

**LAND USE AND ZONING COMMITTEE AMENDMENT**

The Land Use and Zoning Committee offers the following amendment to File No. 2023-658:

- (1) On **page 1, line 21**, after "2022-747-E;" **insert** "PUD SUBJECT TO CONDITIONS;"
- (2) On **page 3, line 19**, **strike** "Exhibit 3 - Written Description dated June 28, 2023" and **insert** "Revised Exhibit 3 - Revised Written Description dated November 6, 2023";
- (3) On **page 3, line 20**, **strike** "Exhibit 4 - Site Plan dated January 6, 2023" and **insert** "Revised Exhibit 4 - Revised Site Plan dated November 7, 2023";
- (4) On **page 3, line 20½**, **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) Prior to approval of the first civil engineering (10 set) construction plans, the applicant will submit to the Florida Department of Transportation (FDOT) the Intersection Control Evaluation (ICE) analysis for the Lem Turner Road/Braddock Road

intersection to determine the final approved buildout and phased construction plan. The ICE analysis will also determine the subsequent proposed connections to Lem Turner Road to determine type of connection and spacing requirements.

(2) A signal warrant analysis shall be provided prior to approval of 10-set civil plans for the 301<sup>st</sup> dwelling unit and for every 100 subsequent dwelling units, based on dwelling units proposed during the PUD verification of substantial compliance process. The warrant analysis is to be submitted to the FDOT to determine if a signal is needed at the Lem Turner Road/Braddock Road intersection. If the signal is warranted, then the Developer will have one year to construct the signal from the date of warrant analysis approval. If the design, permitting, and construction period exceeds 12 months, the Developer shall post a bond to the City for full cost of the improvement. No building permit shall be approved if, after one year, the signal is incomplete, or a bond is not posted.

(3) A strip of land along Lem Turner Road abutting the project property will be reserved to accommodate the future widening. The project will reserve a strip of land for future right-of-way at a location acceptable to the FDOT and the Developer. This strip, when combined with the existing right-of-way, will create a right-of-

way approximately 200 feet wide. The Developer will be allowed to clear, fill, grade, landscape, place signage, access driveways and utilities, etc., within the reserved land but will be prohibited from constructing parking, buildings and required stormwater ponds within the reserved land. The right-of-way will be purchased by the FDOT in the future, at the time of right-of-way acquisition for the widening project.

(4) No multi-family uses shall be allowed in the area of the Site Plan located south of Braddock Road and West of Lem Turner Road. Any new non-residential uses in this area shall also provide an appropriate buffer and visual screen between any existing residential uses, including either a minimum 50-foot buffer and wall or a minimum 100-foot buffer and landscaping to achieve the visual screen.

(5) Any uses, other than those uses allowed in the Agriculture (AGR) Land Use Category and Zoning Category in the future, may only be permitted through a PUD Rezoning, which shall be consistent with the policies set forth in the Future Land Use Elements description of the Multi-Use (MU) Land Use Category.”;

- (5) Renumber the remaining Sections accordingly;
- (6) Remove **Exhibit 3** and replace with **Revised Exhibit 3**;
- (7) Remove **Exhibit 4** and replace with **Revised Exhibit 4**;

- (8) 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

GC-#1598679-v1-2023-658\_LUZ\_Amd.docx