

SUMMARY ACTION

COMPREHENSIVE PLAN: CP-12-02 Dominion Commerce Park

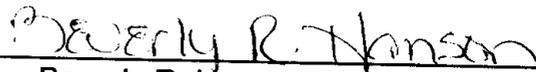
RESOLUTION ADOPTED BY CITY COUNCIL: March 27, 2012

REVIEWED/ACCEPTED BY: Mark Shea

PLANNING COMMISSION RECOMMENDATION:

DATE OF PUBLIC HEARING: May 9, 2012

ACTION: APPROVAL of version dated 4/16/12



Beverly R. Hanson, Recording Secretary

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: June 19, 2012

ACTION: Approved version dated 4/16/12.



Dolores A. Moore, MMC, City Clerk

12-R-040

RESOLUTION AMENDING THE POLICIES AND LAND USE PLAN OF THE 2026 COMPREHENSIVE PLAN FOR THE CITY OF CHESAPEAKE TO EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) THAT LIES WITHIN THE PUBLIC UTILITIES FRANCHISE AREA.

WHEREAS, on March 27, 2012, the City Council of the City of Chesapeake, Virginia ("City Council") approved a 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 extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area, said property being shown in red on the attached exhibit entitled, "Chesapeake 2026 Adopted Overlays Dominion Commerce Park Area;" and

WHEREAS, the Planning Commission held a public hearing on May 9, 2012, to hear comments regarding the proposed amendment to the Comprehensive Plan; and

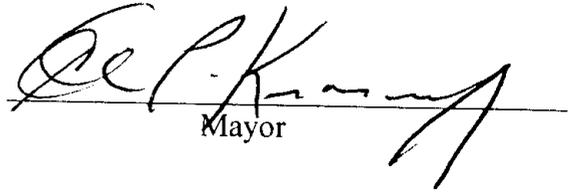
WHEREAS, following the public comment period, the Planning Commission deliberated the merits of the proposed amendment and recommended approval of same.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Policies and Land Use Plan of the 2026 Comprehensive Plan be, and are hereby, amended to extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) that lies within the Public Utilities Franchise Area, said property being shown in red on the attached exhibit entitled, "Chesapeake 2026 Adopted Overlays Dominion Commerce Park Area."

ADOPTED by the Council of the City of Chesapeake, Virginia on this ^{19th}~~12~~ day of

June _____, 2012.

APPROVED:

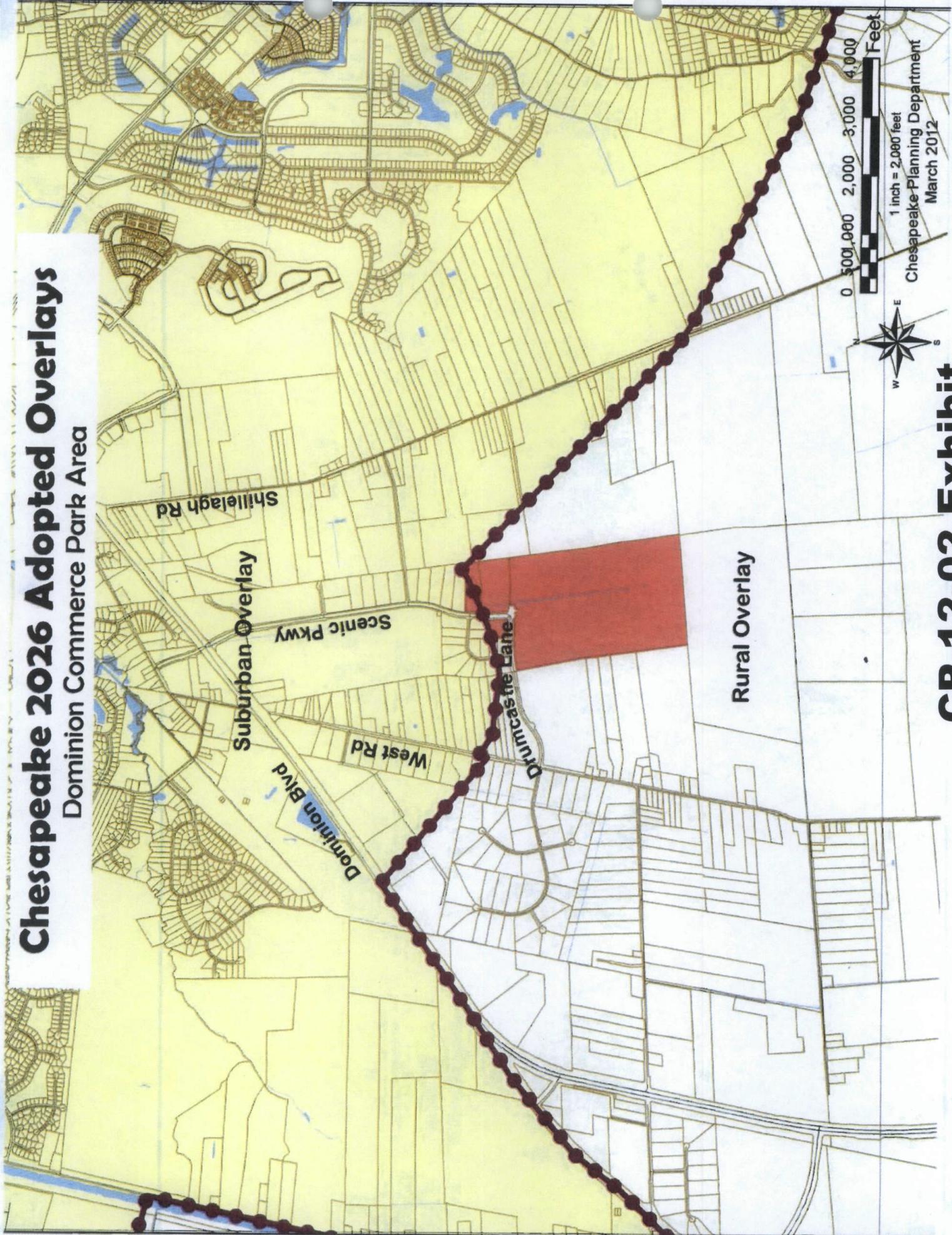

Mayor

ATTEST:


Clerk of the Court

Chesapeake 2026 Adopted Overlays

Dominion Commerce Park Area



Chesapeake Planning Department
March 2012

CP-12-02 Exhibit



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 20, 2012

Received By

JUN 25 2012

**Chesapeake Planning
Department**

Mark Shea
Chesapeake Planning Department
306 Cedar Road
Chesapeake, VA 23322

RE: CP-12-02 Dominion Commerce Park/HRSD

Dear Mr. Shea:

The application for the above referenced Comprehensive Plan Update was approved, version dated April 16, 2012, by City Council at its regular meeting on June 19, 2012. Enclosed are the appropriate papers that have been processed in this regard.

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

Sincerely,

Dolores A. Moore, MMC
City Clerk

DAM:dah

Enclosures

Docket Letter: 1

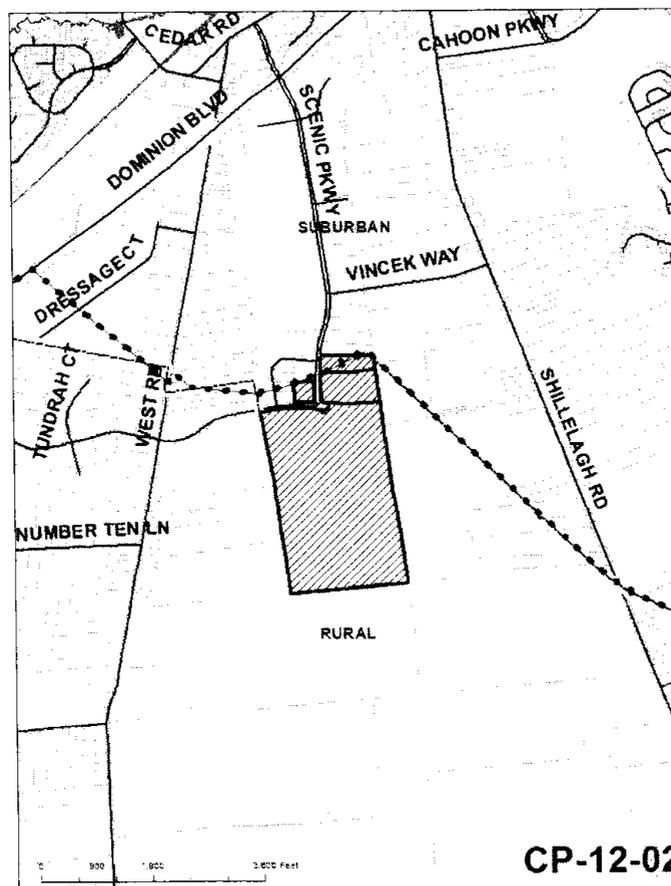
cc: Planning, Real Estate, Melissa Cichorz-Zoning, John King, Zoning Administrator, Jay Tate-Development and Permits

Docket Item "I"

CP-12-02

Dominion Commerce Park

CITY COUNCIL PACKAGE FOR
JUNE 19, 2012



Page	1 – 2	Comprehensive Plan Summary
	3	Planning Commission Minutes
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	6 – 7	Staff Report: May 1, 2012
	8	GIS Overlay Exhibit

COMPREHENSIVE PLAN SUMMARY

CP-12-02 Dominion Commerce Park

A Resolution amending the policies and land use plan of the 2026 Comprehensive Plan for the City of Chesapeake to extend the Suburban Overlay District to include all of the property subject to R(PUD)-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area.

Resolution Adopted by City Council: 3-27-12

STAFF RECOMMENDATION

Approval of version dated April 16, 2012

PLANNING COMMISSION

HEARING DATE: 5-9-12

RECOMMENDATION: APPROVAL of version dated April 16, 2012

VOTE: 8- 0

ATTACHMENTS

Minutes, Resolution, Staff Report, GIS Overlay Exhibit

COMPREHENSIVE PLAN SUMMARY

CP-12-02 Dominion Commerce Park

RESOLUTION REQUESTED BY: Council Member Hayes

STAFF CONTACT: Planning Department
Mark Shea, Senior Planner

CP-12-02

Resolution amending the policies and land use plan of the 2026 Comprehensive Plan for the City of Chesapeake to extend the Suburban Overlay District to include all of the property subject to R(PUD)-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends that CP-12-02 version dated April 16, 2012 be APPROVED. (8-0; Van Laethem/Whitted, Small excused)

Mrs. Hanson read CP-12-02 into the record for Commission review and action.

Staff Presentation:

Mrs. Hanson stated that based on sound planning practices, Planning staff recommended **CP-12-02** be **APPROVED** as listed in the official agenda.

COMMISSION VOTE:

Commissioner Van Laethem moved that **CP-12-02** be **APPROVED** as listed in the official agenda and as recommended by staff. Commissioner Whitted seconded the motion. The motion was carried by a vote of 8 - 0. Commissioner Small was excused.

CP-12-02**April 16, 2012****RESOLUTION AMENDING THE POLICIES AND LAND USE PLAN OF THE 2026 COMPREHENSIVE PLAN FOR THE CITY OF CHESAPEAKE TO EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) LOCATED WITHIN THE PUBLIC UTILITIES FRANCHISE AREA.**

WHEREAS, on March 27, 2012, the City Council of the City of Chesapeake, Virginia (“City Council”) approved a 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 extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area, said property being shown in red on the attached exhibit entitled, “Chesapeake 2026 Adopted Overlays Dominion Commerce Park Area;” and

WHEREAS, the Planning Commission held a public hearing on May 9, 2012, to hear comments regarding the proposed amendment to the Comprehensive Plan; and

WHEREAS, following the public comment period, the Planning Commission considered the merits of the proposed amendment and recommended approval of same.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Policies and Land Use Plan of the 2026 Comprehensive Plan be, and are hereby, amended to extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) that lies within the Public Utilities Franchise Area, said property being shown in red on the attached exhibit entitled, “Chesapeake 2026 Adopted Overlays Dominion Commerce Park Area.”

ADOPTED by the Council of the City of Chesapeake, Virginia on this ____ day of _____, 2012.

APPROVED:

Mayor

ATTEST:

Clerk of the Court

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

HEARING DATE: MAY 9, 2012

TO: CHESAPEAKE PLANNING COMMISSIONERS

FROM: MARK SHEA, SENIOR PLANNER *MS*

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

DATE: MAY 1, 2012

RE: **CP-12-02**
 Resolution amending the policies and land use plan of the 2026 Comprehensive Plan for the City of Chesapeake to extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area.

STUDY DESCRIPTION:

This amendment to the Chesapeake Land Use and Comprehensive Plan is to move the existing 2026 Suburban Overlay District Line to include all of the property subject to R-PUD-02-01, also known as Dominion Commerce Park. This land is currently located within the Rural Overlay District.

BACKGROUND:

The proposed amendment was initiated by City Council, who adopted a resolution on March 27, 2012, requesting the Planning Commission to consider and make recommendation concerning the proposed amendment.

On June 25, 2002, City Council approved R(PUD)-02-01 Dominion Commerce Park. This action rezoned approximately 243 acres of land from A-1, Agricultural District, to PUD-Industrial Park. Concurrent with the approval of the rezoning, City Council approved an expansion of the Public Utilities Franchise Area to include the entire property. The Comprehensive Plan Overlay districts that were applicable at this date were the Suburban Overlay District in the north and Countryside Overlay District to the south.

On March 9, 2005, City Council approved the Forward Chesapeake 2026 Comprehensive Plan. A key policy of this plan was the elimination of the Countryside Overlay District. The 2026 Comprehensive Plan Advisory Team (PAT) recommendation for the limits of the Suburban Overlay District included placement of the entire Dominion Commerce Park within the Suburban Overlay District rather than the Rural Overlay District. However, City Council adopted a boundary line for this area to coincide with the 1990 Suburban Overlay District. Thus, the overlay district designation for the southern portion of the Dominion Commerce Park was changed from Countryside to Rural. It should be noted that Commercial/Industrial PUD's are permitted in the Rural Overlay District as per the City's Zoning Ordinance.

The current application to modify the approved PUD to include residential uses has triggered this Comprehensive Plan amendment. The Zoning Ordinance does not allow the approval of a PUD-Residential within the Rural Overlay District.

STAFF ANALYSIS:

Adjustment of the Suburban Overlay District is necessary to allow consideration of rezoning to Planned Unit Development-Residential (PUD-R) according to the Zoning Ordinance. Although this property was brought into the Public Utility Franchise Area by virtue of City Council approving a franchise area expansion, this occurred prior to the adoption of the current Suburban Overlay district boundaries. The Public Utilities Franchise Area policy was also changed with the adoption of the 2026 Comprehensive Plan by removing language that the existing franchise area be conterminous with the Suburban Overlay. Since the City Council adopted the 1990 suburban line and the conterminous language was removed, it has since been determined that the southern portion of the Dominion Commerce Park is within the Rural Overlay.

This is a somewhat unique case where the existing PUD boundaries are within the Public Utility Franchise Area but not within the Suburban Overlay District. Changing the boundaries to conform in this area would not set a precedent to reclassify other areas into the Suburban Overlay Area outside of a citywide update of the Comprehensive Plan.

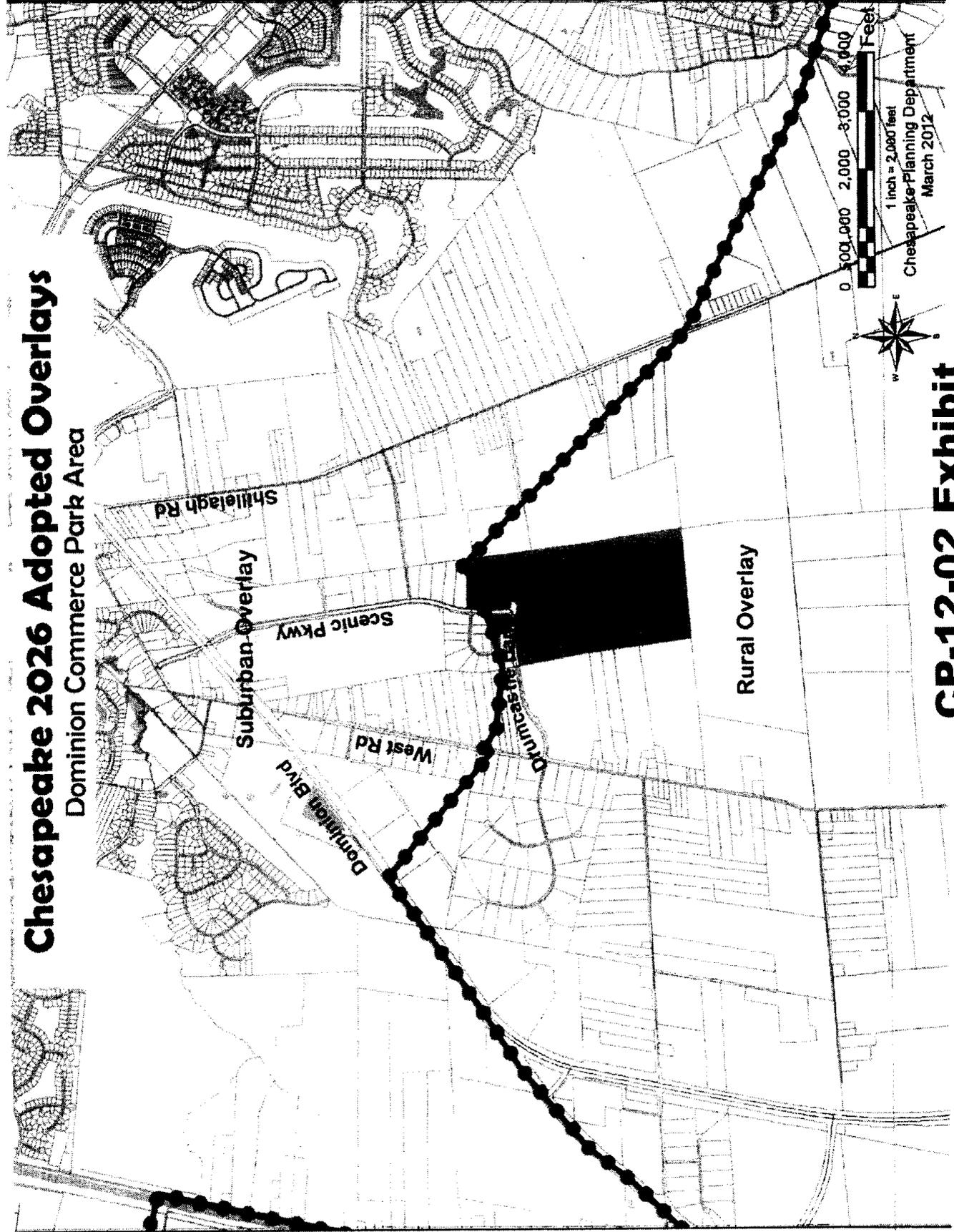
STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that CP-12-02 version dated April 16, 2012 be APPROVED.

MS:bh

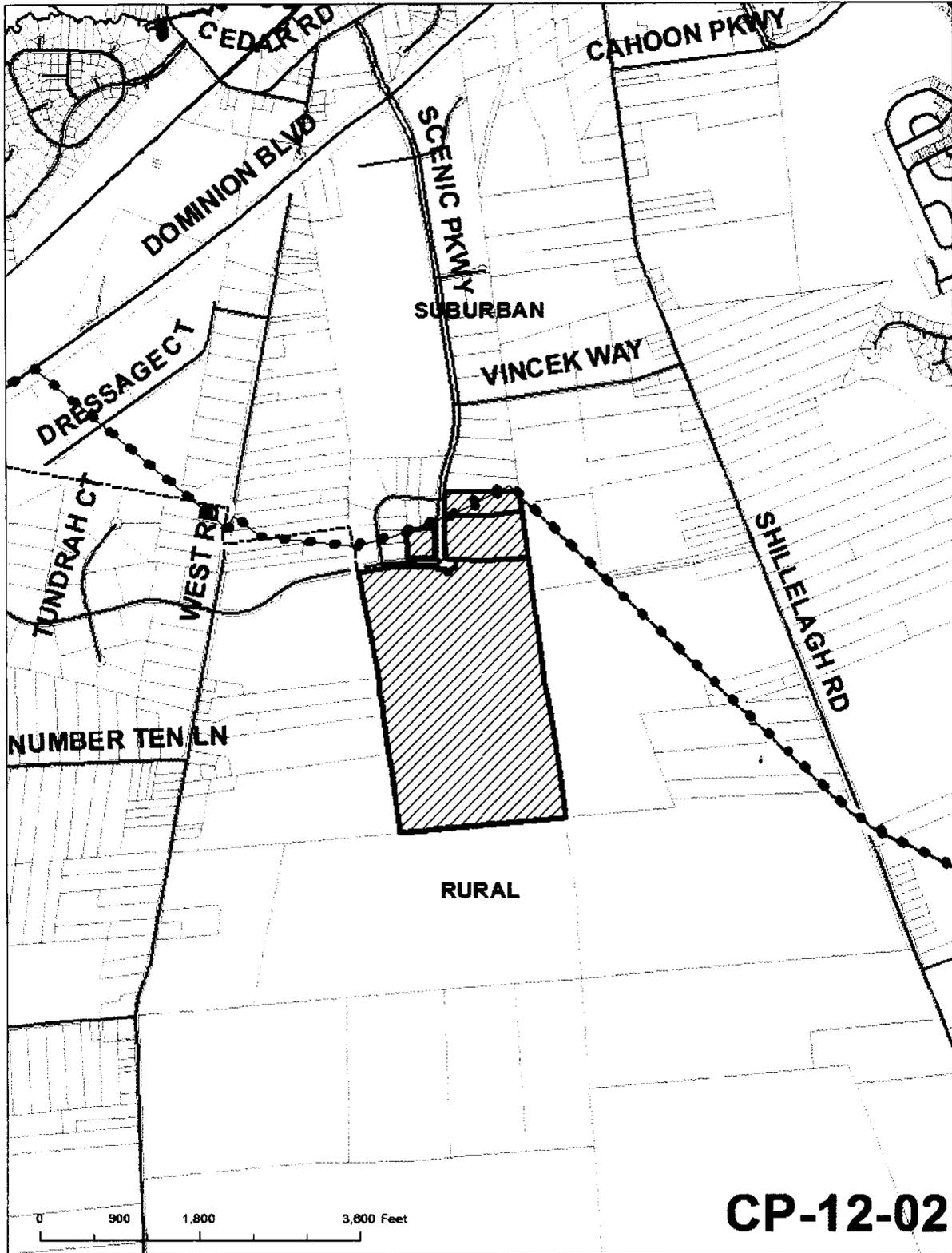
Chesapeake 2026 Adopted Overlays

Dominion Commerce Park Area



Chesapeake Planning Department
March 2012

CP-12-02 Exhibit



CP-12-02 Resolution amending the policies and land use plan of the 2026 Comprehensive Plan for the City of Chesapeake to extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 (Dominion Commerce Park) located within the Public Utilities Franchise Area.

**PLANNING COMMISSION MEETING OF
May 9, 2012**

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

HEARING DATE: MAY 9, 2012

TO: CHESAPEAKE PLANNING COMMISSIONERS

FROM: MARK SHEA, SENIOR PLANNER *MS*

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

DATE: MAY 1, 2012

RE: **CP-12-02**
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BACKGROUND:

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On March 9, 2005, City Council approved the Forward Chesapeake 2026 Comprehensive Plan. A key policy of this plan was the elimination of the Countryside Overlay District. The 2026 Comprehensive Plan Advisory Team (PAT) recommendation for the limits of the Suburban Overlay District included placement of the entire Dominion Commerce Park within the Suburban Overlay District rather than the Rural Overlay District. However, City Council adopted a boundary line for this area to coincide with the 1990 Suburban Overlay District. Thus, the overlay district designation for the southern portion of the Dominion Commerce Park was changed from Countryside to Rural. It should be noted that Commercial/Industrial PUD's are permitted in the Rural Overlay District as per the City's Zoning Ordinance.

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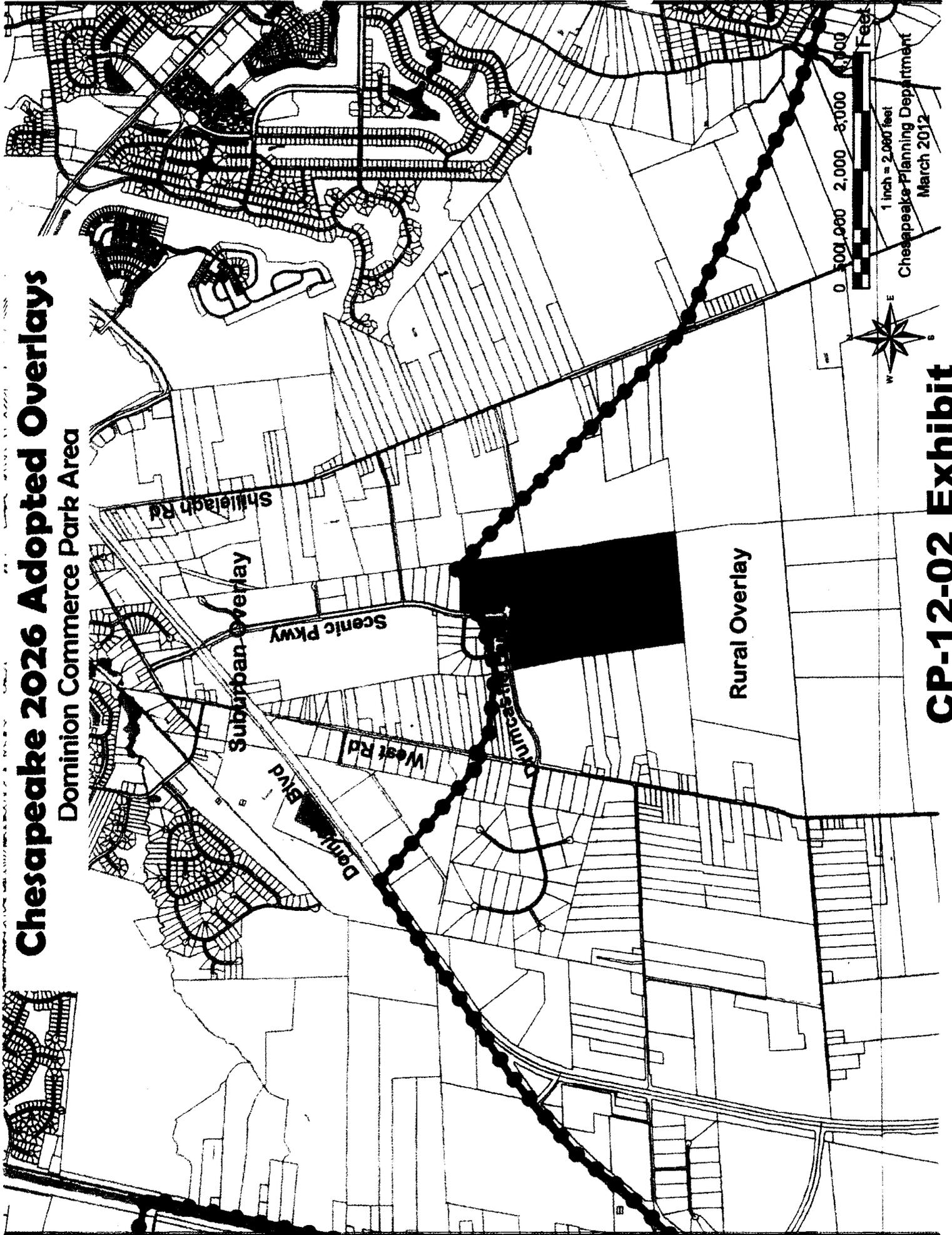
STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **CP-12-02** version dated **April 16, 2012** be **APPROVED**.

MS:bh

Chesapeake 2026 Adopted Overlays

Dominion Commerce Park Area



Chesapeake Planning Department
March 2012

CP-12-02 Exhibit

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

June 1, 2012

Received By

JUN 04 2012

Mark Shea
Chesapeake Planning Department
306 Cedar Road
Chesapeake, VA 23322

Chesapeake Planning
Department

RE: CP-12-02 Dominion Commerce Park/HRSD

Dear Mr. Shea:

In accordance with the Chesapeake Zoning Ordinance, you are hereby notified that the above listed land use change proposal has been scheduled for a public hearing before the City Council at its meeting to be held June 19, 2012, at 6:30 p.m. in the Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

Copies of the application and supporting material may be viewed in the City Clerk's Office at any time during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, after June 8, 2012, or online at the City's website, www.cityofchesapeake.net/council/agenda, on Friday before the meeting. Before then, copies can be viewed in the Planning Department.

As a reminder, the applicant will be responsible for all costs incurred for legal advertising of the item under consideration, which may range from \$600 - \$1,000. If you have any questions, please call Debbie Hanbury, Deputy City Clerk, at 382-6151.

Sincerely,



Dolores A. Moore, MMC
City Clerk

DAM:dah

CHESAPEAKE PLANNING COMMISSION
SPEAKER CARD

Date: 9 MAY 2012 Agenda Item #: "B"

Application #: CP-12-02

Name: JAMES R. BRADFORD

Address: 325 VOLVO PARKWAY
CHESAPEAKE, VA.

Telephone: 547-9531

Group/Organization Represented:
HASSELL & FOLKES, P.C.

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

SUPPORT OPPOSITION * QUESTIONS ONLY!

Secretary Use Only: _____ Minutes allotted for Speaking

- H. Fire Prevention Code Appeals Board – 2 vacancies (alternates)
WITHOUT OBJECTION, CONTINUED TO APRIL 24, 2012
 - I. Groundwater Committee – 1 vacancy
APPOINTED Alden Cleanthes (West/Kelly) (8-0) (Council Member Craig was excused)
 - J. Hampton Roads Planning District Commission – 1 vacancy
APPOINTED Amar Dwarkanath (Ward/Kelly) (8-0) (Council Member Craig was excused)
 - K. Natural Event Mitigation Advisory Committee – 2 vacancies (1 Fire/EMS representative and 1 business representative)
APPOINTED Carl Ackiss, Sr. (Fire/EMS Rep) and continued 1 appointment (Kelly/Ward) (8-0) (Council Member Craig was excused)
 - L. Transportation Toll Facility Advisory Board – 1 vacancy
REAPPOINTED Larry Zoeller (Business Rep) (Ward/Kelly) (8-0) (Council Member Craig was excused)
 - M. Transportation Planning Organization – 1 vacancy
APPOINTED Amar Dwarkanath (Ex-officio) (Ward/Matheson) (8-0) (Council Member Craig was excused)
11. UNFINISHED BUSINESS
- A. RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING WHETHER UP-09-11 W & B BROWN AND SONS' JUNKYARD SHOULD BE REVOKED FOR THE WILLFUL, CONTINUOUS AND RECURRING NONCOMPLIANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND CITY CODE. *(Continued from the January 10, February 14 and February 21, 2012 City Council Meetings)*
APPROVED WITHDRAWAL (Vice Mayor de Triquet/Hayes) (8-0) (Council Member Craig was excused)
12. NEW BUSINESS
- A. 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 EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) LOCATED WITHIN THE PUBLIC UTILITIES FRANCHISE AREA. *(Council Member Hayes)*
APPROVED (Hayes/Ward) (8-0) (Council Member Craig was excused)
13. CLOSED SESSION – 8:20 p.m. – 8:43 p.m.
14. ADJOURNMENT - 8:44 p.m.

12-R-021

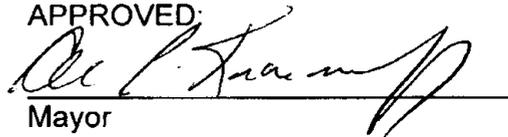
RESOLUTION REQUESTING THE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO THE POLICIES AND LAND USE PLAN OF THE 2026 COMPREHENSIVE PLAN TO EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) LOCATED WITHIN THE PUBLIC UTILITIES FRANCHISE AREA.

WHEREAS, the public necessity, convenience and general welfare require that an amendment to the 2026 Comprehensive Plan be considered by the Planning Commission and the City Council to extend the Suburban Overlay District to include all of the property subject to R-PUD-02-01 located within the Public Utilities Franchise Area; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chesapeake that the Planning Commission consider and make recommendations concerning the extension of the Suburban Overlay District to include all of the property subject to R-PUD-02-01 located within the Public Utilities Franchise Area.

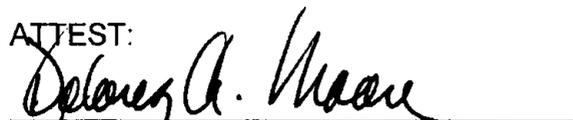
ADOPTED by the Council of the City of Chesapeake, Virginia, this 27th day of March, 2012.

APPROVED:



Mayor

ATTEST:



Clerk of the Council

March 20, 2012

DOCKET
ITEM NB-A

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 EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) LOCATED WITHIN THE PUBLIC UTILITIES FRANCHISE AREA.

Upon adoption, this Resolution will request the Planning Commission to consider and make recommendations concerning proposed amendments to the Policies and Land Use Plan for the 2026 Comprehensive Plan to extend the suburban overlay district to include all of the Dominion Commerce Park within the Public Utilities Franchise Area. This initiating Resolution was requested by Council Member Hayes.

In 2002, the City Council approved an extension of the Public Utilities Franchise Area to include all of the property subject to the Dominion Commerce Park rezoning (R-PUD-02-01). The southern portion of Dominion Commerce Park however, remains in the rural overlay district while the majority of the Park is located within the suburban overlay district. The area subject to this Resolution is shown on the attached plat.

A rezoning application has been filed with the Planning Department to rezone the southern portion of the Park to multi-family residential, and the Resolution and rezoning application can be coordinated for consideration together.

Very truly yours,



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 EXTEND THE SUBURBAN OVERLAY DISTRICT TO INCLUDE ALL OF THE PROPERTY SUBJECT TO R-PUD-02-01 (DOMINION COMMERCE PARK) LOCATED WITHIN THE PUBLIC UTILITIES FRANCHISE AREA.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chesapeake that the Planning Commission consider and make recommendations concerning the extension of the Suburban Overlay District to include all of the property subject to R-PUD-02-01 located within the Public Utilities Franchise Area.

ADOPTED by the Council of the City of Chesapeake, Virginia, this __ day of _____, 2012.

APPROVED:

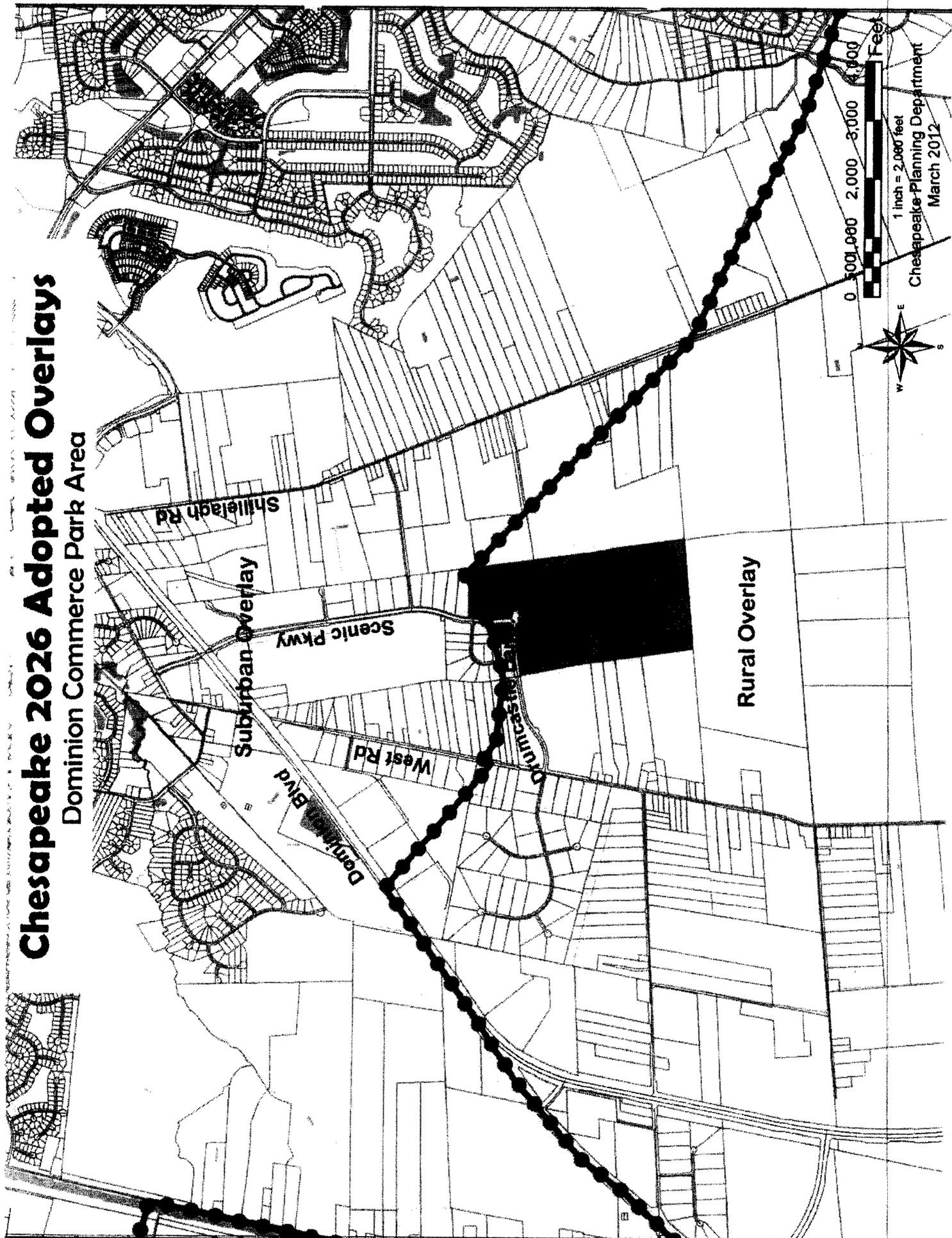
Mayor

ATTEST:

Clerk of the Council

Chesapeake 2026 Adopted Overlays

Dominion Commerce Park Area



Chesapeake Planning Department
March 2012