

March 8, 2012

Office of the City Attorney
306 Cedar Road
Chesapeake, Virginia 23322
(757) 382-6586
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To the Honorable Mayor, Vice-Mayor,
and City Council Members

Re: RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND LAND USE PLAN OF THE 2026 COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION FOR THE BELHARBOUR PROPERTY FROM POINDEXTER STREET CORRIDOR STRATEGIC DEVELOPMENT PLAN TO AN APPROPRIATE DESIGNATION CONSISTENT WITH CURRENT CONDITIONS.

Enclosed please find a resolution requesting the Planning Commission to consider and make recommendations concerning proposed amendments to the Policies and Land Use Plan for the 2026 Comprehensive Plan to change the land use designation for the Belharbour property in South Norfolk from Poindexter Street Corridor Strategic Development Plan to an appropriate designation consistent with current conditions in the area. This initiating resolution was requested by Council Member Craig.

As you will recall, the Belharbour property consists of approximately 26 acres of land located in the South Norfolk Borough on the Southern Branch of the Elizabeth River. The property was rezoned to Urban Planned Unit Development in order support a proposed mixed-use development. The Comprehensive Plan was amended to designate the appropriate use in accordance with the Poindexter Street Corridor Strategic Development Plan, which allowed for high density residential development with a conditional use permit.

The Belharbour development never commenced due to the downturn in the housing market. The property was recently sold to a company specializing in storage of liquid fertilizer and other materials. The new owner has requested a rezoning of the property to Industrial; however, the Land Use Plan designation is not consistent with the requested rezoning.

By adopting this resolution, the City Council will request the Planning Commission to consider and give recommendations regarding a change in the land use designation for the Belharbour property from Poindexter Street Corridor Strategic Development Plan to an appropriate use that is consistent with current conditions in the area.

Please advise should you have any questions concerning this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Hallman', with a long horizontal flourish extending to the right.

Ronald S. Hallman
City Attorney

RSH:fmh

cc: William E. Harrell, City Manager
Anna M. D'Antonio, Assistant to the City Manager
Mary Ann Saunders, Assistant to the City Manager
Brent R. Nielson, Planning Director

RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND LAND USE PLAN OF THE 2026 COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION FOR THE BELHARBOUR PROPERTY FROM POINDEXTER STREET CORRIDOR STRATEGIC DEVELOPMENT PLAN TO AN APPROPRIATE DESIGNATION CONSISTENT WITH CURRENT CONDITIONS.

WHEREAS, the public necessity, convenience, general welfare and good zoning practice require that an amendment to the 2026 Comprehensive Plan be considered by the Chesapeake Planning Commission and the City Council to change the land use designation of the Belharbour property from Poindexter Street Corridor Strategic Development Plan to an appropriate designation consistent with current conditions; and

WHEREAS, the Belharbour property consists of approximately 26 acres located off Poindexter Street on the Southern Branch of the Elizabeth River; and

WHEREAS, the property is currently zoned Urban Planned Unit Development and is designated on the Land Use Plan as Poindexter Street Corridor Strategic Development Plan; and

WHEREAS, circumstances have changed to make the proposed mixed-use development of the Belharbour property not feasible at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that the Chesapeake Planning Commission is requested to consider and make recommendations concerning proposed amendments to the 2026 Comprehensive Plan to change the land use designation for the Belharbour property from Poindexter Street Corridor Strategic Development Plan to an appropriate designation consistent with current conditions in the area.

APPROVED by the Council of the City of Chesapeake, Virginia, on this ____ day of
March, 2012.

APPROVED:

Mayor

ATTEST:

Clerk of the Council