

February 23, 2015

Proceedings of the Zoning Commission of University Heights, Iowa, held at Horn School, 600 Koser Avenue, subject to approval by the Commission at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

Chairperson Yeggy called the February 23, 2015 meeting of the University Heights Zoning Commission to order at 7:00 p.m.

Present: Zoning Commission Members: Stepheny Gahn, Alice Haugen, Stuart Rosebrook, Larry Wilson and Pat Yeggy. Staff present: Attorney Ballard and Clerk Anderson. Also present were: Carla Aldrich, Pat Bauer, Kathie Belgum, Carolyn Brown, Carol Anne Christiansen, Andy Dudler, Anna Hughes, Mike Haverkamp, Eunice Hunzelman, Noah Hughes, Linda Fincham, Louise From, Jim Lane, Al Leff, Chris Luzzie, Jeff Maxwell, John McLure, Virginia Miller, Kevin Monson, Silvia Quezada, Mary Schmidt, Rich Schmidt, Kip Sheldon, Mary Mathew Wilson, Ken Yeggy and Jerry Zimmerman.

The February 3, 2015 and February 12, 2015 minutes were amended and approved by unanimous consent.

Chairperson Yeggy thanked the Horn School and the staff for providing the meeting space. Yeggy asked the commissioners to introduce themselves and state where they live in University Heights.

Yeggy stated that the focus of the meeting was to address zoning changes to Ordinance No. 180 allowing a maximum of 108 above ground parking spaces and allow a maximum of 124 condominium units on the property.

Presentation of Rezoning Request: Kevin Monson, architect for Neumann Monson, presented a PowerPoint presentation of the proposed site plan which incorporated the changes. The south building has decreased in size and will have 15,800 square feet of commercial space; approximately a 20% reduction from previous versions. Monson commented there is still plans for a city community space within the 15,800 square feet. The request for changes to the above ground parking is due to commercial needs. It is anticipated that traffic will be reduced and the number of trips will be less than the previously approved zoning code. MPOJC will have their traffic study available for the next meeting.

The south building will have three stories with commercial space on the first floor and one bedroom units on the remaining floors. The increase in number of condominiums is to fully utilize the site. It is proposed to have 80 units in the north building; they will be two bedroom condominiums or one bedroom with a den. Units are not designed for students but as “permanent residences”.

The front building setback has been increased to 40 feet and the proposed heights of the buildings are “within the current zoning”. Monson stated the front building is “not a strip mall” and there will be no parking spots in front of the building. The proposed density for the site is less than what is currently at Grandview Court.

Monson stated that there “no housing like this” as close to the largest employer in Johnson County. Monson stated it will improve the property tax valuation for the community and will provide a neighborhood center and identity for the community. A second exit will be built onto Sunset Street (egress only) and they are working on a landscape plan for the site.

Commissioner Wilson asked for clarification on the parking increase and why it was necessary. Monson replied that they are asking for approval to provide adequate parking spaces so that parking will not spill out to the neighboring streets. It is not the intention to hurt the commercial businesses by not having adequate parking. Commissioner Gahn asked what the rationale was for the previous parking figures; Monson stated that the previous 55 was not adequate and “was never going to work” for the site. Yeggy asked how many spaces of underground parking will be provided to each unit. One bedroom units will have one spot and the two bedroom units will be allotted 1.5 spots, per Monson. The developer is considering a permit process for additional parking spots. Commissioner Rosebrook asked how many parking spots are currently located on the site. Rich Schmidt estimated 180 parking spots.

Commissioner Haugen asked if the developer took into account the different time patterns between residential and commercial for the predicted reduction in traffic. Monson stated they did and that will be included in the MPOJC traffic study report at the next Zoning Commission meeting.

Wilson asked if balconies would be built for the condominiums on the south building. Monson replied here are no extended balconies on the front building but there will be a “Juliet door” that can be opened from inside the unit. Monson commented that there will not be a roof patio on the back building.

Gahn stated she had concerns this building could be “turned into a dorm” and wondered if there could be a clause limiting residents to a certain age. Al Leff replied that it could be included in the PUD agreement between the city and the developer.

Haugen commented that one of the Birkdale condominiums was a “football unit” (used solely for football weekends); she asked how many of the condominiums would be used for this purpose. Monson replied that he would not know how many might be used for that purpose.

Gahn inquired if the development will have a bus stop; Monson replied that he hopes there is a stop and the developer will provide a bus shelter, if it happens.

Comments by City Attorney: Attorney Ballard stated the Zoning Commission can recommend to the council to approve or not approve the changes as requested by the developer; to increase the number of dwelling units and surface-level parking spaces. If the commission recommends approval, the council may amend the zoning ordinance with a majority vote (3 votes out of 5). If the commission recommends against approval, the council would need 4 votes to approve the changes.

If the commission recommends in favor of approval and 20% of surrounding property owners, within 200 feet of the development protest, then the council would need a super-majority vote (4 votes out of 5).

Yeggy asked if the commission has to approve both changes or can they approve one but not the other. Ballard replied that the commission can express its view to the council, the developer and the community as it desires.

Public Input: The following addressed the commission with their concerns:

Pat Bauer – 338 Koser Avenue
Kathy Belgom – 104 Sunset Street
Chris Luzzie – 338 Koser Avenue
Anna Hughes – 1465 Grand Avenue

Mary Mathew Wilson – 308 Koser Avenue
Jerry Zimmerman – 1434 Grand Avenue
Al Leff – 215 Sunset Street

Commission Discussion: Haugen asked the commission vote to disapprove the proposed changes as they are beyond the original proposal which was deemed too large. Haugen stated that the development will increase the city’s population 25% if there are two people in each unit.

Gahn seconded Haugen’s request and also stated she did not like the visual look of the development and preferred the September 2013 visual look. Gahn would like to see larger units to attractive families to the city. Gahn stated that perhaps a compromise could be offered with TIF financing but include a clause that unit occupants are above a certain age.

Yeggy stated she would like to wait on her decision until she can view the MPOJC traffic report. Yeggy commented she did not think the “whole design of the project” was intended for families. Yeggy envisions young professionals or older retirees living in the units.

Wilson stated that open space is very important and that the Zoning Commission has been working hard to preserve green space in the community and he feels that should be expected in a new development. The community highly values families and a one bedroom until does not encourage families to move to University Heights.

Rosebrook believes the traffic report is very important and he feels he owes it to the community to wait until the traffic report has been presented to the commission. Rosebrook felt it was unfair to make a quick decision given all the work that has occurred. Rosebrook thanked everyone for “all the passion and hard work” that has occurred in previous years.

Haugen asked that her request for a vote be withdrawn; no commission members objected, so the request was withdrawn and no vote was taken.

The next Zoning Commission meetings will be held March 4, 2015, at 7:00 pm at the University Club.

The meeting was adjourned **by unanimous consent at 8:40 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Pat Yeggy, Chairperson