

**CITY OF OLIVETTE
TAX INCREMENT FINANCING COMMISSION
MEETING MINUTES
March 29, 2021**

The Olivette Tax Increment Financing (TIF) Commission met on March 29, 2021 at 7:01 PM via videoconferencing and livestreaming. Chairman Brophy called the meeting to order.

Item #1 – Roll call

On roll call, the following Commission members were present: Stephanie Leon Streeter, Gail Choate, Andrea Nelson Roberts, Paul Hampel, Kevin McKenna, Jay Nelson, Andy Bressler, Kisha Lee, Jeff Springer, Greg Carl, Richard Brophy, and Marion Gee.

ITEM #2 – Approval of Minutes

Chairman Brophy called for a motion to approve the minutes from the February 8, 2021 meeting. Kevin McKenna made a motion to accept the minutes as presented. Motion seconded by Paul Hampel.

POLL OF THE COMMISSION:

Stephanie Leon Streeter	Yes
Gail Choate	Yes
Andrea Nelson Roberts	Yes
Paul Hampel	Yes
Kevin McKenna	Yes
Jay Nelson	Yes
Andy Bressler	Yes
Kisha Lee	Yes
Marion Gee	Yes
Jeff Springer	Yes
Greg Carl	Yes
Richard Brophy	Yes

Motion passed.

ITEM #3 – Overview of Purpose of the Public Hearing

Mark Spykerman, attorney with Gilmore & Bell, and Special Council to the City of Olivette on TIF matters, addressed the Commission and gave an overview of the TIF Commission's role, the history of the project, the reasons for the current amendment to the existing Olivette Gateway TIF, and the role of the Commission.

ITEM #4 – Public Hearing Regarding Proposed Amendment to Gateway I-17current 0 Tax Increment Financing (TIF) Redevelopment Plan

Chairman Brophy opened the public hearing at 7:08pm.

Review of proposed amendment

Chairman Brophy recognized Greg Yawitz, the developer of the project. Mr. Yawitz addressed the Commission and then gave a presentation on the amendment.

Chairman Brophy then recognized Andy Struckhof, Financial Analyst, from PGAV. Mr. Struckhof gave a presentation on the Cost Benefit Analysis of the project.

Oral comments from the public

Chairman Brophy opened the floor for oral comments from the public. The following spoke at the public hearing:

Bill Hansen, 817 N. Price Road, addressed the Commission regarding an overall analysis of traffic in the area.

Mark Minton, 115 Stoneleigh Towers, addressed the Commission regarding the size and density of the proposed project.

Stephen Weiss, 1128 Oliveira, addressed the Commission regarding the impact of the proposed project on the City and School District resources.

Carol Levinson Waggoner, #7 Forsythia Lane, addressed the Commission regarding the residential additions and the diversity of the development.

James Fields, 1120 Hilltop Dr., addressed the Commission regarding traffic on the north side of Olive.

Rob Connors, 3 Heather Hill Lane, addressed the Commission regarding the diverse mix of the development and the importance of Olivette remaining the center of it all.

Utica Morris, 2 Bon Hills Dr., addressed the Commission regarding the consideration of condominiums instead of apartments.

Christina Hansen, 817 N. Price Road, addressed the Commission regarding requests to the developer to limit right turns on Price Road.

Written comments from the taxing jurisdictions

Chairman Brophy then opened the floor to written comments from the taxing jurisdictions.

Kisha Lee, Commissioner from the Ladue School District, read a letter requesting the vote be moved to after April 12, 2021.

Chairman Brophy asked if all Commission members were available for a meeting on April 13, 2021. It was agreed by consensus of the Commission to postpone the vote until their next meeting on April 13, 2021 at 6PM.

Oral comments from the taxing jurisdictions

Chairman Brophy then opened the floor to oral comments from the taxing jurisdictions.

Carlos Trejo, Director of Planning and Community Development for the City of Olivette, addressed the Commission regarding the project and how it related to City goals and the Comprehensive Plan.

Barbara Sondag, City Manager of the City of Olivette, addressed the Commission regarding the history of the site and how the multi-family component was in line with the City's vision and the Request for Proposals (RFP).

Written comments from the public

Chairman Brophy then opened the floor to written comments from the public

Greg Carl, Secretary of the TIF Commission, read written comments from the following: Rod Patershuk, Suzette Weiss, Mark Biernacki, David Palatnik, Benjamin Ronnau, Mary O'Reilly, David Busker, Dan Becker, Surendra Shenoy, and Al Snyder.

Chairman Brophy stated a three-page letter was received from Harry Hilburg, and due to its length, would not be read. The comments from Mr. Hilburg will be distributed to all Commission members and will be made available to the public.

Written comments from other taxing jurisdictions

Chairman Brophy then asked if any of the other taxing jurisdictions had written comments to submit. There were no other written comments received.

Chairman Brophy closed the public hearing at 8:56 PM.

Item #5 – Other Business

Chairman Brophy confirmed there was a quorum for the April 13, 2021 meeting at 6 PM and it was agreed by consensus of the Commission to postpone the vote on the proposed amendment until the meeting on April 13, 2021.

Members of the Commission then discussed questions about the inclusion of a grocery store, the affordability of the residential multi-family residential addition, the amount of private investment in the project, rental rates, diversity, and the next steps if the project is approved.

ITEM #6 – Adjournment

Chairman Brophy asked if there were any objections to adjourning the meeting. Seeing none, he adjourned the meeting at 9:15PM.

J. Gregory Carl, Secretary

GATEWAY TIF AMENDMENT #2 WRITTEN PUBLIC COMMENT

I am in favor of the proposal put forth by the developer before the TIF Commission considering the development at Olive Blvd and I-170.

I believe I offer a unique perspective:

- in having studied the proposal and its iterations as a commissioner on the city of Olivette's Economic Development Commission,
- I have been a strong supporter of the Ladue School District – the taxing district most affected by the TIF - and currently co-chairing the citizens campaign, Commit2ladue.org, for the support of Proposition L, a \$126 million bond issue for building renovation and replacement,
- being a real estate professional active in the area affected,
- as well as a resident of the east side of Olivette, the area most affected by the development.

On all counts I believe the development offers a positive outcome for all issues I've noted as well as an overall positive impact for the residents and city of Olivette.

Sincerely,

Rod Patershuk
511 Ziercher, Olivette MO 63132

Suzette Weiss
[1128 Olivaire Lane](#)
[Olivette, MO 63132](#)

I am concerned with the proposed amendment to the TIF redevelopment plan, and based on my understanding, strongly oppose it's approval.

Olivette currently does not have a grocery store. While Costco does provide food-related products - and I am happy to see this as part of the development - Costco is not a true grocery store and requires a membership fee that not all residents would want and/or afford to pay. In order to meet the needs of all in our community, it would be beneficial to have Costco AND a traditional grocery store. I would assume there is general agreement that a food store is needed, or a grocery store and Costco would not have been part of the original plans.

Issues such as increased traffic and stressing educational resources aside, ADDING more apartment buildings INSTEAD OF a grocery store would mean even more residents who themselves would also need groceries. More people with less public amenities flies in the face of making Olivette a more livable community.

If there is concern that office space and retail would have reduced demand post-COVID, then why would the plan be to continue to proceed with those uses? Are those concerns perhaps unfounded or inappropriately elevated?

Businesses such as restaurants and office space that are built amidst the pandemic have the opportunity to be designed with our "new normal" in mind. In fact, features such as improved ventilation and a more environment-friendly design can put this development on the forefront of ingenuity, and be a real draw for would-be tenants and patrons alike.

While I am open to learning where I may be wrong in my understanding, even more apartments does not seem to make sense. It makes it even harder swallow the need for over \$23M to fund such a project that I and many other residents do not want.

This development should not be completed strictly for tax revenue. It should make Olivette a more desirable place to live and work.

I appreciate your consideration.

Suzette Weiss
concerned Olivette resident

Mr. Richard Brophy
Chairman
Olivette TIF Commission

Mr. Brophy I wish to express my family's support of the request of Keat Olivette Gateway to the TIF commission for the addition of apartment use to the project and additional project based incentives. The proposal is exactly what Olivette and the greater region needs to provide a diverse development for our community. The existing apartments in Olivette are all over 30 years old and our city needs to be competitive in the market. I reviewed the information online and see that the developer is reducing the percentage of incentives relative to the project cost which is a big positive for me. By adding more living options for Olivette, we can grow our community and provide options to those who wish to live in our city. The developer has a proven long term track record in Olivette at Price Crossing. Everyone in Olivette loves to go to the shops at Price Crossing. We are all VERY excited about what Olive Crossing will bring to the community and region.

I look forward to the opportunity to address the commission during the Zoom meeting and share what many of the Olivette residents have asked me to share: "We support this development."

I urge the TIF commission to vote to recommend approval of this to the Olivette City Council.

Mark Biernacki
Neighborhood Trustee
[31 Kentom Dr](#)

Hi Barb,

Please forward this letter to Richard Brophy, Chair of the Olivette Gateway TIF Commission.

My name is David Palatnik, I have lived at 26 Forsythia lane, Olivette since 2016. I also own CBD Kratom at 9201 Olive Blvd. Olivette (Disclosure: My landlord is Greg Yawitz, same as the developer of Olive Crossing)

My wife Dafna and I are supporting the Olive Crossing project and the changes that are proposed to it. Greg and his company has a history of building and maintaining great commercial spaces to benefit the city and its residents. We all love to use the great retailers and restaurants that Greg has brought over to Olivette and the city benefits from the tax revenue. I worked closely with Greg on

our building at 9201 Olive. Even though the project was much smaller, It is a great example of how much time and money Greg was willing to spend on the exterior of the building so the entrance to Olivette will look better and how he transforms an old, not so good looking vacant building into a great retail space.

The cost of the Olive Crossing project is significant and while there are a lot of costs to construction project this size, Greg has spent a lot of extra time and money to make sure the project will be done in a better way for the community compared to other commercial project, and that is why he need the support of the TIF Commission.

Thanks

David Palatnik

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As a resident of Olivette I am in support for the project specifically because a grocery store is to be included in the development.

I find it quite bothersome that Olivette is a grocery store dessert in which I must travel to neighboring communities in order to purchase food.

It is my understanding that the developers of the property would like to modify the plan in flight and remove the grocery store.

With the departure of the grocery store from the development plans my support for this project would vanish and be replaced with a feeling of being deceived.

I ask if the commission believes it is beneficial for the people of Olivette to be able to purchase groceries within the city limits of Olivette without having to travel and pay tax to other communities?

Many Thanks

Benjamin Ronnau
Magnet Dr.

--- it is my understanding that developer has eliminated the grocery store component of the planned project and is requesting further tax incentives so that he/they can add a large number of apartments to the complex.

The original plans for this site that the community approved enthusiastically several years ago were small-scale, attractive, and in keeping with the surrounding community.

It has grown beyond any recognition (and with very little, if any, discussion with the larger community).

It will significantly impact the area, and not in positive ways.

There are a number of other apartment complexes being built in the area already, which will heavily impact our roadways and our retail establishments.

Rather than even MORE apartments on the Olive Crossing site, I would strongly prefer retail and sit-down restaurants.

I am against providing this developer more incentives only so that they can build apartments for commuters who will have no commitment to the community.

- Mary O'Reilly, 9 Ladue Hills Drive, Olivette

Harry Hilburg sent three separate written comments.

1.

On April 14, 2016, a feature article on the Post-Dispatch web site stating that the new development in Olivette would be anchored by a grocery store. The story started with:

“Can a new grocery store thrive in Olivette? One developer is betting on that”

“Yawitz said that for his new project he was determined to bring a grocery store to Olivette...”

For decades, when Olivette residents were polled, their number 1 choice of what they wanted to see developed in Olivette was a grocery store. A development anchored by a grocery store won easy approval by both its residents and the City Council in 2016.

The developer’s latest proposal eliminates the grocery store from the plans and replaces it with 160 higher rise apartments and a parking garage. The developer is asking the city for an additional \$5.4 million diversion of tax funds (TIF) to go along with this change. None of the City sponsored surveys over the past decades indicated a desire of Olivette residents for a higher rise apartment complex with a parking garage. The scope of this development has changed from a center to benefit the residents of the area, to a center filled with high rise office buildings, hotel, faster food restaurants, higher rise apartments and 2 parking garages.

I believe that it is the responsibility of both the TIF Commission and the City of Olivette to seek out additional comments on this dramatic change in scope, from its residents before making any final decisions. I felt that this change has not received the proper communication to the community, and that additional communication, **actually detailing the proposed changes**, such as the replacement of the grocery store by 160 apartments, and the resulting request for \$5.4 in additional TIF funds, should be made and that the TIF commission not act on a rush basis with just 2 legal but greatly under-publicized meetings. An email address for written comments should also be included in city communications.

Listing just the meeting agenda, and not what they are discussing has the effect of legally but not properly informing the residents of the City of Olivette of the issues facing the City.

2.

Development	Apartments	Hotel rooms	
Olive Crossing, Olivette	160	160	TIF increase requested
Oliver, Olivette	151		Under construction
Opus, Olivette	207		In approval process, City participation requested
LuxLiving, University City	160	133	I-170 and Delmar, demolition ready to start

Avenir, University City	254		I-170 and Delmar, in approval process
Novus, University City	176	96	I-170 and Olive, TIF approved

The developer’s initial presentation at the first TIF commission meeting, stated that no new apartments have been built in Olivette for decades.

True, but in fact, that are now **518 new apartment units** either approved or in the approval process in Olivette. In addition, within walking distance, there are **another 590 new apartments** are currently approved or in the approval process. There will be a total of **1108 new apartments being built** within walking distance of the Olive Crossing Development, all in higher rise buildings.

One universal theme in this increased development appears to be the large percentage of studio apartments in these developments. For the almost 50 years I have lived in Olivette, the city has been known as a stable community supporting a desired and diverse cross section of residents. The dramatic increase in apartments, in a predominantly single family home community, especially studio apartments, traditionally has had a higher turn-over of renters...creating a more transient community.

The City of Olivette has not included in the data presented, information for its own residents, on how the City budget will be affected in the future regarding increased expenses related to the Olive Crossing development, especially under the newer plans. Police, Fire, and Planning Department staffs would all have to be increased. Decades ago, when the development was planned on the NE corner of the same intersection, the City of Olivette predicted additional expenses of about \$1 million a year. Under the TIF plan, the developer will be capturing all Olivette taxes, so the cost of the increased city services serving this development will be passed on to Olivette residents and businesses.

Olivette Crossing development may not be paying their share for the bonds used to finance the new City Hall or the Park Improvements, although they benefit from both.

The proposed University City Costco development TIF does NOT capture personal property taxes, so University City will have additional revenue to support the increased demand for City services that the Costco development will require.

The developer is asking for \$5.4 million in additional diverted tax funds (TIF), stating that a 7.5% return on investment (ROI) is now needed to proceed with the project. Based on the developer’s exhibits:

TIF plan year	ROI with TIF funding
2016	6.77%
2018	7.20%
2021	7.58%

There is a significant increase in the desired ROI, with the new request even exceeding the stated ROI return that the developer is requesting.

I am requesting that the new developer’s request be amended to be similar to the University City TIF approval, that personal property taxes be retained by the City of Olivette and exempt from the TIF. Also that the developer pays their fair share of the bond levy for the new City Hall and for the upcoming Olivette park improvements.

The increase in residents from 518 new housing units could cause an increase in enrollment at Ladue Schools, especially at Old Bonhomme Elementary School, causing potential overcrowding, even if the current Prop L passes.

Please also note that the prepared Olivette TIF- Ordinance shown on the City’s website, indicates a TIF amount in excess of that requested by the developers. I suspect that this is a typo error due to the rush process of getting this approved, with insufficient publicity and input from the community.

Request for no action to be taken tonight

Comments for the 3/29/2021 TIF committee (to be include in public record)

3.

There appear to be multiple inconsistencies between the City of Olivette Addendum #2, the Cost/Benefit Analysis by Andy Struckhoff, and the Developers submission.

I strongly recommend that no action on the proposal be taken this evening until the inconsistencies are resolved and a future meeting be held. There should also be a greater possibility of having more public input. I do not believe that the City has properly engaged its residents for input, with an explanation of the developer's actual change of development and financial plans, especially since they are considering a dramatic change to the largely single family composition of Olivette's housing stock. This would be the second of 3 planned high density apartment developments, totaling 518 new apartments. This equals about a 20% of Olivette's now current housing units. The developer is asking for almost a \$10 million increase from the approved 2018 TIF (\$13.9 to \$23.2 million), per their submission.

Olivette has sent several emails for the meeting, maybe meeting the legal requirement. However, a summary of the actual changes were never mentioned in the text of the email...so most people would be unaware of the potential changes to the nature of the development.

This development was initially welcomed by most Olivette residents, since they wanted a grocery store. Now the grocery store is being deleted from the plans and replaced by 200,000 +/- square foot apartment building. I do not believe that a high density apartment building would receive the same warm welcome.,

These inconsistencies include the Addendum #2 and the Developer's write up showing differing amounts for the new TIF amount, the Addendum and the developer's write up showing difference costs (for example the contingency costs are \$7 Million in the City's Addendum #2 and \$5 million in the developer's submission- compared to \$3 million in the 2018 plan). There are more inconsistencies and the documents need to be both reconsidered and better proof read, before official action is taken.

Harry Hilburg
Ladue Hills Drive, Olivette, MO
hhilburg@hotmail.com

Barb,

As a resident of Olivette for 11 years and having served as a former TIF Commission chair for this project, I would like to offer my support for the revision request made by Keat Properties to the project at 170 and Olive Blvd. Based on my understanding, the new tax revenues relative to the project costs will drop from 19.4% to 15.15%.

As a former real estate developer, I can appreciate just how difficult this site is to get redeveloped, and the adjustments required to adapt to market demands in our unbelievably fast changing economic climate during the project cycle. If the market is finding a higher and better use for this

location, and we have a joint willingness of private development capital and a sensible TIF for public improvements, as a resident I believe we should not let this opportunity lapse due simply to fatigue and changing market dynamics. We should take the proper measures to get it completed, including approving this revision request.

Thank you to the TIF Commission for your time. I am also assuming that I am no longer part of the commission since I was not informed previously of the meeting.

David Busker
13 Heather Hill Lane

David Busker CPA
Founder & President
FranchiseVision
314.395.3586 direct
314.221.6595 mobile

To: Richard Brophy, Chair of the Olivette Gateway TIF Commission

As a longtime resident of Olivette, I want to express my full support for Olive Crossing project by promoting the developers TIF application. This is a logical next step to bring more dynamic living conditions and supporting businesses to our community. The project will bring more downstream tax revenue to the city, providing even more funding for future improvements and upkeep. Having additional funding for this project will certainly maintain the esthetic integrity for the project and additional appeal for renters (both residential and commercial).

Respectfully,

Dan Becker
15 Heather Hill Lane
Olivette, MO 63132

Richard Brophy,
Chair of the Olivette Gateway TIF Commission

Dear Mr. Brophy,

We are writing in support of the application made by Mr. Yawitz on the Olive Crossing Project to convert 1 building project from commercial to residential use. Olivette is a very

residential location and this would enhance that goal. We think it would also decrease the traffic congestion at that junction.

I am writing this letter on behalf of my husband Surendra Shenoy and myself. Thank you for your consideration.

Sincerely,



Shalini Shenoy
1 Heather Hill Lane
Olivette
MO 63132

Miss Fleming,

My apologies, I cannot attend this evening's Commission meeting due to personal conflicts. I have a few brief questions below that I hope will be addressed.

Per the documentation provided, the Commission is recommending that the TIF be increased by \$5.42M. The verbiage is below.

1) What happens if the TIF is NOT approved by the Commission?

2) Why is the Commission considering supporting this extension of the TIF? This seems to be attributable to errors in judgment and overly aggressive expansion of the project by the Contractor? Why should the residents be "on the hook" to bail out the Contractor for lack of foresight / balancing of risk? In other similar circumstances, real estate developers bear the risk of loss with the offsetting potential increased gain. It remains unclear why the residents of Olivette should be expected to incur further assessments for a project that has significantly strayed from the original intent.

Respectfully submitted,
Al Snyder
160 Stonel ei gh Towers
