

Exhibit W

MEMORANDUM FOR PUBLIC HEARING

DATE: November 17, 2022

SUBJECT: Bull Run Terrace Reconsideration condition modifications

TO: Mayor Pulliam and City Councilors

FROM: Kelly O'Neill Jr.

After publication of the staff report on November 14, 2022, and additional discussions with City Attorney Soper, we have proposed modifications to three findings and two conditions as detailed in track changes below and reflected in both the conditions and findings as revised in the revised staff report and Attachment C for Ordinance No. 2022-27. Bold blue underline signifies additions and ~~red strikethrough~~ signifies deletions.

Finding 27. Goal 12.

Finding 92.

Condition B.

The applicant shall dedicate the proposed 1.755 acres of parkland to the City through a dedication deed process, separate from the subdivision plat process. Prior to dedication, the applicant shall provide a Phase I Environmental Assessment for Tract A. This dedication shall occur within 180 days after approval of Ordinance No. 2022-27.

Finding 56.

Condition G. 7.

The subject property shall be subject to a trip cap of 340 PM net new peak hour trips. Each application for development of a lot within the subject property shall include a report from a licensed traffic engineer stating the number of net new PM peak hour trips expected to be generated by the proposed development, and this number of trips will be deducted from the total trip cap of 340 net new PM peak hour trips upon approval of the application. No development application will be approved that would cause the total net new PM peak hour trips to exceed said cap unless the applicant agrees to pay additional proportionate share fees for the intersection of Highway 211 and Dubarko Road, in an amount determined by the City based on the number of trips in excess of the cap. ~~The applicant shall conduct a trip generation survey for the proposed development between six and twelve months after full buildout of the development and submit the findings to the City to confirm the trip cap has not been exceeded. If the development exceeds the trip cap, the City will reassess the need for additional transportation mitigations, proportionate share fees, and Transportation System Development Charges for the application.~~