



MEETING OF THE CITY COUNCIL  
CITY OF UNIVERSITY CITY  
CITY HALL, Fifth Floor  
6801 Delmar Blvd., University City, Missouri 63130  
Monday, February 12, 2024  
6:30 p.m.

**AGENDA**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS (Acknowledgement)**  
none

**E. APPROVAL OF MINUTES**

1. January 22, 2024 Meeting Minutes

**F. APPOINTMENTS to BOARDS AND COMMISSIONS**

1. Joshua Winstral is nominated for appointment to the Park Commission by Councilmember Jeff Hales.
2. Philip Eastin is nominated for appointment to the Storm Water Commission by Councilmember Jeff Hales.
3. Grace Fitter is nominated for appointment to the Arts and Letters Commission by Councilmember Bwayne Smotherson.

**G. SWEARING IN TO BOARDS AND COMMISSIONS**

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

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

*The public may also submit written comments must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments, a **name and address must be provided.** Please also not if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record.*

**I. COUNCIL COMMENTS**

**J. PUBLIC HEARINGS**  
None

**K. CONSENT AGENDA (1 voice vote required)**

1. Boundary Adjustment
2. Heman Park Pool - Sprayground - Construction Contract
3. Police Department purchase of a 2024 Nissan Versa car

**L. CITY MANAGER'S REPORT – (voice vote on each item as needed)**

1. Conditional Use Permit (CUP-23-08) - Application to allow a Day Care Center in the "IC" Industrial Commercial District at 6757 Olive Boulevard.

**M. UNFINISHED BUSINESS (2<sup>nd</sup> and 3<sup>rd</sup> readings – roll call vote required)**

1. **BILL 9536** - AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "URBAN SPROUTS.

**N. NEW BUSINESS**

**Resolutions (voice vote required)**

1. **Resolution 2024-02** Reimbursement for Capital Expenditures in Connection with the Renovation Project of Annex / Trinity

**Bills (Introduction and 1<sup>st</sup> reading - no vote required)**

none

**O. 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

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

**Q. COUNCIL COMMENTS**

**R. EXECUTIVE SESSION (roll call vote required)**

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.

**S. ADJOURNMENT**

The public may also observe via:

Live Stream via YouTube:

[https://www.youtube.com/channel/UCyN1EJ\\_-Q22918E9EZimWoQ](https://www.youtube.com/channel/UCyN1EJ_-Q22918E9EZimWoQ)

Posted February 9, 2024

**MEETING OF THE CITY COUNCIL**  
CITY OF UNIVERSITY CITY  
CITY HALL, Fifth Floor  
6801 Delmar Blvd., University City, Missouri 63130  
**Monday, January 22, 2024**  
**6:30 p.m.**

**AGENDA**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on Monday, January 22, 2024, 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; *(joined via Zoom at 6:34 p.m.)*  
Councilmember Dennis Fuller  
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose, City Attorney, John F. Mulligan, Jr.; Director of Finance, Keith Cole, and Lucille and Lamar Wilkes of Twisted Cafe.

**C.**

**D. APPROVAL OF AGENDA**

Hearing no requests to amend, Councilmember Fuller moved to approve the Agenda as presented, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**E. PROCLAMATIONS - (Acknowledgement)**

None

**F. APPROVAL OF MINUTES**

1. January 8, 2024, Study Session Minutes; (Recreational Division Update), was moved by Councilmember Smotherson, it was seconded by Councilmember Klein, and the motion carried unanimously.
2. January 8, 2024, Meeting Minutes was moved by Councilmember Fuller, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**G. APPOINTMENTS TO BOARDS AND COMMISSIONS**

1. Edward Deitzler is nominated for reappointment to the Board of Trustees Retirement Fund (Pension) by Councilmember Steve McMahon, it was seconded by Councilmember Clay, and the motion carried unanimously.
2. Tony Westbrooks is nominated for reappointment to the Board of Trustees Retirement Fund (Pension) by Councilmember Steve McMahon, it was seconded by Councilmember Klein, and the motion carried unanimously.
3. James Wilke is nominated for reappointment to the Park Commission by Councilmember Steve McMahon, it was seconded by Councilmember Smotherson, and the motion carried unanimously.

**H. SWEARING IN TO BOARDS AND COMMISSIONS**

None

**I. CITIZEN PARTICIPATION - (Total of 15 minutes allowed)**

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

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

Written comments 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](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting.

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

Mayor Crow acknowledged receipt of a written comment and noted that there were no verbal requests to speak on regular agenda items.

**J. COUNCIL COMMENTS**

**K. PUBLIC HEARINGS**

1. Liquor License – Twisted Cafe – 8109 Olive Blvd.

Mayor Crow opened the Public Hearing at 6:32 p.m. and after confirming that there were no requests to speak the hearing was closed at 6:32 p.m.

**L. CONSENT AGENDA - (1 voice vote required)**

1. Centennial Commons Gym Floor Repairs
2. Termination of Easements for Tree Pits at 8614 - 8630 Olive
3. Cardiac Heart Monitor Replacement

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

**M. CITY MANAGER'S REPORT – (Voice vote on each item as needed)**

1. Liquor License – Twisted Cafe – 8109 Olive Blvd.

Mr. Rose stated staff is recommending that Council consider a Liquor License Application for the Twisted Cafe, located at 8109 Olive Blvd.

Mr. Cole stated this application is for approval to serve a variety of intoxicating liquors by the drink, seven days a week.

Councilmember Smotherson stated typically Liquor License Applications are received from fully operational businesses. But in this case, the application seems a little premature since the Cafe is not open for business. Are there any plans to install a new sign or make any renovations to the exterior of this facility?

Mr. Cole informed Councilmember Smotherson that the owner, Ms. Lucille Wilkes was in attendance.

**Lucille Wilkes, 8109 Olive Blvd., U City, MO**

Ms. Wilkes stated all of the interior renovations have been completed and the sign has been ordered. However, since they do not own the building, she hopes that the landlord will make some exterior improvements, even though no promises have been made to do so.

Councilmember Smotherson stated if there are no additional comments his preference would be to delay the approval of this license until the business is up and running.

**Lamar Wilkes, 8109 Olive Blvd., U City, MO**

Mr. Wilkes stated that they tried applying for the City's Facade Improvement Program to enhance the physical appearance of the building but was informed that it was only available for existing businesses that had all of their permits and licenses on file. He stated the owner lives out of town and all communications are being handled through a property manager. And during those conversations, they were told that they could not make any physical improvements to the exterior without the City's approval. So, while waiting for their applications to be approved, he power-washed the building several times and completed all of the interior work. Mr. Wilkes stated the only things left to do at this point are to install the sign and add new stripes to the parking lot.

Councilmember Smotherson asked if the owners had prohibited them from doing any work on the exterior of this building? Mr. Wilkes stated after the owner's death, the building was inherited by their 26-year-old daughter, who hired a company to manage the property that, frankly, does not seem to be interested in any concerns expressed by tenants. Because now they've leased the rear of the building to a tax firm whose clients are utilizing all of the parking spots. Councilmember Smotherson asked if a delay in approving this license would hinder their ability to get the business up and running? Mr. Wilkes stated without the license all they have is a deli, so the inclusion of a bar will help them finance the business.

Councilmember Smotherson stated in its current state, the outer appearance of this building would not lead anyone to conclude that there is a viable business operating on the inside. So, before the issuance of this license is it possible to install the sign and allow members of Council to see the interior renovations? Mr. Wilkes stated they would prefer to make sure they have the license before paying for and installing the sign because they won't be able to sustain the business without the ability to serve liquor.

Councilmember Clay asked Mr. Wilkes if he could give Council an estimate of when the business would be fully operational? Mr. Wilkes stated if the Liquor License is approved tonight, they could be open in two weeks. Councilmember Clay asked if Council could conduct a tour, the sign installed, and some degree of beautification on the exterior could be completed within that timeframe? Ms. Wilkes stated the problem with moving forward is that since occupying the building in July, they have spent a lot of money on interior renovations and rent.

Councilmember Smotherson asked Ms. Wilkes if it would create an undue burden if Council revisited this application in two weeks to get a better understanding of her business? Ms. Wilkes stated if the application is going to be approved, then she would be happy to wait two weeks.

Mayor Crow stated with no pending motion on the floor, no further action is needed.

**N. UNFINISHED BUSINESS - (Roll call vote required on 2<sup>nd</sup> and 3<sup>d</sup> readings)**

- 1. BILL 9535 - AN ORDINANCE AMENDING ZONING CODE SECTION 400.1260 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO FENCE MATERIALS, BY ADDING PROVISIONS PROHIBITING TARP FENCES IN RESIDENTIAL AND PUBLIC ACTIVITY ("PA") ZONING DISTRICTS.** Bill Number 9535 was read for the second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

**O. NEW BUSINESS**

**Resolutions - (Voice vote required)**

Resolutions

None

**Bills - (No vote required on introduction and 1<sup>st</sup> reading)**

*Introduced by Councilmember Smotherson*

1. **BILL 9536** - AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "URBAN SPROUTS." Bill Number 9536 was read for the first time.

**P. 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

**Q. CITIZEN PARTICIPATION - (continued if needed)**

**R. COUNCIL COMMENTS**

Councilmember Klein moved to adjourn the Regular Session, it was seconded by Councilmember Fuller, and the motion carried unanimously.

**S. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and adjourned the Regular Council Meeting at 6:52 p.m.

LaRette Reese  
City Clerk, MRCC

**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CA20240212-01</b>
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<b>SUBJECT/TITLE:</b> Approval for the City Clerk to sign and seal a Boundary Adjustment Plat for recording at the St. Louis County Recorder of Deeds.			
<b>PREPARED BY:</b> John L. Wagner		<b>DEPARTMENT / WARD</b> Planning and Development	
<b>AGENDA SECTION:</b>	Consent	<b>CAN ITEM BE RESCHEDULED?</b>	yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager recommends approval.			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> N/A			

<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> Section 405.580 of the City's Subdivision Ordinance governs the administration of boundary adjustments. These plats allow adjustments to be made to lot lines of platted lots, essentially moving the property line between two lots. These plats do not create new lots. §405.580 allows for these plats to be approved administratively.  A boundary adjustment between 6908 Amherst Avenue and 6910 Amherst Avenue has been approved: 813 square-feet was added to 6910 Amherst from 6908 Amherst. The plat needs to be recorded with St. Louis County, and the City Clerk's signature and the City's seal need to be affixed to the plat before it can be recorded. The City Clerk, however, cannot sign and seal the plat unless directed to do so by the City Council. As the plat was administratively approved by staff, we respectfully request approval for the City Clerk to sign and seal the boundary adjustment plat.
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<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> Staff Memo	

<b>LIST CITY COUNCIL GOALS (S):</b> High Quality Growth	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregroy Rose
<b>MEETING DATE:</b>	February 12, 2024



**Department of Planning and Development**

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

**M E M O R A N D U M**

TO: Gregory Rose, City Manager  
FROM: John Wagner, Ph.D., Director of Planning & Development  
DATE: February 12, 2024  
SUBJECT: Boundary Adjustment Plat – Signature and Seal

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This Memo is a request for the City Council to approve the City Clerk’s signature and the City’s seal on a Boundary Adjustment Plat so the plat can be recorded with the St. Louis County Recorder of Deeds.

Section 405.580 of the City’s Subdivision Ordinance governs the administration of boundary adjustments. These plats allow adjustments to be made to lot lines of platted lots, essentially moving the property line between two lots. These plats do not create new lots. §405.580 allows for these plats to be approved administratively.

A boundary adjustment between 6908 Amherst Avenue and 6910 Amherst Avenue has been approved: 813 square-feet was added to 6910 Amherst from 6908 Amherst. The plat needs to be recorded with St. Louis County, and the City Clerk’s signature and the City’s seal need to be affixed to the plat before it can be recorded. The City Clerk, however, cannot sign and seal the plat unless directed to do so by the City Council. As the plat was administratively approved by staff, we respectfully request approval for the City Clerk to sign and seal the boundary adjustment plat.

**Attachments:**

Four (4) invoices from Bio-One of STL



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CA20240212-02</b>
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**SUBJECT/TITLE:**  
Heman Park Pool - Sprayground - Construction Contract

<b>PREPARED BY:</b> Darin Girdler, Director of Public Works	<b>DEPARTMENT / WARD</b> Parks & Recreation/All
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<b>AGENDA SECTION:</b> Consent	<b>CAN ITEM BE RESCHEDULED?</b> Yes
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**CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:**  
City Manager recommends approval of the Contract with Capri Pools and authorization to execute same as contained in Council's packet.

**FISCAL IMPACT:**  
Total project cost \$715,000.00. The City received a \$575,000.00 grant for this project and will be responsible for the remaining \$140,000.00.

<b>AMOUNT:</b> \$140,000.00	<b>ACCOUNT No.:</b>
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<b>FROM FUND:</b>	<b>TO FUND:</b>
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**EXPLANATION:**  
The sprayground at Heman Park Pool will provide recreational opportunities for many ages and capabilities.

**STAFF COMMENTS AND BACKGROUND INFORMATION:**  
Project had been approved for quite some time and this is the final document to be approved.

<b>CIP No.</b>	
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**RELATED ITEMS / ATTACHMENTS:**  
Contract

**LIST CITY COUNCIL GOALS (S):**  
Community Quality of Life Amenities

<b>RESPECTFULLY SUBMITTED:</b> City Manager, Gregroy Rose	<b>MEETING DATE:</b> February 12, 2024
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# SPLASH SPRAYGROUND SERVICES CONTRACT

THIS AGREEMENT, made as of the day of \_\_\_\_\_, 2024 by and between The City of University City, MISSOURI (here in after called the CITY) and Capri Pools, Inc \_\_\_\_\_, a \_\_\_\_\_ with offices at \_\_\_\_\_ (herein after called the CONTRACTOR),

The CITY has selected CONTRACTOR to perform professional services for the planning, engineering analysis, design, and development of plans and specifications, and the construction of a Splash Sprayground at the Heman Park Pool.

NOW, THEREFORE, The CITY and CONTRACTOR for the considerations hereinafter set forth, Agree as follows:

## ARTICLE 1 - SCOPE OF SERVICES

The services covered by this CONTRACT shall include furnishing the professional, technical, and other personnel necessary for the planning and design and construction (the "PROJECT"). All design and planning drawings must be completed using drawing protocols and standards by the City of University City. All deliverables and agreed upon project development information, shall be submitted in electronic format for continued use by the City of University City.

CONTRACTOR agrees to perform all those services described in Exhibit A, attached hereto, and made a part hereof, in accordance with the terms and conditions stated therein, (such services being hereinafter referred to as the "WORK").

## ARTICLE 2 - STANDARDS AND PERMITS

Design criteria and project planning will be in accordance with the standards of the CITY, St. Louis County Department of Health, and the Metropolitan St. Louis Sewer District (MSD). Permits for this PROJECT will be required from the City and may be required by MSD, and possibly other agencies. The CONTRACTOR shall be responsible for applying for and acquiring all permits that are required to construct the PROJECT, except for MSD for which the CONTRACTOR shall only be responsible for obtaining plan approval. The CONTRACTOR shall prepare all documents required to apply for the required permits and approvals and shall represent the CITY at all meetings in which the various agencies request the CITY'S attendance. The CONTRACTOR shall provide any additional information requested by the agencies and shall revise the permit applications and/or plans, as required by the agencies, in order for the agencies to properly evaluate the permit applications.

## ARTICLE 3 - FEES AND PAYMENT

1. For the services described in Exhibit A- Scope of Services, the CITY will pay, and the CONTRACTOR will accept as full compensation, actual costs of services and supplies based upon the rates provided in the Scope of Services, the total amount not to exceed Seven Hundred Fifteen Thousand Dollars (\$715,000.00).
2. Progress payments for services rendered shall be made monthly upon submission of a detailed invoice, in form reasonably satisfactory to the City Representative for work performed during the previous month. The CITY will make progress payments not later than forty days after receipt of acceptable invoices with appropriate documentation.

#### ARTICLE 4 - SUBCONTRACTING

Except as listed on Exhibit A attached hereto, no part of the services to be performed by CONTRACTOR hereunder shall be subcontracted without the prior written consent of the CITY. The subcontracting of the work shall in no way relieve the CONTRACTOR of CONTRACTOR'S primary responsibility for the quality and performance of the work.

CONTRACTOR shall assure that any subcontractor, as provided for herein, is in full compliance with all laws, rules, regulations, ordinances, provisions of this CONTRACT, and, without limiting the generality of the foregoing, compliance with all federal laws applicable to contracts of this type.

#### ARTICLE 5 - RESPONSIBILITY OF CONTRACTOR

The CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of designs, drawings, specifications, and other services furnished under this CONTRACT. The CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in his designs, drawings, specifications, and other services.

All plans, specifications and other documents shall be endorsed by the CONTRACTOR and shall reflect the name and seal of the Professional Engineer endorsing the work.

The CONTRACTOR shall defend suits or claims for infringement of any copyright or patent rights arising out of use or adoption of any design, drawings or specifications furnished by him, and shall indemnify the CITY or other agency of government from loss or damage on account thereof so long as the documents furnished by the CONTRACTOR are being used for their original intended purpose.

Neither the CITY'S review, approval, acceptance of, nor payment for, any of the services required under this CONTRACT shall be construed to operate as a waiver of any rights under this CONTRACT or any cause of action arising out of the performance of this CONTRACT, and the CONTRACTOR shall be and remain liable to the CITY in accordance with applicable CITY codes and Ordinances and State and Federal laws for all damages to the CITY caused by the CONTRACTOR'S negligent performance of any of the services furnished under this CONTRACT.

#### ARTICLE 6 - TIME OF COMPLETION

The services of the CONTRACTOR shall commence upon receipt of a Notice to Proceed from the CITY, which Notice shall be in writing, and the CONTRACTOR shall within ten (10) days proceed with the schedule as set forth in Exhibit A.

The times specified herein may be extended by written order of the City Representative in the event of unavoidable delay. The CONTRACTOR may submit to City Representative timely requests for extension of time before plans are due, citing reasons why the delay involved is unavoidable.

#### ARTICLE 7 - INFORMATION BY THE CITY

The CITY will provide upon request available information of record to the CONTRACTOR. The CITY will provide representatives to attend meetings with interested property owners and

public utilities, upon request of the CONTRACTOR.

**ARTICLE 8 - INSURANCE REQUIREMENTS**

The CONTRACTOR and its Subconsultants shall procure and maintain during the life of this CONTRACT insurance against claims which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, his agents, representatives, employees or subcontractors of the types and minimum amounts as follows:

1. Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.
  
2. Comprehensive General Liability and Bodily Injury
  - Including Death: \$460,000 each person  
\$3,070,000 each occurrence
  - Property Damage: \$3,070,000 each occurrence  
\$3,070,000 each occurrence
  
3. Comprehensive Automobile Liability, Bodily Injury
  - Including Death: \$460,000 each person  
\$3,070,000 each occurrence
  - Property Damage: \$3,070,000 each occurrence
  
4. Owner's Protective Bodily Injury
  - Including Death: \$460,000 each person  
\$3,070,000 each occurrence
  - Property Damage: \$3,070,000 each occurrence  
\$3,070,000 each occurrence

An umbrella or excess liability policy may be used to attain the shown Worker's Compensation and Employers' Liability limits.

The Comprehensive General Liability policy shall be endorsed to cover the liability assumed by the CONTRACTOR hereunder. To the extent permitted by law, the CONTRACTOR shall name the CITY as an additional insured on all insurance policies required by the CONTRACT. Said insurance shall be written by a company or companies licensed to do business in the State of Missouri.

Certificates evidencing such insurance shall be furnished the CITY prior to CONTRACTOR commencing the work. The insurance evidenced by the certificate shall indicate that it will not be canceled or altered, except that it may be canceled or altered upon twenty days prior written notice thereof to the CITY. The certificate(s) must state the CITY as an additional insured on those policies applicable. The cost of such insurance shall be included in the CONTRACTOR'S basic service fee.

Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the CITY, its officers, officials, and employees; or the CONTRACTOR shall procure a bond guaranteeing payment of losses and related investigations, claim administrative and defense expenses.

**ARTICLE 9 - INDEMNIFICATION**

The CONTRACTOR and his SUBCONTRACTORS shall indemnify and save harmless the CITY

against injury, loss or damage and costs and expenses (including reasonable attorney fees) suffered or incurred by the CITY for personal injuries including death, or property damages sustained, caused by negligent or willful acts, errors or omissions of the CONTRACTOR, any subcontractors of CONTRACTOR their respective agents, employees or contractors arising out of the WORK of this CONTRACT.

#### ARTICLE 10 - TERMINATION

The CITY may terminate this CONTRACT at any time, with or without cause, effective upon delivery of Notice thereof to the CONSULTANT.

Should the CONTRACT be so terminated, all drawings and documents in connection with the project shall become the property of the CITY who shall, in that event, make reasonable allowance for expenses incurred and services satisfactorily performed by the CONTRACTOR to the date of termination. The CITY shall indemnify CONTRACTOR for any use or re-use of plans by persons with CITY's express approval.

#### ARTICLE 11 - OWNERSHIP OF DOCUMENTS

All original documents, studies, graphic material, drawings, photographs, or plans, including those on electronic media, (DOCUMENTS) prepared by the CONTRACTOR, pertaining to the design of the project, shall be deemed the property of the CITY and shall be delivered to the CITY at the time of termination of this contract or presentation of the CONTRACTOR'S final invoice for payment pursuant to ARTICLE 3 and the CITY shall be entitled to physical possession of said DOCUMENTS whether complete or in progress.

#### ARTICLE 12 - DECISIONS UNDER THIS AGREEMENT

The City Representative will determine the acceptability of work performed under this CONTRACT and will decide all questions which may arise relative to the proper performance of this CONTRACT, and his decision shall be final and conclusive.

#### ARTICLE 13 - EQUAL OPPORTUNITYCLAUSE

During the performance of this CONTRACT, the CONTRACTOR agrees as follows:

The CONTRACTOR, with regard to the work performed by it after award and prior to completion of the CONTRACT, will not discriminate on the ground of race, color, religion, **sex**, national origin or disability in the selection and retention of subcontractors. The CONTRACTOR will comply with Title VI of the Civil Rights Act of 1964, as amended. In all solicitations either by competitive bidding or negotiations made by the CONTRACTOR for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified of the CONTRACTOR 'S obligations under this CONTRACT and the regulations relative to non-discrimination on the ground of color, race, religion, **sex**, national origin, or disability.

The CONTRACTOR will take action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin, or disability.

Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONTRACTOR agrees to post notices in conspicuous places available to employees and applicants for employment.

The CONTRACTOR will, in all solicitation, or advertisements for employees placed by or on behalf

of the CONTRACTOR, state that all qualified applicants will receive • consideration for employment without regard to race, color, religion, **sex**, national origin, or disability.

The CONTRACTOR will comply with all provisions of State and Federal laws and regulations governing the regulations of Equal Employment Opportunity and Non-Discrimination.

**ARTICLE 14 - SUCCESSORS AND ASSIGNS**

The CITY and the CONTRACTOR agree that this CONTRACT and all contracts entered under the provisions of this CONTRACT shall be binding upon the parties hereto and their successors and assigns.

**ARTICLE 15 - CHANGES**

The CITY may make changes within the general scope of services of the CONTRACT. However, no changes will be made in the Scope of Service, the Time of Performance, the fees to be paid or other provisions which may affect the cost of the project without prior written order of the CITY and the execution of a suitable Amendment to this CONTRACT. Neither the CITY staff nor the CONTRACTOR may authorize any substantive change in this CONTRACT by oral or other directions intended to substitute for a written contract Amendment.

This CONTRACT may be amended or supplemented only by an instrument in writing executed by the parties hereto.

**ARTICLE 16 - CITY REPRESENTATIVE**

For purposes of this CONTRACT, the City Representative will be the \_\_\_\_\_ of the CITY. The City Manager, in his sole discretion, may designate another City Representative from time to time. In such event, CONTRACTOR shall be notified by the CITY, in writing.

**ARTICLE 17 - NOTICE**

Any notice required or permitted to be delivered under this CONTRACT shall be in writing and shall be deemed to have been delivered on the earliest to occur of (a) actual receipt; or (b) three business days after having been deposited with the U.S. Postal Service, postage prepaid, certified mail, return receipt requested; or (c) one business day after having been deposited with a reputable overnight express mail service that provides tracking and proof of receipt of items mailed. All notices shall be addressed to the parties at the addresses set forth below:

If to CONTRACTOR:

If to CITY:                   City of University City  
6801 Delmar Blvd.  
University City, MO 63130

Attn.: \_\_\_\_\_

**ARTICLE 18 - CHOICE OF LAW**

This CONTRACT, and all work and other activities governed hereby shall be governed by the laws of the State of Missouri.

**ARTICLE 19 - CONFLICTS**

In the event of any conflict or discrepancy between the terms of this CONTRACT and those set forth in Exhibit A hereto, it is expressly understood and agreed that the terms and provisions of this CONTRACT shall govern.

**ARTICLE 20 - SEVERABILITY**

If any provision of this CONTRACT is held to be illegal, invalid, or unenforceable under present or future laws, such provision shall be fully severable. In such event, this CONTRACT shall be construed and enforced as if such illegal, invalid, or unenforceable provision had never comprised a part of this CONTRACT and the remaining provisions of this CONTRACT shall remain in full force and effect, and shall not be affected by the illegal, invalid, or unenforceable provision.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

(SEAL)

Attest:

Title: \_\_\_\_\_

By (signature): \_\_\_\_\_

Contractor (print): \_\_\_\_\_

Date: \_\_\_\_\_

(SEAL)

Attest:

By: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

CITY OF UNIVERSITY CITY

By: \_\_\_\_\_  
City Manager

Date: \_\_\_\_\_



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>CA20240212-03</b>
---------------------------------------------	----------------------

<b>SUBJECT/TITLE:</b> Police Department purchase of a 2024 Nissan Versa car			
<b>PREPARED BY:</b> Chief Larry Hampton		<b>DEPARTMENT / WARD</b> Police Department	
<b>AGENDA SECTION:</b>	Consent	<b>CAN ITEM BE RESCHEDULED?</b>	No
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Managers recommends approval.			
<b>FISCAL IMPACT:</b> UCPD purchase for Code Compliance Officer use. Funding was allocated and approved for F.Y. '24 in C.I.P. this purchase.			
<b>AMOUNT:</b>	\$20.055	<b>ACCOUNT No.:</b>	#30-20-90-8200
<b>FROM FUND:</b>	CIP Vehicles & Equip #30-20-90-8200	<b>TO FUND:</b>	CIP Vehicles & Equip
<b>EXPLANATION:</b> The Police Department is requesting the purchase of one 2024 Nissan Versa for use by the Code Compliance Officer(s) going forward.			

<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> Auto Centers Nissan quoted the department \$19,555 to purchase one Nissan Versa. There will be an additional charge of \$500 dollars to equip this vehicle with decals and the installation of those decals. This totals \$20,555 for the entire purchase.
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> Vehicle and Equipment quotes attached	

<b>LIST CITY COUNCIL GOALS (S):</b> Public Safety Prudent Fiscal Management	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregroy Rose
<b>MEETING DATE:</b>	02/12/2024



1277 McNutt St. Herculaneum, MO 63048  
636-232-0333 www.autocentersnissan.com

RETAIL  
BUYERS  
ORDER

Stock No. N00940  
Date 02/05/2024  
Salesman ADRIAN GODLEWSKI  
Source \_\_\_\_\_

Purchaser CITY OF UNIVERSITY CITY POLICE DEPARTMENT St. Address 601 TRINITY AVENUE  
City UNIVERSITY CITY State MO Zip 63130 Home phone (314)505-8661 Work phone (314)338-7807

I hereby agree to purchase from you under terms and conditions specified, the following:

New  Used

Year 2024 Make NISSAN Style S CVT Body S CVT Model VERSA Color CHARCOAL/GU  
VIN 3N1CN8DVXRL837828 Mileage 3

OPTIONAL EQUIPMENT	PRICE:	
		19,465.00
	GAP	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A
	N/A	N/A

UNLESS THE MANUFACTURER OR THE DEALER HAS ISSUED SPECIFIC WARRANTY ON THIS VEHICLE, SEE THE DISCLAIMER OF WARRANTY ON THE BACK OF THIS CONTRACT. (SEE SECTIONS 3, 6, 7 ON REVERSE.)

TOTAL CASH DELIVERED PRICE	19,465.00
----------------------------	-----------

**PURCHASER'S CERTIFICATION**

1. I hereby certify that this order includes all of the terms and conditions on both the face and reverse side hereof, that this order cancels and supersedes any prior agreement and as of this date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matters covered hereby, and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE; AND

ADMINISTRATIVE FEE	585.00
NET SELLING PRICE	20,050.00
LESS TRADE ALLOWANCE	N/A
BALANCE OWED ON TRADE	N/A

2. I have reviewed this order and fully understand that my new unit will be equipped only with the optional equipment specifically listed on the face of this order plus all standard equipment as designated by the manufacturer at time of delivery; AND

TOTAL	20,050.00
TAXES AND LICENSE	5.00

**TRANSIT DAMAGE**

3. Purchaser acknowledges that there may have been certain transit and/or storage damage to the vehicle sold by the Seller herein, and Purchaser hereby releases the Seller for any and all claims arising out of such transit and/or storage damage

SERVICE CONTRACT	N/A
CASH DEPOSIT WITH ORDER	500.00
CASH DUE AT TIME OF DELIVERY	N/A

**KNOWN DEFECTS**

4. All equipment (including tires) as appraised on my trade-in will remain, and the only existing material defects known to me on the motor vehicle that is being traded in to the dealer are: \_\_\_\_\_ : AND  
IF NONE, SO STATE

BALANCE TO FINANCE	19,555.00			
DESCRIPTION OF TRADE-IN:	MILEAGE <u>N/A</u>			
VIN <u>N/A</u>	STOCK # <u>N/A</u>			
YEAR <u>N/A</u>	MAKE <u>N/A</u>	MODEL <u>N/A</u>	COLOR <u>N/A</u>	BODY <u>N/A</u>

5. THIS IS A CASH SALE.

6. NOTICE: IF YOU ARE BUYING A USED VEHICLE, SEE THE REVERSE SIDE UNDER "PROVISIONS APPLICABLE ON SALE OF A USED VEHICLE" BECAUSE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE DISCLAIMED AND CERTAIN STATEMENTS ARE MADE CONCERNING THE ODOMETER READING.

Accepted: \_\_\_\_\_  
BY: \_\_\_\_\_

AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY THE DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW.

7. I certify I am 18 years of age, or older, and that I have read the printed matter on the front and back hereof, and agree to it as a part of this order the same as if it were printed above my signature. I/we authorize you to check my/our credit and employment history and to provide and/or obtain information about credit experiences with me/us.  
x \_\_\_\_\_  
x \_\_\_\_\_

**NOTICE**  
This order form used to contain a "power of attorney", however, there is no longer room for it. If one is needed, you should order **MADA Form 3**.

**IMPORTANT NOTICE TO BUYERS**  
PARAGRAPHS 6 AND 7 ON THE REVERSE SIDE OF THIS ORDER RELATE TO WARRANTY INFORMATION ON USED CARS. (THE BUYER/S MUST READ AND SIGN THE APPLICABLE PARANGRAPH.)



# 2024 Nissan Versa S CVT



Scan QR code for general model information & options

### Standard Equipment Included at No Extra Charge

#### Mechanical & Performance

1.6 L DOHC 16-Valve 4-Cylinder Engine  
Continuously Variable Transmission (CVT)  
Hill Start Assist  
Front Disc/Rear Drum Brakes

#### Safety & Security

Automatic Emergency Braking w/  
Pedestrian Detection  
Rear Automatic Braking  
Lane Departure Warning  
High Beam Assist  
RearView Monitor  
Nissan Advanced Air Bag System  
Front and Rear Seat Belts w/  
Pretensioners and Load Limiters  
Anti-lock Braking System  
Vehicle Dynamic Control System  
Traction Control System  
Tire Pressure Monitoring System  
w/ Easy-Fill Tire Alert  
LATCH system (Lower Anchors and Tethers  
for Children)  
Nissan Vehicle Immobilizer System

#### Comfort & Convenience

Power Windows w/ Driver's One-Touch  
Auto Up/Down  
Power Door Locks w/ Speed Sensing  
Auto-Locking  
Cruise Control  
Auto On/Off Headlamps w/ Delay Timer  
Illuminated Steering Wheel Controls for  
Audio and Cruise Control  
Manual Tilt/Telescoping Steering Wheel  
Flat Blade Variable Intermittent  
Windshield Wipers w/ Mist Cycle  
Rear Window Defroster w/ Timer  
5-Passenger Seating Capacity  
6-way Manually Adjustable Driver Seat  
Height-Adjustable Front Head Restraints  
Cloth Seat Trim  
Passenger Seat Map Pocket  
7" Color Touch-Screen Display  
Bluetooth® Hands-free Phone System+  
Streaming Audio via Bluetooth®+  
Hands-Free Text Messaging Assistant+  
Sir® Eyes Free+  
AM/FM w/ RDS, MP3 and Aux-in  
4 Speakers  
(1) 12-volt DC Power Outlet and (3) USB  
Ports (2-Charge Only)

#### Exterior

15" Steel Wheels w/ Full Wheel Covers  
Temporary Spare Tire  
Halogen Headlamps  
Black Resin Power Adjusting Exterior Mirrors  
Black Resin Door Handles

\*\*Replaces standard equipment

+For more information,  
see dealer, owner's manual, or  
[www.NissanUSA.com/connect/legal](http://www.NissanUSA.com/connect/legal).

Manufacturer's Suggested  
Retail Base Price: \$17,800.00

Options Included by Manufacturer  
SPLASH GUARDS 245.00  
CARPETED FLOOR MATS 170.00  
TRUNK PACKAGE 135.00  
Trunk Net  
Shopping Bag Hooks

DESTINATION CHARGES 1,115.00

**Total\* \$19,465.00**

## EPA DOT Fuel Economy and Environment Gasoline Vehicle

**Fuel Economy** COMPACT CARS range from 18 to 83 MPG. The best vehicle rates 140 MPGe.

**35 MPG**  
combined city/hwy  
32 city  
40 highway

**2.9** gallons per 100 miles

**You save \$2,000**  
in fuel costs over 5 years compared to the average new vehicle.

**Annual fuel cost \$1,550**

**Fuel Economy & Greenhouse Gas Rating** (tailpipe only) **Smog Rating** (tailpipe only)

1 7 10 Best Best

This vehicle emits 254 grams CO<sub>2</sub> per mile. The best emits 0 grams per mile (tailpipe only). Producing and distributing fuel also create emissions; learn more at [fuelconomy.gov](http://fuelconomy.gov).

Actual results will vary for many reasons, including driving conditions and how you drive and maintain your vehicle. The average new vehicle gets 28 MPG and costs \$9,750 to fuel over 5 years. Cost estimates are based on 15,000 miles per year at \$3.60 per gallon. MPGe is miles per gasoline gallon equivalent. Vehicle emissions are a significant cause of climate change and smog.

**fuelconomy.gov**  
Calculate personalized estimates and compare vehicles

Smartphone QR Code

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**Overall Vehicle Score** ★★★★★  
Based on the combined ratings of frontal, side and rollover. Should ONLY be compared to other vehicles of similar size and weight.

**Frontal Crash** Driver ★★★★★ Passenger ★★★★★  
Based on the risk of injury in a frontal impact. Should ONLY be compared to other vehicles of similar size and weight.

**Side Crash** Front seat ★★★★★ Rear seat ★★★★★  
Based on the risk of injury in a side impact.

**Rollover** ★★★★★  
Based on the risk of rollover in a single-vehicle crash.

**VEHICLE COLORS:**  
EXT: GUN METALLIC  
INT: CHARCOAL

**FINAL ASSEMBLY POINT:**  
AGUAS (ABV.) MEX

**TRANSPORT METHOD:**  
TRUCK

**DEALER:**  
AUTOCENTERS NISSAN  
1277 MCNUTT STREET  
HERCULANEUM MO  
63048

Star ratings range from 1 to 5 stars (★★★★★) with 5 being the highest.  
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[www.safercar.gov](http://www.safercar.gov) or 1-888-327-4236

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MDL: 10114-837828 KAD-G  
OPT: B-B93C03L92M92

20231104003341AS9963

\*Does not include dealer installed options and accessories, local taxes or license fees. This label has been applied pursuant to federal law. Do not remove prior to delivery to the ultimate purchaser.

\*\*Not actual Monroney Label. Provided for informational purposes only. Vehicle features, pricing and other information subject to change, may vary from actual vehicle content and/or Monroney label description. While Nissan makes reasonable efforts to ensure accuracy of information, Nissan is not responsible for changes, errors or omissions. See actual vehicle and/or verify information in question with your Nissan dealer.





CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM

NUMBER:  
*For City Clerk Use* CM20240212-01

SUBJECT/TITLE:

CUP-23-08 - A Conditional Use Permit (CUP) application to allow a Day Care Center in the "IC" Industrial Commercial District at 6757 Olive Boulevard.

PREPARED BY:

John L. Wagner

DEPARTMENT / WARD

Planning and Development/Ward 3

AGENDA SECTION:

City Manager's Report

CAN ITEM BE RESCHEDULED?

yes

CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:

The City Manager concurs with the Plan Commission and recommends approval.

FISCAL IMPACT:

N/A

AMOUNT:

ACCOUNT No.:

FROM FUND:

TO FUND:

EXPLANATION:

N/A

STAFF COMMENTS AND BACKGROUND INFORMATION:

The Conditional Use Permit was approved at the December 6, 2023 Plan Commission meeting with the Staff Recommendations, in addition to the following:

- The Conditional Use Permit Application be reviewed by the Traffic Commission prior to presentation to the City Council, and
- The parking spaces along and parallel to the alley be reserved for "Staff Only" spaces.

At the Traffic Commission meeting on December 12, 2023, a slightly revised plan was presented. This plan shows a gate in the back of the site with an exit to the alley. This access gate will be locked and equipped with keypad or similar secure entry feature to prohibit parent drop-off/ pick-up from alley. The Traffic Commission approved the revised plan with the C.U.P. A consolidation plat was also approved by the Plan Commission on December 6, 2023, with the second and third readings scheduled for this meeting.

CIP No.

RELATED ITEMS / ATTACHMENTS:

Attached are the Staff Reports from the December 6, 2023 Plan Commission and the December 12 Traffic Commission meetings, amended to include for the City Council the both Commission's recommendation, as well as Plan Commission Transmittal Letter and the application for the Conditional Use Permit that includes a narrative, site renderings and revised site plan.

LIST CITY COUNCIL GOALS (S):

Economic Development, Community Quality of Life, Encourage High-quality Growth.

RESPECTFULLY SUBMITTED:

City Manager, Gregory Rose

MEETING DATE:

February 12, 2024



**Department of Planning and Development**

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

December 6, 2023

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

RE: Application for Conditional Use Permit CUP 23-08 – A request to allow a Day Care Center in the “IC” Industrial Commercial District at 6757 Olive Boulevard.

Dear Ms. Reese,

At a meeting, on December 6, 2023, at 6:30 p.m. in the Fifth Floor City Council Chambers at 6801 Delmar Boulevard, the Plan Commission considered the above-referenced application by Civil Engineering Design Consultants, Inc., on behalf of Urban Sprouts Child Development Center, for a Conditional Use Permit to allow to allow a Day Care Center in the “IC” Industrial Commercial District at 6523 Olive Boulevard. By a vote of 6 for and 0 against, the Plan Commission recommended approval of the application.

Sincerely,

Margaret Holly, Chairperson  
University City Plan Commission



**STAFF REPORT**

**City Council**

<b>Meeting Date</b>	<b>February 12, 2024</b>
<b>File Number</b>	CUP-23-08
<b>Council District</b>	3
<b>Location</b>	6779-6773, 6771, 6767 Olive Boulevard
<b>Applicant</b>	Civil Engineering Design Consultants, Inc. (attn. Paul Boyer, P.E.)
<b>Property Owner</b>	6757 Olive Holdings (dba Urban Sprouts Child Development Center)
<b>Request</b>	Conditional Use Permit (CUP) to allow for a day care center in the "IC" Industrial Commercial District

**Comprehensive Plan Conformance:**

Yes       No       No reference

**Staff Recommendation:**

Approval       Approval with Conditions       Denial

**Attachments:**

- A. Application
- B. Legal Description
- C. Narrative
- D. Site Plans
- E. Architectural Plans and Renderings
- F. Letters for/against

**Applicant Request**

The applicant, 6757 Olive Holdings (dba Urban Sprouts Child Development Center), is requesting a Conditional Use Permit (CUP) to authorize the expansion of the existing day care center at 6757 Olive Boulevard into the properties located at 6779-6773, 6771, and 6767 Olive Boulevard. The proposed expansion also includes a café which will be open to the public. The applicant is also simultaneously requesting approval of a subdivision plat to consolidate all four parcels (the existing Urban Sprouts parcel, plus the three parcels for expansion) into one parcel.

**Existing Property**

The existing day care center, Urban Sprouts, located at 6757 Olive Boulevard, will be expanded into the three parcels to immediately to its west. Urban Sprouts obtained a Conditional Use Permit (CUP) in 2016 for its current location, and they opened in 2017. The building they currently occupy was built in 1955 and is about 10,000 square feet. The space was renovated in 2016/2017 and no expansions were made.

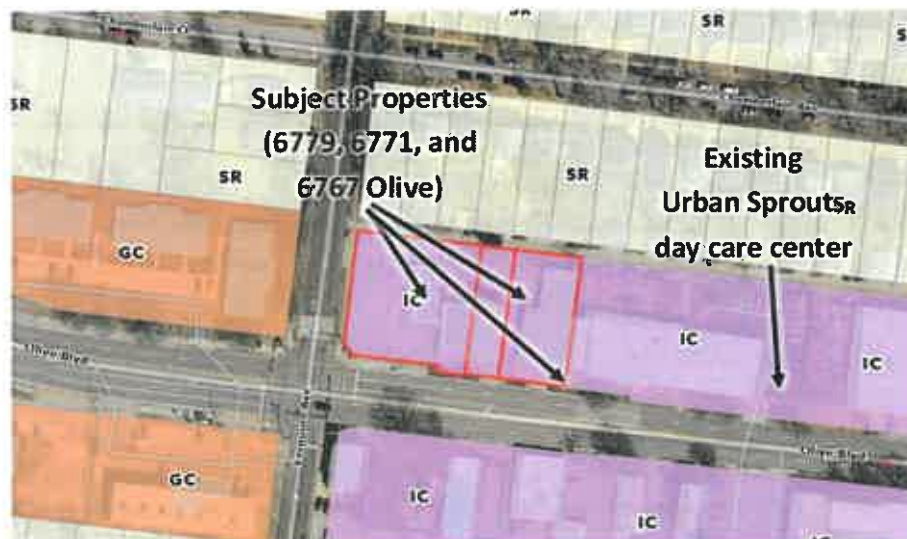
The applicant proposes to expand the day care center to the three adjacent parcels to the west (6779, 6771, and 6767 Olive). There are four existing buildings on the site of the proposed expansion. Moving from east to west, the first building is a one-story brick building (6767 Olive) which was built in 1954 and was used as an automotive repair shop originally; most recently it was used as a financial office and limousine service company. Next is a vacant two-story, mixed-use building (6771 Olive) which was built in 1950, which included retail space on the ground floor and an apartment above. Next is a vacant one-story building (6773 Olive) that was formerly used as a computer sales office. Finally, the farthest west building on the site of the expansion is a vacant one-story commercial building (6779 Olive) that was built as an automotive service shop in 1958. The applicant proposes to reuse and renovate the three one-story buildings, and demolish the two-story mixed-use building, which is in poor condition.

Vehicular access to the existing day care (6757 Olive) is served from one entrance on Olive Boulevard. The existing day care parking lot includes 17 parking spaces. In addition, 10 parallel parking spaces are provided along the alley immediately north of the site. Vehicular access to the proposed expansion site is also primarily from Olive with three entrances.

The property is zoned "IC" Industrial Commercial and is not within any historic district nor any floodplain. The site is 0.69 acres, and the total area of the three buildings that will be reused is about 7,288 square feet. No expansions to the buildings are proposed, except for an indoor walkway connecting the existing day care building at 6757 Olive and the building immediately to the west, 6767 Olive.

Existing Zoning & Land Use		Surrounding Zoning & Land Use	
Existing Zoning:	Industrial Commercial (IC)	North:	Single Family Residential (SR); single-family homes
Existing Land Use:	Vacant commercial space	East:	Industrial Commercial (IC); Day care center
Proposed Zoning:	<i>No change</i>	South:	Industrial Commercial (IC); Tree care company
Proposed Land Use:	Day care center, café	West:	General Commercial (GC); Multi-family residential

**Surrounding Zoning**





## Analysis

### *Land Use and Zoning*

The proposed use, day care center, is a conditional use in the “IC” Industrial Commercial District. In addition to the day care center, the applicant is proposing a café/coffee shop that will be open the public during the day, an afterschool program in the afternoon, and a restaurant in the evening open to SNAP-eligible children and their families.

The applicant proposes to reuse and renovate the three one-story buildings on the site of the expansion and demolish the two-story brick building. The two-story building will be replaced by an outdoor play area/green space. The remaining buildings’ exteriors will be repaired as needed, improved, and repainted to complement to the existing Urban Sprouts facility (see renderings in the attachments).

Significant site improvements will be made as part of the expansion, including the installation of underground storm drains; reconstruction of parking areas, sidewalks, and other paved areas; landscaping; and accessibility improvements. Currently, the site of the proposed expansion is 91.3% covered by pavement and buildings. With the proposed demolition of the two-story building and conversion of pavement into green space, the site coverage will decrease to 69.6%.

New sidewalks will be installed along Olive and Ferguson, and the three existing curb cuts (entrances) to the subject property off Olive will be removed, which will help improve pedestrian safety. Cars will access the new parking lot instead via the alley just north of the site.

### *Off-Street Parking and Loading Requirements*

The existing Urban Sprouts day care center has a total of 27 parking spaces on-site (17 in the parking lot and 10 parallel spaces in the alley). The proposed expansion will add another 27 parking spaces (21 in the new parking lot and 6 new parallel spaces in the alley), for a combined 54 spaces provided across the entire site.

For the purposes of calculating the required parking, the proposed uses include day care center, restaurant (café), and office (support area). The existing day care center has a capacity of 148 children. The capacity of the day care center will be expanded to 202 children. In addition, a new café will be added which will have a different parking requirement, and additional office space (referred to as “support” in the applicant’s plans) has its own parking requirement as well. Below is a summary of the required parking for each use:

	<b>Parking Requirements</b>	<b>Ratio</b>	<b>Unit</b>	<b>Quantity</b>	<b>Total</b>
<b>Day care center</b>	1 space for every 5 individuals cared for as authorized by State licensing	1/5	children	202	40.4
<b>Café (restaurant)</b>	1 space for each 75 square feet of gross floor area (GFA)	1/75	SF	1,576	21.0
<b>Support space (office)</b>	1 space for each 300 square feet of floor area, including the basement if used or adaptable to office use	1/300	SF	1,275	4.3
<b>Total Spaces Required (without exceptions)</b>					<b>65.7 (66)</b>

*Exceptions to the Minimum Off-Street Parking & Loading Requirements (Section 400.2130)*

For all uses combined—existing and proposed—66 parking spaces are required. The applicant is proposing a total of 54 parking spaces, which is 12 fewer than the code requires. However, Article VII, Division 4 of the zoning code includes exceptions to the minimum off-street parking & loading requirements. Two of the exceptions relevant to the proposed development are described below:

- ❖ **Section 400.2130(B)** allows up to 25% reduction in required parking for “reuse of a commercial building, existing prior to the effective date of the zoning code,” through the CUP procedure.

The “effective date of the zoning code” is not defined in the Code. It could refer to when the City first adopted a zoning ordinance (1920s), when the City’s zoning ordinances were first codified (1950s), or when the standards relevant to the proposed development were last modified. However, Article XIII “Non-Conforming Situations”, offers a possible interpretation:

*Section 400.2990(B). A non-conforming situation shall not be deemed to have existed on the effective date of this Chapter or amendment thereto, unless:*

- 1. At the of its creation it was valid;*
- 2. It was in existence on a continuous basis and to its fullest extent on such date; and*
- 3. If such non-conforming situation is a use, such use had not been discontinued, as hererein defined, on such date.*

According to this provision, it is staff’s opinion that the subject property was a valid development at the time of its creation in the 1950s (i.e., the subject property met the standards of the zoning code at that time), and therefore existed prior to the effective date of the zoning code. It is staff’s opinion that the proposed development meets the conditions set forth in 400.2130(B)(1) through 400.2130(B)(5) and qualifies for up to 25% reduction in the number of required parking spaces, up. Therefore, the number of required spaces (66) can be reduced by 16.4.

- ❖ **Section 400.2130(E)** allows 10% reduction in required parking for uses within 500 feet of a transit station or stop (Section 400.2130(E)). The subject property is less than 500 feet from two bus stops (MetroBus Route #91). Therefore, the number of required spaces (66) can be reduced by 6.6.
- ❖ **Summary of available parking reductions.** The two provisions described above result in a total possible reduction of 23.0 spaces, from 66 to 43.
- ❖ **Therefore, the number of spaces provided for the proposed development (54) complies with the off-street vehicular parking requirements.**

The dimensions and circulation of the proposed parking comply with the City’s requirements. The applicant proposes to reduce the stall depth of 11 parking spaces on the western side of the parking lot from 19 feet (standard) to 17 feet. This is allowable per Section 400.2030(C)(4)—where parking stalls are located along the perimeter of the parking area, and the front/rear of cars can overhang onto the landscaped area.

Regarding the required off-street loading spaces, only one loading space is required for the proposed development, per Section 400.2150(A).

Regarding the required off-street bicycle parking spaces, the development is required to provide 1 bicycle parking rack per every 5 vehicle parking spaces required per code. As described above, 43 vehicle parking spaces are required, so therefore 8.6 bicycle parking racks are required, or 7 bicycle parking racks with the 25% reduction authorized in 400.2130(B).

#### *Circulation*

The existing curb cuts on Olive Boulevard and Ferguson Avenue into the existing parking areas will be removed, so that access to the expansion site will be consolidated at one curb cut/entrance via the private alley north of the site. The alley is accessed from Ferguson Avenue. The alley also provides access to the proposed and existing parallel parking spaces. The alley does not provide access to Urban Sprouts' existing parking lot, which is where drop-off occurs for the day care. Access to that parking lot is only from Olive. It is important to note that the "private alley" as indicated on the proposed plans, and in the St. Louis County parcel viewer, is not maintained by the City of University City, and therefore the City does not monitor or control traffic in that alley.

#### *Landscaping, Screening, and Buffers*

As part of the reconstruction of the parking lot and demolition of an existing building, significant landscaping improvements will be made. The amount of natural ground cover will increase from 8.7% of the site to 30.43% of the site. The applicant proposes most of the natural ground cover to be grass. Staff recommends incorporating more native plantings for ground cover where possible.

There are two landscaping standards that the proposed development does not comply with:

- ❖ 400.2040(C)(1) – Minimum 10-foot-wide landscaped strip between the parking area and street.
- ❖ 400.1190 – Requires 10-foot-wide landscaped buffer at the north property line with sight-proof fence and evergreen trees, to provide additional screening from the residential properties.

There are significant limitations with the existing site and location of existing buildings that make it infeasible for the applicant to meet the two landscaping standards above. However, because the current site does not meet these standards, it is considered a "dimensional non-conformity". The proposed reuse and development will not increase the degree of this non-conformity or any other non-conformity, and so the non-conformity is allowed to continue (see Section 400.3110). Despite this, the applicant has made effort to meet the intent of the standards. Staff recommends that the applicant provide additional plantings, including evergreen trees, along the north property line to improve the screening. The proposed landscaping plan otherwise meets the landscaping and screening requirements.

#### *Pedestrian Access*

The applicant proposes to replace and sidewalks along Olive Boulevard and Ferguson Avenue. They propose a 5-foot-wide sidewalk along Olive, and a 6-foot-wide sidewalk along Ferguson. The Ferguson Ave sidewalk will not include a tree lawn, due to the constraints of the existing site and right-of-way width. The three existing curb cuts along Olive will also be removed, which will help improve pedestrian safety.

#### *Olive Boulevard Design Guidelines*

The proposed development appears to meet the applicable guidelines in the Olive Boulevard Design Guidelines (i.e., many of the guidelines refer to new construction, which do not apply to the proposed development). Compliance with the guidelines shall be demonstrated in greater detail prior to issuance of a building permit.

### *2005 Comprehensive Plan*

The future land use map of the Comprehensive Plan identifies the subject property as “Commercial”. The intended land uses for this category typically include sales, retail, restaurants, personal services, and parks. The proposed use of the subject property does not conflict with the purpose and intent of this land use category.

### *2023 Comprehensive Plan*

The 2023 Comprehensive Plan was unanimously adopted by the Plan Commission by resolution on September 27, 2023. Once approved by the City Council, the 2023 Comprehensive Plan will go into full effect and will replace the 2005 Comprehensive Plan. The future character and land use map of the 2023 plan identifies the subject property as an “Community Corridor”. Primary uses in this character/land use type include neighborhood commercial, office, and civic/institutional. The uses and character of the proposed development are consistent with this character type.

### **Review Criteria**

The applicant is in accordance with the Conditional Use Permit review criteria, as set forth in §400.2710 of the Zoning Code, and listed below:

1. The proposed use complies with the standards of this Chapter, including performance standards, and the standards for motor vehicle-oriented businesses, if applicable, as contained in Section 400.2730 of this Article.
2. The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety, and accessibility of emergency vehicles and equipment.
3. The proposed use will not cause undue impacts on the provision of public services such as police and fire protection, schools, and parks.
4. Adequate utility, drainage and other such necessary facilities have been or will be provided.
5. The proposed use is compatible with the surrounding area.
6. The proposed use will not adversely impact designated historic landmarks or districts.
7. Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, or reduce to an acceptable level, such potentially adverse impacts. Such measures may include, but not necessarily be limited to:
  - a. Improvements to public streets, such as provision of turning lanes, traffic control islands, traffic control devices, etc.
  - b. Limiting vehicular access so as to avoid conflicting turning movements to/from the site and access points of adjacent properties, and to avoid an increase in vehicular traffic in nearby residential areas.
  - c. Provision of cross-access agreement(s) and paved connections between the applicant's property and adjacent property(ies) which would help mitigate traffic on adjacent streets;
  - d. Provision of additional screening and landscape buffers, above and beyond the minimum requirements of this Chapter;
  - e. Strategically locating accessory facilities, such as trash storage, loading areas, and drive-through facilities, so as to limit potentially adverse impacts on adjacent properties while maintaining appropriate access to such facilities and without impeding internal traffic circulation;
  - f. Limiting hours of operation of the use or certain operational activities of the use (e.g., deliveries); and
  - g. Any other site or building design techniques which would further enhance neighborhood compatibility.

### **Findings of Fact**

According to §400.2720, the Plan Commission shall not recommend approval of a conditional use permit unless it shall, in each specific case, make specific written findings of fact based directly upon the particular evidence presented to it supporting the conclusion that the proposed conditional use:

1. Complies with all applicable provisions of this Chapter;
2. At the specific location will contribute to and promote the community welfare or convenience;
3. Will not cause substantial injury to the value of neighboring property;
4. Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), the Olive Boulevard Design Guidelines (if applicable), and any other official planning and development policies of the City; and
5. Will provide off-street parking and loading areas in accordance with the standards contained in Article VII of this Chapter.

It is staff's opinion that the proposed use will not have a detrimental impact on the residential properties to the north and will contribute positively to neighboring properties by significantly improving the condition of the existing property.

### **Process – Required City Approvals**

Plan Commission. Section 400.2700(C) of the Zoning Code requires that CUP applications be reviewed by Plan Commission. The Plan Commission shall make a recommendation to the City Council for their consideration. A public hearing is required at the Plan Commission meeting.

City Council. Section 400.2700(D) of the Zoning Code requires that CUP applications be reviewed by City Council for final decision, subsequent to a public hearing and recommendation from Plan Commission. In conducting its review, City Council shall consider the staff report, Plan Commission's recommendation, and application to determine if the proposed CUP application meets the requirements of the Zoning Code.

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### **Staff Recommendation**

Staff recommends approval of the Conditional Use Permit for the property located at 6662 Delmar, Suite C, with the following conditions:

1. A reduction in the number of required off-street parking spaces is approved, from 66 to 54, per Section 400.2130(B).
2. The following shall be submitted to and approved by the Department of Planning & Development prior to issuance of a building permit:
  - a. An exterior lighting plan demonstrating compliance with Section 400.2110.
  - b. A site plan demonstrating compliance with the off-street bicycle parking requirements in Section 400.2145.
  - c. A revised landscaping plan demonstrating that additional landscaping and screening elements, such as canopy or evergreen trees, is provided between the development and the adjacent residential properties.
  - d. Revised site plans, architectural plans, and any other drawings demonstrating in greater detail, compliance with the Olive Boulevard Design Guidelines.
3. Signage will be required to meet the requirements Article VIII "Sign Regulations".

### **Plan Commission Meeting**

**At the Plan Commission meeting on December 6, 2023, the Plan Commission voted unanimously to approve the Conditional Use Permit for Urban Sprouts for a Day Care Center at 6757 Olive Boulevard with the above staff recommendations in addition to:**

- 4. The Conditional Use Permit Application be reviewed by the Traffic Commission prior to presentation to the City Council; and**
- 5. The parking spaces along and parallel to the alley be reserved for "Staff Only" spaces.**

### **Traffic Commission Meeting**

**At the Traffic Commission meeting on December 12, 2023, a slightly revised plan was presented. This plan showed a gate in the back of the site with an exit to the alley. This access gate will be locked and equipped with keypad or similar secure entry feature to prohibit parent drop-off/ pick-up from alley. The Traffic Commission approved the revised plan with the C.U.P. The Staff Report from that meeting is included in Council Packet.**



## PLAN COMMISSION

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

### MEMORANDUM

**TO:** Traffic Commission

**FROM:** Department of Planning & Development

**DATE:** December 12, 2023

**SUBJECT:** Requested review of proposed Conditional Use Permit (CUP) for the expansion of an existing day care facility (Urban Sprouts)

**CC:** Gregory Rose, City Manager  
John Mulligan, City Attorney

---

This development is coming before the Traffic Commission by way of recommendation from the Plan Commission. The Plan Commission reviewed and recommended approval of the Conditional Use Permit (CUP) at its December 6, 2023 meeting. Staff is requesting the Traffic Commission review and recommend solutions to mitigate drop-off and pick-up issues for an existing daycare which is proposed to be expanded.

Urban Sprouts, which is located at 6757 Olive Boulevard, is proposing to expand the day care center into the adjacent three parcels to the west (6767, 6771, and 6773 Olive). On these parcels there are four existing buildings, one of which they propose to demolish. They plan to rehabilitate and reuse the other three buildings—one of which will be the expanded day care center with additional classrooms, another building will become a support/office area, and the third building will become a café and afterschool program. The existing day care and proposed expansion plans comply with the City's zoning code.

It has been brought to the City's attention that there are issues with the drop-off and pick-up at the existing day care. The issues relate to use of the alley immediately to the north of the subject property, between Olive Boulevard and Chamberlain Avenue. The day care has 10 existing parallel parking spaces which are accessed from the alley, and 17 parking spaces in a parking lot accessed from Olive Boulevard. Parents sometimes park in the alley, not in the parking spaces, and block traffic while walking their child into the day care center. This has created issues with residents to the north who regularly use the alley. Urban Sprouts proposes to add 6 parallel spaces and a new parking lot with 21 spaces, which will be accessed from the alley (see attached plans).

At their December 6, 2023 meeting, the Plan Commission added a condition to the CUP that alley spaces be restricted to employee parking, and that the parking lot spaces be used for parents picking up and dropping off their children. The intent is to deter parents from using the alley altogether. Urban Sprouts is aware of the existing issues, and since the 12/6 Plan Commission meeting, has begun restricting the alley spaces to employee-only parking. They have also indicated that they will implement a new policy requiring parents to only use the parking lots for pick-up and drop-off.

It is Planning & Development staff's opinion that the issues with drop-off and pick-up can be solved with a combination of operational changes and public and private enforcement.

Figure 1. Aerial View of Existing and Proposed Day Care



Figure 2. Street View of Existing and Proposed Day Care







Department of Community Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 605-8500

Planning and Development
City of University City

NOV 09 2023

6801 Delmar Blvd
University City MO 63130

APPLICATION FOR CONDITIONAL USE PERMIT
Under Article 11 of the Zoning Code of University City, Missouri

- 1. Address/Location of Site/Building: 6779-6773, 6771, 6767 Olive Blvd.
2. Zoning District (check one):
SR LR MR HR HRO GC LC CC X IC PA PD
3. Applicant's Name, Corporate or DBA Name, Address and Daytime Telephone:
Civil Engineering Design Consultants, Inc. (attn: Paul Boyer, P.E.)
10820 Sunset Office Drive, Suite 200, St. Louis, MO 63127 Ph. (314) 729-1400
4. Applicant's Interest in the Property: Owner Owner Under Contract Tenant\*
Tenant Under Contract\* X Other\* (explain):
Owner's representative

\* Please Note: Zoning Code Section 34-131.1 requires that the application may only come from one (1) or more of the owners of record or owners under contract of a lot of record (or zoning lot), or their authorized representative. If you are applying as a tenant, tenant under contract or other, you must attach a letter from the owner stating you are an authorized representative of them and they give you permission to file this application for Conditional Use on their behalf.

- 5. Owner's Name, Corporate or DBA Name, Address and Daytime Telephone, if other than Applicant:
Owner: 6757 Olive Holdings
Business: Urban Sprouts Child Development Center (Ellicia Lanier, Founder & Exec. Director)
6757 Olive Blvd., University City, MO 63130 Ph. (314) 997-2259

6. Please state, as fully as possible, how each of the following standards are met or will be met by the proposed development or use for which this application is being made. Attach any additional information to this application form.

a) Complies with all applicable provisions of the University City Zoning Code (e.g. required yards and setbacks, screening and buffering, signs, etc.).

The development proposes to renovate existing buildings located at 6779, 6773 & 6767 Olive. The building at 6771 Olive will be demolished, so the site is limited by the constraints of the existing conditions. The development does intend to comply with the applicable provisions of the city's zoning code.

b) At the specific location will contribute to and promote the community welfare or convenience.

The proposed use is an expansion of the existing Urban Sprouts facility locate at 6757 Olive Blvd. The facility provides a much needed daycare service for the area and will also provide services directly for the community itself through the Cafe Au Play and Support Area.



## Who We Are

### Our Mission

Urban Sprouts is a joyful, diverse learning community. Through child-driven learning, we honor and empower young scholars to develop into socially capable, creative, and inspired citizens.

### Our Vision

We envision a community where the ideas of children matter, a society where education is a right, and a world where each child's image is valued.

## Urban Sprouts History

Urban Sprouts Child Development Center was founded in 2009 by Black mother and educator, Ellicia Lanier. Lanier held a variety of positions in the early childhood field including work at a well-resourced center for a Fortune 500 company. Through these experiences and her continuing education, she came to understand what high quality early childhood education (ECE) truly comprises. With that understanding came the realization that people that look like her and grew up in the community in which she grew up, high quality ECE is heartbreakingly hard to come by. It became her mission to make that easier. Urban Sprouts was born out of this determination and commitment to racial and economic equity.

Urban Sprouts became a Reggio-inspired center. The approach, seen more commonly in affluent, majority-White early learning environments, is rooted in child-driven inquiry and represents the contemporary gold-standard for research-based ECE. Urban Sprouts adopted the approach to bring the highest-caliber level of excellence and autonomy to diverse, urban populations at an affordable price point.

Word spread of Urban Sprouts intentional family engagement and how our program consistently and successfully prepared young minds for kindergarten and beyond. As demand increased, Urban Sprouts built a gorgeous new location in University City, north of Delmar, and transitioned to become a non-profit in 2015 to further advance its mission to provide low- to no-cost high quality ECE to families and children most in need. Urban Sprouts now has the capacity to serve up to 150 children. 98 percent of Urban Sprouts students graduate meeting or exceeding kindergarten readiness standards, we achieve this without ever sacrificing the joyful, play-based pedagogical approach that plants the seeds for a lifelong love of learning

in the heart of each child we serve. As excited and proud we are of our legacy, we currently have more than 400 families on our waiting list and are perhaps even more excited about our future.

## Who We Serve

Urban Sprouts currently has the capacity to serve 150 children (ages 0-5) and their families. The majority of these children live in St. Louis City or County, they come from 37 ZIP codes.

71% of students are from socioeconomic backgrounds that qualify them to receive financial assistance.

Our student demographics by race (2023):

- 65% Black
- 27% White
- 4% Hispanic/Latinx
- 1% Asian
- 3% Mixed Race or Other

Our food program has served children and families in need across St. Louis City and County beyond our student population (267,362 meals in FY22).

Our commitment to educators and systemic change means our service isn't confined to Urban Sprouts' walls. In addition to the professional and leadership development provided to our teachers and staff, Urban Sprouts has launched a Community of Practice to provide capacity building to early education leaders across the region. Currently, ten leaders from early learning centers serving majority poverty and racism-impacted populations are in a pilot cohort focused on building administrative skills and obtaining a level of program quality that will qualify them to be nationally accredited.

Considering Urban Sprouts' organizational commitment to systems change through our policy and advocacy engagement, you might even say we serve the whole St. Louis region, having helped to secure millions of dollars for early education programs through community organizing.

**Expanding Our Campus to Meet High Demand While Maintaining High Quality**

With a waitlist of more than 450 families, expanding to an additional building (6767 Olive) has become necessary. Informed by IFF's third-party feasibility study, we have determined that growing by 56 slots addresses some of our waitlist concerns while being realistic about the industry-wide difficulties recruiting highly qualified educators as well as our present physical and organizational capacity. This strategy allows us to responsibly scale without sacrificing our commitment to racial and socioeconomic equity or the excellence synonymous with Urban Sprouts.

Thanks to the generous support of our lead funder, we have acquired the parcels necessary (6767, 6771, 6773 and 6779 Olive Boulevard), for an uninterrupted campus from our existing facility to the intersection of Olive and Ferguson. Through our Boundless Possibilities campaign, you have the opportunity to fund construction and renovation in addition to capacity building and sustainability to help us swiftly realize our goals and better meet the community's urgent needs.

Renovations to our existing facility include expanding the kitchen to meet the needs of having more mouths to feed, connecting to our new building, and any tweaks necessary to maintain licensing standards.

Construction and renovation on our building directly to the west of our current facility will transform what was once a defunct automotive shop into our new preschool wing for our scholars ages 3-5. The three preschool classrooms will be connected to an atelier, a studio space for art and project-based learning to promote inter-class collaboration and 21st century skill-building. This new building will also feature a multi-use space, likely to be utilized frequently for gross motor play and family engagement events and training.

The derelict property to the west of our new preschool wing (6771 Olive) will be razed. That parcel will be transformed into a green space brimming with learning and play— the preschoolers' playground, outdoor classroom, and garden. Our existing facility will function as our infant/toddler wing. The two buildings will be connected by a stunning and inclusive flourish of architectural imagination, a glass walkway and slow-sloping ramp rife with playful, interactive elements.

Then, the next building (6773 Olive) will be utilized for office space, storage, and wraparound supports (family advocates, push-in therapy for children, center admin, etc).

## **Cafe Au Play: Gathering Community & Fighting Hunger with Dignity**

In Urban Sprouts' geographic footprint, more than 1 out of every 8 children are living with food insecurity.<sup>1</sup> It should come as no surprise that the effects of hunger negatively impact children's ability to learn and can be especially severe and far-reaching in early childhood. Insufficient nutritional intake in a child's first two years of life can lead to increased susceptibility to short-term and long-term illness, as well as slowed mental development and physical growth.<sup>2</sup> With this in mind, we, at Urban Sprouts, see nutrition and our food program as an integral component of equitable, high quality early education. But we see an opportunity to feed children and families beyond those enrolled at our center. This vision is, once again, aligned with Forward Through Ferguson's call to end hunger for youth and families as a part of their Youth at the Center signature priority.<sup>3</sup>

This vision is Cafe Au Play. We plan to convert the building at the western-most edge of our campus (6779) into a social entrepreneurial venture with three distinct functions:

1. During the day, Cafe Au Play will function as a family-friendly coffee shop with light food options, generating additional revenue for Urban Sprouts and jobs for the community.
2. In the afternoon, the space will host an Afterschool Program with tutoring support for up to 48 school-age children.
3. In the early evening, the Cafe will function as a restaurant, an extension of our food program, for SNAP-eligible children and their families to access free, nutritious meals in a warm and dignified setting.

Urban Sprouts has extensive experience serving children and families having previously expanded our food program during the pandemic to serve millions of meals to those in need at locations throughout the region. This opened our eyes to the enormous need as well as the great possibilities. Cafe Au Play will house those possibilities, functioning as a community hub.

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<sup>1</sup> [https://mohungeratlas.org/counties/2019/St\\_Louis.pdf](https://mohungeratlas.org/counties/2019/St_Louis.pdf)

<sup>2</sup> Hoddinott, J., Maluccio, J. A., Behrman, J. R., Flores, R., & Martorell, R. (2008). *Effect of a nutrition intervention during early childhood on economic productivity in Guatemalan adults*. *The Lancet*, 371(9610), 411-416.

<sup>3</sup> Ferguson Commission. *Forward through Ferguson: a path toward racial equality*. 2015. Available at: [https://forwardthroughferguson.org/wp-content/uploads/2015/09/101415\\_FergusonCommissionReport.pdf](https://forwardthroughferguson.org/wp-content/uploads/2015/09/101415_FergusonCommissionReport.pdf).

The namesake for the cafe emerged from the imaginations of our young scholars. In 2019, our preschoolers became curious about coffee shops and our educators engaged them in a Reggio-inspired investigation over the course of several months. From their research and creativity came Cafe Au Play, a coffee shop and cafe that our students designed and brought to life for their peers and families in the school. We're excited to open a real-life Cafe Au Play not only because of its potential to create new revenue streams and take a bite out of food insecurity, but also because of how thrilled we are to show our alums and their families how valuable and impactful their ideas can be.

The campus will also drive job creation. We estimate about 40 employees will be in the new buildings at any given time.

The center and office hours of operation will be from 7:30 AM-5:30 PM; special events, like graduation or family engagement events or professional development may occasionally be held as late as 9:00 PM.

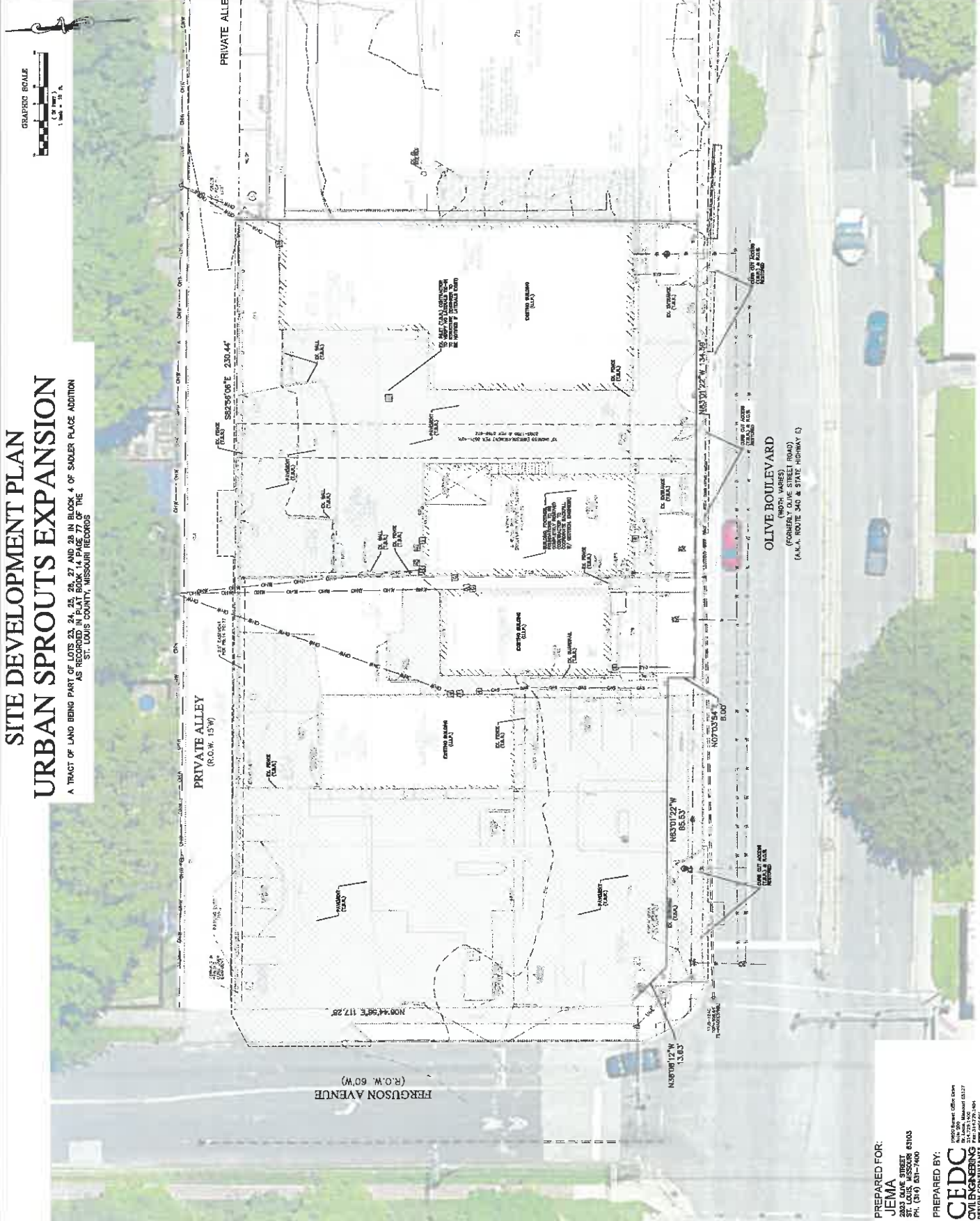
Cafe Au Play will operate from 7:30 AM-8:30 PM.









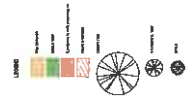
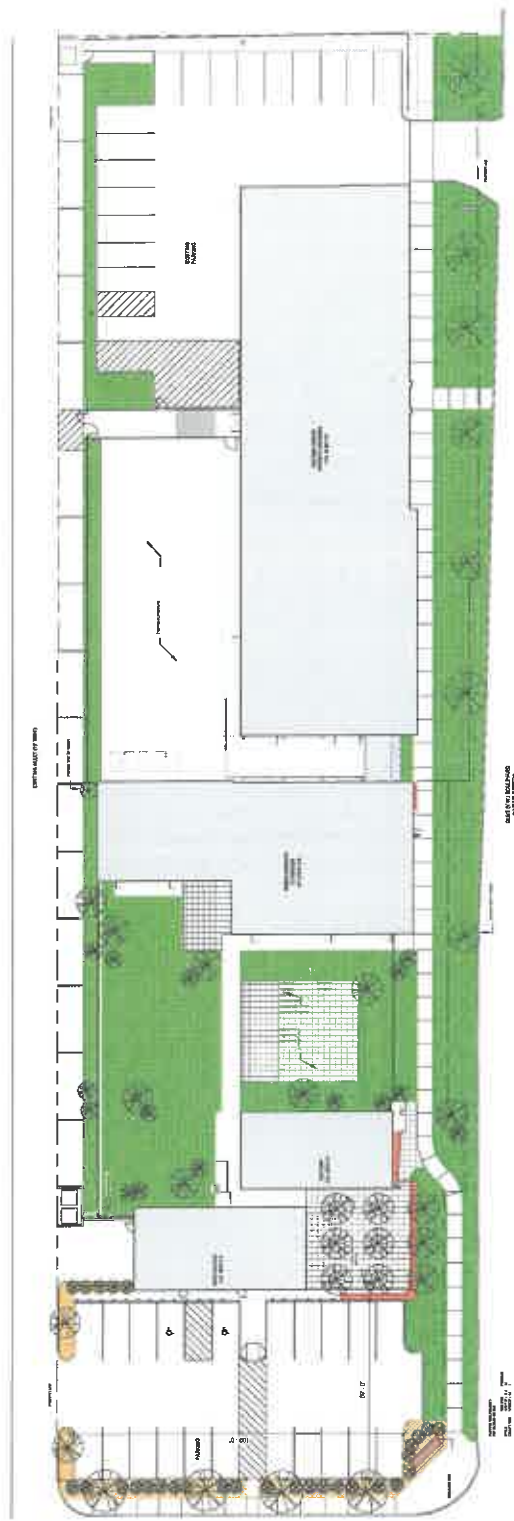


**SITE DEVELOPMENT PLAN**  
**URBAN SPROUTS EXPANSION**  
 A TRACT OF LAND BEING PART OF LOTS 23, 24, 25, 26, 27 AND 28 IN BLOCK 4 OF SADLER PLACE ADDITION AS RECORDED IN PLAT 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS

PREPARED FOR:  
**JEMA**  
 2633 OLIVE STREET  
 ST. LOUIS, MISSOURI 63103  
 PH. 314 531-7400

PREPARED BY:  
**CEDC**  
 CIVIL ENGINEERING  
 1000 MARKET STREET  
 ST. LOUIS, MISSOURI 63101  
 PH. 314 241-1941





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JEMA



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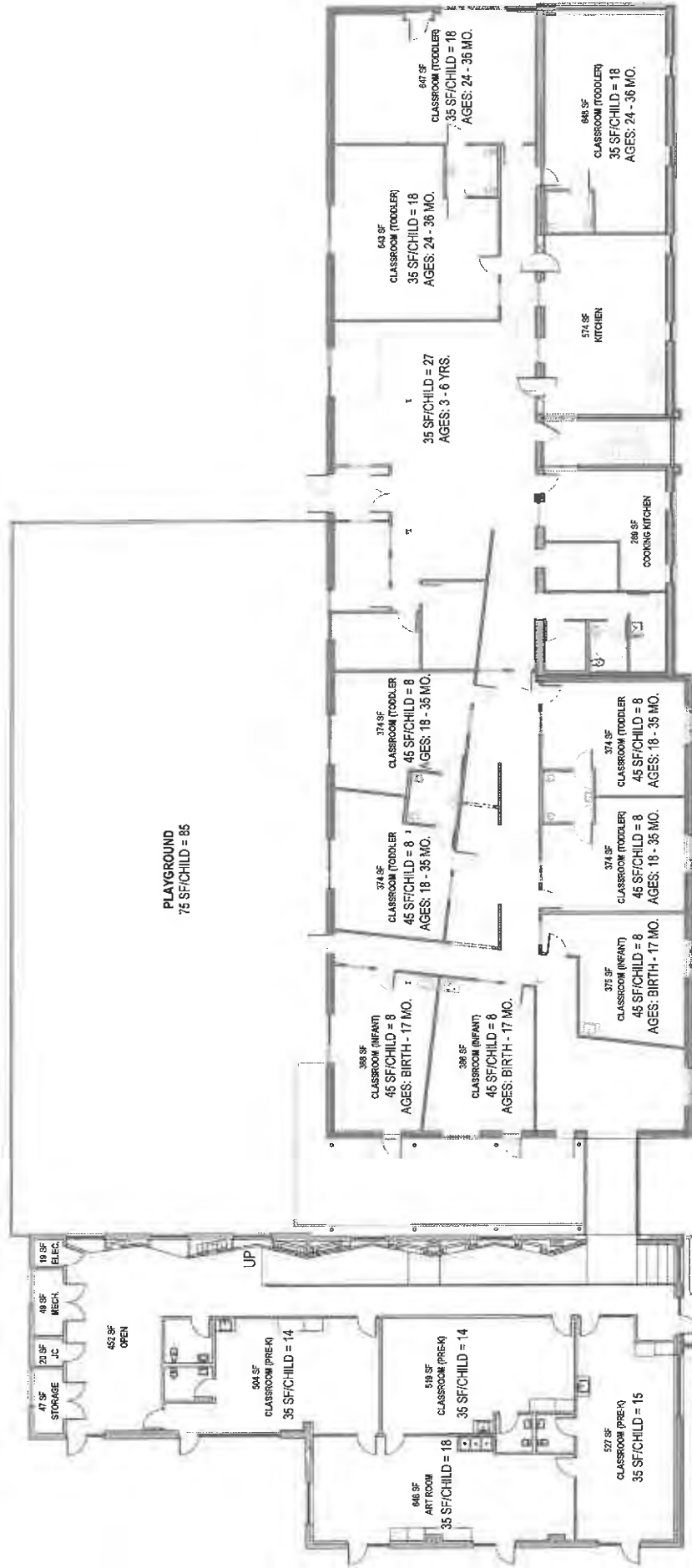




JEMA



JEMA



35 SF/CHILD  
EXPANSION TOTAL 43 (+18) = 61

1 | FIRST FLOOR - A

PO01 1/16" = 1'-0"



**SCHEMATIC PLAN**

URBAN SPROUTS EXPANSION

6767 OLIVE BLVD.  
UNIVERSITY CITY, MO 63130

Copyright 2020 © JEMA  
11/17/2023 2:28:22 PM



**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>UB20240211-01</b>
---------------------------------------------	----------------------

<b>SUBJECT/TITLE:</b> SUB 23-03 – Application for a Application for a Major Subdivision - Consolidation Plat for 6757, 6767, 6771 and 6773 Olive Boulevard.			
<b>PREPARED BY:</b> John L. Wagner		<b>DEPARTMENT / WARD</b> Planning and Development	
<b>AGENDA SECTION:</b>	Unfinished Business - Bill 9536	<b>CAN ITEM BE RESCHEDULED?</b>	yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> City Manager concurs with the Plan Commission and recommends approval.			
<b>FISCAL IMPACT:</b> N/A			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b> N/A			

<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> Staff has determined that the Final Plat meets all requirements of Sections 405.165 and 405.380 of the Subdivision and Land Development Regulations. The Plan Commission unanimously approved the plat at its December 6, 2023 meeting.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> Attached are the Plan Commission Transmittal Letter, Staff Report from the December 6, 2023 Plan Commission meeting - amended to include for the City Council the Plan Commission's recommendation, and a Draft Ordinance.	

<b>LIST CITY COUNCIL GOALS (5):</b> Economic Development, Encourage High-quality Growth, Improved Infrastructure,	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregroy Rose
<b>MEETING DATE:</b>	February 11, 2024



**Plan Commission**

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

December 6, 2023

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

RE: Major Subdivision – Record Plat (SUB 23-03)

Dear Ms. Reese,

At a regularly scheduled meeting on December 6, 2023, at 6:30 p.m. in the fifth floor City Council Chambers at City Hall (6801 Delmar Boulevard), the Plan Commission considered the application of 6757 Olive Holdings for Final Plat Approval of a proposed major subdivision for 6757, 6767, 6771 and 6773 Olive Boulevard.

By a vote of 6 to 0, the Plan Commission recommended approval of said major subdivision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Margaret Holly".

Margaret Holly, Chairperson  
University City Plan Commission



**Department of Community Development**

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

**STAFF REPORT**

**City Council**

MEETING DATE: January 22, 2024

FILE NUMBER: SUB 23-03

COUNCIL DISTRICT: 3

Location: 6757, 6767, 6771 and 6773 Olive Boulevard

Applicant: 6757 Olive Holdings

Request: Major Subdivision – Lot Consolidation

Existing Zoning: “IC” Industrial Commercial

Proposed Zoning: Same – no change

Existing Land Use: Daycare, vacant buildings

Proposed Land Use: Daycare

Surrounding Zoning and Land Use:

North: “SR” – Single-family Residential

East: “IC” Industrial Commercial

South: “IC” Industrial Commercial

West: “GC” General Commercial

COMPREHENSIVE PLAN CONFORMANCE

Yes     No     No reference

STAFF RECOMMENDATION

Approval     Approval with Conditions     Denial

ATTACHMENTS

- A. Plat Application
- B. Preliminary/ Consolidation Plat

**Existing Property and Applicant Request**

The subject property currently consists of four (4) properties:

1. 6757 Olive Boulevard (0.77 acres);
2. 6767 Olive Boulevard (0.21 acres);
3. 6771 Olive Boulevard (0.11 acres); and
4. 6773 Olive Boulevard (0.37 acres).

The Applicant has requested the Consolidation Plat together with a Conditional Use Permit for the Urban Sprouts Child Development Center (The Center), also on the agenda, CUP 23-08. The Center is located at 6757 Olive Boulevard, the most eastern of these four (4) parcels. The Center is proposing to expand to encompass the three lots immediately to the east (6767, 6771 and 6773 Olive Boulevard) to Ferguson Avenue. The new lot would be 1.46 acres in size. See Figure 1.



Figure 1. Location of the four (4) parcels to be consolidated.

### **Staff Review**

Staff reviewed this as part of the “Major Subdivision” process identified in Section 405.165 of the Subdivision regulations.

### **Analysis**

Staff has determined that the Plat meets all requirements of 405.380 of the Subdivision and Land Development Regulations.

### **Conclusion/Recommendation**

The proposal meets the intent of all Zoning Code and Subdivision Regulation requirements for a Final Plat. Thus, staff recommends approval of the proposed Major Subdivision.

### **Plan Commission Meeting**

**At the Plan Commission meeting on December 6, 2023, the Plan Commission voted unanimously to approve SUB 23-03.**



INTRODUCED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

BILL NO.: 9536

ORDINANCE NO.

**AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "URBAN SPROUTS."**

**WHEREAS**, an application was submitted by 6757 Olive Holdings for the approval of a final subdivision plat of a tract of land at 6757, 6767, 6771 and 6773 Olive Boulevard to be known as "Urban Sprouts"; and

**WHEREAS**, at its meeting on December 6, 2023, the University City Plan Commission reviewed the final plat for the major subdivision and determined that the final plat is in substantial compliance with the requirements of the University City Municipal Code and recommended to the City Council approval of the final plat; and

**WHEREAS**, the final plat for the major subdivision application, including all required documents 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 subdivision of a tract of land to be known as "Urban Sprouts."

Section 2. It is hereby found and determined that the final plat for the major subdivision is in full compliance with the University City Municipal Code, including Sections 405.380 and 405.390. Accordingly, the final plat for the major subdivision marked "Exhibit A" is hereby approved.

Section 3. The City Clerk is hereby directed to endorse upon the final plat for the major subdivision the approval of the City Council under the hand of the City Clerk and the seal of the City of University City.

Section 4. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED and ADOPTED this 12<sup>th</sup> day February, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

Exhibit A



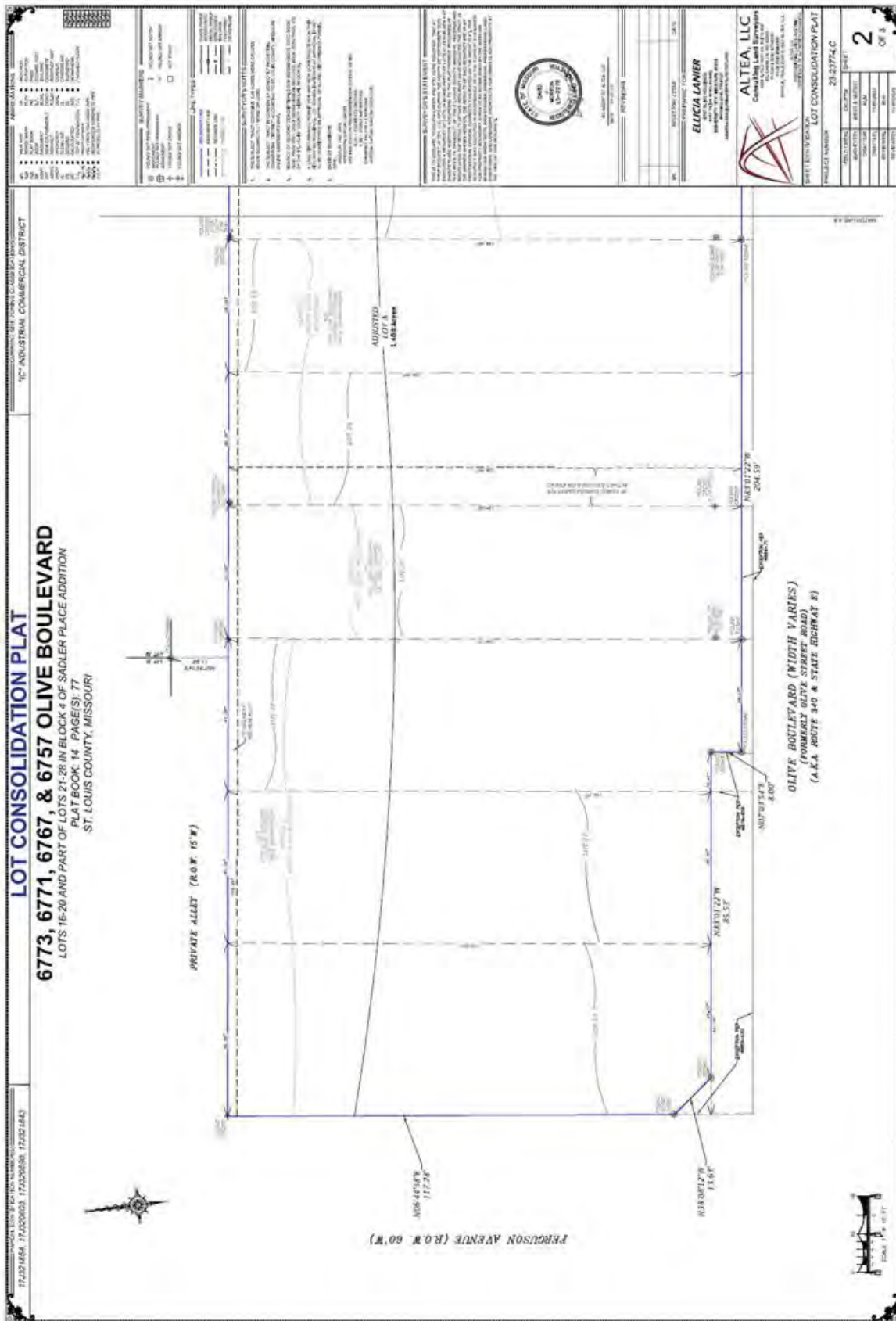


Exhibit A







**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>NB20230212-01</b>
---------------------------------------------	----------------------

<b>SUBJECT/TITLE:</b> Resolution - Reimbursement for Capital Expenditures in Connection with the Renovation Project of Annex / Trinity			
<b>PREPARED BY:</b> Keith Cole		<b>DEPARTMENT / WARD</b> Finance / All	
<b>AGENDA SECTION:</b>	New Business - Resolution 2024-02	<b>CAN ITEM BE RESCHEDULED?</b>	Yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b> The City Manager recommends City Council to approve the resolution requesting the City reimburse itself for capital expenditures in connection with the renovation of the Annex / Trinity project.			
<b>FISCAL IMPACT:</b> Maximum net proceeds of obligations will be \$26,000,000.			
<b>AMOUNT:</b>	N/A	<b>ACCOUNT No.:</b>	N/A
<b>FROM FUND:</b>	N/A	<b>TO FUND:</b>	N/A
<b>EXPLANATION:</b> The City has incurred capital expenditures in connection with renovating, improving, and furnishing its City Hall Annex and Trinity building. The renovation is to provide a permanent location for police operations and a permanent location for court operations.			

<b>STAFF COMMENTS AND BACKGROUND INFORMATION:</b> The City may reimburse all capital expenditures paid beginning 60 days before the reimbursement resolution is adopted. For example, if the reimbursement resolution is adopted on February 12, 2024, the City may reimburse itself for any costs paid on and after December 14, 2023. In addition, the Treasury Regulations allow the City to reimburse itself for the following costs, even if paid more than 60 days before adoption of the reimbursement resolution: (1) expenditures not exceeding the lesser of \$100,000 or 5% of the bond proceeds and (2) "preliminary expenditures," not exceeding 20% of the bond proceeds, including architectural, engineering, surveying, soil testing and similar costs. "Preliminary expenditures" do not include site preparation and similar costs associated with construction of the project. The bond proceeds must be allocated to reimburse the original expenditure within 18 months after the later of (1) the date the original expenditure was paid or (2) the date the project was placed in service, but in no event more than three years after the original expenditure was paid. So, if bonds were issued on July 1, 2024, then expenditures could not be reimbursed that were paid before July 1, 2021.
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<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> 1. Resolution 2024-02	

<b>LIST CITY COUNCIL GOALS (5):</b> Prudent Fiscal Management	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregory Rose
<b>MEETING DATE:</b>	February 12, 2024

**RESOLUTION 2024 - 02**

**A RESOLUTION DETERMINING THE INTENT OF THE CITY OF UNIVERSITY CITY, MISSOURI, TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES IN CONNECTION WITH THE RENOVATION OF ITS MUNICIPAL COMPLEX.**

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

**Section 1.** The City of University City, Missouri (the “City”), has incurred capital expenditures in connection with renovating, improving, furnishing and equipping its municipal complex, including but not limited to improvements to the City Hall to improve building accessibility and ensure water tightness, improvements to the City Hall Annex to provide a permanent location for police operations, and improvements to the Trinity Building to provide a safe and secure location for municipal court activities and Council meetings (collectively, the “Project”) and may incur additional capital expenditures in connection with the Project on and after the date hereof. The City intends to reimburse itself for such expenditures with the proceeds of bonds or other obligations to be issued by the City (the “Obligations”). The maximum net proceeds of Obligations expected to be issued for the Project will be \$26,000,000.

**Section 2.** This Resolution shall be in full force and effect from and after its passage.

**PASSED and RESOLVED THIS 12<sup>th</sup> DAY OF FEBRUARY, 2024.**

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Terry Crow, MAYOR

(Seal)

ATTEST:

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CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

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CITY ATTORNEY