

Email received and sent by Louise From

From: Louise From [mailto:louisebob@mchsi.com]

Sent: Friday, September 17, 2010 6:00 PM

To: 'Brennan McGrath'; 'Jim Lane'; 'PatYeggy'; 'Stan 'the Man' U Heights Council'; 'Steve Ballard U Heights Attorney'

Cc: John Yapp; jbilskemper@shive-hattery.com; Alice Haugen

Subject: RE: Building on "protected slopes"

Brennan,

Thanks for the info. I also have some info to pass on.

After speaking to Jim Lane & Pat Yeggy today, I have asked Josiah Bilskemper to provide a report for the council at the October 12th meeting after reviewing the protected slope information provided by Alice Haugen.

Louise

From: Brennan McGrath [mailto:brennanmcg@gmail.com]

Sent: Friday, September 17, 2010 4:52 PM

To: Jim Lane; MayorLouiseFrom; PatYeggy; Stan 'the Man' U Heights Council; Steve Ballard U Heights Attorney

Subject: Fwd: Building on "protected slopes"

Looking at our Slopes, just so you are all in the loop.

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

From: Brennan McGrath <brennanmcg@gmail.com>

Date: Fri, Sep 17, 2010 at 1:59 PM

Subject: Re: Building on "protected slopes"

To: John Yapp <John-Yapp@iowa-city.org>

Perfect, thank you.

I will also copy fellow councilers so they know its in the works

i Sent from my Phone4.1

Brennan McGrath,CSW

319-855-0050

On Sep 17, 2010, at 1:32 PM, John Yapp <John-Yapp@iowa-city.org> wrote:

> Hi Brennan - I guess it depends on exactly what your ordinance says and
> how it is structured. Some communities allow it, some don't. I'll take
> a look at your ordinance and render an opinion next week - I'm booked
> for the rest of the day. Just so you know, I'll copy anything to Louise
> and Steve Ballard.

>

> John

>

> -----Original Message-----

> From: Brennan McGrath [mailto:brennanmcg@gmail.com]

> Sent: Friday, September 17, 2010 12:23 PM

> To: John Yapp

> Subject: Building on "protected slopes"

>

> John,
> It has come to light that some of the Maxwell project is scheduled to
> be constructed on protected slope of the ravine. Do you have any
> history with a project like this in the past? Have ordinances been
> changed to accommodate construction. Just looking for a little
> experience.
> Thank you,
> Brennan McGrath
>
>
> i Sent from my Pad

Thanks

KD

From: Louise From [mailto:louisebob@mchsi.com]

Sent: Monday, September 20, 2010 6:28 PM

To: Drake, Karen

Subject: RE: Question

Hi Karen,

I got your phone message after the meeting on Tuesday as I was out of town until one hour before the meeting started for several days. I am still checking into an answer.

Thanks for your patience.

Louise

From: Drake, Karen [mailto:karen-drake@uiowa.edu]

Sent: Monday, September 20, 2010 5:07 PM

To: louise-from@university-heights.org

Subject: Question

Greetings,

I was wondering if you had an opportunity to check into my questions about the church's ability to lease part of the property for commercial use should this zoning clear. Could they put up something like a windmill to help with their utilities? Also if they don't end up garnering enough support from church members to actually go through with the sale, would they be allowed to erect an addition of up to 6 stories with a parking ramp? (Other churches have not ended up in such a good light when the leadership supports something and members do not).

Thanks for checking this out.

That will work for me. I would suggest a coffee break at Stella but they are not serving breakfast this week.

On Tue, Sep 21, 2010 at 9:14 AM, Louise From <louisebob@mchsi.com> wrote:

Hi Alice,

I am trying to fit in my schedule, sorry I didn't get back yet. I will be doing work at the city office on Wednesday morning, why don't you come by about 9:45am- does that work for you?

Louise

From: Alice Haugen [mailto:alice.haugen@gmail.com]

Sent: Tuesday, September 21, 2010 8:42 AM

To: Louise From

Subject: Re: a time to meet? Another try

Wednesday and Thursday are both flexible for me. Looking forward to a chance to talk.

Peace+ Alice Haugen

On Sep 16, 2010, at 12:45 PM, "Louise From" <louisebob@mchsi.com> wrote:

Hi Alice,

I would be glad to meet with you. Give me a few times and dates that work for you.

Thanks,

Louise

From: Alice Haugen [mailto:alice.haugen@gmail.com]

Sent: Wednesday, September 15, 2010 3:04 PM

To: louise-from@university-heights.org

Subject: a time to meet?

Hello - I would appreciate a time to meet with you sometime soon to discuss the University Heights sensitive areas ordinance and protected slopes. I can meet at almost any time except Tuesdays during the day or Sunday mornings. Thank you.

Sincerely,

Alice Haugen

Louise

Louise,

I did speak w/Karen Drake this a.m. to follow up on her questions.

Steven E. Ballard

LEFF LAW FIRM, L.L.P.

Hi Stan,

I meet with Alice Haugen today. She said she was trying to get a hold of you to meet with her. She has meet with all the rest of council now. She asked me to contact you.

She wants to give you her updated detailed drawings of the St. Andrew Church ravine area. I told her you were extremely busy but she said she will only take 10 or 15 minutes of your time and it could even be at your house, it that's convenient. It really doesn't take very long to get her drawings and hear her explanation. I did not respond to her, just told her I wanted to look her info over.

I told her also that Josiah will be doing a report for the council about the ravine protected slopes for the Oct. meeting and she could e-mail him and if he wants to meet with her, but it should be a time when he will be in the city anyway.

Thanks,

Louise

Hi Alice,

Just to follow up, I e-mailed Stan yesterday, asking him about setting up a meeting with you. I hope he is able to fit it in to his schedule. His new position, keeps him very busy.

Louise

Hi Brennan,

Sounds like a good plan. I will forward to Jeff Maxwell, Josiah's site plan review, which recommends asking the developer to cover costs for traffic impact study, etc.

Thanks,

Louise

From: Brennan McGrath [mailto:brennanmcg@gmail.com]

Sent: Friday, September 24, 2010 11:15 AM

To: MayorLouiseFrom

Subject: Fwd: Building on "protected slopes"

I think this would be a very valuable tool for our next meeting. Could we ask Maxwell to pay for it?

i Sent from my Pad

Begin forwarded message:

From: "John Yapp" <John-Yapp@iowa-city.org>

Date: September 24, 2010 9:05:03 AM CDT

To: "Brennan McGrath" <brennanmcg@gmail.com>

Subject: RE: Building on "protected slopes"

Brennan -

I'll get back to you later today on the protected slopes question. I have formulated an opinion, which I asked Steve Ballard to review before I finalize it. He said he would get back to me today.

On the traffic model question, as I thought with our new software we can model the Sunset/Melrose intersection in the way you described and we can even model the signalized intersections in the Melrose Corridor all at once. We coordinate traffic signal timings for the metro area, and so have the information and timing patterns to model this based on current and anticipated traffic levels. If you want to stop over sometime we can show you what this looks like.

We do not however have the ability to model un-signalized driveways which I think is more what you are looking for. I've confirmed with Josiah that his firm does have the software to do this, and they can take it on if the Council authorizes the expenditure. I can get a quote from them if you and/or Louise authorize it. We'd be happy to facilitate.

John

-----Original Message-----

From: Brennan McGrath [mailto:brennanmcg@gmail.com]

Sent: Friday, September 17, 2010 12:23 PM

To: John Yapp

Subject: Building on "protected slopes"

John,

It has come to light that some of the Maxwell project is scheduled to be constructed on protected slope of the ravine. Do you have any history with a project like this in the past? Have ordinances been changed to accommodate construction. Just looking for a little experience.

Thank you,

Brennan McGrath

Jeff,

This report of the site plan was sent by our city engineer. I didn't see that he copied you. He has some recommendations that involve your participation. Please review.

Louise

From: Josiah D. Bilskemper [mailto:jbilskemper@shive-hattery.com]

Sent: Friday, September 24, 2010 5:20 PM

To: Louise From; Brennan McGrath; stan-laverman@university-heights.org; mike-haverkamp@university-heights.org; pat-yeggy@university-heights.org; jim-lane@university-heights.org; City Clerk; ballard@lefflaw.com

Subject: One University Place: Site Plan Review 092410

All:

Please find attached a memo and regarding the proposed One University Place development.

Let me know if you have any questions, thanks.

Josiah Bilskemper, PE

Civil Engineer

Shive-Hattery, Inc.

2834 Northgate Drive | Iowa City, IA 52245

319.354.3040 | 800.798.3040 | fax: 319.354.6921 | cell: 319.330.2492

Thank You Louis, I will forward this to Kevin and give it some thought this Weekend. I think Josiah has some good points most of which we realized and require some further discussion!! Thank You for the Info. "Let's Go HAWKS"

Sent from my U.S. Cellular BlackBerry® smartphone

Good morning Brennan – I have heard back from Steve, and he concurs with this opinion. Please forward it to the rest of the Council through the City Clerk so everyone has the same information, and of course let me know if you have any questions.

John Yapp, JCCOG

Brennan: I've reviewed the University Heights Sensitive Areas Ordinance regarding slopes. As you know, there are steep (between 18% and 25%), critical (25% to 40%) and protected (40%+) slopes defined in the ordinance. The

definition includes the criterion that the slope be measured over a run of at least 10 feet.

The presence of slopes does not preclude development: The ordinance states in Section 3:

A. Any property containing steep slopes shall be required to submit a sensitive areas site plan which must be approved by the University Heights City Council . . .

B. Any property containing critical slopes 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. . .

C. 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. . . . proposed development must submit a development plan and grading plan as well as areas site plan all of which must be approved by the University Heights City Council.

What all this means is that if the rezoning request is approved, the next step for the developer would be to confirm (through survey) the extent and type of slopes on the property, and then prepare a development and grading plan, and a sensitive areas site plan. Typically a sensitive areas site plan will identify existing sensitive areas (wooded areas and slopes), and show how they are proposed to be disturbed and/or protected. It is typical for a City to require mitigation/replacement for any disturbed areas. . . for example, if 5 trees are cut down, it is typical and defensible to require replacement trees to be planted.

If there are protected slopes (40%+ in slope over at least 10 feet), the University Heights ordinance is clear in that the slope may not be graded. It does not mean the rest of the property cannot be developed – the rest of the property can be developed consistent with the zoning regulations approved for the property. The only exemption is if it can be demonstrated the slope was humanly created – then the U-heights ordinance allows for disturbance of humanly created slopes if a geologist or engineer can demonstrate that development activity will not undermine the stability of the slope.

Let me know if you have any questions,

John Yapp

Stan,

I am searching my email for the PDF that was submitted by Monson after your request for cutting parking spaces. I know they committed to the change, but I wanted to see how they were going to do it. Do you have access to that PDF?

Could you forward it to me?

Thanks

Brennan

CC'd Mayor, she may have it

--

I have forwarded the original e-mail. Please let me know if you didn't get it.

Stan

On Thu, Oct 7, 2010 at 9:37 AM, Brennan McGrath <brennanmcg@gmail.com> wrote:

Stan,

I am searching my email for the PDF that was submitted by Monson after your request for cutting parking spaces. I know they committed to the change, but I wanted to see how they were going to do it. Do you have access to that PDF?

Could you forward it to me?

Thanks

Brennan

CC'd Mayor, she may have it.

--

Bring us some fresh wine! The freshest you've got - this year! No more of this old stuff.

-Steve Martin in The Jerk

Brennan McGrath CSW

From: Louise From [mailto:louisebob@mchsi.com]

Sent: Thursday, October 07, 2010 5:48 PM

To: John Yapp; jmaxwell@maxwellconstructioninc.com

Cc: pbb338koser@aol.com; Alice Haugen

Subject: FW: Sensitive Areas Ordinance (#128)

Here is the city engineer report for your review.

Louise

From: Josiah D. Bilskemper [mailto:jbilskemper@shive-hattery.com]

Sent: Thursday, October 07, 2010 4:19 PM

To: Louise From; Brennan McGrath; stan-laverman@university-heights.org; mike-haverkamp@university-heights.org; pat-yeggy@university-heights.org; jim-lane@university-heights.org; City Clerk; ballard@lefflaw.com

Subject: Sensitive Areas Ordinance (#128)

All:

Per your request, please find attached a memo regarding Ordinance #128 (Sensitive Areas Ordinance) and the proposed One University Place development.

Let me know if you have any questions, thanks.

Josiah Bilskemper, PE

Civil Engineer

Shive-Hattery, Inc.

2834 Northgate Drive | Iowa City, IA 52245

319.354.3040 | 800.798.3040 | fax: 319.354.6921 | cell: 319.330.2492

Email received and sent by Mike Haverkamp

From: kkampfe@aol.com
Subject: Opposed to the Maxwell Development
Date: Sun, September 19, 2010 12:19 am
To: louise-from@university-heights.org,mike-haverkamp@university-heights.org,jim-lane@university-heights.org,stan-laverman@university-heights.org,brennan-mcgrath@university-heights.org,pat-yeggy@university-heights.org

We are opposed to the Maxwell Development on the St. Andrew's property.

-Lanny and Jann Kampfe

From: mike-haverkamp@university-heights.org
Subject: Re: Maxwell development
Date: Wed, September 22, 2010 11:41 pm
To: kkampfe@aol.com

Thank you for taking the time to contact me regarding the development issue. I do carefully read all the email I receive. I have consistently replied to email with my guidelines regarding the focus of my analysis which includes but is not limited to:

State law regarding Smart Growth principles
UH 2010 Comprehensive Plan
JCCOG Staff Reports for both proposals
Zoning Commission Minutes and communication
Input from UH citizens

-Mike Haverkamp

>
> Jann and Lanny Kampfe strongly oppose the development on the St Andrew
> site.

From: "Jan Stewart" <janstewart48@gmail.com>
Subject: RE: My opinion on the proposed Maxwell development at St. Andrews
Date: Thu, September 23, 2010 10:27 am
To: mike-haverkamp@university-heights.org

Appreciate your reply, Mike. I know you will do your best in considering how to proceed. I love our neighborhood.

Thanks.

jan

-----Original Message-----

From: mike-haverkamp@university-heights.org
[mailto:mike-haverkamp@university-heights.org]

Sent: Wednesday, September 22, 2010 11:44 PM

To: Jan Stewart

Subject: Re: My opinion on the proposed Maxwell development at St. Andrews

Jan,

Thank you for taking the time to contact us regarding the development issue. I do carefully read all the email I receive.

I have consistently replied to email with my guidelines regarding the focus of my analysis which includes but is not limited to:

State law regarding Smart Growth principles
UH 2010 Comprehensive Plan
JCCOG Staff Reports for both proposals
Zoning Commission Minutes and communication
Input from UH citizens

-Mike Haverkamp

> Dear Mayor From and Councilors:

>

>

>

> As a University Height's resident at 222 Golfview Ave. for the past 10
> years, I would like to make you aware of my

>

> concerns and opinion of the proposed development on the St. Andrew's
> property site.

>

>

>

> My primary concern is that if this condo-commercial development goes
> through
> as currently proposed, it will forever transform

>

> the quiet neighborhood I have so grown to enjoy. The level of motor
> vehicle
> traffic will substantially increase

>

> in the general area-that's a no-brainer. JCCOG estimates this would
> generate up to 1500 additional car trips daily in town,

>
> 900 from the commercial spaces alone. That specifically would alter Grand
> Avenue and Golfview, directly impacting my property
>
> as well as others. I strongly object to that.
>
>
>
> We are fortunate to have a beautiful, wooded, peaceful residential setting
> here, and I believe the increased
>
> traffic alone would greatly diminish this. Additionally, there would be
> risk for decreased safety due to the traffic volume, potential
>
> speeding putting children and pets at risk, and increased associated
> noise.
> Disruption of the ravine and its impact on wildlife would be
>
> another concern.
>
>
>
> It is my hope that you will represent our community in a fair and balanced
> manner, taking into consideration those of us who
>
> would be most adversely affected. Development of the property may be
> inevitable at some level, but coming to an acceptable compromise
>
> that represents and serves our overall community for years to come would
> be
> the goal.
>
>
>
> Thank you for your time and consideration.
>
>
>
> Janet A. Stewart
>
> 222 Golfview

From: "Wilson, Larry T" <larry-wilson@uiowa.edu>
Subject: LTW Comments at September Council Meeting
Date: Thu, September 23, 2010 11:05 am

To: "louise-from@university-heights.org" <louise-from@university-heights.org>,"mike-haverkamp@university-heights.org" <mike-haverkamp@university-heights.org>,"jim-lane@university-heights.org" <jim-lane@university-heights.org>,"stan-laverman@university-heights.org" <stan-laverman@university-heights.org>,"brennan-mcgrath@university-heights.org" <brennan-mcgrath@university-heights.org>,"pat-yeggy@university-heights.org" <pat-yeggy@university-heights.org>
Cc: "Bauer, Patrick B" <patrick-bauer@uiowa.edu>

Dear Mayor From and Council Members--

I just realized that I did not follow-up the comments I made at the September Council meeting by sending a copy to you. My comments did not follow the attachment statements exactly, but it is essentially what I stated.

Thanks.

Larry

**UNIVERSITY HEIGHTS CITY COUNCIL MEETING 08-10-10
ST. ANDREW CHURCH DEVELOPMENT
LARRY WILSON COMMENTS**

I am not anti-development. I support reasonable development, and even though we live across Melrose from the property, my wife and I believe the alternative development plan approved by the Zoning Commission is an acceptable alternative.

The alternative development plan represents an attempt by the University Heights community to collaborate with the Maxwell team by proposing a development that we believe would fit acceptably into the character of the surrounding University Heights neighborhood.

At least half of the University Heights community opposes the Maxwell plan, but during public meetings, including the zoning meetings, there has been strong support voiced for the alternative development plan as an acceptable compromise.

The alternative development compromise would be a bridging element to reunite the evenly divided University Heights community. It would provide a considerably greater density than would be allowed by the existing zoning and it would still significantly enhance the tax revenue.

Pat Bauer, in his writings and presentations, has clearly demonstrated that the University Heights financial situation is not in dire straits and that University Heights could successfully manage finances into the future without any dense development by utilizing prudent financial management.

The Maxwell team has not been willing to compromise at all. At the many public meetings that have been held, the Maxwell team simply presented their plan and did not respond to public input in any substantial way whatsoever. In my mind, that is not collaboration.

If the Maxwell team is not willing to compromise, it would behoove the council to wait for a development proposal that will fit into the community character and which will also substantially increase tax revenue.

It is uncertain when, and even if, the St Andrew church will move, but if and when it does, you can be assured there will be more than one developer waiting to submit a proposal for the property. And you

can also be assured that paying a reasonable, rather than an inflated price for the land will still make it financially attractive.

While all the other *Principles of Smart Growth* would be met by the alternative plan, commercial uses are eliminated from the alternative plan for the purpose of reducing the large amount of parking required for commercial development.

About 142 parking spaces could be eliminated resulting in reducing traffic generated by the development by 900 vehicles per day as stated by JCCOG. The noise and other disturbances from commercial activities would also be eliminated. The eliminated parking could be replaced with about a half acre of green space.

Mr. Maxwell stated at the last zoning meeting that rental or lease rates would be \$30 per square foot and he admitted that the rate would be too high for coffee shops and other similar small businesses which could primarily serve the University Heights neighborhood.

The alternative plan also recommends bridging the environmentally sensitive east ravine rather than filling it in with 30 feet of fill material and eliminating the trees as shown on the Maxwell site development plan.

Lastly, in the Maxwell team PowerPoint presentation, all but 3 of the trees along Melrose in front of the development, and all of those on north Sunset shown in the slides as screening the development will be removed, according to the site development plan. Any planted trees would take years to mature into a screen to buffer the development.

I urge the council to vote to approve the alternative development plan as approved on July 22nd by the Zoning Commission.

Thank you.

From: "wally" <wallu@aol.com>
Subject: Fwd: Scuttle Butt from Wally
Date: Thu, September 23, 2010 10:02 pm
To: mike-haverkamp@university-heights.org

This is the email I mentioned. Wally

-----Original Message-----

From: Mary Mathew Wilson <uhplace@rocketmail.com>
To: adudler@gmail.com; bravejune@gmail.com; brennanmcg@gmail.com;
bstehbens@hotmail.com; cluzzie@aol.com; cpoeltler@elderimp.com;
danielwings1@hotmail.com; davidcdrake@me.com; deckey@iowadsl.net;

derek-timmerman@uiowa.edu; dpedersen63@gmail.com; ehunzelman@yahoo.com;
gretchenblair@mchsi.com; Hedlundsc@aol.com; hopsonjr@aol.com;
HopsonRC@AOL.com;
jaleff@mchsi.com; jeff@icrealestate.com; katherine-belgum@uiowa.edu;
lawrence-fritts@uiowa.edu; linddick@aol.com; lkparko@yahoo.com;
lwilson308@yahoo.com; msvare0228@aol.com; payvandi@mchsi.com;
pbb338koser@aol.com;
rachel-stewart@uiowa.edu; randy-kardon@uiowa.edu; richschmidtia@msn.com;
robert-philibert@uiowa.edu; roger-tracy@uiowa.edu; ruppertdm@aol.com;
russcl802@aol.com; russcl802268@yahoo.com; sarayon@avalon.net;
schnell.Carolyn@gmail.com; snelsen210@yahoo.com; wallu@aol.com;
zanguelov@gmail.com;
al leff <aleff@mchsi.com>; Alice Haugen <alice.haugen@gmail.com>; Daniel Moore
<danmoore4@mac.com>; Greg Prickman <colophonic@yahoo.com>; irene bowers
<ireneebowers@yahoo.com>; Jacinda Pedersen <jac.pedersen@yahoo.com>; Jane
Swails
<goldengirl1930@live.com>; Jerry Zimmermann <jzimmermann@iowa-
institute.org>; Nancy
Barnes <nbarnes.kohout@gmail.com>; Rachel <rreyn1@yahoo.com>; Scott
Christiansen
<s_christiansen@mchsi.com>; Sue E Hettmansperger <sue-
hettmansperger@uiowa.edu>

Sent: Thu, Sep 23, 2010 8:27 am

Subject: Fw: Scuttle Butt

With his permission, I'm sharing information I received from Yon regarding a conversation overheard at a football game...

From: Sara & Yon <sarayon@avalon.net>

To: Mary Mathew Wilson <uhplace@rocketmail.com>

Sent: Tue, September 21, 2010 11:50:08 PM

Subject: Re: Scuttle Butt

MMW FROM YON S. Sara Lee had a couple hour long test in the neuro area of U Hosp.

The supervisor of the test was a Dr. (probably PHD not MD) who said he lives at Melrose Circle which is near U. Hgts. but not in it. He brought up the subject of the proposed Maxwell development and indicated he is against it. He also told how the folks behind him at the football game included an investor who plans to invest in the Maxwell project. The investor was bragging about how he expected to make a mint through the Maxwell development. Interesting!!!

Dear Mayor and Councilors,

I was one of the people who spoke about the proposed development at the last City Council meeting. In this email I have appended a word document of the statement I made that night, for your records. Thank you.

Sincerely,

Sue Hettmansperger, Professor of Art, Univ. of Iowa

114 Highland Drive, 52246

Dear Mayor, Councilors,

I have already written a couple of short letters to the council stating my opposition to the proposal, but tonight I wish to summarize some points I haven't made before.

During the last work session meeting I listened carefully to your discussion with the developer. You were already negotiating trade-offs, as though the construction were a foregone conclusion. I came away quite distressed to realize how entrenched your support is of the proposal. The Council's collective views have appeared unshakable no matter what evidence is shown to counter them. The group seems to feel they were elected to enact this by fiat even in the face of great opposition from residents who are important stakeholders. I have asked myself how we got here. Thinking back to the election, I know several people who voted for a Councillor that ran on a historic preservation platform. To the contrary, his stated philosophy has actually not resulted in a skepticism of oversized and inappropriate development. The election vote was very close; it was not a mandate for development, only a narrow margin.

As I have watched the developer present his views during this long process I have felt the information presented was deliberately skewed in several instances, in order to downplay the most problematic aspects. As a Professor of Art, it is my job to evaluate and unpack visual information that is unclear or misleading. I understood why the drawings of the two buildings were represented the same size on the posters, using different scales. The uncritical casual observer conflates the two different scale representations of the front and rear buildings and perceives them to be roughly the same because they occupy the same amount of space on the poster. Relative scale comparisons are impossible to make with a two dimensional visualization that bears no relationship to the size of a nearby house. The assertion by Monson in one of his presentations that we won't be able to see the building is similarly beyond belief. The developer and architect have shown an unwillingness to present a three-dimensional model so we may judge the footprint relative to surrounding homes. Putting forward the idea that this will bring diversity to our community is a disingenuous manipulation of language because the proposed building would be a monoculture. I worry especially about the statement from the developer last year when he said "I don't care what you people think" at the June 9, 2009 meeting. Is this a trustworthy partner?

In closing, I can't stress enough how important it is for homeowners to trust that their interests and assets are protected by existing zoning. **How can city councillors overturn the recommendation of their own experts on the zoning commission?** Our vision, my vision for university heights is one in which we preserve the integrity of our historic legacy of unique clusters of single family homes---this is what we are known for and should carry forward in future building projects. I would be happy to pay higher taxes---please deny the proposal.

Sue Hettmansperger
114 Highland Drive

From: "Warren Tunwall" <5cats@mchsi.com>
Subject: Support for Maxwell Development
Date: Fri, October 1, 2010 6:09 pm
To: stan-laverman@university-heights.org,mike-haverkamp@university-heights.org,jim-lane@university-heights.org,pat-yeggy@university-heights.org,brennan-mcgrath@university-heights.org
Cc: louise-from@university-heights.org

University Heights Council Members,

My wife and I were unable to attend the Sept. 14, city council meeting but wanted to express our support for the development proposed by Jeff Maxwell.

We agree with the view of several council members that this represents smart growth for the future of our community.

Warren & Deb Tunwall
100 Koser Ave
University Heights

From: "Streif, John G" <John-Streif@hawkeyehealthcare.com>
Subject: RE: UH council
Date: Mon, 4 Oct 2010 13:27:05 -0500

To: "'mayhem@inav.net'" <mayhem@inav.net>

I know there is a lot of pressure but I hope and still support the development project of Maxwell. Keep up the good work,. John

-----Original Message-----

From: mayhem@inav.net [mailto:mayhem@inav.net]

Sent: Wednesday, July 14, 2010 6:15 PM

To: Streif, John G

Subject: Re: UH council

We did, John, and I appreciate the quiet support of folks like you.

You certainly wouldn't remember me, but I was a friend and high school classmate of Randy Norton. We met on a few occasions at the Fieldhouse, many years ago. I don't know if you've heard or not, but Randy is now the assistant women's BB coach at Missouri. With any luck we may get to see him regularly in the future as a conference rival?

-Mike Haverkamp

On Wed, 14 Jul 2010 09:38:47 -0500

"Streif, John G" <John-Streif@hawkeyehealthcare.com>
wrote:

>

>Mike, Stan and Pat

> If not to late I would like to request from the

>Council that they appoint someone who reflects Amy's

>stand on development in University Heights. She was

>voted in because of this stand, hopefully her opinion

>will continue to be served. Thank you for your time.

> John

From: "Alice Haugen" <alice.haugen@gmail.com>

Subject: Re: Possibility of a second meeting?

Date: Tue, October 5, 2010 7:08 am

To: mike-haverkamp@university-heights.org

Mike,

Thank you **very** much! 7:00 on Thursday it is.

On Tue, Oct 5, 2010 at 6:28 AM, <mike-haverkamp@university-heights.org> wrote:

> Alice,

>

> How about Thursday evening at 7:00 at the city offices again?

>
> I did some follow up with JCCOG regarding your suggestion of a 5 point
> intersection. John Yapp and Kent Ralston said they would look at some
> options. I also asked for a copy of Iowa City's sensitive slope ordinance,
> attached is that if you haven't already gotten it.
>
> -Mike
>
> > Dear Mike,
> >
> > Is there a chance that you could spare me the time for a second meeting?
> > I
> > have some significant new information and I would like to discuss an
> > amendment to ordinance 180 that could make a very big difference. I am
> > free this week any time except daytime on Tuesday. Thanks very much!
> >
> >
> > Warm regards,
> > Alice Haugen
> >
> >
> >
> >
>

--
Peace +

Alice

Ring the bells that still can ring
Forget your perfect offering
There is a crack in everything
That's how the light gets in.

From: mike-haverkamp@university-heights.org

Subject: Council Mail

Date: Wed, October 6, 2010 9:26 pm

To: stan-laverman@university-heights.org,brennan-mcgrath@university-
heights.org,jim-lane@university-heights.org,pat-yeggy@university-heights.org

Cc: louise-from@university-heights.org,ballard@lefflaw.com

Fellow Councilors,

I would ask that once again collect your received and sent mail and put it into a single word processing document and send it to me. This would be all mail received and sent regarding the development since you sent me your last document. I will compile them and post to the city's website. I have received many fewer so I think it would be manageable to send both

sent and received in a single document.

If I could get these by Saturday I'll make sure to have them on the city website by Monday morning.

Thanks for your help!

-Mike

From: mike-haverkamp@university-heights.org
Subject: Re: A document sent by accident
Date: Wed, October 6, 2010 9:30 pm
To: alice.haugen@gmail.com

Alice,

I got this message before I saw the other, no problems.

See you Thursday evening.

-Mike

> On Wed, 6 Oct 2010 13:05:40 -0500
> Alice Haugen <alice.haugen@gmail.com> wrote:
>>Hello -
>>
>>You recently received a document from Donald Baxter that
>>was written by me.

>>He made the mistake of assuming it is a public document
>>but it was
>>communicated to him as an individual and is still a draft
>>of the final
>>document. Please delete the file as I will be sending you
>>a copy of the
>>final document either later today or early tomorrow
>>morning. Thank you.
>>
>>--
>>Peace +
>>
>>Alice
>>
>>Ring the bells that still can ring
>>Forget your perfect offering
>>There is a crack in everything

>>That's how the light gets in.

From: "Bauer, Patrick B" <patrick-bauer@uiowa.edu>

Subject:

Date: Wed, October 6, 2010 5:11 pm

To: "Mike Haverkamp - Council" <mayhem@ia.net>,"Jim Lane - Council" <jimlane@yahoo.com>,"Stan Laverman - Council & Mayor Pro Tem" <stan-laverman@university-heights.org>,"Brennan McGrath - Council" <brennan-mcgrath@university-heights.org>,"Patricia Yeggy - Council" <patbirk@yahoo.com>
Cc: "Louise From - Mayor" <louise-from@university-heights.org>,"Steve Ballard" <ballard@lefflaw.com>,"Pat Ford" <ford@lefflaw.com>,"Candace Erickson" <erickson@lefflaw.com>

Attached is a memorandum summarizing financial information in the record of proceedings to date relevant to your further consideration of Ordinance No. 180 at next week's council meeting.

Also attached for your reference is the prepared text of the oral statement I made at last month's council meeting.

As always, please get back to me if you have any questions about either.

MEMORANDUM

To: University Heights City Councilors

From: Pat Bauer

Date: October 6, 2010

Re: University Heights Financial Information

Upon the first reading of Ordinance No. 180, at least two Councilors mentioned financial considerations as justifications for their affirmative votes.* To make the record clear, I am attaching financial information supporting each of the following propositions:

- (a) For the past dozen years, property tax revenues received by University Heights have grown at a rate generally exceeding the corresponding increase in the total amount of all city expenditures (Table 1).
- (b) For all but two of those dozen years, ending fund balances generally have approximated the 25% reserve ratio recommended by the Iowa League of Cities (Table 1).
- (c) For the past dozen years, most municipalities in Johnson County have been operating at the maximum general property tax levy of \$8.10 per \$1,000 of assessed valuation, and currently only one is not (Table 2).
- (d) For the past dozen years, total property tax levies in University Heights generally have fallen in the middle range of the total property tax levies for all Johnson County municipalities (Table 2).
- (e) During the same period of a dozen years, University Heights has never utilized more than one-twelfth of its authorized borrowing capacity (Table 3).
- (f) For at least the past four years, the debt service levy in University Heights has been less than the debt service levies of a majority of all other Johnson County municipalities, and currently is about a third of the debt service levy in Coralville and about a sixth of the debt service levy in Iowa City (Table 4).

* Council Yeggy indicated she supported the proposed redevelopment because it provided “[t]he opportunity for University Heights to remain independent. Back in the 60s when residents voted against merging with Iowa City, one of their concerns was that they would lose their local government and their independence. Without a good means of support, that’s what’s going to happen to us. Now I realize people say they’re willing to pay more taxes, but you can’t – we’re at the top. In 2003 we were living on an \$8.10 rate of taxes. Since then we have used every available levy that we can take and we still can’t support the town. I think it won’t be more than two or three years in the future when the only way we can pay our bills is to borrow money – treat the town like an ATM. Well look at what kind of problems that got the whole country into. We can’t do that. I’m not taking the short-term look at this, I’m looking out for the city for the long term – ten years, twenty years, thirty years. That’s why I’m in favor of this project.”

Councilor Haverkamp also stated his belief that the proposed development would allow University Heights to remain “a financially sustainable community.”

The financial constraints facing University Heights hardly are dire and are fully in line with those faced by other Johnson County municipalities. Bond finance of any necessary major reconstruction of streets and sewers is both available and an entirely suitable method of paying the cost of such long-term capital investments.

On the other side of the ledger, significant increases in property tax revenues could be achieved by possible alternatives to the proposed redevelopment Ordinance 180 would allow (Table 5). Perhaps more importantly, both the timing and the extent of any additional property tax revenues from the proposed redevelopment are entirely dependent on the entirely unknown dimensions of TIF arrangements consistently represented to be a necessary element of the project being proposed (with the added complication that such arrangements potentially will need to accommodate assistance for low and moderate income family housing in accordance with the requirements of Iowa Code § 403.22).

In view of this material evidence, claimed circumstances of financial exigency or financial redemption are entirely unsupported by the information contained in the record that has been assembled as the basis for the decision at hand.

UNIVERSITY HEIGHTS FINANCIAL INFORMATION												
Actual FY 2008, Re-est. FY 2010, & Budget FY 2011 - Other Revenues, Total Revenues, & Total Expenditures Distorted by Capital Expenditures (Street & Wide Sidewalk Projects)												
	Actual FY 2000	Actual FY 2001	Actual FY 2002	Actual FY 2003	Actual FY 2004	Actual FY 2005	Actual FY 2006	Actual FY 2007	Actual FY 2008	Actual FY 2009	Re-est. FY 2010	Budget FY 2011
Revenues & Other Financing Sources												
Property Tax Revenues	\$290,479	\$300,040	\$323,982	\$338,948	\$363,626	\$369,738	\$372,504	\$422,175	\$425,379	\$495,054	\$530,016	\$547,928
<i>(Actual FY 2000 = 100)</i>	100	103	112	117	125	127	128	145	146	170	182	189
Other Revenues (Non-Property Tax)	\$191,189	\$195,983	\$185,631	\$186,420	\$201,434	\$198,509	\$231,956	\$234,306	\$483,133	\$208,262	\$398,707	\$1,274,484
<i>(Actual FY 2000 = 100)</i>	100	103	97	98	105	104	121	123	253	109	209	667
Total Revenues and Other Sources	\$481,668	\$496,023	\$509,613	\$525,368	\$565,060	\$568,247	\$604,460	\$656,481	\$908,512	\$703,316	\$928,723	\$1,822,412
<i>(Actual FY 2000 = 100)</i>	100	103	106	109	117	118	125	136	189	146	193	378
Expenditures & Other Financing Uses												
Total ALL Expenditures	\$490,344	\$538,006	\$519,497	\$518,535	\$585,214	\$607,713	\$618,716	\$568,746	\$858,864	\$742,448	\$865,562	\$1,692,842
<i>(Actual FY 2000 = 100)</i>	100	110	106	106	119	124	126	116	175	151	177	345
Ending Fund Balance June 30	\$199,242	\$157,259	\$147,375	\$154,208	\$134,054	\$94,588	\$80,332	\$161,429	\$211,077	\$171,945	\$235,166	\$364,736
<i>Fund Balance/Expenditures</i>	40.6%	29.2%	28.4%	29.7%	22.9%	15.6%	13.0%	28.4%	24.6%	23.2%	27.2%	21.5%

TABLE 1

**CITY TAX RATES
JOHNSON COUNTY
FY 2010 - FY 1999**

**2009/2010 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL BUDGET DIVISION**

	TAXABLE VALUE			GENERAL			----- OTHER LEVIES -----					TOTAL REGULAR W/O AG
	2000	JANUARY 1, 2008		\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITAL	
	CENSUS	REGULAR W G&E	AGLAND	FY08/09	FY09/10	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	
52 JOHNSON												
IOWA CITY	62,220	2,559,738,879	1,407,234 *	8.10000 *	8.10000	1.64041	3.00375	0.25607	4.21934	3.63680		17.85262
CORALVILLE	17,269	740,541,205	1,011,793 *	8.10000 *	8.10000	0.53640	3.00375		2.01730	2.76396		13.41766
TIFFIN	975	25,640,557	1,006,880 *	8.10000 *	8.10000	0.27000	3.00375		1.80408	1.88549		12.05957
UNIVERSITY HEIGHTS	987	49,222,413	-0-	8.10000 *	8.10000	1.41176			0.64221	0.79257		10.94654
NORTH LIBERTY	5,367	451,758,007	1,833,060 *	8.10000 *	8.10000	0.35096	3.00375		0.97008	1.48889		10.90993
OXFORD	705	10,602,910	179,054 *	8.10000 *	8.10000	1.32039	3.00375	0.27000		1.11290		10.80329
SOLO	1,177	52,870,304	144,851 *	8.10000 *	8.10000	0.56081	3.00375		0.27340	1.06071	0.67500	10.66992
LONE TREE	1,151	24,899,826	231,748 *	8.10000 *	8.10000		3.00375		1.48125			9.58125
HILLS	679	28,351,644	157,395 *	7.00899 *	8.10000							8.10000
SWISHER	813	22,975,297	149,633 *	8.10000 *	8.10000		3.00375					8.10000
SHUEYVILLE	250	20,482,808	426,535 *	7.10000	7.10000		3.00375					7.10000

**2008/2009 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL			----- OTHER LEVIES -----					TOTAL REGULAR W/O AG
	2008	JANUARY 1, 2007		\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITAL	
	CENSUS	REGULAR W G&E	AGLAND	FY07/08	FY08/09	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	
52 JOHNSON												
IOWA CITY	62,220	2,453,820,284	1,410,002 *	8.10000 *	8.10000	1.63854	3.00375	0.05000	4.30272	3.62548		17.71674
CORALVILLE	17,269	704,297,996	1,035,579 *	8.10000 *	8.10000	0.48466	3.00375		2.01941	2.81570		13.41977
TIFFIN	975	22,406,964	971,203 *	8.10000 *	8.10000	0.09997	3.00246		3.24446	1.44147		12.88590
NORTH LIBERTY	5,367	335,149,577	2,088,105 *	8.10000 *	8.10000	0.32471	3.00375	0.16337	1.05585	1.69338		11.33731
UNIVERSITY HEIGHTS	987	45,620,365	-0-	8.10000 *	8.10000	1.48349			0.69004	0.81240		11.08593
OXFORD	705	10,377,688	142,704 *	8.10000 *	8.10000	1.34751	3.00375	0.27000		1.13310		10.85061
SOLO	1,177	49,149,503	164,031 *	8.10000 *	8.10000	0.57325	3.00375		0.25070	1.05309	0.67500	10.65204
LONE TREE	1,151	23,498,712	254,009 *	8.10000 *	8.10000		3.00375		1.34575			9.44575
SWISHER	813	19,642,514	136,499 *	7.09995 *	8.10000		3.00375					8.10000
SHUEYVILLE	250	21,258,458	448,644 *	7.10000	7.10000		3.00375					7.10000
HILLS	679	28,534,801	149,458 *	6.36948	7.00899							7.00899

**2007/2008 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL			----- OTHER LEVIES -----					TOTAL REGULAR W/O AG
	2007	JANUARY 1, 2006		\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITAL	
	CENSUS	REGULAR W G&E	AGLAND	FY06/07	FY07/08	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	
52 JOHNSON												
IOWA CITY	62,220	2,331,569,522	1,533,849 *	8.10000 *	8.10000	1.63252	3.00375		3.78575	3.77835		17.29662
CORALVILLE	17,269	666,348,651	1,016,961 *	8.10000 *	8.10000	0.43153	3.00375		2.06890	2.68600		13.28643
TIFFIN	975	21,505,802	1,057,591 *	8.10000 *	8.10000	0.09997	3.00211		3.24481	1.44147		12.88625
NORTH LIBERTY	5,367	275,810,649	2,891,997 *	8.10000 *	8.10000		3.00375		0.97873	1.88726		10.96599
OXFORD	705	9,962,171	136,940 *	8.10000 *	8.10000	1.34850	3.00375	0.26992		1.13399		10.85241
LONE TREE	1,151	21,639,086	248,677 *	8.10000 *	8.10000		3.00375		2.70003			10.80003
UNIVERSITY HEIGHTS	987	41,125,810	-0-	8.10000 *	8.10000	1.61745				0.81243		10.52988
SOLO	1,177	45,730,995	164,573 *	8.10000 *	8.10000	0.54558	3.00375			1.02416	0.67500	10.34474
SHUEYVILLE	250	18,685,782	399,044 *	6.87557	7.10000		3.00375					7.10000
SWISHER	813	25,407,638	127,765 *	7.09997	7.09995		3.00375					7.09995
HILLS	679	25,904,784	145,554 *	5.88431	6.36948							6.36948

**2006/2007 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL			----- OTHER LEVIES -----					TOTAL REGULAR W/O AG
	2006	JANUARY 1, 2005		\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITAL	
	CENSUS	REGULAR W G&E	AGLAND	FY05/06	FY06/07	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	
52 JOHNSON												
IOWA CITY	62,220	2,283,511,711	1,581,682 *	8.10000 *	8.10000	1.58610	3.00375	0.03846	3.87900	3.69869		17.30225
CORALVILLE	17,269	627,728,258	1,026,150 *	8.10000 *	8.10000	0.44092	3.00375		2.06883	2.67666		13.28641
LONE TREE	1,151	21,361,424	248,677 *	8.10000 *	8.10000		3.00375		2.80443			10.90443
TIFFIN	975	20,279,550	1,057,776 *	8.10000 *	8.10000	0.10000			1.34889	1.32646		10.87535
OXFORD	705	9,612,114	136,940 *	8.10000 *	8.10000	1.35246	3.00375	0.27000		1.13399		10.85645
SOLO	1,177	42,665,494	182,697 *	8.10000 *	8.10000	0.60353	3.00375		0.53765	0.76586	0.67500	10.68204
UNIVERSITY HEIGHTS	987	41,300,703	-0-	8.10000 *	8.10000	1.54236				0.75011		10.39247
NORTH LIBERTY	5,367	230,570,908	3,073,044 *	8.10000 *	8.10000	0.15036	3.00375		1.29922	0.57502		10.12460
SWISHER	813	25,009,525	97,770 *	7.09998	7.09997		3.00375					7.09997
SHUEYVILLE	250	15,581,396	401,878 *	7.10200	6.87557		2.93124					6.87557
HILLS	679	24,811,739	145,554 *	5.88457	5.88431							5.88431

**CITY TAX RATES
JOHNSON COUNTY
FY 2010 - FY 1999**

**2005/2006 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL					----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 2004			\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR		
	CENSUS	REGULAR W G&E	AGLAND	FY04/05	FY05/06								8.10000	
52 JOHNSON														
IOWA CITY	62,220	2,091,750,278	1,801,804 *	8.10000 *	8.10000	1.52863	3.00375	0.27000	4.14944	3.68113			17.72920	
CORALVILLE	17,269	599,340,111	965,061 *	8.10000 *	8.10000	0.57318	3.00375		1.80177	2.04393			12.51888	
OXFORD	705	9,049,678	137,259 *	8.10000 *	8.10000	0.88401	3.00375	0.27000	1.33196	1.01031			11.59628	
TIFFIN	975	17,500,581	1,018,890 *	8.10000 *	8.10000	0.10011			1.27099	1.52909			11.00019	
UNIVERSITY HEIGHTS	987	36,046,319	-0-	8.10000 *	8.10000	0.35316			1.31331	0.84913			10.61560	
NORTH LIBERTY	5,367	181,401,990	2,853,229 *	8.10000 *	8.10000		3.00011		1.39659	0.62364			10.12023	
SOLO	1,177	38,410,796	191,744 *	8.10000 *	8.10000		3.00375		0.66068	0.66317	0.67500		10.09885	
LONE TREE	1,151	19,993,270	248,836 *	8.10000 *	8.10000		3.00375		1.97590				10.07590	
SHUEYVILLE	250	12,282,601	398,744	7.09992	7.10200		3.00375						7.10200	
SWISHER	813	20,567,661	34,029	7.09997	7.09998		3.00375						7.09998	
HILLS	679	23,791,016	95,954	6.13433	5.88457								5.88457	

**2004/2005 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL					----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 2003			\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR		
	CENSUS	REGULAR W G&E	AGLAND	FY03/04	FY04/05								8.10000	
52 JOHNSON														
IOWA CITY	62,220	2,049,483,853	1,967,769 *	8.10000 *	8.10000	1.56744	3.00375	0.27000	3.95361	3.42289			17.31394	
CORALVILLE	17,269	563,195,064	992,641 *	8.10000 *	8.10000	0.52168	3.00375		1.80080	2.09640			12.51888	
TIFFIN	975	17,720,304	1,022,827	8.09997 *	8.10000	0.10028			1.36651	1.30810			10.87489	
OXFORD	705	9,678,241	66,180 *	8.10000 *	8.10000	0.51662	3.00375		1.39029	0.66200			10.66891	
UNIVERSITY HEIGHTS	987	36,195,345	-0-	8.09998 *	8.10000	0.34065			1.22612	0.79615			10.46292	
NORTH LIBERTY	5,367	150,151,503	2,783,750 *	8.10000 *	8.10000		3.00375		1.49325	0.65675			10.25000	
LONE TREE	1,151	19,655,181	248,836 *	8.10000 *	8.10000		3.00375		1.91769				10.01769	
SOLO	1,177	37,205,746	196,161 *	8.10000 *	8.10000		3.00375		0.59161	0.63649	0.67500		10.00310	
SWISHER	813	20,529,663	31,627	7.09997	7.09997		3.00375						7.09997	
SHUEYVILLE	250	10,619,837	400,481	7.09994	7.09992		3.00375						7.09992	
HILLS	679	22,822,363	96,549	6.27038	6.13433								6.13433	

**2003/2004 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL					----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 2002			\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR		
	CENSUS	REGULAR W G&E	AGLAND	FY02/03	FY03/04								8.10000	
52 JOHNSON														
IOWA CITY	62,220	1,978,126,434	2,227,050 *	8.10000 *	8.10000	1.46358	3.00375	0.27000	4.57022	3.19207			17.59587	
CORALVILLE	15,123	529,253,899	1,233,581 *	8.10000 *	8.10000	0.37121	3.00375		1.80080	1.89063			12.16264	
TIFFIN	975	16,933,650	1,142,119 *	8.10000 *	8.09997	0.09998			1.19537	1.05825			10.45357	
UNIVERSITY HEIGHTS	987	35,554,540	-0-	8.10000 *	8.09998	0.33638			1.30447	0.70050			10.44133	
OXFORD	705	9,921,853	72,942 *	8.10000 *	8.10000		3.00375		1.35129	0.94881			10.40010	
NORTH LIBERTY	5,367	127,541,776	3,048,539 *	8.10000 *	8.10000		3.00375		1.63252	0.51748			10.25000	
SOLO	1,177	39,219,631	245,983	8.09998 *	8.10000		3.00375		0.64763	0.63700	0.67504		10.05967	
LONE TREE	1,151	20,701,543	285,599 *	8.10000 *	8.10000		3.00375		0.91769				9.01769	
SWISHER	813	18,970,360	30,638	7.09996	7.09997		3.00375						7.09997	
SHUEYVILLE	250	10,009,797	463,269	7.10003	7.09994		3.00258						7.09994	
HILLS	679	22,327,184	115,665	4.81869	6.27038								6.27038	

**2002/2003 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL					----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 2001			\$8.10 LEVY		OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR		
	CENSUS	REGULAR W G&E	AGLAND	FY01/02	FY02/03								8.10000	
52 JOHNSON														
IOWA CITY	62,220	1,945,190,885	2,303,069 *	8.10000 *	8.10000	1.43592	3.00375	0.27000	4.16071	2.84681			16.81344	
CORALVILLE	15,123	498,789,722	1,253,927 *	8.10000 *	8.10000	0.31965	3.00375		1.80080	1.59944			11.81989	
OXFORD	705	10,160,658	71,570 *	8.10000 *	8.10000		3.00375		1.38150	0.73657			10.21807	
UNIVERSITY HEIGHTS	987	35,338,767	-0-	8.09998 *	8.10000				1.21900	0.57455			9.89355	
TIFFIN	975	16,525,096	1,132,212 *	8.10000 *	8.10000	0.10003			0.19144	1.09833			9.48980	
SOLO	1,177	37,356,164	247,200 *	8.10000 *	8.09998		3.00162		0.71206		0.67499		9.48703	
NORTH LIBERTY	5,367	115,314,018	3,076,297 *	8.10000 *	8.10000		3.00375		0.49000	0.50000			9.09000	
LONE TREE	1,151	19,520,246	239,132	7.92198 *	8.10000		3.00375		0.82845				8.92845	
SHUEYVILLE	250	9,015,741	468,567	7.09997	7.10003		3.00375						7.10003	
SWISHER	813	18,994,185	32,385	7.09996	7.09996		3.00375						7.09996	
HILLS	679	21,790,160	115,665	5.17884	4.81869								4.81869	

**CITY TAX RATES
JOHNSON COUNTY
FY 2010 - FY 1999**

**2001/2002 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL				----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 2000			\$8.10	LEVY	OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR	
	CENSUS	REGULAR	AGLAND	FY00/01	FY01/02	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	W/O AG	
52 JOHNSON													
IOWA CITY	59,738	1,922,751,152	2,262,120	* 8.10000	* 8.10000	1.42429	3.00375	0.26972	2.94479	2.11103		14.84983	
CORALVILLE	10,347	482,574,994	1,229,751	* 8.10000	* 8.10000	0.43309	3.00375		1.80080	1.48600		11.81989	
TIFFIN	460	15,241,113	901,267	* 8.10000	* 8.10000				1.47857	0.52490		10.10347	
OXFORD	663	10,692,613	60,992	* 8.10000	* 8.10000		3.00375		1.41932	0.28057		9.79989	
SOLO	1,050	34,000,097	236,837	* 8.10000	* 8.10000		3.00375		0.81588		0.67500	9.59088	
UNIVERSITY HEIGHTS	1,042	35,260,222	-0-	* 7.75000	* 8.09998				1.26837			9.36835	
NORTH LIBERTY	2,926	100,371,753	2,399,231	* 8.10000	* 8.10000		3.00375		0.49667	0.46968		9.06635	
LONE TREE	979	20,065,934	239,132	* 8.10000	* 7.92198		3.00375		0.85042			8.77240	
SHUEYVILLE	223	8,543,273	474,939	* 7.10000	* 7.09997		3.00375					7.09997	
SWISHER	645	19,839,535	32,602	* 6.71821	* 7.09996		3.00375					7.09996	
HILLS	662	20,274,826	115,665	* 5.31615	* 5.17884							5.17884	

**2000/2001 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL				----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 1999			\$8.10	LEVY	OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR	
	CENSUS	REGULAR	AGLAND	FY99/00	FY00/01	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	W/O AG	
52 JOHNSON													
IOWA CITY	59,738	1,810,400,475	2,346,160	* 8.10000	* 8.10000	1.44187	3.00375	0.27	2.99022	1.9555		14.75759	
CORALVILLE	10,347	444,603,214	1,248,421	* 8.10000	* 8.10000	0.43909	3.00375		1.8008	1.1357		11.47559	
TIFFIN	460	12,725,918	876,777	* 8.10000	* 8.10000				2.04549	0.80309		10.94858	
OXFORD	663	9,870,342	59,123	* 8.10000	* 8.10000		3.00375		1.50627	0.60788		10.21415	
SOLO	1,050	29,931,082	220,596	* 8.10000	* 8.10000		3.00375		0.78781		0.67498	9.56279	
UNIVERSITY HEIGHTS	1,042	33,830,972	-0-	* 7.40001	* 7.75000				1.36954			9.11954	
LONE TREE	979	18,949,255	229,780	* 8.10000	* 8.10000		3.00375		0.9391			9.0391	
NORTH LIBERTY	2,926	88,683,278	2,173,918	* 8.10000	* 8.10000		3.00375		0.39438	0.46		8.95438	
SHUEYVILLE	223	7,629,581	458,098	* 7.09996	* 7.10000		3.00375					7.1	
SWISHER	645	19,052,682	31,393	* 6.50529	* 6.71821		3.00375					6.71821	
HILLS	662	19,751,136	111,431	* 5.37963	* 5.31615							5.31615	

**1999/2000 CITY TAX RATES, BY CONTROL COUNTY
DEPARTMENT OF MANAGEMENT - LOCAL GOVERNMENT**

	TAXABLE VALUE			GENERAL				----- OTHER LEVIES -----					TOTAL
	JANUARY 1, 1998			\$8.10	LEVY	OUTSIDE	AGLAND	EMERG	DEBT	EMPLOY	CAPITOL	REGULAR	
	CENSUS	REGULAR	AGLAND	FY98/99	FY99/00	8.10000	LEVY	LEVY	SERVICE	BENEFIT	IMPROVE	W/O AG	
52 JOHNSON													
IOWA CITY	59,738	1,726,109,142	2,074,165	* 8.10000	* 8.10000	1.44094	3.00375		2.30043	2.0093		13.85067	
CORALVILLE	10,347	427,912,459	1,177,308	* 8.10000	* 8.10000	0.46752	3.00375		1.8008	0.56088		10.9292	
OXFORD	663	9,677,048	57,488	* 8.10000	* 8.10000		3.00375		1.61677	0.62002		10.33679	
SOLO	1,050	28,187,260	217,650	* 8.10000	* 8.10000		3.0023		0.86741		0.675	9.64241	
LONE TREE	979	18,596,263	231,484	* 8.10000	* 8.10000		3.00375		0.98865			9.08865	
TIFFIN	460	12,520,765	456,000	* 6.72974	* 8.10000				0.9715			9.0715	
NORTH LIBERTY	2,926	78,630,738	1,943,617	* 8.10000	* 8.10000		3.00375		0.44454	0.41218		8.95672	
UNIVERSITY HEIGHTS	1,042	32,899,284	-0-	* 7.40000	* 7.40001				1.4562			8.85621	
SHUEYVILLE	223	5,764,395	442,505	* 7.09993	* 7.09996		3.00375					7.09996	
SWISHER	645	19,061,398	33,978	* 6.50268	* 6.50529		2.94308					6.50529	
HILLS	662	19,518,087	100,581	* 5.62895	* 5.37963							5.37963	

Data Sources: "City Tax Rates" Spreadsheets (Fiscal Year 2010 through Fiscal Year 2008)
<http://www.dom.state.ia.us/local/city/index.html>
 "City Tax Rates" Spreadsheets - Fiscal Year 2007 through Fiscal Year 2000
<http://www.dom.state.ia.us/local/city/prop-tax-archive.html>

UNIVERSITY HEIGHT DEBT LIMIT / INDEBTEDNESS					
	<u>Taxable Value</u>	<u>Prop Tax</u>	<u>Debt Limit</u>	<u>Indebtedness</u>	<u>Prcnt Limit</u>
2000		\$290,479	\$2,821,352	\$230,000	8.2%
2001		\$300,040	\$2,975,963	\$195,000	6.6%
2002		\$323,982	\$2,961,211	\$160,000	5.4%
2003		\$338,948	\$3,251,929	\$125,000	3.8%
2004		\$363,626	\$3,281,710	\$85,000	2.6%
2005		\$369,738	\$3,539,395	\$45,000	1.3%
2006		\$372,504	\$3,554,648	\$0	0.0%
2007	\$41,300,703	\$422,175	\$4,279,324	\$0	0.0%
2008	\$41,125,810	\$425,379	\$4,304,433	\$240,000	5.6%
2009	\$45,620,365	\$495,054	\$4,925,162	\$218,000	4.4%
	\$49,222,413				
<i>Data from:</i>	<i>Form 635.1</i>	<i>Form F-66</i>			

TABLE 3

JOHNSON COUNTY CITY DEBT SERVICE LEVIES (by 2010)				
	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2010</u>
IOWA CITY	3.87900	3.78575	4.30272	4.21934
CORALVILLE	2.06883	2.06890	2.01941	2.01730
TIFFIN	1.34889	3.24481	3.22446	1.80408
LONE TREE	2.80443	2.70003	1.34575	1.48125
NORTH LIBERTY	1.29922	0.97873	1.05585	0.97008
OLON*	1.21265	0.67500	0.92570	0.94840
UNIVERSITY HEIGHTS	0.00000	0.00000	0.69004	0.64221
HILLS	0.00000	0.00000	0.00000	0.00000
OXFORD	0.00000	0.00000	0.00000	0.00000
SHUEYVILLE	0.00000	0.00000	0.00000	0.00000
SWISHER	0.00000	0.00000	0.00000	0.00000
<i>* includes separately assessed Capital Improvement Reserve Levy of 0.6750</i>				
All entries from Forms 635.1 (item 70)				
[available at http://165.206.254.124/budget-results.asp?county_no=52]				

TABLE 4

**ESTIMATED FINANCIAL EFFECT OF DIFFERENT POSSIBLE REDEVELOPMENTS
OF SAINT ANDREW PRESBYTERIAN CHURCH PROJECT PARCELS**

<i>ESTIMATED ASSESSED VALUE OF PROJECT PARCELS</i>	
<i>AS R-1 LOTS</i>	
9 Lots @ 85K	\$765,000
24 Lots @ 85K	\$2,040,000

<i>Estimated Taxable Values</i>	<i>Estimated City Tax Revenues</i>
<i>(2009 Res. Rollback = .469094)</i>	<i>(2009 City Levy=.1104972)</i>
\$358,857	\$3,965
\$956,952	\$10,574

<i>ESTIMATED ASSESSED VALUE OF PROJECT PARCELS</i>	
<i>AS IMPROVED R-1 RESIDENCES</i>	
9 Lots @ \$482,600	\$4,343,400
24 Lots @ \$482,600	\$11,582,400

\$2,037,463	\$22,513
\$5,433,234	\$60,036

<i>ESTIMATED ASSESSED VALUE OF PROJECT PARCELS</i>	
<i>AS 6/3/RESIDENTIAL/COMMERCIAL PROJECT*</i>	
Residential	\$39,152,589
Commercial	\$8,328,116
TOTAL	\$47,480,705

\$18,366,245	\$202,942
\$8,328,116	\$92,023
\$26,694,361	\$294,965

<i>ESTIMATED ASSESSED VALUE OF PROJECT PARCELS</i>	
<i>AS 4/2/RESIDENTIAL PROJECT</i>	
Residential / TOTAL	\$30,497,805

\$14,306,337	\$158,081

* At 65% commercial rollback currently being proposed by gubernatorial candidate Terry Branstad, estimated commercial taxable value would be \$5,413,275 with resulting estimated city tax revenues of \$59,815 (commercial only) and \$262,757 (total).

SOURCES

- <http://www.university-heights.org/BuildZoneSanit/zoning/ZoningComComm071410.pdf>
- <http://www.university-heights.org/BuildZoneSanit/zoning/MaxwellResponseFurtherInfo.pdf>
- <http://www.johnson-county.com/auditor/re/2009%20Levies%20Payable%20FY11.pdf>

at PDF page

- 17 & 21-23
- 4
- 1 & 2

STATEMENT PRESENTED TO UNIVERSITY HEIGHTS CITY COUNCIL
Public Hearing on Proposals for Rezoning Site of Saint Andrew Presbyterian Church
Tuesday, September 14, 2010
Pat Bauer - 338 Koser Avenue

I grew up in a political tradition where “compromise” was not a vice and unwillingness to change one’s position in the face of significant new considerations was not a virtue.

From mid-summer onward, I have been advocating a sensible center position that would avoid the head-on collision towards which our community appears to be heading. The 4/2/residential alternative is fully responsive to such concerns as the appropriateness of increasing the parcel’s density of use and the advantages of substantially increasing in our tax base. Its elimination of commercial use, however, would reduce the amount of necessary surface parking by 80%, would cut by 2/3 the volume of increased traffic, and most importantly, would be directly responsive to the entirely legitimate concerns of owners of adjacent properties.

Supporters of the Maxwell proposal have advanced “principles of smart growth” in a highly selective manner that ignores the holistic manner in which such principles are intended to function and be applied. Any contention that the 4/2/residential alternative would not itself be a “walkable/livable” community greatly overstates the importance commercial uses will have to those living in or around this development and greatly understates the fact that the circumstances making both proposals “walkable” and “livable” are the parcel’s close proximity to the UI campus and downtown Iowa City and its location in the midst of a lovely existing neighborhood that the 6/3/residential-commercial proposal most certainly will change.

We now find ourselves in the midst of a difficult combination of circumstances. We are considering particular proposals with all the distorting pressures that involves, but those proposals are necessarily speculative because nothing will happen unless the Church decides to move some years hence and even then what will happen is subject to some number of additional uncertainties. Supporters who are attracted to the idea of a specific person doing a specific thing must realize that this rezoning necessarily will have the effect of allowing other persons to do other things.

As the City Attorney’s legal report clearly points out, the rezoning Mr. Maxwell is seeking is not specific to him and will extend to anyone else to whom either the Church or Mr. Maxwell subsequently may choose to sell the parcel. Steve Ballard has served our community exceptionally well by drafting an ordinance that will facilitate subsequent specification of certain aspects of particular uses, but as he himself stresses if this ordinance is passed the essential nature of those uses to a considerable extent may not be readily changeable (top of page 2) and the City may “have a substantial tangle on its hands” if it wants to return the parcel to its present zoning.

The result of how things have unfolded is a substantial “overhang” of considerable uncertainty in which a rezoning will allow someone to do something at some point in time in the next six to nine years. Those with homes on Mahaska or Monroe or Ridgeview can safely assume the best and inform potential buyers of the amenities that may be forthcoming in a few years up where the Church is now. Those considering purchasing a house on Sunset or Grand or Melrose,

however, probably will just as predictably assume the worst and the investments the owners of those homes have made in their properties accordingly may be at considerable risk throughout the entire period of time the redevelopment of this parcel is a looming possibility of unspecified proportions and uncertain duration. I have provided Councilors with the Home Equity Assurance Program adopted by the City of Oak Park, Illinois, and again stress the importance of doing something of that sort to protect our neighbors against the costs that may be imposed by pursuing the vision of a town center at what may well turn out to be their expense.

You have before you one proposal that continues to divide our community and an alternative that seems acceptable to a large part of our community. You're being asked to take action now even though actual development probably will not occur for another half-dozen years, but the resulting overhang of uncertainty will generate costs from tonight forward for some years to come.

In the context of such circumstances, approving the 4/2/residential alternative is the best way to go. If and when the church decides to move, Mr. Maxwell or perhaps someone else will be free to come forward with concrete proposals for commercial uses that are both near at hand and that can be more accurately evaluated in the context of other developments that may have occurred in the intervening years. The 4/2/residential alternative is an appropriately cautious way of proceeding, and I hope you will accept the Zoning Commission's recommendation that it be adopted and that the 6/3/residential-commercial rezoning application be denied.

From: "Carolyn Schnell" <schnell.carolyn@gmail.com>
Subject: Maxwell Project
Date: Wed, October 6, 2010 11:02 pm
To: mike-haverkamp@university-heights.org,stan-laverman@university-heights.org,jimlane@yahoo.com,brennan-mcgrath@university-heights.org,pat-yeggy@university-heights.org,louise-from@university-heights.org

I am opposed to the Maxwell Project for several reasons, all of which have been expressed before. I ask you to please vote no or, at least, vote to defer further voting until after January. Your neighbors have spoken eloquently and with sound reasoning. Please do not continue to disregard our pleas. Let the community of University Heights decide its future.

Carolyn Schnell
1409 Grand Ave.

From: "John Yapp" <John-Yapp@iowa-city.org>
Subject: RE: Questions About Appropriate Timing of Zoning Changes
Date: Thu, 7 Oct 2010 11:49:40 -0500
To: "Bauer, Patrick B" <patrick-bauer@uiowa.edu>
Cc: "Mike Haverkamp - Council" <mayhem@ia.net>, "Jim Lane - Council" <jimlane@yahoo.com>, "Stan Laverman - Council & Mayor Pro Tem" <stan-laverman@university-heights.org>, "Brennan McGrath - Council" <brennan-mcgrath@university-heights.org>, "Patricia Yeggy - Council" <patbirk@yahoo.com>, "Louise From - Mayor" <louise-from@university-heights.org>, "Steve Ballard" <ballard@lefflaw.com>, "Pat Ford" <ford@lefflaw.com>, "Candace Erickson" <erickson@lefflaw.com>, "Kent Ralston" <Kent-Ralston@iowa-city.org>

Good morning Pat - yes this is accurate in the context of rezoning property for a higher density residential/commercial development. It is typical practice to rezone land to a higher density in conjunction with a development proposal for a couple reasons: It allows the public to 'see' and react to what is being proposed; and it allows the municipality to tie conditions and criteria to the rezoning ordinance for the property. If and when land is 'pre-zoned' for higher density development, the municipality loses the opportunity to attach any conditions to future development, as the land has already been granted property rights for higher density development.

The Planned Unit Development (PUD) process is essentially a rezoning process with a development plan tied to the rezoning.

Whether the "4/2" proposal, the "6/3" proposal or another development proposal is ultimately adopted, the PUD ordinance should reflect what the City's (as enumerated by the City Council) desires are for minimum and maximum standards for the development including density, height, setback, parking, etc.

Does this answer your question? Let me know if you have any follow-up questions.

John Yapp, JCCOG

From: Bauer, Patrick B [mailto:patrick-bauer@uiowa.edu]

Sent: Wednesday, October 06, 2010 5:15 PM

To: John Yapp

Cc: 'Mike Haverkamp - Council'; 'Jim Lane - Council'; 'Stan Laverman - Council & Mayor Pro Tem'; 'Brennan McGrath - Council'; 'Patricia Yeggy - Council'; 'Louise From - Mayor'; 'Steve Ballard'; 'Pat Ford'; 'Candace Erickson'

Subject: Questions About Appropriate Timing of Zoning Changes

Dear John,

The stated reasons Mike Haverkamp provided in support of his vote against Ordinance No. 181 at last month's meeting included the following:

At our March council meeting I asked John Yapp as the JCCOG representative - we seem to have statements in our Comprehensive Plan that we would like to see greater density in spots of town, yet we are basically zoned R1 in our residences - we have no other residential zoning - wouldn't it make sense that there might be some other places where we might end up with zoning that would change to reflect what we wanted to do in the comprehensive plan and John's answer was actually you probably don't want to be zoning ahead of any specific proposals or plans, and I think that bears out with what Steve has mentioned to us several times about the idea of an expectation of a zoning and trying to change a zoning back there's an expectation there of what is valuable and what is material.

I certainly recall you saying something to the effect at the March meeting but wanted to check with you to see (1) if the bolded passage accurately reflects your thinking in this regard, (2) the consequences of your thinking in this regard in the circumstances of Ordinance No. 181 (4/2/residential), and (3) the consequences of your thinking in this regard in the circumstances of Ordinance No. 180.(6/3/residential-commercial).

Thanks in advance for getting back to me about this, and please call if you have any concerns about any aspect of the questions I'm asking.

Best regards,

Pat

From: "Brennan McGrath" <brennanmcg@gmail.com>
Subject: Re: Council Mail
Date: Thu, October 7, 2010 7:22 am
To: "mike-haverkamp@university-heights.org" <mike-haverkamp@university-heights.org>
Cc: "ballard@lefflaw.com" <ballard@lefflaw.com>

Sounds good to me. I've got everything in to date.
Thanks

I would also like to know from Steve the timing of when emails, ie:
last one from Shive Hattery, should become public knowledge and how.
I'm guessing presenting at the meeting will do.

i Sent from my Phone4.1
Brennan McGrath,CSW
319-855-0050

On Oct 7, 2010, at 6:24 AM, mike-haverkamp@university-heights.org wrote:

> Brennan,
>
> My understanding is that all email received by council and all email sent
> by council members regarding the development should be made available. Any
> response you made to a group letter, or to an individual one should be
> included.
>
> So I suppose if you didn't respond to a group email you wouldn't need to
> include it, but I was unaware of some of the "group" email because my
> address was misspelled. If I hadn't gotten them from others they wouldn't
> have been included.
>
> I'm copying Steve on this in hopes that he can provide input too?
>
> -Mike
>
>
>
>> mike,
>> to clarify, you only need emails that have been sent only to me. it
>> seems redundant to send you emails that have been addressed to the
>> entire council.
>> please let me know.
>> Brennan
>>
>> i Sent from my Pad
>>

>> On Oct 6, 2010, at 9:26 PM, "mike-haverkamp@university-heights.org"
>> <mike-haverkamp@university-heights.org> wrote:
>>
>>> Fellow Councilors,
>>>
>>> I would ask that once again collect your received and sent mail and put
>>> it
>>> into a single word processing document and send it to me. This would be
>>> all mail received and sent regarding the development since you sent me
>>> your last document. I will compile them and post to the city's website.
>>> I
>>> have received many fewer so I think it would be manageable to send both
>>> sent and received in a single document.
>>>
>>> If I could get these by Saturday I'll make sure to have them on the city
>>> website by Monday morning.
>>>
>>> Thanks for your help!
>>>
>>> -Mike

From: mike-haverkamp@university-heights.org
Subject: Re: Sunset / Melrose
Date: Sat, October 9, 2010 8:36 pm
To: "John Yapp" <John-Yapp@iowa-city.org>
Cc: jim-lane@university-heights.org,stan-laverman@university-heights.org,brennan-mcgrath@university-heights.org,pat-yeggy@university-heights.org,louise-from@university-heights.org,ballard@lefflaw.com

John,

I appreciate the work you and Kent have done. I am encouraged that there are other options as to improving the intersection, while still protecting the ravine.

As to where to go from here, I am copying the rest of the council on this, and I would like to recommend at the October meeting we direct JCCOG to begin an analysis.

Thanks,

-Mike

> Mike - As we discussed, Kent and I have discussed the intersection
> options at Sunset / Melrose, and Kent has done more investigating into
> what may / may not be possible given the existing geometry, the ravine,

> and traffic patterns.

>

>

>

> We have come to some conclusions:

>

>

>

> 1) We do not recommend a 'Five leg' intersection be pursued. It
> would create more turning movement conflicts than are there now, it
> would cause more delay and congestion (and therefore the likelihood of
> more cut-through traffic on Grand Ave, Koser, etc), and it is more
> land-consumptive.

>

> 2) At the planning/cursory level of analysis, a round-a-bout can
> be pursued – it appears it would fit without too much property
> acquisition. We recommend it be a four-leg round-a-bout if it is
> pursued. If this is something U-Heights is interested in, the next step
> is for us to sit down with Shive-Hattery, Jeff Maxwell and other
> interested parties and start to lay something out to see if there are
> any fatal flaws.

>

> a. There are pros and cons with a round-a-bout: Pros: Less
> traffic congestion, opportunity for public art within the round-a-bout,
> typically fewer collisions. Cons: Not as pedestrian-friendly due to
> traffic never really stopping, more land-consumptive, can be confusing
> to out-of-town motorists not familiar with the round-a-bout.

>

> 3) We still recommend the north leg of Sunset be straightened, but
> it does not need to be as much as reflected on the Maxwell plan. It
> appears it can be straightened enough to allay some of our traffic
> concerns without affecting the ravine nearly as much.

>

>

>

> My question is where do we go from here? My suggestion is that we see
> how the conversation goes at the upcoming Council meeting and that the
> Council as a group request JCCOG to prepare analysis and/or meet with
> the developer on some of these items.

>

>

>

> Thanks, and have a good weekend.

>

>

>

> John Yapp

From: mike-haverkamp@university-heights.org
Subject: Re: Maxwell proposal: upcoming meeting
Date: Sat, October 9, 2010 10:24 pm
To: "Hettmansperger, Sue E" <sue-hettmansperger@uiowa.edu>

Dear Sue,

Thank you for your letter. I appreciate the opinions of experts, and the time you've taken to secure them. The two questions you ask of the council are fair and I will certainly consider them.

-Mike

> Dera Mayor and Councilors,
>
> Attached you will find a word document that discusses some issues
> pertinent to the upcoming meeting scheduled for next Tuesday night. I
> would like to add this letter to the documents you have concerning the
> Maxwell Proposal. Please feel free to respond with any questions you
> might have. Thank you very much.
>
> Sincerely,
>
> Sue Hettmansperger
> 114 Highland Drive
>
>
>
> Oct. 7, 2010
>
> Dear Mayor, Councilors,
>
> In previous months, I have written three short comments to the council
> stating my opposition to the Maxwell proposal. As a Professor of Art, I
> frequently evaluate the content in representations, simulations, and
> pictures. In this letter I will further discuss some of my observations
> of the project visualizations provided by the developer, in order to point
> out the hidden assumptions of the images and representations. Although
> the developer has produced "computer generated simulations," I believe
> that such images and simulations are limited and appear to distort space,
> making it difficult to approximate true three dimensional space and mass
> on a flat two dimensional plane. I recently consulted a local architect
> who also raised concerns about the simulations. The developer has been
> asked to produce a 3-D scale model during several meetings and in
> correspondence on July 14, July 15 and July 22, but has not complied with
> those requests.

>
> When printed, the 2-D flat drawings of the two buildings provided by the
> developer occupy the same amount of space on each formatted page, at
> apparently larger and smaller scales, front and back. There are a number
> of mitigating visual devices that a 2-D representation has at its
> disposal. The casual observer does not realize the two different scale
> representations of the front and rear buildings, and perceives them to be
> roughly the same because they occupy about the same amount of space in the
> image on the page format. Relative scale comparisons to the surrounding
> neighborhood are impossible to make with a two dimensional visualization
> that bears no scaled relationship to context and the size of a volumetric
> nearby house.

>
> When projected, the powerpoint slides produced by the developer have shown
> the back building as visually diminished. In some of the images
> telescoping (or greatly diminishing) one point perspective leads our view
> to the North rear building, where it appears to be depicted at a smaller
> scale. As you know, the rear building ascends to six stories, 76' at its
> highest point, while the south front building rises to 38'. The
> perspective seems to have shrunk the rear building. Even if it sits on
> somewhat lower sloping ground, would we not see the top stories behind the
> screen of the front 3-story building at 38'? Perspectival conventions like
> these make scale comparisons impossible to assess. These are pretty
> pictures, idealized views that present us with a best-case scenario.
> Hence, they are pictures that do not provide real information, but a
> cosmetic approximation. Therefore, the visual information on which you are
> asked to make a decision appears to be presented in a way that downplays
> the most problematic aspects of mass and scale. The idea put forward that
> one will not be able to see the building is made dependent on deciduous
> trees blocking the view. Half the year, in the fall and winter, there is
> no foliage, so all of these visual simulations should have been done in
> winter mode, when leaves do not obscure the view. To use masses of tree
> boughs to hide what is going to be there is misleading.

>
> The developer and architect have shown an unwillingness to present a
> three-dimensional model so we may more fully judge scale and mass relative
> to surrounding homes. When the Zoning Commission asked for such a model,
> Monson deferred, saying it would only give a bird's eye view. I would
> point out that the visceral impact of a 3-D actual model is not simply a
> bird's eye view—it is an object in the same space our human bodies occupy,
> and would give us a better idea of what we are asked to approve.

>
> In order to measure the accuracy of my assessment, I showed some of the
> simulated printout views to a professional architect who does
> computer-aided design. This person (who wishes anonymity for professional
> reasons) told me I was right in thinking the pictures, elevations and
> sections, had been produced with different scales between the front and

> rear buildings, (smaller scale for the rear building.) According to city
> codes for any project approval, it is standard to present a project using
> a consistent scale representation, except for details. The architect I
> consulted asked why the aerial view was not also done from the north,
> looking south, because the aerial view seen from the south looking north
> also looks out of scale, and visually diminishes the rear building. This
> expert said the perspectives appear to have been generated in a computer
> software program that is capable of translating into Rapid Prototyping
> using WRL extension, which contains the data needed to produce a model.
> The university actually has such a machine (available for public use for a
> fee), which will also plot the ground slope that the buildings sit on. A
> model should be done in color so the result is more accurate, for
> comparison. The architect I consulted was quite surprised at the
> limitations of what pictures we have been given, and recommends the
> developer produce the model, which can be done quickly, and present
> drawings using equal scale (plan drawings, elevations and sections). It
> is evidently normally expected when projects come up for approval that
> scale should always be consistent (universal) and that 3-D models are
> employed for accurate decision-making.

>

> I also spoke with Daniel Langstraat, who works at Information Technologies
> at the University of Iowa, (daniel-langstraat@uiowa.edu
> <mailto:daniel-langstraat@uiowa.edu>). He is the person who does the
> rapid prototyping at UI, where he estimates the cost is likely to be just
> a few hundred dollars. He could not give me a definitive estimate because
> we don't know the size of model yet. He said architects in town usually
> have a commercial place they use regularly for cheap models, but the less
> expensive ones would likely be foam, and not have color detailing.

>

> This information leads to two questions: 1. Why hasn't the council asked
> for an accurate scale model to be produced? 2. Could it be that the
> council is making decisions based on faulty and inadequate visualizations
> and simulations?

>

> I feel it would be problematic to move forward with the rezoning in the
> absence of clear and accurate information on the relative scale and mass
> of the project. The developer and architect understand the massive impact
> of the building on the site and on the community. This could be why they
> have not furnished a 3-D model, preferring to use 2-D visual pictures to
> mitigate how the project will actually be experienced. During the last
> council meeting we heard many cogent arguments for why this project should
> be approached more carefully, with a more critical and analytical eye
> toward an awareness of ramifications and potential problems. The council
> demonstrated more concern about what would be acceptable to the developer
> than what would be reasonable to the citizens they were elected to
> represent. Elected leaders must represent all the citizens' concerns, not
> just a supposed "silent majority" that is inexplicably not present at

- > meetings and not provable. Council members must be careful not to fall
- > into a situation where uncritical support trumps all efforts to see the
- > project objectively and critically. Residents who own impacted property
- > are important stakeholders and must not be dismissed. This would be a
- > radical and abrupt alteration of our community, which is not in keeping
- > with “smart growth” principles. The comprehensive plan that some have
- > cited to justify their positions simply outlines a possible path our
- > community may take, and not something set in stone. We should be careful
- > when invoking the authority of the plan---such plans are meant as rough
- > guides, not mandates for all future decisions.
- >
- > Tracing the history of this discussion in documents:
- >
- > On June 4, 2010: John Yapp advised Pat Bauer, “the Planning and Zoning
- > Commission are well within their rights to request this type of model to
- > help clarify issues and address issues raised by a rezoning application,
- > particularly if the rezoning application is for a structure not normally
- > permitted without a rezoning process. Architects will usually have done
- > this type of model already for their clients, for significant buildings. A
- > Zoning Commission is able to request additional information which will
- > assist their analysis”...
- >
- > On July 14, 2010: In a staff report by John Yapp and Kent Ralston,
- > “Regarding the proposed residential structure at the rear of the property:
- > University Heights representatives should discuss what scale of building
- > is appropriate for this site given the height, character, and setback of
- > the building. Although the developer has provided computer generated
- > simulations of how the proposed buildings may appear from north, south,
- > east and west, it may be helpful for the developer to produce a scale
- > model of the PUD so that decision makers can grasp the scale and bulk of
- > the buildings in the proposed setting.”
- >
- > This report of July 14 2010 summarizes, “University Heights
- > representatives should discuss what mass and scale of building(s) are
- > appropriate for this site; we recommend the developer produce a 3D scale
- > model or additional computer generated simulations of how the buildings
- > will appear on site in relation to the surrounding neighborhood.”....”A 3-D
- > scale model of the site could address these perceptions by showing the
- > proposed buildings in concert with proposed grading, set-backs, and
- > vantage points from street level.”
- >
- > July 15, 2010: In the Zoning Commission Regular meeting, “Chair Bauer
- > stated that JCCOG had recommended the developer create a 3-D model of the
- > proposed development and asked Monson if a model had been created. Monson
- > stated that 3-D models did not give a good representation of the size and
- > scope of the project as it would be from a bird's eye view. Kent Ralston,
- > Assistant Transportation Planner for JCCOG, stated that they made that

> recommendation to give citizens as much information about the project as
> possible. Monson stated they could provide 3-D computer generated models,
> from any angle, to show the commission and public at the next Zoning
> Commission meeting.”

>

> July 22, 2010: Again, in the Zoning Commission meeting, “Bauer asked why a
> 3-D model had not been constructed, and Monson stated that the perspective
> with a 3-D model is from above the development and he felt it was more
> critical to see the development from the ground level. Bauer stated that
> requests had been made for images from the adjoining boundaries of
> adjacent properties, but views from those points were not included in the
> presentation.”

>

> Thank you for your attention to these issues.

>

> Sincerely,
> SueHettmansperger
> 114 Highland Drive

>

From: "Alice Haugen" <alice.haugen@gmail.com>
Subject: Re: Background material for a requested amendment to ordinance 180
Date: Sun, October 10, 2010 5:21 pm
To: mike-haverkamp@university-heights.org
Cc: stan-laverman@university-heights.org,jimlane@yahoo.com,brennan-
mcgrath@university-heights.org,pat-yeggy@university-heights.org,louise-
from@university-heights.org

Mike,

Thanks very much for the time and thought considering the materials, and for sharing the email from John Yapp.

I am trying to imagine what the alternatives are that he suggests. I've tried to sketch some possibilities:

This one involves a westward bend in the existing Sunset onto the new development's exit.

[image: four way with turn.jpg]

This one involves a fork after a car crosses over Melrose.

[image: four way with fork.jpg]

Both of these also look problematic to me, and something like them would be needed for either a four way intersection or a four way roundabout.

Please consider moving to table the second vote until the traffic question

can be addressed. If there is no good solution to the second access, that is something that the council needs to know before you vote.

I would be very willing to take part in any discussions about these questions, either at this stage or later on.

Warm regards,
Alice Haugen

On Sat, Oct 9, 2010 at 10:40 PM, <mike-haverkamp@university-heights.org> wrote:

> Alice,
>
> I have spent time over the weekend looking through the documents you left
> with me on Thursday, and your email containing the request to exclude the
> ravine property from amendment 180. The question I keep coming back to is
> "Does this amendment really need to happen at the zoning level or, are the
> questions of access and street design more appropriately addressed at the
> PUD application process?" I have to come to the conclusion that it should
> be the latter. I will not move the amendment.

>
> I do believe that the much of the ravine can be protected. I was heartened
> by the email below from John Yapp that I opened today (Saturday):

>
> From: "John Yapp" <John-Yapp@iowa-city.org>
> Subject: Sunset / Melrose
> Date: Fri, October 8, 2010 10:34 am
> To: mayhem@inav.net
> Cc: "Louise From" <louisebob@mchsi.com>,"Kent Ralston"
> <Kent-Ralston@iowa-city.org>

>
> Mike – As we discussed, Kent and I have discussed the intersection
> options at Sunset / Melrose, and Kent has done more investigating into
> what may / may not be possible given the existing geometry, the ravine,
> and traffic patterns.

>
> We have come to some conclusions:

>
> 1) We do not recommend a 'Five leg' intersection be pursued. It
> would create more turning movement conflicts than are there now, it would
> cause more delay and congestion (and therefore the likelihood of more
> cut-through traffic on Grand Ave, Koser, etc), and it is more
> land-consumptive.

>
> 2) At the planning/cursory level of analysis, a round-a-bout can be

> pursued – it appears it would fit without too much property
> acquisition. We recommend it be a four–leg round–a–bout if it is
> pursued. If this is something U–Heights is interested in, the next step
> is for us to sit down with Shive–Hattery, Jeff Maxwell and other
> interested parties and start to lay something out to see if there are
> any fatal flaws.
>
> a. There are pros and cons with a round–a–bout: Pros: Less
> traffic congestion, opportunity for public art within the round–a–bout,
> typically fewer collisions. Cons: Not as pedestrian–friendly due to
> traffic never really stopping, more land–consumptive, can be confusing to
> out–of–town motorists not familiar with the round–a–bout.
>
> 3) We still recommend the north leg of Sunset be straightened, but
> it does not need to be as much as reflected on the Maxwell plan. It
> appears it can be straightened enough to allay some of our traffic
> concerns without affecting the ravine nearly as much.
>
> My question is where do we go from here? My suggestion is that we see how
> the conversation goes at the upcoming Council meeting and that the Council
> as a group request JCCOG to prepare analysis and/or meet with the
> developer on some of these items.
>
> Thanks, and have a good weekend.
>
> John Yapp
>
> This is me (Mike) writing again:
>
> The first step is zoning. If amendment 180 is approved then a PUD
> application will have to come at some future time. I am very interested in
> looking at what the options are to redesign intersection. I know that you
> will be disappointed in conclusion #1, but I hope, that like me, you see
> that conclusion #3 allows for protection of part of the ravine, I’d
> certainly like to know how much. I also know that recommendations from
> JCCOG are just that, recommendations. Perhaps in a final analysis a
> five–point intersection would be the best solution.
>
> I would think that when recommendation #2 lists “other interested parties”
> that you would participate in that discussion. Given the amount of time
> and work you have put into this issue, I will certainly advocate that you
> be part of the process.
>
> Please do not hesitate to contact me if you have any further questions,
> otherwise I’m sure I’ll see you on Tuesday.
>
> –Mike

>
> > Dear city council members and mayor,
> >
> > At the city council meeting next Tuesday I will be requesting that
> > ordinance
> > 180 be amended. I am attaching background material to explain that
> request
> > today, so that you may have several days to consider it. I will bring
> > paper
> > copies to the council meeting but if you would like one before then
> please
> > let me know and I will bring you one.
> >
> > Please let me know that this message arrived and that the attachment
> > opened
> > for you. Thank you for your consideration.
> >
> > Warm regards,
> >
> > Alice Haugen
> > 1483 Grand Avenue
> >
> >
> >
> > Ring the bells that still can ring
> > Forget your perfect offering
> > There is a crack in everything
> > That's how the light gets in.
> >
>
>
>

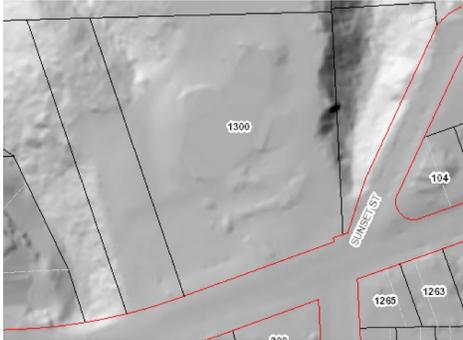
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Peace +

Alice

Ring the bells that still can ring
Forget your perfect offering
There is a crack in everything
That's how the light gets in.

Save the Ravine

Why the Maxwell proposal plans to fill the east ravine

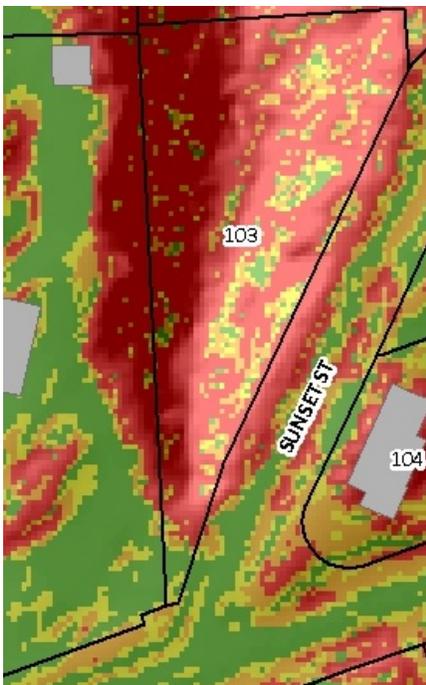


The Maxwell proposal [1] intends to fill in much of the ravine to the east of St. Andrew Presbyterian Church (SAPC). The SAPC site is a peninsula, surrounded by ravines to the east and west and steep slopes to the north. SAPC has one access, onto Melrose Avenue at the southwest corner. However the Maxwell project is a big one and needs a second access [2]. The project will use the filled ravine to reroute Sunset Street and provide the second access that this project needs.

The ravine needs to be saved

Filling the east ravine is a very poor way to provide access for this project. Filling it would be illegal, unsafe, and irreversible. Moreover it is **unnecessary** to fill the ravine for the project to be built.

Filling the ravine is illegal



In the present proposal all trees in the ravine (more than sixty) will be cut down. The southern portion will be filled to level with Melrose. The rest of the ravine will be extensively graded to smooth the new surface back down in the northern end of the ravine. I will call all of this (felling trees, filling the south and grading the north) “filling the ravine.”

The east ravine is very steep. The map at left was made by the Johnson County GIS service [3]. The red portions are greater than 40% slopes. Under the University Heights sensitive areas ordinance [4], slopes that are this steep

“shall not be graded and must remain in its existing state, except natural vegetation may be supplemented by other plant material”

Therefore the extensive remodeling and destruction of trees that the Maxwell proposal plans would be illegal under the University Heights sensitive areas ordinance. While an ordinance can be changed, this would be inconsistent with all other cities' sensitive areas ordinances that I have read and unwise for structural reasons.

Filling the ravine is unsafe

Filling the ravine has risks at all stages of the project. In the early stages the trees will be removed to begin grading. In a wet spring or summer, the ravine could erode south and cut into Melrose Avenue.

Filled land takes a long time to settle. All of the trees removed will leave their root systems underground where they will rot over time and contribute to settling. The fill that is added will also settle over time. The redirected Sunset Street would be at high risk for subsiding over time.

Very limited	
Too steep	1.0
Frost action	1.0
Low strength	1.0
Shrink-swell	0.5

A Conservation Service Web Soil Survey [5], based on the National Cooperative Soil Survey, shows strongly that this ravine is very poorly suited to building a road. It is "very limited" in its potential with the worst possible scores for steepness, frost action and strength. The full report is available if desired.

Filling the ravine is irreversible

The decision to permit filling the ravine is extremely serious, because there is no way to undo this action once it is started. The trees in the ravine will take decades and even over a century to return the growth that is there now. We pride ourselves on historical preservation in this town; surely preserving natural history is equally important.



This bur oak located by the ravine off Sunset Street is significantly older than University Heights, yet is just one of many mature trees that will be killed if the current St. Andrew plan goes forward.

The bur oak is the state tree of Iowa. This bur oak may have been a sapling when Iowa became a state.

Bur oaks are very strong trees, resistant to fire, violent storms and tornadoes. It is possible that this bur oak is holding the head of the ravine just north of Melrose Avenue.

Filling the ravine is illegal because of its steep slopes, unsafe because the filled land would be unstable and an irreversible loss of some of our history. However, there is another way to provide a second access to the site, so that filling the ravine is **unnecessary**.

Filling the ravine is unnecessary: the five way solution

Looking at the Maxwell proposal closely shows that the new connection with Melrose Avenue would lie next to the present northern end of Sunset Street. This means that an alternative for access would be a *five way* junction. This five way solution would allow direct access to Melrose from the development and leave the current north of Melrose neighborhood unchanged. Here are several representations of a five way intersection, one of the ways that a five way junction could be realized:

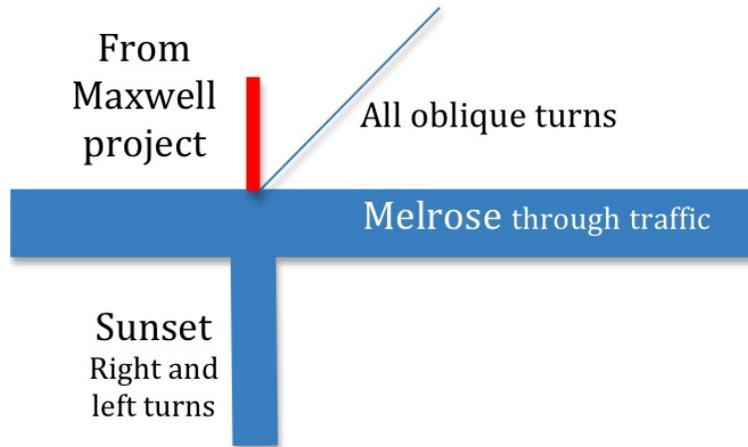


This does involve a five way junction, which in general is not the preferred design for an intersection. However in discussions with a JCCOG traffic planner it was clear that all the circumstances are considered when planning an intersection. In some situations a five way junction is the best solution.

The traffic data from JCCOG (**next page**) show why this situation is one that is well suited to a five way junction. There is very little traffic on the oblique leg, the northern end of Sunset Street, so that this would be functionally a four way junction.

How would traffic flow through a five way intersection?

Source: JCCOG observations and projection



- The width of the line is proportional to the number of trips
- Horizontal line shows all through trips on Melrose
- Lower vertical line shows northbound trips on Sunset that ended in a left or a right turn and trips on Melrose that turned onto Sunset
- Oblique line shows all oblique turns, whether from Melrose or Sunset in any direction
- Red vertical line shows the estimated trips added at a five way intersection to the Maxwell project

Peak hour trips (~25% of total daily trips)

Melrose through	2076
Sunset right angle	1336
Oblique	56
New from Maxwell project (estimated)	375



Another way that a five way junction could be realized is through a roundabout. This sketch shows what such a roundabout might look like. This intersection is pre-adapted for conversion to a roundabout because three of the four existing legs are three lanes wide and provide leeway for design.

A third alternative would be a graded grass exit at this site, used only in emergencies.

Advantages of the five way solution

The five way solution offers many advantages over filling the ravine. The five way solution:

- Preserves an environmentally sensitive and unstable ravine
- Preserves over sixty trees
- Helps screen noise and light of the development from the adjacent neighborhood
- Allows better traffic flow inside the development
- Strictly separates traffic from the development and traffic on Melrose

Other environmental impacts of the project

The Maxwell plan proposes to fill the ravine because the project is so big that it needs a second access. Although filling the ravine is the most serious environmental impact of the project, the rest of the site is also significantly affected.

Extensive grading

To fit in the two large buildings, the plan proposes to grade the whole SAPC site. However it also proposes to grade well beyond the property boundaries and would grade land belonging to the University of Iowa and private property to the northeast whose owner has not granted an easement. This picture is based on Maxwell's plan and the bold lines show the new contours after grading:



Loss of trees

Because of this extensive grading a large number of trees will be removed. A count from the road and surface of SAPC shows that over 140 trees will be cut down; a count that included trees inside the ravine would be higher still. What does that look like?



St. Andrew Presbyterian Church is a wooded site with the building framed by trees. The trees conceal the steep slopes to the east, west and north-west. These steep slopes will be graded and that requires removing trees.



The brown areas indicate trees that will be removed. Some smaller trees at the front will also be removed. There are only three evergreens that the developer has indicated will be preserved

Back building on uncertain ground

The east ravine is very poorly suited for road construction as discussed above. The six story condominium building in the back will be built on a ravine. Its soil report states that it is “very limited” for construction of buildings with basements or small commercial buildings, with the most negative rating possible. This building is much bigger and would be even less well suited to the ravine. The full report is available if desired.

Best way to save the ravine

The best way to save the ravine is to follow the recommendations of the zoning commission [6] which has twice disapproved this proposal. Its large size is out of scale to the St. Andrew site and any project this big will have a significant negative impact.

Amend Ordinance 180

Ordinance 180 should be amended to keep future development out of the east ravine. I strongly urge the council to amend Ordinance 180 as follows:

In “Part I. Findings:” strike the words “and adjacent to” from the property description, so that the new words would read:

Whereas, the University Heights City Council hereby makes, adopts, and ratifies the following findings relating to the rezoning of certain real property owned by ~~and adjacent to~~ St. Andrew Presbyterian Church (hereinafter “the property”) for which a development application has been received that would require rezoning:

The property “adjacent to” SAPC is the odd lot containing the ravine. Deleting this phrase would leave the ravine zoned as residential 1. It would ensure that any future development would be done without harming the ravine.

In “Part II. Amendments:” add the following new section 6.F.3.:

3. Any development pursuant to a Multiple-Family Commercial PUD must be in full compliance with the provisions of Ordinance No. 128 (‘An Ordinance Regulating the Development of Sensitive Areas Within The City of University Heights’) existing on the date of the adoption of this amendment establishing a Multiple-Family Commercial zone.

Alice Haugen
1483 Grand Avenue

319-351-7302
alice.haugen@gmail.com

Many thanks to Thomas Haugen for various figures and L^AT_EX typesetting.

October 6, 2010

Sources

- [1] Maxwell proposal
http://www.university-heights.org/BuildZoneSanit/zoning/OneUniversityPlace_06_28_10.pdf

- [2] JCCOG report on the Maxwell development
<http://www.university-heights.org/BuildZoneSanit/zoning/JCCOGReportOneUnivPlacePUD.pdf>
- [3] Johnson County GIS online (currently being switched to the Property Information Viewer)
<http://www.johnson-county.com/arcims/jcmap/gis.cfm>
- [4] University Heights Sensitive Areas ordinance
<http://www.university-heights.org/ord/ord128.pdf>
- [5] Web Soil Survey
<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- [6] Zoning commission Majority Report
<http://www.university-heights.org/BuildZoneSanit/zoning/UHZCMajorityReport.pdf>

From: mike-haverkamp@university-heights.org
Subject: Re: Development
Date: Sat, October 9, 2010 10:42 pm
To: "June Braverman" <bravejune@gmail.com>

Hey June,

Thanks for your letter. Just to let you know I have been in contact with JCCOG since last meeting and asked that they work on what options are for the Melrose/Sunset intersection and protecting the ravine.

I do see those steps as coming later as part of the PUD process.

-Mike

> To the Mayor and Council Members:

>

>

>

> I am by training and experience a seasoned debator, debate coach and
> judge.

> I apply the following criteria to propositions I am studying:

> desirability,

> need and workability. Once again I ask you to consider these criteria

> relative to the Maxwell development.

>

> 1. Desirability

>

> Judging by the letters you have received and numbers of persons attending

> or

> speaking at community meetings it appears more residents oppose the

> development than welcome it. Several of you have commented that many more

> people favor the proposal but are reluctant to write or speak, perhaps

> because they feel intimidated. I might posit that many more people oppose

> the development but are reluctant to join the public outcry for the same

> reason! Or perhaps some wrongly assume the councilors should know what

> they

> are doing so their input is not necessary, OR many RIGHTLY assume the

> councilors have not answered the questions asked thus far or heeded

> suggestions made, so why bother.

>

> 2. Need

>

> Dismal current and future financial scenarios in University Heights have

> been crying points for several councilors. Documentation to the contrary

> as

> to the financial health of the community has been sent to you by Pat
> Bauer
> totally dispelling need as a basis for your vote. University Heights is
> not
> an ATM machine!
>
> 3. Workability
>
> Please refer to current documentation you have received from Alice and Tom
> Hauth and Sue Hettmansperger which address critical environmental concerns
> and inaccurate scale drawings . Perhaps then you will insist that Maxwell
> provide a correct three dimensional model before you come to the table to
> vote again.
>
>
>
> Since several principles of smart growth have been taken out of context
> to
> add validity to some councilors' support of the Maxwell project, I provide
> you with several which were overlooked:
>
>
>
> "Growth can create great places to live, work and play-if it responds to a
> community's own sense of how and where it wants to grow"
>
> "Smart growth directs development towards existing communities already
> served by infrastructure, seeking to utilize the resources that existing
> neighborhoods offer, and conserve open space and irreplaceable natural
> resources on the urban fringe!
>
> " Preserve Open Space, Farmland, Natural Beauty and Critical Environmental
> Areas"
>
>
>
> I rest my case.
>
>
>
> June Braverman

From: HopsonRC@aol.com
Subject: Traffic at 8:00 am
Date: Thu, October 7, 2010 7:17 pm

To: brennan-mcgrath@university-heights.org,jimlane@yahoo.com,louise-from@university-heights.org,mike-haverkamp@university-heights.org,pat-yeggy@university-heights.org,stan-laverman@university-heights.org

Council and Mayor:

Here is a taste of the traffic from this morning at the corner of Melrose and Sunset. The line actually goes around the corner. Adding 1500 cars per day originating from this site would be interesting.

Rosanne



From: mike-haverkamp@university-heights.org
Subject: Re: Community Survey for your consideration
Date: Sun, October 10, 2010 6:02 am
To: "Carolyn Brown" <cbrown@iowa-institute.org>

Thanks, Carolyn, I think this is certainly worth discussing at our meeting Tuesday.

-Mike

> Please review and consider the attached proposal for discussion at the
> upcoming council meeting.

>

>

>

> Sincerely,

>

>

>

> Carolyn J. Brown

>

> 1434 Grand Avenue

>

> University Heights

PROPOSAL FOR COMMUNITY SURVEY

Carolyn Brown
1434 Grand Avenue

At past junctures involving matters of decidedly less consequence and effective duration (e.g., support for library services contract, enactment/repeal of leaf burning ordinance), the University Heights City Council has initiated surveys to gauge opinions of residents on particular issues.

Limitations of Prior Readings of Resident Views

In the present circumstance, prior readings of resident views have involved various limitations:

- (a) The Citizen Survey conducted in Fall 2007¹ included views about such things as development, density, and commercial uses,² but the import of such views was qualified by the fact the survey occurred before redevelopment of the Saint Andrew Presbyterian Church parcels materialized as a possibility.
- (b) Assertions have been made that the November 2009 election should be viewed as a controlling gauge of resident views, but questions have been raised about the accuracy of claims made (e.g., financial emergency if development isn't approved), the obscuring effects of other considerations (votes for incumbents as means of honoring their service (versus support for Maxwell proposal)), and perhaps most fundamentally, the fact that the options existing in November 2009 would seem to have been "development v. no development" whereas this time around the options have become "Maxwell's development v. some other development".
- (c) Resident views were elicited early this year as part the process leading up to the adoption of revisions to the comprehensive plan.³ Although this effort encompassed a range of opinions about a host of specific matters, significant difficulties followed from the use of three not-terribly-well coordinated mechanisms: a public meeting (with 60 persons in attendance),⁴ an online survey (completed by 40 persons),⁵ and mail and e-mail correspondence (received from 15 persons).⁶

1. < http://www.university-heights.org/misc_pdf/2-Fall_2007_UH_Citizen_Survey-Questionnaire.pdf >

2. < http://www.university-heights.org/misc_pdf/3-Fall_2007_UH_Citizen_Survey-Results_of_Land_Use_Items.pdf >

3. < <http://www.university-heights.org/CompPlan10/process.html> >.

4. < <http://www.university-heights.org/CompPlan10/jccog/SummaryMeeting%2001-26-10.PDF> >

5. < <http://www.university-heights.org/CompPlan10/jccog/SummaryOnline%20Survey.PDF> >

6. < <http://www.university-heights.org/CompPlan10/jccog/SummaryCorrespondence.PDF> >

Rather disturbingly, however, on subsequent occasions JCCOG reports have mentioned the “quantitative” results of the last two methods without any discussion of the “qualitative” results of the public meeting that involved a larger number of persons:

University Heights representatives may also find excerpts from the on-line survey & email and mail correspondence received in January/February 2010 regarding the Comprehensive Plan amendments helpful when discussing the relationship between infill development and tax base.

- *Out of 15 pieces of email & mail correspondence, 73% felt that University Heights should be concerned with its tax base; out of 52 on-line survey respondents, 54% indicated that they were very concerned with University Heights losing taxable property / tax base.*
- *When asked where University Heights should first look to expand commercial or mixed-use development (if tax-base was a concern), 64% out of 50 on-line survey respondents identified the St. Andrew Church property as a viable option.⁷*

- (d) Most recently, numerous residents have submitted various written communications and made oral presentations to both the Zoning Commission and the City Council (see Appendix).

The Utility of a More Reliable and Valid Measure of Resident Opinions

Despite the large volume of communication and presentations, serious questions seemingly remain about the actual array of resident opinions presently existing about the matter before the Council. An appropriate measure of such opinions involving greater reliability and validity obviously would allow community discussions to focus on things other than what essentially is a factual question.

An eminently qualified resident (Julie Andsager, Professor of Journalism and Mass Communication) has generously prepared a survey instrument and methodological protocol (Attachment A), and if conducted, all out-of-pocket costs (essentially printing and postage) would be covered by donations from concerned citizens.

Request for Council Review and/or Approval

As an initial matter, Council is being asked to review and raise concerns about either the content of the survey instrument or the protocol for how it will be conducted “in advance” rather than “after the fact”. Of even greater help would be Council endorsement encouraging residents to respond to the survey (something entirely in line with the degree of city involvement in earlier surveys).⁸

7. < <http://www.university-heights.org/BuildZoneSanit/zoning/JCCOGReportOneUnivPlacePUD.pdf> >, at p. 9.

8. Such endorsement make take the form of a resolution authorizing including in the survey instrument some statement along the lines of the following:

The University Heights City Council has reviewed and approved the contents of this Survey and the method by which it is being conducted, and to obtain the widest and most reliable measure of citizen opinion, encourages all residents to complete and return this Survey on or before Monday, October 25.

It should be noted that conducting this survey will not involve any delay in timely consideration of matters before the Council as results would be available in advance of Council's November meeting. It also should be noted that the results of the survey will in no way be "binding" in either direction (indeed, "rezoning by (any sort of binding) referendum" could present some legal difficulties). The merits of the matters at hand would continue to be considered on the basis of those merits without the distractions of continued uncertainties about what a majority of residents do or do not think about such matters.

Conclusion

By submitting this proposal to you in advance of next Tuesday's meeting, I hope you will have sufficient time to assess the substantial value I believe a survey of this sort would bring to Council consideration of the matter now before it. Julie Andsager has endeavored to create a survey instrument and methods of distribution, return, and analysis that are fair and balanced. Needless to say, any and all Council suggestions for appropriate changes in any aspect of the content or execution of the survey would be incorporated into this effort.

I presently am in New Mexico visiting my parents, but will be in attendance at next Tuesday's meeting and also will attempt to respond to any questions or concerns you might send me by replying to the covering e-mail by which I am submitting this proposal to you.

APPENDIX

(Previously Submitted Communications / Oral Presentations)

ZONING COMMISSION

<http://www.university-heights.org/BuildZoneSanit/zoning/ZoningComComm071110.pdf>

<http://www.university-heights.org/BuildZoneSanit/zoning/ZoningComComm071410.pdf>

<http://www.university-heights.org/BuildZoneSanit/zoning/07-15-10ZoningMeetingMinutes.pdf>

<http://www.university-heights.org/BuildZoneSanit/zoning/ZoningComComm072110.pdf>

<http://www.university-heights.org/BuildZoneSanit/zoning/ZoningComComm0722.pdf>

<http://www.university-heights.org/BuildZoneSanit/zoning/07-22-10ZoningMeetingMinutes.pdf>

CITY COUNCIL

<http://www.university-heights.org/council/1011/reports/SAC/Council%20email%20July%2022-Aug%209.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/AdditionalEmailAug5-9.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/Additional%20council%20email%20%20Aug%208-9.pdf>

<http://www.university-heights.org/council/1011/minutes/100810minutes.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/Council%20email%20Aug%2010-23.pdf>

<http://www.university-heights.org/council/1011/minutes/100824%20minutes.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/Council%20email%20Aug%2026-Sept14.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/councilsent-email.pdf>

<http://www.university-heights.org/council/1011/reports/SAC/CouncilLetters.pdf>

<http://www.university-heights.org/council/1011/minutes/100914minutes.pdf>

Survey: University Heights development

IMPORTANT: Your responses are anonymous. The enclosed envelope bears a random number code to ensure that individuals respond only once, but the code is not attached to names or addresses.

To be included in the survey, this questionnaire must be returned in the enclosed, stamped envelope. The envelope must be **postmarked by October 25** or placed in the front door mail slot of **231 Golfview by October 26** at 5 p.m.

Please circle one response for each item below.

I support the Maxwell plan for One University Place (six stories; 20,000 sq. feet of commercial space; 95 resident units – City Council has voted to limit residences to 80).

*Strongly agree Agree Neither agree
nor disagree Disagree Strongly disagree*

I support the Bauer alternative (four stories; all residential; 74 resident units).

*Strongly agree Agree Neither agree
nor disagree Disagree Strongly disagree*

I support using the land for single-family residences only.

*Strongly agree Agree Neither agree
nor disagree Disagree Strongly disagree*

How concerned are you about the following issues related to development in general? Circle one response for each row.

	<i>Not concerned</i>	<i>Slightly concerned</i>	<i>Concerned</i>	<i>Very concerned</i>
Increase in tax revenues for UH	1	2	3	4
Lower property values after development	1	2	3	4
Higher property values after development	1	2	3	4
Increase in crime	1	2	3	4
Environmental impact on ravine/wildlife	1	2	3	4
Increase in traffic	1	2	3	4

Procedures

To ensure the integrity of this survey, the following procedures will be employed:

- A **random sample** of UH residents (see next bullet) who are registered to vote and who last voted in 2009, 2007, and 2005 ($N = 505$) will receive a questionnaire and a stamped return envelope.
 - New residents whose names were not on the list may request a questionnaire by calling Julie Andsager at 354-0076.
 - Mailed questionnaires marked as undeliverable by the Postal Service will be redistributed to new residents requesting surveys.

- The **random sample** will be obtained by placing all names in the population in one Excel file such that each is assigned a unique number. Random numbers will then be generated (via Random.org) to select the sample who will participate in the survey.
 - **Sample size** will be based on the cost and desired margin of error. We estimate postage, printing, and label cost to be about \$1 per participant.
 - The margin of error indicates that we can be 95% confident that the actual results from a probability (random) sample fall with +/- a certain percentage of the obtained result.
 - For example, if 50% of participants say they strongly support development and the margin of error was +/-3%, we know (with 95% confidence) that if we could survey all registered voters in UH, the actual result would fall within the range of 47%-53%. The smaller the margin of error, the more accurate the survey results are.
 - Sample sizes needed to obtain various MOE from a population of 505:

+/- 5%	218
+/- 4%	274
+/- 3%	343
+/- 2%	417

- Questionnaires must be returned in the enclosed envelope, which bears a random number code to ensure that individuals respond only once. *Codes are not attached to names or addresses.*
 - The codes will be written on the return envelope, which will then be placed in the mailing envelope. Mailing envelopes will be sealed before address labels are affixed to them.
 - A group of 4-6 UH residents will meet to stuff, stamp, and label the envelopes. At that time, Andsager will write the random number codes on the return envelopes and stuff them in the mailing envelopes. Other individuals will then seal and label the mailing envelopes.
 - The list of random number codes will be generated from Random.org.
 - When all envelopes have stuffed and prepared, each individual will initial the list of random number codes. Andsager will keep the list until the returned envelopes are opened so the codes can be checked against the list.

- Returned envelopes containing completed questionnaires will be left in their envelopes until a meeting in which 2 agreed-upon representatives will meet with Andsager to open them.
 - Return envelopes will be addressed to Andsager at 231 Golfview Avenue.
 - A list of all random number codes included on the envelopes will be provided to each representative, who will check to ensure the codes are valid prior to the opening of the

- envelope. Any envelopes bearing codes that were not on the original list of codes will be discarded unopened.
- Andsager will open the envelopes in the presence of the representatives and report whether the first 3 survey items were answered.
 - Each representative will initial every questionnaire and keep a count of how many responses are received. At this meeting, however, the results will not be tallied.
- When all questionnaires have been initialed by the representatives, Andsager will enter the data into a statistical analysis program for data analysis. She will provide the following results:
- Frequencies, means, and standard deviations of all items.
 - Correlations between each of the 3 proposal items and the 6 concern items.
 - Differences in concerns by support of the proposals.

The following information will be included in a letter to residents accompanying the survey questionnaire:

This survey is designed to measure attitudes toward future use of the land on the corner of Melrose and Sunset avenues, now the site of St. Andrews Church. Information on the Maxwell plan and the Bauer alternative is available on the University Heights website:
www.university-heights.org/zoning.html#SAC10

Results of the survey will be presented at the November City Council meeting.

Survey responses will be analyzed by UH resident Julie Andsager, who is a trained public opinion researcher, a member of the American Association for Public Opinion Research, and former president of the Midwest Association for Public Opinion Research. Andsager has not taken a stance on the development issue.

From: mike-haverkamp@university-heights.org
Subject: Re: Rezoning-Vote NO
Date: Sun, October 10, 2010 6:07 am
To: "Stacia McGrath" <stacia.mcgrath@gmail.com>

Stacia,

Thank you for taking the time to contact us regarding the development issue.

I have consistently replied to email with my guidelines regarding the focus of my analysis which includes but is not limited to:

State law regarding Smart Growth principles
UH 2010 Comprehensive Plan
JCCOG Staff Reports for both proposals
Zoning Commission Minutes and communication
Input from UH citizens

-Mike

> Dear City Council Members,
>
> I am writing to you as a resident who has lived 36 years of her life in
> University Heights. I loved being raised in this community and have
> chosen
> to raise my children here too.
>
> I realise that change is inevitable in life and in a community. All you
> have to do is go to a West High Football game and see the rows and rows of
> houses, that use to be rows and rows of corn and bean fields of 26 years
> ago
> (when I graduated) to know that development and change is inevitable.
>
> While change is bound to happen in University Heights, I do not think
> that such dramatic change needs to occur to keep University
> Heights soluble. I ask that you *vote down* the zoning changes that have
> been proposed.
>
> Thank you for your time and attention.
>
> Stacia McGrath
> 327 Koser Ave

From: mike-haverkamp@university-heights.org
Subject: Re: Letter to the Editor
Date: Sun, October 10, 2010 6:18 am
To: HopsonRC@aol.com

Rosanne,

Thanks, I appreciate it.

-Mike

> Mike
>
> Here is a PDF version of the letter.
>
> Thanks
> Rosanne

Rosanne,

I am going through all my city email this weekend, I'm not able to open the attachment. I would like to read it in its entirety. If you're able to send a version that isn't saved as a zip file, I'd appreciate it.

-Mike

> Mike
>
> I am attaching the letter to the editor I wrote in its' full form. The
> condensed version lost some of its' flavor.
>
> I am urging you to continue to listen to us and some of the new
> information
> we have discovered. Changing the zoning will be devastating to our
> community.
>
> Thank You
> Rosanne Hopson

I am writing in response to Mr. Elliott's opinion article "U. Heights residents divided" (Friday 9/24/10). Mr. Elliott was not at the council meeting and is getting his information from a 'reporter' - as he 'really doesn't understand all the concern about the proposed project'. I am a 26 year resident of University Heights and a member of a large group of opposers to the development. I am offended that we are being portrayed as 'booers' and 'hissers'. To the contrary, some feel we have been 'too nice' and it is time to get mad. If our small outbursts of exasperation is interpreted as booing and hissing then so be it. We are a group of respectful citizens that have come together in an organized manner willing to compromise. We have amongst our group a wealth of knowledge - lawyers, physicians, nurses, art and music professors, teachers, dentists, engineers, realtors - commercial and private, city planners, pastors, former mayors and council members (to name a few) - all who have come together in a very civil manner. The research and time that has been given by this group is amazing. Among the issues we have addressed that concern us are the following: We have proved that the ravine (that Maxwell wants to fill in and build on) is designated as having a large percentage of 'protected slopes'. By our own city ordinance any area designated as a protected slope shall not be graded and must remain in its' existing state. The zoning chairperson, Pat Bauer, proposed a compromise for the property - consisting of 74 condominiums and no commercial. Maxwell refused to look at it. (He also stated at a meeting that 'he really doesn't care what we think'). Our commercial real estate professional pointed out that nowhere in Iowa City or Coralville are the rates as high as Maxwell is proposing for the commercial rent. The traffic patterns don't make sense - Melrose is so congested now - the additional cars (on a street that has just been narrowed) will be unsafe and unmanageable. The councilors tell us 'Our money will run out in ten years' - but we have yet to see a budget or any numbers supporting this claim. Our councilors tell us this is 'smart growth' although it doesn't follow the principles for smart growth. We have hypothesized that Mr. Maxwell has no intention of developing the land but will flip it - and if he flips it to the University, we are left with zero income from property taxes. We have asked why Mr. Maxwell would offer four million dollars for a property not even worth two million - without any negotiations. In this economy, really? We have wondered why a counselor during open discussion at the last meeting asked Mr. Maxwell if a proposed amendment 'Was OK with him'. We all thought the counselors would be calling the shots, not the developer. We have asked to see a resume of Mr. Maxwell. Apparently one does not exist. Would you hire someone without a resume and/or references? The council seems to be in a rush to get this vote through even though Councilor McGrath motioned that it be delayed so that all three parties could meet - the council, the church and Mr. Maxwell. Of course there wasn't a second and the motion died. The reason it died? By coincidence an upcoming special election on 1/11/11 threatens their super majority.

Our sighs are just that - all of this falling on deaf ears. We can't help to wonder why none of this is registering. Mr. Elliott, the 29 people who spoke - spoke not out of only emotion but from a lot of effort and facts based on a lot of research. We have tried to compromise - we are not against developing - we simply don't see the need for any more commercial building. We have done our homework and we would like the council to do theirs - or at least listen to us.

From: mike-haverkamp@university-heights.org
Subject: Re: Maxwell proposal
Date: Sun, October 10, 2010 6:37 am
To: "Gretchen Blair" <gretchenblair@mchsi.com>

Gretchen,

I would hope that our conversations regarding these issues at the October meeting, and in November, if amendment 180 passes in October, will address these questions.

-Mike

> Dear Louise and council members,
>
> I have a few questions about the Maxwell project I'm hoping might be
> addressed at the next council meeting.
>
> At this point in the economy most people are buying real estate for
> half of what it is worth instead of double. I wonder what
> makes Maxwell so confident he can recapture the 2.25 million he's over
> paying for the property.
>
> What's the projected price for this project? I've heard anywhere from
> 50-80 million. If so, how can one sell that much real estate in UH?
> Compare that to the Moen project downtown which I'm quite sure was
> short of 30 million.
>
> How is Maxwell financing this? If the runs out of money the quality
> will have to be diminished to maintain affordability.
>
> Because I haven't heard any answers to these questions, and for many
> other reasons I've stated in past communiques, I still remain against
> the Maxwell proposal for our community.
>
> Thank you for counting and keeping track of these emails,
>
> Gretchen Blair
> 51 Prospect Place

From: mike-haverkamp@university-heights.org
Subject: Re: opposition to the Maxwell proposal
Date: Sun, October 10, 2010 6:46 am
To: "Nancy Barnes" <nbarnes.kohout@gmail.com>

Nancy,

Thanks for writing again. I can give some more information regarding your concerns about the ravine. I have had meetings with Alice, and also talked to the JCCOG staff about the intersection and the ravine. I believe that the time to deal with specifics of the exits and potential re-routing of Sunset is when at a "Planned Unit Development" (PUD) application is received. That can not happen unless amendment 180 is passed in October and again in November.

-Mike

Here is an email I received from JCCOG:

From: "John Yapp" <John-Yapp@iowa-city.org>
Subject: Sunset / Melrose
Date: Fri, October 8, 2010 10:34 am
To: mayhem@inav.net
Cc: "Louise From" <louisebob@mchsi.com>,"Kent Ralston" <Kent-Ralston@iowa-city.org>

Mike - As we discussed, Kent and I have discussed the intersection options at Sunset / Melrose, and Kent has done more investigating into what may / may not be possible given the existing geometry, the ravine, and traffic patterns.

We have come to some conclusions:

1) We do not recommend a 'Five leg' intersection be pursued. It would create more turning movement conflicts than are there now, it would cause more delay and congestion (and therefore the likelihood of more cut-through traffic on Grand Ave, Koser, etc), and it is more land-consumptive.

2) At the planning/cursory level of analysis, a round-a-bout can be pursued - it appears it would fit without too much property acquisition. We recommend it be a four-leg round-a-bout if it is pursued. If this is something U-Heights is interested in, the next step is for us to sit down with Shive-Hattery, Jeff Maxwell and other interested parties and start to lay something out to see if there are any fatal flaws.

a. There are pros and cons with a round-a-bout: Pros: Less traffic congestion, opportunity for public art within the round-a-bout, typically fewer collisions. Cons: Not as pedestrian-friendly due to traffic never really stopping, more land-consumptive, can be confusing to

out-of-town motorists not familiar with the round-a-bout.

3) We still recommend the north leg of Sunset be straightened, but it does not need to be as much as reflected on the Maxwell plan. It appears it can be straightened enough to allay some of our traffic concerns without affecting the ravine nearly as much.

My question is where do we go from here? My suggestion is that we see how the conversation goes at the upcoming Council meeting and that the Council as a group request JCCOG to prepare analysis and/or meet with the developer on some of these items.

Thanks, and have a good weekend.

John Yapp

- > Dear Mayor and Councillors,
- >
- > A number of residents of University Heights have, within the past few
- > weeks,
- > sent you thoughtful and well-reasoned arguments about why the Maxwell
- > proposal for the St. Andrew's property should be rejected, and rezoning
- > for
- > it should not be carried out. Their arguments have been carefully
- > articulated and well-supported with extensive documentation. Issues that
- > my
- > fellow residents have argued include the following:
- >
- > – some council members have asserted that UH finances are or soon will be
- > in
- > dire straights, Pat Bauer has presented evidence that this is not the
- > case
- >
- > – Susan Hettmansperger has presented a mass of information on what an
- > accurate depiction of what the completed development should show, and why
- > a
- > well-prepared 3-D depiction is essential so that UH residents know what
- > this
- > project would really look like; although it would not be difficult to have
- > a
- > 3-D illustration prepared, neither Mr. Monroe nor Mr. Maxwell have been
- > willing to do so
- >
- > –Alice Haugen has several times presented strong arguments for saving the
- > ravine from development, complete with scale models of the ravine, its
- > grades and its contours, as well as how large the ravine really is

- >
- > -others have wondered about Maxwell's experience with projects such as the
- > one proposed, and have learned that the council doesn't seem to know, or
- > perhaps to care
- >
- > -and more than one person has reminded you that Attorney Ballard has
- > explained that it would not be an easy matter to reverse the rezoning once
- > it had been passed, and that if Maxwell were to back out of the
- > development
- > and flip the property to someone else (someone desirable or not) the
- > rezoning would still stand – and we'd be stuck with the results
- >
- > -finally Mary Wilson and others have pointed out that the copies of
- > communications with you that have been provided show that households that
- > oppose the Maxwell development significantly outnumber communications that
- > support it, contrary to what some council members have stated
- >
- > There is an alternative proposal that could be a reasonable compromise, if
- > there is willingness to compromise – Pat Bauer's less intrusive and more
- > community-friendly plan, residential only, no commercial. Not including
- > commercial space would mean fewer vehicles to provide parking for, and
- > less
- > traffic on Melrose, Grand and other streets than Maxwell's plan would
- > inevitably add. And the consequence of not so greatly increasing the
- > traffic
- > flow would be that the intersection of Melrose with Grand and Sunset would
- > not become a dangerous one, which it certainly could be if Maxwell's
- > development, or some other, should be built.
- >
- > I remain very, very concerned about all these very serious issues and
- > others
- > that my neighbors have raised, and I am very disappointed that most of you
- > do not seem to take them seriously, or to be willing to discuss
- > compromise.
- >
- > I think we need to have a clear idea of whether a majority of UH residents
- > oppose or support the Maxwell development. Carolyn Brown has suggested
- > that
- > a mail survey of our population be taken, which Professor Andsager has
- > offered to prepare and carry out: a very professionally prepared survey
- > which would be very professionally conducted. Professor Andsager has, I
- > understand, taken no position herself on the issue. She is an expert in
- > this
- > area. I think we should accept her offer to conduct a professional survey
- > for us rather than you or any of us trying to assess support or
- > opposition.
- > And then we need to talk some more, courteously and respectfully.

>
> Sincerely,
>
> Nancy Barnes-Kohout
> 300 Golfview Avenue

Email received and sent by Jim Lane

RE: Fwd: U Heights Commercial Leasing.

Thursday, October 7, 2010 9:09 AM

From:

"Kevin Monson" <KMonson@neumannmonson.com> [View contact details](#)

To:

"jim lane" <jimlane@yahoo.com>

Jim,

I didn't see in the email Jeff's rent calculations.

Kevin Monson, AIA, LEED AP

NEUMANN MONSON

ARCHITECTS

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From: jim lane [mailto:jimlane@yahoo.com]

Sent: Thursday, October 07, 2010 8:47 AM

To: Jim Lane; MayorLouiseFrom; Mike Haverkamp; PatYeggy; Stan 'the Man' U Heights Council; Steve Ballard U Heights Attorney; Brennan McGrath; jmaxwell@maxwellconstructioninc.com; Kevin Monson

Subject: Re: Fwd: U Heights Commercial Leasing.

Bennan, I need help in determining where the \$8,328,116 value of the commercial property was estimated by McGladrey? I could not find it any of the material that I had from the TIF presentation they made. Perhaps it was in some other document. Thanks for your help. Jim Lane

--- On **Mon, 9/20/10, Brennan McGrath <brennanmcg@gmail.com>** wrote:

From: Brennan McGrath <brennanmcg@gmail.com>

Subject: Fwd: U Heights Commercial Leasing.

To: "Jim Lane" <jim-lane@university-heights.org>, "Mayor Louise From" <louisebob@mchsi.com>, "Mike Haverkamp" <mayhem@zeus.ia.net>, "Pat Yeggy" <patbirk@yahoo.com>, "Stan 'the Man' U Heights Council" <stan-laverman@university-heights.org>, "Steve Ballard U Heights Attorney" <ballard@lefflaw.com>

Date: Monday, September 20, 2010, 11:37 AM

Some further clarification on comments made be one of our Citizen's Jeff Edberg.

I would like to discuss this at the next meeting, but it's a lot to digest quickly, here are the details in attachments.

The email pertains to my abstention of voting on Ord 180, because I didn't believe we should be voting (to clarify).

Thanks,
Brennan

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

From: **Jeff Edberg** <Jeff@icrealestate.com>ur

Date: Thu, Sep 16, 2010 at 2:06 PM

Subject: U Heights Commercial Leasing.

To: "Brennan McGrath (brennanmcg@gmail.com)" <brennanmcg@gmail.com>

Brennan,

Thanks for the explanation of the vote. I'll pass that on to my friends who were wondering. Attached is a letter to help sort through the leasing numbers and a PDF of retail income per foot to look at. Let me know anytime if you need anything.

Jeff

Jeff Edberg, CCIM, SIOR

Broker Associate

Lepic-Kroeger, REALTORS

(: (319) 331-6187 (319) 331-6187 - cell

(: (319) 337-2704 (319) 337-2704 - fax

(: (319) 248-3306 - direct

8: jeff@icrealestate.com

8: www.icrealestate.com

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Re: Letter to the Editor

Saturday, October 9, 2010 6:10 PM

From:

"jim lane" <jimlane@yahoo.com>Add sender to Contacts

To:

HopsonRC@aol.com

Roseanne, I am having trouble getting the attachment to come up on my computer. Could you send it to me in some other form, Word?, Works?. I seem to have trouble with compressed Zip form. Thanks, Jim Lane

[Flag this message](#)

Re: Support for Maxwell Development

Saturday, October 9, 2010 6:14 PM

From:

"jim lane" <jimlane@yahoo.com>Add sender to Contacts

To:

"Warren Tunwall" <5cats@mchsi.com>

Warren and Deb, Thanks for your input. Appreciate knowing your views on this rather contentious issue. Jim Lane

[Flag this message](#)

Re: Rezoning-Vote NO

Saturday, October 9, 2010 6:20 PM

From:

"jim lane" <jimlane@yahoo.com>Add sender to Contacts

To:

"Stacia McGrath" <stacia.mcgrath@gmail.com>

Stacia, Thanks for your input. A fairly knotty issue as you know. Jim Lane

Email sent and received by Pat Yeggy

Re: A document sent by accident

...

From:

Patricia Yeggy <patbirk@yahoo.com>

...

View ContactTo:Alice Haugen <alice.haugen@gmail.com>

OK, I'll delete it. (If I knew how to make the sad-faced symbol, I'd do one here.) I've only done a quick page down through the document and was going to read it later when I had more time.

BTW, your research and writing are always carefully thought out and well done. No matter what your position on the future of the St Andrew site, it is appreciated when citizens make the effort to be informed and when they participate in local government.

Pat

From: Alice Haugen <alice.haugen@gmail.com>

To: Patricia Yeggy - Council <patbirk@yahoo.com>; Mike Haverkamp - Council <mayhem@ia.net>

Sent: Wed, October 6, 2010 1:05:40 PM

Subject: A document sent by accident

Hello -

You recently received a document from Donald Baxter that was written by me. He made the mistake of assuming it is a public document but it was communicated to him as an individual and is still a draft of the final document. Please delete the file as I will be sending you a copy of the final document either later today or early tomorrow morning. Thank you.

--

Peace +

Alice

Ring the bells that still can ring
Forget your perfect offering
There is a crack in everything
That's how the light gets in.