

# **PLANNED DEVELOPMENT DISTRICT STANDARDS**

## **Windhaven A Mixed Use Planned Community**

### 1. Statement of General Facts, Conditions and Objectives

Property Size: Approximately 122.2 Acres

York County Tax Map #'s: 6460000002, 6460000004, 6460000005, 6460000006, 6460000007, 6460000013, 6460000018, 6440101029 and 6460000031

The development depicted on the Planned Development Site Plan is intended to reflect the general arrangement of proposed uses on the site. Final configuration, placement, and size of individual site elements may be altered or modified during design development and construction phases, within the limits of the City of Tega Cay Code of Ordinances or as otherwise established through the standards outlined in the Windhaven Planned Development District (PDD) Standards. The Petitioner reserves the right to modify the total number of units and uses identified within individual villages or phases, reallocate units from a village or phase to another, reconfigure street layouts, provided that the maximum density for the entire mixed use development does not exceed the maximum density permitted.

These standards, as established by the Windhaven PDD Standards, as set out below and as depicted on the Planned Development Site Plan shall be followed in connection with development taking place on the site.

### 2. Land Use Designations and Standards for Development

The land uses authorized for the Windhaven Development consist of:

- Park District
- Residential District (RD)
- General Commercial / Mixed Use (GC / MU)
- Government and Institutional District (GI)

The following represents the respective requirements for the use and development of and within each designated land use area of Windhaven. Apartments are not permitted within the PDD.

### 3. Overall PDD Density and Districts

The overall density authorized for the Windhaven Development consists of:

- Residential – Up to 600 Units consisting of the following residential units:
  - Single Family Detached – 200 Units
  - Patio Homes – 200 Units
  - Townhomes – 200 Units
- Commercial – Up to 150,000 s.f.
- Government and Institutional – Up to 500,000 s.f.

Note: Residential units may be adjusted and interchanged between all villages and residential uses as long as the total project doesn't exceed a total of 600 total residential units within the boundary of the PDD.

#### **A. Park District**

Purpose: The general purpose of the park zoning district is to provide recreation and open space functions for the long-term benefit and enjoyment of city residents and adjacent neighborhoods.

Permitted Uses: Within the Park District, a building or premises shall be used only for active or passive recreation and its associated uses and facilities.

Development Standards: Notwithstanding development standards set forth elsewhere by this use category the minimum requirements within the Park District is as follows:

- 35 foot setback from adjacent residential uses
- Zero lot line setback from non-residential uses

#### **B. Residential District (RD)**

Purpose: This district is designed to permit a variety of residential uses at variable densities, based on the characteristics of such uses. Areas so designated are deemed suited to and with market potential for such uses. This designation is applied principally to undeveloped areas where unit and density flexibility will not adversely impact existing residential subdivisions, and where the housing market is sufficiently broad and flexible to meet the various consumer demands.

Permitted Uses: Within RD District, a building or premises shall be used only for the following purposes:

1. Dwelling, single-family, detached.
2. Dwelling, single family attached (patio / townhomes).
3. Duplex, triplex, and quadriplex.
4. Schools, Government and Institutional uses. Public or private, offering general education courses and public utilities.
5. Neighborhood and community parks and centers, golf courses and similar uses.
6. Churches or similar places of worship, including parish houses, parsonages and convents.
7. Customary home occupations.

8. Single family, in-home daycare.
9. Subdivision sales office provided that:
  - a. The use serves the subdivision in which it is located.
  - b. A site plan is submitted;
  - c. The use be terminated upon completion of the sale of ninety-five percent (95%) of the total number of homes and/or lots; provided, however, that a model or demonstration unit may be used for sales purposes until the last unit or lot is sold.

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 1 summarizes the minimum requirements within the RD District. Additional development standards for this district are below:

1. Development will consist of up to 600 residential units as established in Table 1 and consist of the following:
  - a. Single Family Detached – 200 Units
  - b. Patio Homes – 200 Units
  - c. Townhomes – 200 Units
2. Maximum height of buildings will be three (3) stories, not to exceed 50 feet.
3. No more than one (1) separate maintenance building will be constructed per project site.
4. Detached lighting on the project site will be limited to 15 feet in height. All lighting fixtures will be full cut-off in nature, excluding lower, decorative lighting that may be installed along sidewalks, walking paths, and parking areas.
5. The project site must include access easements to greenways and trails when they exist on adjoining properties.
6. High quality amenities, appropriate to the density of the development, will be provided on project site to include but not limited to:
  - a. A club house;
  - b. A fitness facility for the residents of the community;
  - c. A club room / recreational room;
  - d. A pool and pool deck; and
  - e. A formal landscape area with seating areas.
7. Surface parking lots shall not be permitted between the buildings and the adjacent public street or in the buffer area but should be located to the side and rear of the lot with building massing facing the public street to the greatest extent possible.
8. Internal streets shall have the option to be private but must meet design approval based on City standards.
9. Sidewalks will be provided along major thoroughfares to provide safe, continuous pedestrian linkages within the PDD and between adjacent developments. In addition, paved walkways will be provided within the project site to provide a connection between buildings, parking locations, and common spaces.
10. HVAC and related mechanical equipment, including roof top mechanical equipment if applicable, will be screened from public view at grade.
11. All new public utility transmission and distribution lines will be placed underground.
12. Cooling towers will not be allowed on the project site.
13. The following Architectural Standards shall apply:

- a. The building materials used on the principle buildings will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, vinyl or wood. Single Family Detached and Attached at least 35% of the front façade shall be exclusive of windows, doors and roofs, will be constructed of brick, stone and synthetic stone, precast stone or precast concrete.
- b. The principle buildings will include a variety of building solutions through the mixing of building profiles, elevations, and distinctive roof forms.
- c. The front façade of the principle buildings will be oriented towards the major thoroughfare or street in such manner as to create a public streetscape on a pedestrian scale.
- d. Building frontages along streets shall break any flat, monolithic façade by including a variety of architectural features to provide visual interest and a pedestrian scale to the first floor.
- e. Club House, detached garages, mailbox stations, and any other buildings or structures shall match the architectural appearance of the principle buildings.
- f. Within the PDD, walls used to enclose the compactor and/or recycling facility will be architecturally compatible with the building materials and colors used on the nearby principle buildings.

# TABLE 1

## RHD DEVELOPMENT STANDARDS PERMITTED RESIDENTIAL USES

	Single Family Detached	Patio and Atrium Houses	Duplex Residences	Single Family Attached Townhouses	Multi-plex - Triplex / Quadriplex
Minimum lot area per dwelling (sq. ft.)	6,000	4,000	8,000	1,800	N/A
Minimum site area Project (acres)	N/A	1	1	1	2
Lot Width (feet)	50	40	20	20	N/A
Minimum yard and building setback:	N/A	N/A	N/A	N/A	20
Front on major street (feet)					
Front Loaded	20	20	20	25	20
Alley Loaded	15	10	10	10	N/A
Front on minor street (feet)	N/A	N/A	N/A	N/A	15
Side	5 / 10 Aggregate	5	5	0	10
Rear	15	8	15	15	20

**NOTES:**

- **Front setbacks are from back of sidewalk**
- **Density based upon total number of individual units vs. number of buildings allowed per acre. Open space areas shall be included in the calculations for gross density.**
- **Duplexes, townhomes, and multi-plexes will have a maximum height of 50 feet consisting of a three story building. Height is to be measured from the main entry of the ground level of the building.**

### **C. General Commercial / Mixed Use District (GC/MU)**

Purpose: The purpose of this district is to provide for areas within the Development designed to implement the "village concept", which will create a more connected development of commercial businesses, easily accessible through the use of landscaped pedestrian walkways. Such walkways will not only provide a sense of unity and flow in the development by connecting the businesses, but will also allow safe and easy access to those businesses.

Permitted Uses: Within the GC / MU District, a building or premises shall be used only for the following purposes:

1. Commercial recreation establishments, including movie theaters, pool and video game rooms, bowling and skating rinks.
2. Primary retail establishments such as department stores, general mercantile stores, clothing, variety, and similar low bulk items.
3. Secondary retail establishments such as those selling principally one-stop items, usually high-bulk, including furniture, appliance, home furnishings, floor coverings, business machines, heating and air conditioning sales and service, and similar establishments, also including establishments selling automobiles, trucks, boats, farm equipment, building and plumbing supplies, surplus materials, bicycle sales and service.
4. Dwelling, single-family, detached.
5. Dwelling, single family attached (patio / townhomes).
6. Duplex, triplex and quadriplex.
7. General business services such as duplicating, mimeographing and copying shops, addressing and mailing services, blueprinting, photostatting and film development.
8. Office and business establishments and services.
9. Funeral homes.
10. Personal service establishments including animal hospitals and kennels.
11. Automobile service and repair provided that:
  - a. All service and repair shall be conducted within not less than thirty (30) feet from the front of the building
  - b. There shall be no openings toward adjoining residential districts
  - c. No junked or salvaged vehicles shall be kept on the premises
12. Public and private transportation service and facilities, including bus terminals and taxi stands.
13. Restaurants, including those with drive-through windows with or without on premises alcohol sales.
14. Motels, hotels, bed and breakfast establishments.
15. Educational institutions, primary through graduate education, public and private.
16. Armories for meetings and other gathering places for public or private use.
17. Commercial schools and schools providing adult training in any of the arts, sciences, trades and professions.
18. Museums, art galleries and libraries.

19. Convenience retail establishments such as small scale drug, grocery, and beverage stores; bakery, flower and gift shops; newsstands and bookstores, and similar small scale convenience uses excluding gasoline sales and garages.
20. Churches and places of worship or religious institutions.
21. Commercial adult and child care facilities.
22. Lodges and civic clubs.
23. Governmental
  - Fire & Police
  - Post Office
  - Town Hall

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 2 summarizes the minimum requirements within the GC / MU District. Additional development standards for this district are below:

1. Development will consist of up to 150,000 SF of Commercial as established in Table 2. Other uses permitted include residential as noted in the permitted uses of the RD district as long as the maximum square footage and units for the overall PDD are not exceeded.
2. Establishment of the Pedestrian Walkway: A Pedestrian Walkway, which shall be a minimum of ten (10) feet in width, shall be established for each side of each building that contains a primary customer entryway. A primary customer entryway is that entrance that is designated by the owner / developer of a building as the primary entrance for the public into that building. To provide for the Pedestrian Walkway, setbacks (from the building, excluding any architectural features, awnings, or protrusions, to the back of curb of streets, parking areas or other paved areas) shall be a minimum of ten (10) feet. The sides and rear of each building containing a service, emergency or public entryway (other than a primary customer entryway as described above) shall have a building setback of a minimum of five (5) feet to back of curb or property line, whichever is most restrictive. The term “Pedestrian Walkway” does not exclude any other traditional forms of pedestrian sidewalks as are deemed necessary and appropriate by the owner / developer of any building. Planting strips are required within the Pedestrian Walkway and shall meet the City of Tega Cay Code of Ordinances requirements.
3. Shared parking: In the event the owners of the property that is designated as GC / MU or GI agree to allow for parking and access easements across their various properties, such easements are allowed and the resulting increase in parking spaces can be included in the total number of parking spaces each business is required to provide.

#### **D. Government and Institutional District (GI)**

Purpose: The purpose of this district is to provide a wide variety of professional and government offices and institutions proximate to residential and more intense business districts so as to satisfy the City’s demand for services. These regulations are designed to encourage the formation and continuance of a quiet, compatible, and uncongested environment for government and institutional services intermingled with residential uses.

Retail uses may be allowed as a conditional or special exception use, subject to specific standards, and provided the primary purpose is to serve the office workers or GI uses in the district. Townhomes, patio, duplex, triplex, quadriplex and single-family residential uses, community facilities, and religious institutions are also allowed. The maximum residential density allowed is five (5) dwelling units per acre and the minimum lot area for development for all non-residential uses is one (1) acre. Live / work dwellings and upper story dwellings over a street-level non-residential use may be included at densities of eight (8) units an acre. Densities are allowed as long as the total of 600 total residential units within the boundary of the PDD is not exceeded.

Permitted Uses: Within the GI District a building or premises shall be used only for the following purposes:

1. Educational institutions, primary through graduate education, public and private.
2. Armories for meetings and other gathering places for public or private use.
3. Commercial schools, and schools providing adult training in any of the arts, sciences, trades and professions.
4. Dwelling, single-family, detached.
5. Dwelling, single family attached (townhouse), patio homes, duplex, triplex, and quadriplex.
6. Office and business establishments and services.
7. Museums, art galleries and libraries
8. Personal service establishments such as barber and beauty shops; laundromats; laundry pick-up; tailor; dressmaker; shoe shops; photo studio; restaurants (excluding those with drive-through windows, dance floors or staged entertainment); and similar small scale personal service establishments.
9. Convenience retail establishments such as small scale drug, grocery, and beverage stores; bakery, flower and gift shops; newsstands and bookstores, and similar small scale convenience uses excluding gasoline sales and garages.
10. Churches and places of worship or religious institutions.
11. Commercial adult and child care facilities.
12. Lodges and civic clubs.
13. Governmental
  - Fire & Police
  - Post Office
  - Town Hall

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 2 summarizes the minimum requirements within the GI District.

Development will consist of up to 500,000 SF as established in Table 2. Other uses included residential are permitted as noted in the permitted uses of the GI district as long as the maximum square footage and units for the overall PDD are not exceeded.

**TABLE 2**

**GC/MU AND GI DEVELOPMENT STANDARDS**

	<b>GENERAL COMMERCIAL</b>	<b>GOVERNMENT / INSTITUTIONAL</b>
<b>MAXIMUM SQUARE FEET</b>	Up to 150,000 SF*	Up to 500,000 SF
<b>MINIMUM LOT SIZE</b>	10,000 Sq. Ft.	1 Acre
<b>MINIMUM LOT WIDTH</b>	75'	100'
	Cul-de-sac 40'	Cul-de-sac 40'
<b>BUILDING SETBACKS (Feet from P/L)</b>		
	<b>Fronting:</b>	
	<b>MAJOR ROAD</b>	25'
	<b>MINOR ROAD</b>	15'
<b>SIDE (Min.)</b>	10'	15'
<b>REAR (Min.)</b>	10'	15'

**NOTES:**

- General Commercial consists of up to 50,000 SF in Village “C” and up to 100,000 SF in Village “D”.

#### 4. Impervious Area

Impervious areas shall not exceed 75% of the entire Planned Development.

#### 5. Streets

Minimum dimensions and design standards for each street type shall follow a consistent standard. The standards for each street shall follow one of the following:

- A. Public Street: Shall be a minimum of 50' R.O.W. in accordance with the city standards outlined in the City of Tega Cay Code of Ordinances at the time of Preliminary Plat approval. Public streets shall be accepted for maintenance by the City of Tega Cay once they are completed and built per the City Standards. Increased R.O.W. widths are allowed under the City of Tega Cay Code of Ordinances.
- B. Private Residential Street: Shall be in private easements and constructed in accordance with the city standards outlined in the City of Tega Cay Code of Ordinances at the time of Preliminary Plat approval. The Petitioner / Developer reserve the right to have private streets within the Planned Development.
- C. Cul-de-sacs: Shall conform to standards in the City of Tega Cay Code of Ordinances.

The developer reserves the right to have proposed roads as public or private. The decision to have the proposed roads as public or private shall be made before Preliminary Plat approval.

#### 6. Vehicular Access and Road Improvements

- A. Vehicular access: Access shall be provided in the general locations shown on the Planned Development Site Plan. Adjustments to the locations of street and driveway entrances may occur, as required to meet state and local agency standards and coordinate with final subdivision and site plan design.
- B. Improvements to Existing Roads: Existing road improvements will be provided per SCDOT requirements. A Traffic Impact Analysis shall be prepared and approved by the City of Tega Cay and SCDOT.
- C. Deer Creek Drive: R.O.W. to be locally abandoned and new public road shall be built for access to the community.

#### 7. Bufferyards

Bufferyards between the development and adjacent properties and along state maintained roads will meet the minimum requirements for and between uses prescribed by the bufferyard requirements as generally depicted on the Planned Development Site Plan, and as specified in bufferyard requirements of City of Tega Cay Code of Ordinances, Appendix A (Zoning) and as shown in Appendix A, unless circumstances exist whereas existing vegetation preserved on site

may be used in lieu of required landscape plantings to satisfy buffer and/or screening requirements. In this circumstance, Petitioner / Developer shall not be required to install landscape plantings or materials within those portions of the prescribed bufferyards that currently contain vegetation, wetlands or mature hardwoods. Petitioner reserves the right to construct a minimum six foot high opaque fence, wall, berm or combination thereof in order to reduce the buffer and/or screening requirements. In the event that the petitioner or their assignee decides to install a fence, wall or berm, they may reduce buffer area dimensions by 25%. Bufferyards will be designed in a manner to allow openings of an appropriate width in order to allow pedestrian and vehicular connectivity. Clearing and grading may occur within these buffers. Bufferyards will be replanted according to the approved landscape plan. Streets, utilities, easements, pedestrian or bicycle paths, decorative landscape features, fences, monuments and signage may be placed within these buffers. Internal buffers between uses of the Planned Development shall not be required. A buffer shall not be required adjacent to parcel 646-0000-025 where it abuts Deer Creek Drive. A 10 foot buffer shall be provided along the western property line adjacent to parcels 646-0000-003, 646-0000-079, and 646-0000-088 as shown on the Planned Development Site Plan.

#### 8. Restrictive Covenants

Restrictive Covenants will be created and recorded upon submittal of the final plat, to establish, among other things, permitted uses and maintenance responsibility of the Homeowner's Association or Property Owner's Association.

#### 9. Common Open Space

Common open space will be provided throughout each component of the development per the Planned Development Site Plan, City of Tega Cay Code of Ordinances, Appendix A (Zoning) and City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development). A minimum of 20% of the overall project site shall be established as Common Open Space, consisting of a 20 acre park dedication to the City of Tega Cay and 10% (approximately 10 acres) of the remaining site acreage. Required stormwater / water quality management features may be located within common open space areas and shall be counted toward fulfilling the common open space requirement. A 20 acre park dedication to the City of Tega Cay shall be provided meeting the recreation requirement of section 1306. Grading for and installation of storm drainage, utilities and easements (including, but not limited to, sanitary sewer, gas, electric, telephone, water and cable television) may occur within open space and natural undisturbed open space as long as the minimum natural undisturbed area requirement is met per the City of Tega Cay Code of Ordinances. Common Open Space is to be platted and recorded separately from other uses. Except for the City of Tega Cay Park, which shall be owned by the City of Tega Cay, open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. Buffers shall be counted towards Common Open Space.

#### 10. Parking

Parking requirements for each permitted use and platted lot will comply with the parking requirements of the City of Tega Cay Code of Ordinances, as shown in Appendix B, subject to

the petitioner's ability to include parking spaces located within units with garages as eligible spaces meeting said requirements. Parking requirement shall be met with on street and off street parking. On-street parking may be allowed within the boundaries of the Planned Development District provided the road is wide enough, designed to accommodate it and streets are properly marked.

Joint Use of Off-Street Parking Lots: Up to fifty (50) percent of the parking spaces required for one (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions and government / institutional uses may be provided and used jointly by two (2) financial institutions, offices, retail stores, repair shops, service establishments, restaurants and similar uses not normally open, used or operated during the same hours as those listed in one (1).

#### 11. Signage

Proposed monument signs for the development will be determined during the construction document phase. Proposed signs will conform to the standards set forth in the City of Tega Cay Code of Ordinances. One master development sign shall be allowed along the frontage of Gold Hill Road. One (1) additional development sign shall be allowed for each entrance along Gold Hill Road. Internal community development signs shall be allowed along internal roads based on the standard set forth in the City of Tega Cay Code of Ordinances.

#### 12. Improvements

The Developer will be responsible for installation of all subdivision, common area, and amenity improvements, open space and buffer yards which pertain specifically to the project.

#### 13. The Developer

The Developer has been informed of and understands all requirements of the City of Tega Cay Code of Ordinances, Appendix A (Zoning), stormwater management and sediment control ordinance, City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development) and building code.

#### 14. City of Tega Cay Water Tower

The Developer agrees to dedicate up to ¼ of an acre for a City owned water tower. Location to be determined and agreed upon by the developer.

#### 15. Submittals

The Developer understands that submittals must be made to and approvals obtained from all applicable Tega Cay Planning and Development Services Departments prior to grading or construction. Plan approvals will follow the Preliminary Plat Process which is approved by the Planning Commission.

## 16. Construction Schedule and Phasing

This development will be constructed in phases. Proposed phasing will be determined and approved during the Preliminary Plat process. Site construction of each phase will be completed in its entirety prior to final plat recording of each phase. No phase will be allowed that does not reflect a street in its entirety.

## 17. Binding Effect of the Rezoning Application

If this rezoning application is approved, all conditions applicable to development of the site imposed under these PDD Standards and the Planned Development Site Plan will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and subsequent owners of the site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Throughout this rezoning application, the term "Petitioner" shall be deemed to include the successors in interest and assigns of the Petitioner who may be involved in development of the site from time to time.

## 18. Applicable Ordinances

This development will be subject to the standards and requirements of the City of Tega Cay Code of Ordinances, Appendix A (Zoning), City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development) in effect at the date of approval by the City of Tega Cay City Council or as amended by the provisions of the Planned Development Site Plan unless otherwise provided and specified in these PDD Standards, as approved by the City of Tega Cay Council.