

In light of the current public health crisis and the Federal, State and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo., the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Community Equity Commission will not be open to public attendance in person. The meeting will be accessible by the public in real time ONLY by following the instructions in the box below.

You are invited to a Zoom webinar.
When: May 19, 2022 05:30 PM Central Time (US and Canada)
Topic: Community Equity Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84890683898>

Or One tap mobile :

US: +13126266799,,84890683898# or +19292056099,,84890683898#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 848 9068 3898

International numbers available: <https://us02web.zoom.us/j/84890683898>

Persons interested in making their views known on any matter on the agenda should send an email with their comments to the Assistant to the City Manager at amuskopf@claytonmo.gov. All comments received will be distributed to the entire Commission before the meeting.

Thank you for your understanding and patience as we all try to get through these difficult and dangerous times.

**Community Equity Commission
May 19, 2022 at 5:30 PM**

Agenda

1. Welcome and Roll Call
2. Approval of April 11, 2022 Minutes
3. Reflection – Asian American History Month
4. Sharing Information with Other Cities
5. Minor Traffic Violations –Chief Smith
6. Indentures Update – Aldermanic Liaisons
7. Housing Subcommittee Updates
 - a. PUD points for affordable housing units
 - b. Duplexes to Single Family to Duplexes – Discussion only
8. Subcommittee Updates
9. Old Business
 - a. Public Comments from April 11, 2022 Meeting
10. Public Comments
11. Comments from Members
12. Next Meeting: Thursday, June 9 at 5:30 pm
13. Adjourn

The City of Clayton
Community Equity Commission
Virtual Zoom Meeting
April 11, 2022 at 5:30 PM

Minutes

The meeting was called to order at 5:33 pm.

Roll Call

Present: Laura Horwitz (Chair), Yvonne Tisdell, Stuart Berkowitz, Chris Schmiz, Ben Uchitelle, Rob Whitney (ex officio), JoAnna Schooler (ex officio), and Ken Murdock (ex officio).

Additional: Alderwoman Susan Buse, Alderman Gary Feder, City Manager David Gipson, and Assistant City Manager Andrea Muskopf

Minutes

Ben Uchitelle moved to approve the March 10, 2022 minutes. Yvonne Tisdell seconded the motion. All were in favor.

Future Presentations/Educational Sessions

The Commission briefly discussed future presentations/educational sessions and how to attract the broader community.

Election of Chair

Stuart Berkowitz nominated appoint Ben Uchitelle as Chair. No other nominations were made.

Stuart Berkowitz moved to elect Ben Uchitelle as the Chair. Yvonne seconded the motion. All in were in favor.

In-Person Meetings

Ben Uchitelle moved to begin hybrid meetings in May 2022 following the City's protocols. Chris Schmiz seconded. All were in favor.

Subcommittee Updates

Updates were provided on the Housing, Administrative Advisory, Municipal Court, and Communications Subcommittee.

Old Business

Update from St. Louis County

Ken Murdock shared that St. Louis County has received the City's request to remove the marker outside of the St. Louis County headquarters. St. Louis County is reviewing the history of all markers and the marker is in queue to be reviewed, which should occur around August.

He also shared that he would share meeting details regarding the work St. Louis County is doing on county-wide efforts. He also shared that the goals for a Welcoming Plan and identified the three following goals: identifying resources, illuminating ecosystems, and

connect services. He will send a list of plans in other counties to Andrea Muskopf to share with the Commission. He will also let us know where the Commission can contribute to the County's Welcoming Plan.

Public Comments from March 10, 2022

Comment submitted via email.

Public Comment

Kathleen Gund shared that she was pleased to see the report from the Housing Subcommittee and was hoping that they may also like to look at things that are baked into our current code or zoning that may be discriminatory. For example, the code discusses specific building materials increases the cost to build, minimum apartment square footage, residency permits, etc.

Comments from Members

None

Next Meeting Date

The next meeting is scheduled for May 12 at 5:30 pm.

Adjourn

Ben Uchitelle moved to adjourn the meeting. Yvonne Tisdell seconded the motion. All were in favor. The meeting adjourned at 6:47 pm.

AAPI

History Month

Throughout history, people of Asian descent have played important roles in the creation of American life and culture, lending their talents to significant developments in the arts. We pause to recognize some noteworthy American activists, artists, entrepreneurs, and scientists of Asian descent.

Grace Lee Boggs

"People who are full of hate and anger against their oppressors or who only see Us versus Them can make a rebellion but not a revolution."

Taishanese American Author, Philosopher and Feminist

Born in Providence, Rhode Island, in 1915, to Chinese immigrant parents from Taishan, China, Grace Lee Boggs was a prominent Chinese American author, social activist, philosopher and feminist. She was on the frontlines of social change in the 1940s and 1950s, and in the 1960s, she and her husband James Boggs—a Black writer and community organizer—were important figures in the fight for social justice for minority communities. Lee Boggs is best known for her book, *The Next American Revolution: Sustainable Activism for the Twenty-First Century*, and she is regarded as a key figure in the development of the Asian American movement and identity. She remained active in human rights advocacy until her death in 2015 at the age of 100.



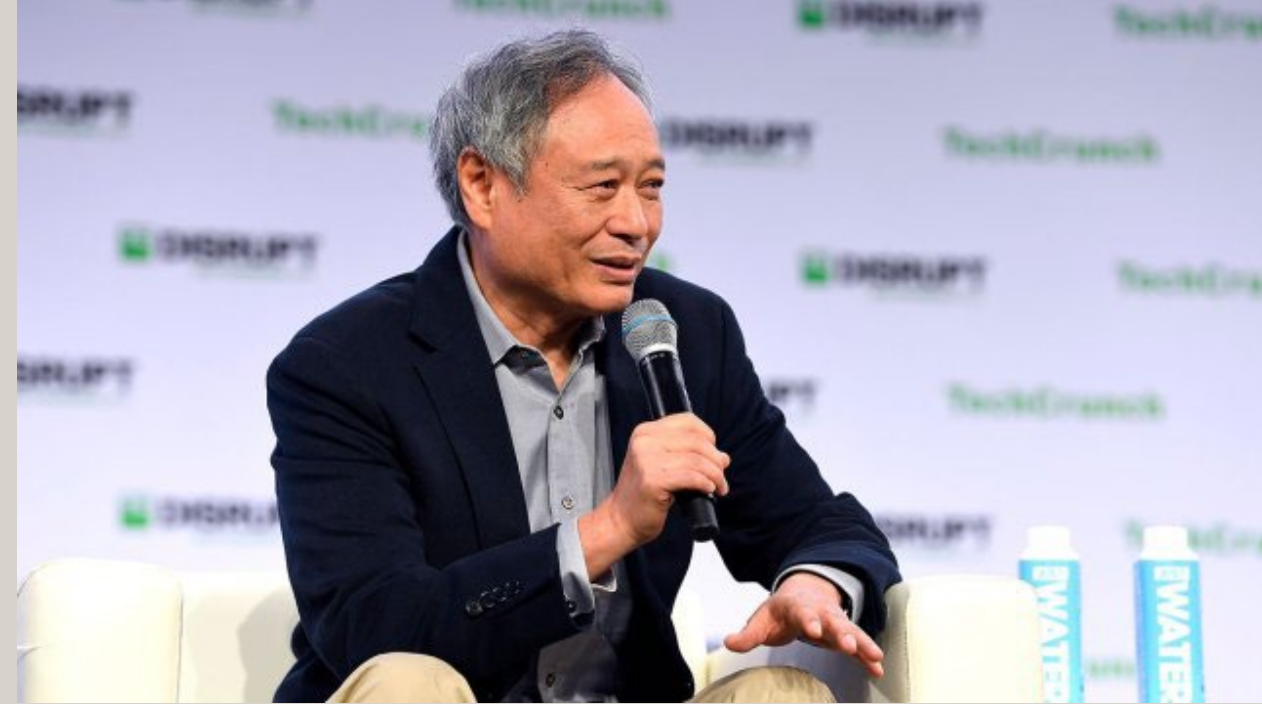
George Takei



Japanese American Actor and Civil Rights Activist

Best known for his iconic role as Lieutenant Hikaru Sulu in the original Star Trek series, George Takei is a groundbreaking actor and civil rights activist who blazed a trail for subsequent generations of Asian Americans in the performing arts. A self-proclaimed Anglophile, Takei was named after the United Kingdom's King George VI, who was crowned earlier in the same year (1937) that the U.S.S. Enterprise helmsman was born in Los Angeles. Like many people of Japanese descent at the time, and despite being American citizens, Takei and his family were forced to relocate to internment camps during World War II. Since coming out as gay in 2005, Takei has become a prominent LGBT rights advocate and political activist. He also has won awards and accolades for his work on human rights and Japan-U.S. relations, including his work with the Japanese American National Museum in Los Angeles.

Ang Lee



Taiwanese American Filmmaker

Taiwanese American filmmaker Ang Lee has the unique distinction of being the first non-white director to win an Oscar for directing as well as producing and directing Academy Award-winning films performed in Chinese and English. Having been nominated for a total of nine Academy Awards, Lee has won three: Best Foreign Language Film for *Crouching Tiger, Hidden Dragon* (2000) as well as Best Director for *Brokeback Mountain* (2005) and *Life of Pi* (2012). Born in Chaozhou, Taiwan, in 1954, Lee came to the U.S. to study film, and he received an MFA from New York University's Tisch School, where he was a classmate of filmmaker Spike Lee. Ang Lee is considered by many to be among the most accomplished and influential filmmakers of his generation.

Jerry Yang

Taiwanese American Co-Founder of Yahoo!
and Tech Investor

In 1994, Jerry Yang and his classmate David Filo dropped out of the doctoral program at Stanford University to create an internet directory originally named "Jerry and David's Guide to the World Wide Web," which was later renamed Yahoo! As the creator of one of the first internet portals, Yang played a critical role in defining the role of technology in our lives. Born in Taipei, Taiwan, in 1968, Yang emigrated to San Jose, California, at age 10 with his mother and brother. In the years since leaving Yahoo!, Yang has become a mentor to numerous technology startups and an investor to more than 50 startups.



Kalpana Chawla

Indian American Astronaut and Engineer

Kalpana Chawla was the first woman of Indian descent to go to space, having served as a mission specialist and primary robotic arm operator on the space shuttle Columbia. Sadly, Chawla was one of the seven crew members who died when the spacecraft disintegrated during its re-entry into the Earth's atmosphere in 2003 following the space shuttle Columbia's 28th mission. Chawla was posthumously awarded the Congressional Space Medal of Honor, and several streets, universities and institutions have been named in her honor. She is regarded as a national hero in India, where she was born in East Punjab, in 1962.



Report from Housing Sub-Committee

Clayton Community Equity Commission

May 12, 2022

HUD Definition of Affordable Housing

- For renters, affordability means paying less than 30% of their income on housing, including rental and utility payments.
- For homeowners, affordability means paying less than 30% of their income on mortgage, utility, property taxes, and insurance payments. HUD uses Area Median Income (AMI) categories to provide a baseline definition of household income to support their housing policy and analysis.

How are “workforce” and “middle-income” housing different from “affordable” housing?*

“The term ‘workforce housing’ is most often used to indicate a program targeted at households that earn too much to qualify for traditional affordable housing subsidies. The largest rental subsidy program, [housing vouchers](#) funded by the U.S. Department of Urban Development (HUD), targets families making up to 50% of the median income for their metropolitan area (AMI). Households earning up to 80% of AMI are eligible to live in Low Income Housing Tax Credit ([LIHTC](#)) properties. Relative to these programs, workforce housing is most commonly intended for households with incomes between 80 and 120% of AMI.

The term ‘workforce’ housing is not only imprecise, it is [controversial](#): many poor households who receive federal housing subsidies [are employed](#), so why are those subsidies not considered “workforce” housing? While ‘middle-income housing’ would be more precise language, it raises some politically awkward questions.”

-- Brookings, “Workforce Housing and Middle-Income Housing Subsidies: A Primer” October 29, 2019

<https://www.brookings.edu/blog/up-front/2019/10/29/workforce-housing-and-middle-income-housing-subsidies-a-primer/>

Clayton Housing Snapshot*

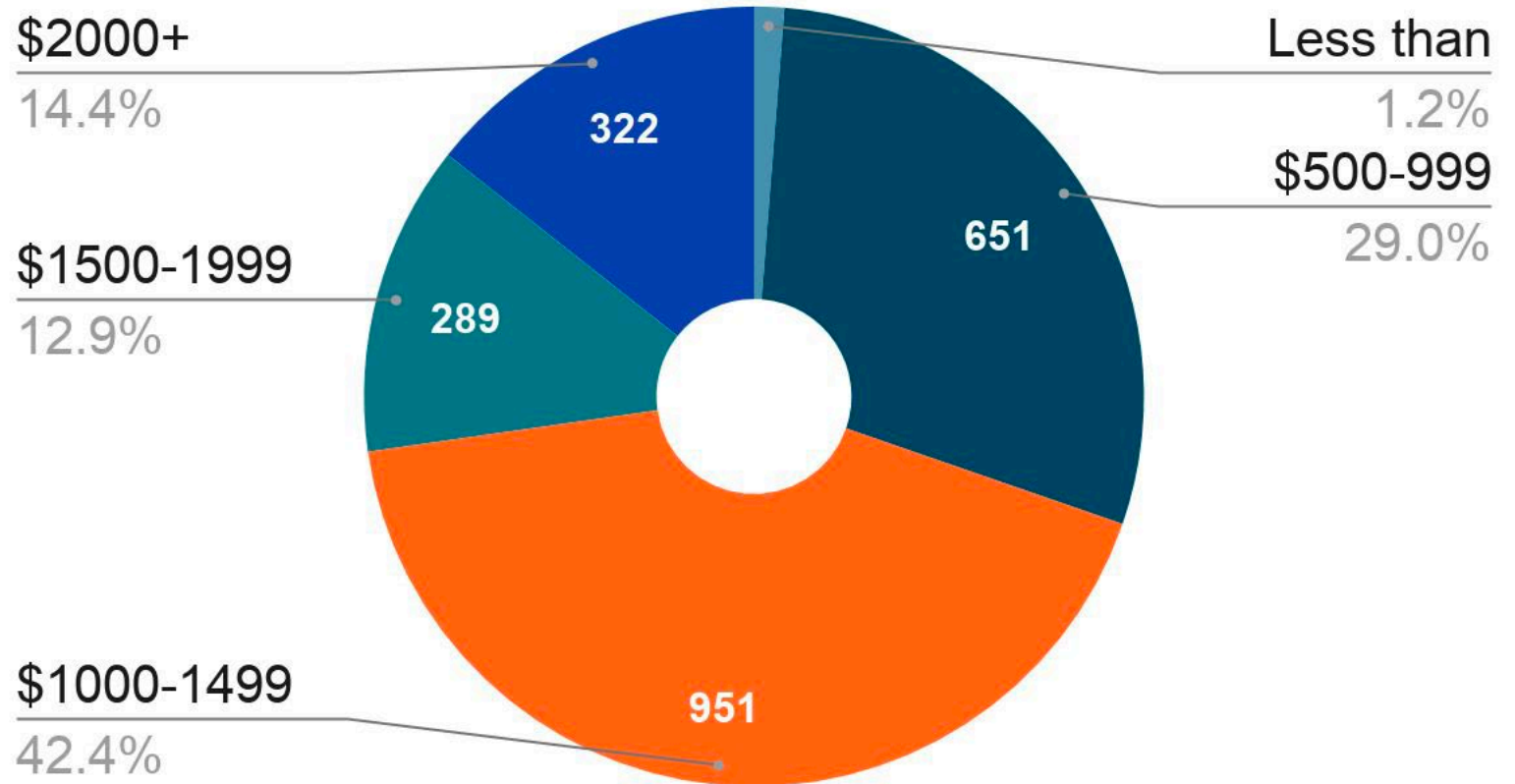
- 6,208 housing units
- 91% housing occupancy
- 41% renters | 59% homeowners
- 41% of renters are cost-burdened (paying >30% of income for rent)
- ~875 renter households are cost-burdened
- Median home value: \$633,400
- Median rent: \$1,249 per month
- 669 new housing units built in 2015-2019
- 93% of new build units were in multi-family buildings

*Affordable Housing Report Card, presentation to Clayton Equity Commission Update, January, 2022, Cristina Garmendia, Principal URBNRX

Clayton Rental Market vs. STL City & County

- Median rent in Clayton - \$1,249
- Median rent in City - \$828
- Median rent in County - \$983

Clayton Rental Market: Gross Rents in 2019



Clayton currently has 21 subsidized housing units:

1 Housing Choice Voucher + 20 Project Based Section 8

Medium Rent in Clayton of \$1,249 affords rental options for households at 80% AMI.

In 2019 Clayton passed an ordinance prohibiting landlords from discriminating based on source of income (SOI), people at 80% AMI are not currently eligible for housing subsidies.

St. Louis Metro Area Affordable Housing

St. Louis Affordable Housing Report Card, 2021 - <https://capture.dropbox.com/GYjojk7kqtvGhMM8>

For each income group, based on a 3-person household, we have identified the best match for affordable housing costs using the thresholds available from the American Community Survey:

Screenshot

- **0-30% AMI:** Affordable housing for families with incomes less than \$22,400 costs less than \$549 per month.
- **31-50% AMI:** Affordable housing for families with incomes between \$22,400 and \$37,350 costs less than \$999 per month.

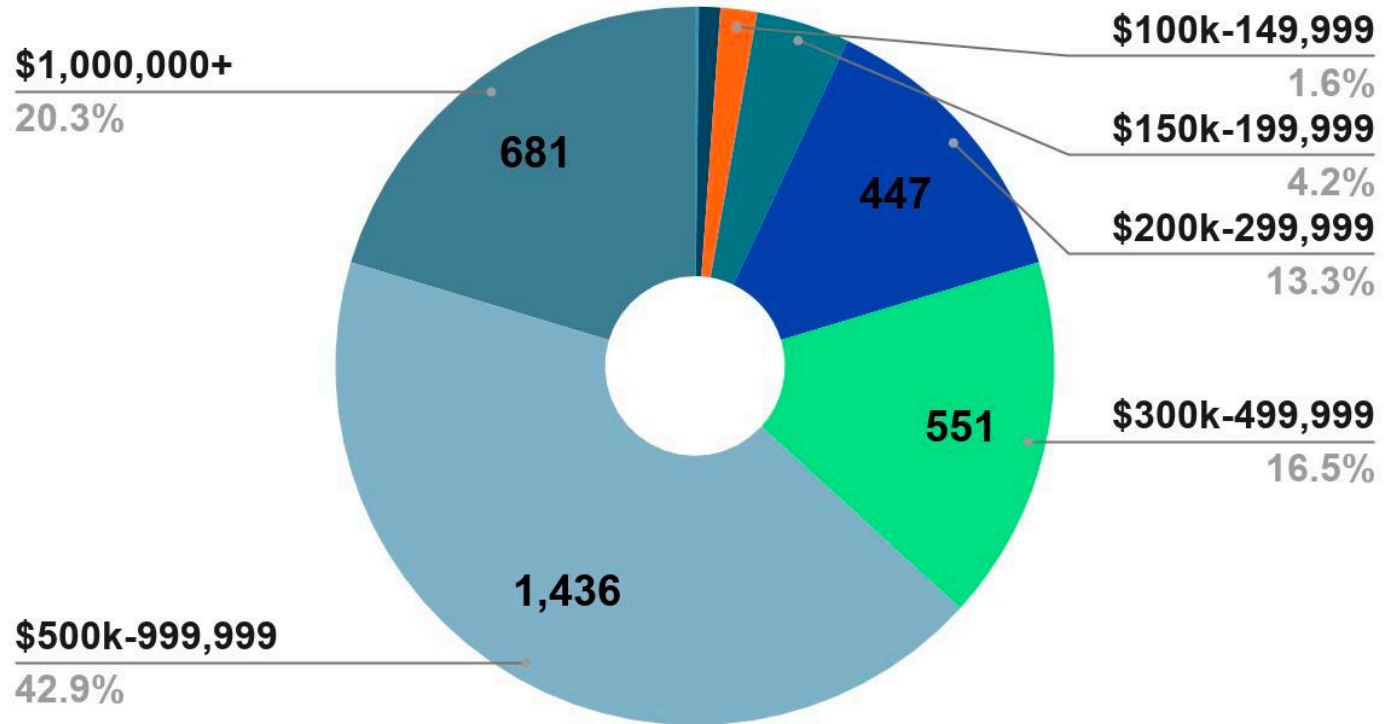
- **51-80% AMI:** Affordable housing for families with incomes between \$37,350 and \$59,700 costs less than \$1,499 per month.
- **81-100% AMI:** Affordable housing for families with incomes between \$59,700 and \$74,700 costs less than \$1,999 per month.

These thresholds are nearly identical for homeowner housing costs as reported in the American Community Survey, with the exception of the lowest income bracket where we use the cost threshold of \$599 instead of \$549.

Clayton Home Values vs. STL City & County

- Median home value in Clayton - \$633,400
- Median home value in City - \$138,700
- Median home value in County - \$198,800

Clayton: Value of Owner-Occupied Households

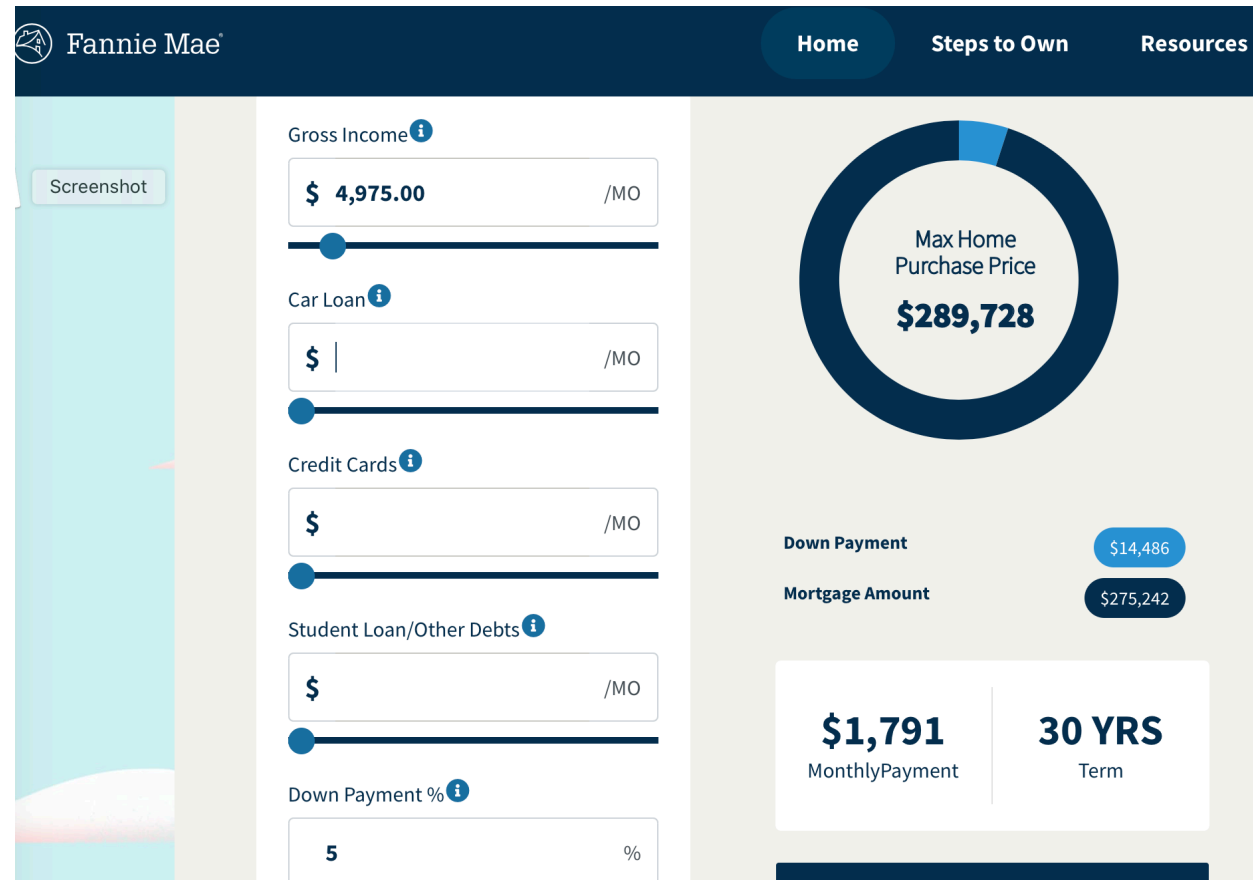


Clayton has no affordable options for home buyers

Medium Home Value in Clayton of \$633,400 is out of reach for households at 80% AMI.

Even assuming 5% down, no debt and a favorable credit rating, the maximum home purchase price for a gross income of \$59,700 is calculated by Fannie Mae to be \$289,728.

St. Louis Metro Area Affordable Housing



Input from Developers about PUD Credits for Affordable Housing

Green Street Real Estate Ventures & Midas Capital

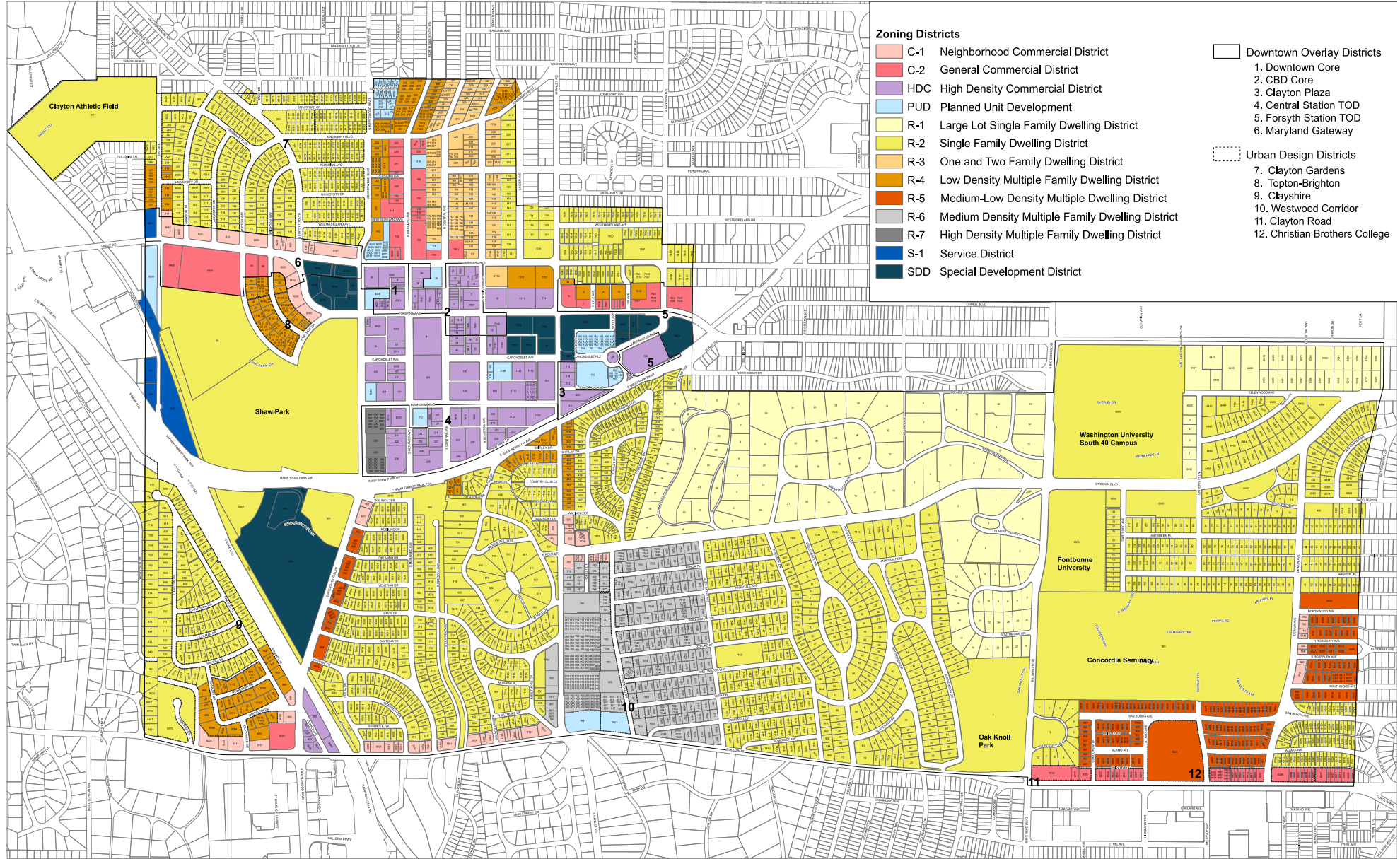
- Land costs in Clayton are very high.
- Need to demonstrate project can hit certain returns to get financing on front end:
 - Need public support in the community
 - Need institutional partners who are invested in the area to collaborate
 - Need a developer who is willing to get below market return (~6%)
 - Need transparency in city approval processes; developers and lenders are looking for certainty of execution
- Affordable Housing Points in PUD are not a strong incentive since there are other, easier and less costly ways to gain points.

Brookings Institution recommendations for improving economic diversity of housing options in wealthier communities

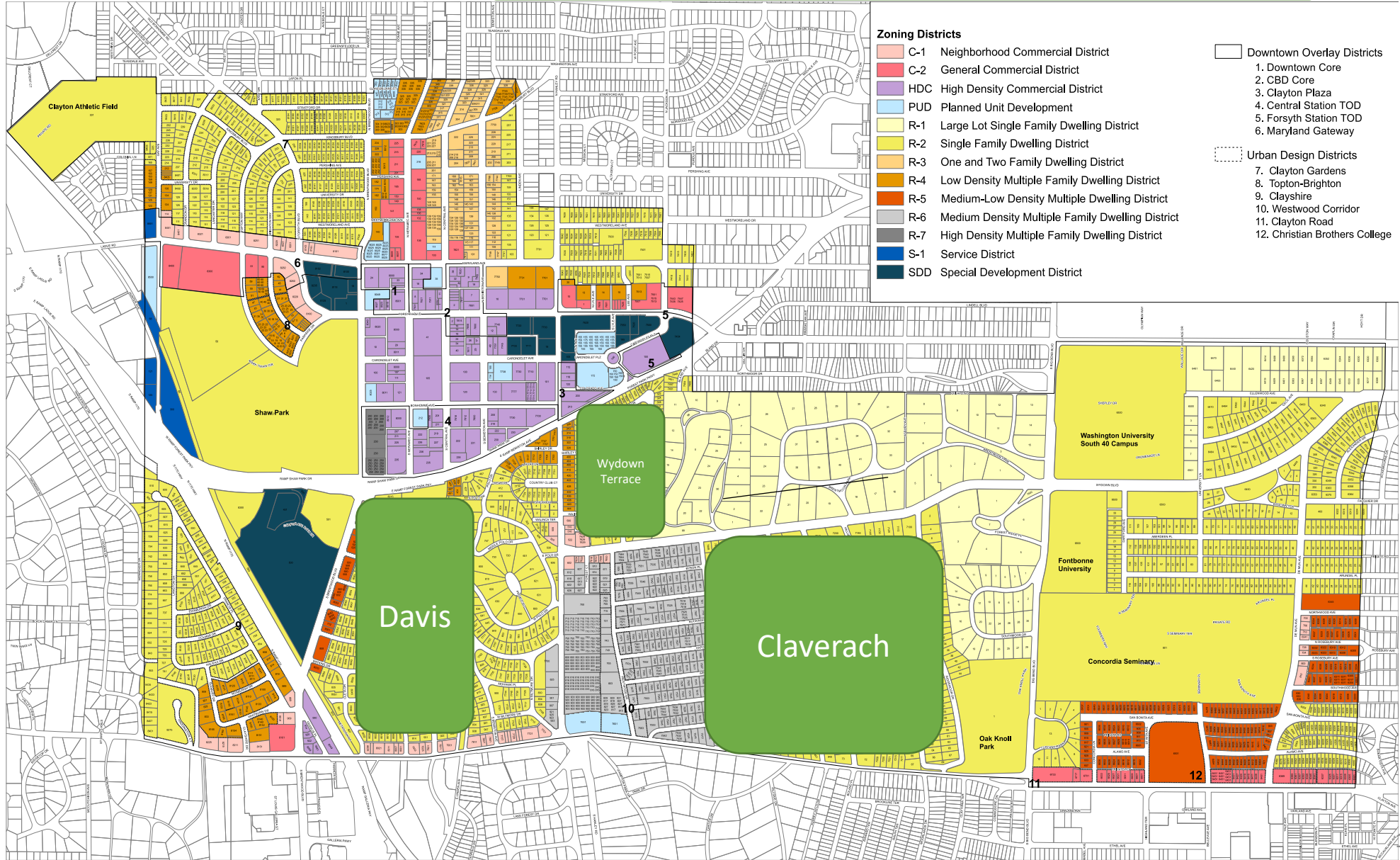
- Consider taking steps to allow small apartment buildings by right in all neighborhoods (e.g., University Hills). Minneapolis and Oregon have already taken such steps.
- Streamline housing development process to make it shorter, simpler, more transparent and less uncertain, particularly for multi-family buildings.

Can these recommendations apply to Clayton?

- Several neighborhoods in Clayton where legacy duplexes exist have been rezoned as single family only – e.g., Claverach, Davis, Wydown Terrace. This means that those two-family homes can be converted into a single-family residence but cannot be replaced by another duplex. Further existing single-family homes cannot be modified into or replaced by a two-family dwelling.
- Two-family homes in Clayton can bring economic benefit to the City in terms of real estate taxes and well as a larger economic multiplier in the community in terms of local spending – i.e., two families buying groceries, visiting restaurants, picking up dry cleaning, as well as other goods and services commonly consumed in the local community.
- Is this something the CEC should recommend for consideration to the BOA?



Neighborhoods with Existing Duplexes



Clayton Neighborhoods Currently Zoned Single- Family

- Clayshire
 - Clayton Gardens
 - Davis Place
 - Polo
 - Moorlands (east of Glenridge)
 - Claverach
 - Old Town (Linden eastward)
 - Wydown Forest
 - Carrswold
- Brentmoor Park
 - Forest Ridge
 - Tuscany Park
 - Southmoor
 - Skinker Heights
 - Ellenwood
 - Hillcrest
 - DeMun/Hi-Pointe (east of DeMun on San Bonita & Alamo)

Clayton Neighborhoods Allowing More Than 1 Dwelling Unit

- Old Town (N Bemiston, N Central & N Meramec)
- Moorlands (west of Glenridge)
- Demun/Hi-Pointe (west of DeMun on San Bonita & Alamo)
- Topton/Brighton/Parkside
- North Polo (Shirley Dr)

How would this fit into current zoning?

Section 405.450 - Restoration of Damaged Non-Conforming Structures or Uses

When a building containing a non-conforming use is damaged by natural or manmade disaster to the extent of sixty percent (60%) or more of its replacement value, it may only be restored in conformance with the regulations of the Zoning Code. When damaged by fire, explosion, flood, winds or other acts of God or the public enemy or by any other cause unrelated or unattributable to the owner to an extent of less than sixty percent (60%) of its replacement value, a non-conforming building may only be restored upon the issuance of a variance by the Board of Adjustment. A right to continue a non-conformity may be lost if the damage is done intentionally by the owner or on behalf of the owner. **Insert exception for duplex in SF zoning**

How would this fit into current zoning?

Section 405.440 - Non-Conforming Uses

A. Any non-conforming use of part or all of a structure or any non-conforming use of land may be continued, so long as otherwise lawful, subject to the following provisions:

1. Ordinary repair and maintenance. Normal maintenance and incidental repair or replacement, installation or relocation of non-bearing walls, non-bearing partitions, fixtures wiring or plumbing may be performed on any structure.
2. Remodeling. No structure shall be remodeled unless the use thereof shall thereafter conform to all provisions of the Zoning Code. For purposes of this Section, the term "remodel" shall mean to reconstruct or relocate exterior walls, bearing walls or bearing partitions; or to substantially alter the exterior appearance of a building by adding or removing architectural elements by changing the roof line or by closing up or relocating door or window openings.
3. Expansion of use. No non-conforming use of a lot or building shall be enlarged, expanded or extended to occupy a greater area of a lot or building than was occupied on the effective date of this Zoning Code or amendment thereto and no additional accessory use, building or structure shall be established thereon.
4. Enlargement of building or structure. No building or structure that is devoted in whole or in part to a non-conforming use shall be enlarged or added to in any manner, unless such building or structure addition and the entire use thereof (both existing space and the addition) shall thereafter conform to all provisions of the Zoning Code.

How would this fit into current zoning?

Section 405.440 - Non-Conforming Uses

5. Moving. No structure that is devoted in whole or in part to a non-conforming use shall be moved in the whole or in part for any distance whatsoever, to any location on the same or any other lot, unless the entire structure and use thereof shall conform to all provisions of the zoning district in which it is located after being so moved.
6. Change in use. A non-conforming use shall not be changed to any use other than a use permitted in the zoning district in which the use is located. When a non-conforming use has been changed to any permitted use, it shall not thereafter be changed back to a non-conforming use. **Insert exception for conversion from duplex-SF-duplex**
7. Abandonment or discontinuance. In the event that the non-conforming use of any building or premises is discontinued for a period of one (1) year, regardless of any reservations of an intent not to abandon or resume such use, any subsequent use or occupancy of such structures shall comply with provisions of this Chapter including those of the zoning district in which the structure is located. **Insert exception for duplex in SF zoning**
8. Non-conforming accessory uses. No use which is accessory to a primary non-conforming use shall continue after such primary use shall cease or terminate.

Caveat

- The origins of single-family zoning laws can be traced to a Supreme Court decision in 1926, *Village of Euclid, Ohio v. Amber Realty*, which stated:
“With particular reference to apartment houses, it is pointed out that the development of detached house sections is greatly retarded by the coming of apartment houses, which has sometimes resulted in destroying the entire section for private house purposes; that in such sections very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district.”
- Undeniably, vestiges of disdain for multi-family housing linger to this day and would need to be dispelled prior to adopting a change that would return duplexes as permissible in the neighborhoods that were originally designed to include both single-family and two-family homes.
- Our intention would be to foster a conversation upfront that aligns with our City’s mission of being an “open, equitable, accessible and fiscally responsible government.”