

June 29, 2017

**Proceedings of the Zoning Commission of University Heights, Iowa, held at the City Office, 1302 Melrose Avenue, subject to approval by the Commission at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.**

Chairperson Bauer called the June 29, 2017 meeting of the University Heights Zoning Commission to order at 7:00 p.m.

**Present:** Zoning Commission Members: Pat Bauer, Alice Haugen, Stepheny Gahn and Larry Wilson. Staff present: City Attorney Ballard, City Engineer Bilskemper and Clerk Anderson. Also attending: Emily Bothell, Bill Boyd, Steve Boyd, Louise From, Andy Dudler, Ann Dudler, Darian Nagle Gamm, Jim Glasgow, Laura Hawks, Nick Herbold, Al Leff, Jan Leff, Dotti Maher, Silvia Quezada, Greg Stiltner, Pat Yeggy, and Jerry Zimmermann.

**Absent:** Commissioner Stuart Rosebrook

The June 6, 2017 minutes were approved by unanimous consent. The June 20, 2017 work session minutes were approved by Commissioners Bauer, Gahn and Haugen, with Commissioner Wilson abstaining on the vote.

**Process for Consideration/Determination of PUD Application & Development Plan submitted by University Lake Partners II, LLC (ULP):** Chair Bauer outlined the timeline for considering all information and reports provided to the commission with July 13<sup>th</sup> to consider all submitted information. Bauer anticipates a formal recommendation for the city council to occur at the August 1<sup>st</sup> meeting.

Bauer outlined the 45 day time limit for consideration of the PUD application. If the commission does not take action within the prescribed timeframe, that is considered an approval by the commission. If, within the timeframe, the commission does take action, the application proceeds to the city council for consideration. If the commission recommends to approve the application and absent an objection by 20% of the property owners within 200 feet of the outer-boundaries of the property, the council would need a simple majority vote to approve. If the commission recommends against the proposal and/or 20% of the property owners object to the application, the council would need a super majority vote to approve.

Commissioners and developers discussed an open-extension past the July 13<sup>th</sup> deadline for consideration of the PUD application. Bauer and Haugen stated that without an extension, they would vote "No" to the application. Bauer stated he does not want the "division" that occurred with the One University Place PUD application. Bauer recommends a city-wide mailing to property owners the week of July 5<sup>th</sup>.

Jim Glasgow, ULP developer, stated the developers thought they could provide all necessary and requested information within the 45 day timeframe; with the MPOJC traffic report the most critical item. Glasgow asked for clarification on remaining items needed by the commission. Bauer stated they still need the MPOJC staff report and mailed notice to the city's property owners. Bauer stated he feels "adequate notice" to citizens is essential in this process. Glasgow replied they would like to have the "public meetings at council level".

Greg Stiltner, ULP developer, asked Bauer for a list of outstanding items for consideration. Bauer replied the commission would like to see architectural drawings with parking, floor and site plans. Commissioner Haugen stated she was not aware this application was a proper PUD application but rather a "notice of interest". Stiltner asked if public input was required by the city. Commissioner Wilson stated he thought it was "essential to have public input" and that a development with this kind of impact on the community needs to be seen and commented on by the citizens.

Bauer asked Emily Bothell and Darian Nagle Gamm, with MPOJC, if the submitted PUD application supplied the information needed for the staff report. Nagle Gamm stated the information was sufficient for the traffic study but is unsure if it is enough for a full staff report as required by the city. Bauer asked Bilskemper if he needed more information from the developers. Bilskemper stated the One University Place PUD application had more detailed information to use for his review process (verifying plans against city ordinances). Bilskemper said he could work with the developers and there would be interpolation and some unclarity with the plans; Bilskemper feels the application is "the first concept" of the proposed developed site.

Bauer recommended the developers work with Attorney Ballard to supply information needed for drafting a possible ordinance and with Engineer Bilskemper for information needed for the MPOJC staff report. Ballard commented there are additional items he needs and he can work with the developers.

The developers agreed to waive the 45 day time limit until July 13<sup>th</sup>.

**Open Meetings & Public Records Requirements:** The commission received a PDF of a PowerPoint presentation from Attorney Ballard. Ballard reminded that any e-mails (received or sent) that deal with zoning issues are considered a public record. Ballard reminded that commission to retain items that pertain to their role on the commission.

**Public Input:** Al Leff, Nick Herbold and Ann Dudler addressed the commission with their concerns.

**Consideration/Discussion of MPOJC's Preliminary Trip Generation & Traffic Impact Analysis:** Emily Bothell, Assistant Transportation Planner with MPOJC, addressed the commission regarding the traffic study conducted for the proposed development. Bothell provided an update report to the commission, as it inadvertently did not include existing trips at the access point for the site. Visual analysis concluded an additional 10 trips in the morning and afternoon from the access point. The increase in delay from those trips was negligible.

According to their analysis, the development will generate approximately 78 trips in the am peak hour and 83 trips in the pm peak hours. The study area was expanded to include Koser Avenue to Hawkins Drive. A capacity analysis using signal timing and sim-traffic software used peak hour traffic counts collected in 2016 and 2017 at each of the intersections. The software computes a letter grade based on seconds-of delay and all intersections, within the study area, operate at a level of "C" or better.

Queuing from the proposed access to Evashevski Drive was also analyzed. The queue lengths for turning motorists at Evashevski Drive and the proposed access will not exceed the current queuing rate on the center turning lane on Melrose Avenue.

Collisions at Olive Court and Melrose Avenue and Evashevski Drive and Melrose Avenue were analyzed due to their performance similarity with the proposed access point onto Melrose Avenue. MPOJC did not find a significant safety concern.

Gaps and visibility were analyzed for northbound vehicles exiting the proposed development. During the am peak hour, "there is less than the ideal number of adequate gaps" for exiting northbound vehicles. Bothell reiterated that collision data do not indicate a significant safety concern.

Visibility seems to be unlimited to the west and east, although there is "visual clutter" to the east; a utility pole and railing which drivers need to look past to see.

MPOJC does not expect the proposed development to have a "detrimental impact on traffic in the study area, nor does it appear that it will cause undue delays" for guests exiting the property.

Haugen asked if the 78 and 83 trips during peak hours were generated with the assumption that guests stayed multiple nights. The Institute of Transportation compiles statistics based on traffic observations at various hotels. All trips, during peak hours of adjacent traffic, are accounted for and considered in the analysis. Nagle Gamm commented that University Heights has one of the highest rates in the nation for bicycling and pedestrian activity; almost 50% of all work trips. Nagle Gamm stated their figures were very conservative.

Bauer stated he is comfortable with the traffic impact to go forward for consideration of the application; Wilson and Gahn agreed.

Bilskemper asked the developers how large the meeting space will be. Banquets will not be held in the space and will be used primarily by guests for meetings. Bilskemper asked if the bistro, as well as employee trips, would increase traffic numbers. Nagle Gamm felt these scenarios had been accounted for in the computations.

Bilskemper asked how the parking was determined for the site and commented that it looked "maxed out". Glasgow stated the Marriott company requires a 1:1 ratio of guest to parking. The developers wanted to have as many extra spaces as possible. If more spaces are required by the city, Glasgow said there could be underground parking.

Bilskemper asked what type of signage will be installed. Glasgow replied "low-profile" signage that is low to the ground and he would coordinate with the Visioning project.

Wilson commented the city has a lighting ordinance and Glasgow replied this would not be an issue for the site.

**Consideration/Discussion of ULP Preliminary Analysis of Woodlands Impact:** Laura Hawks, landscape architect for the developer, distributed drawings of proposed conceptual landscaping plan to the commission. Commissioner Wilson had requested a woodland study for the proposed development. Hawks stated she has visually inspected the trees on the property, taken photos and made measurements of the trees. Hawks pointed out trees that will possibly be impacted by construction. Neighboring properties to the west will have a vegetative screen.

Wilson stated that a question was if the property would meet the city's woodland's regulations, but the site appears to be more of a savannah. Wilson commented the southeast corner may be woodlands. Wilson asked if that area is greater than a quarter acre.

Hawks stated she will look into that for the commission. Wilson commented the important trees to save are along the west border.

**Nature & Timing of Necessary Further Information:** Attorney Ballard will work on the items needed for the city-wide mailing and items needed for the draft of the rezoning ordinance.

Bauer articulated the expectation the developers will look at the current and proposed ordinances governing sensitive slopes, stormwater runoff and parkland dedication and compliance of their project with the ordinances. Bauer asked the developers to articulate any issues their proposal may have with these ordinances earlier rather than later in the process. Bauer also touched on green space for the site.

Bauer touched on possible uses for additional revenue to the city from the development and possible redevelopment at the Athletic Club: 1) purchasing the Swisher property and designate it as a nature preserve, 2) neighborhood stabilization and 3) near and long-term Melrose Avenue improvements. "No project is all good, no project is all bad".

The next Zoning Commission meeting will be July 13, 2017, at 7:00 pm, at the Community Center.

The meeting was adjourned **by unanimous consent at 9:25 p.m.**

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**Attest: Christine M. Anderson, City Clerk**

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**Approved: Pat Bauer, Chairperson**