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ORDINANCE NO. 7329-16

AN ORDINANCE TO AMEND ORDINANCE NO. 7141-15 AND THEREBY GRANT A TWENTY-FOUR MONTH EXTENSION OF CONDITIONAL USE PERMIT CU-15-342 FOR THE CONSTRUCTION OF A CONGREGATE ASSISTED LIVING FACILITY ON A SITE ZONED C4 OYSTER POINT BUSINESS DISTRICT.

WHEREAS, Conditional Use Permit CU-15-342 was approved by the Council of the City of Newport News, Virginia (the Council) pursuant to Ordinance No. 7141-15 adopted January 27, 2015, for the construction of a congregate assisted living facility on a site zoned C4 Oyster Point Business District; and

WHEREAS, City Code Sec. 45-2708 prescribes time limits within which construction or occupancy of approved conditional use permits must be commenced, but also permits the Council to extend such time limits for good cause shown; and

WHEREAS, Paragraph (d)1. of Ordinance No. 7141-15 originally stated that "If the construction of the improvements or occupancy authorized by this conditional use permit has not commenced within twenty-four months of January 27, 2015", CU-15-342 shall be deemed to have been abandoned and shall be revoked; and

WHEREAS, the applicant has properly requested an additional twenty-four month time limit extension within which to commence construction or to occupy the site as authorized by CU-15-342, the Council agrees that good cause exists to warrant an extension, and the Council therefore wishes to approve the twenty-four month extension.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia, that it desires to, and hereby does, extend the time limit for commencement of the construction, use and occupancy authorized by Conditional Use Permit CU-15-342, approved by Ordinance No. 7141-15, for an additional period of twenty-four months pursuant to City Code Sec. 45-2708. All other provisions of Ordinance No. 7141-15 shall remain in full force and effect.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON NOVEMBER 22, 2016

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk