

# THE VILLAS AT OLD HARBOR

## Development Text

~~September 2018~~

November 2018

### ARTICLE 13 - TRANSITIONAL PLANNED UNIT DEVELOPMENT (TPUD)

Each item is addressed below as it will relate to The Villas at Old Harbor. "N/A" is used where the item is not applicable to or not proposed within the development. "PER CODE" is used where the item is to be included exactly as written, thereby reflecting the current zoning resolution standard. Edited text since the initial TPUD text submittal is shown in this format.

#### SECTION 13.06: TPUD DESIGN STANDARDS

A development plan shall be submitted that meets all the standards and requirements of this Article, and which demonstrates that the design proposes buildings grouped together with a defined center, a network of open space and connecting sidewalks or pathways, resident parking provided off street, and a tree lawn adjacent to the street with trees located behind the sidewalk. The development plan shall incorporate the following standards:

- A.) **Density:** Maximum of four (4) dwelling units per net developable acre. **This development contains 3.13 units per net developable acre or 2.99 units per gross acre of the actual 46.83 acre TPUD zoning district. The Developer will commit to placing restrictions on an additional 8.79 adjacent acres which will limit that area to a maximum of 4 dwelling units. The result is 2.66 units per net developable acre or 2.52 units per gross acre of the total 55.62 acres.**
- B.) **Common Open Space:** Not less than 10% of the total tract acreage must be set aside as useable common open space, meaning areas exclusive of landscape islands and berms for parking lots and yards or courts immediately adjacent to the dwelling units. The township shall determine if the open space configuration meets the intent of these standards during preliminary development plan review. Open spaces may be used for the retention, detention and disposal of storm water drainage. Features which are likely to cause erosion or flooding shall not be permitted. **This development will contain approximately a minimum of 18.7 19.0 acres (4041.2 %) of usable common open space for the exclusive benefit of the residents of this development.**
- C.) **Minimum Tract Size:** 10 acres or as approved on the final development plan. **This development is 46.0846.83 acres.**
- D.) **Arrangement of Structures:**
  - 1.) **Setbacks:** The physical relationships of dwelling units, non-dwelling structures and their minimum yard spaces shall be developed in strict compliance with the approved plan or the provisions of Article 24 unless a variance is approved. **As a condominium development, there are no actual property lot lines for each structure, so "side yard setbacks" do not apply. Setbacks proposed with this condominium project:**

- **Perimeter Setback:** No structure will be constructed within 30 feet of the perimeter of this TPUD project boundary. **Patios may encroach a maximum of 10 feet into the perimeter setback.**
- **Structure Separation:** ~~12~~**Foundation separation shall be 15 feet side-to-side; 30 feet rear-to rear or side-to-rear (see Divergence Request #1). Overhangs or bump-outs may extend no more than 12” over the foundation.**
- **Setback to S. Old State Road:** no structure will be constructed within 130 feet of the centerline of South Old State Road.
- **Setback to Hollenback Road:** no structure will be constructed within 100 feet of the centerline of Hollenback Road.
- **Front Setback:** All structures shall be set back from the curb a sufficient distance to accommodate at least 2 off-street parking spaces **without interference with the sidewalk or curb.** No portion of any structure shall be located within 15 feet of **any the curb in front of the structure.**

2.) **Building Height Limits:** No buildings in this district shall exceed thirty-five (35) feet in height measured from the elevation of the threshold plate at the front door to the highest point of the roof. Chimneys, barns, silos, grain handling conveyors, church spires, domes, flag poles, and elevator shafts are exempted from the height regulation and may be erected to any safe height, not to exceed one-hundred (100) feet in height. No windmills, antennas, or towers shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said tract and not to exceed one hundred (100) feet in height. **PER CODE**

E.) **Building Dimensions:** All structures constructed within this district shall contain the following minimum living area:

- 1.) One (1) bedroom unit: 800 square feet **N/A**
- 2.) Two (2) bedroom unit: 900 square feet **1,400 SF**
- 3.) Three or more bedroom units: 1000 square feet **1,600 SF**

F.) **Landscaping:** All yards, front, side and rear, shall be landscaped in accordance with Article 26. All open spaces or non-residential use areas shall be landscaped and shall meet the landscaping requirements of this resolution, unless a variation from these standards is specifically approved as part of the final development plan. A landscape plan prepared by a licensed landscape architect showing the caliper, height, numbers, name and placement of all material, shall be submitted and is subject to approval as a part of the final development plan. Natural foliage shall be retained as buffers where practicable. The Township may require establishment of such tree cover and /or other foliage to buffer adjacent uses. **PER CODE – see Development Plan**

G.) **Environmentally Sensitive Areas:** Jurisdictional wetlands, slopes greater than 20% and 100-year floodplains shall be preserved to the greatest extent possible. No structures shall be constructed within the 100-year floodplain of any stream or river. To the maximum extent possible, all natural drainage courses, vegetation and contours in excess of 6% shall be maintained. **PER CODE**

- H.) **Parking:** Off-street parking shall be provided at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the final development plan. In preparing and approving the parking plan, the parking provisions of Section 24.01 of this Resolution shall be incorporated, or a divergence requested. **PER CODE. Additionally, 95 off-street parking spaces are provided throughout the development for residents and guests.**
- I.) **Signs:** Signs shall conform to Article 25 of this resolution, or a divergence requested and approved as part of the final development plan. **PER CODE**
- J.) **Supplemental Conditions and Safeguards:** The Zoning Commission and/or Board of Trustees may require additional conditions be met with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of open space areas; and other development characteristics.
- K.) **Rental units:** No more than 20% of multi-family units may be either designated as rental units or held back by the developer for lease; all other dwelling units must be for sale to individual owners. Assurance of compliance with this requirement shall be shown on the development plan or plat or through deed restriction. **PER CODE**
- L.) **Materials:** All exterior sides of all units shall be sheathed in brick, stucco, stucco-stone, stone, wood, or cementitious lap siding. ~~Sides of units which are facing the sides of other units may be sheathed in high quality vinyl.~~ **(See Divergence #2) PER CODE**
- M.) **Roof Pitch:** All residential roofs shall be a minimum of 6/12 pitch, or as otherwise approved by plan. **PER CODE**
- N.) **Walkways and Street Trees:** The Township may require walkways to connect all dwelling areas with open space and to interconnect the open spaces. Where sidewalks or bike paths are required, they shall be separated from the paved street or parking lot surface by at least five feet (5') of landscaped or grassed tree lawn with trees planted behind the sidewalk. ~~4'-5' wide sidewalks are proposed on at least one side of each street within this condominium development. Sidewalks will be set back at least 3 feet from adjacent to the back of curb along the streets. Sidewalks constructed along off-street parking spaces may be adjacent to the curb.~~ **6' wide multi-use paths are proposed within the open space areas as shown on the Development Plan. (See Divergence #3)**
- O.) **Pavement Width Standards for Intra Development Streets, Drives and Parking Lots:** All private streets, roads and driveways shall be constructed to a pavement width and cross section that meets the average daily traffic and weights anticipated in the Delaware County Engineer's Location and Design Manual, or shall have a design life of 20 years. Parking lot pavement does not have to meet street cross sectional standards, but parking lot drive aisles that connect to the public streets shall be constructed to public street cross-sectional and design life standards within 50 feet of the edge of the public paved road. **PER CODE**
- P.) **Underground Utilities:** All utility lines constructed to service the proposed commercial uses shall be located underground. ~~N/A~~ **PER CODE**
- Q.) **Architectural Details are Desirable:** examples are wide corner boards or quoins, lintels, columns, window boxes, shutters, round louvers, etc. **See "Architectural Design Guidelines" included with the zoning application.**

- R.) **Water and Sewer:** Centralized water and sewer service shall be provided unless otherwise approved per development plan. The appropriate state and/or county agencies with jurisdiction shall indicate feasibility of water supply and wastewater disposal systems at the time of the preliminary development plan review. **Public sewer is provided by the Delaware County Sewer District. Public water is provided by Del Co Water. See “Utility Letters” included with the zoning application.**
- S.) **Building Design:** The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. **See “Architectural Design Guidelines” included with the zoning application.**
- T.) **Exterior Lighting:** All exterior lighting shall be as specifically approved as part of the final development plan in accordance with Article 24, Section 24.13 of this resolution. **PER CODE**

**SECTION 13.07: DEVELOPMENT PLANS**

- A.) **Preliminary Development Plan** – With the filing of any application to rezone property to the TPUD, the owner(s) or lessees of the subject lots or land to be rezoned within the Township shall simultaneously submit a preliminary development plan. The preliminary development plan shall show the intended layout of the site.

Twenty (20) copies of the preliminary development plan and electronic media as specified by the Zoning Inspector shall be submitted to the Zoning Commission with the TPUD application along with a list of addresses for notification as defined in Section 31.01 herein. The plan shall include in text and map form, the following:

- 1.) The size and location of the proposed TPUD district, at a scale of at least 1" = 200', showing topographic contours of at least 5' intervals, wooded areas, wetlands, adjacent (within 200') structures, 100 year floodplains. **See Development Plan**
- 2.) Conceptual architectural elevations for all structures and signs. **See “Architectural Design Guidelines” included with the zoning application.**~~Development Plan~~
- 3.) The intended general provisions for water, fire hydrants, sanitary sewer, and adequate storm water drainage outlet. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented by the utility provider or a registered civil engineer. **Existing pipe sizes for downstream storm sewers are shown on the Development Plan. All downstream pipes were designed to convey storm water from this project.**
- 4.) The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage and public utilities. **See Development Plan**
- 5.) A design of the open space and proposed description of its use, ownership, and maintenance. **See Development Plan. Use shall be restricted to residents and**

**their guests. Ownership and maintenance shall be under Condominium Association control.**

- 6.) Specific statements of divergence, if any, from the development standards in this Article or the general standards of this resolution such as setbacks, parking, landscaping, lighting, signage and so forth. **See Development Plan and “Divergence Requests” included with the zoning application.**
- 7.) Proposed location of all structures and uses. **See Development Plan**
- 8.) Preliminary Traffic Impact Analysis based upon new trip generation as estimated by the Delaware County Engineer’s standards. **See “TIS Traffic Analysis” included with the zoning application**
- 9.) All required design standards in Section 13.06. **See Development Plan**
- 10.) Fire-fighting plan - letter from Fire department regarding access and water needs for fire-fighting. **See email from Fire Department. Security gates will meet the requirements of the Ohio Fire Code Section 1301:7-7-05(C)(6)(503.6).**
- 11.) Phasing plans, if any. **See Development Plan. There will be 2 phases – East and West.**
- 12.) Calculations of net developable acreage and project density for proposed multi-family uses. **See Development Plan and “Site Narrative” included with the zoning application**
- 13.) Proposed permitted and accessory uses. **See Development Plan. Per Section 13.02 D. of the TPUD code, the Boat and RV Storage as well as the clubhouse and other amenities are permitted uses as they are considered of a “recreational nature”. Section 13.04 C. of the TPUD code does not apply since the uses are “provided in the development plan”.**

L.) **Divergences:** The Township, as a part of either preliminary or final development plan approval, may grant divergences from any standard or requirement in this Article that is noted “as approved per plan.” An applicant requesting a divergence shall specifically list each requested divergence on the preliminary and final development plan submittals. **See Development Plan and below.**

**Divergence Requests:**

- 1) **Structure Separation:** Article 24, Section 3 states that *“No principle structure shall be located closer than twenty-five (25) feet to another principle structure.”*

**As a cluster-home condominium development, there are no physical “lot lines” between homes. We request that the minimum separation between structure foundations be ~~reduced to twelve (12)~~ fifteen (15) feet, with overhangs and bumpouts to be no more than 12” in order to maximize the amount of useable common area and open space for the residents of the community. This distance is larger than the minimum spacing of ten feet (10’) required by the Ohio residential fire code for safety. Appropriate wall rating designs will be implemented to meet all Ohio residential fire code requirements.**

~~2) **Siding Materials:** Article 13 Section 6.L. states that “All exterior sides of all units shall be sheathed in brick, stucco, stucco stone, stone, wood, or cementitious lap siding.”~~

~~With the proposed cluster homes being located twelve feet apart, the sides of the homes will be largely obscured from visibility by observers within the community. We request that the sides of homes which face the sides of other homes within the community be permitted to be sheathed with high quality vinyl siding.~~

~~3)2) **Walkways and Street Trees:** Article 13 Section 6.L. states that “... Where sidewalks or bike paths are required, they shall be separated from the paved street or parking lot surface by at least five feet (5') of landscaped or grassed tree lawn with trees planted behind the sidewalk.”~~

~~With private internal streets in this cluster development, we request permission for sidewalks to be set back 3 feet from the back of curb along the streets, and for sidewalks constructed along off-street parking spaces to be adjacent to the curb.~~