

GAFFNEY, JR. FLOOR AMENDMENT

Council Member Gaffney, Jr. offers the following Floor Amendment to File No. 2023-856:

- (1) On **page 1, line 16**, after "PUD;" **insert** "PUD SUBJECT TO CONDITIONS;";
- (2) On **page 2, line 27½**, **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) All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles. All lighting lamp sources within the parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, 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.

(2) For a Chick-fil-A restaurant, walk-up windows for purposes of serving pedestrian traffic are prohibited.

(3) Trees within the ten-foot westerly landscaped buffer shall be preserved or planted such that trees are located on seven (7) foot centers, having a caliper of at least 3.5 inches at the time of planting.

(4) No monument signs shall be placed along the western property line of the Subject Property adjacent to the North Creek entrance. For a fast-food restaurant, the monument sign placed along Duval Station Road shall not exceed eight (8) feet in height and shall be located at least one hundred (100) feet from the northeasterly corner of the intersection of Bradley Cove Road and Duval Station Road.

(5) A new traffic light shall be installed and operational at the intersection of Bradley Cove Road and Duval Station Road prior to a Chick-fil-A restaurant opening for business on the Subject Property.”;

- (3) Renumber the remaining Sections accordingly;
- (4) 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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