

**PLANNED UNIT DEVELOPMENT  
AND CPD TEXT**

PROPOSED DISTRICT: PUD-8 and CPD  
PROPERTY ADDRESS: 5797 Shannon Road  
OWNER: Maronda Homes Inc. of Ohio  
APPLICANT: Maronda Homes Inc. of Ohio  
DATE OF TEXT: ~~May 26, 2006~~ **February 9, 2016**  
APPLICATION NUMBER: Z06-013A

**1. INTRODUCTION:** The subject property was rezoned in April 2002 pursuant to Ordinance No. 0535-02, wherein the Sub-Area 1 (90.1 +/- acres) of the property was rezoned to PUD 8 for single-family residential development; Sub-Area 2 (50.8 +/- acres) of the property was rezoned to PUD 8 for multi-family development; and Sub-Area 3 (1.5 +/- acres) of the property was rezoned to CPD. The applicant, Maronda Homes Inc. of Ohio, is seeking to modify two of the development standards set forth in the text for Sub-Area 1 and is seeking to relocate the planned community building and pool from Reserve A in Sub-Area 1 to Sub-Area 3.

Subject to the minor variations permitted elsewhere in this Text, development shall be substantially in accordance with the following plans, which are on file with the Building Services Division of the City of Columbus and are incorporated herein by reference, all of which are signed and dated 4/20/06 by Daniel H. Schoedinger (collectively, the "Site Plans"): "DEVELOPMENT PLAN" for Meadows at Shannon Lakes designated thereon as "SITE PLAN A" ("Site Plan A"); "CONCEPT PLAN" for Meadows at Shannon Lakes designated thereon as "SITE PLAN B" ("Site Plan B"); "SUB-AREA 2 CONCEPT PLAN" for Meadows at Shannon Lakes designated thereon as "SITE PLAN C" ("Site Plan C"); "REGIONAL CONCEPT DIAGRAM" for Meadows at Shannon Lakes designated thereon as "SITE PLAN D" ("Site Plan D"); and "AMENDED PUD PLAN" for Meadows at Shannon Lakes designated thereon as "SITE PLAN E" ("Site Plan E"). Drawings designated thereon as "Exhibit A," "Exhibit B" and "Exhibit C," all of which are signed and dated 3/27/06 by Daniel H. Schoedinger, and drawings designated thereon as "Exhibit D" and "Exhibit E," both of which are signed and dated 1/31/06 by Jill S. Tangeman, (collectively, the "Plans") are made a part of this Text to the extent provided for in this Text.

**Drawings designated thereon as "Amendment Location Exhibit," and "Exhibit G," both of which are signed and dated February 9, 2016 by Christopher Jones, Attorney for Maronda Homes Inc. of Ohio, are made a part of this Amended Text to the extent provided in Sections 3.D.2 and 3.D. 3. of Subarea 1 to allow revised elevations and a garage-forward design on Lot Numbers 115 through 172, 188 through 196, 218 through 303, and 306 through 363.**

**SUB-AREA 1 (PUD-8) - SINGLE FAMILY** (second stage of development)

**2. PERMITTED USES:**

A. Detached single family dwellings on platted lots.

B. Up to 8 detached single family dwellings that are located on the same unplatted parcel and do not front on a public street. Those dwellings are to be used as models, and may not be transferred separately, until the property on which each is located is platted as a separate lot having frontage on a public street.

C. A real estate sales office for the subject property, which may be on the same parcel as the dwellings described in Section 2B for Sub-Area 1 or on a separate parcel. Promptly after completion of the development and sales of the subject property, the developer will remove the sales office from the subject property.

D. Reserve A shall be improved with a pond, walking path and gazebo, as well as other recreational features including picnic tables, volleyball courts, horseshoe pits, and barbeque areas as set forth on Site Plan E.

E. A detention/retention pond or ponds on one or more of Reserve A, Reserve C and Reserve D.

**3. DEVELOPMENT STANDARDS:** Unless otherwise indicated, the applicable development standards are contained in Chapter 3332 of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments.

1. The maximum number of dwelling units in Sub-Area 1 will be 376.

2. The minimum total of both side yards is 10 feet. The minimum side yard on one side is 0 feet. Notwithstanding the foregoing provisions of this Section 3A2, the minimum separation between single family dwellings will comply with all applicable building codes, and easements for maintenance and repair work will be provided on adjacent property where a side yard is less than 4 feet.

3. The minimum building setback from public streets is 25 feet. The maximum building setback for the principal building is 25 feet (subject to minor variations of up to 2 additional feet of setback to allow a margin of error for field, surveying and construction conditions), except for Reserve A in which there is no maximum building setback. Unenclosed porches may extend no more than 6 feet into the minimum building setback to encourage streetscape diversity.

4. Lots of varying widths will be permitted, provided that no lot may have less than 40 feet of frontage on a public street.

5. Rear yards shall be a minimum of twenty-five (25) feet deep.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. All streets within Sub-Area 1 shall be public. With the exception of the entrance boulevard shown on Site Plan B (the easterly entrance from Shannon Road), the first east/west street south of Shannon Road extending east and west from said entrance boulevard and the streets adjacent to Reserve A, all public streets will have a 50 foot rights of way, curbs and gutters and a pavement width of 26 feet from face of curb to face of curb. The entrance boulevard will have an overall right of way width of approximately 80 feet, except that the median islands will be reserves owned and maintained by an owners' association. The design of the entrance boulevard, including the placement of medians, will be subject to the approval of the Division of Transportation as to proper alignment of the lanes with the appropriate lanes of the road intersecting Shannon Road from the north across from the entrance boulevard. The entrance boulevard will have curbs and a pavement width of approximately 14 feet from face of curb to face of curb on the southbound side of the median and approximately 24 feet from face of curb to face of curb on the northbound side of the median. Streets with head-in parking will have a right

of way width of approximately 65 feet, curbs and gutters and a pavement width (including parking surface) of approximately 44 feet from face of curb to face of curb. Adjustments to these widths will be permitted with the approval of the Division of Transportation.

2. Vehicular access from Sub-Area 1 to Shannon Road is limited to 2 points substantially as shown on Site Plan B, except that additional access will be permitted for construction access during the development and initial construction on the subject property.
3. The street system in Sub-Area 1 will provide for connection to adjacent properties generally at the locations shown on Site Plan B.
4. The street system in Sub-Area 1 will provide for connections to Sub-Area 2 generally as shown on Site Plan B.
5. Minimum driveway width is 8 ½ feet and maximum driveway width is 16 feet.
6. The street system in Sub-Area 1 will provide for access to Sub-Areas 2 and 3 by the streets shown on Site Plan B.
7. Parallel parking will be permitted on all streets, except as follows:
  - a. Parking will not be permitted on the entrance boulevard; and
  - b. Parking will be permitted on only one side of the north/south street which runs along the east side of Reserve A.
8. The curbs on the west side of each of the entrances to Sub-Area 1 from Shannon Road will have a radius of not less than 45 feet.
9. Unless otherwise approved by the Division of Transportation, it is understood that the north/south street along the east side of Reserve A will be posted for no parking on one side.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. The developer shall install an average of 1 street tree per 30 feet of street frontage along both sides of all public streets, except Shannon Road.
2. Open spaces/park areas will be provided substantially in the areas identified as Reserves A, C and D on Site Plan B. No part of Reserve A, C or D may be used for dwelling units.
3. There shall be at least a 40 foot landscaped buffer along the south side of Shannon Road, except where Reserve D is adjacent to Shannon Road. Within that landscape buffer: (a) a three rail fence shall be constructed; and (b) street trees 30 feet on center will be planted behind that fence.
4. The landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first.
5. Minimum size of all deciduous trees at installation shall be 2½ inch caliper for deciduous, 5 feet in height for evergreen, and 1½ inch caliper for ornamental. For this purpose, tree caliper will be measured 6" above ground level. All street trees will be species on the City Forester's list of approved street tree species.
6. The common boundary between platted lots and Reserve B will be delineated by fences.

7. Freeboard (storage capacity) of retention/detention ponds should be limited to 4 feet in the design of water features to ensure visibility from streets and public open spaces.

8. Reserve A will be privately owned unless all or part of it is conveyed to a public authority. Not less than 4 acres of Reserve A will be open space. All parts of Reserve A which are not covered by buildings, hard surfaces, landscaping materials or a pond will be mowed and maintained.

9. Reserves C and D will be maintained as open space (either public or private), except that a small part of the east end of Reserve C may be used to provide access from relocated Shannon Road to the property north of Reserve C. A retention or detention pond shall be located within Reserve C to serve all of the subject property by a storm sewer line under relocated Shannon Road.

10. Entrance features utilizing red brick will be installed at the entrances from Shannon Road.

11. A wood privacy fence 6 feet in height shall be installed along that part of the west property line of the subject property which is the west lot line of the four most northerly platted lots along the west property line of the subject property substantially in the area designated "Fence" on Site Plan B.

D. Building design and/or Interior-Exterior treatment commitments.

1. Building materials shall consist of brick, stone veneer, wood, glass and vinyl. Manufactured materials are permitted as long as they are natural in appearance.

2. Each garage shall be located either behind the house to which it is accessory or such that the front face of the garage is located at least 2 feet behind the front face of the house to which it is accessory. Each garage shall be a minimum of 27 feet from the street right of way line which it faces.

**For Lot Numbers 115 through 172, 188 through 196, 218 through 303, and 306 through 363, shown on the attached Amendment Location Exhibit, houses with garage-forward designs may project a maximum of ten (10) feet forward of the building façade. Each house with a garage-forward design shall have a minimum one hundred (100) square foot porch. No more than forty (40%) percent of the homes constructed shall have a garage-forward design. No houses with garage-forward designs shall be located either on a corner lot or next to another house with a garage-forward design. Building plans that show the front edge of the porch at the same plane or forward of the garage shall be exempt from these restrictions.**

3. Houses shall be of an architectural style consistent with the architectural style portrayed in the renderings signed and dated 3/27/06 by Daniel H. Schoedinger and marked as Exhibit A, Exhibit B and Exhibit C. **For Lot Numbers 115 through 172, 188 through 196, 218 through 303, and 306 through 363, shown on the attached Amendment Location Exhibit, houses shall be of an architectural style consistent with the architectural style portrayed in the renderings signed and dated February 9, 2016 by Christopher Jones, Attorney for Maronda Homes Inc. of Ohio and marked as Exhibit G.**

4. All exterior utility meters for each house shall be at the side or rear of that house.

E. Dumpsters, Lighting, Outdoor display areas and/or the environmental commitments.

1. Except along Shannon Road, the developer shall install decorative street lamps which will conform with the standards for street lights #1, 2, 3, 4 or 5 contained in the Columbus Street Lighting Standards Master Plan, Project 2020 Lighting Columbus.

2. The developer shall install a concrete sidewalk on both sides of each public street, except Shannon Road. The developer shall install a sidewalk or bike path along the south side of Shannon Road adjacent to Sub-Area 1 prior to the time that it receives building permits for more than 300 houses in Sub-Area 1.

3. Bicycle parking facilities will be provided at least at one location in Reserve A.

4. All utility lines shall be underground.

F. Graphics and Signage commitments.

1. The graphic requirements of the R-2 zoning district shall apply to Sub-Area 1. Any variance shall go to the Graphics Commission.

G. Miscellaneous.

1. The Site Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the Site Plans shall be reviewed and may be approved by the Director of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. Variations from the Plans are also permitted to change the building types in Sub-Area 1, provided that the replacement buildings conform to the requirements set forth in this Text.

2. The storm water detention/retention requirements for all and each part of Sub-Area 1 may be satisfied anywhere on Sub-Area 1 or Sub-Area 2, except that storm water detention/retention ponds in Reserve B may be located only in those areas generally designated on the Site Plans.

#### **SUB-AREA 2 (PUD-8) - MULTI-FAMILY (first stage of development)**

2. **PERMITTED USES:** Those uses permitted in the AR-12, Apartment Residential District and dwellings containing no fewer than two and no more than eight dwelling units. A separate lot or parcel is not required for any structure containing dwelling units, including any structure containing two dwelling units.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated, the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments.

1. The maximum number of dwelling units in Sub-Area 2 is 412.

2. The minimum building setback from the public street adjacent to the west side of Sub-Area 2 and the two east/west streets which extend through Sub-Area 2 to the property to the east of Sub-Area 2 is 12 feet.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. No curbs cut from Sub-Area 2 onto Shannon Road will be permitted, except construction access during the development and initial construction on the subject property.

2. The street system in Sub-Area 2 will provide for connections to Sub-Area 1 and to adjacent property generally as shown on the Site Plan C.

3. All streets within Sub-Area 2 will be private streets, except that the two east/west streets that extend through Sub-Area 2 to connect to the property to the east of Sub-Area 2 may, at the option of the owner and subject to acceptance by the City, be dedicated.

4. The two east-west streets through Sub-Area 2 which connect to the property to the east of Sub-Area 2 will be constructed to the same standards (base and pavement specifications, paved width, curbs and gutters, sidewalks, street trees and street lighting) as the typical streets in Sub-Area 1, except that a sidewalk will not be required on the south side of the southerly of those two streets and street trees will not be required where that street crosses the buffer along Coble-Bowman Ditch.

5. A system of interconnected concrete sidewalks four feet wide shall be installed in front of all buildings substantially as shown on the Site Plan C. Between those sidewalks and the adjacent private streets, street lights and a tree lawn shall be installed with street trees planted on 30 foot centers except where that spacing is interrupted by private streets, drives or lanes. Those street lights shall conform with the standards for street lights #1, 2, 3, 4 and 5 contained in the Columbus Street Lighting Standards Master Plan Project 2020 Lighting Columbus. Ornamental trees shall be planted at an average of one tree for every forty feet of frontage along some of the private streets, substantially as shown on the Site Plan C. All private streets will have curbs on both sides.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. There shall be a 40 foot landscaped buffer along the south side of relocated Shannon Road. Within this buffer: (a) a three rail fence shall be constructed; and (b) street trees 30 feet on center will be planted within the buffer behind that fence.

2. The landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first.

3. Each parking pod having 10 or more parking spaces (exclusive of parking spaces in garages) shall have one deciduous tree planted for every ten parking spaces in that pod. Parallel parking along the private streets will not be considered to be a parking lot or parking pod.

4. Freeboard (storage capacity) of retention/detention ponds should be limited to 4 feet in the design of water features to ensure visibility from streets and public open spaces.

5. Minimum size of deciduous trees at installation shall be 2½ inch caliper for deciduous, 5 feet in height for evergreen, and 1½ inch caliper for ornamental. For this purpose, tree caliper will be measured 6" above ground level.

6. Bicycle parking facilities will be provided at the "Park/Open Space" in Sub-Area 2.

7. Reserves B-1 and B-5 will be conveyed to the City as the parkland dedication requirement for Sub-Areas 1, 2 and 3 pursuant to Chapter 3318, Columbus City Codes, subject to easements for construction, maintenance, repair and replacement of utility lines; provided, however, that easements for utility lines in Reserves B-1 and B-5 will be limited to (i) easements parallel and adjacent to streets, (ii) easements for storm sewer lines to Coble-Bowman Ditch and to the detention/retention ponds in Reserves B-2, B-3 and B-4, and (iii) a 20' wide utility easement along the west side of Reserve B-1.

8. Reserve B-1 will be a no disturb zone, except for utilities permitted in Section 3C7 of Sub-Area 2. In Reserve B-5, minimal disturbance to accommodate construction will be permitted, and disturbed areas will be seeded with "Old Orchard."

D. Building design and/or Interior-Exerior treatment commitments.

1. Buildings over 100 feet in length shall have articulated facades (i.e. off-sets, bay windows, chimneys, covered porches, etc.).
2. Gas and electric meter panels and HVAC units shall be screened from public streets and public open spaces to the height of the panel or equipment. Such screening by plantings will be sufficient to grow to the required height within 3 years.
3. Building materials shall consist of brick, stone veneer, wood, glass and vinyl and finished to the same degree on all four sides. Manufactured materials are permitted as long as they are natural in appearance.
4. Each building in Sub-Area 2 shall have not less than 2 dwelling units and not more than 8 dwelling units.
5. The front doors of all buildings in Sub-Area 2 along Shannon Road and along the north-south public street in Sub-Area 1 will have front doors facing that street. Front doors of all other dwelling units in Sub-Area 2 shall face a private street, except that front doors of end units may be on the side of the building if they are near the front of the building.
6. Buildings in Sub-Area 2 shall be of an architectural style consistent with the architectural style portrayed in the rendering signed by Jill S. Tangeman, dated January 31, 2006 and marked as Exhibit D.
7. All garages shall be located at the rear of the buildings for which they provide parking, substantially as shown on Site Plan C. Garages may be removed from buildings in Sub-Area 2, provided that they are replaced with similarly located head-in parking. Garages may be added to buildings in Sub-Area 2, provided that they are located generally where the head-in parking for those buildings is located.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All outdoor lighting shall be cut-off fixtures (down lighting), except decorative and pedestrian lighting.
2. Parking lot lighting shall be no higher than 14 feet.
3. Dumpsters shall be screened on three sides by a solid fence, wall, building and/or evergreens to a minimum height of 6 feet with a gate on the fourth side, unless the dumpster is screened on all four sides by building(s). If evergreens are used, they shall have a minimum opacity of 85%.
4. The developer shall install a sidewalk or a bike path along the south side of Shannon Road adjacent to Sub-Area 2 prior to the time that it receives building permits for more than 300 dwelling units in Sub-Area 2.

5. All utility lines shall be underground.

F. Graphics and Signage commitments.

1. The graphic requirements of the AR-12 zoning classification shall apply to Sub-Area 2. Any variance shall go to the Graphics Commission.

G. Miscellaneous commitments.

1. The Site Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the Site Plans shall be reviewed and may be approved by the Director of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. Variations from the Plans are also permitted to change the building types in Sub-Area 2, provided that the replacement buildings conform to the requirements set forth in this Text.
2. The storm water detention/retention requirements for all and each part of Sub-Area 2 may be satisfied anywhere on Sub-Area 1 or Sub-Area 2, except that storm water detention/retention ponds in Reserve B may be located only in those areas generally designated on the Site Plans.
3. Subject to approval by the Division of Sewerage and Drainage, the developer will install a wetland shelf in each detention/retention pond in Reserve B in the area around the outlet drain from that pond.

### **SUB-AREA 3 - CPD**

**2. PERMITTED USES:** Those uses permitted in Chapter 3355 of the Columbus City Code, except the following uses:

automotive sales, service and repair

production of adult materials or adult entertainment

billboards

book bindery

bus or truck terminal

dance hall

ice house

plumbing shop

poultry killing (killing or dressing for sale at retail on the premises)

skating rink

stable

tinsmith

**3. DEVELOPMENT STANDARDS:** Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in the Columbus City Code as applicable to the C-4, Commercial District.

A. Density, Height, Lot and/or Setback commitments.

1. Sub-Area 3 shall be classified in the 35 foot height district (H-35).
2. The building setbacks shall be as shown on Site Plan E.
3. The parking setbacks shall be as shown on Site Plan E.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. All parking shall be in front of the building along Coble Bowman Way as shown on Site Plan E.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Headlight screening (which may be mounding, fencing, walls, evergreens or any combination of the foregoing) shall be installed between the parking lot and Coble Bowmay Way and on the north and south sides of the parking lot to a minimum height of 36 inches. If evergreens are used, they shall (a) be selected for year-round dense foliage adequate to screen headlight glare, (b) have a minimum opacity of 85%, (c) be selected to achieve the required height and density within 3 years of planting and (d) be matured to a minimum height of 24 inches at time of planting.
2. The landscaping shall be maintained in a healthy state. Any dead material shall be removed and replaced with like materials within six months or the next available planting season, whichever occurs first.
3. Minimum size of deciduous trees at installation shall be 2½ inch caliper for deciduous, 5 feet in height for evergreen, and 1½ inch caliper for ornamental. For this purpose, tree caliper will be measured 6" above grade level. All street trees will be species on the City Forester's list of approved street tree species.

D. Building design and/or Interior-Exterior treatment commitments.

1. The building design shall be as set forth on the architectural elevations entitled "Recreational Center" signed and dated 1/31/06 by Jill S. Tangeman and marked as Exhibit E. Construction of said building shall be commenced on or before the sixtieth (60<sup>th</sup>) day after the date on which the ordinance enacting this Text becomes effective.
2. All roof mounted mechanical equipment shall be screened from view to the height of the equipment. The design and materials of mechanical enclosures shall be architecturally integrated with the roof top and the balance of the entire building.
3. All ground mounted mechanical equipment shall be screened from view to the height of the equipment.
4. Building materials shall consist of a mixture of brick, stone, stucco, stone veneer, wood and glass and vinyl siding. Vinyl or other manufactured materials will be natural in appearance.
5. Sloped or pitched roofs are required.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external outdoor lighting shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines.
2. Except for decorative and pedestrian lighting, all other light poles shall be metal and such light poles shall be of the same color. Light poles in the parking lots shall not exceed 14 feet in height.
3. Wiring within the subject site shall be underground, unless a utility company providing service through or over the property prohibits underground installation.

4. Dumpsters shall be screened on three sides with a fence, wall or evergreens to a height of six feet with a gate on the fourth side. If evergreens are used, they shall have a minimum opacity of 85%.

5. All utility lines shall be underground.

F. Graphics and Signage commitments.

1. All signage shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to the C-4 Commercial Districts. Any variances to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous Commitments.

1. CPD Criteria:

#### NATURAL ENVIRONMENT

The site is undeveloped and drains to the south.

#### EXISTING LAND USES

To the south and west, proposed single family; to the east, proposed multi-family; and to the north, undeveloped property zoned CPD.

#### TRANSPORTATION AND CIRCULATION

The site will have access to Shannon Road only by adjacent streets in Sub-Area 1. Street connections will be provided from the subject property to adjacent properties as described in this Text.

#### VISUAL FORM OF THE ENVIRONMENT

Development standards are contained within this Text.

#### VIEW AND VISIBILITY

In the development of the subject property and in the location of the buildings and access points, consideration has been given to the visibility and safety of the motorists and pedestrians.

#### PROPOSED DEVELOPMENT

Uses permitted in the C-4 district (except the uses excluded in Section 2 for Sub-Area 3), which will serve the proposed mixed use development which will surround this site and other development in the area.

#### EMISSIONS

No adverse affect from the emissions will result from the proposed development.

#### BEHAVIOR PATTERNS

The proposed uses would serve the proposed mixed use developments which will surround the site.

2. The storm water detention/retention requirements for Sub-Area 3 may be satisfied anywhere on Sub-Area 1, Sub-Area 2 or Sub-Area 3, except that storm water detention/retention ponds may not be located in Reserves B-1 or B-5.

3. The Site Plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustment to the

Site Plans shall be reviewed and may be approved by the Director of Development or his designee upon submission of the appropriate data regarding the proposed adjustment. Variations from the Plans are also permitted to change the building types in Sub-Area 3, provided that the replacement buildings conform to the requirements set forth in this Text.

H. Variances. The foregoing development standards for Sub-Area 3 effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any of the variances effected by the foregoing development standards shall not invalidate those standards:

1. Variance from Section 3342.18 to reduce the parking setback along Coble Bowman Way from 10' to 0'.
2. Variance from Section 3342.17 to reduce the height of parking screening from 5' to 3'.
3. Variance from Section 3342.09 to reduce the opacity of dumpster screening from 100% to 85%.

**TRAFFIC IMPROVEMENTS WHICH APPLY TO ALL OF THE SUB-AREAS:**

I. The developer of the subject property will dedicate the right of way (60 feet wide) for the relocation of Shannon Road, substantially as that relocation is shown on the Site Plans, provided that such developer will not be required to dedicate any part of that right of way that is not part of the subject property.

II. The developer of the subject property will dedicate right of way for Shannon Road 30 feet south from centerline from the east end of the said relocation of Shannon Road to the east side of the subject property.

III. The developer of the subject property will pay, or cause to be paid, one-half of the costs of the design and construction of the said relocation of Shannon Road.

IV. The developer of the subject property will construct, or cause to be constructed, a westbound left turn lane in Shannon Road at the easterly entrance to the subject property. It is the intent of this requirement that developer will be responsible for only the additional construction necessary to complete that left turn lane after the construction of the eastbound left turn lane at that intersection and its related taper east of that intersection.

V. The requirements of items I - IV above must be satisfied concurrently with the initial development on the subject property or at such later time as the Division of Traffic Engineering and Parking may approve to coordinate such obligations with the obligations of others to make improvements to Shannon Road.

Notwithstanding the foregoing, to the extent that the provisions of items I-IV above have been satisfied prior to the effective date of the ordinance enacting this Text, further satisfaction of those satisfied provisions shall not be required.

**SECTION 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.