

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2019-875:

- (1) On **page 1, line 20, after** "L-5403-19C;" **insert** "PUD SUBJECT TO CONDITION;"; and
- (2) On **page 3, line 26, strike** "Exhibit 3 - Written Description dated November 26, 2019." and **insert** "**Revised Exhibit 3** - Revised Written Description dated January 31, 2020."; and
- (3) On **page 3, line 27^{1/2}, insert** a new Section 4 to read as follows:

"Section 4. Rezoning Approved Subject to Condition.
This rezoning is approved subject to the following condition. Such condition controls over the Written Description and the Site Plan and may only be amended through a rezoning.

(1) A PUD rezoning, including City Council review, shall be required for the following:

(a) Any increase over 6 units for Parcel B (2762 Vernon Terrace) and, cumulatively, any increase over 9 units on the combined Parcels C (1861 Cherry Street) and D (1845 Cherry Street); and

(b) For (i) any proposed increase in maximum lot coverage (50%) on any parcel, (ii) any proposed increase in maximum height (35 ft.), or (iii) any proposed reduction in the existing number of parking spaces (unless the number of units for the applicable Parcel(s)

is reduced pro rata); and

(c) On or adjacent to Parcels C and D, any new vehicular or pedestrian connection of an existing access easement or right-of-way access from Cherry Street to Parcel A (Riviera Parkway Apartments); provided, however, that the existing pedestrian connection between Parcels C and D from Cherry Street to Parcel A is permitted.”; and

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

Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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