

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)

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 400 Units consisting of a balanced mix of Single Family Detached, Townhomes, and Senior Living Dwelling Units
- Commercial –. Up to 700,000 square feet

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 400 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 (townhomes).
3. Senior Living Dwellings meeting the standards outlined in the Development Standards for Age-Restricted Units.
4. Neighborhood and community parks and centers, golf courses and similar uses.
5. Churches or similar places of worship, including parish houses, parsonages and convents.
6. Customary home occupations.
7. 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 400 residential units as established in Table 1 and consist in a mix of the following as generally shown on the Site Plan:
 - a. Single Family Detached
 - b. Senior Living Dwelling Units

- c. Single Family Attached (Townhomes)
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. Play structure appropriate for children and meeting ADA playground standards
 - e. A pool and pool deck; and
 - f. 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 to the extent possible at grade.
11. All new public utility transmission and distribution lines will be placed underground.
12. The following Architectural Standards shall apply:
 - a. The exterior materials used on the residential units will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as HardiPlank), stucco, or wood.
 - b. All Single Family Attached (townhome) units shall have garages that can be front or rear load.
 - c. In cases where townhomes and senior dwelling units do not have two-car garages, on-street parking must be provided for one vehicle per affected unit.
 - d. All Residential units should have at least 20 feet of parking space depth in the driveway such that parked vehicles do not project into the adjacent public sidewalk.
 - e. Club House, detached garages, mailbox stations, and any other buildings or structures in the residential villages, shall match the architectural appearance of the principle dwelling units.

TABLE 1

**RHD DEVELOPMENT STANDARDS
PERMITTED RESIDENTIAL USES**

	Single Family Detached	Senior Living Dwelling Units	Single Family Attached Townhouses
Minimum lot area per dwelling (sq. ft.)	6,000	6,000	1,800
Minimum site area Project (acres)	N/A	N/A	1
Lot Width (feet)	50	50	20
Minimum yard and building setback:	N/A	N/A	N/A
Front on major street (feet)			
Front Loaded	20	20	25
Alley Loaded	15	10	10
Front on minor street (feet)	N/A		N/A
Side	5 / 10 Aggregate	5	0
Rear	15	15	15

NOTES:

- **Front setbacks are from back of street rights-of-way.**
- **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.**
- **Townhomes 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, bicycle sales and service and similar establishments.
4. Social retail uses such as coffee shops, brew pubs, bookstores, art galleries, bakeries, and florists.
5. Residential units such as condominiums, may be in mixed configuration with commercial in the same structure. Such units should be located on the upper stories; or, on ground floors when they do not use storefront space. In no case shall residential uses be located on the ground floor of a building located on commercial street frontage. Such units will count towards the total PDD cap of 400 residential units.
6. Dwelling, Senior Living Units (ranch homes designed for the active senior adult).
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. Personal service establishments such as barber and beauty shops; laundromats; laundry pick-up; tailor; dressmaker; shoe shops; photo studio.
10. Public and private transportation service and facilities, including bus terminals and taxi stands.
11. Restaurants, including those with drive-through windows with or without on premises alcohol sales.
12. Medical offices, clinics, and pharmacies.
13. Educational institutions, primary through graduate education, public and private.
14. Professional Office such as legal services, architectural and engineering services.
15. Fresh Farm/Open Air Markets.
16. Commercial schools and schools providing adult training in any of the arts, sciences, trades and professions.
17. Museums, art galleries and libraries.
18. 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.
19. Churches and places of worship or religious institutions.

20. Commercial adult and childcare facilities.
21. Lodges and civic clubs.
22. 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 700,000 SF of Commercial and Mixed-Use as established in Table 2.
2. The following Architectural Standards shall apply:
 - a. The principle buildings will include a variety of building solutions through the mixing of building profiles, elevations, and distinctive roof forms.
 - b. 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.
 - c. 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.
 - d. Where applicable, cornices (e.g., building tops or first-story cornices) shall be aligned to generally match the height(s) of those on adjacent buildings. Building height limitations shall be governed by the applicable Building Codes.
 - e. Maximum Building height for Mixed Use Buildings shall be 4 stories/55 feet including roof design and profile. Building height is limited to 65 feet when locating mechanical equipment on the roof. Mechanical area can contain no living space and must be accessible by elevator. In addition, all mechanical equipment must be screened from other rooftop uses. Building height “transitions” or step-downs shall be provided where the MXD district abuts adjacent residential properties where the maximum building height is three stories/45 feet.
 - f. Within the PDD, walls used to enclose the solid waste and/or recycling facilities will be architecturally compatible with the building materials and colors used on the nearby commercial buildings.
 - g. Mixed use buildings shall have a minimum Ground floor height, floor to ceiling, of 12 feet and Upper story height, floor to ceiling, of 10 feet with a minimum of 9 feet.
 - h. Any building façade oriented to the public view shall provide ground floor transparent windows to allow visual access into and out of the building;
 - i. Primary entrances shall open on to a street or interior courtyard.
 - j. The site layout should cluster buildings on the site to promote linked trips via interconnected pedestrian promenades (such that a pedestrian need not cross more than 64 lineal feet of parking or driveway area, or one double loaded row of parking (not inclusive of sidewalks, pathways, landscaping, plazas, and other pedestrian facilities), whichever is less, between buildings.

- k. The development should provide internal and/or public pedestrian connections that are direct, convenient and pleasant with appropriate amenities.
3. Shared parking: In the event the owners of the property that is designated as GC / MU 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.
4. On-site parking areas:
 - a. Parking areas shall be located where residents and businesses have easy and convenient access.
 - b. Surface parking should be oriented behind buildings when possible.
 - c. Surface Parking shall not be located on street corners.
 - d. Surface parking shall not exceed 110% of the minimum parking requirement for the subject land use(s) as identified in the Section 19-301 of the Zoning Code. Exemptions to the standard can be approved through site/design review for developments that provide parking structures, shared parking, valet parking spaces, market rate parking, or similarly managed parking facilities;
 - e. Parking Structures with frontages on commercial corridors must allocate space for commercial use on the first floor.
 - f. Parking Structures located adjacent to a residential use shall have a side and rear setback of 20 feet and be landscaped and screened. Should the Parking Structure be located on a corner adjacent to residential uses, the first-floor commercial use must wrap the corner and the landscaped setback may be reduced to 10 feet.
 - g. The Parking Structure must be screened or wrapped with the Mixed-Use Structure with a minimum of 25 feet of either hard or softscape design or an approved mixture of both.
 - h. The area covered by impervious surfaces (i.e., area covered by buildings and pavement) shall be minimized to the greatest extent practicable; best practices for surface water management shall be required.

TABLE 2

GC/MU DEVELOPMENT STANDARDS

	GENERAL COMMERCIAL	MIXED-USE
MAXIMUM SQUARE FEET	Up to 700,000 SF	Up to 700,000 SF
MINIMUM LOT SIZE	10,000 Sq. Ft.	None Required
MINIMUM LOT WIDTH	75'	None Required
	Cul-de-sac 40'	None Required
BUILDING SETBACKS (Feet from P/L) Fronting:		
MAJOR ROAD	25'	Build-to Zone of 0 feet minimum and 10 feet maximum.
MINOR ROAD	15'	Build-to Zone of 0 feet minimum and 10 feet maximum.
SIDE (Min.)	10'	Build-to Zone of 0 feet minimum and 10 feet maximum.
REAR (Min.)	10'	Build-to Zone of 0 feet minimum and 10 feet maximum.

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. The main connector street from Gold Hill Road to the Dry Run extension shall have a minimum 60' R.O.W. and be constructed to collector road standards. 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. Provided, however, the Developer has elected to fund one of the recreational amenities requirements, pursuant to Section 1306.1 of the City's Land Development Code, through a contribution to the City ("Amenity Contribution"). The Amenity Contribution shall be calculated by taking the total number of residential lots within each Final Plat and multiplying it times \$1,500 but shall not be less than \$400,000 for the total Amenity Contribution. The Amenity Contribution shall be paid in installments at the time of submission of each Final Plat for the residential Villages B and E at an amount determined by the number of units in that Final Plat, with the entire balance of the Amenity Contribution being paid prior to the submission of the final Final Plat of the residential Villages B and E. The Amenity Contribution shall count as one (1) of the required amenities, with the total number of required amenities being determined by the total number of dwelling units, pursuant to Section 1306.1 of the City's Land Development Code.

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 shall be within Village C and will be determined and agreed upon by the developer prior to submission of the final Final Plat for the Windhaven PDD.

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.