

AN ORDINANCE NO. 22-1

To grant a special exception permit to Southpark Mall CMBS LLC to permit multi-family residential apartments at the site of the former Sears Building located at Southpark Circle, also known as parcel identification number 68204700013, which is zoned GB – General Business District.

WHEREAS, Southpark Mall CMBS LLC has filed an application for a special exception permit to allow for multi-family residential apartments to be located at the site of the former Sears Building located at Southpark Circle, also known as parcel identification number 68204700013, which is zoned GB – General Business District; and

WHEREAS, multi-family dwellings are an allowed residential use type in the GB – General Business District if granted a special exception permit; and

WHEREAS, after a public hearing and due consideration, the Planning Commission approved Planning Commission Resolution No. 22-1, a copy of which is attached hereto and made a part of this ordinance, and recommended approval of this ordinance; and

WHEREAS, the City Council finds that the application complies with the general standards and application requirements in City Code §§ 286-622.02 and 286-622.04, respectively; and

WHEREAS, upon recommendation of the Planning Commission and after holding a public hearing on this ordinance, the City Council finds that the public necessity, convenience, general welfare, and good planning and zoning practice require that this special exception permit be granted; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. Southpark Mall CMBS LLC is granted a special exception permit to allow multi-family residential apartments at the site of the former Sears Building located at Southpark Circle which is parcel identification number 68204700013 and is zoned GB – General Business District.
2. City Council's grant of a special exception permit is expressly conditioned upon the applicant obtaining a special use permit that waives the requirement that the intended multi-family apartments comply with Subsection D of City Code § 286-404.20.

3. 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 Kenneth B. Frenier, 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 Kenneth B. Frenier, 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