

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2023-327:

- (1) On **page 1, line 14**, after "PUD;" insert "PUD SUBJECT TO CONDITIONS;"
- (2) On **page 2, line 24^½**, 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) The minimum 5,000 square feet of non-residential floor area shall be located on the ground floor and shall not include areas devoted to parking or open space.

(2) There shall be no outside amplified music after 10:00 p.m., Sunday through Thursday, and after midnight, Friday and Saturday. If amplified music is to be played indoors, it must be soundproofed from the units above.

(3) Any needed operational improvements (such as restriping or timing of lights) will be the responsibility of the developer. In no event shall developer be required to make improvements to add traffic capacity. This condition is subject to review and approval by the Planning Department.

(4) The permitted uses and limitations on the location of specific uses detailed in Section IV.A. of the March 3, 2023 Written Description (the "Written Description") may only be modified through a rezoning.

(5) The building setbacks detailed in Section V.A.5. and pedestrian access elements detailed in Section V.B.3. of the Written Description may only be modified through a rezoning.

(6) The provisions regarding maximum signage reflected in Section V.C. of the Written Description may only be modified through a rezoning; however, a 5% variation in the size of tenant/commercial establishment signs may be permitted through a minor modification to this PUD.

(7) The project shall provide for a minimum of 30,000 square feet of active recreation space on site and may address any shortfall as detailed in Section V.E. of the Written Description.

(8) The transparency requirements contained in Section V.F. of the Written Description are hereby incorporated as conditions of this rezoning.

(9) The minimum parking standards established in Section V.B.1. of the Written Description are hereby incorporated as conditions of this rezoning.

(10) One tree shall be planted for every 40 linear feet of frontage and may be clustered.";

(3) Renumber the remaining Sections accordingly;

- (4) 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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