FLOOR AMENDMENT

Council Member Schellenberg offers the following floor amendment to File No. 2018-154:

1. On **page 1, line 16,** **after** “PUD;” **insert** “PUD SUBJECT TO CONDITIONS;”; and
2. On **page 2, line 27**, **strike** “**Exhibit 3** – Written Description dated March 6, 2018.” **insert** “**Second** **Revised Exhibit 3** – Revised Written Description dated May 8, 2018.”; and
3. On **page 2, line 28**, **strike** “**Exhibit 4** – Site Plan dated February 7, 2018.” **insert** “**Revised Exhibit 4** – Revised Site Plan dated May 2, 2018.”; and
4. On **page 2, line 28½**, **insert** a new Section 2 to read as follows:

“**Section 2.** **Rezoning Approved Subject to Condition(s).** This rezoning is approved subject to the following condition(s). Such conditions control over the written description and may only be amended through a rezoning.

1. The retention pond location shall be on Cole Road in the southwestern corner of the property.
2. A 20’ minimum natural buffer shall be provided and maintained along the western boundary of the townhouse development. At least 70% of the existing hardwood trees over 12” d.b.h. shall be preserved.
	1. If a tree dies that was to be preserved, then it shall be mitigated inch for inch within that buffer.
	2. For the trees that are removed, the trees shall be mitigated inch for inch with 4” live oaks and pines in the ratio in which they were removed, at a minimum 6’ height and the buffer shall achieve an 85% opacity within 2 years.
	3. An 8’ tall tan solid vinyl fence shall be provided on the townhouse development side of this buffer.
3. The location of the amenity center shall be on Cole Road, between the two entrances, and will have no direct access to Cole Road.
4. A 20’ minimum undisturbed buffer shall be provided along Cole Road, except as to the entrances as shown on the Revised Site Plan. An 8’ tall tan solid vinyl fence shall be provided on the townhouse development side of this buffer prior to site work on the townhouse development.
5. The HOA shall own and maintain the common areas, including buffers. The buffers shall be separately platted. The requirement to provide and maintain the buffers shall be included in the covenant and restrictions for the HOA, and a document so stating shall be a specific requirement for verification of substantial compliance.
6. The entrances to the townhouse development shall be gated; and shall meet all of the following criteria:
	1. Automated with a code access, key card scan or similar automated method tied to a specific unit for entry.
	2. Maintained in working operation at all times.
	3. Provide for proper stacking of cars upon exiting from Cole Road as approved by the City Traffic Engineer.
	4. The gate shall be a decorative security swing gate not a rocker arm type gate.
7. A Traffic Study, conducted by a professional traffic engineer per methodology approved by the Transportation Planning Division, shall be provided to evaluate and determine whether signalization at the intersection of Cole Road and Duval Road and turn lanes at the entrances to the townhouse development on Cole Road are warranted, taking into consideration the requirement for gates at the entries into the townhouse development.
8. The maximum number of dwelling units is 244 townhomes plus 2 single family homes.
9. Townhouses shall be a minimum of 1,400 square feet heated and cooled space, not including one car garages.
10. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied or (b) a detailed agreement for the completion of all conditions to the development order.”; and
11. Strike **Exhibit 3** and attach **Second Revised Exhibit 3**.
12. Strike **Exhibit 4** and attach **Revised Exhibit 4**.
13. Renumber the remaining Section(s).
14. On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Susan C. Grandin\_\_\_\_\_

Office of General Counsel

Legislation Prepared By: Susan C. Grandin

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