

Appendix C

Proposed Zoning Overrides

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As currently envisioned, the proposed project would conform to R7-A zoning equivalency (4.0 floor area ratio), with a C2-4 commercial overlay zone (2.0 FAR). R7-A zoning controls on the site would be similar to the surrounding R6 zoning that has facilitated the Gateway Estates development. As such, development that would occur on the project site would be primarily residential, with some ground-floor commercial space included in the base of the buildings on both parcels. For the proposed project, a zoning override via a General Project Plan would establish permitted development on the two parcels in lieu of zoning. (Please refer to “Proposed Zoning Overrides”.)

Proposed Zoning Overrides

ZONING RESOLUTION	REGULATION	PROPOSED OVERRIDES:
22-10: USES PERMITTED AS OF RIGHT	Use Group 1-4 Permitted	to permit Use Group 1-10
23-011 Quality Housing Program (Applicability, we want to use this section in R3-2)	Quality Housing Program permitted in R6-R10 only	to allow use of Quality Housing Program in R3-2
22-32 Permitted Non-Illuminated Accessory Signs	Accessory non-illuminated signs permitted	to permit illuminated, non-flashing signs
23-141(b) Open Space and Floor Area Regulations in R1, R2, R3, R4 or R5 districts	Maximum Lot Coverage 35%	to permit 100% coverage for Commercial / Residential Corner 80% / Residential Interior or Thru 65%
23-141(b) Open Space and Floor Area Regulations in R1, R2, R3, R4 or R5 districts	Minimum Residential Open Space 65%	to allow proposed Lot Coverage to govern
23-141(b) Open space and floor area regulations in R1, R2, R3, R4 or R5 districts	Maximum floor area ratio (FAR) 0.5	to allow a maximum floor area ratio (FAR) of 4.06
23-141(d) Open Space and Floor Area Regulations in R1, R2, R3, R4 or R5 districts	50% of open space must have minimum dimension of 12'	to allow proposed design to govern
23-22 Maximum Number of Dwelling Units or Rooming Units	870 Dwelling Unit Factor	to allow 680 Dwelling Unit Factor
23-45 Minimum Required Front Yards	15' Required	to permit development without front yards
23-451 Planting Requirement	50% of front yard to be planted	to waive planting requirement since front yard not provided
23-462 Side Yards for All Other Buildings Containing Residences	(2) @ 8' Minimum or 10% of Street Wall	to permit development without side yards
23-463 Maximum Aggregate Width of Street Walls	125' Max	to permit maximum street wall width to exceed 125
23-47 and 33-26 Minimum Required Rear Yards	30' Required for residential use and 20' for commercial use	to permit reduced or no rear yards
23-49 Special Provisions for Side Lot Line Walls	Building may abut adjacent buildings built at the same time providing only 1 side yard	to permit proposed design to govern with no side yards
23-531 Excepted Thru Lots	No rear yard for thru lots less 110' from street to street	to permit no rear yards on any portion of any thru lot

Proposed Zoning Overrides (cont'd)

ZONING RESOLUTION	REGULATION	PROPOSED OVERRIDES:
23-631 Height and Setback in R1, R2, R3, R4 and R5 Districts	21' max street wall/sloping plane and ridge diagram max	to permit 95' Street Wall/95' Building height Max. No Setback required above base height. Proposed design to govern.
23-711 Standard Minimum Distance between Buildings	Depending on relations to opposing building & height, up to 60' required	to permit distance between buildings to be reduced per proposed design
23-86 Minimum Distance between Legally Required Windows and Walls or Lot Lines	30' minimum for any wall or rear lot line; 15' for side lot line	to permit reduced or 0 distance between windows and lot lines. Treat the Roads & Open Spaces on OPWDD property as legal frontage when maintaining 60' between buildings
23-87 Permitted Obstructions in Courts	Does not permit parking spaces in courts	to Permit parking spaces (open or enclosed) in courts
23-882 Minimum Distance Between Lot Lines and Building Walls in R1 through R5	30' minimum	to permit 0 distance
23-89 Open Area Requirements for Residences	30' Open Space Adjacent to Rear Wall	to permit development without open space adjacent to rear walls
25-12 Maximum Size of Accessory Group Parking Facilities	200 spaces maximum for residential use; 150 Spaces Maximum for commercial or community facility	to Permit parking for up to 35% of Residential Units and Commercial parking 1/1000 square feet
25-23 Requirements Where Group Parking Facilities are Provided	100% of dwelling units parking required	to permit reduced parking ratio of 35% of dwelling units parking
25-25 Modification of Requirements for Public, Publicly-Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly	80% of dwelling units parking required	to permit reduced parking ratio of 35% of dwelling units parking
26-23 Requirements for Planting Strips and Trees	Minimum 3' deep planting strip required along curb with 3" caliper trees per 25	to permit development without planting strips and trees along curb or private roads
26-25 Requirements for Open Areas Between Required Sidewalks and Buildings	Minimum 5' deep area required between sidewalk and buildings	to permit 0 distance between sidewalk and buildings
28-01 Applicability of This Chapter (The Quality Housing Program)	Applicability of Quality Housing Program in R6 and above	to permit Quality Housing Program to apply in R3-2 District
32-10 USES PERMITTED AS-OF-RIGHT	Use Group 6-10 only permitted in C1, C2, C4, C5, C6, C8 (dependent on use)	to permit Use Group 6-10 in R3-2 District

Source: The Arker Companies, September 24, 2015; STV Incorporated, 2015.