

AN ORDINANCE NO. 12-23

To grant a special use permit to CBL and Associates Properties Inc. to make changes to two existing pylon signs and to install one new pylon sign for property located at 324 Southpark Circle; which property is zoned GB General Business District.

WHEREAS, § 286-524.78 of the Zoning Ordinance of the City of Colonial Heights prohibits tenant listings on shopping center pylon (freestanding) signs; advertising area in excess of 96 square feet; and height in excess of 25 square feet; and

WHEREAS, the Planning Commission, at its meeting on October 2, 2012, held a public hearing on the issuance of a special use permit to CBL and Associates Properties Inc., for property located at 324 Southpark Circle, which property is zoned GB General Business District, to allow CBL and Associates Properties Inc. to install a new pylon sign at Conduit Road and refurbish two existing pylon signs at Temple Avenue and Southpark Boulevard, all of which are located at the three intersections of Southpark Mall. The new pylon sign at Conduit Road (parcel #6803470000D) needs a special use permit due to its height (32 feet), its size (112 square feet), and its content (listing five tenants); the existing pylon sign at Temple Avenue (parcel #68174700005) needs a special use permit because of its size (112 square feet) and its content (listing five tenants); and the existing pylon sign at Southpark Boulevard (parcel #68205200007) needs a special use permit due to its content (listing five tenants); and

WHEREAS, after due consideration, the Planning Commission recommended that City Council approve this ordinance and the special use permit; and

WHEREAS, pursuant to §17.11-1 of the Colonial Heights City Charter and Va. Code § 15.2-2204, City Council advertised a public hearing in *The Progress Index* and held a public hearing at its Regular Meeting on November 13, 2012, to receive citizen comment on the issuance of a special use permit; and

WHEREAS, upon recommendation of the Planning Commission, the determination of City Council is that the public necessity, convenience, general welfare and good zoning practice require that this special use permit be granted; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Council finds, after investigation by the Colonial Heights' Planning Commission, that issuance of a special use permit to CBL and Associates Properties Inc., for property located at 324 Southpark Circle, will not be detrimental to the safety, health, morals and general welfare of the community involved; will conform to the principles of good planning; will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; will not create hazards from fire, panic or other dangers; will not tend to

overcrowding of land and cause an undue concentration of population; will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; and will not interfere with adequate light and air.

2. That CBL and Associates Properties Inc, be and is hereby granted a special use permit to install a new pylon sign at Conduit Road (parcel #6803470000D), and to refurbish two existing pylon signs at Temple Avenue (parcel #68174700005) and Southpark Boulevard (parcel #68205200007), as described herein and as generally depicted on the Drawings made by Herschman Architects; which Drawings are hereby attached to and made a part of this Ordinance.

3. That this permit also shall be subject to review and revocation by Council, at Council's discretion, in the same manner and under the same conditions as required by law for the granting of such permits.

4. That this ordinance shall be in full force and effect upon its passage on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney