

ORDINANCE 2020-06

**AN ORDINANCE REZONING PARCEL NUMBER L2700010054401 COMPRISED OF 28.256 +/- ACRES ON DURRETT ROAD TO PLANNED RESIDENTIAL DISTRICT AND ACCEPTING THE PRELIMINARY PLAN AND DEVELOPMENT STANDARDS TEXT FOR THE PARCEL.**

**Whereas**, the Codified Ordinances of the Village of Commercial Point provide for a Planned Unit Development, specifically in chapter 1173; and,

**Whereas**, the Council of the Village of Commercial Point has the authority to approve amendments and changes to the Zoning Map; and

**Whereas**, D.R. Horton Indiana, LLC, d/b/a Westport Homes ("Westport") proposes to construct 190 +/- unit single family homes, together with related improvements, including but not limited to streets, drainage, facilities, entry features, open spaces, community amenities, model homes, and signage on the Property; and

**Whereas**, Westport and the Village are parties to a Pre-Annexation Agreement and the Pre-Annexation Agreement included and incorporated Westport's Scioto Crossing Preliminary Plans and Development Standards Text; and

**Whereas**, based on annexation law, Westport was required to annex the 62.2 acres of the development property in two stages, with the 28.256 acres of Property being the second stage of annexation and development. Westport now desires to commence the development process and construction of infrastructure and homes on the second stage of Property that has already been annexed into the Village based on ongoing housing demand and economic growth;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF COMMERCIAL POINT COUNCIL, COUNTY OF PICKAWAY, STATE OF OHIO:**

**Section 1:** The Zoning Ordinance and Village Zoning Map shall be amended to rezone the 28.256 acre parcel to be owned by D. R. Horton to PRD – Planned Residential District, and to adopt the Scioto Crossing Preliminary Plans and the Scioto Crossing Development Standards Text attached hereto as Exhibit A.

Vote on Suspension of Third Reading:

Motion by: Bruce Moore

2<sup>nd</sup> : Jason Thompson

Roll Call:

Yes Bruce Moore

Yes Ryan Mitchem

Yes Laura Wolfe

Yes Aaron Grassel

Yes Tracy Joiner

Yes Jason Thompson

Vote on Passage of the Ordinance:

Motion by: Bruce Moore

2<sup>nd</sup> : Jason Thompson

Roll Call:

Yes Bruce Moore

Yes Ryan Mitchem

Yes Laura Wolfe

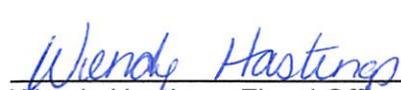
Yes Aaron Grassel

Yes Tracy Joiner

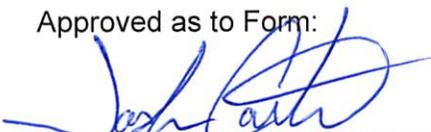
Yes Jason Thompson

Adopted this 18<sup>th</sup> day of May, 2020.

  
Allan D. Goldhardt, Mayor

  
Wendy Hastings, Fiscal Officer

Approved as to Form:

  
Josh Cartee, Law Director

**Exhibit A**

**SCIOTO CROSSING DEVELOPMENT STANDARDS TEXT**

62.2 acres Durrett Road, Scioto Township, Pickaway County, OH

Developer: D.R. Horton Indiana, LLC, d/b/a Westport Homes

The property is comprised of parcel L2700010054400 of the annexed territory to the Village of Commercial Point (the "Village") and contains 62.2+/- acres which is more particularly described on the attached Exhibit A, incorporated herein by reference. The property is hereby designated as the Scioto Crossing Planned Unit Development ("PUD") consisting of a single-family subdivision pursuant to this PRD text and the Village's zoning ordinances:

1. **Permitted Uses:** Permitted uses shall be limited to 190 single-family dwelling units, storm water facilities and ponds, landscaped entry features, open spaces, natural areas and other community amenities consistent with single-family residences and as permitted in the Village zoning ordinance for R-3 districts. Accessory uses and structures shall be allowed as provided in the zoning ordinance for R-3 residential districts, subject also to the limitations contained in private deed restrictions and enforced by a homeowners' association established by the developer.
  
2. **Development Standards**
  - a) **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2-1/2) stories or thirty-five (35) feet.
  
  - b) **Lot Area, Width and Depth:** Every lot for a single-family dwelling shall have a minimum width of sixty-three (63) feet measured at the building line and a minimum depth of one-hundred and twenty (120) feet, with all lots meeting a minimum area of seventy-nine hundred square feet (7,900). Lot depths are typically one-hundred and twenty six (126) feet, or as otherwise depicted on the Preliminary Development Plan. All lot measurements shall be exclusive of road right-of-way, and shall be in addition to any easement of record.
  
  - c) **Front yard, side yard and rear yard:** There shall be a front yard of not less than thirty (30) feet. There shall be a side yard of not less than five (5) feet on each side. There shall be a rear yard of not less than twenty-five (25) feet.
  
  - d) **Dwelling Bulk:** 100% of the single-family dwellings shall have a minimum area of twelve hundred (1,200) square feet. All two story and one and one-half story homes must have greater than 1600 sq. ft. as noted in the Zoning Text for Chestnut Commons. All dwelling bulk requirements are to be determined from outside dimensions, exclusive of porches, garages, cellars, and basements.
  
  - e) **Parking Requirements:** Parking requirements shall be as regulated in Article IX of the Zoning Ordinance of the Village of Commercial Point, Pickaway County (the "Zoning Code"), provided, however, that each single-family residence shall have a two-car garage and paved driveway for a minimum of two cars.

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**Exhibit A (continued)**

- f) **Open Space:** A minimum of approximately 9.8 acres (15.7%) shall be reserved for common open space pursuant to the requirements of the Zoning Code. The location of the open space shall be as identified on the Preliminary Development Plan and other exhibits. The open space shall be maintained by the developer/owner until such time as responsibility for maintenance is transferred to the homeowners' association. In transferring the maintenance responsibility from the developer to the homeowners' association, the developer acknowledges that there are public health, safety, and welfare concerns associated with such development that may be the responsibility of the Village. Developer agrees to notify the Village, upon such time as the responsibility for maintenance is transferred to the homeowners, and the Village shall consent and approve such transfer, provided however, that such consent shall not be unreasonably withheld.
  
- g) **Signs:** Signs shall be as regulated in the Zoning Code.
  
- h) **Utilities:** All utilities shall be placed underground. Appurtenances to these systems shall, to the extent permitted by the affected utility companies, be screened by plantings, hedges, fences, or walls each of which would enclose any such structure on all sides unless access is frequently required from a side.
  
- i) **Buffer:** In order to discourage access to neighboring properties with ongoing agricultural operations, three-rail perimeter fencing backed with a mesh screen will be installed along the rear property line of lots 27-38 and 167-180 prior to these lots being transferred to homebuyers. It is recognized that the developer cannot monitor or ultimately control the access to neighboring properties, but such fence placement is designed to identify the property lines and discourage such access and the known, inherent and obvious dangers of ongoing farming activity. The developer shall maintain such fencing during the development period, with the homeowner's association being responsible for maintenance upon the turnover as provided in the HOA governing documents.
  
- j) **Density:** The maximum density per acre shall be 3.07 dwelling units per gross acre (190 homes and inclusive of open space).
  
- k) **Access:** Access for ingress and egress shall be via a boulevard or non-boulevard entrance from Durrett Road and via stub street connections into the existing Southern Point community at Mahogany Lane and Arledge Drive as depicted on the Preliminary Development Plan.
  
- l) **Ponds:** All detention/retention ponds must be fenced with fencing materials to be determined and set forth in the final development plan.