

AN ORDINANCE NO. 21-5

To grant a special use permit to Southgate Square Virginia LLC to permit a hookah establishment at 90 Southgate Square, Suite 180, also known as parcel identification number 69010300001, which is zoned GB – General Business District.

WHEREAS, Southgate Square Virginia LLC has filed an application for a special use permit to allow for a hookah establishment to be located at 90 Southgate Square, Suite 180, also known as parcel identification number 69010300001, which is zoned GB – General Business District; and

WHEREAS, a hookah establishment is not an allowed use in the GB – General Business District; and

WHEREAS, after due consideration, the Planning Commission approved Planning Commission Resolution No. 21-3, a copy of which is attached hereto and made a part of this ordinance; and

WHEREAS, after holding a public hearing to receive citizen comment on the issuance of the special use permit, the Planning Commission recommended that City Council approve this ordinance; and

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

WHEREAS, City Council further finds, after investigation by the Colonial Heights' Planning Commission, that issuance of the requested special use permit to Southgate Square Virginia LLC, to operate a hookah establishment located at 90 Southgate Square, Suite 180, 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, drives, 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; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. Southgate Square Virginia LLC is granted a special use permit to operate a hookah establishment at 90 Southgate Square, Suite 180; which is parcel identification number 69010300001.
2. A condition of granting this special use permit is that Southgate Square Virginia LLC must comply with Chapter 28.2 of Title 15.2 of the Code of Virginia, the Virginia Indoor Clean Air Act.
3. This permit 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. This ordinance shall be in full force and effect upon its approval 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 Michael A. Cherry, Councilmember: _____

The Honorable John E. Piotrowski, Councilmember: _____

The Honorable Dr. Laura F. Poe, Councilmember: _____

The Honorable Robert W. Wade, Councilmember: _____

The Honorable John T. Wood, Councilmember: _____

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

The Honorable T. Gregory Kochuba, Mayor: _____

Adopted on its second reading on _____.

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

The Honorable Michael A. Cherry, Councilmember: _____

The Honorable John E. Piotrowski, Councilmember: _____

The Honorable Dr. Laura F. Poe, Councilmember: _____

The Honorable Robert W. Wade, Councilmember: _____

The Honorable John T. Wood, Councilmember: _____

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

The Honorable T. Gregory Kochuba, Mayor: _____

City Clerk

Approved as to form:

City Attorney