

Public Hearing on Multiple-Family Commercial PUD Plan Application known as One University Place Submitted by Maxwell Development, LLC concerning property presently owned by St. Andrew Presbyterian Church and property to the east.

AGENDA

**City of University Heights, Iowa
Special Meeting of City Council
Wednesday, May 27th, 2015
University Club – east entrance
7:00-9:00pm
Meeting called by Mayor Louise From**

Time		Topic	Owner
7:00pm	Call to Order Special meeting-	Roll Call	Louise From
7:01	Call to Order Public Hearing	Public Hearing on Multiple-Family Commercial PUD Plan Application known as One University Place Submitted by Maxwell Development, LLC concerning property presently owned by St. Andrew Presbyterian Church and property to the east.	
	Close Public Hearing Reconvene Special Meeting		Maxwell Development
		-Update of PUD Plan Application -Update of MPO traffic study - Finance Report - City Engineer’s Report - Other staff and service provider reports	Kent Ralston Tom Jackson Josiah Bilskemper Steve Ballard
		Council discussion of PUD Plan Application, reports and comments, and finance report	
		Consideration of Resolution No. 15-30 Approving On Conditions the Multiple-Family Commercial PUD Plan Application submitted by Maxwell Development, LLC	
		Consideration of Resolution No. 15-31 Approving and Authorizing the Mayor to Sign a Development Agreement with Maxwell Development, LLC	
		Consideration of Resolution No. 15-32 authorizing the City’s Bond Counsel, John Danos, to Initiate Work on City Financing for	

Time	Topic	Owner
	One University Place in the form of a Rebate TIF in an Amount Not to Exceed \$4 Million	
9:00pm	Adjournment	Louise From

Upcoming events:

Tuesday, June 2nd –FARMERS MARKET at St. Andrew Presbyterian Church 5:00-7:00pm

Saturday, June 6th -City-Wide Garage Sales 8:00am-12noon.

The next regular City Council meeting is Tuesday, June 9, 2015- location to be announced.

May 27, 2015 – City Attorney's Report re One University Place

1. One University Place – Public Hearing.

- Wednesday's Special Council meeting will be preceded by a public hearing on the PUD Plan Application submitted by Jeffrey L. Maxwell for the development known as "One University Place". A public hearing is required by Ordinance No. 79(C)(2). You may view Ordinance 79 here: <http://www.university-heights.org/ord/ord079amend.pdf>.
- Mr. Maxwell and his representatives will be on hand Tuesday to present the PUD Plan Application and answer questions.
- The public hearing is the Council's formal opportunity to receive public input about the PUD Plan Application.
- The Council already has received reports from various City staff and contracting service providers.
 - I am attaching the reports I received from these sources: Chief Ken Stanley; Chief David Stannard; and Building Official Terry Goerd.
 - Additional reports have been received and circulated from these sources, perhaps among others: Engineer Bilskemper; MPO-JC; City of Iowa City Public Works; and MidAmerican Energy.

2. PUD Plan Application and Development Agreement.

- The Council will consider the PUD Plan Application submitted by Mr. Maxwell.
 - That Application is dated April 7, 2015 and was amended May 19, 2015.
 - The Application is available for review on the City website; I will attempt to attach it to the email transmitting this report, but it may be too large.
 - The Council may take the following action on the PUD Development Application: approve, deny, or approve on condition.
 - Based upon City staff review and comments, including my conversations with Josiah Bilskemper, the recommendation is to approve the Application on certain conditions.
 - Resolution No. 15-30 approving the Application on certain conditions is attached for your review and discussion.
- The Council will also consider a PUD Development Agreement.
 - The Agreement has been discussed and negotiated over the course of several meetings involving members of Mr. Maxwell's development team and various City Officials and staff including Louise From, Jim

Lane, Carla Aldrich, Josiah Bilskemper, and me. (Not every City representative attended each meeting.)

- The proposed Agreement is attached.
 - Again, based upon City staff review and comments, the recommendation is to approve the Development Agreement on certain conditions.
 - Resolution No. 15-31 approving the Development Agreement on certain conditions is attached for your review and discussion.
- Voting procedure.
 - Only one vote (not three readings) is required to approve both the PUD Development Application and the Development Agreement.
 - A simple majority vote is required.
3. **City Economic Assistance – TIF.**
- Tom Jackson with National Development Council has submitted a report that Jim Lane circulated previously; another copy is attached.
 - Resolution No. 15-32 authorizing John Danos to start work on a rebate TIF not to exceed \$4 million is attached.
 - This resolution simply permits and directs Mr. Danos to begin work. The TIF process will involve various additional Council meetings and require Council action.



ONE UNIVERSITY PLACE

Date: 04.07.2015

NEUMANN MONSON ARCHITECTS

221 East College Street | Suite 303 | Iowa city, Iowa 52240
T 319.338.7878

418 6th Avenue | Suite 209 | Des Moines, Iowa 50309
T 515.339.7800



ONE UNIVERSITY PLACE

Date: 04.07.2015

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20' building setback
 Underground parking entrance

NORTH BUILDING
 BUILDING FOOTPRINT (22,808sf)
 80 CONDOS (5 LEVELS)
 120 PARKING SPACES (2 LEVELS)

Private patio with shrub screening, typ.
 Canopy
 Shrub screen, typ.
 Proposed overstory trees

108 Parking spaces
 Loading dock
 Refuse enclosure

SOUTH BUILDING
 BUILDING FOOTPRINT (16,000 sf)
 14,600 SF COMMERCIAL
 24 CONDOS (2 LEVELS)
 44 PARKING SPACES (1 LEVEL)

Retaining wall
 Site entrance and exit
 Monument sign (5'W x 5'T)

Protected Slope
 Transformer and shrub screen
 Existing wooded ravine

Retaining wall
 Exit only
 20' building setback
 Public walks

Monument sign
 Columnar trees

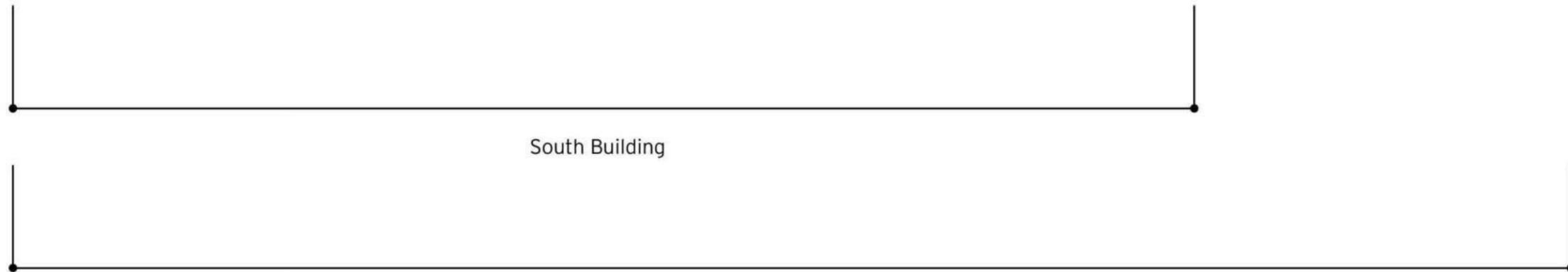
A1 ARCHITECTURAL SITE PLAN
 1" = 60'-0"

**ONE UNIVERSITY PLACE -
 SOUTH BUILDING**

Date: 04.07.2015



NEUMANN MONSON ARCHITECTS
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SOUTH ELEVATION

ONE UNIVERSITY PLACE

Date: 04.07.2015



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418 6th Avenue | Suite 209 | Des Moines, Iowa 50309
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South Building

NORTH ELEVATION



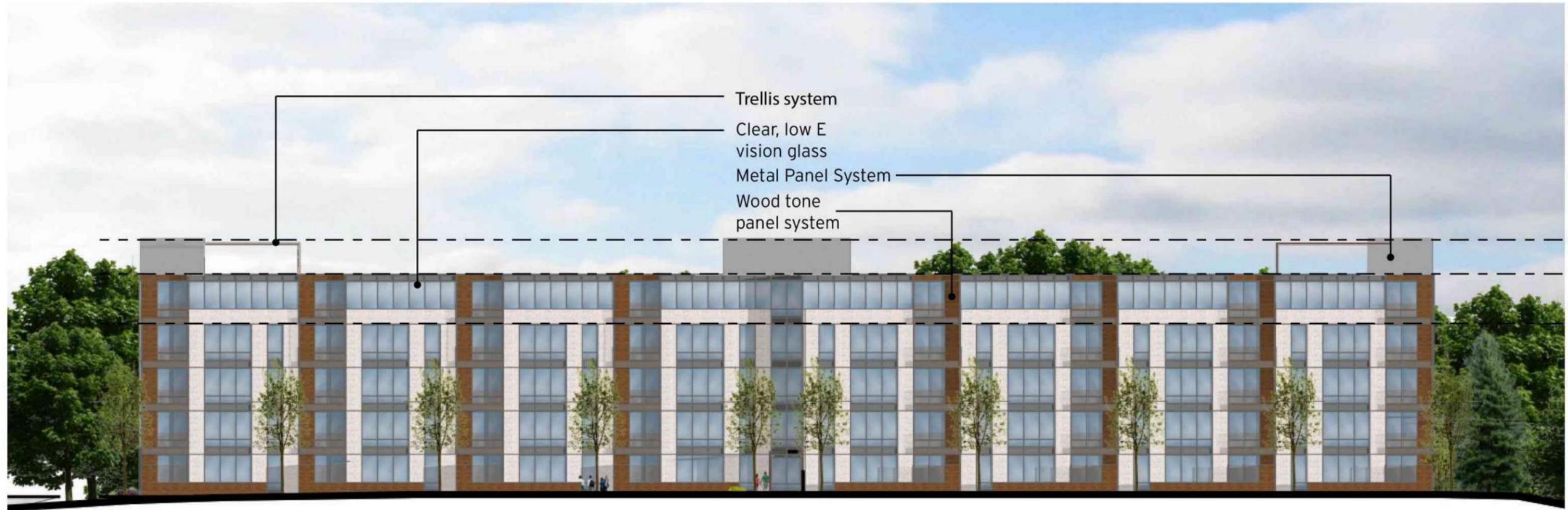
ONE UNIVERSITY PLACE

Date: 04.07.2015

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418 6th Avenue | Suite 209 | Des Moines, Iowa 50309
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North Building

SOUTH ELEVATION



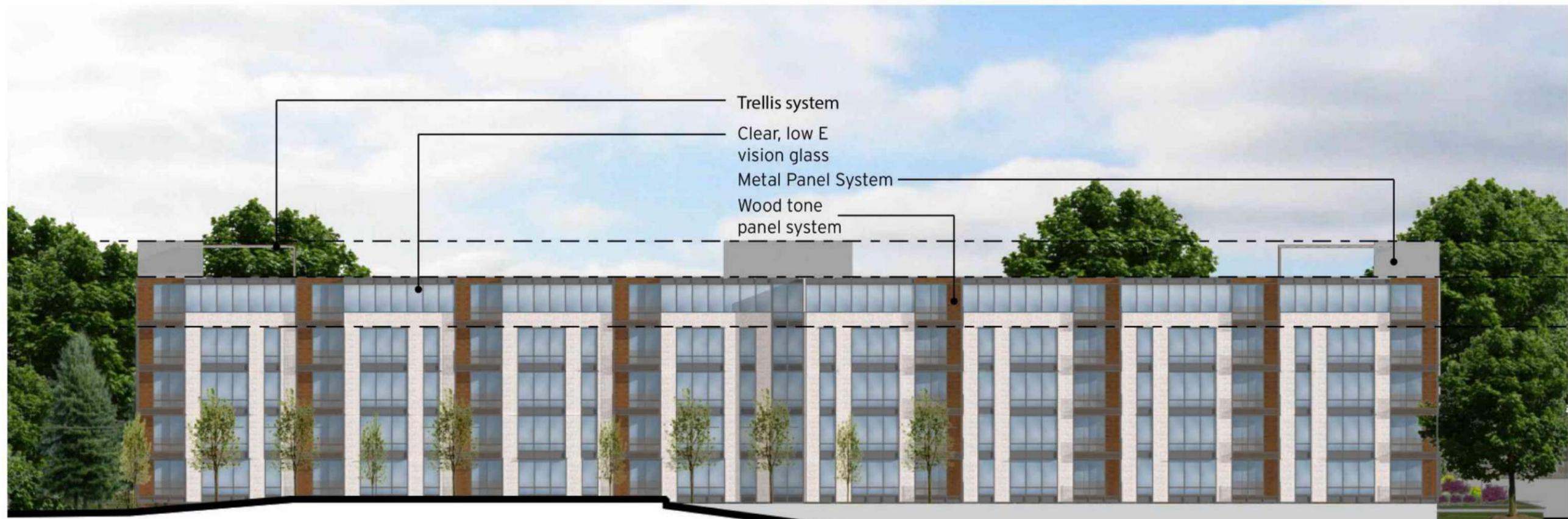
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North Building

NORTH ELEVATION

ONE UNIVERSITY PLACE

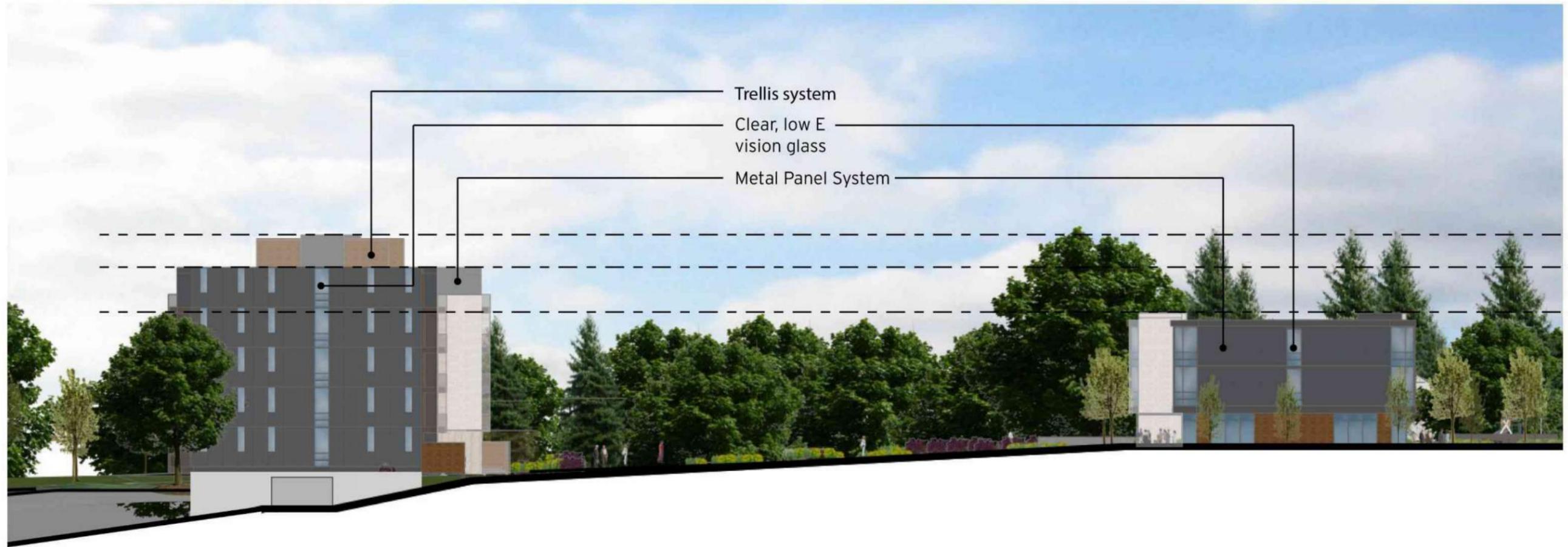
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Trellis system

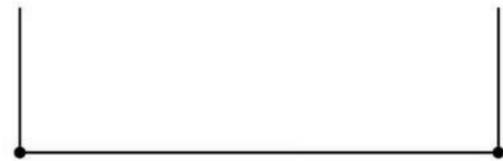
Clear, low E
vision glass

Metal Panel System

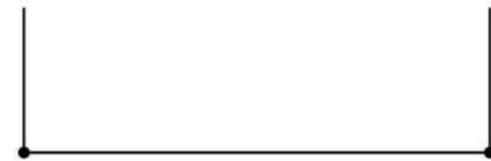
70'-0"
Roof of elevator
tower

61'-0"
Parapet of north
building

38'-0"
Parapet of south
building



North Building



South Building

WEST ELEVATION

ONE UNIVERSITY PLACE

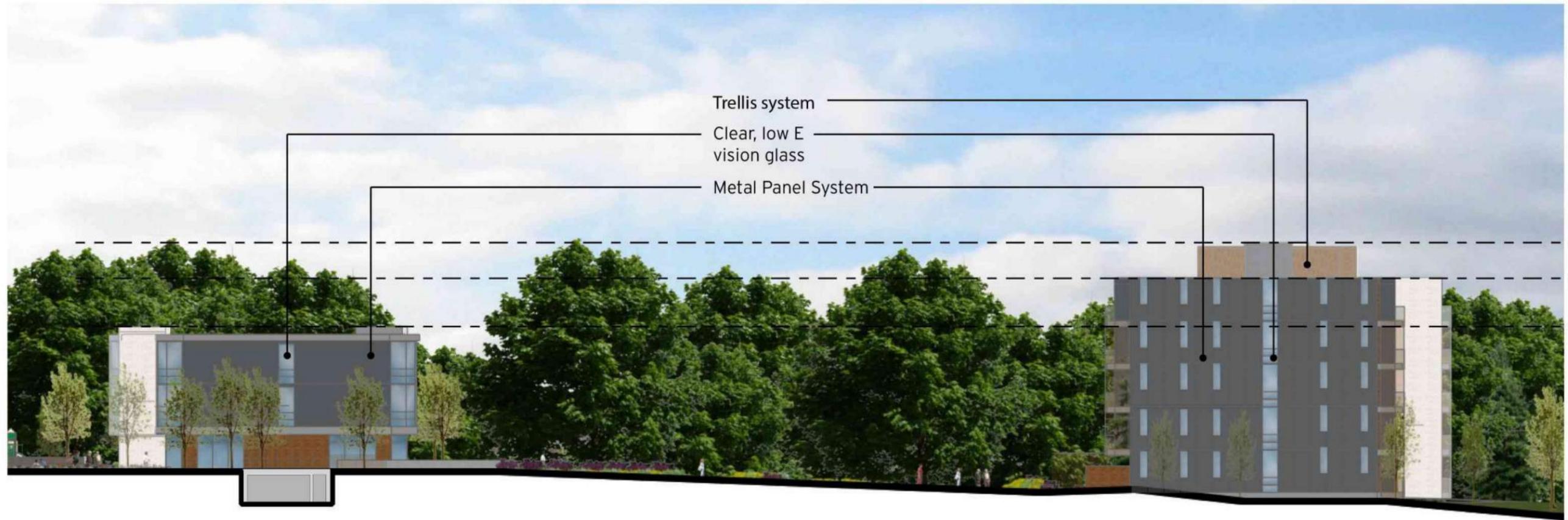
Date: 04.07.2015



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South Building



North Building

EAST ELEVATION

ONE UNIVERSITY PLACE

Date: 04.07.2015



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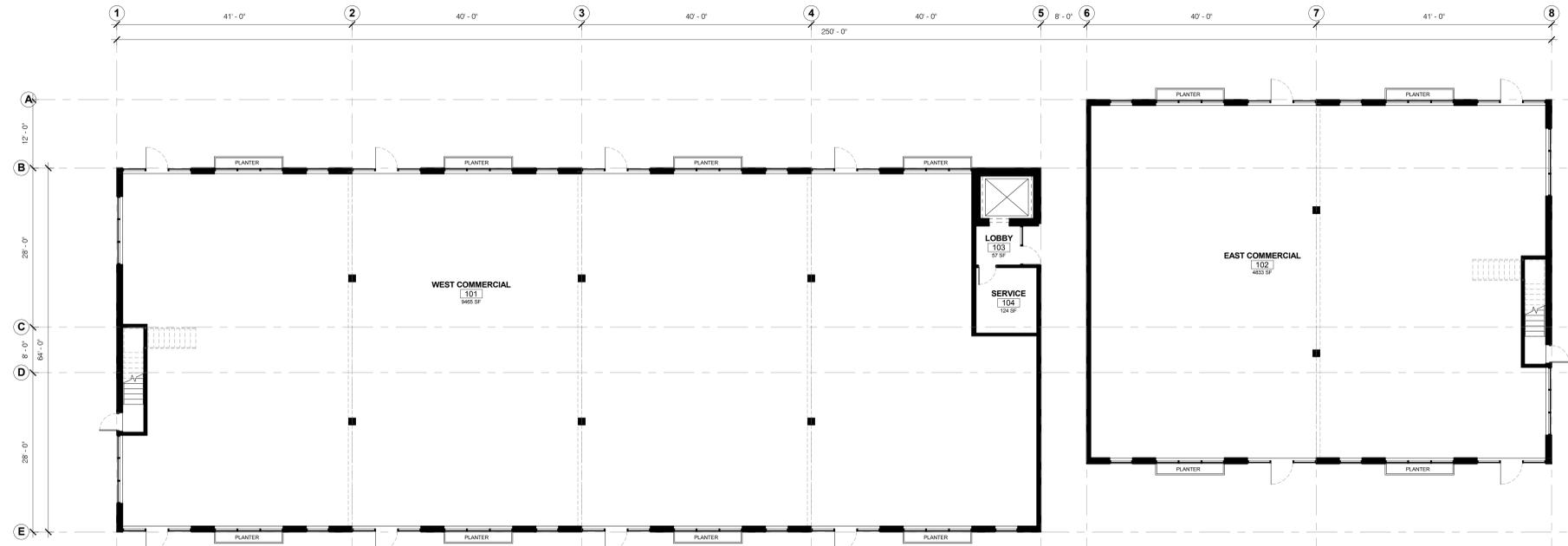
MODUS ENGINEERING
 MEP ENGINEER
 118 E College St.
 Iowa City, Iowa 52240
 319.245.4900

MMS CONSULTANTS
 CIVIL ENGINEER
 1917 S Gilbert St.
 Iowa City, Iowa 52240
 319.351.8282

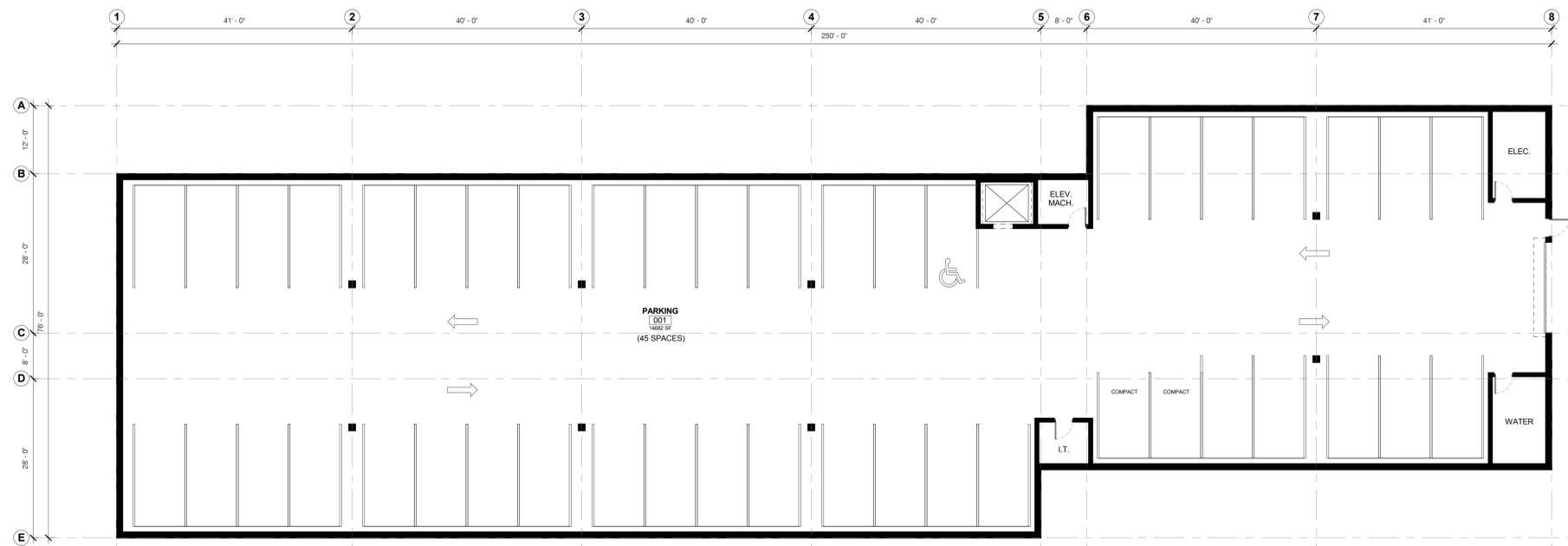
CONFLUENCE
 LANDSCAPE ARCHITECT
 401 S Gilbert St
 Iowa City, Iowa 52240
 319.337.6634

NEUMANN MONSON ARCHITECTS

PROJECT NAME
ONE UNIVERSITY PLACE - SOUTH BUILDING



C2 FIRST LEVEL FLOOR PLAN
 3/32" = 1'-0"



A2 PARKING LEVEL FLOOR PLAN
 3/32" = 1'-0"

OWNER
 Maxwell Development
 3011 Sierra Ct. SW
 Iowa City, Iowa 52240
 319.354.0759

PROJECT NO. 14.009

ISSUE	DATE	DESCRIPTION
	03.07.2019	PLD SUBMISSION

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PRELIMINARY
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SHEET NAME
PARKING LEVEL AND FIRST LEVEL FLOOR PLANS

SHEET NUMBER
AS-100

ARCHITECT OF RECORD
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MMS CONSULTANTS
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 319.351.8282

CONFLUENCE
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 401 S. Gilbert St.
 Iowa City, Iowa 52240
 319.337.6834

NEUMANN MONSON ARCHITECTS

PROJECT NAME
ONE UNIVERSITY PLACE - NORTH BUILDING

OWNER
 Maxwell Development
 3011 Sierra Ct. SW
 Iowa City, Iowa 52240
 319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
03.06.2015	PLAD SUBMISSION

DESCRIPTION

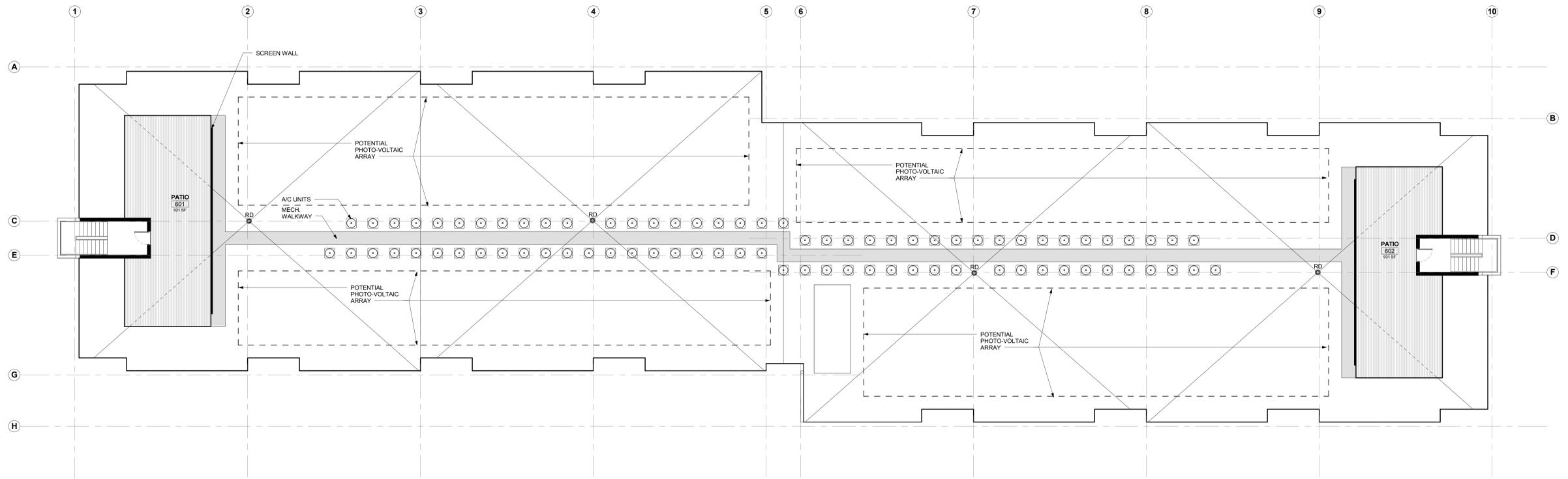
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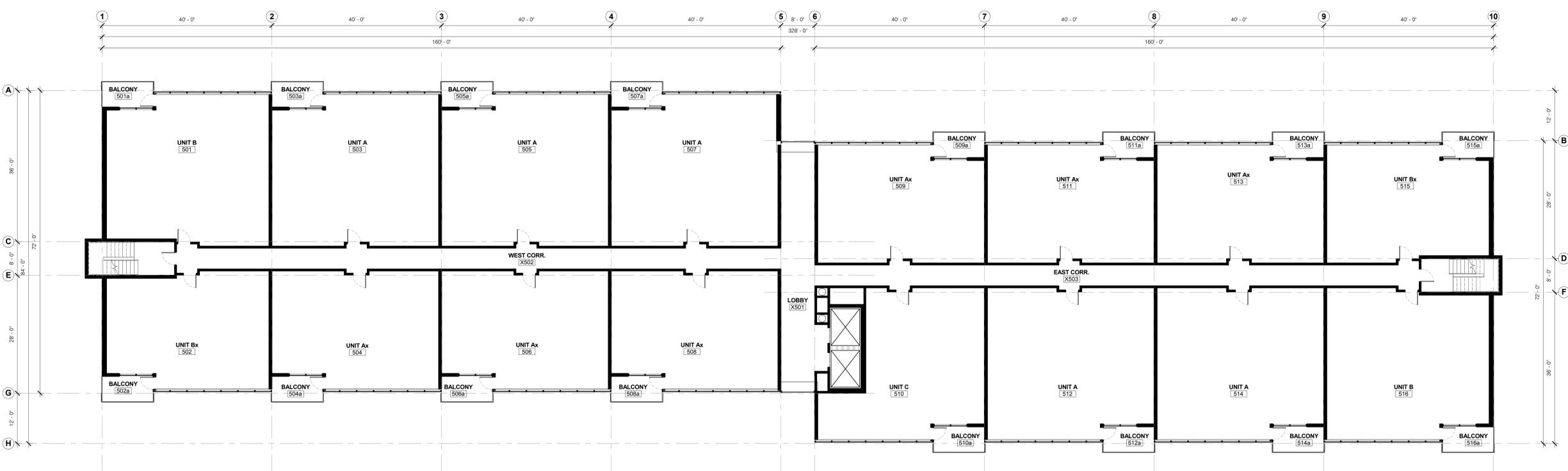
SHEET NAME
FIFTH LEVEL FLOOR PLAN AND ROOF PLAN

SHEET NUMBER

AN-103



C1 ROOF PLAN
 3/32" = 1'-0"



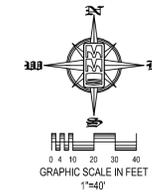
A1 FIFTH LEVEL FLOOR PLAN
 3/32" = 1'-0"

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY:
THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240



SHEET INDEX

- C-101 LAYOUT PLAN
- C-102 SITE EASEMENT LAYOUT
- C-103 EXISTING CONDITIONS & SENSITIVE AREAS DEVELOPMENT PLAN
- C-104 SITE GRADING & EROSION CONTROL PLAN & SENSITIVE AREAS SITE PLAN
- C-105 GRADING & EROSION CONTROL PLAN
- C-106 GRADING & EROSION CONTROL PLAN
- C-107 UTILITY PLAN
- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

ARCHITECT OF RECORD

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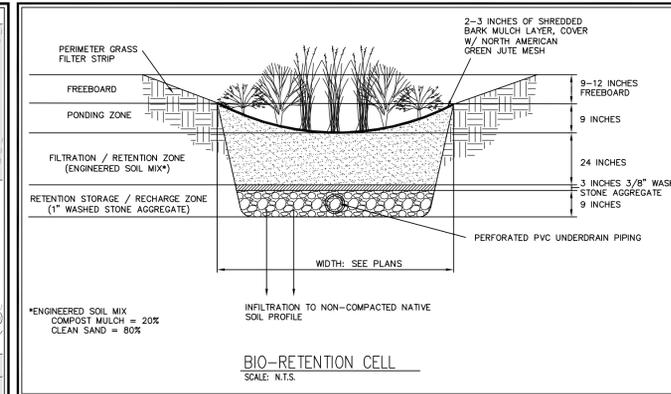
RAKER RHODES ENGINEERING
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(PROJ. NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
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IOWA CITY, IOWA 52240
319.337.6634

NEUMANN MONSON ARCHITECTS



STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

SENSITIVE AREA HATCH LEGEND

- STEEP SLOPE
- CRITICAL SLOPE
- PROTECTED SLOPE

SENSITIVE AREAS IMPACTS

	IMPACTED	IMPACTED
STEEP	10,426 SF (0.24 AC)	9,966 SF (0.23 AC) (95.6%)
CRITICAL	33,093 SF (0.75 AC)	13,648 SF (0.31 AC) (41.2%)
PROTECTED	22,037 SF (0.51 AC)	989 SF (0.02 AC) (4.5%)

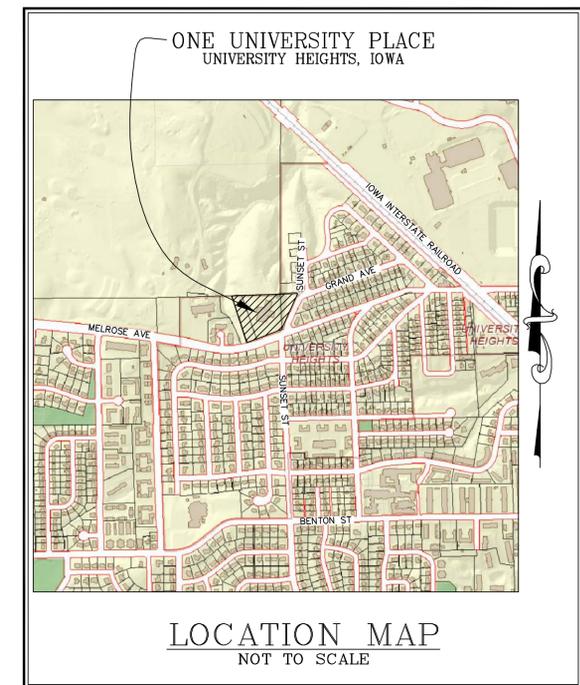
FENCE LEGEND

- SILT FENCE
- CONSTRUCTION SAFETY FENCE

NOTE: TREES SHOWN ARE TO BE PROTECTED IN PLACE.

NOTE: SENSITIVE SLOPES INSIDE THE CONSTRUCTION SAFETY FENCE WILL BE IMPACTED.

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.



PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52240
319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT

PRELIMINARY
NOT FOR CONSTRUCTION

SHEET NAME
SITE GRADING AND EROSION CONTROL PLAN AND SENSITIVE AREAS SITE PLAN

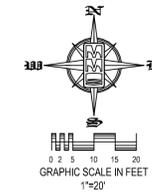
SHEET NUMBER
C-104

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: **MMS CONSULTANTS INC.**
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IOWA CITY, IOWA, 52240

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STANDARD LEGEND AND NOTES

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- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

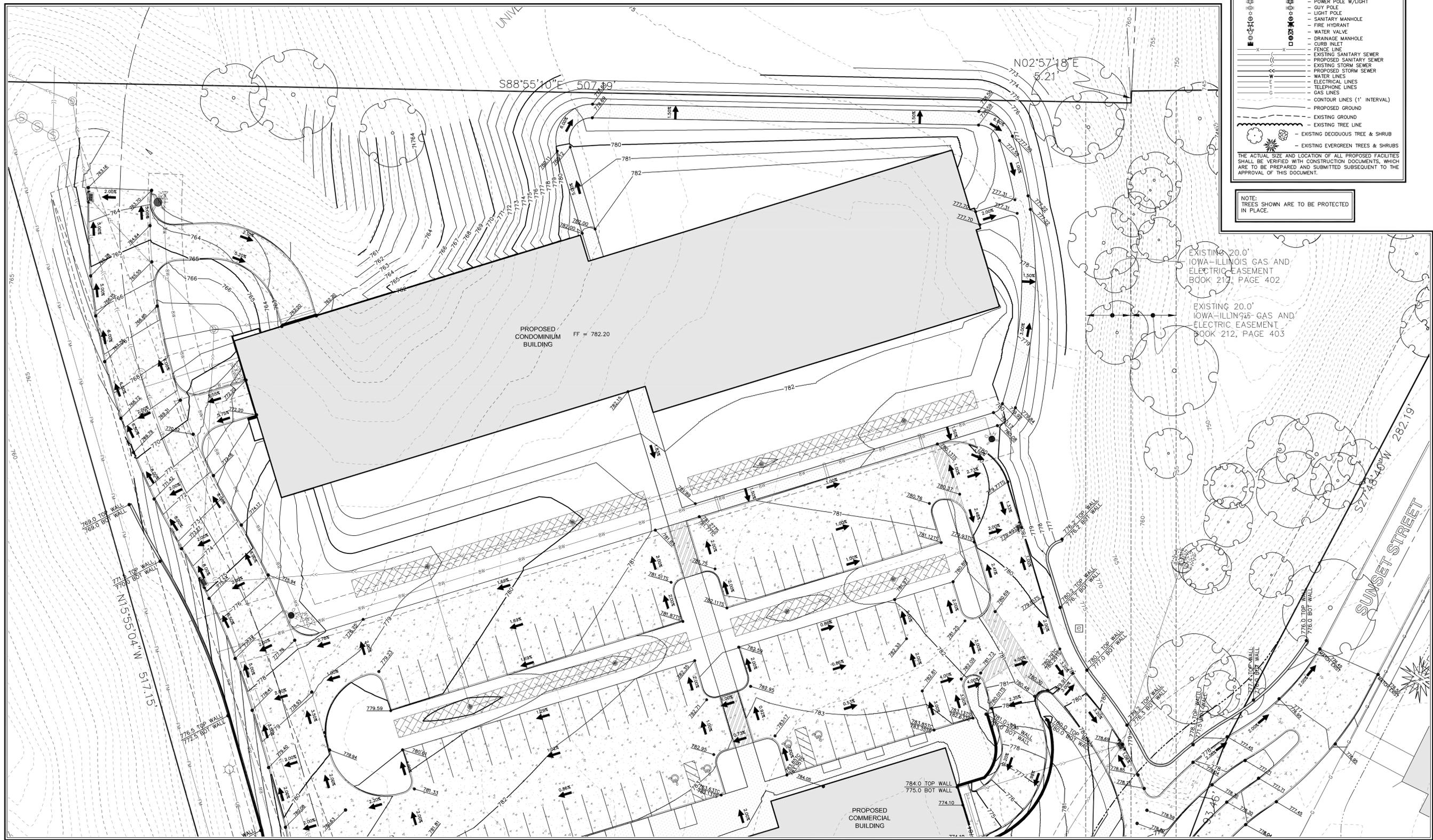
EXISTING

- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DRAINAGE MANHOLE
- CURB INLET
- FENCE LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- WATER LINES
- ELECTRICAL LINES
- TELEPHONE LINES
- GAS LINES
- CONTOUR LINES (1' INTERVAL)
- PROPOSED GROUND
- EXISTING GROUND
- EXISTING TREE LINE
- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

PROPOSED

- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DRAINAGE MANHOLE
- CURB INLET
- FENCE LINE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- WATER LINES
- ELECTRICAL LINES
- TELEPHONE LINES
- GAS LINES
- CONTOUR LINES (1' INTERVAL)
- PROPOSED GROUND
- EXISTING GROUND
- EXISTING TREE LINE
- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

NOTE: TREES SHOWN ARE TO BE PROTECTED IN PLACE.



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Iowa City, Iowa 52240
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03.26.2015	REVISED BLDG/SITE LAYOUT

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SHEET NAME
GRADING AND EROSION CONTROL PLAN

SHEET NUMBER
C-105

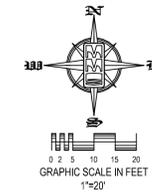
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 IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: THOMAS H. GELMAN
 321 E. MARKET ST.
 IOWA CITY, IOWA 52240



STANDARD LEGEND AND NOTES

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	CONGRESSIONAL SECTION LINES
	RIGHT-OF-WAY LINES
	EXISTING RIGHT-OF-WAY LINES
	CENTER LINES
	EXISTING CENTER LINES
	LOT LINES, INTERNAL
	LOT LINES, PLATTED OR BY DEED
	PROPOSED EASEMENT LINES
	EXISTING EASEMENT LINES
	BENCHMARK
	RECORDED DIMENSIONS
	CURVE SEGMENT NUMBER
	EXIST- POWER POLE
	PROP- POWER POLE
	POWER POLE W/DROP
	POWER POLE W/TRANS
	POWER POLE W/LIGHT
	GUY POLE
	LIGHT POLE
	SANITARY MANHOLE
	FIRE HYDRANT
	WATER VALVE
	DRAINAGE MANHOLE
	CURB INLET
	FENCE LINE
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	WATER LINES
	ELECTRICAL LINES
	TELEPHONE LINES
	GAS LINES
	CONTOUR LINES (1' INTERVAL)
	PROPOSED GROUND
	EXISTING GROUND
	EXISTING TREE LINE
	EXISTING DECIDUOUS TREE & SHRUB
	EXISTING EVERGREEN TREE & SHRUB

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

NOTE:
 TREES SHOWN ARE TO BE PROTECTED IN PLACE.

ARCHITECT OF RECORD
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418 6th Avenue | Suite 209
 Des Moines, Iowa 50309
 T 515.338.7800

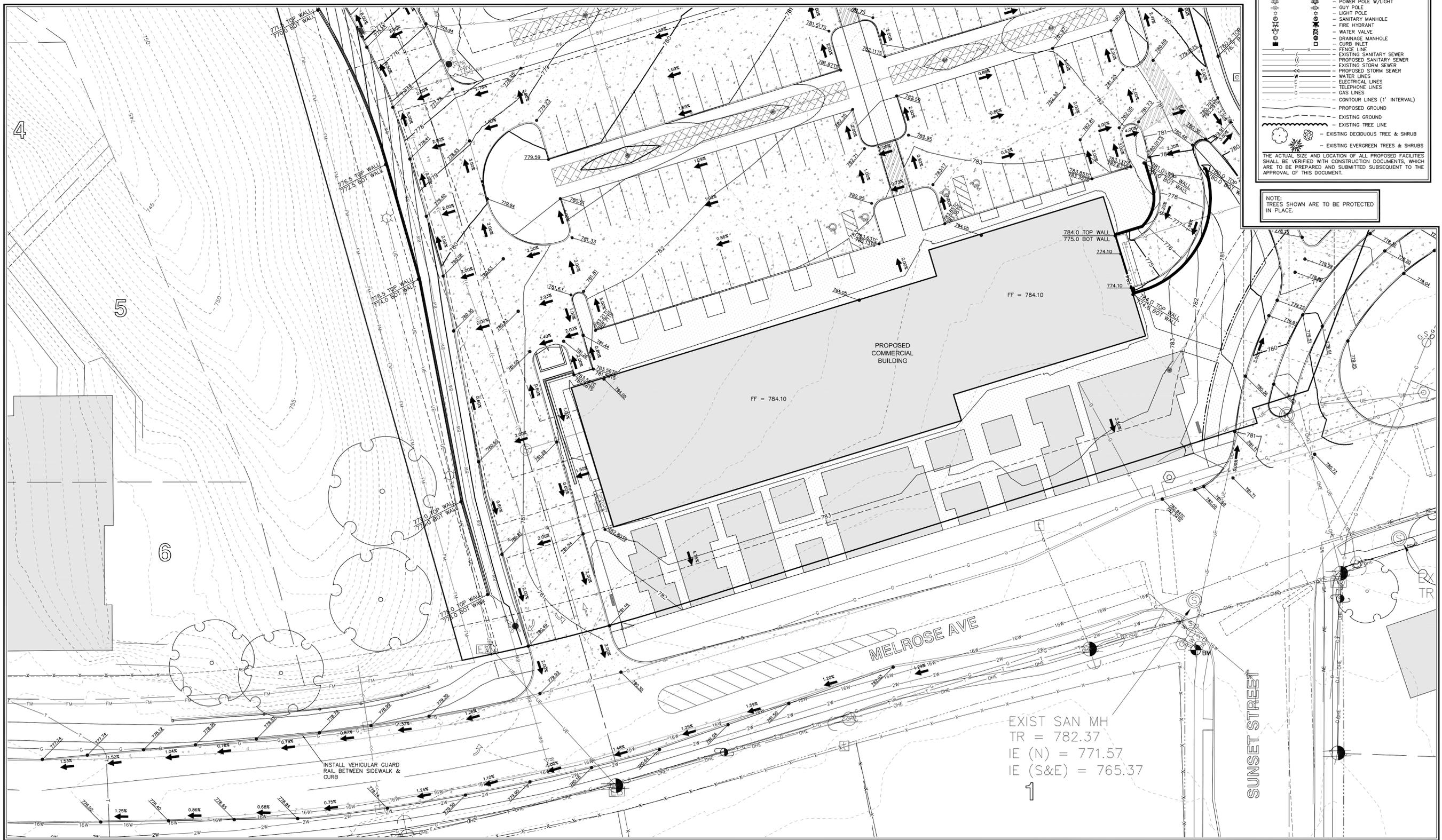
CONSULTANTS
RAKER RHODES ENGINEERING
 STRUCTURAL ENGINEER
 4717 GRAND AVE
 DES MOINES, IOWA 50312
 515.277.0275

MODUS ENGINEERING
 MEP ENGINEER
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 319.248.4600

MMS CONSULTANTS
 CIVIL ENGINEER
 1917 S GILBERT ST
 IOWA CITY, IOWA 52240
 319.351.8282
 (PROJ NO. 5136-012)

CONFLUENCE
 LANDSCAPE ARCHITECT
 401 S GILBERT ST
 IOWA CITY, IOWA 52240
 319.337.6634

NEUMANN MONSON ARCHITECTS



PROJECT NAME
 ONE UNIVERSITY PLACE

OWNER
 MAXWELL DEVELOPMENT CO.
 3011 SIERRA COURT SW
 Iowa City, Iowa 52240
 319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT

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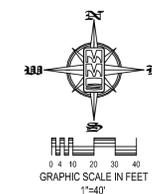
PRELIMINARY
 NOT FOR CONSTRUCTION

SHEET NAME
 GRADING AND EROSION CONTROL PLAN

SHEET NUMBER

C-106

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA



SHEET INDEX

- C-101 LAYOUT PLAN
- C-102 SITE EASEMENT LAYOUT
- C-103 EXISTING CONDITIONS & SENSITIVE AREAS DEVELOPMENT PLAN
- C-104 SITE GRADING & EROSION CONTROL PLAN & SENSITIVE AREAS SITE PLAN
- C-105 GRADING & EROSION CONTROL PLAN
- C-106 GRADING & EROSION CONTROL PLAN
- C-107 UTILITY PLAN
- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

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(PROJ. NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
401 S GILBERT ST
IOWA CITY, IOWA 52240
319.337.6634

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY:
THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240

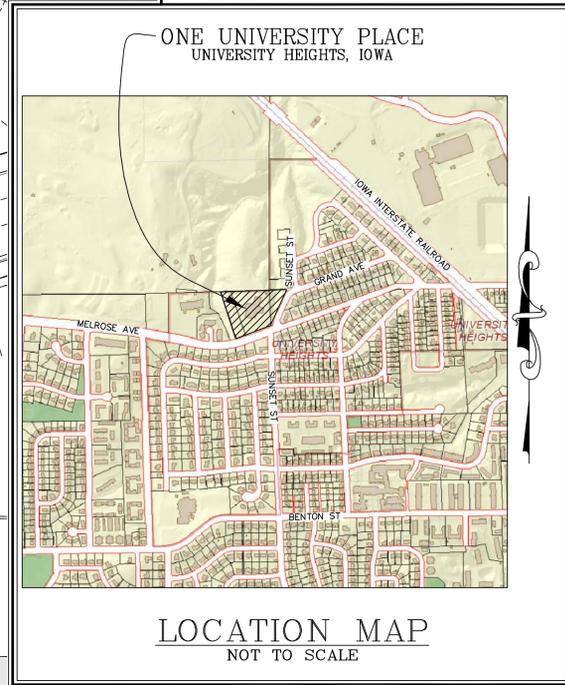
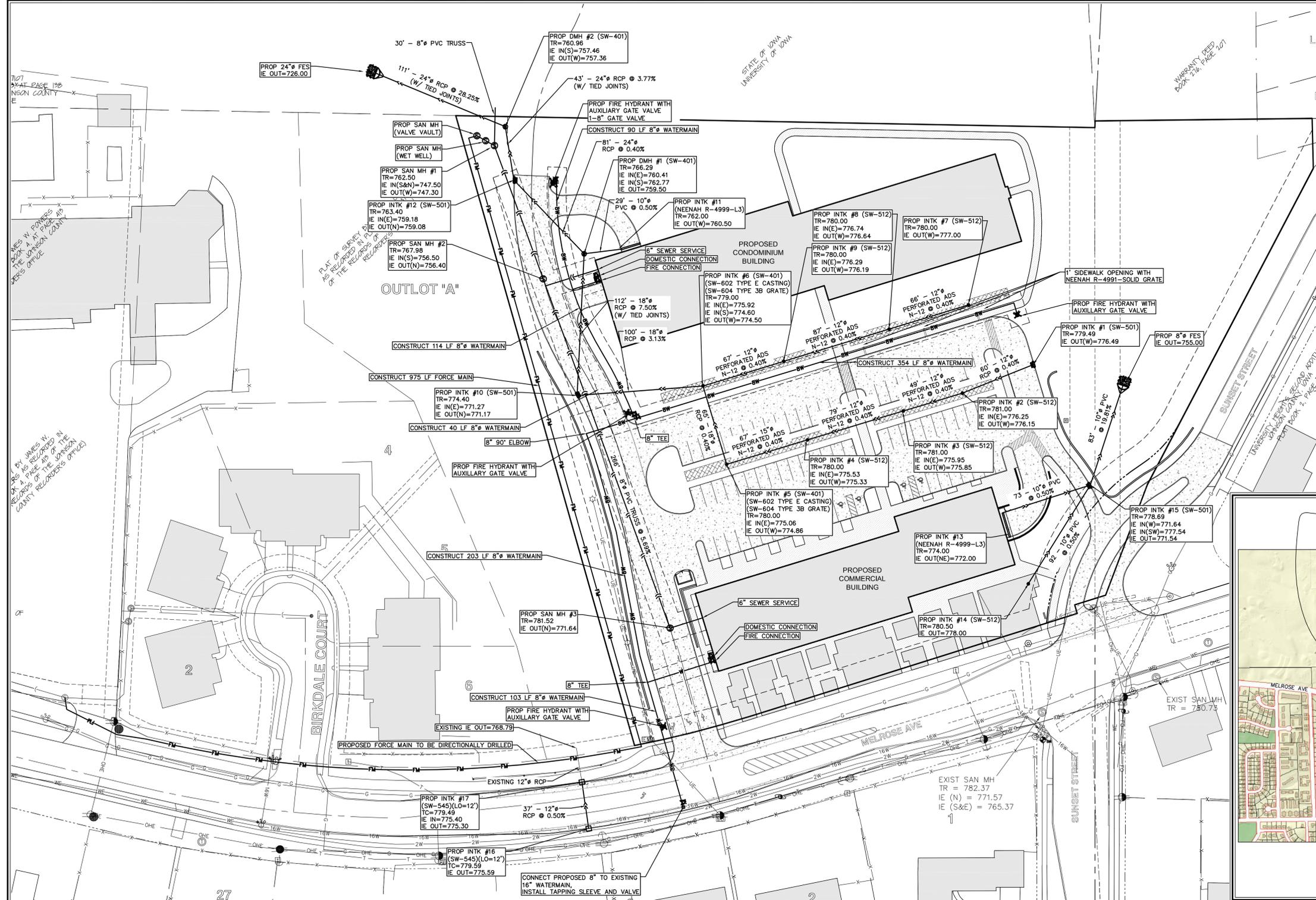
STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
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- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
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PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
Iowa City, Iowa 52240
319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT

**PRELIMINARY
NOT FOR CONSTRUCTION**

SHEET NAME
UTILITY PLAN

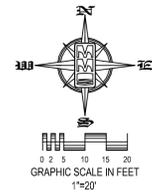
SHEET NUMBER
C-107

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT: MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240



SHEET INDEX

- C-101 LAYOUT PLAN
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---	EXISTING EASEMENT LINES
---	BENCHMARK
---	RECORDED DIMENSIONS
---	CURVE SEGMENT NUMBER
(R)	22-1
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---	PROPP- POWER POLE W/DROP
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(PROJ NO. 5136-012)

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PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
Iowa City, Iowa 52240
319.354.0759

PROJECT NO. 14.000

ISSUE

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03.26.2015	REVISED BLDG/SITE LAYOUT

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SHEET NAME
DIMENSION PLAN

SHEET NUMBER
C-108

NEUMANN MONSON ARCHITECTS



ONE UNIVERSITY PLACE

DATE: 05.19.2015

NEUMANN MONSON ARCHITECTS

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20' building setback
Underground parking entrance

NORTH BUILDING
BUILDING FOOTPRINT (22,808sf)
80 CONDOS (5 LEVELS)
120 PARKING SPACES (2 LEVELS)

Private patio with shrub screening, typ.
Canopy
Shrub screen, typ.
Proposed overstory trees

108 Parking spaces
Loading dock
Refuse enclosure wood tone panel system

SOUTH BUILDING
BUILDING FOOTPRINT (16,000 sf)
14,600 SF COMMERCIAL
24 CONDOS (2 LEVELS)
45 PARKING SPACES (1 LEVEL)

Retaining wall
Site entrance and exit
38' - 6" to projections above
Monument sign (5'W x 5'T)

Emergency generator
Protected Slope
Transformer and shrub screen
Existing wooded ravine
Retaining wall
Exit only
20' building setback
Public walks
Natural playground space
Monument sign
Columnar trees

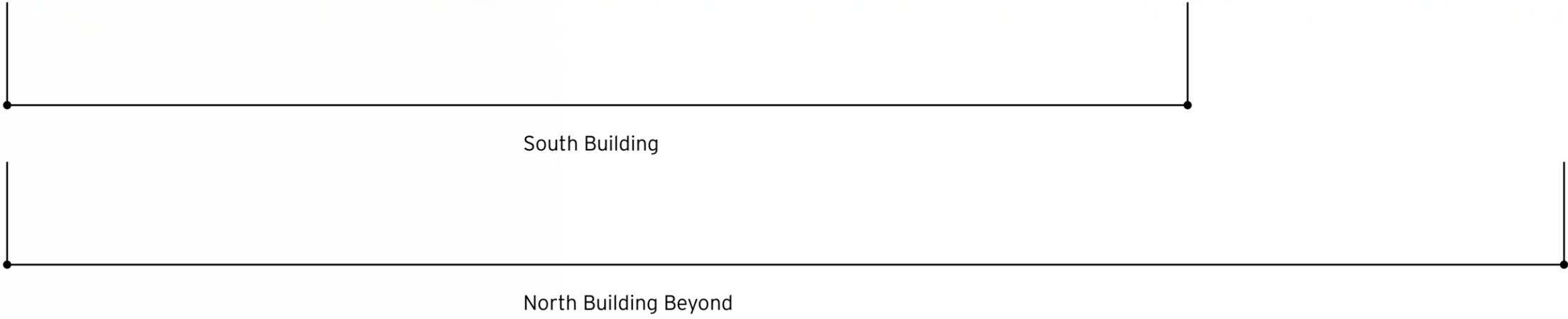
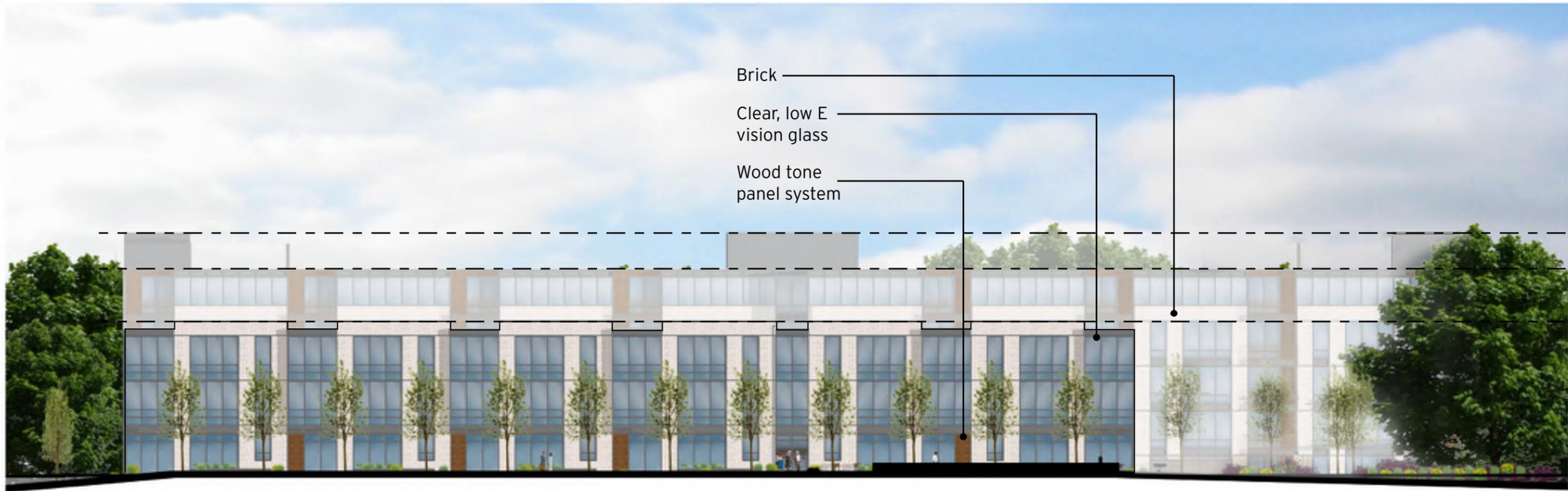
A1 ARCHITECTURAL SITE PLAN
1" = 60'-0"

ONE UNIVERSITY PLACE -
SOUTH BUILDING



CONFLUENCE

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221 East College Street | Suite 303 | Iowa city, Iowa 52240
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SOUTH ELEVATION

ONE UNIVERSITY PLACE



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South Building

NORTH ELEVATION

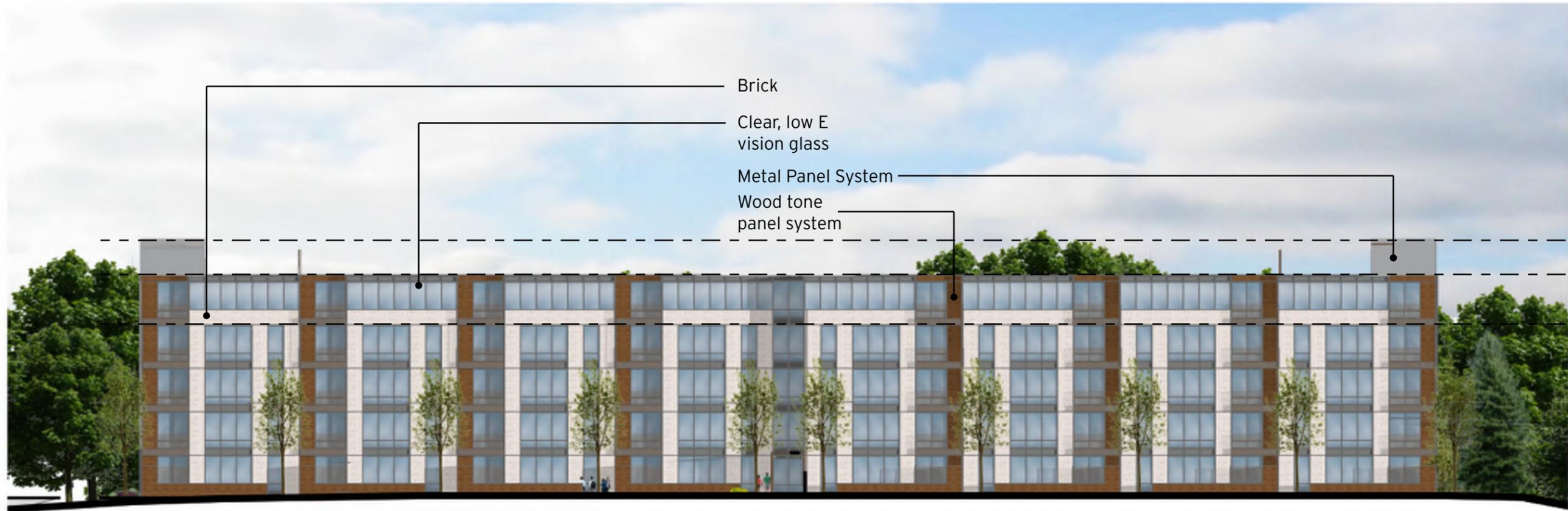
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Brick

Clear, low E
vision glass

Metal Panel System

Wood tone
panel system

844'-8"
Roof of stair tower
835'-8"
Parapet of north
building
821'-10"
Parapet of south
building



North Building

SOUTH ELEVATION

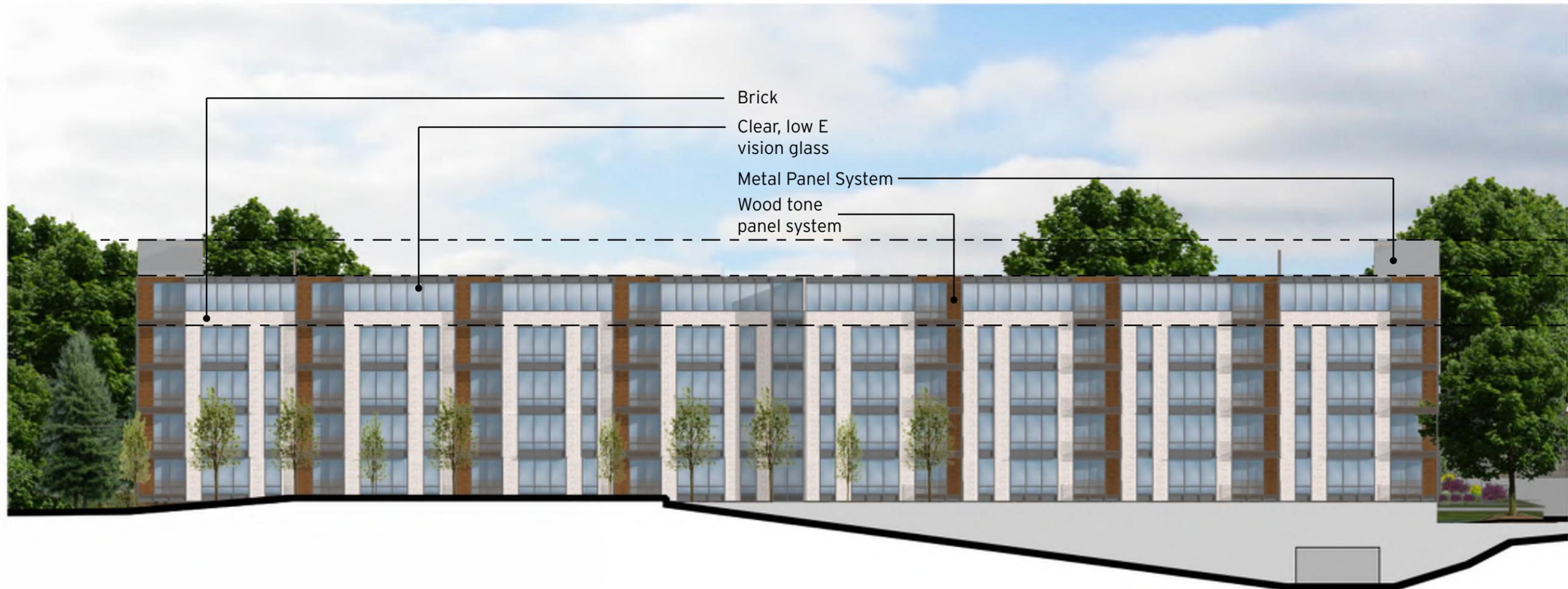


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Brick
 Clear, low E
 vision glass
 Metal Panel System
 Wood tone
 panel system

844'-8"
 Roof of stair tower
 835'-8"
 Parapet of north
 building
 821'-10"
 Parapet of south
 building

North Building

NORTH ELEVATION

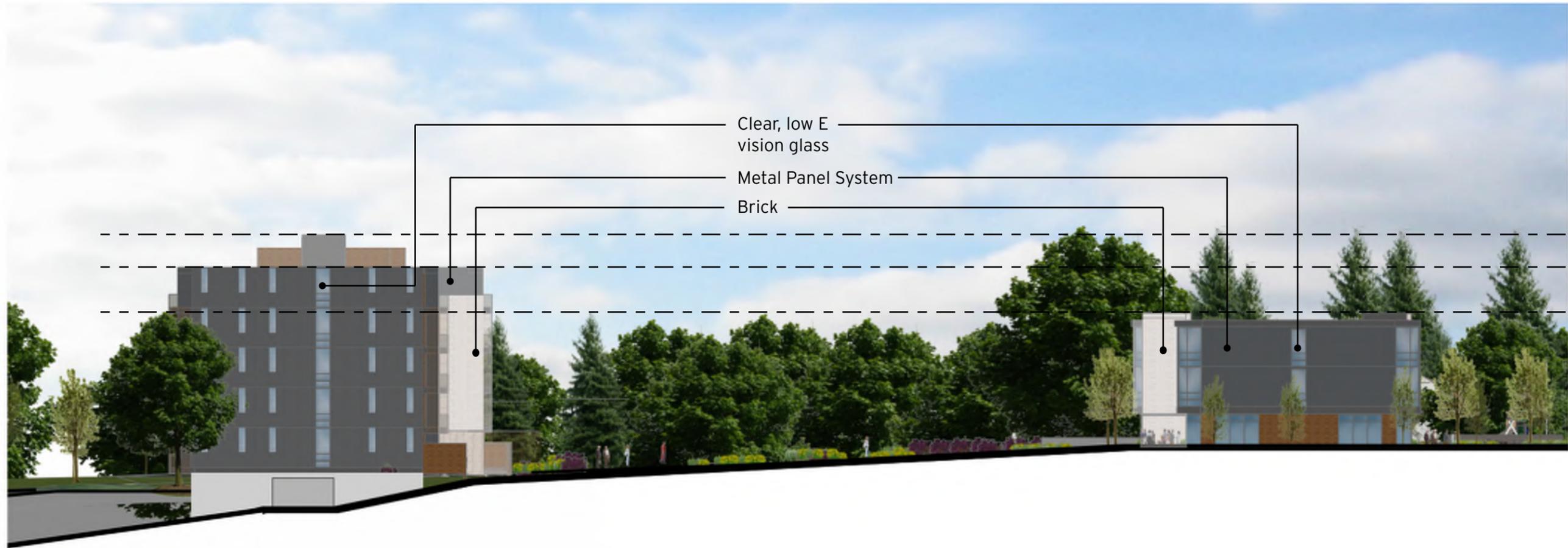
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North Building



South Building

WEST ELEVATION

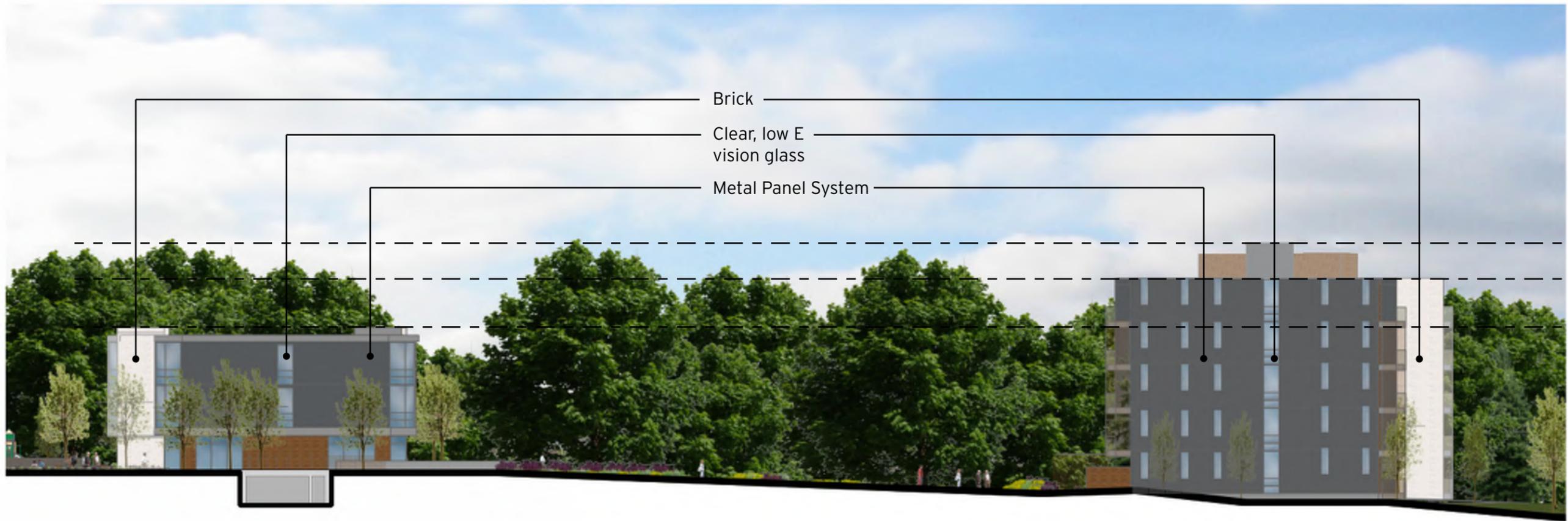
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418 6th Avenue | Suite 209 | Des Moines, Iowa 50309
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South Building



North Building

EAST ELEVATION

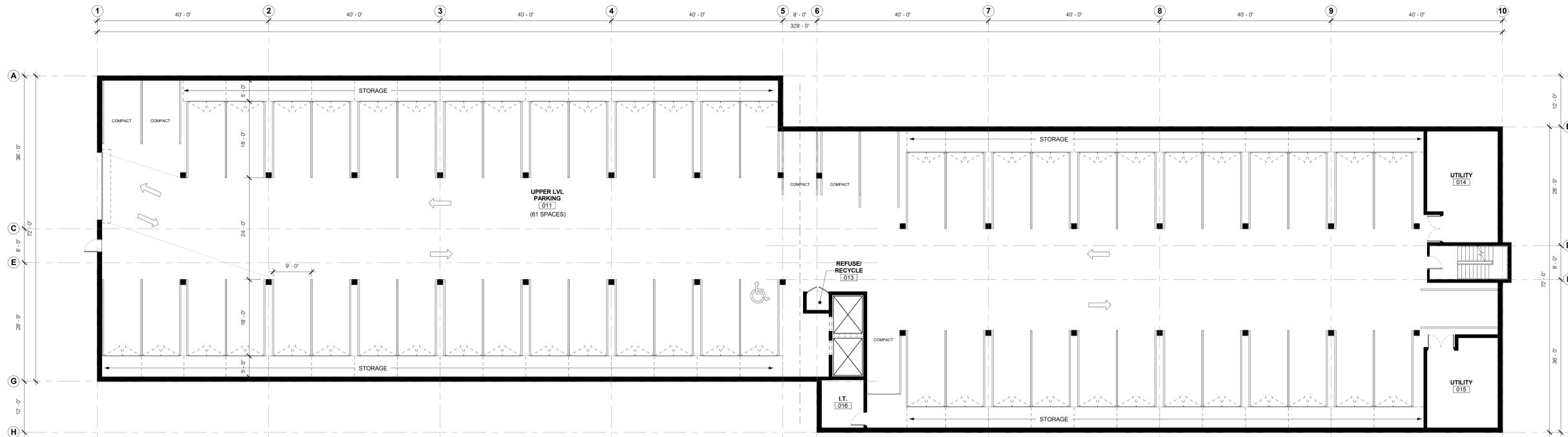
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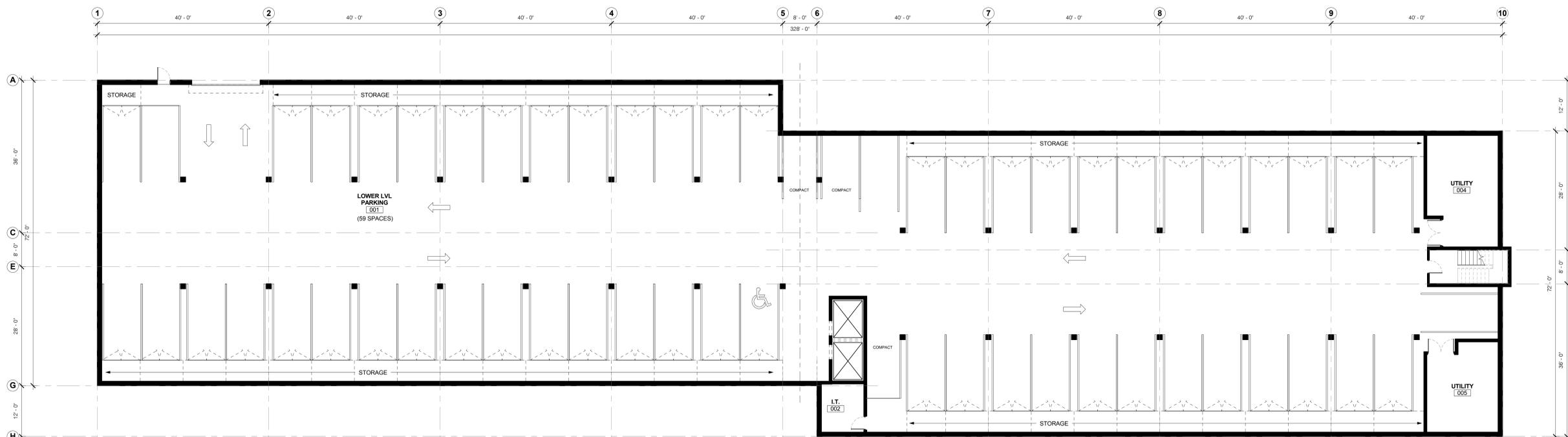
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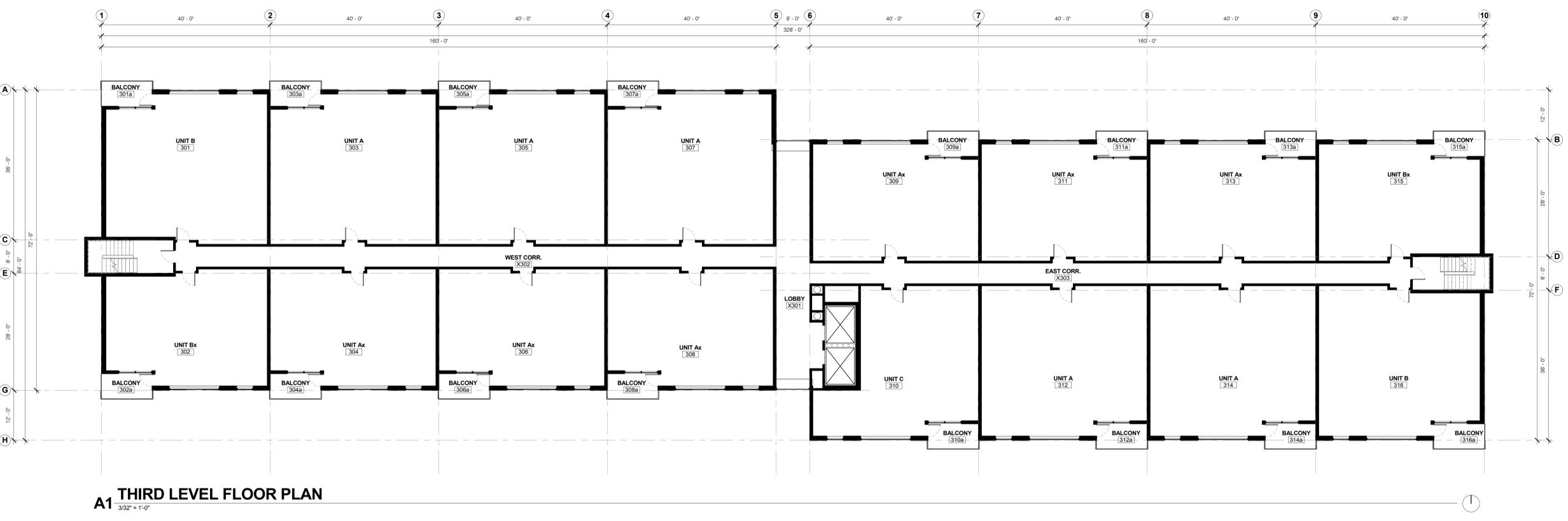
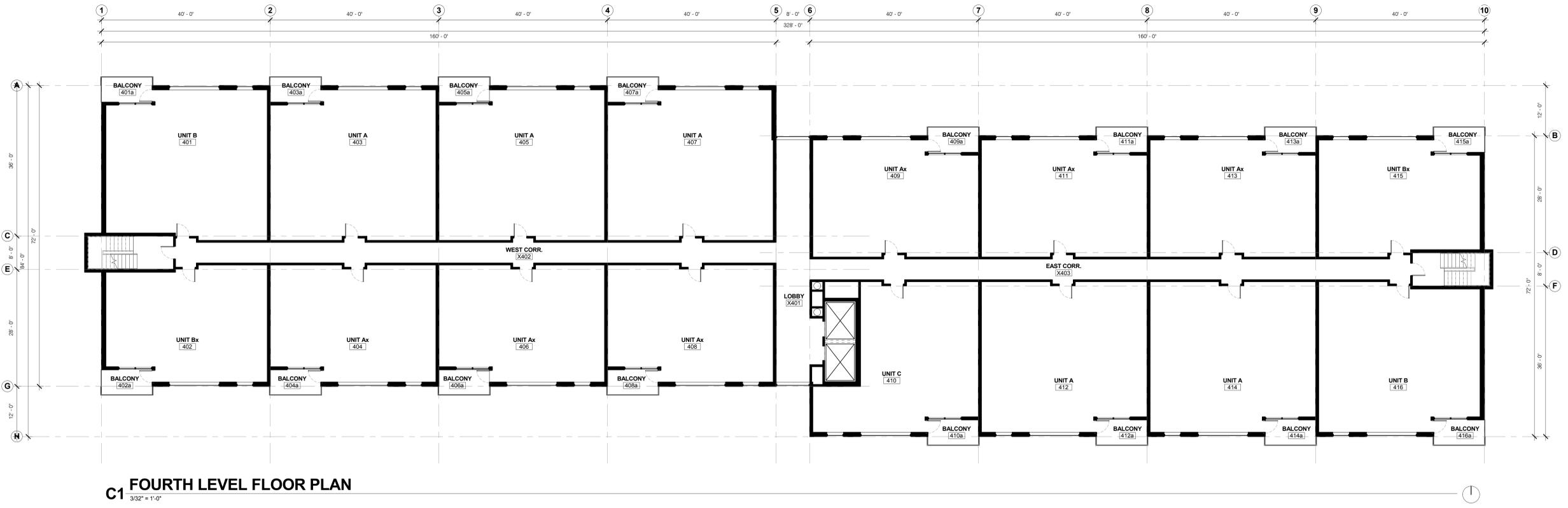
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C1 UPPER LEVEL PARKING FLOOR PLAN
 3/32" = 1'-0"



A1 LOWER LEVEL PARKING FLOOR PLAN
 3/32" = 1'-0"

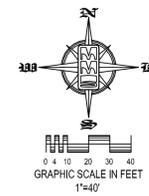


PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY:
THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240



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- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

ARCHITECT OF RECORD

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LANDSCAPE ARCHITECT
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319.337.6634

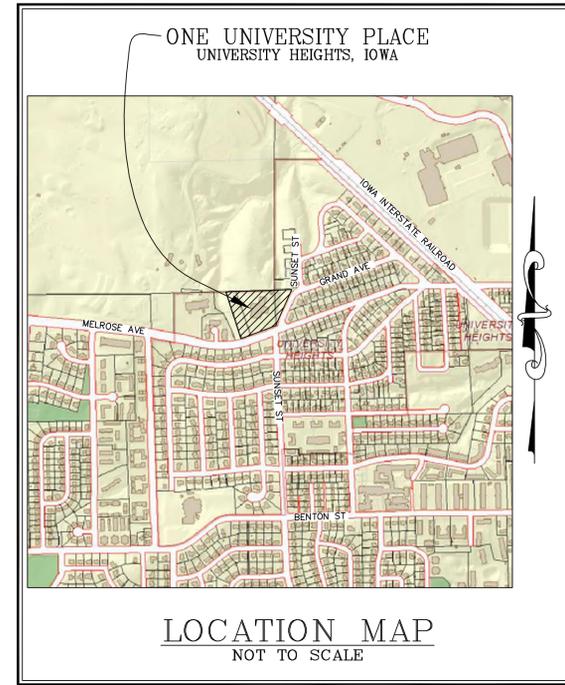
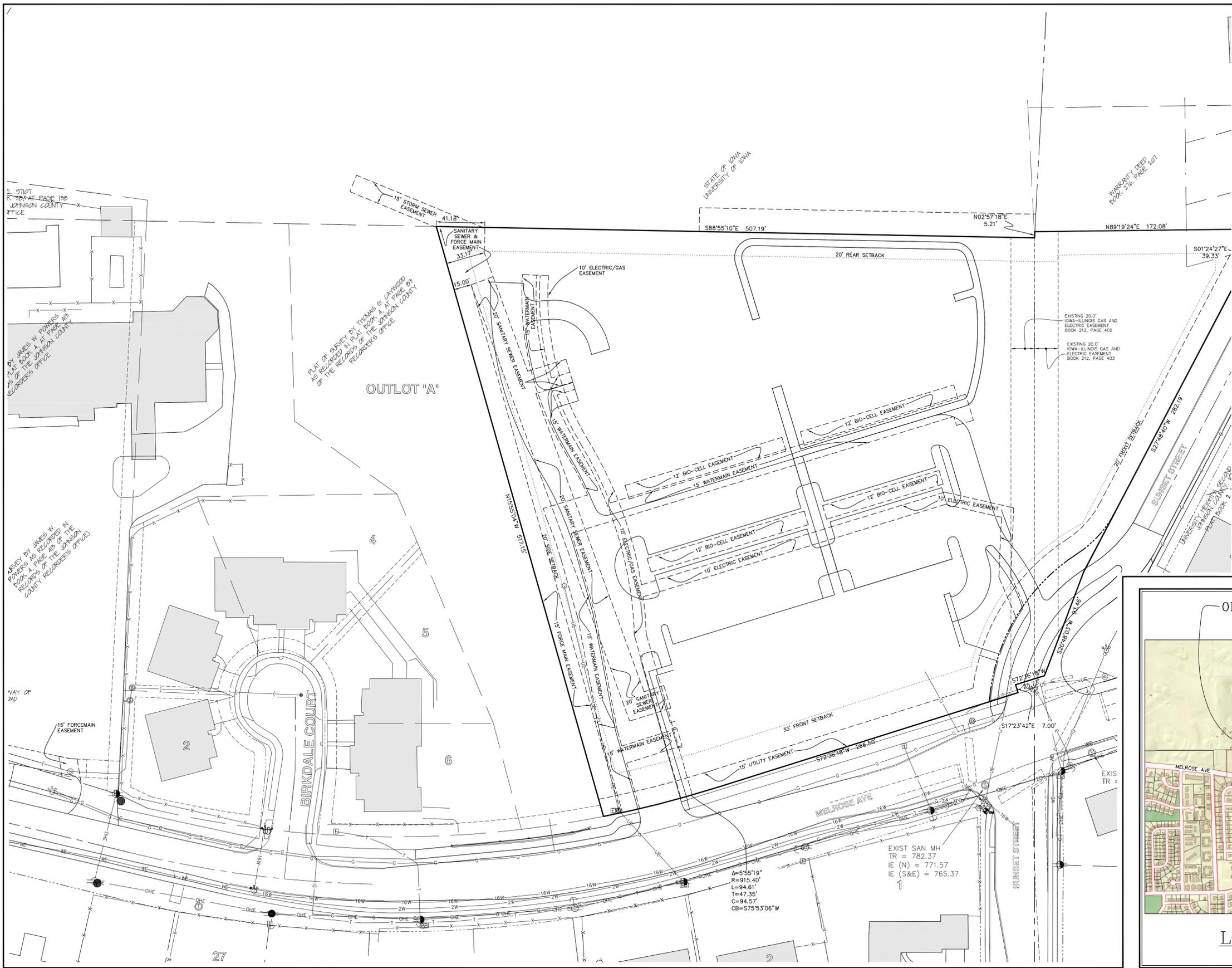
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(R) 22-1

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PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
Iowa City, Iowa 52240
319.354.0759

PROJECT NO. 14.009

ISSUE

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04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT
05.19.2015	REVISED PER REVIEW COMMENTS

**PRELIMINARY
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SHEET NAME
SITE EASEMENT LAYOUT

SHEET NUMBER
C-102

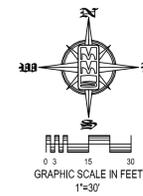
NEUMANN MONSON ARCHITECTS

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
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APPLICANT'S ATTORNEY:
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- C-107 UTILITY PLAN
- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

ARCHITECT OF RECORD

Neumann Monson PC
221 East College Street | Suite 303
Iowa City, Iowa 52240
T 319.338.7878

418 6th Avenue | Suite 209
Des Moines, Iowa 50309
T 515.339.7800

CONSULTANTS

RAKER RHODES ENGINEERING
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DES MOINES, IOWA 50312
515.277.0275

MODUS ENGINEERING
MEP ENGINEER
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319.248.4600

MMS CONSULTANTS
CIVIL ENGINEER
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IOWA CITY, IOWA 52240
319.351.8282
(PROJ. NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
401 S GILBERT ST
IOWA CITY, IOWA 52240
319.337.6634

STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

EXIST- PROP

- POWER POLE
- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DRAINAGE MANHOLE
- CURB INLET
- FENCE LINE
- EXISTING SANITARY SEWER
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- WATER LINES
- ELECTRICAL LINES
- TELEPHONE LINES
- GAS LINES
- CONTOUR LINES (1' INTERVAL)
- PROPOSED GROUND
- EXISTING GROUND
- EXISTING TREE LINE
- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

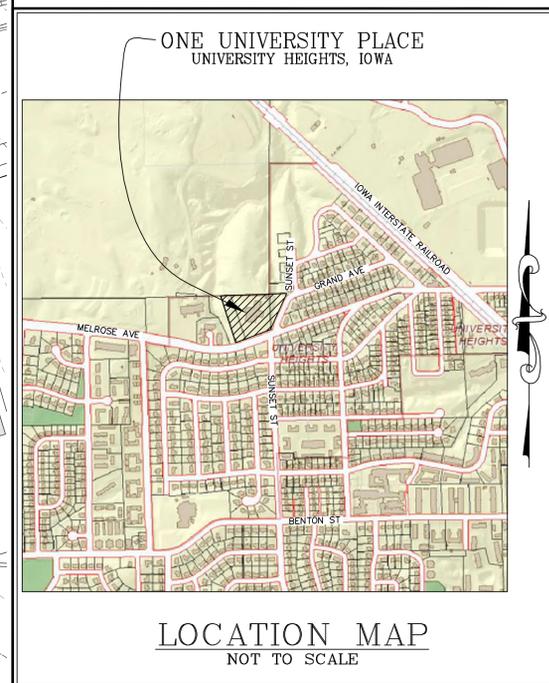
THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

EXISTING CHARACTERISTICS

LOT AREA	231,029 SF (100%)
BUILDING AREA(BA)	26,492 SF (11.5%)
PAVING AREA - PARKING(PA)	59,348 SF (25.7%)
GREEN SPACE AREA	145,189 SF (62.8%)
OFF-SITE IMPERVIOUS AREA	22,266 SF

SENSITIVE AREA HATCH LEGEND

- STEEP SLOPE
- CRITICAL SLOPE
- PROTECTED SLOPE



PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
Iowa City, Iowa 52240
319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT
05.19.2015	REVISED PER REVIEW COMMENTS

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**PRELIMINARY
NOT FOR CONSTRUCTION**

SHEET NAME
**EXISTING CONDITIONS
PLAN AND SENSITIVE
AREAS DEVELOPMENT
PLAN**

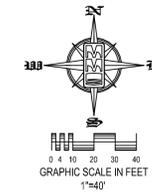
SHEET NUMBER
C-103

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY:
THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240



SHEET INDEX

- C-101 LAYOUT PLAN
- C-102 SITE EASEMENT LAYOUT
- C-103 EXISTING CONDITIONS & SENSITIVE AREAS DEVELOPMENT PLAN
- C-104 SITE GRADING & EROSION CONTROL PLAN & SENSITIVE AREAS SITE PLAN
- C-105 GRADING & EROSION CONTROL PLAN
- C-106 GRADING & EROSION CONTROL PLAN
- C-107 UTILITY PLAN
- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

ARCHITECT OF RECORD

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STRUCTURAL ENGINEER
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MEP ENGINEER
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IOWA CITY, IOWA 52240
319.248.4600

MMS CONSULTANTS
CIVIL ENGINEER
1917 S GILBERT ST
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319.351.8282
(PROJ. NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
401 S GILBERT ST
IOWA CITY, IOWA 52240
319.337.6634

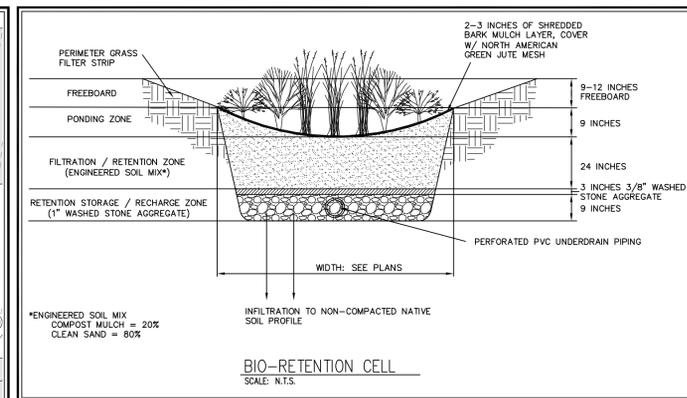
STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
- CENTER LINES
- EXISTING CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

EXISTING

- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
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- FENCE LINE
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SENSITIVE AREA HATCH LEGEND

- STEEP SLOPE
- CRITICAL SLOPE
- PROTECTED SLOPE

SENSITIVE AREAS IMPACTS

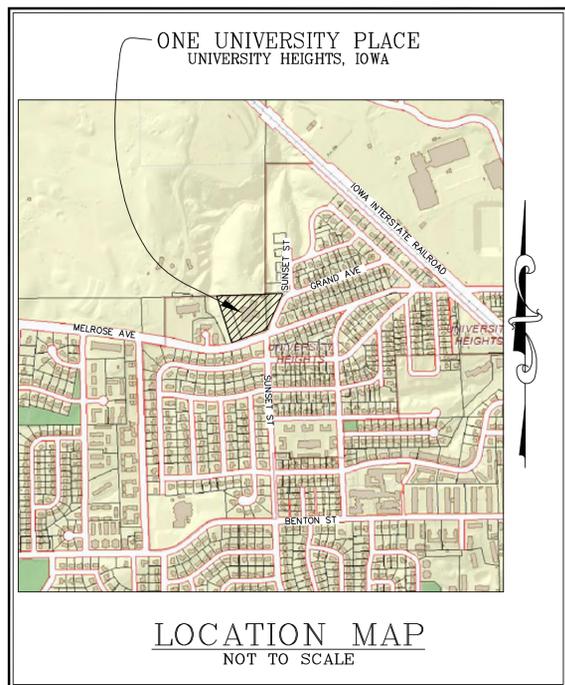
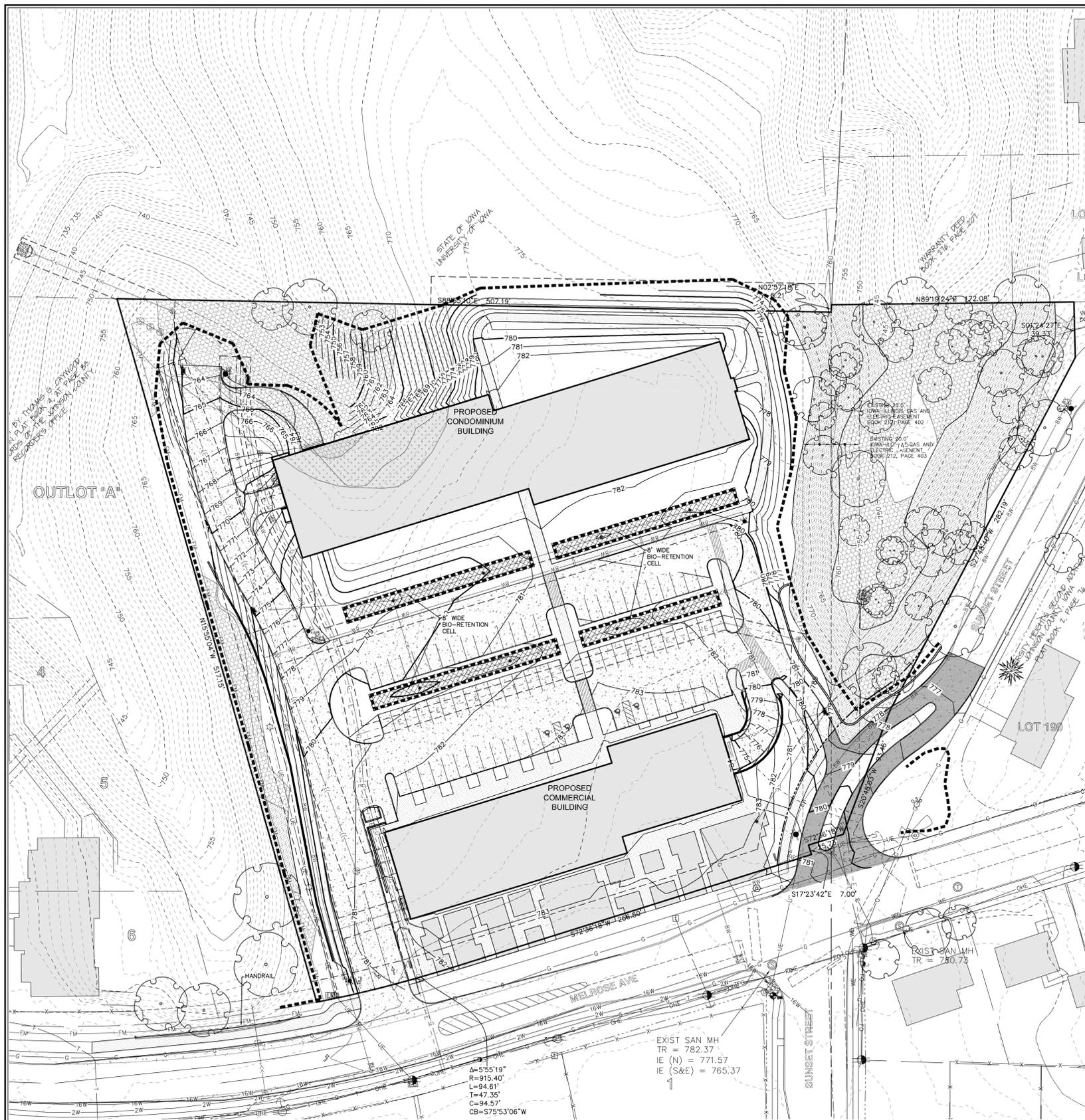
	STEEL	CRITICAL	PROTECTED	IMPACTED
STEEL	10,426 SF (0.24 AC)	9,966 SF (0.23 AC) (95.6%)		
CRITICAL	33,093 SF (0.75 AC)	13,648 SF (0.31 AC) (41.2%)		
PROTECTED	22,037 SF (0.51 AC)	989 SF (0.02 AC) (4.5%)		

FENCE LEGEND

- SILT FENCE
- CONSTRUCTION SAFETY FENCE

NOTE: TREES SHOWN ARE TO BE PROTECTED IN PLACE.

NOTE: SENSITIVE SLOPES INSIDE THE CONSTRUCTION SAFETY FENCE WILL BE IMPACTED.



PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52240
319.354.0759

PROJECT NO. 14.009

ISSUE

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04.30.2014	PROGRESS SET
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PRELIMINARY
NOT FOR CONSTRUCTION

SHEET NAME
SITE GRADING AND EROSION CONTROL PLAN AND SENSITIVE AREAS SITE PLAN

SHEET NUMBER

C-104

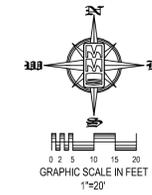
NEUMANN MONSON ARCHITECTS

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: **MMS CONSULTANTS INC.**
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT: **MAXWELL DEVELOPMENT CO.**
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: **THOMAS H. GELMAN**
321 E. MARKET ST.
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SHEET INDEX

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STANDARD LEGEND AND NOTES

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- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

EXISTING

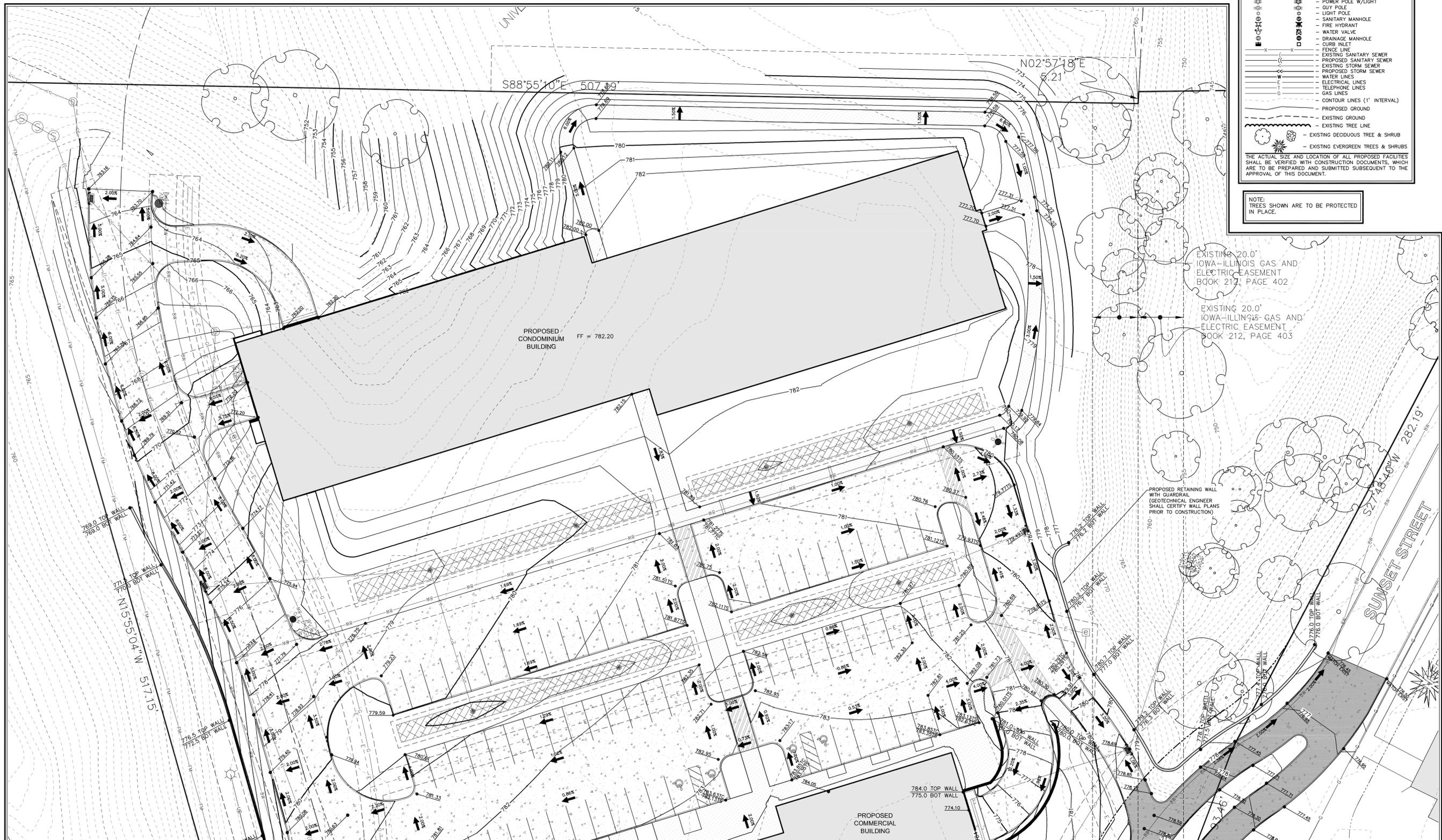
- POWER POLE W/DROP
- POWER POLE W/TRANS
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- GUY POLE
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- EXISTING DECIDUOUS TREE & SHRUB
- EXISTING EVERGREEN TREES & SHRUBS

PROPOSED

- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
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NOTE:
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515.277.0275

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MEP ENGINEER
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319.248.4600

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IOWA CITY, IOWA 52240
319.351.8282
(PROJ NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
401 S GILBERT ST
IOWA CITY, IOWA 52240
319.337.6634

PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52240
319.354.0759

PROJECT NO. 14.009

ISSUE	DATE	DESCRIPTION
	04.30.2014	PROGRESS SET
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	05.19.2015	REVISED PER REVIEW COMMENTS

PRELIMINARY
NOT FOR CONSTRUCTION

SHEET NAME
GRADING AND EROSION CONTROL PLAN

SHEET NUMBER
C-105

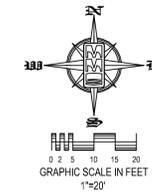
NEUMANN MONSON ARCHITECTS

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: **MMS CONSULTANTS INC.**
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT: **MAXWELL DEVELOPMENT CO.**
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: **THOMAS H. GELMAN**
321 E. MARKET ST.
IOWA CITY, IOWA 52240



SHEET INDEX

- C-101 LAYOUT PLAN
- C-102 SITE EASEMENT LAYOUT
- C-103 EXISTING CONDITIONS & SENSITIVE AREAS DEVELOPMENT PLAN
- C-104 SITE GRADING & EROSION CONTROL PLAN & SENSITIVE AREAS SITE PLAN
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- C-107 UTILITY PLAN
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STANDARD LEGEND AND NOTES

- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- EXISTING RIGHT-OF-WAY LINES
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- LOT LINES, PLATTED OR BY DEED
- PROPOSED EASEMENT LINES
- EXISTING EASEMENT LINES
- BENCHMARK
- RECORDED DIMENSIONS
- CURVE SEGMENT NUMBER

-EXIST- (R) 22-1
 -PRO- (R) 22-1

- POWER POLE
- POWER POLE W/DROP
- POWER POLE W/TRANS
- POWER POLE W/LIGHT
- GUY POLE
- LIGHT POLE
- SANITARY MANHOLE
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- EXISTING EVERGREEN TREES & SHRUBS

NOTE: TREES SHOWN ARE TO BE PROTECTED IN PLACE.

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CONSULTANTS

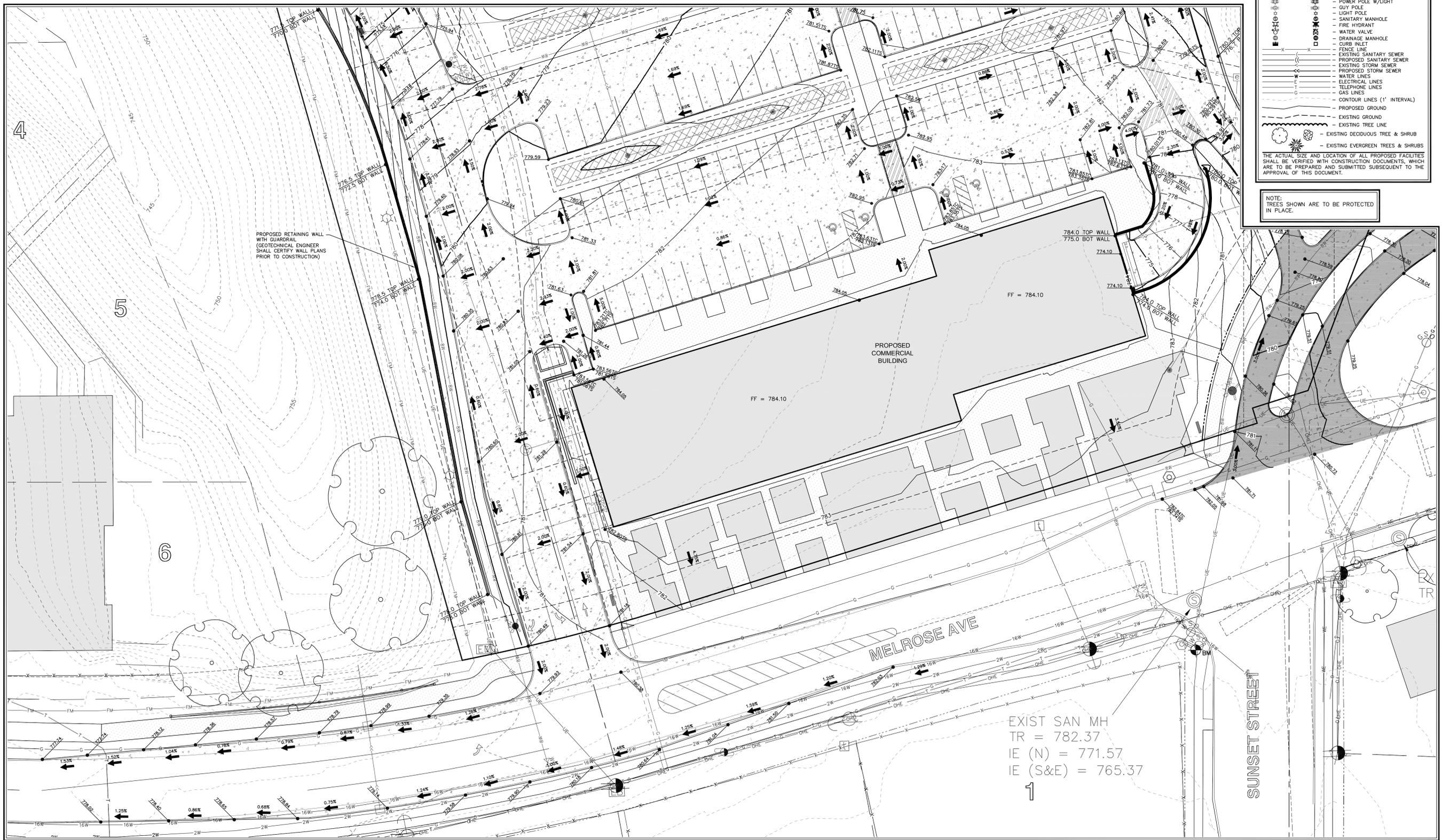
RAKER RHODES ENGINEERING
STRUCTURAL ENGINEER
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DES MOINES, IOWA 50312
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IOWA CITY, IOWA 52240
319.248.4600

MMS CONSULTANTS
CIVIL ENGINEER
1917 S GILBERT ST
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319.351.8282
(PROJ NO. 5136-012)

CONFLUENCE
LANDSCAPE ARCHITECT
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NEUMANN MONSON ARCHITECTS



PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52240
319.354.0759

PROJECT NO. 14.009

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SHEET NAME
GRADING AND EROSION CONTROL PLAN

SHEET NUMBER

C-106

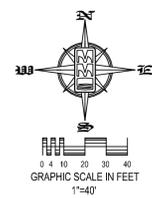
EXIST SAN MH
TR = 782.37
IE (N) = 771.57
IE (S&E) = 765.37
1

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 SOUTH GILBERT ST.
IOWA CITY, IOWA, 52240

APPLICANT:
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY:
THOMAS H. GELMAN
321 E. MARKET ST.
IOWA CITY, IOWA 52240



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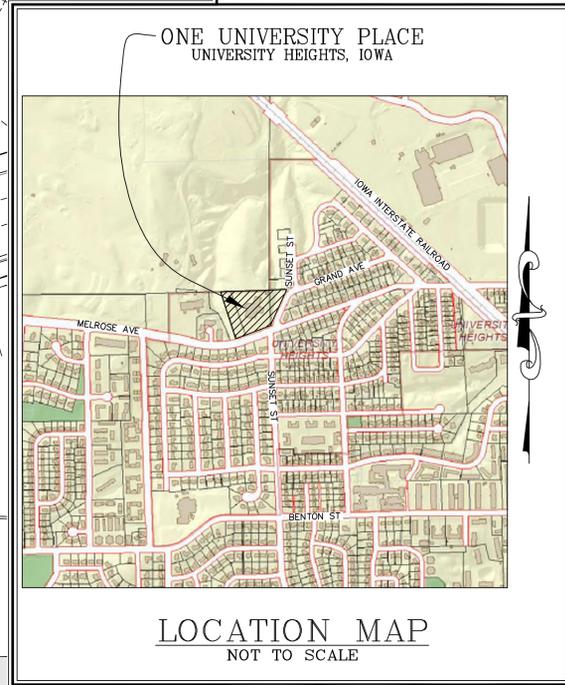
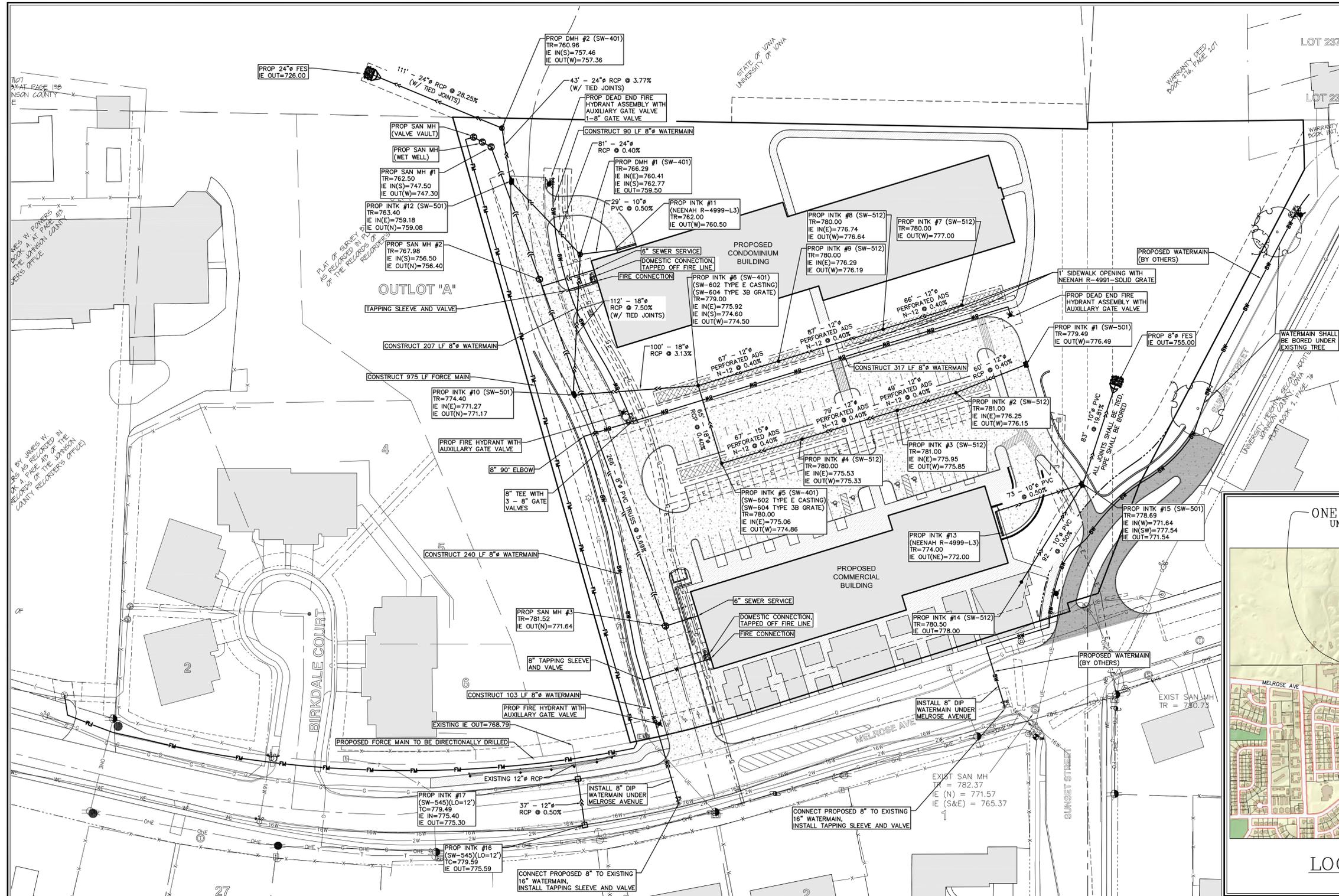
MMS CONSULTANTS
CIVIL ENGINEER
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CONFLUENCE
LANDSCAPE ARCHITECT
401 S GILBERT ST
IOWA CITY, IOWA 52240
319.337.6634

STANDARD LEGEND AND NOTES

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---	CONGRESSIONAL SECTION LINES
---	RIGHT-OF-WAY LINES
---	EXISTING RIGHT-OF-WAY LINES
---	CENTER LINES
---	EXISTING CENTER LINES
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---	BENCHMARK
---	RECORDED DIMENSIONS
---	CURVE SEGMENT NUMBER
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	WATER LINES
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---	TELEPHONE LINES
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---	PROPOSED GROUND
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PROJECT NAME
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OWNER
MAXWELL DEVELOPMENT CO.
3011 SIERRA COURT SW
Iowa City, Iowa 52240
319.354.0759

PROJECT NO. 14.009

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PRELIMINARY
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SHEET NAME
UTILITY PLAN

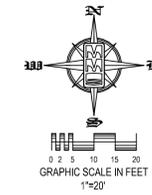
SHEET NUMBER
C-107

PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: MMS CONSULTANTS INC.
 1917 SOUTH GILBERT ST.
 IOWA CITY, IOWA, 52240

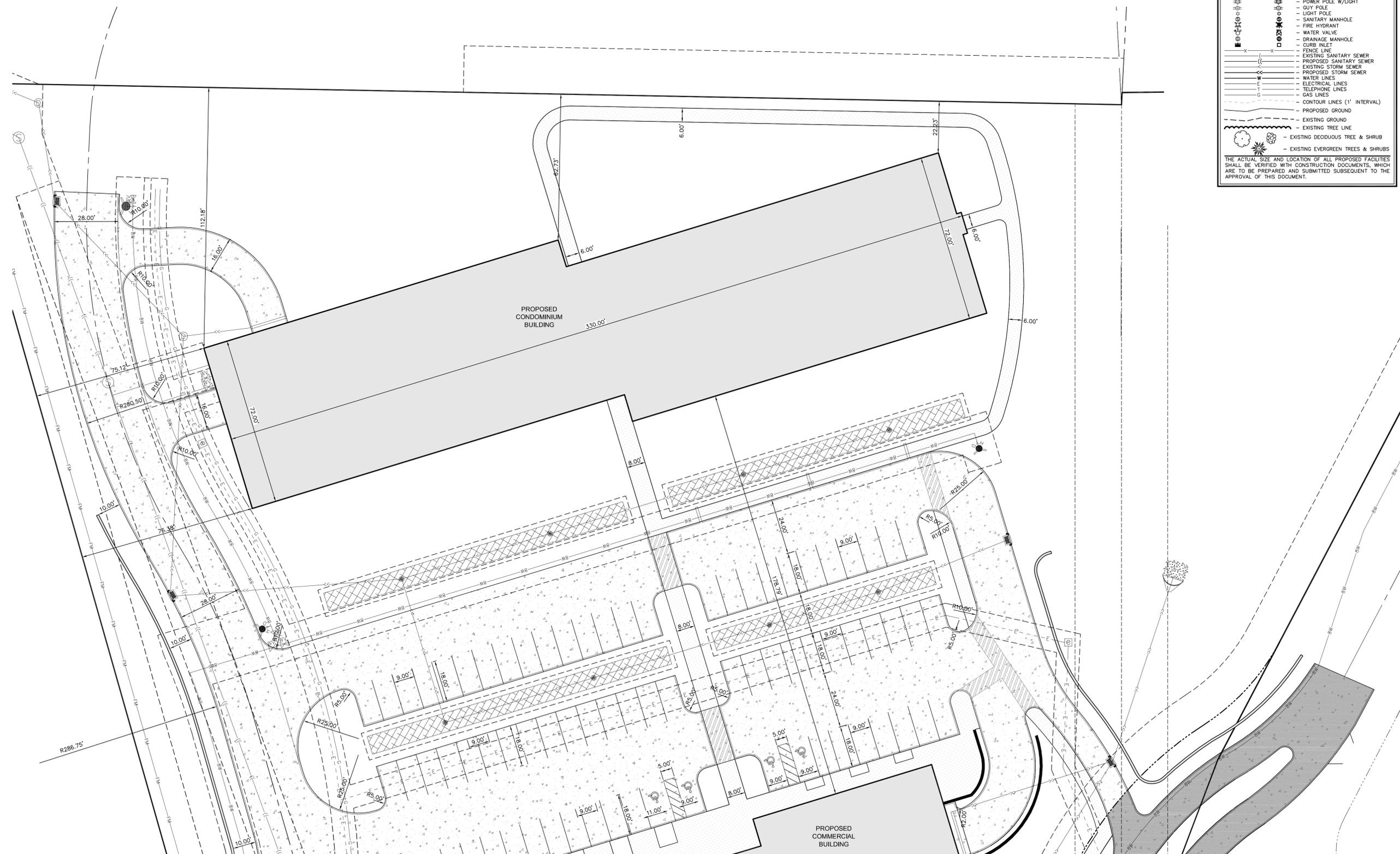
APPLICANT: MAXWELL DEVELOPMENT CO.
 3011 SIERRA COURT SW
 IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: THOMAS H. GELMAN
 321 E. MARKET ST.
 IOWA CITY, IOWA 52240



STANDARD LEGEND AND NOTES	
---	PROPERTY & 1/4" BOUNDARY LINES
---	CONGRESSIONAL SECTION LINES
---	RIGHT-OF-WAY LINES
---	EXISTING RIGHT-OF-WAY LINES
---	CENTER LINES
---	EXISTING CENTER LINES
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---	22-1
---	PROPP
---	POWER POLE
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---	PROPOSED GROUND
---	EXISTING GROUND
---	EXISTING TREE LINE
---	EXISTING DECIDUOUS TREE & SHRUB
---	EXISTING EVERGREEN TREES & SHRUBS

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.



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PROJECT NAME
ONE UNIVERSITY PLACE

OWNER
 MAXWELL DEVELOPMENT CO.
 3011 SIERRA COURT SW
 Iowa City, Iowa 52240
 319.354.0759

PROJECT NO. 14.009

ISSUE

DATE	DESCRIPTION
04.30.2014	PROGRESS SET
03.26.2015	REVISED BLDG/SITE LAYOUT
05.19.2015	REVISED PER REVIEW COMMENTS

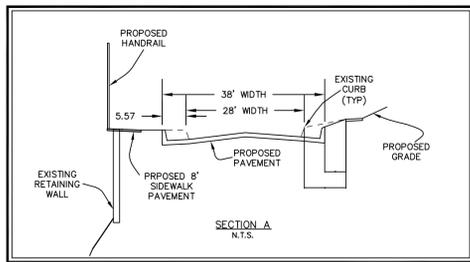
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**PRELIMINARY
 NOT FOR CONSTRUCTION**

SHEET NAME
DIMENSION PLAN

SHEET NUMBER
C-108

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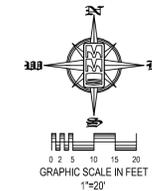


PUD SITE PLAN ONE UNIVERSITY PLACE UNIVERSITY HEIGHTS, IOWA

PLAT PREPARED BY: MMS CONSULTANTS INC.
 1917 SOUTH GILBERT ST.
 IOWA CITY, IOWA, 52240

APPLICANT: MAXWELL DEVELOPMENT CO.
 3011 SIERRA COURT SW
 IOWA CITY, IOWA 52244

APPLICANT'S ATTORNEY: THOMAS H. GELMAN
 321 E. MARKET ST.
 IOWA CITY, IOWA 52240



SHEET INDEX

- C-101 LAYOUT PLAN
- C-102 SITE EASEMENT LAYOUT
- C-103 EXISTING CONDITIONS & SENSITIVE AREAS DEVELOPMENT PLAN
- C-104 SITE GRADING & EROSION CONTROL PLAN & SENSITIVE AREAS SITE PLAN
- C-105 GRADING & EROSION CONTROL PLAN
- C-106 GRADING & EROSION CONTROL PLAN
- C-107 UTILITY PLAN
- C-108 DIMENSION PLAN
- C-109 DIMENSION PLAN

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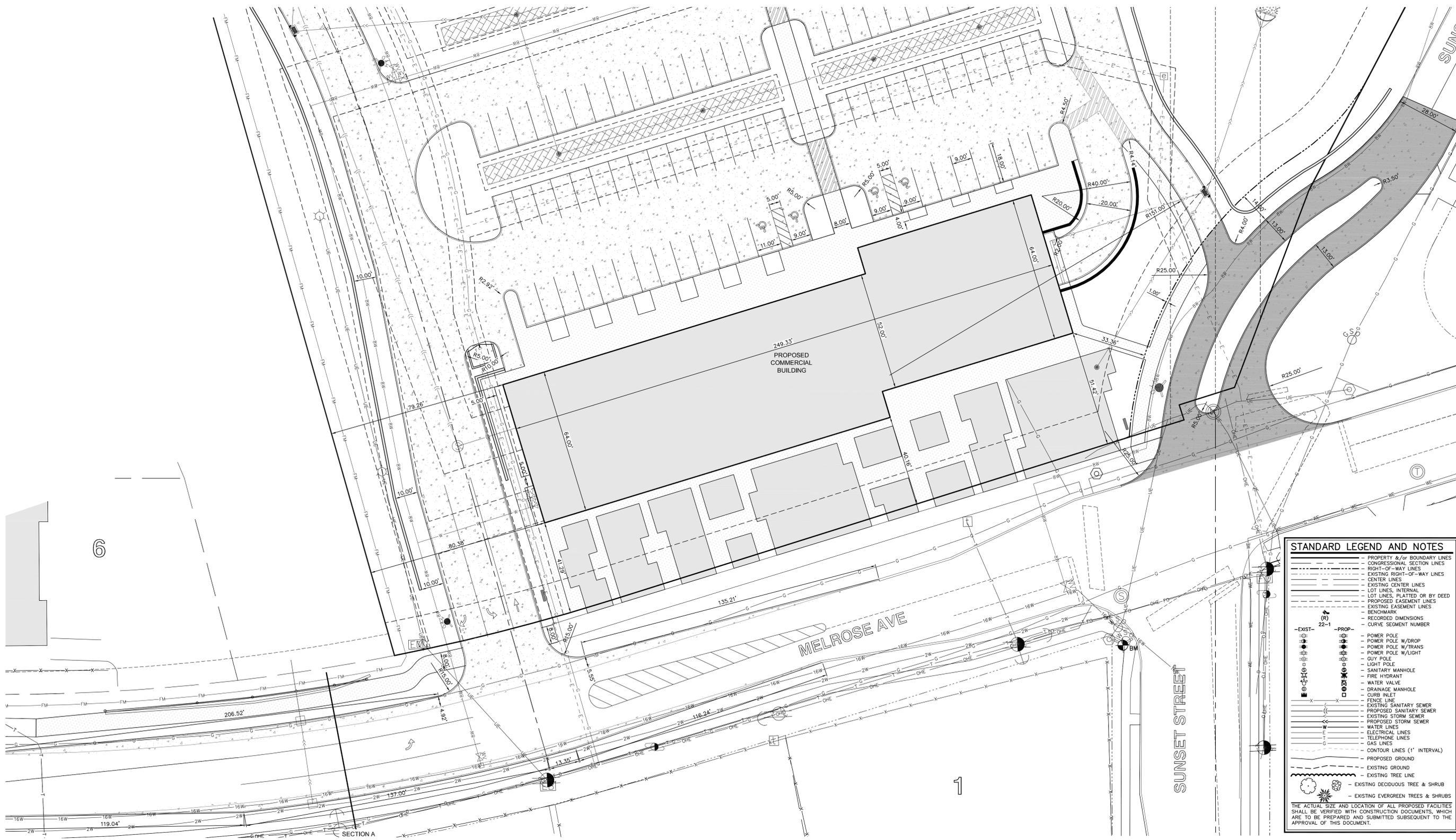
RAKER RHODES ENGINEERING
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PRELIMINARY
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SHEET NAME
DIMENSION PLAN

SHEET NUMBER
C-109

STANDARD LEGEND AND NOTES

—	PROPERTY &/or BOUNDARY LINES
—	CONGRESSIONAL SECTION LINES
—	RIGHT-OF-WAY LINES
—	EXISTING RIGHT-OF-WAY LINES
—	CENTER LINES
—	EXISTING CENTER LINES
—	LOT LINES, INTERNAL
—	LOT LINES, PLATTED OR BY DEED
—	PROPOSED EASEMENT LINES
—	EXISTING EASEMENT LINES
—	BENCHMARK
—	RECORDED DIMENSIONS
—	CURVE SEGMENT NUMBER
—	EXISTING POWER POLE
—	PROPOSED POWER POLE W/DROP
—	POWER POLE W/TRANS
—	POWER POLE W/LIGHT
—	GUY POLE
—	LIGHT POLE
—	SANITARY MANHOLE
—	FIRE HYDRANT
—	WATER VALVE
—	DRAINAGE MANHOLE
—	CURB INLET
—	FENCE LINE
—	EXISTING SANITARY SEWER
—	PROPOSED SANITARY SEWER
—	EXISTING STORM SEWER
—	PROPOSED STORM SEWER
—	WATER LINES
—	ELECTRICAL LINES
—	TELEPHONE LINES
—	GAS LINES
—	CONTOUR LINES (1' INTERVAL)
—	PROPOSED GROUND
—	EXISTING GROUND
—	EXISTING TREE LINE
—	EXISTING DECIDUOUS TREE & SHRUB
—	EXISTING EVERGREEN TREES & SHRUBS

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STAFF REPORT

To: University Heights City Council

Prepared by: Kent Ralston
Darian Nagle-Gamm
Sarah Walz

Item: April 7, 2015 PUD submittal
1300 Melrose Avenue

Date: May 12, 2015

GENERAL INFORMATION:

Applicant:	Maxwell Development LLC 319-354-5858
Property Owner:	St. Andrew Presbyterian Church
Requested Action:	Planned Unit Development Review
Purpose:	Neighborhood commercial and multi-family residential: Front Building, 24 condos (floors 2 and 3) 14, 600 SF of commercial space (floor 1); Rear Building, 80 condos.
Location:	The NW corner of the Melrose Avenue /Sunset Street intersection
Size:	5.30 acres approx.
Existing Land Use:	One building (church)
Surrounding Land Use and Zoning:	North: Institutional Land; owned by the University of Iowa South: Single Family Residential; R1 East: Single Family Residential; R1 West: Planned Unit Development; PUD, <i>and</i> Single Family Residential; R1
Zoning:	Multiple-Family Commercial PUD

INTRODUCTION

This report was created by the Metropolitan Planning Organization of Johnson County (MPOJC) planning staff at the request of the City of University Heights. This report is intended to provide general guidance to the City during review of the Planned Unit Development (PUD) submittal (dated April 7, 2015) for the St. Andrew Presbyterian Church property at 1300 Melrose Avenue.

What is a Planned Unit Development?: *“A planned unit development (PUD) is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and dwelling types, provide for economy of shared services and facilities, and preserve natural resources” (APA Planned Unit Developments, Mandelker page 4).*

BACKGROUND INFORMATION:

The City of University Heights has received a Planned Unit Development submittal from Jeff Maxwell with interest in redeveloping the current St. Andrew Presbyterian Church property at 1300 Melrose Avenue. The applicant has been working with the City for several years on the concept and wishes to redevelop the property for both neighborhood commercial and multi-family residential uses. The applicant was successful in his request to have the property rezoned to allow for a mixed-use PUD. The subject property was rezoned from R1 Single-Family Residential to a Multiple-Family Commercial PUD zone on December, 14, 2010 - Ordinance No.180. On March 10, 2015, the City Council approved Ordinance 188 amending the 2010 Zoning Ordinance increasing the maximum number of dwelling units to 104 and the maximum number of surface parking spaces to 108.

The subject property is approximately 5.30 acres and currently has one principal building with access via Melrose Avenue. The remainder of the property exists as a paved parking area and undeveloped slopes along the rear of the site. A University of Iowa-owned parking lot is located to the north of the property and is accessed via the subject property owned by St. Andrew Presbyterian Church.

The property, zoned Multiple-Family Commercial PUD, is abutted by Institutional/Public property owned by the University of Iowa to the north, several wooded undeveloped lots zoned Multiple Family Commercial to the east, developed Single-Family Residential lots to the south (across Melrose Ave), and a Planned Unit Development and undeveloped wooded ravine to the west.

ANALYSIS:

Zoning: The subject property was rezoned from R1 Single-Family Residential to Multiple-Family Commercial PUD in December 2010. As stated in University Heights’ Ordinances No.180 & 188, the subject parcel is allowed to hold no more than two total buildings, 104 residential units, and 20,000 square feet of commercial space, among other limitations and restrictions.

Table 1: Comparison of Zoning Criteria to Proposed Planned Unit Development

UH Zoning Ordinance No.188	Planned Unit Development Submittal
<ul style="list-style-type: none"> • 2 total buildings • 104 residential units • 20,000 sq/ft commercial space • 45,000 sq/ft total building footprints • 38’ max front building height • 76’ max rear building height • 185 parking spaces (min) • 108 surface parking spaces (max) • 33’ front setback (min) • 20’ side setback from any lot line 	<ul style="list-style-type: none"> • 2 total buildings • 104 residential units • 14,600 sq/ft commercial space • 38,808 sq/ft building footprints • 38’ front building height • 61’ rear building height* • 238 parking spaces • 75 surface parking spaces • 40’ front setback • 20.00’ setback (min)

*Excludes height of elevator shaft, which extends to 70’

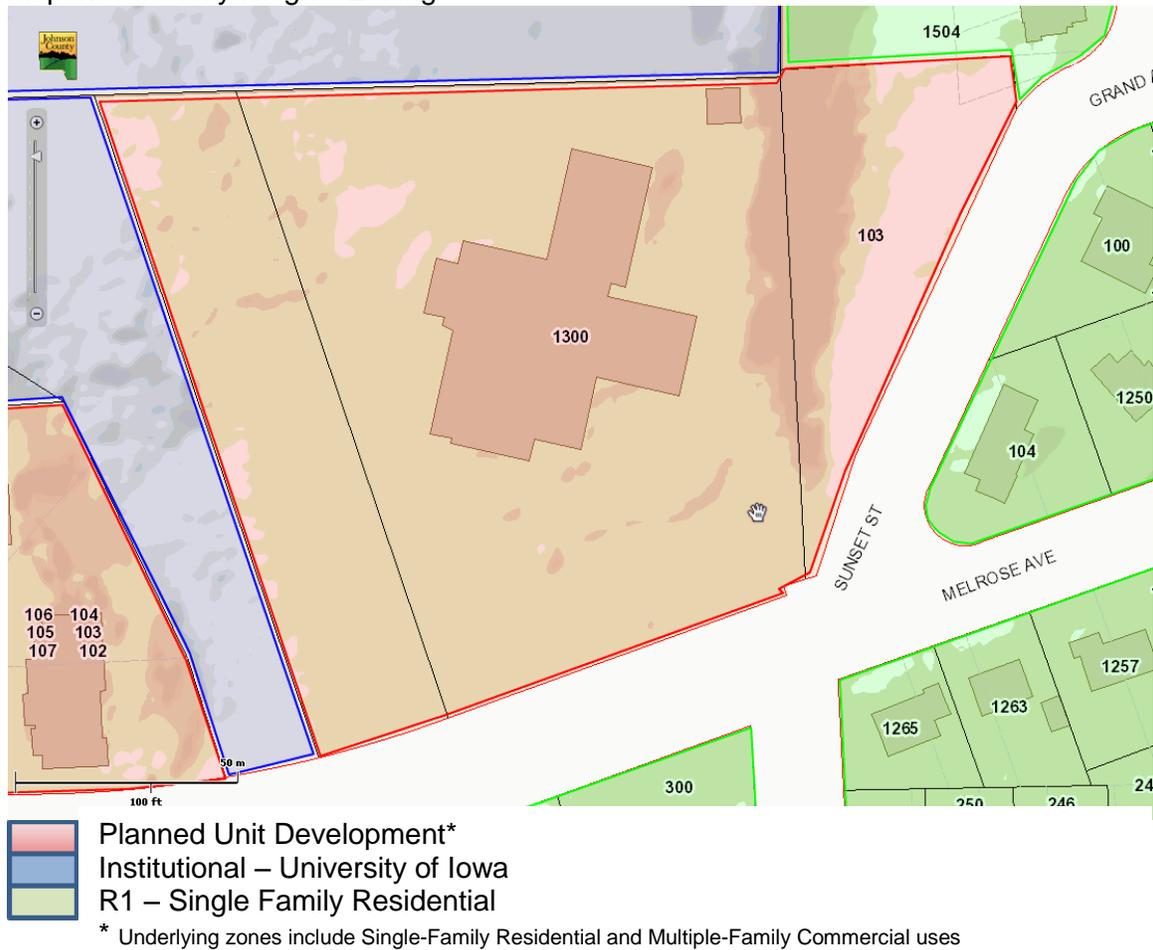
As shown in Table 1 above, the PUD submittal meets all of the quantifiable development regulations and restrictions set forth in University Heights Zoning Ordinance No.180 & 188 Section 13.B. Provisions in Section 13.B (4) and (8), as follows, cannot be measured at this time and will need to be addressed as development occurs and as the Developers Agreement and Condominium Declarations are prepared.

- *Section 13.B(4): ‘No more than one person not a member of the family as defined in Section 3 of this Ordinance may occupy each dwelling unit as part of the individual housekeeping unit.’*
- *Section 13.B(8):‘The University Heights City Council may impose additional reasonable conditions as it deems necessary to ensure that the development is compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.’*

Another item that cannot be evaluated at this time is the developer’s right to establish certain uses in the commercial portion of the development. As provided in Section 12.F (b), the following commercial uses are permitted: professional offices, bakeries, drug stores, grocery stores, barber/beauty shops, catering businesses, restaurants, coffee shops (or similar), retail shops, art galleries, or further uses as provided in the Development Agreement between the City and developer. Designated drinking establishments and liquor stores are not allowed. It will be important to discuss other

specifics in the Developers Agreement / Condominium Declaration regarding the hours of operation and specific uses of commercial property (if different than granted in Section 12.F (b) of the City Code).

Map 1: University Heights Zoning



In terms of application requirements set-forth in Ordinance No. 180 Section 13.D, staff reviewed the PUD submittal and finds several areas where additional information is necessary:

- Deed restrictions, covenants, agreements, association bylaws and/or other documents controlling the use of the property.
- A description of building materials to be used for all exterior surfaces is not definitively provided. Possibilities for the proposed buildings include precast concrete, clear low E vision glass, and metal/wood tone panel and trellis systems. The City Council should obtain more specific information prior to signing the development agreement.

Land Use and General Layout: The general layout of the commercial portion of the PUD submittal is consistent with the older commercial node on the east side of University Heights in that the building is close to the street with parking located behind the building. This will result in an *urban* presentation of the commercial space in that it is pedestrian-oriented.

With entrances and windows facing the street, the commercial area should be inviting to pedestrians as well as vehicular traffic. University Heights should examine the building concepts provided by the developer. Specifically, officials will want to articulate early in the process if the City has interest in pursuing the optional community space identified at the east end of the commercial building. If the City has interest in pursuing this idea, the developer will need to know how the space is intended to be used so that the general construction of the building can accommodate the finished space as envisioned by the community.

Regarding the proposed residential structure at the rear of the property: University Heights representatives should further analyze the images and renderings provided by the developer to gain an understanding of the height and character of the building. The developer has provided computer generated simulations of how the proposed buildings will appear from north, south, east and west.

For the general layout of the site, it is important for the development to be “connected” to the larger neighborhood. The PUD submittal accomplishes much of this by proposing wide sidewalks on both the south and east frontages of the development. Detailed landscaping plans should be submitted and reviewed by University Heights representatives before the proposed development is finalized to ensure that the development blends-in with the surrounding neighborhood and provides attractive views from the street.

Building Materials and Design: The PUD submittal indicates that possible construction materials to be used would be a combination of clear low E vision glass, and metal/wood panel and trellis systems. While these materials would generally conform with the comprehensive plan’s statement that environmentally-friendly construction materials should be used, University Heights representatives should request to see examples of the building materials before finalizing and approving the PUD.

Regarding energy efficiency, information provided by the developer indicates the intent for the proposed structures to meet certain LEED requirements. This is consistent with the Comprehensive Plan goal of encouraging energy efficient construction. Representatives should discuss what level of LEED certification the developer intends to meet. The PUD also indicates that photovoltaic arrays may be used on the front and rear buildings.

Mass and Scale: Mass and scale are important determining factors of how a building will blend-in with the surrounding neighborhood. Large buildings can appear out of scale with the surrounding residential neighborhood due to their bulk. This effect can be mitigated through the use of design strategies.

The proposed use of large windows and bays and variation in façade articulation, materials and colors, along with the open walkway, setbacks, and lateral off-set helps to reduce the perceived mass of the mixed use building. The proposed height of the mixed use building is 38' (to the top of the parapet), which conforms to City Ordinance No.180 that sets the maximum building height for this building at 38'. A front building setback of 40' from the Melrose Avenue right-of-way will mitigate the perceived height. The total length of the building has been reduced from 266' in the proposal approved in 2014 to 250' and is articulated with 40' modules to break up the horizontal aspect of the building. An open walkway at the ground level creates a feeling of separation between the two portions of the commercial floor of the building. One level of underground parking is provided.

The PUD submittal indicates that the proposed residential building at the rear of the property will have a height of 61' at the parapet with the elevator shaft extending up to 70'. The maximum height allowed by zoning standards set forth in Ordinance No.180 is 76'. To minimize the perceived height of the building the developer has proposed a flat roof. The PUD submittal indicates that the building would have 5 stories with two levels of underground parking. Patio space is provided on the rooftop level at the east and west ends of the building. The remainder of the rooftop will house mechanical units and potential solar arrays. The overall length of the building has been increased from 280' in the 2014 PUD to 328'.

The proposed density of the PUD remains approximately 20 dwelling units per acre (104 units). The architect has provided information that each unit in the PUD will have the potential for two bedrooms. An emphasis on units with fewer bedrooms results in fewer people per unit than would three or four bedroom units. If each unit has two bedrooms, there would be a total of 208 bedrooms; 163 underground parking spaces are proposed providing less than 1 parking space per bedroom.

Streetscape: The perimeter of the site is an important element to consider as it provides a transition from the new development to the existing neighborhood. In a commercial building, elements like large windows, canopies, and appropriate signage integrated into the building façade can enhance the appearance. The PUD submittal includes a landscaped area within the 40' setback between the Melrose Avenue right-of-way and the front of the building. Concepts for the area show the extensive use of shade trees, landscaping, and walkways that would ease the transition from the surrounding neighborhood to the newly constructed buildings. Benches and bike racks can further contribute to the site becoming a destination for University Heights residents.

While the developer has provided a site concept illustration, University Heights's officials should request specific information on street furniture and a detailed landscaping plan.

Slopes and Drainage: The subject property exhibits steep slopes (18-25%) in the northwest, east, and northeast quadrants of the subject property as indicated in the University Heights Sensitive Areas Ordinance (Comprehensive Plan page A-9). The storm water management system will need to be designed as part of the development of final design plans. The developer has proposed some fill near the top of the ravines on the east and west sides of the property and shows retaining walls adjacent to the proposed exit onto Sunset Street and the main entrance to the development. The City

will want to ensure that the proposal does not affect the critical and protected slopes on the property, particularly those located in the ravine to the east of the development. It appears the storm drain on page C-101 of the submittal projects onto the State owned property to the north of the subject parcel; an easement will need to be obtained for this to occur – this should be verified by the City Engineer.

The PUD indicates that several bio-retention cells will be used to manage stormwater. The University Heights Engineer will want to verify what additional plans, if any, the developer has for stormwater management and ensure that the stormwater management system is adequate for the development.

Transportation and Traffic Circulation: Melrose Avenue (near the subject property) is congested at peak travel times with an Average Daily Traffic (ADT) of 14,000 in 2012. In 2010, Melrose Avenue operated at a Volume to Capacity (V/C) ratio of 0.80 -1.2 (2012 MPOJC Long-Rang Transportation Plan). Corridors exhibiting V/C ratios of 1.0 or greater are considered to be functioning over capacity and are congested to some degree during peak travel periods.



Melrose Avenue / Sunset Street Intersection (looking north)

Based on information provided in the PUD, the amount of traffic generated by the new development will likely exceed 1,000 vehicles per weekday. This number is based on the assumption that the development will include 104 condos and 14,600 square feet of commercial space. The current land use, a church, produces 830 vehicles per day on Sundays based on 2010 traffic counts.

Turn Lanes: As proposed in the PUD submittal, staff agrees that a dedicated left-turn lane for eastbound traffic at the main entrance is necessary. This turn-lane will remove turning traffic from the through travel lane and minimize delay to eastbound traffic. An eastbound left turn lane is not necessary at the Sunset/Melrose intersection (see attached memorandum).



Proposed Site Concept Illustration

Traffic Signal Analysis: A planning-level traffic signal warrant analysis was completed and shows that without a traffic signal at the main entrance to the development, southbound exiting traffic from the development would experience lengthy delays in the PM peak travel hour (see attached memorandum). Although the proposed southbound left-turning movements will experience lengthy delays, queuing traffic will be on private property and should not affect mainline movements. The main source of concern when excessive delays are anticipated is that motorists become frustrated and can exhibit unsafe driving behaviors, which can create safety concerns within the public right-of-way. Staff anticipates that much of this delay will ‘self-correct’ as motorists choose to exit the development at the Sunset/Melrose intersection – taking advantage of the signalized / controlled environment. While it was determined that the development-generated traffic added to the system would not satisfy the requirements for a traffic signal to be installed, approximately 35 more vehicles exiting the development during the PM peak travel hour would satisfy a single traffic signal warrant. *The MUTCD has 9 warrants that can be met to indicate the need for a traffic signal; meeting one warrant does not mandate that a signal be installed.*

Given that this analysis is based on a set of assumptions regarding how the commercial building will be used, and that those assumptions will likely change based on actual tenants that occupy the building, staff recommends revisiting this study at full ‘build-out’ of the development to analyze the need for a traffic signal or other traffic engineering improvements at the main entrance to the development. If development occurs to the

north of the subject property, and shares the same access onto Melrose Avenue, a reevaluation of intersection operations and potential for necessary infrastructure improvements should be triggered.

Sunset Street / Melrose Avenue Intersection: From a transportation planning perspective it would be beneficial to realign the north leg of the Sunset intersection as shown in the proposed site concept illustration. Given that the existing geometry of the intersection is skewed, visibility for both motorists and pedestrians is reduced; therefore decreasing overall safety at the intersection. Specifically, the north leg of the intersection (Sunset Street) veers to the northeast at approximately 45 degrees, instead of the more desirable 90 degrees as proposed. Realigning the intersection as proposed in the PUD would also eliminate the need for the current split-signal phasing for north and southbound movements at the Sunset Street / Melrose Avenue traffic signal. These modifications would allow for additional 'green-time' for eastbound and westbound motorists during peak travel hours thereby reducing the overall vehicle delay experienced and increasing the level-of-service of the intersection.

As shown in the site concept illustration, the PUD proposes that the access onto Sunset Street function as an 'exit only'. This restriction is likely to be viewed favorably by neighborhood residents as it will eliminate cut-through traffic on Grand Avenue.

The addition of a dedicated left-turn lane at the Sunset Street / Melrose Avenue intersection is not necessary from an intersection level-of-service perspective. However, the turn lane may be necessary for proper alignment of lanes and intersection geometry and should be further evaluated by the City Engineer.

Sidewalks: Constructing an 8' wide sidewalk on the south frontage of the development as proposed in the PUD is consistent with the wide-sidewalk recently constructed along Melrose Avenue east of the development. The site concept illustration on page C-106 of the PUD shows where sections of the 8' wide sidewalk are proposed to be constructed adjacent to Melrose Avenue. American Association of State Highway and Transportation Officials (AASHTO) guidance notes that the buffer width (green space) between an arterial corridor and the adjacent sidewalk should be a minimum of 5 ft. (*Guide for Planning, Design, and Operation of Pedestrian Facilities* - Page 59). This minimum buffer is provided to improve pedestrian safety and to allow space for snow storage, utility poles, signs, trash pick-up, and streetscaping. If the minimum recommended buffer cannot be achieved, staff recommends investigating alternative solutions. Page C-106 notes that a vehicular guard rail will be installed between the sidewalk and the curb. The City engineer should verify the necessity and design of the structure.

In regards to the site plan, staff recommends constructing a sidewalk adjacent to, and the length of, the main access drive. Such a sidewalk would allow pedestrians traveling from the west direct access to the residential building at the rear of the lot and to any future development on the property north of the subject parcel. Staff also recommends University Heights discuss constructing a sidewalk along the west side of Sunset Street, north of Melrose Avenue.

Transit: City officials should discuss the desire to include a bus pull-off in the final design of the development. If desired, the City should require the pull-off to be constructed to Iowa City Transit standards as they are the authority that would provide service to the stop. Similarly, a discussion on the necessity of the bus shelter should also be vetted. Plans for such amenities, and the agreement for cost/maintenance, would be included in the Developers agreement.

Lighting: Lighting can produce ‘negative externalities’ that may be obtrusive to surrounding residents. University Heights representatives should request that any and all light fixtures on the site be downcast and shielded to not allow more than one foot-candle of light spillage beyond the property line. One foot-candle is a commonly used measurement of light, and is approximately the amount of light given by a full moon at night. Planimetric maps showing the amount of lighting on the property should be requested of the developer. U.S. Green Building Council LEED lighting standards should be used to ensure exterior lighting is designed to minimize glare or light trespass onto other properties.

Signage: Another thing to consider is the size and style of the commercial signage used. Large signs, illuminated signs, and flashing, blinking, or changeable copy signs can significantly detract from the residential feel of Melrose Avenue and be a distraction for drivers. University Heights representatives should request that details of the size, illumination, and animation of signs on the site be included in the Developer’s Agreement and/or Condominium Declaration. The current PUD shows the use of two ground-mounted monument type signs near the southeast and southwest corners of the property. MPO staff is available to provide examples of signage restrictions for commercial signs in residential areas upon request.

Hours of Operation: While University Heights cannot dictate all uses of the commercial property (any use allowed in the Multiple-Family Commercial Zone in the adopted Zoning Ordinance would be allowed), you may restrict the hours of operation of the site to mitigate against any late-night noise issues. While the site is well buffered to the northeast and west, there are residential properties on the south side of Melrose Avenue and on the east side of Sunset Street. If noise from commercial activities is a concern, University Heights should discuss with the developer hours of operation, outdoor seating for restaurants, cafes, or exterior amplified sound or other noise creating elements. Any restrictions to these elements of the development should be enumerated in the Developer’s Agreement or Condominium Declaration.

Utilities: The University Heights City Engineer will need to ensure that utilities are adequate for the proposed development. Adequate water pressure, sewer capacity, storm sewer capacity and electrical and gas services should all be included in such a review. If existing utilities are not adequate, University Heights officials will need to discuss what upgrades to the system, if any, will be required of the developer.

Fire and Police Protection: The University Heights Police Department and the Coralville Fire Departments should be consulted as to their capabilities to provide protection to the proposed development. Both provided letters indicating they were able to provide protection to this property and could do so with the current capacity of their departments during the initial PUD application in April 2011. Reconfirming the capabilities based on the increased number of residential units is recommended.

Developer's Agreement: The Developer's Agreement is a legally binding document that typically includes items such as: descriptions of property (including covenants, easements, and restrictions), final plans and specs, construction/phasing timelines, condominium declarations, dedications, maintenance agreements, agreements for costs to be incurred by the developer, environmental requirements, assurances against damage to publicly owned property, and other items related to the development.

The City should require that the developer prepare the agreement for review by the University Heights City Attorney.

SUMMARY:

In summary, the following points should be considered as part of the development review process, it will be important to articulate to the developer what elements of the proposal are appropriate. These are staff recommendations for University Heights City Council consideration.

- The subject property exhibits several steep, critical and protected slopes, as indicated in the adopted Sensitive Areas Ordinance, which should be protected. Grading plans and tree protection plans should be reviewed by the University Heights' Engineer.
- Any storm water retention required of the development should be identified by the City Engineer. Plans to manage storm water provided by the developer indicates the use of bioretention cells.
- City officials will want to articulate early in the process if the City has interest in pursuing community space at the east end of the commercial building. If the City has interest in pursuing this idea, the developer will need to know how the space is intended to be used so that the general construction of the building can accommodate the finished space envisioned by the community.
- The PUD indicates that a dumpster will be kept in an enclosure at the west end of the mixed use building and that all mechanical units will be within the building and/or on the roof so not to disturb/detract from the neighborhood.
- The PUD indicates that that truck deliveries will take place at a loading dock the west end of the commercial building. Additional vegetative or 'hard' screening may be desired to limit visibility of the loading dock.

- The University Heights Engineer should confirm that the appropriate utilities are available to support the development. If they are not sufficient, the Engineer should identify what utilities will need to be improved and at what cost to the City.
- The construction of a dedicated left-turn lane for eastbound traffic at the property entrance as proposed, and correcting the skewed geometry of the Melrose Avenue/Sunset Street as proposed by the developer are viewed favorably from a traffic engineering perspective. Both of these measures will decrease delay for through traffic on Melrose Avenue and increase the level of service at those intersections.
- Staff recommends revisiting the traffic study at full 'build-out' of the development to analyze the need for a traffic signal or other traffic engineering improvements at the main entrance to the development. Provision of this traffic signal (and/or other improvements) may be a requirement of development approval or may be part of the developer's agreement to be installed with agreed-upon traffic conditions. If development occurs to the north of the subject property, and shares the same access onto Melrose Avenue, a reevaluation of intersection operations and potential for necessary infrastructure improvements should also be triggered.
- Disallowing entering traffic and left-turning traffic out of the development onto Sunset Street will eliminate cut-through traffic on Grand Avenue and will likely be viewed favorably by the neighborhood to the east of the PUD.
- The construction of an 8' sidewalk on south frontage of the property as proposed in the PUD submittal will be advantageous for bicyclists and pedestrians. A sidewalk on the west side of Sunset Street north of Melrose would also be advantageous from a traffic engineering perspective and should be discussed by City officials.
- Staff recommends that a sidewalk be constructed adjacent to the main access drive. This will provide direct access to the residential building for pedestrians traveling from the west and provide future access to the University owned parcel north of the subject PUD.
- Although the rear building is proposed to be much taller (61') than the building fronting Melrose Avenue (38'), the perceived heights of the buildings may not appear as such depending on the viewer's vantage point. Computer generated images of the site could address these perceptions by showing the proposed buildings in concert with proposed grading, set-backs, trees, and view sheds from adjacent properties. University Heights officials will want to discuss whether the techniques (setbacks, terracing, rooflines, and landscaping) for minimizing the mass and scale of the buildings are adequate for the property.
- University Heights representatives should request to see additional examples of the proposed construction materials before finalizing the development approval process.

- We recommend University Heights representatives request that any and all light fixtures on the site be downcast and shielded to not allow more than one foot-candle of light spillage beyond the property line. Planimetric (lighting impact) maps should be produced.
- University Heights representatives should discuss with the developer the appropriate size, illumination, and animation of any signs on the site. Current plans identify two monument signs to be erected on the property. These items should be enumerated in the Developer's Agreement.
- University Heights should discuss with the developer hours of commercial operation, outdoor seating for restaurants, cafes, bars or balconies, and/or exterior loudspeakers or other noise creating elements. These items should be enumerated in the Developer's Agreement.
- Inclusion of plans for a bus pull-off and shelter in the PUD should be discussed by the City Council. The cost and maintenance agreements for the amenities should be outlined in the Developer's agreement.

Conclusion and Standards for Approval: We find that the proposed development is substantially consistent with the zoning criteria adopted for this parcel (Ordinance No.180 & 188) in terms of height, density, setbacks, parking, number of units, and residential and commercial square footage.

Other standards for approval should include: final plans and specifications, construction/phasing timelines, condominium declarations, dedications, maintenance agreements, agreements for costs to be incurred by the developer, environmental requirements, assurances against damage to publicly owned property, and other items related to the development. These items should be enumerated in the Developer's Agreement and/or other documents for the City of University Heights.

Date: March 9th, 2015
 To: University Heights City Council
 From: Darian Nagle-Gamm; Traffic Engineering Planner
 Re: One University Place - Updated Traffic Analysis

Background

This analysis is an update to the technical memorandum performed by MPOJC (dated May 19th, 2014) and submitted to the University Heights City Council. This update uses the most recent data available with respect to the residential and commercial components of the proposed development and provides a review of traffic operations at both the Melrose/Sunset and Melrose/Main Entrance intersections as they relate to the One University Place development (**Figure 1**).

The following assumptions are used for the analysis:

- 104 residential units with 14,600 sq. feet of commercial space are proposed and are allocated accordingly: convenience market (20%), fitness center (20%), high-turnover sit down restaurant (10%), specialty retail (40%), and community space (10%). The community space was not included in the vehicle trip generation figures as it was assumed trips to/from this space would occur during *off-peak* hours which is outside the scope of this study.
- The main entrance to the development includes both left and right turn lanes for exiting traffic and one lane for entering traffic
- The driveway north of Melrose on Sunset Street (shown in Figure 2) is for exiting traffic only; and the realignment of Sunset Street improves intersection operations by allowing for improved traffic signal operations
- 100% of *entering* traffic uses the Main Entrance – 50% from the east, 10% from the south, and 40% from the west
- 80% of the *exiting* traffic uses the Main Entrance – 50% to the east, 10% to the south, and 40% to the west
- 20% of the *exiting* traffic uses the Sunset exit only drive – 50% to the east, 10% to the south, and 40% to the west



Figure 1 - Development Site



Figure 2 – Proposed Site Plan

Table 1 shows the estimated traffic generated by the proposed development. Projected trips to and from the development were calculated using the Institute of Traffic Engineers (ITE) Trip Generation manual 7th Edition.

Table 1 – Estimated Trip Generation

Land Use (ITE Code)	Time of Day	Est'd Leasable Area (1000 sf)	Dwelling Units	Average Rate	Total Trips	Entering Trips	Exiting Trips
Residential Condominium / Townhouse (230)	AM Peak Hour (17% in / 83% out)		104	0.44	46	8	38
	PM Peak Hour (67% in / 33% out)		104	0.52	54	36	18
	Average Daily Traffic (50% in / 50% out)		104	5.86	609	305	305
Convenience Market (852)	AM Peak Hour (50% in / 50% out)	2.92		31.02	91	45	45
	PM Peak Hour (49% in / 51% out)	2.92		34.57	101	49	51
	Average Daily Traffic (50% in / 50% out)	2.92		*	--	--	--
Fitness Center (492)	AM Peak Hour (42% in / 58% out)	2.92		1.21	4	1	2
	PM Peak Hour (51% in / 49% out)	2.92		4.05	12	6	6
	Average Daily Traffic (50% in / 50% out)	2.92		*	--	--	--
High Turnover Sit-Down Restaurant (932)	AM Peak Hour (52% in / 48% out)	1.46		11.52	17	9	8
	PM Peak Hour (61% in / 39% out)	1.46		10.92	16	10	6
	Average Daily Traffic (50% in / 50% out)	1.46		127.51	186	93	93
Specialty Retail (814)	AM Peak Hour (44% in / 56% out)	5.84		1.55	9	4	5
	PM Peak Hour (44% in / 56% out)	5.84		1.49	9	4	5
	Average Daily Traffic (50% in / 50% out)	5.84		11.01	64	32	32
Total AM Peak Hour					166	67	98
Total PM Peak Hour					191	105	86

*Data not available

Eastbound Left-Turn Lane Warrant Analyses

To complete the eastbound left-turn lane warrant analyses at the intersections adjacent to the proposed development, the estimated development trip generation figures from **Table 1** were added to the existing peak hour traffic data collected in February 2014. **Figures 3 and 4** indicate that a dedicated eastbound left-turn lane is not warranted at the intersection of Melrose Avenue and Sunset Street during peak hours.

Melrose Avenue / Sunset Street

Figure 3: AM Peak Hour Left-Turn Lane Warrant Not Warranted (L= % of Left-Turns in Advancing Volume)

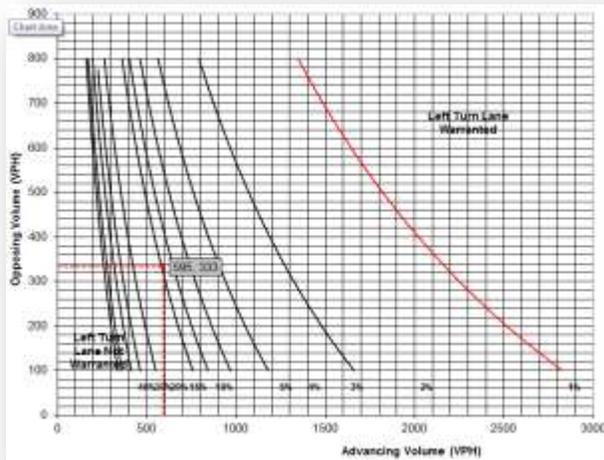
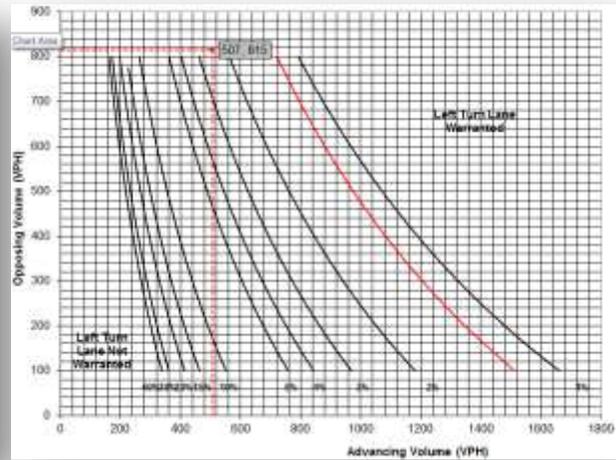


Figure 4: PM Peak Hour Left-Turn Lane Warrant Not Warranted



Melrose Avenue / Main Entrance

Figures 5 and 6 show that an eastbound dedicated left-turn lane is warranted at the Main Entrance during both peak hours. The left-turn lane is warranted during the PM peak period even with a 50% reduction in estimated left-turning residential traffic (accounting for 2006-2010 American Community Survey information shows that 43% of University Heights residents used modes other than private vehicles to get to work).

Figure 5: AM Peak Hour Left-Turn Lane Warrant Warranted

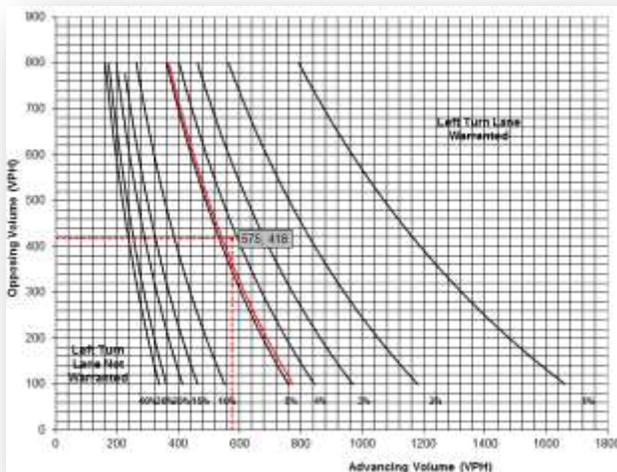
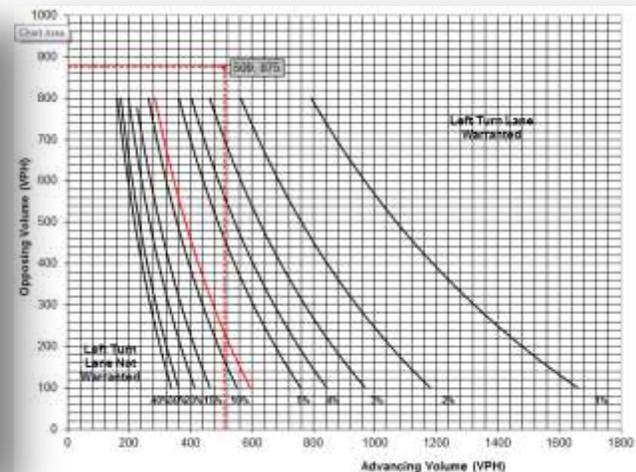


Figure 6: PM Peak Hour Left-Turn Lane Warrant Warranted



Intersection Capacity Analyses

To determine how the development would impact traffic delay at the intersections adjacent to the proposed development, a level-of-service (LOS) analysis was performed by applying the estimated trip generation figures from **Table 1** to the existing peak hour traffic data and modeled using Synchro 9.0 software.

Melrose Avenue / Sunset Street Intersection

Delay and LOS are calculated using the same methodology as unsignalized intersections, but the delay parameters are a little longer. Longer delays are acceptable at signalized intersections because the driver has a longer delay expectancy than at unsignalized intersections. **Table 2** (Synchro Exhibit 16-2) exhibits the LOS with its control delay ranges at signalized intersections. A LOS of A represents the best operating conditions (free-flow movement) and LOS F represents the worst conditions, i.e. extreme congestion and stop-and-go conditions.

Table 2 - Level of Service Criteria for Signalized Intersections

Level of Service	Average Control Delay (s/veh)
A	< 10
B	> 10 - 20
C	> 20 - 35
D	> 35 - 55
E	> 55 - 80
F	> 80

Figure 7 shows the level-of-service (LOS) results of both existing and proposed conditions at the Melrose/Sunset intersection. Under existing conditions, the eastbound through/left movement operates at a LOS F and the southbound through and northbound left-turning movement operates at a LOS E during the PM peak hour – all other movements in the AM and PM peak hours operate at an acceptable level of service of D or better.

Figure 7 – Melrose / Sunset Intersection Operations

Direction	Existing Conditions (with split-phase)				Proposed Conditions without EB Left-Turn Lane (split-phase removed – add development traffic)			
	Control Delay (s/veh)		LOS		Control Delay (s/veh)		LOS	
	AM	PM	AM	PM	AM	PM	AM	PM
Melrose Avenue								
Eastbound	14.5	86.3	B	F	18.6	17.6	B	B
- Through/Left	14.6	125.1	B	F	19.4	19.1	B	B
- Right	14.1	17.0	B	B	10.6	14.7	B	B
Westbound	11.1	34.9	B	C	8.8	21.9	A	C
- Through/Right	11.4	39.5	B	D	8.8	24.2	A	C
- Left	9.7	12.2	A	B	8.5	9.6	A	A
Sunset Street								
Northbound	41.6	50.9	D	D	33.3	48.3	C	D
- Through/Right	39.6	28.2	D	C	29.4	26.2	C	C
- Left	44.4	60.3	D	E	38.3	57.0	D	E
Southbound	48.5	80.0	D	E	28.9	26.1	C	C
Intersection	20.1	54.0	C	D	19.4	24.8	B	C

When comparing existing to proposed conditions, the intersection improves from LOS C to LOS B during the AM peak hour and LOS D to LOS C during the PM peak hour. LOS for all movements improves to a LOS D or better except for the northbound left-turn movement at LOS E. The 'proposed condition' scenario shows improvement to the LOS of the intersection (even with the addition of development traffic) primarily as a result of the elimination of the split-signal phasing for the north and southbound movements.

The removal of the split-phase also reduces the eastbound AM peak hour traffic queue from approximately 545' to 400' – the main entrance to the development would be blocked when the queue reaches approximately 400'. The elimination of the split-phase becomes possible due to the realignment of the north leg of Sunset Street and the removal of the skewed geometry currently present.

Melrose Avenue / Main Entrance Intersection

Existing intersection capacity was analyzed using unsignalized intersection capacity analysis methods outlined in the latest edition of the Highway Capacity Manual (HCM) and using Synchro software. By using HCM methods, control delay is calculated as seconds of delay per vehicle and a corresponding level of service (LOS) is also shown. Level of service describes operating conditions based on a number of factors including speed and travel time, freedom to maneuver, traffic interruptions, and comfort & convenience. **Table 3** (Synchro Exhibit 17-2) exhibits the LOS with its control delay ranges at two-way stop-controlled intersections. A LOS A represents the best operating conditions (free-flow movement) and LOS F represents the worst conditions, i.e. extreme congestion and stop-and-go conditions.

Table 3 - Level of Service Criteria for Stop-Controlled Intersections

Level of Service	Average Control Delay (s/veh)
A	0 - 10
B	> 10 - 15
C	> 15 - 25
D	> 25 - 35
E	> 35 - 50
F	> 50

Figure 8 shows the level-of-service (LOS) of both existing and proposed conditions at the Melrose / Main Entrance intersection. Under both conditions, all east and westbound movements experience negligible delay of less than 12 seconds per vehicle. However, southbound left-turning movements experience lengthy delays during the PM peak hour under existing and proposed conditions at a LOS E (39.3 sec/veh) and LOS F (106.7 sec/veh) respectively.

Although the proposed southbound left-turning movements will experience lengthy delays; queuing traffic will be on private property and should not affect mainline movements. The main source of concern when excessive delays are anticipated is that motorists become frustrated and exhibit unsafe driving behaviors which can create safety concerns within the public right-of-way. Staff anticipates that much of this delay will 'self-correct' as motorists choose to exit the development at the Sunset/Melrose intersection – taking advantage of the signalized / controlled environment.

Figure 8 – Melrose / Main Entrance Intersection Operations

Direction	Existing Conditions				Proposed Conditions with EB Left-Turn Lane on Melrose + Development traffic			
	Control Delay (s/veh)		LOS		Control Delay (s/veh)		LOS	
	AM	PM	AM	PM	AM	PM	AM	PM
Melrose Avenue								
Eastbound	0.0	0.0	A	A	0.4	0.9	A	A
- Through	0.0	0.0	A	A	0.0	0.0	A	A
- Left	8.2	10.4	A	B	8.4	11.3	A	B
Westbound	0.0	0.0	A	A	0.0	0.0	A	A
- Through	0.0	0.0	A	A	0.0	0.0	A	A
- Right	0.0	0.0	A	A	0.0	0.0	A	A
Main Entrance								
Southbound	14.9	31.8	B	D	20.9	71.8	C	F
- Left	19.6	39.3	C	E	27.4	106.7	D	F
- Right	10.7	18.0	B	C	11.3	20.6	B	C
Intersection	0.0	0.1	A	A	1.8	3.7	A	A

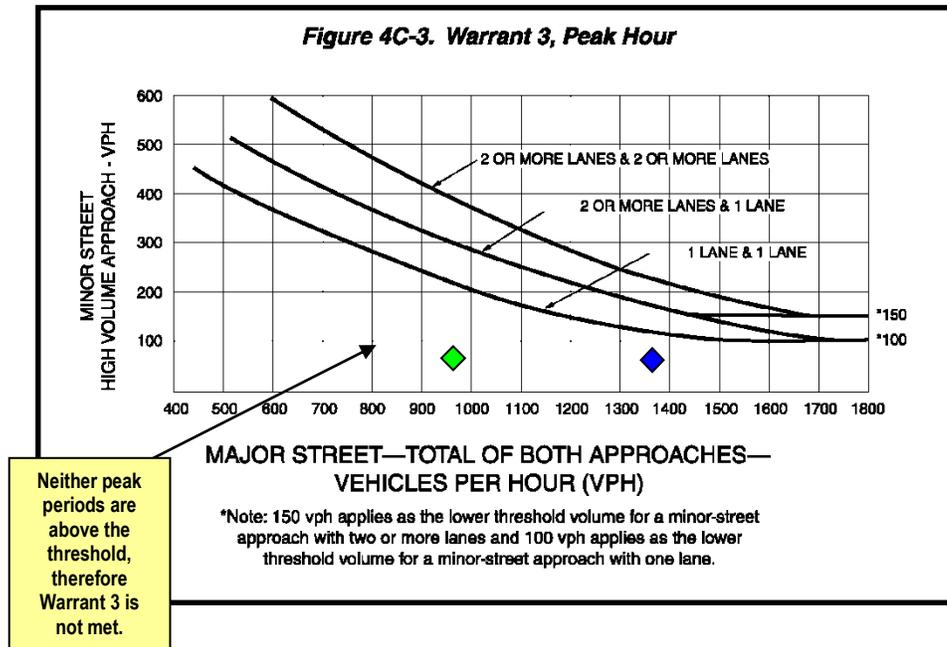
Traffic Signal Evaluation at Melrose Avenue / Main Entrance

To evaluate whether a traffic signal is warranted at the 'main entrance' intersection we utilize peak hour trip generation figures from **Table 1** applied to existing traffic counts and evaluate them against the Manual on Uniform Traffic Control Devices (MUTCD) peak-hour signal Warrant 3. As shown in **Figure 9**, using our current assumptions, a signal is not warranted in either the AM or PM peak hour. For a traffic signal to become warranted there would need to be an additional (approximate) 130 vehicles exiting in the AM peak hour and approximately 35 additional vehicles exiting the development in the PM peak hour. However, if assumptions on commercial uses should change, a signal may become warranted upon 'build-out' of the development – the signal analysis should be updated at that time.

Figure 9 – MUTCD Peak Hour Signal Warrant #3

Warrant 3, Peak Hour Melrose Avenue / Main Entrance							
Main Entrance		Melrose Avenue Entering Traffic		Warranted?		Legend	
AM	PM	AM	PM	AM	PM	AM	PM
79	69	990	1379	No	No	◆	◆

Figure 10 – Peak Hour Signal Warrant & Observed Volumes



Bicycle, Pedestrian and Transit Accommodations

Pedestrian Level-of-Service

While not included in this analysis, staff has begun to perform a pedestrian level-of-service evaluation at the Melrose/Sunset intersection. This analysis will provide information as to the level-of-service that pedestrians can expect to receive upon completion of the proposed improvements at the intersection – including the removal of the split-phase signal phasing as a result of the realignment of the north leg of Sunset Street. Staff will submit this evaluation to the City of University Heights upon completion.

Bicycle Accommodations

It is assumed that the existing wide-sidewalk on the north side of Melrose Avenue will remain – connecting to the existing wide-sidewalk to the east and west of the subject parcel. This wide-sidewalk is a critical piece of infrastructure given the pedestrian/bicycle activity in the area (2006-2010 American Community Survey information shows that 43% of University Heights residents used modes other than private vehicles to get to work).

While it is not currently feasible to add bike lanes to Melrose Avenue west of Sunset Street (the current street width is 28'), consideration should be given to the use of 'shared-lane arrows'. The MPO conducted an analysis of the feasibility of adding on-street bike facilities on Melrose Avenue (east of Sunset Street) through University Heights as part of the MPO FY15 Work Program. If University Heights implements on-street bike facilities east of Sunset Street, consideration should be given to on-street bicycle facilities west of Sunset Street if/when street improvements are made as part of the St. Andrew Presbyterian Church site redevelopment.

Transit

Bus movements/stops are infrequent in nature and do not typically cause measureable delay with respect overall level-of-service. While a bus pull-off is not necessary at this location, it should be viewed as an amenity. A bus pull-off does not appear to be included in the most recent concept plans.

Conclusions

The number of proposed residential units has increased from 78 units to 104 units since the traffic study dated May 19th, 2014, however the commercial space has decreased from 19,000 to 14,600 square feet. On the whole, this has resulted in net decrease in the expected traffic to be generated by the development. This is because commercial square footage tends to generate more trips than residential uses. Ultimately, the change in traffic volumes is relatively minor, therefore the conclusions and recommendations from previous traffic studies completed in 2014 remain the same. Should assumptions change based on type of commercial tenants or number of residential units, this analysis should be revised.

- A dedicated eastbound left-turn lane *is* warranted at the main entrance to the development.
- A dedicated eastbound left-turn lane *is not* warranted at the Sunset/Melrose intersection.
- A traffic signal *is not* warranted during the AM or PM peak hour at the main entrance to the development¹. Staff recommends revisiting this study at full 'build-out' of the development to analyze the need for a traffic signal or other traffic engineering improvements.
- A realignment of the north leg of Sunset Street eliminates the need for the existing split-phase signalization. Even with the additional traffic generated by the development, overall intersection level-of-service is improved – this should be viewed favorably by University Heights.
- At the main entrance, southbound left-turning movements experience lengthy delays under proposed conditions at a LOS F (106.7 sec/veh). Staff anticipates that much of this delay will 'self-correct' as motorists choose to exit the development at the Sunset/Melrose intersection.

¹The addition of approximately 35 more vehicles would satisfy the PM peak hour warrant. The MUTCD has 9 warrants that can be met to indicate the need for a traffic signal; meeting one warrant does not mandate that a signal be installed.



MEMORANDUM

Date: May 22, 2015

To: Jim Lane, City Council Member, City of University Heights

From: Tom Jackson, Director, National Development Council

RE: Gap Financing Analysis for Proposed One University Place Mixed-Use Development

Pursuant to its agreement with the City, the National Development Council (NDC) has analyzed a request for tax increment financing for the development of a project site located at the northwest corner of the intersection of Melrose Avenue and Sunset Street. The request was made by a team, led by Jeff Maxwell, Maxwell Construction, Kevin Monson, Neumann Monson Architects, and Justin Doyle, Blackbird Investments (hereinafter, “the Developer”), that proposes to develop the site for mixed residential, retail and commercial uses (the “Project”).

As the Developer has worked with the City over the past year to refine the design and associated unit mix for the Project, NDC has reviewed cost estimates, sale projections and pro forma statements of operating revenues and expenses for each scenario. Beginning with its engagement by the City in April 2014, NDC’s evaluation of the Project has been conducted through on-site meetings, phone conversations and email correspondence with the Developer and City representatives.

The Developer’s current proposal includes:

- 104 residential condominiums, including three one bedroom and 101 two bedroom units, of which:
 - 24 units will be located on the upper floors of a three-story mixed-use building to be constructed at the front (south) of the Project site along Melrose Avenue;
 - 80 units are planned for a four-story residential structure at the rear (north) of the site;
 - 26 condominiums are expected to be sold during a period starting with construction and ending prior to the third year of operations following project completion; and,
 - 78 units will be available for sale after the third year of operations, but are treated as rental properties for the purpose of this analysis.

- 16,600 square feet of leasable commercial and civic space, located at street level in the front building.
- 166 indoor parking spaces located beneath the two buildings and 108 surface spaces between them.

Documentation provided by the Developer to support its request for gap financing includes:

- A Development Budget based on:
 - Preliminary designs by Neumann Monson Architects, Iowa City, Iowa; and,
 - Construction cost estimates provided by McComas Lacina Construction of Iowa City, Modus Engineering, Des Moines and Iowa City, and Neumann Monson Architects, Iowa City.
- Proforma Statements of Operating Revenues and Expenses;
- Net Sales Revenue Projections for the 26 residential condominiums that are scheduled to sell in the first three years of operations;
- An appraisal report prepared by Jonathan K. Westercamp of Appraisal Associates Company of Cedar Rapids, dated October 10, 2014;
- A loan proposal (preliminary term sheet) from Lincoln Savings Bank for construction, permanent and TIF Rebate financing dated April 13, 2015; and,
- The Development Team's personal financial statements.

Documents that have not yet been available for review include:

- An update to the October 2014 appraisal report identifying the Project's as-complete fair market value and projected stabilized net operating income given the current design, number of units, unit mix and retail/civic space.

Given its document review and extended follow-up discussions, NDC's analysis suggests that the Developer's request for the City to rebate a portion of the property tax increment generated by the Project is reasonable. These Tax Increment Financing (TIF) rebates, \$248,337 in the middle of Year 2 of operations and \$496,675 in Years 3-15, will assist the Developer in securing private financing necessary to fill a \$4 million gap between the Project's costs and available debt, equity and sales proceeds.

The maximum \$496,675 in annual TIF rebate in Years 3-15 of the Project's operations is net of City, County and School protected levies that are projected by the Developer to total \$61,387 in the first full year of the property tax increment. The full increment following the expiration of the rebates is projected, given modest property value escalation, to total over \$640,000 per year.

A commitment of TIF rebates totaling \$6,705,112 by the City over a period of 13.5 years, with a discounted present value of \$4,000,000 (6.5% rate), will balance financing sources with projected uses, as follows:

Total Project Costs	\$39,314,945	100.00%
Permanent Financing Sources		
Projected Bank Loan	\$15,638,948	39.78%
TIF Rebate Loan	\$4,000,000	10.17%
Residential Condo Sales (by Year 3)	\$9,250,025	23.53%
Deferred Developer Fee	\$1,092,238	2.78%
Developer Equity	\$9,333,734	23.74%
Total Permanent Sources	\$39,314,945	100.00%

The projected Project costs, operating revenues and expenses supplied by the Developer, as modified since April 2014 and analyzed by NDC, support a recommendation for gap financing for the following reasons:

- 1) The estimated permanent bank debt attracted to the Project, \$15,638,948, has been maximized given the Developer’s projected operating proforma and underwriting criteria (1.25 debt coverage ratio, 75% loan to value) proposed by the prospective lender’s preliminary term sheet.
 - a. The interest rate modeled in NDC’s analysis is slightly higher than the minimum 4.85% identified in the lender’s loan proposal – but is frozen at 5.0% for the full 25 year amortization period. Maintaining rates as low as 5.0% over the next 25 years is unlikely, but the actual rates can’t be accurately projected and the low projection reduces the Project’s financing gap.
 - b. The maximum projected loan amount is also influenced by the capitalization rate. This rate has been identified in other Iowa City-area market analyses as being in the 5.5-10.0% range for mixed-use and residential projects, depending on their location, proposed uses, and other factors. NDC’s analysis projects a capitalization rate at a strong 6.75% given the Project’s proposed mix of residential and commercial/office uses, its proximity to the hospitals (major employment centers) and University Heights’ strong residential market. The final capitalization rate will be set by the as-complete appraisal update ordered by the senior lender or lenders prior to the closing of construction, permanent and TIF Rebate financing into the Project.

- 2) The anticipated presales and sales of 26 residential units provide \$9,250,025 in financing that reduces debt, equity and gap financing requirements.
 - a. The condominiums are projected to sell for an average of \$275 per square foot in the front, mixed-use building and \$300 per square foot in the rear, residential-only building.
 - b. The appraisal report anticipated square foot sales of \$300-\$325 per square foot based on an earlier design that included a wider range of unit sizes and was unfeasible given the magnitude of the projected financing gap. The range used in NDC's analysis is between the Developer's initial proposal for some units and the appraisers range and represents an average that should support early sale incentives.
 - c. While all of the residential units will be offered for sale, NDC's analysis accepts the Developer's projection of the sale of 26 units prior to the end of Year 3 of operations. Accelerated sales at the \$275-\$300 per square foot rate are projected to increase the financing gap for the Project while sales at a higher square foot rate after the Project has stabilized do not have the same negative impact.
- 3) At \$9,333.734 in developer equity:
 - a. The Developer will earn a projected 8.00% Internal Rate of Return (IRR) on net cash flows after estimated taxes.
 - b. An IRR of 8.0% is significantly below the 10.5% to 12.5% discount rate identified as a market return in the appraisal report identified above, but is reasonable given the strength of the Iowa City area's residential market and the Project's primarily residential uses.
- 4) The deferral of \$1,092,238 of the developer fee is modeled to provide an additional source of financing.
 - a. The Project's costs include a Developer Fee of \$2,350,291, which is approximately 6.0% of the Total Project Costs and 7.0% of depreciable costs.
 - b. The fee, paid and deferred, will be at risk if cost overruns during predevelopment and construction exceed current projections or if operating income is insufficient to provide repayment from cash flow.

Conclusion: the Project as presented demonstrates that \$4 million in gap financing supported through a TIF rebate totaling \$6,705,112 over a period of 13.5 years is reasonable. If the terms of the selected senior debt and updated project costs are substantially different from what the Developer has projected, NDC will review this evaluation as requested by the City.

One University Place Planned Unit Development (PUD) Report
U-Heights Building Inspector Terry Goerd

May 7, 2015

This is a preliminary plan review of both buildings located at 1 University Place in University Heights, Iowa. This is a list of items which will be required to be noted on the plans and general requirements to obtain a certificate of occupancy. A formal plan review will be completed once a building application is applied for and a complete set of plans received.

1. Administration:

- a. Licensed sub-contractors will need to apply for and obtain their own specialty permits.
- b. A Certificate of Occupancy is needed prior to use. A CO will be issued only after a final inspection has been performed and all code issues have been addressed.
- c. A rental permit is needed prior to issuance of the CO.
- d. A Knox box shall be required on the exterior of the building at a location designated by the fire department

2. Two buildings will be constructed on the lot. One will be a three story with at grade enclosed parking garage and the other will be a five story with two levels of underground parking.

3. Fire-resistive construction:

- a. Members of the primary structural frame other than the columns that are required to have a fire-resistance rating and support more than two floors or one floor and roof, or support a load bearing wall or a non-load bearing wall more than two stories high shall be provided individual encasement protection by protecting them on all sides for their full length [704.3].
- b. Columns are required to be fire-resistance rated, and where they go through the floor system they need to be protected through the floor system [704.2]
- c. Need UL listed rated assemblies for all fire resistive rated walls and ceilings. These need to be listed on the plans.

4. Fire protection:

- a. Sprinkler and fire alarm plans need to be submitted to the Building Inspection Division. Approved audible and visual alarm notification devices are needed in locations as determined by the Fire Marshal. Lockable FDC covers are needed. Certification of system installation and testing needs to be received and approved prior to issuance of the CO. A copy of the monitoring contract is needed prior to issuance of CO
- b. Buildings greater than 30' above lowest level of fire department access require class 3 standpipe system throughout the building.
- c. Minimum 2A10BC size fire extinguishers need to be mounted in an accessible location within each apartment and within all commercial and parking areas. [Sec. 906 IFC]

5. Exiting:

- a. Emergency illumination needs to also be provided on the exterior side of exit doors. [Sec. 1006.3 IBC]
- b. Elevators, stair enclosures and trash shoots penetrating more than 3 floor levels are required to be rated at 2 hours, less than 3 stories shall be 1 hour.
- c. Occupied roofs more than penthouses shall be provided with required exits as though they were another floor level.
- d. Door from apartment into corridor required to be self-closing 20 minute rated with smoke seals [Table 715.4]
- e. A stairway in an exit enclosure shall not continue below the level of exit discharge unless an approved barrier is provided at the level of discharge to prevent persons from continuing below grade. [1022.7 IBC]
- f. Doors shall not reduce the required exit width in the stair enclosure by more than 50% of required exit width.

6. Accessibility:

- a. Accessible parking stalls need approved vertical signage even when the parking surface is marked with the symbol of accessibility
- b. Doors within common areas need lever handles or other approved accessible operating hardware.
- c. Exterior doorway threshold shall not exceed 3/4"
- d. The accessibility requirements shall be enforced per State. Either all residential units made adaptable or a percentage made completely accessible.

7. Mechanical:

- a. Elevator hoistway venting is needed. [Sec.3004.1 IBC]
 - b. Mechanical ventilation systems for enclosed parking garages shall be permitted to operate intermittently where the system is arranged to operate automatically upon detection of vehicle operation or occupant.[Section 404 IMC]. Ventilation airflow rate of not less than 0.05 per square foot is required continuously and the system shall be capable of producing a ventilations airflow rate of 0.75 cfm per square foot of floor area.
8. Glazing
- a. Windows located in bathrooms within 5'-0" horizontally of tub and/or shower required to be safety glazing
 - b. Residential units third floor and below are required to be provided with conforming egress windows.
 - c. Windows within 24" of a door in the closed position must be safety glazing[2406.4]
 - d. Windows within 36" of a landing shall be safety glazing[2406-10]
9. Fire Alarm
- a. A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices.
10. Parking Garage
- a. Parking garages required to have a minimum ceiling height of 7'-0" to the bottom of any projection.[406.2.2]
 - b. Parking garages shall be provided with sand and oil inceptors
11. Elevator
- a. Machine room required to be a 2 hour fire rated construction(fire barrier) with 90 minute opening protection[707]. Doors required to be self-closing.
13. Air-borne sound and Structure-borne sound
- a. Walls separating dwelling units and floor/ceiling assemblies between units shall have a Sound trasmission rating of not more than 50[1207].
14. A special inspection form shall be completed and signed prior to issuance of the building permit.
15. Guards
- a. Guards on balconies of residential units shall be a minimum 42" above the walking surface with intermediate rails at not more than 4" spacing.
16. Site
- a. Buildings as located on Civil Plans have proper setbacks per code.
 - b. No fire resistive exterior wall requirements with the placement of building as noted on Civil Plans.

MEMORANDUM

TO: Mayor, Council and Staff

FROM: Josiah Bilskemper, P.E. (Shive-Hattery, Inc.)

DATE: May 7, 2015
May 12, 2015 (Updated with Iowa City Utility Comments)

RE: One University Place PUD Submission (April 7, 2015)
City Engineer Staff Report #1

This memo provides a review of the One University Place PUD submittal in accordance with Section 13 (Multiple-Family Commercial PUD) of University Heights Ordinance #79. Following discussion of these items, there is a section of general plan review comments.

Ordinance 79 – Section 13 (Multiple-Family Commercial PUD)

13.B.1. *No more than two (2) buildings may be constructed with combined footprints of no more than forty-five thousand (45,000) square feet.*

Refer to MPOJC staff report.

13.B.2. *No more than one hundred four (104) dwelling units may be constructed.*

Refer to MPOJC staff report.

13.B.3. *No more than twenty thousand (20,000) square feet of commercial space may be constructed.*

Refer to MPOJC staff report.

13.B.4. *No more than one person not a member of the family as defined in Section 3 of this Ordinance may occupy each dwelling unit as part of the individual housekeeping unit.*

Refer to MPOJC staff report.

13.B.5. *The front building of the development (closest to Melrose Avenue) shall not exceed thirty-eight (38) feet in height, and the rear building shall not exceed seventy-six (76) feet in height. "Height" is defined in Section 7 of this Ordinance.*

The grading plan submitted (C-105/106) indicates ground floor elevation of the front building is 784.10, and ground floor elevation of the rear building is 782.20.

The recent revisions (Ordinance #187) to the city zoning ordinance include a new definition for determining building height. The grading plans indicate the base elevation within 5-feet of the front building is 784.00, and for the rear building, approximately 782.00 along the south edge of the building that faces Melrose.

The maximum structure height is 822.00 (front building) and 858.00 (rear building).
PUD plan should confirm what base elevation the relative building heights shown on the elevation renderings are based on.



- 13.B.6. *A minimum of one hundred eighty-five (185) off-street parking spaces, of which no more than one hundred eight (108) may be above ground, shall be provided for commercial and residential uses. "Parking space" is defined in Section 10 of this Ordinance.*

There are 75 above ground parking spaces shown on the layout plan, which includes four ADA parking stalls. The front building has one level of underground parking with 45 spaces (includes one ADA stall). The rear building has two levels of underground parking. The lower level has 59 spaces (includes one ADA stall) and the upper level has 61 spaces (includes one ADA stall).

There are a total of 240 parking spaces shown. Underground parking accounts for 165 of these spaces.

- 13.B.7. *The eaves or building projections, including screened porches or walls, of the front building shall not be less than thirty-three (33) feet from the lot line along Melrose Avenue; the eaves or building projections, including screened porches or walls, of any other building or portion thereof shall not be less than twenty (20) feet from any lot line.*

The Layout Plan (Sheet C-101) shows the proposed buildings placed inside all of the required setbacks.

- 13.B.8. *The University Heights City Council may impose additional reasonable conditions as it deems necessary to ensure that the development is compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.*

Refer to MPOJC staff report.

- 13.D.1 *Location, size, and legal description of the site.*

Included on Sheet C-101.

- 13.D.2 *Location and area of land uses.*

Included on Sheet C-101.

- 13.D.3. *Detailed site plan showing all existing or proposed easements.*

The site easement layout is shown on Sheet C-102.

The submittal shows utility work, construction staging, removals, grading, and presumably tree clearing occurring on the University property to the north. **Include permanent easements for the utility work and temporary construction easements for the remaining items on the easement layout drawing for project work occurring beyond the property line.**

The plans propose a sanitary force main running along the north side of Melrose Avenue and connecting to an existing Iowa City sanitary sewer manhole in the parking lot of the University Club. An additional easement is required on the University Club property to route the force main into the parking lot. Depending on the alignment and depth of the force main within the Melrose right-of-way, a maintenance easement may need to be obtained along the south edge of the Birkdale Court properties to allow

access for future maintenance or repairs. **This need for an additional easement(s) should be acknowledged on Sheet C-102 with approximate locations shown.**

The City of Iowa City has responded that the water main and sanitary sewer within the site will be private utilities (Iowa City will not take over responsibility for these lines). **Therefore, dedicated easements for water main, sanitary sewer, and sanitary force main are not required within the property lines.**

The City of University Heights will require stormwater management easements for each BMP installed on the site for the purpose of inspection and repair. **This should be acknowledged on Sheet C-102 with approximate locations shown.**

Mid-American requires easements for the transformers, high-voltage electric conduits, and gas main that would extend into the site. They have also requested a joint gas and electric easement adjacent to and running along the full length of the west property line. These locations can be finalized along with the construction drawings when locations for these components are designed.

13.D.4. *Front, side, and rear yard setbacks.*

Included on Sheet C-101.

13.D.5. *Existing topography at two-foot intervals.*

Included on Sheet C-104.

13.D.6. *Grading plan at one-foot contours.*

Included on Sheet C-104.

13.D.7. *Location and description of major site features, including tree masses, drainage ways, wetlands and soils.*

Refer to Sheet C-103 and C-104. These sheets are to show sensitive slope areas, and where the proposed construction is located relative to these areas. **The delineation of steep and critical slope areas is missing from each sheet, and will need to be resubmitted.**

There is a table on Sheet C-104 showing the percentage of each type of slope area that is being impacted by construction.

Based on the proposed site plan elements, anticipate that all of the slope areas on the west side of the site will be disturbed, and a portion of the slope areas at the head (south end) of the east ravine will be disturbed by construction.

The plan identifies the location of three soil borings, and notes the slope in that area was previously altered by human activity. I recall these soil borings were completed in 2011 and were accompanied by a Terracon geotechnical report submitted to the council at that time. **This report should be resubmitted to the current council.**

Refer to general plan comments for Sheet C-104 at the end of this report for discussion of the city's Sensitive Areas Ordinance (#128).

13.D.8. *Erosion control plan.*

Sheet C-104 is labeled as the erosion control plan. It indicates silt fence being installed along the perimeter of the site and along the top of the east ravine. **Additional erosion control measures to encompass all utility and other project work occurring beyond the property line should be shown on this sheet.**

Erosion control plans will also be submitted for review as part of the construction drawing process. Refer to general plan comments for Sheet C-104 at the end of this report for discussion of the city's Sensitive Areas Ordinance (#128).

13.D.9. *Proposed type or types of development, e.g., commercial, multiple-family dwelling, etc.*

Refer to MPOJC staff report.

13.D.10. *Location and size of buildings or building footprints.*

Building locations and footprints shown on the Layout Plan (C-101), the Dimension Plans (C-108, C-109) and on the individual floor plans (A-Sheets).

13.D.11. *Design elevations showing all sides of every building, roofline, and perimeter fences.*

Building heights are called out on the Elevation drawings. The only perimeter "fence" shown is near the SE corner of the front building, visible in the street level rendering.

13.D.12. *Description of materials for all exterior building surfaces and perimeter fences.*

There are a few material descriptions included in the color elevation sections. There is a trellis system shown on the top of the rear building, along with a patio space and screen wall. Balcony materials may also be of interest to the council as they are prominently visible on the south side of the rear building toward Melrose Avenue.

Based on the height of the retaining walls shown on the Plans, there will be a need for railing and/or barrier rail at the top of these walls. The type and material of retaining walls, railings and/or barrier rail along these walls is not currently shown, and may be of interest to council.

The MPOJC staff report recommends the City Council obtain more specific information and examples of building materials before finalizing and approving the PUD.

13.D.13. *Vertical and horizontal dimensions of the exterior of all buildings and perimeter fences.*

Parapet height and elevator roof height shown on the elevation views and horizontal dimensions identified on the floor plans. **Need to confirm what base elevation the building heights are measured from (refer to 13.B.5 comments), and should identify height of the proposed fencing being shown at the SE corner of the site near the Melrose and Sunset intersection.**

13.D.14. *Maximum height of proposed structures and perimeter fences.*

Refer to 13.D.13 comments.

13.D.15. *Floor plans showing square footage of each commercial and each dwelling unit.*

Refer to the floor plan drawings for dimensions.

13.D.16. *Location of existing and proposed utilities, sanitary sewers, storm water facilities, and water, gas, and electrical distribution systems.*

Existing utilities are shown on Sheet C-103, and the proposed facilities are shown on Sheet C-107.

Water Main:

The City of Iowa City water department has indicated they are able to serve the proposed development. All water main within the site will be private (Iowa City will not take over responsibility for these lines), therefore no water main easements are needed within the property.

Iowa City has provided comments on the details of the hydrant types, service connection lines, and piping materials. These comments are being provided to the developer and would need to be incorporated into construction drawings.

Iowa City requests that a new 8-inch water main be extended north from the Melrose and Sunset intersection as part of the Sunset Street realignment on the north side. If this new main could be stubbed out to a point north of the intersection work, the City of Iowa City would then be able to undertake a future project to extend this line and connect to an existing dead-end water main at Grand Avenue, creating another loop to improve the system.

The City of Iowa City would be able to reimburse the City of University Heights for construction costs of the water main extension if included in the intersection realignment work. The exact routing of this new water main through the intersection would still need to be determined. This concept to route a new water main north to help eliminate the dead-end main on Grand Avenue was included in the previous PUD discussions in 2011 and 2014.

Sanitary Sewer:

The City of Iowa City wastewater department has indicated they are able to serve the proposed development. All sanitary sewer within the site, and the force main extending along Melrose Avenue will be private (Iowa City will not take over responsibility for these lines), therefore no sanitary sewer easements are needed within the property.

There is an 8-inch sanitary line shown to be stubbed out to the north. **Iowa City recommends it be removed unless there is a compelling reason it needs to be there.**

The PUD drawings show the development requires a sanitary pump station in the northwest corner of the site. Sewer services from each building flow by gravity to the pump station, which will pump wastewater through a force main pipe along the west edge of the site, then west along the north side of Melrose Avenue, and connect to an existing Iowa City sewer manhole in the University

Club parking lot (the sanitary force main from the Birkdale Court properties connects to this same manhole).

The proposed sanitary force main is shown very close to the Birkdale Court property line along Melrose, such that repair work on the buried line might require digging onto adjacent property. **The construction drawings will need to show the alignment and depth of this line at a sufficient distance from the property line. If this can't be accomplished, another option is for the developer to secure a maintenance easement from the Birkdale properties.**

Gas and Electric:

There is no proposed gas or electric facilities shown within the site plan at this time. As noted previously in the item about easements, these will need to be provided for Mid-American within the site.

Per discussion with Mid-American gas department, they are able to serve the residential and commercial buildings with gas service. A new gas main will need to be extended into the site, with one service line extending from this main to each building. The new main will connect to the existing gas main along the south side of Melrose or the east side of Sunset Street.

A meeting was held with Mid-American electric department and the developers electrical engineer designers. At the conclusion of the meeting, **Mid-American electric indicates they have the capacity to serve the site, and it would be possible to maintain electric service to the church building at the same time the front building is under construction.** If needed due to the construction of the front building, or due to the reconstruction of the north leg of Sunset Street, a temporary pole could be set to maintain electric service to the church during this time. **Depending on transformer locations at the site, an additional utility pole may need to be set on the south side of Melrose.**

At this point, the physical size of the two transformers, the specific location of where these transformers will be located around the buildings, and where the metering units will be placed are still to be determined. There is also potential photo-voltaic arrays being considered for the roof of each building (refer to "roof plan" drawings). The electrical engineers are currently working through the design, and will provide additional information to Mid-American to confirm the details of the design.

Other potential impacts to overhead utility poles along Melrose are likely. The widening of Melrose west of the site to develop a left-turn lane may require the anchor wires stabilizing existing poles on the south side be modified, or poles may need to be relocated. These impacts can be evaluated when construction drawings are submitted for review.

As the construction drawings are prepared, the layout and design of the gas and electric services by the developer's engineers will need to be coordinated with Mid-American.

In order to rebuild the north leg of Sunset Street at the intersection, the existing utility pole on that side of the street will need to be relocated somewhere on the

north side of the intersection. The existing traffic signal cabinet will also need to be relocated on this side of the street.

Stormwater Management:

Water runoff from the site is collected in piping or sheds naturally over the ground to the north, south, east and west. Water collected into piping is outlet at two locations: the east ravine and the University property to the north. There is a double row bio-retention cell concept (Sheet C-104) shown to collect water from the parking lot area between the buildings, and the remaining paved entrance and exit drives collect water with intakes and pipe this water to the east and north ravines.

Stormwater management on the site will need to meet compliance requirements of the city's "Post-Construction Stormwater Runoff Control" Ordinance (#169). This ordinance requires that a stormwater management plan be submitted and approved along with construction drawings prior to issuance of a construction permit. This plan will provide the details, calculations and other documents to show the runoff is being controlled to meet the ordinance requirements.

General Plan Review Comments

Sheet C-101

1. Notes indicate street improvements along Melrose Avenue for a left-turn lane at the main entrance are "possible improvements" to be completed by others. The MPOJC traffic report indicates the dedicated left-turn lane for eastbound traffic at the main entrance is required, which means the Melrose Avenue widening is required. **The council should have a clear understanding of exactly what improvements in the right-of-way are to be constructed as part of the developer's project, and have this reflected on the PUD drawings.**
2. The bus pull-off and bus shelter are not shown on the current plans. **Similar to the note above, if this is to be included in the overall project, it should be noted somewhere on the plan, or perhaps lightly dashed in on the drawing showing general location.**
3. **Recommend the Melrose widening west of the main entrance be accomplished on the south side of the road.** The PUD concept widens both sides of the street, but limited space on the north side due to the existing wide sidewalk and retaining wall conflict with pushing the street and storm sewer intake up into the edge of the walk. The PUD plans also show installing an unspecified vehicular guard rail directly on the edge of the north curb that is not desirable.
4. As part of the construction plan process, overall geometry of the Melrose and Sunset roadway changes still need to be designed and evaluated. This includes components such as lane configurations, traffic signal modifications and/or replacements, future accommodations for on-street bike facilities, relocation of existing overhead utility poles, etc. **Everyone should be aware that evaluation of these various items during detailed design may require adjustments to the intersection and lane widening concepts shown on the PUD plans.** As noted in the MPOJC staff report, the addition of a dedicated left-turn lane at the Melrose and Sunset intersection is not necessary from an intersection level-of-service perspective, but may be necessary for proper alignment of lanes and intersection geometry.

5. The proposed retaining wall on the east side of the site would extend into public right-of-way. **Recommend the city require the development be responsible for maintenance, repair, replacement, etc. of the wall even though it is within the street right-of-way.**
6. The construction drawings will need to include design of appropriate barriers along the top of the retaining walls where required due to wall heights (refer also to 13.D.12 comments).
7. The number of underground parking stalls listed in the plan notes for the rear building is less than the number shown on the parking level floor plans.
8. The MPOJC staff report recommends the City consider placing a sidewalk along the west side of Sunset Street to the north. There is an existing sidewalk that ends at Grand Avenue on this side of the street. Finding a suitable location for this sidewalk between the street and the ravine while avoiding existing mature trees would be a design challenge, and sidewalk would need to be extended across the front of 1504 Grand Avenue to complete the connection to the Grand Avenue sidewalk.
9. The MPOJC staff report recommends constructing a sidewalk adjacent to, and along the length of, the main access drive on the west side of the site to provide a pedestrian path to the rear building, and future pedestrian access to the University owned parcel north of the property.
10. There are 65 tree symbols shown around the site on this sheet. The "Architectural Site Plan" shows these same trees (and perhaps a few more) and shows coloring/shading where landscape plantings are proposed to be located throughout the site. These tree and planting locations appear to match what is seen in the site renderings. The MPOJC staff report comments on streetscape recommends that specific information on street furniture and a detailed landscaping plan be requested. **If council expects to see the same type, quantity and locations of trees and landscaping as shown in the PUD plans and renderings, this should be confirmed by both parties to provide a basis for evaluating the landscaping plans included with the construction drawings.**
11. Will the sidewalk and patio paving shown around the front building be colored concrete or different materials to create the colored pavement pattern shown on the architectural site plan and depicted in the street view renderings of the site?
12. The dumpster enclosure located by the corner of the front building will be visible from Melrose Avenue. **Recommend this be a brick enclosure or some other combination of materials similar to the building (i.e. not a wood slat enclosure).** Council could request specific allowable materials with the PUD plan or indicate to the developer what types of materials they would consider for approval during the review of construction drawings. The MPOJC staff report suggests that additional vegetative or hard screening may be desired to limit visibility of the loading dock located next to the dumpster enclosure.

Sheet C-102

1. The sidewalk, fencing, and curb ramp layout at the SW corner of the Melrose and Sunset intersection was rebuilt in 2013. The city also acquired additional right-of-way at this corner.
2. Based on the location of existing right-of-way lines shown at the SE corner of the Melrose and Sunset intersection, anticipate that property and/or easement acquisition would be required to place and install new traffic signal.

3. The City of Iowa City has indicated that no water main or sanitary sewer easements are required within the site, these utilities will be private.

Sheet C-103

1. This drawing shows the “Sensitive Areas Development Plan”, and is the first component of complying with the Sensitive Areas Ordinance (#128). **The delineation of steep and critical slope areas is missing from the drawing, and will need to be resubmitted.**

Sheet C-104

1. This shows the “Grading Plan” and the “Sensitive Areas Site Plan,” which are the other two components of the Sensitive Areas Ordinance. There is a table indicating the percentage disturbed, but the current drawing doesn’t show where on the site these disturbed areas are located. **This drawing needs to be revised to depict visually which portions of the slope areas are being disturbed.**
2. There is new storm sewer pipe located into the east ravine. **This drawing needs to provide detail about how this pipe is proposed to be constructed into the bottom of the ravine.**
3. As noted previously in this report, it looks like much of the slope on the west side of the site would be disturbed by construction, and an area at the head of the east ravine. More detailed versions of these sheets will be included in the construction drawings showing construction entrances, job trailer locations, intake protection, etc.
4. In accordance with the city’s Sensitive Areas Ordinance, for construction that disturbs protected slopes as proposed at this site, the following four conditions need to be met:
 - a. The protected slopes have been “previously altered by human activity...”
 - i. As noted above, soil borings and geotechnical report were provided to council in 2011. **Recommend this report be provided to the current council.**
 - b. “...a geologist or professional engineer can demonstrate to the University Heights City Council’s satisfaction that development activity will not undermine the stability of the slope...”
 - i. The plan shows retaining walls on either side of the site adjacent to slopes. **Recommend that during the construction drawing review process, the city require a letter from the geotechnical engineer and the retaining wall structural engineer certifying the design will maintain the slope stability.**
 - c. “...the City further determines the development activities are consistent with the intent of the Sensitive Areas Ordinance.”
 - i. The purpose of the ordinance, as noted in Section 1 of Ordinance #128 “is to protect sensitive areas within the City of University Heights by regulating the development of such sensitive areas.” Based on Sheet C-104, it looks like “protection” of existing slope areas is based on (1) leaving some portions of the slopes in the east ravine untouched, and (2) constructing retaining walls along the east and west access drives to reduce the number of trees impacted, and reducing the amount of fill material that would otherwise have to be graded out down the slopes on each side of the site,

- d. The University Heights City Council approves a submitted Development Plan, Grading Plan, and Sensitive Areas Site Plan.
- i. **The Development Plan (C-103) needs to be revised and resubmitted to show the missing steep and critical slope areas. The Grading and Sensitive Areas Site Plan (C-104) should be revised and resubmitted to include the missing steep and critical slope areas, visually delineate the disturbed areas and provide detail about the new storm sewer pipe being built into the east ravine.**
 - ii. The council needs to determine if they are in agreement with the concepts shown for new grading around the site, as well as the proposed building, paving, and utility work that will take place across portions of the existing steep, critical and protected slope areas as shown on Sheet C-104.
 - iii. If council wishes to approve these drawings related to the Sensitive Areas Ordinance (pending resubmittal and approval of Sheets C-103 and C-104 as noted above), recommend they do so contingent upon receipt of the certification letter from the geotechnical and structural engineer noted above, and confirmation that construction drawings reflect the same disturbance limits as shown in the PUD.

C-107

1. When construction drawings are developed, recommend the following items be considered when designing the proposed bio-retention cells along the north edge of the parking:
 - a. Can these cells be located far enough beyond the pavement so they will still be in the correct location if additional parking stalls and sidewalk are added on the north edge of the paving? It looks like an additional bay of parking on the north edge would cover the cells and extend through the first row of trees.
 - b. There will be a stormwater easement around these cells, and the easement would need to be redefined in the future if the cells have to be rebuilt further north to accommodate additional parking.
 - c. Stormwater calculations for the north cells should account for future impervious paved area of additional parking stalls.
 - d. In the interest of keeping excavation for future water main repairs outside the bio-retention cell soil profile, recommend cells and parallel water main be separated so that the edge of the cell is at least 8-feet from the water main.
2. The Post-Construction Stormwater Runoff Control Ordinance (#169) requires a number of submittals from the developer during the review of the construction drawings and prior to issuance of construction permit. The required submittals and stormwater design criteria are found in Section 169.10 thru 169.12. These requirements are currently acknowledged in Section 2 of the developer's agreement. A Construction Site Runoff (CSR) permit will also need to be obtained from the City prior to construction (Ordinance #155).

Please let me know if you have any questions, comments, or need any further information.
JDB

From: Julia Daugherty [<mailto:daugherty@lefflaw.com>]
Sent: Wednesday, April 29, 2015 2:08 PM
To: David Stannard
Cc: Steve Ballard
Subject: City of University Heights - Proposed Development

Dear Chief Stannard:

Please see attached letter from Steve Ballard and referenced attachment. Steve is copied on this email, and his email is also listed on the letter; please email or call Steve if you have questions wish to discuss this matter.

Thank you.

Julia Daugherty
Legal Secretary
LEFF LAW FIRM, L.L.P.
Phone: (319) 338-7551
Fax: (319) 338-6902
E-mail: daugherty@lefflaw.com

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Writer's email: ballard@lefflaw.com

ABIGAIL L. BROWN

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April 29, 2015
(via email only)

Chief David Stannard
CORALVILLE FIRE DEPARTMENT
1501 5th Street
Coralville, Iowa 52241

Re: City of University Heights - Proposed Development

Dear Dave:

I am writing as attorney for the City of University Heights, Iowa. The City has received a proposal for development of property at the northwest corner of Melrose Avenue and Sunset Street, presently comprising St. Andrew Presbyterian Church and a vacant lot to the east. For your reference, I am attaching architectural drawings submitted in support of this proposed development. If you prefer or desire to have a hard copy of these materials, please let me know.

On behalf of the University Heights City Council, I am writing to request that you please review the enclosed drawings and submit a written report back to me with any comments or concerns that you may have, particularly as they concern fire protection services provided by the City of Coralville to the City of University Heights pursuant to the 28E Agreement between the cities.

I would appreciate receiving a report back from you by May 11, 2015, if possible. If not, please provide your report as soon as you can. Call me if you have questions and we can discuss this request.

Yours very truly,

LEFF LAW FIRM, L.L.P.


Steven E. Ballard

SEB/jmd
Attachments

SEB/UniversityHeights/Corr/StannardDave ltr 042915

From: David Stannard
Sent: Wednesday, April 29, 2015 2:52 PM
To: Orey Schwitzer
Subject: FW: City of University Heights - Proposed Development

Look this over and comment.

Dave Stannard
Fire Chief
1501 5th Street
Coralville, IA 52241
319-248-1835 Office
319-248-1844 Fax

From: Orey Schwitzer
Sent: Wednesday, May 06, 2015 12:01 PM
To: David Stannard
Subject: RE: City of University Heights - Proposed Development

Dave ,

Here are the items I noticed for this project .

Aerial access to the North building needs to be 26' wide and between 15' and 30' from the building for the whole length of the south side.

Private 8" water main should be looped back to city water main.

From: David Stannard [<mailto:dstannard@ci.coralville.ia.us>]
Sent: Wednesday, May 06, 2015 1:36 PM
To: Julia Daugherty
Subject: FW: City of University Heights - Proposed Development

There are two items that need addressed but other than those the proposal looks good. See Orey's comment below.

Dave Stannard
Fire Chief
1501 5th Street
Coralville, IA 52241
319-248-1835 Office
319-248-1844 Fax



Date: 4/30/2015

To: Josh Slattery

From: Chris Parizek

Re: One University Place Project No. 014-031

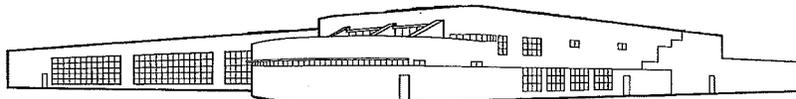
- Per Your Request
- For Your Information
- For Your Information &

- For Your Action
 - Take Charge of This
 - Note and File
- Check for L.U.S.T. area

Remarks:

1. See sheets C-102 and C-107 for water main easement and construction notes.
2. The Water Division would like an 8" water main brought across Melrose Avenue and run north along Sunset St (to edge of project area). This would facilitate a main extension to create a loop for the Grand Avenue water main.

Our Future is Clear



80 Stephen Atkins Drive
Iowa City, Iowa 52245
Tel. 319-356-5168 Fax: 319-356-5167



City of

University Heights

Police Department

1004 Melrose Avenue
University Heights, Iowa 52246

Telephone (319) 887-6800

Fax (319) 337-4404

Kenneth L. Stanley, Chief of Police

To: Steve E. Ballard
Attorney for the City of University Heights

May, 24, 2015

Re: Proposed Development of One University Place

The University Heights Police Department will be able to accommodate the proposed increase residential and commercial users on this proposed site without any undue impacts on the police department. My only concern regarding this proposed development relates to ingress and egress from the property and the impacts it will have on Melrose Avenue, especially during peak traffic periods. Providing adequate attention has been given to address any negative influence on traffic, the University Heights Police Department is in support of the proposed development.

K. L. STANLEY, Chief
University Heights Police Department



BUSINESS MANAGER'S OFFICE

301 University Services Building
Iowa City, Iowa 52242
Fax 319-384-1830

May 11, 2015

Mayor and Council Members
City of University Heights
1004 Melrose Avenue
University Heights, Iowa 52246

Re: Maxwell PUD Application for St. Andrew Church Site

Dear Mayor From and Council Members:

This is written to reintegrate and restate the University of Iowa's stance on the Maxwell PUD application for the St. Andrew Church site regarding several issues which impact University property to the North of the church.

The University agrees to grant temporary easements as required to allow for the construction of the project and the restoration of the parking area on University property immediately to the north of church property. This work may include; construction staging and grading, access drive construction and corresponding tree removal, removal of existing parking lot, grading and the like.

The University supports the current storm water management plan as indicated on the PUD documents. As stated in my April 8th, 2015 letter, the use of bio-swales for the surface runoff is acceptable. It is desired that the current flow of rain water be allowed to flow as it currently flows, without using added absorption methods. We do not wish to have alterations made in the hydrological characteristics of the church site which might impact changes in flow to the ravines. The Maxwell proposal is supported and the University asks for the City Council to approve the current plan.

Any needed easements for sanitary and storm water lines will be prepared and recorded prior to the installation of such lines.

Sincerely,

David Kieft

University Business Manager & Director of University Real Estate
301 University Services Building
Iowa City, Iowa 52242
david-kieft@uiowa.edu
319-594-6144

May 18, 2015

University Heights City Council and Staff
1004 Melrose Avenue
University Heights, Iowa
52246

SUBJECT:
One University Place Planned Unit Development

Dear Mayor From, City Council and Staff,

As you are all well aware, Maxwell Development LLC has been in the process of applying for a Planned Unit Development at 1300 Melrose Avenue for some time now. Earlier this month University Heights City Council received feedback on the PUD application from a number of governmental and regulatory bodies with an interest in the project. In response to this feedback the project design team has made revisions to the PUD application packet and provided a new, comprehensively updated packet dated May 15, 2015.

For the sake of clarity, we would like the opportunity to respond to some of the comments received in writing.

Regarding comments from Josiah Bilskemper, P.E., dated May 7, 2015:

13.B.5 Revised ordinance (187) requires height to be measured based on the average height of finish grade measured 5'-0" from the building toward the front lot line. Based on this revision:

South building average grade is 783.85 feet. Top of parapet is 821.85 feet. Total building height by ordinance definition is **38'-0"**.

North building average grade is 781.90 feet. Top of parapet is 835.67 feet. Total building height by ordinance definition is **53'-10"**

13.D.3 Permanent and temporary easements have been provided for utilities and off-site work.

Additional easement provided for around the termination manhole.

Easements for bioretention cells provided.

Easements for gas and electric will be coordinated with construction drawings.

13.D.7 Steep and critical slope areas has been delineated on sheets C-103 and C-104.

The geotechnical report has been provided.

13.D.8. Additional silt fence has been provided.

13.D.12. Physical samples of building materials were reviewed by the city council on 5/12/2015.

13.D.13 Refer to response to comment 13.B.5 regarding building height. Fencing height is proposed at 4'-6".

13.D.16 Water main comments will be addressed once The City of Iowa City has finished their review and provides comments.

Sanitary sewer comments will be addressed once The City of Iowa City has finished their review and provides comments.

The force main along Melrose has been moved to allow more separation between the force main and the ROW.

Stormwater Management:

A variance is requested to allow for no storm water quantity reduction as requested by the University of Iowa in their letters of May 11, 2015 and April 8, 2015.

General Plan Review Comments

C-101

1. Sunset Street / Melrose intersection improvements will be completed by others, and Melrose Avenue turning lane at the entry to One University Place will be completed by the developer.
2. A bus pull-off and bus shelter will not be included in the project.
3. Sidewalk along the north side of Melrose will be relocated to allow for separation between the sidewalk and roadway, eliminating the need for the vehicular barrier, and allow for road widening along the north side of Melrose.
6. A note provided to install guardrail where needed has been added.

7. Parking level plans have changed slightly. Current parking count is 120 spaces for the North Building and 45 for the South Building. This change has been noted on the revised PUD.
9. Pedestrian access to north building and the University owned property to the north is provided by a sidewalk near the east property line.
10. We are in agreement the enclosure should match the building materials. The enclosure will primarily use the wood tone panels that are used on the adjacent exterior wall of the building.

C-102

2. This will be addressed with construction drawings.

C-103

1. Steep and critical slope areas have been delineated on sheets C-103 and C-104.

C-104

1. Slope areas that will be disturbed will be visually delineated.
2. Note added to have the storm pipe directionally drilled.
4.
 - a. The geotechnical report has been provided
 - b. A note has been added to have a geotechnical engineer certify the retaining wall plans prior to construction.
 - d. Steep and critical slopes have been shown. Impacted slopes have been delineated. A note to directionally drill storm sewer pipe has been added.

C-107

- 1)
 - (a) We do not anticipate needing additional parking. If more parking is needed in the future the bio-retention cells will need to be relocated.
 - (d) Water main has been moved to provide 8 feet of separation.

2) Submittals will be completed and permits will be obtained as part of the review process.

Regarding comments from MPOJC, dated May 12, 2015:

Sidewalks: Vehicle barrier along Melrose has been eliminated by re-alignment of sidewalk. Pedestrian access to University property to the north is being provided by sidewalk near east property line. IT should be noted that MPOJC recommended sidewalk along Sunset St. would not be in the scope of One University Place project.

Lighting: Lighting trespass concerns are understood and limits are indicated in the Developer's agreement. The project is pursuing a LEED credit for site lighting trespass. Site lighting will be full cut-off and designed to spill less than 1 foot candle across property lines.

Summary: Regarding South building loading dock screening; the loading dock is fairly inconspicuous as designed. There are vegetated areas on either side that could be used to provide some screening from the east and west views.

If the City Council requires any further clarifications on the PUD application please do not hesitate to contact us.

Respectfully submitted,

Kevin Monson

Attachments:
Sensitive Slope Geotechnical Report

June 13, 2011



Maxwell Development LLC
2937 Sierra Court SW
Iowa City, Iowa 52240-8503

Attn: Mr. Jeff Maxwell
P: 319-358-6392
F: 319-631-1121
E: jmaxwell@maxwellconstructioninc.com

Re: Preliminary Geotechnical Engineering Report
Proposed One University Place Multi-Family Housing & Retail Buildings
1300 Melrose Avenue
City of University Heights, Iowa
Terracon Project No. 06115608.02

Dear Mr. Maxwell:

As requested, three hand auger borings were performed at selected locations along sensitive slope areas classified as "Protected Slope" within the proposed project site. Based on visual examination of the soil samples obtained from these hand auger borings (see attachments), the following observations are made:

- Existing variable fill materials were encountered in the hand auger borings. These fill materials are primarily composed of lean clay with varying amounts of sand, crushed stone pieces, asphalt pieces, cinders, and rubble.
- Hand auger refusal was encountered at depths of about 3 to almost 5 feet below the existing grade where apparent rubble was encountered.

In summary, the areas of the hand auger borings contained random fill materials and these materials are considered to be areas which have been altered by human activity. In addition, it is our opinion that the existing slopes have a relatively low factor of safety against a deep-seated slope failure. Thus, it is our opinion that the proposed development should be designed such that the stability of the slopes are improved.

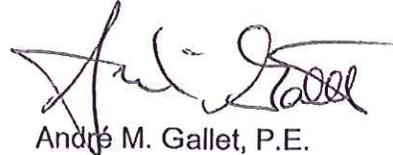


We appreciate the opportunity to be of continued assistance to you on this phase of your project. Should you have any questions regarding this letter, or if we may be of further services to you, please contact us.

Sincerely,
Terracon Consultants, Inc.



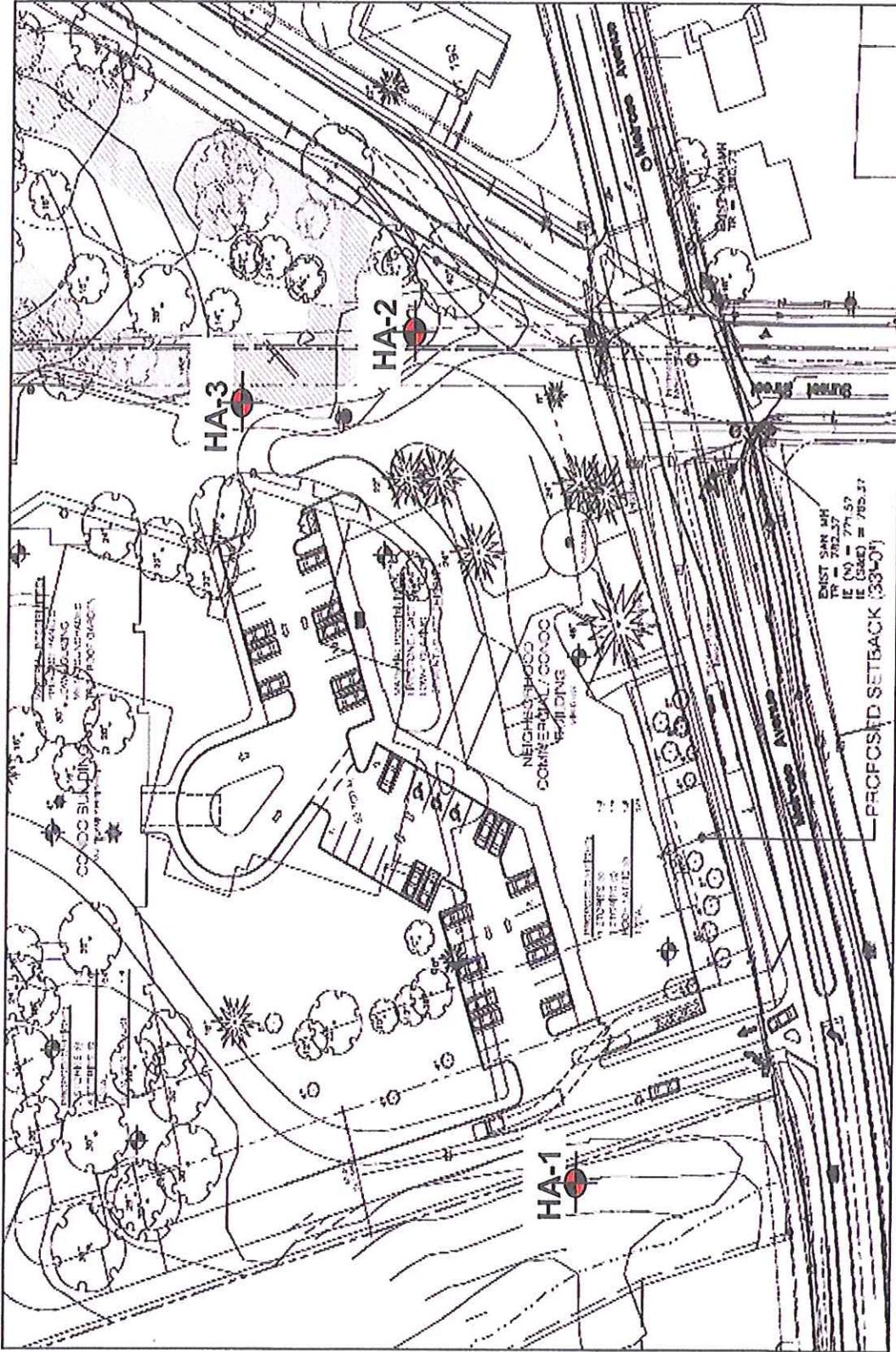
Bachan K. Sinha, M.S., E.I.
Project Engineer/Project Manager



André M. Gallet, P.E.
Iowa No. 13430

BKS/AMG: N:\Projects\2011\06115608\Working Files\DRAFTS (Proposal-Reports-Communications)\06115608.02.docx

Copies: 3 – Client



LEGEND

- Approximate Boring Location

DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Manager:	TWS
Drawn by:	BKS
Checked by:	AMG
Approved by:	TWS
Project No.:	06115608.02
Scale:	N.T.S.
File Name:	06115608.02.BLP
Date:	106/13/2011

Terracon
 Consulting Engineers & Scientists
 2040 12th Street SW
 Cedar Rapids, Iowa 52604
 PH: (319) 366-8221
 FAX: (319) 366-0032

BORING LOCATION PLAN

One University Place Multi-Family Housing & Retail Bldg.
 1300 Melrose Avenue
 Iowa City, Iowa

Exhibit

A-1

RESOLUTION NO. 15-30

RESOLUTION APPROVING ON CONDITIONS THE MULTIPLE-FAMILY COMMERCIAL PUD PLAN APPLICATION SUBMITTED BY JEFFREY L. MAXWELL CONCERNING PROPERTY CURRENTLY OWNED BY ST. ANDREW PREBYTERIAN CHURCH AND PROPERTY ADJACENT TO THE EAST

WHEREAS, University Heights Ordinance No. 79, as amended, provides for development of property in the Multiple-Family Commercial Zone pursuant to the Multiple-Family commercial Planned Unit Development (PUD) regulations and requirements set forth in Ordinance 79(13); and

WHEREAS, pursuant to Ordinance 79(13), Jeffrey L. Maxwell (“the Developer”) submitted a Multiple-Family Commercial PUD Plan Application dated April 7, 2015, as modified May 19, 2015 (“the PUD Plan Application”); and

WHEREAS, the University Heights City Council held a public hearing on the PUD Plan Application on May 27, 2015, pursuant to published notice; and

WHEREAS, the University Heights City Council has solicited comment from the public, from City staff, and from providers of various City services; and

WHEREAS, University Heights Ordinance 79(13)(C)(3) permits the University Heights City Council to approve, deny, or approve on condition the PUD Plan Application; and

WHEREAS, having considered the PUD Plan Application and the comment from the public, City staff, and providers of City services, the University Heights City Council finds and concludes that the PUD Plan Application should be approved on condition,

IT IS, THEREFORE, RESOLVED by the University Heights City County that the Multiple-Family Commercial PUD Plan Application submitted by Jeffrey L. Maxwell dated April 7, 2015, as modified May 19, 2015 (“the PUD Plan Application”) is hereby approved on the following specific conditions:

1. Approval by the City Council of a Development Agreement with Jeffrey L. Maxwell (“the Developer”) pursuant to Ordinance No. 79(13)(E); and
2. Approval by the City Council of a Sensitive Areas Site Plan, Development Plan, and Grading Plan if and to the extent required by Ordinance No. 128, which regulated development of Sensitive Areas; and
3. Approval by the City Council of any request to develop Protected Slopes as required by Ordinance No. 128; and

4. Approval by the City Council of a Storm Water Management Plan and/or variance to the extent required by Ordinance No. 169; and
5. Approval by the City Council of a Storm Water Pollution Prevention Plan and issuance by the City Council of a Construction Site Runoff Permit to the extent required by Ordinance No. 155; and
6. Approval by the City Council of an agreement and execution of such agreement by the City and the Developer providing that the Developer shall be responsible for maintenance, repair, and replacement of any retaining wall associated with the development that is located within the City's street right-of-way or otherwise upon City-owned property; and
7. Approval by the City Council of a Landscaping Plan showing the type, quantity, and locations of trees and landscaping features shown in the PUD Plan Application and renderings, unless the City Council agrees to such other trees and landscaping features;
8. Approval by the City Council of an economic assistance agreement with the Developer and execution of such an agreement by the City and Developer; and
9. This Conditional Approval of the PUD Plan Application shall not be construed as authority to commence construction or occupy the proposed development, such activity to be addressed by a future Building Permit Application and a future Occupancy Permit Application to be submitted by the Developer; and
10. The PUD Plan Application may be modified only by written instrument approved by the City Council and the Developer; and
11. Approval of the PUD Plan Application is specifically and expressly conditioned on the foregoing items.

Upon motion by _____, and seconded by _____, the vote was as follows:

	AYES:	NAYS	ABSENT
Aldrich	_____	_____	_____
Haverkamp	_____	_____	_____
Lane	_____	_____	_____
Miller	_____	_____	_____
Quezada	_____	_____	_____

Upon Roll Call thus recorded, the Resolution is declared adopted this 27th day of May, 2015.

Louise From, Mayor
City of University Heights

ATTEST:

Christine M. Anderson, City Clerk

Prepared by and return to:	Steven Ballard, Leff Law Firm, P.O. Box 2447, Iowa City, Iowa 52244-2447, (319) 338-7551
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PUD DEVELOPMENT AGREEMENT

This Agreement is entered into by and between **Jeff Maxwell**, hereinafter referred to as "Developer" and the **City of University Heights, Iowa**, hereinafter referred to as "City", pursuant to University Heights Ordinance, No. 79.

RECITALS:

- A. Developer is the owner of the real estate described and referred to as the Maxwell Parcel on the attached Exhibit A.
- B. Under a written purchase agreement, St. Andrew Presbyterian Church is the Seller, and Developer is the purchaser, subject to certain contingencies, of the real estate described and referred to as the St. Andrew Parcels on the attached Exhibit A.
- C. The Maxwell Parcel and St. Andrew Parcels are located within the City's limits and together comprise land zoned Multiple-Family Commercial. When used for multi-family and commercial purposes, Ordinance No. 79 requires the submittal of a Planned Urban Development (PUD) application and compliance with Ordinance 79(13), which section requires the Developer and the City to enter into a Development Agreement establishing development requirements and addressing certain other items enumerated in the ordinance.
- D. The Developer has submitted a PUD Application for development of the Maxwell and St. Andrew Parcels under a single project known presently as "One University Place" and referred to herein as the "Project".

E. St. Andrew Presbyterian Church ("Church"), as owner of the St. Andrew Parcels, has previously delivered to the City its continuing express written consent for Developer to submit to the City a Multi-Family Commercial PUD Plan Application together with such other materials, applications and requests as may be related to such PUD Plan Application and the project described therein. The Church is not a developer of the Project.

F. Developer and City wish to comply with the requirements of Ordinance 79(13), by entering into this Development Agreement setting out their agreements.

IT IS HEREBY AGREED BY THE PARTIES AS FOLLOWS:

1. **Purpose.** This Development Agreement is prepared for the purpose of complying with the Ordinance 79(13(E)).
2. **Building Plans and Construction Drawings.** Before any building permit is issued for all or any part of the Project, Developer shall submit to the City for approval detailed building plans, construction drawings, and related plans and applications for the Project in accordance with City requirements and procedures. Such plans shall reflect the design features and details of the PUD Plan approved by the City ("approved PUD Plan") and provide explanation of any variances. To the extent that the submitted plans contain new or modified details not already shown in the approved PUD Plan, the Council may establish reasonable conditions for approval of such newly-provided details in accordance with its ordinances and state law. The City shall not issue building permits until such time as the City Council has in the exercise of its reasonable discretion approved by resolution all of the plans, drawings, and applications set forth below in this paragraph. Once approved by the City, the Project shall be constructed in accordance with the approved plans, drawings, and applications, which shall not be amended, changed, or otherwise altered in any material way without further resolution adopted by the City Council. Minor adjustments may be approved administratively by the City Engineer or other authorized party in accordance with the City's standard policies, practices, and procedures. The required plans and drawings shall include the following:
 - a. Building plans consistent in all material respects with the approved PUD Plan showing final design features applicable to the proposed Project, including but not limited to these:
 - i. Design of exterior lighting so that all site and building-mounted luminaires produce a maximum initial illuminance value no greater than 0.10 horizontal and vertical footcandles at the site boundary and no greater than 0.01 horizontal footcandles 10 feet beyond the site boundary. Document that no more than 2% of the total initial designed fixture lumens (sum total of all fixtures on site) are emitted at an angle of 90 degrees or higher from nadir (straight down).

- ii. Site plan showing the location of all buildings and improvements for the Project, including but not limited to these: the placement of all refuse receptacles (including trash cans, dumpsters, and grease traps) and proposed screening for such receptacles; driveways and parking plans showing appropriate dimensions for vehicle turning movements on site for garbage trucks, delivery vehicles, buses, and fire trucks.
- iii. Grading plan, including Sensitive Areas Development Plan to the extent required pursuant to Ordinance 128.
- iv. Landscaping Plan showing species and size of plantings as well as amenities such as walkways, benches, bicycle racks, exterior light fixtures, library book drop, entrance amenities, trash receptacles and other public amenities.
- v. Storm Water Management Plan sufficient for the City to issue a Construction Site Runoff Permit pursuant to Ordinance 169.
- vi. Storm Water Pollution Prevention Plan and application sufficient for the City to issue a Construction Site Runoff Permit pursuant to Ordinance 155.
- vii. The granting and recording of utility easements, with appropriate plats, as may be reasonably sufficient for all public and private utilities and services supplying the Project as shown on the approved PUD Plan, with such easements and plats being subject to (i) review by the City's engineering consultants for sufficiency, and (ii) such approvals as may be needed from the City of Iowa City in regard to water main and sanitary sewer.

b. Final Construction drawings consistent in all material respects with the approved PUD Plan showing:

- i. All final dimensions of the buildings and improvements to be included in the Project.
- ii. All exterior building materials.
- iii. All exterior colors.
- iv. Other matters generally required to be shown for building permit approval.
- v. The Developer need not include construction drawings of interior improvements intended to be built-out or finished by the owners or tenants of commercial or residential units. Such improvements will be subject to separate building permits, to the extent applicable, in accordance with standard City practices.
- vi. Containing the utility boring specifications for storm sewer, sanitary sewer, and water main as were called out for boring on the Approved PUD Plan.

- c. The Developer will comply with City ordinances and good practices regarding fill materials and will employ a qualified geotechnical consultant to perform appropriate analysis and testing and to provide recommendations. Developer's consultant will make periodic reports on such matters to the City Engineer and/or the City's engineering consultants, as directed by the City.
 - d. The Project will be designed and built using current sustainable principles and with the intent to obtain LEED Certification. At the Construction Document phase of the Project, Developer shall submit to the City the Project's LEED Score Card demonstrating the Developer's intent to obtain LEED Certification for the Project (or the applicable portion thereof) based upon the LEED criteria existing at the time the Project's LEED Score Card is submitted to the City.
3. **Restrictions on Use.** Developer and the City understand that the property constituting this Project will be submitted to a horizontal property regime pursuant to Iowa Code Chapter 499B; that is, the project will be a multi-use condominium comprising commercial and residential units configured in compliance with the zoning classification. At such time as Developer prepares a condominium declaration, Developer will record such declaration in accordance with applicable laws, and it shall contain restrictions as to use; rules and regulations; owners' association ("Association") matters (including, but not limited to, articles of incorporation and bylaws); and other governing provisions required by law and typical of condominium projects of this type; all to be appurtenant to the land (the "Project Condominium Documents"). As a condition for the approval of the first occupancy permit for the Project it shall be established by the Developer that the Project Condominium Documents shall have been recorded and shall include the following restrictions on the Project, which specific restrictions shall be enforceable by the City (in addition to the Association and/or unit owners) and shall not be permitted to be amended, deleted or otherwise modified without approval of the City by appropriate resolution of the City Council:
- a. Commercial uses may use outdoor sales areas within the Project only in compliance with local ordinances. This restriction applies at all times, including, but not limited to any day on which The University of Iowa plays football games in Kinnick Stadium ("Game Day"). All Game Day activities on both the commercial and residential portions of the Project shall be in compliance with City ordinances and any additional rules that may be imposed by the Association.
 - b. Unless with the prior approval by Resolution of the City Council, no commercial use shall employ or have as an amenity or feature any sort of drive-through service area or walk up service window to pedestrians or to motor vehicles.
 - c. Any proposed sign (whether lighted or not) associated with the advertising of any commercial use must either 1) be approved by the City Council, or 2) be in full compliance with sign covenants and restrictions applicable to the Project as may

be incorporated into the Project Condominium Documents and expressly approved by Resolution of the City Council.

- d. No temporary signs on or visible from the exterior of a commercial establishment will be permitted except when located in a window of the establishment filling not more than 25% of the window space and for no more than 20 business days during any calendar year. Signs indicating that a business is open or closed or hours of operation, or containing governmentally required disclosures, shall not be deemed temporary signs.
- e. To the extent that a unit is for rent, one "For Rent" sign no larger than three feet by three feet (excluding stand) may be placed in or on the leased unit, or near the leased unit at a location approved by the Association. Additionally, if such sign is not reasonably visible to the general public from Melrose Avenue, one additional such sign may be placed within the Project at another location approved by the Association that is reasonably visible to the general public from Melrose Avenue. In connection with the initial leasing of the Developer's units, the Developer may either abide by the foregoing requirement or in lieu thereof place one leasing sign no larger than ten feet by ten feet (excluding stand) within the Project at a location reasonable visible to the general public from Melrose Avenue.
- f. To the extent that a unit is for sale, one "For Sale" sign no larger than three feet by three feet (excluding stand) may be placed in or on the unit for sale, or near the leased unit at a location approved by the Association. Additionally, if such sign is not reasonably visible to the general public from Melrose Avenue, an additional such sign may be placed within the Project at another location approved by the Association that is reasonably visible to the general public from Melrose Avenue. In connection with the initial sale of the Developer's units, the Developer may either abide by the foregoing requirement or in lieu thereof place one for sale sign no larger than ten feet by ten feet (excluding stand) within the Project at a location reasonable visible to the general public from Melrose Avenue.
- g. All Project unit owners, occupants and guests shall comply with the noise ordinances of the City and otherwise not create any noise nuisances. Additionally, no music shall be permitted to be played through exterior speakers within any outdoor commercial service areas after 9:00 p.m. on Sundays through Thursdays, or after 10:00 p.m. on Fridays and Saturdays. Any music played through exterior speakers within outdoor commercial service areas shall otherwise be in compliance with City ordinances and any additional rules that may be imposed by the Association.
- h. Unless additional extended hours are approved by Resolution of the City Council, Commercial uses, other than fitness centers, may operate and remain open to the public between the hours of 6:00 a.m. and 10:00 p.m. on Sundays

through Thursdays, and between the hours of 6:00 a.m. and 12:00 a.m. (midnight) on Fridays and Saturdays. Owners, tenants and Employees may enter upon and remain in the commercial space at other times for business purposes that do not involve the coming and going of customers or clients. Fitness centers may operate twenty-four (24) hours per day seven (7) days per week, provided all such fitness activities are conducted inside the establishment.

- i. Commercial uses shall be limited to those uses specifically permitted by City ordinance, now or in the future, in the Multiple-Family Commercial zone. In the event such uses are modified by zoning amendment, previously existing permitted uses will be subject to the then applicable non-conforming use regulations of the zoning ordinance.
- j. Residential units may be occupied by a single "family" and no more than one person not a member of the family occupying the premises as part of an individual housekeeping unit. "Family" is defined for purposes of this Agreement in the same manner as it is defined by the City Ordinance 79 3(12), as now existing or hereafter amended, modified, renumbered, or substituted: "Family" is defined as one person or two or more persons related by blood, marriage, or adoption occupying a dwelling as an individual housekeeping unit.
- k. The Developer's obligations to remove snow and ice from City sidewalks as set forth in this Agreement shall be made part of the obligations of the Association in the Project Condominium Documents.
- l. The total number of multi-family residential dwelling units (residential condominium units) within the Project will initially be established by the Project Condominium Documents at or below the 104 maximum dwelling units permitted for the Project by City Ordinances #79, #180 and #188. In accordance with any additional requirements of the Project Condominium Documents, (i) a residential condominium unit may be combined horizontally or vertically with one or more other residential condominium units to allow such combined units to be used as a larger single family dwelling unit under applicable City ordinances, or (ii) a larger residential condominium unit (or combined condominium units) may be divided into two or more smaller residential condominium sub-units (or units) to allow such smaller sub-units (or units) to be used as separate single family dwelling units under applicable City ordinances; provided the total number of residential dwelling units does not exceed the 104 residential dwelling units permitted for the Project by City ordinance. Similarly, in accordance with any additional requirements of the Project Condominium Documents, (i) a commercial condominium unit may be combined horizontally with one or more other commercial condominium units to allow such combined units to be used as a larger commercial space under applicable City ordinances, or (ii) a larger commercial condominium unit (or combined condominium units) may be divided

into two or more smaller commercial condominium sub-units (or units) to allow such smaller sub-units (or units) to be used as separate commercial spaces under applicable City ordinances.

- m. No left turns shall be permitted from the Project directly onto Sunset Street.
- n. The Developer or Developer's successor (the Association) shall be responsible in perpetuity for the removal of snow and ice on City sidewalks on the north side of Melrose Avenue from the intersection of Melrose Avenue and Sunset Street west to the Project boundary. Snow removed shall not be deposited upon City streets but may be deposited adjacent to the sidewalk upon the area within the City right-of-way. All snow removed from other areas of the Project shall be deposited on the Project's property or elsewhere but not upon City streets, City right-of-way, or any other property owned or controlled by the City or upon private property (other than the Project) except with the permission of the property owner.
- o. Developer and City acknowledge and agree that the residential portion of the Project is being built to standards consistent with owner occupied residential units, but that rental of such units by the Developer and/or subsequent owners is permissible. The residential units will be subject to the same rental requirements, restrictions, and definitions for family as other residential properties in the City. Additionally, the Condominium Declaration shall contain provisions giving the Association reasonable authority to adopt and implement rules to address any issues that may arise from rented units in order to protect owner occupants' peaceful use, enjoyment and unit values.
- p. The Developer and/or the Project's owners' association shall under the Project Condominium Documents have the responsibility to maintain any exterior public space that is shown on the PUD plan or otherwise incorporated into the Project.

4. **Easements.** Before the issuance of any occupancy permit for the Project, the Developer shall have granted to the City the following easements to be in a form approved by the City Attorney:

- a. An easement for the erection, maintenance, replacement and use of a bus shelter along Melrose Avenue, as shown on the PUD Plan, to the extent not within City right-of-way. The bus shelter shall be installed, maintained, repaired and replaced by the City or, in accordance with a 28E agreement, by the municipal provider of the bus service.
- b. An easement for any portion of the sidewalk adjacent to the Project along Melrose Avenue not within City right-of-way, which sidewalk shall be installed and maintained by the Developer or Developer's successors (Association and/or unit owners).

In addition to the forgoing easements to be granted to the City, before the issuance of any building permit for the Project, the Developer shall have obtained easements as needed from any adjacent property owner for implementation of the storm water management plan approved by the City for the Project.

5. **Dedication of Right-of-way.** Before the issuance of any occupancy permit for the Project, the Developer shall have dedicated to the City the portions of Melrose Avenue shown on the approved PUD Plan for dedication, with such dedication documentation to be in a form approved by the City Attorney.

6. **Public Street Improvements/Project Turn Lane Improvements.**

A. As a public improvements project, the City shall be responsible for desired intersection and related improvements to the intersection of Sunset Street and Melrose Avenue, including paving relocation, traffic controls and sidewalks within City right-of-ways ("Intersection Improvements"). Developer shall dedicate to the public, without cost to the City, any right-of-way needed for the Intersection Improvements. The Developer shall, at Developer's expense, provide to the City the necessary design plans and bidding documents for the Intersection Improvements. The City shall bid the project in accordance with applicable laws and regulations and pay for the Intersection Improvements with City revenue other than any tax increment revenues. Upon the City's completion of the Intersection Improvements the Developer shall gift to the City, if the land area is not otherwise needed for Project zoning or other regulatory compliance, the easterly wooded portion of the Maxwell Parcel (commonly known as the "Ravine") to thereafter be owned and maintained by the City as a natural area. The City and the Developer shall have an inspection of the Ravine area prior to the turnover to the City to ensure that there are no major environmental or structural issues needed remedy prior to the turnover.

B. As part of the Developer's Project, the Developer shall be responsible for desired left turn lane improvements into the Project's private entrance drive from Melrose Avenue as shown on the PUD Plan, including paving, any traffic controls and sidewalks ("Project Turn Lane Improvements"). Developer shall dedicate to the public, without cost to the City, any right-of-way needed for the Project Turn Lane Improvements. The Developer, at Developer's expense, shall be responsible for the design, plans and construction of the Project Turn Lane Improvements, which shall be installed according to plans and specifications approved by the City's engineer. The Developer's construction of the Project Turn Lane Improvements shall commence after the issuance of a building permit for Phase One of the Project, with the objective of completing the Project Turn Lane Improvements by the time the first Occupancy Permit for Phase One of the Project is ready for issuance. The City and the Developer agree that any damage to Melrose Avenue caused by heavy traffic due to construction of the back building shall be the responsibility of the Developer. In addition, if the private north/south road is used by an entity to construct facilities north of the property, then the Developer shall also be

responsible for any necessary repair to Melrose Avenue due to excess traffic or construction equipment traffic.

7. **Timing of Construction.**

A. The Developer will use commercially reasonable efforts under all relevant circumstances to keep the Project advancing. Commencement of construction will be dependent on multiple factors such as, but not limited to: i) the timing of St. Andrew Church's vacation of the property; ii) final building plans completion; iii) Project financing arrangements; iv) construction bidding "climate"; iv) materials availability; vi) public infrastructure installation; vii) marketing, pre-sales and pre-leasing; viii) lender requirements; and ix) availability of municipal Project support.

B. The Project is likely to be constructed in phases, with the first phase to be the construction of the proposed south multi-family residential/commercial building and improvements ("Phase One"). Developer is presently intending, if possible, to start construction on Phase One late summer 2015. Construction on Phase One will likely commence while the Saint Andrew Presbyterian Church ("Church") continues to occupy the existing church building on the North portion of the property. The City shall allow such construction of Phase One during the Church's continuing use and occupancy, provided that before issuance of any occupancy permit for Phase One the Church's use and occupancy of the existing building shall have ceased. The second phase of the Project will be the razing of the existing church building and the construction of the new multi-family residential structure and improvements on the north side of the Project (Phase Two). Developer is presently intending, if possible, to start construction on Phase Two early summer 2016, soon after the Church has vacated the existing church building.

C. Once construction commences, Developer shall use commercially reasonable efforts to complete construction as efficiently and in as timely a manner as the parameters of the Project permit and to be substantially completed within three years after the commencement date.

D. In any event, construction on the Project shall commence within five (5) years after the date the City approves Developer's PUD Plan Application, and if construction does not commence within that period, then the City's approval of that PUD Plan Application and this Agreement are revoked automatically without requirement of further action by City; provided, however, the City shall give the Developer (or Developer's successor, as may be then applicable) not less than twenty-four months nor more than thirty-six months advance written notice of the automatic expiration of such ten year development period.

8. **Neighborhood Businesses.** Developer will use commercially reasonable efforts to secure tenants or owners for the commercial units within the Project to operate businesses from among the business uses permitted by applicable City ordinances.
9. **Sale or Lease of Commercial Space to Property Tax Exempt Entities.** Unless approved in advance by Resolution of the City Council, until the end of the term of any economic incentive agreement that may be entered into applicable to the Project, the Developer (including its successors and assigns) shall not sell or lease any commercial unit of the Project to a property tax exempt entity if such sale or lease will result in such commercial unit becoming property tax exempt.
10. **Payment by the Developer of Costs and Fees.** The Developer has in writing already agreed to reimburse, and has already commenced reimbursing, the City for certain costs and fees associated with Developer's PUD Application. The Developer affirms its obligations to reimburse the City as specified in the previously executed agreement.
11. **Binding.** This Agreement is binding on the parties hereto and their respective successors and assigns.
12. **Complete Agreement.** The Agreement and the Approved PUD Plan represents the complete agreement of the parties on the matters contained herein.
13. **Other Matters.** At the time of negotiation of this Agreement, matters relating to City participation in the Project and City's use of space within the Project were unresolved. The City and Developer reserve for further discussion and resolution by separate written agreement: (1) all matters regarding economic incentive financing or other municipal support for the Project, and (2) the City's acquiring or leasing space within the commercial portion of the Project for municipal use. The Developer shall notify the City prior to selling or leasing the final 2,400 square feet of commercial space, in order to determine the City's interest in acquiring or leasing such space.

This Agreement is subject to and conditioned upon a mutually acceptable economic incentives agreement being entered into between the City and the Developer specifying the terms of and conditions for economic incentives that may be provided to the Project by the City.

DATED this _____ day of _____, 2015.

CITY OF UNIVERSITY HEIGHTS, IOWA

DEVELOPER

By: _____

Louise From, Mayor

Jeffrey L. Maxwell

ATTEST: _____

Christine Anderson, City Clerk

[Add Acknowledgement Forms]

DRAFT

Exhibit A – Legal Description of Site for
One University Place Project

St. Andrew Parcels

Beginning at the Northeast Corner of Section 17, Township 79 North, Range 6 West of the 5th P.M.; thence North 89 degrees West along the North line of said Section 17, 402.6 feet, thence South 16 degrees East 490 feet to the Northerly line of Snook's Grove Road as now established; thence North 73 degrees East along the Northerly line of said road 291.3 feet; thence North 1 degree 40' West to the point of beginning, as shown by Plat recorded in Plat Book 4, Page 383.

and

That part of the northeast quarter of the northeast quarter of Section 17, Township 79 North, Range 6 West of the 5th P.M., described as Auditor's Parcel 96091 on plat of survey recorded in Book 38, Page 125, Plat Records of Johnson County, Iowa.

Maxwell Parcel

Auditor's Parcel 2005091 according to the Plat of Survey recorded in Book 49, Page 284, Plat Records of Johnson County, Iowa, being a portion of Outlot 1 and of Lot 238, University Heights, Second Subdivision, according to the plat thereof recorded in Book 2, Page 76, Plat Records of Johnson County, Iowa; EXCEPT beginning at the Southwest corner of Auditor's Parcel 2005091, thence North 0°00'00" East 19.48 feet along the West Line of said Auditor's Parcel (assumed bearing for this description only), thence North 74°40'39" East 8.58 feet to a point of intersection of the Westerly right-of-way line of Sunset Street, thence South 20°48'18" West 23.29 feet along said right-of-way to said point of beginning and containing 81 square feet more or less.

RESOLUTION NO. 15-31

RESOLUTION APPROVING ON CONDITIONS AND AUTHORIZING THE MAYOR TO SIGN AND THE CLERK TO ATTEST A DEVELOPMENT AGREEMENT FOR ONE UNIVERSITY PLACE, THE PROJECT CONTEMPLATED BY THE MULTIPLE-FAMILY COMMERCIAL PUD PLAN APPLICATION SUBMITTED BY JEFFREY L. MAXWELL CONCERNING PROPERTY CURRENTLY OWNED BY ST. ANDREW PREBYTERIAN CHURCH AND PROPERTY ADJACENT TO THE EAST

WHEREAS, University Heights Ordinance No. 79, as amended, provides for development of property in the Multiple-Family Commercial Zone pursuant to the Multiple-Family commercial Planned Unit Development (PUD) regulations and requirements set forth in Ordinance 79(13); and

WHEREAS, pursuant to Ordinance 79(13), Jeffrey L. Maxwell (“the Developer”) submitted a Multiple-Family Commercial PUD Plan Application dated April 7, 2015, as modified May 19, 2015 (“the PUD Plan Application”); and

WHEREAS, University Heights Ordinance 79(13)(D) requires that, before development occurs pursuant to the Plan Application, the City and the Developer enter into a Development Agreement establishing certain development requirements and addressing certain other items,

IT IS, THEREFORE, RESOLVED by the University Heights City Council that the Mayor is authorized to sign and the Clerk to attest the Development Agreement attached hereto as Exhibit “A” for One University Place, the project contemplated by the Multiple-Family Commercial PUD Plan Application submitted by Jeffrey L. Maxwell dated April 7, 2015, as modified May 19, 2015 (“the PUD Plan Application”) SUBJECT TO the following specific conditions:

1. Approval by the City Council of a Multiple-Family Commercial Planned Unit Development (PUD) pursuant to Ordinance No. 79(13)(C); and
2. Approval by the City Council of an economic assistance agreement with Jeffrey L. Maxwell (“the Developer”) and execution of such an agreement by the City and the Developer; and
3. Approval by the City Council of an agreement and execution of such agreement by the City and the Developer providing for the reimbursement by the Developer to the City of the City’s reasonable professional and clerical fees and expenses related to the development proposed in the Developer’s Multiple-Family Commercial PUD Plan Application and the financing of that proposed development; and
4. This Conditional Approval of the Development Agreement shall not be construed as authority to commence construction or occupy the

proposed development, such activity to be addressed by a future Building Permit Application and a future Occupancy Permit Application to be submitted by the Developer; and

- 5. The Development Agreement may be modified only by written instrument approved by the City Council and the Developer; and
- 6. Approval of the PUD Plan Application is specifically and expressly conditioned on the foregoing items.

Upon motion by _____, and seconded by _____, the vote was as follows:

	AYES:	NAYS	ABSENT
Aldrich	_____	_____	_____
Haverkamp	_____	_____	_____
Lane	_____	_____	_____
Miller	_____	_____	_____
Quezada	_____	_____	_____

Upon Roll Call thus recorded, the Resolution is declared adopted this 27th day of May, 2015.

Louise From, Mayor
City of University Heights

ATTEST:

Christine M. Anderson, City Clerk

RESOLUTION NO. 15-32

RESOLUTION AUTHORIZING BOND COUNSEL TO INITIATE WORK ON CITY FINANCING FOR ONE UNIVERSITY PLACE IN THE FORM OF A REBATE TIF NOT TO EXCEED \$4 MILLION

WHEREAS, the University Heights City Council has conditionally approved a Multiple-Family Commercial PUD Plan Application dated April 7, 2015, as modified May 19, 2015 (“the PUD Plan Application”) submitted by Jeffrey L. Maxwell (“the Developer”); and

WHEREAS, the University Heights City Council has conditionally approved a Development Agreement for One University Place, the project contemplated by PUD Plan Application; and

WHEREAS, the University Heights City Council desires to provide certain economic assistance to One University Place in the form of a rebate TIF in an amount not to exceed \$4 million; and

WHEREAS, the University Heights City Council previously engaged John Danos, a municipal finance lawyer with Dorsey & Whitney LLP of Des Moines to assist with investigating and implementing City participation in financing of One University Place; and

WHEREAS, the City’s financial consultant, National Development Council, has concluded and reported to the City Council that \$4 million in gap financing for One University Place is supported through a rebate TIF totaling \$6,705,112 over a period of 13.5 years,

IT IS, THEREFORE, RESOLVED by the University Heights City Council that John Danos is authorized and directed to initiate work City financing for One University Place in the form of a rebate TIF not to exceed \$4 million. **IT IS FURTHER RESOLVED** that no such financing shall be undertaken or put in place until further hearing, consideration, and action by the City Council.

Upon motion by _____, and seconded by _____, the vote was as follows:

	AYES:	NAYS	ABSENT
Aldrich	_____	_____	_____
Haverkamp	_____	_____	_____
Lane	_____	_____	_____
Miller	_____	_____	_____
Quezada	_____	_____	_____

Upon Roll Call thus recorded, the Resolution is declared adopted this 27th day of May, 2015.

 Louise From, Mayor
 City of University Heights

ATTEST:

 Christine M. Anderson, City Clerk