

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following first amendment to File No. 2019-499:

- (1) On **page 1, line 15, after** "PUD;" **insert** "PUD SUBJECT TO CONDITIONS;"; and
- (2) On **page 2, line 25, strike** "Exhibit 3 - Written Description dated June 17, 2019." and **insert** "Revised Exhibit 3 - Revised Written Description dated July 16, 2019."; and
- (3) On **page 2, line 26, strike** "Exhibit 4 - Site Plan dated May 8, 2019." and **insert** "Revised Exhibit 4 - Revised Site Plan dated July 16, 2019."; and
- (4) On **page 2, line 26½, 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 existing sidewalk on Rampart Road shall be extended northward to the Subject Property line.

(2) In accordance with Section 656.153 of the Zoning Code (Ordinance 2005-1355-E), the applicant shall apply for, and obtain, a valid Certificate of Use from the Planning and Development Department.

(3) All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (0.5) foot candles (f.c.) when the building or parking areas are located adjacent to residential areas, and shall not exceed (1.0) f.c. when abutting other non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be metal halide or compact fluorescent. The maximum light pole height in all parking areas shall not

exceed thirty feet (30' - 0"). An exterior lighting design plan for each project, including a photometrics plan, and pole and fixtures schedules, shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.

(4) There shall be no audio speakers or external P.A. system.

(5) The area of the Subject Property that is otherwise encumbered by a twenty foot natural undisturbed buffer per Section III.D.1. of the Revised Written Description dated July 16, 2019, along Rampart Road, shall be screened with a six (6) foot high, 85% opaque vinyl fence.

(6) 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

- (5) Remove **Exhibit 3** and attach **Revised Exhibit 3**.
- (6) Remove **Exhibit 4** and attach **Revised Exhibit 4**.
- (7) Renumber the remaining Sections.
- (8) 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