

**CITY OF WEBSTER GROVES**  
**October 5, 2021**

The City Council met this date in a regular session, in the City Council Chambers, which was available to the public in-person and via teleconference, at 7:30 p.m.

Present at Roll Call: Mayor Gerry Welch  
Councilmember Laura Arnold  
Councilmember Pam Bliss  
Councilmember David Franklin  
Councilmember Emerson Smith (via teleconference)  
Councilmember Karen D. Alexander  
Councilmember Sarah Richardson

A quorum was present.

Also present: Dr. Marie Peoples, City Manager  
Mr. Neil Bruntrager, City Attorney  
Ms. Katie Nakazono, City Clerk

**RECOGNITION**

The Mayor and Council recognized Fire Chief Tom Yohe on his retirement.

**PUBLIC HEARING**

**21-PC-04 Douglass Hill: An application by SG Collaborative, LLC for a Change of Zoning from “A4” Seventy-Five Hundred Square Foot Residence District; “B1” Multiple Family District; “E” Industrial District and “PC” Planned Commercial District to “PC” Planned Commercial District on an approximately 15.1 acre tract of land located at the following addresses: 55 Lincoln Ave, 62 Lincoln Ave, 49 N. Gore Ave, 51 N. Gore Ave, 61 N. Gore Ave, 65 N. Gore Ave, 69 N. Gore Ave, 79 N. Gore Ave, 40 N. Rock Hill Rd, 200 Sherman Place, 201 Sherman Place, 203 Sherman Place, 205 Sherman Place, 207 Sherman Place, 200 W. Kirkham Ave, 204 W. Kirkham Ave, 234 W. Kirkham Ave, 240 W. Kirkham Ave, 242 W. Kirkham Ave, 320 W. Kirkham Ave, 340 W. Kirkham Ave, 107 W. Pacific Ave, 109 W. Pacific Ave, 111 W. Pacific Ave, 115 W. Pacific Ave, 125 W. Pacific Ave, 147 W. Pacific Ave, 207 W. Pacific Ave, 209 W. Pacific Ave, 211 W. Pacific Ave, 227 W. Pacific Ave, 315 W. Pacific Ave, 325 W. Pacific Ave, 341 W. Pacific Ave.**

Mayor Welch opened the public hearing and read the following statement regarding the procedure for the Public Hearing: “We begin a process where the Council will gather information from City staff and the developer in regard to proposed zoning changes for the redevelopment area. The Council will also receive input from the community and others who wish to offer comments. The Council will deliberate, can make changes in the recommendations, and will ultimately vote on the proposed zoning changes.

We want this process to be open, transparent, and welcoming for all input.

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This process begins tonight with a presentation from staff about their proposed zoning changes. The developers will then be given time to present their project. Council will have an opportunity tonight to ask questions of both staff and the developer.

We will hold all public comment about this project that will be placed in the public record until our next meeting on October 19. We anticipate a substantial amount of input and will use the following guidelines to accommodate everyone.

All verbal public comment will be limited to 3 minutes to accommodate everyone who wishes to speak.

Public comment can be made in three ways

1. Persons can come to the meeting in person and make their comments directly to the Council.
2. Persons can join the meeting on zoom and using the hand up function comment at the meeting.
3. Written commentary will be received by the Council but not read aloud.

All public comment will be available through the City's website. Information about how to access these comments will be made at the October 19 meeting. If you are speaking and have written comment that you want to submit, that will be part of the public record regardless of its length.

Finally, if you plan to make comments tonight about the development at the Remarks of Visitors, please know that your comments will NOT be part of the public record. While you can speak tonight, please know that by holding your comments to October 19, they will be entered in the public record rather than just be part of tonight's minutes."

Mara Perry, Director of Planning and Development, gave a presentation on the application **[Exhibit A- Copy in City Clerk's office]**. She reviewed the process for a rezoning development (See **Exhibit A, page 2**). She reviewed the Council public hearing process (See **Exhibit A, page 2-3**). She reviewed the history of the properties and existing zoning (See **Exhibit A, page 3-8**). The area has always had multiple zoning categories.

Councilmember Franklin asked about the 1987 change to "PC" Planned Commercial. Ms. Perry stated that similar to today, there was a request for proposals to redevelop a key area of the property. The plans at the time never came to fruition.

Ms. Perry reviewed the Comprehensive Plan Analysis (See **Exhibit A, page 5**). There is the original 1978 Comprehensive Plan. There is then the Development Foundation Plan from 2005-2006. What was adopted from that was the maps. At the time there were still a lot of questions about the site-specific recommendations in the document. The City Council at that time only adopted the maps and not the rest of the document according to the records I have. A few years back we tried to merge the 1978 and Development Foundation Plan maps together. She reviewed the Zoning Analysis (See **Exhibit A, page 9**). As we went through the request, we identified a series of regulations. Those regulations went before the Plan Commission who moved them

forward with a vote of 4-4. She reviewed the specific categories including Use (**See Exhibit A, page 10**). Part of this area is located in a business district and part is not, so there are different regulations for street vendors. She reviewed dimensional regulations including setbacks, height, and intensity of use (**See Exhibit A, page 11**). We did add some additional regulations on things on top of buildings such as utilities. We have a set of setbacks relating to the right-of-way of the various streets. They also relate to the central street, trying to encourage outdoor areas for dining and gathering. We also wanted to specify what would be needed for an alley on the townhomes as well as the setbacks for the service road along the railroad right-of-way. We also wanted to make sure that the existing structures that are to remain did not have setbacks that would make them non-conforming structures. Those have their own setbacks now. We identified architectural elements that would be encouraged and identified retaining walls. We then looked at parking (**See Exhibit A, page 13**). The parking has specific numbers in our Code now and it has been identified that they will have to meet those regulations. If they chose that they did want to do a reduction, they would have to go back to the Plan Commission and have a full parking study on the area.

Councilmember Franklin asked why we require 1.5 spaces for multi-family and one for single-family. Ms. Perry stated that a single-family lot has area on their lot as well as street parking available, while multi-family doesn't have that same frontage and in most cases they have to share parking within a lot.

Councilmember Franklin asked about the townhomes. They won't have the street parking option. Ms. Perry stated that we will have to look at that. Per the Code, single-family is required to have one space provided on their property. You are correct, they won't have as much on Kirkham for guests and visitors. We could put that in.

Ms. Perry stated that all new structures will be required to go before the Architectural Review Board (**See Exhibit A, page 13**). There is a section on parks, including the existing Sculpture Park which should not be developed unless in conjunction with the City (**See Exhibit A, page 14**). It could be connected to the development in the future. We also established that if dogs are allowed in the multi-family residential units, they would need outdoor space and waste space for the pets. The design of the boardwalk should meet the basic Great Rivers Greenway specifications.

Councilmember Franklin asked if any park in the development would be City owned and maintained, or developer owned and maintained. Ms. Perry stated that she believes that would be part of a redevelopment agreement. The City Attorney agreed.

Ms. Perry moved on to Tree Preservation and Landscaping (**See Exhibit A, page 14**). The tree preservation and landscape ordinance still holds. Our arborist did go through the initial plan. The Fire Code will still apply as well (**See Exhibit A, page 15**). We did include a few specific things regarding the Fire Code (**See Exhibit A, page 12**). I am not going to read through all of the items in Access and Access Management (**See Exhibit A, page 15**) but I will identify key items. This addresses traffic signals, new signage, how things need to be programmed to be connected, identifies curb cuts, and ensures loading docks are designated away from street delivery. We did also put in the requirements an updated traffic study to address post-COVID traffic numbers (**See**

**Exhibit A, page 16).** We are a co-permittee with MSD's Phase II Stormwater Plan, so stormwater is important to the City (**See Exhibit A, page 16**). We need to address and make sure larger and commercial projects go before MSD. This is some of the typical language we use with MSD.

Councilmember Arnold asked what positive drainage is. Ms. Perry stated that positive drainage identifies that it is not going to create a negative impact. MSD might have a better understanding of how they use that language. We use that language because it is a model from MSD.

Councilmember Franklin stated that on one of the first slides put up, it indicated that we are going to half the number of grassland, more than double the amount of concrete, and more than double the roof capacity of this land. Not to mention building partway on a flood plain. Shouldn't the stormwater retention exceed – shouldn't the requirements for the stormwater retention exceed what is already in the Code? Wouldn't that be prudent? Ms. Perry stated that on the exhibit, some of the areas identified as roadways and surfaceways have the detention underneath it, so it is double counted. Also note that everything that is there today doesn't currently meet MSD regulations. Most of those properties, if built today, would have to provide rain gardens or detention areas that they don't currently have. Unless you increase a certain amount, you don't have to come into compliance. So if someone renovates the existing structures, they don't have to come into compliance. As we come into development, everything would have to come into compliance.

Councilmember Franklin stated that he appreciates that the current properties are not in compliance, but this developer is coming to us and we get to set the boundaries and parameters. Why should we not force greater stormwater retention, especially as we notice in recent weeks that there is flooding in that area. We are building on a flood plain. Why should we not require greater satisfaction that water retention is going to be taken care of.

Ms. Perry stated that they have the ability to make those changes in the ordinance. I'd like to get this down to get an answer. I think MSD would tell you that you don't want to overbuild your capacity, similar to how you don't want to overbuild your parking.

Dr. Peoples stated that each of the Department Directors are here to answer questions.

Ms. Perry reviewed Floodplain requirements (**See Exhibit A, page 17**). She ended with smaller items including signage, lighting, utilities, performance standards, recycling, railroad, platting, and submittal timelines (**See Exhibit A, page 17-18**).

Councilmember Arnold asked about density limitations. You have 770 units, which is the number we have now with up to 900 units with changes in the office building and/or hotel uses, is that by right? 770 turns into 900 simply by a change from the developer? It doesn't come back to us or you?

Ms. Perry stated that it wouldn't come back to us other than in a site development plan. As each plan comes in, we review it against the regulations. So the first development plan comes in for the first building we're going to sort of check off -- does it meet everything in the ordinance as

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each building moves forward, if we get to the point where we now have the last buildings being built and they haven't built the office building yet and they decide not to build the office building, the regulations then would identify that the office building would have had this amount of parking and this density and this square footage. It's replaced by a multi-family building that would still need a certain amount of parking and that equation is what was the relationship.

Councilmember Arnold clarified that they don't have any say in the 130 units. Ms. Perry stated that if you adopt this as it is, that exchange is allowed.

Councilmember Arnold asked about sight coverage. As I understand it, the 30% is the limitation of the buildings. Ms. Perry stated that the identification in site coverage and its definition is that it is only for structures and footprints of structures.

Mayor Welch clarified that this is only the buildings. The concrete parking and everything isn't part of that 30%.

Councilmember Arnold asked about hardscape. I don't know very well how to judge the site coverage vs. the hardscape vs. the retention. What does this particular development look like in those terms relative to other developments like this. Is it better, worse? About the same? I need more plain language understanding.

Ms. Perry asked if it would be helpful to have similar development information. Councilmember Arnold stated that additional clarification is welcome, but she would have to think about if additional research is necessary.

Mayor Welch asked about the green space. I noticed that it goes from almost seven acres to a little over two. I think that is what I would like to know. The coverage from the buildings and infrastructure, and what is left that is actually green space.

Councilmember Franklin asked about the height. Ms. Perry stated that the central roadway that is being proposed provided us with a measuring point. The central roadway does give a datum of height.

Councilmember Arnold asked about the flagpole that is currently on the site. Ms. Perry stated that it is 135 feet.

Councilmember Arnold asked about the measurement from Kirkham. The reason I am asking is that there is a lot of concern about what the visual reference is going to be from Kirkham. I understand there will be some buffer, but it is hard for us to understand what it will look like.

Ms. Perry stated that she can identify an approximate topography for the pole, and get you those numbers.

Councilmember Bliss asked about the height. In section d you say that the ARB shall determine appropriate screening. Is that codified somewhere? Is that something we can add more restrictions to? Ms. Perry stated that they could. It has been reviewed by ARB when they did

other buildings, but we could look at other regulations. You don't want to get too specific, but matching materials, what other cities may have, I can check on that.

Councilmember Bliss asked about the current ability of the homes north of Kirkham that are in the flood plain to build. Are there restrictions? Ms. Perry stated that there is a percentage they can't spend on the property. For example, if the house is worth \$50,000, they cannot spend more than \$25,000 over ten years because FEMA won't allow us to permit them to make major improvements unless they bring all of the improvements out of the floodplain. We also get audited to ensure that we have not approved permits within the floodplain that don't meet their regulations. We've had a few properties with major issues because they can't improve their property because of floodplain regulations.

Councilmember Bliss asked if they could remove a house and rebuild it. Ms. Perry stated that they could, but it would be like the house on stilts further down on Kirkham. They can't have a basement, only the garage can be on the ground. You could still build, but you have to push it to the back of a deep lot, or build on stilts.

Councilmember Bliss asked if we have a triage list on mitigating flooding if we were to do a no build scenario there.

Councilmember Richardson asked about why the railroad information isn't included in the traffic study. Ms. Perry stated that that specific railroad does not have a regular pattern of timing, length of trains, etc. Because of that there isn't a way to model it.

Councilmember Arnold stated that she doesn't think the traffic study really contemplated the number of people who use Marshall and Oak to avoid stopping at the railroad. It is a limited number of people, but may also be more than do it now. Maybe I misunderstood, but what does it mean for Marshall and Oak?

Mayor Welch agreed that she is also concerned about the lack of a traffic study that includes the railroad. Those of us in the neighborhood know the train goes through multiple times a day. Last time I counted 122 cars. You cannot avoid that railroad in a traffic study. In addition to the other neighborhoods, what will happen to Elm Avenue. And Kirkham. I think as a City we should do something in terms of a better traffic study.

Dr. Peoples stated that Mr. Rehg (Director of Public Works) has answered many of these questions, if you want to start having some of the conversations so we know where to dig into at the appropriate time.

Councilmember Franklin asked about the TIF in the floodplain. This past legislative cycle the general assembly thought it incumbent upon themselves to say if it is in a flood plain, no more TIF. Effectively what they are saying is we don't want to pay for developments that could possibly flood. Doesn't this coincide with the development itself? It is a floodplain and shouldn't we be cognizant of the fact that it is a floodplain and what we put on that floodplain should be compatible with the land itself? Have we taken that into account, especially given our general assembly's own legislative enactment?

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Ms. Perry stated that she is going to let the developer handle that. I will tell you that the area floods right now and it needs improvements. In order to do those improvements, it will require quite a bit of money, and whether that is done through a TIF in some way or not is something you all will have to decide. In order to get a parking garage for Old Webster a number of years ago, they decided that there were a number of taxes that they wanted to pull in to create it. At some point in time there are certain improvements that do need additional help in order to make areas better.

Councilmember Franklin stated that he isn't saying the General Assembly is correct, I just find it interesting.

Councilmember Arnold stated that as we are thinking of this in the long run I want to make sure we are not just thinking of the site. Downstream from the site there is other land in floodplains and we don't want to solve one problem and create a worse one somewhere else.

Ms. Perry stated that there was a list of additional questions that we were given ahead of time that we have started to answer. You'll probably need more information on that. I have this list that you have given me so far. Anything else for me?

Councilmember Smith stated that between David and Laura they asked most of my questions. My only concern, that I want to be sure I understand correctly is, in the plan it calls for placing traffic signals strategically where needed to help mitigate traffic. Ms. Perry stated that was tied to the traffic study recommendations.

Councilmember Arnold stated that she read through the parking stuff at the Plan Commission as well as what is in here, and I have to tell you, I am just really confused. You had a number, the developer submitted a number, those two numbers were 30-35% different. I know it depends on the buildings themselves, but I worry about us not understanding what that is going to look like until later. Not that I want to go through this again, but the idea that it goes back to the Plan Commission and not to us, we are setting broad parameters on a lot of these without studies that I would like to have in making this decision. I worry about us moving forward without some of these specifics because once the freight train is moving, it is really hard to stop it. So that parking differential is one of those examples that I am not quite sure what to make of it.

Ms. Perry stated that if they were requesting a parking reduction, I would be very concerned about that parking differential. When we review things and someone says they want to reduce parking by 15% and we don't think it is going to work, I get concerned. When we say you have to meet the Code, it is meeting everything. That is why we were trying to clarify how much can fit on the site and in each structure. When we did the garage at Webster University, we needed exact numbers. On a bigger development, if they say they can meet the Code, it moves forward to the Plan Commission.

Mayor Welch stated that before we hear from the developer, we are going to take a few minutes to understand how the TIF and the Development Agreement are working and moving. This will help update the process.

Eric Peterson, Assistant City Manager, and Mark Grimm with Gilmore and Bell, gave a presentation on the Douglass Hill TIF and Redevelopment Agreement **(See Exhibit B)**.

Mr. Peterson shared information about the TIF process and its components **(See Exhibit B pages 2-5)**. The TIF Commission has a public hearing scheduled for October 27 at the Recreation Complex. It will also be on Zoom. The recommendation to the Council is scheduled for November 10. We've created a plan because of the change in state law that one of the ordinances, which is the TIF plan and RPA 1 must be adopted by the end of this calendar year. Ordinances 2 and 3 are the two other project areas within the overall project. So three ordinances ultimately for the TIF Commission, and for Council to consider. Ordinance 1 being the one that must be adopted by the end of the year. He reviewed how TIF works. **(See Exhibit B page 4-5)**.

He reviewed the revenue impact to various jurisdictions including the City of Webster Groves, Webster Groves School District, and St. Louis County **(See Exhibit B page 6)**. He stated that the school district is affected by the Blankenship decision so I expect this 5.244 number we have now to go down. These numbers are built on 2019 assessed values. This entire cost benefit analysis will be updated before the public hearing of the TIF Commission, so there are more accurate numbers.

Councilmember Arnold asked for clarification on the commercial surcharge. Mark Grimm explained St. Louis County commercial property pays an extra \$1.70 property tax more than residential property. TIF does not capture the \$1.70 commercial surcharge, it captures the other incremental property taxes, other than the commercial surcharge.

Councilmember Arnold asked if the net revenues during TIF are roughly about a hundred thousand dollars each fiscal year, and twice that assuming the adjusted number for the school district.

Mayor Welch asked the revenue impact presented assumes there will be enough of a retail component to raise the sales tax; if there's not a retail component, it could wipe it out. So, if it's built on retail estimations, Mayor Welch stated it's important the Council hear from the Developer about how soon any retail development would occur; what will go in there before an \$11 million net revenue statement is made?

Mayor Welch pointed out there are a couple of properties in that district that are off the tax rolls including one that's owned by Webster University; to be fair Council needs to also think about what would happen if that property went back on the tax rolls by another person; it impacts what the baseline might be.

Councilmember Bliss stated there are some non-profit organizations in that area, how would that change the baseline if there was taxation?

Dr. Peoples clarified the figures in Mr. Peterson's presentation are not numbers the City has developed, but numbers that have been provided to the City.



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Mayor Welch stated she would like to know more about the numbers and presumes they were provided by someone other than City Staff.

Mr. Grimm stated that is a good point. At the public hearing Development Strategies who prepared the numbers will make a presentation regarding the underlying assumptions to those numbers. Typically, when it would come before Council they would make the same presentation.

Mr. Grimm reviewed the development agreement process (**See Exhibit B page 7-8**). Any rights conferred upon the developer would only be pursuant to the redevelopment agreement. The question was raised earlier about if something should be addressed in the redevelopment agreement. Any requirements that the City has as a condition for moving forward with the project, and is a condition for receiving tax financing assistance, would be described in the redevelopment agreement. He reviewed the things they have heard to be incorporated in the agreement (**See Exhibit B page 8**). We will continue making our list and embody those into the redevelopment agreement.

Mr. Peterson reviewed the answers to previous questions asked by Council (**See Exhibit B page 9-26**).

Councilmember Arnold stated, I don't know what the developer is going to say about the terms of workforce housing, but we're potentially talking about 23 years from now which makes that a harder target.

Councilmember Alexander asked whether zoning changes that might give the current business owners or landowners opportunities to develop on a smaller scale have been done or considered. Is the zoning that's in place now something that is preventing that from occurring? Why don't we have more options, and have we ever considered zoning changes that might give more options?

Mr. Peterson stated that what he heard this evening was that in 1987, and Mara can certainly correct me, is that the City zoned to PC to allow multi-use, multi-purpose units to come into that space, but that didn't happen.

The last question is about the sculpture park. The boundaries of the TIF include a piece of City land that is the sculpture park. The most advantageous route is to prohibit or restrict the developer's rights within the current sculpture park area without approval of the Council and/or Arts Commission.

Mr. Larry Chapman stated that they have answered a number of questions previously posed from Council. We would like to email those to you and you can disseminate as you like. I also would like to say a couple of things. We continue to research this every day and as we do we find out new information. I just want to make sure we remind people why we think this is such a good idea (**See Exhibit C page 2**). He clarified that he thinks that anything that has assessed value is what is frozen, not the taxes. That would effectively overcome that question. There are a lot of taxes that aren't in the analysis. A big part of this project isn't the buildings, it is the public spaces. He showed the population curve of Webster Groves from 1900. What you hear now is rising taxes, empty storefronts, and struggling businesses.

Councilmember Franklin posed the question, I think a fundamental question of suburban communities throughout the nation; why it is the responsibility of the city to grow the population and more importantly isn't there something to be said about stability; [population figures] from 1980 onward is stability. Mr. Chapman stated that he looks at it like during that time, the cost of city services will go up. If you don't diversify, how are you paying it, you are asking the people in your town to write a bigger check every year.

Councilmember Franklin further stated, I think that in this region we will tax our citizens to death if we don't do something right, but I think it's also a regional thing too. Despite Better Together's flaws, they demonstrated the weights that we have throughout this region. I also question we are looking at Webster Groves in a silo; St. Louis County probably has continued to rise. Mr. Chapman stated it is nowhere near the 3% you need.

Carrie Falkenrath, T2 Traffic and Transportation stated that they are following standard engineering principles. The big elephant is the railroad. There is not a standard methodology for something that does not have a regular and recurring peak. We don't design to irregular high peaks. If we do, our roads are overbuilt. Just like you wouldn't build parking for Black Friday, you don't build streets for your peak flows. One thing we do take into consideration is the surrounding network and can that take capacity. We have excess on Kirkham and on Rock Hill. When we are closer to post-Covid numbers we will go out and analyze again. Rock Hill at Lockwood and Rock Hill at Kirkham currently meet signal warrants. That's I think where the signal question arose from. We look at the existing operations and layer in projections for the project. I have used standard methodologies for projecting, as well as analyzing current patterns. We are looking at a.m. and p.m. peak. These are published guidelines and ratios we use. We are in a great location in Webster Groves because you have great access to north, south, east, and west, but also northeast, northwest, southeast, and southwest. Although we do know Rock Hill is currently close to capacity, Kirkham, Elm, and even Gore have excess capacity. As we noted in the analysis, this is going to be revised as we move along, but we are going to work closely with the City on what the City wants to see as mitigation in response to what we see has hot spot areas. One more quick note, one of the things we looked at when we did the trip projections, in an effort to keep this very conservative, we didn't include the traffic as we know it to and from the development area. That would technically be removed in the future, so our future projections should take those numbers out, and we didn't do that. They should also take into account trips that originate and are destined within the development. Again we were conservative. In a mixed-use development, we would have mixed trips. All of those would reduce projections somewhat.

Councilmember Arnold posed a question about the traffic study that's being updated. If the traffic study assumes there's not going to be too much change since we can accommodate anything that we need to change in traffic mitigation once we have the new numbers, turn lanes and things like that in the current plan doesn't have anything like it in there or provide any space for such a thing, so is the assumption that they'll just be very minimal changes to this that might say, make the Gore and Lockwood intersection, which is like a C now, maybe something different, I'm trying to figure out how you can account for changes that we don't know what's going to be necessary.

Ms. Falkenrath stated that is a great question. I suspect, although I don't have clarification that the signals have been included as a requirement is because if they add signals to those two intersections on Rock Hill, that will quadruple our capacity of that roadway. It will really open it up. We have so much flexibility to program them and accommodate just about anything moving through the area.

Mr. Chapman stated that he is happy to count traffic and trains and delays if you'd like. I always think about how you mitigate that. One is, you don't cross the train tracks. I figured out how to go under those tracks for about \$45 million. Not economically feasible. I also learned if you push them through faster, they just stop down the street at Manchester. So, we just moved the problem a little bit further. The other thing I think about is that isn't there a way to let traffic know not to get on Rock Hill or Gore but to get to Elm. I think technology is there that we could put signals on Rock Hill and Lockwood that tells you hey, there is a train coming. I think those are interesting things to think about and would be good things to do.

George Stock, Stock and Associates Consulting Engineers, presented about stormwater. There are two components, Shady Creek and the site itself. In fall of 2020 we started with a walk over the creek with the Corps of Engineers, and then it was a lot of research with the state emergency management agency as well as FEMA. We were able to obtain two models on Shady Creek and those go way upstream of Rock Hill and way downstream of Gore. So, we have a lot of data. There is a distinct difference between FEMA's model and SEMA's. FEMA, we call the more conservative one, and is the one we used in our study. It has a much higher flow. They use data on rainfall events that goes back 70 years. SEMA has some newer hydrology.

I'm just going to talk about a rate of flow - the 100 year under FEMA is 3,460 cubic feet per second coming through shady creek. SEMA says that number is 1260 cfs. So, for those of you that have read the report you see as I indicated, we use the 3460 cfs. So, the first thing we do is we take that model and then we run it in our software and we duplicate the effective model to just make sure that things check, and that we're finding the elevations. Then we create an existing conditions model which is based off a lot of survey data so we have surveyors out there and we do topography of the creek itself, Kirkham, the culverts, the bridge underneath Rock Hill, and the culvert underneath Gore, and then we establish what the 100-year elevations are. They're a little bit different than what FEMA publishes, and then we simulate that modeling. Obviously, our goal is to not create an adverse impact upstream through the site or downstream through the site. So, what we were able to do through the studies over the several months was to be able to determine that the existing arch bridge under Gore is too small. So, what it does is it creates a constraint and the water ultimately ends up downstream, but unfortunately, much of it is flowing down Kirkham because it can't get through the culvert. One of the prescribed improvements that we've identified is replacing that arch bridge system underneath Gore with an 11 by 16-foot box culvert. What happens is the water elevations from between Gore and Rock Hill drop as much as 1.88 feet, and that's a positive. So more of the water is staying within the creek. It's still being conveyed downstream - you're not increasing the amount of water, you're not increasing the height of water downstream. What you're doing is you're reducing the height of the overland flow on Kirkham. We're not eliminating it from Kirkham but we're lowering it. Is there a benefit to properties to the north, well there certainly is. They're not huge. As was mentioned by Mara a recent home was constructed on stilts and it had to be constructed on stilts to a certain elevation

to be one foot higher than the hundred year. As we go through this process of a flood plain study we are proposing to modify the flood elevations. As Mara mentioned it's being reviewed by the City of Webster Groves. It has been reviewed by the Metropolitan St. Louis Sewer District and generally what MSD says is we agree with your methodology, we agree with your improvement. City of Webster Groves is the floodplain manager and once they give their concurrence we'll give our concurrence. I think Mara spoke a little bit about that process so since Webster Groves is the floodplain manager they actually execute the application that we would prepare along with the stormwater report, and we forward that onto FEMA as a conditional letter of map revision and it's reviewed by FEMA. It'll be reviewed by SEMA, and basically they'll say based on the improvements that are being done in the creek - which is some re-channelization, some re-vegetation, some sedimentation pools, some modular retaining walls, and then the replacement of the bridge - there's an overall improvement with the 100-year water elevations going through the site. So that's how we manage Shady Creek, and improve it now relative to the site. Today there is no stormwater management facilities, so a drop of water that comes down hits the roof hits the parking lot pretty quickly. It's getting to the creek and it's contributing to that 3,460 cfs that I mentioned that's in the model, that's a smaller percentage, but through the redevelopment and the requirements of the City of Webster Groves and MSD, we'll be doing several things. Over the years, the last 10 years, MSD has adopted many techniques for managing storm water from the smallest of a storm which is a two-year storm event, or even a one-year storm event, up to a hundred year. We see these high-intensity short-duration storms. I call them frog chokers, where the rain comes so hard in such a short period of time, and in the case of our development, it immediately gets to the creek so the underground, under the pavement, is just one component. The buildings will have green roofs, and those green roofs will provide water quality removing phosphorus nitrogen pollutants suspended solids and they will also create volume reduction. Volume reduction is important because that is actually keeping the water on the site or mimicking the pre-developed hydrology of the site. One component that you hear about is called channel protection volume, and channel protection volume is the one that really benefits shady creek. It is the one that controls the erosive velocities that come out of the discharge pipe because basically what it does is it takes a one year storm, which is held on site in these underground vaults, and released over a 48 hour period of time, so if you think about that, and you think about the flash floods you get at four o'clock, the flash flood that comes up Kirkham is underwater for 15 minutes, and all of a sudden it's gone after about 30 minutes. Well 38.5 hours later that water that was on our site is now being finally released the last drop into shady creek well after the creek has peaked. We're very confident in our plan. We're very confident in the regulatory requirements that exist today. I think that one of the questions that was asked of us is about the overgrowth in the creek that exists on the site. That was one of the things the Corps of Engineers saw when we walked the creek. There's invasive species within the creek and you have water backing up, so one of the suggestions was, should the whole creek holistically be looked at, and it can, but again some of that just clearing it, you know whose property it is you have the right to do it environmentally, you know there's things within this creek that you're not really allowed to impact without a Corps permit so I think we've been very diligent over the last year studying the creek, doing the hydraulic analysis, having communication with the Corps of Engineers, and while we haven't made the formal application with the Corps yet they know it's coming. We had the pre-application meeting, and really, it's to get concurrence from both Webster Groves and MSD so we move that forward to the federal level.

Councilmember Bliss clarified, my understanding is that you're saying you will have your own water retention system on site to hold the water runoff from your site, and it will stay there and then slowly be released over a 36-to-48-hour time period.

Mr. Stock stated that a 1.14-inch storm, a 90<sup>th</sup> percentile storm is put through a system of infiltration and evaporation and that is left on site. That theoretically does not leave the site. Rainfall events greater than that up to 7.2 inches which is the 100-year storm, those are stored on site and released over a 24-hour period with the exception of what we call the one-year storm the two-and-a-half-inch rainfall event that is actually attenuated and stored for a period of up to 48 hours before it's released. The whole idea behind it is to let the peak of the storm go through the creek and then our water is released at the pre-developed rate, and then lags several hours after the storm is gone. But it's a three-part system - so it's green roofs, porous pavement, porous pavers, and then ultimately after it goes through the roof, or it goes under the pavers, it ends up in the underground storage collection system where it's metered out into Shady Creek.

Councilmember Franklin asked what the capacity is of the underground storage system. Mr. Stock stated that he thinks it is 124,000 cubic feet of storage. So, 124,000 times 7.5 would give you an idea of the amount of gallons of storage.

Mr. Chapman stated that there were a couple more bigger areas that were on the list of questions, and one addressed dealing with property owners. I have talked to all of them over a period of time now. We started this process around a year and a half ago, so it is possible that a handful of people haven't been talked to in a year. But the long and short of it is that when I met with all these folks last year, the vast majority of them had a lot of doubt whether this would go forward, and mostly they said that they would sit down with me when they knew it was a real project. No one wants to spend time on lawyers and sit around trying to agree to terms. At the same time until I have some idea of a schedule and what might be approved by the city, I can't talk to them about timing. I've restarted reaching out to all of them again, and I've re-asked all of them to the extent that they would like to give me a number that they would be comfortable with, that would be great too. A few of them have said we'll wait and see, so I'm pretty comfortable that we are dealing with all the property owners in a fair way. Now there are some other businesses out there, and businesses aren't always property owners. A lot of times they are tenants. So if the property owner gives me permission to talk to their tenant, I have talked to them. But I am not going to talk to a tenant of a property owner if they haven't given me permission. A handful of businesses have called me directly and I've told them what's going on as best I can. But none of these property owners would appreciate it if I start talking to their tenants. It would be a really bad move on my part. So if you'd like to be part of any meetings with them I'm happy to do it, but I am reaching out to all of them again. I met with the Gym Center again this week and I'm meeting with Rolling Ridge again tomorrow.

Joel Oliver with Green Street spoke about workforce housing. We had all of these conversations with the community and one of the six things that came out of that was that the community wanted more diverse housing options. Units that were affordable to people who had a lower income than the average and people who had a higher income than the average. That excited me because that's what I do every day. Green Street is pretty unique in what we do in that we do workforce housing projects all over the country and the hallmark of those is having a mix of

housing. We don't like to do projects where it's all one or all of the other. So when we heard the community say that here we didn't have to say to ourselves how in the world do we figure this out. We've worked with a lot of really smart people in lots of different industries to know the best practices how to do that. What's tricky is it's a little different concept than even people in the multi-family industry are used to. So we choose to use words and concepts to try to convey meanings. Mark did a great job when he said where that's all going to be documented on paper is in the development agreement so the words that are very specific in the development agreement really aren't necessarily adjustable to the normal population. For instance, the measure we use and what we've always used in every iteration of this is the area median income. It's a kind of complicated concept for the general population. It just so happens that in Webster, what a starting teacher makes correlates very closely to what that measure is. So when you say 80%, a very median income to most people, they don't even know what that means. But people understand what a starting school teacher is, so in those communications we've tried to do it in a way that really makes sense. But it's absolutely documented in that space. 10% of the units is what we've committed to from day one, that's ten percent of the total units. Take the rental units, take the town houses, take the condos. Whatever that number is, ten percent of those will hit that threshold of attainable housing is what we call it. It's not easy obviously to do home ownership options on the site because we're not building very many traditional houses. So we've worked with multiple non-profit groups including Rebuild STL Together and Habitat for Humanity. We've had conversations with these groups of how do we work together to provide home ownership options in other parts of Webster where that makes sense. Home ownership in an affordable environment is a hard concept. Habitat does a great job but a lot of people don't do it because it's really tricky. Those units are mixed throughout the buildings throughout the floors - there's not a workforce unit and a market rate unit that look different. There's no designation. Any unit could be either of those mixed throughout the buildings. I think that hit most of the concepts, there's more detailed answers in writing that we're happy to answer. The other question we've gotten is what those levels are. In our minds a one-bedroom unit for one person would be less than a thousand dollars, so a studio unit would be less than that, a two or three bedroom unit would be more than that, kind of as a benchmark in your mind that's roughly where we would be.

Mayor Welch asked whether there is a time guarantee on the workforce housing, for example, the workforce housing program would last for 20 years. Mr. Oliver stated that every project they have done looks different. It is really part of that development agreement.

Councilmember Arnold asked are there other areas; is there a standard [for workforce housing]. Mr. Oliver stated that there isn't. Every one of these that we have done has been different because every city has a different objective. Not every city wants it. Webster is really progressive, which as a resident makes me really happy.

Mr. Chapman stated that he wanted to briefly talk in generalities. There has obviously been a lot of negative stuff in the paper with regard to the development and there are quite a few conversations that I have had with neighbors and friends that are completely different. It was kind of baffling to me. I sat down with Phil and we asked ourselves if this is something the City of Webster Groves really wants. You don't really hear from people very often. The negative side will be very loud. So we engaged a professional polling company and they came out and did

their work. The results were suggesting that this is something we should continue to work on doing. He reviewed their results (See Exhibit C, page 4-5).

Councilmember Alexander asked if for whatever reason one of the commercial buildings weren't done or occupied as anticipated, then that would increase the number of residential units from 700 to 900. Where is the thought process coming in where the commercial buildings may be at risk of not being built as anticipated resulting in an even higher increase in density of residential.

Mr. Chapman stated that it isn't the commercial buildings, it is the office. The office market is somewhat in jeopardy. So rather than let it sit empty, we would build more residential. But we are very incentivized to build an office building. More apartments would be a very thin investment for us indeed. We needed to come up with a way to put that land in play.

Councilmember Franklin asked in regard to the Missouri legislature's desire to enact a statute that prohibits TIFs from being used on floodplains or in flood plains, is this the appropriate use of this piece of land? Take the TIF out of it, our general assembly has made a proclamation that it is not appropriate to use money for the development. Is it appropriate to develop on a floodplain like this? Mr. Chapman stated that he believes it is. If you were to look at that legislation just a few weeks before it got enacted, things get changed really fast. The only thing that applied was major floodplains like the Missouri River, the Meramec River, the Mississippi, where they didn't want to encourage development of big watershed floodplains. They changed the language right toward the end to reference anything on a FEMA map. So, what that means is not only Shady Creek gets picked up, but anything that picks up any drainage ditch also isn't eligible for TIF. I reached out to our senator and he was surprised. There is going to be a fairly concerted effort over the next several years to get that put back. Because I think it was a mistake. It takes a tool off the table that many communities use.

Councilmember Arnold asked what do we expect the life expectancy of these buildings to be. (Due to microphone issues Mr. Chapman's response was not audible). However, Councilmember Arnold confirms, anywhere from 40 years to indefinitely. Mr. Chapman stated that they are built to stand the test of time.

Mayor Welch asked if SG Collaborative would be willing to totally take that [Sculpture Park] out of the project. Mr. Chapman stated that he would prefer to handle it in the redevelopment agreement, that it is not used unless they agree. We are going to ask them to visit with some people. We are bringing in a Canadian company to talk about interactive and public art. We'd like to meet with the Art Commission chair. It's pretty exciting stuff and we want to invest in there. It needs to be in the TIF to invest in there. I think we should at least have a chat about it. If at the end of the day you absolutely need to have it come out, it's possible. But if we are going to invest money in there, which I think you'll want us to do, it needs to be in just so we can spend money there. But control is completely in the redevelopment agreement. What happens or not. I'm not sure it is material honestly. Your lawyers can tell you that. But that's what my position would be.

A motion was made by Councilmember Arnold, seconded by Councilmember Bliss, to table the public hearing until the next meeting on October 19, 2021.

October 5, 2021

Mayor Welch called for the vote.

MEMBERS VOTING:

AYES: ARNOLD, BLISS, FRANKLIN, SMITH, ALEXANDER, RICHARDSON, WELCH

NOES: NONE

Mayor Welch stated that the Public Hearing would remain open until the October 19 meeting.

**BILL #9166– FIRST & SECOND READING (NOT CONDUCTED)**

**BILL #9166 – AN ORDINANCE AMENDING CHAPTER 53, THE ZONING CODE, BY CHANGING THE ZONING FROM “A4” SEVENTY-FIVE HUNDRED SQUARE FOOT RESIDENCE DISTRICT; “B1” MULTIPLE FAMILY DISTRICT; “E” INDUSTRIAL DISTRICT AND “PC” PLANNED COMMERCIAL DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT AT THE FOLLOWING ADDRESSES: 55 LINCOLN AVE, 62 LINCOLN AVE, 49 N. GORE AVE, 51 N. GORE AVE, 61 N. GORE AVE, 65 N. GORE AVE, 69 N. GORE AVE, 79 N. GORE AVE, 40 N. ROCK HILL RD, 200 SHERMAN PLACE, 201 SHERMAN PLACE, 203 SHERMAN PLACE, 205 SHERMAN PLACE, 207 SHERMAN PLACE, 200 W. KIRKHAM AVE, 204 W. KIRKHAM AVE, 234 W. KIRKHAM AVE, 240 W. KIRKHAM AVE, 242 W. KIRKHAM AVE, 320 W. KIRKHAM AVE, 340 W. KIRKHAM AVE, 107 W. PACIFIC AVE, 109 W. PACIFIC AVE, 111 W. PACIFIC AVE, 115 W. PACIFIC AVE, 125 W. PACIFIC AVE, 147 W. PACIFIC AVE, 207 W. PACIFIC AVE, 209 W. PACIFIC AVE, 211 W. PACIFIC AVE, 227 W. PACIFIC AVE, 315 W. PACIFIC AVE, 325 W. PACIFIC AVE, 341 W. PACIFIC AVE. ON AN APPROXIMATELY 15.1 ACRE TRACT OF LAND AND REPEALING ORDINANCES #3835, 3900, 6467, 7320, 7369, 7424, AND 7519, AND MATTERS RELATED THERETO**

**REMARKS OF VISITORS**

Dave Buck stated that due to the late hour, he would send his remarks in. The Mayor and Council congratulated him on a successful Porchfest. **(Exhibit D)**

**NEW BUSINESS – MAYOR, COUNCILMEMBERS, CITY ATTORNEY, CITY MANAGER**

No New Business.

**UNFINISHED BUSINESS**

**BILL #9162 - THIRD READING**

On motion of Councilmember Richardson, seconded by Councilmember Arnold, **BILL #9162 – AN ORDINANCE OF THE CITY OF WEBSTER GROVES, MISSOURI ADOPTING AND ENACTING NEW FEE SCHEDULES FOR APPLICATIONS, PERMITS, PLAN REVIEWS, INSPECTIONS, AND REPEALING ORDINANCE #8769 AND MATTERS RELATED THERETO**, having been introduced and read twice on September 21, 2021, was taken up its title read a third time and placed upon its passage to become Ordinance #9162.

Mayor Welch called for the vote on Bill #9162.

MEMBERS VOTING:

AYES: BLISS, FRANKLIN, SMITH, ALEXANDER, RICHARDSON, WELCH, ARNOLD

NOES: NONE

Mayor Welch stated that Bill #9162 was approved.



**BILL #9163 - THIRD READING**

On motion of Councilmember Bliss, seconded by Councilmember Arnold, **BILL #9163 – AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE, ON BEHALF OF THE CITY OF WEBSTER GROVES, AN EASEMENT TO THE UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI ACROSS A PORTION OF 307 MARSHALL AVE. (LOCATOR NO. 22K530660)**, having been introduced and read twice on September 21, 2021, was taken up its title read a third time and placed upon its passage to become Ordinance #9163.

Mayor Welch called for the vote on Bill #9163.

MEMBERS VOTING:

AYES: FRANKLIN, SMITH, ALEXANDER, RICHARDSON, WELCH, ARNOLD, BLISS

NOES: NONE

Mayor Welch stated that Bill #9163 was approved.

**BILL #9164 - THIRD READING**

On motion of Councilmember Arnold, seconded by Councilmember Bliss, **BILL #9164 – AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE, ON BEHALF OF THE CITY OF WEBSTER GROVES, AN EASEMENT TO THE UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI ACROSS A PORTION OF A PARCEL EAST OF 307 MARSHALL AVE. (LOCATOR NO. 0L0805013)**, having been introduced and read twice on September 21, 2021, was taken up its title read a third time and placed upon its passage to become Ordinance #9164.

Mayor Welch called for the vote on Bill #9164.

MEMBERS VOTING:

AYES: SMITH, ALEXANDER, RICHARDSON, WELCH, ARNOLD, BLISS, FRANKLIN

NOES: NONE

Mayor Welch stated that Bill #9164 was approved.

**BILL #9165 - THIRD READING**

On motion of Councilmember Franklin, seconded by Councilmember Arnold, **BILL #9165 – AN ORDINANCE AMENDING CHAPTER 60, “THE TRAFFIC CODE”, ARTICLE XVI, SECTION 60.996, SCHEDULE M OF THE CODE OF WEBSTER GROVES, “LEFT TURNS PROHIBITED”, TO PROHIBIT LEFT TURNS ONTO AMBROSE WAY FROM SOUTHBOUND SOUTH ELM AVENUE FROM 8:00 A.M. – 9:00 A.M. ON SCHOOL DAYS**, having been introduced and read twice on September 21, 2021, was taken up its title read a third time and placed upon its passage to become Ordinance #9165.

Mayor Welch called for the vote on Bill #9165.

MEMBERS VOTING:

AYES: ALEXANDER, RICHARDSON, WELCH, ARNOLD, BLISS, FRANKLIN, SMITH

NOES: NONE

Mayor Welch stated that Bill #9165 was approved.

**NEW BUSINESS**

**BILL #9167 – FIRST & SECOND READING**

Councilmember Alexander introduced **BILL #9167 – AN ORDINANCE OF THE CITY OF WEBSTER GROVES, MISSOURI, AMENDING CHAPTER 42, “LICENSING AND**

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**REGULATION OF LIQUOR”, ARTICLE I, “INTOXICATING LIQUOR” BY AMENDING SECTION 42.073, “SUNDAY SALES LICENSE, RETAIL,” AND MATTERS RELATED THERETO**, and at the Councilmember’s request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

A motion was made by Councilmember Richardson, seconded by Councilmember Bliss, to conduct a third reading of Bill #9167 this evening for the compelling reason of coming into compliance with State Statutes.

Mayor Welch called for the vote on the compelling reason.

AYES: RICHARDSON, WELCH, ARNOLD, BLISS, FRANKLIN, SMITH, ALEXANDER

NOES: NONE

Mayor Welch stated the third reading would be conducted.

**BILL #9167 - THIRD READING**

On motion of Councilmember Richardson, seconded by Councilmember Bliss, **BILL #9167 – AN ORDINANCE OF THE CITY OF WEBSTER GROVES, MISSOURI, AMENDING CHAPTER 42, “LICENSING AND REGULATION OF LIQUOR”, ARTICLE I, “INTOXICATING LIQUOR” BY AMENDING SECTION 42.073, “SUNDAY SALES LICENSE, RETAIL,” AND MATTERS RELATED THERETO**, having been introduced and read twice on October 5, 2021, was taken up its title read a third time and placed upon its passage to become Ordinance #9167.

Mayor Welch called for the vote on Bill #9167.

MEMBERS VOTING:

AYES: WELCH, ARNOLD, BLISS, FRANKLIN, SMITH, ALEXANDER, RICHARDSON

NOES: NONE

Mayor Welch stated that Bill #9167 was approved.

**BILL #9168 – FIRST & SECOND READING**

Councilmember Smith introduced **BILL #9168 – AN ORDINANCE REPEALING ORDINANCE #7682 AND ESTABLISHING A NEW POLICY FOR THE RELOCATION OF BUSINESSES AND RESIDENCES DUE TO REDEVELOPMENT PLANS ADOPTED PURSUANT TO CHAPTERS 99, 100 AND 353 OF THE REVISED STATUTES OF MISSOURI**, and at the Councilmember’s request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

**CONSENT AGENDA**

A motion was made by Councilmember Bliss, seconded by Councilmember Arnold, to approve the Consent Agenda.

Mayor Welch called for the vote on the Consent Agenda.

MEMBERS VOTING:

AYES: ARNOLD, BLISS, FRANKLIN, SMITH, ALEXANDER, RICHARDSON, WELCH

NOES: NONE

Mayor Welch stated that the Consent Agenda was approved.

The following consent agenda was approved:

- **Approval of Minutes** – September 21, 2021
- **Resolution #2021-53** – Authorizing the City Manager to Purchase One New Vehicle for the Planning & Development Department
- **Resolution #2021-54** – Authorizing the City Manager to Purchase Two (2) New Trucks for the Public Works Department
- **Resolution #2021-55** – Resolution of the City of Webster Groves City Council Endorsing St. Louis County’s Grant Program for the City’s Waste Reduction Efforts
- **Resolution #2021-56** – Authorizing the City Manager to Purchase Replacement Firefighter Protective Equipment

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Angela Thompson was appointed to the Historic Preservation Commission.
- Aamna Anwer was appointed to the Sustainability Commission.
- Karla Armbruster was appointed as an Ad-hoc member to the Sustainability Commission for the duration of the Sustainability Planning Process.
- Anne Barenkamp was appointed to the Traffic Advisory Commission.
- Ken Burns was reappointed to the Architectural Review Board.
- Lynnda Greene was reappointed to the Green Space Advisory Commission.

**EXECUTIVE (CLOSED) SESSION**

No Executive (Closed) Session.

**ADJOURNMENT**

There being no further regular business to come before the City Council, the regular meeting ended at 10:32 p.m.

PASSED AND APPROVED this 19<sup>th</sup> day of OCTOBER 2021.

  
MAYOR

  
CITY CLERK