

Appendix C:

8. The Village At Saratoga Planned Unit Development (formerly 241.8)

Chapter 241.8

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A PLANNED
UNIT DEVELOPMENT DISTRICT
TO BE KNOWN AS
"THE VILLAGE AT SARATOGA PLANNED UNIT DEVELOPMENT"

BE IT ORDAINED by the City Council of the City of Saratoga Springs, New York, following a public hearing as follows:

Section 1 - Name:

This Ordinance shall be known as "The Village at Saratoga Planned Unit Development" and amends Chapter 240 of the Code of the City of Saratoga Springs, New York entitled "Zoning".

Section II - Zoning Change:

The Zoning Ordinance of the City of Saratoga Springs and the zoning map of the City of Saratoga Springs as set forth herein be and the same are hereby amended by changing from the existing zoning district of UR-2, Urban Residential-2, as hereinafter described, and creating within the boundaries of said newly described area a residential planned unit development district to be known and described as "The Village at Saratoga Planned Unit Development".

Section III - Boundaries:

The area of "The Village at Saratoga Planned Unit Development" consists of approximately nineteen (19.78) acres located in the City of Saratoga Springs and is bounded and described as set forth in Appendix A - Legal Description, attached hereto and made a part hereto, and Appendix B - Sketch Plan, which is on file in the City Engineer's Office of the City of Saratoga Springs, New York. The property is designated on the Assessor's Map of the Outside Tax District as set forth on Appendix C - Tax Map Identification.

Section IV - Purpose:

It is the purpose of this Ordinance to provide a means, to establish parameters and limits of residential growth in the Crescent Street Area. It is the further purpose of this Ordinance to promote flexibility in the development and design of that area by creating a variety of residential types that will result in the more efficient use of land, promote good site design and visual quality and result in a more pleasing environment than otherwise possible.

Section V - Uses and Density:

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

There shall be constructed within the boundaries of "The Village at Saratoga Planned Unit Development" residential use types consisting of single family detached dwelling units and two family duplex dwelling units.

Within the PUD the following uses are allowed:

Single family detached - 50 ft. wide lots. Approximately 9.05 acres can be developed with a maximum of 59 single family detached dwellings. The gross density shall not exceed 6.6 units per acre.

Two family duplex- 50 ft. wide lots. Approximately 1.36 acres can be developed with a maximum of 11 two family duplex structures with a maximum of 22 dwellings units . The gross density shall not exceed 16.2 units per acre.

Single family detached- 40 ft. wide lots. Approximately 4.08 acres can be developed with a maximum of 37 single family detached dwellings. The gross density shall not exceed 9.1 units per acre.

Recreation- Clubhouse/Sales and Marketing Center and related recreational amenities (swimming pool, outdoor court games, etc.) can be developed. The center shall be at least 2,400 square feet, but shall not exceed 3,500 square feet.

The applicant shall have the right to increase the density of one product type above and beyond the total number of units for each housing type set forth above, provided, however, that the overall density of the planned unit development is not increased and in no event to exceed 118 total dwelling units. In no event may any one product type increase more than 25% of the maximum totals listed above.

Section VI - Homeowner's Association:

There shall be established a "Village at Saratoga" homeowners association or, as an alternative a municipal park district or similar entity, created in accordance with law, which shall hold in common ownership of all open spaces, and other common amenities and shall maintain the same. The assets of this association or entity shall be maintained by the developer until 90% of the total approved units for the entire PUD have a certificate of occupancy.

Section VII - Sketch Plan:

The attached Sketch Plan, Appendix B, shall be used by the City and the developer as a guide for overall development of "The Village at Saratoga Planned Unit Development". It may be amended and modified by the Saratoga Springs Planning Board as so long as the use, density and development regulations as set forth in this Ordinance are met.

Section VIII - Utilities:

The entire "The Village At Saratoga Planned Unit Development" area will be serviced by municipal water and sanitary sewer lines in the manner directed by the Saratoga Springs Planning Board during the PUD site plan review process.

All water and storm drainage lines and sanitary sewer lines shall be constructed to City standards and when completed shall be turned over to the city for ownership and maintenance. All utilities will be dedicated to the City of Saratoga Springs and meet city standards at time of dedication.

Section IX - Development Process:

Prior to the issuance of a building permit to develop any of the area within "The Village at Saratoga Planned Unit Development" the developer shall receive preliminary and final PUD site plan approval from the Planning Board of the City of Saratoga Springs pursuant to Chapter 240-3.13 . Such PUD site plan approval, road improvements and all other right-of-way improvements, on or off-site, shall be in conformance with Chapter 240-3.13 of the Zoning Ordinance of the City of Saratoga Springs. If in the development of the PUD site plan it becomes apparent that certain elements of the Sketch Plan are infeasible and in need of significant modification, any significant modification thereof must be approved in accordance with the Zoning Ordinance of the City of Saratoga Springs. Any standard concerning the construction of residential units to be constructed within "The Village at Saratoga Planned Unit Development" shall be governed by and comply with the appropriate codes, laws, rules and regulations, including the New York State Building Codes in force and effect at the time of site plan approval for the units to be so constructed.

Within sixty (60) days of receipt of the final PUD site plan, the Planning Board of the City of Saratoga Springs shall approve, approve with modification or disapprove the final site plan according to the procedure and time as specified in Chapter 240.13 of the Zoning Ordinance of the City of Saratoga Springs.

Section X - Streets Roads:

All interior roads servicing the "The Village at Saratoga Planned Unit Development" as per the Sketch Plan shall be constructed in accordance with standard road specifications developed by the City of Saratoga Springs. The developer, or its successor, shall be required to post a performance bond, irrevocable letter of credit or similar instrument providing for the completion of all road improvements within "The Village at Saratoga Planned Unit Development" as per the PUD site plan approval and specifications established by the City of Saratoga Springs. Such bond, irrevocable letter of credit or similar instrument shall be in the form and for the amounts directed by the City of Saratoga Springs.

All streets within "The Village at Saratoga Planned Unit Development" shall be built by the developer and offered for dedication to the City of Saratoga Springs. Once accepted for dedication by the City of Saratoga Springs, the streets will be public and maintained by the City of Saratoga Springs, New York. At the time of dedication to the city, all improvements shall meet the city's standard standards applicable at that time.

The developer, or its successor, shall install sidewalks, curbing, street trees, street lights, etc. within the proposed public rights-of-way for all streets within the project site.

Section XI - Off-site Improvements:

The developer, or its successor, shall be responsible for the following off-site improvements:

- a. The developer shall design and construct a 8 inch water line from the corner of Vanderbilt Avenue to: 1) the intersection of Joshua Road and Crescent Street via Crescent Street; and 2) a location on Route 9 via a route through the streets of the PUD, the design of the water lines shall be approved as part of the PUD site plan approval for Phase I; the improvements must be financially secured in the manner directed by the Saratoga Springs Planning Board and completed within 18 months from the date of issuance of the first

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

building permit in Phase I. The developer will secure all necessary easements and permits required for this construction. All improvements and easements will be dedicated to the City of Saratoga Springs for ownership and maintenance. At the time of dedication to the city, all improvements shall meet the city's standard standards applicable at that time.

b. The developer shall design and construct any off-site improvements to the sanitary sewer lines and storm sewer over flow connections as required by the City of Saratoga Springs. At the time of dedication to the city, all improvements shall meet the city's standard standards applicable at that time.

c. The developer shall not be responsible for any curbs, pavement improvements, street trees, street lighting within the existing public rights of ways of that portion of Crescent Street and Vanderbilt Avenues that have frontage on the PUD.

d. The developer shall design and construct a pedestrian path system along Crescent Street from the PUD site to Route 9. This pedestrian path shall be constructed as part of the PUD site plan approval for Phase I.

e. The developer shall construct an eight foot high, standard industrial-weight(9 gauge),galvanized chain link fence with vine plantings along the entire property line which border the lands of the Greenridge Cemetery Association. If this fence is located on the lands within the boundaries of the PUD, it shall be owned and maintained by the Greenridge Cemetery Association, with appropriated easements being granted by the developer. If this fence is to be located on the properties owned by the Greenridge Cemetery Association the height of the fence shall be governed by the applicable zoning regulations that pertain to that property, and said fence shall be owned and maintained by the Greenridge Cemetery Association. This fence shall be constructed as part of the PUD site plan approval for Phase I.

Section XII - Phasing:

"The Village at Saratoga Planned Unit Development" shall be developed in accordance with the following phasing plan:

PHASE	MAX NUMBER OF LOTS			PUD SITE PLAN APPROVAL <u>MUST BE OBTAINED BY</u>
	Single family detached 50' lots	Two family duplex detached 40' lots	Single family lots	
1	30	11	22	6/1/97
2	29	--	15	12/1/99
Totals	59	11	37	

The phasing plan is illustrated in Appendix D.

Planned Unit Development zoning approval for the project shall expire for a phase and all subsequent phases if PUD site plan approval is not obtained from the

Saratoga Springs Planning Board by the dates specified above. The zoning for this site shall revert to the zoning districts established and in force at the time of enactment of this Ordinance.

The developer may, upon notice to the Saratoga Springs Planning Board, and the Saratoga Springs Planning Board may, upon receipt of such notice, alter, modify or change the number and type of units to be constructed within any particular phase, provided, however, that such alteration, modification or change does not result in an increase in the maximum density for the Phase subject to such change as provided herein and that the altered, modified or changed phasing plan remains consistent.

The developer, or its successor, shall obtain building permits for seventy (70%) percent of the units proposed to be constructed in each phase prior to final site plan approval for subsequent phases.

Section XIII - Community Center:

Approximately 0.43 acres will be the site of the Community Center as per the Sketch Plan. The homeowners association or, as an alternative a municipal park district or similar entity, for "The Village at Saratoga" shall be responsible for the maintenance and management of the facilities.

The design for the improvements in this area shall be part of site plan approval for Phase I. The Community Center will be constructed during the initial phase of the development. The Community Center shall not have an on-site parking requirement except when it is used as a sales/marketing office. When used as a sales/marketing office this facility shall have an off-street parking requirement of five (5) spaces.

The ownership of any portion of the Community Center cannot be sold, transferred or conveyed without prior approval by the City Council of the City of Saratoga Springs unless such transfer or conveyance of the Community Center is to the homeowners association or, as an alternative a municipal park district or similar entity, for the "The Village at Saratoga". The developer will own and maintain the Community Center/Sales and Marketing Center until at least 90% of all occupancy permits are issued.

Section XIV - Area and Bulk Regulations:

The area and bulk schedule for "The Village at Saratoga Planned Unit Development" is attached hereto as Appendix E.

Section XV - Buffers:

There shall be a special forty (40) foot setback requirement for the principal buildings along Crescent Street and Vanderbilt Avenue. Within this setback, the twenty (20) feet closest to Crescent Street and Vanderbilt Avenue shall be maintained as a vegetated no cut buffer. An exception to the above, the lot number one (1) shall have a ten (10) foot no cut vegetative buffer and a fifteen (15) foot front yard setback on the Crescent Street side.

There shall be a special thirty-five (35) foot setback requirement for principal buildings along all land adjoining the State Park and cemetery property. Within this setback, the fifteen (15) feet closest to the State Park and cemetery land shall be maintained as a vegetated no cut buffer. An exception to the above, lots number twenty (20) and twenty-nine (29) shall have a five (5) foot side yard setback and no vegetated no cut buffer. The attached garages for homes built on these two lots will

face the cemetery lands.

Within the no cut buffers only removal of healthy vegetation under five (5) inches diameter, measured at breast height shall be allowed to removed. Noxious, dead, and potentially harmful vegetation may be removed, regardless of size, with appropriate authorization from the Homeowner's Association, or similar entity. In addition, the developer shall grant the Greenridge Cemetery Association an easement to maintain the no cut buffers along the property lines of lands owned by the Greenridge Cemetery Association.

Section XVI - Severability:

If any provision of this Ordinance shall be held invalid, the remainder of the Ordinance shall not be affected thereby.

Section XVII - Construction Standards:

All construction standards for buildings, private and public improvements and for utilities shall be prepared and approved by licensed architects, landscape architects, or engineers. All costs associated with this shall be borne by the developer whether the plans are provided by the City of Saratoga Springs or by the developer. Further, all completed construction shall be certified to the City of Saratoga Springs by licensed architects, landscape architects, or engineers as being completed in the manner called for in the plans and shall be certified in accordance therewith. City may require any or all costs connected with this to be borne by the developer.

The residential units within this PUD shall have the following architectural features: 1) the roofs for all dwellings shall have a minimum slope of 8/12; all garage doors shall be situated at least 5 feet further back than the front line of the main house structure and/or the front porch; and, 3) a minimum of 70% of dwellings shall have front porches which are 50 square feet or larger.

The exterior design features of the homes and the community center, and the configuration of all structures on the lots shall be subject to the approval of the Saratoga Springs Planning Board during PUD site plan approval.

The following definitions apply to this ordinance:

ACCESSORY BUILDING shall be defined as per Section 240-1.5 of the Saratoga Springs Zoning Ordinance and shall further be defined for the PUD as a detached structure from the principal building that shall be a garage or storage building, constructed to conform to all Building Codes, PUD design and construction standards, area and bulk standards.

DECK shall be defined for this PUD as an attachment to the principal building or detached permeable wood structure that may be constructed to conform to all Building Codes and PUD design, area, bulk and construction standards.

PATIO shall be defined for this PUD as constructed on brick, concrete, stone, wood or patio block to conform to all Building Codes and PUD design, area, bulk and construction standards, subject to the same setback requirements as decks.

Section XVIII - Change In Ownership:

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

In the event that ownership of the area wholly encompassed by "The Village at Saratoga Planned Unit Development", is transferred or conveyed to any third person, firm, corporation, partnership or other entity by the applicant herein, the City of Saratoga Springs reserves the right to require proof of financial responsibility of the transferee in accordance with the same procedures set forth in Chapter 240-3.14 of the Zoning Ordinance of the City of Saratoga Springs.

Section XIX - Effective Date:

This Ordinance shall take effect the day after publication as provided by the provisions of the City Charter of the City of Saratoga Springs, New York.

ADOPTED: May 7, 1996

AMENDED: June 3, 1997

AMENDED: October 21, 1997

APPENDIX "A"

LEGAL DESCRIPTION OF PUD

ALL THAT PARCEL OR PIECE OF LAND situate, lying and being in the City of Saratoga Springs, County of Saratoga and State of new York, more particularly bounded and described as follows:

Beginning at a point on the north side of Crescent Street at its intersection with the west line of Parkview Terrace; thence in an easterly direction along the north side of said Crescent Street to a point that is the intersection with the west line of Vanderbilt Avenue extended southerly to the north line OE Crescent Street aforesaid; thence in a northerly direction along the west line of Vanderbilt Avenue to its point of intersection with the north side of Fremont Street and the lands now or formerly of the Green Ridge Cemetery; thence westerly along the north line of Fremont Street and the southerly line of the lands of the Green Ridge Cemetery to the point of intersection with the east line of Canton Street with the north line OE Fremont Street; thence in a northerly direction along the east side of Canton Street and the lands of the aforesaid cemetery on the east to a point on the north side of Clifton Street where it intersects the east line of Carlton Street; thence westerly along the north side of Clifton Street to a point at the southeast corner of tax parcel 178.3-2-4 reputedly owned by W. J. Grande & Sons, Inc.; thence northerly along the lands of the aforesaid cemetery on the east and the lands of W. J. Grande & Sons, Inc. aforesaid on the west 100 +/- feet to a point at the northeast corner of tax parcel 178.35-2-4; thence westerly along the north line of W. J. Grande & Sons, Inc. (18.35-2-4) and C. M. Kolowski (178.35-2-3) to a point at the northeast corner of lands conveyed to Carole Murtha aforesaid and the northerly prolongation of the west line of Parkview Terrace; thence southerly along the east line of Murtha aforesaid 100 feet and continuing southerly along the west line of Parkview Terrace to a point that is at the intersection of the west line of Parkview Terrace with the north line of Crescent Street and the point and place of beginning.

All streets referred to above are shown on map of Lincoln Park Estates made by S. J. Mott, C.E. dated 8/11/26 and filed in the Saratoga County Clerk's Office on 8/21/26 and on tax map numbers 178.35 & 178.44.

APPENDIX "B"

SKETCH PLAN

On file in the office of the City Engineer of the City of Saratoga Springs.

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

APPENDIX "C"

CURRENT TAX PARCEL OF THE PUD

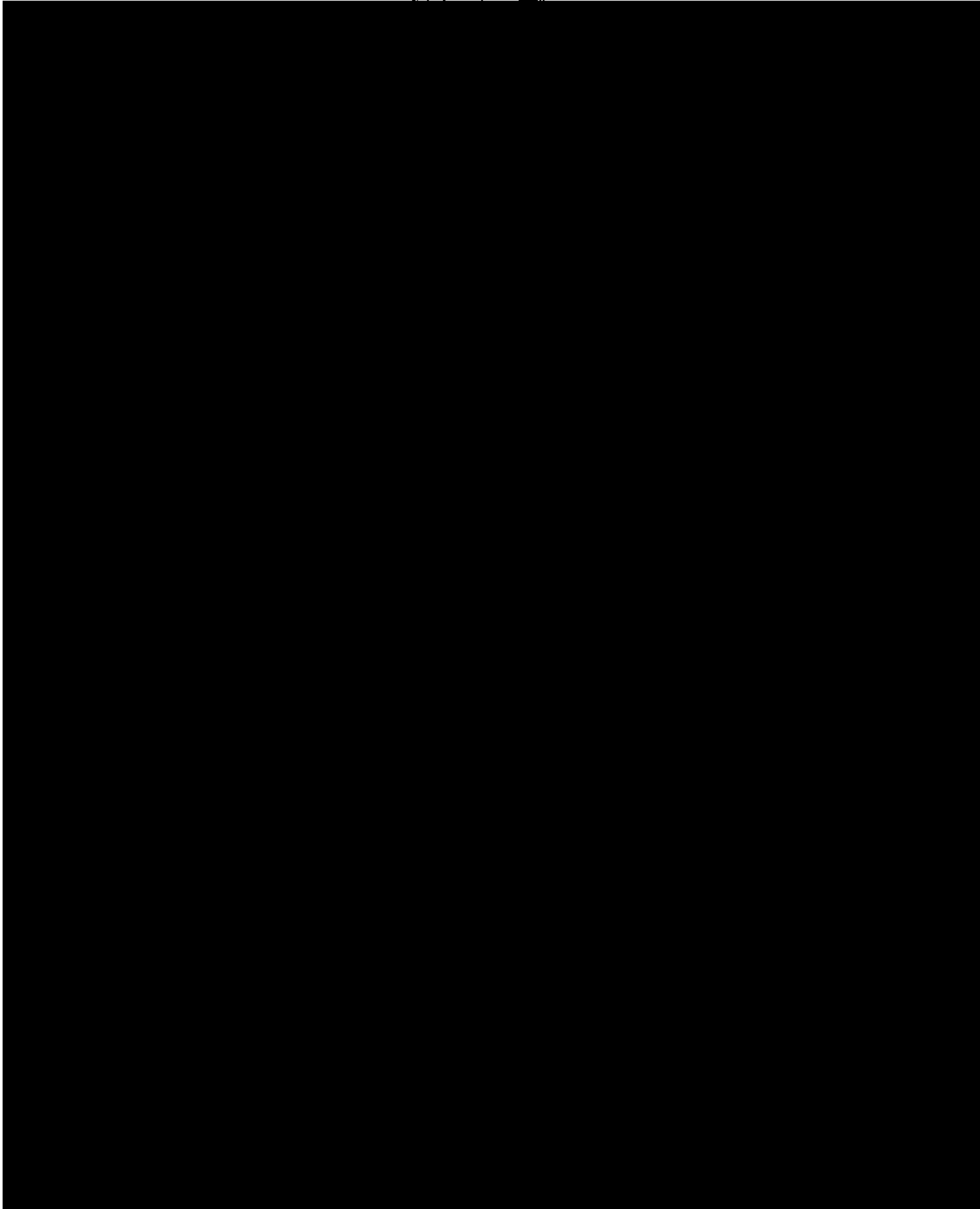
- 178. 35 -2-3
- 178. 35 -2-4
- 178. 35 -2-5
- 178. 35 -2-6.1
- 178. 35 -2-6.2
- 178. 35 -2-7
- 178. 35 -2-8
- 178. 43 -1-2
- 178. 43 -1-9
- 178. 43 -1-10
- 178. 43 -1-11
- 178. 43 -1-12
- 178. 43 -1-13
- 178. 43 -1-15
- 178. 43 -1-16
- 178. 43 -1-18
- 178. 43 -1-19
- 178. 44 -1-1
- 178. 44 -1-2
- 178. 44 -1-3
- 178. 44 -1-4
- 178. 44-1-5
- 178. 44-1-6
- 178. 44-1-7
- 178. 44-1-8
- 178. 44-1-10
- 178. 44-1-11
- 178. 44-1-12
- 178. 44-1-13

v1.c
DEV

D: 8.VILLAGE AT SARATOGA PLANNED UNIT

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

VANDERBILT AVENUE
SARATOGA SPRINGS



CITY OF SARATOGA SPRINGS ZONING ORDINANCE

Appendix "E"

AREA & BULK SCHEDULE
VILLAGE AT SARATOGA PUD

Use	Minimum Lot Size	Maximum Yard Dimensions			Minimum Yard Dimensions			Principal Buildings		Accessory Decks & Patios Minimum Distance			Accessory Building Minimum Distance to:			Minimum Percent of Lot to be Permeable		
		Area sq. feet	Mean Width (feet)	Front (feet)	Garage Front (feet)	Principal Building Front (feet)	Rear (feet)	One Side (feet)	Total Side (feet)	Minimum First Floor Area sq. feet	Maximum Height (feet)	Principal Building (feet)	Side Lot line or no cut buffer (feet)	Rear Lot line or no cut buffer (feet)	Principal Building (feet)		Side Lot line (feet)	Rear Lot line (feet)
Single Family Detached Dwellings 50 foot wide lots	5,000	50	25	20	20	5	5	5	10	40	—	5	5	5	5	5	5(B)	35%
								(at foundation)	(at foundation)									
								4	8									
								(et eaves)	(et eaves)									
Two Family Duplex Dwellings 50 foot wide lots	5,000	50	25	20	20	5	5	5	10	40	—	5	5	5	5	5	5(B)	35%
								(at foundation)	(at foundation)									
								4	8									
								(et eaves)	(et eaves)									
Single Family Detached Dwellings 40 foot wide lots	4,000	40	20	20	20	5	5	5	10	40	—	5	5	5	5	5	5(B)	35%
								(at foundation)	(at foundation)									
								4	8									
								(et eaves)	(et eaves)									

Notes:
(A) 20 feet for lots #21 thru #27 and #33 thru #39
40 feet for lots #81 thru #107
(B) No accessory buildings permitted on lots which back up on Crescent Street, Vanderbilt Avenue, Greenidge Cemetery and the State Park land.