

ORDINANCE NO. 146

AN ORDINANCE AMENDING ORDINANCE NO. 79 CONCERNING ZONING

Ordinance No. 79 is amended as follows:

Section 12. Multiple-Family Planned Unit Development (PUD).

A. Intention. The Multiple-Family PUD regulations and requirements are intended to accommodate projects for which the specific architectural design and site layout of individual buildings and elements shall be subject to approval by the University Heights City Council. 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. **[Existing Section 12(A)].**

B. Development Options – Density, Height, Parking, and Green Space Restrictions. Property may be developed as a Multiple-Family PUD in the following alternatives pursuant to the respective regulations and restrictions provided:

1. Alternative 1 - Vertical Concept.

- a. No more than one hundred forty-four (144) single-family dwelling units may be constructed. **[Former section 12(B)(1)].**
- b. No building may exceed fifty-five (55) feet in height as defined in Section 7 of this Ordinance. **[Former section 12(B)(2)].**
- c. A minimum of two hundred fifty-two (252) off-street parking spaces shall be provided. “Parking space” is defined in Section 10 of this Ordinance. **[Former section 12(B)(3)].**
- d. A minimum of one hundred twenty thousand seven hundred sixteen (120,716) square feet of the property shall not be encumbered by buildings, parking areas, or walkways, but rather shall be maintained as green space consisting of grass, trees, shrubs, or other living vegetation. **[Former section 12(B)(4)].**

2. Alternative 2 - Horizontal Concept.

- a. No more than one hundred thirty-three (133) single-family dwelling units may be constructed.
- b. No building may exceed thirty-five (35) feet in height as defined in Section 7 of this Ordinance.

c. A minimum of two hundred (200) off-street parking spaces shall be provided. "Parking space" is defined in Section 10 of this Ordinance.

d. A minimum of eighty-seven thousand nine hundred seventy-six (87,976) square feet of the property shall not be encumbered by buildings, parking areas, or walkways, but rather shall be maintained as green space consisting of grass, trees, shrubs, or other living vegetation.

C. Additional Development Regulations and Restrictions. The following regulations and restrictions apply to property developed as a Multiple-Family PUD under either alternative:

1. The eave of any building shall not be less than forty-five (45) feet from the lot line along Marietta Avenue; twenty-five (25) feet from the lot lines along George and Sunset Streets; twenty (20) feet from the westerly one hundred forty-five and eighty-two hundredths (145.82) feet of the lot line that constitutes the municipal boundary to the south of the property; and thirty (30) feet from the easterly five hundred four and twenty-nine hundredths (504.29) feet of the lot line that constitutes the municipal boundary to the south of the property. **[Former Section 12(B)(5)].**

2. Building projections, including screened porches or walls, shall not be less than thirty-five (35) feet from the lot line along Marietta Avenue; twenty-five (25) feet from the lot lines along George and Sunset Streets; ten (10) feet from the westerly one hundred forty-five and eighty-two hundredths (145.82) feet of the lot line that constitutes the municipal boundary to the south of the property; and twenty (20) feet from the easterly five hundred four and twenty-nine hundredths (504.29) feet of the lot line that constitutes the municipal boundary to the south of the property. **[Former Section 12(B)(6)].**

3. 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. **[Former Section 12(B)(7)].**

[Current Zoning Ordinance Subsections 12(C) to 12(E) will be re-identified as Subsections 12(D) to 12(F)].

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

Adopted by the University Heights City Council on this 12th day of April, 2005, and approved this 12th day of April, 2005.

Gloria N. Jacobson, Mayor

ATTEST:

(SEAL)

Jerry Musser, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On the ____ day of _____, 2005, before me, a notary public in and for the state of Iowa, personally appeared Gloria N. Jacobson, Mayor, and Jerry Musser, Clerk of the city of University Heights, 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 acknowledged 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.

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 ____ day of _____, 2005.

Jerry Musser

Signed and sworn to before me on the ____ day of _____, 2005, by Jerry Musser, Clerk of the City of University Heights.

Notary Public in and for the
State of Iowa