

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2023-534:

- (1) On **page 1, line 5**, after "ORDINANCE" insert "DENYING";
- (2) On **page 1, lines 18-21**, strike "PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;" and insert "PROVIDING FOR NOTICE;"
- (3) On **page 1, lines 24-28**, strike the Whereas clause in its entirety;
- (4) On **page 1, line 30**, strike "adopted" and insert "proposed";
- (5) On **page 2, line 17**, strike "is consistent" and insert "is not consistent";
- (6) On **page 2, line 19**, strike "and" and insert "now, therefore";
- (7) On **page 2, lines 20-28**, strike the Whereas clause in its entirety;
- (8) On **page 3, lines 10-21**, strike Section 3 in its entirety and insert a new Section 3 to read as follows:

"Section 3. Rezoning Denied. Based on the competent, substantial evidence in the record, including the findings and conclusions of the Land Use and Zoning Committee, the Council hereby finds:

- (1) This Ordinance shall serve as written notice to the property owner, Park & Go Truck Storage, LLC.

(2) The Council adopts the findings and conclusions in the record of the Land Use and Zoning Committee meeting held on October 17, 2023.

(3) The application for rezoning and reclassification of the Subject Property from Planned Unit Development (PUD) District (2005-120-E) to Planned Unit Development (PUD) District does not meet the criteria for rezoning in Section 656.125, *Ordinance Code*, and Section 656.341, *Ordinance Code*, and maintaining the current zoning district accomplishes a legitimate public purpose as defined in Section 656.125, *Ordinance Code*.

Therefore, the application to rezone and reclassify the Subject Property from Planned Unit Development (PUD) District (2005-120-E) to Planned Unit Development (PUD) District is hereby denied.”;

(9) On **page 3, lines 22-29, strike** Section 4 in its entirety and insert a new Section 4 to read as follows:

“Section 4. Notice. Legislative Services is hereby directed to mail a certified copy of this Ordinance, as enacted, to the owner of the Subject Property, the applicant, and any other persons who testified before the City Council and/or the Land Use and Zoning Committee.”;

(10) On **page 3, lines 30-31 and page 4, lines 1-10, strike** Section 5 in its entirety;

(11) Renumber the remaining Section accordingly;

(12) 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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