

**SUMMARY ACTION**

COMPREHENSIVE PLAN: CP-11-02 Utility Franchise Area Expansion

RESOLUTION ADOPTED BY CITY COUNCIL: March 8, 2011

REVIEWED/ACCEPTED BY: Mark Shea

**PLANNING COMMISSION RECOMMENDATION:**

DATE OF PUBLIC HEARING: April 13, 2011

ACTION: CONTINUED to the May 11, 2011 Public Hearing

DATE OF PUBLIC HEARING: May 11, 2011

RECOMMENDATION: APPROVAL of version dated March 22, 2011



Beverly R. Hanson, Recording Secretary

**CITY COUNCIL ACTION:**

DATE OF PUBLIC HEARING: June 21, 2011

ACTION: Approved version dated March 22, 2011.



Dolores A. Moore, MMC, City Clerk

11-R-040

**A RESOLUTION TO AMEND THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXPAND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801.**

WHEREAS, on March 9, 2005, the City of Chesapeake, Virginia ("City") adopted the 2026 Comprehensive Plan ("Comprehensive Plan"), which includes the Public Utility Franchise Policy; and

WHEREAS, the Public Utility Franchise Policy delineates the boundaries of the 2026 Public Franchise Area and provides that public water and sewer services cannot be extended beyond such boundaries without an approved amendment of the Comprehensive Plan; and

WHEREAS, New Beginnings Christian Church owns certain real property fronting on Battlefield Boulevard, South, and identified on Chesapeake Tax Maps as Parcel Number 0730000000801 (the "Property"); and

WHEREAS, New Beginnings Christian Church is in the process of constructing a worship facility on the Property and has requested connections to public utilities; and

WHEREAS, the Property lies outside of the 2026 Public Utility Franchise Area and cannot be connected to public utilities unless the City Council amends the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

WHEREAS, on March 8, 2011, the City Council adopted a resolution to initiate an amendment to the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

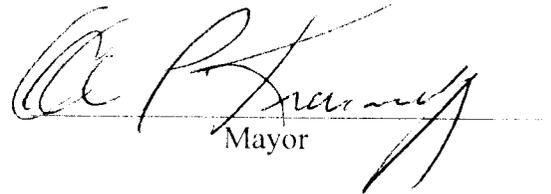
WHEREAS, the Planning Commission for the City of Chesapeake conducted a public hearing on the proposed amendment to the Comprehensive Plan and recommended approval of the expansion of the 2026 Public Utility Franchise Area to include the Property; and

WHEREFORE, the City Council finds that the amendment of the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property will serve the interests of public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that the policies and maps of the 2026 Comprehensive Plan, including the Public Utility Franchise Area Policy and map, be and is hereby amended to expand the Public Utility Franchise Area to provide for the extension of public utilities to the Property.

ADOPTED on this 21<sup>st</sup> day of June, 2011, by the Council of the City of Chesapeake, Virginia.

APPROVED:

  
Mayor

ATTEST:

  
Clerk of the Council



City of Chesapeake

Office of the City Clerk  
306 Cedar Road  
Chesapeake, Virginia 23322  
email: council@cityofchesapeake.net  
(757) 382-6151  
Fax (757) 382-6678

June 22, 2011

Received By

Ms. Margaret Falk  
Chesapeake Planning Department  
306 Cedar Road  
Chesapeake, VA 23322

JUN 24 2011

Chesapeake Planning  
Department

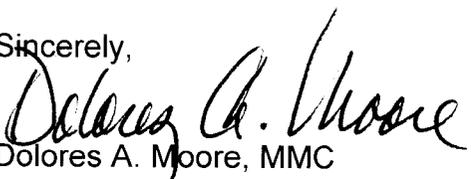
RE: CP-11-02 Utility Franchise Area Expansion

Dear Ms. Falk:

The application for the above referenced Comprehensive Plan Update was considered and approved, version dated March 22, 2011, by City Council at its meeting on June 21, 2011. Enclosed are the appropriate papers that have been processed in this regard.

If you have any questions, please contact Deputy City Clerk Debbie Hanbury at (757) 382-6151.

Sincerely,



Dolores A. Moore, MMC  
City Clerk

DAM:dah

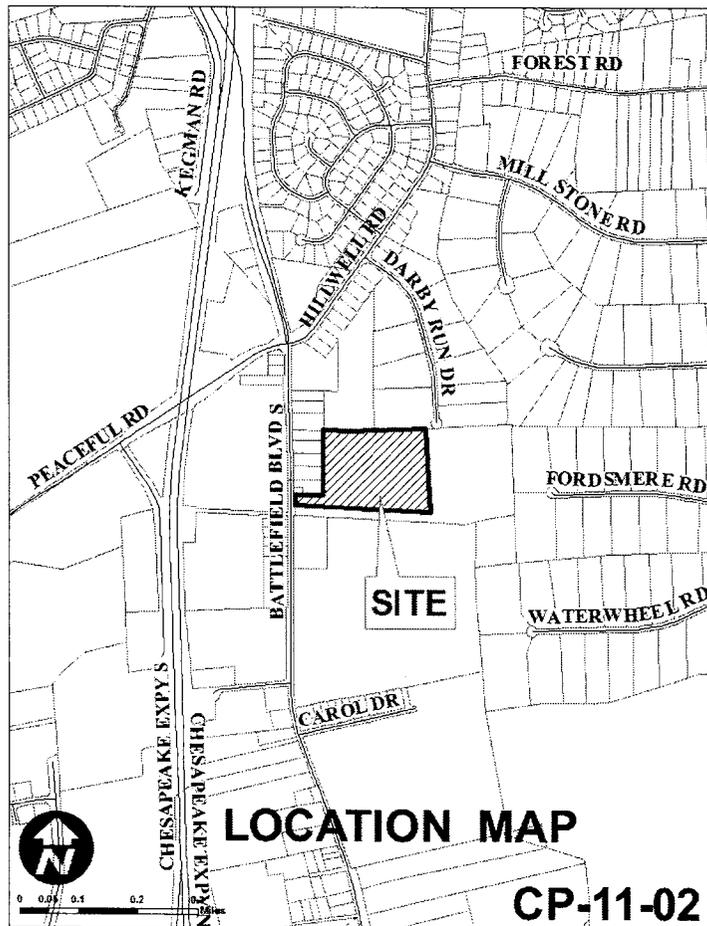
cc: Planning, Department of Development and Permits-Jay Tate, Zoning-Melissa Cichorz, Real Estate

Docket Item "C"

**CP-11-02**

# Utility Franchise Area Expansion

CITY COUNCIL PACKAGE FOR  
JUNE 21, 2011



Page	1 – 2	Comprehensive Plan Summary
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	10	GIS Exhibit
	11	GIS Planimetric
	12	GIS Parcel Exhibit

**COMPREHENSIVE PLAN SUMMARY****CP-11-02 Utility Franchise Area Expansion**

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A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801.

Resolution Adopted by City Council: 3-8-11

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**STAFF RECOMMENDATION**

APPROVAL of version dated March 22, 2011

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**PLANNING COMMISSION**

**HEARING DATES:** 4-13-11, 5-11-11

**RECOMMENDATION:** APPROVAL of version dated March 22, 2011

**VOTE:** 8 - 0

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**ATTACHMENTS**

*Minutes, Resolution, Staff Reports, GIS Parcel Exhibit*

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**COMPREHENSIVE PLAN SUMMARY****CP-11-02 Utility Franchise Area Expansion**

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**PETITIONER:** City of Chesapeake  
City Council

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**CITY COUNCIL**

**HEARING DATE:** 3-8-11

RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXTEND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801. (Mayor Krasnoff)

**APPROVED. Ritter/Hayes (9-0)**

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**STAFF CONTACT:** Planning Department  
Mark Shea, Senior Planner

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**CP-11-02**

A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801. *(Continued from the April 13, 2011 Public Hearing)*

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**PLANNING COMMISSION RECOMMENDATION:**

**APPROVAL of version dated March 22, 2011.** (8-0; Hutchinson/Johnson, Van Laethem excused)

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Mrs. Hanson read CP-11-02 into the record for Commission review and action.

Staff Presentation:

Mrs. Hanson stated that based on sound planning practices, Planning staff recommended **CP-11-02**, version dated March 22, 2011, be **APPROVED** as listed in the official agenda.

Proponent:

Nickey Rigdon, 2021 Emmett Drive, Chesapeake, Virginia, appeared before the Commission on behalf of CP-11-02 representing New Beginnings Church.

**COMMISSION VOTE:**

Commissioner Hutchinson moved that **CP-11-02**, version dated March 22, 2011, be **APPROVED** as listed in the official agenda and as recommended by staff. Commissioner Johnson seconded the motion. The motion was carried by a vote of 8-0. Commissioner Van Laethem was excused.

**CP-11-02****March 22, 2011**

**A RESOLUTION TO AMEND THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXPAND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 073000000801.**

WHEREAS, on March 9, 2005, the City of Chesapeake, Virginia (“City”) adopted the 2026 Comprehensive Plan (“Comprehensive Plan”), which includes the Public Utility Franchise Policy; and

WHEREAS, the Public Utility Franchise Policy delineates the boundaries of the 2026 Public Franchise Area and provides that public water and sewer services cannot be extended beyond such boundaries without an approved amendment of the Comprehensive Plan; and

WHEREAS, New Beginnings Christian Church owns certain real property fronting on Battlefield Boulevard, South, and identified on Chesapeake Tax Maps as Parcel Number 073000000801 (the “Property”); and

WHEREAS, New Beginnings Christian Church is in the process of constructing a worship facility on the Property and has requested connections to public utilities; and

WHEREAS, the Property lies outside of the 2026 Public Utility Franchise Area and cannot be connected to public utilities unless the City Council amends the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

WHEREAS, on March 8, 2011, the City Council adopted a resolution to initiate an amendment to the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

WHEREAS, the Planning Commission for the City of Chesapeake conducted a public hearing on the proposed amendment to the Comprehensive Plan and recommended approval of the expansion of the 2026 Public Utility Franchise Area to include the Property; and

WHEREFORE, the City Council finds that the amendment of the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property will serve the interests of public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that the policies and maps of the 2026 Comprehensive Plan, including the Public Utility Franchise Area Policy and map, be and is hereby amended to expand the Public Utility Franchise Area to provide for the extension of public utilities to the Property.

ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2011, by the Council of the City of Chesapeake, Virginia.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk of the Council

Department of Planning  
 Post Office Box 15225  
 Chesapeake, Virginia 23328-5225  
 (757) 382-6176  
 FAX (757) 382-6406

HEARING DATE: MAY 11, 2011

TO: CHESAPEAKE PLANNING COMMISSIONERS

FROM: MARK SHEA, SENIOR PLANNER *MS*

THROUGH: BRENT R. NIELSON, AICP, PLANNING DIRECTOR *BN*

DATE: MAY 3, 2011

RE: **CP-11-02**  
 A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801. *(Continued from the April 13, 2011 Public Hearing)*

**STUDY AMENDMENT:**

The proposed amendment to the 2026 Comprehensive Plan is to expand the 2026 Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel 0730000000801.

**BACKGROUND:**

The proposed amendment was initiated by City Council who adopted a resolution on March 22, 2010 requesting the Planning Commission to consider and make recommendation concerning the proposed amendment.

The City's policies regarding utility expansion were established in its "Public Utilities Franchise Area Expansion Policy" adopted in 2001, and the "Service Area Expansion Policy" adopted in 1997. The utility extension policies established by the 2026 Comprehensive Plan are based upon these original policies and modified as necessary to reflect changes in the Public Utility Franchise Area (Franchise Area).

The policy states that public water and sewer service is only to be provided to those areas within the existing Franchise Area or areas designated to be added to the Franchise Area within the window of the existing Comprehensive Plan (2026). The extension of public utilities (public water and sewer) within the existing Franchise Area does not require review by Planning Commission or City Council.

The 2001 policy provides that the City Council will “review and analyze all proposed expansions of the Public Utilities Franchise Area to ensure consistency with the [City’s] Comprehensive Plan and the adequacy of Public Utilities to serve the area proposed for development.” This review is an integral component of the timing element of the City’s overall growth management strategy. For expansions within the Franchise Area designated 2026 Public Utility Franchise Areas, City Council review is required. Expansion of the Public Utility Franchise Area beyond those areas designated on the 2026 Public Utility Franchise Area map requires an amendment to the Comprehensive Plan. The subject property is thus, bound by this requirement.

On November 16, 2010, City Council approved the Rezoning application R(C)-10-06 of the subject property from A-1 Agricultural to AC Assembly Center District with the following proffer:

The applicant agrees that this rezoning is conditioned on obtaining approval from the Chesapeake Health Department, Department of Environmental Quality or the City of Chesapeake if a conditional use permit is required for a sewerage disposal system or systems to serve the subject property within three (3) years following the effective date of this rezoning in order to comply with the Level of Service Policy for sewer capacity.

If City Council approves this Comprehensive Plan amendment, at the time of development, the applicant will need to request City Council approval through separate action to include the property in the existing Franchise Area. This would be processed through a Franchise Area Expansion application. The timeliness to provide sewer would be analyzed at this time using ten evaluation criteria as specified in the Comprehensive Plan.

#### **DEPARTMENTAL COMMENTS:**

##### **Public Utilities**

- The property is located within one mile of an existing HRSD force main. The church will be required to adhere to the City and HRSD ordinances policies and standards for the installation of utilities.

- City water is available to the site; City sewer is not. There is a City water main on South Battlefield Boulevard. The nearest City sewer is approximately 4600 feet north on Hillwell Road.
- The obligations to be assumed by Public Utilities would include maintenance of public utilities in the public rights-of-way and/or easements should the church install city water and sewer facilities. Otherwise, the church assumes all obligations for private sewer disposal facilities.
- With current water resources the proposal can be adequately served by the city's water supply system.

### **STAFF ANALYSIS:**

The 2026 Comprehensive Plan states that in regards to the rate of growth, the City will plan to approve the extension of public facilities in a steady but incremental fashion, in accord with the location and timing as shown on the land use and infrastructure maps of this plan. City Council determined with the approval of the 2010 rezoning of the property that the use for a church was appropriate. However, to meet the Level of Service tests for Sewer, the applicant offered a proffer to obtain necessary approvals from the appropriate agency for a sewer disposal system within three (3) years. The application was exempt from the Level of Service Standards for Roads and Schools.

The applicant is seeking an amendment to the Comprehensive Plan to satisfy this proffer. Normally, Comprehensive Plan amendments to expand the Franchise area are analyzed as part of the state mandate to review the adopted Comprehensive plan every 5 years. Review of the 2026 Comprehensive Plan is currently underway with completion slated by early summer 2012. Rather than using the normal comprehensive plan review process, the property owner is seeking expansion of the Franchise Area now.

If the City Council approves the Comprehensive Plan amendment to include the property within the 2026 Franchise Area, the applicant will need to follow another step to have the property included in the Existing Franchise Area. This request requires City Council approval at the time the property is developed. Timeliness to include the property in the Existing Franchise Area would be evaluated using ten criteria specified in the Comprehensive Plan. This request would be as a Franchise Area Expansion application.

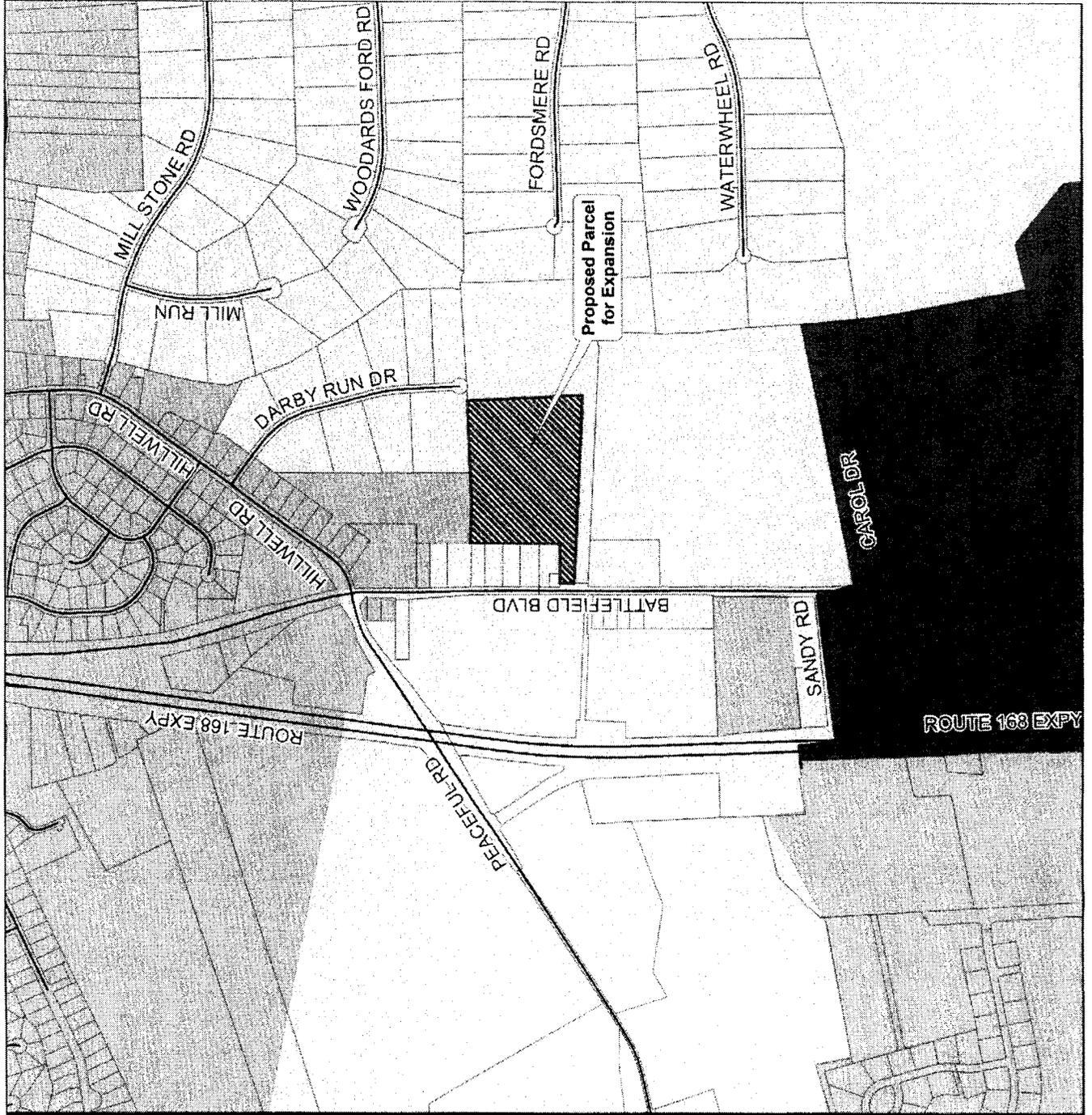
Since this amendment to expand the 2026 Franchise area includes only one property, it would not place a financial or supply burden on the City as indicated by the above Department of Utility comments. The property is located immediately adjacent to the Existing Public Facility Franchise area and thus the expansion would not constitute "leap frog" development. The timeliness of

including the property in the Existing Franchise Area will be evaluated in a future application for City Council's consideration.

**STAFF RECOMMENDATION:**

Based on the findings contained in this staff report, staff recommends that **CP-11-02**, version dated **March 22, 2011**, be **APPROVED**.

MES:bh

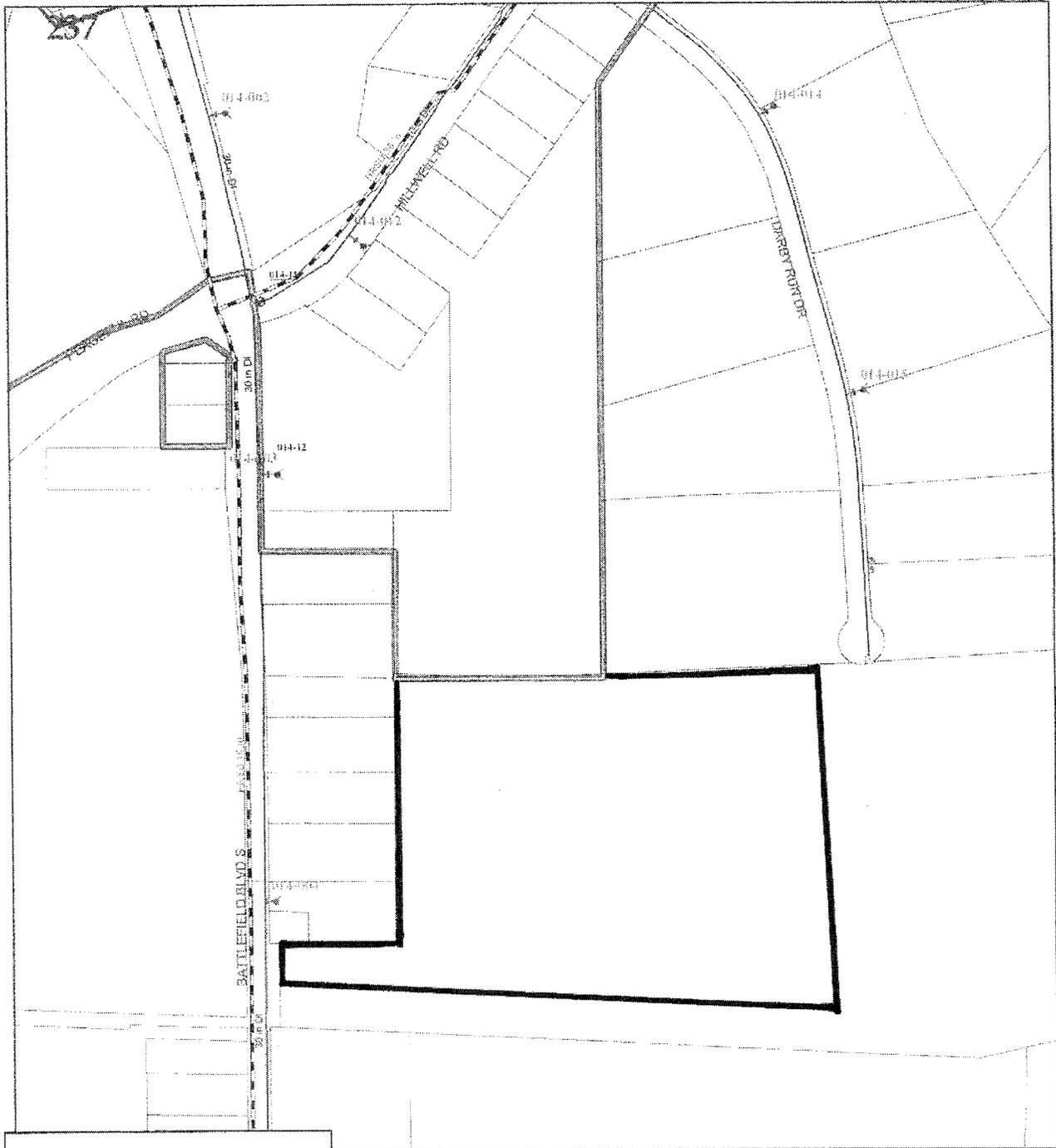


**CP-11-02  
Public Utility  
Franchise Area  
Expansion  
Battlefield Blvd S**

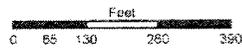


**Chesapeake**  
VIRGINIA






1 inch = 300 feet



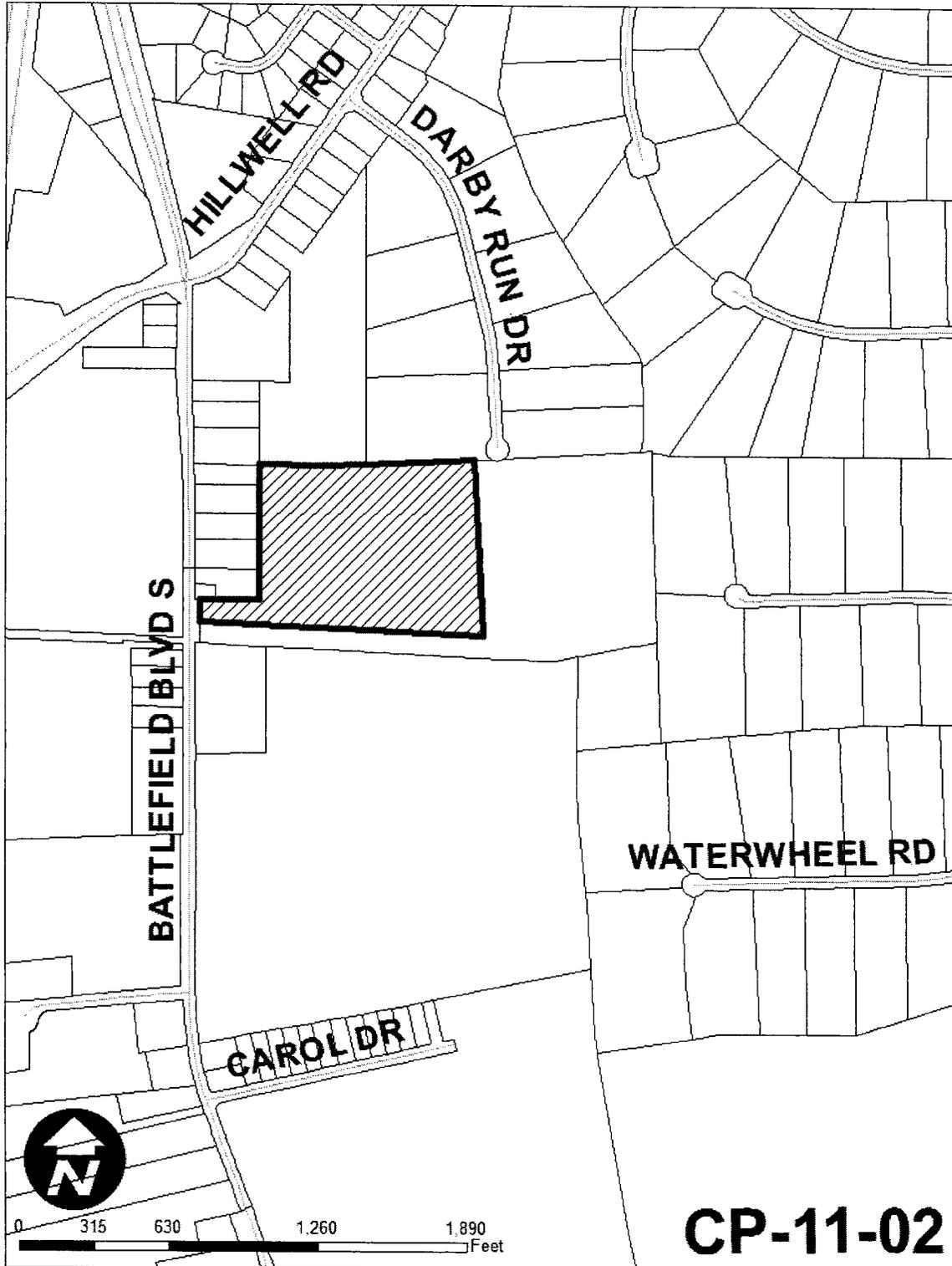
GIS planimetric

Public Utilities  
Engineering Division



**Chesapeake**  
VIRGINIA

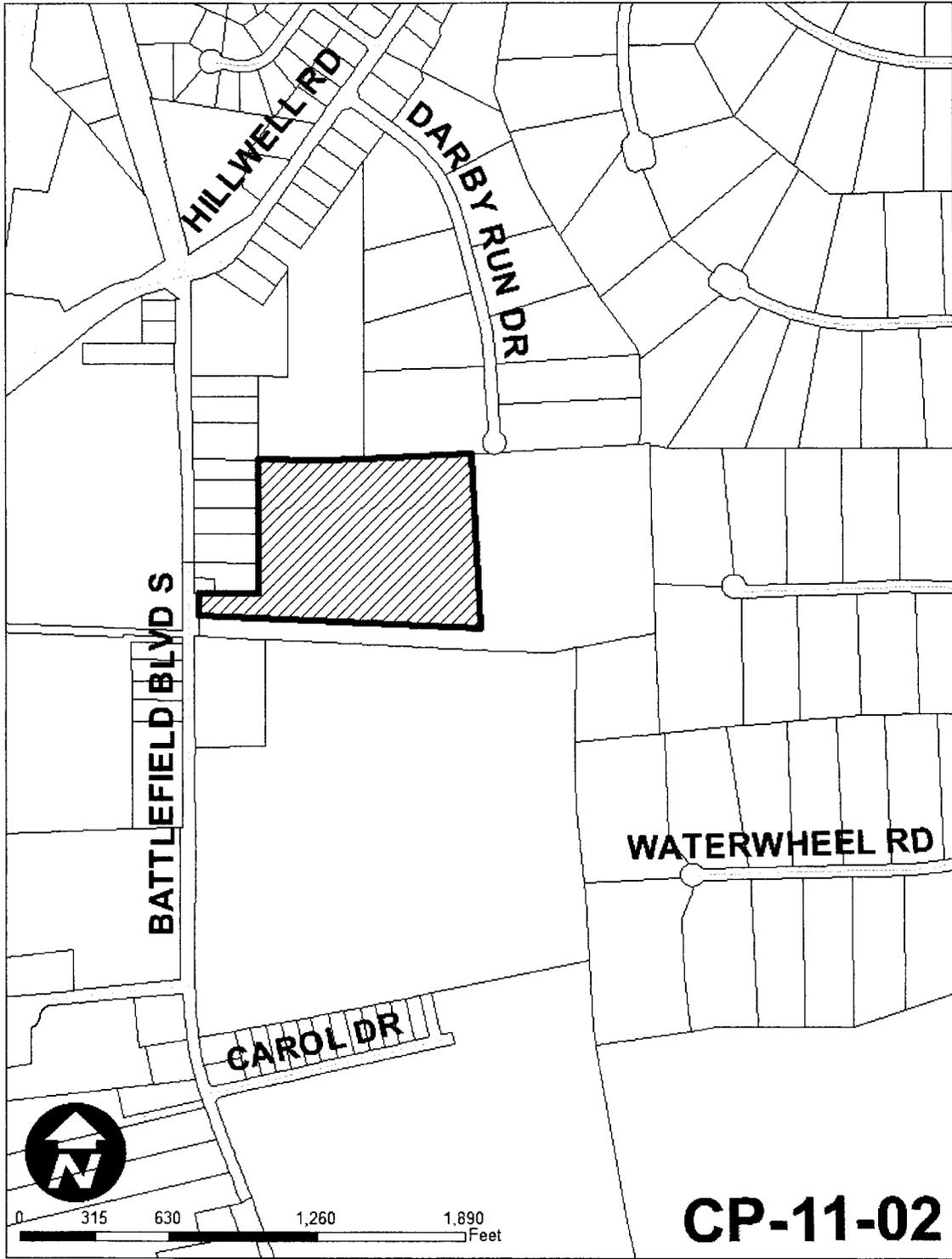
Every reasonable effort has been made to assure the accuracy and timeliness of the information provided and associated with this map, however the City does not warrant accuracy, nor does it represent that map is sufficient for boundary surveys or for surveys of property shown herein. The City of Chesapeake assumes no liability arising from the use of this map or from the information and data thereon. This map is designed for use as a cursory study only and all other uses are strongly discouraged. The contents contained herein may not reflect the land uses and residential dwelling densities permitted by the Chesapeake Zoning Ordinance. Zoning determinations should be directed to the Zoning Administrator. The data provided and associated on this map are the property of the City of Chesapeake, and any unauthorized resale or reproduction is prohibited.



**Public Utility Franchise Area**

**CP-11-02**

A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 073000000801.



**Public Utility Franchise Area**

**CP-11-02**

A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801.

**PLANNING COMMISSION MEETING OF  
APRIL 13, 2011**

Department of Planning  
Post Office Box 15225  
Chesapeake, Virginia 23328-5225  
(757) 382-6176  
FAX (757) 382-6406

**HEARING DATE: APRIL 13, 2011**

**TO:** CHESAPEAKE PLANNING COMMISSIONERS

**FROM:** MARK SHEA, SENIOR PLANNER *MS*

**THROUGH:** BRENT R. NIELSON, AICP, PLANNING DIRECTOR *BN*

**DATE:** APRIL 4, 2011

**RE:** **CP-11-02**  
Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801.

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**STUDY DESCRIPTION:**

The proposed Comprehensive Plan amendment would allow for the expansion of the Public Utility Franchise Area to provide sewer service to property fronting on Battlefield Boulevard, South and identified as tax map parcel number 0730000000801.

**BACKGROUND:**

The proposed amendment was initiated by City Council who adopted a resolution on March 8, 2011, requesting the Planning Commission to consider and make recommendation concerning the proposed amendment. The resolution was adopted at the request of the property owner.

**UPDATE:**

Additional time is needed for staff to prepare related GIS mapping to support this study. For this reason, staff recommends a 30-day continuance.

**STAFF RECOMMENDATION:**

Staff recommends that **TA-Z-11-02** be **CONTINUED** to the May 11, 2011, Public Hearing.

MS:bh

**A RESOLUTION TO AMEND THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXPAND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801.**

WHEREAS, on March 9, 2005, the City of Chesapeake, Virginia (“City”) adopted the 2026 Comprehensive Plan (“Comprehensive Plan”), which includes the Public Utility Franchise Policy; and

WHEREAS, the Public Utility Franchise Policy delineates the boundaries of the 2026 Public Franchise Area and provides that public water and sewer services cannot be extended beyond such boundaries without an approved amendment of the Comprehensive Plan; and

WHEREAS, New Beginnings Christian Church owns certain real property fronting on Battlefield Boulevard, South, and identified on Chesapeake Tax Maps as Parcel Number 0730000000801 (the “Property”); and

WHEREAS, New Beginnings Christian Church is in the process of constructing a worship facility on the Property and has requested connections to public utilities; and

WHEREAS, the Property lies outside of the 2026 Public Utility Franchise Area and cannot be connected to public utilities unless the City Council amends the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

WHEREAS, on March 8, 2011, the City Council adopted a resolution to initiate an amendment to the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property; and

WHEREAS, the Planning Commission for the City of Chesapeake conducted a public hearing on the proposed amendment to the Comprehensive Plan and recommended approval of the expansion of the 2026 Public Utility Franchise Area to include the Property; and

WHEREFORE, the City Council finds that the amendment of the Comprehensive Plan to expand the 2026 Public Utility Franchise Area to include the Property will serve the interests of public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia, that the policies and maps of the 2026 Comprehensive Plan, including the Public Utility Franchise Area Policy and map, be and is hereby amended to expand the Public Utility Franchise Area to provide for the extension of public utilities to the Property.

ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2011, by the Council of the City of Chesapeake, Virginia.

APPROVED:

\_\_\_\_\_  
Mayor

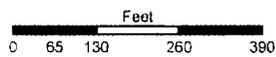
ATTEST:

\_\_\_\_\_  
Clerk of the Council



Water Lines	Gravity Sewer	Chesapeake FM
Tee	Plug	4" R/OE
Air Vent	Inspect Box	Private
Reducer	Manhole	As_Vis
Waive	Plug Station	FM_Pig
Plug		FM_Riser
Blow Off Valve		FM_Vis
Large Meter		Utility Encasements

1 inch = 300 feet



GIS planimetric

Public Utilities  
Engineering Division



**Chesapeake**  
VIRGINIA

Every reasonable effort has been made to assure the accuracy and timeliness of the information provided and associated with this map, however the City does not warrant accuracy, nor does it represent that map is sufficient for boundary surveys or for surveys of property shown herein. This City of Chesapeake assumes no liability arising from the use of this map or from the information and data thereon. This map is designed for use as a cursory study only and all other uses are strongly discouraged. The contents contained herein may not reflect the land uses and residential dwelling densities permitted by the Chesapeake Zoning Ordinance. Zoning determinations should be directed to the Zoning Administrator. The data provided and associated on this map are the property of the City of Chesapeake, and any unauthorized resale or reproduction is prohibited.

CHESAPEAKE PLANNING COMMISSION  
SPEAKER CARD

Date: 5-11-11 Agenda Item #: ~~CP-11-02~~ #2

Application #: CP-11-02

Name: NICKEL RIGDON

Address: 2021 EMMETT DR.  
WES VA

Telephone: 757-287-4255

Group/Organization Represented:  
NEW BEGINNINGS Church

Please indicate whether you wish to speak to the Commission in support of or in opposition of the proposed application:

SUPPORT       OPPOSITION

Secretary Use Only: \_\_\_\_\_ Minutes allotted for Speaking

Department of Planning  
Post Office Box 15225  
Chesapeake, Virginia 23328  
(757) 382-6176  
FAX (757) 382-6406

**AGENDA**

*Chesapeake Planning Commission*

**PUBLIC HEARING – APRIL 13, 2011**

**CITY COUNCIL CHAMBER – 7:00 P.M.**

- A. Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Roll Call
- E. Approval of Minutes: **MARCH 9, 2011**
- F. Public Hearing Continued Item:

**1. CP-11-02**

m. SHEA

A Resolution to amend the policies and maps of the 2026 Comprehensive Plan to expand the Public Utility Franchise Area to include real property fronting on Battlefield Boulevard, South, and identified on Chesapeake tax maps as parcel number 0730000000801.

Staff recommends that **CP-11-02** be **CONTINUED** to the May 11, 2011 Public Hearing.

- G. Public Hearing Consent Items:

**2. TA-Z-10-11**

K. SHAFFER  
- REG. -

An Ordinance amending Appendix "A" of the Chesapeake City Code, entitled "Zoning", Section 15-105, to clarify and revise the rules governing the reconstruction of lawfully nonconforming buildings damaged to an extent exceeding 50% of the assessed value. (Continued from the February 9, 2011 Public Hearing)

Staff recommends that **TA-Z-10-11** version dated ~~December 16, 2010~~ be **APPROVED**.

ALTERNATIVE April 13

Cont.  
MAY 11<sup>th</sup>

8-0

APPROVED

7-1

9. NEW BUSINESS

- A. RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXTEND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801.  
(Mayor Krasnoff)

**APPROVED. Ritter/Hayes (9-0)**

10. CLOSED SESSION

**7:11 p.m. – 7:35 p.m.**

11. ADJOURNMENT

**7:36 p.m.**

11-R-008

**RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXTEND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED AS CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801.**

WHEREAS, on March 9, 2005, the City of Chesapeake, Virginia ("City") adopted the 2026 Chesapeake Comprehensive Plan ("Comprehensive Plan"), which includes the Public Utility Franchise Policy; and

WHEREAS, the Public Utility Franchise Policy delineates the boundaries of the 2026 Public Franchise Area and provides that public water and sewer services cannot be extended beyond such boundaries without an approved amendment of the Comprehensive Plan; and

WHEREAS, the City has received a request from New Beginnings Christian Church for public utility service to certain real property fronting on Battlefield Boulevard, South, and identified on Chesapeake Tax Maps as Parcel Number 0730000000801 ("the Property"), which is outside the 2026 Public Utility Franchise Area; and

WHEREAS, an amendment to the Comprehensive Plan is needed to extend public utility services to the Property; and

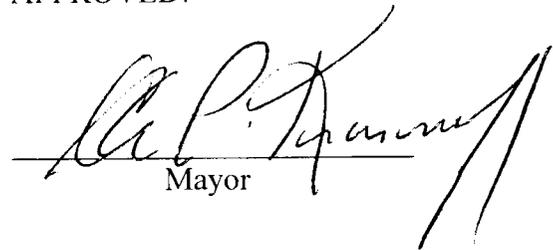
WHEREAS, the public necessity, convenience, general welfare and good zoning practice require that an amendment to the Comprehensive Plan be considered by the Chesapeake Planning Commission and the Chesapeake City Council to expand the 2026 Public Utility Franchise Area to include the Property.

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 land

use recommendations relating to the proposed amendment of the Comprehensive Plan, including the Public Utility Franchise Area Policy and Map, to expand the 2026 Public Utility Franchise Area to include the Property identified on Chesapeake Tax Maps as Parcel Number 0730000000801.

ADOPTED by the Council of the City of Chesapeake, Virginia, this 8<sup>th</sup> day of March \_\_\_\_\_, 2011.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk of the Council

February 22, 2011

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 MAPS OF THE 2026 COMPREHENSIVE PLAN TO EXTEND THE PUBLIC UTILITY FRANCHISE AREA TO INCLUDE REAL PROPERTY FRONTING ON BATTLEFIELD BOULEVARD, SOUTH, AND IDENTIFIED ON CHESAPEAKE TAX MAPS AS PARCEL NUMBER 0730000000801.

Mayor Alan Krasnoff requested consideration of this matter. This initiating resolution is for the purpose of amending the policies and maps of the 2026 Comprehensive Plan to extend the 2026 Public Utility Franchise Area to include certain real property fronting on Battlefield Boulevard, South, identified on Chesapeake Tax Maps as Parcel Number 0730000000801. The request is made by the owner of the property, New Beginnings Christian Church.

If the enclosed resolution is approved, the Planning Commission must submit the proposed amendment to public hearing within sixty (60) days of approval of the initiating resolution. After the Planning Commission makes recommendations, the proposed amendment will be placed on the City Council public hearing agenda for final action.

If you have any questions, please advise.

Very truly yours,



Ronald S. Hallman  
City Attorney

RSH:fmh  
enclosure

cc: William E. Harrell, City Manager  
Mary Ann Saunders, Assistant to the City Manager  
Brent R. Nielson, Planning Director  
James K. Walski, Public Utilities Director  
Greg Dodd, Horton & Dodd, P.C.

DATE 3/09/11  
TIME 12:29:38  
USER NMCPHER

CITY OF CHESAPEAKE  
TAX ID # ASSESSMENT SUMMARY

PARCEL - 0730000000801  
BORO - 23 RATE .01050

OWNER - NEW BEGINNINGS CHRISTIAN CHURCH  
PROJECT -  
PROPERTY- BATTLEFIELD BLVD S  
LEGAL - PAR 1 RESUB PROP NEW BEGINNINGS CHRISTIAN CH 15.59

OWNER CD - G  
CEN TRACT- 21003  
STAT AREA- 92520  
ZONING - AC

PURCHASE DATE 05/26/00 PURCHASE AMOUNT - 1  
DEED BOOK REF. 4083 DEED PAGE REF. 370  
MAP BOOK REF. 150 MAP PAGE REF. 44

TAX ID # STATUS EXISTING SINCE 01/29/91 NC- 1000 PT- CI  
CREATED FROM TAX ID 000000000000 STATE CLS- 008  
SPECIAL PROGRAMS 1- 2- \*\*INACTIVE LAND USE\*\*

-----ASSESSMENT VALUES-----  
LAND IMPROVEMENT TOTAL  
PREVIOUS TAX YEAR 171,800 171,800  
CURRENT TAX YEAR 165,700 165,700  
ADJ CUR TAX YEAR 709,800 19,200 729,000 SUPPLEMENTL  
FUTURE TAX YEAR 709,800 709,800

-----SCREEN OPTIONS-----  
OPT'S 1 FW; 2 BW; 3 NAM; 4 ST; 5 OWNERS; 6 TAX; 7 MADD; 8 IMPV DESC; 10 LAND  
9 HELP; 12 OTHER OPTIONS MENU OPTION.. PA2 EXIT REAL07Mp