

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2021-233:

- (1) On **page 1, line 15, after "PUD;" insert "PUD SUBJECT TO CONDITIONS;"**; and
- (2) On **page 2, line 24, strike "Exhibit 4 - Site Plan dated April 26, 2021." and insert "Revised Exhibit 4 - Revised Site Plan dated July 30, 2021."**; and
- (3) On **page 2, line 24^½, 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 maximum number of residential units permitted on the Subject Property shall be 132.

(2) The covenants and restrictions for the homeowner's association (HOA) shall provide that the HOA will maintain (funded through HOA dues/assessments) all common areas within the Subject Property, as well as the lawns and landscaping on each lot, excepting enclosed fenced areas in the rear of any lot, and all exterior fencing on the Subject Property.

(3) The buffer area between the two access points to the proposed development on the Subject Property, as shown on the Site Plan attached hereto as **Revised Exhibit 4**, shall

remain a "Natural Buffer" area, as defined in Section 656.1222, *Ordinance Code*, with a minimum depth of fifty (50) feet; provided, however, walking trails and similar low impact amenities may be provided within this area. The foregoing buffer shall be maintained by the HOA (funded through HOA dues/assessments), and the covenants and restrictions for the HOA shall reflect the same."

- (4) Renumber the remaining Sections.
- (5) Remove **Exhibit 4** and attach **Revised Exhibit 4**.
- (6) 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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