

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2019-371:

(1) On **page 1, line 24, after** "PUD;" **insert** "PUD SUBJECT TO CONDITIONS;"; and

(2) On **page 3, line 12^½, 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 shall control over the Written Description and Site Plan and may only be amended through a rezoning.

(1) There shall be only one full access to Chaffee Road at the residential area and one right in/right out access in the commercial area. Exhibit 4 shows left turn lanes into nonexistent accesses. There shall be a left turn lane at the access into the residential area.

(2) A traffic study shall be provided to determine the deceleration length and queue length on Chaffee Road for both the signal and left turn lane into the residential area. The traffic study will also determine any changes needed to the existing signal. The traffic study shall be submitted at the time of verification of substantial compliance.

(3) A concrete traffic separator on Chaffee Road is required to prevent left in and left out vehicles at the commercial access. The "Pork Chop" islands are ineffective at preventing these left turn movements and are prohibited.

(4) A six (6) foot high, 85% opaque vinyl fence, or wall of stucco, masonry or similar material, shall be installed and maintained along the southern property line of the commercial area.

(5) A ten (10) foot wide landscape buffer shall be installed and maintained on three sides of the existing cell tower. The

landscape buffer shall contain a row of evergreen shade trees a minimum of 15 feet tall (at the time of planting) with a four-inch caliper, spaced a maximum of 15 feet apart; and a row of evergreen shrubs such as viburnum, ligustrum, holly or juniper, a minimum of four (4) feet tall (at the time of planting) and potted in seven-gallon containers, planted four (4) feet on center, in order to maintain 80% opacity within one year of planting.

(6) The landscaping buffer shall be properly maintained through an irrigation system.

(7) Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.”; and

(3) Renumber the remaining Sections.

(4) 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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