

**UNIVERSITY HEIGHTS, IOWA**

**1004 Melrose Ave.**

**April 29, 2009**

Proceedings of the University Heights Zoning Commission, subject to approval by the Commission at a subsequent meeting.

**ZONING COMMISSION REGULAR MEETING  
Meeting Room - University Athletic Club - 1360 Melrose Ave.**

Chair Pat Bauer called meeting of the University Heights Zoning Commission to order at 7:08 p.m.

**Present:** Chair Bauer. Commission Members William Gay, Weldon Heitman, Catherine Lane and Karl Robertson. Staff present: Attorney Ballard and Clerk Anderson and Engineer Bilskemper. Other scheduled participants: Jeff Maxwell, Kevin Monson, Kent Ralston, Al Wells, and John Yapp. Also attending: 106 other persons (see attached sign-in sheets).

Chair Bauer began the meeting with an overview of the rezoning procedures and deadlines for the project; a formal application for rezoning has been submitted for review and the commission has 45 days to act for a May 30<sup>th</sup> deadline. If the zoning commission approves the proposal, and the adjacent property owners do not file an objection, the zoning ordinance change could be approved by a simple majority vote of the city council. However, if the zoning commission recommends against the change or a requisite percentage of the adjacent property owners file an objection to the change, then a super majority vote would be needed by the city council to approve the proposal.

Kevin Monson of Neumann Monson Architects began the presentation for the applicants. St. Andrew Church has purchased 40 acres on Camp Cardinal Road to build a larger church. A vote by the congregation will be held later to approve moving to the new property; the vote by the church is not dependent upon the application process by the applicants. The applicants have a purchase agreement with St. Andrew Church as well as an option, with Clay Hargrave, to purchase part of the ravine that abuts the property.

The project would have two buildings; a commercial/mixed-use building, with 32 condominiums, located towards the front of the property facing Melrose Avenue. A residential building comprised of 61 condominiums will sit along the north property line. Parking for residents will be under the buildings; surface parking for the commercial enterprises will be located behind the mixed-use building. A portion of the ravine will be filled in but the ravine located on the UI property will not be touched.

Jeff Maxwell of Maxwell Development, LLC addressed the potential changes to the right-of-way at the corner of Melrose Avenue and Sunset Street; these changes would improve the alignment of the intersection. The proposed development includes plans for a regional storm-water detention facility to be located on the University of Iowa property below the Finkbine commuter parking lot. The developers hope to create an enhanced wet land, incorporate a trail system and work with UI Environmental Sciences on ideas to increase water fowl population. Off-site public improvements would be completed by Fall 2010 prior to the church moving. The costs of these improvements would be paid by the developers who would then hope to enter into a TIF agreement with the city to recoup these expenses.

Based on four community-input sessions, changes have been incorporated into the plans; the front building was moved back 23 feet off the Melrose Avenue right-of-way and was "cut-back" to enhance the public-plaza area. The developers pulled back the rear building from the east border by 60 feet and incorporated a "kink" in the building to help reduce the mass of the building. Monson explained that the developers had strived to achieve ten principals of livable communities in their design.:

John Yapp, Director of Johnson County Council of Governments (JCCOG) gave a quick overview of the preliminary and final reports that were prepared regarding the development. Yapp commented that he and Kent Ralston are available to act as "staff" for University Heights and as a resource for the city in reviewing development proposals. Yapp stated the University Heights Comprehensive Plan was an important element in preparing his findings; and he felt the mass and scale of the development, the mix of land-uses and the layout of the buildings are the major elements for consideration. Yapp stated that he thinks "this is a very attractive development" and that he was "impressed with the quality of the proposal".

Engineer Bilskemper questioned if the developers would have a physical median to limit how traffic would flow on Grand Avenue; currently the plan has incorporated painted medians but a physical median could be incorporated

into the plan per Kevin Monson. Bilskemper asked if there were back-up plans for the regional storm-water retention facility if the plans with the University of Iowa do not work; Maxwell stated there are plans on-site.

A petition against the proposal was submitted to the commission by 196 persons who are owners of 141 properties (text, signatures, and map in separate document)..

Fifteen members of the public spoke for or against the proposal as follows:

Naser Paynandi -1491 Grand – Against	Dell Richard – 1250 Melrose – For
Joseph Frankel – 323 Koser – For	Roger Tracy – 105 Birkdale – Against
Yon Schoenmaker – 27 Leamer Court – Against	Tom Breese – 227 Mahaska – Against
Kathie Belgum – 104 Sunset – Against	Carl Orgren – 320 Golfview – For
Mary Mathew Wilson – 308 Koser Avenue – Against	Jane Swails – 333 Koser – Against
Al Leff – 215 Sunset – Against	Richard Schmidt – 207 Mahaska - Against
Jerry Zimmermann – 1434 Grand – Against	Pat Yeggy – 305 Ridgeview - For
Larry Wilson – 308 Koser – Against	

Before or at the meeting the commission also received 30 written submissions (full text in separate document) as follows:

Bob & Gloria Hanson – 506 Mahaska – For	Carl Orgren – 330 Golfview – For
Michael Ziegenhorn – 125 Golfview – For	Nick & Karla Laubenthal – 1007 Melrose, 1009 Melrose, & 23 Olive Court – For
Mike Haverkamp – 315 Golfview – For	Dave Bartlett – 1149 Melrose – Against
Zlatko Anguelow – 207 Golfview – Against	Ken Yeggy – 305 Ridgeview – For
Joseph Frankel – 323 Golfview – For	David Cole & Diane Papke-Cole – 102 Birkdale – Against
David Duncan – 115 Golfview – Against	Alice Haugen – 1483 Grand – Against
John Streif – 1479 Grand – For	Paul Moore – 1002 Melrose & 116 Golfview - For
Sue Hettmansperger & Lawrence Fritts – 114 Highland – Against	Arthur Bonfield & Eva Tsalikian – 206 Mahaska – For
Deb & Rich Wretman – 386 Koser – For	Jane & Mike Gay – 106 Koser – For
Deb & Warren Tunwall – 100 Koser - For	Martha & Robert Huffman – 332 Koser - Against
Carol Howard & Ed Fischer – 228 Highland – Against	Larry Wilson & Mary Mathew Wilson – 308 Koser – Against
Sherly Neuzil – 316 Highland – For	Rachel & Greg Prickman – 321 Koser – Against
Robert Beinhart – 316 Highland – For	Dell Richard – 1250 Melrose – For
Ila Zimmerman- 1468 Grand – For	Pat Yeggy – 305 Ridgeview - For
Brian Butler – 1132 Melrose, 1251 Melrose, 58 Olive Court, & 27 Prospect Place – For	
Steve & Susan Strauss – 556 Mahaska - For	

Chair Bauer addressed the commission to see if more information was needed or if they could entertain a motion; Commission member Lane suggested, as the newest member to the commission, that another meeting be scheduled so that she could digest all the information that had been presented. Commission members Gay and Robertson agreed; Commission member Heitman commented that he could vote during this meeting but would not object to another meeting.

**MOTION** by Gay, seconded by Heitman to meet at 7:00 p.m. on May 20, 2009, in the meeting room at the University Athletic Club (1360 Melrose Ave.) working as long as necessary, to come to a decision on the proposed development.  
**Carried.**

Bauer – Aye	Lane - Aye
Gay - Aye	Robertson - Aye
Heitman – Aye	

The meeting was adjourned at 9:55 p.m.

Attest \_\_\_\_\_  
Christine Anderson, City Clerk

Approved \_\_\_\_\_  
Patrick B. Bauer, Chair  
Zoning Commission

UNIVERSITY HEIGHTS ZONING COMMISSION  
MEETING SIGN-IN SHEET  
WEDNESDAY, APRIL 29, 2009

NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Bella Ruppert	314 KOSER AVE.	
Mary Schmidt	207 Mahaska Dr	
Richard K Schmidt	207 Mahaska Dr	X
Cathie Payvand	1491 Grand	X
Naser Payvand	1491 Grand	
Catherine Lane	303 Highland Dr	
Catherine Podolski	1006 Melrose	
Jane Jay	106 Koser	
Rebecca Reiter	265 Highland Drive	
Maureen + Ann Lind	636 Grandview	
Norey Barnes-Kohout	300 Golfview	
Frank J. Kohout	300 Golfview	X
John Yapp	1181 HOTZ Ave I.C.	
JOSIAH BILSKEMPER	SHINE BATTERY	

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Rachel Gallegos	Iowa City Press-Citizen reporter	
Kathie Belgar		X
Ginger Nowak	IC	
Ann Grossheim	107 Birkdale Ct.	
Mary McAndrew Wilson	308 Koser Ave	X
AL LEFT	215 SUNSET	X
Andy Dudler	205 Koser	
Anne Dwyer	307 Mahaska	
William Jay Orr	307 Mahaska	
Karl Bontor	406 Ridgeway Ave	
Rachel Prickman	321 Koser Ave	
Kurt Ralston	Sccog	
Tim Bradley	1417 Grand Ave	
Jay Zimmerman	1434 GRAND Ave.	X

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Carolyn Brown	1434 Grand Ave.	
Martha Hoffman	332 Koser Ave	
Roger Tracy		X
Nick + Karla Laubenthal	1009 Melrose Ave. 230 Olive Ct.	
Chuck + Karen Friedman	1222 Melrose Ave	
Dick Packer	29 Airport (32 Highland Dr)	
Ann Penno	235 Koser Ave.	
Tom Breeze	227 MAWASKA DR	X
Dad Tunwail	100 Koser Ave.	
Smilee Frank	406 Koser	
Nore Frank	406 Koser	
BILL OLIN	426 MAWASKA	
Jill De Young	21 Prospect Pl	
Chris Luvre	338 Koser	

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Chris Hedlund	1490 Grand Ave	
Steve Hedlund	"	
Brennan McGrath	327 Koser Ave	
Tobias Hines	327 Koser Ave	
Beth Reid	140 Highland Dr.	
Mike Haverkamp	315 Golfview	
Margo West	30 Prospect Pl	
Steve Stevens	656 Mahaska Ct.	

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
D.G. Ruppert	314 Koscer Ave	
Elizabeth Rowley	516 Mahaska Dr	
Jim Lane	303 HIGHLAND DR.	
Louise From	207 Monroe St	
Ann Baker		
Marlys Spore	228 Marietta Ave.	
Pat Zygony	305 Ridgeway Ave	x
Ken Zygony	305 Ridgeway Ave	
Joseph Frankel	323 Koscer Ave	-X
Betty Seaven	1480 Grand	
Linda Ducha	1475 Grand Ave	
Sara + Jon Schrenmaker	27 Leamer Ct	✓
<del>Jose B...</del>		
Eunice Humphreys	1456 Grand	

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Carol Ann Christiansen	1461 Grand Ave.	
SCOTT CHRISTIANSEN	"	
June Braverman	349 Koser Ave	
Janet Hoffer	254 Highland Dr.	
Margaret Donnelly	909 Melrose Avenue	
Charles Poettler	1482 Grand Ave	
<del>LARRY</del> T. WILSON	308 Koser	X
Wanda Robertson	406 Ridgeview	
Richard & Knebel	246 Koser Ave.	
Paul J Moore	1000 Melrose Ave	
Dennis & Judith Moss	330 Koser Ave	
Amy Moore	77 Olive Ct	
David Duncan	115 Golfview	
Dell A. Krehal	1250 Melrose	X

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Carl F. Orzua	330 Golfview Ave	X
Gretchen H. Blair	51 Prospect Pl.	
LANNY D. KRAMPF	304 SUNSET	
David Giese	1138 Melrose	
Judy Tracy	105 BIRKDALE COURT	
Jane Boyd	1465 Grand Ave	
Biju Wittig	ST Andrew Rep	X
Arlene Wood	106 Buhdelet	
Sue Hettmansperger	114 Highland Dr.	
Lawrence Fritts	114 Highland Dr.	
Elizabeth Goetzman	107 Highland Dr.	
David Marx	220 Koser Ave	
Liesl Moore	220 Koser Ave	
Jane Dewails	333 Koser Ave	X

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NAME	ADDRESS	Check (X) If Wish to Speak During Public Input
Kelly Brees	227 Mahaska Dr	
Warren Tunwall	100 Koser Ave	
James Witzel	135 HILAND DR	
SACINDA PEDGASAL	309 SUNSET ST	
RF Vogel	127 KOSEK	
Randy Kardow	220 SUNSET	
Mindwell Egeland	208 Ridgeway	
Dawn O'Conner	120 Mulfview	
STAN LAURMAT	24 HIGHLAND DR	
Pat Guff	1455 GRAND Ave	
Tom Haugen	1483 Grand Ave.	
Julie Poetter	1482 Grand Ave	
 John Kenney	614 Grandview Ct	
Sheryl N	316 Highland Dr	