

Email to council regarding development at St. Andrew's site:

July 22, 2010 :

I am contacting you all in regard to the two proposals submitted to you after the zoning committee has reviewed them. I urge you all to vote in favor of the Maxwell proposal for development of the St. Andrews' property, should that congregation decide to sell. My reasons are as follows:

1. The Maxwell plan offers a limited degree of commercial use. Although this limited amount of commercial development has upset a number of those who live near the proposed development, I believe it will only be through the use of a controlled amount of commercial property that such a development will be both economically viable and useful to our community. Our city has no center, no place where neighbors can come together. Mr. Maxwell's proposal offers us not only a place for dining, but the possibility of a coffee shop and restaurant, perhaps even a grocery area, for the local use. He is also proposing an outdoor green space that will be available for local people to meet and greet one another. This is the city center we need and deserve, if we are ever to be more than just a bedroom community for Iowa City.
2. Commercial development will offer not merely a place for UH residents to spend money, but would bring in money from the surrounding communities. Our neighbors from Iowa City and Coralville, on their way to the hospital or to classes, will stop, will spend money, and provide more revenue for the community. On their way home, individuals commuting from the hospital to 280 will stop for milk, bread, fresh vegetables or the like, before heading out. In doing so, they will spend money here rather than elsewhere (which will aid our tax revenue) and reduce the amount of gas they use. This is a green use of development.
3. Green development should mean more than just infill of homes. Green means that people in the neighborhood should be able to walk or bike to a store or a coffee house rather than having to drive to all commercial regions.

I would ask that we set aside Mr. Bauer's proposal for the following reasons:

1. Mr. Bauer offers us nothing other than more houses. As a survivor of the debates over the development of the Neuzil property, I am leery of any development proposal that merely offers us more people on a small space. We need, as a community, to gain something more than just "more". Mr. Bauer's proposal gives us buildings, people, and parking space. Nothing more.

2. Mr. Bauer claims that his proposal will permit more green space. While this may be true, the space in question will not be public space, and will not be available to the community. No gathering point, no coffee shop, just housing.

3. While the supporter of Mr. Bauer's proposal like to claim that they represent the majority of UH citizens, the truth is that they mainly represent those who live close to the proposed development. Self interest dictates that, of course, they would reject anything that would bring change to their neighborhood. Mr. Maxwell has convinced me that this change would not be catastrophic for the neighboring properties and that the community as a whole would benefit. For the good of all University Heights, I hope Mr. Bauer's proposal does not pass.

4. Mr. Bauer's proposal, as yet, has no developer behind it. If this is a viable project, then to be considered on par with Mr. Maxwell, he has to find a builder who will build to his specifications. As yet, his ideas are just that – ideas.

5. Finally, despite the assurance of a city zoning committee member who claims that neighbors will not go to a coffee house there if it infringes on their lifestyles, I would contend that the majority of those who would wish to reject the Maxwell proposal in favor of the Bauer are older individuals. If ground breaking doesn't begin for several years, it is likely that this segment of UH will be slowly replaced by younger and younger individuals. Certainly many of those living in that section of town now will want to sell, and buyers are just as likely to be attracted by the prospect of commercial areas within walking distance as these older people are repelled. Once the development is in, residents who simply live in that area will accept, even appreciate the public areas and commercial opportunities.

Those who spoke passionately about the opportunity these proposals offer us at the zoning committee meeting were precisely right – we are at a crossroads. Already, we see the property values of Melrose declining as

fewer families are willing to buy there. University Heights needs to face the fact – the community must change and will change eventually. How many of our residents are over sixty now? How many will still be living here in ten years? What do we, as a community, offer younger people who look for parks, affordable residential areas, and amenities? Either we move forward, or we stagnate. If we offer just living space with no amenities to support those who buy in, we will eventually be forced to offer only rental units. The hopes of financial viability for condominiums will be dashed. The market in Iowa City is saturated with up-scale living areas; we have to be more creative.

Please vote in favor of the Maxwell proposal rather than that offered by Pat Bauer.

Thank you for your time.

Renee Goethe  
103 Highland Dr.  
University Heights.

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July 24, 2010

I am writing to urge you to endorse the Bauer Plan at your August meeting.

I have lived at 328 Koser Avenue in University Heights since 1961. It has been a wonderful place to live and I'm hoping you help keep it that way.

Thank you!  
Irene Bowers

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August 2, 2010

Dear Mayor and councilors,

I have co signed a letter prepared by Dan & Liesa Moore which seems pretty sane and logical to me. I actually favor the existing density of the parcel on Melrose at Sunset with similar density as Birkdale Court, but with the push for this particular development and developer, I don't think that would gain much support.

Maxwell's original proposal would be a mistake. It would inexorably change our town and would minimize the safety and serenity we now enjoy. This atmosphere we enjoy is due to your and your predecessors wisdom and forethought.

The Bauer plan, although a higher density than I would like to see, is workable and I will support it. He has addressed many of the grosser objections of the original Maxwell plan and he has

really tried to think about this issue and come up with something lasting that would work here in U Heights. I appreciate his efforts on behalf of our town.

I am unable to attend Tuesday meetings as that is designated as family time in my household, but please note my opinions on this very important issue.

Thank you for your attention and for your service.

Jeff Edberg

337 Highland Dr.

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August 6, 2010

Mike,

I was not able to get my signature on the recent mailer dated August 2. I would like to let you know that Scott and I are very much in agreement with the letter. I really feel that the council has stopped listening to it's constituents and are following the mayor like sheep. It may sound harsh, but our frustration level is very high. It's like talking to brick walls. "My mind is made up. Don't confuse me with the facts." I just returned from Omaha. Friends drove us around Omaha to see the changes. The thing they kept pointing out is all of the condos that had been built that are sitting empty year after year. Some, they said, were rented out to students for a semester or two and then they're gone. One of the other friends asked where they got their groceries. Well, there'd been a couple of grocery stores but they'd gone out of business. No one could afford them. So, just as everyone else does, the condo dwellers still must drive to the stores. The only retail that seemed to be able to make a go of it are the Quick Trip type stores. Since Scott and I have both owned our own businesses, we have a pretty good idea what it takes to make them successful. That location just is not a place for retail! The way things have been handled by the church, Maxwell, and the council, have left many residents very suspicious of the future actions of the POWERS THAT BE.

Please keep in mind the feelings of the people who will be most impacted by your decisions.

Thanks for serving.

Carol Ann Christiansen

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August 6, 2010

Dear Mr. Haverkamp:

I am disappointed that I have to write you again asking you in the strongest terms to conclude this whole long ordeal and approve the Maxwell residential/commercial proposal. But I have been asked by a recent mailing purportedly in the interest of "unity" to contact you and so I will.

The costs and benefits of the proposal have been chewed over at length and the close but clear majority of UH residents have weighed in that the balance favors the development. Last minute tinkering is not the appropriate path especially when it has the transparent purpose of making it impossible for our partners in the process, Maxwell and Saint Andrews, to move forward. As an aside, I want to say that the argument that we should "support" Nate Kaeding's new restaurant by prohibiting a new coffee shop in the development made me sputter in anger. It's bad policy and approaching bad faith.

So, one last time, please approve the development.

John Whiston  
317 Mahaska Dr

PS I am authorized to say that my wife Dorothy agrees with that last request but thinks I am being intemperate, so please blame that all on me.

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August 7, 2010

Dear Mayor From and Council members:

I am writing you under the encouragement of a letter from the "Friends of the University Heights Community", concerning one of their "Facts about University Heights development". Fact No. 7 states "The development involves filling in the ravine, one of our few remaining green spaces and home to a variety of animals and birds".

Since I used to wander about in the woods downstream from said ravine, I checked this out this morning. First, I located University Heights in the satellite version of Google Maps (The overprint of streets is wrong, but I presume that the satellite photography is correct). U.H. is fortunate to share with the University of Iowa a substantial wooded area between the Athletic Club & St. Andrew's Church on the south, and the Finkbine Lot & the railroad tracks on the north.

If one compares this map to the map in the "One University Place" proposal provided on the UH website, you will see that the area to be filled in by the proposed development comprises at most 5 percent of the total forested area - probably less than that. It is the headwater of the central of three small valleys - the west valley starts between St. Andrews and Birkdale, and a third, shorter east valley has its head at 304 Sunset St.

To see the affected area more closely, magnify the satellite map and draw a line between 1504 Grand Avenue (where the avenue now bends) and the bus shed behind St. Andrews. The small triangular patch of woods south of that line is what would be filled - actually, about 2/3 of it, if you look at Maxwell's plan carefully.

What looks small on a map might be large in reality. I re-explored the whole area this morning, but it is (alas) very overgrown, and I don't recommend it - although there is some fine mature forest in the lower part of the valley.

It turns out that you can get a good sense of the area to be affected from the eastern border of the St. Andrew's property. Just go to a spot just above their bus shed and look down, and across to 1504 Grand Ave. There is an open patch of bramble (impassible!) at the bottom of a deep ravine. As best I can read the Maxwell plan, the filled in roadway would cross the ravine diagonally from NE to SW just above that open patch.

So what's in that area to be filled in? You can get a sense of that by scrambling down (carefully!) on a rough deer path starting from space #32 on the St. Andrews lot - or even just looking in from that spot on the lot or from the opposite side on Sunset Street. You will see a handsome old bur oak, and several black walnuts. A bit down the valley is a huge mature catalpa - not native to the area! I didn't see any animals or birds, but then I wasn't looking carefully, and it was too late in the morning for birds. I did surprise a deer and spot raccoon tracks further downstream.

So what do I conclude from this? The area to be filled in is small but of reasonably high quality, and because it is rather deep it will take a lot of fill to fill it. I suspect that the animals in the area will have the good sense to move downstream before getting crushed. But the overall "greenspace" that you can see on the Google satellite map will be only minimally reduced.

A more serious question relates to quality of the valley downstream from the development. Right now, the small streams in the valley look reasonably clear to me. But what will happen when the headwaters of one of these streams is converted into a steep embankment, and there is a 95-unit condominium with a paved parking lot built on top of it? The banks will have to be stabilized, probably by retaining walls as one sees at Birkdale, so that the stream valley does not become silted (as happened when the Finkbine Lot was built). There also has to be some adequate provision for controlled drainage down this greatly altered area, so that the stream remains clear.

Assuming that this can be worked out, I'll be bold and make a further suggestion. The greenspace should eventually become a nature preserve (with the hopeful cooperation of the University of Iowa, which owns half of it). The former informal trail along the ridge (starting at the northern dead-end of Sunset Street) should be cleared and re-opened, and a new trail built up the valley - making a loop like the lovely 1-mile loop trail in Ryerson's Woods, at the south edge of Iowa City. University Heights should devote some tax money to it - as our park - and Jeff Maxwell, as a recompense for the real damage done by his development (if it is approved), should provide some labor and perhaps some capital as well for the trail-building project. It should be accessible to all. It would then enhance his development and enhance the community - a win-win situation, that would more than compensate for the lost headwaters of one of the small streams in the UH/UI woodland.

-Joe Frankel

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August 8, 2010

Dear Council members--

I am writing to urge you to vote for the alternative development plan approved by the Zoning Commission 4 to 1 at their July 22 meeting. Based upon years of planning experience, I firmly believe that the Maxwell development proposal is much too dense to appropriately fit into the predominantly single-family UH neighborhood. I fully understand the importance of increasing the UH tax base, but believe the alternative proposal approved by the Zoning Commission provides a sufficient future tax base (as explained and verified by Pat Bauer's presentation at the July 22<sup>nd</sup> zoning meeting) while reasonably fitting proposed development into the surrounding single-family neighborhood and the rest of the UH community. The alternative plan recommends bridging the east ravine along Sunset rather than filling it in further reducing the development impact.

The alternative development proposal approved by the Zoning Commission incorporates the fully stated principles of smart growth better than the Maxwell proposal because it reasonably fits into the community (refer to the full smart growth principle statements in the attached smart growth document under "**Foster Distinctive, Attractive Communities with a Strong Sense of Place.**") The alternative proposal also represents an attempt at collaboration with the Maxwell team by the UH community as a development proposal that would reasonably fit into the character of the UH Neighborhood, which would respond to the development vision of at least half of the UH community and which would be a bridging element to reunite

the evenly divided UH community. See the full text for smart growth principle “**Encourage Community and Stakeholder Collaboration**” in the attachment. The Maxwell team made no attempt at collaboration with the UH community and instead consistently presented the same plan as proposed in the beginning. Although comments were taken at public meetings, they resulted in no substantial change in the development plan. Furthermore, the ability to make the alternative plan feasible should not be held hostage to an out-of-line commitment on the part of the developer to pay such a high price (\$4.3M) for the land which would clearly not be worth that amount without the change in zoning and the proposed high density development. The more reasonable density of the approved alternative plan would be feasible with an appropriate price paid for land purchase.

While the alternative proposal would provide quality housing for people of all income levels and provide a range of housing choices the same as the Maxwell plan, it does eliminate the mixing of commercial zoning into the development. The commercial development is eliminated for the purpose of reducing the large amount of parking required by UH regulations for commercial development and resulting traffic, and noise and other disturbances from commercial activities, thereby significantly reducing the impact of the entire development on the UH community. Additionally, Mr. Maxwell stated at the last zoning meeting that rental/lease rates for commercial space would be \$30/sq ft which he acknowledged would be too high a rate for coffee shops and other similar small businesses which would primarily serve the UH neighborhood. He indicated that the high rent/lease rate would be more applicable to higher end businesses such as attorneys' offices which would not be particularly oriented to the UH neighborhood. Therefore, according to Mr. Maxwell himself, the commercial development would not expressly serve the UH community. I earnestly and firmly believe that the tradeoff of no commercial for reduced hard-surface parking, more green space, preservation of the environmentally-sensitive ravine, traffic impact and total development impact is necessary and reasonable.

In reviewing the One University Place slideshow presented at the July 22<sup>nd</sup> zoning meeting and recently posted on the UH website, I find there are a number of discrepancies in the slides. I have e-mailed the letter below to Maxwell's architect Kevin Monson to request clarifications and answers to my questions, but I have not yet heard back. I collaborated with *UH Place* on the attached Principles of “Smart Growth Compared to Maxwell's Smart Growth Development” so I agree with the document.

Please read the information below and as attached, and vote in favor of the alternative development in order to bring our divided community back together and create a development that is truly in synch with the Smart Growth Network's *Principles of Smart Growth*.

Sincerely,

Larry

**From:** Wilson, Larry T

**Sent:** Friday, August 06, 2010 5:30 PM

**To:** 'Kevin Monson'

**Subject:** One University Place July 15 Final PUD Submission PowerPoint Presentation Questions

**Importance:** High

Good afternoon Kevin--

The One University Place July 15 Final PUD Submission PowerPoint Presentation was recently placed on the University Heights website. In looking at the slides where I can view them a bit longer, I have some question items that I would like you to confirm or clarify.

I notice that in slide 17, which I believe is taken from about the location of the proposed Sunset St. access south of the Sunset and Grand Ave. intersection (which I believe is not from one of the 7 locations from which pictures were taken) The perspective makes both the low-rise and high-rise buildings look really

far away. In reality, after constructed, they will appear to be much closer. In my experience, digital perspectives/renderings tend to provide more of a realistic view of buildings than of the site features and tend to make buildings/objects appear to be further away. Can that be corrected?

It appears that on slides 28 & 29 (photo location 3), slides 31 & 32 (photo location 4), slides 34 & 35 (photo location 5) and slides 37 & 38 (photo location 6) existing trees are shown as screening the building, but aerial view (birdseye view) slide 19 and perspective slides 1, 14 & 16 show those existing trees along Melrose in front of the proposed building as removed. Trees shown in the perspective slides 1, 14 & 16 are between the sidewalk and curb where there currently are none and they are spaced differently than the existing trees, plus, the low-rise building is at sidewalk elevation which would require filling around the existing trees. It appears that all the trees along Melrose are future plantings (with the exception of the three trees shown on Site Plan slide 3 to be saved) and would require many years to mature. Slide 16 shows a couple of large deciduous trees that do not currently exist as well. Site Plan slide 3 seems also to confirm this and shows only the aforementioned trees to be saved, which I presume are the three large spruce trees. As mentioned at the last zoning meeting, almost all of the surrounding existing trees indicated in the various slides as providing screening are deciduous trees that would lose their leaves in the winter, which means they would be without leaves longer than with them. As discussed below, the existing trees along the west side of the current alignment of north Sunset and in the adjacent ravine will apparently not be there at all (after the ravine is filled in).

Another misleading element is that according to the Site Plan slide 3, which shows some preliminary proposed grading, specifically contours 770, 760 and 750, the ravine would be filled to north of the proposed new access road and the resulting toe of the new fill slope would extend northward almost to the north property line as indicated by the unlabeled contour 740. As best I can determine from the unlabeled existing contour lines, it looks like there would be about 30 feet of fill at the proposed 770 contour as it crosses the existing contour at the bottom of the ravine a bit north of the proposed access road. However, slides 37, 38 & 40 show the existing trees in the south end of the ravine from its beginning near Melrose to almost the St. Andrew north property line as remaining when they are indicated on the Site Plan slide 3 as being removed. The street trees shown on the Site Plan slide 3 along the west side of the realigned Sunset would be future plantings as well as the trees shown north of the proposed Sunset access road to about the St. Andrew north property line. These trees would require many years to mature into a significant screen. This also means that the existing trees shown on slide 40 as screening the view from Grand Ave. projected into the site would be removed.

In addition, the east ravine is shown in the UH Comprehensive Plan as a sensitive area and the slope and depth of the ravine would certainly qualify it for the UH Sensitive Areas Ordinance 128, Section 2, paragraph "E. Protected slope: Any slope rising forty percent (40%) or steeper over a run of 10 feet," and would require protection as specified under Section 3, paragraph C which follows:

"Protected Slopes: Any area designated as a protected slope shall not be graded and must remain in its existing state, except natural vegetation may be supplemented by other plant material.

Development activities may be allowed within areas containing protected slopes **previously altered by human activity** (which has not occurred) if a geologist or professional engineer can demonstrate to the University Heights City Council's satisfaction that development activity will not undermine the stability of the slope, and the City further determines the development activities are consistent with the intent of the Sensitive Areas Ordinance. Moreover, proposed development of such property shall be required to submit a development plan and grading plan, as well as a sensitive areas site plan, all of which must be approved by the University Heights City Council before commencement of any development."

I am very concerned about a site plan that is dependent upon filling the ravine when the ravine is designated as an area to be protected.

I should note that the smart growth principles submitted by Mr. Maxwell neglected to mention that in the Smart Growth: New State Legislation that Kent Ralston read at the last zoning meeting states under "Community character-Activities and development that are consistent with the character and architectural style of the community should be promoted. His (Mr. Maxwell's) smart grow principles as submitted also edited out some critical language about fitting a development into a neighborhood. Below is the complete statement for (Maxwell's) Principle 4 "Foster Distinctive Attractive Communities with a Strong Sense of Place," with the wording left out highlighted in yellow. The submitted principle is misleading and should be corrected. I have attached the source document--just click on the highlighted paragraph for the full statement.

### **Foster Distinctive, Attractive Communities with a Strong Sense of Place**

Smart growth encourages communities to craft a vision and set standards for development and construction which respond to community values of architectural beauty and distinctiveness, as well as expanded choices in housing and transportation. It seeks to create interesting, unique communities which reflect the values and cultures of the people who reside there, and foster the types of physical environments which support a more cohesive community fabric. Smart growth promotes development which uses natural and man-made boundaries and landmarks to create a sense of defined neighborhoods, towns, and regions. It encourages the construction and preservation of buildings which prove to be assets to a community over time, not only because of the services provided within, but because of the unique contribution they make on the outside to the look and feel of a city.

Guided by a vision of how and where to grow, communities are able to identify and utilize opportunities to make new development conform to their standards of distinctiveness and beauty. Contrary to the current mode of development, smart growth ensures that the value of infill and greenfield development is determined as much by their accessibility (by car or other means) as their physical orientation to and relationship with other buildings and open space. By creating high-quality communities with architectural and natural elements that reflect the interests of all residents, there is a greater likelihood that buildings (and therefore entire neighborhoods) will retain their economic vitality and value over time. In so doing, the infrastructure and natural resources used to create these areas will provide residents with a distinctive and beautiful place that they can call "home" for generations to come.

It is my understanding that Mr. Maxwell stated at the last zoning meeting that rental/lease rates (for commercial space) would be \$30/sq ft which he acknowledged would be too high a rate for coffee shops and other similar small businesses which would primarily serve the UH neighborhood. He indicated that the high rent/lease rate would be more applicable to higher end businesses such as attorneys' offices which would not be particularly oriented to the UH neighborhood. The Site Plan slide 3 continues to label the commercial as "neighborhood commercial" which does not seem to be the case.

I appreciate your help in answering/clarifying my questions.

Larry

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August 8, 2010

Mike,

For some reason, the email (below) I sent you from my other account bounced back. I think I had entered your city council address correctly, but it came back with this message attached:

This message was created automatically by mail delivery software.

A message that you sent could not be delivered to one or more of its recipients. This is a permanent error. The following address(es) failed:

[mayhem@zeus.ia.net](mailto:mayhem@zeus.ia.net)

(ultimately generated from [mike-haverkamp@university-heights.org](mailto:mike-haverkamp@university-heights.org))

retry time not reached for any host after a long failure period

I forwarded it to my uhplace account and am now sending it your way.

Best,

Mary

Mary Mathew Wilson  
UH Place Website Manager  
[uhplace@rocketmail.com](mailto:uhplace@rocketmail.com)  
308 Koser Avenue  
University Heights, Iowa 52246-3002  
(319) 936-2445  
UH Place...the meeting place in University Heights  
<http://uhplace.org>

----- Forwarded Message -----

**From:** Mary Mathew Wilson <[wemuhst@gmail.com](mailto:wemuhst@gmail.com)>

**To:** [uhplace@rocketmail.com](mailto:uhplace@rocketmail.com)

**Sent:** Sun, August 8, 2010 3:21:53 PM

**Subject:** Fwd: Please vote for the alternative plan for St. Andrew property development

----- Forwarded message -----

From: **Mary Mathew Wilson** <[wemuhst@gmail.com](mailto:wemuhst@gmail.com)>

Date: Sun, Aug 8, 2010 at 3:21 PM

Subject: Please vote for the alternative plan for St. Andrew property development

To: [louise-from@university-heights.org](mailto:louise-from@university-heights.org), [mike-haverkamp@university-heights.org](mailto:mike-haverkamp@university-heights.org), [jim-lane@university-heights.org](mailto:jim-lane@university-heights.org), [stan-laverman@university-heights.org](mailto:stan-laverman@university-heights.org), [brennan-mcgrath@university-heights.org](mailto:brennan-mcgrath@university-heights.org), [pat-yeggy@university-heights.org](mailto:pat-yeggy@university-heights.org)

Dear Mayor Louise From and Councilpersons Mike Haverkamp, Jim Lane, Stan Laverman, Brennan McGrath, and Pat Yeggy,

I write to urge you to accept the Zoning Commission's recommendation to approve the alternative (Bauer) plan for the re-zoning and development of the St. Andrew church property and to reject the Maxwell plan (as the Zoning Commission so wisely did at its July 22nd meeting).

The alternative plan is a good starting place for creating an acceptable residential development for University Heights that would provide additional revenue for our town without sacrificing so

many things that make our community such a unique and a desirable place in which to live. The alternative plan has the benefits of creating a much lower environmental impact (by bridging rather than filling in and destroying the east ravine, a protected sensitive area on our comprehensive plan); creating additional tax revenue that our town might need in the future; offering UH residents who wish to retire, sell their homes, and move into a condominium in University Heights a marvelous place to do so; and cause the least amount of disruption and prolonged discomfort in the lives of residents of University Heights and those who pass through our community on foot, by bicycle, or in a motor vehicle.

Now is the time for each of you to look inward and think hard about the decision you are about to make on behalf of the well-being of current and future citizens of University Heights. It is time for you to reflect on the amount of incivility and discord that has occurred in our community with regard to this issue over the past couple of years and decide it that's the legacy you really want to perpetuate in our community in the future. It is time to think about how you can make a change for the better in our community both now and in the future. The change for the better is not only in terms of a right choice on the development issue, namely the alternative plan, but also one that would promote peace, healing and reconciliation between the residents of University Heights who have become so incredibly polarized over this issue.

A compromise could be at hand and you could be the community leaders to usher it in. If you approve the alternative plan, everyone will win--even Mr. Maxwell, if he would choose to offer a modified plan that would not include commercial and would leave our beautiful ravine area intact. We had one zoning commissioner vote on both plans and he told me that he would be as happy to live in the alternative plan development as he would the Maxwell development. I suspect that other "pro-Maxwell plan" folks who have a personal interest in buying one of the condos might also find their way to the ability to compromise for the sake of the greater community.

I hope you see the wisdom in the Zoning Commission's recommendation to approve the alternative plan for the development of the St. Andrews church property and I hope you make the Maxwell plan and all of the destructive ideas around and behind it a piece of history that we, as a community, will never want to revisit in the future.

Most sincerely yours,

Mary Mathew Wilson  
308 Koser Avenue  
University Heights, IA 52246-3002  
319.339.0976

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August 8, 2010

Dear Mayor From and Council Members Haverkamp, Lane, Laverman, McGrath and Yeggy,

We would like to urge you to vote to accept the Bauer alternative plan for the development of the St. Andrew Church property and to reject Mr. Maxwell's plan, which the Zoning Commission did do at its July 22 meeting.

The alternative plan is less massive and intrusive than the Maxwell plan, and it would fit far better into our community. A smaller development such as the Bauer plan envisions would have fewer residents and consequently fewer vehicles to increase traffic on our streets which is a major concern of many present residents of our community. And a plan such as the Bauer plan would be kinder to our local environment for it would not require the destruction of the east ravine, an area that we believe should be preserved and protected according to our city ordinance number 128. The ravine is home to deer, wild turkeys and other creatures whose habitat would be destroyed, thus driving the animals out or destroying them also. We humans, too, need the natural environment of our green woods with their rich vegetal and animal wildlife in our lives.

The desire to lower our property taxes has been a major concern of many of us. However, as we understand it, we cannot be sure that development of this property would result in a decrease in property taxes for us anytime soon, for any TIF agreement, depending on how it is structured, could delay the developer's tax payments to the city for several years.

In addition, Mr. Maxwell's plan to include commercial space in his development appeals to many UH residents who thought, as Mr. Maxwell led us to believe, that that would mean something welcome like a grocery store or a coffee shop. But he has acknowledged that commercial space would be leased at high rates, that commercial real estate professionals regard as too high for such businesses to be viable. Rather, such spaces would be affordable for law offices or accounting firms perhaps, which would not enrich life in our community as such, however pleasant the new lawyers, etc., might be as individuals. However, without Mr. Maxwell's help we will soon have Nate Kaeding's new restaurant and coffee shop at the Melrose-Golfview Avenue corner which we hope we will all be able to enjoy for a long time.

Our community has been quite divided on the matter of the Maxwell development plan - close to evenly divided, we think. Approval of the Bauer plan for development could help bring us back together around a very livable plan to truly enhance our small city. We hope you will carefully consider the real virtues of the Bauer plan and accept it and reject the Maxwell plan which has caused real discord among us.

Sincerely,

Nancy Barnes-Kohout  
Frank Kohout

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August 8, 2010

Dear Mayor From and Councilors:

I am concerned about a possible path that this council could take as it takes action on the request of Jeff Maxwell to rezone and develop the St. Andrew Church property. This process involves voting on the proposed amendment to the zoning ordinance. It is required that such ordinance must be

voted on at three successive meetings unless the council votes by a super majority to suspend these rules by reducing such successive votes.

This requirement of three successive considerations is to provide ample time for the community members to become informed and to express their reactions to the proposed amendment ordinance. This suspension of these rules should be used very sparingly and certainly not when the matter before the council is highly contested. To do otherwise would defeat the meaning and intent of these rules.

The controversy arising out of the Jeff Maxwell proposal has been very pronounced since it was first submitted in 2009 with a large portion of the community expressing concerns and objections to the proposal. The zoning commission has now rejected this proposal both times it has been considered. But more importantly , a compromise development offered by Pat Bauer, introduced at the July 15, 2010 Zoning Commission hearing, has the potential for widespread support. However there has not been sufficient time to fully inform the community about the details of this proposal because of the short time period since its introduction and also because it has occurred during the months of July and August when so many people are gone. The Bauer proposal represents a compromise to the Maxwell development that provides

the church with a potential buyer for a development that could have strong support within the community.

The magnitude of the impact of any development on our community is huge and should not reach this point of consideration until our citizens have had ample opportunity to become informed and to have the opportunity for the community input and discussion. Apparently Jeff Maxwell's agreement with the church has some form of deadline in August, but this time parameter should not trump the duty and obligation of the council to provide its citizens with reasonable opportunities to have input in matters that are so vital to the continuity of our community.

The community needs the opportunity to hear the Bauer proposal and to respond to it. I personally feel that it offers a very reasonable compromise that should be of real interest to potential developers of the St. Andrew property, even if, at this time, Mr. Maxwell says that he is not. I sincerely urge you to reject any proposal to suspend the rule of three successive considerations and to perform your function as a city councilor with dignity and respect.

Sincerely,

Al Leff

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August 9, 2010

Dear Mayor Louise From and Councilpersons Mike Haverkamp, Jim Lane, Stan Laverman, Brennan McGrath, and Pat Yeggy,

I am writing to urge you to accept the Zoning Commission's recommendation to approve the alternative (Bauer) plan for the rezoning and development of the St. Andrew church property and to reject the Maxwell plan (as the Zoning Commission did at its July 22nd meeting).

The alternative plan is a compromise that shows the residents of UHeights ARE willing to work together as a community. This plan allows for development but will keep our neighborhood with a similar feeling as it has now. A large portion of UHeights was originally against any development - and this proves that working together has allowed us to compromise. I won't go into any of the reasons why this works - as Mary Matthews Wilson's letter summarizes that beautifully. I think you should weigh heavily the sentiments from the residents that have lived here a long time and have invested in this community. These are the same people that will be here for years to come. The 'renters' are fleeting and don't have a real grasp on the situation or what it entails.

Pat Bauer gave a very professional, thoughtful presentation at the last zoning meeting. I really wish all of the council members would have attended. Quite frankly Mr. Bauer put Mr. Maxwell to shame and it became apparent that Mr. Maxwell had not done any of his homework. When asked point blank by a UH resident if he (Mr. Maxwell) had looked at the income figures on the Bauer plan he simply replied, "No". To me, this cavalier attitude either says that we don't deserve his time and/or why would he waste it on researching what the people want. OR, he simply doesn't have the knowledge base or felt it was not important enough. If the Maxwell/Monson team isn't organized at the beginning of a project - how can we expect them to be organized as it progresses?

You have a councilor who's house is on the historic registry and supports the society by placing it on tour every year. The proposed development is in direct contradiction to the ideals of a historic society. The lack of continuity in thinking perplexes me.

I, too urge you to follow the Zoning Commission's recommendation to approve the alternative plan for the development of the St. Andrews church property and I hope you make the Maxwell plan and all of the destructive ideas around and behind it a piece of history that we, as a community, will never want to revisit in the future.

Sincerely,

Rosanne Hopson

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August 9, 2010  
Councilors,

I am writing to urge you to respect the judgment of the Zoning Commission and reject the Maxwell development proposal at your upcoming Council meeting. The issue on the table is

whether or not to re-zone that property, and I believe it should not be re-zoned. If it is, it should only be re-zoned to the extent that would allow the Bauer alternative plan to proceed.

This issue has been simmering for so long in our community now, leading to deep and increasingly personal divisions on both sides of the issue. To me, that is a clear indication that it is the wrong plan at the wrong time. Please act in accordance with our Zoning Commission and the feelings of half (at a minimum) of UH residents and reject this proposal, and begin to focus on re-building a sense of trust and community through your work as representative elected officials.

Sincerely,

Greg Prickman  
321 Koser Ave.

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August 9, 2010  
To the City Council of University Heights:

One thing we know about the future of University Heights is that it will change. It has changed just in the six years I have lived here. Our town has become more diverse, more rental-occupied and more congested; I actually see these as positive opportunities to be leveraged for community development. These trends will continue regardless of whether the Maxwell development is approved for the SAPC site. The challenges that University Heights faces, managed and planned for appropriately can represent a real opportunity to build a real town out of what many see as just another nice neighborhood in transition.

With those challenges in mind, I believe the Maxwell development represents a positive move for University Heights taking advantage of our proximity to UI and UIHC to build a community that will enhance our town's potential to be a walkable, cycleable and more transit-friendly community by adding much needed housing density and retail activity to University Heights.

I support the Maxwell Development as planned and urge the City Council to support the project. This project will add tremendous value to our community.

Sincerely,

Donald Baxter

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Donald Baxter  
316 Ridgeview Avenue  
University Heights, Iowa 52246  
319/337-0494  
413/294-1280 (e-fax)  
homepage: [www.onanov.com](http://www.onanov.com)

The economy is a wholly owned subsidiary of the environment, not the other way around.

?Gaylord Nelson

August 9, 2010

Mayor Louise From  
Councilor Stan Laverman  
Councilor Brennan McGrath  
Councilor Pat Yeggy  
Councilor Mike Haverkamp  
Councilor Jim Lane

Dear Mayor From and Councilors Laverman, McGrath, Yeggy, Haverkamp, and Lane:  
Llesa and I chose this community and purchased our home based on the idea that the University Heights neighborhoods would be preserved by the protections that zoning is supposed to afford. Today we find we cannot rely on those protections. Historic neighborhoods in Iowa City have been marred by years of negligent development. Now these neighborhoods are fighting to reclaim their former character at the same time that University Heights is preparing to take steps down that same slippery slope of intrusive development.

Some of you believe that a development such as this will "leave a legacy," take University Heights "to the next level," or gain us "respect from surrounding communities." The fact is that surrounding communities already respect us. They are jealous of our low crime rate, our location, our unique character, and the quality of life that we enjoy.

Some cite the November election as proof that the majority of people in University Heights want the Maxwell development. No one can say that every person who voted did so on the basis of that plan. No one in that election enjoyed a landslide victory. There was no mandate and we remain evenly divided.

You have the responsibility as elected officials to represent and protect all the people of our community as well as their investment in University Heights. In the words of Thomas Jefferson, "I predict future happiness for Americans if they can prevent the government from wasting the labors of the people under the pretense of taking care of them."

In a community as small as ours, we should all be concerned about what happens to our neighbors.

I urge you to reject the Maxwell plan and to be patient. Wait for the right plan to come along so that we can all move forward together.

Sincerely,  
Dan Moore  
220 Koser Ave

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9 August 2010

Louise From, Mayor  
Brennan McGrath, Councilor  
Stan Laverman, Councilor  
Pat Yeggy, Councilor  
Mike Haverkamp, Councilor  
Jim Lane, Councilor

Dear Mayor From and Councilors McGrath, Laverman, Yeggy, Haverkamp, and Lane:

I urge you to reject the Maxwell development plan for the St. Andrew site.

Many of the people who would be most affected by the Maxwell development oppose such extreme rezoning, as do I. We are not anti-development. We support responsible development.

Many are willing to compromise and support the far less invasive alternative proposal approved by the Zoning Commission. This compromise plan omits the commercial aspect of the Maxwell development, which, based on the University Heights history of restaurant/grocery failures, we cannot realistically support. This change greatly decreases the size of the paved parking lot, reduces estimated daily car trips by 900 (from 1500 to 400), does not require realignment of the intersection, does not entail filling the ravine, and eliminates the need for signage. The compromise plan also decreases the height and density of the residential component.

The environmental destructiveness of the Maxwell plan should not be supported by our community. What kind of respect should University Heights expect to gain when we support the

destruction of sensitive slopes, natural spaces, and urban habitat? The Neuzil property development in Iowa City demonstrates sensitivity to the surrounding neighborhoods and to the environment. In my opinion, this type of development would be ideal on the St. Andrew property. It would fit the character of University Heights and generate significant tax revenue. Your rejection of the Maxwell plan, whether in favor of the alternative plan or some other sensitive and responsible future plan, would provide an excellent opportunity for you to take leadership in bringing our sadly divided community back together.

Misrepresentations and inconsistencies in presentations concerning the Maxwell development seem to increase with each meeting: slides that make the massive buildings seem almost invisible, commercial spaces changed from enticements such as a coffee shop into unspecified professional offices, assertions that the commercial spaces will be supported mainly by foot traffic in our small community, Mr. Maxwell's promise one week to review the alternative proposal and his refusal to do so the next week.

Another misleading presentation is "Smart Growth Principles from Jeff Maxwell," a document taken from a copyright-protected website, then selectively edited and enhanced without citations. This is prominently posted on the University Heights official city website without even a disclaimer warning of omissions and alterations that change the context of the original document.

Mayor and councilors, all of you live in areas that are well-insulated from the St. Andrew site. Imagine the huge Maxwell development across the street from your house — its mass, height, density, commercial spaces, traffic, light, and noise. In a community as small as ours, we all should be concerned about the well-being of all of our neighbors.

*" . . . You can look at these characteristics of design and the surrounding neighborhood, . . . and analyze those extremely critically, because it's not going to act as an impediment to this development of this property, if you were to reject this particular plan. . . . So, I would just ask that Council look at that critically, and just wait for the proper plan to come down the pike, because it's just a matter of time before it does. "*

The above quote is quite pertinent to the St. Andrew site, although it is former councilor Amy Moore speaking at a council meeting in Iowa City regarding the Neuzil development near her house on Olive Court. (A transcript of the meeting with the complete quote can be found at <http://www.icgov.org/transcriptions/621.pdf>, page 42. For the record, I am aware that Ms. Moore supported the Maxwell plan.)

There will be a development plan for the St. Andrew site that fits and enhances the unique character of University Heights, one truly supported by a large majority of citizens. Please have the determination and foresight to wait for it.

Respectfully,  
Liesa Moore  
220 Koser Avenue

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August 9, 2010

To all Council members and Mayor,

I am writing to request that you vote to support the recommendations of the Zoning Committee to deny the Maxwell application and to approve the Bauer plan for the possible development of the St. Andrew property. With many of the residents of University Heights indicating their desire to keep University Heights a single family residential neighborhood as well as to eliminate the commercial aspect of the

proposed changes, it seems imperative that these residents be represented with your vote to deny the Maxwell plan. Thank you for your service.

Linda Fincham  
1475 Grand Ave.

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August 9, 2010  
Gentlepersons:

Tomorrow night you face a monumental decision. No, it's not really about the Maxwell application vs. the Pat Bauer proposal. Rather it's about whether the municipality of University Heights will move into the 21st century and progress by approving a viable, luxurious development or remain the University Heights of 1935. The problem with the latter alternative is that it is not 1935, it is 2010. Failure for this community to move forward will simply mean that more of the residential property in our little city will become rentals and the overall material condition of the community will decline.

The Bauer proposal is nothing more than a figment of someone's imagination. It tends to remind one of "The Emperor's Clothes"----it's really not there. It is vaporware! No developer has expressed any interest in building it. It is not worth the paper upon which it was written. It exists only in the mind of Mr. Bauer and it nothing more than a political ploy designed to detract from the Maxwell plan---from which it was pilfered!

We fully recognize that the residents of University Heights that live in the general "St. Andrews neighborhood" oppose the Maxwell plan. However, let's be realistic. That group of people, The Friends of University Heights, represent about 10% of the University Heights voting population. That is a minority. They may be vocal, but they are the vocal minority. They cite many reasons for being opposed to the Maxwell plan. Unfortunately, most of their reasons are based upon speculation, not fact.

The major fact that we feel you must strongly consider in making your decision is quite simple. If the Maxwell application is defeated, what happens to the St. Andrews property should the congregation decide to move and sell as is speculated? We do not believe that it takes a rocket scientist to determine that the next "buyer-in-line" will be the University of Iowa. If/when that happens any degree of control that the city of University Heights has over what is constructed on that property goes down the drain. It could be a dormitory, it could be a parking lot, or whatever the university and the Board of Regents deems necessary, and it will not become a taxable entity.

We recognize that the Maxwell proposal is not perfect. But then, we don't live in a perfect world (even though some of our esteemed fellow residents seem to think that they do). In our minds the Maxwell project is a viable opportunity for progress to take place in University Heights. In addition, it also affords the city council the opportunity to control how the project develops and over the covenants that govern its operation. Therefore we would encourage you all to approve the Maxwell application.

Respectfully,

Robert & Gloria Hanson  
506 Mahaska Ct.

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August 9, 2010

Dear Mayor From and City Council Members:

I urge you to vote for the Bauer plan and vote no for the Maxwell plan for re-zoning the St. Andrews Presbyterian Church property. The Maxwell plan is simply out of scale in our town in terms of the size of the buildings, number of units, number of new residents, and increased traffic on Melrose. Particularly out of character with our town, is number and location of commercial properties that will detract from the quiet and beauty of the neighborhood. We already have a commercial business in the form of a restaurant and coffee shop. I cannot imagine any other business that would be a benefit to our town. The prospect of seeing lighted signs for 6 new businesses on Melrose sinks my heart. Since the rent of these properties (at \$30 per square foot) is among the highest in Iowa City and out of scale with the neighborhood, there is a real danger that, in time, businesses would fail and the property would remain empty, inviting vandalism and other crime. This is an improvement to our community? No, it is a way of making money for the developer and architect.

I have looked at the Maxwell and Bauer plans, as well as the UH budget records of the past decade. If we have been able to successfully make improvements over the years, and are in an apparently good position to borrow money as before, why do we need more money? If we already have the means to make the necessary improvements to our town's infrastructure, what else is there of equal importance that we cannot currently pay for? Amenities? I have heard secondhand of a councilor's idea of hiring an arborist for the city. I have heard myself a councilor wishing we had money for our yearly Chatauqua. These are nothing more than extras; extravagances, really. In all of the meetings I have attended in the last two years, all of the documents I have read on the UH website, and copies of emails expressing support or opposition to the Maxwell plan, I have not heard of a single benefit to our community other than having a coffee shop (which is not financially viable) and more tax revenue. What is it precisely that these proponents of the Maxwell plan wish to do with that revenue? Whatever it is, is it worth the harm done to our neighbors near the site? We must consider the impact on these residents. Will not the Maxwell development detract from our neighbors' sense of quiet, space, and beauty? What of the value of the houses? How many of us who were attracted to the quiet elegance of our town would move across the street from such a site?

I am personally offended by the ways in which Maxwell and Munson have been consistently portraying the development in the best possible light, hoping to downplay and obscure any potentially negative aspects. This might work in other communities, but ours is populated by people in the university and hospital whose jobs are to read and evaluate what a writer or speaker is trying to say and what one is trying to suppress. All of the people I have talked to share the view that both men are trying to obscure and misrepresent the facts, while at the same time refusing to cooperate with the residents and consider a compromise solution. I do not feel that either man would keep the city's best interests at heart in the actual development and building of the project. We must remember that they are proposing a way to make money for themselves, not to improve the quality of life in our town.

Sincerely,

Lawrence Fritts  
Associate Professor

School of Music  
University of Iowa  
114 Highland Drive

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August 9, 2010

Dear Louise, Mike, Jim, Stan, Brennan and Pat:

I have read the Maxwell proposal (6 story/3 story /residential-commercial development) plan. While others may certainly choose to disagree, I do not believe that this would be in the best of the community to proceed in this direction.

I thank you for considering this.

Bill Silverman

1527 Oakcrest Ave.

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August 9, 2010

The course of conversation over the Maxwell Development project has gone on far too long. -- The majority of citizens in the UH community have made their wishes known to zoning representatives as well as to the council members and yet, it seems, this discussion continues. Please know that for all the reasons that have been repeated over and over again, the Maxwell project needs to find another site and when all the conversation comes to a conclusion, I would urge the Council to listen to the UH community and act according to wishes of the constituents that you represent.  
cathie payvandi

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Dear University Heights City Council Members,

We're writing to express our support for the Bauer alternative proposal for the St. Andrew site, the proposal that the Zoning Commission approved at its July 22 meeting.

A few thoughts:

- We prefer the "4-2" aspect of the Bauer proposal, with the rear building at 55 feet and the front building at 39 feet (which is only a few feet above the current 35-foot limit currently in UH); in our view, the size of these structures would be more in line with the surrounding neighborhood. This compares to the "6-3" (76- and 54-foot-tall buildings) aspect of the Maxwell proposal. The sheer size of the Maxwell development plan would, in our view, dominate and diminish the neighborhood.

- We're not in favor of the commercial development component of the Maxwell plan. We're not convinced that additional commercial development is necessary. We're also concerned about the increase in traffic and noise that commercial development at the St. Andrew site will bring. The

Bauer proposal eliminates the commercial component, which then reduces the need for all the parking spaces--which, in effect, could help preserve the ravine. We feel that maintaining the protected areas in UH is important.

- Finally, we can accept 74 units as proposed in the Bauer plan (which is only 19 units less than the Maxwell proposal) because it represents a reasonable compromise. It would allow for development of the St. Andrew site, and it could also serve as a positive step toward bringing our community "back together."

Thanks for your consideration.

Sincerely,  
David & Jacinda Pedersen  
309 Sunset Street