

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2024-231:

- (1) On **page 1, line 5**, after "ORDINANCE" insert "DENYING";
- (2) On **page 1, lines 17-20**, strike "PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;" and insert "PROVIDING FOR NOTICE;"
- (3) On **page 2, line 7**, strike "consistent" and insert "not consistent";
- (4) On **page 2, line 7**, strike "further" and insert "does not further";
- (5) On **page 2, line 9**, strike "not in conflict with any portion of" and insert "in conflict with";
- (6) On **page 2, line 10**, strike "and" and insert "now therefore";
- (7) On **page 2, lines 11-18**, strike all lines in their entirety;
- (8) On **page 2, lines 20-30**, strike Section 1 in its entirety and insert a new Section 1 to read as follows:

"Section 1. Rezoning Denied. Based on the competent substantial evidence in the record, including the Staff Report of the Planning and Development Department and the findings of the Land Use and Zoning Committee, the Council hereby finds:

(1) This Ordinance shall serve as written notice to the property owner, Beemer & Associates XIII, L.C.

(2) The Council adopts the findings and conclusions in the Staff Report of the Planning and Development

Department dated April 18, 2024, and located in the file in the City Council Legislative Services Division and the Planning and Development Department.

(3) The application for rezoning and reclassification of the Subject Property from Commercial Community/General-1 (CCG-1) District to Planned Unit Development (PUD) District does not meet the criteria for rezoning in Section 656.125, *Ordinance Code*, and maintaining the current zoning district accomplishes a legitimate public purpose, as defined in Section 656.125, *Ordinance Code*.

Therefore, the application to rezone and reclassify the Subject Property from Commercial Community/General-1 (CCG-1) District to Planned Unit Development (PUD) District is hereby denied.”;

- (9) On **page 3, lines 5-16, strike** Section 3 in its entirety and **insert** a new Section 3 to read as follows:

“Section 3. Notice. Legislative Services is hereby directed to mail a certified copy of this Ordinance, as enacted, to the owner of the Subject Property, the applicant, and any other person who testified before the City Council and/or the Land Use and Zoning Committee relative to this matter.”;

- (10) 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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