

Staff would recommend additional landscaping to mitigate impacts to surrounding residential properties. He reviewed the options for conditions to mitigate these impacts and noted the normal supplementary regulations requiring buffering. He stated that staff recommended approval the auto service use and recommends denial of the sales accessory use.

He noted the commission could vote to table, recommend, recommend with conditions (including recommending only one of the uses), or deny the application. He reviewed the standards by which the commission should make their decision and reviewed the notification process for surrounding properties.

Mr. Harvey asked what the definition of a new car was. Mr. Cross said we do not have a definition in our ordinance. Mr. Harvey clarified that if one vehicle was new, then other cars could be sold. Mr. Harvey asked if there was a separate license for the sale of new cars versus used cars. Mr. Cross stated that the intent of the ordinance was that used auto sales could not be the primary use. Mr. Cross stated that this case could set precedent for allowing auto sales as an accessory use if the application was fully approved.

George Hopper, 1215 Bluegrass Drive, St. Louis, the applicant, stated that he was happy to answer questions. He said there would be no cars left out overnight. The service facility would offer minor repairs such as brakes, tire sales, emissions testing, and a a detail shop for cleaning cars. He stated that the main objection to the used cars was the appearance of a used car sales facility. He stated that with this location the applicant could overcome the appearance of a used auto sales facility. He said the cars would be positioned in the

very back row along Olive and on Mount Olive in the parking lot. Mr. Hopper demonstrated on the aerial map of the site where the cars would be parked (in the northeast corner of the parking lot); he said these would not be visible from Olive. He said they do not need frontage or for the cars to be visible because they would be doing mostly online sales. Mr. Cross noted that both auto service and auto sales would require a CUP in this district. With the auto sales the requirement of new cars would be the problem. Mr. Cross said staff would have to look into whether two CUPs could be used for the same business. Mr. Cross said there would be an option to act on the auto service and not the auto sales.

Ms. Holly asked if this would require postponing any action. Mr. Cross said the commission could amend their recommendation to approve only the auto service use. Mr. Hopper noted that the sales portion was important to his business, and that there were other businesses on Olive that are currently selling cars. Mr. Cross said these were either legal non-conformities, or they were illegal occupancies that are going to be addressed.

Mr. Cross noted that Plan Commission could limit the signage. Mr. Hopper reiterated that they would not be basing sales on this kind of marketing.

Mr. Harvey asked what had brought the applicant back to the commission. Mr. Hopper said that the Novus group did not want this business at the initial location. He said he was recommended to find a different location. Mr. Harvey said that this was still in violation of the ordinance. Mr. Hopper said he had re-applied because this use already existed on Olive, and because his business would not have the normal trappings of a used auto dealership. Mr. Hopper said they would not be able to become a new car dealership as this would require being a franchise. Mr. Hopper said the state license for a new car dealer was different from a used car license. Mr. Harvey asked if there were non-traditional new car options. Mr. Hopper said there was a possibility of partnering with a national chain. Mr. Hopper stated this was obviously a better location.

Mr. Cross stated that with the CUP process, the question was if the Plan Commission wanted to set a precedent of not allowing an accessory use of used auto sales.

Ms. Holly asked if the applicant expected 15 spaces for car sales. Mr. Hopper said that the hours were different between Elmo's and his business. Ms. Holly asked why the cars had to be parked on this lot if all the sales would be online. Mr. Hopper said this was a requirement of the state.

Mr. Miller moved to approve a Conditional Use Permit for vehicle service only, not for sales. Mr. Harvey seconded. The motion was approved unanimously.

c. Request for Tax Abatement

Applicant: The McKenzie-Annapurna One LLC

Request: Study and Recommendation of 100% Tax Abatement for 10 Years and 50% Tax Abatement for an Additional 15 Years

Address: 8400 Delmar Blvd

(VOTE REQUIRED)

Mr. Cross stated that the applicant was seeking a Chapter 353 tax abatement which fell under chapter 510 of the Urban Redevelopment Code which required the applicant to submit a blight study to the City Clerk, which was forwarded to the Plan Commission to

comment on the blight study and the redevelopment plan. The applicants would make a presentation in regards to the blight study and the plan.

Mr. Cross explained that there were two actions; The Redevelopment Plan that was already viewed was submitted with additional information. Mr. Cross reviewed the requirements of section 510, and staff had verified that all the requirements were present in the plan. Mr. Cross stated that according to Section 510.70, the findings of fact and the determinations the Plan Commission needed to make to determine if the Blight Study was in order. Redevelopment.

Larry Marx, a Principle with Development Strategies, 10 South Broadway, Suite 1500, St. Louis presented on behalf of Delcrest Plaza Development. Mr. Marx presented what would be required for 353 abatement; a blight study, redevelopment plan, and a tax impact statement were required. Mr. Marx stated that the Chapter 353 legislation as well as City code Section 510.40, gave a definition of a blighted area: “by reason of age, obsolescence out modeled, economic/social liabilities, inability to pay reasonable taxes.” He described the overall condition of facility in these terms.

-Age: The property improvements were over 35 years old and has not been maintained well. The HVAC in the building did not work properly, there was significant vacancy, the buildings did not meet ADA requirements, and there were other signs of deterioration. The interior conditions displayed water damage, mildew, and mold.

-Obsolescence – the property was 75% vacant, with 85% ground floor vacancy, and there was a continuing trend of tenants leaving the facility.

-Outmoded design: Mr. Marx noted inadequate heating and cooling, a lack of sprinklers, lack of ADA accessibility, a lack of connections to public sidewalks, and confusing and dangerous access points.

-Physical deterioration: Mr. Marx noted the presence of asbestos, water, mildew, deteriorated window units, a lack of maintenance for mechanical systems and elevator, communications systems, damaged floor and ceiling tiles, and general site conditions.

-Social Liability: Mr. Marx noted the lack of accessibility for ADA.

-Conditions conducive to ill health, transmission, disease, crime: Mr. Marx noted the mold, grease, and lack of sprinkler systems as creating a fire hazard.

Mr. Marx presented assessed value which has declined 26% over the last decade – over that period, commercial property in U City has increased overall by 50%. He said the City had not been able to capitalize on this commercial entry point to the City.

Mr. Marx reviewed the basics of what the redevelopment plan proposed; a one stage project with completion projected in the 3rd Quarter of 2020. The project would require no housing relocation, no street changes, no use of public property, and because the developer owned the property, no eminent domain. The estimated cost of development was about 86.5 million dollars.

Mr. Marx presented the Tax Impact Statement; assuming 100% of real estate taxes were abated for ten years, then over 15 years 50% taxes would be abated. According to their calculations, built out with tax abatement the project would result in about \$9.5 million over that period. The no-build projections would be about \$2.5 million. He noted the amounts going to the school district, the City, and other taxing districts.

Mr. Marx explained that the project was in public interest as it provided quality hotel, dining, overall tax revenue, and created jobs. He said there were adequate public facilities to handle the project. The applicants had talked with police, fire, and the school district. There was minimal impact expected on the school system, the police were anticipating the need for an additional officer and the Fire Department would not require any additional staff if the project were built. He noted that the zoning was already approved and that the size of redevelopment area could accommodate the redevelopment.

Mr. Cross said the commission's role was to vote on accepting the plan and supporting the blight study. Ms. Hartz asked if this approval would also approve the tax abatement. Mr. Cross said there would be a public hearing at City Council level in regards to the actual numbers and the tax abatement. Per chapter 510, the PC would forward this case on to Council.

Ms. Carr asked what powers the City would be granting the development group. She questioned granting a tax abatement for 25 years, when in 35 years they could call the building obsolete. She noted that in the past, a tax abatement had been granted for this site at a lower level when it was a much bigger risk to develop. She felt that the area was significantly improved since then, and was concerned about the powers conveyed to a 353 corporation. Mr. Cross noted that there is no formula here in U City for tax abatement, and that this was a case-by-case basis for each development and that this was a problem. Mr. Cross said that there would be a redevelopment agreement which would detail the powers given to the corporation. Ms. Moran had a procedural questions – she said the PC did not have a say in the tax abatement process. In the last process (the Hawthorne Apartments), the LCRA had the final say on the abatement. She said the Plan Commission would be simply passing this on.

Ms. Gainer asked what the relevance of the blight study was for the Plan Commission. Ms. Holly said this was the law. She asked if, by sending this on, the commission agreed that the property is blighted. Mr. Harvey said confirmed that this was correct. Ms. Gainer said that this would be supporting the tax abatement. She said it sits very uncomfortably that this commission contributes in the process to a tax abatement.

Mr. Rose stated that the questions of Ms. Carr reflected questions of the Council. He asked what the applicant saw as the key risks they were making for the tax abatement and why they needed it at this site. Mr. Rose said they would use John Ferry to determine whether this would be reasonable. Mr. Rose said he would like to hear from the applicant as why this project needed the tax abatement.

Vic Alston of West Lake, CA spoke on behalf of the applicants. He stated that the site was very costly. He said the timing of the site purchase did not have to do with the development of the site, and it was competitive process to purchase the site. They purchased the site before zoning was approved. He said they were making sure the right entitlements were in place. He said the site was challenging because of the size of the site, and the cost of the

site, and the strategy of a mixed-use site requiring multiple levels of garages as well as the other buildings – all in an 85 million investment in a very small location – this density was unheard of in this part of the city.

He said the applicants had spoken with City staff and been directed to the Chapter 353 instead of a TIF. He thought of it as a fair approach in order to partner with the City to get the development done. He noted other tax abatements for similar project in the region, and that a hotel was going to be built to help meet the requirements of the city.

Ms. Holly asked if the craft building would be part of the blighted designation. Mr. Allston confirmed and said there were about 21 tenants in the building currently on month to month leases.

Ms. Gainer asked why the developer was trying to do so much on a small site, and why the density, and she asked if the hotel was to accommodate the City's interest. Mr. Allston said they had originally envisioned an apartment on this site. The site was a 5 million dollar site, and the economics were difficult. He said to make the land value work, you have to build with density. Ms. Gainer asked if the density could actually be more apartments, however the parking would increase with more apartments. Mr. Cross noted the site was zoned for TDD as its future use, so it was not intended for all residential.

Mr. Allston said they had considered alternatives such as a two-hotel option, but that given the hotel partner had been interested in this plan.

Ms. Carr said unequivocally that when she spoke with the developer, subsidies were not discussed. Mr. Rose said that the applicant had multiple discussions with many representatives from the City and they did not encourage the TIF option because it was unlikely that the County would approve another TIF. He said they would consider a 353, but no commitments were made. Mr. Allston said he agreed with that.

Ms. Carr stated that we could not be compared to the City of St. Louis. She said the City did not base their revenue on property tax, and that they have a great land mass off the tax roll, with many truly blighted areas. Ms. Carr said they need to consider what is reasonable in that area – the City was not responsible for what a developer purchases. She said she was disappointed that the developer had not mentioned the possibility of the abatement to her. She said the area is no longer depressed. She was very mindful of the burden on taxpayers in University City.

Mr. Allston described what he thought the economic impact would be on the City. He said there is very little effect on the schools. There would be a net increase of revenue for the City. He said the alternative was an underperforming property. He noted that tax abatements were part of what could make the development possible.

Ms. Holly clarified that property taxes would still be paid, and that the City would not receive any increase. Mr. Allston said when the project was substantially completed the abatement would begin.

Ms. Holly clarified that in the table of tax impact, they are only talking about U City property taxes, the school district, the library district. Mr. Cross stated that when the public hearing is held, the City is required to notify all taxing districts affected by the tax abatement. There

would be no public hearing at this Plan Commission meeting. Mr. Harvey moved to send the matter to City Council.

Ms. Holly stated that \$87,800 would be a single officer increase. Mr. Rose stated that this reflected the total amount resources dedicated to the project, which would be one equivalent full-time position with salary and benefits. Ms. Holly also noted that the calculations assumed 100% occupancy in the apartments and hotel. She referred to the preliminary revenue estimate by tax.

Mr. Mulligan noted that they received updated page 5 and 6. The increment was consistent with what Mr. Marx's report. The hotel was calculated at 70% occupancy. Ms. Holly said according to the Business Journal from August of 2019, the St. Louis metro area hotel market is typically 58% occupied. The applicants used a hotel study based on what the City had provided.

Ms. Holly said that she had read the apartment occupancy rate in the metro area was 10% vacant, and the applicant said they would do better at 5%. Ms. Carr asked if the developer anticipates any tenants that they would have trouble relocating. Mr. Allston said they would reach out the tenants and work with them and U City to try and relocate them within U City. He said the tenants had been leaving in general over the last five years. There was a non-working elevator in the building. Ms. Carr noted that there was a tenant in the Walgreens development, and clarified that it would be Mr. Allston's responsibility to remove the tenants.

Mr. Cross recommended that the Commission go through the memorandum provided and based on this they could recommend that the applicant had met the seven criteria provided in the memo.

Mr. Harvey moved, "whereas we determine the area proposed is a blighted area as defined in Section 510.040, whereas we determine that the plan is in the public interest, whereas we do not see severe adverse effect on public facilities, whereas the proposed changes are desirable for redevelopment of the area, whereas there are no requests for use of eminent domain, whereas there are no proposed changes to streets, street levels or requests for street closings, and whereas the size of the area allows for practical and satisfactory development, therefore we recommend to the City Council and Mayor that pursuant to 510.070, the application be recommended for approval of the Plan. Mr. Miller seconded the motion. The motion carried unanimously

5. Other Business

- a. 2020 Comprehensive Plan Update – Commission Consultant Discussion & Recommendation.

Mr. Cross outlined the staff's updates about the selection of Future IQ versus Planning NEXT. Some concerns that had come up were the differences between the consultants. Mr. Cross said staff had followed up with the consultants for additional information. Future IQ was strong with engagement and pre-visioning before the plan. Planning NEXT followed a more standard community engagement process.

Mr. Harvey asked if it was possible to hire both organizations. Mr. Cross said this would be an option – to use Future IQ for a visioning process prior to an RFP for a Comprehensive

Plan. Mr. Rose would recommend in this case to do a new RFP for just a visioning process as the disciplines are two different professions.

Ms. Carr asked where the last plan broke down. Ms. Moran said it was both in the engagement and the plan development. She said the City hired two companies for the last plan, and the visioning company broke down – they were doing the visioning at the end of the process when editing the plan.

Ms. Carr asked Mr. Rose what is it that he sees the City looking for. Mr. Rose argued the visioning process was the most critical part of the process. He had hoped the City could find a company that could do both. He felt that the consensus between Council and Community was critical.

Ms. Moran also stated that when they were doing this visioning process, it was led by the kind of the steering committee that led the Planning NEXT process. The Committee became a group of people who were already the squeaky wheels in the city and did not gather in the rest of the information from the City. There was discussion about the two firms, their strengths and weaknesses.

Mr. Rose said he would be strongly recommending to Mayor and Council to separate these processes. He said the visioning process was critical, and U City will not be an easy vision to obtain. Ms. Moran said they need to reach more people who aren't normally reached. Mr. Rose said do it right, not right now.

There was discussion about the Tru Hotel project, and Mr. Cross said he would poll the Commissioners about a work session on or around March 11th.

Ms. Holly asked about forming committees such as the Comprehensive Plan Committee. Mr. Cross stated that he would confirm, but recommended putting this on the next agenda for an official re-vote or tally. Pat McQueen was appointed and approved as a new member of the Plan Commission.

6. Reports

a. Council Liaison Report

Ms. Carr gave the Council Liaison's report: she recommended the Complete Idiot's Guide to Robert's Rules. She said City Council had uncoupled the Parkview Gardens Plan from the Comprehensive Plan to allow for a financial impact study, and to allow for people to work through what was in the plan and see if it was in our community vision. The City was also looking at restructuring the Loop Special Business District (LSBD). The City was now accepting applications for a Loop Special Business District Coordinator. She noted that the City had a plan for the Loop for a long time. Council had changed the ordinance around the LSBD allowing for a City Liaison, and by-law changes.

Ms. Carr noted that the Stormwater Task Force would have an ordinance to turn them into a committee or commission. They were still in the process of putting together the rain gauges for their early warning system.

Ms. Hartz asked about the Olive Development. Ms. Carr said the developer was still working to acquire property and looking at his financing. The project continued to move forward.

Ms. Moran asked about the Loop Trolley. Mr. Rose said the last action was at Bi-State which died and it was now undetermined Mr. Rose intends to use Tischler Bise who were determining the impact of Washington University on the City to analyze the fiscal impact of the trolley on the businesses on the Loop.

7. Adjournment

Mr. Miller moved to adjourn, Ms. Moran seconded the motion, and the motion carried unanimous. 9:50pm.