

ORDINANCE No. 130

AN ORDINANCE AMENDING ORDINANCE NO. 79 CONCERNING ZONING

Ordinance No. 79 is amended as follows:

Section 5. Districts and Boundaries Thereof.

A. In order to classify, regulate and restrict the location of residences, trades, industries, businesses, and other land uses . . . the City of University Heights, Iowa, is hereby divided into Five (5) zones, to-wit:

5. PUD Planned Unit Development.

B. The boundaries of each zone are shown upon the map entitled "Zoning Map of the City of University Heights, Iowa", which map is on file with the City Clerk of University Heights, Iowa, and which map by this Ordinance is hereby adopted and made a part of and incorporated into this ordinance. All amendments to this Ordinance changing the boundaries of the Zones shall be noted by the City Clerk on the original map to be kept on file with the City Clerk. [The proposed PUD Planned Unit Development Zone comprises University Athletic Club Subdivision, Lots 2-6; if the proposed changes are adopted, the zoning map will be amended accordingly].

Section 6. Uses.

E. Property in a PUD Planned Unit Development Zone shall be used as provided in the Development Agreement between the City of University Heights and the Developer pursuant to the PUD regulations and requirements set forth in Section 11 of this Ordinance. Provisions of this Ordinance regarding yard regulations, lot regulations, and

off-street parking (Sections 8, 9, and 10) are superceded in the PUD Zone by the provisions of Section 11 and the Development Agreement between the City and Developer.

Section 9. Lot Regulations

~~C. Notwithstanding the above regulations, the minimum frontage for Lots 2, 3, 4, 5, and 6, University Athletic Club Subdivision to University Heights, Iowa, is 45 feet along the cul-de-sac situated in the subdivision.~~

Section 11. Planned Unit Development (PUD). [New section]

A. Intention. The PUD Zone is intended to accommodate projects for which the specific design of individual buildings and elements may be determined. Development may occur provided that it is consistent with the overall design and development elements reviewed and approved by the University Heights City Council, all as provided in this Ordinance.

B. Development Regulations and Restrictions. Property in the PUD Zone may be developed pursuant to the following regulations and restrictions:

1. No more than six (6) single-family dwelling units may be constructed.
2. All buildings must be no more than one (1) story.
3. No more than one person not a member of the family as defined herein may occupy each dwelling unit as part of the individual housekeeping unit.
4. No parking shall be permitted upon the public cul de sac now known as Quarterback Court.

5. The sanitary sewer lift station, the force mains and the gravity-flow sanitary sewer serving the PUD Zone and located generally between Lots 2 and 3, University Athletic Club Subdivision, shall not be maintained nor repaired by the City of University Heights.

6. 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.

C. Procedure.

1. Any person or entity proposing a project in the PUD Zone shall submit a PUD Plan Application setting forth all the information specified in Section 11(D) of this Ordinance.

2. The University Heights City Council shall hold a public hearing regarding such Plan Application. The public hearing may occur as part of any regularly scheduled or special Council meeting.

3. The University Heights City Council may approve, deny, or approve on condition any such Plan Application.

4. No building permit shall issue for property within the PUD Zone until the University Heights City Council has approved a Plan Application pursuant to Section 11(D) and the Council and Developer have executed a Development Agreement pursuant to Section 11(E) of this ordinance.

5. Once approved, a Plan Application may be modified by written instrument approved by the University Heights City Council and by the Developer.

6. Once approved, a Development Agreement may be modified by written instrument approved by the University Heights City Council and by the Developer.

D.PUD Plan Application Requirements. A PUD Plan Application must set forth or otherwise include all of the following:

1. Location, size, and legal description of the site.

2. Location and area of land uses.

3. Detailed site plan.

4. Front, side, and rear yard setbacks.

5. Existing topography at two-foot intervals.

6. Grading plan at one-foot contours.

7. Location and description of major site features, including tree masses, drainageways, wetlands, and soils.

8. Sensitive areas site plan, including erosion control plans.

9. Proposed type of development, e.g., condominium, single-family dwelling, two-family dwelling, etc.

10. Location and size of buildings or building footprints.

11. Design elevations showing all sides of every building and perimeter fences.

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

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

14. Maximum height of proposed structures and perimeter fences.

15. Location of existing and proposed utilities, sanitary sewers, storm water facilities, and water, gas, and electrical distribution systems.

16. Preliminary Plat.

17. Final Plat.

18. Deed restrictions, covenants, agreements, association bylaws and/or other documents controlling the use of the property, providing for maintenance and repair of the sanitary sewer lift station that serves the property, and controlling the type of construction or development activities of future residents.

19. All other information reasonably required by the University Heights City Council or its designees to explain or illustrate the Plan Application.

E. Development Agreement. The PUD Plan shall also include a Development Agreement establishing development requirements and addressing certain other items, including the following:

1. Design standards applicable to the project.

2. Development covenants, easements, and restrictions, including a prohibition on further subdivision of any lot in the approved PUD Plan and providing for maintenance and repair of the sanitary sewer lift station serving the PUD Zone.

3. Site improvements, including sidewalks, that will be constructed following approval of the Site Development Plan.

4. Timing of commencement and completion of construction of buildings and improvements pursuant to the PUD Plan.

5. Payment by the Developer of the costs and fees, including engineering and legal fees, incurred by the City of University Heights in considering the PUD Plan.

[Current Zoning Ordinance Sections 11-19 hereby are renumbered to Sections 12-20, respectively].

This amendment shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this 10th day of June, 2003, and approved this 10th day of June, 2003.

Gloria N. Jacobson
Gloria N. Jacobson, Mayor

ATTEST:

Jerry Musser
Jerry Musser, City Clerk

(SEAL)

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this 10th day of June, 2003, before me, a notary public in and for the state of Iowa, personally appeared Gloria N. Jacobson and Jerry Musser, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that

Gloria N. Jacobson and Jerry Musser acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.



[Handwritten Signature]

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Jerry Musser, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 26th day of June , 2003.

[Handwritten Signature]

Jerry Musser

Signed and sworn to before me on the 30th day of June 2003, by Jerry Musser, City Clerk of the city of University Heights.

[Handwritten Signature]

Steven E. Ballard
Notary Public- State of Iowa

