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Chesapeake settles property dispute with church for \$1.1 million

By **JOHN HOPKINS**, The Virginian-Pilot
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CHESAPEAKE — The city has offered First Pentecostal United Holy Church \$1.1 million to settle a federal lawsuit and buy the church's land at the corner of Poindexter Street and Bainbridge Boulevard in South Norfolk.

The out-of-court settlement, finalized by the two sides Thursday, ends a four-year-old battle between the city and the 2,400-member church. The Norfolk-based congregation has been turned down 18 times by either the Chesapeake City Council or the Planning Commission in its attempt to build a new and bigger sanctuary on land that once housed a Big Pig supermarket.

A federal jury trial had been scheduled for next week in U.S. District Court in Norfolk to hear the land dispute.

"Our clients are very pleased," said Roman Paul Storzer, a Washington, D.C., attorney and co-counsel for the church. "This gives them the opportunity to keep doing the good work they're doing in the community for some time to come."

City Attorney Ronald S. Hallman was unavailable Thursday for comment.

The church bought the 4-acre lot in 2000 for \$600,000. It has outgrown its current site at 1434 Wilson Road in Norfolk, a building that seats 500 and lacks ample parking space.

First Pentecostal wanted to build a new 14,000-square-foot worship center with nearly 1,000 seats, a gym and a day-care facility at the South Norfolk site. That idea and other proposals, however, did not sit well with the city.

Since the summer of 2001, the church has unsuccessfully sought city approval to build at the intersection. In an effort to win city approval, the church adjusted its plans by agreeing to build an office-retail complex along with the sanctuary.

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The city and some residents, however, saw the parcel of land, which has been vacant for years, as key to commercial development in a South Norfolk community in need of an economical spark.

The church filed suit in December 2004 and said the city's construction-permit denials violated the U.S. and Virginia constitutions, as well as the federal Religious Land Use and Institutionalized Persons Act.

The denials burdened the church's religious exercise by preventing it from expanding and fulfilling the needs of its various fellowship and outreach ministries, the church's attorneys said.

"Essentially, the city and the church envisioned different ways to invest in this community, but the good of the community was always the focus of both parties in the suit," said church co-counsel John G. Stepanovich of the Virginia Beach law firm Lentz, Stepanovich and Bergethon.

First Pentecostal has existed in Norfolk since 1945. The church's pastor, the Rev. A. Ray Rouson, could not be reached Thursday for comment. There has been no decision on a new site for the church, Stepanovich said.

Storzer said First Pentecostal had a strong case if the dispute had gone to trial.

"The importance of this settlement is clear," he said. "Cities must consider the religious rights of churches when planning their economic agendas."

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