

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following amendment to File No. 2022-713:

- (1) On **page 1, line 19**, after "PUD;" insert "PUD SUBJECT TO CONDITIONS;"
- (2) On **page 2, line 30**, strike "Exhibit 3 - Written Description dated September 19, 2022." and insert "Revised Exhibit 3 - Revised Written Description dated November 10, 2022.";
- (3) On **page 2, line 31**, strike "Exhibit 4 - Site Plan dated June 15, 2022." and insert "Revised Exhibit 4 - Revised Site Plan dated November 10, 2022.";
- (4) On **page 3, line 1**, insert a new Section 2 to read as follows:

**"Section 2. Rezoning Approved Subject to Conditions.**  
This rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning:

- (1) A traffic study shall be provided at Civil Site Plan Review unless the Chief of the Traffic Engineering Division determines one will not be required. Prior to the commencement of the traffic study, if required, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering

Division, the Chief of the Transportation Division and the traffic reviewer from Development Services.

(2) The location of the access to Merrill Road shall not be relocated from the current site access to Lakeview Fellowship Church, unless otherwise approved by the Planning and Development Department. The access to the RaceTrac shall also remain unchanged and there shall be no other access points to Merrill Road from the site unless otherwise approved by the Planning and Development Department.

(3) Provisions for access to Merrill Road to the properties to the south shall be provided, including transportation and utility access.

(4) Borrow pits and commercial neighborhood retail sales and services or professional office structurally integrated with a multi-family use are prohibited.

(5) The Subject Property shall be developed in accordance with Future Land Use Element Policy 3.1.28 of the *2030 Comprehensive Plan*.”;

- (5) Renumber the remaining Sections accordingly;
- (6) Remove **Exhibit 3** and replace with **Revised Exhibit 3**;
- (7) Remove **Exhibit 4** and replace with **Revised Exhibit 4**;
- (8) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

          /s/ Mary E. Staffopoulos          

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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