

March 9, 2015

Proceedings of the Zoning Commission of University Heights, Iowa, held at the City Office, 1004 Melrose Avenue, subject to approval by the Commission at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

Chairperson Yeggy called the March 9, 2015 meeting of the University Heights Zoning Commission to order at 7:04 p.m.

Present: Zoning Commission Members: Stepheny Gahn, Alice Haugen, Stuart Rosebrook, Larry Wilson and Pat Yeggy. Staff present: Attorney Ballard and Clerk Anderson. Also present were: Pat Bauer and Silvia Quezada.

The March 4, 2015 were amended and approved by unanimous consent.

Public Input: Pat Bauer, 338 Koser Avenue, stated he was available to answer any questions the commission may have regarding the February 14th and March 6th e-mails he sent to the council and commission. Chairperson Yeggy felt the commissioners would not address lot coverage until the April meetings. Commissioner Wilson suggested inviting Bauer to comment at the meeting regarding this issue.

Review of Current Revisions and Editing of Ordinance 187: Attorney Ballard led the discussion of the proposed revisions to Ordinance 187. Ballard stated he had sent a revised draft of the ordinance to the city council for review of the commissioner's recommendations.

"Garden structure" means, pergolas, arbors, trellis or other similar structures without a solid roof, intended specifically to enhance the appearance of a garden or which has a function relating to the use of outdoor space, but not including dwellings, garages, carports, accessory structures, or sheds." Garden structures may be placed up to the lot line.

"Play Structures" means swing sets, slides, playhouses, jungle gyms, sandboxes, or other similar structures intended specifically for recreational activity of persons outdoors but not including dwellings, garages, carports, accessory structures, or sheds." The commission agreed play structures could be placed in the setback; within two feet of the rear or side lot lines.

Yeggy commented on the 30 feet building height restrictions and the changes for measuring the height. Per her discussions with the city building inspector, there could be building designs where the roofline is higher than 30 feet. The commission recommended adding language to the ordinance that the maximum ridge height could not exceed 35 feet and to update the diagram to reflect the change.

Yeggy asked if the changes to measuring the height of a building would impact the proposed Maxwell development at St. Andrew Church. Ballard replied he had supplied the definition of height (Section 7) to the developer's architect and asked that he be contacted if there were issues.

Commissioner Haugen suggested adding a definition for ridge line as "the highest inflection on the roof". Ballard will work with the city engineer and building inspector for their input.

Commissioner Rosebrook questioned the definition for open terraces where, "...if they are attached to, immediately adjacent to, or abutting the primary building on the lot and are not enclosed, then such open terraces, patios, or concrete slabs may extend up to sixteen (16) inches above the level of the ground..." and if it was necessary to have the terraces abut the primary building. Commissioner Gahn stated agreed and cited a property that had an above-ground pool with a deck built around the pool. Hagen replied the deck around the pool could be considered a "play structure" Haugen also commented that the issue is one of scale; if a basketball court is built 16 inches above ground level and "is a good deal more visible" than one this is "in the ground".

Wilson stated that concrete slabs for air conditioners should also be allowed in the side yard and at least five feet from the side lot line; Gahn agreed.

In (R-1) zones, "parking spaces and driveways are permitted in the side yard but only if they lead to or provide access to a garage. The width of parking spaces and driveways in the side yard may not exceed the width of the garage door to which they lead, and all portions of the parking spaces and driveways shall be at least two (2) feet from any lot line." Parking is confined to one-third of the front yard setback.

Wilson suggested adding parking language Koser/Melrose and Koser/Emerald properties, to be consistent with the parking restrictions for Olive Court, where parking spaces are located in the rear yard and no allowed in the front yard of that lot. Ballard asked to defer this issue to further research this issue.

Rosebrook suggested adding language to allow a lane of the driveway in the back yard, as long as it does not violate the one-third usage of the front yard setback; to allow a turn-around or second parking spot. Rosebrook wants owners to have the ability to add value to their properties and not create “a static community”. Wilson stated that the commission needs to be reasonable. After commission discussion, Ballard stated he would revise the language to incorporate the commission discussion.

Yeggy distributed a hardcopy of driveway design guidelines for Anaheim for the commission to consider.

Ballard asked to change the ordinance requiring notification to citizens regarding ordinance changes. Currently, the requirement is 15 days prior to a council meeting a public hearing notice must be published in a local newspaper. In addition, the city must also follow state law, which dictates notice for a public hearing must be published no more than four days but not more than 20 days prior to a meeting. Ballard suggested the city follow the state law and the commission agreed.

Ballard also asked to change the requirement for triggering a super majority vote when a petition has been filed against a proposed development. The current requirement states that owners of property behind the proposed development, the distance of one lot, but not to exceed 200 feet, or opposite the proposed development of one lot but not to exceed 200 feet, must be notified. State law had changed to state 200 feet from the perimeter of the property must be notified. Ballard suggested the city follow the state law and the commission agreed.

Water Run-Off and Sensitive Slope Regulations: Yeggy distributed a soil-type report to the commission. Gahn commented on research to sensitive slopes rules in Johnson County which she felt were more detailed than Iowa City’s rules. Currently, the city has Ordinance 169 which regulates post-construction storm water runoff and she would like to add additional regulations.

Rosebrook recommended reviewing Ordinance 128 to see what issues need to be addressed. Haugen would like to add buffer requirements to the ordinance. Need to add more definitions and maps. A sensitive-area site plan would need to be approved by the city council. Need to define how property owners are notified about sensitive slopes when purchasing a property.

Public Input: None.

The next Zoning Commission meeting will be held March 16, 2015, at 7:00 pm at City Hall.

The meeting was adjourned **by unanimous consent at 8:57 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Pat Yeggy, Chairperson