

MEETING OF THE CITY COUNCIL

CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130

Monday, April 25, 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 25, 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; (*Excused*)
Councilmember Aleta Klein
Councilmember Steven McMahan
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; Battalion Chief Bill Hinson, and Acting Police Chief Fredrick Lemons

C. APPROVAL OF AGENDA

Mr. Rose asked that Item K (1); Employee Recognition Awards be moved to follow Item E3; Approval of Minutes and that Item K (3) be removed from the Agenda.

Mr. Hales moved to approve the amendments, it was seconded by Councilmember Cusick, and the motion carried unanimously.

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

D. PROCLAMATION

1. Arbor Day Recognition - A special day set aside for the planting of trees.

E. APPROVAL OF MINUTES

1. April 11, 2022, Study Session Minutes – Redistricting and Text Amendments was moved by Councilmember Smotherson, it was seconded by Councilmember Hales, and the motion carried unanimously.
2. April 11, 2022, Regular Session Minutes was moved by Councilmember Klein, it was seconded by Councilmember McMahan, and the motion carried unanimously.
3. Employee Recognition Awards

Mr. Rose read the following Incident Report into the record:
"On the afternoon of April 2, 2022, Units 2627 and 2625 were dispatched for a child choking emergency. Upon arriving at the scene paramedic Captain Daniel Jones found 2-year-old Abraham choking and bystanders attempting to perform CPR. Captain Jones quickly assessed the scene, picked up the child, and raced him to the ambulance. Once inside crews attempted to clear the child's airway.

As precious time ticked by Firefighter/Paramedic Nicholas Stangler worked to open the child's clenched jaws and began suctioning his airways which partially removed the blockage. He then gently used forceps to remove the remainder of the blockage. The crew then assisted the child's ventilation until he began breathing on his own. U City Police Officer Ben Guittar escorted the ambulance as the child was transported to the hospital where he was safely reunited with his parents."

Mr. Rose stated he is proud to take this opportunity to recognize the employees involved in this life-saving action. He then asked Chief Hinson and Acting Police Chief Lemons to assist him in handing out Commendations and Letters of Recognition to the following individuals:

- ❖ Captain Daniel Jones
- ❖ Paramedic/Firefighter Jeff Jiles
- ❖ Paramedic/Firefighter Matthew Pay
- ❖ Paramedic/Firefighter Robert Herrick
- ❖ Paramedic/Firefighter Nicholas Stangler
- ❖ Paramedic/Firefighter Joshua McDaniels
- ❖ Officer Ben Guittar
- ❖ Dispatcher Ptah Matthews
- ❖ Dispatcher Joseph Willey

Mr. Rose stated he would also like to recognize Councilmember Hales who suggested recognizing these employees in a public setting.

Mayor Crow thanked all of the employees for their dedication; particularly during the past two years, to keeping this community safe.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

G. SWEARING IN TO BOARDS AND COMMISSIONS

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.

Jean Merson, 7542 Teasdale, U City, MO

Ms. Merson stated she has been a small business owner in U City since 1980. Last year she made \$675, and even though it should have cost her .78 cents to renew her Business License based on the current tax rate assigned to this process of .00.00116, she had to pay \$30 or about 5% as a result of the City's minimum renewal fee. Ms. Merson stated last year was not the best for most businesses; therefore, it would be greatly appreciated if Council would consider reducing the minimum renewal fee closer to 2 or 3%.

Anita Carter-Foley, 7847 Birchmont Drive, U City, MO

Ms. Carter-Foley stated she has been trying to rent a room at the Community Center since last year and keeps getting different answers as to why she is unable to do so. People pay a fee to utilize this facility, and since COVID is in remission, and the Clayton, Ferguson, and Olivette facilities are open, she does not understand why U City is not.

Mayor Crow noted that staff or Council will respond to any questions posed by citizens.

I. PUBLIC HEARINGS

J. CONSENT AGENDA

1. Relocation Assistance Agreement –Jahi Eskridge (8648 Olive Blvd.)
2. Relocation Assistance Agreement – Vanita Triplett (8626 Elmore Ct.)
3. Ratification of engine replacement for Automated Solid Waste Collection Truck Unit #43

Councilmember Hales moved to approve Items 1 through 3 of the Consent Agenda, it was seconded by Councilmember McMahon, and the motion carried unanimously

K. CITY MANAGER'S REPORT

1. Employee Recognition Awards; (*Moved to E (3)*)
2. Proposed FY2023 Annual Operating Budget and Proposed FY2023-FY2027 Capital Improvement Program submission to Council

Mr. Rose stated in accordance with Article 3, Section 19, Subsection 2 of the Charter, he is honored to submit the recommended FY2023 Annual Operating Budget and Proposed Capital Improvement Program for FY2023 through FY2027. Prior to Council's final consideration, he would ask that Council accept receipt of the Proposed Budget and Capital Improvement Program, and schedule a Public Hearing for June 13, 2022, to entertain questions or comments from all interested parties.

Councilmember McMahon moved to schedule a Public Hearing on June 13, 2022, it was seconded by Councilmember Cusick, and the motion carried unanimously.

3. Conditional Use Permit (CUP 22-04)8630 Delmar – Avenir development to allow for an increase in the Floor Area Ratio to 1.14 and a reduction in the west side setback to no less than 24' feet. (*Removed*)
4. Conditional Use Permit (CUP 22-05) 6610 Olive – To allow a proposed building to be located two (2) feet from the adjacent property line and to allow the proposed building to maintain a height of 42 feet above the average grade of the site. (*Crescent Plumbing*)

Mr. Rose stated staff is recommending that Council consider approving the CUP for 6610 Olive, which would allow the proposed building to be located 2-feet from the adjacent property line and maintain a height of 42-feet above grade.

Councilmember Smotherson asked if this CUP referenced the configuration found in Council's report? Dr. Wagner stated that it did and added that the CUP was prompted by the MSD easement running across 6610 Olive, which resulted in the Applicant having to move the building further east and closer to the right-of-way owned by the City. Councilmember Smotherson asked if a wall would be constructed along Kingsland? Dr. Wagner stated that is correct, although the Site Plan must still be reviewed by the Historic Preservation Commission.

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

Councilmember Cusick asked if the height of this building had been changed as a result of the adjustments that needed to be made? Dr. Wagner stated these plans represent the original design, even though the height limitation is 35-feet. Councilmember Cusick asked if the issues associated with the property line easement would be eliminated if the building had been designed to comply with that limitation? Dr. Wagner stated he believes they would have.

Citizen's Comments

Byron Price, 1520 78th Street, U City, MO

Mr. Price stated both of his comments are related to the CUP and Bill Number 9462.

If the CUP was prompted by MSD, then the City needs to make sure that the information they have provided is factual. And secondly, if the building is approved as it is now being proposed, then he would ask that the Applicant be required to provide some form of artistic elements that would transform the bare wall into something that provides residents and patrons with an aesthetically pleasing experience when driving along Olive.

Voice vote on Councilmember Cusick's motion carried unanimously, with the exception of Councilmember Smotherson.

L. UNFINISHED BUSINESS

- 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 second and third time.

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

Roll Call Vote Was:

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

Nays: None.

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

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

Citizen's Comments

William Ash, 8690 West Kingsbury Avenue, U City, MO

Mr. Ash stated he thinks he can safely say that he is speaking for the vast majority of the Kingdel residents when asking Council to consider making changes to some of the wording in this Bill.

- That "*No parking by any Avenir residents or staff on the east side of Kingdel Drive,*" be amended to read, "*No parking by any Avenir residents or staff on both sides of Kingdel Drive and north of Lot 526*";
- That the alarmed emergency exit be linked to U City's emergency services;
- That there shall be no entrance from the Avenir to any parts of the neighborhood;
- That these amendments be included in the Final Development Plan rather than individual residential leases, and
- That during construction an ombudsman is provided for residents to contact with questions or concerns.

Mr. Ash stated these concerns are based on the estimated 500 people expected to live at the Avenir and the potential congestion at the nexus of Kingdel and Price Road created by this additional vehicular and pedestrian traffic.

Roll Call Vote Was:

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

Nays: None.

- 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 second and third time.**

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

Councilmember Smotherson asked Dr. Wagner if he would recommend that the showroom of this facility face a secondary road rather than the main road? Dr. Wagner stated this amendment has yet to go through the Historic Preservation Commission for review of the Olive Boulevard Design Guidelines, and they would be better equipped to answer this question. But, if this is in reference to whether the main traffic for the showroom enters off of Olive or Vernon, the Applicant has indicated that since most of his warehouse traffic will be coming from out of town, Olive would be an easier find. He stated while he certainly understands the point of this discussion, he does not know these portions of Olive or Vernon well enough to decide which street would be better for trucks to negotiate.

Councilmember Smotherson stated there is a solid block of businesses on Vernon, and a cluster of unappealing businesses, like check cashing, a rundown nightclub, a warehouse, an auto repair shop, and Hartmann's, on the north side of Olive. And now you're recommending that the commercial facade of this business be located on Vernon with their wall facing Olive. So, if the City really wanted Olive to become a viable mixed-use corridor, why would you recommend the development of a warehouse on this primary road? Mr. Rose stated what it really boils down to is what types of businesses are permitted by the Code. And in this case, the business met those standards and staff made its recommendation based on that compliance. However, the Mayor and Council have the authority to make whatever changes they deem necessary.

Councilmember Smotherson stated the one thing he's learned from being on Council is that historically, industrial zoning has been used to segregate white residents from blacks and the poorer areas of a city. And what he finds significant about the configuration of this building is that it reflects what is known in this City as the "*Delmar Divide*". Because if you want to see the disparity between the north side of that divide and the south side, all you need to do is go right to the intersection of Kingsland and Olive and look at what the 3rd Ward has. He stated he has nothing against Crescent; his problem is with the construction of exclusionary dead walls that put another pinhole in that divide.

Councilmember Smotherson concluded by stating the City paid a consultant over \$100,000 and appointed an Economic Task Force who both recommended that the design for Olive Boulevard consist of tech and office buildings. And since Council approved those recommendations he believes that the acceptance of this plan to put an industrial park on Olive would be taking a step backward and kill any future development in the 3rd Ward. This is historic, and all it would take to give this area life is to configure a building that faced the eastbound traffic on Olive, with a parking lot on Kingsland.

Councilmember Cusick asked if this zoning amendment simply enlarges the industrial commercial zoning that already exists in this area? Dr. Wagner stated that is correct. The other two properties Crescent will be occupying are already zoned industrial commercial, so this amendment will only apply to the rezoning of 6610 Olive.

Councilmember Cusick stated he thinks this project equates to taking a step forward for all of U City. This is an accomplished business that can lead to stabilizing the area and bringing in more businesses of this nature. He stated while he understands the issue with the wall, what should be kept at the forefront is that there has not been any viable redevelopment in this area for years.

Councilmember Klein asked if she could get more information about the MSD variance and floodplain status of this property? Dr. Wagner stated he would like to defer this question to the engineer for the project.

George Stock of Stock & Associates stated the site is bifurcated by the enclosed portion of River Des Peres, which comes from the north/west, south/east and breaks the property into approximately one-third and two-thirds. It has a wide easement because it is a large enclosed arched structure, and that has impacted the positioning of the building and the parking on the site. The property lines on this site are also not configured, causing some irregularities to the site along Kingsland. The City owns a triangular piece of property away from the right-of-way, and the combination of these factors is what led to the Applicant asking for the 2-foot exception.

With regards to the stormwater improvements and floodplain, the site will be elevated to a level where all of the improvements will be above the 100-year floodplain. The site will be treated as if it was grass, and they will provide stormwater continuation for flood control and waterfall and volume reduction. The first inch that comes off in both the aboveground bio-retention and underground systems connects to the River Des Peres and will be treated.

Mr. Stock stated they have had a great deal of dialogue with MSD in coordinating this project, specific to the easements and rights that they need to retain in order to maintain those River Des Peres facilities.

Councilmember Klein stated based on all of the complications associated with this site it sounds like the engineers and architects have done an amazing job with the design of this business. So, she is excited to have this business in U City.

Councilmember Hales stated he has always believed this end of Olive would be one of the City's greatest challenges as it looked to grow local businesses and cultivate reinvestment. That's why he was thrilled to learn that such a well-known business was interested in investing in this area. And as the liaison of the Planning Commission; which consists of members from all three wards, he can report that they conducted a thorough review of this project, believed it to be a positive step forward, and voted unanimously to recommend its approval.

Roll Call Vote Was:

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

Nays: Councilmember Smotherson.

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 second and third time.

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

Councilmember Smotherson made a motion to postpone any consideration on this Bill for 30 days, to allow the Planning Commission an opportunity to review some information that has come to light since their recommendation.

Hearing no second, the motion failed.

Councilmember Smotherson stated he hopes this City would always act in a manner that is above board and his problem with this Bill is that it misrepresents the proper address of this property. He stated while he welcomes Crescent and believes they will be successful, this Council does not have to concede to all of their demands; especially when they impact this Board's integrity. When you look at the configuration of this business, its showroom, offices, and parking lot entrances are on Vernon. Therefore, it should be given a Vernon address and not Olive.

Roll Call Vote Was:

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

Nays: Councilmember Smotherson.

M. NEW BUSINESS
Resolutions

1. Resolution 2022-3 - Certification of April 5, 2022, General Municipal Election Results.

Councilmember McMahon moved to approve, it was seconded by Councilmember Hales, and the motion carried unanimously.

Mayor Crow adjourned the meeting SINE DIE at 7:28 p.m. and asked the City Clerk to announce the individuals listed on the Agenda to be sworn in as members of the City Council.

Swearing in of:

- ❖ Steven McMahon, Councilmember Ward One
- ❖ Tim Cusick, Councilmember Ward Two
- ❖ Terry Crow, Mayor

- ❖ *Stacy Clay, Councilmember Ward Three, is to be sworn in at a later date.*

Roll Call Vote to Reconvene With The New Council Was:

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

Nays: None.

THE MEETING WAS RECONVENED WITH NEW MEMBERS OF COUNCIL

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

O. CITIZEN PARTICIPATION (continue if needed)

Steve Glickert, 7750 Blackberry, U City, MO

Mr. Glickert stated while listening to the meeting two weeks ago he was slightly amused by the 3rd Ward Councilmembers' comments on the proposed banquet center parking, and the possibility of overflow onto Perdue, which just happens to be Councilmember Smotherson's street. The irony is that technically this would be considered legal parking, but for four years he's been asking Councilmember Smotherson and the City's administration to address the vehicles parked on lawns, unlicensed and abandoned vehicles, and the overflow of parking on residential streets in the 3rd Ward. So, where has everybody been? Councilmember Smotherson never personally answered his emails and Mr. Rose either provided excuses or simply dodged his requests to understand why the City was not utilizing Code 385.010.

Mr. Glickert stated as of January, he now owns property in the 3rd Ward, and as a concerned property owner, he would like to see the City doing something to address the serious decay that has been going on in this area for a long time. Councilmember Cusick's campaign video shows a recently rehabbed house and then the camera pans to the River Des Peres with all of its debris. His statement was, "*Nobody should have to live like that*". So, Councilmember Smotherson, it's been four years; you need to get to work.

P. COUNCIL COMMENTS

Councilmember Cusick asked everyone to come out and support the efforts of U City in Bloom, which is holding its Annual Plant Sale this Friday through Sunday at the Community Center.

Councilmember McMahon stated it seems like U City had a higher turnout than most of the other municipalities, so he would like to thank his wife for her support and the folks that came out and voted. He stated it is an honor and privilege to serve the residents of this City.

Councilmember Smotherson invited Mr. Glickert to stop by his house or to give him a call so that they could discuss some of the comments he made.

Councilmember Klein reminded everyone that there will be an Arbor Day Celebration on Wednesday at the Green Center from 10 a.m. to 3 p.m. There will be a ceremonial tree planting and free seedlings for participants.

Mayor Crow stated on behalf of the entire Council, that he would like to extend condolences to the family of Orlando Watson. Orlando was a U City kid who became a successful entrepreneur and was always engaged in the community on a number of different levels. He fought the good fight more than once against cancer but sadly sub come at far too early an age. He stated the article in the *Post Dispatch* was very informative about all the many aspects of Orlando's life and contributions.

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.

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

Roll Call Vote Was:

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

Nays: None.

R. ADJOURNMENT

Mayor Crow thanked everyone for their attendance and closed the Regular City Council meeting at 7:42 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:24 p.m.

LaRette Reese
City Clerk, MRCC

LaRette Reese

From: David Harris <djharris11@sbcglobal.net>
Sent: Saturday, April 23, 2022 9:06 AM
To: Council Comments Shared
Subject: April 25, 2022 Council Meeting - Agenda Item M-1 - Resolution 2022-3 - Proposition F Result - Correction

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

In case you did not receive my email message, below, or Resolution 2022-3 was not corrected, I am submitting my email message as a citizen comment.

From: David Harris <djharris11@sbcglobal.net>
To: Gregory Rose <grose@ucitymo.org>; LaRette Reese <lreese@ucitymo.org>
Cc: Terry Crow <mayor@ucitymo.org>; Steve McMahon <steve_mcmahon@att.net>; Jeff Hales <halesforucity@gmail.com>; Tim Cusick <cusickward2@gmail.com>; Aleta Klein <kleinward2@gmail.com>; Bwayne Smotherson <bsmotherson@gmail.com>; Stacy Clay <clayucity@gmail.com>
Sent: Saturday, April 23, 2022, 09:03:00 AM CDT
Subject: Correction to Proposition F Result in Resolution 2022-3, Agenda Item M-1 for April 25, 2022 Council Meeting

The Proposition F result in Resolution 2022-3 is off by three votes.

The official Proposition F result is:

Yes 1,618 (41.94%)
No 2,240 (58.06%)

See the Canvass Results Report that is Agenda Packet Page M-1-9 and other information on the St. Louis County Board of Elections website.

David J. Harris
8039 Gannon Avenue
University City, MO 63130

LaRette Reese

From: SHARON DAVIS <amhcorphrshd@yahoo.com>
Sent: Sunday, April 24, 2022 9:21 AM
To: Council Comments Shared
Subject: Zoning Change for New Avis Location

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

Dear Council Member,

I live very close to the proposed location of the Avis Rental Car and my driveway backs onto Old Bonhomme. I am one of 8 homes that are in the same block of Old Bonhomme as the proposed Avis location that must back out of their driveway into traffic. Traffic on Old Bonhomme not just Delmar would be effected. Currently traffic is pretty light and does not contain much truck or large van traffic which is being proposed as rental vehicles at Avis. I am very concerned for my safety and the safety of others with driveways backing onto Old Bonhomme with this increase in traffic.

In addition, the sidewalk is very narrow in this block and makes it difficult for the many pedestrians, several who are families with small children to walk this area. These two concerns are not issues in Clayton or any of the other Avis examples that Bamboo presented and should be seriously considered and evaluated as part of of this zoning change.

I am opposed to a rental car business at this location. There are too many safety issues and too many other options for this location to compromise the well being of nearby residents. Please do not vote for the zoning change to accommodate an Avis location at Delmar and Old Bonhomme.

Sharon Harvey Davis
544 Mapleview Drive

Sent from Yahoo Mail for iPhone

LaRette Reese

From: Judy Bronson <jcbronson@yahoo.com>
Sent: Sunday, April 24, 2022 6:35 PM
To: Jeff Hales; Steve McMahon; Council Comments Shared
Subject: U City Council Meeting 4/25/22--Please Read Regarding AVIS/Budget Rental in 8130 Delmar

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

I am writing to express my concerns about plans to allow an AVIS/Budget car and moving truck rental company to occupy the vacant lot at 8130 Delmar. As a U City resident of 15 years, I dislike this vacant property going unused while the owners search for an ideal tenant. At the same time, my concerns about the potential for this proposal to upend the safety, security, and spirit of the Delmar Bonhomme intersection and residents is greater.

I listened to the city council meeting discussion on this topic on 4/11/22. I agree with the two residents who spoke up to express their concerns with this business setting up shop in this location. I further listened to Jaimie Mansfield/Bamboo Equity's response. I found Jaimie's claims that this is a small business with low volume (fewer than 12 rentals per day), which will primarily serve the local citizens, along with her claims that the impact of this business on residents is misunderstood, to be made in bad faith, for reasons that I will explain below.

I live ¼ mile from the proposed location of this car and moving truck rental business. I frequently run and walk in the area. Today, I went on my usual run and went by both 8130 Delmar and the current AVIS/Budget business location at 215 N Meramec Ave in Clayton. The first thing I noted is that the 8130 lot is much larger than the lot at 215 N Meramec. If the plan is to keep this business small and unobtrusive, as Jaimie Mansfield claimed, why move to a lot that has to be many times the size of the current lot? As I was examining the lot at 215 N Meramec, the business owner, Brenda, came out to greet me. I explained who I was and my reason for checking out her business. Brenda was exceedingly kind and transparent. I asked her about her current business volume and plans for the move to a much larger lot. Brenda stated plainly that she currently rents out at least 30 vehicles per day and plans to expand her fleet significantly and add moving vans when she moves. She stated that she is considering several locations for her expansion and is not yet sure that 8130 Delmar is large enough to accommodate the plans to grow her business. She further said that the new place will be very busy. When I told Brenda that people in the neighborhood had concerns, and that Jaimie was presenting this to the council as if it would be a small quiet business without much ongoing activity, Brenda advised me that she did not know where Jaimie was getting her information. She explained that Jaime does not represent her, but speculated that she was hired by AVIS/Budget, and that she does not know about the controversy in U City, the proposal to rezone the area, nor the details that Jaimie/Bamboo Equity is giving the citizens and council to support to move.

As you can see, the supposed facts that Jaimie/Bamboo are presenting don't match what the business owner herself readily told me today. If the business owner does not know who Jaimie Mansfield is or where she is getting her information, then how can the council trust anything coming from this lawyer/firm? Instead, I assume that Jaimie is presenting her case in an overly positive light, omitting facts that undermine the notion that this is the only business that will fit this location and it won't be busy, disruptive, or dangerous to the local residents and pedestrians.

A secondary concern I have is with the requirement that 8130 Delmar and other similarly zoned areas would have to be rezoned to allow this business to occupy this space. The current area is zoned to permit only specific businesses that are in keeping with the spirit of the neighborhood, and which primarily serve the neighborhood and U City in general. Such rezoning will not just impact 8130 Delmar, but all other similarly zoned business areas that abut residential areas in U City. I believe such consideration of rezoning should be undertaken carefully and with forethought, rather than in a reactionary fashion such as this.

Thank you for your time and consideration of my concerns regarding this matter.

Judy C. Bronson, PhD

7958 Delmar Blvd, 63130

314-725-5009

LaRette Reese

From: William Ash (wmash47) <wmash47@gmail.com>
Sent: Sunday, April 24, 2022 6:51 PM
To: Council Comments Shared
Subject: Comment for City Council Meeting of April 25 2022
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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

To the City Council:

I'm responding to Bill 9461 Amended, to be considered by the University City Council at the April 25 meeting:

Charles Deutsch's letter dated October 16, 2020 (attached) states clearly on the first page :

"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. If any emergency exit is provided it should also be alarmed.

To forestall congestion of both vehicular and pedestrian traffic at the nexus of Kingdel at Delmar thoroughfares, I feel the following wording for the Final Development Plan--appearing at Section 3, item 4--would best protect the interests of all University City residents:

"That the Final Development Plan include (1) no parking by any Avenir residents or staff shall be allowed on either side of Kingdel drive, and (2) there shall be only an alarmed emergency exit from the Avenir courtyard or building to Kingdel drive allowed, with no door or opening for pedestrian ingress or egress by either residents or non-residents of Avenir for any other than emergency purposes."

Sincerely,

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

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

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,

A handwritten signature in black ink, appearing to read 'Charlie Deutsch', with a stylized, cursive script.

Charlie Deutsch

**Exhibit A: Site Plan of Avenir
Multi-Family Development**

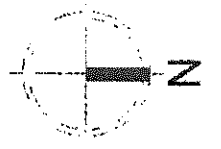
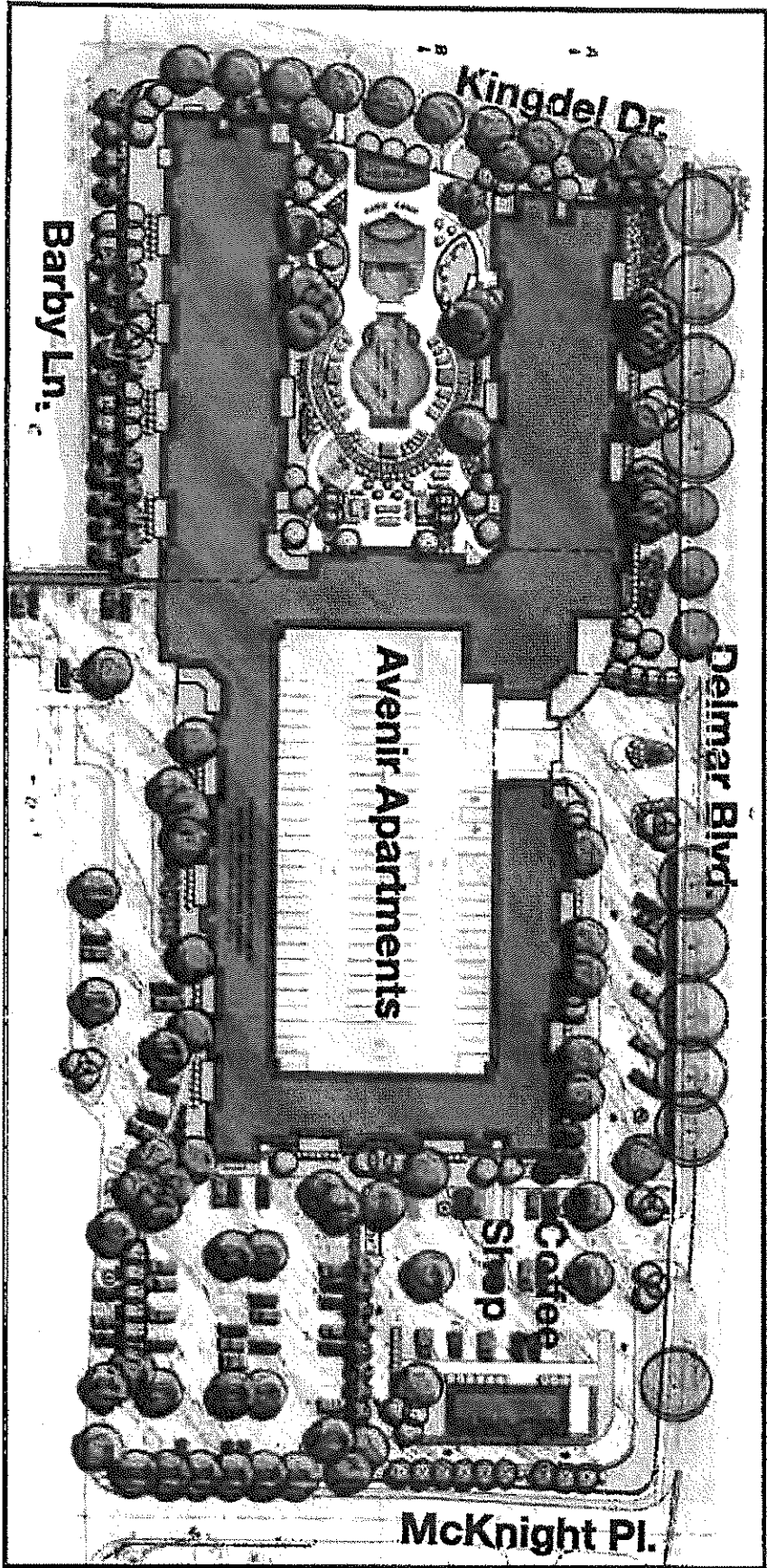
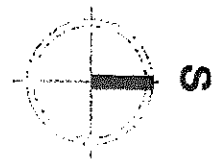




Exhibit B: Location Map



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: Avenir
Date: October 22, 2020 at 8:19 AM
To: Zack Deutsch zdeutsch@thegatesworth.com

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

Regards,



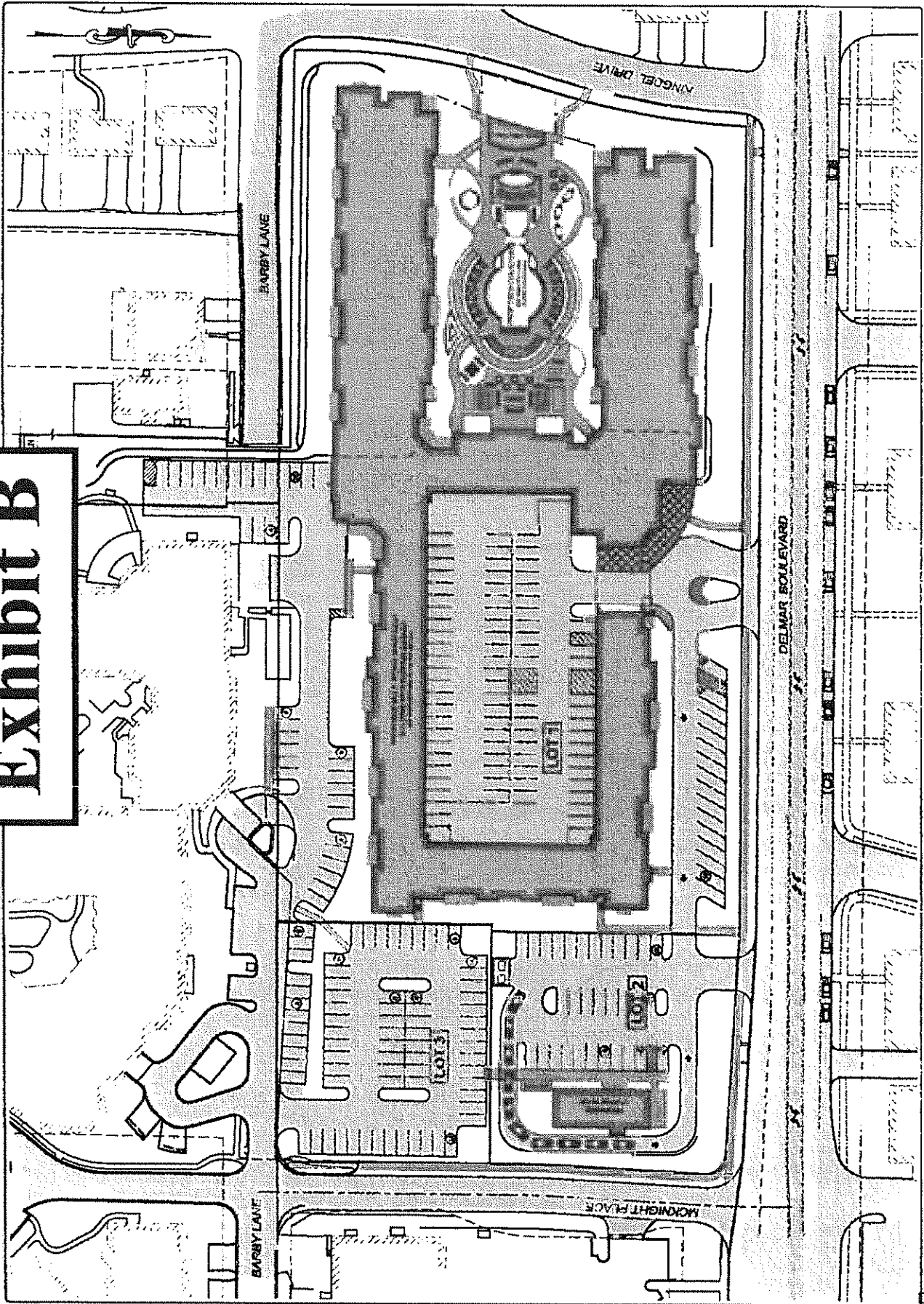
Michael A. Green
Principal



Additional Contact Information

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

Exhibit B



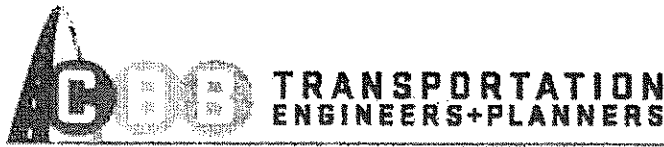


Exhibit C

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 : 12400 Olive Blvd, Suite 430, Saint Louis, MO 63141 T 314.878.6644 F 314.878.5876 cbbtraffic.com

370 Regency Center
Columbia, IL 62234

326 South 21st Street, Suite 604
St. Louis, MO 63104

119 South Main Street
Saint Charles, MO 63301

D - 1 - 30

LaRette Reese

From: Hasmukh Patel <vanmala@sbcglobal.net>
Sent: Sunday, April 24, 2022 9:20 PM
To: Council Comments Shared
Subject: Bill 9461- City Council meeting on April 25
Attachments: Letter from Zack- 2020-11-09 Council Meeting Developers comments & Letters (5).pdf

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

To the City Council:

I am responding to Bill 9461 Amended, to be considered by the University City Council at the April 25 meeting:

Charles Deutsch's letter dated October 16, 2020 (attached) states clearly on the first page :

"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**-. If any **emergency exit** is provided it **should also be alarmed**.

To forestall congestion of both vehicular and pedestrian traffic at the nexus of Kingdel at Delmar thoroughfares, I feel the following wording for the Final Development Plan--appearing at Section 3, item 4--would best protect the interests of all University City residents:

"That the Final Development Plan include:

- (1) no parking by any Avenir residents or staff shall be allowed on East side of Kingdel drive, and
- (2) there shall be only an alarmed emergency fire exit from the Avenir Project to Kingdel drive allowed. There shall be no door or opening for pedestrian ingress or egress by residents of Avenir other than emergency purposes."

Sincerely,

Hasmukh and Adrienne Patel

8684 W. Kingsbury Ave, U city, MO 63124

LaRette Reese

From: valmik thakore <valmikt@hotmail.com>
Sent: Sunday, April 24, 2022 10:12 PM
To: Council Comments Shared
Cc: Jeff Hales; Steve McMahon; Terry Crow; Gregory Rose; Tim Cusick; Bwayne Smotherson; Aleta Klein; Stacy Clay; John Wagner
Subject: Re: Public Comment on City Council Agenda Item for April 25, 2022 Meeting with attachment
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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

These comments are in regards to Agenda Items.

This is a public comment on City Council Agenda for March 25, 2022 Meeting Public Hearing Items:

- L-2- Bill 9461- Final Development Plan for Avenir Development ((including the Additional Conditions under Section 3's Item 4)

Dear Council,

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

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

I have read Bill 9461 Amended included in the 2022-04-25 Council Agenda Packet. This Bill includes in its Section 3- Additional Condition 4 about the Emergency Exit on Kingdel Drive.

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 Emergency Exit is provided it should only allow for alarmed exit or entry sounding at the exit 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.

We will be **holding the City responsible to enforce this condition** and I am sure you would like to have enforceable condition in the Final Development plan.

As mentioned in my comments, I am 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).

LaRette Reese

From: Mary Blair <mgblair56@gmail.com>
Sent: Monday, April 25, 2022 4:45 AM
To: Council Comments Shared
Subject: Avenir project
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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To the City Council:

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Charles Deutsch's letter dated October 16, 2020 (attached) states clearly on the first page :
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To forestall congestion of both vehicular and pedestrian traffic at the nexus of Kingdel at Delmar thoroughfares, I feel the following wording for the Final Development Plan--appearing at Section 3, item 4--would best protect the interests of all University City residents:

"That the Final Development Plan include (1) no parking by any Avenir residents or staff shall be allowed on either side of Kingdel drive, and (2) there shall be only an alarmed emergency exit from the Avenir courtyard or building to Kingdel drive allowed, with no door or opening for pedestrian ingress or egress by either residents or non-residents of Avenir for any other than emergency purposes."

Sincerely,
Mary Blair
8756 W Kingsbury Ave
University City, MO 63124

LaRette Reese

From: Katy Blair <kblair5511@gmail.com>
Sent: Monday, April 25, 2022 7:56 AM
To: Council Comments Shared
Subject: Avenir project
Attachments: 2020-11-09 Council Meeting Developers comments & Letters.pdf

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

To the City Council:

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Sincerely

Kathryn Blair
4380 Washington Ave
University City MO 63124

Charles and Deborah Dunn
8686 Barby Lane

Get [Outlook for iOS](#)

From: Dunn, Deborah <dunn@wustl.edu>
Sent: Monday, April 25, 2022 9:34 AM
To: Council Comments Shared <councilcomments@ucitymo.org>
Subject: Fwd: RESPONSES NEEDED TO CITY COUNCIL BY NOON MONDAY!

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

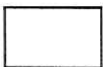
To the City Council:

I'm responding to Bill 9461 Amended, to be considered by the University City Council at the April 25 meeting

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We have been lifelong residents of University City. We will be putting our house on the market this week. We met with other developers and apparently it could take up to a year before we could move. We do not want live through the destruction and noise. I was assured earlier there would be no construction traffic on Barby.



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INTRODUCED BY: Councilmember Bwayne Smotherson

DATE: April 11, 2022

BILL NO. 9461

ORDINANCE NO.

AMENDED

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE PROPOSED AVENIR DEVELOPMENT LOCATED AT 8630 DELMAR BOULEVARD.

WHEREAS, the Preliminary Development Plan was approved by the City Council of University City on April 11, 2022 for the proposed mixed use development project known as “Avenir” in a Planned Development – Mixed Use (PD-M) District in the City of University City, and the City Council authorized the submittal of a Final Development Plan; and

WHEREAS, a Final Development Plan dated February 15, 2022, has been submitted for review and approval; and

WHEREAS, the review and approval of a Final Development Plan shall be in accordance with Section 400.870 “Final Development Plan Procedure” and Section 405.380 “Final Plat Submittal Requirements” of the University City Municipal Code with the adoption of an ordinance by City Council; and

WHEREAS, at its meeting on February 23, 2022, the University City Plan Commission considered and recommended to the City Council of University City approval of the Final Development Plan subject to a lot consolidation being completed prior to building construction; and

WHEREAS, the Final Development Plan, including all required documents and information submitted therewith, is before the City Council for its consideration.

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

Section 1. Attached, marked “Exhibit A” and made a part hereof is a Final Development Plan submitted for the “Avenir” development.

Section 2. It is hereby found and determined that the Final Development Plan is in full compliance with said Section 400.870 of the University City Municipal Code.

Section 3. The Final Development Plan shall include the following additional conditions:

1. That all construction traffic, parking, and access points shall be restricted on Kingdel, Washington, Barby, Teasdale, and West Kingsbury.
2. Per the Developer, the hours of construction shall be reduced to 7 p.m., unless the City grants permission to extend this time limit as required due to construction conditions.
3. Per the Developer, dog waste stations and signage will be located at the-exits.

4. Per the Developer, the rules and regulations contained in the Standard Residential Apartment Lease shall include (1) no parking will be allowed on the east side of Kingdel Drive, and (2) the access from Kingdel Drive to the courtyard or building shall be for emergency purposes only.
5. That no commercial hoods shall be allowed in the building common areas, with the exception of low-volume hoods in residential party rooms to accommodate limited cooking for social gatherings.
6. That any light produced by exterior lighting shall remain within the property lines.
7. That all existing trees currently on the east curb line of Kingdel Drive shall be protected during construction.
8. That the setback along Kingdel Drive shall be landscaped as depicted in the Landscape Plan approved by the City Forester.
9. That the street trees along Delmar shall be protected during construction unless permission is granted to remove them by the St. Louis County Department of Transportation. Should removal be required, all impacted trees will be replaced with 2" caliper trees in the amount and species approved by the City Forester.

Section 4. The City Clerk is hereby directed to endorse, upon the Final Development Plan, the Final Plan approval of the City Council under the hand of the City Clerk and the seal of University City.

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

PASSED and ADOPTED this _____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

CITY ATTORNEY

