

University Heights, Iowa

St. Andrew Presbyterian Church

January 29, 1998

Chair Bauer called to order a meeting of the Zoning Commission at 7:38 p.m.

Present: Zoning Commission Members Bauer, Gay, Reitz, Richard, Wiitala; Attorney Ballard; Leland Belding, Shive-Hattery Engineers & Architects; Clerk Birk.

Others Present: Glen Meisner, MMS Consultants, Inc.; Bernard Mauch, University Athletic Club; Shawn Merz, MMS Consultants; Omer Letts, University Heights Building Inspector.

Upon motion, the minutes of the January 22 meeting, as corrected, were approved.

Carried.

The Zoning Commission is meeting to consider amending the current ordinance. The University Athletic Club proposes to subdivide their land and develop five residential lots, which would not be permitted under current regulation.

Attorney Ballard characterized the proposed development as similar to "cluster developments" in other cities where otherwise applicable frontage requirements are amended for flexibility. In similar areas, lot frontage of 32 feet on a cul de sac is not unacceptable.

Attorney Ballard also spoke to the involvement of his partner Phil Leff. Mr. Leff appears on the plat as owner's attorney. Mr. Leff was asked by the developers principal lawyer in Davenport to prepare subdivision documents if the Council decides there can be one. Based on this Attorney Ballard can see no conflict.

Engineer Belding informed the commission that the area being considered is already zoned R-1, and would not have to be rezoned. He distributed a drawing that showed lot size if a full sized cul de sac were put in and one that showed where the set back line would be using the proposed widths.

He told of an informal conversation with a Coralville fireman. Being able to turn around is not a critical factor; street width is. He also spoke to the steepness of parts of lots 4 and 5. University Heights has no regulation regarding construction on slopes, nor are there state or federal laws concerning this.

Engineer Belding discussed the pro and cons of a public street versus a private street. He said that the pros included that a public street must meet city design standards which promote uniformity and are concerned with public safety, that construction would be overseen by the city, with a resulting quality control aspect, that the right of way would be wide enough to allow for sidewalk and utilities, that the street and cul de sac would be wide enough to allow for parking, turning movement and good traffic flow, and that the city would have the authority and means to make repairs when needed. The cons involve increased cost to the city for snow plowing, maintenance, and repair.

Glen Meisner presented a revised plat which shows a 50 foot wide right of way for the street and a 40 foot wide right of way at the radius of the cul de sac. The street width is now shown as 28 feet, which is standard street width, up from 24 feet in the plat presented last week. The street would be a public street, not a private street as previously proposed. Mr. Meisner said they would ask for a set back of 20 feet, which is less than what current regulation allows. With this setback the 75 foot yard width requirement would still be met. Lot lines can be redrawn to assure this. All five lots would have at least 45 feet of frontage.

Mr. Letts was asked if any lots in University Heights currently have a setback of less than 25 feet. He said all houses, even those in the older part were set back at least 25 feet.

This commission is being called upon to decide if the current ordinance should be amended in regard to minimum frontage requirements (now 50 feet) and setback requirements (now 25 feet) so that this development may proceed. Also, would reducing the setback to 20 feet allow homeowners on Mahaska Court or elsewhere to reduce the setback of their home to 20 feet should they remodel?

Motion by Gay, second by Richard, to propose an amendment to the zoning ordinance by adding the following:

Section 3 (23) "cul de sac" means a local street that terminates in a turn-around.

Section 8 (F) notwithstanding the above regulations, the minimum front yard depth for a lot that abuts a cul de sac in the R-1 zone is 20 feet.

Section 9 (C) notwithstanding the above regulations, the minimum frontage for a lot that abuts a cul de sac in the R-1 Zone is 45 feet.

Motion Tabled

Attorney Ballard will draft an additional amendment for the Commission Members to consider.

Engineer Belding said he would like to see a drawing based on the new plat that shows the 25 foot setbacks to see how much space there would be to build, and the size of house that could be put there. Since the Council next meets on February 10, there is time for another meeting before that.

Commission members agreed to meet on February 5.

Upon motion, the commission adjourned at 9:20.

Approved: _____
Patrick B. Bauer
Chair, Zoning Commission

Attest: _____
Patricia Birk, Clerk