

MEETING OF THE CITY COUNCIL

CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Monday, April 11, 2022
6:30 p.m.

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, April 11, 2022, Mayor Terry Crow called the meeting to order at 6:30 p.m.

B. ROLL CALL

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

Councilmember 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.; Acting Director of Planning & Zoning, John Wagner; Director of Parks, Recreation & Forestry, Darren Dunkle, Nancy Sulin, Assistant City Clerk for the City of Wentzville and Pam Castellano, Deputy City Clerk for the City of Saint Charles.

C. APPROVAL OF AGENDA

Mr. Rose requested that Allieze Curry be added as Item G (2), to be sworn in to the Senior Commission, and that Item K (1); Missouri City Clerks and Finance Officers Association (MOCCFOA), be moved to Item D (2).

Councilmember Smotherson stated he would like the record to reflect that Crescent Plumbing referred to in Items M (3) and M (4) is located in the 2nd Ward.

Councilmember Hales moved to approve the requests to Amend the Agenda, it was seconded by Councilmember Cusick, and the motion carried unanimously.

Councilmember Cusick moved to approve the Agenda as amended, it was seconded by Councilmember Smotherson, and the motion carried unanimously.

D. PROCLAMATION

1. Provider Appreciation Day; (May 6, 2022), recognizes childcare providers, teachers, and educators of young children everywhere.
2. Missouri City Clerks and Finance Officers Association (MOCCFOA) (Presentation of Certificate of Appreciation)

Mr. Rose stated this presentation to the City Clerk; LaRette Reese is being made by Nancy Sulin, Assistant City Clerk for the City of Wentzville, and Pam Castellano, Deputy City Clerk for the City of Saint Charles.

Ms. Sulin stated their purpose for attending tonight's meeting is to recognize LaRette Reese, who based on her education and experience, is being awarded the designation of a Missouri Registered City Clerk by the Missouri City Clerks and Finance Officers Association (MOCCFOA).

MOCCFOA has a current membership of over 600 city clerks and finance officers throughout the State of Missouri. It is dedicated to ensuring that the education it provides on the ever-changing statutes and rules governing cities is relevant and addresses the need for these individuals to remain up to date on issues associated with their positions.

Ms. Reese has served on the State's Oversight Committee, and the Life Membership Committee, and should be commended for the perseverance and dedication she has demonstrated in achieving these goals. The knowledge Ms. Reese has received is also a testament to the elected officials who had the astuteness to recognize the value that such an education could bring to the City they serve.

Ms. Reese stated she looks forward to her continued growth and thanked the Mayor and Council for the opportunity to participate in the Association's educational program and for their support as she worked towards achieving this designation. A special thanks goes to Linda Schaeffer, who was always willing to fill in as the Acting City Clerk when she is away in training.

Mayor Crow stated last year was an extremely difficult time for LaRette, but he does not doubt that her mother is very proud. So, on behalf of himself and his colleagues, he would like to congratulate Ms. Reese on her accomplishment.

E. APPROVAL OF MINUTES

1. March 14, 2022, Regular Session Minutes was moved by Councilmember Smotherson, it was seconded by Councilmember Hales, and the motion carried unanimously.
2. March 28, 2022, Study Session Minutes; Winter Weather Operations was moved by Councilmember Klein, it was seconded by Councilmember McMahan, and the motion carried unanimously.
3. March 28, 2022, Regular Session Minutes was moved by Councilmember McMahan, it was seconded by Councilmember Hales, and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

G. SWEARING IN TO BOARDS AND COMMISSIONS

1. Joseph Mosby II to be sworn into the Board of Adjustment
2. Allieze Curry to be sworn into the Senior Commission

Mayor Crow thanked both appointees for their willingness to serve.

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Request Forms to Address Council are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizens may also provide written comments ahead of the meeting, which must be received **no later than 12:00 p.m. on the day of the meeting.** Comments may be sent via email to: councilcomments@ucitymo.org, or mailed to City Hall at 6801 Delmar Blvd.; Attention City Clerk. **Please note that to be recorded in the official record, a name and address must be provided,** as well as whether your comment is related to an agenda or non-agenda item.*

Comments adhering to the aforementioned guidelines will be provided to City Council prior to the meeting and made a part of the official record. Public access will be made available online following the meeting.

Mayor Crow acknowledged that it was nice to see so many faces and welcomed everyone back into the Chamber.

Patrick Fox, 1309 Purdue, U City, MO

Mr. Fox stated while he applauds the efforts to have equal numbers within the Districts, the one thing missing is the demographics of the people in each ward. This was particularly important when the County attempted its reapportionment to ensure there would be fair and equal representation for all of the County's residents.

Concerning the City's audit, the permit and licensing fees were outside of the bounds of what was budgeted. The original budget stated there was going to be \$900,000 in permit and license fees. It was revised to \$713,000 but ended up being \$964,000. He stated that is an approximate \$250,000 variance which accounted for more than 50% of the City's revenue over what was budgeted for the Fiscal Year and is something he would encourage staff to look into.

Mr. Fox stated he also noticed there is an inequity in how the pension is structured for City employees. Non-Uniformed employees are required to contribute 3% of their salary to the pension but uniformed employees are not. Considering that Prop F was unsuccessful, one thing to consider is engaging in negotiations with the collective bargaining units to seek that same contribution from uniformed members which could net an additional \$400,000 in contributions to the pension. Even though that will still fall short of the original estimate of \$575,000 predicted by Prop F, it is something to consider as a possible revenue stream to help fund the pension and ensure a successful retirement.

Frank Ollendorf, 8128 Cornell Court, U City, MO

Mr. Ollendorf stated every issue he is going to talk about has one thing in common; that Council and this administration give plenty of time and study to citizens' opinions before making any final decisions.

This Council and its administration have spent almost two years discussing the pros and cons of preserving Civic Plaza and he would commend everyone for doing a thorough job. He is also pleased to know the City will be hosting public events at the community center, and that staff has indicated its intent to fully inform the public about every aspect of their decisions. One being that the Annex and Trinity will constitute the first phase of the project, and City Hall will be in a later phase. Mr. Ollendorf stated he thinks everyone would agree that the City should go full speed ahead on the Annex. And while he was pleased to hear Mayor Crow indicate in his State of the City Address that the elevator in City Hall would be repaired, he is fearful that they might be abandoning this building. The exterior of City Hall is beginning to fall apart, and an evaluation of City Hall conducted two years ago stated that early action is needed before the situation becomes worse and someone is injured.

Another consideration is the Community Improvement District Tax; which from every indication Council seems to be in favor of. However, if Council acts urgently, it risks making the same mistake the City made eighteen years ago when it approved the Transportation District that resulted in the Trolley. So once again, he would ask that the public be given all of the information and an opportunity to discuss this major decision.

Tom Jennings, 7055 Forsyth, U City, MO

Mr. Jennings stated he has been living in his home for 50 years, where previously the problem with Wash U parking was addressed and resulted in the City adding no parking signs on the north side of the street. Now, a car with New Jersey license plates has been parking in the spot directly in front of his house for the last month, and on several occasions has even moved his trash cans out of the way on collection days, to do so. Mr. Jennings stated when he called the police they discovered that the car had a guest pass, so no action was taken. But if the City is not going to issue tickets to these cars parked in no-parking zones, then how will this problem ever be resolved?

I. PUBLIC HEARINGS

1. Zoning Code Text Amendment to add "Automobile and light truck rental/rent-a-car services." As a Conditional Use in the LC – Limited Commercial District. (TXT 22-01) – Acquisitions, LLC.

Mayor Crow opened the Public Hearing at 6:55 p.m. and noted that the City Clerk had provided all written comments to members of Council.

Josh Bussmann, 8061 Teasdale, U City, MO

Mr. Bussmann stated the current zoning is limited commercial, intended to accommodate limited retail and service businesses within or adjacent to residential neighborhoods that are intended to serve a relatively small or local market area and are compatible with the surrounding neighborhood. Bamboo Investments and the owner of this property have overlooked these facts because, in reality, all of the Avis facilities identified in their request to change the Code are located in areas zoned as General Commercial rather than Limited Commercial.

Mr. Bussmann stated he lives directly behind this facility, so it will literally be his backyard. At the March 28th meeting, Council asked the applicant to conduct additional outreach to the community. And their half-hearted attempt to respond to Council's directions was to send out a letter to residents asking them to participate in a mid-day Zoom meeting to be held on a Thursday. Mr. Bussmann stated the receipt of his letter gave him less than 24 hours to respond and one of his neighbors received their letter the day after the meeting had occurred.

There are also a lot of concerns with respect to the housing and maneuvering of these trucks and vans, as well as drop-offs that can be made at any time of the day or night. He stated there was a pleasant garden shop in this location for 15 years that served the neighborhood well; something that Avis-Rent-A-Car will not do. So, in his opinion, amending the Code will only lead to a slippery slope that ultimately could allow other non-suitable businesses to occupy this building.

Cody Stokes, 508 Old Bonhomme Road, U City, MO

Mr. Stokes stated he lives 300 yards from the proposed location of this light truck business, which in his mind equates to industrial zoning that definitely does not fit into the fabric of his neighborhood. But, here are some of the fundamental problems he sees with this proposal:

- The letter he received from Bamboo on Saturday seemed a little unethical because it included a \$5.00 gift card as an incentive to attend a Zoom meeting designed to help push the issue through Council.
- The foot traffic on the proposed lot is highly prevalent and is sandwiched between two places of worship. Both organizations have been in existence for a long time, and many of their parishioners who live within walking distance, utilize this lot.
- The rezoning of this lot opens the door to additional violations that could desecrate the neighborhood; especially at night.
- The eastbound portion of this intersection has a large electrical panel that prohibits one's view of pedestrians, and two years ago a woman was killed as a result of the street's normal traffic pattern.

Mr. Stokes stated even though he thinks the new Urgent Care also does not fit into the fabric of the neighborhood, the only good news is that if someone does get hurt there is a chance they could survive.

Jaimie Mansfield, General Counsel for Bamboo Equity Partners; 600 Emerson, Suite 210, Creve Coeur, MO 63141

Ms. Mansfield stated this is a Text Amendment affecting all of the City's LC Districts; which by the Planning Commissions' estimate includes about eighty properties. And after meeting with the Commission on four separate occasions where they reviewed this request and the impact it would have as a whole, they recommended approval of this use in LC Districts. So, before the Conditional Use Permit (CUP) for this specific end-user and parcel can be considered, the process requires that Council start with the Text Amendment.

Ms. Mansfield stated she received a call after the last Council meeting informing her of the request to conduct some sort of public outreach. And her question then, is the same question that she has today, to whom; because this Text Amendment impacts the entire City? So, following the guidance required by the Code, she composed a letter and distributed it to every resident within a 300-foot radius. Later she was informed that the radius should be 500 feet, and additional letters were sent out thereafter. She stated while she would apologize if anyone thought the \$5.00 gift certificate was unethical, had those same residents attended an in-person meeting, she would have provided them with refreshments. So, there was absolutely no malice intended. And she also believed that conducting a Zoom call during the lunch hour represented the best scenario given the short notice she had been provided.

Ms. Mansfield stated there were five residents on the call against this use at the 8130 Delmar location, and of course, there are more here tonight. But the buck does not stop with the Text Amendment. Therefore, at the CUP phase she would like the opportunity to meet with a concentrated group of folks being impacted by these plans and talk to them about the options, limitations, conditions, and the ingress/egress arrangements, so they can learn why the Planning Commission's recommendation makes sense. They saw this use as a viable, quiet, and convenient use in LC Districts that would serve the residents of U City. What they will learn is that Bamboo is an amazing corporate citizen of St. Louis and a great neighbor; that there were 4,105 rentals at the Clayton location, and that they averaged 11.5 customers per day because almost all transactions are completed online. So, at most, a customer is going to be at this location for five minutes to pick up their car and leave. What other use under the category of an LC District is going to have 11.5 customers per day?

Ms. Mansfield stated being given such an opportunity would not only be appropriate and quantifiable, but it is also the process that should be followed. Even if it is found to be fruitless, it is the process, and what she intends to follow in this case.

Mayor Crow closed the Public Hearing at 7:10 p.m.

2. Zoning Map Amendment to rezone 6.2 acres of land associated with 8630 Delmar Boulevard from Planned Development Mixed-Use District (PD-M) to Planned Development Mixed-Use (PD-M) District. (REZ22-04) Charles Deutsch and Company

Mayor Crow opened the Public Hearing at 7:10 p.m. and noted that the City Clerk had provided all written comments to members of Council.

Grace Collins, 8841 Washington Avenue, U City, MO

Ms. Collins read the letter she wrote to Council into the record. *"I ask that you see the deep import of the below three being installed.*

- a. *The Kingdel exit from the Avenir Project is for fire and emergency use only.*
- b. *An ombudsman is assigned to this project who we neighbors are able to contact with the many on-goings that are taking place during construction of the Avenir Project; as well as after because I assume that our local police dispatch is not being the assignee for the Avenir concerns and activities that take place after workday hours, as well as weekends. For example, if noisy generators have a loose fuse where they have gone off, we have a contact. If one arrives to pour foundation at 3:15 a.m., we have a contact.*
- c. *In tonight's meeting Agenda Packet pages 292 and 293 appear to show the left turn lane on Delmar is ending where it tapers off very close to the Kingdel Drive entrance. For safety measures I ask that you see on Delmar Blvd. that a full-width center left-turn lane is installed, making it safer turning onto Kingdel Drive. And this may need to be extended to Delmar, allowing safe turns for eastbound traffic onto Delmar."*

Ms. Collins thanked Council for their time.

Margie Lazarus, 8808 Washington Avenue, U City, MO

Ms. Lazarus stated Councilmember Hales informed her that he read the letter from, Charles Deutsch And Company mailed to the neighborhood in October 2020, where it states *"the Avenir was designed to ensure there would be no entrance from any part of your neighborhood"*. After deviating from that assurance, he is now proposing that the emergency exit not be made available for residents of The Avenir to use coming in or out of Kingdel into the neighborhood. And that it will be referred to as an emergency exit, rather than fire access. She stated the neighborhood is in agreement with this decision and hopes that this condition will remain in perpetuity for any new owners in the event The Avenir is ever sold.

Ms. Lazarus thanked Councilmember Hales for all of this time and support on this issue, as well as any parking issues that may arise in the future. She stated she hopes that Council will support the neighborhood when taking their final vote.

Mayor Crow closed the Public Hearing at 7:15 p.m.

J. CONSENT AGENDA

1. Relocation Assistance Agreement – Mamadou Ndongo (1191 Briscoe Place, Apt. B)
2. Relocation Assistance Agreement – George Oyebanjo (1194 Briscoe Place, Apt A)
3. Fund Transfer (EDRST to General Fund) – Free Parking
4. FY22 EDRST Fund Request – Midwest Farmers Market and Mannequins in the Loop
5. Fund Transfer (General Fund to Internal Service Fund) – Central Garage

Councilmember McMahon moved to approve Items 1 through 5 of the Consent Agenda, it was seconded by Councilmember Klein, and the motion carried unanimously.

K. CITY MANAGER'S REPORT

1. Missouri City Clerks and Finance Officers Association (MOCCFOA) (Presentation) *(moved up to D2)*
2. Conditional Use Permit (CUP 22-03) at 7271 Olive Blvd. The proposed use is for a "Banquet/reception hall" use in the GC - General Commercial District.
(VOTE REQUIRED)

Mr. Rose stated staff is recommending that Council consider a CUP for 7271 Olive Blvd. The details concerning this application will be presented by Dr. Wagner

Dr. Wagner stated 7271 Olive Blvd. was initially presented as a CUP for a banquet and reception hall and was expanded at the Planning Commission meeting to include properties located to the east. The area where the restaurant currently resides will be used for storage and the second property; which is now a vacant lot will be used for parking. These uses are outlined in the CUP.

Councilmember Clay moved to approve, it was seconded by Councilmember Smotherson.

Councilmember Clay stated at this point, no additional parking has been articulated for the west lot, and to the east, you have a residential street. So, his concern is what would happen if these events generated overflow parking? Dr. Wagner stated the owner acknowledges that there is very little room for overflow, and therefore, has indicated that the restaurant would be closed during the hours of special events and that the intent is to limit the number of people attending to the 45 available parking spaces.

Councilmember Clay stated while he likes the idea of having a business in this area, without a clear understanding of what this overflow might consist of and how it could be mitigated, he is worried that Purdue would essentially be used for overflow parking.

Councilmember Smotherson stated his questions are similar to the ones verbalized by Councilmember Clay, and if possible, he would like to address these concerns to Mr. McMiller. He stated the reason for their desire to restrict parking is based on prior experience where the Starlight Concert Series at Heman Park had to be moved to a new location due to the lack of parking and the fact that the neighboring residential streets become very narrow when cars are parked on one side.

Jonathan McMiller, McPro Property Development, LLC; 7267 Olive Boulevard

Mr. McMiller thanked Council for the opportunity to speak and stated that extensive consideration had been given to parking; especially as it relates to the topic of overflow parking. As a result, the individuals managing this center have been charged with selecting only those events that can accommodate these parking limitations. The selection process will also address the number of allowable attendees and that information will be documented in their contract.

Mr. McMiller stated management is fully aware of the Code's requirement that for every 50 square feet of space for a public gathering there is to be one parking space allotted. Therefore, the type of events being advocated for this center will be limited to business and community meetings, and family events like baby showers and receptions; all things that are easy to control.

Councilmember Clay thanked Mr. McMiller for his comments, and asked what he anticipated the average attendance for each event would be? Mr. McMiller stated the average attendance would be roughly 60 people because the type of permissible events will typically consist of individuals attending as a group or carpooling. And their Shared Parking Agreement allows them to utilize all of the parking being developed for this area.

Councilmember Smotherson asked Mr. McMiller if he had a Shared Parking Agreement with the law firm located next door? Mr. McMiller stated while he has had extensive conversations with Mr. Morris, who is excited about the proposed development and is willing to help in any way that he can, they have not executed any agreements related to parking.

Councilmember Smotherson asked Mr. McMiller if he would be willing to discuss such an agreement with Mr. Morris? Dr. Wagner stated there are approximately 6 parking spaces on the law firm's lot, which Mr. McMiller would not need since he already has enough room to accommodate 50 to 60 patrons.

Councilmember Smotherson expressed his desire for this to be a successful venture and stated he was satisfied with the current arrangements as long as the business remains mindful of its residential neighbors.

Voice vote on Councilmember Clay's motion carried unanimously.

L. UNFINISHED BUSINESS

- 1. Bill 9456** - AN ORDINANCE AMENDING SECTION 400.450 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO CONDITIONAL USES IN THE "LC" LIMITED COMMERCIAL ZONING DISTRICT, BY ADDING "AUTOMOBILE AND LIGHT TRUCK RENTAL/RENT-A-CAR SERVICES" AS A CONDITIONAL USE; (*8630 Delmar*). Bill Number 9456 was read for the second and third time.

Councilmember Smotherson moved to approve; hearing no second, the Bill was removed from the Agenda.

- 2. Bill 9458** - 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 PROPERTY AT 8677-8687 BARBY LANE, 8630-8686 DELMAR BOULEVARD, 534-554 KINGDEL DRIVE AND 3B MCKNIGHT PLACE, ASSOCIATED WITH THE AVENIR DEVELOPMENT, FROM "PD" PLANNED DEVELOPMENT, MIXED-USE DISTRICT ("PD-M") TO "PD" PLANNED DEVELOPMENT MIXED-USE DISTRICT ("PD-M"), AND ESTABLISHING LAND USES AND DEVELOPMENTS THEREIN; (*Avenir*). Bill Number 9458 was read for the second and third time.

Councilmember McMahan moved to approve, it was seconded by Councilmember Hales.

Roll Call Vote Was:

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

Nays: None.

- 3. Bill 9459** - AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS THE AVENIR DEVELOPMENT; (*Avenir*). Bill Number 9459 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

M. NEW BUSINESS

Resolutions

1. Resolution 2022-2 – Preliminary Plan for Avenir Development

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

Councilmember McMahon requested that the following amendments be made:

- Paragraph 3 should be amended to read, "*Per the developer, dog waste stations and signage will be located at the building exits*".
- Paragraph 4 should be amended to read, "*Per the developer, the rules and regulations contained in the standard residential apartment lease shall include; no parking will be allowed on the east side of Kingdel Drive, and the access from Kingdel Drive to the courtyard and building shall be for emergency purposes only*".
- Paragraph 18, the words "*shall eb*" should be amended to read "*Shell be*".

Councilmember McMahon's amendments were seconded by Councilmember Klein.

Councilmember McMahon stated this is a plan that he and Councilmember Hales have been talking with residents and the developer about in an attempt to reach amicable resolutions for all of the parties involved. He thinks the amendments represent the residents' expectations, which if overlooked would have been disappointing given the compromises they have been willing to make.

Voice vote on the amendments carried unanimously.

Voice vote on Amended Resolution 2022-2, carried unanimously.

Bills

Introduced by Councilmember Hales

- 1. Bill 9460 - AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "8630 OLIVE BOULEVARD;" (Market at Olive – Phase II).** Bill Number 9460 was read for the first time.

Introduced by Councilmember Smotherson

- 2. Bill 9461 – AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE PROPOSED AVENIR DEVELOPMENT LOCATED AT 8630 DELMAR BOULEVARD.** Bill Number 9461 was read for the first time.

Councilmember McMahon stated he would like it to be clear that any changes made to the Preliminary Plan should also be included in the Final Plan.

Mr. Mulligan informed Councilmember McMahon that Bill Number 9461 would have to be amended, and the paragraphs adjusted to match the paragraphs in the Final Plan, which are different from the Resolution.

Councilmember McMahon requested that the following amendments be made:

- Section 3, Paragraph 3 should be amended to read, "*Per the developer, dog waste stations and signage will be located at the building exits*".

- Section 3, Paragraph 4 should be amended to read, "*Per the developer, the rules and regulations contained in the standard residential apartment lease shall include; no parking will be allowed on the east side of Kingdel Drive, and the access from Kingdel Drive to the courtyard and building shall be for emergency purposes only*".

Councilmember McMahon's amendments were seconded by Councilmember Hales.

Roll Call Vote Was:

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

Nays: None

Introduced by Councilmember Klein

- 3. Bill 9462** – 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 PROPERTY AT 6610 OLIVE BOULEVARD FROM "GC" GENERAL COMMERCIAL DISTRICT TO "IC" INDUSTRIAL COMMERCIAL DISTRICT; (*Crescent Plumbing*). Bill Number 9462 was read for the first time.

Introduced by Councilmember Cusick

- 4. Bill 9463** – AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "6610 OLIVE BOULEVARD;" (*Crescent Plumbing*). Bill Number 9463 was read for the first time.

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

Councilmember Smotherson stated his desire is to reestablish the Senior Program previously held at the Community Center, so he would like to find out when the meeting rooms will be reopened? Mr. Rose stated the reason this facility has not been open was because of staffing issues; which might be resolved at this point.

Mr. Dunkle stated today, there are seven full-time positions in Parks & Recreation that are vacant, along with multiple permanent/seasonal positions. However, a new employee has been brought on board as the Supervisor over programming and special events, so they will be working towards restarting that program for seniors. He stated he hopes to hire another full-time employee very shortly.

O. CITIZEN PARTICIPATION (continued if needed)

Kennard Jones, 1208 Pennsylvania Avenue, U City, MO

Mr. Jones stated Councilmember Smotherson addressed the issue he was here to talk about, which was the Senior Program. So, on behalf of himself and the roughly 41 members who participate in this program, he would just like to say thank you, very much.

Frank Ollendorf, 8128 Cornell Court, U City, MO

Mr. Ollendorf stated he learned about Crescent Plumbing's request for a zoning amendment four days before it went to the Planning Commission and realized that this property is the centerpiece of the City's Economic Develop Plan adopted thirteen months ago. The Plan listed its highest priorities to be in the areas of tech, professional, and office spaces, and the highest priority site for these uses is Pete's Shur Save. The Plan also adopts Cunningham Industrial Park, located 50 yards away from the proposed Crescent site; which is where it should be.

Mr. Ollendorf stated maybe it's too late but again, he would encourage Council to slow down and allow citizens to chime in before they find themselves violating their own Plan.

P. COUNCIL COMMENTS

Councilmember Smotherson announced that Missouri Baptist will be conducting 3D mammography services at Centennial Commons on Thursday, April 28th from 8:45 a.m. to 2 p.m.

Councilmember Hales stated he would like to congratulate Matthew Leritz, a U City resident now attending Wesleyan University, on his achievement of being named to the 2021-2022 Academic All-American Men's Basketball Team.

Mayor Crow stated first, he would like to congratulate his colleagues on their reelection to City Council.

Secondly, he wanted to acknowledge that the City heard all of its residents with respect to Proposition F. So, the next step is to regroup, and try to determine the best options available to assist in addressing the revenue issues impacting the Pension Plan. Mayor Crow stated there may also be a need to discuss some of the things Mr. Ollendorf spoke about.

Q. EXECUTIVE SESSION

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 and (13) Individually identifiable personnel records, performance ratings or records pertaining to employees

Councilmember Hales moved to close the Regular Session and go into a Closed Session, it was seconded by Councilmember Smotherson.

Roll Call Vote Was:

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

Nays: None.

R. ADJOURNMENT

Mayor Crow thanked everyone for their attendance and closed the Regular City Council meeting at 7:53 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:30 p.m.

LaRette Reese,
City Clerk, MRCC

LaRette Reese

From: mark paradowski <paramark33@hotmail.com>
Sent: Saturday, April 9, 2022 7:47 AM
To: Council Comments Shared
Subject: proposed Avis car rental at Delmar & Old Bonhomme

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

As a homeowner in the University View neighborhood, I want to voice my OPPOSITION to the proposed zoning change that would allow and Avis Car Rental facility to operate on property at the south east corner of Delmar Blvd. & Old Bohomme Ave.

My vote on that proposed zoning change to allow that is a firm NO.

Mark Paradowski
8102 Teasdale Ave
St. Louis, MO. 63130

LaRette Reese

From: Nick Pass <nickhpass@gmail.com>
Sent: Saturday, April 9, 2022 8:26 AM
To: Council Comments Shared
Subject: Avis Corner of Bonhomme and Delmar

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 want to share our support for this redevelopment to an Avis. We have lived down the street for a few years and are thrilled to see something useful and new happening on that corner. It's an oddly shaped parcel that only has a handful of viable options and I think this is a great one. It is a much better use than a gas station or mechanics shop.

It will fill a vacant building and start the, much needed, clean-up of that intersection. The developers plans look reasonable and attractive.

Don't hesitate to reach out with any questions.

Thanks,
Nick H. Pass
(314) 662-1299

(Pardon any errors, sent from iPhone)

LaRette Reese

From: Jack Huether <jmhuether@charter.net>
Sent: Saturday, April 9, 2022 1:12 PM
To: Council Comments Shared
Cc: 'Teresa Huether'
Subject: Proposal of a Car Rental Facility at Old Bonhomme and Delmar

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Dear University City Council and Others,

We live at 502 Maplevue Drive just off Old Bonhomme. We have been aware of the above proposal and feel the need to voice our opinion.

We are not in favor of allowing a car rental facility to operate at the former University Garden facility at the southeast corner of Delmar and Old Bonhomme.

In the interest of time and being succinct we are listing **a few** of those reasons:

- 1) We don't feel it is prudent to rezone this type of real estate from light commercial to a more commercialized zone. The space was zoned for a reason and it should remain as such. If it was changed what could move in there 5 years from now if the rental car location moves on?
- 2) This intersection already sees quite a bit of traffic and numerous pedestrians especially during the Sabbath. A rental car location would add to the quantity of humans and activity especially during peak hours. That would make this "angled" intersection less safe.
- 3) We believe there would be a better use for this real estate staying within the boundaries of light commercial. Why change requirements that aren't needed.

Thank you for your consideration of our concerns.

Sincerely,

John and Teresa Huether

LaRette Reese

From: Karen Proper <kproper9@gmail.com>
Sent: Saturday, April 9, 2022 4:44 PM
To: Council Comments Shared
Subject: Avenir Project

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I support "emergency exit only" from Avenir onto Kingdel. I live in the neighborhood at 8727 Washington Ave, St. Louis, MO 63124

Thank you for your consideration,

Karen Proper

LaRette Reese

From: Deborrah Daher <deborrah@deborrahdaher.com>
Sent: Sunday, April 10, 2022 7:00 AM
To: Council Comments Shared
Cc: Peggy & Mark Holly
Subject: Avis car rental

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

Please note I am unable to attend this meeting in person to voice my strong opposition to the proposed property zoning change in regards to the effort to put an Avis Car Rental location on the south-east corner of Delmar and Old Bonhomme.

My house sits on the corner of Teasdale And Gay Avenues. There is already a large amount of traffic driving through our neighborhood as is, including large trucks. The noise levels and street damage would be increased, changing the neighborhood, challenging the walkers and bicycle riders, the joggers, the parents and grandparents pushing strollers, all of whom go by my window throughout each day.

The property value of our homes will be negatively impacted.

Smaller local shops and businesses are much more appropriate to the area, adding to its appeal. Please do not make such a massive change to the area.

Sincerely,

Deborrah Daher Paradowski
8102 Teasdale Ave
University City, MO 63130

LaRette Reese

From: Donna Nickum <dsn232@sbcglobal.net>
Sent: Sunday, April 10, 2022 2:49 PM
To: Council Comments Shared
Subject: Avenir Project

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In hopes that voices who contact politicians will be heard, I am giving my opinion regarding the tax abatement for the Avenir Project. I don't believe there should be any tax abatement; however, if there is, it should certainly not be 100%. Please ask wealthy developers to pay their share of taxes.

Donna Nickum
8717 Teasdale Ave.
63124

LaRette Reese

From: Sarah Marshall <smarshallspeech@gmail.com>
Sent: Sunday, April 10, 2022 6:57 PM
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 wanted to voice my concerns about access through the gates to our neighborhood on the Avenir project. If code and gate access is allowed for all residents then there will surely be deliveries, ride share, visitor parking, and pet walking through these means. It was promised to be emergencies only. None of these qualify as emergencies. The only guarantee they can give is if gate access is through an emergency alarm system and not a code/key method via residents.

Please consider this as if your home was next door.

8774 W Kingsbury Ave
-Sarah Marshall

Sent from my iPhone

LaRette Reese

From: VAH <victorianika59@gmail.com>
Sent: Sunday, April 10, 2022 8:06 PM
To: Council Comments Shared
Cc: John Wagner
Subject: Avenir

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

Attention, U. City Council members:

Are you able to help me understand how the predicament the Kingdel neighborhood faces with the Avenir development has occurred?

First, I don't understand how the Delmar properties owned by Charles Deutsch meets the definition of "blight." These properties were completely habitable and occupied until the end of 2021 when the tenants were instructed to leave, thus, the properties were not "abandoned."

Second, If the buildings were in such disrepair as Mr. Deutsch has stated, why was he allowed to strategically neglect them over 17+ years? Why did U. City look the other way rather than hold him accountable for repairing the deteriorating properties? If the council members agree to grant him a blighted status are they not implicating themselves in the intentional and strategic long-term neglect? Why wasn't Mr. Deutsch fined for not correcting the claimed problems like residential property owners would have been? If the properties are in that bad of a condition shouldn't Mr. Deutsch be assessed retroactive fines for allowing perfectly good properties to deteriorate over two decades?

Third, what possible reason would the city council have for granting a tax abatement when U City is clearly in need of funds (per Proposition F)? If the council agrees to this tax abatement are they not, in effect, REWARDING Mr. Deutsch for his blatant disregard for the upkeep of his own properties?

Fourth, why does the city council have the power to grant every request that Mr. Deutsch has proposed whether those proposals fall within development guidelines or not? My understanding is that the Avenir plans don't include the required number of parking spaces, the setbacks are not as far back as they are supposed to be, access to the Kingdel neighborhood from Avenir will be allowed despite assuring Kingdel residents that all these requirements have been met? We know from past experience (Gatesworth development and expansion) that Mr. Deutsch is a man who will take a mile if granted an inch and U City council members have enabled his blatant disregard for the regulations as they are written.

It's terribly unfortunate that there are no council members invested in maintaining the character, lifestyle and calm that represents the current Kingdel neighborhood, but it is another thing altogether that you are even considering permitting this developer to turn our western corridor into anywhere USA (and to retract promises already made.)

Please hold him accountable for his past actions, and do not allow him to further disregard the regulations. In so doing, you can attempt to exhibit a degree of professional integrity yourselves.

Thank you,
Victoria Hannah
8701 W Kingdel Ave

LaRette Reese

From: Robert Mitchell <rcmitch@sbcglobal.net>
Sent: Sunday, April 10, 2022 8:23 PM
To: Council Comments Shared
Cc: Jenny Mitchell
Subject: Proposed Text Change to Light Commercial District Code

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Dear Council Members:

You have been asked to make a change to the the City Code governing Light Commercial Districts that would allow for conditional use for "automobile and light truck rental/rent-a-car services". This revision is being requested by Bamboo Equity Partners, LLC as the first step for their proposed relocation of the Avis rental car facility in Clayton to 8310 Delmar Blvd. The question before you today is a change to the City Code to allow for this type of use in the City's Light Commercial Districts and not direct approval of the proposed facility.

I would like offer my concerns how this type of facility does not fit into the definition of use for the Light Commercial District. To make my point, I will use data provided by Bamboo in a meeting with residents last Friday. Bamboo indicated that the existing facility had an average of 47 vehicle entry and exits each day. Given that this facility will be operated 7 days per week, with limited hours on the weekend, it is safe to presume that the average traffic during the week will be higher than 47. Presuming 7 major holidays, when the facility will be closed, this equates to 16826 entry/exits per year. Assuming that each rental requires 4 entry/exits for customer and rental pickup and return, that would equate to 4206 rental opportunities each year; assuming half of these are actual rentals, with the others being vehicle transfers, customer inquiries or even turn arounds as Bamboo offered, this would equate to approximately 2106 rentals per year. In their presentation Bamboo indicated that 300 rentals per year came from addresses in the 63130 zip code and 258 came from addresses in 63105, but could not provide total rentals for the existing facility. Even if there were multiple rentals from these addresses, and the likelihood is that multiple rentals from the 63105 addresses would be commercial, it would indicate that a significant number of rentals at this facility would be from outside the 63130 University City zip code. Using this as an example for this type of facility, it certainly does not appear that this kind of facility meets the criteria of "relativity small and local market area" and the additional traffic indicated in this example certainly does not seem to be "of such character and intensity which are compatible with the surrounding neighborhood".

I do not believe the proposed text change to the City Codes is in the best interest of the City of University City and its residents.

Should this change be approved, I will be presenting additional concerns regarding this specific proposed development during the Conditional Use Permit process.

Respectfully submitted,

Bob Mitchell
8055 Teasdale Ave.

LaRette Reese

From: Asim Thakore <asim.thakore@gmail.com>
Sent: Sunday, April 10, 2022 9:26 PM
To: Council Comments Shared
Cc: Jeff Hales; Steve McMahon
Subject: Public Comments for Board Meeting (Agenda Item) 4-11-22
Attachments: Council Comment April 11th - ASIM THAKORE (1).pdf

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Dear Councilmembers,

I have attached a Public Comment on an Agenda Item for the April 11th Council Meeting.

This comment is concerning the Avenir project. I'd like to thank the Council for including conditions and have suggestions for amendments to those conditions to ensure that the developer sticks to what he promised us in his letter and to ensure the health and safety of the neighborhood.

Thank you for your time.

Sincerely,

Asim Thakore
8727 W Kingsbury Ave

Dear Councilmembers,

My name is Asim Thakore. We own the property at 8727 W Kingsbury Ave. My comment is about Agenda Item M3 (Bill 9461) for the April 11th Council Meeting.

Within the text of the Bill are several stipulations for Conditional Use (section 3). I am grateful that the Council has included conditions for the project. I urge the Council to make the following changes to the Conditional Use Permit for the Avenir Project to ensure quality of life, health, and safety of neighborhood residents:

1) Point 2 of Section 3 stipulates that hours of construction be reduced to 7 PM, which is a welcome condition that I thank the Council for including. There is, however, an “out” clause that allows the Council to extend these hours. I urge the Council to add a limit to the number of extended days that can be granted and include a definite “hard stop” at 9 PM.

I also urge the Council to also restrict construction to a **reasonable hour in the mornings**, especially given that we have neighborhood residents who work in healthcare that may need to be able to get to sleep during the morning (night shift workers).

The Council should also set a clear limit for acceptable noise levels (in decibels) and frequencies (in Hz) and provide for enforcement. The equipment to measure this is rather affordable. Overwhelming scientific evidence shows that excessive noise or exposure to very high frequencies causes illness. **It being 2022, we also have neighbors who work from home; some construction noise is fine, but excessive noise would make it impossible to take a Zoom call.**

The Council should include an enforcement mechanism for all of the above and clear, **meaningful** penalties for violating this stipulation and provide **all households within the subdivision** a contact person at City Hall to respond to any concerns.

2) The Developer, Charles Deutsch, told neighborhood residents that Avenir would have “no entry from [our] neighborhood” in a letter sent to us. However, he now plans to only prevent “guest access” and includes multiple entrances on Kingdel (which he calls “exits”, but it’s the same thing). This entrance will be used; that’s why he’s including dog waste stations and signage.

Let me be clear: we welcome our new neighbors, and look forward to meeting them. They can easily access our neighborhood by walking the 0.1 mile (2 mins) from the Avenir entrance on Delmar to Kingdel (this was measured on Google Maps).

My concern is traffic and safety. The side entrance will be used by all and sundry, including Amazon, Uber, Grubhub, etc., etc. We have all seen that these delivery services care about speed over anything else. They will use the Kingdel entrance to make their deliveries and will speedily cut through to Price---I guarantee the GPS apps they all have to follow will not direct them back out to Delmar if it’s not an optimal routing.

Our subdivision has no sidewalks, and current residents use the street to get exercise. More vehicle traffic increases risk, especially to seniors or those who like to walk with headphones. With the advent of electric vehicles (Amazon’s whole fleet is going electric) that make no noise, the danger is only increased.

There will also be increased wear and tear to the streets, which will cost University City taxpayers money to repair.

I do not understand why Mr Deutsch is going back on his word. I do not understand why we would consider allowing him to do so. Access to Kingdel isn't going to impact a single renter's decision, but it absolutely will degrade our quality of life.

Kingdel access should be for emergencies only. A simple, alarmed gate is the only enforceable way to do this. Stipulations in a lease mean very little, because something like this is impossible to track.

3. Last, there are stipulations for tree preservation in Section 3. Thank you for including these. I urge you to add a penalty should these be violated---a newly planted tree is not an adequate replacement for a decades-old tree, so we need the construction company to take extra care when completing their tasks.

Thank you,

Asim Thakore
8727 W Kingsbury

LaRette Reese

From: valmik thakore <valmikt@hotmail.com>
Sent: Sunday, April 10, 2022 10:37 PM
To: Council Comments Shared
Cc: John Wagner; Jeff Hales; Steve McMahon; Terry Crow; Gregory Rose; Tim Cusick; Bwayne Smotherson; Aleta Klein; Stacy Clay
Subject: Public Comment on City Council Agenda Item for April 11, 2022 Meeting with attachment
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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These comments are in regards to Agenda Items.

This is a public comment on City Council Agenda for March 11, 2022 Meeting Public Hearing Items:

- M-1- Resolution 2022-2 Preliminary Plan for Avenir Development
- M-3- Bill 9461- Final Development Plan for Avenir Development ((including the Conditional Use Permit for the Avenir Development)
- I-2- Zoning Map Amendment (REZ 22-04) for Charlie Deutsch and Company.
- L-2-Bill 9458 for Avenir

Dear Council,

My name is Valmik Thakore. My wife and I own and live at 8727 W Kingsbury Ave, University City, MO, 63124.

A: Fire Exit on Kingdel from Avenir project's courtyard related comments:

I have read Bill 9461 included in the 2022-04-11 Council Agenda Packet (pages 287 to 308 of 342 pages). This Bill includes in its Section 3- Additional Condition 4 about the Fire Exit on Kingdel.

I am also attaching Charles Deutsch's letter dated October 16, 2020 (attached to the 11/9/2020 Council Meeting Minutes and provided as comments from Zack Deutsch for the Council Meeting). It states clearly on the first page of the letter:

"Neighborhood: We designed Avenir to ensure that there would be no entrance to it from any part of your neighborhood". This statement includes everyone- tenants, guests, staff, visitors, etc.

Based on that, the neighborhood and the Council were led to believe that **there will be no Avenir access from Kingdel**--- period. If any **Fire Exit** is provided it **should only allow for alarmed exit with direct notification to the University City Fire Department to avoid any misuse.**

Also, this should be part of the Conditions on the CUP to be enforced by the City. It should not be just a condition in the leases of 250+ tenants as this will be hard to enforce, especially if the property changes hands or becomes a condominium/senior assisted living facility which may not have any leases. **Any Conditional Use should be enforceable by the City and conditions should be attached in perpetuity to the property** – and not rely on enforcement by the developer or an individual.

B: Delmar Street Improvements recommended by Traffic Consultants and St. Louis County:

The letter dated October 16, 2020 from Mr. Deutsch (attached to the 11/9/2020 Council Meeting Minutes and provided as comments from Zack Deutsch for the Council Meeting), says on Page 1 that there will be a center left-turn lane on Delmar between I-170 and Kingdel Drive, as recommended by two Traffic Consultants. The Final Development Plan (included in the Council Meeting's Agenda packet's pages 292 and 293 of 342 pages) seems to show the left turn lane ending/tapering off just before Kingdel Drive. This should be corrected to have a full width, center left-turn lane available for safely making left turns onto Kingdel Drive. It may need to be extended to Leperre to allow safe left turns for east-bound traffic onto Leperre without blocking the traffic lane.

An additional eastbound lane should also be added from Kingdel to I-170 as recommended by both Traffic Studies referenced in Mr. Deutsch's October 16th letter. Currently, the Final Development plan is showing a cross-hatched area to indicate that the additional east-bound lane will start about 50+ feet east of Kingdel Drive. This should be revised to meet the recommendations of the Traffic Consultants.

As mentioned in my comments under Item A above, I attaching Mr. Deutsch's letter dated October 16, 2020.

Thank you for the opportunity to provide comments.

Sincerely,

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

Attachments:

1. 2020-11-09 Council Meeting Developers comments & Letters (from Mr. Deutsch).

From: William Ash (wmash47) <wmash47@gmail.com>
Sent: Sunday, April 10, 2022 11:59 PM
To: Council Comments Shared
Subject: My Comments to the City Council for April 12, 2022 Meeting
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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To the Council Members:

I am attaching Charles Deutsch's letter dated October 16, 2020. It states clearly on the first page of the letter:

"Neighborhood: We designed Avenir to ensure that there would be no entrance to it from any part of your neighborhood." This statement includes everyone- tenants, guests, staff, visitors, etc.

Based on that, the neighborhood and the Council were led to believe that there will be no Avenir access from Kingdel. Nor should egress be provided to the tenants. If any Fire Exit is provided it should only allow for alarmed exit with direct notification to the University City Fire Department to avoid any misuse.

Also, this should be part of the Conditions on the CUP to be enforced by the City. It should not be just a condition in the leases of 250+ tenants as this will be hard to enforce, especially if the property changes hands or becomes a condominium/senior assisted living facility which may not have **any** leases. **Any Conditional Use should be enforceable by the City and conditions should be attached in perpetuity to the property** – and not rely on enforcement by the developer or an individual.

Thank You.

William Ash
8690 West Kingsbury Ave.
University City, MO 63124

LaRette Reese

From: Zack Deutsch <zdeutsch@thegatesworth.com>
Sent: Friday, November 6, 2020 4:22 PM
To: Council Comments Shared; LaRette Reese
Cc: Clifford Cross
Subject: Delprice Neighborhood Letters
Attachments: Letter to Delprice Neighborhood.pdf; LETTER TO DELPRICE NEIGHBORS.pdf

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Hi LaRette,

Can you please include the two attached letters, which we mailed to the Delprice neighborhood, in the public record?

Thank you.

—
Zack Deutsch
The Gatesworth Communities
1 McKnight Place
St. Louis, MO 63124

Charles Deutsch and Company
One McKnight Place | St. Louis, MO 63124

October 16, 2020

Dear Neighbor,

We are sending you this letter as a resident of the Delprice neighborhood, which generally abuts our proposed 258-unit apartment development, known as Avenir, and neighborhood coffee shop, as located on the east side of Kingdel Dr. and south side of Delmar Blvd.

First and foremost, we wish to invite you to a Zoom meeting on Thursday, October 22nd, at 6:30pm. Please check <https://www.avenirstl.com> no earlier than this Wednesday to access the link for the Zoom meeting.

The purpose of this meeting is to provide you with the opportunity to express, and for us to address, any questions you might have, that we may not have fully addressed below. Also enclosed are a proposed site plan and neighborhood map which we hope you will find useful. The concerns which we will address below were generally identified from the emails that recently were submitted to the University City Council.

Traffic and Parking: Concerns were expressed about potential increased traffic in the Delprice neighborhood and on Delmar Blvd.

Neighborhood - We designed Avenir to ensure that there would be no entrance to it from any part of your neighborhood. As you can see from the site plan, Kingdel Drive and Barby Lane will be heavily landscaped, and have no driving lanes entering or exiting Avenir. Barby Lane will remain a dead-end street and will not connect to the proposed parking lot east of it. This parking lot is actually about 20 feet lower than Barby Lane, so a cut through would be impossible. Furthermore, a lushly landscaped retaining wall will separate the parking lot, which will also not have visibility from any portion of the surrounding neighborhood. Additionally, to protect neighborhood environs, a heavily landscaped privacy fence will be built between the proposed courtyard of Avenir and the east side of Kingdel Drive.

Delmar - We commissioned a traffic and parking study by CBB Transportation Engineers, to assess if Delmar Blvd. would be able to accommodate the increased traffic generated by Avenir and the coffee shop. As a second opinion, University City commissioned its own traffic and parking study by Lockmueller Group. Both traffic studies concluded that the area could easily handle the projected slight increase in traffic. Furthermore, both studies and the St. Louis County Department of Transportation recommended lane restriping on Delmar Blvd. This would result in the

removal of all street parking on the south side of Delmar Blvd. in front of the subject site, and the creation of an additional east bound lane. Additionally, a center left turn lane would be added to Delmar between I-170 and Kingdel Drive in order to not block through traffic. Finally, the seven curb cuts that currently exist between McKnight Place and Kingdel Dr. will be reduced to only two curb cuts.

Parking - The parking provided is in complete compliance with the University City parking ordinance. This includes 408 garage spaces, of which 14 would be designated guest spaces, plus 16 additional outdoor guest spaces. The coffee shop would include 31 customer spaces, and room for at least 10 cars to stack in the pickup lane. Both traffic and parking studies also concurred with the amount of parking spaces that the proposed plan provides.

Property Value: Concerns were expressed that property values could possibly decrease due to the proposed development. We had similar concerns raised by the abutting neighbors of Ladue and the Delprice neighborhood when we built the various phases of The Gatesworth. Studies were completed after the development of each phase and showed quite the opposite; there was no negative effect on adjoining neighborhood property values and the property values actually increased in all cases. Additionally, national studies have been completed which concur with our local property value study. We foresee the same being true with Avenir; that the addition of this first-class multifamily development will continue to increase property values in the area for years to come.

Safety and Crime: Concerns were expressed about the neighborhood becoming less safe due to Avenir. Some concerns were about the increased traffic that would enter Avenir from Kingdel and Barby. As the enclosed site plan illustrates, the property was designed to eliminate the reasonable likelihood of apartment tenants driving on Kingdel Drive because there are absolutely no building entrances on either of those two streets. Others expressed concern about the potential for increased crime in the Delprice neighborhood. Our proposed development is comprised mainly of large, luxury one-bed and two-bed apartments, with rents ranging from \$1,600 to \$3,600 per month. The clientele who would be living in this apartment community are those looking for a safe neighborhood themselves and will surely not be the cause of any increased crime in the area. Their bikes will be stored in a secured storage room, their cars will be parked in a secured garage, and in addition, the courtyard and all building entrances will be electronically monitored.

Tax Abatement: Some real estate tax abatement is necessary to make the development of this project feasible. Not only have construction costs dramatically escalated within the recent past, but property re-development also includes other extremely expensive costs such as demolition of obsolete and asbestos ridden structures, and the concurrent reestablishment of new infrastructure. That is exactly why the statute providing for tax abatement was enacted by the Missouri legislature. Under our request for tax abatement, the current taxes being paid will continue to be paid. Our request only contemplates abating some of the increase over the 20-year abatement term. In fact, the University City School District would still receive over \$2 million more during the abatement term than it currently does, and with only a

negligible projected increase in student enrollment. In fact, all of the taxing districts will only see increases above the amount of taxes currently being paid. Finally, the new residents in our proposed development will shop, dine and contribute to the local economy, thus increasing the potential for the new residents to pay local taxes, and for University City to receive a greater share of the county wide sales tax pool.

Finally, here are a few additional considerations I'd like to point out.

The proposed site borders I-170, and multifamily development is the natural and appropriate transitional use leading to the Delprice neighborhood. Currently, some of the site is even zoned GC - General Commercial, which is a much less desirable use. In essence, a new luxury multifamily development would actually protect the Delprice neighborhood.

The proposed site has been shown as a transitional development site in the University City comprehensive plan for at least the last 35 years. Therefore, this proposed use is actually consistent with what the city has requested for decades.

The city council's job is to plan for orderly and desirable growth, and the obsolete structures currently occupying this site will further continue to decline, and support only lower rents, if not re-developed.

I hope the above explanation helps answer some of the neighborhood concerns. If you would like to personally discuss anything in more detail, I am happy to set up a direct phone or Zoom meeting. If you desire this, please call 314-373-4700 or email zdeutsch@thegatesworth.com to schedule a time that is convenient for you. In the meantime, we look forward to hosting a neighborhood meeting over Zoom on Thursday, October 22nd, at 6:30pm, for those who would like to learn more about the proposed development.

Thank you,



Charlie Deutsch

Exhibit A: Site Plan of Avenir Multi-Family Development

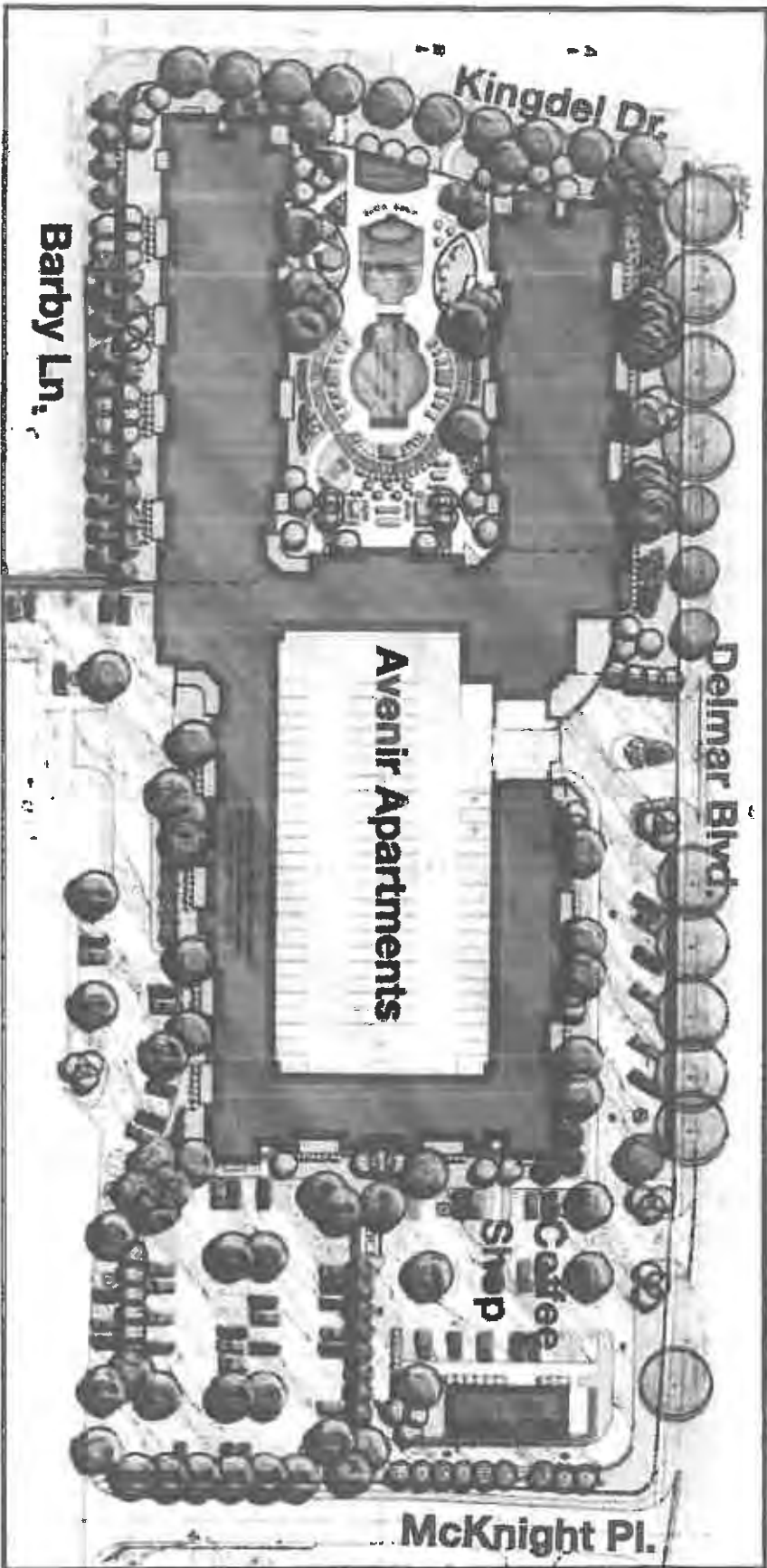
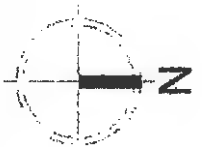
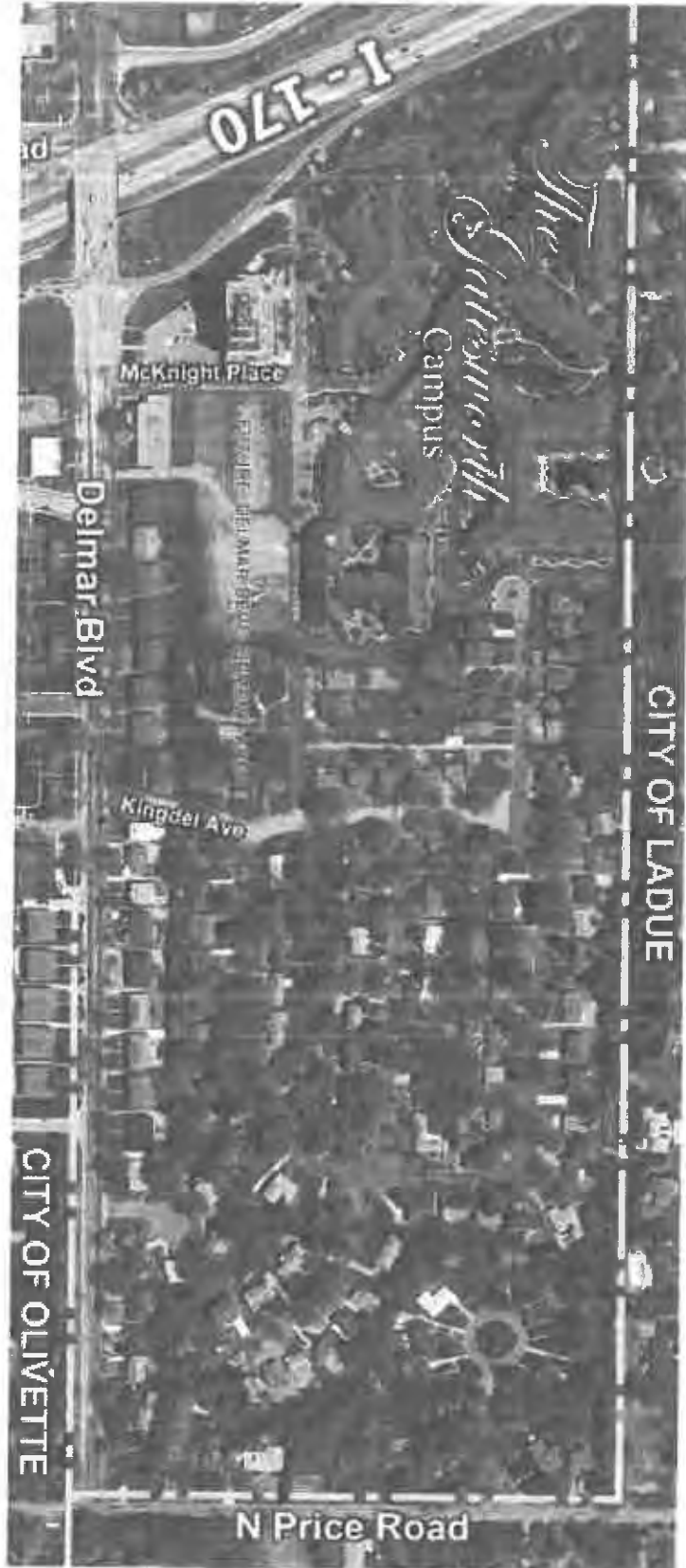


Exhibit B: Location Map



Charles Deutsch and Company
One McKnight Place | St. Louis, MO 63124

November 2, 2020

Dear Neighbor,

As a resident of the Delprice neighborhood, we are writing to you again since our last letter on October 16th. We wish to delve deeper into some of the continued concerns associated with our proposed multi-family development, known as Avenir, which we understand are still present. Further, we are looking forward to personally addressing any of your remaining concerns at a second neighborhood zoom meeting, which Bill Ash has kindly arranged and scheduled for Thursday evening, October 5th, at 6:30 p.m.

Transitional Use

When I-170 was constructed in the mid-1970's, it cut off north/south through traffic along McKnight Road at its former intersection with Delmar Boulevard. It was replaced with an interstate interchange, which approximately 200,000 vehicles pass by each weekday. This dramatically changed the character of the adjacent environs. Hence, the 6.5 acres on which Avenir is proposed, is very much a transitional tract because it now separates the Delprice residential neighborhood use from the intense interstate highway use.

Thus, Avenir makes great sense as a transitional use, and as a buffer to your neighborhood. Although Avenir is proposed at a greater residential density than your neighborhood, its design is still very residential in nature. In fact, we believe this is actually the mildest realistic use possible in redeveloping this area. Currently, a significant part of this tract is even zoned either as general commercial or high density office residential. Just imagine a more intense use for this large tract, such as a hotel or a retail center. Those uses would dramatically change the character of your neighborhood, yet those uses are exactly what is currently being developed at the Olive/I-170 interchange. The Delmar/I-170 interchange is a much more affluent area, and therefore, a multitude of more intense uses would be eager to locate on this large and flexible 6.5-acre tract. Both professionally and practically, this transitional residential use proposed as Avenir, will actually protect and add value to the Delprice neighborhood.

Why Redevelop

As previously stated, commercial development is happening up and down the I-170 corridor, and therefore, pressure to redevelop due to market demand will inevitably continue to increase. Additionally, the office building and eight apartment buildings that currently occupy this tract are obsolete, and do not justify reinvestment, because the existing configuration of the property can no longer support the rent structure that would be required by reinvestment. These buildings were constructed in the late 1940's through the early 1950's, and the vast majority of the equipment, fixtures, windows, etc. are original. As the livable nature of the apartments continues to deteriorate, they cannot command the high level of reinvestment which is currently being experienced in the Delprice neighborhood.

Property Values

During the last thirty-five years, The Gatesworth has expanded east of Kingdel Drive seven times. Each time, the expansion would actually abut the east property lines of several single-family homes. What is unique about the Avenir redevelopment is that it does not abut any single-family homes, but is separated by a fifty foot right-of-way for both Kingdel Drive and Barby Lane. In fact, the closest homes to the west end of Avenir will be approximately one hundred feet to the west. During this thirty-five year Gatesworth expansion period, we have done countless value studies of homes in both Ladue and University City that abut The Gatesworth. These studies always confirmed that abutting homes have increased in value at the same rate as non-abutting homes. Please note the attached letter (Exhibit A) by a well-known real estate appraisal firm, Real Estate Analysts Limited, which further explains how real estate values will continue to be enhanced by Avenir.

No Future Expansion Plans

We have absolutely no future plans whatsoever to further encroach into the Delprice neighborhood. Kingdel Drive is a natural boundary. The reason we have assembled this current 6.5-acre tract is because it encompasses all the frontage along Delmar Boulevard that abuts the north property line of The Gatesworth. We believe that development of Avenir will afford an elegant and necessary residential buffer for The Gatesworth. We could not tolerate an intense commercial use abutting The Gatesworth.

Traffic

Please note the attached plans to restripe Delmar Boulevard from I-170 to Kingdel Drive (Exhibit B). These plans are required by the St. Louis County Department of Transportation. All street parking will be eliminated along the Delmar frontage of Avenir. This will allow for Delmar, between Kingdel and I-170, to have two eastbound lanes, one center left turn lane, and one west bound lane with adjacent street parking. This will be a very similar configuration to that which is currently on Delmar from Walgreen's east to Old Bonhomme. Further, seven current exits on the south side of Delmar will be reduced to only two.

During the planning of Avenir, both we and the City hired independent traffic engineers to study what impact Avenir and the coffee shop will have on traffic. Both studies concluded that even during morning weekday rush hour, these joint uses will have no demonstrable or material impact on current traffic. However, a more intense commercial use would surely have a large negative impact on current traffic. Please see the attached letter from CBB Transportation Engineers and Planners (Exhibit C), which further expounds on this potential concern.

Parking

Avenir will provide 424 parking spaces for 258 apartments. This includes 30 guest spaces. Since this count fully meets University City code, no parking exceptions were requested. Furthermore, 31 spaces are provided on site for the coffee shop and 63 spaces are provided on site for The Gatesworth. These additional 94 spaces could easily be shared, if ever necessary. The 31 spaces provided for the coffee shop and the separate 10-car stacking lane for its pick-up window, far exceeds what is provided for by Starbuck's at North and South Road. In addition, the coffee shop abuts The Gatesworth's 63-space lot, which could easily be shared by coffee shop patrons.

Apartment Density

University City zoning code controls density by calculating F.A.R., not by unit count. F.A.R. stands for Floor Area Ratio, meaning that total required net building size is divided by total site area in order to derive a ratio. University City code allows for a 1 to 1 ratio without exception, and up to a 1 to 3 ratio with exception. Currently, the preliminary plan for Avenir calculates at an approximate ratio of 1 to 1. After the final drawings are completed, an exact ratio will be calculated. As long as the overall building size is in compliance, a developer can plan for any amount of units that they wish within the allowable overall building size, as long as the parking count can support that number of units.

Building Story Height

The zoning district for which Avenir has applied, does not specify the amount of permissible building stories, but looks for consistent examples from primary abutting uses. The abutting Gatesworth is the most dominant current area use, and four stories is its most prevalent story height. Avenir is designed with four stories as it adjoins the Delprice neighborhood on the east side of Kingdel Drive.

As you can see from the enclosed building elevation (Exhibit D), on its right side the first story of the building is below the ground elevation along Kingdel. Therefore, the southwest corner of the building, which is the most prominent view from the Delprice neighborhood, will only appear as three stories. Furthermore, the setback along Kingdel will be heavily landscaped, and the large mature trees along its curb line will remain.

Neighborhood Accessibility

There will be no vehicular access onto Kingdel from Avenir, and only two pedestrian fire exits, which will require keyed ingress. These exits are shown on the attached landscape plan (Exhibit E). Furthermore, the building elevation drawing previously referred to (Exhibit D), shows a heavily landscaped, sight proof fence which, for purposes of privacy, blocks the view from Kingdel into the courtyard of Avenir. The privacy fence is also designed to block accessibility into the courtyard or swimming pool from Kingdel. Further, no parking signs can be installed along the east side of Kingdel in that area, if necessary. Also, there will be absolutely no access to Avenir from Barby Lane, as there is a twenty foot grade change at the end of Barby. Due to all the above limitations, there should be no noise or cut through traffic from Avenir residents effecting the Delprice neighborhood.

We hope this letter helps answer important questions which you might have. We look forward to further answering your questions and considering your views on Thursday evening. If you are unable to attend the meeting, please feel free to call either of us on our direct cell numbers.

Sincerely,

Charlie Deutsch
314-406-5200

Zack Deutsch
314-882-9195

Exhibit A

From: Mike Green mgreen@reanalysts.net
Subject: Averir
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,



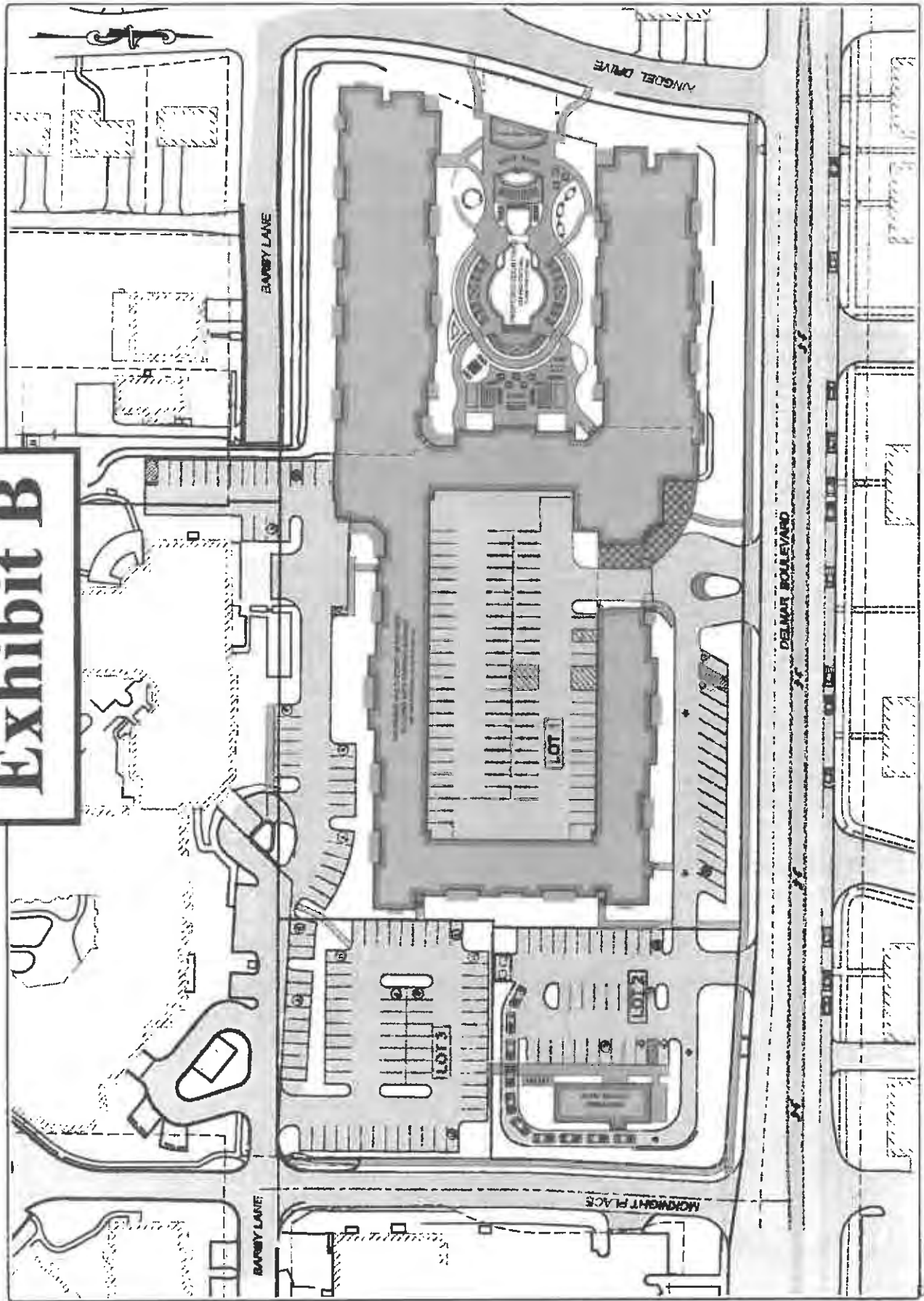
Michael A. Green
Principal



Additional Contact Information

Direct - 314-818-7997
Cell - 314-974-5894
Website - www.reanalysts.net

Exhibit B



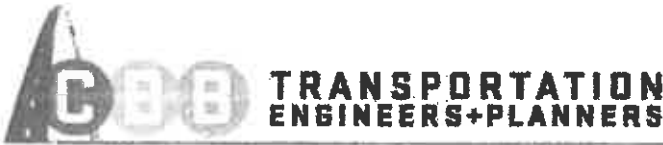


Exhibit C

November 2, 2020

CBB Job Number 033-20

Mr. Zack Deutsch
The Gatesworth Communities

Dear Zack:

As you know, CBB prepared a traffic impact study for the proposed Mixed-Use Apartment Development at Delmar Boulevard and McKnight Place in University City, Missouri. That study was subsequently reviewed and accepted by the City staff, the City's third-party reviewer and the St. Louis County DOT whom owns and maintains Delmar Boulevard. In addition, the City engaged their third-party reviewer to complete another Independent Investigation of traffic impacts.

All parties found that the impacts to existing traffic flow along Delmar Boulevard would be acceptable, specifically with the proposed improvements recommended by CBB. Furthermore, I understand that the County requested, and you agreed, to incorporate an additional eastbound through lane as part of those changes.

The current configuration of Delmar Boulevard west of McKnight Place is one shared lane in each direction plus on-street parking on both sides. As part of your project, the road will be reconfigured to an on-street parking lane on the north side, one westbound through/right-turn lane, one two-way left-turn lane, one eastbound through-only lane and one eastbound through/right-turn lane. These modifications will significantly increase the capacity of Delmar Boulevard adjacent to the site, more than offsetting the traffic increases. Doubling the number of eastbound through lanes from one to two and removal of left-turn movements from the through lanes will not only increase capacity but will also increase safety for all users.

With the redevelopment project and removal of the existing homes, on-street parking will no longer be needed on the south side of the road. A separate parking study was completed by CBB that demonstrated all of the site's parking needs will be adequately accommodated on-site with the proposed new garage for the apartments and proposed surface lot for the coffee shop.

As with most redevelopment projects, traffic will be increased over current levels. City staff, the City's third-party reviewer and the St. Louis County DOT have accepted the traffic forecasts presented by CBB in the study as an accurate. The mixed-use generates a moderate level of traffic based on the size of the parcel, less than some more-intense uses might such as grocery store or two or more fast food restaurants.

The proposed improvements to Delmar Boulevard will more than offset the increased traffic levels. The result will be reduced delays for all users turning to and from the adjacent side streets. We trust that you will find this letter useful. Please contact me at (314) 308-6547 or lcannon@cbbtraffic.com should you have any questions or comments concerning this material.

Sincerely,

Lee Cannon, P.E., PTOE
Principal – Traffic Engineer

Headquarters : 22400 Olive Blvd, Suite 430, Saint Louis, MO 63141 T 314.878.6644 F 314.878.5876 cbbtraffic.com

300 Agency Center
Chicago, IL 60634

326 South 21st Street, Suite 504
Saint Louis, MO 63104

119 South Main Street
Saint Charles, MO 63071

From: Hasmukh Patel <vanmala@sbcglobal.net>
Sent: Monday, April 11, 2022 1:23 AM
To: Council Comments Shared
Cc: John Wagner; halesforcity@gmail.com; Steve McMahon; Terry Crow; Gregory Rose; Tim Cusick; Bwayne Smotherson; Aleta Klein; Stacy Clay
Subject: Public comments on City Council agenda dated 4-11-2022

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Dear Council,

These are our concerns and comments for City Council Agenda dated 4-11-2022 regarding Avenir Development Project.....

We welcome this exciting new project.

However, as documented in the letter dated Oct 16, 2022 from the developer and council meeting notes of 11-9-2022.....

1... " There should be no access from Kingdel Drive to Avenir project. Required gate for fire exit should remain locked and should open only during fire " and,

2... " Proper left turn lane should be provided on Delmar to enter Kingdel Drive."

3... Regarding Development Plan and Blight study 353 for Avenir Project.....

"We strongly oppose approval of 100% Tax Abatement for 5 years....."

We sincerely feel that the City should charge required taxes to this reputable developer and use the tax money for improving Police and Fire departments and U city school District.

We are proud residents of U City for over 40 years.

Thank you for your consideration.

Sincerely,

Hasmukh and Adrienne Patel

8684 West Kingsbury Ave, U city, MO 63124

LaRette Reese

From: Mary Blair <mgblair56@gmail.com>
Sent: Monday, April 11, 2022 5:43 AM
To: Council Comments Shared
Subject: Avenir project

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Mary Blair
8756 W Kingsbury
University City, MO

The exit onto Kingdel is my main concern as it comes right into the neighborhood. The plan should be for no one to use the Kingdel exit except for an emergency. **Any Conditional Use should be enforceable by the City and conditions should be attached in perpetuity to the property**- not the developer or an individual.

Thank you

LaRette Reese

From: Mitchell, Jennifer <jmitchell@Descogroup.com>
Sent: Monday, April 11, 2022 8:09 AM
To: Council Comments Shared
Subject: Proposed Text Change to Light Commercial District

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I am writing to express my opposition to the proposed change to allow Bamboo Equity Partners put an Avis rental car facility at 8310 Delmar Blvd. I am concerned about this on many levels, most importantly the LED lighting levels (on all night) and the amount of traffic this will produce (based on Bamboo's own numbers). This is a very pedestrian friendly area and I am concerned that with all the vehicles entering and exiting a rental car facility, someone will be hurt. A facility like this will have a negative impact on neighboring housing values and it is not the sort of local business we need to have. Let's get something that the surrounding neighborhoods will enjoy and benefit from.

Thank you
Jenny Mitchell

Jenny Mitchell

VP, Property Management
o 314.994.4059 | jmitchell@descogroup.com

24-hour Maintenance Line: 314-994-4072



25 N. Brentwood Blvd.
St. Louis, MO 63105
314.994.4444 - Main
www.descogroup.com

The information contained in this e-mail message, including any attachments, is legally privileged and confidential. If you are not the intended recipient, you are hereby notified that any reading, use or dissemination of this message is strictly prohibited. If you have received this message in error, please immediately notify us by telephone at 314.994.4444 and delete this message from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free, and no responsibility is accepted by the sender for any loss or damage arising in any way from its use. Thank you.

LaRette Reese

From: carolyn gwydir <carolyntgwydir@gmail.com>
Sent: Monday, April 11, 2022 8:44 AM
To: Council Comments Shared
Subject: Avis Proposal

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As a resident who lives directly behind the site of the proposed car rental location, I am adamantly opposed to this proposal and even more so to changing the zoning from light commercial use. Garden Heights was a business that not only benefited the neighborhood, but it also added value and curb appeal to the community. To change this corner from what was once filled with beautiful plants and flowers to a lot of rental cars is a big step backwards. I drive past this corner multiple times a day and hope that it will soon be a business that we, the neighbors, will be able to enjoy.

Carolyn and David Gwydir
8059 Teasdale Ave.

From: cynthia gulbrandsen <gulbrancyn@yahoo.com>
Sent: Monday, April 11, 2022 9:13 AM
To: Council Comments Shared
Subject: Avis Car Rental business at the corner of Delmar and Old Bonhomme Rd.

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

April 11, 2022

To the University City Council,

I am writing in regards to the building of an Avis Car Rental business at the former University Gardens site on the corner of Delmar Boulevard

and Old Bonhomme Rd. I have lived in the neighborhood surrounding this location for 10 years. I think an Avis Car Rental business would have

a negative impact on our community. Our neighborhood is a very quiet, safe place, filled with nicely landscaped, architecturally beautiful

homes. It is very safe to walk and bike ride throughout this neighborhood because of the quiet streets and very low traffic volume. It is a very

appealing, sought after place to live because of these qualities. This business does not fit in with the character of our neighborhood. Avis is a

large commercial business that rents full size trucks and passenger vans in addition to cars, and it is not in any way compatible with our

neighborhood. This type of business would increase noise, congestion, and air pollution in the area. It would also increase the volume of traffic

and the amount of people coming and going throughout our community, and impinge on the safety of our residents. All of these things would

cause a decrease in property values and take away many of the positive qualities that we enjoy. A small business that caters to the local

residents would be a much better fit for our community. Please do not allow this business to be built at this location in our neighborhood. Thank

you.

Sincerely,

Cynthia Gulbrandsen
525 Mapleview Drive
University City, MO 63130

LaRette Reese

From: Kathy Victor <KathyVictor@STLDA.COM>
Sent: Monday, April 11, 2022 9:36 AM
To: Council Comments Shared
Subject: Avenir council meeting April 11, 2022

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

Dear Council,

We hope that the council will vote to make sure that when you meet this evening to discuss the Avenir project that you will make sure that the "Kingdel as Fire Exit Use Only" should be part of the "Conditional Use Permit- CUP's" written condition enforced by the City. The original conditions per the 2020 approval was that the developer was going to include it as part of the lease--that the tenants are not to use it as an entry--especially if the property changes hand or if in future the apartment units are converted to condos and there is no lease, that will be hard to enforce. The provision to designate fire exit only should be tied to the property as part of the CUP.

Thank you,
Reggie and Kathy Victor
8739 Washington Ave.
St. Louis, MO 63124
314-223-2658
314-223-2659

From: Rose OBrien <obrienrose@sbcglobal.net>
Sent: Monday, April 11, 2022 9:49 AM
To: Council Comments Shared
Subject: Comments for 4/11 meeting

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

Dear Mayor and Council,

I live at 8706 Teasdale Ave which is across from where the Avenir project will be built. For that project, the original special conditions had been voted on the original plan of November 2020. This is supposed to include no parking on the east side of Kingdel and no gate access to Kingdel from Avenir. Based on that condition, the exit in and out should only be a FIRE EXIT like originally promised. it would be beneficial if the alarm would go off if someone would go in or out of that gate and an alarm go directly to the fire dept. There has been subsequent discussion that does not uphold the original decisions so I would like to reinforce the need that the "Kingdel as Fire Exit Use Only" should be part of the "Conditional Use Permit- CUP's" written condition enforced by the City.

Additionally, there is a tax abatement being considered for that property and I would like that not to occur. The development is not favorable to my neighborhood and adding a tax abatement to make it even cheaper for the developre is not appropriate.

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

From: mlaz279293@aol.com
Sent: Monday, April 11, 2022 10:11 AM
To: Council Comments Shared

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

To the City Council

PLEASE HELP!!! Tonight you are voting on the final Avenir project plan and there is a loop hole that we need you to close for the neighbors of the Kingdel/Delprice neighborhood.

In the final development plan Bill # 9461 – in the conditions - Section 3, # 4 point # 2) states “no guest access from Kingdel to the courtyard or building through the fire exits”.

We need you to amend this before you pass the plan.

First, this only mentions **access from Kingdel** going in. It does not mention **access coming out of the Avenir property or exiting onto Kingdel**. This needs to be **changed**. There should be no access in or out of the fire exits period.

Secondly, one could argue that this does not apply to residents or workers of the Avenir, just their guests. So the wording needs to be changed.

The purpose of the fire exit is to be an emergency exit only in or out and should have an alarm if opened.

The way it reads now, the residents can come out the exit and I had given many reasons the last time I spoke why that should not happen- they can go out Delmar to do anything they want – be picked up, get food deliveries, walk their dogs, etc.

If allowed to keep it the way it currently is worded, this will encourage tenants to use this exit to come out of the property, cause a lot more traffic in our neighborhood, cause safety issues, noise, trash, etc. and make it more tempting to try to park in the neighborhood. There is no good reason for this to be allowed.

The dog park is right next to this exit. They can use that for their dogs. We don't have sidewalks in our neighborhood, Delmar does. So for safety for them, one would think they should be encouraged to walk out onto Delmar sidewalks, not onto Kingdel. The poop bags should be at the Delmar exits.

I would hope that the neighborhood needs and wishes are a higher priority than the dogs and their walkers, even though I am a dog lover myself, the tenants, and the developers.

No one has given us a reason **WHY** anyone needs to have access out those gates or why the developer wants it.

Again, There is no reason anyone needs to come out the fire exits unless an emergency without an alarm.

Also, please change the wording of the same section 4, #3, item #1 to no parking in the entire neighborhood. Why limit this restriction to only the east side of Kingdel. What about the west side of Kingdel, Barby Lane, Teasdale, West Kingsbury and Washington? They are all within less than a block from the fire exits onto Kingdel.

We had been assured by the developer in several letters to the neighborhood originally that the Avenir was designed not to come into our neighborhood and there would be fire exits only from their property. Allowing this as an exit onto Kingdel would be letting the Avenir come into our neighborhood, which they specifically said they would not do.

Yet, at one point recently, they tried to put an entrance from Kingdel to their property for a parking lot, so a total contradiction of what they originally said. This is why we need these conditions to be specific and clear to protect our neighborhood and almost everyone wants no access or parking.

Also, if this clause, section 4 # 3 both 1 & 2 is only in their leases, what happens if the building gets sold? How do we know that the next owner would put these conditions in the lease or if it becomes condos or a Senior living facility that it would get done. It needs to be in perpetuity so it can be passed on. How would anyone know if these clauses get taken out of the lease in the future?

We would like these conditions to be amended and to be made crystal clear that there is no pedestrian exit or entrance from the fire exits onto Kingdel from or into the Avenir whatsoever by anyone other than in emergencies. And no parking in the neighborhood.

And we ask that you make this condition be in the Master Plan as a stand alone condition by itself, in addition to being in the standard Avenir lease. It needs to be in perpetuity so it can be passed from owner to owner. And by separating it as it's own condition and not leaving it up to the developer, it will get done.

This would give some assurance that University City will not allow it, no matter who owns the building and that it will be enforced.

Please help us keep our neighborhood quiet, uncongested, safe, clean, and secure and keep our property values rising like it is now

Thank you for helping us close the loop hole.

Margie Kranzberg Lazarus 8808 Washington Ave.

LaRette Reese

From: todd.jacobs105@gmail.com
Sent: Monday, April 11, 2022 10:36 AM
To: Council Comments Shared
Cc: 'Margaret Holly'
Subject: Upcoming City Council meeting Bill 9456 LC Limited Commercial Zoning District/Avis Proposal

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

Dear City Council Members,

I am not able to attend the meeting tonight to object to the proposed modifications to the LC Limited Commercial Zoning District.

The city should not modify the approved uses in the zoning district just because there is a user that wants this site. It sets a bad precedent for the city that could/will come back and haunt for other projects and sites.

As a close neighbor to this site, I oppose this modification to the code specifically because of the intended use and the affects it will have on visual clutter and traffic.

I also do not agree with changing the code as a precedent as stated above.

Thank you and please call if you have any questions.

Todd Jacobs
University City Board of Appeals Member
545 Westview Drive
University City, Mo. 63130

Theodore (Todd) R. Jacobs, AIA, FHFI, LEED AP
314.495.7763

LaRette Reese

From: Susan Bowser <sb86071@hotmail.com>
Sent: Monday, April 11, 2022 10:46 AM
To: Council Comments Shared
Subject: 8130 Delmar
Attachments: letter.docx

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

I have attached my comments in opposition to the proposed rental car business and zoning changes at 8130 Delmar Blvd. Thank you for considering them.

Susan Bowser

Susan Bowser
8050 Teasdale Ave.
University City, MO 63130

I would like to address the City Council on the proposed business at 8130 Delmar Blvd. As a lifelong resident of University City, a graduate of the school district, an employee of a local business, and a former member of a city commission; I hope my opinions carry some weight.

Obviously, I would like to see a business on this vacant corner, however, I am opposed to a rental car business at this location. The reasons are similar to those that I and my neighbors voiced blocking a Jiffy Lube at this location several years ago.

The letter from Bamboo Equity Partners denotes this property as in a business district. This is accurate but disingenuous. The area is primarily a residential neighborhood with a handful of businesses and religious spaces at the corner of Delmar and Old Bonhomme. The zoning at this and similar areas in University City is tailored to this environment and these local institutions. Those small business serve the University City community and our neighbors from St. Louis City and County. The religious institutions draw and root many of our residents to the area. Avis does not strike me as a business model meant serve or improve the community and certainly not one that merits upending the long standing zoning concept for this and many other areas of the City. In addition, this intersection is already very busy and prone to accidents and outside traffic will only increase with a rental car business. Bamboo notes in their letter that the current Budget rental business is .9 miles away, implying that the situations are equivalent. The current location on Meramec resides in the central commercial district of Clayton, surrounded by office buildings and directly across from a hotel. It belongs in this type of commercial or a light industrial situation.

University City should not lose sight of nor diminish the character of its neighborhoods.

Susan Bowser

LaRette Reese

From: Margaret Holly <mholly326@gmail.com>
Sent: Monday, April 11, 2022 10:56 AM
To: Council Comments Shared
Subject: Upcoming City Council meeting Bill 9456 LC Limited Commercial Zoning District/Avis Proposal

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

I am not able to attend tonight's City Council meeting. However, I would like to express my personal opinion regarding this proposed zoning code change.

- Making this change for the entire City in order to accommodate a single real estate transaction makes no sense and sets a terrible precedent.
- The proposed lessee (AVIS/Budget) has demonstrated a total lack of willingness to make this location work. The Plan Commission attempted this and the AVIS representative (in a public meeting) insisted that they be able to handle every single vehicle in their fleet including full sized trucks and 15 passenger vans.
- The parking lot at this site is small and oddly shaped. Spring at the prior nursery created a parking mess for passenger cars, much less larger vehicles. When these larger vehicles are returned (likely by people who do not drive them regularly), these drivers will create a hazard for the many pedestrians in this neighborhood.
- Both the current property owner and the proposed purchaser have described themselves as experienced property managers in public meetings. Yet they have failed to address zoning code. All other AVIS/Budget sites in the metro area are zoned commercial or industrial, including the current Clayton location. LC is different (Clayton has a similar district; the current AVIS location is NOT in this district) and is intended to serve the neighborhood. Their argument has been that other sites are adjacent to residential property. They have not addressed the zoning at these other sites.
- When asked by Council to conduct community outreach, the lessor (Bamboo) waited a week to send letters to the neighbors. This meant that many neighbors received notice less than 24 hours prior (some received letters AFTER the meeting). This is disrespectful of Council and the neighbors. Given the potential challenges of the site itself, this is not a good way to start a relationship.

Please count me as one in opposition to this zoning text amendment.

Thank you!

Margaret Holly
8108 Teasdale Avenue

From: Chris Norber <jcnorber@yahoo.com>
Sent: Monday, April 11, 2022 11:07 AM
To: Council Comments Shared
Subject: Avenir -Kingdel Entrance

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J. Christine Norber - 8732 Washington Avenue, St. Louis, MO 63124

The "Kingdel as Fire Exit Use Only" should be part of the "Conditional Use Permit- CUP's" written condition enforced by the City. The original conditions per the 2020 approval was that the developer was going to include it as part of the lease--that the tenants are not to use it as an entry--especially if the property changes hand or if in future the apartment units are converted to condos and there is no lease, that will be hard to enforce. The provision to designate fire exit only should be tied to the property as part of the CUP.

I also do not think that a Tax Abatement should be part of this "project".

The exit onto Kingdel is my main concern, as it comes right into our neighborhood. The vehicle traffic as well as the human traffic are going to become a horrible inconvenience for our whole area.

Sincerely,

Chris Norber

From: robowser@swbell.net
Sent: Monday, April 11, 2022 11:48 AM
To: Council Comments Shared
Subject: Hearing On 8130 Delmar Proposal

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

Nancy Bowser
8050 Teasdale Avenue
University City, MO 63130

To the City Council:

I am writing to express my opposition to the use of the property at 8130 Delmar Boulevard for an Avis car rental facility.

I have lived at this address for over 50 years. I have seen changes over those years but basically the neighborhood has maintained its quiet, residential character. The businesses we do have are small, low volume, and local. I do not consider this proposal to be compatible with what we have worked to maintain. Some years ago, residents of the neighborhood expressed their strong opposition to a similar proposal from a national company for use of this property. The proposal was denied. The strength of University City has always been its neighborhoods. The residents have expressed support for continuing the emphasis on the residential quality throughout our history. I believe it is important that we not lose that focus.

In addition to my general concerns, I have a specific concern. I am very worried about the impact on traffic, particularly the pedestrian traffic. Accidents involving pedestrians are increasing nationwide. Walkability is a major pillar of the livable cities movement.

This is already a difficult intersection for people on foot. The intersection is used by residents while exercising, dog walking, and patronizing local shops and commuting to work. There is particularly heavy pedestrian volume, including many children and seniors, to the area's religious institutions which are vital to maintaining the diversity and stability we value.

It is not just the volume of traffic. This facility would involve larger vehicles that would be difficult to navigate in such an awkward space and drivers may find themselves under the pressure of time. The movement of vehicles in and out of the facility, frequently by people who are not familiar with the surroundings, would be quite problematic.

In University City, we have always prided ourselves on our diversity and the respect we give to the needs of our citizens. This proposal is not in the best interests of our community.

From: Grace Collins <taylorcollins@att.net>
Sent: Monday, April 11, 2022 11:52 AM
To: Council Comments Shared
Subject: AVENIR PROJECT

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Good day University City Council,

My name is Grace Collins - a blessed University City resident for 23 years.

I ask that you see the deep import of the below 3 being installed.

- 1.) The Kingdell exits from the Avenir project are for FIRE & EMERGENCY use only.
- 2.) An ombudsman is assigned to this project where we neighbors are able to contact while the many ongoing are taking place both during the construction of the AVENIR as well as after.

I assume our local POLICE DISPATCH is not the assignee for AVENIR concerns -activities that take place after workday hours as well as weekends.

For example if noisy generators have a loose fuse where they have not gone off- we have a contact.

If one arrives to pour foundation at 3:15 am - we have a contact and I assume it's not our UNIVERSITY CITY POLICE DISPATCH.

- 3.) In tonight's meeting agenda packet's pages 292, 293 appears to show the left turn lane on Delmar is ending where it tapers off very close to the KINGDEL Drive entrance.

For safety measures I ask that you see on Delmar Boulevard to a FULL WIDTH center left-turn lane is installed - making it safer turning onto Kingdel Drive.

This may need to be extended to Lepere - allowing SAFE turns for East bound traffic onto Lepere without blocking the traffic lane.

I thank you for your time in this review.

Grace Collins
8841 Washington Avenue
63124

LaRette Reese

From: cangelly701@gmail.com
Sent: Monday, April 11, 2022 11:54 AM
To: Council Comments Shared
Subject: Project Avenir

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To Whom It Concerns:

I have been a resident of U City for 15 years and currently reside at 8743 Teasdale Ave 63124. I am extremely concerned about this project interfering with our quiet neighborhood. Residents in our area were under the impression that the Kingdel exit was ONLY for emergencies for all on the property. Both residents and guests. That is not what we believe that is in place at this time. It seems to be under an impression and we request it be spelled out clearly to eliminate traffic cutting through to Price Road.

Regards,

Cindy Angelly

Angelly701 LLC
8743 Teasdale Ave
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314-369-8862

