

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following amendment to File No. 2023-365:

- (1) On **page 1, line 16**, after "PUD" **insert** "PUD SUBJECT TO CONDITIONS;"
- (2) On **page 2, line 26**, **strike** "Exhibit 3 - Written Description dated May 1, 2023" and **insert** "Revised Exhibit 3 - Revised Written Description dated August 31, 2023";
- (3) On **page 2, line 27**, **strike** "Exhibit 4 - Site Plan dated April 19, 2023" and **insert** "Revised Exhibit 4 - Revised Site Plan dated August 25, 2023";
- (4) 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) The restaurant is limited to a maximum of 150 seats total, inclusive of interior and exterior.

(2) The patio shall be limited to a maximum of 24 seats.

(3) Hours of operation for the restaurant shall be limited to 6:30 a.m. to 12:00 a.m., Thursday through Saturday, and 6:30 a.m. to 11:00 p.m., Sunday through Wednesday.

(4) All live entertainment shall cease at 10:30 p.m. on Sundays through Wednesdays and at 11:30 p.m. on Thursdays through Saturdays.

(5) All commercial deliveries and dumpster pick-ups shall be between the hours of 8:00 a.m. and 8:00 p.m.

(6) Landscaping shall be developed in accordance with the Janet O. Whitmill Landscape Plan, attached hereto as **Exhibit 5**, dated May 4, 2016.

(7) The owner/developer shall ensure drivers exiting the driveway can see vehicles on Oak Street in both directions. The on-street parking and landscaping may be a sight obstruction, particularly the proposed spaces. Therefore, the developer shall show lines of clear sight for drivers exiting the driveway as described in Section 804.617, *Ordinance Code*. There shall be no sight obstructions as defined in FDOT Design Manual, Section 212.11, Clear Sight Triangles.”;

- (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) Attach new **Exhibit 5**;
- (9) 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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