

Joyce Compton - FOIA

From: Lizz Gunnufsen
To: Dana Sanford
Date: 4/16/2008 1:51 PM
Subject: FOIA
CC: Jan Proctor; Mary Ann Saunders

Kathleen Lowery has requested "any and all permits related to the golf course," meaning Battlefield Golf Club or Battlefield Golf Course.

She has asked that she be called before any charges are incurred.

When I explained that it could take some time to collect the information, she told me her first priority is hauling permits, specifically the one for the last dumping that would have occurred around March 2007. Eric Martin in PW told me that we do not issue hauling permits.

She wanted the information in time for the community meeting tonight. I explained that was highly unlikely.

Ms. Lowery's cell phone number is 617-5808, and she lives on Murray Drive.

Thanks,
Lizz

Received: Thu, 28 Feb 2008 09:59:11 -0500
 From: Jeffrey Goodchild <Jeffrey.Goodchild@vdh.virginia.gov>
 Subject: Battlefield Golf Course
 To: rsmalley@cityofchesapeake.net, Stacey Galuffo
 <Stacey.Galuffo@vdh.virginia.gov>, Robert Smith
 <Robert.Smith@vdh.virginia.gov>
 adam.feris@vdh.virginia.gov, Justin Carr
 <Justin.Carr@vdh.virginia.gov>

Dear Bob,

Stacey Galluffo, EHS Senior, went on site. She has found that they do not have any drink water wells, and are using Porta Johns for their sewage disposal. Under our current Regulations, Porta Johns are not allowed for permanent sewage disposal. They can apply for a temporary pump and haul permit until they acquire permanent sewage disposal.

It is my understanding that they have applied to DEQ for a point discharge system, and applied to the Office of Water Programs for a public well. If their point discharge system will be approved and completed within the next year, they can receive a permit for temporary pump and haul. We have given the owners the paper work to start this process. I understand that the City has it's own requirements concerning these issues. Please keep me informed on what procedures your Office is considering for this property.

City Clerk Moore identified the following speakers:

James R. Bradford, 325 Volvo Parkway, representing Hassell & Folkes, P.C., spoke in support of Public Hearing Item (G) - UP-01-03.

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item (G) - UP-01-03.

Vice Mayor Cosgrove, on a motion seconded by Council Member Willis, moved for approval of UP-01-03 with stipulations.

Mayor Ward asked that James Bradford, agent and C. Max Bartholomew, Jr. of Virginia Power explain the use of the flyash and its impacts. Mr. Bradford and Mr. addressed the issue.

There was no additional discussion.

On the motion, voting yes: Council Members Cosgrove, de Triquet, Edge, Krasnoff, Ritter, Parker, Ward, Waters and Willis.

Voting no: None.

H. UP-01-06. PROJECT: Master Blasters Paintball. **APPLICANT:** Master Blasters Paintball. **PROPOSAL:** A conditional use permit for an outdoor (paintball) recreational facility on a 29 acre parcel and a request for an alternative parking surface in accordance with Section 19-406(C) of the Chesapeake Zoning Ordinance. **ZONE:** A-1 Agricultural District. **SIC CODE:** 7999. **LOCATION:** 3648 Belle Haven Street. **TAX MAP SECTION/PARCEL:** portion of 0920000000090. **BOROUGH:** Pleasant Grove.

The Planning Commission recommended approval of the request for an alternative parking surface and the following stipulations:

1. The applicant shall limit the days and hours of operation to Saturday and Sunday from 9 a.m. to 4 p.m.
2. The applicant shall limit the number of players on the site to no more than 40 individuals at any one time.
3. The applicant shall install a City standard commercial entrance prior to the commencement of the activities permitted under this conditional use permit.
4. A Best Management Practice (BMP) will be required if more than 10,000 square feet is disturbed during construction prior to commencement of the activities permitted under this conditional use permit.
5. The conditional use permit will expire once the Beech Wood house is sold and/or occupied.
6. Regular cleaning and maintenance of the site is required at the end of every operating day.
7. The applicant shall install a 10-foot wide Buffer "F" along Belle Haven Street prior to the commencement of activities permitted under this conditional use permit.
8. The applicant shall install a 10-foot wide Buffer "A" or "B" on the eastern side of the property and around the existing graveyard site prior to the commencement of activities permitted under this conditional use permit.
9. No overhead lighting shall be installed or utilized on the subject site.

Vice Mayor Cosgrove, on a motion seconded by Council Member Waters, moved for approval of **UP-01-01** with stipulations.

There was no discussion.

On the motion, voting yes: Council Members Cosgrove, de Triquet, Edge, Krasnoff, Ritter, Parker, Ward, Waters and Willis.

Voting no: None.

G. UP-01-03. PROJECT: Etheridge Greens. **APPLICANT:** Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C. **PROPOSAL:** A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217 ± acre site. **ZONE:** A-1 Agricultural District. **SIC CODE:** 7992, 7999. **LOCATION:** Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. **TAX MAP SECTION/PARCEL:** 062000000020. **BOROUGH:** Butts Road.

The Planning Commission recommended approval with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.

6. The applicant agrees that a five percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the Public Facilities Manual (PFM) prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of the conditional use permit (UP-01-03).

11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within Air Installation Compatible Use Zones (AICUZ) noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy Air Installation Compatible Use Zones (AICUZ) noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."

CITY OF CHESAPEAKE BUILDING PERMIT
Neighborhood Services 382-6324
For Inspection Request Call 382-2489

02/06/08

I understand this permit is granted ONLY for the work shown on the plans and described in the application filed for this construction. Any falsification, misrepresentation or misleading information VOIDS this permit. I hereby certify that I am the owner or I have the authority on behalf of the owner to make the foregoing application, that the application is correct, and that the construction will conform to the regulations in the Building Code, Zoning Ordinance and other City Ordinances.

CERTIFICATE OF USE AND OCCUPANCY is required prior to use of this structure.

Signature: _____

Permit Number B 0403774 00
Application Number 0401958
Permit Date 05/21/04

Property Tax Map 0620000000020

Type of work COMMERCIAL FOUNDATION
Description FOUNDATION ONLY FOR PUMP HOUSE
Use Group U Code Used IBC USBC Edition 2000
Construction Types

Property street 01212 WHITTAMORE ROAD Suite Zip 23322
Subdivision Borough BR
Legal Description BOUNDARY SURVEY 216.836AC
Dimensions XIRREGULAR

Contractor Information
Number 95805 License City 0414833 State 2701035973A Expire 01/31/06
Name LAKEWOOD BUILDERS C/O
2nd Name STAGEBERT RICHARD JR
Address 1230 KINGSBURY DR
City CHESAPEAKE State VA Zip 233220000 Phone 7574358062

Owner Information
Name MJM GOLF LLC c/o
Address 824 LESNER AVE
City NORFOLK State VA Zip 235182506

After completion building will be For Sale For Rent Occupied by Owner X
Occupancy Load For use as PUMP HOUSE FOUNDATIO
Total Value of Construction \$2,000.00

Fees Building \$55.00 Plan Review 5.00 Early Release 0.00
Zoning PR 0.00 C.O. 0.00 Levy 1.05 Late 0.00 Technology 0.00
Total Fees \$61.05 Receipt Number 196094 By R SMALLEY

Flood Zone X CBPA N South Norfolk Overlay N Enterprize Zone N
Proffer or Stipulation N Variance Issued N Date 00000000
Zoning Approval Initials PL Date 00000000

Tax Map Total Acres 216.907 Square feet 9448469
Current Zoning A A1 Acres 216.000 Zoning B NONE Acres B
Lot Width Feet Depth
Setbacks Front 1 Front 2 Corner Lot Lot Coverage %
Rear Left side Right side

CITY OF CHESTER DEAKE BUILDING PERMIT
Neighborhood Services

2/06/08

Permit Number B 0403774 00
Application Number 0401958
Permit Date 05/21/04

Property Tax Map 0620000000020

Type of work COMMERCIAL FOUNDATION
Description FOUNDATION ONLY FOR PUMP HOUSE
Use Group U Code used IBC USBC Edition 2000
Construction Types

Building Information

NONE
Number of floors 1.0 Rooms 1.0 Bedrooms Bathrooms
Sq Feet Total 168 Building Size 12 x 14

Type Construction: Conventional X Pre Fab Modular
Foundation: Slab Concrete X Block/Piers Other
Floors: Wood Concrete X Other
Roof Design: Gable Hip Flat Other
Roof Description: Composit Metal Build-up
Siding: Wood Masonry Brick Vinyl
Heating: Gas Heat Pump Electric Air Conditioner
Windows: Wood Steel Aluminum Vinyl

Fireplace Garage Carport Porch Deck Stoop Sprinkler Elevator

Notes about permit:
SEE APPROVED SITE PLAN FOR SETBACKS
PUMP HOUSE STRUCTURE. NOISE TESTING NOT REQUIRED FOR THIS BUILDING. RRS
FOUNDATION ONLY FOR GOLF COURSE PUMP HOUSE

Mechanics Lien Agent Information

NONE
Address City State Zip Phone

Affirmation and signature if owner acting as contractor:

I, _____, affirm that I am the owner of a certain
tract or parcel located at _____ suite _____
and that I have applied for a building permit. I affirm that I am familiar with
the prerequisites of section 54.1-1111 of the Code of Virginia and that I am
not subject to licensure as a contractor or subcontractor.
Owner signature: _____

Permit will become invalid if the authorized work is not commenced within 6
months after issuance of permit or if work is abandoned for 6 months.

It shall be the responsibility of the permit holder or the permit holder's
representative to notify the building official when the stages of construction
are reached that require inspection.

inrb

Permit Number B 0705391 00
Application Number 0000000
Permit Date 08/14/07

Property Tax Map 0620000000020

Type of work CONSTRUCTION TRAILERS/YARDS
Description CONSTRUCTION TRAILER TEMP
Use Group A1 Code used CZO USBC Edition N
Construction Types TEMP CONST TRAIL

Building Information

Number of floors	NONE	Rooms	Bedrooms	Bathrooms			
Sq Feet Total		Building Size	x				
Type Construction:	Conventional	Pre Fab	Modular				
Foundation:	Slab Concrete	Block/Piers	Other				
Floors:	Wood	Concrete	Other				
Roof Design:	Gable	Hip	Flat	Other			
Roof Description:	Composit	Metal	Build-up				
Siding:	Wood	Masonry	Brick	Vinyl			
Heating:	Gas	Heat Pump	Electric	Air Conditioner			
Windows:	Wood	Steel	Aluminum	Vinyl			
Fireplace	Garage	Carport	Porch	Deck	Stoop	Sprinkler	Elevator

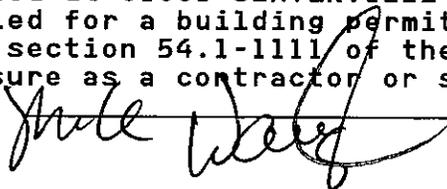
Notes about permit:
CONSTRUCTION TRAILER TEMP 8/14/2007- 8/14/2008

Mechanics Lien Agent Information

Address	NONE			
City		State	Zip	Phone

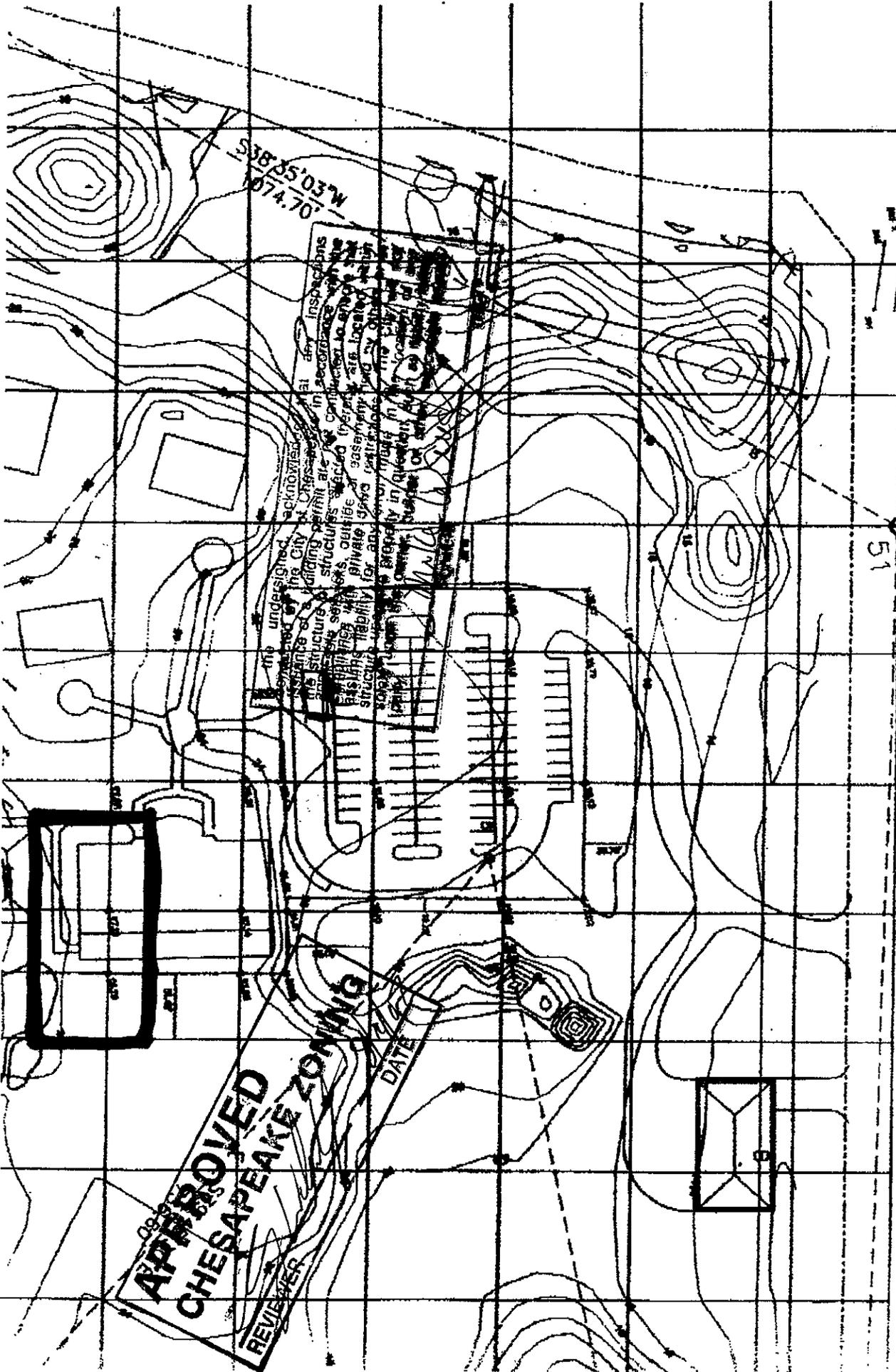
Affirmation and signature if owner acting as contractor:

I, MJM GOLF LLC, affirm that I am the owner of a certain tract or parcel located at 01001 CENTERVILLE TURNPIKE S suite, and that I have applied for a building permit. I affirm that I am familiar with the prerequisites of section 54.1-1111 of the Code of Virginia and that I am not subject to licensure as a contractor or subcontractor.

Owner signature: 

Permit will become invalid if the authorized work is not commenced within 6 months after issuance of permit or if work is abandoned for 6 months.

It shall be the responsibility of the permit holder or the permit holder's representative to notify the building official when the stages of construction are reached that require inspection.



538°55'03"W
1074.70'

51

APPROVED
CHESAPEAKE ZONING
REVIEWER

DATE

ATTN: MIKE WRAH
From: FRU MASTINDISK
09151110
34205701002
121823394002
15:35

MIKE,
CAN YOU DRAW THE BUILDING
ON THIS FROM THE WAY YOU
WANT IT RESTORED ON THE SITE?
FRU



DEPARTMENT OF NEIGHBORHOOD SERVICES
 306 CEDAR ROAD, P.O. BOX 15225, CHESAPEAKE, VA 23322
 PHONE: (757) 382-6018 FAX: (757) 382-8448
 EMAIL: neighborserv@mail.city.chesapeake.va.us

Project Name: Battleground Golf Club Date: 8/14/07
 Project Address: 1061 Centerville Turnpike Lot/Suite# _____
 Applicant: _____ Owner Contractor Agent Tenant

Signature Mike Waugh Please Print Name Mike Waugh

Specify Type of Work to be Done		New	Alteration	Addition	Demolition
<input checked="" type="checkbox"/>	RESIDENTIAL	<input checked="" type="checkbox"/>	COMMERCIAL/INDUSTRIAL		
04	Residential Alterations		24	Antenna/Towers	
05	Addition		15	Apartments	
25	Bulk Head/Pier/Boatlift		14	Church Alteration/Addition	
31	Condominium		13	Church Foundation	
05	Deck		12	Church New Building	
21	Fence with Pool		28	City Building	
19	Fence without Pool		08	Commercial Alteration/Addition	
05	Fire Damage Repair (Post Fire Inspection Req)		07	Commercial Foundation	
18	Garage/Carport		06	Commercial New Building	
05	Garage/Conversion		<u>39</u>	Construction Trailer	
20	Gazebo/Greenhouse			Day Care/Assisted Living	
30	Mobile Home		11	Industrial Alteration/Addition	
29	Moved Residence		10	Industrial Foundation	
21	Pool/Hot Tub		09	Industrial New Building	
16	Private School		23	Sign	
05	Roofing		33	Special Event/Outdoor Sales	
32	Shed (150' Sq Ft)			Other	
20	Shed (Over 150' Sq Ft)				
01	Single Family Residence		Cost of Construction: \$ _____		
05	Sunroom/Patio Enclosures		Square Footage: <u>1,400 S/F</u>		
02	Town House				
05	Residential Foundations				
	Other				

Model Home Yes No Model Number: _____
 Subdivision Show House Yes No Subdivision Name: _____
 Health Dept Well Septic City Water Sewer **One Stop Payment** Yes No
 Owner or Contractor Name: _____
 Address: 911 Neagent Dr State Lic # _____ Class A B C
 City/State/Zip Code: Ches, VA - 23322 Chesapeake Business License # _____
 Telephone # 757 409-1358 Fax # _____

Responsible Land Distruber (applies to new homes)
 Name: _____ Certificate # _____ Expiration Date _____
 Mechanic's Lien Agent (if applicable) Address: _____
 Name: _____
 Phone # _____ No deginated MLA

Virginia Statewide Building Code

2003 National Electrical Code
 2003 International Building Code
 2003 International Mechanical Code
 2003 International Energy Conservation Code
 2003 International Plumbing Code
 2003 International Fire Code
 * = w/State Amendments

SEISMIC ZONE: S = III, S = I, IUS, III, IUS-1

- All buildings are Class B Custom Modular's standards unless otherwise specified.
- Locate stairs, wash, 3rd party seats and data plate per sheet A2.
- C and B adjustments are on site by others.
- Building to be located >10'-0" from existing or assumed property line and >20'-0" from an existing building.
- All work on the area property shall be assumed to have a property line between the building and the building shall be identified with the International Code of Accessibility. (Signage by others)
- Barrier free provisions, i.e. steps, ramps, parking signs etc.
- Building approach (walkway or ramp) to be 5'-0" wide minimum and a gradient of not more than 1" in 50'.
- Exit doors to remain operable during business hours from the inside without the use of a key or any special knowledge.
- Corrosion resistant fastening at top and sides of doors, if required, shall be provided.
- All fire alarm devices shall be located in areas that exceed those listed on the cover sheet design criteria and state codes.

- **Electrical Notes:**
 - All receptacles to be grounding type.
 - All lighting to be 120 volt, 60 Hz, single phase.
 - Main panel to be marked "Main" and have a service disconnect and be equipped with breaker/fuse type over current protection.
 - Proper thermal overload protection to be provided for all receptacles and disconnects.
 - Weatherproof protection required for all outdoor lights, receptacles and disconnects.
 - Proper working clearances to be provided and maintained for all electrical equipment.
 - All fire alarm devices shall be provided with proper clearances from insulation and other combustibles.
 - Combination exhaust fan/light and of recessed incandescent lighting shall be properly protected.
 - All lighting to be properly protected from an approved emergency service connected ahead of the disconnect.
 - Service disconnecting means enclosure and installed as per code requirements or be battery backup type units.
 - All fire alarm devices shall be grounded per N.E.C. or applicable code.
 - In cavities used as return air chases, there shall be no exposed romex and wiring should be run in conduit/JAC type cables.
 - A dedicated 20A outlet for signage shall be provided by the manufacturer. The disconnect for sign shall be within sight of sign and isolated by others.

- **Mechanical Notes:**
 - All mechanical and heating equipment to be ducted to exterior and terminate in a rain cap.
 - Return air via gilles and/or underlaid doors.
 - Material exposed within plenum shall be non-combustible or shall have a flame spread index not more than 50.
 - All ductwork shall be in an approved fire-rated enclosure with ASTM E-84.
 - Duct exposed to non-conditioned spaces shall be insulated with minimum 1/2" insulation.
 - The lower portion of the duct system shall not be less than 1/2" from the floor in toilet, laundry and/or utility rooms.
 - Metal chimneys shall extend of least 3'-0" above the highest point that they pass through the room.
 - All ductwork shall be in a minimum 1/2" from other portions of the building.
 - Ducts shall be class 1/A flame spread.
 - Ventilation to be in conformance w/2009M per occupant. (Offices)
 - Flexible ducts and connectors shall be installed in accessible areas only and shall not be concealed.

Mobile Mini
 24 x 64 - Office
 23'-6" x 60'-0" Actual Size

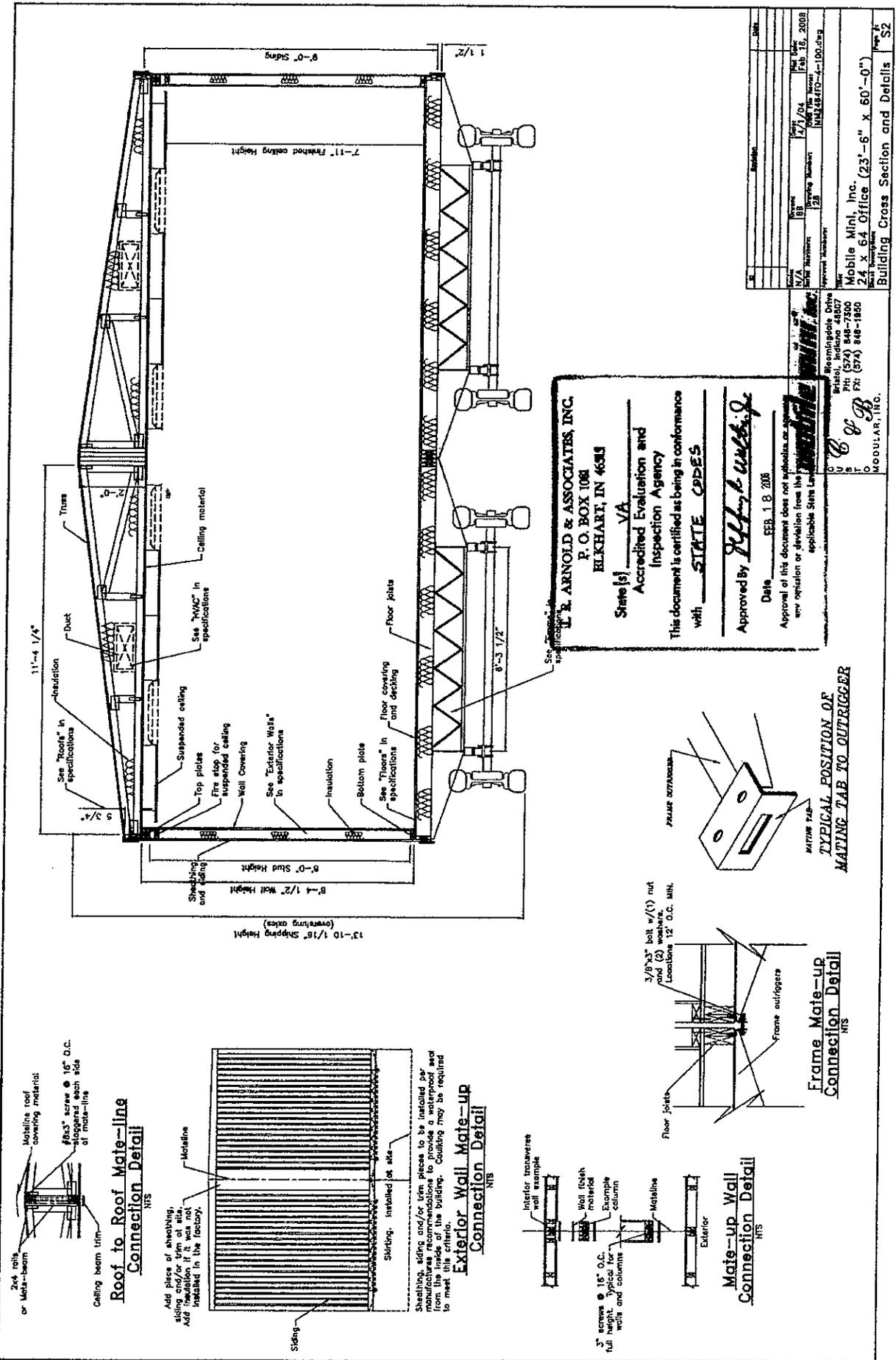
Building Information
 Use Group: "B"
 Construction Type: 1410 PSF
 Seismic Footing: 15 PSF (Egress Design)
 Occupancy Load:
Design Loads
 Floor Dead Load: 10 PSF
 Floor Live Load: 60 PSF
 Roof Dead Load: 14 PSF
Wind Loads
 Ground Snow Load: 40 PSF
 Roof Design Load: 42 PSF
 Unbalanced Snow Load: 7/8 PSF
 Snow Pressure: 1.00
 Gust Effect Factor: 1.00
 Thermal Factor: 1.00
Wind Load
 Wind Speed: 100 MPH Ave. gust
 Wind Importance Factor: 1.00
 Wind Exposure: "B"

VA. Seal
 REG. 2008-0933

E. L. ARNOLD & ASSOCIATES, INC.
 P. O. BOX 108
 ELKHART, IN 46531
 State of VA
 Accredited Evaluation and Inspection Agency
 This document is certified as being in conformance with STATE CODES
 Approved By: *[Signature]*
 Date: FEB 18 2006
 Approval of this document does not constitute or imply any opinion or jurisdiction from the undersigned in applicable State Laws.

Page	Project	Page Description
1	Project	Cover Sheet
2	Building	Specifications
3	Production	Electrical Plan
4	Production	Plumbing Plan
5	Production	Detail
6	Production	Detail
7	Production	Detail
8	Production	Detail
9	Production	Detail
10	Production	Detail
11	Production	Detail
12	Production	Detail
13	Production	Detail
14	Production	Detail
15	Production	Detail
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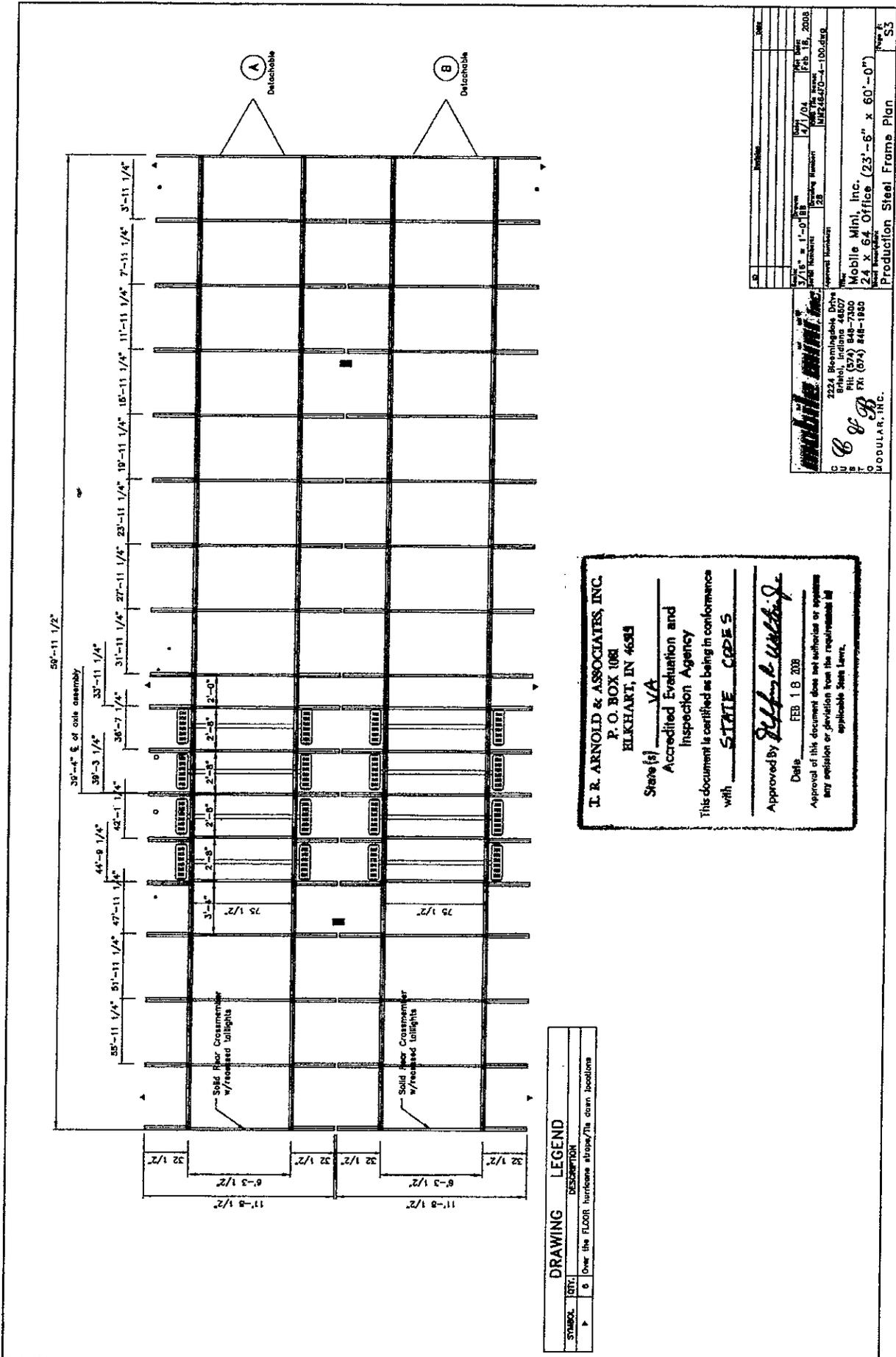
2224 Bloomingdale Drive
 Ellettsville, Indiana 47407
 PH: (574) 848-7300
 FX: (574) 848-1850
Mobile Mini, Inc.
 MODULAR, INC.



L. E. ARNOLD & ASSOCIATES, INC.
 P. O. BOX 1081
 ELKHART, IN 46511
 State(s) VA
 Accredited Evaluation and Inspection Agency
 This document is certified as being in conformance with STATE CODES
 Approved By R. L. Burkhardt
 Date EEB 1 B 208
 Approval of this document does not constitute an opinion or deviation from the applicable State Law

Sheet No.	128
Project No.	24 x 64 Office (23'-6" x 60'-0")
Revision	
Scale	
Drawn	
Checked	
Approved	
Mobile Mini, Inc.	
24 x 64 Office (23'-6" x 60'-0")	
Sheet No.	128
Project No.	24 x 64 Office (23'-6" x 60'-0")
Revision	
Scale	
Drawn	
Checked	
Approved	

Mobile Mini, Inc.
 24 x 64 Office (23'-6" x 60'-0")
 Building Cross Section and Details
 S2



J. R. ARNOLD & ASSOCIATES, INC.
 P. O. BOX 1081
 ELKHART, IN 46531

State (s) VA
 Accredited Evaluation and
 Inspection Agency

This document is certified as being in conformance
 with STATE CODES

Approved By *Jeffrey K. Walker, J.*
 Date FEB 18 2008

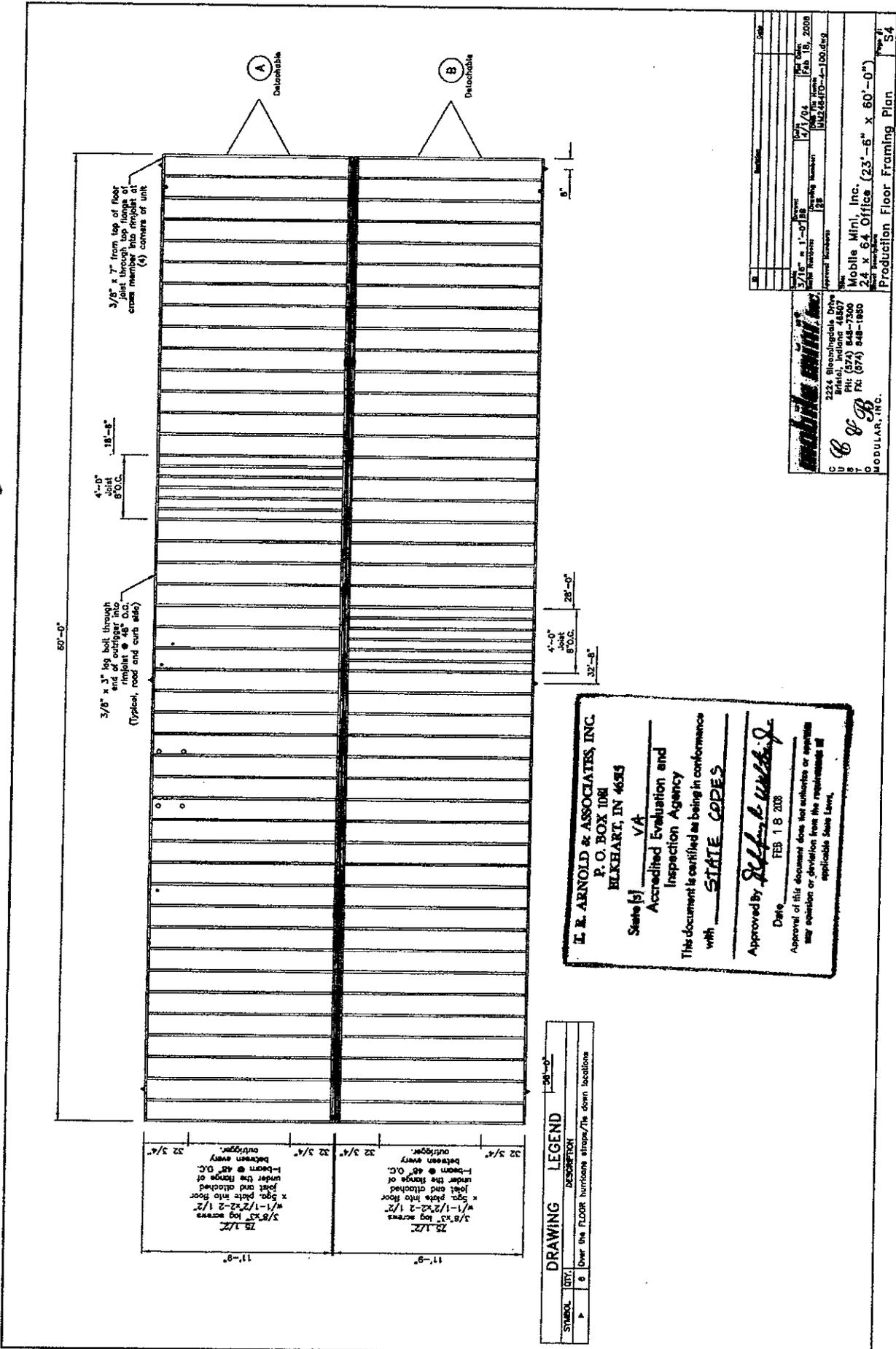
Approval of this document does not constitute or represent
 any opinion or deviation from the requirements of
 applicable State Laws.

SYMBOL	QTY	DESCRIPTION
▲	6	Over the FLOOR hurricane straps/7th down locations

mobile mini, inc.
 2224 Birmingham Drive
 Bristol, Indiana 46807
 Pitt (574) 848-7800
 Fax (574) 848-1985
 MODULAR, INC.

3/15" = 1'-0" BB
 4/7/04
 11/24/04
 11/24/04

Mobile Mini, Inc.
 24 x 64 Office (23'-6" x 60'-0")
 Page # 53



SYMBOL	DESCRIPTION
▲	Over the FLOOR hurricane straps/Tie down locations
○	3/8" x 3" lg. bolt through rim joist @ 48" O.C. (Typical, road and curb side)
□	4" x 8" Joist @ 8" O.C.
▬	3/8" x 7" from top of floor joint through top flange of beam member into rim joist at (4) corners of unit
▬	32 3/4" outrigger
▬	32 3/4" outrigger between every 11'-9"
▬	28'-0" Joist @ 8" O.C.
▬	3/8" x 3" lg. bolt through rim joist @ 48" O.C.
▬	3/8" x 7" from top of floor joint through top flange of beam member into rim joist at (4) corners of unit

SYMBOL	DESCRIPTION
▲	Over the FLOOR hurricane straps/Tie down locations

I. E. ARNOLD & ASSOCIATES, INC.
 P. O. BOX 1081
 BLAKEHART, IN 46515

Seals (s) VA
 Accredited Evaluation and
 Inspection Agency

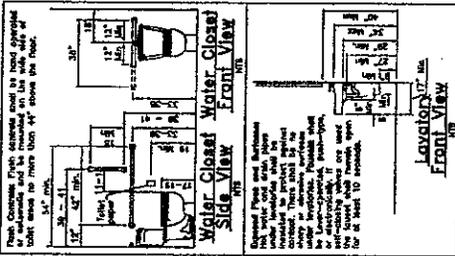
This document is certified as being in conformance
 with STATE CODES

Approved by [Signature]
 Date FEB 18 2008

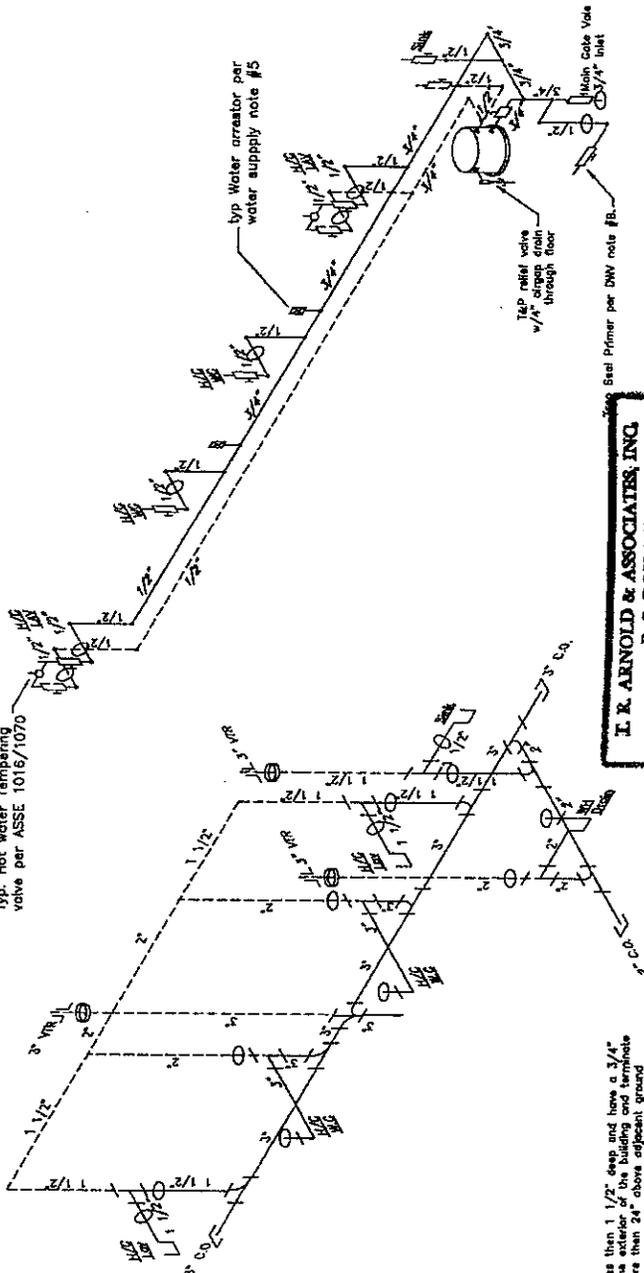
Approval of this document does not constitute or represent
 any opinion or deviation from the requirements of
 applicable State Laws.

mobile mini, inc.
 2224 Bleedingdale Drive
 Bristol, Indiana 48807
 PH: (877) 848-7500
 FX: (877) 848-1880
 C O B & B
 O MODULAR, INC.

DATE	1/1/04	REV	18
BY	1-20-08	DATE	FEB 18, 2008
PROJECT NUMBER	28	ISSUE NUMBER	100-010
APPROVED		DATE	
Mobile Mini, Inc. 24 x 64 Office (23'-6" x 60'-0") Production Floor Framing Plan Page # 54			



Typ. Hot Water Tempering valve per ASSE 1016/1070



- General Plumbing Notes:**
- The pan shall be no less than 1 1/2" deep and have a 3/4" slope that extends to the exterior of the building and terminate in a catch basin.
 - In concealed locations where piping is installed through holes or notches in studs, joists, or rafters, the piping shall be protected by shield plates. Shield plates shall be a minimum of 1/8" thick and shall extend the entire length of the pipe where member is notched or bored and shall extend a minimum of 2" above sole plates and below top plates.
 - If required, drinking fountain to be provided at all by customer/owner.
 - If required, service sink to be provided at all by customer/owner user.

Drain, Waste and Vent Notes:

- DWV material to be SCH 40 PVC.
- All pipes to be secured at 45° O.C.
- Drain pipes shall be accessible, clean out provided at the base of each fixture and all horizontal piping can be reached with a clean out tool with set passing through more than 45° turns.
- 1/4" per ft slope provided on all horizontal branches.
- Vents extending through the roof shall be a minimum 3" in diameter and shall be installed in the roof at the least occurring at a minimum of 12" inside the building and shall terminate at least 12" above the roof and shall be located a minimum of 10'-0" from any air intake vent.
- All vertical to horizontal or horizontal to horizontal change of direction shall be through a long turn Tee or combination Tee.
- All horizontal to vertical change of direction shall be through a sanitary tee, or if at the same level on vertical stack, through an approved double fixture fitting.
- 101B or ASSE 1044 installed by others at site.

C&B Custom Modular Inc. shall provide stacks through floor, P-trap and venting for DWV piping. All piping under floor shall be shipped boxes for installation by others at site.

- Each Water Sample Station:**
- Water supply lines to be Type "L" copper.
 - Copper and/or galvanized water piping to be supported at 8'0" O/C max.
 - Water temperatures factory set at 120°F. Controls located behind water heaters.
 - A shut-off valve shall be provided for each fixture and installed per manufacturers specifications.
 - Water heaters shall be equipped with drain cocks.
 - Disinfectant lines to be taken at connections of water lines to water heaters.
 - Cold water inlet to be provided with a shut-off valve above floor at the water heater.
 - Hot water inlet to be provided with a 3/4" discharge pipe to the exterior via 2" IPS, with a 3/4" discharge pipe to the water main (meter).
 - Fixture shut-off valves to be provided between the building and water main (meter).
 - Bottom hot water heaters shall have a vacuum relief valve installed that complies with ANSI Z21.22.
 - Hot piping

C&B Custom Modular Inc. shall provide stacks through floor, shut-off valves and piping for hot water. All piping under floor shall be shipped boxes for installation by others at site.

I. R. ARNOLD & ASSOCIATES, INC.
P. O. BOX 1081
ELKHART, IN 46533
State(s) VA
Accredited Evaluation and Inspection Agency
This document is certified as being in conformance with STATE CODES
Approved By R.H. Smith, J.
Date FEB 18 2008
Approved of this document does not authorize or represent any opinion or deviation from the requirements of applicable State Law.

mobile mini
2224 Boamingdale Drive
Bristol, Indiana 48807
Tel: (574) 848-7505
Fax: (574) 848-1986
MODULAR, INC.

Project Number	123
Sheet Number	123
Date	2/17/08
Scale	1/4" = 1'-0"
Project Name	Mobile Mini, Inc. Office (23'-6" x 60'-0")

Page # P1

Project Name: MM 2164 FC-4
 Project Bkt: Building width: 23.6 ft Unit Perimeter: 167 ft
 Building length: 60 ft Unit Area: 1470 ft

Module: A Area served: 1104 ft² Panel Voltage: 240
 Main Breaker: 125A

Ckt#	Breaker size	Description	QTY	Voltage	Wattage per item	Connected Load	Load Factor	Calculated Load	Total
1	80 ft	3-ton, 15kw HVAC	1	240	16564	16564	1.00	16564	16564
2	20 ft	Lights	2	120	330	660	1.25	825	330
3	20 ft	Lighted Exhaust Fan	2	120	360	720	1.25	900	360
4	20 ft	Exterior Lights	1	120	13	13	1.25	16.25	671.25
5	20 ft	Lights	8	120	132	1056	1.25	1320	960
6	20 ft	Recept	5	120	180	900	1.00	900	900
7	20 ft	GFCI Recept	3	120	180	540	1.00	540	720
8	20 ft	Heatlaps	1	120	450	450	1.25	562.5	1102.5
9	20 ft	8-10 gal. Water heater	1	120	1850	1850	1.25	2312.5	2082.5
10	20 ft	Garbe Vent.	1	120	130	130	1.00	130	130
Total connected load									22140.25
Actual light load									1861.25
TCL - ACL									20479.00
REG LT load factor									3.5
Total Load									25309.00
Panel load amper									103.45

Module: B Area served: 306 ft² Panel Voltage: 240
 Main Breaker: 125A

Ckt#	Breaker size	Description	QTY	Voltage	Wattage per item	Connected Load	Load Factor	Calculated Load	Total
1	80 ft	3-ton, 15kw HVAC	1	240	16564	16564	1.00	16564	16564
2	20 ft	Lights	2	120	330	660	1.25	825	330
3	20 ft	Exterior Lights	1	120	13	13	1.25	16.25	349.25
4	20 ft	Recept	4	120	180	720	1.00	720	720
5	20 ft	Recept	4	120	180	720	1.00	720	720
6	20 ft	Recept	4	120	180	720	1.00	720	720
7	20 ft	Garbe Vent.	1	120	130	130	1.00	130	130
8	20 ft	Stairs	1	120	130	130	1.00	130	130
Total connected load									19330.25
Actual light load									349.25
TCL - ACL									17984.00
REG LT load factor									3.0
Total Load									19322.75
Panel load amper									80.01

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FEB 18 2008
 T. R. ARNOLD & ASSOCIATES, INC.
 Review of this document does not constitute or
 approve any conditions or deviations from the
 applicable requirements.

ASCE 7-05 - Wind Loading - Method #1 - Simplified Method

Building Category	II
Building Location	Non-Hurricane Prone Region
Wind Exposure Category	C
Basic Wind Speed	90 mph
Mean Roof Height	15 ft
Roof Pitch (MWFRS)	0 to 5°
Roof Pitch (C&C)	0 to 7°

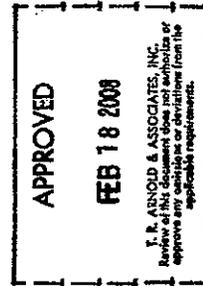
Design Parameters:

Basic Wind Speed (3-s gust) = 90 mph Wind Importance Factor, I = 1.00
 Basic Wind Speed (Fst. Mile) = 78 mph Wind Exposure Category = C

Adjustment Factor for Building = 1.21
 Height and Exposure

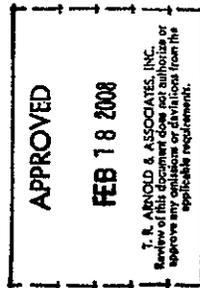
Main Wind Force Resisting System - Design Pressures

Load Case #1	Load Case #2	
	Horizontal Pressures	Vertical Pressures
Zone A = 15.5 psf	Zone A = N-A psf	Windward Roof End Zone
Zone B = -8.1 psf	Zone B = N-A psf	Leeward Roof End Zone
Zone C = 10.3 psf	Zone C = N-A psf	Windward Roof Interior Zone
Zone D = -4.8 psf	Zone D = N-A psf	Leeward Roof Interior Zone
Zone E = -18.6 psf	Zone E = N-A psf	Windward Roof End Zone
Zone F = -10.6 psf	Zone F = N-A psf	Leeward Roof End Zone
Zone G = -12.9 psf	Zone G = N-A psf	Windward Roof Interior Zone
Zone H = -8.2 psf	Zone H = N-A psf	Leeward Roof Interior Zone
Overhang Pressures	Overhang Pressures	Windward Overhang - End Zone
Zone Eoh = -26.1 psf	Zone Eoh = N-A psf	Windward Overhang - Int. Zone
Zone Goh = -20.4 psf	Zone Goh = N-A psf	



Components and Cladding - Design Pressures

Zone 1 - Roof Interior Zone		
Effective Wind Area = 10 s.f. =	7.1 psf	-17.7 psf
Effective Wind Area = 20 s.f. =	6.8 psf	-17.2 psf
Effective Wind Area = 50 s.f. =	6.2 psf	-16.8 psf
Effective Wind Area = 100 s.f. =	5.7 psf	-16.1 psf
Zone 2 - Roof End Zone		
Effective Wind Area = 10 s.f. =	7.1 psf	-29.5 psf
Effective Wind Area = 20 s.f. =	6.8 psf	-26.4 psf
Effective Wind Area = 50 s.f. =	6.2 psf	-22.3 psf
Effective Wind Area = 100 s.f. =	5.7 psf	-19.1 psf
Zone 3 - Roof Corner Zone		
Effective Wind Area = 10 s.f. =	7.1 psf	-44.5 psf
Effective Wind Area = 20 s.f. =	6.8 psf	-36.9 psf
Effective Wind Area = 50 s.f. =	6.2 psf	-26.7 psf
Effective Wind Area = 100 s.f. =	5.7 psf	-19.1 psf
Zone 4 - Wall Interior Zone		
Effective Wind Area = 10 s.f. =	17.7 psf	-19.1 psf
Effective Wind Area = 20 s.f. =	16.8 psf	-18.3 psf
Effective Wind Area = 50 s.f. =	15.7 psf	-17.3 psf
Effective Wind Area = 100 s.f. =	15.0 psf	-16.5 psf
Effective Wind Area = 500 s.f. =	13.2 psf	-14.5 psf
Zone 5 - Wall End Zone		
Effective Wind Area = 10 s.f. =	17.7 psf	-23.6 psf
Effective Wind Area = 20 s.f. =	16.8 psf	-22.0 psf
Effective Wind Area = 50 s.f. =	15.7 psf	-20.0 psf
Effective Wind Area = 100 s.f. =	15.0 psf	-18.3 psf
Effective Wind Area = 500 s.f. =	13.2 psf	-14.6 psf



ASCE 7-05 - Wind Loading - Method #1 - Simplified Method

Building Category: II

Building Location: Non-Hurricane Prone Region

Wind Exposure Category: B

Basic Wind Speed: 100 mph

Mean Roof Height: 15 ft

Roof Pitch (MWFRS): 0 to 5°

Roof Pitch (C&C): 0 to 7°

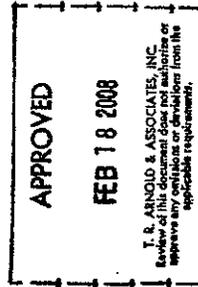
Design Parameters:

Basic Wind Speed (3-s gust) = 100 mph Wind Importance Factor, I = 1.00
 Basic Wind Speed (Fst. Mile) = 85 mph Wind Exposure Category = B

Adjustment Factor for Building = 1.00
 Height and Exposure

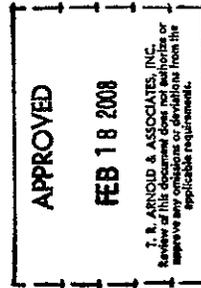
Main Wind Force Resisting System - Design Pressures

Load Case #1	Load Case #2
Horizontal Pressures	
Zone A = 15.9 psf	Zone A = N-A psf
Zone B = -8.2 psf	Zone B = N-A psf
Zone C = 10.5 psf	Zone C = N-A psf
Zone D = -4.9 psf	Zone D = N-A psf
Vertical Pressures	
Zone E = -19.1 psf	Zone E = N-A psf
Zone F = -10.8 psf	Zone F = N-A psf
Zone G = -13.3 psf	Zone G = N-A psf
Zone H = -8.4 psf	Zone H = N-A psf
Overhang Pressures	
Zone Eoh = -26.7 psf	Zone Eoh = N-A psf
Zone Goh = -20.9 psf	Zone Goh = N-A psf



Components and Cladding - Design Pressures

Zone 1 - Roof Interior Zone		
Effective Wind Area = 10 s.f. =	7.3 psf	-18.0 psf
Effective Wind Area = 20 s.f. =	6.9 psf	-17.5 psf
Effective Wind Area = 50 s.f. =	6.3 psf	-16.9 psf
Effective Wind Area = 100 s.f. =	5.8 psf	-16.5 psf
Zone 2 - Roof End Zone		
Effective Wind Area = 10 s.f. =	7.3 psf	-30.2 psf
Effective Wind Area = 20 s.f. =	6.9 psf	-27.0 psf
Effective Wind Area = 50 s.f. =	6.3 psf	-22.7 psf
Effective Wind Area = 100 s.f. =	5.8 psf	-19.5 psf
Zone 3 - Roof Corner Zone		
Effective Wind Area = 10 s.f. =	7.3 psf	-45.4 psf
Effective Wind Area = 20 s.f. =	6.9 psf	-37.6 psf
Effective Wind Area = 50 s.f. =	6.3 psf	-27.3 psf
Effective Wind Area = 100 s.f. =	5.8 psf	-19.5 psf
Zone 4 - Wall Interior Zone		
Effective Wind Area = 10 s.f. =	18.0 psf	-19.5 psf
Effective Wind Area = 20 s.f. =	17.2 psf	-18.7 psf
Effective Wind Area = 50 s.f. =	16.1 psf	-17.6 psf
Effective Wind Area = 100 s.f. =	15.3 psf	-16.8 psf
Effective Wind Area = 500 s.f. =	13.4 psf	-14.9 psf
Zone 5 - Wall End Zone		
Effective Wind Area = 10 s.f. =	18.0 psf	-24.1 psf
Effective Wind Area = 20 s.f. =	17.2 psf	-22.5 psf
Effective Wind Area = 50 s.f. =	16.1 psf	-20.3 psf
Effective Wind Area = 100 s.f. =	15.3 psf	-18.7 psf
Effective Wind Area = 500 s.f. =	13.4 psf	-14.9 psf



Permit Number: _____ Lot Number: _____
 Miscellaneous: _____ Address: _____
 The information in this box is for administrative purposes only and is not part of the engineering review.
 Truss Fabricator: HOMAN LUMBER
 Job Reference: MONO -

Standard Loading:
 F.C. Live 42 psf
 F.C. Dead 10 psf
 S.C. Dead 7 psf
 Total 59 psf

ANSI/ASCE 7-05
 Wind Speed: 60 mph
 Exposure Category: C
 Importance Factor: 1.00
 Embodied

ROBBINS ENGINEERING, INC.
 6904 Pease East Blvd.
 Phone: (613) 772-1138

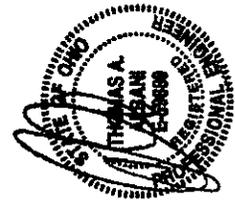
Engineering Index Sheet
 Index Page 1 of 1

Job Number	Date	Specification	Quantity
T07032007	03/22/2007		1

A Professional Engineer's seal affixed to this Index Sheet indicates the acceptance of Professional Engineering Services. Information on the seal is available on the website of the Board of Professional Engineers, Building Code Division, at the address listed on the seal. Section 2.2, Permitting Rules of the original Truss Specification Sheet are attached to the true fabrication. Also attached to this Index Sheet are the attached Specification Sheets may be accessed to the true fabrication. Also attached to this Index Sheet are the attached Specification Sheets may be accessed to the true fabrication. Also attached to this Index Sheet are the attached Specification Sheets may be accessed to the true fabrication.

Date Mark 10/23/07 03/22/07

Date Mark _____ Date Mark _____ Date Mark _____



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 Review of this document does not authorize or approve any conditions or deviations from the applicable requirements.

107032007

<p>IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTING CONDITIONS AND TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.</p>	<p>APPROXIMATE QUANTITIES OF MATERIALS TO BE USED IN THE CONSTRUCTION OF THE STRUCTURE ARE AS FOLLOWS:</p> <p>Concrete: 15.0 cu. yd. Rebar: 1.15 tons Steel Deck: 50 sq. ft. Steel Joists: 10 sq. ft. Steel Bracing: 10 sq. ft. Steel Decking: 10 sq. ft. Steel Joists: 10 sq. ft. Steel Bracing: 10 sq. ft. Steel Decking: 10 sq. ft.</p>
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APPROVED

FEB 18 2008

T. E. ARNOLD & ASSOCIATES, INC.
 Review of this document does not constitute an approval or certification of the design or construction of the structure. The contractor shall be responsible for obtaining all necessary permits and approvals from the local authorities.

CONTRACT NO. 107032007

DATE: 02/18/08

PROJECT: [Project Name]

LOCATION: [Location]

DESIGNED BY: [Designer Name]

CHECKED BY: [Checker Name]

APPROVED BY: [Approver Name]

Project: MM2464FO-4 - Location: Metzbeam
 Multi-Span Roof Beam, 2003 International Building Code (01 NDS) Ver. 0.00.7
 By: Aaron Cyrler, C and B Custom Modular, Inc. 09-15-2005 : 10:57:52 AM

Summary:
 (2) 1.5 IN x 24.0 IN x 33.98 FT / 2.0 Rigidlam LVL - Roseburg Forest Products
 Section Adequate By: 14.2% Controlling Factor: Section Modulus / Depth Required 22.91 IN
 * Laminations are to be fully connected to provide uniform transfer of loads to all members

Center Span Deflections:
 Dead Load:
 Live Load:
 Total Load:
 LL-Rom-A= 0.45 IN = L278
 DL-Rom-A= 1.48 IN = L278
 TL-Rom-A= 1.93 IN = L278
 BL-A= LB

Center Span Left End Reactions (Support A):
 Live Load:
 Dead Load:
 Total Load:
 LL-Rom-A= 5781 LB
 DL-Rom-A= 1790 LB
 TL-Rom-A= 7671 LB
 BL-A= 3.36 IN

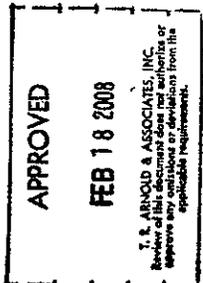
Bearing Length Required (Beam only, support capacity not checked):
 Live Load:
 Dead Load:
 Total Load:
 LL-Rom-B= 5791 LB
 DL-Rom-B= 1780 LB
 TL-Rom-B= 7671 LB
 BL-B= 3.36 IN

Beam Data:
 Center Span Length:
 Center Span Unbraced Length-Top of Beam:
 Live Span Unbraced Length-Bottom of Beam:
 Live Span Unbraced Length-Top of Beam:
 Pitch of Roof:
 Live Load Deflect. Criteria:
 Total Load Deflect. Criteria:
 Uniform Load:
 L2= 33.96 FT
 Lu2-Top= 0.0 FT
 Lu2-Bottom= 0.0 FT
 Cd= 1.15
 RFD= 0 : 12
 U

Roof Live Load:
 Roof Dead Load:
 Roof Tributary Width Side One:
 Roof Tributary Width Side Two:
 Beam Self Weight:
 Total Live Load:
 Total Dead Load (Adjusted for Roof Pitch):
 Total Load:
 RLL-2= 58.0 PSF
 RDL-2= 14.0 PSF
 TRB-1-2= 5.88 FT
 TRB-2-2= 0.0 FT
 BSW= 23 PLF
 WLL-2= 0 PLF
 WL-2= 341 PLF
 WD-2= 82 PLF
 WI-2= 446 PLF

Properties For: 2.0 Rigidlam LVL - Roseburg Forest Products
 Bending Stress:
 Shear Stress:
 Modulus of Elasticity:
 Stress Perpendicular to Grain:
 Fb (Tension):
 Fv:
 Adjustment Factors: Cd=1.15 Cf=0.82

Design Requirements:
 Controlling Moment:
 Controlling Shear:
 Comparisons With Required Sections:
 Section Modulus (Moment):
 Area (Shear):
 Moment of Inertia (Deflection):
 Fb= 2800 PSI
 Fv= 265 PSI
 E= 2000000 PSI
 Fc_perp= 750 PSI
 Fv= 3056 PSI
 Fv= 328 PSI
 M= 64275 FT-LB
 V= 6814 LB
 Sreq= 252.21 IN3
 S= 286.00 IN3
 Area= 31.18 IN2
 A= 72.00 IN2
 Ireq= 3004.64 IN4
 I= 3456.00 IN4



Project: MM2484FO-4 - Location: ML columns
 Column: 2003 International Building Code (01 NDS) | Ver: 6.00.7
 By: Aaron C. Tyler, C and B Custom Modular cr: 06-13-2005 : 10:58:48 AM

Summary:
 (3) 1.5 IN x 3.5 IN x 9.0 FT / #2 - Spruce-Pine-Fir - Dry Use
 Section Adequacy By: 63.5%

* Laminations to be nailed together per National Design Specifications for Wood Construction Section 15.3.3.1

Vertical Reactions:

Live:	5791	LB
Dead:	1818	LB
Total:	7610	LB
Vert-LL-Rona:	5791	LB
Vert-DL-Rona:	1780	LB
Vert-TL-Rona:	38	LB
PL:	7610	LB
PD:	0.00	IN
CSW:	0.00	IN
PI:	0.00	IN
CD:	1.00	

Axial Loads:

Live Loads:	5791	LB
Dead Loads:	1780	LB
Column Self Weight:	38	LB
Total Loads:	7610	LB
Eccentricity (X-X Axis):	0.00	IN
Eccentricity (Y-Y Axis):	0.00	IN
Axial Duration Factor:	1.00	

Column Data:

Length:	9.0	FT
Maximum Unbraced Length (X-X Axis):	0.0	FT
Maximum Unbraced Length (Y-Y Axis):	0.0	FT
Column End Condition:	1.0	
Calculated Pinned Length:	3.50	IN
Column Section (X-X Axis):	4.50	IN
Column Section (Y-Y Axis):	16.75	IN2
Area:	8.89	IN2
Section Modulus (X-X Axis):	9.89	IN3
Section Modulus (Y-Y Axis):	0.00	IN3
Slenderness Ratio:	0.0	

Properties For: #2 - Spruce-Pine-Fir

Compressive Stress:	1150	PSI
Modulus of Elasticity:	14000000	PSI
Bending Stress (X-X Axis):	875	PSI
Bending Stress (Y-Y Axis):	875	PSI
Adjusted Properties:		
F _c :	1923	PSI
F _c *	483	PSI
F _c **	1923	PSI

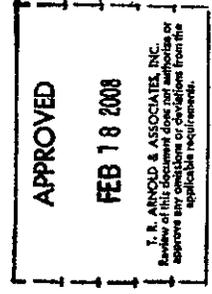
Adjustment Factors: Cd=1.00 C_F=1.15

Column Calculations (Controlling Case Only):

Controlling Load Case: Axial Total Load Only (L + D)

Compressive Stress:

Allowable Compressive Stress:





COMcheck Software Version 3.4.0 Envelope Compliance Certificate

2003 IECC

Report Date: 07/26/07

Data filename: G:\drawings-etc\Mobile Mini2464fo-4\CALCS\Com-check\2464FO-4 VA.csk

Section 1: Project Information

Project Title: MM 2464FO-4

Construction Site:

Owner/Agent:
Mobile Mini

Designer/Contractor:
Bobby Bradbury
C & B Custom Modular
2224 Bloomingdale Drive
Brisel, IN 46607
574-949-7300

Section 2: General Information

Building Location (for weather data): Monterey, Virginia
Climate Zone: 11a
Heating Degree Days (base 65 degrees F): 6668
Cooling Degree Days (base 65 degrees F): 243
Project Type: New Construction
Vertical Glazing / Wall Area Pct: 4%

Building Type: Office
Floor Area: 1410

Section 3: Requirements Checklist

Envelope Passes: All items on the list are met.

Climate-Specific Requirements:

Component Name/Description	Gross Area or Perimeter	Cavity R-Value	Cont. R-Value	Proposed U-Factor	Budget U-Factor
Roof 1: Air-Wood Joist/Rafter/Truss	1410	22.0	0.7	0.046	0.057
Exterior Wall 1: Wood Frame, Any Spacing	1399	13.0	0.5	0.086	0.082
Window 1: Vinyl Frame/Double Pane, Clear, SHGC 0.69	59	--	--	0.480	0.502
Door 1: Solid	40	--	--	0.110	0.131
Floor 1: Air-Wood Joist/Truss	1410	19.0	0.1	0.049	0.048

(e) Budget U-factors are used for software baseline calculations ONLY, and are not code requirements.

Air Leakage, Component Certification, and Vapor Retarder Requirements:

- 1. All joints and penetrations are caulked, gasketed or covered with a moisture vapor-permeable wrapping material installed in accordance with the manufacturer's installation instructions.
- 2. Windows, doors, and skylights certified as meeting leakage requirements.
- 3. Component R-values & U-factors labeled as certified.
- 4. Insulation installed according to manufacturer's instructions. In substantial contact with the surface being insulated, and in a manner that achieves the rated R-value without compromising the insulation.
- 5. Stair, elevator shaft vents, and other dampers integral to the building envelope are equipped with motorized dampers.
- 6. Cargo doors and loading dock doors are weather sealed.
- 7. Recessed lighting fixtures are: (i) Type IC rated and sealed or gasketed; or (ii) installed inside on appropriate air-tight assembly with a 0.5 inch clearance from combustible materials and with 3 inches clearance from insulation material.

MM 2464FO-4

Page 1 of 2

- 8. Building entrance doors have a vestibule and equipped with closing devices.

Exceptions:

- Building entrances with revolving doors.
- Doors that open directly from a space less than 3000 sq. ft. in area.
- 9. Vapor retarder installed.

Section 4: Compliance Statement

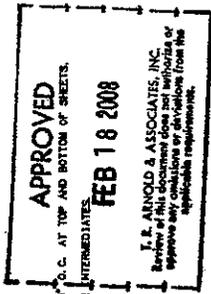
Compliance Statement: The proposed envelope design represented in this document is consistent with the building plans, specifications and other calculations submitted with this permit application. The proposed envelope system has been designed to meet the 2003 IECC requirements in COMcheck Version 3.4.0 and to comply with the mandatory requirements in the Requirements Checklist.

Name - Title _____ Signature _____ Date _____

APPROVED
FEB 18 2008
T. B. ARNOLD & ASSOCIATES, INC.
Review of this document does not authorize or
approve any omissions or deviations from the
applicable requirements.

Fastening Schedule for up to 100 MPH 3-sec Gusts

SECTION LOCATION	CONNECTION
FLOOR	FLOOR JOIST TO RIB JOIST:
	(3) 104 NAILS OR (3) Q-25 STAPLES (2X4 FLOOR JOIST)
	(4) 104 NAILS OR (3) Q-25 STAPLES (2X6 FLOOR JOIST)
	(7) 104 NAILS OR (7) Q-25 STAPLES (2X8 FLOOR JOIST)
	EDGE RAIL SPLICE BLOCKS:
	PROGRESSIVE ADHESIVE OR 17 WHITE GLUE (APPR. 80% COVERAGE) AND (8) 84 NAILS OR (10) Q-25 STAPLES OR (8) 100
	0-08 STAPLES AT 8" O.C. AROUND PERIMETER. (1/4" X 1 1/2" WHEN USING 1/4" X 1 1/2" NAIL HEAD SELF TAPPING SCREWS 10" O.C.
	IN PAR FLUTTER PAN TO MEET AT LEAST ONE FLUTE PARALLEL TO FLUTES. 3" MINIMUM ON END LIPS OVER CROSSMEMBERS.
	(GALVANIZED UNDERBELLY)
	FLOOR JOISTS TO FRAMES:
	3/8" X 3" LAG BOLTS 48" O.C. DOWN BOTH SIDES OF UNIT AND 3/8" X 7" CARRIAGE BOLTS AT THE CORNERS OF FLOOR
	FRAME.
	FLOOR DECKING TO JOIST/RAILS:
	STAPLE WITH Q-19 STAPLE (100A.) OR 64 NAILS AT 4" O.C. AT PERIMETER EACH SHEET AND 8" O.C. AT INTERMEDIATE
	JOIST.
	WALL SYSTEM:
	2X TOP AND BOTTOM PLATE SPLICES:
	CONTINUOUS BLOCK LOCATED BETWEEN (2) STUDS W/ PROGRESSIVE ADHESIVE OR 17 GLUE (100% COVERAGE) AND (8) Q-25 15
	0A. STAPLES EACH SIDE OF JOINT.
	WALL STUDS TO TOP AND BOTTOM PLATES:
	(4) Q-25 15 0A. STAPLES OR (2) 16d NAILS AT EACH LOCATION THROUGH TOP AND BOTTOM PLATES.
	1x3 BELT RAILS TO WALL STUDS:
	Q-19 15 0A. STAPLES- (3) AT EACH DADO IN STUDS.
	MULTIPLE STUDS AND TOP PLATES:
	Q-25 STAPLES 15 0A. SPACED AT 8" O.C. OR 16d NAILS AT 8" O.C.
	MULTIPLE MEMBER HRR FAB:
	Q-25 STAPLES 15 0A. SPACED AT 18" O.C.
	HEADERS TO STUDS:
	ALL HEADERS MEET ON JACK STUDS AND ARE FASTENED THROUGH SIDE STUDS WITH (2) Q-25 STAPLES 15 0A. EACH END OF
	HEADER.
	EXTERIOR WALLS TO FLOOR:
	16d NAILS AT 18" O.C. OR 16d X SCREWS 16" O.C. THROUGH BOTTOM PLATE INTO FLOOR EDGE RAIL AND (3) 1-1/2" X
	10" 30 0A. METAL STRIP AT 24" O.C. FASTENED W/ (10) W-11 STAPLES INTO STUDS AND (9) W-11 STAPLES INTO FLOOR
	EDGE RAIL.
	EXTERIOR WALL TO EXTERIOR WALL:
	2X4 WALLS THROUGH SIDE WALL END STUDS INTO END WALL STUDS AT 18" O.C. OR 16 X 3" WOOD SCREWS
	PARTITIONS TO SIDE WALLS:
	16 X 3" WOOD SCREWS AT 18" O.C. THROUGH PARTITION END STUD INTO SIDE WALL SAKER.
	1/4" PANELING TO WALL FRAMING:
	PROGRESSIVE ADHESIVE OR 17 GLUE (3/16" CONTINUOUS BEAD) TO FRAMING MEMBERS AND D-10 STAPLES SPACED 8" O.C.
	FOR INTERMEDIATES STUD TOP AND BOTTOM PLATES AND 4" O.C. FOR VERTICAL PANEL BEAMS.
	CYPRESS WALL BOARD:
	1/4" CONTINUOUS BEAD OF "FOAM" DRYWALL ADHESIVE OVER ALL FRAMING MEMBERS (100% RES. REP. 62311) AND RIE
	STAPLES AROUND THE PERIMETER OF THE DRYWALL AT 18" O.C. AND 8" INTERMEDIATES OPTION CYPRESS WALL BOARD. 1/4"
	CONTINUOUS BEAD OF "DRAG" DRYWALL ADHESIVE OVER ALL FRAMING MEMBERS (100% RES. REP. 62231) AND P15 STAPLES
	8" O.C. THE PERIMETER OF THE DRYWALL AT 18" O.C. AND CROSS BUTTCH THE INTERMEDIATES (SEAMS) W/ 1 P15 STAPLES 8"
	ROOF
	EXTERIOR WALL SHEATHING (UP TO 1 1/2" PLYWOOD/OSB):
	SEE SHEARWALL FASTENING CHART.
	0-019 ALUMINUM SIDING TO WALL FRAMING:
	16 X 3/4" HEX HEAD METAL SCREWS 8" O.C. AT BELT-RAILS, AND 8" O.C. AT TOP AND BOTTOM OF SHEETS.
	T1-11 WOOD SIDING TO STUDS:
	ED-24 80 GALV. NAIL SPACED 6" O.C. ON EDGES AND 12" O.C. FOR INTERMEDIATES.
	2X6A STEEL RIBBED SIDING TO WALL FRAMING:
	16-19 X 1 1/2" HRR TYPE PLASTERER
	SMART PANEL:
	SAME AS T1-11
	HARDI PANEL:
	SAME AS T1-11
	STANDARD ROOF RAIL TO ROOF TRUSS:
	Q-25 150A. STAPLES- (4) OR (2) 16d NAILS PER TRUSS
	ROOF RAIL SPLICE:
	PROGRESSIVE ADHESIVE OR 17 WHITE GLUE (APPROX. 80% COVERAGE) AND (8) Q-25 (100A.) STAPLES AT EACH SIDE OF
	JOINT. (CONTINUOUS BLOCK LOCATED BETWEEN 2 JOISTS)
	RIDGE BEAM TO TRUSS CONNECTION:
	2X4 LAYER OF RIDGE BEAM TO BE FASTENED W/ Q-25 STAPLES INTO EACH TRUSS (MIN. OF 8). EA ADDITIONAL LAYER OF
	PLYWOOD TO HAVE 100% GLUE COVERAGE AND W/ 16d STAPLES APPROX. 3" APART FULL LENGTH
	OF BEAM. AFTER BEAM IS ASSEMBLED RUN 16 SCREWS THROUGH BEAM INTO TRUSS (SEE PG. 105 FOR PROPER LENGTH)
	ROOF DECKING TRUSSES UP TO 1/2" PLYWOOD/OSB:
	16-18 STAPLES 150A. OR 4d NAILS SPACED AT 3 1/2" O.C. EDGES AND 7" O.C. INTERMEDIATES
	ROOF SYSTEM TO SIDE WALLS:
	50g WALLS AT 8" O.C. THRU ROOF EDGE RAIL INTO WALL TOP PLATE. ALSO 1-1/2" X 10" METAL STRAPPING AT 24" O.C.
	FASTENED WITH (9) W-11 STAPLES INTO WALL STUDS AND (9) W-11 STAPLES INTO ROOF EDGE RAIL.
	METAL ROOF:
	16 X 3/4" WOOD SCREWS THROUGH DRIP RAIL AT 4" O.C. AROUND PERIMETER.
	PRE-FINISHED CYPRESS CEILING BOARD:
	P-15 150A. STAPLES AT 8" O.C. AROUND PERIMETER AND 16 X 1-1/4" WOOD SCREWS W/ ROSETTES AT 24" O.C. FOR
	INTERMEDIATES (SEAMS).
	PRE-FINISHED CYPRESS CEILING BOARD:
	P-15 150A. STAPLES AT 8" O.C. AROUND PERIMETER AND CROSS STITCH INTERMEDIATES (SEAMS) W/ 1 P15 150A. STAPLES
	AT 8" O.C.
	PRE-FINISHED CYPRESS CEILING BOARD:
	P-15 150A. STAPLES AT 8" O.C. AROUND PERIMETER AND ALPHA SEAL FOAM AT INTERMEDIATES (SEAMS).



March 7, 2008

MJM Golf LLC
824 Lesner Ave.
Norfolk, VA 23518

Attention: Mr. Mike Waugh

**RE: NOTICE OF VIOLATION FOR BATTLEFIELD GOLF COURSE
1001 CENTERVILLE TURNPIKE SOUTH, CHESAPEAKE
Tax Map Number 0620000000020. UP-01-03**

Dear Mr. Waugh:

On Tuesday February 12, 2008, Mr. James T. Davis and I met with you on-site to discuss and evaluate the current status of operations at this location. We discussed the stipulations of your use permit UP-01-03 and building permit requirements as they relate to your current operational status. There are concerns regarding the permitting, location and use of the temporary modular office building that is currently being used as your business office. The building permit obtained August 14, 2007 for a construction trailer did not specifically approve this modular building. We agreed to allow continued use pending a complete investigation and determination of all factors associated with your operation.

The following issues have been identified for correction:

1. Building permit B070539100 did not authorize the location use and operation of a business office. A new building permit must be obtained for the building.
2. The modular office building is an authorized Virginia Registered Industrialized building as identified by Virginia label 2008-0933. This unit was not designed and constructed to meet the wind load requirements for this location. The label indicates a maximum design wind load of 90 mph and the required wind design for that location would be 100 mph with wind exposure C. Whereas the manufacturer has indicated this issue can be resolved, no additional certification has been submitted for review and verification.
3. The modular office building has been connected to electrical power without issuance of an electrical permit and has been not inspected or approved.
4. There is no approved public water source for potable water on-site for sanitation or drinking water. No potable water, except bottled water is available.
5. Two temporary toilets are provided behind the office building for employees and guests. The Chesapeake Health Department has determined the use of such facilities is not approvable at this time

In accordance with the provisions of Section 118.4 of the Virginia Uniform Statewide Building Code, 2003 Edition (USBC), you are hereby ordered to cease all operations and use of the modular office building for public occupancy and business use until you have obtained the proper permits, inspection approvals and certificate of occupancy.

You have the right to appeal this decision in accordance with Section 119 of the USBC and are required to respond to the above notice for your acceptance or rejection of these required actions. Failure to comply with any of the above items may result in legal action as allowed by USBC Section 115.2.

In order to receive approval to resume operations you will need to:

- Obtain your site plan approval through the Department of Public Work for AC 014082 10.
- Submit an application for a building permit for a temporary office trailer with documentation regarding the appropriate certification information for the unit to show compliance with the state building code.
- Provide an approved potable water source for drinking water and sanitation.
- Provide approved sanitary restroom facilities.
- Obtain the appropriate electrical permit for electrical service to the business.
- Obtain inspection approvals of all work and obtain a certificate of occupancy.

We are committed to working with you to meet the above noted requirements and to reopen the facility as soon as possible.

If you have any questions, please contact this office at 382-6018.

Sincerely,


Robert Smalley, CBO
Code Compliance Manager

Ref. shared.rrs.nov.battlefield golf course

Cc: Patrick Hughes, CBO, Director of Neighborhood Services
Richard Burkard, Code Enforcement Administrator
Leonard Brown, Assistant City Attorney
James T. Davis, Zoning Administrator
File

CITY OF CHESAPEAKE ELECTRICAL PERMIT
Neighborhood Services 382-6324

05/30/07

Permit Number E 0703440 00 Permit Date 05/30/07 Property Tax Map 0620000000020

Property street 01001 CENTERVILLE TURNPIKE S Suite Zip
Subdivision Borough BR
Legal Description BOUNDARY SURVEY 216.836AC

Contractor Number 2663 Type of Contractor N
City License & number Y 0715141 State 2705044865A Expire 06/30/08
Name MID EASTERN SERVICES INC C/O
2nd Name
Address 2617 NEVADA AVE
City NORFOLK *Cell* State VA Zip 235213 Phone 7578537772

Owner Information
Name MJM GOLF LLC *724-9400 c/o*
Address 824 LESNER AVE
City NORFOLK State VA Zip 235182506

New Existing X Addition For use as GOLF COURSE
Code Used NEC Use Group B USBC Edition 2002 Flood Zone
Description 400 3PH NEW SERVICE FOR PUMPS FOR SPRINKLERS,
Total Value of Construction \$6100.00 Proffer/Stipulation
Fee Electric \$195.00 Pool Bond & Equip 0.00 Pool Maint/Ins 0.00
Other 0.00 Levy 3.41 Late 0.00 Technology 5.00
Fee Total \$203.41 Receipt Number 240439 By CCOWHER

Electrical Information

Master Electrician STEPHEN P DOANE
New Service Amps 400 Phase 3 Volts 480 Meters 1
Existing Service Amps Phase Volts Meters
Temporary Trailer Residential Commercial X
Overhead Underground Pre-Wired Bldg Other
(number)

Fault Current	Number of circuits plus feeders worked on:		
Outlets (sw,lgh,rescp)			
Motors	HP	0- 30 Amps	\$3.00
Range	KW	31- 60 Amps	\$4.00
Water Heater	KW	61-100 Amps	5.00
Dryer	KW	101-200 Amps	10.00
Heat gas or oil	HP	Over 200 Amps	15.00
A/C Heat Pump	TON		
Hydro-Mas. Tub	HP Other		
Fans Kitch/Bath	HP	VP Work Request Number	6826400

Notes About Permit:

Permit will become invalid if the authorized work is not commenced within 6 months after issuance of permit or if work is abandoned for 6 months.

It shall be the responsibility of the permit holder or the permit holder's representative to notify the building official when the stages of construction are reached that require inspection.



PERMIT # 062-20

DEPARTMENT OF NEIGHBORHOOD SERVICES

Tel. (757) 382-6897
382-6324
382-6018
Fax 382-8448

Code Compliance Division
P. O. Box 15225

Chesapeake, VA 23328

Date: 04/26/07

APPLICATION FOR ELECTRICAL PERMIT

A permit is hereby requested to install electrical work at:

Address 1004 CENTERVILLE TPK 1001 S Centerville TPK Suite/Lot # _____

Subdivision _____ Builder/Owner/Occupant INTEGRITY

Electrical Co. Name <u>MID EASTERN SERVICES INC.</u>	State Reg. # <u>2705044865</u>	A
Master /Owner Signature <u>Stephen Doane</u>	Phone # <u>853-7772</u>	
PRINT Signature Name <u>STEPHEN P. DOANE</u>	Ches. Bus. License # <u>030339 / M03315</u>	
Business Address <u>2617 NEVADA AVE NORFOLK, VA 23513</u>		

Structure is: New Foundation Existing Addition Moved
 Residential Commercial Industrial Mobile Home/Trailer
 Code Used: _____ NEC _____ International Residential Code

ELECTRICAL SERVICE INFORMATION
 (Complete this information if applicable)

New Service Size: 400 Amps 3 Phase 480 Volts 1 Number of Meters
 Existing Service Size: _____ Amps (Required Information for Service Change/Upgrades)
 Service will be: Temporary Power Pole Overhead Underground
 New Service Fee \$160.00 Existing Service Fee _____ Temporary Pole Fee _____

INSTALLATION	
<u>1</u> Outlets (Swit, Ltg. Recp)	
_____ Motors	_____ HP
_____ Range	_____ KW
_____ Water Heater	_____ KW
_____ Dryer	_____ KW
_____ Heat (Gas or Oil)	_____ HP
_____ A/C & Heat Pump	_____ Ton
_____ Hydro-massage tub	_____ HP
_____ Kitchen/Bath Fans	_____ CFM
Other _____	

ADDITIONS OR REPAIRS		
Indicate number of circuits plus feeders worked on according to the size.		
_____ 0 - 30 amps	\$ 3.00	\$0.00
_____ 31 - 60 amps	4.00	\$0.00
_____ 61 - 100 amps	5.00	\$0.00
_____ 101 - 200 amps	10.00	\$0.00
_____ Over 200 amps	15.00	\$0.00
_____ Pool Bonding & Equip - Inground	\$ 30.00	\$0.00
_____ Pool Bonding & Equip - Above Ground	\$15.00	\$0.00
_____ Meter Base Replacement	\$5.00	\$0.00
_____ Late Fee	\$75.00	\$0.00
Other <u>work Request # 6826400</u>		

Fee \$ \$498.41 203.41
Minimum Permit Fee - \$35.00

Contract Value \$ 6100.00

If application is not complete, it may be returned resulting in a delay of inspection. SEE BACK FOR MORE DETAILED INFORMATION. CG-7075/R-03

07 MAR 30 PM 2:05
07 MAR 28 2:05

Reset Form

OFFICE USE ONLY

Permit # E0703440 Receipt # 240698
Address 1001 S. Centerville Tapk

By my signature on this agreement, I acknowledge the following inspections and/or conditions are required to be completed prior to the issuance of a final Certificate of Occupancy: for construction purposes

TEMPORARY CERTIFICATE OF OCCUPANCY

I fully understand the following:

1. Temporary occupancy is for a period of ___ days only. ***RENEWAL FEE APPLICABLE.**
2. It is my responsibility to request and obtain the required inspection(s) for the certificate of occ
3. Power and/or gas will be disconnected and the temporary certificate of occupancy rescinded
4. I certify that I will notify the owner/buyer of the property concerning this temporary release prior every 30 days unless otherwise specified.

INVOICED
PAY IN TREASURER'S OFFICE

Date: 7-12-07 Invoice # 104931

INVOICED
PAY IN TREASURER'S OFFICE

Date: 8-7-07 Invoice # 105831

TEMPORARY RELEASE FOR CONSTRUCTION PURPOSES ONLY

I fully understand the following:

1. This request is for a temporary release for construction purposes only. ***RENEWAL FEE APPL**
2. I will not allow occupancy until all final inspections have been completed and a certificate of occupancy has been issued. It is my responsibility to request and obtain the required inspections.
3. Occupancy of the structure/building without a certificate of occupancy is a violation of Section 116.1 of the Uniform Statewide Building Code and the Chesapeake Zoning Ordinance, and that I may be subject to criminal prosecution for committing the above noted violations.
4. Power and/or gas is subject to disconnection upon expiration of this temporary release agreement unless otherwise renewed in accordance with the additional conditions noted below.

Initials [Signature]

MODEL USE ONLY (VALID 1 YEAR - RENEWABLE)

This request is for a temporary release for model use only. I fully understand the following:

1. It is my responsibility to request and obtain the required inspection(s).
 2. Power and/or gas will be disconnected if occupied without the certificate of occupancy.
- Occupancy of the building without a certificate of occupancy is a violation of Section 116.1 of the Uniform Statewide Building Code and the Chesapeake Zoning Ordinance, and that I may be subject to criminal prosecution of committing the above noted violations

Initials _____

ADDITIONAL CONDITIONS
Effective March 1, 2003

1. Failure to renew and/or complete inspections/conditions of a permit authorized a temporary release and/or occupancy will result in suspension of this privilege until in full compliance.
2. For new residential projects (new homes only), this agreement may be renewed only two (2) times for a total of ninety (90) days, at which time all inspections and conditions associated with the permit shall be completed.
3. A maximum of ten (10) temporary releases/occupancies are allowed per permit holder's company at any one time.
4. Special exceptions to any of these conditions shall be submitted to the director of this department in writing for consideration of approval.

PLEASE READ CAREFULLY PRIOR TO COMPLETING THE BELOW STATEMENT.

Only the Building permit holder is eligible to request and sign for a temporary power/certificate of occupancy. It is the applicant's responsibility to obtain approvals from other departments pertaining to the certificate of occupancy. Any falsification or misrepresentation voids this agreement. Noncompliance with this acknowledgement statement may void future temporary release privileges.

APPLICANT INFORMATION

NAME (Please print) Mid Eastern Services COMPANY Kesha Hood
ADDRESS: 2617 Nevada Ave Norfolk Zip 23513
Signature: [Signature] Date: 6-5-07 o Owner o Contractor Phone 853-7722

Approved By: W. Hatter Date: 6-5-07 Expiration Date: 7-5-07
10-5-07

When a temporary release involves lot grading, the Public Works Department requires a grading approval statement be submitted to this department indicating final grading compliance prior to issuance of the certificate of occupancy.

Revised 1/13/06 * Additional fee applicable after 30 days unless otherwise specified.

CITY OF CHESAPEAKE ELECTRICAL PERMIT
Neighborhood Services 382-6324
For Inspection Request Call 382-2489

02/19/08

Permit Number E 0705391 00 Permit Date 02/19/08 Property Tax Map 0620000000020

Property street 01001 CENTERVILLE TURNPIKE S Suite Zip 23322
Subdivision Borough BR
Legal Description BOUNDARY SURVEY 216.836AC

Contractor Number 2663 Type of Contractor N
City License & number Y 0715141 State 2705044865A Expire 06/30/08
Name MID EASTERN SERVICES INC C/O
2nd Name
Address 2617 NEVADA AVE
City NORFOLK State VA Zip 235213 Phone 7578537772

Owner Information
Name MJM GOLF LLC c/o
Address 824 LESNER AVE
City NORFOLK State VA Zip 235182506

New Existing X Addition For use as CONST TRAILER
Code Used CZ0 Use Group A1 USBC Edition N Flood Zone N
Description 101-200 CIR/CONSTRUCTION TRAILER TEMP
Total Value of Construction \$300.00 Proffer/Stipulation N

Fee Electric \$45.00 Pool Bond & Equip 0.00 Pool Maint/Ins 0.00
Other 0.00 Levy 0.79 Late 0.00 Technology 5.00
Fee Total \$50.79 Receipt Number 250193 By CSCOLLISE

Electrical Information

Master Electrician S DOANE

New Service	Amps	Phase	Volts	Meters
Existing Service	Amps	Phase	Volts	Meters
Temporary	Trailer X	Residential	Commercial X	
Overhead	Underground	Pre-Wired Bldg	Other	

(number)

Fault Current Number of circuits plus feeders worked on:
Outlets (sw,lgh,rescp)
Motors HP 0- 30 Amps \$3.00
Range KW 31- 60 Amps \$4.00
Water Heater KW 61-100 Amps 5.00
Dryer KW 1 101-200 Amps 10.00
Heat gas or oil HP Over 200 Amps 15.00
A/C Heat Pump TON
Hydro-Mas. Tub HP Other
Fans Kitch/Bath HP VP Work Request Number

Notes About Permit:

Permit will become invalid if the authorized work is not commenced within 6 months after issuance of permit or if work is abandoned for 6 months.

It shall be the responsibility of the permit holder or the permit holder's representative to notify the building official when the stages of construction are reached that require inspection.

inre 2.0.7V 032007

page 1 of 1

DEPARTMENT OF NEIGHBORHOOD SERVICES
Code Compliance Division
P. O. Box 15225
Chesapeake, VA 23328

Tel. (757) 382-6897
382-6324
382-6018
Fax 382-8448

Date: 02/15/08

APPLICATION FOR ELECTRICAL PERMIT

A permit is hereby requested to install electrical work at:

Address 1001 Centerville Suite/Lot # _____

Subdivision _____ Builder/Owner/Occupant _____

Electrical Co. Name MID EASTERN SERVICES INC. State Reg. # 2705-044865 A

Master /Owner Signature *Stephen P. Doane* Phone # (757) 853-7772

PRINT Signature Name STEPHEN P. DOANE Ches. Bus. License # _____

Business Address 2617 Nevada Avenue Norfolk VA 23513

Structure is: New Foundation Existing Addition Moved
 Residential Commercial Industrial Mobile Home/Trailer

Code Used: NEC International Residential Code

ELECTRICAL SERVICE INFORMATION
(Complete this information if applicable)

New Service Size: _____ Amps _____ Phase _____ Volts _____ Number of Meters

Existing Service Size: _____ Amps (Required Information for Service Change/Upgrades)

Service will be: Temporary Power Pole Overhead Underground

New Service Fee _____ Existing Service Fee _____ Temporary Pole Fee \$50.88

INSTALLATION

____ Outlets (Swit, Ltg. Recp)
 ____ Motors _____ HP
 ____ Range _____ KW
 ____ Water Heater _____ KW
 ____ Dryer _____ KW
 ____ Heat (Gas or Oil) _____ HP
 ____ A/C & Heat Pump _____ Ton
 ____ Hydro-massage tub _____ HP
 ____ Kitchen/Bath Fans _____ CFM
 Other _____

ADDITIONS OR REPAIRS

Indicate number of circuits plus feeders worked on according to the size.

____ 0 - 30 amps	\$ 3.00	\$0.00
____ 31 - 60 amps	4.00	\$0.00
____ 61 - 100 amps	5.00	\$0.00
<u>1</u> 101 - 200 amps	10.00	\$10.00
____ Over 200 amps	15.00	\$0.00
____ Pool Bonding & Equip - Inground	\$ 30.00	\$0.00
____ Pool Bonding & Equip - Above Ground	\$15.00	\$0.00
____ Meter Base Replacement	\$5.00	\$0.00
____ Late Fee	\$75.00	\$0.00

Other _____

Fee \$ \$45.79
Minimum Permit Fee - \$35.00

Contract Value \$ 300.00

If application is not complete, it may be returned resulting in a delay of inspection. SEE BACK FOR MORE DETAILED INFORMATION.

CG-7075/R-03

Reset Form

Chesapeake
VIRGINIA

CITY OF CHESAPEAKE

PAY-IN VOUCHER

5908

194490

Combustion Products Management DATE 2-12-001

105 Cherry St. Ithaca N.Y.

Two hundred fifty dollars DOLLARS

UPermit Application UP-01-03

11.703 \$ 225.00 G/L

\$ REV

\$

\$ 275.00

Planning

Manager

6176

CUSTOMER'S COPY

1577

COMBUSTION PRODUCTS MANAGEMENT

BSB BANK & TRUST
50-7010/2213

#194490

5908

Cherry Street • Ithaca, N.Y. 14850

DATE

AMOUNT

Feb 8, 2001

*****\$225.00

Two Hundred Twenty-Five and 0/100 Dollars

City of Chesapeake
Box 16495
Chesapeake, VA 23328-6495

THIS CHECK OR ANY OTHER CHECKS
DO NOT CONSTITUTE A COMPLETE APPLICATION

[Handwritten Signature]

AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈005908⑈ ⑆221370108⑆ 34 010124 5⑈

Chesapeake
VIRGINIA

CITY OF CHESAPEAKE
PAY-IN VOUCHER

5908 194490

City of Combustion Products Management DATE 2-12-001

105 Cherry St, Ithaca N.Y.

Two hundred fifty dollars DOLLARS

U-Permit Application UP-01-03

11-703 \$ 225.00 G/L

\$ REV

\$

\$ 225.00

Planning

Manager

6176

TREASURER'S COPY

DEPOSIT OF APPLICATION FEE DOES
NOT CONSTITUTE A COMPLETE APPLICATION

196300 SAFEGUARD BUSINESS SYSTEMS, VIRGINIA BEACH, VA



File

Office of Zoning Administration
306 Cedar Road
P.O. Box 15225
Chesapeake, Virginia 23328

July 8, 2004

Mr. Bob DiBerardinis
Combustion Products Management, Inc.
1229 Kingsbury Drive
Chesapeake, VA 23322

Re: 1212 Whittamore Road, Chesapeake, VA
Real Estate Parcel 062000000002
Conditional Use Permit 01-03

Dear Mr. DiBerardinis:

In response to your June 24, 2004 letter, please be advised that you have satisfied the requirements to activate the above-referenced conditional use permit by receiving a foundation inspection and approval for the proposed pump house at the subject property address pursuant to Section 17-110 of the Chesapeake Zoning Ordinance.

This conditional use permit may continue until determined to be ended or interrupted for a period exceeding twelve (12) consecutive months pursuant to Section 17-113 of the Chesapeake Zoning Ordinance.

If you have any further questions or comments, please do not hesitate to contact me.

Sincerely,

James T. (Tim) Davis
Zoning Administrator

JTD:ajb

cc: Neil Wallace
Combustion Products Management, Inc.
1769 Jamestown Road, Suite 106
Williamsburg, VA 23185

Dave Bristow
Dominion / Virginia Power
5000 Dominion Blvd
Glen Allen, VA 23060

Max Bartholomew, Senior Manager External Affairs
Dominion / Virginia Power
4901 Princess Anne Road
Virginia Beach, VA 23462-4309

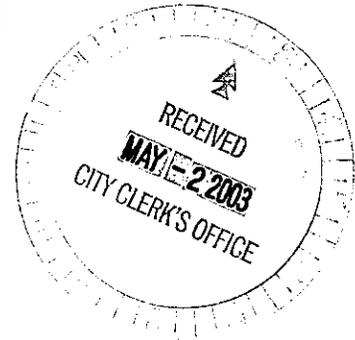
Grady Palmer, Assistant City Attorney
Patrick Hughes, Director – Neighborhood Services Department
Brent Nielson, Director – Department of Planning

City of Chesapeake
Department of Planning

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

MEMORANDUM

TO: Dolores A. Moore, City Clerk
FROM: Beverly R. Thacker, ^{BT} Office Coordinator
DATE: May 1, 2003
RE: **Use Permit Extension Request**



The attached letter has been received by the Planning Department for consideration of extension for the following use permit:

UP-01-03 Etheridge Greens
Approved by Council June 20, 2001
(Use Permit to construct & operate a golf course, golf driving range & related facilities on a 217 ± acre site - expires June 2003)

Would it be possible for this item to be placed on City Council's May 20th agenda for consideration of the extension request? If further information is required, please let me know.

/bt

Attachment

cc: Anne F. Odell, Acting Deputy City Manager,
Administration/Long Range Planning
Brent R. Nielson, AICP, Planning Director
Dorothy M. Kowalsky, Planning Administrator
Tim Davis, Zoning Administrator
Beverly Pender, Deputy City Clerk

APPROVED *Dolores A. Moore* DATE 5-20-03

Office of the City Clerk
306 Cedar Road
Chesapeake, Virginia 23322
email: council@clerk.city.chesapeake.va.us
Telephone (757) 382-6151
Fax (757) 382-6678

May 21, 2003

RECEIVED
MAY 28 2003
Planning Department
City of Chesapeake

James R. Bradford
Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, Virginia 23320

Re: UP-01-03 Etheridge Greens James R. Bradford, Agent, for a conditional use permit to construct and operate a golf course, golf driving range and related facilities on approximately 217 ± acres. The property is located at

Dear Mr. Bradford:

City Council approved your request for the above referenced Conditional Use Permit extension for a one year period at its meeting on May 20, 2003.

If you should have any questions or need further assistance, please contact the Planning Department at 382-6176.

Sincerely,



Dolores A. Moore, CMC/AAE
City Clerk

DAM/blp

c: Planning
Public Works
Real Estate
Zoning

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Tim Davis, Zoning Administrator
Beverly Pender, Deputy City Clerk

APPROVED _____ DATE _____



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Greg R. Deubler, P.E.
Stuart W. Bonnell, P.E.
Kenneth C. Phelps, P.E.
James R. Bradford, C.L.A.

April 28, 2003

Christopher D. Capozzi, L.S.
Michael W. Murphy, L.S.

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Brent Nielson
DEPARTMENT OF PLANNING
City of Chesapeake
306 Cedar Road
Chesapeake, VA 23322

RE: **ETHERIDGE GREENS**
(UP-01-03)

Dear Mr. Nielson:

Please consider this letter as a formal request to extend the approval of the referenced use permit for a period of one (1) year.

As you are aware, the zoning ordinance requires that a conditional use permit expire two (2) years after City Council approval, should the foundation work associated with the permit not be completed within that time frame.

Etheridge Greens was approved by City Council on June 20, 2001. Since that time, my client has obtained plans approval, made substantial improvements in the public right-of-way, and steadily moved towards completion of the golf course.

The foundation work reflected in the zoning ordinance however, and the resulting clubhouse, will not become necessary for the operation of the golf course until it is at or near completion.

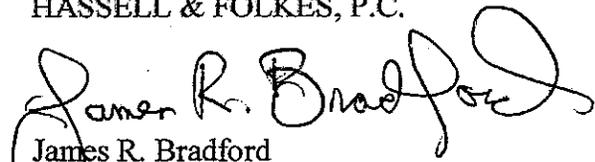
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Mr. Brent Nielson
DEPARTMENT OF PLANNING
April 28, 2003
Page - 2 -
RE: ETHERIDGE GREENS
(UP-01-03)

Should you have any questions or require additional information, please do not hesitate to contact our office. Trusting this is as you require, we remain,

Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/kb

cc: Mr. Dorothy Kowalsky
Department of Planning

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Beverly Pender, Deputy City Clerk

APPROVED _____ DATE _____



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
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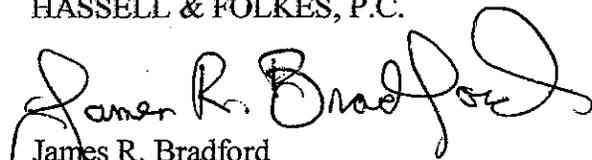
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Mr. Brent Nielson
DEPARTMENT OF PLANNING
April 28, 2003
Page - 2 -
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(UP-01-03)

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Very truly yours,

HASSELL & FOLKES, P.C.

A handwritten signature in cursive script that reads "James R. Bradford". The signature is written in black ink and is positioned above the printed name.

James R. Bradford

JRB/kb

cc: Mr. Dorothy Kowalsky
Department of Planning



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
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City of Chesapeake
306 Cedar Road
Chesapeake, VA 23322

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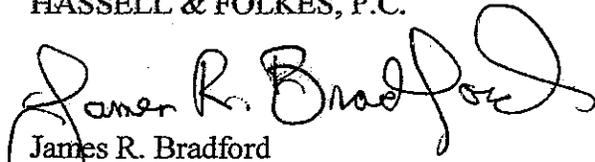
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April 28, 2003
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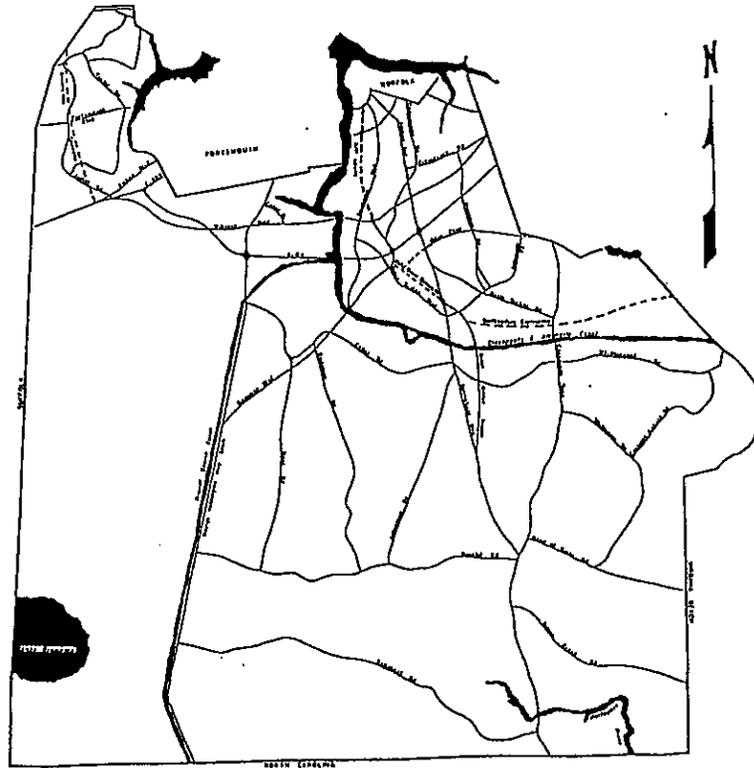
James R. Bradford

JRB/kb

cc: Mr. Dorothy Kowalsky
Department of Planning

CITY COUNCIL PACKAGE FOR
JUNE 20, 2001

Chesapeake
VIRGINIA



Page	1	Application Summary Sheet
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	9 - 29	Staff Reports: April 30, 2001
	31 - 44	April 2, 2001
	45 - 47	Special Power of Attorney
	49 - 50	Affidavit
	51 - 53	Site Plan
	55	Location Map

APPLICATION SUMMARY SHEET

UP-01-03 Etheridge Greens

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

SUBMITTED: 02-12-01 **Accepted:** 02-14-01

STAFF RECOMMENDATION

Approve with stipulations

PLANNING COMMISSION

HEARING DATES: 04-11-01, 05-09-01

ACTION: **APPROVED** with stipulations

VOTE: 9-0

ATTACHMENTS

Minutes, Staff Reports, Special Power of Attorney, Affidavit. Site Plan, Location Map



UP-01-03**PROJECT:** Etheridge Greens**APPLICANT:** Robert S. Diberardinis**AGENCY:** Hassell & Folkes, P.C.**PROPOSAL:** A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.**ZONE:** A-1 Agricultural District**SIC CODE:** 7992, 7999**LOCATION:** Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.**TAX MAP SECTION/PARCEL:** 0620000000020**BOROUGH:** Butts Road*(Continued from April 11, 2001 Public Hearing)***COMMISSION ACTION:****APPROVED** with the following stipulations: (Collins/Wilfore 9-0)

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid

linear effect. Landscaping shall be subject to approval by the City Arborist.

6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).

11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced

**in United States Navy AICUZ noise zone greater than 75 dB Ldn,
noise zone 3) or to aircraft accidents.”**

Mrs. Kowalsky read UP-01-03 into the record for Commission review and action.

Staff Presentation:

Mr. Pusey stated that based on sound planning practices, Planning staff recommended **UP-01-03** be **APPROVED** with the stipulations as listed in the official agenda. Mr. Pusey corrected stipulation eleven to read “The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.”

Proponent:

Marion Pine Jr., 1124 Murray Drive, Chesapeake, Virginia, appeared before the Commission on behalf of UP-01-03. Mr. Pine said that although he was not pro-developer, when the owner decided he did not want to farm the property anymore, of all the proposed uses, the golf course was the best. He said that he did have three concerns regarding the property, but when he read the listed stipulations, they were covered. Mr. Pine urged the Commission to vote for approval.

James Bradford, Hassell & Folkes, P.C. 325 Volvo Parkway, Chesapeake, Virginia, appeared before the Commission on behalf of UP-01-03 representing the applicant. Mr. Bradford thanked the staff and the community for the generous time they devoted toward improving the application. He said that he concurred with the listed stipulations as well as the change made by Mr. Pusey, and he was available for questions.

Robert Stephenson, 1101 Murray Drive, Chesapeake, Virginia, appeared before the Commission on behalf of UP-01-03. Mr. Stephenson said that he was 100% in favor of the application.

Lornell Holley, 3301 Andrews Drive, Chesapeake, Virginia, appeared before the Commission on behalf of UP-01-03 representing Whittamore Road Civic League. Mr. Holley said that when the project was presented to the community, they were concerned about the quality of the water, the air, the traffic, and the taxes. He said that they had several community meetings, and all those issues were addressed. Mr. Holley thanked Hassell & Folkes, P.C., the Planning staff, and Commissioners Collins and Cabarras for their help with the community on this project.

Opponent:

T.J. Carawan, 330 Hurdle Drive, Chesapeake, Virginia, appeared before the Commission in opposition to UP-01-03. Mr. Carawan said that he thought there were other residents who would be willing to till the land. He said that the new road that would have to be built would directly affect those residents that lived on Whittamore Road, and a price tag could not be put on that. He was concerned that no one would take responsibility for the problems that might arise.

Commission Discussion:

Vice-Chairman Cabarras commended Commissioner Collins for his hard work on the application. He said that this had been a win-win situation because the applicants came together with the residents, and they were on one accord. Commissioner Collins said that at the community meetings, concerns were raised in regard to the speed limit on the street and the deterioration of the property value. He said that Mr. Pusey checked on those concerns and the results were given to each of the Commissioners as well as the residents.

Commissioner Collins applauded the efforts of the communities that surrounded the site for their efforts.

Commissioner Ward said that he thought the site was appropriate for a golf course.

Commissioner Radford said that he was concerned about the reduction of the canopy of trees from 10% to 5%. He recommended Council looked into that when they were reviewing the application.

COMMISSION VOTE:

Mr. Collins moved that **UP-01-03** be **APPROVED** with the stipulations listed in the official agenda including the amended stipulation 11 and as recommended by staff. Mrs. Wilfore seconded the motion. The motion was carried by a vote of 9-0.



City of Chesapeake
Department of Planning

HEARING DATE: May 9, 2001
April 11, 2001

TO: CHESAPEAKE PLANNING COMMISSIONERS

FROM: GARY R. PUSEY, PLANNER

THROUGH: BRENT R. NIELSON, PLANNING DIRECTOR

DATE: April 30, 2001

RE: UP-01-03
PROJECT: Etheridge Greens
APPLICANT: Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.
ZONE: A-1 Agricultural District
SIC CODE: 7992, 7999
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.
TAX MAP SECTION/PARCEL: 0620000000020
BOROUGH: Butts Road

PROJECT DESCRIPTION:

The applicant is requesting approval of a conditional use permit to construct and operate an 18 hole golf course, a golf driving range and related facilities on a 217 acre parcel. (See Attachments A and B for the site plan.) The property is located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road in the Butts Road Borough, and is also located within the Fentress Airfield Overlay District.

This application was continued from the April 11, 2001, Public Hearing in order to allow the applicant an opportunity to address issues related to the "fly ash" that will be used in the construction of the golf course.

BACKGROUND:

The subject site is zoned A-1 Agricultural District. Adjacent zoning designations are as follows:

DIRECTION	ADJACENT ZONING DESIGNATIONS
North	A-1 Agricultural District
South	RE-1 Residential Estate District
East	A-1 Agricultural District, R-15 Residential District
West	A-1 Agricultural District

DEPARTMENTAL COMMENTS:**Public Works:**

- This department will require a final construction plan.

Requirements:

- Provide a left turn lane on Centerville Turnpike.
- Reserve 45' of right-of-way along Centerville Turnpike.
- Ditch and shoulder improvements will be required along Centerville Turnpike. A corresponding right-of-way dedication may be required for these improvements.
- Address method to prevent stray golf balls from entering adjacent roadways. A stipulation should be provided to allow Public Works to direct the owner/developer to take corrective measures if Public Works determines that a hazard to motorists is created along Centerville Turnpike. See advisory comment below.

Advisory:

- The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.
- Site plan approval for this development will be contingent upon the recordation of a plat showing the required right-of-way reservation and any required right-of-way dedication.
- Public Works feels that the layout for the course could be revised to reduce the risk of errant golf balls striking vehicles on Centerville Turnpike (keeping in mind that a six-lane divided highway will be adjacent to the course under the ultimate conditions).

Public Utilities:

- City water and sewer are not available to this site. City water and sewer are not required for this use permit.

School Administration:

- No impact.

Parks and Recreation:

- No impact.

Environmental/Landscaping:

- Buffer yard "F" required along the rights-of-way.
- A waiver to the 10% tree canopy requirement and the size of the trees at planting in the designated reforestation areas is approved.

Fire Prevention:

- Contingent approval. A dry hydrant drawing supply from the 14.6 acre lake is required in accordance with PFM and NFPA 1231 for water supply for fire fighting operations.

Zoning:

- This department will require a final construction plan.
- This site is in the Fentress Overlay District and must comply with the development standards listed in Section 12-406 et. seg. of the Chesapeake Zoning Ordinance including building setbacks. The setback for the maintenance building is 150 feet from the right-of-way reservation for Whittamore Road. This setback may be reduced to 50 feet if landscaping is approved by the City Council which screens the building from public view from the street.
- Signs must comply with Section 14-700 of the Chesapeake Zoning Ordinance.
- Handicap parking must comply with CABO/ANSI standards.
- One 12-foot x 35-foot loading space is required.
- Separate permits are required for fences, signs, and flagpoles.

Code Enforcement:

- This department will not require a final construction plan.

Library:

- No impact.

Police:

- This department will not require a final construction plan.

Bikes/Trails:

- At the Chesapeake Bicycle/Trails Advisory Committee meeting of March 26, 2001, a motion was adopted requesting a 3' paved shoulder be installed along both sides of Centerville Turnpike. Centerville Turnpike is included in the City's Trail Plan for future shoulder/bike land improvement. The recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The installation of these shoulders will enhance safety and provide easier maintenance for Centerville Turnpike.

Department of the Navy:

- The proposal is compatible with the Naval Air Station (NAS) Oceana and Naval Auxiliary Landing Field (NALF) Fentress, Air Installations Compatible Use Zones (AICUZ) study. The project will be impacted by frequent overflight by jet aircraft 24 hours a day at an altitude often below 800 feet. At these times, the single event noise may exceed 98 dB. The clubhouse should be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level.

STAFF ANALYSIS:

The applicant is requesting approval of a conditional use permit to construct and operate a golf course, a golf driving range and related facilities on a 217 acre parcel located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road. The property is also located within the Fentress Airfield Overlay District.

Improvements proposed on the site include an 18 hole golf course, driving range, clubhouse, cart storage building, maintenance building and an 83 space parking lot. According to the applicant, the golf course will be open to the public daily from 7 a.m. to dusk and will have 20 employees on the largest shift.

Departmental review raised several issues that require further discussion.

In response to comments from Public Works, the applicant has performed traffic counts along Centerville Turnpike and agrees that a left turn lane is necessary on

Centerville Turnpike. Public Works is also requiring that 45' be reserved for the right-of-way along Centerville Turnpike and that a dedication may be required to accommodate ditch and shoulder improvements that may be necessary. The applicant is in agreement with stipulations that are included requiring the left turn lane be provided and that a subdivision plat be recorded prior to final site plan approval indicating the right-of-way reservation and/or dedication for Centerville Turnpike. Public Works is also requesting that a stipulation be provided that allows the City to require that corrective measures be taken in the event that errant golf balls prove to be a hazard to motorists along Centerville Turnpike. Public Works notes that this roadway is planned to be a six-lane divided highway at its ultimate development. The applicant has incorporated a 150 foot "fairway safety buffer" along Centerville Turnpike that is based on standards developed by the golfing industry for roadway separation, according to the applicant's agent. While the applicant is confident that this buffer, in combination with the 10 foot high landscaped berm, will provide adequate safety for motorists on Centerville Turnpike, the applicant has agreed to a stipulation that additional corrective measures will be implemented in the future, if required by the Department of Public Works. In addition, in response to concerns from Planning Commissioners and residents of the area, the applicant has agreed to expand this stipulation so that it applies to Whittamore Road as well. Also in response to residents' concerns, the applicant has agreed to increase the pavement width of Whittamore Road to 24 feet from the entrance of the golf course to the intersection of Whittamore Road and Centerville Turnpike. This is included as a stipulation as well.

The City Arborist has noted that the Code requires a buffer yard "F" along both Centerville Turnpike and Whittamore Road. In addition, the Code requires that a 10 percent tree canopy be provided. The applicant has agreed to provide the required buffer yard "F" along both streets, and has further offered to vary its width beyond what the Code requires in order to provide a more natural appearance. A stipulation is included addressing the buffer. A minor landscaping waiver has been approved by the City Arborist and the Planning Director to allow the tree canopy to be reduced from the required 10 percent to 5 percent, and to allow some of the trees to be smaller in size than required by the Code. The waiver was based on the characteristics of the use; i.e., the golf course is a recreational use with large amounts of green space, and the nature of a "links-style" course is that the course is designed to be open, with limited wooded areas. As part of the tree canopy requirement, the applicant is proposing a forested area along the eastern boundary of the property that will be designated a "tree preserve" and will provide a buffer for adjoining properties. It is in this area that a waiver was approved to allow smaller trees than required by the Code. All other trees to be planted on the site will meet Code requirements. A stipulation addressing the tree canopy requirement is included.

The Fire Department has noted that a dry hydrant drawing water from the proposed lake is required in accordance with the Public Facilities Manual since City water is not available. A stipulation addressing this requirement is included.

Zoning has noted that the Fentress Airfield Overlay District regulations require a 150 foot setback for buildings from a public street. This setback can be reduced to 50 feet, if landscaping approved by the City Council is provided which screens the building from public view from the street. The maintenance building is shown as being approximately 35 feet from the proposed right-of-way along Whittamore Road. The applicant indicates the 50 foot setback can be accommodated and is proposing landscaping that will screen the building from view from Whittamore Road. A stipulation addressing this is included. Zoning has also noted that a loading space is required. A stipulation requiring this is included as well.

The Bicycle/Trails Advisory Committee has requested that a 3 foot, paved shoulder be installed along both sides of Centerville Turnpike. The City's Trails Plan designates Centerville Turnpike as a Class III (with paved shoulders) bike path. The applicant has requested that the provision of bike trails not be required, since there are no trails north or south of the proposed project on Centerville Turnpike and the project will not generate the need for this improvement. As noted by the Advisory Committee, the recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The applicant is in agreement with the staff's recommendation that a subdivision plat be submitted prior to final site plan approval that would provide for the reservation for the future right-of-way of Centerville Turnpike and for a dedication, if determined to be necessary by Public Works, for ditch and shoulder improvements. Under this scenario, the applicant would not be responsible for constructing the bike path but the land would be available for this use.

Finally, the Department of the Navy was provided with the application and site plan for this proposed development since the project lies within the Fentress Airfield Overlay District. The Navy found that the proposed use is compatible with the AICUZ study, but recommended that the clubhouse be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level. These items are provided for the applicant's information. The original site plan for this development indicated the clubhouse would be located within the APZ-2 area. The revised site plan locates the clubhouse closer to Centerville Turnpike and, as currently proposed, is outside of the APZ-2 area. Stipulations are included addressing Zoning Ordinance requirements for properties located in the Fentress Overlay District (see stipulations #14 and #15).

Section 17-106.A of the Chesapeake Zoning Ordinance requires Conditional Use Permit applications to meet the following standards:

1. **STANDARD:** The proposal, as submitted or as modified, is in conformity with the Comprehensive Plan, including specific applicable elements of the Plan, and with official policies adopted in relation to the plan, including the purposes of this ordinance.

FINDING: The Land Use Plan designates this site for Countryside/Large Lot Residential use. This designation is intended for low density residential development which serves as a buffer between the city's agricultural sector

and the more dense and developed areas of the city. Although a golf course is not a residential use, its low intensity nature with the preservation of extensive open space is compatible with the intent of the Countryside land use designation. In addition, the proposal is consistent with objectives of the Land Use element of the Comprehensive Plan that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** The proposal, as submitted or as modified, is compatible with the surrounding community and will have no more adverse effects on the health, safety, or comfort of persons living or working in or driving through the area than would any other use generally permitted in the same district.

FINDING: The proposed use should not have any adverse effect on the surrounding area, which is a mixture of agricultural and residential uses. The golf course will be open only during the day, with no night operation. Although the property borders both Centerville Turnpike and Whittamore Road, the entrance to the site is provided only from Whittamore Road, which should provide a safer option with less disruption to traffic along Centerville Turnpike. The adjoining residential properties to the south, along Murray Drive, are separated from the golf course by a 120 foot wide power easement. In addition, these lots are a minimum of 3 acres, with the houses located approximately 250 feet from the applicant's property. In combination with the power easement and the golf course's fairway safety buffer, the houses will be located a minimum of 400 feet from any of the fairways.

Residents in the area have expressed concern about the effect of the golf course's use of wells on their water supply (properties in the area are served by private wells) and the possible contamination of the water supply from the use of "fly ash" for the golf course's construction. The applicant has agreed to a stipulation that would require the replacement of any well (at the applicant's expense) within a 2,000 foot radius of the golf course property that is adversely affected by the construction or operation of the golf course and its related facilities. The wording of this stipulation is based on similar stipulations used for borrow pit applications, and the applicant's responsibility for well replacement would expire seven years from the date of approval of the permit by City Council. In addition, the applicant has agreed to test the water from the clubhouse twice annually in an effort to measure water quality. The well supplying water to the clubhouse is expected to draw water from the same depth as the wells supplying water to the surrounding area. A stipulation addressing the testing of the water is included, and the stipulation discussed earlier pertaining to well replacement addresses wells contaminated by any activity associated with the golf course. Also, the applicant will have water trucks on site that will continuously keep the fly ash wet to keep it in place. As the fly ash is delivered, it will be taken to the area where it is needed and then it will be covered with one to two feet of topsoil. The maximum length of time that the fly ash will be exposed will be seven days. A stipulation is included addressing the maintenance of the exposed fly ash.

Attachment C contains preliminary test results from Dominion Power on samples of the fly ash. The row at the top of the table lists the toxicity levels (measured in parts per million) and the numbers in the remainder of the table lists the amounts of the various elements (arsenic, barium, cadmium, etc.) in parts per million from the samples. The samples indicate the measured levels were well below the toxicity levels. In response to residents' concerns, the applicant will also be providing the measures for each of these elements that are considered safe for drinking. These were not available at the time this report was written, but will be provided prior to the Planning Commission meeting.

Section 17-106.B. offers factors which may be considered in determining whether a Conditional Use Permit application meets the required standards. Only those factors considered applicable to this application are discussed below:

1. **STANDARD:** Whether the proposed conditional use will be consistent with the adopted policies in the Chesapeake Comprehensive Plan.

FINDING: As noted above, the low intensity of the proposed use is compatible with the Countryside designation of the City's Land Use Plan. In addition, the use is consistent with policies of the Plan contained in the Land Use element that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** Whether the existing or proposed streets and highways are adequate to safely accommodate and serve the site, with particular attention being given to the following:

- a. The capacity of existing or proposed streets and highways located on or near the site to accommodate projected traffic volumes.
- b. The adequacy and safety of the size and design of access roads, entrance and exit drives, and traffic circulation patterns, for both vehicular and pedestrian traffic on and near the site.

FINDING: In response to comments received from the Department of Public Works, the applicant conducted a traffic analysis of Centerville Turnpike, with the analysis indicating a left turn lane on Centerville Turnpike is needed. The applicant has agreed to provide the left turn lane from Centerville Turnpike to Whittamore Road. The applicant has also agreed to the right-of-way reservation on Centerville Turnpike as requested by Public Works.

3. **STANDARD:** Whether the proposed conditional use will be adequately served by other essential public facilities, including but not limited to the following: water and sewers, drainage facilities, schools, recreational facilities, police and fire protection, refuse disposal.

FINDING: Departmental review indicated no objections to the proposed development in regards to public facilities. In response to comments from the Fire Department, a stipulation will be included requiring that a dry hydrant that draws water from the proposed lake be provided since City water is not available. As noted earlier, the applicant has agreed to a stipulation that will address his responsibility in replacing residents' wells that may be adversely affected by the golf course.

4. **STANDARD:** Whether the proposed conditional use will have any adverse effect upon or will be incompatible with the use or enjoyment of adjacent and surrounding property, with particular attention being given to the following:
- a. The noise characteristics of the proposed use and whether they exceed the maximum sound levels that are typical of uses permitted as a matter of right in the district.
 - b. The anticipated glare from vehicular and stationary lights and the extent to which such lights will be visible from any residential district.
 - c. The vulnerability of the proposed use to fire and related safety hazards.
 - d. The interference by the proposed use with any easement, roadways, rail lines, utilities and public or private rights-of-way.
 - e. The possible destruction, loss, or damage of a natural, scenic, or historic feature of significant importance.
 - f. The adequacy of proposed landscaping and buffering measures to screen the site from neighboring properties zoned for or containing less intensive uses.

FINDING: None of the items listed above will exist to an extent that will adversely affect surrounding properties. Noise associated with the golf course will be minimal and will not exceed sound levels typical of other uses permitted in the A-1 Agricultural District. Glare from vehicular and stationary lights will also be minimal. The golf course will only be open during the day, which will limit glare from vehicular lights. In addition, the clubhouse, parking lot and related facilities are located in the northwest portion of the site, away from any residential development. Buffering is also proposed around each of these facilities. The applicant has stated that stationary lighting will be limited to that necessary for security purposes only. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road that will provide additional buffering, especially for the purpose of preventing golf balls from entering these roadways. A 150 foot fairway safety buffer is also proposed for this purpose. Roadside landscape buffers, exceeding Code requirements, are provided along both Centerville Turnpike and Whittamore Road. As noted earlier, stipulations are included that address possible effects of the golf course operation on the wells of residents in the

community. Samples of the fly ash indicate levels of various elements are well below toxicity levels, and additional information will be provided about acceptable drinking water levels.

5. **STANDARD:** Whether the proposed conditional use will be constructed, arranged, and operated so as not to dominate or interfere with the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, considerations shall be given to:
- a. The location, nature, and height of buildings, structures, walls, and fences on the site; and
 - b. The overall compatibility of the appearance of the site as proposed with neighborhood sites;
 - c. The nature and extent of landscaping and screening on the site.

FINDING: Development of the property as a golf course should not interfere with the development and use of neighboring property. The proposed golf course is not an intensive use of the site. The number of buildings is limited to a clubhouse, cart barn and maintenance building and a parking lot containing 83 spaces. These facilities are located in the northwest portion of the site away from any residential development. The closest use to these facilities is the Fentress Fire Station located near the intersection of Centerville Turnpike and Whittamore Road. Landscaping is proposed around each of these structures to buffer their view from adjoining properties. In addition, the applicant has agreed to a stipulation addressing the appearance of the clubhouse and maintenance building to ensure their compatibility with surrounding development. The applicant has agreed to construct these buildings with either brick, block with a brick appearance, split block or other stone/masonry veneer acceptable to the Planning Director. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road to help prevent errant golf balls from entering these roadways. As discussed earlier, the applicant has also agreed to a stipulation that additional corrective measures will be made if the City's Public Works Department determines that the safety of motorists along both Centerville Turnpike and Whittamore Road is being compromised. The berms and landscaping will also serve as a visual buffer from adjoining properties. By its very nature (i.e., extensive open space and landscaped greens and fairways), the appearance of the golf course will be compatible with the surrounding agricultural and residential area.

STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **UP-01-03** be **APPROVED** with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.

10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).
11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Department of Utilities. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.

15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy AICUZ noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."

GRP

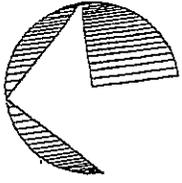
cc: Dorothy Kowalsky, Current Planning Coordinator

Mr. James R. Bradford
c/o Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, VA 23320





ATTACHMENT B

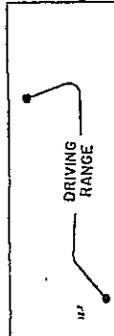
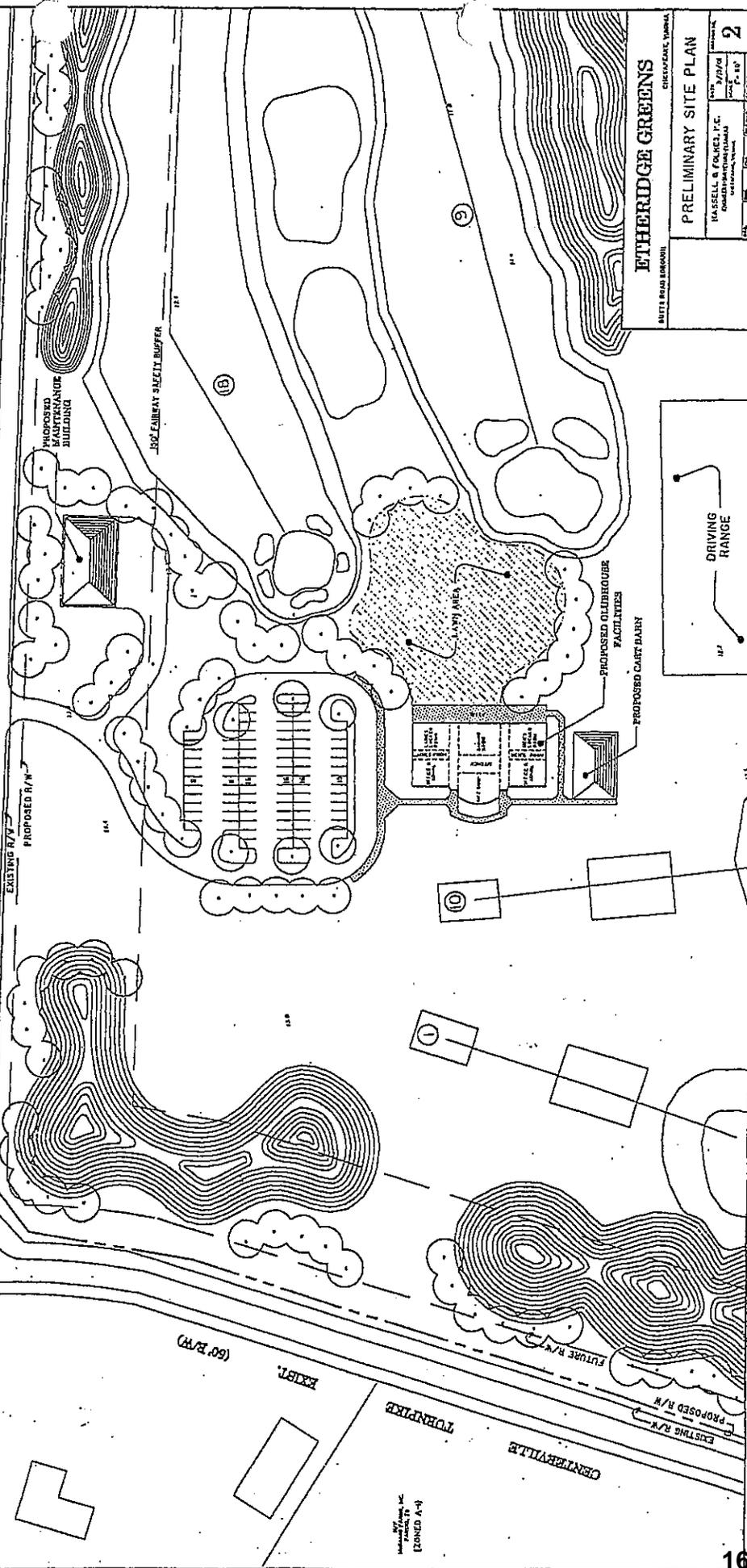


SCALE: 1" = 50'
DATE: MARCH 15, 2001

BY: [Signature]
PROJECT: [Project Name]
SHEET: [Sheet Number]

WENTWORTH ROAD

(80' R/W)



ETHERIDGE GREENS
CHERRYLAKE, VIRGINIA

PRELIMINARY SITE PLAN

DATE: 3/15/01
SCALE: 1" = 50'

PROJECT NO. 1615

BY: [Signature]



PRELIMINARY TEST RESULTS

Toxicity Characteristic Leachate Procedure (TCLP)
 Test Results - Averages
 Analyzed By Primary Laboratories (Golder Associates)

TCLP TOXICITY Maximum Limits (ppm)	5.0									
	100.0	1.0	5.0	5.0	5.0	0.2	1.0	5.0	5.0	5.0
Unit	Barium Ba (ppm)	Cadmium Cd (ppm)	Chromium Cr (ppm)	Lead Pb (ppm)	Mercury Hg (ppm)	Selenium Se (ppm)	Silver Ag (ppm)	Arsenic As (ppm)	Date Sampled	
Truck Samples + 0% LKD	0.229	< 0.010	< 0.020	< 0.100	< 0.002	0.034	< 0.020	0.055	04/12/01	
# 1 Composite + 0% LKD	0.302	< 0.010	< 0.020	< 0.100	< 0.002	0.019	< 0.020	0.033	04/16/01	
# 2 Composite + 0% LKD	0.212	< 0.010	< 0.020	< 0.100	< 0.002	0.060	< 0.020	0.170	04/19/01	
# 3 Composite + 0% LKD	0.205	< 0.010	< 0.020	< 0.100	< 0.002	0.025	< 0.020	0.030	04/19/01	
AVERAGE	0.237	< 0.010	< 0.020	< 0.100	< 0.002	0.035	< 0.020	0.072		
Truck Samples + 2% LKD	0.244	< 0.010	< 0.020	< 0.100	< 0.002	0.097	< 0.020	0.056	04/12/01	
# 1 Composite + 2% LKD	0.396	< 0.010	< 0.020	< 0.100	< 0.002	0.028	< 0.020	0.055	04/16/01	
# 2 Composite + 2% LKD	0.256	< 0.010	< 0.020	< 0.100	< 0.002	0.029	< 0.020	0.044	04/19/01	
# 3 Composite + 2% LKD	0.317	< 0.010	< 0.020	< 0.100	< 0.002	0.039	< 0.020	0.032	04/19/01	
AVERAGE	0.303	< 0.010	< 0.020	< 0.100	< 0.002	0.048	< 0.020	0.047		
Truck Samples + 5% LKD	0.271	< 0.010	< 0.020	< 0.100	< 0.002	0.095	< 0.020	0.046	04/12/01	
# 1 Composite + 5% LKD	0.428	< 0.010	< 0.020	< 0.100	< 0.002	0.017	< 0.020	0.079	04/16/01	
# 2 Composite + 5% LKD	0.318	< 0.010	< 0.020	< 0.100	< 0.002	0.026	< 0.020	0.064	04/19/01	
# 3 Composite + 5% LKD	0.366	< 0.010	< 0.020	< 0.100	< 0.002	0.045	< 0.020	0.037	04/19/01	
AVERAGE	0.346	< 0.010	< 0.020	< 0.100	< 0.002	0.046	< 0.020	0.057		



HEARING DATE: April 11, 2001

TO: CHESAPEAKE PLANNING COMMISSIONERS
FROM: GARY R. PUSEY, PLANNER
THROUGH: BRENT R. NIELSON, PLANNING DIRECTOR
DATE: April 2, 2001
RE: UP-01-03
PROJECT: Etheridge Greens
APPLICANT: Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.
ZONE: A-1 Agricultural District
SIC CODE: 7992, 7999
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.
TAX MAP SECTION/PARCEL: 0620000000020
BOROUGH: Butts Road

PROJECT DESCRIPTION:

The applicant is requesting approval of a conditional use permit to construct and operate an 18 hole golf course, a golf driving range and related facilities on a 217 acre parcel. (See Attachments A and B for the site plan.) The property is located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road in the Butts Road Borough, and is also located within the Fentress Airfield Overlay District.

BACKGROUND:

The subject site is zoned A-1 Agricultural District. Adjacent zoning designations are as follows:

DIRECTION	ADJACENT ZONING DESIGNATIONS
North	A-1 Agricultural District
South	RE-1 Residential Estate District
East	A-1 Agricultural District, R-15 Residential District
West	A-1 Agricultural District

DEPARTMENTAL COMMENTS:

Public Works:

- This department will require a final construction plan.

Requirements:

- Provide a left turn lane on Centerville Turnpike.
- Reserve 45' of right-of-way along Centerville Turnpike.
- Ditch and shoulder improvements will be required along Centerville Turnpike. A corresponding right-of-way dedication may be required for these improvements.
- Address method to prevent stray golf balls from entering adjacent roadways. A stipulation should be provided to allow Public Works to direct the owner/developer to take corrective measures if Public Works determines that a hazard to motorists is created along Centerville Turnpike. See advisory comment below.

Advisory:

- The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.
- Site plan approval for this development will be contingent upon the recordation of a plat showing the required right-of-way reservation and any required right-of-way dedication.
- Public Works feels that the layout for the course could be revised to reduce the risk of errant golf balls striking vehicles on Centerville Turnpike (keeping in mind that a six-lane divided highway will be adjacent to the course under the ultimate conditions).

Public Utilities:

- City water and sewer are not available to this site. City water and sewer are not required for this use permit.

School Administration:

- No impact.

Parks and Recreation:

- No impact.

Environmental/Landscaping:

- Buffer yard "F" required along the rights-of-way.
- 10% canopy required.

Fire Prevention:

- Contingent approval. A dry hydrant drawing supply from the 14.6 acre lake is required in accordance with PFM and NFPA 1231 for water supply for fire fighting operations.

Zoning:

- This department will require a final construction plan.
- This site is in the Fentress Overlay District and must comply with the development standards listed in Section 12-406 et. seg. of the Chesapeake Zoning Ordinance including building setbacks. The setback for the maintenance building is 150 feet from the right-of-way reservation for Whittamore Road. This setback may be reduced to 50 feet if landscaping is approved by the City Council which screens the building from public view from the street.
- Signs must comply with Section 14-700 of the Chesapeake Zoning Ordinance.
- Handicap parking must comply with CABO/ANSI standards.
- One 12-foot x 35-foot loading space is required.
- Separate permits are required for fences, signs, and flagpoles.

Code Enforcement:

- This department will not require a final construction plan.

Library:

- No impact.

Police:

- This department will not require a final construction plan.

Bikes/Trails:

- At the Chesapeake Bicycle/Trails Advisory Committee meeting of March 26, 2001, a motion was adopted requesting that a 3' paved shoulder be installed along both sides of Centerville Turnpike. Centerville Turnpike is included in the City's Trail Plan for future shoulder/bike land improvement. The recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The installation of these shoulders will enhance safety and provide easier maintenance for Centerville Turnpike.

Department of the Navy:

- The proposal is compatible with the Naval Air Station (NAS) Oceana and Naval Auxiliary Landing Field (NALF) Fentress, Air Installations Compatible Use Zones (AICUZ) study. The project will be impacted by frequent overflight by jet aircraft 24 hours a day at an altitude often below 800 feet. At these times, the single event noise may exceed 98 dB. The clubhouse should be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level.

STAFF ANALYSIS:

The applicant is requesting approval of a conditional use permit to construct and operate a golf course, a golf driving range and related facilities on a 217 acre parcel located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road. The property is also located within the Fentress Airfield Overlay District.

Improvements proposed on the site include an 18 hole golf course, driving range, clubhouse, cart storage building, maintenance building and an 83 space parking lot. According to the applicant, the golf course will be open to the public daily from 7 a.m. to dusk and will have 20 employees on the largest shift.

Departmental review raised several issues that require further discussion.

In response to comments from Public Works, the applicant has performed traffic counts along Centerville Turnpike and agrees that a left turn lane is necessary on Centerville Turnpike. Public Works is also requiring that 45' be reserved for the right-of-way along Centerville Turnpike and that a dedication may be required to accommodate ditch and shoulder improvements that may be necessary. Stipulations are included requiring the left turn lane be provided and that a

subdivision plat be recorded prior to final site plan approval indicating the right-of-way reservation and/or dedication for Centerville Turnpike. Public Works is also requesting that a stipulation be provided that allows the City to require that corrective measures be taken in the event that errant golf balls prove to be a hazard to motorists along Centerville Turnpike. Public Works notes that this roadway is planned to be a six-lane divided highway at its ultimate development. The applicant has incorporated a 150 foot "fairway safety buffer" along Centerville Turnpike that is based on standards developed by the golfing industry for roadway separation, according to the applicant's agent. While the applicant is confident that this buffer, in combination with the 10 foot high landscaped berm, will provide adequate safety for motorists on Centerville Turnpike, the applicant has agreed to a stipulation that additional corrective measures will be implemented in the future, if required by the Department of Public Works.

The City Arborist has noted that the Code requires a buffer yard "F" along both Centerville Turnpike and Whittamore Road. In addition, the Code requires that a 10 percent tree canopy be provided. The applicant has agreed to provide the required buffer yard "F" along both streets, and has further offered to vary its width beyond what the Code requires in order to provide a more natural appearance. A stipulation is included addressing the buffer. A minor landscaping waiver has been approved by the City Arborist and the Planning Director to allow the tree canopy to be reduced from the required 10 percent to 5 percent, and to allow some of the trees to be smaller in size than required by the Code. The waiver was based on the characteristics of the use; i.e., the golf course is a recreational use with large amounts of green space, and the nature of a "links-style" course is that the course is designed to be open, with limited wooded areas. As part of the tree canopy requirement, the applicant is proposing a forested area along the eastern boundary of the property that will be designated a "tree preserve" and will provide a buffer for adjoining properties. It is in this area that a waiver was approved to allow smaller trees than required by the Code. All other trees to be planted on the site will meet Code requirements. A stipulation addressing the tree canopy requirement is included.

The Fire Department has noted that a dry hydrant drawing water from the proposed lake is required in accordance with the Public Facilities Manual since City water is not available. A stipulation addressing this requirement is included.

Zoning has noted that the Fentress Airfield Overlay District regulations require a 150 foot setback for buildings from a public street. This setback can be reduced to 50 feet, if landscaping approved by the City Council is provided which screens the building from public view from the street. The maintenance building is shown as being approximately 35 feet from the proposed right-of-way along Whittamore Road. The applicant indicates the 50 foot setback can be accommodated and is proposing landscaping that will screen the building from view from Whittamore Road. A stipulation addressing this is included. Zoning has also noted that a loading space is required. A stipulation requiring this is included as well.

The Bicycle/Trails Advisory Committee has requested that a 3 foot paved shoulder be installed along both sides of Centerville Turnpike. The City's Trails Plan designates Centerville Turnpike as a Class III (with paved shoulders) bike path. The applicant has requested that the provision of bike trails not be required, since there are no trails north or south of the proposed project on Centerville Turnpike and the project will not generate the need for this improvement. As noted by the Advisory Committee, the recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. Staff recommends that a subdivision plat be submitted prior to final site plan approval that would provide for the reservation for the future right-of-way of Centerville Turnpike and for a dedication, if determined to be necessary by Public Works, for ditch and shoulder improvements. Under this scenario, the applicant would not be responsible for constructing the bike path but the land would be available for this use.

Finally, the Department of the Navy was provided with the application and site plan for this proposed development since the project lies within the Fentress Airfield Overlay District. The Navy found that the proposed use is compatible with the AICUZ study, but recommended that the clubhouse be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level. These items are provided for the applicant's information. The original site plan for this development indicated the clubhouse would be located within the APZ-2 area. The revised site plan locates the clubhouse closer to Centerville Turnpike and, as currently proposed, is outside of the APZ-2 area.

Section 17-106.A of the Chesapeake Zoning Code requires Conditional Use Permit applications to meet the following standards:

1. **STANDARD:** The proposal, as submitted or as modified, is in conformity with the Comprehensive Plan, including specific applicable elements of the Plan, and with official policies adopted in relation to the plan, including the purposes of this ordinance.

FINDING: The Land Use Plan designates this site for Countryside/Large Lot Residential use. This designation is intended for low density residential development which serves as a buffer between the city's agricultural sector and the more dense and developed areas of the city. Although a golf course is not a residential use, its low intensity nature with the preservation of extensive open space is compatible with the intent of the Countryside land use designation. In addition, the proposal is consistent with objectives of the Land Use element of the Comprehensive Plan that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** The proposal, as submitted or as modified, is compatible with the surrounding community and will have no more adverse effects on the health, safety, or comfort of persons living or working in or driving through the area than would any other use generally permitted in the same district.

FINDING: The proposed use should not have any adverse effect on the surrounding area, which is a mixture of agricultural and residential uses. The

golf course will be open only during the day, with no night operation. Although the property borders both Centerville Turnpike and Whittamore Road, the entrance to the site is provided only from Whittamore Road, which should provide a safer option with less disruption to traffic along Centerville Turnpike. The adjoining residential properties to the south, along Murray Drive, are separated from the golf course by a 120 foot wide power easement. In addition, these lots are a minimum of 3 acres, with the houses located approximately 250 feet from the applicant's property. In combination with the power easement and the golf course's fairway safety buffer, the houses will be located a minimum of 400 feet from any of the fairways.

Section 17-106.B. offers factors which may be considered in determining whether a Conditional Use Permit application meets the required standards. Only those factors considered applicable to this application are discussed below:

1. **STANDARD:** Whether the proposed conditional use will be consistent with the adopted policies in the Chesapeake Comprehensive Plan.

FINDING: As noted above, the low intensity of the proposed use is compatible with the Countryside designation of the City's Land Use Plan. In addition, the use is consistent with policies of the Plan contained in the Land Use element that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** Whether the existing or proposed streets and highways are adequate to safely accommodate and serve the site, with particular attention being given to the following:

- c. The capacity of existing or proposed streets and highways located on or near the site to accommodate projected traffic volumes.
- d. The adequacy and safety of the size and design of access roads, entrance and exit drives, and traffic circulation patterns, for both vehicular and pedestrian traffic on and near the site.

FINDING: In response to comments received from the Department of Public Works, the applicant conducted a traffic analysis of Centerville Turnpike, with the analysis indicating a left turn lane on Centerville Turnpike is needed. The applicant has agreed to provide the left turn lane from Centerville Turnpike to Whittamore Road. The applicant has also agreed to the right-of-way reservation on Centerville Turnpike as requested by Public Works.

3. **STANDARD:** Whether the proposed conditional use will be adequately served by other essential public facilities, including but not limited to the following: water and sewers, drainage facilities, schools, recreational facilities, police and fire protection, refuse disposal.

FINDING: Departmental review indicated no objections to the proposed development in regards to public facilities. In response to comments from the Fire Department, a stipulation will be included requiring that a dry hydrant that draws water from the proposed lake be provided since City water is not available.

4. **STANDARD:** Whether the proposed conditional use will have any adverse effect upon or will be incompatible with the use or enjoyment of adjacent and surrounding property, with particular attention being given to the following:
- g. The noise characteristics of the proposed use and whether they exceed the maximum sound levels that are typical of uses permitted as a matter of right in the district.
 - h. The anticipated glare from vehicular and stationary lights and the extent to which such lights will be visible from any residential district.
 - i. The vulnerability of the proposed use to fire and related safety hazards.
 - j. The interference by the proposed use with any easement, roadways, rail lines, utilities and public or private rights-of-way.
 - k. The possible destruction, loss, or damage of a natural, scenic, or historic feature of significant importance.
 - l. The adequacy of proposed landscaping and buffering measures to screen the site from neighboring properties zoned for or containing less intensive uses.

FINDING: None of the items listed above will exist to an extent that will adversely affect surrounding properties. Noise associated with the golf course will be minimal and will not exceed sound levels typical of other uses permitted in the A-1 Agricultural District. Glare from vehicular and stationary lights will also be minimal. The golf course will only be open during the day, which will limit glare from vehicular lights. In addition, the clubhouse, parking lot and related facilities are located in the northwest portion of the site, away from any residential development. Buffering is also proposed around each of these facilities. The applicant has stated that stationary lighting will be limited to that necessary for security purposes only. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road that will provide additional buffering, especially for the purpose of preventing golf balls from entering these roadways. A 150 foot fairway safety buffer is also proposed for this purpose. Roadside landscape buffers, exceeding Code requirements, are provided along both Centerville Turnpike and Whittamore Road.

5. **STANDARD:** Whether the proposed conditional use will be constructed, arranged, and operated so as not to dominate or interfere with the immediate

vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, considerations shall be given to:

- d. The location, nature, and height of buildings, structures, walls, and fences on the site; and
- e. The overall compatibility of the appearance of the site as proposed with neighborhood sites;
- f. The nature and extent of landscaping and screening on the site.

FINDING: Development of the property as a golf course should not interfere with the development and use of neighboring property. The proposed golf course is not an intensive use of the site. The number of buildings is limited to a clubhouse, cart barn and maintenance building and a parking lot containing 83 spaces. These facilities are located in the northwest portion of the site away from any residential development. The closest use to these facilities is the Fentress Fire Station located near the intersection of Centerville Turnpike and Whittamore Road. Landscaping is proposed around each of these structures to buffer their view from adjoining properties. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road to help prevent errant golf balls from entering these roadways. The berms and landscaping will also serve as a visual buffer from adjoining properties. By its very nature (i.e., extensive open space and landscaped greens and fairways), the appearance of the golf course will be compatible with the surrounding agricultural and residential area.

As a result of a meeting between the applicant and the surrounding community residents, the question arose as to whether the proposed detention and well system for the golf course would adversely impact the residents' wells. The applicant has expressed a willingness to accept a stipulation to address this issue. Staff continues to work with the applicant on the wording of such a stipulation, and an update report with the final stipulation will be presented at the Planning Commission pre-meeting.

STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **UP-01-03** be **APPROVED** with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road.
2. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary

for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.

3. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike from errant golf balls if required by the Department of Public Works.
4. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
5. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
6. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM.
7. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
8. A 12' x 35' loading space shall be provided.

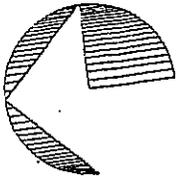
GRP

cc: Dorothy Kowalsky, Current Planning Coordinator

Mr. James R. Bradford
c/o Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, VA 23320



ATTACHMENT F



SCALE: 1" = 50'
DATE: MARCH 15, 2001

NOT TO SCALE
FROM PLAN SHEET
EITHERGE A-1)

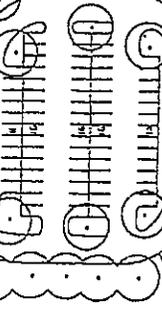
WHITTAMORE ROAD

(80' R/W)

EXISTING R/W
PROPOSED R/W

PROPOSED MAINTENANCE BUILDING

DISCREET FACILITY BUFFER



LAWN AREA

PROPOSED CLUBHOUSE FACILITIES

PROPOSED CART BARN

DRIVING RANGE

ETHERIDGE GREENS

SHEET FIELD BOUNDARY		CHECKPOINT, TOWN	
PRELIMINARY SITE PLAN			
FRASSELL & FRASSELL, P.C.			
LANDSCAPE ARCHITECTS			
1000 W. 10th Street, Suite 100 Des Moines, Iowa 50319			
DATE	SCALE	SHEET NO.	TOTAL SHEETS
3/15/01	1" = 50'	2	4

REVISED MARCH 19, 2001 UP-01-03





Hassell & Folkes, P.C.
Engineers Surveyors Planners

March 13, 2001

T. Ray Hassell III, L.S.
 (1932-1984)
 Stradford G. Folkes, P.E.
 Consultant

Ray Folkes, Jr., P.E.
 Anne Folkes, P.E.
 W. Manning, III, P.E.
 A. O'Connor, P.E.
 Christopher D. Capozzi, L.S.

Mr. Mik Lestyan
 City Arborist
 DEPARTMENT OF INSPECTIONS
 Environmental Division
 City of Chesapeake
 P.O. Box 15225
 Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
 (UP-01-03)

Dear Mr. Lestyan:

In pursuant to your comments for the above captioned proposal dated February 21, 2001, attached, I would like to address the contents of this letter.

As you are aware, it is my client's wish to construct an 18 hole golf course on a 217 acre parcel which is currently in agricultural use and devoid of any trees for all practical purposes. As you are also aware, this property is located on the corner of Centerville Turnpike and Whittamore Road with approximately 6,500 feet, or 1.2 miles of frontage.

Having given your comments careful consideration, I would like to offer that with the adoption of required street "buffers" into the zoning ordinance, such "buffers" were intended to mitigate the impacts of the built environment from the traveling public. If the subject property were being improved for instance with hardened surface and buildings to within 10 feet of the right-of-way, such buffering is welcomed by the Public and serves a useful purpose.

Conversely, this application seeks to create a carefully manicured 217 acre landscaped environment for the purpose of playing golf. It is my client's intension to berm and landscape the areas of play in the vicinity of public rights-of-way to prevent errant golf balls from leaving the property. At the same time my client would prefer the traveling public be given the opportunity to enjoy the view of the golf course, just as they would enjoy the view if this were a City park. It is for that reason that I request an administrative waiver from the street buffer requirements in this instance.

With regard to the treatment of this proposal as a conventional site plan, and the application of the 10% canopy coverage requirement, I would like to once again emphasize that this property is currently devoid of any trees for all practical purposes.

MAR 14 2001
 CITY OF CHESAPEAKE
 N

Mr. Mik Lestyan, City Arborist
DEPARTMENT OF INSPECTIONS

March 13, 2001

Page - 2 -

RE: "ETHERIDGE GREENS"
(UP-01-03)

My Client, who is a professional golfer and designer, intends to develop the property as a links style golf course. This type of golf course has been selected primarily because of the existing, cleared nature of the property. Had this property been heavily wooded, he may very well have designed the course differently and incorporated the trees into the fairway design.

Please consider however, that since the property is clear at this time, that to require the applicant to plant 2,000 trees ranging from two feet to three feet tall would destroy the integrity of the golf course.

This would be the case since it would take at least twenty years for these trees to reach something resembling maturity, and in the interim period would give the appearance that the site had been "clear cut".

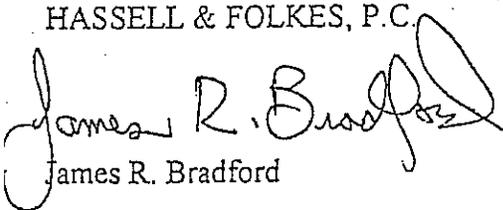
For this reason it is requested that you grant an administrative waiver to the 10% canopy coverage for the golf course as well.

Once again, it is my strong feeling that these requirements were built into the zoning ordinance to mitigate the affects of the hardened surfaces and buildings typically associated with a site plan as they relate to their surroundings, and were not intended to apply to golf course design and construction.

Thanking you for your time and consideration in this matter, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/ik

Attachments

cc: Mr. Brent Nielson, Director of Planning
Mr. Gary Pusey, Department of Planning

(EGREENS.008)

GENERAL POWER OF ATTORNEY

Application No: FEB 12 01 UP 01 03

Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough): Tax Map Section 62, Parcel 2 at Whitmore Road and Centerville Turnpike, Butts Road Borough

Nature of Use Permit Sought: Conditional Use Permit to construct and operate a golf course and driving range

I/we, am/are: Weaver Fertilizer Company Inc.

- the applicant for the above referenced application
- the owner of the property described above

I/we do hereby make, constitute, and appoint Robert S. Diberardinis and James R. Bradford

my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: in the case of use permits, to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the 24th day of January, 2001, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

BY: [Signature]
WEAVER FERTILIZER COMPANY, INC.
 Owner* Applicant* C.W. BRADSHAW, PRESIDENT

State of Virginia
City of Whitman

Subscribed and sworn to before me this 7th day of February 2001
by Cyril W. Bradshaw

[Signature]
NOTARY PUBLIC

My commission expires: 10/31/02

* If the owner or applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.



WEAVER FERTILIZER COMPANY
INCORPORATED
NORFOLK, VIRGINIA

FIRST VIRGINIA
TOWER
MAIN STREET

MAIL: P.O. BOX 3730
ZIP CODE: 23514-3730
(757) 622-6591
FAX: (757) 622-6832

C. W. BRADSHAW, PRESIDENT

FEBRUARY 7, 2001

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT C. W. BRADSHAW, PRESIDENT OF
WEAVER FERTILIZER COMPANY, INC., HAS AUTHORITY BY ORDER
OF THE BOARD OF DIRECTORS TO SIGN LEGAL DOCUMENTS FOR
THE COMPANY TO INCLUDE, BUT NOT LIMITED TO CHECKS,
ENDORSEMENT OF CHECKS, DEEDS, LEASES, CONTRACTS,
SECURITY AGREEMENTS AND ASSIGNMENTS.

THIS AUTHORITY REMAINS IN EFFECT.

YOURS VERY TRULY,

JEANNETTE K. TIPPETT
CORPORATE SECRETARY



AFFIDAVIT

Application No: FEB 12 01 UP 01 03

STATE OF New York
CITY OF Ithaca

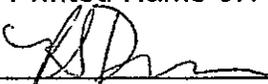
I/We, Robert S. Diberardinis

The applicant(s) listed on the attached Use Permit Application, having been duly sworn, do hereby affirm that the listing attached to, and hereby made a part of this affidavit, identifies the names and last known addresses of all of the following persons and entities in regard to the property that is the subject of the Application:

1. All applicants, title owners, contract purchasers, and lessees of the property; and, if any of the foregoing is a trustee, each beneficiary having an interest in the property.
2. Where any of those listed in (1) above is a corporation, all shareholders owning ten per cent (10%) or more of any class of stock issued by said corporation.
3. Where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders.
4. Where any of those listed in (1) above is a partnership, all such partners, both general and limited.

Attach a listing of names and addresses as required by this affidavit.

Robert S. Diberardinis
 Printed Name of Applicant

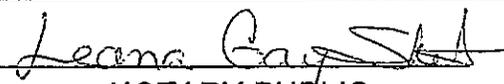

 Signature of Applicant

 Printed Name of Applicant

 Signature of Applicant

State of VIRGINIA
City of CHESAPEAKE

Subscribed and sworn to before me this 30 day of JANUARY 2001
by ROBERT S. DIBERARDINIS


 NOTARY PUBLIC
 My commission expires: JULY 31, 2003

AFFIDAVIT (Continued)

The following is a complete list of those individuals to be disclosed pursuant to this affidavit:

- Robert S. Diberardinis

whose business address is:

105 Cherry Street
Ithaca, NY 14850

6. **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

APPROVED with the following stipulations: (Collins/Wilfore 9-0)

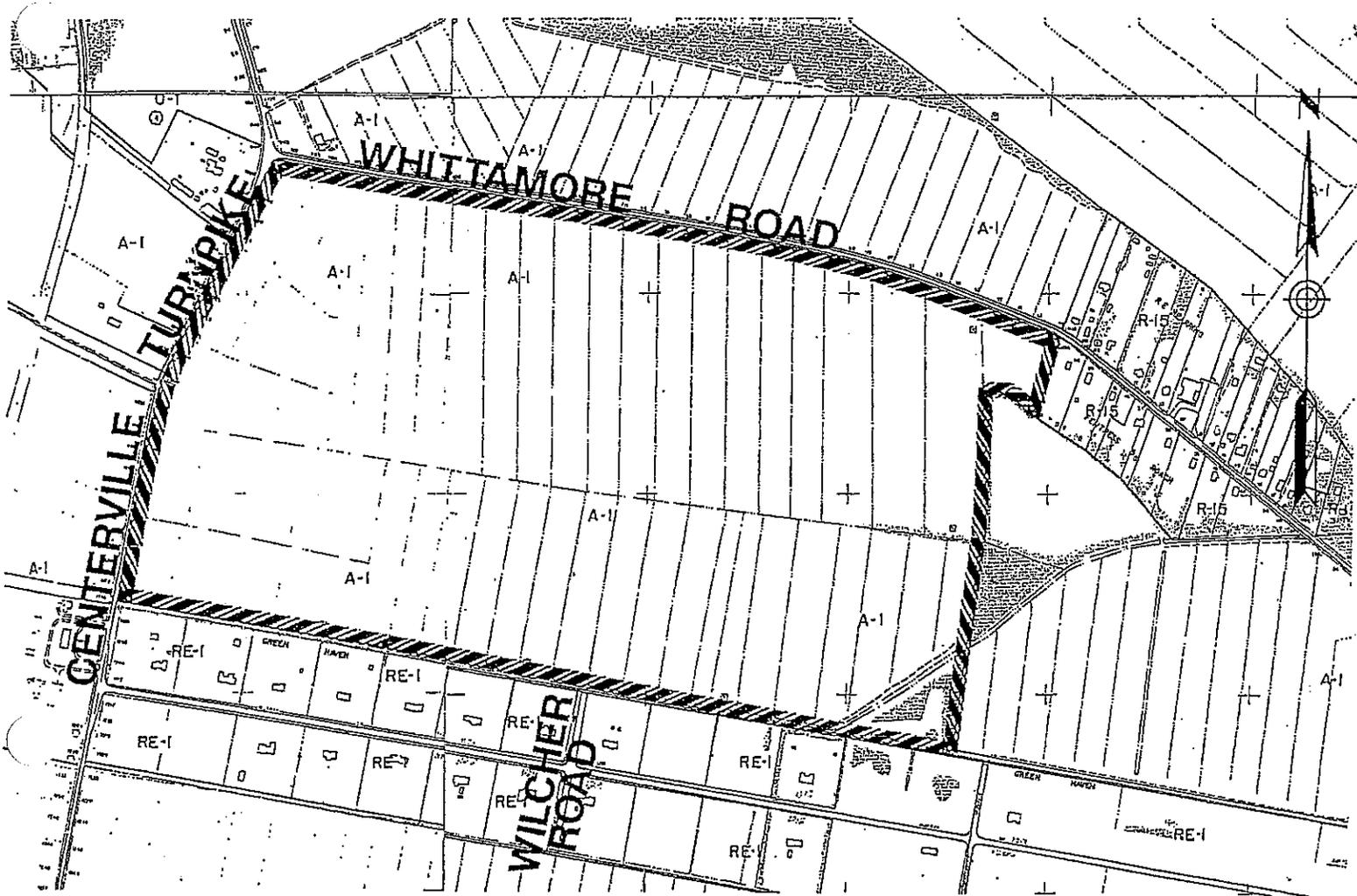
1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished

through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.

7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).
11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to

the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.

12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy AICUZ noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."



UP-01-03

-- MAP NOT TO SCALE --

Etheridge Greens

UP-01-03

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

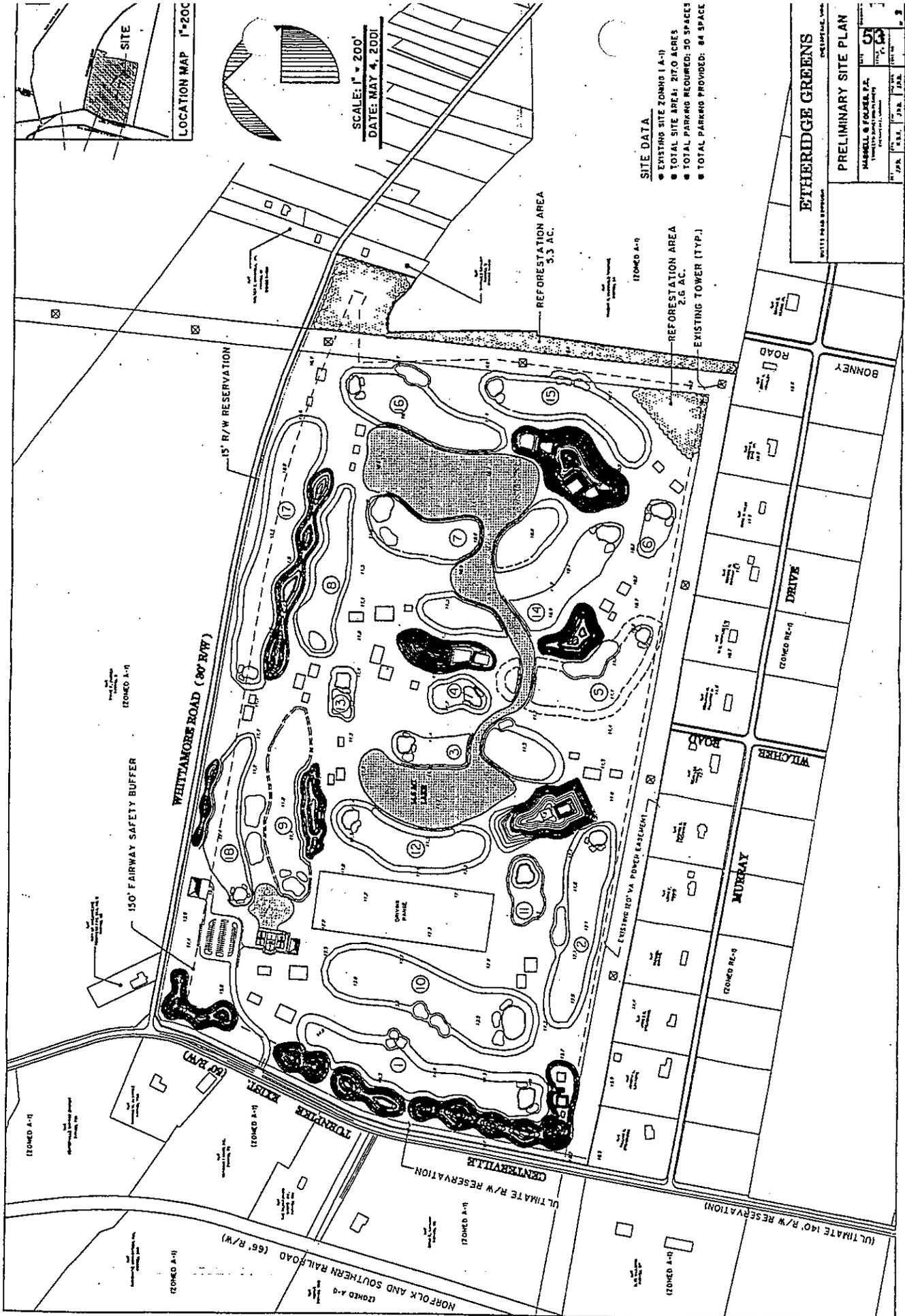
TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

**PLANNING COMMISSION MEETING OF
MAY 9, 2004**





SITE DATA
 * EXISTING ZONING (A-1)
 * EXISTING SITE AREA: 210.0 ACRES
 * TOTAL PARKING REQUIRED: 30 SPACES
 * TOTAL PARKING PROVIDED: 84 SPACES

SCALE: 1" = 200'
 DATE: MAY 4, 2001

LOCATION MAP 1"=200'

ETHERIDGE GREENS
 PRELIMINARY SITE PLAN
 SHEET NO. 53
 HANBELL & FOJANEL P.A.
 1000 W. 10TH ST. SUITE 100
 DENVER, CO 80202
 DATE: MAY 4, 2001

REVISED MAY 4, 2001 UP-01-03





UP-01-03

-- MAP NOT TO SCALE --

Etheridge Greens

UP-01-03

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

**PLANNING COMMISSION MEETING OF
MAY 9, 2001**

11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced

UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

COMMISSION ACTION:

APPROVED with the following stipulations: (Collins/Wilfore 9-0)

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid

linear effect. Landscaping shall be subject to approval by the City Arborist.

6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).

**CITY OF CHESAPEAKE
CITY COUNCIL MEETING**

June 20, 2001

6:30 P.M.

City Hall Council Chamber

306 Cedar Road

MARKED AGENDA

1. INVOCATION
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL BY CITY CLERK - **ALL MEMBERS PRESENT**
4. APPROVAL OF MINUTES – **APPROVED WORK SESSION AND REGULAR MEETING MINUTES OF NOVEMBER 28, 2000. COSGROVE/PARKER (9-0)**
5. PUBLIC HEARING

APPLICANTS', AGENTS', AND CITIZENS' COMMENTS ON PUBLIC HEARING ITEMS

COUNCIL'S CONSIDERATION OF PUBLIC HEARING ITEMS:

- A. R(C)-01-06. PROJECT: Tarleton Oaks at Tallwood. APPLICANT: Dragas Associates VIII. L.C. AGENCY: Sykes, Carnes, Bourdon & Ahern, P.C. PROPOSAL: A conditional zoning reclassification from PUD Planned Unit Development to R-MF-1 Multifamily Residential District for approximately 3 acres. ZONE: PUD Planned Unit Development. PROPOSED COMP LAND USE / DENSITY: High Density Multi-Family Residential / 10 units per acre to something less than 16 units per acres. Note: with proffers, no dwelling units are proposed. EXISTING COMP LAND USE / DENSITY: Suburban Single-Family Residential / 1 unit per acre to something less than 4 units per acre. LOCATION: Between Emerald Greens subdivision and the Virginia Beach city line, immediately east of properties known as 1400 & 1404 Baffly Loop. TAX MAP SECTION/PARCEL: Adjacent to 0285001000075 and ; 0290000000120. BOROUGH: Washington.

The Planning Commission recommends approval with the following proffer:

1. No dwellings shall be constructed upon the subject property.

**APPROVED CONTINUANCE TO THE JULY 17, 2001 CITY COUNCIL MEETING.
WILLIS/RITTER (9-0)**

- B. UP-01-07. PROJECT: Better Life Ministries. APPLICANT: Reverend Duane S. McNair, Sr. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit to operate a church in an existing building on a .054 acre parcel. ZONE: B-1 Neighborhood Business District. SIC CODE: 866. LOCATION: 2101 Atlantic Avenue. TAX MAP SECTION/PARCEL: 1540000000190. BOROUGH: South Norfolk.

The Planning Commission recommends approval with the following stipulations:

1. As agreed upon by the applicant, three landscaped islands shall be provided at the ends of the parking bays adjacent to Campostella Road and one large canopy tree shall be planted in the grassed triangular area at the intersection of Atlantic Avenue and Campostella Road, as indicated on the site plan submitted by the applicant and dated April 20, 2001, with plantings to be approved by the City Arborist.
2. The Fire Department shall review and approve the location of fire lanes and fire hydrants prior to final site plan approval.

APPROVED WITH STIPULATIONS. KRASNOFF/COSGROVE (9-0)

- C. UP-01-12. PROJECT: Salvation Army Child Daycare Facility. APPLICANT: The Salvation Army. AGENCY: Huff, Poole, & Mahoney, P.C. PROPOSAL: A conditional use permit to allow a child daycare facility in a B-3 Highway Business District within an existing building on 6.07 acres. ZONE: B-3 Highway Business District. SIC CODE: 835. LOCATION: 2099 Military Highway South. TAX MAP SECTION/PARCEL: 1610000000060. BOROUGH: South Norfolk.

The Planning Commission recommends approval with the following stipulations:

1. The daycare facility shall be for the use of current residents of the shelter and no more than ten prior residents of the shelter only. If other trip generating users are proposed for this facility, the applicant will be required to upgrade the entrance and internal circulation on the final site plan as approved by the Department of Public Works.
2. A building permit is required for interior alterations. A certificate of occupancy is required for the change of use.
3. A building permit is required for the playground fence.
4. The dumpster shall be screened and meet setbacks according to Section 14-500 of the Chesapeake Zoning Ordinance.
5. The Fire Department shall review and approve the location of fire lanes and fire hydrants prior to final site plan approval.

APPROVED WITH STIPULATIONS. PARKER/KRASNOFF (9-0)

- D. UP-01-13. PROJECT: Cavalier Gas Station. APPLICANT: MAH Corporation. AGENCY: Engineering Services, Inc. PROPOSAL: A conditional use permit to construct and operate a motor vehicle fuel supply facility and carwash on a 1.15 acre site in conjunction with a permitted convenience store. ZONE: M-1 Light Industrial District. SIC CODE: 554 and 754. LOCATION: Northwest corner of Military Highway South and Cavalier Boulevard. TAX MAP SECTION/PARCEL: 0240000000610. BOROUGH: Deep Creek.

The Planning Commission recommends approval with the following stipulations:

1. The primary material on all buildings and pump island support columns shall be brick, and shall be neutral in color (colonial red also appropriate).
2. Any accent banding on the building, car wash or pump island support columns shall be neutral in color and be approved by the Planning Director prior to final site plan approval.
3. A mansard roof, with architectural or similar shingles, shall be utilized for all buildings and the canopy. Such materials shall be neutral in color.
4. All proposed awnings shall be neutral in color.
5. No advertising shall be permitted on the exterior of the building.
6. Prior to final site plan approval, architectural plans, including colors and materials, shall be subject to Planning Department approval.
7. No outdoor telephones shall be permitted on the site.
8. No loitering shall be permitted on the site. Employees shall be required to monitor and prevent, as necessary, any evidence of loitering.
9. The site must be kept in a clean, well-maintained order at all times.
10. The location of the southern entrance and improvements to the median in Cavalier Boulevard must be approved by the Public Works Department prior to final site plan approval. In addition, the applicant shall be responsible for constructing all necessary road improvements required by the Public Works Department for this development prior to the issuance of a Certificate of Occupancy.
11. The site layout shall accommodate the largest vehicle anticipated to use this site (i.e. a fuel tanker), subject to Public Works Department approval.

12. The proposed entrance on Military Highway must be deleted from the final site plan unless a letter permitting such an entrance is provided by the Virginia Department of Transportation

APPROVED WITH STIPULATIONS. De TRIQUET/WATERS (9-0)

- E. UP-01-08. PROJECT: Mill Creek Harbor. APPLICANT: Mill Creek Harbor, L.L.C AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit for a single-family residential cluster subdivision pursuant to Sections 6-2200 through 6-2203 of the Chesapeake Zoning Ordinance. ZONE: R-15s Residential District. LOCATION: 2057 Millville Road. TAX MAP SECTION/PARCEL: 0460000001222 and portions of 0460000001250, 0460000001260, 0460000001270, and 0460000001280. BOROUGH: Deep Creek.

The Planning Commission recommends approval with the following stipulations:

1. The Developer/Owner agrees that he/they shall reserve right-of-way for the Cedar Road Phase IV & V projects to be dedicated at a later date, as specified by the City of Chesapeake. The developer/owner also agrees that the actual limits of the right-of-way needed, as determined by the Public Works Department, may vary from that shown on the preliminary plan. The Developer/Owner further agrees that the actual right-of-way needed shall be shown on the final subdivision plan and be dedicated prior to, or concurrently with, the recordation of the final subdivision plat or the dedication date specified by the City of Chesapeake, whichever is sooner.
2. The Developer/Owner agrees that he/they shall dedicate easements that are deemed necessary by the Public Works Department to route drainage from the Cedar Road Phase IV & V projects through the proposed detention facility located on the south/west side of the proposed Cedar Road right-of-way reservation. The developer/owner also agrees that such easements shall be dedicated prior to, or concurrently with, the approval of the final subdivision plat
3. Development of the proposed lots shall be subject to the architectural provisions that are listed in April 20, 2001 letter from James R. Bradford of Hassell & Folkes, P.C. to the Department of Planning regarding the subject conditional use permit application, except for those provisions that explicitly refer to (a) the base price of the models and (b) the estimated average sales price.
4. Water quality impact assessment shall be submitted with the final subdivision plan to demonstrate that any encroachment into the landward 50-foot portion of the 100-foot RPA buffer will comply with the buffer equivalency provisions of Section 12-508.C of the Zoning Ordinance.

5. The applicant agrees that all open space areas depicted on the revised preliminary site plan shall be dedicated to a property owners association for the perpetual use and enjoyment of its members. To the extent permitted by state law, the applicant shall ensure that the property owners association will have control over all open space areas regardless of any claim of riparian rights that may be raised by owners of lots abutting open space waterways.
6. All homeowner's association documents required under Section 13-1800 of the Zoning Ordinance shall be submitted to, and approved by, the City Attorney's Office prior to the approval of the final subdivision plan.

**APPROVED WITH STIPULATIONS. COSGROVE/PARKER (6-3)
COUNCIL MEMBERS de TRIQUET, RITTER AND WATERS VOTED
NO.**

- F. UP-01-01. PROJECT: Cavalier Ford. APPLICANT: Kenneth J. Silverman
AGENCY: Hassell & Folkes, P.C. PROPOSAL: Conditional use permit to operate a used motor vehicle dealership on a 0.35 acre lease parcel. ZONE: B-2 General Business District. SIC CODE: 552. LOCATION: 3900 Indian River Road. TAX MAP SECTION/PARCEL: portion of 0133010000070. BOROUGH: Washington.

The Planning Commission recommends approval with the following stipulations:

1. As agreed upon by the applicant, a landscape buffer type "F" shall be provided adjacent to Indian River Road at the west end of the property and planters shall be provided adjacent to Indian River Road by the existing canopy, as indicated on the site plan submitted by the applicant and dated April 10, 2001, with plantings to be approved by the City Arborist.
2. The applicant agrees to remove the existing pole mounted sign prior to obtaining a certificate of occupancy and that the proposed monument sign will conform with all requirements of the Zoning Ordinance.
3. The Fire Department shall review and approve the location of fire hydrants prior to final site plan approval.

APPROVED WITH STIPULATIONS. COSGROVE/WATERS (9-0)

- G. UP-01-03. PROJECT: Etheridge Greens. APPLICANT: Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site. ZONE: A-1 Agricultural District. SIC CODE: 7992, 7999. LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. TAX MAP SECTION/PARCEL: 0620000000020. BOROUGH: Butts Road.

The Planning Commission recommends approval with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.

9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).
11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.

14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy AICUZ noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."

APPROVED WITH STIPULATIONS. COSGROVE/WILLIS (9-0).

- H. UP-01-06. PROJECT: Master Blasters Paintball. APPLICANT: Master Blasters Paintball. PROPOSAL: A conditional use permit for an outdoor (paintball) recreational facility on a 29 acre parcel and a request for an alternative parking surface in accordance with Section 19-406(C) of the Chesapeake Zoning Ordinance. ZONE: A-1 Agricultural District. SIC CODE: 7999. LOCATION: 3648 Belle Haven Street. TAX MAP SECTION/PARCEL: portion of 0920000000090. BOROUGH: Pleasant Grove.

The Planning Commission recommends approval of the request for an alternative parking surface.

The Planning Commission recommends approval with the following stipulations:

1. The applicant shall limit the days and hours of operation to Saturday and Sunday from 9 a.m. to 4 p.m.
2. The applicant shall limit the number of players on the site to no more than 40 individuals at any one time.
3. The applicant shall install a City standard commercial entrance prior to the commencement of the activities permitted under this conditional use permit.
4. A BMP will be required if more than 10,000 square feet is disturbed during construction prior to commencement of the activities permitted under this conditional use permit.
5. The conditional use permit will expire once the Beech Wood house is sold and/or occupied.

6. Regular cleaning and maintenance of the site is required at the end of every operating day.
7. The applicant shall install a 10-foot wide Buffer "F" along Belle Haven Street prior to the commencement of activities permitted under this conditional use permit.
8. The applicant shall install a 10-foot wide Buffer "A" or "B" on the eastern side of the property and around the existing graveyard site prior to the commencement of activities permitted under this conditional use permit.
9. No overhead lighting shall be installed or utilized on the subject site.
10. As agreed upon by the applicant, the consumption or sale of alcoholic beverages shall be prohibited on the site.
11. The applicant shall ensure that the space identified on the preliminary site plan as the play area is enclosed at all times with safety netting measuring at least 10 feet in height.
12. The Office of Zoning Administration shall, at a minimum, conduct inspections of the property six and twelve months after the issuance of the conditional use permit to ensure compliance with all applicable City ordinances and with the stipulations contained herein. In the event that the Office of Zoning Administration observes one or more violations, a notice of violation shall be issued. Any subsequent violation shall be deemed sufficient to invoke the revocation process set out in Section 17-112 of the Zoning Ordinance.
13. In the interest of public health and the well being of customers and employees, the applicant shall provide screened on-site restroom facilities approved by the Department of Health. Such facilities shall be operational prior to the commencement of the activities permitted under this conditional use permit.
14. The applicant shall post and maintain a sign at the entrance to the play area that outlines safety rules for players, including the requirements that players must wear eye protection at all times.

APPROVED WITH STIPULATIONS. WILLIS/WATERS (5-4). COUNCIL MEMBERS COSGROVE, de TRIQUET, KRASNOFF, AND RITTER VOTED NO.

- I. UP-01-11. PROJECT: Piercy Height Exception. APPLICANT: Ernest L. & Cynthia W. Piercy. PROPOSAL: A conditional use permit to allow a garage to exceed the height of the primary dwelling in accordance with Section 19-205.B of the Chesapeake Zoning Ordinance. ZONE: R-8s Single Family District. LOCATION: 801 Balford Lane. TAX MAP SECTION/PARCEL: 0271014000320. BOROUGH: Washington.

The Planning Commission recommends approval with the following stipulations:

1. The garage shall not be used as a residence.
2. At the option of the applicant, either a buffer yard consisting of a row of Leyland Cypress, 6' on center, minimum height of 36" at planting, or a buffer yard "A" or "B" shall be installed along the western and southern property lines. A landscape plan shall be submitted to and approved by the City Arborist.

APPROVED WITH STIPULATIONS. KRASNOFF/WATERS (9-0)

- J. R(C)-01-02. PROJECT: Boger Rezoning. APPLICANT: Michael G. & Judith Boger. AGENCY: Carr & Porter, LLC. PROPOSAL: A conditional zoning reclassification from R-15s Single-family Residential District to O & I Office & Institutional District for a .44 acre site. ZONE: R-15s Single-family Residential District. PROPOSED COMP LAND USE: O & I Office & Institutional. EXISTING COMP LAND USE / DENSITY: Suburban Single-Family Residential / 1 unit per acre to something less than 4 units per acre. LOCATION: 2620 Taylor Road. TAX MAP SECTION/PARCEL: 0100000000661. BOROUGH: Western Branch.

The Planning Commission recommends approval with the following proffers:

1. The Applicant/Owner shall develop the subject property solely for use in conjunction with that land identified in Rezoning Application R(C)-00-16, Western Branch Wal-Mart and for replacement and expansion parking for the adjacent (Prudential Decker) office use. Specifically, the subject property shall be used only for the following purposes, provided that all applicable provisions in the Chesapeake Zoning Ordinance, the Chesapeake City Code, and the Chesapeake Public Facilities Manual are met:
 - a. subdivision and partial conveyance to the adjacent landowner, said property to be improved to allow an expanded parking area for the existing (Prudential Decker) office use and to replace parking spaces adjacent to Taylor Road, which are being conveyed to the City of Chesapeake for public road right-of-way at the time of subdivision,

- b. for the detention pond, to serve the development of the outparcels and other property rezoned under Rezoning Application R(C)-00-16,
 - c. for signage, for the Wal-Mart/Sam's Club retail center, provided that lot lines are vacated or created as necessary to meet the sign regulations in the Chesapeake Zoning Ordinance,
 - d. for landscaping,
 - e. for ingress and egress to the property that is the subject of Rezoning Application R(C)-00-16, and
 - f. other incidental uses necessary for the development of the property which is the subject of Rezoning Application R(C)-00-16.
2. The Applicant/Owner agrees that there shall be no access to the property from the ingress/egress entrance to be constructed to the immediate north, other than for the customary maintenance of the improvements identified above.

**APPROVED WITH PROFFERS. De TRIQUET/KRASNOFF (8-1).
COUNCIL MEMBER WATERS VOTED NO.**

- K. CP(M)-01-01. PROJECT: Cahoon Plantation PUD Modification. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A modification to the Cahoon Plantation PUD to reduce the size of the approved golf course (by nine holes) from 346.9 acres to 299 acres and increase the size of the residential area from 53.2 acres to 129.4 acres. ZONE: PUD Planned Unit Development. LOCATION: 1501 Cedar Road. TAX MAP SECTION/PARCEL: 0460000001560, 0460000001570, 0460000000230. BOROUGH: Deep Creek.

The Planning Commission recommends approval.

**APPROVED. COSGROVE/WILLIS (8-1) COUNCIL MEMBER de TRIQUET
VOTED NO.**

- L. R-01-04. PROJECT: Cross Rezoning. APPLICANT: William B. and Kimberly M. Cross. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conventional zoning reclassification of 1.8 acres to allow office/institutional improvements on this property to tie in with the existing O&I zoning on the front 2.3 acres. ZONE: R-15s Residential District(1.8 acre); O&I Office & Institutional District (2.3 acre); PROPOSED COMP LAND USE: General Commercial (O&I Office & Institutional District). EXISTING COMP LAND USE / DENSITY: General Commercial and Suburban Single-Family / 1 unit per acre to something less than 4 units per acre. LOCATION: north of Great Bridge Blvd., south of Route 168 Bypass and west of Battlefield Blvd. TAX MAP SECTION/PARCEL: portion of 0360000001710. BOROUGH: Washington

The Planning Commission recommends approval.

APPROVED. EDGE/PARKER (8-1) COUNCIL MEMBER WATERS VOTED NO.

- M. R-01-05. PROJECT: Etheridge Pines. APPLICANT: Ramsgate Corporation, Inc. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conventional zoning reclassification for 23 acres from A-1 Agricultural District to R-12(a)s Residential District. ZONE: R-8s Single Family District (2.1 acres); A-1 Agricultural District (23 acres). PROPOSED COMP LAND USE / DENSITY: Suburban Single-Family Residential / 1 unit per acre to something less than 4 units per acre. EXISTING COMP LAND USE / DENSITY: Suburban Single-Family Residential / 1 unit per acre to something less than 4 units per acre. LOCATION: Immediately south of New Born Court. TAX MAP SECTION/PARCEL: 0611005000010, 0611005000060, 0611005000080, portion of 0611005000090, 0611005000110, 0611005000020, 0611005000212, 0611005000260, 0611005000340. BOROUGH: Pleasant Grove.

The Planning Commission recommends approval.

APPROVED. PARKER/de TRIQUET (6-2) COUNCIL MEMBERS RITTER AND WILLIS VOTED NO AND COUNCIL MEMBER KRASNOFF ABSTAINED.

- N. TA-Z-01-05 AN ORDINANCE AMENDING APPENDIX "A" OF THE CHESAPEAKE CITY CODE, ENTITLED "ZONING," SECTIONS 3-403, 6-2101.C., 7-602, 8-601.C., 9-501.C., 9-502., 12-607 AND 14-200 THEREOF, TO DESIGNATE TATTOO PARLORS AS A CONDITIONAL USE IN THE B-2, O & I, M-1, AND M-2 ZONING DISTRICTS AND TO CLARIFY THAT TATTOO PARLORS WILL CONTINUE TO BE PROHIBITED IN ALL OTHER ZONING DISTRICTS.

The Planning Commission recommends approval of version dated May 9, 2001 as amended to prohibit tattoo parlors in the B-2 zoning district.

APPROVED THE MAY 9, 2001 VERSION OF THE ORDINANCE AMENDMENT ALLOWING TATTOO PARLORS IN M-1 AND M-2 ZONING DISTRICTS ONLY AND AS AN EMERGENCY ORDINANCE EFFECTIVE FROM TIME OF ADOPTION. RITTER/WATERS (7-2) COUNCIL MEMBERS COSGROVE AND EDGE VOTED NO.

6. DOCKET

- A. CITIZENS COMMENTS ON AGENDA ITEMS ONLY
- B. CONSENT AGENDA

APPROVED. COSGROVE/PARKER (9-0)

CITY CLERK ITEM

- (1) REFUND OF BUSINESS LICENSE
 - a. Unisys Corporation - \$7,063.39
 - b. Freedom Chevrolet Nissan, Inc. - \$22,231.24

CITY MANAGER ITEMS

- (1) REQUEST FOR APPROPRIATION (\$29,512 FEDERAL/STATE) OF SEIZED ASSET FUNDS ALLOCATED BY THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES AND THE U.S. DEPARTMENT OF JUSTICE – POLICE DEPARTMENT AND OFFICE OF THE COMMONWEALTH'S ATTORNEY
- (2) REQUEST FOR APPROPRIATION (\$2,040) OF INTEREST EARNINGS FROM LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND LAP TOP COMPUTER GRANT FUNDS – POLICE DEPARTMENT

- (3) CONSIDERATION OF A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT INVESTMENT GRANT (\$75,000 LOCAL) TO FEDEX GROUND PACKAGE SYSTEM, INC. AND TRANSFERRING APROPRIATED FUNDS THEREFOR – INDUSTRIAL DEVELOPMENT AUTHORITY
- (4) REQUEST FOR AUTHORITY TO SUBMIT A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT APPLICATION (\$44,528 STATE/\$4,948 LOCAL) TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES – DEPARTMENT OF HUMAN SERVICES, JUVENILE DETENTION DIVISION
- (5) REQUEST FOR APPROPRIATION (\$33,232 STATE) OF FUEL PROGRAM ASSISTANCE FUNDS ALLOCATED BY THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES – DEPARTMENT OF HUMAN SERVICES
- (6) CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION REGARDING ADJUSTMENT OF WATER AND SEWER FACILITIES, RELOCATION OF SANITARY SEWER PUMP STATION #138, AND A DUAL RIGHT OF ENTRY FOR PUMP STATION #138, IN CONJUNCTION WITH IMPROVEMENTS OF I-64 FROM GREENBRIER PARKWAY TO I-464/DOMINION BOULEVARD – DEPARTMENT OF PUBLIC WORKS

CITY ATTORNEY ITEM

- (1) A RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY NONEXCLUSIVE REVOCABLE LICENSE AGREEMENT WITH DOMINION TELECOM, INC. TO ALLOW FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF TELECOMMUNICATIONS FACILITIES IN A PORTION OF THE CITY OF CHESAPEAKE'S RIGHT-OF-WAY.

C. REGULAR AGENDA

CITY MANAGER ITEMS

- (7) REQUEST FOR CONTINGENCY FUND TRANSFER (\$33,664) – REFUND OF UTILITY FEES AND PERMIT FEES FOR ELEVEN HOUSES TO BE CONSTRUCTED IN CAMPOSTELLA SQUARE – HABITAT FOR HUMANITY, INC.

APPROVED. COSGROVE/PARKER (9-0)

- (8) REQUEST FOR APPROPRIATION (\$268,661 LOCAL) OF FUNDS FROM THE INTERAGENCY CONSORTIUM FUND BALANCE – SUPPLEMENTAL BUDGET REQUEST FOR SPECIAL EDUCATION RESIDENTIAL AND DAY TREATMENT SERVICES – CHESAPEAKE INTERAGENCY CONSORTIUM.

APPROVED. PARKER/WATERS (9-0)

CITY ATTORNEY ITEM

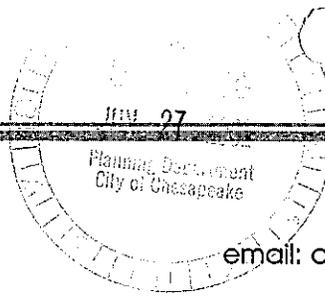
- (2) AN ORDINANCE AMENDING CHAPTER 26 OF THE CITY CODE, ENTITLED “ENVIRONMENT”, ARTICLE VII, SECTION 26-233 THEREOF, PROVIDING FOR AN EXCEPTION TO THE INCREASE IN FEES FOR THE REMOVAL OF TOPSOIL AND OTHER MATERIALS WHERE EXISTING CONTRACTS FOR THE SALE OF SUCH MATERIALS DO NOT CONTAIN ESCALATOR CLAUSES.

APPROVED AS AN EMERGENCY ORDINANCE TO BE EFFECTIVE JULY 1, 2001. COSGROVE/PARKER (8-1) COUNCIL MEMBER RITTER VOTED NO.

- 7. CITIZENS' COMMENTS ON THE SERVICES, POLICIES AND AFFAIRS OF THE CITY (NON AGENDA SPEAKERS)
- 8. COMMITTEE REPORTS
- 9. OLD AND NEW BUSINESS
- 10. NOMINATIONS TO BOARDS AND COMMISSIONS
 - A. CHESAPEAKE REDEVELOPMENT AND HOUSING AUTHORITY – 3 VACANCIES

BRADFORD CASAS, ALTHEA GALLOP, WARREN COLE, REBECCA ADAMS, ROSEMARIE POE, ROLAND THORNTON AND LIONELL SPRUILL, JR. WERE NOMINATED. INTERVIEWS WILL TAKE PLACE AT THE JUNE 26, 2001 WORK SESSION AND APPOINTMENTS WILL TAKE PLACE AT THE REGULAR MEETING ON JUNE 26, 2001.

- 11. CLOSED SESSION (If called)
9:58 P.M. – 10:43 P.M.
- 12. ADJOURNMENT
10:47 P.M.



Office of the City Clerk
306 Cedar Road
Chesapeake, Virginia 23322
email: council@clerk.city.chesapeake.va.us
Telephone (757) 382-6151
Fax (757) 382-6678

June 25, 2001

Robert S. Diberardinis
105 Cherry Street
Ithaca, NY 14850

Re: UP-01-03: PROJECT: Etheridge Greens. APPLICANT: Robert S. Diberardinis. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site. ZONE: A-1 Agricultural District. SIC CODE: 7992, 7999. LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. TAX MAP SECTION/PARCEL: 0620000000020. BOROUGH: Butts Road.

Dear Mr. Diberardinis:

The application for the above referenced Conditional Use Permit Application was considered and approved with stipulations by City Council at its meeting on June 20, 2001. Enclosed are the appropriate papers that have been processed in this regard.

In addition, the Chesapeake Zoning Ordinance establishes time limitations for use permits, and after the time period the permit will expire unless the use commences or extensions are granted. The Zoning Ordinance provides for an initial time limit of two years (unless a shorter time is specified by City Council at the time of issuance), during which time period the use authorized must commence or the use permit will automatically expire. Specific questions concerning these time limitations and procedures for extending time limitations should be directed to the Zoning Administrator, who is located in the Chesapeake Department of Inspections in the City Hall Building. The telephone number is 382-6240.

As a reminder, the sign posted at this site for the purpose of advertising the proposed action must be removed from the property within five (5) days following the action taken by Council (Chapter 16, Section 105(A)(6) of the City of Chesapeake Zoning Ordinance). Failure to do so is in violation of the City's Zoning Ordinance. Also, a final construction plan may be required prior to the issuance of a building permit. Please contact the Chesapeake Planning Department if you have any questions or need assistance with this matter.

Sincerely,



Dolores A. Moore, CMC/AAE
City Clerk

DAM:blp
cc: Planning, Public Works, Real Estate, Zoning

Docket Letter: G

June 20, 2001

Vice Mayor Cosgrove, on a motion seconded by Council Member Waters, moved for approval of **UP-01-01** with stipulations.

There was no discussion.

On the motion, voting yes: Council Members Cosgrove, de Triquet, Edge, Krasnoff, Ritter, Parker, Ward, Waters and Willis.

Voting no: None.

G. UP-01-03. PROJECT: Etheridge Greens. **APPLICANT:** Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C. **PROPOSAL:** A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217 ± acre site. **ZONE:** A-1 Agricultural District. **SIC CODE:** 7992, 7999. **LOCATION:** Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. **TAX MAP SECTION/PARCEL:** 0620000000020. **BOROUGH:** Butts Road.

The Planning Commission recommended approval with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.
5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.

June 20, 2001

6. The applicant agrees that a five percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the Public Facilities Manual (PFM) prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of the conditional use permit (UP-01-03).

June 20, 2001

11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within Air Installation Compatible Use Zones (AICUZ) noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy Air Installation Compatible Use Zones (AICUZ) noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."

June 20, 2001

City Clerk Moore identified the following speakers:

James R. Bradford, 325 Volvo Parkway, representing Hassell & Folkes, P.C., spoke in support of Public Hearing Item (G) - UP-01-03.

T. J. Carawan, 330 Hurdle Drive, representing self, spoke in opposition to Public Hearing Item (G) - UP-01-03.

Vice Mayor Cosgrove, on a motion seconded by Council Member Willis, moved for approval of UP-01-03 with stipulations.

Mayor Ward asked that James Bradford, agent and C. Max Bartholomew, Jr. of Virginia Power explain the use of the flyash and its impacts. Mr. Bradford and Mr. addressed the issue.

There was no additional discussion.

On the motion, voting yes: Council Members Cosgrove, de Triquet, Edge, Krasnoff, Ritter, Parker, Ward, Waters and Willis.

Voting no: None.

H. UP-01-06. PROJECT: Master Blasters Paintball. **APPLICANT:** Master Blasters Paintball. **PROPOSAL:** A conditional use permit for an outdoor (paintball) recreational facility on a 29 acre parcel and a request for an alternative parking surface in accordance with Section 19-406(C) of the Chesapeake Zoning Ordinance. **ZONE:** A-1 Agricultural District. **SIC CODE:** 7999. **LOCATION:** 3648 Belle Haven Street. **TAX MAP SECTION/PARCEL:** portion of 0920000000090. **BOROUGH:** Pleasant Grove.

The Planning Commission recommended approval of the request for an alternative parking surface and the following stipulations:

1. The applicant shall limit the days and hours of operation to Saturday and Sunday from 9 a.m. to 4 p.m.
2. The applicant shall limit the number of players on the site to no more than 40 individuals at any one time.
3. The applicant shall install a City standard commercial entrance prior to the commencement of the activities permitted under this conditional use permit.
4. A Best Management Practice (BMP) will be required if more than 10,000 square feet is disturbed during construction prior to commencement of the activities permitted under this conditional use permit.
5. The conditional use permit will expire once the Beech Wood house is sold and/or occupied.
6. Regular cleaning and maintenance of the site is required at the end of every operating day.
7. The applicant shall install a 10-foot wide Buffer "F" along Belle Haven Street prior to the commencement of activities permitted under this conditional use permit.
8. The applicant shall install a 10-foot wide Buffer "A" or "B" on the eastern side of the property and around the existing graveyard site prior to the commencement of activities permitted under this conditional use permit.
9. No overhead lighting shall be installed or utilized on the subject site.

Chesapeake VIRGINIA

CONDITIONAL USE PERMIT APPLICATION

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: FEB 12 01 UP 01 03
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

1. Applicant(s): Robert S. Diberardinis
Address: 105 Cherry Street
Ithaca, NY 14850
Daytime Phone: (757)547-9531(agent) FAX Number: (757)547-9481 (agent)
Interest in subject property: Contract Purchaser
E-mail address: Not Available
2. Agent(s): James R. Bradford
Agency: Hassell & Folkes, P.C.
Address: 325 Volvo Parkway
Chesapeake, VA 23320
Daytime Phone: (757) 547-9531 FAX Number: (757) 547-9481
E-mail address: HandFPC@aol.com
3. Owner(s) of property: (If different from applicant)
Name: Weaver Fertilizer Company, Inc.
Address: P.O. Box 3730
Norfolk, VA 23514
Daytime Phone: Not Available FAX Number: Not Available

ACKNOWLEDGMENT

APPLICATION NUMBER: _____
PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION/CITY COUNCIL INTEREST:

State whether any member of the Planning Commission or City Council owns or has any personal or financial interest in the land which is subject to the application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

(No Such Interest Exists)

DECLARATION OF ACCURACY:

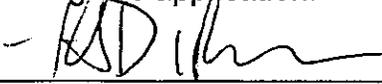
I, the undersigned owner (or agent), certify that all statements in this application are true and correct to the best of my knowledge, are accurate and complete and includes all required information and submittals. I also certify that the list of this application submittal. I understand that if the list of adjacent property owners is determined to be incomplete at a later date, any action taken on this application may become null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals.

DECLARATION OF CONSENT:

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Name: (signature) 
Name: (printed or typed) Robert S. Diberardinis
Address: 105 Cherry Street
Ithaca, NY 14850
Phone: (757) 547-9531 (agent)
Date: January 24, 2001

DESCRIPTION OF PROPERTY

1. 13-digit Tax Map Number(s): 0620000000020

2. Street Address (or common description if address is not available):
Property is located on the southeast corner of the intersection of Centerville
Turnpike and Whitamore Road.

3. Borough Butts Road Borough

4. Legal Description of the Property: Deed Book 935, Page 357

5. Physical description of the property including location of its boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage: Property is generally bounded to the north by Whitamore Road, to the south by "Green Haven" subdivision, to the east by cultivated agriculture, and to the west by Centerville Turnpike.
Property has 6,500 ft. of frontage, an average depth of 2,400 ft., and an overall area of 217 acres.

DESCRIPTION OF PROPERTY (Continued)

6. Zoning Information:

a. Zoning Sheet(s): 29 and 54

b. Current Zoning Classification(s) and present use of the property:
(A-1) Present use of property is for the cultivation of cash crops.

c. Proposed Zoning Classification(s), where applicable: Not Applicable

d. Overlay District Classification(s) where applicable: Fentress Overlay District

e. Adjacent property zoning uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	(A-1) (RE-1) (R-15S)
South	(A-1) (RE-1)
East	(A-1) (R-15)
West	(A-1) (RE-1)(R-8S)(R-15S)

7. Land Use designation of the property as contained in the City's Comprehensive Plan: Countryside

8. Standard Industrial Classification (SIC) code for this proposed use (see Zoning Division of the Inspections Department): 7992 and 7999

9. Planning Area: Southern Chesapeake

10. Census Tract: 211.02

11. Statistical Area: 92420

12. Is the property subject to proffers approved with a conditional rezoning application?
 No Yes Application # _____

13. List any previous applications for this site. There are no known previous applications on this site.

14. Are any features of the development proposed to be held in common ownership by persons residing in or owning lots in the development and are not to be dedicated to and accepted by the City or other public entity? No Yes If yes, see instructions for further requirements.

4

DESCRIPTION OF PROPERTY (Continued)

15. Is the development subject to the City's Open Space and Recreational requirement?
 No Yes If yes, please provide the following:
a. Amount of park/open space offered (acres): Not Applicable
b. Provide Parks and Recreation fee amount (\$50.00 per unit with park site or \$100.00 per lot without park site): Not Applicable
16. Is the property located within the Chesapeake Bay Preservation Area Overlay District as determined by the Department of Planning?
 No Yes If yes, the following shall be submitted in accordance with Section 12-510 of the Chesapeake Zoning Ordinance:
a. An environmental site assessment
b. A landscape plan

AFFIDAVIT

Application No: FEB 12 01 UP 01.03

STATE OF New York
CITY OF Ithaca

I/We, Robert S. Diberardinis

The applicant(s) listed on the attached Use Permit Application, having been duly sworn, do hereby affirm that the listing attached to, and hereby made a part of this affidavit, identifies the names and last known addresses of all of the following persons and entities in regard to the property that is the subject of the Application:

1. All applicants, title owners, contract purchasers, and lessees of the property; and, if any of the foregoing is a trustee, each beneficiary having an interest in the property.
2. Where any of those listed in (1) above is a corporation, all shareholders owning ten per cent (10%) or more of any class of stock issued by said corporation.
3. Where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders.
4. Where any of those listed in (1) above is a partnership, all such partners, both general and limited.

Attach a listing of names and addresses as required by this affidavit.

Robert S. Diberardinis
Printed Name of Applicant

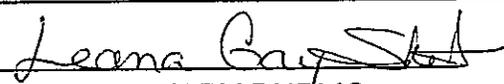
Signature of Applicant

Printed Name of Applicant

Signature of Applicant

State of VIRGINIA
City of CHESAPEAKE

Subscribed and sworn to before me this 30 day of JANUARY 2001
by Robert S. Diberardinis


NOTARY PUBLIC
My commission expires: July 31, 2003

AFFIDAVIT (Continued)

The following is a complete list of those individuals to be the disclosed pursuant to this affidavit:

- Robert S. Diberardinis

whose business address is:

105 Cherry Street
Ithaca, NY 14850

LEGAL POWER OF ATTORNEY

Application No: FEB 12 01 OF 01 03

Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough): Tax Map Section 62, Parcel 2 at Whitmore Road and Centerville Turnpike, Butts Road Borough

Nature of Use Permit Sought: Conditional Use Permit to construct and operate a golf course and driving range

I/we, am/are: Weaver Fertilizer Company Inc.

- the applicant for the above referenced application
- the owner of the property described above

I/we do hereby make, constitute, and appoint Robert S. Diberardinis and James R. Bradford

my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: in the case of use permits, to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the 24th day of January, 2001, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

BY: [Signature]
WEAVER FERTILIZER COMPANY, INC.
 Owner* Applicant* C.W. BRADSHAW, PRESIDENT

State of Virginia
City of Worfolk

Subscribed and sworn to before me this TH day of February 2001
by Cyril W. Bradshaw

Christina M. Sharp
NOTARY PUBLIC

My commission expires: 10/31/02

* If the owner or applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.



WEAVER FERTILIZER COMPANY
INCORPORATED
NORFOLK, VIRGINIA

FIRST VIRGINIA
TOWER
MAIN STREET

MAIL: P.O. BOX 3730
ZIP CODE: 23514-3730
(757) 622-6591
FAX: (757) 622-6832

C. W. BRADSHAW, PRESIDENT

FEBRUARY 7, 2001

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT C. W. BRADSHAW, PRESIDENT OF
WEAVER FERTILIZER COMPANY, INC., HAS AUTHORITY BY ORDER
OF THE BOARD OF DIRECTORS TO SIGN LEGAL DOCUMENTS FOR
THE COMPANY TO INCLUDE, BUT NOT LIMITED TO CHECKS,
ENDORSEMENT OF CHECKS, DEEDS, LEASES, CONTRACTS,
SECURITY AGREEMENTS AND ASSIGNMENTS.

THIS AUTHORITY REMAINS IN EFFECT.

YOURS VERY TRULY,

Jeannette K. Tippett
JEANNETTE K. TIPPETT
CORPORATE SECRETARY

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 061000000950	Tax Map #: 061000000730
Name: Edna E. Vanluik	Name: McGinnis Farms, Inc.
Street: 1102 Centerville Turnpike	Street: P.O. Box 2666
City: Chesapeake	City: Sanford
State/Zip: VA/23322	State/Zip: NC/27330
Tax Map #: 061000000951	Tax Map #: 061000000731
Name: Ramsgate Corporation	Name: Radames M. Alvarez
Street: 1401 Precon Drive, Suite 101	Street: 1000 Centerville Turnpike S.
City: Chesapeake	City: Chesapeake
State/Zip: VA.23320	State/Zip: VA/23322
Tax Map #: 061000000952	Tax Map #: 061000000732
Name: Vepco c/o Real Estate Tax Department	Name: Centerville Baptist Church
Street: P.O. Box 25459	Street: 908 Centerville Turnpike S.
City: Richmond	City: Chesapeake
State/Zip: VA/23260	State/Zip: VA/23322
Tax Map #: 061000000953	Tax Map #: 061000000650
Name: The Plantation Shops, Inc.	Name: City of Chesapeake
Street: 1508 Blackboard Drive	Street: P.O. Box 15225
City: Chesapeake	City: Chesapeake
State/Zip: VA/23321	State/Zip: VA/23328
Tax Map #: 061000000970	Tax Map #: 062000000050
Name: B.M. Williams	Name: Paige F. Custer, et als c/o Bette Grissom
Street: 308 Cedar Lakes Drive	Street: 228 Robert Street
City: Chesapeake	City: Chesapeake
State/Zip: VA/23322	State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0620000000031

Name: Robert G. McDonald, Jr.

Street: 112 Cedar Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000050

Name: Louis F. Knight

Street: 1117 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000010

Name: William R. Stephenson

Street: 1101 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000060

Name: Machael E. Calabreses

Street: 1121 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000020

Name: Joseph L. Locasto

Street: 1105 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000070

Name: Dean Leo Parker

Street: 1125 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000030

Name: James A. Stephenson

Street: 1109 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000080

Name: Benjamin M. Williams, II

Street: 1201 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000040

Name: Michael Corwin

Street: 1113 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000090

Name: R.E. Norfleet, III

Street: 1205 Murray Drive

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0613001000100	Tax Map #: 0621004000011
Name: George R. Arthur, Jr.	Name: Walter E. Mitchell, Sr.
Street: 1209 Murray Drive	Street: P.O. Box 1805
City: Chesapeake	City: Chesapeake
State/Zip: VA/23322	State/Zip: VA/23322
Tax Map #: 0613001000110	Tax Map #: 0621003000090
Name: Mark R. West	Name: Charles Taylor
Street: 1213 Murray Drive	Street: 1404 Whittamore Road
City: Chesapeake	City: Chesapeake
State/Zip: VA/23322	State/Zip: VA/23322
Tax Map #: 0613002000010	Tax Map #:
Name: Joseph E. Diaz, Jr.	Name:
Street: 1215 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:
Tax Map #: 0613002000020	Tax Map #:
Name: Jerry K. Hensley	Name:
Street: 1219 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:
Tax Map #: 0613002000030	Tax Map #:
Name: Dennis E. Sears, Jr.	Name:
Street: 1301 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:

FEB 12 01

UP

01 03

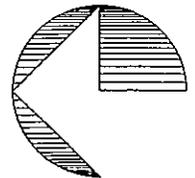
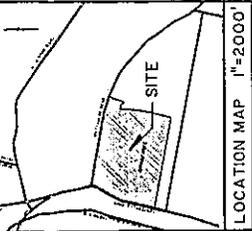
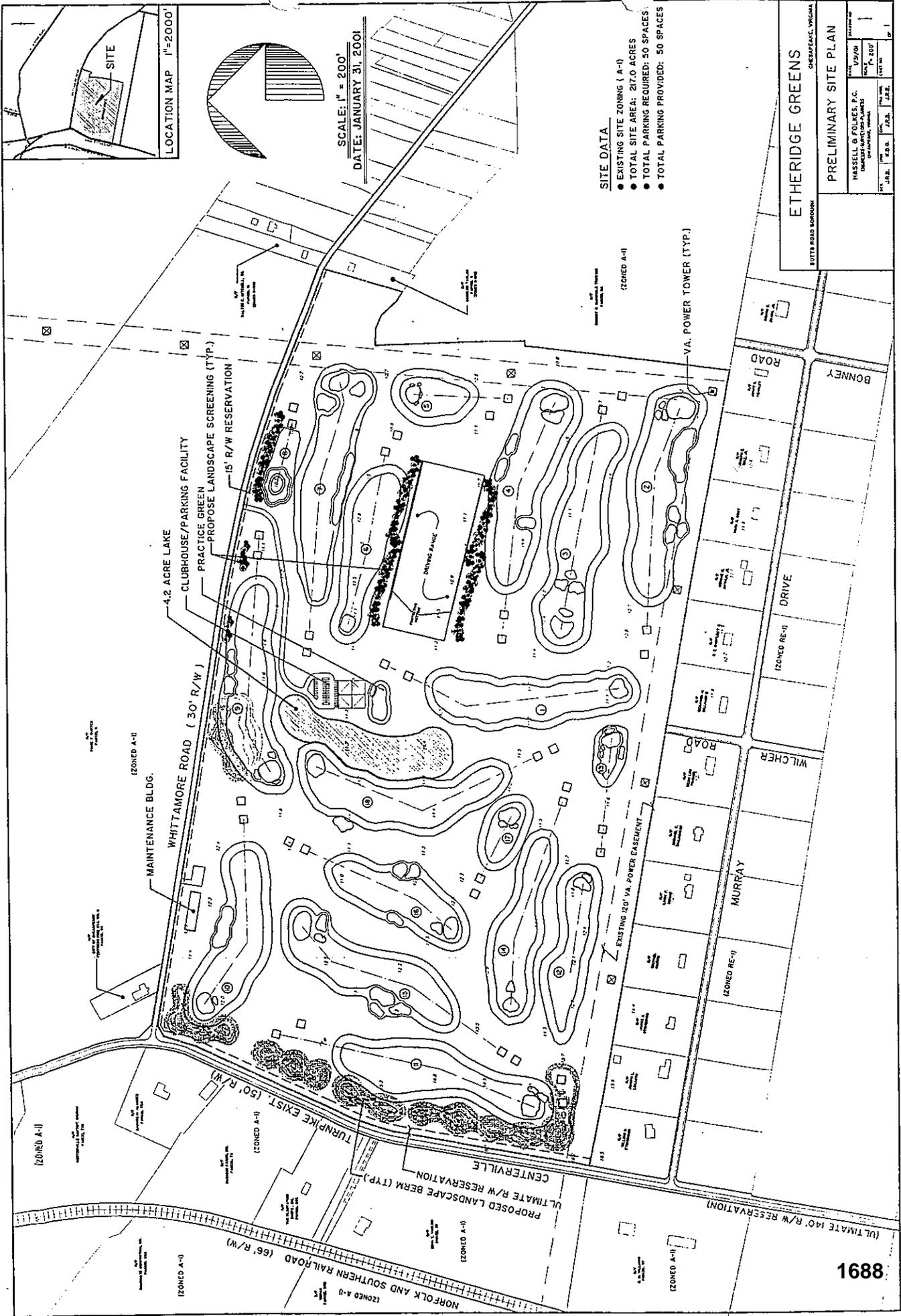
"ETHERIDGE GREENS"

NATURE OF PROPOSED USE

- 1) The nature of the proposed use as listed in the Chesapeake Zoning Ordinance is that of a golf course and driving range. The appropriate S.I.C. codes for this use are 7992 and 7999.
- 2) The proposed use is that of a privately owned and maintained, publically accessible, 18-hole golf course. The hours of operation are currently planned to be 7:00 A.M. to dusk seven days a week. The estimated number of employees on the largest shift is 20.
- 3) The golf course has been designed so as to internalize the driving range and the resulting area of play away from public rights-of-way and residential areas. The clubhouse and associated parking areas have also been internalized on the site, with access being promoted from Whitmore Road at a location which will not conflict with adjacent or nearby uses. It is considered that these measures will substantially ensure the continued reasonable enjoyment of neighboring properties and not adversely affect the surrounding land use pattern.
- 4
 - a) There are no noise characteristics associated with the proposed use which would exceed sound levels typically associated with this zoning district.
 - b) It is proposed that the hours of operation for this facility be from 7:00 A.M. to dusk. As such, stationary lighting will be limited to that necessary for security purposes only.
 - c) There are no fire or related safety hazards particular to the proposed use.
 - d) There are no known easements, roadways, rail lines, utilities, or public/private rights-of-way which this application would interfere with.
 - e) There are no known natural, scenic, or historic features of significant importance on this site.
 - f) The nature of the proposed use, that of a golf course, is such that the need for special buffering is not anticipated.
- 5) It is anticipated that this golf course will be visually attractive from the adjacent roadways and a beneficial ultimate land use to the adjacent three (3) acre residential lots within the "Green Haven" subdivision.
- 6) There are no known policies of the Comprehensive Plan which this application would be in conflict with.
- 7) The primary arterial which will provide access to this activity is Centerville Turnpike.
 - a) Centerville Turnpike along this road segment is a 50 ft. right-of-way improved with a 24 ft. pavement section.

- b) This use is not considered as a peak hour generator of traffic. As such, a detailed traffic impact analysis is not anticipated.
 - c) Recent traffic counts on Centerville Road along this segment indicates a 24-hour volume of 8,580 VPD.
 - d) The current level of service on Centerville Turnpike along this road segment is level "D".
- 8) Ingress and egress to the subject property will be provide by Whitamore Road via Centerville Turnpike. Because of the low volume of traffic associated with the proposed use, the need for special traffic devices is not anticipated.
 - 9) Traffic routes would be north on Centerville Turnpike to the Greenbrier area and Virginia Beach or south on Centerville Turnpike to Etheridge Manor Boulevard, Hickory, and North Carolina.
 - 10) In as much as the proposed use is a golf course, impervious cover will be limited essentially to the parking area and the clubhouse. A proposed lake has been positioned in proximity to these improvements so as to maintain pre-development discharge rates.
 - 11) Sewer and water provisions for this development will be provided via septic field and well, to be located in proximity to the clubhouse.
 - 12)
 - a) The nearest existing public utilities are a 12" water main and an 8" gravity sewer located on School House Road, north of this proposal.
 - b) It is estimated that the support facilities for the golf course will generate a need for approximately 3,000 gallons per day.
 - c) Since the current zoning on this property is (A-1), and it's current use is cultivation for cash crops, no appreciable demand would otherwise occur.
 - d) As stated in item (11) above, it is currently planned that this facility will be serviced by septic drain field and well water.
 - 13) There are currently no plans for routing off-site public utilities to service this development.
 - 14) It is considered that as a consequence of the relatively small demand being generated by this proposal, that a septic drain field and well water will provide ample supply.
 - 15) At the time of this application, percolation tests for Health Department review are being scheduled and will be made available to the Department of Public Utilities in the near future.
 - 16) There are no features of this development to be held in common ownership.
 - 17) There are no P.U.D. deviations or special exceptions associated with this proposal.

FEB 12 01 12 01 03



SITE DATA

- EXISTING SITE ZONING (A-1)
- TOTAL SITE AREA: 217.0 ACRES
- TOTAL PARKING REQUIRED: 50 SPACES
- TOTAL PARKING PROVIDED: 50 SPACES

ETHERIDGE GREENS
DESAFERRIC, VIRGINIA

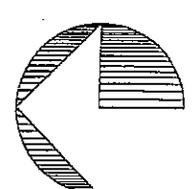
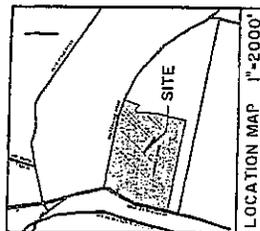
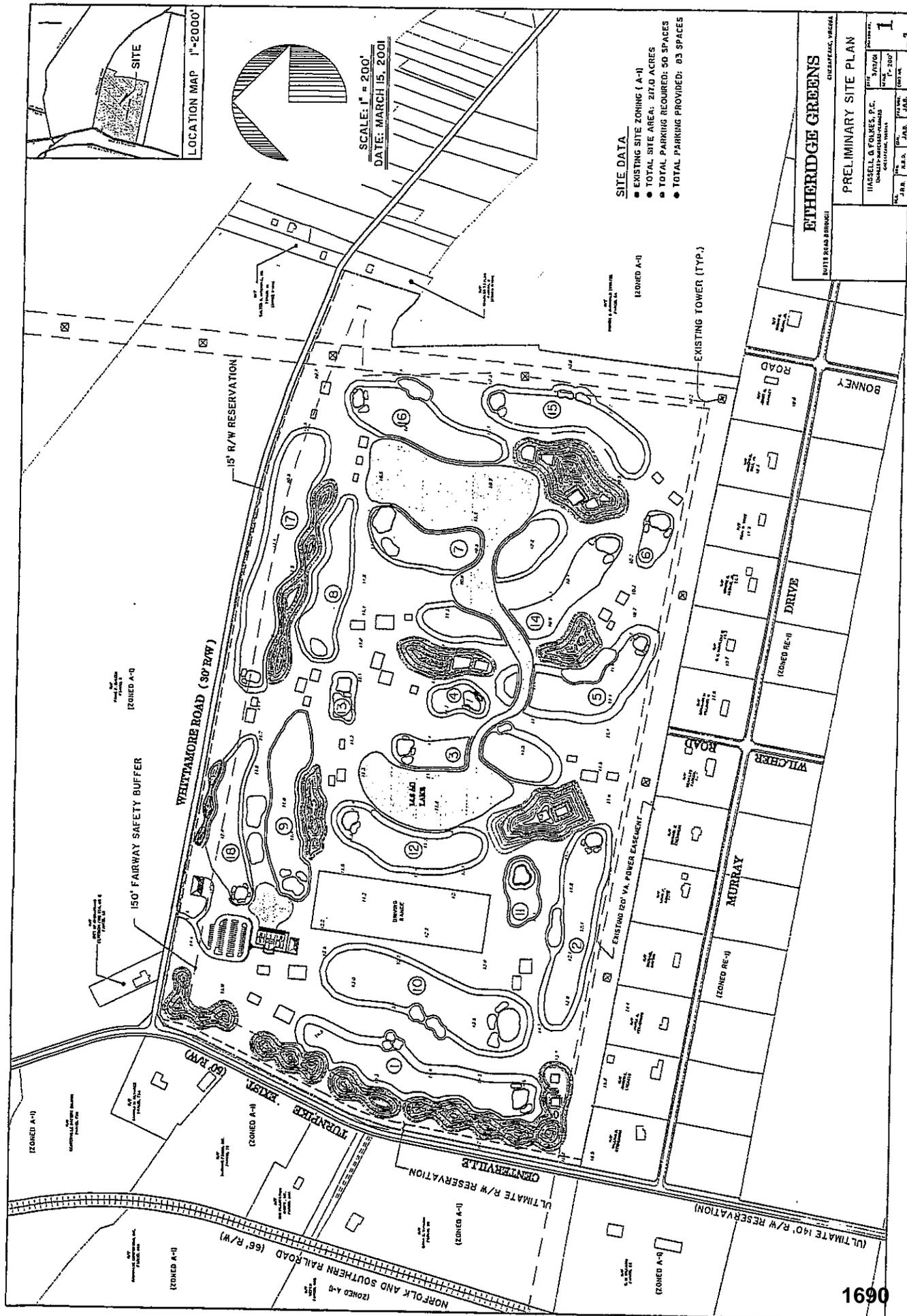
PRELIMINARY SITE PLAN

HASSELL & FOLKES, P.C.
INCORPORATED IN VIRGINIA
1000 W. MAIN STREET, SUITE 200
FALLS CHURCH, VA 22034
TEL: 703.271.1111 FAX: 703.271.1112

DATE: 1/31/01
BY: J.A.B. / J.S.B. / J.A.B.



FEB 12 01 UP 01 03



SCALE: 1" = 200'
DATE: MARCH 15, 2001

- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50 SPACES
 - TOTAL PARKING PROVIDED: 83 SPACES

ETHERIDGE GREENS
CLINTON COUNTY, VIRGINIA

PRELIMINARY SITE PLAN

HAASELL & FOLKES, P.C.
LAND SURVEYORS

DATE: 3/15/01
SCALE: 1" = 200'

NO. 1
SHEET NO. 1 OF 2

REVISED MARCH 19, 2001 **UP-01-03**

PIONEER TITLE

Agent for CHICAGO TITLE INSURANCE COMPANY

SCHEDULE A

Commitment No: 0284-80094V

Effective Date: February 13, 2001

Time: 08:00 am

Inquires Should be Directed to:

PIONEER TITLE
303 One Columbus Center
Virginia Beach VA 23462
(757) 671-7413 FAX (757) 671-7540

For: BOBBY DIBERARDINIS
1229 KINGSBURY DRIVE
Chesapeake VA 23322

1. Policy or policies to be issued:

ALTA Owner's Policy (10-17-92)	Amount
Proposed Insured	\$1,000.00

COMBUSTION PRODUCTS MANAGEMENT, INC.	
ALTA Loan Policy (10-17-92)	Amount
Proposed Insured	

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a Fee Simple.

3. Title to said estate or interest in said land is at the effective date hereof vested in:

WEAVER FERTILIZER CO., INC., a Virginia Corporation

4. The land referred to in this Commitment is described as follows:

All those certain pieces or parcels of land, with the buildings and improvements thereon, situate in Butts Road and Pleasant Grove Magisterial Districts, in the County of Norfolk, Virginia, designated as Tract 10, containing 31.9 acres, more or less, and Tract 4, containing 183 acres, more or less, as shown on Plan of W. J. and Bettie Herring Estate, recorded in the Clerk's Office of the Circuit Court of said County, in Map Book 19, at page 35, also shown as Parcel 271 on Map Book 70 at pages 87 and 87A.

LESS AND EXCEPT that portion of property conveyed to the Commonwealth of Virginia as shown in Deed Book 1258 at page 504.

Said parcel is also shown as Parcel 271 on the plat entitled "RESTRICTIVE EASEMENT AREA 6 (P-999) 1980, U.S. NAVAL AUXILIARY LANDING FIELD, FENTRESS, BUTTS ROAD BOROUGH, CHESAPEAKE, VIRGINIA" recorded on March 30, 1981 in Map Book 70 at pages 87 and 87A.

It being a part of the same property conveyed to WEAVER FERTILIZER CO., INC., a Virginia Corporation by deed from Frank V. Atkinson, widower, dated December 8, 1948 **1691** and recorded January 4, 1949 in Deed Book 935 at page 357.

PIONEER TITLE

Agent for CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B - SECTION 1

REQUIREMENTS

Commitment No: 0284-80094V

The Following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or mortgage to be insured.
- b. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions. You must pay the premiums, fees and charges for the Policy.
- c. Documents satisfactory to us creating the interest in the land and/or mortgage to be insured must be signed, delivered, and recorded, as are as follows:
 1. Proper Deed of Bargain and Sale from WEAVER FERTILIZER CO., INC., a Virginia Corporation, vesting fee simple title to the aforescribed property in COMBUSTION PRODUCTS MANAGEMENT, INC.
- d. 123 Day Affidavit as to Mechanic's Liens.
- e. Judgments in favor of the United States of America, against the purchaser(s) listed in Item c(1) above have been checked. Those found, if any are listed below.

PIONEER TITLE

Agent for CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B - SECTION 1

(continued)

Commitment No: 0284-80094V

REAL ESTATE TAX INFORMATION:

GPIN No.	<u>06200000000020</u>
Bill No.	<u>067117</u>
Assessment for 2000/01	
Land Assessment	\$ <u>321,100.00</u>
Building	\$ <u> </u>
Total Assessment	\$ <u>\$321,100.00</u>

Quarterly \$ 437.37

Paid thru the second quarter of the Fiscal year 2000/01.

PIONEER TITLE

Agent for CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B - SECTION 2

EXCEPTIONS

Commitment No: 0284-80094V

II. Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (3) Easements or claims of easements not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes or special assessments which are not shown as existing liens by the public records.

Special Exceptions:

- (1) Real Estate taxes accruing from the beginning of the third quarter of the fiscal year 2000/01 and subsequent quarterly payments not yet due and payable.
- (2) Storm water taxes.
- (3) Easement to Virginia Electric and Power Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 934, at page 382.
- (4) Easement to Virginia Electric and Power Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 905, at page 427.
- (5) Easement to Virginia Electric and Power Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 1247, at page 305.
- (6) Easement to Virginia Electric and Power Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 1605, at page 512.
- (7) Easement to Virginia Electric and Power Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 1247, at page 305.
- (8) Easement to Norfolk and Carolina Telephone and Telegraph Company as recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Deed Book 600 at page 389.
- (9) Easement to Virginia Natural Gas as recorded in the City of Chesapeake, Virginia, **1694** Deed Book 4171, at page 581.

PIONEER TITLE

Agent for CHICAGO TITLE INSURANCE COMPANY

SCHEDULE B - SECTION 2

(continued)

Commitment No: 0284-80094V

- (10) Easement to United States of America for air rights as recorded in Deed Book 1914 at page 588.
- (11) Subject to rollback taxes.

ENDORSEMENT

Attached to and forming a part of Commitment No. 0284-80094V

**Issued by
CHICAGO TITLE INSURANCE COMPANY**

The insurance afforded by this endorsement is only effective if the land is used or is to be used primarily for residential purposes.

The Company insures the insured against loss or damage sustained by reason of lack of priority of the lien of the insured mortgage over:

- a) any environmental protection lien which at Date of Policy, is recorded in those records established under state statutes at Date of Policy for the purposes of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge, or filed in the records of the clerk of the United States district court for the district in which the land is located, except as set forth in Schedule B;

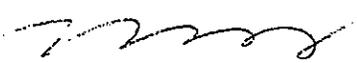
or

- b) any environmental protection lien provided for by any state statute in effect at Date of Policy, except environmental protection liens provided for by the following state statutes:

None

This endorsement is made a part of the commitment or policy. It is subject to all the terms of the commitment or policy and prior endorsements. Except as expressly stated on this endorsement, the terms, dates and amount of the commitment or policy and prior endorsements are not changed.

**0284-80094V
CHICAGO TITLE INSURANCE COMPANY**



Authorized Signatory

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

ALTA 8.1
(Environmental Protection Lien)

Owner's
Information
Sheet

The Title Insurance Commitment is a legal contract between you and the Company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, contact the Issuing Office.



Chicago Title Insurance Company

171 North Clark Street
Chicago, Illinois 60601-3294

ALTA COMMITMENT 1982 (Rev. 10-19-88)

Issued by:
PIONEER TITLE - VIRGINIA BEACH
ONE COLUMBUS CENTER, SUITE 303
VIRGINIA BEACH, VA 23462
(757) 671-7413
FAX (757) 671-7540

Countersigned

Authorized Signatory

Agreement to Issue Policy

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within 6 months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the policy.

Our obligation under this Commitment is limited by the following:

- The provisions in Schedule A.
- The Requirements in Schedule B-I.
- The Exceptions in Schedule B-II.
- The Conditions on Page 2.

This Commitment is not valid without SCHEDULE A and Sections I and II of SCHEDULE B.

CHICAGO TITLE INSURANCE COMPANY

By:

John Rau
President

By:

Thomas J Adams
Secretary



AGREEMENT TO ISSUE POLICY	Page 1
SCHEDULE A	Attached
1. Commitment Date	
2. Policies to be Issued, Amounts and Proposed Insureds	
3. Interest in the Land and Owner	
4. Description of the Land	
SCHEDULE B-I—REQUIREMENTS	Attached
SCHEDULE B-II—EXCEPTIONS	Attached
CONDITIONS	2

Conditions

1. DEFINITIONS

(a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting your title—according to the state statutes where your land is located.

2. LATER DEFECTS

The Exceptions in Schedule B—Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attach between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B—Section I are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

Comply with the Requirements shown in Schedule B—Section I

or

Eliminate with our written consent any Exceptions shown in Schedule B—Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.



June 25, 2001

Weaver Fertilizer Company, Inc.
P. O. Box 3730
Norfolk, VA 23514

Re: UP-01-03: PROJECT: Etheridge Greens. APPLICANT: Robert S. Diberardinis. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217+ acre site. ZONE: A-1 Agricultural District. SIC CODE: 7992, 7999. LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. TAX MAP SECTION/PARCEL: 0620000000020. BOROUGH: Butts Road.

Dear Agent/Applicant:

The application for the above referenced Conditional Use Permit Application was considered and approved with stipulations by City Council at its meeting on June 20, 2001. Enclosed are the appropriate papers that have been processed in this regard.

In addition, the Chesapeake Zoning Ordinance establishes time limitations for use permits, and after the time period the permit will expire unless the use commences or extensions are granted. The Zoning Ordinance provides for an initial time limit of two years (unless a shorter time is specified by City Council at the time of issuance), during which time period the use authorized must commence or the use permit will automatically expire. Specific questions concerning these time limitations and procedures for extending time limitations should be directed to the Zoning Administrator, who is located in the Chesapeake Department of Inspections in the City Hall Building. The telephone number is 382-6240.

As a reminder, the sign posted at this site for the purpose of advertising the proposed action must be removed from the property within five (5) days following the action taken by Council (Chapter 16, Section 105(A)(6) of the City of Chesapeake Zoning Ordinance). Failure to do so is in violation of the City's Zoning Ordinance. Also, a final construction plan may be required prior to the issuance of a building permit. Please contact the Chesapeake Planning Department if you have any questions or need assistance with this matter.

Sincerely,


Dolores A. Moore, CMC/AAE
City Clerk

DAM:blp

cc: Planning, Public Works, Real Estate, Zoning

Docket Letter: G

Office of the City Clerk

306 Cedar Road

Chesapeake, Virginia 23322

email: council@clerk.city.chesapeake.va.us

Telephone (757) 382-6151

Fax (757) 382-6678

June 25, 2001

James R. Bradford
Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, VA 23320

Re: UP-01-03: PROJECT: Etheridge Greens. APPLICANT: Robert S. Diberardinis. AGENCY: Hassell & Folkes, P.C. PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217+ acre site. ZONE: A-1 Agricultural District. SIC CODE: 7992, 7999. LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. TAX MAP SECTION/PARCEL: 062000000020. BOROUGH: Butts Road.

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Sincerely,



Dolores A. Moore, CMC/AAE

City Clerk

DAM:blp

cc: Planning, Public Works, Real Estate, Zoning

Docket Letter: G

FOR PLANNING DEPARTMENT USE ONLY

DATE APPLICATION FILED: February 12, 2001

APPLICATION #: UP-01-03

AMOUNT OF APPLICATION FEE PAID: \$225.00

PIV NUMBER: 194490

DATE APPLICATION DETERMINED TO BE COMPLETE: February 14, 2001

APPLICATION REVIEWED/ACCEPTED BY: Gary Pusey

PLANNING COMMISSION ACTION:

DATE OF PUBLIC HEARING: April 11, 2001

ACTION: Continued to the May 9, 2001 Public Hearing

DATE OF PUBLIC HEARING: May 9, 2001

ACTION: Approved with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.

**Chesapeake Planning Commission
May 9, 2001 Public Hearing**

UP-01-03 Etheridge Greens (continued)

- 5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.**
- 6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.**
- 7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.**
- 8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.**
- 9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.**
- 10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local 1702**

**Chesapeake Planning Commission
May 9, 2001 Public Hearing**

UP-01-03 Etheridge Greens (continued)

inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).

- 11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Health Department. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.**
- 12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.**
- 13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.**
- 14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.**

Chesapeake Planning Commission
May 9, 2001 Public Hearing

UP-01-03 Etheridge Greens (continued)

15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy AICUZ noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."


Dorothy M. Kowalsky, Recording Secretary

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: _____ **June 20, 2001**

ACTION: Approved with above stipulations.

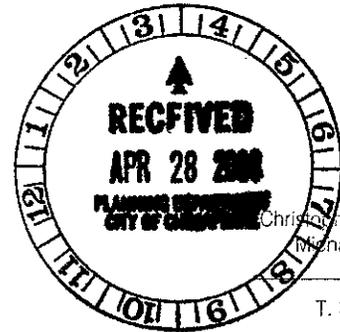

Dolores A. Moore, CMC/AAE, City Clerk



Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Gray Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Greg R. Deubler, P.E.
Stuart W. Bonnell, P.E.
Kenneth C. Phelps, P.E.
James R. Bradford, C.L.A.

April 28, 2003



Christopher D. Capozzi, L.S.
Michael W. Murphy, L.S.

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Brent Nielson
DEPARTMENT OF PLANNING
City of Chesapeake
306 Cedar Road
Chesapeake, VA 23322

RE: ETHERIDGE GREENS
(UP-01-03)

Dear Mr. Nielson:

Please consider this letter as a formal request to extend the approval of the referenced use permit for a period of one (1) year.

As you are aware, the zoning ordinance requires that a conditional use permit expire two (2) years after City Council approval, should the foundation work associated with the permit not be completed within that time frame.

Etheridge Greens was approved by City Council on June 20, 2001. Since that time, my client has obtained plans approval, made substantial improvements in the public right-of-way, and steadily moved towards completion of the golf course.

The foundation work reflected in the zoning ordinance however, and the resulting clubhouse, will not become necessary for the operation of the golf course until it is at or near completion.

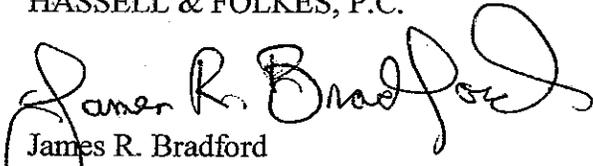
It is for this reason that my client seeks a one (1) year extension from City Council and the concurrence of your department in that effort.

Mr. Brent Nielson
DEPARTMENT OF PLANNING
April 28, 2003
Page - 2 -
RE: ETHERIDGE GREENS
(UP-01-03)

Should you have any questions or require additional information, please do not hesitate to contact our office. Trusting this is as you require, we remain,

Very truly yours,

HASSELL & FOLKES, P.C.

A handwritten signature in cursive script that reads "James R. Bradford". The signature is written in black ink and is positioned above the printed name.

James R. Bradford

JRB/kb

cc: Mr. Dorothy Kowalsky
Department of Planning



Enforcement

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- [Criminal Enforcement](#)
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e-mail: Mary Jo Leugers

Enforcement Contacts

The Central and Regional Offices play key roles in carrying out DEQ's mission and in achieving its enforcement goals. The Regional Offices are responsible for conducting compliance and enforcement action within their regional boundaries. In the Central Office, the Division of Enforcement Coordination supports the Regional Offices in their enforcement efforts.

REGIONAL OFFICES

The regional offices are the primary contacts for the regulated community and the public for permitting, enforcement and pollution response. For the majority of the cases, the regional staff is the first to deal with suspected non-compliance situations, and they are responsible for beginning and concluding enforcement actions.

Regional Office Enforcement Contacts

To view the different regional office jurisdictions, visit our [regional office](#) homepage. The regional office homepage describes regional office functions (including compliance and investigation activities) and will direct you to individual homepages for the Department's seven regional offices. Individual regional office pages list other contacts for compliance and/or pollution response activities.

<p>Northern Virginia Regional Office John Bowden Compliance and Enforcement Manager (703) 583-3880 jdbowden@deq.state.va.us</p>	<p>Piedmont Regional Office James Golden Deputy Regional Director 804/527-5052 jjgolden@deq.state.va.us</p>
<p>Tidewater Regional Office Harold Winer Compliance and Enforcement Manager (757) 518-2153 hjwiner@deq.state.va.us</p>	<p>Valley Regional Office Rick Anderson Compliance and Enforcement Manager (540) 574-7811 rwanderson@deq.state.va.us</p>
<p>Southwest Regional Office Dallas Sizemore Deputy Regional Director (540) 676-4822 drsizemore@deq.state.va.us</p>	<p>West Central Regional Office Norm Auldridge Deputy Regional Director (540) 562-6870 nlauldridge@deq.state.va.us</p>
<p>South Central Regional Office</p>	

David M. Miles Deputy Regional Director (804) 582-5120 <thenderso@deq.state.va.us <="" td=""> <td></td> </thenderso@deq.state.va.us>	
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Central Office

In general, the Division of Enforcement Coordination serves in a supportive role to the Regional Offices for all of their enforcement activities. The Division of Enforcement Coordination becomes involved in enforcement actions to assist the Regions and/or to provide expertise and policy guidance. In addition, the Division of Enforcement Coordination assists and coordinates successful statewide implementation of DEQ's enforcement programs by developing appropriate enforcement policies and procedures, providing appropriate training to staff, and auditing regional implementation. The Division of Enforcement Coordination staff provides case-by-case advice to the Regional Offices as needed to include developing administrative enforcement and litigation positions and strategies and preparing referrals to the Attorney General's Office. The Division of Enforcement Coordination staff also consults on multi-media cases and serves as liaison to the Attorney General's Office.

The Division of Enforcement Coordination's Criminal Investigation Unit handles and/or coordinates all case investigations and development of criminal actions with the assistance of Regional and Central Office staff. Potential criminal cases are prioritized based upon, but not limited to, the nature of the violator's knowledge, intent, willfulness, patterns of behavior, environmental impact, and economic benefit.

DIVISION OF ENFORCEMENT COORDINATION CONTACTS

Mary Jo Leugers
Director of Enforcement Coordination
804/698-4430
804/698-4277 (fax)
mjleugers@deq.state.va.us

Water Enforcement Andrea W. Wortzel Water Enforcement Coordination Manager 804/698-4284 804/698-4277 (fax) <u>awwortzel@deq.state.va.us</u>	Criminal Investigations Ralph Mayer Criminal Investigations Manager (804) 698-4272 (804) 698-4277 (fax) <u>rjmayer@deq.state.va.us</u>
Waste Enforcement Paul Rogers Waste Enforcement Coordination Manager 804/698-4512 804/698-4277 (fax) <u>pjrogers@deq.state.va.us</u>	Lynn Thomas Investigator 540/562-6812 540/562-6725 (fax) <u>lrthomas@deq.state.va.us</u>

1709

Air Enforcement

Kathleen O'Connell
Air Enforcement Coordination Manager
804/698-4273
804/698-4277 (fax)
kfoconnell@deq.state.va.us

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Last Updated: Thursday, June 13, 2002 2:04 PM



Waste Management

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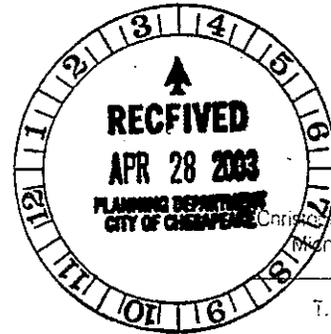
e-mail: [Karen Sismour](mailto:Karen.Sismour@deq.state.va.us)

Coal ash

Regulations establish standards for the use, re-use or reclamation of coal combustion by-products (commonly called coal ash) and establish appropriate standards for siting, design, construction and operation. The regulations provide reasonable exemptions from the permit requirements and from certain substantive facility requirements to promote the development of resource conservation and resource recovery systems.

[Waste Management Home](#)

Last Updated: Friday, July 6, 2001 - 7:41 am Eastern Daylight Time



S. Gray Folkes, Jr., P.E.
Lergh Anna Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Greg R. Deubler, P.E.
Stuart W. Bonnell, P.E.
Kenneth C. Phelps, P.E.
James R. Bradford, C.L.A.

April 28, 2003

T. Ray Hassell III, L.L.C.
(1932-1994)
Stradford G. Folkes, P.E.
Consultant

Mr. Brent Nielson
DEPARTMENT OF PLANNING
City of Chesapeake
306 Cedar Road
Chesapeake, VA 23322

RE: ETHERIDGE GREENS
(UP-01-03)

Dear Mr. Nielson:

Please consider this letter as a formal request to extend the approval of the referenced use permit for a period of one (1) year.

As you are aware, the zoning ordinance requires that a conditional use permit expire two (2) years after City Council approval, should the foundation work associated with the permit not be completed within that time frame.

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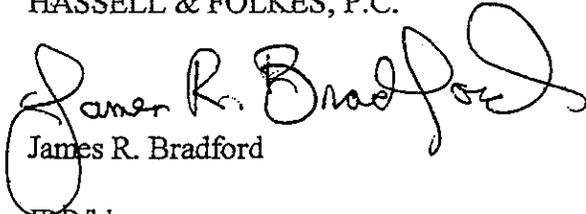
It is for this reason that my client seeks a one (1) year extension from City Council and the concurrence of your department in that effort.

Mr. Brent Nielson
DEPARTMENT OF PLANNING
April 28, 2003
Page - 2 -
RE: ETHERIDGE GREENS
(UP-01-03)

Should you have any questions or require additional information, please do not hesitate to contact our office. Trusting this is as you require, we remain,

Very truly yours,

HASSELL & FOLKES, P.C.

A handwritten signature in black ink, appearing to read "James R. Bradford". The signature is written in a cursive style with a large, looping initial "J".

James R. Bradford

JRB/kb

cc: Mr. Dorothy Kowalsky
Department of Planning

CHESAPEAKE PLANNING COMMISSION
SPEAKER CARD

Date: 9 MAY 2001 Agenda No.: 56
Agenda Item: UP-01-03

Name: MR. MARION G. PINE, JR
"JB"

Address: 1124 MURRAY DR
CHESAPEAKE

Telephone: 546-0641

Group/Organization Represented:

SELF

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
CG-26012/R93

PERSONS ADDRESSING PLANNING COMMISSION

Please PRINT requested information

Date: 9 MAY 2001 Agenda Item No.: "6" (UP-01-03)

Your Name: JAMES R. BRADFORD

Address: 325 VOLVO PARKWAY
PH # 547-9531

Are you appearing: in behalf of application
 in opposition to application

Group/Organization you represent: _____

HASSEU & FOLKES, P.C.

CG-26.012

CHESAPEAKE PLANNING COMMISSION
SPEAKER CARD

Date: 5/9/01 Agenda No.: 6
Agenda Item: UP0103

Name: Robert Stephenson

Address: 1101 Murray Dr
Chesapeake

Telephone: 482 9110

Group/Organization Represented:

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
CG-26012/R93

CHESAPEAKE PLANNING COMMISSION
SPEAKER CARD

Date: 9 May 01 Agenda No.: _____
Agenda Item: UP-01-03

Name: LORREN HOLLY

Address: 3301 Andrews Dr
Chesapeake VA 23323

Telephone: 558-1334

Group/Organization Represented:

Whittamore Road Civic League

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
CG-26012/R93

ESAPEAKE PLANNING COMMISSION
SPEAKER CARD

Date: 5/9/2007 Agenda No.: 6
Agenda Item: UP-01-05

Name: T. J. CARAWAN

Address: 330 HURDLE DR.

Telephone: _____

Group/Organization Represented:
self

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

SUPPORT

OPPOSITION

1716

CITY OF CHESAPEAKE
PAY-IN VOUCHER

CR 6360

206292

Combustion Products Management

DATE 6-18-01

hundred fifteen and 28/100

DOLLARS

Service Fee

(WF 01 03)

(CIRCLE ONE)

G/L REV APPR # 13011-2001 \$ 215.28

G/L REV APPR # _____ \$ _____

G/L REV APPR # _____ \$ _____

G/L REV APPR # _____ \$ _____

TOTAL \$ 215.28

6160

CUSTOMER'S COPY

1717

City of Chesapeake Planning Department

Remit to:
306 Cedar Road
Chesapeake Va. 23322

ROBERT S. DIBERARDINIS
105 CHERRY STREET
ITHACA, NY 14850

NOTICE OF PAYMENT

032501 Etheridge Greens
040101 Etheridge Greens

\$107.64
\$107.64

*UP 0103
PIV 206292
6/18/01
M. Falk*

TOTAL NET DUE =

\$215.28

*OK
(K)*

COMBUSTION PRODUCTS MANAGEMENT



105 Cherry Street • Ithaca, N.Y. 14850

BSB BANK & TRUST
50-7010/2213

6360

*PIV
206292*

DATE AMOUNT
Jun 15, 2001 *****\$215.28

PAY Two Hundred Fifteen and 28/100 Dollars

TO THE ORDER OF:
Chesapeake Planning Department
PO Box 15225
Chesapeake, VA 23328

AUTHORIZED SIGNATURE

Security enhanced document. See back for details.

HASSELL & FOLKES, P.C.

PHONE 547-9531
325 VOLVO PARKWAY
CHESAPEAKE, VA 23320

201288 19066
201289

DATE 3/25/01

68-518/514
01

PAY TO THE ORDER OF

City of Chesapeake

\$ 290.00

INSURED 290 DOLLARS 00 CTS
IBN27374

DOLLARS

Security Features
Details on back



BANK OF HAMPTON ROADS
CHESAPEAKE, VIRGINIA 23320

FOR

Stephanne Folkles

⑈019066⑈ ⑆051405188⑆ 011541⑈



CITY OF CHESAPEAKE
PAY-IN VOUCHER

201289

19066

RECEIVED OF

Hassell and Folkles P.C.

DATE

3-28-01

Two hundred and sixty-five

DOLLARS

13 Signs Fee

(CIRCLE ONE)			
ITAC: G/L REV APPR #	<u>11-703</u>	\$	<u>253.07</u>
G/L REV APPR #	<u>11-521</u>	\$	<u>11.93</u>
G/L REV APPR #	_____	\$	_____
G/L REV APPR #	_____	\$	_____

UR 01-03

TOTAL \$ 265.00

DEPT.

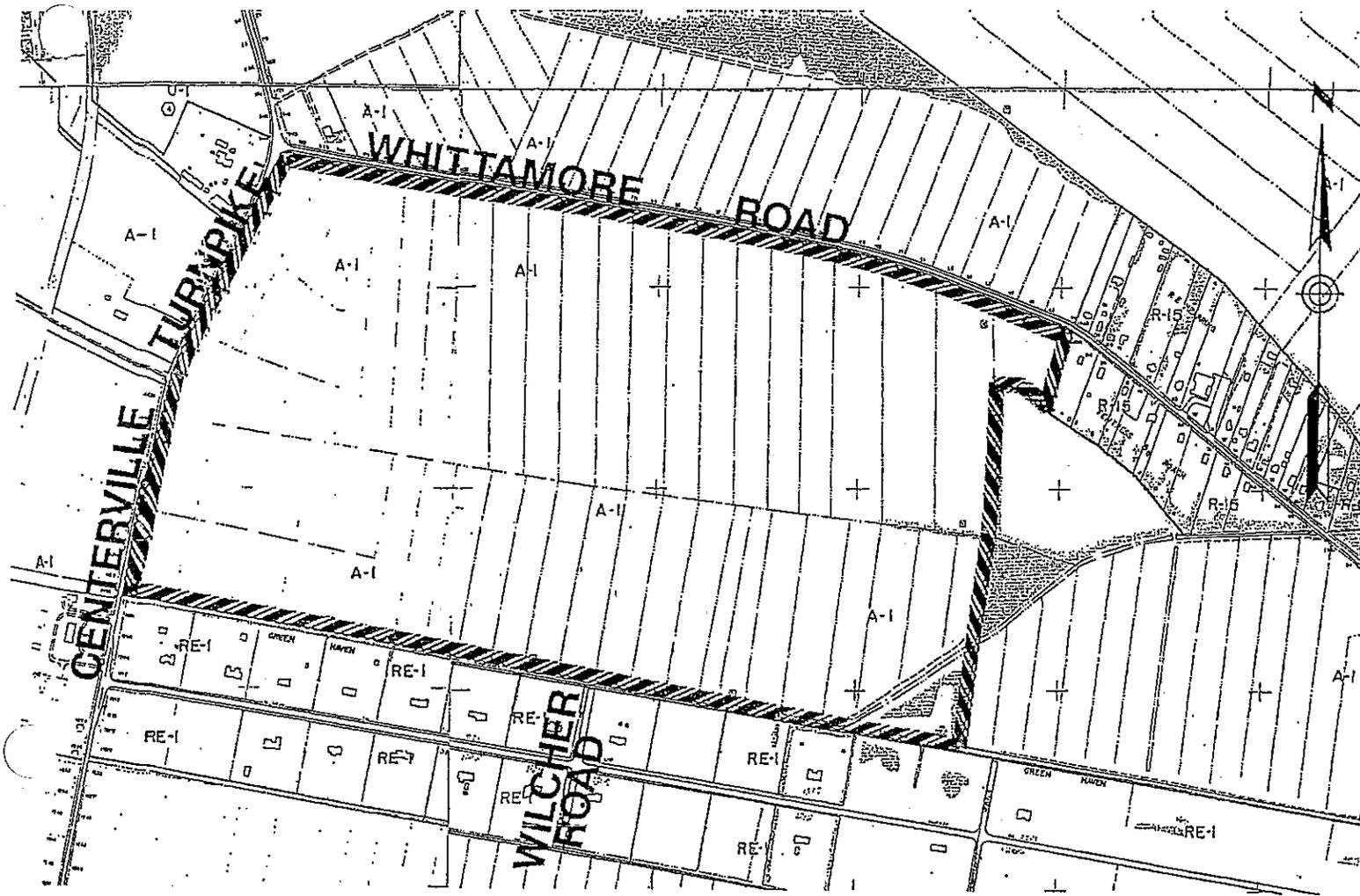
Planning

Maize 6176

TREASURER'S COPY

SAFEGUARD BUSINESS SYSTEMS, VIRGINIA BEACH, VA

197086



UP-01-03

-- MAP NOT TO SCALE --

Etheridge Greens

UP-01-03

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 062000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

**PLANNING COMMISSION MEETING OF
MAY 9, 2001**

HEARING DATE: MAY 9, 2001
APRIL 11, 2001

TO: CHESAPEAKE PLANNING COMMISSIONERS

FROM: GARY R. PUSEY, PLANNER

THROUGH: BRENT R. NIELSON, PLANNING DIRECTOR *JMP*

DATE: April 30, 2001

RE: UP-01-03
PROJECT: Etheridge Greens
APPLICANT: Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.
ZONE: A-1 Agricultural District
SIC CODE: 7992, 7999
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.
TAX MAP SECTION/PARCEL: 0620000000020
BOROUGH: Butts Road

PROJECT DESCRIPTION:

The applicant is requesting approval of a conditional use permit to construct and operate an 18 hole golf course, a golf driving range and related facilities on a 217 acre parcel. (See Attachments A and B for the site plan.) The property is located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road in the Butts Road Borough, and is also located within the Fentress Airfield Overlay District.

This application was continued from the April 11, 2001, Public Hearing in order to allow the applicant an opportunity to address issues related to the "fly ash" that will be used in the construction of the golf course.

BACKGROUND:

The subject site is zoned A-1 Agricultural District. Adjacent zoning designations are as follows:

DIRECTION	ADJACENT ZONING DESIGNATIONS
North	A-1 Agricultural District
South	RE-1 Residential Estate District
East	A-1 Agricultural District, R-15 Residential District
West	A-1 Agricultural District

DEPARTMENTAL COMMENTS:

Public Works:

- This department will require a final construction plan.

Requirements:

- Provide a left turn lane on Centerville Turnpike.
- Reserve 45' of right-of-way along Centerville Turnpike.
- Ditch and shoulder improvements will be required along Centerville Turnpike. A corresponding right-of-way dedication may be required for these improvements.
- Address method to prevent stray golf balls from entering adjacent roadways. A stipulation should be provided to allow Public Works to direct the owner/developer to take corrective measures if Public Works determines that a hazard to motorists is created along Centerville Turnpike. See advisory comment below.

Advisory:

- The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.
- Site plan approval for this development will be contingent upon the recordation of a plat showing the required right-of-way reservation and any required right-of-way dedication.

- Public Works feels that the layout for the course could be revised to reduce the risk of errant golf balls striking vehicles on Centerville Turnpike (keeping in mind that a six-lane divided highway will be adjacent to the course under the ultimate conditions).

Public Utilities:

- City water and sewer are not available to this site. City water and sewer are not required for this use permit.

School Administration:

- No impact.

Parks and Recreation:

- No impact.

Environmental/Landscaping:

- Buffer yard "F" required along the rights-of-way.
- A waiver to the 10% tree canopy requirement and the size of the trees at planting in the designated reforestation areas is approved.

Fire Prevention:

- Contingent approval. A dry hydrant drawing supply from the 14.6 acre lake is required in accordance with PFM and NFPA 1231 for water supply for fire fighting operations.

Zoning:

- This department will require a final construction plan.
- This site is in the Fentress Overlay District and must comply with the development standards listed in Section 12-406 et. seg. of the Chesapeake Zoning Ordinance including building setbacks. The setback for the maintenance building is 150 feet from the right-of-way reservation for Whittamore Road. This setback may be reduced to 50 feet if landscaping is approved by the City Council which screens the building from public view from the street.
- Signs must comply with Section 14-700 of the Chesapeake Zoning Ordinance.
- Handicap parking must comply with CABO/ANSI standards.

- One 12-foot x 35-foot loading space is required.
- Separate permits are required for fences, signs, and flagpoles.

Code Enforcement:

- This department will not require a final construction plan.

Library:

- No impact.

Police:

- This department will not require a final construction plan.

Bikes/Trails:

- At the Chesapeake Bicycle/Trails Advisory Committee meeting of March 26, 2001, a motion was adopted requesting a 3' paved shoulder be installed along both sides of Centerville Turnpike. Centerville Turnpike is included in the City's Trail Plan for future shoulder/bike land improvement. The recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The installation of these shoulders will enhance safety and provide easier maintenance for Centerville Turnpike.

Department of the Navy:

- The proposal is compatible with the Naval Air Station (NAS) Oceana and Naval Auxiliary Landing Field (NALF) Fentress, Air Installations Compatible Use Zones (AICUZ) study. The project will be impacted by frequent overflight by jet aircraft 24 hours a day at an altitude often below 800 feet. At these times, the single event noise may exceed 98 dB. The clubhouse should be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level.

STAFF ANALYSIS:

The applicant is requesting approval of a conditional use permit to construct and operate a golf course, a golf driving range and related facilities on a 217 acre parcel located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road. The property is also located within the Fentress Airfield Overlay District.

Improvements proposed on the site include an 18 hole golf course, driving range, clubhouse, cart storage building, maintenance building and an 83 space parking

lot. According to the applicant, the golf course will be open to the public daily from 7 a.m. to dusk and will have 20 employees on the largest shift.

Departmental review raised several issues that require further discussion.

In response to comments from Public Works, the applicant has performed traffic counts along Centerville Turnpike and agrees that a left turn lane is necessary on Centerville Turnpike. Public Works is also requiring that 45' be reserved for the right-of-way along Centerville Turnpike and that a dedication may be required to accommodate ditch and shoulder improvements that may be necessary. The applicant is in agreement with stipulations that are included requiring the left turn lane be provided and that a subdivision plat be recorded prior to final site plan approval indicating the right-of-way reservation and/or dedication for Centerville Turnpike. Public Works is also requesting that a stipulation be provided that allows the City to require that corrective measures be taken in the event that errant golf balls prove to be a hazard to motorists along Centerville Turnpike. Public Works notes that this roadway is planned to be a six-lane divided highway at its ultimate development. The applicant has incorporated a 150 foot "fairway safety buffer" along Centerville Turnpike that is based on standards developed by the golfing industry for roadway separation, according to the applicant's agent. While the applicant is confident that this buffer, in combination with the 10 foot high landscaped berm, will provide adequate safety for motorists on Centerville Turnpike, the applicant has agreed to a stipulation that additional corrective measures will be implemented in the future, if required by the Department of Public Works. In addition, in response to concerns from Planning Commissioners and residents of the area, the applicant has agreed to expand this stipulation so that it applies to Whittamore Road as well. Also in response to residents' concerns, the applicant has agreed to increase the pavement width of Whittamore Road to 24 feet from the entrance of the golf course to the intersection of Whittamore Road and Centerville Turnpike. This is included as a stipulation as well.

The City Arborist has noted that the Code requires a buffer yard "F" along both Centerville Turnpike and Whittamore Road. In addition, the Code requires that a 10 percent tree canopy be provided. The applicant has agreed to provide the required buffer yard "F" along both streets, and has further offered to vary its width beyond what the Code requires in order to provide a more natural appearance. A stipulation is included addressing the buffer. A minor landscaping waiver has been approved by the City Arborist and the Planning Director to allow the tree canopy to be reduced from the required 10 percent to 5 percent, and to allow some of the trees to be smaller in size than required by the Code. The waiver was based on the characteristics of the use; i.e., the golf course is a recreational use with large amounts of green space, and the nature of a "links-style" course is that the course is designed to be open, with limited wooded areas. As part of the tree canopy requirement, the applicant is proposing a forested area along the eastern boundary of the property that will be designated a "tree preserve" and will provide a buffer for adjoining properties. It

is in this area that a waiver was approved to allow smaller trees than required by the Code. All other trees to be planted on the site will meet Code requirements. A stipulation addressing the tree canopy requirement is included.

The Fire Department has noted that a dry hydrant drawing water from the proposed lake is required in accordance with the Public Facilities Manual since City water is not available. A stipulation addressing this requirement is included.

Zoning has noted that the Fentress Airfield Overlay District regulations require a 150 foot setback for buildings from a public street. This setback can be reduced to 50 feet, if landscaping approved by the City Council is provided which screens the building from public view from the street. The maintenance building is shown as being approximately 35 feet from the proposed right-of-way along Whittamore Road. The applicant indicates the 50 foot setback can be accommodated and is proposing landscaping that will screen the building from view from Whittamore Road. A stipulation addressing this is included. Zoning has also noted that a loading space is required. A stipulation requiring this is included as well.

The Bicycle/Trails Advisory Committee has requested that a 3 foot, paved shoulder be installed along both sides of Centerville Turnpike. The City's Trails Plan designates Centerville Turnpike as a Class III (with paved shoulders) bike path. The applicant has requested that the provision of bike trails not be required, since there are no trails north or south of the proposed project on Centerville Turnpike and the project will not generate the need for this improvement. As noted by the Advisory Committee, the recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The applicant is in agreement with the staff's recommendation that a subdivision plat be submitted prior to final site plan approval that would provide for the reservation for the future right-of-way of Centerville Turnpike and for a dedication, if determined to be necessary by Public Works, for ditch and shoulder improvements. Under this scenario, the applicant would not be responsible for constructing the bike path but the land would be available for this use.

Finally, the Department of the Navy was provided with the application and site plan for this proposed development since the project lies within the Fentress Airfield Overlay District. The Navy found that the proposed use is compatible with the AICUZ study, but recommended that the clubhouse be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level. These items are provided for the applicant's information. The original site plan for this development indicated the clubhouse would be located within the APZ-2 area. The revised site plan locates the clubhouse closer to Centerville Turnpike and, as currently proposed, is outside of the APZ-2 area. Stipulations are included addressing Zoning Ordinance requirements for properties located in the Fentress Overlay District (see stipulations #14 and #15).

Section 17-106.A of the Chesapeake Zoning Ordinance requires Conditional Use Permit applications to meet the following standards:

1. **STANDARD:** The proposal, as submitted or as modified, is in conformity with the Comprehensive Plan, including specific applicable elements of the Plan, and with official policies adopted in relation to the plan, including the purposes of this ordinance.

FINDING: The Land Use Plan designates this site for Countryside/Large Lot Residential use. This designation is intended for low density residential development which serves as a buffer between the city's agricultural sector and the more dense and developed areas of the city. Although a golf course is not a residential use, its low intensity nature with the preservation of extensive open space is compatible with the intent of the Countryside land use designation. In addition, the proposal is consistent with objectives of the Land Use element of the Comprehensive Plan that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** The proposal, as submitted or as modified, is compatible with the surrounding community and will have no more adverse effects on the health, safety, or comfort of persons living or working in or driving through the area than would any other use generally permitted in the same district.

FINDING: The proposed use should not have any adverse effect on the surrounding area, which is a mixture of agricultural and residential uses. The golf course will be open only during the day, with no night operation. Although the property borders both Centerville Turnpike and Whittamore Road, the entrance to the site is provided only from Whittamore Road, which should provide a safer option with less disruption to traffic along Centerville Turnpike. The adjoining residential properties to the south, along Murray Drive, are separated from the golf course by a 120 foot wide power easement. In addition, these lots are a minimum of 3 acres, with the houses located approximately 250 feet from the applicant's property. In combination with the power easement and the golf course's fairway safety buffer, the houses will be located a minimum of 400 feet from any of the fairways.

Residents in the area have expressed concern about the effect of the golf course's use of wells on their water supply (properties in the area are served by private wells) and the possible contamination of the water supply from the use of "fly ash" for the golf course's construction. The applicant has agreed to a stipulation that would require the replacement of any well (at the applicant's expense) within a 2,000 foot radius of the golf course property that is adversely affected by the construction or operation of the golf course and its related facilities. The wording of this stipulation

is based on similar stipulations used for borrow pit applications, and the applicant's responsibility for well replacement would expire seven years from the date of approval of the permit by City Council. In addition, the applicant has agreed to test the water from the clubhouse twice annually in an effort to measure water quality. The well supplying water to the clubhouse is expected to draw water from the same depth as the wells supplying water to the surrounding area. A stipulation addressing the testing of the water is included, and the stipulation discussed earlier pertaining to well replacement addresses wells contaminated by any activity associated with the golf course. Also, the applicant will have water trucks on site that will continuously keep the fly ash wet to keep it in place. As the fly ash is delivered, it will be taken to the area where it is needed and then it will be covered with one to two feet of topsoil. The maximum length of time that the fly ash will be exposed will be seven days. A stipulation is included addressing the maintenance of the exposed fly ash.

Attachment C contains preliminary test results from Dominion Power on samples of the fly ash. The row at the top of the table lists the toxicity levels (measured in parts per million) and the numbers in the remainder of the table lists the amounts of the various elements (arsenic, barium, cadmium, etc.) in parts per million from the samples. The samples indicate the measured levels were well below the toxicity levels. In response to residents' concerns, the applicant will also be providing the measures for each of these elements that are considered safe for drinking. These were not available at the time this report was written, but will be provided prior to the Planning Commission meeting.

Section 17-106.B. offers factors which may be considered in determining whether a Conditional Use Permit application meets the required standards. Only those factors considered applicable to this application are discussed below:

1. **STANDARD:** Whether the proposed conditional use will be consistent with the adopted policies in the Chesapeake Comprehensive Plan.

FINDING: As noted above, the low intensity of the proposed use is compatible with the Countryside designation of the City's Land Use Plan. In addition, the use is consistent with policies of the Plan contained in the Land Use element that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** Whether the existing or proposed streets and highways are adequate to safely accommodate and serve the site, with particular attention being given to the following:

- a. The capacity of existing or proposed streets and highways located on or near the site to accommodate projected traffic volumes.

- b. The adequacy and safety of the size and design of access roads, entrance and exit drives, and traffic circulation patterns, for both vehicular and pedestrian traffic on and near the site.

FINDING: In response to comments received from the Department of Public Works, the applicant conducted a traffic analysis of Centerville Turnpike, with the analysis indicating a left turn lane on Centerville Turnpike is needed. The applicant has agreed to provide the left turn lane from Centerville Turnpike to Whittamore Road. The applicant has also agreed to the right-of-way reservation on Centerville Turnpike as requested by Public Works.

- 3. **STANDARD:** Whether the proposed conditional use will be adequately served by other essential public facilities, including but not limited to the following: water and sewers, drainage facilities, schools, recreational facilities, police and fire protection, refuse disposal.

FINDING: Departmental review indicated no objections to the proposed development in regards to public facilities. In response to comments from the Fire Department, a stipulation will be included requiring that a dry hydrant that draws water from the proposed lake be provided since City water is not available. As noted earlier, the applicant has agreed to a stipulation that will address his responsibility in replacing residents' wells that may be adversely affected by the golf course.

- 4. **STANDARD:** Whether the proposed conditional use will have any adverse effect upon or will be incompatible with the use or enjoyment of adjacent and surrounding property, with particular attention being given to the following:
 - a. The noise characteristics of the proposed use and whether they exceed the maximum sound levels that are typical of uses permitted as a matter of right in the district.
 - b. The anticipated glare from vehicular and stationary lights and the extent to which such lights will be visible from any residential district.
 - c. The vulnerability of the proposed use to fire and related safety hazards.
 - d. The interference by the proposed use with any easement, roadways, rail lines, utilities and public or private rights-of-way.
 - e. The possible destruction, loss, or damage of a natural, scenic, or historic feature of significant importance.

- f. The adequacy of proposed landscaping and buffering measures to screen the site from neighboring properties zoned for or containing less intensive uses.

FINDING: None of the items listed above will exist to an extent that will adversely affect surrounding properties. Noise associated with the golf course will be minimal and will not exceed sound levels typical of other uses permitted in the A-1 Agricultural District. Glare from vehicular and stationary lights will also be minimal. The golf course will only be open during the day, which will limit glare from vehicular lights. In addition, the clubhouse, parking lot and related facilities are located in the northwest portion of the site, away from any residential development. Buffering is also proposed around each of these facilities. The applicant has stated that stationary lighting will be limited to that necessary for security purposes only. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road that will provide additional buffering, especially for the purpose of preventing golf balls from entering these roadways. A 150 foot fairway safety buffer is also proposed for this purpose. Roadside landscape buffers, exceeding Code requirements, are provided along both Centerville Turnpike and Whittamore Road. As noted earlier, stipulations are included that address possible effects of the golf course operation on the wells of residents in the community. Samples of the fly ash indicate levels of various elements are well below toxicity levels, and additional information will be provided about acceptable drinking water levels.

- 5. **STANDARD:** Whether the proposed conditional use will be constructed, arranged, and operated so as not to dominate or interfere with the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, considerations shall be given to:
 - a. The location, nature, and height of buildings, structures, walls, and fences on the site; and
 - b. The overall compatibility of the appearance of the site as proposed with neighborhood sites;
 - c. The nature and extent of landscaping and screening on the site.

FINDING: Development of the property as a golf course should not interfere with the development and use of neighboring property. The proposed golf course is not an intensive use of the site. The number of buildings is limited to a clubhouse, cart barn and maintenance building and a parking lot containing 83 spaces. These facilities are located in the northwest portion of the site away from any residential development. The

closest use to these facilities is the Fentress Fire Station located near the intersection of Centerville Turnpike and Whittamore Road. Landscaping is proposed around each of these structures to buffer their view from adjoining properties. In addition, the applicant has agreed to a stipulation addressing the appearance of the clubhouse and maintenance building to ensure their compatibility with surrounding development. The applicant has agreed to construct these buildings with either brick, block with a brick appearance, split block or other stone/masonry veneer acceptable to the Planning Director. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road to help prevent errant golf balls from entering these roadways. As discussed earlier, the applicant has also agreed to a stipulation that additional corrective measures will be made if the City's Public Works Department determines that the safety of motorists along both Centerville Turnpike and Whittamore Road is being compromised. The berms and landscaping will also serve as a visual buffer from adjoining properties. By its very nature (i.e., extensive open space and landscaped greens and fairways), the appearance of the golf course will be compatible with the surrounding agricultural and residential area.

STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **UP-01-03** be **APPROVED** with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road prior to the initial delivery of fly ash to the site.
2. As agreed upon by the applicant, the applicant shall be responsible for providing a minimum twenty-four (24) foot width of pavement on Whittamore Road from the project entrance to the intersection of Centerville Turnpike. These improvements shall be completed prior to the initial delivery of fly ash to the site.
3. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
4. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike and Whittamore Road from errant golf balls if required by the Department of Public Works.

5. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
6. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course, subject to approval by the City Arborist. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft., subject to approval by the City Arborist. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
7. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM prior to the issuance of a certificate of occupancy.
8. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line along Whittamore Road. Landscaping, subject to approval by the City Arborist, shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.
9. A 12' x 35' loading space shall be indicated on the final site plan and provided prior to the issuance of a certificate of occupancy.
10. In the event any private potable well located within a 2,000 foot radius of the subject property's boundaries fails due to contamination or diminution of groundwater, the applicant agrees to promptly provide a replacement well equal in water quality to the failed well. The applicant agrees that he will provide such replacement wells upon receiving a complaint of well damage unless professional hydraulic and/or water quality studies show conclusively that the diminution of groundwater and/or contamination was not caused or contributed to by the construction or operation of the golf course and related facilities. The applicant agrees to post and maintain a twenty-four hour telephone number at the entrance to the site during construction of the golf course to ensure an immediate response to local inquiries. The applicant's obligations under this stipulation shall apply only to potable wells existing at the time that construction of the golf course begins and shall expire seven (7) years from the date of the approval of this conditional use permit (UP-01-03).

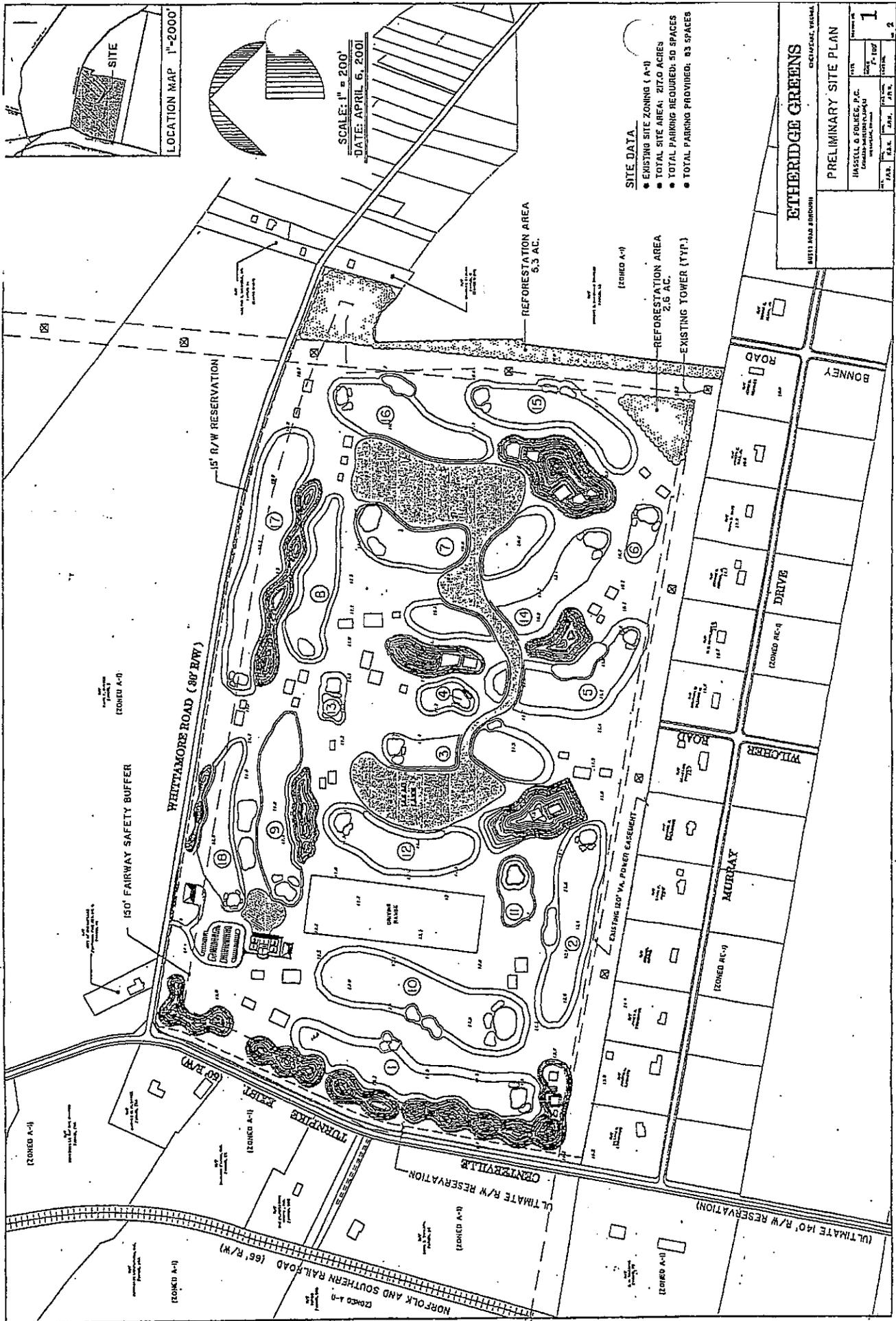
11. The applicant acknowledges that it is his legal responsibility to ensure safe public drinking water to his patrons. As such the developer agrees that he shall monitor the domestic water supply for the clubhouse and have prepared water quality reports by an independent consultant on a semi-annual basis. Such report shall be filed with the State Water Control Board with a copy provided to the City of Chesapeake Department of Utilities. The term of these reports shall extend from six (6) months from the date of the initial land disturbance to two (2) years after the formal opening of the golf course.
12. The applicant shall fully comply with all applicable state, local, and federal laws relating to the use of "fly ash" or other coal combustion byproduct in the construction and maintenance of the golf course and related features. The applicant further agrees that no more than four (4) acres of uncovered fly ash or similar byproduct will be exposed at any given time and that the maximum period of exposure, from the time of delivery to the time of topsoil coverage will be seven (7) days. In addition, the applicant shall take all necessary action to prevent the fly ash from being carried by winds to neighboring properties by maintaining the condition of the fly ash, to include, at a minimum, watering on a regular basis.
13. As agreed upon by the applicant, the clubhouse and maintenance building will be constructed with either brick, block with brick appearance, split block or other stone/masonry veneer, with colors and materials to be approved by the Planning Director or designee prior to the issuance of a building permit.
14. In accordance with Section 12-406.E. of the Chesapeake Zoning Ordinance, prior to the issuance of a building permit associated with this conditional use, the building plan must be certified by an acoustical engineer as meeting the noise level reduction (NLR) standards established by the U.S. Navy for buildings located within AICUZ noise zone greater than 75 dB Ldn (noise zone 3). Certification by an acoustical engineer that such sound abatement procedures have been installed shall be provided prior to issuance of a certificate of occupancy for such building or structure.
15. In accordance with Section 12-407 of the Chesapeake Zoning Ordinance, the following statement shall be included on the final site plan: "This development is located partially or wholly within an aircraft noise and/or accident zone and may be subject to above average noise levels (including noise levels experienced in United States Navy AICUZ noise zone greater than 75 dB Ldn, noise zone 3) or to aircraft accidents."

GRP

cc: Dorothy Kowalsky, Current Planning Coordinator

Mr. James R. Bradford
c/o Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, VA 23320

ATTACHMENT A



PRELIMINARY TEST RESULTS

Toxicity Characteristic Leachate Procedure (TCLP)
 Test Results - Averages
 Analyzed By Primary Laboratories (Golder Associates)

TCLP TOXICITY Maximum Limits (ppm)		5.0	100.0	1.0	5.0	0.2	1.0	5.0	
Unit	Date Sampled	Arsenic As (ppm)	Barium Ba (ppm)	Cadmium Cd (ppm)	Chromium Cr (ppm)	Lead Pb (ppm)	Mercury Hg (ppm)	Selenium Se (ppm)	Silver Ag (ppm)
Truck Samples + 0% LKD	04/12/01	0.055	0.229	< 0.010	< 0.020	< 0.100	< 0.002	0.034	< 0.020
# 1 Composite + 0% LKD	04/16/01	0.033	0.302	< 0.010	< 0.020	< 0.100	< 0.002	0.019	< 0.020
# 2 Composite + 0% LKD	04/19/01	0.170	0.212	< 0.010	< 0.020	< 0.100	< 0.002	0.060	< 0.020
# 3 Composite + 0% LKD	04/19/01	0.030	0.205	< 0.010	< 0.020	< 0.100	< 0.002	0.025	< 0.020
AVERAGE		0.072	0.237	< 0.010	< 0.020	< 0.100	< 0.002	0.035	< 0.020
Truck Samples + 2% LKD	04/12/01	0.056	0.244	< 0.010	< 0.020	< 0.100	< 0.002	0.097	< 0.020
# 1 Composite + 2% LKD	04/16/01	0.055	0.396	< 0.010	< 0.020	< 0.100	< 0.002	0.028	< 0.020
# 2 Composite + 2% LKD	04/19/01	0.044	0.256	< 0.010	< 0.020	< 0.100	< 0.002	0.029	< 0.020
# 3 Composite + 2% LKD	04/19/01	0.032	0.317	< 0.010	< 0.020	< 0.100	< 0.002	0.039	< 0.020
AVERAGE		0.047	0.303	< 0.010	< 0.020	< 0.100	< 0.002	0.048	< 0.020
Truck Samples + 5% LKD	04/12/01	0.046	0.271	< 0.010	< 0.020	< 0.100	< 0.002	0.095	< 0.020
# 1 Composite + 5% LKD	04/16/01	0.079	0.428	< 0.010	< 0.020	< 0.100	< 0.002	0.017	< 0.020
# 2 Composite + 5% LKD	04/19/01	0.064	0.318	< 0.010	< 0.020	< 0.100	< 0.002	0.026	< 0.020
# 3 Composite + 5% LKD	04/19/01	0.037	0.366	< 0.010	< 0.020	< 0.100	< 0.002	0.045	< 0.020
AVERAGE		0.057	0.346	< 0.010	< 0.020	< 0.100	< 0.002	0.046	< 0.020

In accordance with Section 16-105(A)(5) of the Chesapeake Zoning Ordinance:

"It shall be the responsibility of the applicant to post on the property for which the application is filed one or more signs, provided by the City, so that at least one sign is facing and clearly visible from each public right-of-way, the location of the sign shall be specified by the Planning Department. Where the subject property abuts more than one right-of-way and is one acre or more in size, signs shall be placed on all rights-of-way at every five hundred (500) feet of road frontage. As used in this subsection, the term "right-of-way" shall not include interstates. In the case of a proposed conditional rezoning, in which proffers are made for the extension of an existing public street, signs shall be posted at the beginning and terminus of the proposed street extension. All signs required under this subsection shall be erected not less than fourteen (14) days prior to the date of the first scheduled public hearing before the Planning Commission and shall include notice of the time and place of that first hearing and the specific nature of the matter involved. The signs will not be posted on buildings or structures unless the application pertains to the reconstruction, renovation or expansion of the building or structure. The signs shall be continually maintained by the applicant on the site to the conclusion of the public hearing by City Council. Applicants shall be required to pay the sum of twenty-five (\$25) dollars for the first sign which is required, and twenty (\$20) dollars for each additional required sign. In the event it is shown to be satisfaction of the Planning Commission or City Council, as the case may be, that improper posting or removal of required signs has occurred, the hearing on the application may be continued at the discretion of the Commission or Council. Nothing in this subsection shall be construed to invalidate any subsequently adopted amendment or ordinance because of the failure to post signs in accordance with the requirements herein so long as all notice procedures in Virginia Code Section 15.2-2204 are met. All signs shall be removed from the property within five (5) days of the final determination of the matter by City Council. Any sign remaining on a property more than five (5) days after final City Council action on the rezoning application to which it refers shall be an illegal sign and a violation of this ordinance."

The sign(s) shall be removed from the property within five (5) days of

Planning Commission action City Council action

on this application. Failure to remove the sign(s) constitutes a violation of the Chesapeake Zoning Ordinance and will result in action taken by the Zoning Administrator, including possible court action and penalties. City forces have the right to enter the property and retrieve all signs.

In accordance with Section 14-707 of the Chesapeake Zoning Ordinance, the attachment of public hearing signs to trees, communication towers, utility poles or fence posts is prohibited. The attachment of signs to trees, communication towers, utility poles or fence posts may result in the continuance or denial of an application, and may also result in action taken by the Zoning Administrator, including possible court action and penalties.

Signature of the applicant signifies that he/she has received 13 sign(s) and has knowledge of the legal requirements and the enforcement of the same.

It shall be the responsibility of the applicant to have someone present at the Planning Commission public hearing to represent the application. Failure to do so may result in the continuation or denial of the application.

Ethel M. [Signature]
Signature of Applicant

3/28/01
Date

Application: UP-01-03 Ethel M. [Signature] Dolf Course 1738

VP 01-3
Gary

MEMORANDUM

TO: Planning Department
FROM: Ed West, Civil Engineer II, Public Works Department
DATE: November 20, 2001
RE: **Etheridge Greens Golf Course Erosion & Sediment Control Plan, AC# 014082**
TMN: 0620000000020

Ed



The Engineering Division of the Public Works Department is currently reviewing the attached plans and/or documents. Please review and comment on appropriate areas of concern. These comments will be utilized in our review of this project.

This is a certified plan and Public Works is required to review or approve it within seven (7) days from the above date. We request that you complete your review by November 29, 2001.

If your comments are not furnished in time, Public Works will process the plan without them.

List below the subdivision streets on which sidewalks are required to be constructed by the developer.

Please call extension 6257 for plan pickup.

Norm R. Rusby 11/29/01
Plan Conforms to Approved Preliminary/Comments are as follows
The plan also needs to be signed and dated.

N/A
RPA AND RMA correctly delineated
The plan also needs to be signed and dated.

N/A
Dollar Amount of Recreation Fee Required, per Chapter 29, Section 5-2

MEMORANDUM

TO: Cliff Cabarras, Planning Commissioner

FROM: Gary Pusey, Planner *GP*

DATE: May 9, 2001

RE: Etheridge Greens (UP-01-03)

In response to your questions about the above-referenced project, here's additional information for your consideration.

Your first question concerned the speed limit on Whittamore Road and the position of Public Works as to a possible reduction of the speed limit. Currently, the speed limit on the section of Whittamore Road adjacent to the golf course property is 45 mph (it lowers to 35 mph further east on a curve where existing residences are located). According to Wayne Harrell in Public Works, the golf course is expected to generate about 650 vehicle trips per day on Whittamore Road, which translates to 35 trips per peak hour. Based on these amounts, which are relatively light, Public Works does not believe there is a need to reduce the existing speed limits.

Your second question concerned the impact the golf course would have on property values (and, as a result, property taxes) in the area, and in particular, on those properties along Whittamore Road. I spoke with Jeff Reed, Appraisal Analyst, in the City's Real Estate Assessor office. Mr. Reed works in the Residential Division of the Assessor's office, but he also spoke with appraisers in the Commercial Division in an attempt to answer your question. Unfortunately, they were not able to provide a definitive answer as to whether property values would be expected to increase as a result of the development of the golf course. Mr. Reed stated they assess properties based on actual sales data. The applicant indicated the golf course would be under construction for

approximately four years. Sales data that reflect the impact of the golf course would not be available until after this time period.

Mr. Reed also said they have not done any studies on the impact of other golf courses in the City that could be used to predict future values for other properties in other areas. Even if studies had been done, they would be suspect due to the number of variables involved. For example, some golf courses are developed in conjunction with residential development. As you know, the Etheridge Greens project has no residential development associated with it. Mr. Reed did say that if he had to make a guess, he didn't think there would be much of an increase in value to the houses along Whittamore Road since most of them do not directly adjoin the golf course. He anticipated if any houses would see an increase, it would be those on Murray Drive that will directly adjoin the golf course.

From: Gary Pusey
To: JLoc53@aol.com
Date: 5/22/01 2:40PM
Subject: Etheridge Greens Golf Course UP-01-03

Mr. Locasto,

Your question concerning the impact of the Etheridge Greens golf course has been referred to me for a response.

As you noted in your e-mail, the applicant (through Jim Bradford, agent for the applicant) has agreed to replace any well within a 2,000 foot radius of the golf course property's boundary that fails or is contaminated as a result of the golf course's operation. This was included as a stipulation of the conditional use permit that was recommended for approval by the Planning Commission on May 9, 2001. This stipulation will remain in effect for seven years from the date of approval of the conditional use permit by the City Council. (The City Council is scheduled to hear the application on June 19, which is a Public Hearing and anyone from the public is welcome to address the Council regarding this application at that time.) There were also a number of other stipulations attached to the conditional use permit that you might be interested in. If you would like a copy of these stipulations, please feel free to call me at 382-6176.

Gary Pusey, Planner

CC: Brent Nielson; Dorothy Kowalsky



Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

April 11, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328



RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

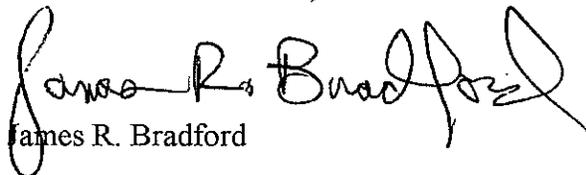
Please regard this letter as a formal request to continue the Planning Commission review of the above captioned item for a period of thirty days. The reason for this request is that a member of the Planning Commission recently requested a sample breakdown of the fly ash material intended for use in the construction of this golf course.

Such analysis of a current sample is now being conducted for Planning Commission review and will be available within the next twenty-one days.

Should you have any questions please call.

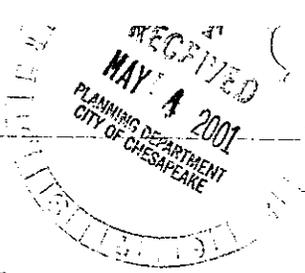
Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/kb



Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

May 4, 2001

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

Please find attached (20) copies with reductions of the revised layout for the captioned proposal dated May 4, 2001. The sole revisions made to this plan from the previous submittal have been those necessary to promote the project entrance from Centerville Turnpike as opposed to Whittamore Road as previously shown. This revision was necessitated by the fact that insufficient right-of-way at the intersection of Centerville Turnpike and Whittamore Road is currently in place to promote a left turn lane at that location.

It is my intention to discuss this matter with various members of the Planning Commission on Monday, May 7, 2001 and appraise them of this change in plan. Hopefully, this matter will not cause a delay in the review of this application.

Trusting this submittal is as you require, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.

James R. Bradford

JRB/kb

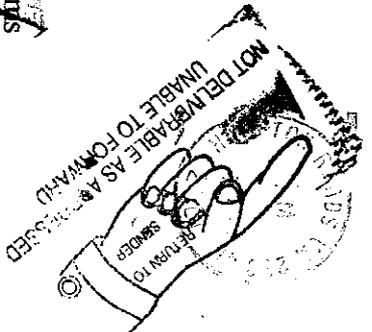
cc w/enc: Mr. Jay Tate
Department of Public Works

(EGREENS.022)

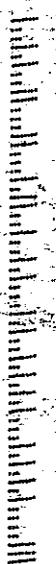
UP-01-03

CHESAPEAKE PLANNING DEPARTMENT
P. O. BOX 15225
CHESAPEAKE, VIRGINIA 23328

670 1



B.M. Williams
308 Cedar Lakes Drive
Chesapeake, VA 23322



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

April 30, 2001

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. -

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

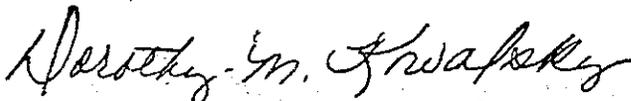
(Continued from April 11, 2001 Public Hearing)

Dear Citizen:

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 Planning Commission at its meeting to be held on **May 9, 2001** at 7:00 p.m. in the City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

Copies of the application and supporting material may be viewed in the Chesapeake Planning Department at any time during normal business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. Recipients may contact the Planning Department at 382-6176 prior to the public hearing to inquire as to the status of the proposed application. Upon Planning Commission action of either approval or denial, this item shall be heard by the City Council the following month on the third Tuesday at 6:30 p.m. in the Council Chambers, unless otherwise announced at the Planning Commission meeting.

Very truly yours,



Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION

DMK:ncm

AFFIDAVIT

RE: (Describe Rezoning/Use Permit Application in the space below)

Application # JP-01-03

STATE OF VIRGINIA

CITY OF CHESAPEAKE, to-wit:

After being duly sworn, MaRhonda Echols an employee in the Chesapeake Planning Department, does hereby state as follows:

1. That I have mailed by regular mail, notification to the owner or owners, their agent or occupant, and to the owners, their agent or their occupant of all abutting property immediately across the street or road from the property aforesaid, notifying them of the review by the Chesapeake Planning Department in reference to the above Administrative Application. The mailing was made on May 1, 2001.

2. That the above-referenced Rezoning/Use Permit Application will be considered by the Chesapeake City Council at its public hearing on May 9, 2001 at 7:00 p.m. in the Chesapeake City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, VA.

MaRhonda M. Echols
Signature of Employee

Subscribed and sworn to before me this 1st day of May, 2001

MaRhonda Echols an employee in the Chesapeake City Clerk's Office.

Beverly R. Whacker
Notary Public

My commission expires 6-30-03

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

April 30, 2001

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

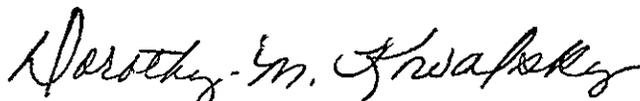
(Continued from April 11, 2001 Public Hearing)

Dear Citizen:

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 Planning Commission at its meeting to be held on **May 9, 2001** at 7:00 p.m. in the City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

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Very truly yours,



Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION

DMK:nem

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0610000000950

Name: Edna E. Vanluik

Street: 1102 Centerville Turnpike

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000730

Name: McGinnis Farms, Inc.

Street: P.O. Box 2666

City: Sanford

State/Zip: NC/27330

Tax Map #: 0610000000951

Name: Ramsgate Corporation

Street: 1401 Precon Drive, Suite 101

City: Chesapeake

State/Zip: VA.23320

Tax Map #: 0610000000731

Name: Radames M. Alvarez

Street: 1000 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000952

Name: Vepco c/o Real Estate Tax Department

Street: P.O. Box 25459

City: Richmond

State/Zip: VA/23260

Tax Map #: 0610000000732

Name: Centerville Baptist Church

Street: 908 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000953

Name: The Plantation Shops, Inc.

Street: 1508 Blackboard Drive

City: Chesapeake

State/Zip: VA/23321

Tax Map #: 0610000000650

Name: City of Chesapeake

Street: P.O. Box 15225

City: Chesapeake

State/Zip: VA/23328

Tax Map #: 0610000000970

Name: B.M. Williams

Street: 308 Cedar Lakes Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0620000000050

Name: Paige F. Custer, et als c/o Bette Grissom

Street: 228 Robert Street

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0620000000031

Name: Robert G. McDonald, Jr.

Street: 112 Cedar Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000050

Name: Louis F. Knight

Street: 1117 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000010

Name: William R. Stephenson

Street: 1101 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000060

Name: Machael E. Calabreses

Street: 1121 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000020

Name: Joseph L. Locasto

Street: 1105 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000070

Name: Dean Leo Parker

Street: 1125 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000030

Name: James A. Stephenson

Street: 1109 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000080

Name: Benjamin M. Williams, II

Street: 1201 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000040

Name: Michael Corwin

Street: 1113 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000090

Name: R.E. Norfleet, III

Street: 1205 Murray Drive

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0613001000100

Name: George R. Arthur, Jr.

Street: 1209 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621004000011

Name: Walter E. Mitchell, Sr.

Street: P.O. Box 1805

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000110

Name: Mark R. West

Street: 1213 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621003000090

Name: Charles Taylor

Street: 1404 Whittamore Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613002000010

Name: Joseph E. Diaz, Jr.

Street: 1215 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000020

Name: Jerry K. Hensley

Street: 1219 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000030

Name: Dennis E. Sears, Jr.

Street: 1301 Murray Drive

City: Chesapeake

State/Zip: VA/23322

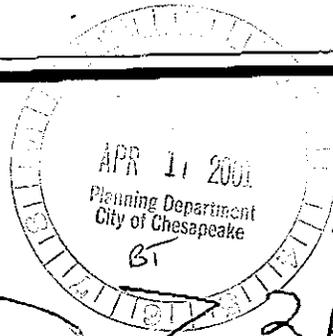
Tax Map #:

Name:

Street:

City:

State/Zip:



AGENDA: APRIL 11, 2001

DATE: MARCH 20, 2001

To EM: GARY PUSEY, PLANNER

From TO: PUBLIC WORKS FIRE PREVENTION

2 pages
ZONING

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

- Clubhouse/parking facility & driving range have been relocated closer to Centerville Turnpike.
- Entire layout of the golf course (fairways, greens, etc.) has been modified. Fairways are a minimum of 150' from the rear of the lots along Murray Drive.
- The lake has been enlarged from 4.2 to 14.6 acres
- A more detailed drawing of the area containing the clubhouse/parking facility & maintenance building is provided at a scale of 1" = 50'.

Attached is the **REVISED** site plan required by your department for the Plat Committee review. The **Plat Committee Meeting is scheduled for March 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 27, 2001.**

1. Fire Flow demand for fire fighting operations must be met in accord. w/ PFM. Without the availability of a municipal water syst. this requirement may be met by a dry hydrant supplied by a water retention pond (such as the proposed lake shown) in accordance with NFPA 1231.

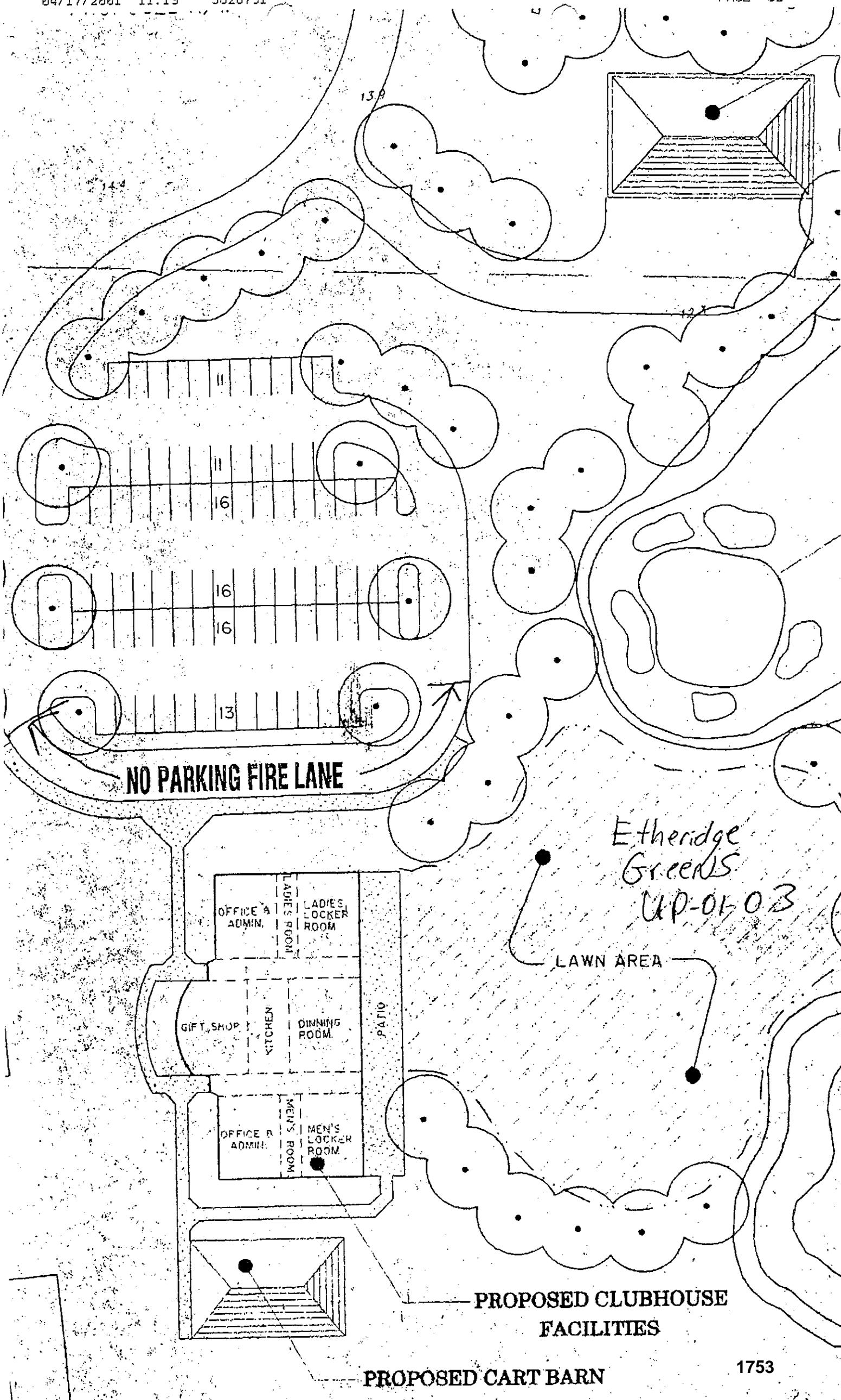
2. Fire Lane req'd. in accord. w/ PFM as per site detail enclosed. Include bldg. construction type in accord. w/ USBC, Chapter 6 for Clubhouse, cart barn, + Maint 1752 Bldgs.

**Chesapeake Fire Department
PLANS REVIEW**

Contingent Approval (See Comments)
 Approval
 Disapproved

Date: 4/6/01 Pym File # _____
 Reviewer: [Signature]

03-20-01 P03:10 IN



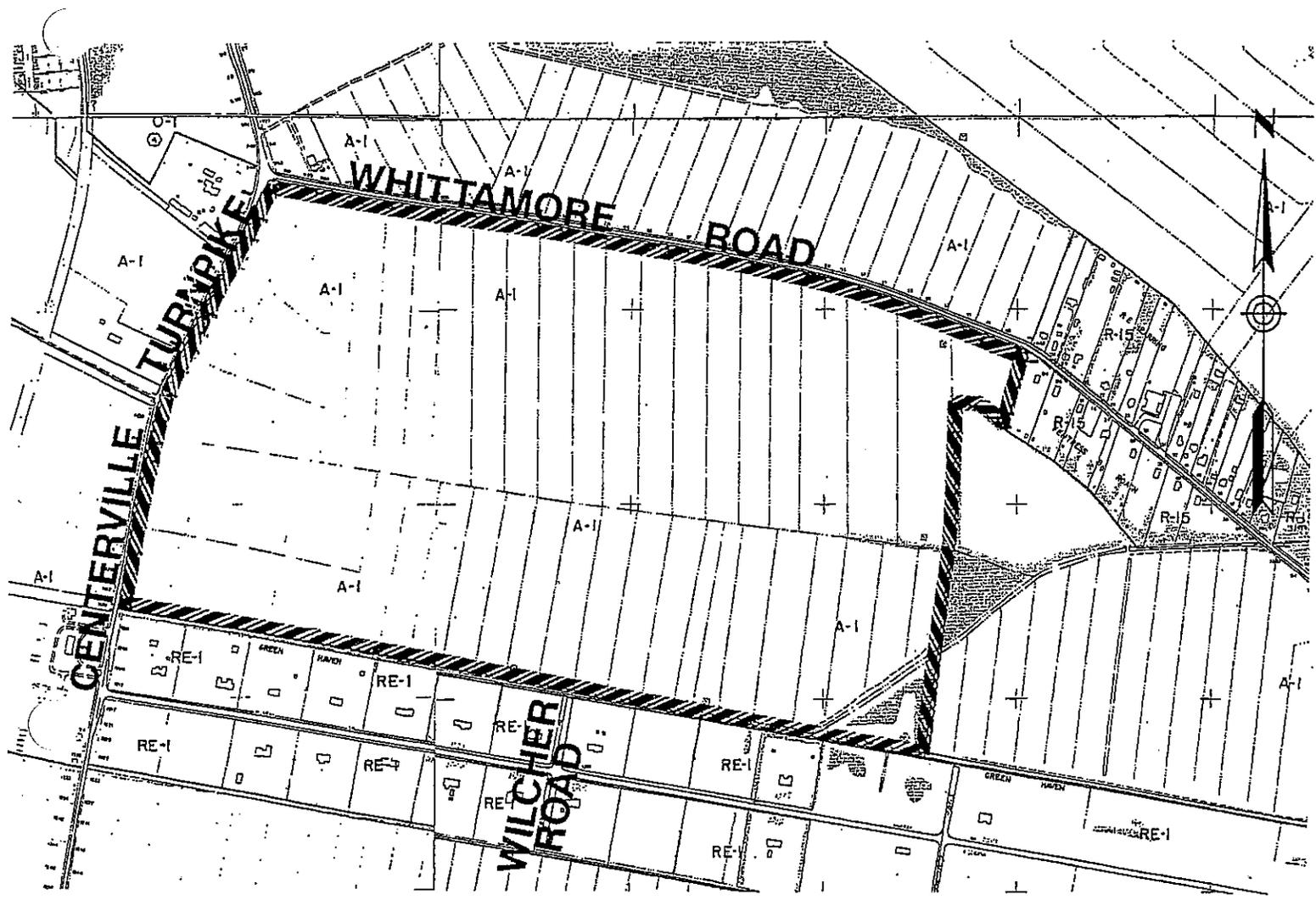
NO PARKING FIRE LANE

Etheridge
Greens
UP-01-03

LAWN AREA

**PROPOSED CLUBHOUSE
FACILITIES**

PROPOSED CART BARN



UP-01-03

-- MAP NOT TO SCALE --

Etheridge Greens

UP-01-03

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 062000000020

BOROUGH: Butts Road

PLANNING COMMISSION MEETING OF
APRIL 11, 2001 1754

HEARING DATE: APRIL 11, 2001

TO: CHESAPEAKE PLANNING COMMISSIONERS
FROM: GARY R. PUSEY, PLANNER *GP*
THROUGH: BRENT R. NIELSON, PLANNING DIRECTOR *BN*
DATE: April 2, 2001
RE: UP-01-03
PROJECT: Etheridge Greens
APPLICANT: Robert S. Diberardinis
AGENCY: Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.
ZONE: A-1 Agricultural District
SIC CODE: 7992, 7999
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.
TAX MAP SECTION/PARCEL: 0620000000020
BOROUGH: Butts Road

PROJECT DESCRIPTION:

The applicant is requesting approval of a conditional use permit to construct and operate an 18 hole golf course, a golf driving range and related facilities on a 217 acre parcel. (See Attachments A and B for the site plan.) The property is located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road in the Butts Road Borough, and is also located within the Fentress Airfield Overlay District.

BACKGROUND:

The subject site is zoned A-1 Agricultural District. Adjacent zoning designations are as follows:

DIRECTION	ADJACENT ZONING DESIGNATIONS
North	A-1 Agricultural District
South	RE-1 Residential Estate District
East	A-1 Agricultural District, R-15 Residential District
West	A-1 Agricultural District

DEPARTMENTAL COMMENTS:

Public Works:

- This department will require a final construction plan.

Requirements:

- Provide a left turn lane on Centerville Turnpike.
- Reserve 45' of right-of-way along Centerville Turnpike.
- Ditch and shoulder improvements will be required along Centerville Turnpike. A corresponding right-of-way dedication may be required for these improvements.
- Address method to prevent stray golf balls from entering adjacent roadways. A stipulation should be provided to allow Public Works to direct the owner/developer to take corrective measures if Public Works determines that a hazard to motorists is created along Centerville Turnpike. See advisory comment below.

Advisory:

- The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.
- Site plan approval for this development will be contingent upon the recordation of a plat showing the required right-of-way reservation and any required right-of-way dedication.
- Public Works feels that the layout for the course could be revised to reduce the risk of errant golf balls striking vehicles on Centerville Turnpike (keeping in mind that a six-lane divided highway will be adjacent to the course under the ultimate conditions).

Public Utilities:

- City water and sewer are not available to this site. City water and sewer are not required for this use permit.

School Administration:

- No impact.

Parks and Recreation:

- No impact.

Environmental/Landscaping:

- Buffer yard "F" required along the rights-of-way.
- 10% canopy required.

Fire Prevention:

- Contingent approval. A dry hydrant drawing supply from the 14.6 acre lake is required in accordance with PFM and NFPA 1231 for water supply for fire fighting operations.

Zoning:

- This department will require a final construction plan.
- This site is in the Fentress Overlay District and must comply with the development standards listed in Section 12-406 et. seg. of the Chesapeake Zoning Ordinance including building setbacks. The setback for the maintenance building is 150 feet from the right-of-way reservation for Whittamore Road. This setback may be reduced to 50 feet if landscaping is approved by the City Council which screens the building from public view from the street.
- Signs must comply with Section 14-700 of the Chesapeake Zoning Ordinance.
- Handicap parking must comply with CABO/ANSI standards.
- One 12-foot x 35-foot loading space is required.
- Separate permits are required for fences, signs, and flagpoles.

Code Enforcement:

- This department will not require a final construction plan.

Library:

- No impact.

Police:

- This department will not require a final construction plan.

Bikes/Trails:

- At the Chesapeake Bicycle/Trails Advisory Committee meeting of March 26, 2001, a motion was adopted requesting that a 3' paved shoulder be installed along both sides of Centerville Turnpike. Centerville Turnpike is included in the City's Trail Plan for future shoulder/bike land improvement. The recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The installation of these shoulders will enhance safety and provide easier maintenance for Centerville Turnpike.

Department of the Navy:

- The proposal is compatible with the Naval Air Station (NAS) Oceana and Naval Auxiliary Landing Field (NALF) Fentress, Air Installations Compatible Use Zones (AICUZ) study. The project will be impacted by frequent overflight by jet aircraft 24 hours a day at an altitude often below 800 feet. At these times, the single event noise may exceed 98 dB. The clubhouse should be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level.

STAFF ANALYSIS:

The applicant is requesting approval of a conditional use permit to construct and operate a golf course, a golf driving range and related facilities on a 217 acre parcel located at the southeast corner of the intersection of Centerville Turnpike and Whittamore Road. The property is also located within the Fentress Airfield Overlay District.

Improvements proposed on the site include an 18 hole golf course, driving range, clubhouse, cart storage building, maintenance building and an 83 space parking lot. According to the applicant, the golf course will be open to the public daily from 7 a.m. to dusk and will have 20 employees on the largest shift.

Departmental review raised several issues that require further discussion.

In response to comments from Public Works, the applicant has performed traffic counts along Centerville Turnpike and agrees that a left turn lane is necessary on Centerville Turnpike. Public Works is also requiring that 45' be reserved for the right-of-way along Centerville Turnpike and that a dedication may be required to accommodate ditch and shoulder improvements that may be necessary. Stipulations are included requiring the left turn lane be provided and that a subdivision plat be recorded prior to final site plan approval indicating the right-of-way reservation and/or dedication for Centerville Turnpike. Public Works is also requesting that a stipulation be provided that allows the City to require that corrective measures be taken in the event that errant golf balls prove to be a hazard to motorists along Centerville Turnpike. Public Works notes that this roadway is planned to be a six-lane divided highway at its ultimate development. The applicant has incorporated a 150 foot "fairway safety buffer" along Centerville Turnpike that is based on standards developed by the golfing industry for roadway separation, according to the applicant's agent. While the applicant is confident that this buffer, in combination with the 10 foot high landscaped berm, will provide adequate safety for motorists on Centerville Turnpike, the applicant has agreed to a stipulation that additional corrective measures will be implemented in the future, if required by the Department of Public Works.

The City Arborist has noted that the Code requires a buffer yard "F" along both Centerville Turnpike and Whittamore Road. In addition, the Code requires that a 10 percent tree canopy be provided. The applicant has agreed to provide the required buffer yard "F" along both streets, and has further offered to vary its width beyond what the Code requires in order to provide a more natural appearance. A stipulation is included addressing the buffer. A minor landscaping waiver has been approved by the City Arborist and the Planning Director to allow the tree canopy to be reduced from the required 10 percent to 5 percent, and to allow some of the trees to be smaller in size than required by the Code. The waiver was based on the characteristics of the use; i.e., the golf course is a recreational use with large amounts of green space, and the nature of a "links-style" course is that the course is designed to be open, with limited wooded areas. As part of the tree canopy requirement, the applicant is proposing a forested area along the eastern boundary of the property that will be designated a "tree preserve" and will provide a buffer for adjoining properties. It is in this area that a waiver was approved to allow smaller trees than required by the Code. All other trees to be planted on the site will meet Code requirements. A stipulation addressing the tree canopy requirement is included.

The Fire Department has noted that a dry hydrant drawing water from the proposed lake is required in accordance with the Public Facilities Manual since City water is not available. A stipulation addressing this requirement is included.

Zoning has noted that the Fentress Airfield Overlay District regulations require a 150 foot setback for buildings from a public street. This setback can be reduced to 50 feet, if landscaping approved by the City Council is provided which screens the building from public view from the street. The maintenance building is shown

as being approximately 35 feet from the proposed right-of-way along Whittamore Road. The applicant indicates the 50 foot setback can be accommodated and is proposing landscaping that will screen the building from view from Whittamore Road. A stipulation addressing this is included. Zoning has also noted that a loading space is required. A stipulation requiring this is included as well.

The Bicycle/Trails Advisory Committee has requested that a 3 foot paved shoulder be installed along both sides of Centerville Turnpike. The City's Trails Plan designates Centerville Turnpike as a Class III (with paved shoulders) bike path. The applicant has requested that the provision of bike trails not be required, since there are no trails north or south of the proposed project on Centerville Turnpike and the project will not generate the need for this improvement. As noted by the Advisory Committee, the recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. Staff recommends that a subdivision plat be submitted prior to final site plan approval that would provide for the reservation for the future right-of-way of Centerville Turnpike and for a dedication, if determined to be necessary by Public Works, for ditch and shoulder improvements. Under this scenario, the applicant would not be responsible for constructing the bike path but the land would be available for this use.

Finally, the Department of the Navy was provided with the application and site plan for this proposed development since the project lies within the Fentress Airfield Overlay District. The Navy found that the proposed use is compatible with the AICUZ study, but recommended that the clubhouse be located outside of the Accident Potential Zone 2 (APZ-2) and be sound attenuated to 45 dB interior level. These items are provided for the applicant's information. The original site plan for this development indicated the clubhouse would be located within the APZ-2 area. The revised site plan locates the clubhouse closer to Centerville Turnpike and, as currently proposed, is outside of the APZ-2 area.

Section 17-106.A of the Chesapeake Zoning Code requires Conditional Use Permit applications to meet the following standards:

1. **STANDARD:** The proposal, as submitted or as modified, is in conformity with the Comprehensive Plan, including specific applicable elements of the Plan, and with official policies adopted in relation to the plan, including the purposes of this ordinance.

FINDING: The Land Use Plan designates this site for Countryside/Large Lot Residential use. This designation is intended for low density residential development which serves as a buffer between the city's agricultural sector and the more dense and developed areas of the city. Although a golf course is not a residential use, its low intensity nature with the preservation of extensive open space is compatible with the intent of the Countryside land use designation. In addition, the proposal is consistent with objectives of the Land Use element of the Comprehensive

Plan that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** The proposal, as submitted or as modified, is compatible with the surrounding community and will have no more adverse effects on the health, safety, or comfort of persons living or working in or driving through the area than would any other use generally permitted in the same district.

FINDING: The proposed use should not have any adverse effect on the surrounding area, which is a mixture of agricultural and residential uses. The golf course will be open only during the day, with no night operation. Although the property borders both Centerville Turnpike and Whittamore Road, the entrance to the site is provided only from Whittamore Road, which should provide a safer option with less disruption to traffic along Centerville Turnpike. The adjoining residential properties to the south, along Murray Drive, are separated from the golf course by a 120 foot wide power easement. In addition, these lots are a minimum of 3 acres, with the houses located approximately 250 feet from the applicant's property. In combination with the power easement and the golf course's fairway safety buffer, the houses will be located a minimum of 400 feet from any of the fairways.

Section 17-106.B. offers factors which may be considered in determining whether a Conditional Use Permit application meets the required standards. Only those factors considered applicable to this application are discussed below:

1. **STANDARD:** Whether the proposed conditional use will be consistent with the adopted policies in the Chesapeake Comprehensive Plan.

FINDING: As noted above, the low intensity of the proposed use is compatible with the Countryside designation of the City's Land Use Plan. In addition, the use is consistent with policies of the Plan contained in the Land Use element that encourage the provision of public and private open space for leisure and recreation.

2. **STANDARD:** Whether the existing or proposed streets and highways are adequate to safely accommodate and serve the site, with particular attention being given to the following:
 - a. The capacity of existing or proposed streets and highways located on or near the site to accommodate projected traffic volumes.
 - b. The adequacy and safety of the size and design of access roads, entrance and exit drives, and traffic circulation patterns, for both vehicular and pedestrian traffic on and near the site.

FINDING: In response to comments received from the Department of Public Works, the applicant conducted a traffic analysis of Centerville Turnpike, with the analysis indicating a left turn lane on Centerville Turnpike is needed. The applicant has agreed to provide the left turn lane from Centerville Turnpike to Whittamore Road. The applicant has also agreed to the right-of-way reservation on Centerville Turnpike as requested by Public Works.

3. **STANDARD:** Whether the proposed conditional use will be adequately served by other essential public facilities, including but not limited to the following: water and sewers, drainage facilities, schools, recreational facilities, police and fire protection, refuse disposal.

FINDING: Departmental review indicated no objections to the proposed development in regards to public facilities. In response to comments from the Fire Department, a stipulation will be included requiring that a dry hydrant that draws water from the proposed lake be provided since City water is not available.

4. **STANDARD:** Whether the proposed conditional use will have any adverse effect upon or will be incompatible with the use or enjoyment of adjacent and surrounding property, with particular attention being given to the following:

- a. The noise characteristics of the proposed use and whether they exceed the maximum sound levels that are typical of uses permitted as a matter of right in the district.
- b. The anticipated glare from vehicular and stationary lights and the extent to which such lights will be visible from any residential district.
- c. The vulnerability of the proposed use to fire and related safety hazards.
- d. The interference by the proposed use with any easement, roadways, rail lines, utilities and public or private rights-of-way.
- e. The possible destruction, loss, or damage of a natural, scenic, or historic feature of significant importance.
- f. The adequacy of proposed landscaping and buffering measures to screen the site from neighboring properties zoned for or containing less intensive uses.

FINDING: None of the items listed above will exist to an extent that will adversely affect surrounding properties. Noise associated with the golf course will be minimal and will not exceed sound levels typical of other

uses permitted in the A-1 Agricultural District. Glare from vehicular and stationary lights will also be minimal. The golf course will only be open during the day, which will limit glare from vehicular lights. In addition, the clubhouse, parking lot and related facilities are located in the northwest portion of the site, away from any residential development. Buffering is also proposed around each of these facilities. The applicant has stated that stationary lighting will be limited to that necessary for security purposes only. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road that will provide additional buffering, especially for the purpose of preventing golf balls from entering these roadways. A 150 foot fairway safety buffer is also proposed for this purpose. Roadside landscape buffers, exceeding Code requirements, are provided along both Centerville Turnpike and Whittamore Road.

5. **STANDARD:** Whether the proposed conditional use will be constructed, arranged, and operated so as not to dominate or interfere with the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, considerations shall be given to:
- a. The location, nature, and height of buildings, structures, walls, and fences on the site; and
 - b. The overall compatibility of the appearance of the site as proposed with neighborhood sites;
 - c. The nature and extent of landscaping and screening on the site.

FINDING: Development of the property as a golf course should not interfere with the development and use of neighboring property. The proposed golf course is not an intensive use of the site. The number of buildings is limited to a clubhouse, cart barn and maintenance building and a parking lot containing 83 spaces. These facilities are located in the northwest portion of the site away from any residential development. The closest use to these facilities is the Fentress Fire Station located near the intersection of Centerville Turnpike and Whittamore Road. Landscaping is proposed around each of these structures to buffer their view from adjoining properties. Ten foot high berms are proposed along Centerville Turnpike and a portion of Whittamore Road to help prevent errant golf balls from entering these roadways. The berms and landscaping will also serve as a visual buffer from adjoining properties. By its very nature (i.e., extensive open space and landscaped greens and fairways), the appearance of the golf course will be compatible with the surrounding agricultural and residential area.

As a result of a meeting between the applicant and the surrounding community residents, the question arose as to whether the proposed detention and well system for the golf course would adversely impact the residents' wells. The applicant has expressed a willingness to accept a stipulation to address this issue. Staff continues to work with the applicant on the wording of such a stipulation, and an update report with the final stipulation will be presented at the Planning Commission pre-meeting.

STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **UP-01-03** be **APPROVED** with the following stipulations:

1. As agreed upon by the applicant, the applicant shall be responsible for providing a left turn lane on Centerville Turnpike at Whittamore Road.
2. A subdivision plat shall be submitted for recordation prior to final site plan approval for the purpose of providing a 45 foot right-of-way reservation along Centerville Turnpike and any right-of-way dedication that may be necessary for ditch and shoulder improvements along Centerville Turnpike, as determined by the Department of Public Works.
3. As agreed upon by the applicant, the applicant shall implement corrective measures to ensure the safety of motorists along Centerville Turnpike from errant golf balls if required by the Department of Public Works.
4. As agreed upon by the applicant, an enhanced street buffer varying from 10 feet to 50 feet in width will be provided along Centerville Turnpike and Whittamore Road in order to soften the appearance from the public rights-of-way and to avoid a rigid linear effect. Landscaping shall be subject to approval by the City Arborist.
5. The applicant agrees that a 5 percent tree canopy coverage of the property shall be provided prior to finalization and formal opening of the golf course. The canopy coverage shall be accomplished through a combination of reforestation areas, street buffers and plantings internal to the golf course. Reforestation areas shall be planted with large and small canopy tree seedlings a minimum of 6" to 12" in height at the time of planting and at a spacing of one tree per 400 sq. ft. Street buffer trees and internal golf course trees shall be in accordance with the specifications of the Chesapeake Zoning Ordinance.
6. A dry hydrant shall be provided drawing supply from the proposed lake in accordance with the PFM.
7. If approved by the City Council, the building setback for the Maintenance Building shall be at least 50 feet from the right-of-way reservation line

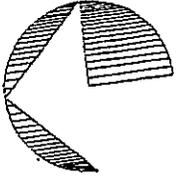
along Whittamore Road. Landscaping shall be provided that screens the Maintenance Building from public view from the street if the setback is approved to be less than 150 feet.

8. A 12' x 35' loading space shall be provided.

GRP

cc: Dorothy Kowalsky, Current Planning Coordinator

Mr. James R. Bradford
c/o Hassell & Folkes, P.C.
325 Volvo Parkway
Chesapeake, VA 23320



SCALE: 1" = 50'
DATE: MARCH 15, 2001

NOT TO SCALE
PROPOSED PLANTING
(SEE SCHEDULE A-1)

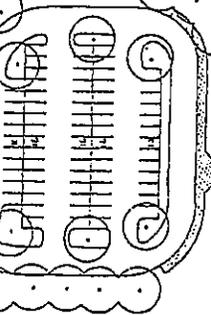
WHITTMORE ROAD

(80' ROW)

EXISTING R/W
PROPOSED R/W

PROPOSED MAINTENANCE BUILDING

PROPOSED LAWN AREA



PROPOSED CLUBHOUSE FACILITIES

PROPOSED CART BARN

DRIVING RANGE

ETHERIDGE GREENS
GOLF COURSE

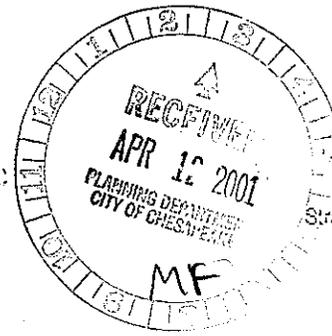
PRELIMINARY SITE PLAN

ETHERIDGE GREENS GOLF COURSE		PRELIMINARY SITE PLAN	
DATE	BY	DATE	BY
03/15/01	J.S.	03/15/01	J.S.
PROJECT NO. 1767		SHEET NO. 2	
TOTAL SHEETS 2		TOTAL SHEETS 2	

REVISED MARCH 19, 2001 UP-01-03



Hassell & Folkes, P.C.
Engineers Surveyors Planners



F. Ray Hassell III, L.S.
(1932-1984)
Stratford G. Folkes, P.E.
Consultant

S. Gray Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

April 11, 2001

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

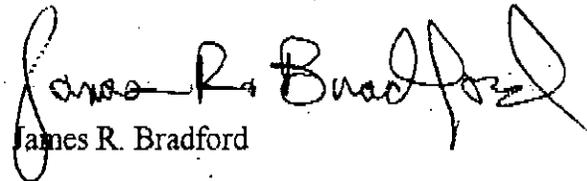
Please regard this letter as a formal request to continue the Planning Commission review of the above captioned item for a period of thirty days. The reason for this request is that a member of the Planning Commission recently requested a sample breakdown of the fly ash material intended for use in the construction of this golf course.

Such analysis of a current sample is now being conducted for Planning Commission review and will be available within the next twenty-one days.

Should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/kb

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

April 12, 2001

Mr. James R. Bradford
c/o Hassell & Folkes, P. C.
325 Volvo Parkway
Chesapeake, VA 23320

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

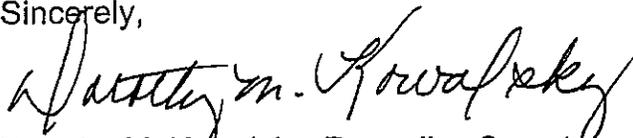
Dear Mr. Bradford:

The Chesapeake Planning Commission, at its April 11, 2001 Public Hearing, reviewed and **CONTINUED** the above referenced application to the May 9, 2001 Public Hearing.

Upon receipt of this letter, place the enclosed sticker with the new Planning Commission hearing date over the previous hearing date on the notice of public hearing sign posted on this property. Improper posting will delay processing of this application.

Should you have questions or comments concerning the Commission's action, please feel free to contact our offices at 382-6176. Please reference your phone inquiries and/or correspondence with the above case identification number. **Also, the above case identification number should be clearly designated on all subsequent site plans requiring review by the City.** Failure to use this reference number may delay staff's response.

Sincerely,



Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION

cc: Zoning Administrator; Public Works Department



Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Gray Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, II, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

April 11, 2001



Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

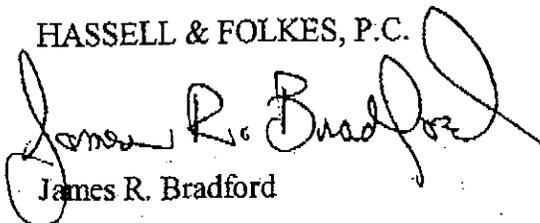
Please regard this letter as a formal request to continue the Planning Commission review of the above captioned item for a period of two weeks. The reason for this request is that a member of the Planning Commission recently requested a sample breakdown of the fly ash material intended for use in the construction of this golf course.

Such analysis of a current sample is now being conducted for Planning Commission review and will be available within the next five to seven days. The requested two week continuance will allow the applicant to remain on the same City Council agenda, and in as much as the requested information will be made available well in advance of the April 25, 2001 hearing, this short term delay should be sufficient.

Should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

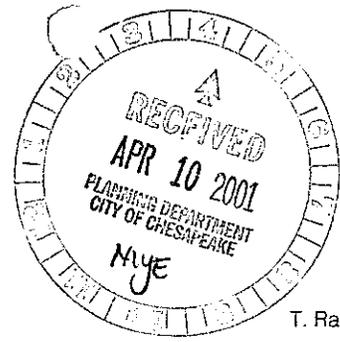
JRB/kb

Attachment



Hassell & Folkes, P.C.
Engineers Surveyors Planners

April 10, 2001



T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
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Christopher D. Capozzi, L.S.

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

Please find attached one copy of the current Department of Environmental Quality regulations as they pertain to the placement of coal combustion products.

Trusting this information is useful to you, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/lk

COAL COMBUSTION BY-PRODUCT SITE NOTIFICATION

Who Must Notify

Any owner or operator who proposes to use, reuse or reclaim coal combustion by-products by applying or placing them on the land in a manner other than addressed in 9 VAC 20-80-150 or 9 VAC 20-80-160 of the Virginia Solid Waste Management Regulations. Coal mining facilities that are otherwise exempt under 9 VAC 20-80-160 or who have been issued a permit by the Virginia Department of Mines, Minerals and Energy that incorporates the applicable conditions in 9 VAC 20-85-10 et seq. are not subject to these requirements.

Authority

Virginia Code § 10.1-1408.1

Virginia Administrative Code 9 VAC 20-85-150 through 9 VAC 20-85-160

Term

Indefinite

Fee

No fee

Typical Requirements of a Permit

Compliance with location standards, design, construction, operation and closure requirements of 9 VAC 20-85-10 et seq.

Process

1. Contact DEQ headquarters (Richmond) - Waste Division.
2. Provide the information/certifications listed below 30 days prior to initial placement of coal combustion by-products:
 - a. Certification of legal control over site.
 - b. Certification from the local government body that the site location and operation are consistent with all local ordinances (not applicable to sites permitted by the Department of Mines, Minerals and Energy).
 - c. A general description of the intended use, reuse or reclamation of coal combustion by-products as well as certification that the site meets the locational restrictions and design standards of 9 VAC 20-85-70 and 9 VAC 20-85-80.
 - d. An operations plan and a closure plan.
 - e. A signed statement that allows authorized representatives of the Commonwealth access to areas in which covered activities will be, are being or have been conducted to ensure compliance.

REGULATION GOVERNING MANAGEMENT OF COAL COMBUSTION BY-PRODUCTS

PART I: Definitions

9 VAC 20-85-10 Definitions as established in Virginia Solid Waste Management Regulations (9 VAC 20-80-10 et seq.).

The definitions set out in Part I of the Virginia Solid Waste Management Regulations 9 VAC 20-80-10 et seq. are incorporated by reference.

9 VAC 20-85-20 Definitions.

In addition to the definitions incorporated by reference, the following words and terms shall have, for the purpose of this chapter, the following meanings:

"ASTM" means the American Society for Testing and Materials.

"CCB" means coal combustion by-products.

"CCB site" means all land and structures, other appurtenances, and improvements on them used to manage CCB by the methods included in either 9 VAC 20-85-40 A or B.

"Closure" means the act of securing a CCB site pursuant to the requirements of this chapter.

"Director" means the Director of the Department of Environmental Quality or the Director of the Department of Mines, Minerals and Energy depending on the context.

"Perennial stream" means a stream or part of a stream that flows continuously during all of the calendar year as a result of groundwater discharge or surface runoff.

"Speculatively accumulated material" means any material that is accumulated before being used, reused, or reclaimed or in anticipation of potential use, reuse, or reclamation. CCB are not being accumulated speculatively when they can be used, reused, or reclaimed, have a feasible means of use, reuse, or reclamation available and 75% of the accumulated CCB are being removed from the storage annually.

"TCLP" means a chemical analytical procedure described in the Virginia Hazardous Waste Management Regulations, 9 VAC 20-60-10 et seq.

PART II: Purpose and Applicability.

9 VAC 20-85-30 Purpose.

The purpose of this chapter is to provide for the use of coal combustion by-products (CCB) and

to establish appropriate standards for siting, design, construction, operation, and administrative procedures pertaining to their use, reuse, or reclamation.

9 VAC 20-85-40 Applicability.

A. This chapter applies to all persons who use, reuse, or reclaim CCB by applying them to or placing them on land in a manner other than addressed in the Virginia Solid Waste Management Regulations, 9 VAC 20-80-150 and 9 VAC 20-80-160.

B. This chapter establishes minimum standards for the owners or operators of coal mining facilities that accept CCB for mine reclamation or mine refuse disposal on a mine site permitted by the Virginia Department of Mines, Minerals and Energy (DMME) unless otherwise exempt under 9 VAC 20-80-160 B of the Solid Waste Management Regulations. If the permit issued by the DMME in accordance with the Virginia Surface Mining Regulations, 4 VAC 25-130-700.1 et seq., specifies the applicable conditions set forth in Parts III and IV of this chapter, the permittee is exempt from this chapter.

C. Conditions of applicability are as follows:

1. Persons using CCB other than in a manner prescribed under this chapter, or managing CCB containing any constituent at a level exceeding levels set forth in Table I in Part IV of this chapter, shall manage their waste in accordance with all applicable provisions of the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 et seq.;

2. Materials which are accumulated speculatively, materials which are not utilized in a manner described in the operation plan required by 9 VAC 20-85-90 of this chapter, and off-specification materials which cannot be utilized or reprocessed to make them usable shall be managed in accordance with all appropriate provisions of the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 et seq.; and

3. Storage, stockpiling, and other processing or handling of CCB, which may need to occur prior to their final placement or use, reuse, or reclamation, shall be in a manner necessary to protect human health and safety and the environment. For projects permitted by the DMME, the storage, stockpiling, or handling of CCB shall be managed in accordance with the Virginia Surface Mining Regulations, 4 VAC 25-130-700.1 et seq.

9 VAC 20-85-50 Relationship to other regulations.

This chapter does not affect the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 et seq., or other pertinent regulations of the department or other agencies of the Commonwealth, except that persons subject to and in compliance with this chapter are exempt from the Virginia Solid Waste Management Regulations and the Financial Assurance Regulations for Solid Waste Facilities, 9 VAC 20-70-10 et seq., for those activities covered by this chapter.

9 VAC 20-85-60 Enforcement and appeals.

A. All administrative enforcement and appeals taken from actions of the director relative to the provisions of this chapter shall be governed by the Virginia Administrative Process Act (§9-6.14:1 et seq. of the Code of Virginia).

B. The owner or operator of the CCB site who violates any provision of this chapter will be considered to be operating an unpermitted facility as provided for in 9 VAC 20-80-90 of the Solid Waste Management Regulations and shall be required to either obtain a permit as required by Part VII or close under Part V of this chapter.

C. The requirement to obtain a permit or to close the project shall not preclude additional action for remediation or enforcement, including (without limitations) the assessment of civil charges or civil penalties, as is otherwise authorized by law.

PART III: Management Standards.

ARTICLE 1

Locational Restrictions.

9 VAC 20-85-70 Locational restrictions.

Coal combustion by-products used, reused, or reclaimed on or below ground shall not be placed:

1. In areas subject to base floods unless it can be shown that CCB can be protected from inundation or washout and that flow of water is not restricted;
2. With the vertical separation between the CCB and the maximum seasonal water table or bedrock less than two feet;
3. Closer than:
 - a. 100 feet of any perennial stream,
 - b. 100 feet of any water well (other than a monitoring well) in existence at the onset of the project,
 - c. 25 feet of a bedrock outcrop, unless the outcrop is properly treated to minimize infiltration into fractured zones,
 - d. 100 feet of a sinkhole, or
 - e. 25 feet from any property boundary or, in the case of projects permitted by the DMME, 25 feet from the permit boundary. (NOTE: All distances are to be measured in the horizontal plane.)
4. In wetlands, unless applicable federal, state and local permits are obtained; and

5. On the site of an active or inactive dump, unpermitted landfill, lagoon, or similar facility, even if such facility is closed.

ARTICLE 2

Design and Construction.

9 VAC 20-85-80 Design and construction.

This section prescribes design and construction standards for CCB sites. The owner or operator of such a site shall prepare appropriate design plans and a design report that address, at a minimum, the requirements contained in this section.

1. A survey benchmark shall be identified and its location referenced on drawings and maps of the site.
2. During construction and filling, off-site runoff shall be diverted around the use, reuse or reclamation areas. The uncovered active CCB fill areas shall be graded to a maximum slope of 5.0% and a smooth surface maintained to provide for sheet flow runoff and to prevent dusting. Runoff from the use, reuse or reclamation area shall be controlled and contained by use of diversion ditches, sediment traps, berms or collection ponds in accordance with the site erosion control plan. The use, reuse, or reclamation projects shall be designed to divert surface water run on from a 25-year, 24-hour storm event. For projects permitted by the DMME, the standards for runoff, grading, and runoff shall be in accordance with the Coal Surface Mining Reclamation Regulations, 4 VAC 25-130-700.1 et seq.
3. Finished side slopes shall be stable and be configured to adequately control erosion and runoff. Side slopes of 33% will be allowed provided that adequate runoff controls are established. Steeper side slopes may be considered if supported by necessary stability calculations and appropriate erosion and runoff control features. All finished slopes and runoff management units shall be supported by necessary calculations and included in the design report.
4. The finished top slope shall be at least 2.0% to prevent ponding of water, except where covered by a building, a paved roadway, a paved parking surface, paved walkways or sidewalks, or similar structures.
5. Upon reaching the final grade, the placed material shall be covered in accordance with the requirements of Article 4 of this part.

ARTICLE 3

Operations.

9 VAC 20-85-90 Operations.

The owner or operator of a CCB site shall prepare an operation plan. At a minimum, the plan

shall address the requirements contained in this section.

1. Tracking of mud or CCB onto public roads from the site shall be controlled at all times to minimize nuisances.
2. The addition of any solid waste including but not limited to hazardous, infectious, construction, debris, demolition, industrial, petroleum-contaminated soil, or municipal solid waste to CCB is prohibited. This prohibition does not apply to solid wastes from the extraction, beneficiation and processing of ores and minerals conditionally exempted under 9 VAC 20-80-160 A 2 of the Solid Waste Management Regulations.
3. Fugitive dust shall be controlled at the site so it does not constitute nuisances or hazards.
4. After preparing the subbase, CCB shall be placed in no greater than 12-inch layers. The CCB shall then be compacted to a minimum 95% of the maximum dry density achievable at its optimum moisture content in accordance with the Standard Proctor method, ASTM test designation D 698, or to a minimum of 80% relative density as determined by ASTM test designation D 4254 for coal combustion bottom ash and boiler slag. Field compaction tests shall be taken for each 5,000 cubic yards placed. The placement and compaction of CCB on coal mine sites shall be subject to the applicable requirements of the Coal Surface Mining Reclamation Regulations, 4 VAC 25-130-700.1 et seq.
5. A surface run on and runoff control program shall be implemented to control and reduce the infiltration of surface water through the CCB and to control the runoff from the placement area to other areas and to surface waters.
6. Runoff shall not be permitted to drain or discharge into surface waters except when in accordance with 9 VAC 25-10-10 et seq., of the State Water Control Board, or otherwise approved by the department.
7. CCB site development shall be in accordance with the Virginia Erosion and Sediment Control Regulations, 4 VAC 50-30-10 et seq., or the Coal Surface Mining Reclamation Regulations, 4 VAC 25-130-700.1 et seq., as applicable.

ARTICLE 4

Closure.

9 VAC 20-85-100 General.

Upon reaching the final grade, the owner or operator of a CCB site shall close his project in a manner that minimizes the need for further maintenance.

9 VAC 20-85-110 Exemptions from the closure requirements.

- A. An owner or operator of a site that constructs a building, a paved roadway, a paved parking

surface, paved walkways and sidewalks, or other similar structures on top of the fill within a reasonable time period of reaching the final grade not to exceed 12 months shall be exempt from the requirements of this article for the portions of the CCB site directly under the construction area.

B. An operator of a coal mine site permitted by the DMME who is reclaiming a site in conformance with the Coal Surface Mining Reclamation Regulations, 4 VAC 25-130-700.1 et seq., shall be exempt from the closure requirements contained in the section.

9 VAC 20-85-120 Closure criteria.

A. The owner or operator shall install a final cover system that is designed and constructed to:

1. Minimize infiltration through the closed CCB site by the use of an infiltration layer that contains a minimum 12 inches of earthen material; and
2. Minimize erosion of the final cover by the use of an erosion control layer that contains a minimum of six inches of earthen material and is capable of sustaining the growth of indigenous plant species or plant species adapted to the area.

B. The use of the property after closure shall not disturb the integrity of the final cover, unless the purpose of the disturbance is to construct buildings, paved roadways, paved parking surfaces, paved walkways and sidewalks, or other similar facilities.

C. Within 90 days after placement of the final cover is complete, the owner or operator shall submit:

1. To the local land recording authority, a survey plat prepared by a professional land surveyor registered by the Commonwealth, indicating the location and dimensions of the placement areas. The plat filed with the local land recording authority shall contain a note, prominently displayed, which states the owner's or operator's future obligation to restrict disturbance of the site.
2. To the department, a statement signed by a registered professional engineer that construction has been completed in accordance with the design plans and report prepared to satisfy the requirements of 9 VAC 20-85-80 and closure has been performed in accordance with closure plan prepared under 9 VAC 20-85-130.

9 VAC 20-85-130 Closure plan and amendment of plan.

A. The owner or operator of the CCB site shall have a written closure plan. This plan shall identify the steps necessary to completely close the site. The plan shall include, at least, a schedule for final closure including, as a minimum, the anticipated date when CCB will no longer be received, the date when completion of final closure is anticipated, and intervening milestone dates.

B. The owner or operator may amend his plan at any time during the active life of the project. The owner or operator shall so amend his plan any time changes in operating plans or project design affect the closure plan.

C. At any time during the operating life of the project, the plan shall be made available to the department upon request of the director.

9 VAC 20-85-140 Time allowed for closure.

The owner or operator shall complete closure activities in accordance with the closure plan and within six months after receiving the final volume of CCB. The director may approve a longer closure period if the owner or operator can demonstrate that the required or planned closure activities will, of necessity, take longer than six months to complete; and that he has taken all necessary steps to eliminate any significant threat to human health and the environment from the unclosed but inactive project.

PART IV: Administrative Requirements.

9 VAC 20-85-150 General.

Notwithstanding any provisions of Part VII of the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 et seq., the owner or operator of a site which manages only CCB allowed under 9 VAC 20-85-40 shall not be required to have a solid waste management facility permit, neither must a CCB facility operator certified by the Board for Waste Management Facility Operators directly supervise operations at the site, if the owner or operator at least 30 days prior to initial placement of CCB:

1. Provides the director a certification that he has legal control over the CCB site for the project life and the closure period. For the purposes of this section, on a coal mine site permitted by the DMME, demonstration of legal right to enter and begin surface coal mining and reclamation operations shall constitute compliance with the provisions of this section.
2. With the exception of projects permitted by the DMME, provides the director the certification from the governing body of the county, city, or town in which the CCB site is to be located that the location and operation of the CCB site are consistent with all applicable ordinances.
3. Provides the director with a general description of the intended use, reuse, or reclamation of CCB. Such description will include:
 - a. A description of the nature, purpose and location of the CCB site, including a topographic map showing the site area and available soils, and geological maps. The description shall include an explanation of how CCB will be stored prior to use, reuse or reclamation, if applicable;
 - b. The estimated beginning and ending dates for the operation;

BNA Environment and Safety Library (BNA Ser)

Post-It® brand fax transmittal memo 7871		# of pages *
To <i>Matt Baker</i>	From <i>Ron Binkley</i>	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

The owner or operator shall complete closure within six months after receiving the final volu period if the owner or operator can demonstrat necessity, take longer than six months to comp eliminate any significant threat to human health and the environment project.

Part IV. ADMINISTRATIVE REQUIREMENTS.

9 VAC 20-85-150. General.

Notwithstanding any provisions of Part VII of the Virginia Solid Waste Management Regulations, 9 VAC 20-80-10 et seq., the owner or operator of a site which manages only CCB allowed under 9 VAC 20-85-40 shall not be required to have a solid waste management facility permit, neither must a CCB facility operator certified by the Board for Waste Management Facility Operators directly supervise operations at the site, if the owner or operator at least 30 days prior to initial placement of CCB:

1. Provides the director a certification that he has legal control over the CCB site for the project life and the closure period. For the purposes of this section, on a coal mine site permitted by the DMME, demonstration of legal right to enter and begin surface coal mining and reclamation operations shall constitute compliance with the provisions of this section.

2. With the exception of projects permitted by the DMME, provides the director the certification from the governing body of the county, city, or town in which the CCB site is to be located that the location and operation of the CCB site are consistent with all applicable ordinances.

3. Provides the director with a general description of the intended use, reuse, or reclamation of CCB. Such description will include:

a. A description of the nature, purpose and location of the CCB site, including a topographic map showing the site area and available soils, and geological maps. The description shall include an explanation of how CCB will be stored prior to use, reuse or reclamation, if applicable;

b. The estimated beginning and ending dates for the operation;

c. An estimate of the volume of the CCB to be utilized; and

d. A description of the proposed type of CCB to be used, reused or reclaimed, including physical and chemical characteristics of the CCB. The chemical description shall contain the results of TCLP analyses for the constituents shown in Table 1. The description shall also contain a statement that the project will not manage CCB that contain any constituent at a level exceeding those shown in the table.

TABLE 1. LIST OF CONSTITUENTS AND MAXIMUM LEVELS.

Constituent	Level, mg/lit
Arsenic	5.0
Barium	100
Cadmium	1.0
Chromium	5.0
Lead	5.0
Mercury	0.2
Selenium	1.0

- c. An estimate of the volume of the CCB to be utilized; and
 - d. A description of the proposed type of CCB to be used, reused or reclaimed, including physical and chemical characteristics of the CCB. The chemical description shall contain the results of TCLP analyses for the constituents shown in Table 1. The description shall also contain a statement that the project will not manage CCB that contain any constituent at a level exceeding those shown in the table.
4. Provides the director with a certification by a professional engineer licensed to practice by the Commonwealth that the project meets the locational restrictions of 9 VAC 20-85-70. Such certificate shall contain no qualifications or exemptions from the requirements.
 5. Furnishes to the director a certificate signed by a professional engineer licensed to practice by the Commonwealth that the project has been designed in accordance with the standards of 9 VAC 20-85-80 if applicable. Such certificate shall contain no qualifications or exceptions from the requirements and plans.
 6. Submits to the director an operational plan describing how the standards of 9 VAC 20-85-80 will be met.
 7. Submits to the director a closure plan describing how the standards of Article 4 of Part III of this chapter will be met, if applicable.
 8. Submits to the director a signed statement that the owner or operator shall allow authorized representatives of the Commonwealth, upon presentation of appropriate credentials, to have access to areas in which the activities covered by this chapter will be, are being, or have been conducted to ensure compliance.

9 VAC 20-85-160 Project modifications.

The owner or operator of a CCB site may modify the design and operation of the project by furnishing the department a new certificate required by subdivision 5 of 9 VAC 20-85-150 and a new operational plan required by subdivision 6 of 9 VAC 20-85-150. Whenever modifications in the design or operation of the project affect the provisions of the closure plan, the owner or operator shall prepare an amended plan in accordance with the requirements of Article 4 of Part III of this chapter.

PART V: Variances.

9 VAC 20-85-170 Applicability.

The director may grant a variance from any requirement contained in Part III of this chapter to the owner or operator of the CCB site if he demonstrates to the satisfaction of the director that granting the variance will not result in an additional risk to the public health or the environment beyond the risk which would be imposed without the variance.

9 VAC 20-85-180 Administrative procedures.

The administrative procedures associated with the submission of the variance petition, its processing and resolution will be accomplished in accordance with the requirements of 9 VAC 20-80-790 of the Solid Waste Management Regulations.

Documents Incorporated by Reference

STANDARD Proctor Method.

Test Designation D698, ASTM.

Test Designation D4254, ASTM.



Hassell & Folkes, P.C.
Engineers Surveyors Planners

April 10, 2001



T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

Pursuant to the attached memorandum dated May 27, 1998 with regard to the U.S. Navy B.A.S.H. program, please be advised that my client's proposal is consistent with that initiative for the following reasons:

- 1) Side slopes on the proposed lake will be constructed with at least a 4:1 slope to allow for constant mowing and eliminate the potential for wildlife habitat.
- 2) To the extent practical, the lake has been designed in a narrow and linear shape.
- 3) There will be no suitable cover for bird species on or around the lake.
- 4) There will be no vegetation suitable as food for hazardous wildlife, and the golf course management will consider birds just as much a nuisance as the Navy in this regard.
- 5) This development is intended to be a "links" style golf course which utilizes very few trees which would provide a perch or security for birds.

It is my understanding from having discussed these issues with the Navy's representative, that by far the most effective way of controlling the hazards associated with birds and aircraft is to ensure cooperative maintenance between the golf course management and the U.S. Navy.

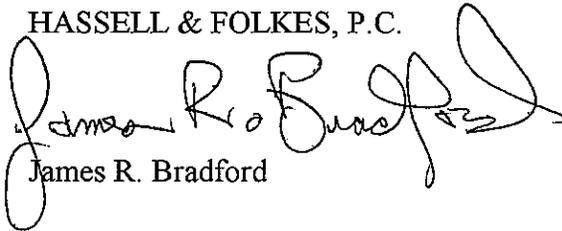
Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
April 10, 2001
Page - 2 -
RE: "ETHERIDGE GREENS"
(UP-01-03)

In as much as both parties consider birds a nuisance to their respective activities, I would offer that successful management of this potential problem is attainable.

Trusting this information is useful to you, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.

A handwritten signature in black ink, appearing to read "James R. Bradford". The signature is written in a cursive style with a large initial "J" and "B".

James R. Bradford

JRB/lk

27 May 1998

MEMORANDUM

From: Deanna Higginson, Wildlife Biologist, 1852
To: AUCUZ, Code 00G
Via: Brian Hostetter, Natural Resources Manager, 185 ^{Epk}
Subj: **BMP DESIGN CRITERIA FOR REDUCING BASH HAZARDS FOR
STORMWATER MANAGEMENT POND**

Ref: (a) FAA Advisory Circular 5200-33
(b) Naval Safety Center Bird Aircraft Strike Hazard
Guidance Package, May 1985

1. To facilitate hazardous wildlife control I recommend the following:

- Per Ref (a) use steep sided slopes, grading to a 4:1; to allow mowing up to the edge of the ditch Ref (b) recommends grading to a 5:1 slope.
- Grade ditches so that stormwater runs off rapidly (this will also help to keep them clear of vegetation and sediment buildup). Where practical, ditches should be replaced with buried drainage pipes.
- Keep water bodies narrow and linearly-shaped, rather than round or oblong.
- Line banks with rip-rap.
- Use water detention basins (dry ponds) rather than retention basins.
- If possible, eliminate any permanent pool or entirely cover the water surface with plant species unpalatable to bird species and unsuitable for cover.
- Ponds should be placed away from aircraft movement areas to minimize aircraft-wildlife interactions (located outside APZ's).
- All vegetation in or around detention or retention basins that provide food or cover for hazardous wildlife should be eliminated (special measures should be taken to maintain vegetation discourage gulls and geese from feeding or loafing).

- Tree species can be used to discourage gull use and should be species that provide very little security cover for other birds without providing perches for raptors (water willows, cypress, or tupelo).
- For selection of vegetation, consider species that are suited to the hydrology of the project.

2. To further reduce bird strike hazards the following maintenance should take place:

- Do not allow drainage ditches to clog up with vegetation and eroded soil.
- Implement an active program to remove plant species that provide food or cover for problem species.
- Have maintenance personnel report bird use insuring birds never become habituated to using the site.
- If necessary use wire grids or other harassment to discourage bird use.



DEANNA HIGGINSON

Copy to:
LT Joel Doolin, 00A



Hassell & Folkes, P.C.
Engineers Surveyors Planners

April 9, 2001



T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
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Christopher D. Capozzi, L.S.

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

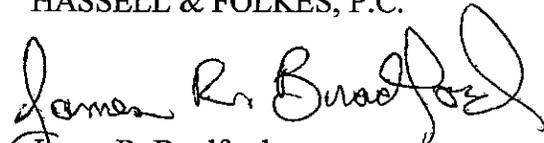
Pursuant to staff's recommendation dated April 2, 2001 for the above captioned proposal, please be advised of the following additional information.

- 1) With regard to stipulation number (3) the applicant agrees that Whittamore Road in addition to Centerville Turnpike should be included in that language.
- 2) Please be advised that it is the applicant's intention to construct the club house as well as the maintenance building with a brick, block with brick appearance, split block, or other stone/masonry veneer acceptable to the Director of Planning.
- 3) The applicant agrees that he will adhere to the "well" replacement provisions of the City's excavation ordinance and for a similar time period (seven years).
- 4) The applicant agrees that a maximum of four acres of fill material will be exposed at any given time, and that such areas will be sprinkled with water to minimize airborne particles.

Trusting this information is useful to you, should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/kb

(EGREENS.015)



Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

April 2, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Jay Tate
Assistant City Engineer
DEPARTMENT OF PUBLIC WORKS
City of Chesapeake
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)



Dear Mr. Tate:

Pursuant to your comments dated March 29, 2001 from your department with respect to the captioned proposal, I would like to respond in the same numerical order as follows:

- 1&2) As stated, original comments (1 & 2) have been previously addressed.
- 3) Please be advised that this firm has recently completed a topographic survey of this site and a swale, as opposed to a ditch, currently extends along this property's frontage on Centerville Turnpike. Since this development constitutes a site plan as opposed to a subdivision and the applicant seeks no access to Centerville Turnpike, compounded by the fact that it is now confirmed there is no ditch to relocate, it is requested that this requirement be eliminated.
- 4) Please be advised that a 150 ft. wide fairway safety buffer has been incorporated on plan and that substantial berming and landscaping is planned along Centerville Turnpike to prevent errant golf balls from entering the right-of-way.

Further, the applicant is not opposed to a stipulation such that Public Works may direct the owner to take corrective action if a problem demonstrates itself in the future.

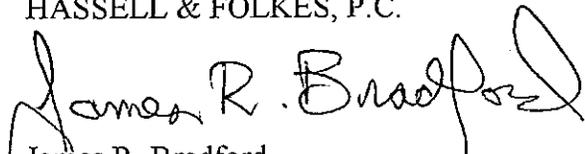
It has been noted that the City plans to improve Centerville Turnpike with a bike trail in the future. This application will not affect that endeavor since as previously stated, the golf course seeks no vehicular access to Centerville Turnpike which would be in conflict with the bike path, nor does the golf course promote the need for such improvement.

Mr. Jay Tate
DEPARTMENT OF PUBLIC WORKS
April 2, 2001
Page - 2 -
RE: "ETHERIDGE GREENS"
(UP-01-03)

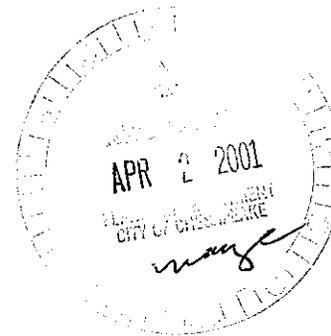
Thanking you for your time and consideration, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford
JRB/kb

cc: Mr. Gary Pusey,
Department of Planning





City of Chesapeake

Department of Public Works
 Post Office Box 15225
 Chesapeake, Virginia 23328
 (757) 382-6101
 (757) 382-6310 FAX
 (757) 382-8537 FAX

MEMORANDUM

TO: Gary Pusey, Planner
 FROM: Jay Tate, P.E., Assistant City Engineer
 DATE: March 29, 2001
 RE: **PLAT COMMITTEE REVIEW**
UP-01-03 Etheridge Greens

RECEIVED
 MAR 30 2001
 PLANNING
 CITY

The consultant has submitted a revised plan along with the attached cover letter noting his responses to our previous comments. The following items retain the same numerical order as the previous memorandum.

Requirements:

1. Previous comment addressed.
2. Previous comment addressed.
3. Ditch and shoulder improvements will be required along Centerville Turnpike. A corresponding right-of-way dedication may be required for these improvements.
4. A stipulation should be provided to allow Public Works to direct the owner/developer to take corrective measures if Public Works determines that a hazard to motorists is created along Centerville. See advisory comment below.
5. Previous comment addressed.

Advisory:

The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.

Site plan approval for this development will be contingent upon the recordation of a plat showing the required right-of-way reservation and any required right-of-way dedication.

Public Works feels that the layout for the course could be revised to reduce the risk of errant golf balls striking vehicles on Centerville Turnpike (keeping in mind that a six-lane divided highway will be adjacent to the course under the ultimate conditions).

JBT:DNJ
 enclosure

Department of Public Works
Post Office Box 15225
Chesapeake, Virginia 23328
(757) 382-6101
(757) 382-6310 FAX
(757) 382-8537 FAX

MEMORANDUM

TO: Gary Pusey, Planner
FROM: Jay Tate, P.E., Assistant City Engineer
DATE: March 29, 2001
RE: **PLAT COMMITTEE REVIEW**
UP-01-03 Etheridge Greens



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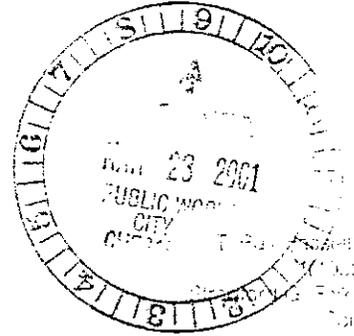
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JBT:DNJ
enclosure

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Hassell & Folkes, P.C.
Engineers Surveyors Planners



Richard Folkes, P.E.
Linda Anne Folkes, P.E.
Anna M. Manning, P.E.
John A. Chamber, P.E.
Christopher D. Johnson, P.E.

March 27, 2001

Mr. Jay Tate
Assistant City Engineer
DEPARTMENT OF PUBLIC WORKS
City of Chesapeake
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Tate:

Pursuant to your comments dated March 7, 2001 for the above captioned proposal, I would like to respond in the same numerical order as follows:

- 1) Having conducted fresh traffic counts and performed a warrant of need analysis, it is agreed that a left turn lane on Centerville Turnpike will be required with this development. Please be advised that the right turn taper also required is currently in place. *per signed plan*
- 2) The ultimate right-of-way reservation on Centerville Turnpike is represented on plan, and honored with respect to the location of proposed improvements.
- 3) In as much as this development does not require the submittal and approval of a subdivision plat, it is suggested that right-of-way dedications beyond what is necessary for off-site improvements, if any, should not be required.
- 4) It is the developer's intention to provide a 150' fairway safety buffer in addition to berming and landscaping to prevent errant golf balls from entering the right-of-way.
- 5) Please refer to the recently submitted (sheet 2) for details regarding the clubhouse and related restaurant.

Mr. Jay Tate, Assistant City Engineer
DEPARTMENT OF PUBLIC WORKS
March 27, 2001

Page - 2 -

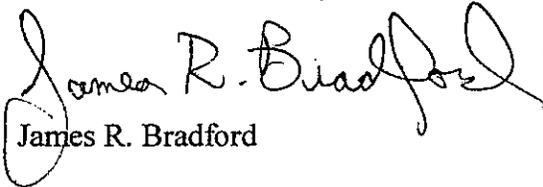
RE: "ETHERIDGE GREENS" (UP-01-03)

- 6) As indicated in (item 3) above, this submittal is a site plan and not a subdivision which would trigger any off-site improvements beyond those needed to satisfy this development. Since there are currently no bike trails north or south of this development on Centerville Turnpike, and my client is not generating the need for any such improvement, it is suggested that this comment remain advisory.

Thanking you for your time and consideration, should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/kb

cc: Mr. Gary Pusey, Department of Planning

AFFIDAVIT

RE: (Describe Rezoning/Use Permit Application in the space below)

Application # UP-01-03

STATE OF VIRGINIA

CITY OF CHESAPEAKE, to-wit:

After being duly sworn, MaRhonda Echols an employee in the Chesapeake Planning Department, does hereby state as follows:

1. That I have mailed by regular mail, notification to the owner or owners, their agent or occupant, and to the owners, their agent or their occupant of all abutting property immediately across the street or road from the property aforesaid, notifying them of the review by the Chesapeake Planning Department in reference to the above Administrative Application. The mailing was made on March 30, 2001.

2. That the above-referenced Rezoning/Use Permit Application will be considered by the Chesapeake City Council at its public hearing on April 11, 2001 at 7:00 p.m. in the Chesapeake City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, VA.

MaRhonda M. Echols
Signature of Employee

Subscribed and sworn to before me this 30th day of March, 2001

MaRhonda Echols an employee in the Chesapeake City Clerk's Office.

Beverly R. Whacker
Notary Public

My commission expires 6-30-03

March 30, 2001

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

UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

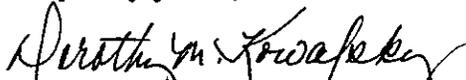
BOROUGH: Butts Road

Dear Citizen:

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 Planning Commission at its meeting to be held on **April 11, 2001** at 7:00 p.m. in the City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

Copies of the application and supporting material may be viewed in the Chesapeake Planning Department at any time during normal business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. Recipients may contact the Planning Department at 382-6176 prior to the public hearing to inquire as to the status of the proposed application. Upon Planning Commission action of either approval or denial, this item shall be heard by the City Council the following month on the third Tuesday at 6:30 p.m. in the Council Chambers, unless otherwise announced at the Planning Commission meeting.

Very truly yours,



Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION

DMK:mye

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0610000000950

Name: Edna E. Vanluik

Street: 1102 Centerville Turnpike

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000730

Name: McGinnis Farms, Inc.

Street: P.O. Box 2666

City: Sanford

State/Zip: NC/27330

Tax Map #: 0610000000951

Name: Ramsgate Corporation

Street: 1401 Precon Drive, Suite 101

City: Chesapeake

State/Zip: VA.23320

Tax Map #: 0610000000731

Name: Radames M. Alvarez

Street: 1000 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000952

Name: Vepco c/o Real Estate Tax Department

Street: P.O. Box 25459

City: Richmond

State/Zip: VA/23260

Tax Map #: 0610000000732

Name: Centerville Baptist Church

Street: 908 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000953

Name: The Plantation Shops, Inc.

Street: 1508 Blackboard Drive

City: Chesapeake

State/Zip: VA/23321

Tax Map #: 0610000000650

Name: City of Chesapeake

Street: P.O. Box 15225

City: Chesapeake

State/Zip: VA/23328

Tax Map #: 0610000000970

Name: B.M. Williams

Street: 308 Cedar Lakes Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0620000000050

Name: Paige F. Custer, et als c/o Bette Grissom

Street: 228 Robert Street

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0620000000031

Name: Robert G. McDonald, Jr.

Street: 112 Cedar Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000050

Name: Louis F. Knight

Street: 1117 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000010

Name: William R. Stephenson

Street: 1101 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000060

Name: Machael E. Calabreses

Street: 1121 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000020

Name: Joseph L. Locasto

Street: 1105 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000070

Name: Dean Leo Parker

Street: 1125 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000030

Name: James A. Stephenson

Street: 1109 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000080

Name: Benjamin M. Williams, II

Street: 1201 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000040

Name: Michael Corwin

Street: 1113 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000090

Name: R.E. Norfleet, III

Street: 1205 Murray Drive

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0613001000100

Name: George R. Arthur, Jr.

Street: 1209 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621004000011

Name: Walter E. Mitchell, Sr.

Street: P.O. Box 1805

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000110

Name: Mark R. West

Street: 1213 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621003000090

Name: Charles Taylor

Street: 1404 Whittamore Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613002000010

Name: Joseph E. Diaz, Jr.

Street: 1215 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000020

Name: Jerry K. Hensley

Street: 1219 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000030

Name: Dennis E. Sears, Jr.

Street: 1301 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

March 27, 2001

Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Pusey:

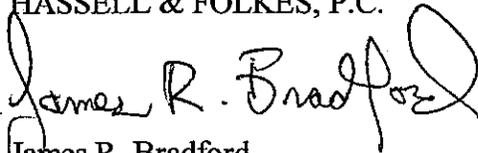
Pursuant to our recent conversation with regard to landscape comments dated February 20, 2001 and my follow-up letter dated March 13, 2001, please be advised of the following suggested stipulation language.

- 1) The developer agrees that in lieu of the otherwise required street buffer type "F" along Centerville Turnpike and Whittamore Road, that he shall provide intermittent vegetated buffers to be complimented with berming. The functional nature of such shall be to reenforce the 150 ft. fairway safety buffer to prevent errant golf balls from entering the right-of-way, as well as to provide vistas onto the golf course for the enjoyment of the traveling public.
- 2) The developer agrees that in lieu of the otherwise required 10% canopy requirement, that he will provide both generous and attractive landscaping throughout the entrance, parking, maintenance and club house facilities. The intent of this provision is to allow for the construction of a links type golf course for which the challenges of the play areas typically do not include trees.

Trusting this information is useful to you, should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/kb

(EGREENS 01) 1799

City of Chesapeake
Department of Planning
Fax 382-6406

AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

2

RECEIVED
FEB 21 2001
PLANNING DEPARTMENT
CITY OF CHESAPEAKE
nause

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Attached is the site plan and/or application required by your department for the Plat Committee review. **The Plat Committee Meeting is scheduled for February 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 2, 2001.**

cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will will not require a final construction plan.

- F Buffer along Right of Ways
- 10% Canopy Requirement
Mr 2 2/20/01



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

March 27, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Jay Tate
Assistant City Engineer
DEPARTMENT OF PUBLIC WORKS
City of Chesapeake
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)

Dear Mr. Tate:

Pursuant to your comments dated March 7, 2001 for the above captioned proposal, I would like to respond in the same numerical order as follows:

- 1) Having conducted fresh traffic counts and performed a warrant of need analysis, it is agreed that a left turn lane on Centerville Turnpike will be required with this development. Please be advised that the right turn taper also required is currently in place.
- 2) The ultimate right-of-way reservation on Centerville Turnpike is represented on plan, and honored with respect to the location of proposed improvements.
- 3) In as much as this development does not require the submittal and approval of a subdivision plat, it is suggested that right-of-way dedications beyond what is necessary for off-site improvements, if any, should not be required.
- 4) It is the developer's intention to provide a 150' fairway safety buffer in addition to berming and landscaping to prevent errant golf balls from entering the right-of-way.
- 5) Please refer to the recently submitted (sheet 2) for details regarding the clubhouse and related restaurant.

Mr. Jay Tate, Assistant City Engineer
DEPARTMENT OF PUBLIC WORKS

March 27, 2001

Page - 2 -

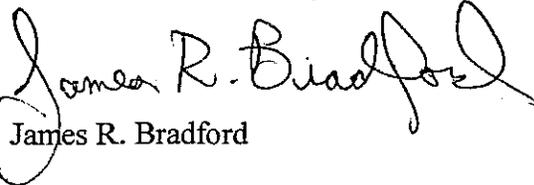
RE: "ETHERIDGE GREENS" (UP-01-03)

- 6) As indicated in (item 3) above, this submittal is a site plan and not a subdivision which would trigger any off-site improvements beyond those needed to satisfy this development. Since there are currently no bike trails north or south of this development on Centerville Turnpike, and my client is not generating the need for any such improvement, it is suggested that this comment remain advisory.

Thanking you for your time and consideration, should you have any questions please call.

Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/kb

cc: Mr. Gary Pusey, Department of Planning

AGENDA: **APRIL 11, 2001**

DATE: MARCH 20, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS FIRE PREVENTION ~~ZONING~~

RE: **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road



- Clubhouse/parking facility & driving range have been relocated closer to Centerville Turnpike.
- Entire layout of the golf course (fairways, greens, etc.) has been modified. Fairways are a minimum of 150' from the rear of the lots along Murray Drive.
- The lake has been enlarged from 4.2 to 14.6 acres
- A more detailed drawing of the area containing the clubhouse/parking facility & maintenance building is provided at a scale of 1" = 50'.

Attached is the **REVISED** site plan required by your department for the Plat Committee review. **The Plat Committee Meeting is scheduled for March 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 27, 2001**.

3/27/2001

The setback of 150' is measured from the right-of-way reservation for the maintenance building. Because of the Pentress Overlay District

AGENDA: **APRIL 11, 2001**

DATE: MARCH 20, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS FIRE PREVENTION ZONING

RE: **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

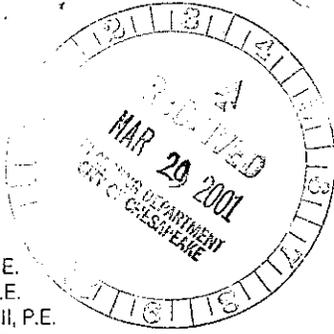
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

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- Entire layout of the golf course (fairways, greens, etc.) has been modified. Fairways are a minimum of 150' from the rear of the lots along Murray Drive.
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Hassell & Folkes, P.C.
Engineers Surveyors Planners

S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

March 20, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

REVISED

Mr. Gary Pusey
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: ETHERIDGE GREENS

MAR 19 01 UP 01 03

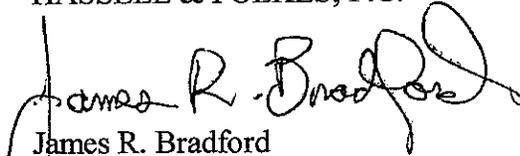
Dear Mr. Pusey:

Please find attached fifteen (15) copies with reductions of the revised layout for the above captioned proposal dated March 15, 2001.

Trusting this submittal is as your require, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford
JRB/kb

Attachments



Hassell & Folkes, P.C.
Engineers Surveyors Planners

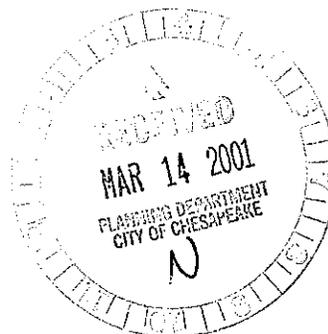
S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

March 13, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Mik Lestyan
City Arborist
DEPARTMENT OF INSPECTIONS
Environmental Division
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: "ETHERIDGE GREENS"
(UP-01-03)



Dear Mr. Lestyan:

Pursuant to your comments for the above captioned proposal dated February 21, 2001, attached, I would like to address the contents of this letter.

As you are aware, it is my client's wish to construct an 18 hole golf course on a 217 acre parcel which is currently in agricultural use and devoid of any trees for all practical purposes. As you are also aware, this property is located on the corner of Centerville Turnpike and Whittamore Road with approximately 6,500 feet, or 1.2 miles of frontage.

Having given your comments careful consideration, I would like to offer that with the adoption of required street "buffers" into the zoning ordinance, such "buffers" were intended to mitigate the impacts of the built environment from the traveling public. If the subject property were being improved for instance with hardened surface and buildings to within 10 feet of the right-of-way, such buffering is welcomed by the Public and serves a useful purpose.

Conversely, this application seeks to create a carefully manicured 217 acre landscaped environment for the purpose of playing golf. It is my client's intension to berm and landscape the areas of play in the vicinity of public rights-of-way to prevent errant golf balls from leaving the property. At the same time my client would prefer the traveling public be given the opportunity to enjoy the view of the golf course, just as they would enjoy the view if this were a City park. It is for that reason that I request an administrative waiver from the street buffer requirements in this instance.

With regard to the treatment of this proposal as a conventional site plan, and the application of the 10% canopy coverage requirement, I would like to once again emphasize that this property is currently devoid of any trees for all practical purposes.

1806

Mr. Mik Lestyan, City Arborist
DEPARTMENT OF INSPECTIONS
March 13, 2001
Page - 2 -
RE: "ETHERIDGE GREENS"
(UP-01-03)

My Client, who is a professional golfer and designer, intends to develop the property as a links style golf course. This type of golf course has been selected primarily because of the existing, cleared nature of the property. Had this property been heavily wooded, he may very well have designed the course differently and incorporated the trees into the fairway design.

Please consider however, that since the property is clear at this time, that to require the applicant to plant 2,000 trees ranging from two feet to three feet tall would destroy the integrity of the golf course.

This would be the case since it would take at least twenty years for these trees to reach something resembling maturity, and in the interim period would give the appearance that the site had been "clear cut".

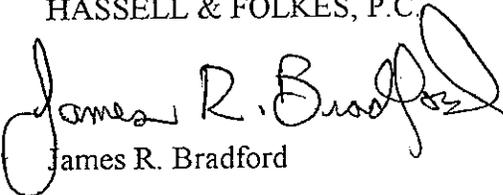
For this reason it is requested that you grant an administrative waiver to the 10% canopy coverage for the golf course as well.

Once again, it is my strong feeling that these requirements were built into the zoning ordinance to mitigate the affects of the hardened surfaces and buildings typically associated with a site plan as they relate to their surroundings, and were not intended to apply to golf course design and construction.

Thanking you for your time and consideration in this matter, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.



James R. Bradford

JRB/lk

Attachments

cc: Mr. Brent Nielson, Director of Planning
Mr. Gary Pusey, Department of Planning

(EGREENS.008)

1807

City of Chesapeake
Department of Planning
Fax 382-6406

AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

2

RECEIVED
FEB 21 2001
PLANNING DEPARTMENT
CITY OF CHESAPEAKE
maise

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Attached is the site plan and/or application required by your department for the Plat Committee review. The Plat Committee Meeting is scheduled for February 21, at 9:30 a.m. in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by March 2, 2001.

cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

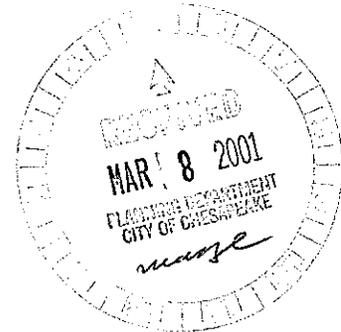
REPLY: This department will will not require a final construction plan.

- F Buffer along Right of Way
- 10% Canopy Requirement
Mr 2 2/20/01

Department of Public Works
Post Office Box 15225
Chesapeake, Virginia 23328
(757) 382-6101
(757) 382-6310 FAX
(757) 382-8537 FAX

MEMORANDUM

TO: Gary Pusey, Planner
FROM: Jay Tate, P.E., Assistant City Engineer *JBT*
DATE: March 7, 2001
RE: **PLAT COMMITTEE REVIEW**
UP-01-03 Etheridge Greens



Requirements:

1. Provide left and right turn lanes are on Centerville Turnpike.
2. Reserve 45' of right of way along Centerville Turnpike.
3. Dedicate 5' of right of way on Centerville Turnpike.
4. Address method to prevent stray golf balls from entering adjacent roadways.
5. Provide details for any other proposed uses including the type of restaurant associated with this development.

Advisory:

The adjacent portion of Centerville Turnpike is on the "Draft Trails Plan" for a proposed Class III (with paved shoulders) bike path.

JBT:DNJ

MEMORANDUM

TO: Gary Pusey, Planner
Planning

FROM: William J. Meyer, Jr., P.E. *WJM*
Public Utilities

DATE: February 26, 2001

RE: UP-01-03 Etheridge Greens



We have reviewed the referenced use permit with respect to a Public Needs List identifying water and sewer improvements required. This review was in accordance with the City of Chesapeake Subdivision Ordinance, the 1967 City Master Sewer Plan and the 1983 City Master Water Plan.

City water and sewer are not available to this site. City water and sewer are not required for this use permit.

If you have any questions, please do not hesitate to contact me.

WJMjr/iwc

cc: S. D. Perry, P.E.

MAR 5 2001
Planning Department
City of Chesapeake
BT

AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Attached is the site plan and/or application required by your department for the Plat Committee review. **The Plat Committee Meeting is scheduled for February 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 2, 2001.**

cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will ___ will not require a final construction plan.

No School Impact.

R. J. H...
Mar 1, 2001



DATE: FEBRUARY 15, 2001

AGENDA: APRIL 11, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
P PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

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cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

~~No Impact on Parks & Recreation~~

REPLY: This department will will not require a final construction plan.

*L. Folke
Parks and Recreation
2/21/2001*

DATE: FEBRUARY 15, 2001

AGENDA: APRIL 17, 2001

FM: GARY PUSEY, PLANNER

2



TO: PUBLIC WORKS
PUBLIC UTILITIES
SCHOOL ADMIN.
PARKS & REC

ENVIRONMENTAL
FIRE PREVENTION
ZONING
CODE ENFORCEMENT

LIBRARY
POLICE
ECONOMIC DEVELOPMENT
DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

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cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will will not require a final construction plan.

- F Buffer along Right of Ways
- 10% Canopy Requirement

M2 2/20/01



City of Chesapeake
Department of Planning
Fax 382-6406

AGENDA: APRIL 11, 2001

DATE: FEBRUARY 16, 2001



To: GARY PUSEY, PLANNER

From: PUBLIC WORKS ENVIRONMENTAL
PUBLIC UTILITIES FIRE PREVENTION
SCHOOL ADMIN. ZONING
PARKS & REC CODE ENFORCEMENT

LIBRARY
POLICE
ECONOMIC DEVELOPMENT
DEPUTY CITY ATTORNEY

RE: UP-01-03
PROJECT: Etheridge Greens
APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.
ZONE: A-1 Agricultural District
SIC CODE: 7992, 7999
LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.
TAX MAP SECTION/PARCEL: 0620000000020
BOROUGH: Butts Road

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cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will ___ will not ___ require a final construction plan.

1. If no city water avail. then a dry hydrant drawing supply from 4.2 acre lake req'd. in accord w/ PFM + NFPA 1231 for water supply for fire fighting operations

Chesapeake Fire Department
PLANS REVIEW
 Contingent Approval (See Comments)
 Approval
 Disapproved
Date: 3/8/01 Plan File #
Reviewer: A. Williams

02-16-01 201:25 IN

DATE: FEBRUARY 15, 2001

AGENDA: APRIL 11, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS ENVIRONMENTAL
PUBLIC UTILITIES FIRE PREVENTION
SCHOOL ADMIN. ZONING
PARKS & REC CODE ENFORCEMENT

LIBRARY
POLICE
ECONOMIC DEVELOPMENT
DEPUTY CITY ATTORNEY



RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

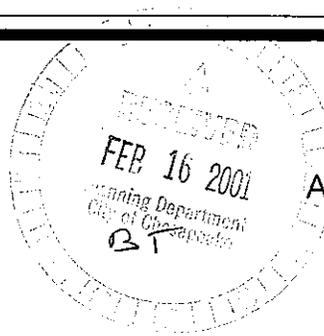
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BOROUGH: Butts Road

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cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

1. **REPLY:** This department will will not require a final construction plan.
2. This site is in the Fortress Overlay District and must comply with the development standards listed in Section 12-406 et seq of the Zoning Ordinance including building setbacks.
3. Signs must comply with Section 14-700 et seq of the Zoning Ordinance. Provide details for inclusion with the application.
4. Handicap parking must comply with CABO/ANSI standards.
5. Separate permits are required for fences signs & flagpoles.



AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

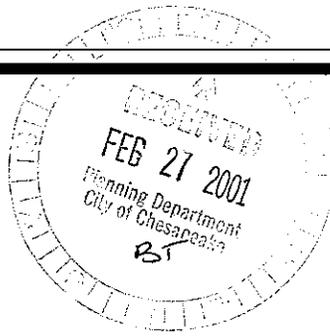
BOROUGH: Butts Road

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cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will ___ will not require a final construction plan.

*No comment
R Smalley
2-15-01*



AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS	ENVIRONMENTAL	LIBRARY
PUBLIC UTILITIES	FIRE PREVENTION	POLICE
SCHOOL ADMIN.	ZONING	ECONOMIC DEVELOPMENT
PARKS & REC	CODE ENFORCEMENT	DEPUTY CITY ATTORNEY

RE: UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Attached is the site plan and/or application required by your department for the Plat Committee review. **The Plat Committee Meeting is scheduled for February 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 2, 2001.**

*Site Visit
2/20/2001*

cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; File Copy

REPLY: This department will ___ will not require a final construction plan.

*Carl Ehee, CPP
CPTED Analyst
C.P.D. 382-6614*

MEMORANDUM



TO: GARY PUSEY, PLANNER

FROM: MARK E. SHEA, PLANNER *MS*

DATE: MARCH 6, 2001

RE: UP-01-03, Etheridge Greens

At the Chesapeake Bicycle/Trails Advisory Committee meeting of March 26, 2001 a motion was adopted requesting that a 3' paved shoulder be installed along both sides of Centerville Turnpike. Centerville Turnpike is included in the City's Trail Plan for future shoulder/bike lane improvement. The recently completed City project to realign Centerville Turnpike at Land of Promise Road included shoulders of similar width. The installation of these shoulders will enhance safety and provide easier maintenance for Centerville Turnpike.

If you have any questions, please do not hesitate to contact me.

Cc: Dorothy Kowalsky
Jay Tate
Lennie Luke

February 22, 2001

Fred E. Pierson
Community Planning Liaison Officer
AICUZ Office
NAS Oceana, Code 00G
Virginia Beach, VA 23460

RE: Etheridge Greens Golf Course (UP-01-03)

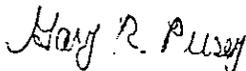
Dear Mr. Pierson:

Enclosed is an application our office has received for a Conditional Use Permit to allow a golf course to be located at the southeast corner of the intersection of Centreville Turnpike and Whittamore Road. I've also included a copy of the site plan showing the proposed layout of the golf course.

The proposed golf course is located within the Fentress Overlay District. As a result, we would like to provide you with an opportunity to review the project and offer any comments you may wish to make. The request is scheduled to be heard by the Planning Commission on April 11, 2001, at which time the Commission will make a recommendation to the Chesapeake City Council for its consideration at a Public Hearing on May 15. In order to provide the applicant with an opportunity to respond to any concerns that may be raised, we would like to have your comments by March 5, 2001. If you will be unable to submit your comments by this date, please call me at (757) 382-8549 to let me know when you can provide them.

If you have any questions, please feel free to call me.

Sincerely,



Gary R. Pusey, Planner



UP-01-03

-- MAP NOT TO SCALE --

Etheridge Greens

UP-01-03

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

PLANNING COMMISSION MEETING OF
APRIL 11, 2001

1820

Chesapeake VIRGINIA

CONDITIONAL USE PERMIT APPLICATION

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: FEB 12 01 UP 01 03 ★
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

1. Applicant(s): Robert S. Diberardinis
 Address: 105 Cherry Street
Ithaca, NY 14850
 Daytime Phone: (757)547-9531(agent) FAX Number: (757)547-9481 (agent)
 Interest in subject property: Contract Purchaser
 E-mail address: Not Available
2. Agent(s): James R. Bradford
 Agency: Hassell & Folkes, P.C.
 Address: 325 Volvo Parkway
Chesapeake, VA 23320
 Daytime Phone: (757) 547-9531 FAX Number: (757) 547-9481
 E-mail address: HandFPC@aol.com
3. Owner(s) of property: (If different from applicant)
 Name: Weaver Fertilizer Company, Inc.
 Address: P.O. Box 3730
Norfolk, VA 23514
 Daytime Phone: Not Available FAX Number: Not Available

ACKNOWLEDGMENT

APPLICATION NUMBER: _____

PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION/CITY COUNCIL INTEREST:

State whether any member of the Planning Commission or City Council owns or has any personal or financial interest in the land which is subject to the application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

(No Such Interest Exists)

DECLARATION OF ACCURACY:

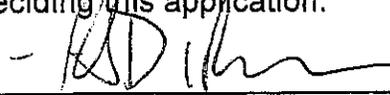
I, the undersigned owner (or agent), certify that all statements in this application are true and correct to the best of my knowledge, are accurate and complete and includes all required information and submittals. I also certify that the list of this application submittal. I understand that if the list of adjacent property owners is determined to be incomplete at a later date, any action taken on this application may become null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals.

DECLARATION OF CONSENT:

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Name: (signature) 

Name: (printed or typed) Robert S. Diberardinis

Address: 105 Cherry Street

Ithaca, NY 14850

Phone: (757) 547-9531 (agent)

Date: January 24, 2001

DESCRIPTION OF PROPERTY

1. 13-digit Tax Map Number(s): 0620000000020

2. Street Address (or common description if address is not available):
Property is located on the southeast corner of the intersection of Centerville
Turnpike and Whitamore Road.

3. Borough Butts Road Borough

4. Legal Description of the Property: Deed Book 935, Page 357

5. Physical description of the property including location of its boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage: Property is generally bounded to the north by Whitamore Road, to the south by "Green Haven" subdivision, to the east by cultivated agriculture, and to the west by Centerville Turnpike.
Property has 6,500 ft. of frontage, an average depth of 2,400 ft., and an overall area of 217 acres.

DESCRIPTION OF PROPERTY (Continued)

6. Zoning Information:

a. Zoning Sheet(s): 29 and 54

b. Current Zoning Classification(s) and present use of the property:
(A-1) Present use of property is for the cultivation of cash crops.

c. Proposed Zoning Classification(s), where applicable: Not Applicable

d. Overlay District Classification(s) where applicable: Fentress Overlay District

e. Adjacent property zoning uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	(A-1) (RE-1) (R-15S)
South	(A-1) (RE-1)
East	(A-1) (R-15)
West	(A-1) (RE-1)(R-8S)(R-15S)

7. Land Use designation of the property as contained in the City's Comprehensive Plan: Countryside

8. Standard Industrial Classification (SIC) code for this proposed use (see Zoning Division of the Inspections Department): 7992 and 7999

9. Planning Area: Southern Chesapeake

10. Census Tract: 211.02

11. Statistical Area: 92420

12. Is the property subject to proffers approved with a conditional rezoning application?
 No Yes Application # _____

13. List any previous applications for this site. There are no known previous applications on this site.

14. Are any features of the development proposed to be held in common ownership by persons residing in or owning lots in the development and are not to be dedicated to and accepted by the City or other public entity? No Yes If yes, see instructions for further requirements.

DESCRIPTION OF PROPERTY (Continued)

15. Is the development subject to the City's Open Space and Recreational requirement?

No Yes If yes, please provide the following:

a. Amount of park/open space offered (acres): Not Applicable

b. Provide Parks and Recreation fee amount (\$50.00 per unit with park site or \$100.00 per lot without park site): Not Applicable

16. Is the property located within the Chesapeake Bay Preservation Area Overlay District as determined by the Department of Planning?

No Yes If yes, the following shall be submitted in accordance with Section 12-510 of the Chesapeake Zoning Ordinance:

a. An environmental site assessment

b. A landscape plan

"ETHERIDGE GREENS"

NATURE OF PROPOSED USE

- 1) The nature of the proposed use as listed in the Chesapeake Zoning Ordinance is that of a golf course and driving range. The appropriate S.I.C. codes for this use are 7992 and 7999.
- 2) The proposed use is that of a privately owned and maintained, publically accessible, 18-hole golf course. The hours of operation are currently planned to be 7:00 A.M. to dusk seven days a week. The estimated number of employees on the largest shift is 20.
- 3) The golf course has been designed so as to internalize the driving range and the resulting area of play away from public rights-of-way and residential areas. The clubhouse and associated parking areas have also been internalized on the site, with access being promoted from Whitmore Road at a location which will not conflict with adjacent or nearby uses. It is considered that these measures will substantially ensure the continued reasonable enjoyment of neighboring properties and not adversely affect the surrounding land use pattern.
- 4
 - a) There are no noise characteristics associated with the proposed use which would exceed sound levels typically associated with this zoning district.
 - b) It is proposed that the hours of operation for this facility be from 7:00 A.M. to dusk. As such, stationary lighting will be limited to that necessary for security purposes only.
 - c) There are no fire or related safety hazards particular to the proposed use.
 - d) There are no known easements, roadways, rail lines, utilities, or public/private rights-of-way which this application would interfere with.
 - e) There are no known natural, scenic, or historic features of significant importance on this site.
 - f) The nature of the proposed use, that of a golf course, is such that the need for special buffering is not anticipated.
- 5) It is anticipated that this golf course will be visually attractive from the adjacent roadways and a beneficial ultimate land use to the adjacent three (3) acre residential lots within the "Green Haven" subdivision.
- 6) There are no known policies of the Comprehensive Plan which this application would be in conflict with.
- 7) The primary arterial which will provide access to this activity is Centerville Turnpike.
 - a) Centerville Turnpike along this road segment is a 50 ft. right-of-way improved with a 24 ft. pavement section.

- b) This use is not considered as a peak hour generator of traffic. As such, a detailed traffic impact analysis is not anticipated.
 - c) Recent traffic counts on Centerville Road along this segment indicates a 24-hour volume of 8,580 VPD.
 - d) The current level of service on Centerville Turnpike along this road segment is level "D".
- 8) Ingress and egress to the subject property will be provide by Whitamore Road via Centerville Turnpike. Because of the low volume of traffic associated with the proposed use, the need for special traffic devices is not anticipated.
- 9) Traffic routes would be north on Centerville Turnpike to the Greenbrier area and Virginia Beach or south on Centerville Turnpike to Etheridge Manor Boulevard, Hickory, and North Carolina.
- 10) In as much as the proposed use is a golf course, impervious cover will be limited essentially to the parking area and the clubhouse. A proposed lake has been positioned in proximity to these improvements so as to maintain pre-development discharge rates.
- 11) Sewer and water provisions for this development will be provided via septic field and well, to be located in proximity to the clubhouse.
- 12) a) The nearest existing public utilities are a 12" water main and an 8" gravity sewer located on School House Road, north of this proposal.
- b) It is estimated that the support facilities for the golf course will generate a need for approximately 3,000 gallons per day.
- c) Since the current zoning on this property is (A-1), and it's current use is cultivation for cash crops, no appreciable demand would otherwise occur.
- d) As stated in item (11) above, it is currently planned that this facility will be serviced by septic drain field and well water.
- 13) There are currently no plans for routing off-site public utilities to service this development.
- 14) It is considered that as a consequence of the relatively small demand being generated by this proposal, that a septic drain field and well water will provide ample supply.
- 15) At the time of this application, percolation tests for Health Department review are being scheduled and will be made available to the Department of Public Utilities in the near future.
- 16) There are no features of this development to be held in common ownership.
- 17) There are no P.U.D. deviations or special exceptions associated with this proposal.

LEGAL POWER OF ATTORNEY

Application No: FEB 12 01 UP 01 09

Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough): Tax Map Section 62, Parcel 2 at Whitmore Road and Centerville Turnpike, Butts Road Borough

Nature of Use Permit Sought: Conditional Use Permit to construct and operate a golf course and driving range

I/we, am/are: Weaver Fertilizer Company Inc.

- the applicant for the above referenced application
- the owner of the property described above

I/we do hereby make, constitute, and appoint Robert S. Diberardinis and James R. Bradford

my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: in the case of use permits, to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the 24th day of January, 2001, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

BY: *C.W. Bradshaw*
WEAVER FERTILIZER COMPANY, INC.

Owner* Applicant* C.W. BRADSHAW, PRESIDENT

State of Virginia
City of Whitman

Subscribed and sworn to before me this 7th day of February 2001
by *C.W. Bradshaw*

Christine M. Sharp
NOTARY PUBLIC

My commission expires: 10/31/02

* If the owner or applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.



WEAVER FERTILIZER COMPANY
INCORPORATED
NORFOLK, VIRGINIA

FIRST VIRGINIA
TOWER
MAIN STREET

MAIL: P.O. BOX 3730
ZIP CODE: 23514-3730
(757) 622-6591
FAX: (757) 622-6832

C. W. BRADSHAW, PRESIDENT

FEBRUARY 7, 2001

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT C. W. BRADSHAW, PRESIDENT OF
WEAVER FERTILIZER COMPANY, INC., HAS AUTHORITY BY ORDER
OF THE BOARD OF DIRECTORS TO SIGN LEGAL DOCUMENTS FOR
THE COMPANY TO INCLUDE, BUT NOT LIMITED TO CHECKS,
ENDORSEMENT OF CHECKS, DEEDS, LEASES, CONTRACTS,
SECURITY AGREEMENTS AND ASSIGNMENTS.

THIS AUTHORITY REMAINS IN EFFECT.

YOURS VERY TRULY,

Jeannette K. Tippett
JEANNETTE K. TIPPETT
CORPORATE SECRETARY

SPECIAL POWER OF ATTORNEY

Application No: _____
Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough): Tax Map Section 62, Parcel 2 at Whitamore Road and Centerville Turnpike, Butts Road Borough

Nature of Use Permit Sought: Conditional Use Permit to construct and operate a golf course and driving range

I/we, am/are: Robert S. Diberardinis

- the applicant for the above referenced application
 the owner of the property described above

I/we do hereby make, constitute, and appoint James R. Bradford

my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: in the case of use permits, to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

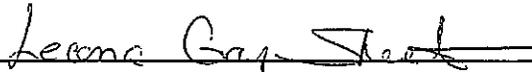
The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the 24th day of January, 2001, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.



Owner* Applicant*

State of Virginia
City of CHESAPEAKE

Subscribed and sworn to before me this 30 day of JANUARY 2001,
by ROBERT S. DIBERARDINIS


NOTARY PUBLIC

My commission expires: July 31, 2003

* If the owner or applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.

AFFIDAVIT

Application No: FEB 12 01 UP 01 03

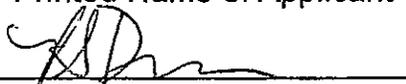
STATE OF New York
CITY OF Ithaca

I/We, Robert S. Diberardinis

The applicant(s) listed on the attached Use Permit Application, having been duly sworn, do hereby affirm that the listing attached to, and hereby made a part of this affidavit, identifies the names and last known addresses of all of the following persons and entities in regard to the property that is the subject of the Application:

1. All applicants, title owners, contract purchasers, and lessees of the property; and, if any of the foregoing is a trustee, each beneficiary having an interest in the property.
2. Where any of those listed in (1) above is a corporation, all shareholders owning ten per cent (10%) or more of any class of stock issued by said corporation.
3. Where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders.
4. Where any of those listed in (1) above is a partnership, all such partners, both general and limited.

Attach a listing of names and addresses as required by this affidavit.

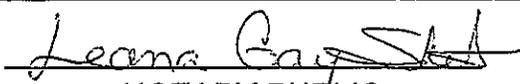
Robert S. Diberardinis
Printed Name of Applicant

Signature of Applicant

Printed Name of Applicant

Signature of Applicant

State of VIRGINIA
City of CHESAPEAKE

Subscribed and sworn to before me this 30 day of JANUARY 2001
by ROBERT S. DIBERARDINIS


NOTARY PUBLIC
My commission expires: JULY 31, 2003

AFFIDAVIT (Continued)

The following is a complete list of those individuals to be disclosed pursuant to this affidavit:

- Robert S. Diberardinis

whose business address is:

105 Cherry Street
Ithaca, NY 14850

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0610000000950

Name: Edna E. Vanluik

Street: 1102 Centerville Turnpike

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000730

Name: McGinnis Farms, Inc.

Street: P.O. Box 2666

City: Sanford

State/Zip: NC/27330

Tax Map #: 0610000000951

Name: Ramsgate Corporation

Street: 1401 Precon Drive, Suite 101

City: Chesapeake

State/Zip: VA.23320

Tax Map #: 0610000000731

Name: Radames M. Alvarez

Street: 1000 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000952

Name: Vepco c/o Real Estate Tax Department

Street: P.O. Box 25459

City: Richmond

State/Zip: VA/23260

Tax Map #: 0610000000732

Name: Centerville Baptist Church

Street: 908 Centerville Turnpike S.

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0610000000953

Name: The Plantation Shops, Inc.

Street: 1508 Blackboard Drive

City: Chesapeake

State/Zip: VA/23321

Tax Map #: 0610000000650

Name: City of Chesapeake

Street: P.O. Box 15225

City: Chesapeake

State/Zip: VA/23328

Tax Map #: 0610000000970

Name: B.M. Williams

Street: 308 Cedar Lakes Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0620000000050

Name: Paige F. Custer, et als c/o Bette Grissom

Street: 228 Robert Street

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0620000000031

Name: Robert G. McDonald, Jr.

Street: 112 Cedar Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000050

Name: Louis F. Knight

Street: 1117 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000010

Name: William R. Stephenson

Street: 1101 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000060

Name: Machael E. Calabreses

Street: 1121 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000020

Name: Joseph L. Locasto

Street: 1105 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000070

Name: Dean Leo Parker

Street: 1125 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000030

Name: James A. Stephenson

Street: 1109 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000080

Name: Benjamin M. Williams, II

Street: 1201 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000040

Name: Michael Corwin

Street: 1113 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000090

Name: R.E. Norfleet, III

Street: 1205 Murray Drive

City: Chesapeake

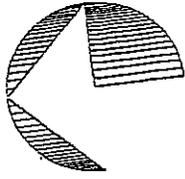
State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0613001000100	Tax Map #: 0621004000011
Name: George R. Arthur, Jr.	Name: Walter E. Mitchell, Sr.
Street: 1209 Murray Drive	Street: P.O. Box 1805
City: Chesapeake	City: Chesapeake
State/Zip: VA/23322	State/Zip: VA/23322
Tax Map #: 0613001000110	Tax Map #: 0621003000090
Name: Mark R. West	Name: Charles Taylor
Street: 1213 Murray Drive	Street: 1404 Whittamore Road
City: Chesapeake	City: Chesapeake
State/Zip: VA/23322	State/Zip: VA/23322
Tax Map #: 0613002000010	Tax Map #:
Name: Joseph E. Diaz, Jr.	Name:
Street: 1215 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:
Tax Map #: 0613002000020	Tax Map #:
Name: Jerry K. Hensley	Name:
Street: 1219 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:
Tax Map #: 0613002000030	Tax Map #:
Name: Dennis E. Sears, Jr.	Name:
Street: 1301 Murray Drive	Street:
City: Chesapeake	City:
State/Zip: VA/23322	State/Zip:



FEB 4 2 01 10 22 03



SCALE: 1" = 50'
DATE: MARCH 15, 2001

BY: [Signature]
PROJECT: [Signature]
(ZONED A-1)

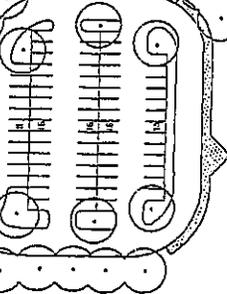
WHITTMORE ROAD

(80' R/W)

EXISTING R/W
PROPOSED R/W

PROPOSED
MAINTENANCE
BUILDING

100' FAIRWAY BUCKLE BEEFER



LAWN AREA

PROPOSED CLUBHOUSE
FACILITIES

PROPOSED CAUTION

DRIVING
RANGE

ETHERIDGE GREENS
COURTESY, VIRGINIA

PRELIMINARY SITE PLAN

HASSELL B. FOLMER, P.E.
REGISTERED PROFESSIONAL ENGINEER

DATE	BY	CHKD.	APP'D.
12/15/00	HBF	JLD	JLD

PROJECT NO. 2

REVISED MARCH 19, 2001 UP-01-03

FOR PLANNING DEPARTMENT USE ONLY

DATE APPLICATION FILED: _____ **February 12, 2001**

APPLICATION #: _____ **UP-01-03**

AMOUNT OF APPLICATION FEE PAID: _____ **\$225.00**

PIV NUMBER: _____ **194490**

DATE APPLICATION DETERMINED TO BE COMPLETE: _____ **February 14 2001**

APPLICATION REVIEWED/ACCEPTED BY: _____ **Gary Pusey**

PLANNING COMMISSION ACTION:

DATE OF PUBLIC HEARING: _____

ACTION: _____

Dorothy M. Kowalsky, Recording Secretary

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: _____

ACTION: _____

Dolores A. Moore, CMC/AE, City Clerk



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

March 1, 2001

T. Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Mr. Tim Howlett
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: ETHERIDGE GREENS VP-01-03

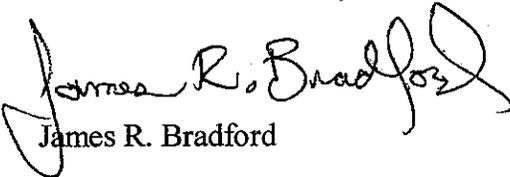
Dear Mr. Howlett:

Please find attached one (1) copy of the title report for the above captioned proposal which I forward to you for your use.

Trusting this submittal is as your require, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/kb

Attachments

PLAT COMMITTEE DEPARTMENTAL COMMENTS

February 21, 2001 Meeting

Application: UP-01-03

Planner: Cary

Public Utilities: Health dept approval for inside water + sewer. No city water + sewer.

Public Works: 5' dedicated ROW, turn lanes + right turn lane, ? parking spaces - need 50.

Police: no comment

Fire: Size of building? min 20' access Rd. Hydrant out of pond

Zoning: Health Dept approval, Borrow Act application needed if dirt moved off property.

Arborist: absent

Parks & Rec: no comment

City Attorney: absent

DMK: _____

PLAT COMMITTEE MEETING

February 21, 2001 @ 9:30 a.m.
Planning Department Conference Room

I. INTRODUCTORY ITEMS:

Christine UP-01-02

PROJECT: Medley's Garage

APPLICANT: Clyde G. Medley, Jr.

PROPOSAL: A conditional use permit for an exception to height limitations for a private, residential accessory structure that exceeds the height of the existing dwelling. (The house is 20 feet high & the garage is 25 feet high.)

ZONE: R-8s Single Family District

LOCATION: 1132 Keath Street

TAX MAP SECTION/PARCEL: 0272006000030

BOROUGH: Washington

Gary UP-01-03

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Lee UP-01-04

PROJECT: Advantage Dodge & Toyota Dealership

AGENCY: Hoggard-Eure Associates, P.C.

PROPOSAL: A 4.204 acre expansion of an existing motor vehicle dealership.

ZONE: B-2 General Business District

SIC CODE: 551

LOCATION: 4019 & 4021 Portsmouth Boulevard

TAX MAP SECTION/PARCEL: portion of 0100000000050

BOROUGH: Western Branch

Gary

UP-01-01

PROJECT: Cavalier Ford
APPLICANT: Kenneth J. Silverman
AGENCY: Hassell & Folkes, P.C.
PROPOSAL: Conditional use permit to operate a used motor vehicle dealership on a 0.35 acre lease parcel.
ZONE: B-2 General Business District
SIC CODE: 552
LOCATION: 3900 Indian River Road
TAX MAP SECTION/PARCEL: portion of 0133010000070
BOROUGH: Washington

Christine

SP-01-06

PROJECT: Greenbrier Lighting
APPLICANT: Keith Tuttle
AGENCY: Copeland Engineering Consultants
PROPOSAL: Administrative preliminary site plan for a retail store (12,000 sq. ft. home furnishings store on 4.4 acres).
ZONE: B-2 General Business District
LOCATION: Northeast parcel of the Stephanie Way & Eden Way North intersection.
TAX MAP SECTION/PARCEL: 0280000000901, 0280000000706
BOROUGH: Washington

Christine

SP-01-07

PROJECT: Eden Way Business Center
APPLICANT: Hahns L. Copeland, P.E.
AGENCY: Copeland Engineering Consultants
PROPOSAL: Administrative preliminary site plan for professional offices and retail stores (32,800 sq. ft. total on 4.4 acres) 14,000 sq. ft. office building, 14,400 sq. ft. office building and 4,400 sq. ft. retail store.
ZONE: B-2 General Business District
LOCATION: Northeast parcel of Stephanie Way & Eden Way North intersection.
TAX MAP SECTION/PARCEL: 0280000000901, 0280000000906
BOROUGH: Washington

AGENDA: APRIL 11, 2001

DATE: FEBRUARY 15, 2001

FM: GARY PUSEY, PLANNER

TO: PUBLIC WORKS ENVIRONMENTAL LIBRARY
PUBLIC UTILITIES FIRE PREVENTION POLICE
SCHOOL ADMIN. ZONING ECONOMIC DEVELOPMENT
PARKS & REC CODE ENFORCEMENT DEPUTY CITY ATTORNEY

RE: **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT/AGENCY: Robert S. Diberardinis/ Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

Attached is the site plan and/or application required by your department for the Plat Committee review. **The Plat Committee Meeting is scheduled for February 21, at 9:30 a.m.** in the Planning Department Conference Room. Comments regarding this item should be entered below and submitted to the Planning Department by **March 2, 2001.**

cc: Long Range Planning; Angelita Camana, Dorothy M. Kowalsky; [✓]File Copy

REPLY: This department will ___ will not ___ require a final construction plan.

Chesapeake

VIRGINIA

CONDITIONAL USE PERMIT APPLICATION

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: FEB 12 01 UP 01 03
 (Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

1. Applicant(s): Robert S. Diberardinis
 Address: 105 Cherry Street
Ithaca, NY 14850
 Daytime Phone: (757)547-9531(agent) FAX Number: (757)547-9481 (agent)
 Interest in subject property: Contract Purchaser
 E-mail address: Not Available
2. Agent(s): James R. Bradford
 Agency: Hassell & Folkes, P.C.
 Address: 325 Volvo Parkway
Chesapeake, VA 23320
 Daytime Phone: (757) 547-9531 FAX Number: (757) 547-9481
 E-mail address: HandFPC@aol.com
3. Owner(s) of property: (If different from applicant)
 Name: Weaver Fertilizer Company, Inc.
 Address: P.O. Box 3730
Norfolk, VA 23514
 Daytime Phone: Not Available FAX Number: Not Available

ACKNOWLEDGMENT

APPLICATION NUMBER: _____

PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION/CITY COUNCIL INTEREST:

State whether any member of the Planning Commission or City Council owns or has any personal or financial interest in the land which is subject to the application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act.

(No Such Interest Exists)

DECLARATION OF ACCURACY:

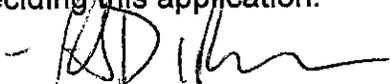
I, the undersigned owner (or agent), certify that all statements in this application are true and correct to the best of my knowledge, are accurate and complete and includes all required information and submittals. I also certify that the list of this application submittal. I understand that if the list of adjacent property owners is determined to be incomplete at a later date, any action taken on this application may become null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals.

DECLARATION OF CONSENT:

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Name: (signature) 

Name: (printed or typed) Robert S. Diberardinis

Address: 105 Cherry Street
Ithaca, NY 14850

Phone: (757) 547-9531 (agent)

Date: January 24, 2001

DESCRIPTION OF PROPERTY

1. 13-digit Tax Map Number(s): 0620000000020

2. Street Address (or common description if address is not available):
Property is located on the southeast corner of the intersection of Centerville
Turnpike and Whitamore Road.

3. Borough Butts Road Borough

4. Legal Description of the Property: Deed Book 935, Page 357

5. Physical description of the property including location of its boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage: Property is generally bounded to the north by Whitamore Road, to the south by "Green Haven" subdivision, to the east by cultivated agriculture, and to the west be Centerville Turnpike.
Property has 6,500 ft. of frontage, an average depth of 2,400 ft., and an overall area of 217 acres.

DESCRIPTION OF PROPERTY (Continued)

6. Zoning Information:

a. Zoning Sheet(s): 29 and 54

b. Current Zoning Classification(s) and present use of the property:
(A-1) Present use of property is for the cultivation of cash crops.

c. Proposed Zoning Classification(s), where applicable: Not Applicable

d. Overlay District Classification(s) where applicable: Fentress Overlay District

e. Adjacent property zoning uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	(A-1) (RE-1) (R-15S)
South	(A-1) (RE-1)
East	(A-1) (R-15)
West	(A-1) (RE-1)(R-8S)(R-15S)

7. Land Use designation of the property as contained in the City's Comprehensive Plan: Countryside

8. Standard Industrial Classification (SIC) code for this proposed use (see Zoning Division of the Inspections Department): 7992 and 7999

9. Planning Area: Southern Chesapeake

10. Census Tract: 211.02

11. Statistical Area: 92420

12. Is the property subject to proffers approved with a conditional rezoning application?
 No Yes Application # _____

13. List any previous applications for this site. There are no known previous applications on this site.

14. Are any features of the development proposed to be held in common ownership by persons residing in or owning lots in the development and are not to be dedicated to and accepted by the City or other public entity? No Yes If yes, see instructions for further requirements.

DESCRIPTION OF PROPERTY (Continued)

15. Is the development subject to the City's Open Space and Recreational requirement?
 No Yes If yes, please provide the following:
- a. Amount of park/open space offered (acres): Not Applicable
 - b. Provide Parks and Recreation fee amount (\$50.00 per unit with park site or \$100.00 per lot without park site): Not Applicable
16. Is the property located within the Chesapeake Bay Preservation Area Overlay District as determined by the Department of Planning?
 No Yes If yes, the following shall be submitted in accordance with Section 12-510 of the Chesapeake Zoning Ordinance:
- a. An environmental site assessment
 - b. A landscape plan

"ETHERIDGE GREENS"

NATURE OF PROPOSED USE

- 1) The nature of the proposed use as listed in the Chesapeake Zoning Ordinance is that of a golf course and driving range. The appropriate S.I.C. codes for this use are 7992 and 7999.
- 2) The proposed use is that of a privately owned and maintained, publically accessible, 18-hole golf course. The hours of operation are currently planned to be 7:00 A.M. to dusk seven days a week. The estimated number of employees on the largest shift is 20.
- 3) The golf course has been designed so as to internalize the driving range and the resulting area of play away from public rights-of-way and residential areas. The clubhouse and associated parking areas have also been internalized on the site, with access being promoted from Whitmore Road at a location which will not conflict with adjacent or nearby uses. It is considered that these measures will substantially ensure the continued reasonable enjoyment of neighboring properties and not adversely affect the surrounding land use pattern.
- 4
 - a) There are no noise characteristics associated with the proposed use which would exceed sound levels typically associated with this zoning district.
 - b) It is proposed that the hours of operation for this facility be from 7:00 A.M. to dusk. As such, stationary lighting will be limited to that necessary for security purposes only.
 - c) There are no fire or related safety hazards particular to the proposed use.
 - d) There are no known easements, roadways, rail lines, utilities, or public/private rights-of-way which this application would interfere with.
 - e) There are no known natural, scenic, or historic features of significant importance on this site.
 - f) The nature of the proposed use, that of a golf course, is such that the need for special buffering is not anticipated.
- 5) It is anticipated that this golf course will be visually attractive from the adjacent roadways and a beneficial ultimate land use to the adjacent three (3) acre residential lots within the "Green Haven" subdivision.
- 6) There are no known policies of the Comprehensive Plan which this application would be in conflict with.
- 7) The primary arterial which will provide access to this activity is Centerville Turnpike.
 - a) Centerville Turnpike along this road segment is a 50 ft. right-of-way improved with a 24 ft. pavement section.

- b) This use is not considered as a peak hour generator of traffic. As such, a detailed traffic impact analysis is not anticipated.
 - c) Recent traffic counts on Centerville Road along this segment indicates a 24-hour volume of 8,580 VPD.
 - d) The current level of service on Centerville Turnpike along this road segment is level "D".
- 8) Ingress and egress to the subject property will be provide by Whitamore Road via Centerville Turnpike. Because of the low volume of traffic associated with the proposed use, the need for special traffic devices is not anticipated.
- 9) Traffic routes would be north on Centerville Turnpike to the Greenbrier area and Virginia Beach or south on Centerville Turnpike to Etheridge Manor Boulevard, Hickory, and North Carolina.
- 10) In as much as the proposed use is a golf course, impervious cover will be limited essentially to the parking area and the clubhouse. A proposed lake has been positioned in proximity to these improvements so as to maintain pre-development discharge rates.
- 11) Sewer and water provisions for this development will be provided via septic field and well, to be located in proximity to the clubhouse.
- 12) a) The nearest existing public utilities are a 12" water main and an 8" gravity sewer located on School House Road, north of this proposal.
- b) It is estimated that the support facilities for the golf course will generate a need for approximately 3,000 gallons per day.
- c) Since the current zoning on this property is (A-1), and it's current use is cultivation for cash crops, no appreciable demand would otherwise occur.
- d) As stated in item (11) above, it is currently planned that this facility will be serviced by septic drain field and well water.
- 13) There are currently no plans for routing off-site public utilities to service this development.
- 14) It is considered that as a consequence of the relatively small demand being generated by this proposal, that a septic drain field and well water will provide ample supply.
- 15) At the time of this application, percolation tests for Health Department review are being scheduled and will be made available to the Department of Public Utilities in the near future.
- 16) There are no features of this development to be held in common ownership.
- 17) There are no P.U.D. deviations or special exceptions associated with this proposal.



WEAVER FERTILIZER COMPANY
INCORPORATED
NORFOLK, VIRGINIA

FIRST VIRGINIA
TOWER
MAIN STREET

MAIL: P.O. BOX 3730
ZIP CODE: 23514-3730
(757) 622-6591
FAX: (757) 622-6832

C. W. BRADSHAW, PRESIDENT

FEBRUARY 7, 2001

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT C. W. BRADSHAW, PRESIDENT OF
WEAVER FERTILIZER COMPANY, INC., HAS AUTHORITY BY ORDER
OF THE BOARD OF DIRECTORS TO SIGN LEGAL DOCUMENTS FOR
THE COMPANY TO INCLUDE, BUT NOT LIMITED TO CHECKS,
ENDORSEMENT OF CHECKS, DEEDS, LEASES, CONTRACTS,
SECURITY AGREEMENTS AND ASSIGNMENTS.

THIS AUTHORITY REMAINS IN EFFECT.

YOURS VERY TRULY,

Jeannette K. Tippett
JEANNETTE K. TIPPETT
CORPORATE SECRETARY

SPECIAL POWER OF ATTORNEY

Application No: _____
Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough): Tax Map Section 62, Parcel 2 at Whitamore Road and Centerville Turnpike, Butts Road Borough
Nature of Use Permit Sought: Conditional Use Permit to construct and operate a golf course and driving range
I/we, am/are: Robert S. Diberardinis
 the applicant for the above referenced application
 the owner of the property described above
I/we do hereby make, constitute, and appoint James R. Bradford

my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: in the case of use permits, to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

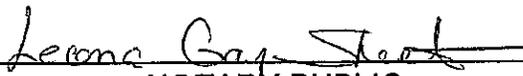
The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the 24th day of January, 2001, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.



Owner* Applicant*

State of VIRGINIA
City of CHESAPEAKE

Subscribed and sworn to before me this 30 day of JANUARY 2001,
by ROBERT S. DIBERARDINIS


NOTARY PUBLIC

My commission expires: July 31, 2003

* If the owner or applicant is a corporation, partnership, or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.

AFFIDAVIT (Continued)

The following is a complete list of those individuals to be the disclosed pursuant to this affidavit:

- Robert S. Diberardinis

whose business address is:

105 Cherry Street
Ithaca, NY 14850

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0610000000950
Name: Edna E. Vanluik
Street: 1102 Centerville Turnpike
City: Chesapeake
State/Zip: VA/23322

Tax Map #: 0610000000730
Name: McGinnis Farms, Inc.
Street: P.O. Box 2666
City: Sanford
State/Zip: NC/27330

Tax Map #: 0610000000951
Name: Ramsgate Corporation
Street: 1401 Precon Drive, Suite 101
City: Chesapeake
State/Zip: VA.23320

Tax Map #: 0610000000731
Name: Radames M. Alvarez
Street: 1000 Centerville Turnpike S.
City: Chesapeake
State/Zip: VA/23322

Tax Map #: 0610000000952
Name: Vepco c/o Real Estate Tax Department
Street: P.O. Box 25459
City: Richmond
State/Zip: VA/23260

Tax Map #: 0610000000732
Name: Centerville Baptist Church
Street: 908 Centerville Turnpike S.
City: Chesapeake
State/Zip: VA/23322

Tax Map #: 0610000000953
Name: The Plantation Shops, Inc.
Street: 1508 Blackboard Drive
City: Chesapeake
State/Zip: VA/23321

Tax Map #: 0610000000650
Name: City of Chesapeake
Street: P.O. Box 15225
City: Chesapeake
State/Zip: VA/23328

Tax Map #: 0610000000970
Name: B.M. Williams
Street: 308 Cedar Lakes Drive
City: Chesapeake
State/Zip: VA/23322

Tax Map #: 0620000000050
Name: Paige F. Custer, et als c/o Bette Grissom
Street: 228 Robert Street
City: Chesapeake
State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0620000000031

Name: Robert G. McDonald, Jr.

Street: 112 Cedar Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000050

Name: Louis F. Knight

Street: 1117 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000010

Name: William R. Stephenson

Street: 1101 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000060

Name: Machael E. Calabreses

Street: 1121 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000020

Name: Joseph L. Locasto

Street: 1105 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000070

Name: Dean Leo Parker

Street: 1125 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000030

Name: James A. Stephenson

Street: 1109 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000080

Name: Benjamin M. Williams, II

Street: 1201 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000040

Name: Michael Corwin

Street: 1113 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000090

Name: R.E. Norfleet, III

Street: 1205 Murray Drive

City: Chesapeake

State/Zip: VA/23322

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: 0613001000100

Name: George R. Arthur, Jr.

Street: 1209 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621004000011

Name: Walter E. Mitchell, Sr.

Street: P.O. Box 1805

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613001000110

Name: Mark R. West

Street: 1213 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0621003000090

Name: Charles Taylor

Street: 1404 Whittamore Road

City: Chesapeake

State/Zip: VA/23322

Tax Map #: 0613002000010

Name: Joseph E. Diaz, Jr.

Street: 1215 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000020

Name: Jerry K. Hensley

Street: 1219 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

Street:

City:

State/Zip:

Tax Map #: 0613002000030

Name: Dennis E. Sears, Jr.

Street: 1301 Murray Drive

City: Chesapeake

State/Zip: VA/23322

Tax Map #:

Name:

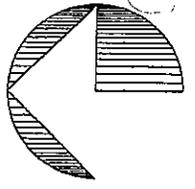
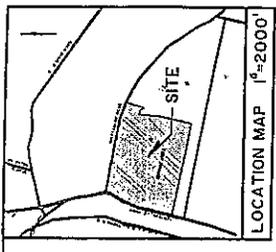
Street:

City:

State/Zip:



FEB 4 2 04 110 02 07



SCALE: 1" = 200'
DATE: JANUARY 31, 2001

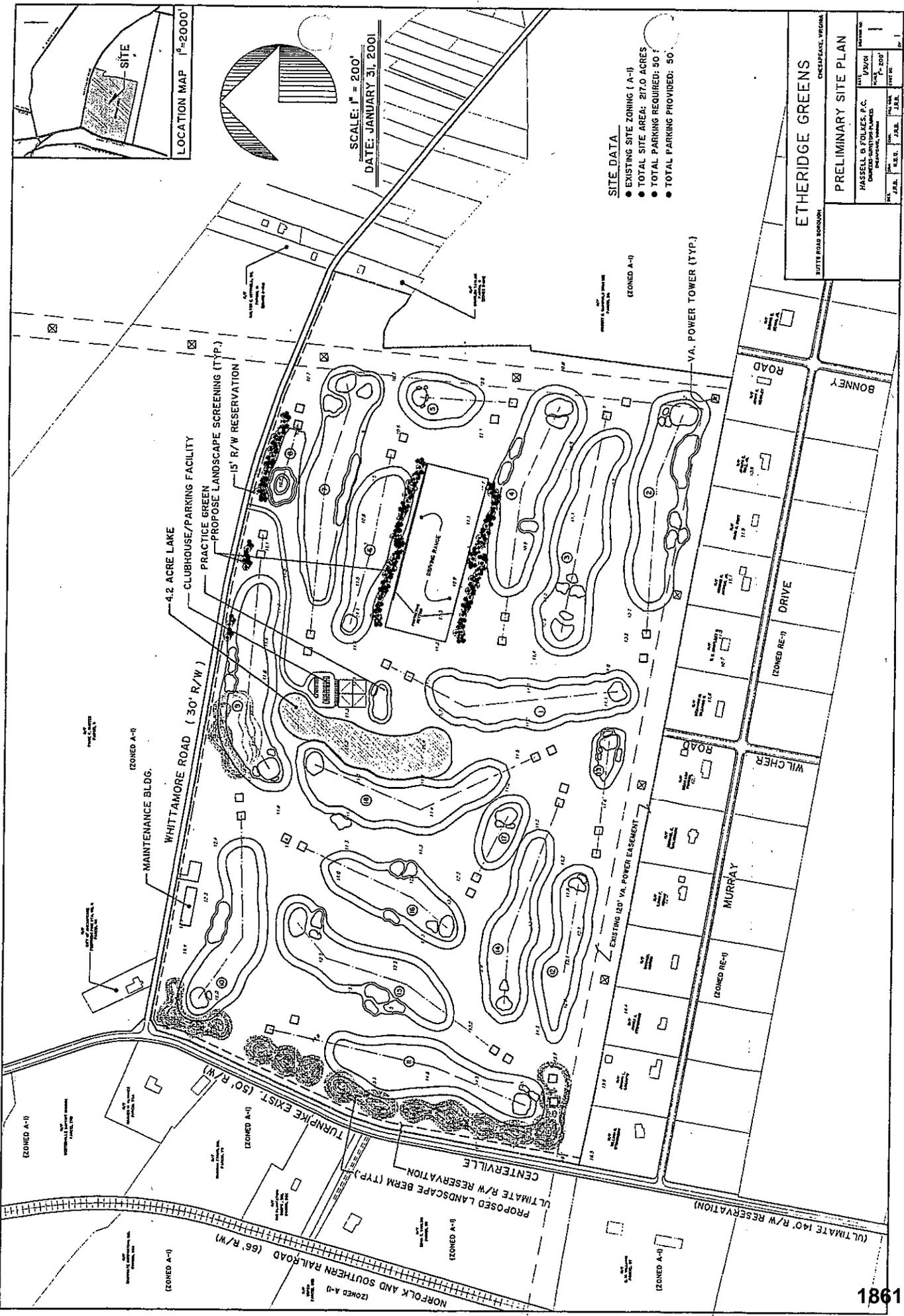
- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50
 - TOTAL PARKING PROVIDED: 50

ETHERIDGE GREENS
SUTTE ROAD SUBDIVISION
CHESTERFIELD, VIRGINIA

PRELIMINARY SITE PLAN

HASSELL & FOLKES, P.C.
LANDSCAPE ARCHITECTS
10000 WOODBURN ROAD
DALLAS, TEXAS 75243

DATE: 1/31/01
BY: J.F.B.
CHECKED: J.F.B.
SCALE: 1/8" = 100'



FEB 12 01 UP 01 03

FOR PLANNING DEPARTMENT USE ONLY

DATE APPLICATION FILED: _____ **February 12, 2001**

APPLICATION #: _____ **UP-01-03**

AMOUNT OF APPLICATION FEE PAID: _____ **\$225.00**

PIV NUMBER: _____ **194490**

DATE APPLICATION DETERMINED TO BE COMPLETE: _____ **February 14 2001**

APPLICATION REVIEWED/ACCEPTED BY: _____ **Gary Pusey**

PLANNING COMMISSION ACTION:

DATE OF PUBLIC HEARING: _____

ACTION: _____

Dorothy M. Kowalsky, Recording Secretary

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: _____

ACTION: _____

Dolores A. Moore, CMC/AE, City Clerk

[Handwritten signature]
Gary

PUBLIC HEARING APPLICATION CHECKLIST

APPLICATION #: FEB 12 01 UP 01 03

- Application Fee \$ 225⁰⁰ PIV # 194-490
- O.A. stamps application number & date on:
 - Original Application & 3 copies
 - 30 Site Plans (folded or legal size) with vicinity map
 - 4 1/2 Site Plans reduced to 11 x 17 (folded to 8 1/2 x 11)
 - 4 Site Plans reduced to 8 1/2 x 11
 - Adjacent Property Owners List
 - Stamped Envelopes (except for Street Closures)
 - Title Report (2 copies)

	<u>REZONING</u>	<u>USE PERMIT</u>	<u>PUD</u>	<u>ST.C</u>
Affidavit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Power of Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Proffer Statement	<input type="checkbox"/>			
Street Closure Agreement				<input type="checkbox"/>

- Forwarded to Dorothy for assignment to a planner: _____
- Planner reviews application & writes legal. Returns file to O.A. on _____
- O.A. creates files: Master file - pressboard folder
Planner file - manila folder
- DTFPD entry completed by MF on 2-16-01
- O.A. forwards application package to Plat Committee O.A. on _____
- O.A. prepares & distributes Plat Committee memo on _____

USE PERMIT LEGAL DESCRIPTION FORM

PLANNER: GARY

TARGET AGENDA DATE: April 11, 2001

APPLICATION #: FEB 12 01 UP 01 03

PROJECT NAME: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell + Folkes, P.C.

PROPOSAL: ~~REZ~~ Conditional use permit to construct and operate a golf course, golf driving range and related facilities on a ± 217 acre site

ZONE: A-1 Agricultural District SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike and Whittamore Road

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road South Norfolk
 Deep Creek Washington
 Pleasant Grove Western Branch

PLAT COMMITTEE DISTRIBUTION:

- | | |
|--|---|
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Public Utilities | <input type="checkbox"/> Code Enforcement |
| <input type="checkbox"/> School Administration | <input type="checkbox"/> Library |
| <input type="checkbox"/> Parks & Recreation | <input type="checkbox"/> Police |
| <input type="checkbox"/> CBPA | <input type="checkbox"/> Deputy City Attorney |
| <input type="checkbox"/> Environmental | <input type="checkbox"/> Economic Development |
| <input type="checkbox"/> Fire Prevention | |

February 6, 2001

HASSELL & FOLKES
325 VOLVO PKWY
CHESAPEAKE, VA 23320
ATTN: JIM BRADFORD

Chesapeake:
524 Albemarle Dr.
Chesapeake, VA 23320
(757) 547-9330
Fax 436-3908

Our Reference Number: 80094V

FEB 12 01 UP 01 03

Norfolk:
808 Crestar Bldg.
500 East Main St.
Norfolk, VA 23510
(757) 623-1996
Fax 623-1144

Please be advised that Pioneer Title is has started the title examination on the 215 acres located at the intersection of Centerville Turnpike and Whittemore Road in Chesapeake, currently owned by Weaver Fertilizer Co., Inc. The search is being done at the request of Bobby DiBerardinis.

Should you have any questions please do not hesitate to contact me at our Virginia Beach office.

Peninsula:
49 West Queens Way
Suite B
Hampton, VA 23669
(757) 623-1996
Fax 623-1144

Sincerely,

Pioneer Title

North Carolina customers
please call:
Elizabeth City 335-2498
Manteo 473-1868
Fax 1-800-526-3329


Robert G. Hofheimer Jr.

hg
cc: Bobby DiBerardinis



Hassell & Folkes, P.C.
Engineers Surveyors Planners



S. Grey Folkes, Jr., P.E.
Leigh Anne Folkes, P.E.
Wymer W. Manning, III, P.E.
John A. O'Connor, P.E.
Christopher D. Capozzi, L.S.

February 12, 2001

Ray Hassell III, L.S.
(1932-1984)
Stradford G. Folkes, P.E.
Consultant

Brent Nielson
Director of Planning
DEPARTMENT OF PLANNING
City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

RE: ETHERIDGE GREENS

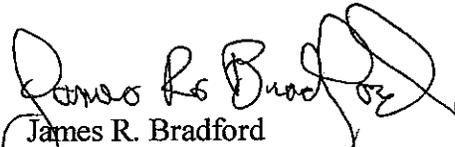
Dear Mr. Nielson: FEB 12 01 UP 01 03

Please find attached a completed conditional use permit application package for the referenced proposal as well as a filing fee check in the amount of \$225.00.

Trusting this submittal is as you require, I remain,

Very truly yours,

HASSELL & FOLKES, P.C.


James R. Bradford

JRB/kb

Attachments

USE PERMIT APPLICATION WORKSHEET

APPLICATION #: FEB 12 01 UP 01 03

YES NO

GENERAL INFORMATION:

- 1. The applicant's name, address, phone number, etc & interest in subject property.
- 2. The agent's name, agency, address and phone number, etc.
- 3. The owner's name, address and phone number, etc.
- 4. Is the owner different from the applicant?
 - Is an agent representing the applicant?
 - Is an agent representing the owner?
 - If yes to any of the above, is a Special Power of Attorney completed, signed and notarized in all cases?
- 5. Is the affidavit complete, signed, and notarized?
 - Does it list names and addresses provided as required by the affidavit.
- 6. Is there a listing of the adjacent property owners with addresses and 13-digit tax map number?
 - Stamped envelopes with postage?
- 7. Page 2: Have the declarations by the applicant regarding City Council/ Planning Commission interest in the property, the truth of all statements, assumption of financial responsibility for the advertising costs and consent to agents of the City of Chesapeake entry onto subject property been signed?
- 8. Does the original application have an original signature?

DESCRIPTION OF PROPERTY:

- 1. 13-digit tax map number(s) correct?
- 2. Does it have a street address or common description?
- 3. Borough?
- 4. Legal description of property?
- 5. Physical description of property?
- 6. Zoning Information:
 - Zoning Sheet?
 - Current zoning classification?
 - Proposed zoning classification?
 - Overlay district? If in TCOD, notify Angelita.
 - Adjacent property zoning & uses?

N/A
Featress Overlay District

USE PERMIT APPLICATION WORKSHEET (continued)

YES NO

- 7. Land Use Designation?
- 8. SIC code?
- 7. Planning area?
- 9. Census tract?
- 10. Statistical area?
- 11. Is property subject to a conditional rezoning application?

If yes, rezoning application number is R(C) - ____ - ____.

- 12. Is property in CBPA?

N/A If yes, is an Environmental Site Assessment and Landscape Plan attached to the application?

DESCRIPTION OF PROPOSED USE:

Are questions listed below completed?

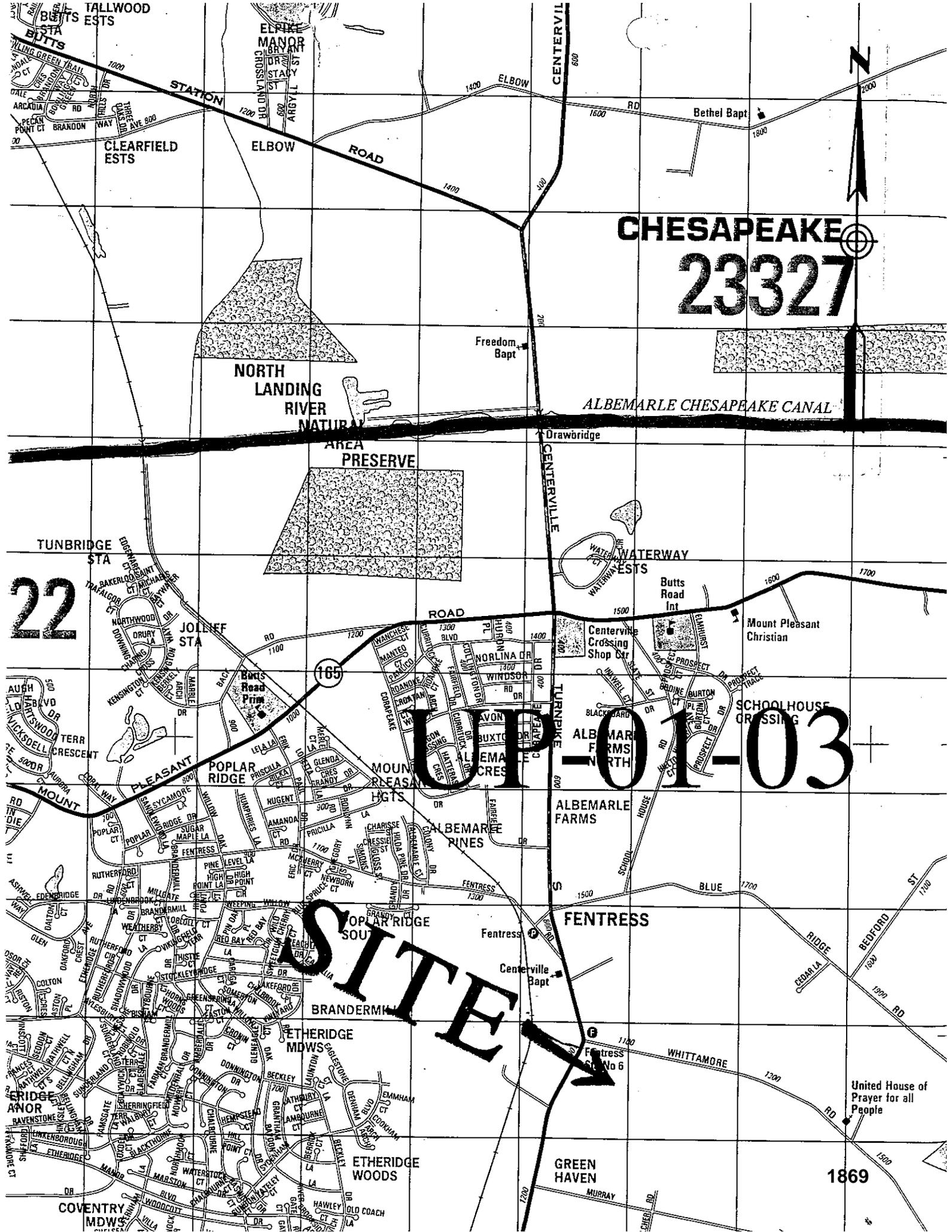
- 1. Nature of proposed use?
- 2. Detailed description of proposed use?
- 3. Development & use impact on neighboring property?
- 4. Potential adverse effects?
- 5. Special conditions?
- 6. Consistent with Comprehensive Plan?
- 7. For all applications which could result in more than 100 VPD or 1% of existing traffic on adjacent roadways (excluding churches)
- 8. Traffic ingress/egress?
- 9. Traffic routes?
- 10. Drainage impact assessment?
- 11. Description of water & sewer demands?
- 12. Water & sewer info?
- 13. Conceptual plan?
- 14. Adequate water & sewer existing or can be provided?
- 15. Septic tanks and/or private wells proposed?
- 16. Common ownership?
- 17. Is the application subject to a special exception or P.U.D. deviation?

N/A If yes, has an application been submitted? #: ____ - ____ - ____

MAP REQUIREMENTS:

- Does site plan depict all necessary information?

N/A **IS THIS APPLICATION COMPLETE?**



CHESAPEAKE
23327

22

UP-01-03

SITES

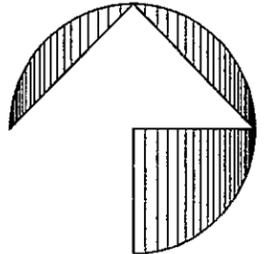
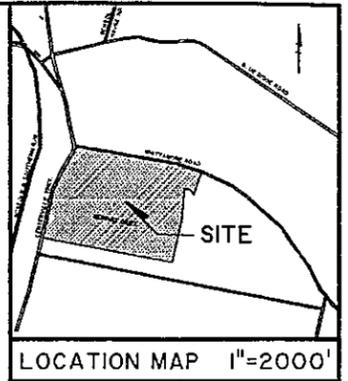
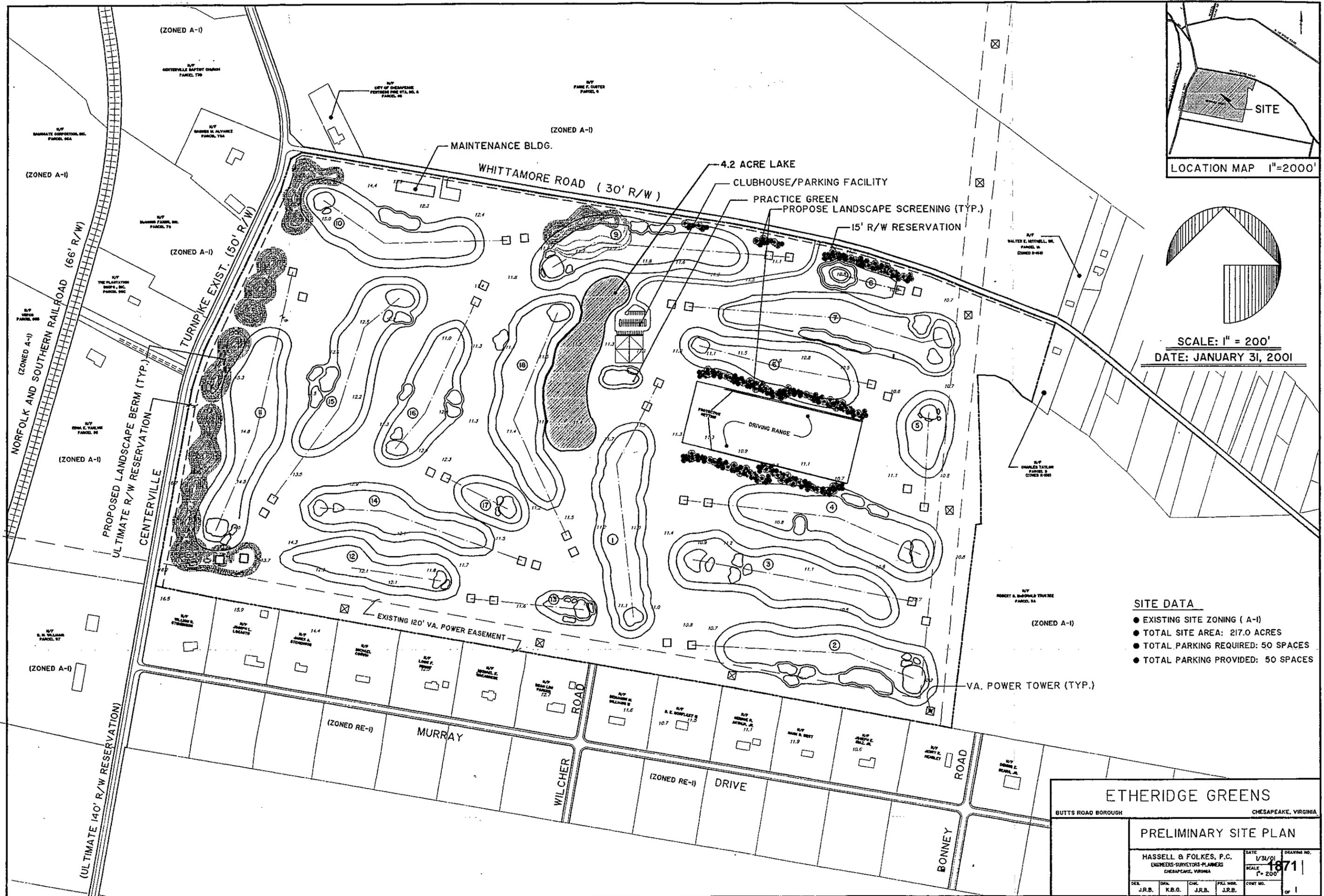
1869



FEB 12 01

UP

01 07



SCALE: 1" = 200'
DATE: JANUARY 31, 2001

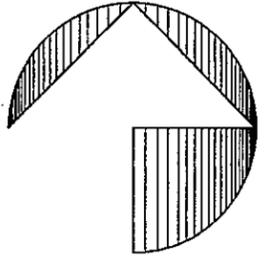
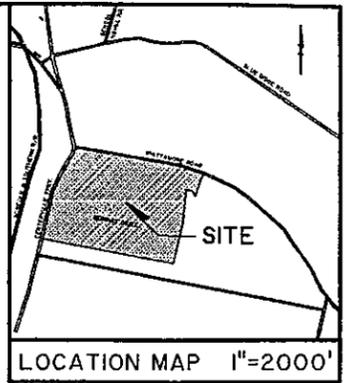
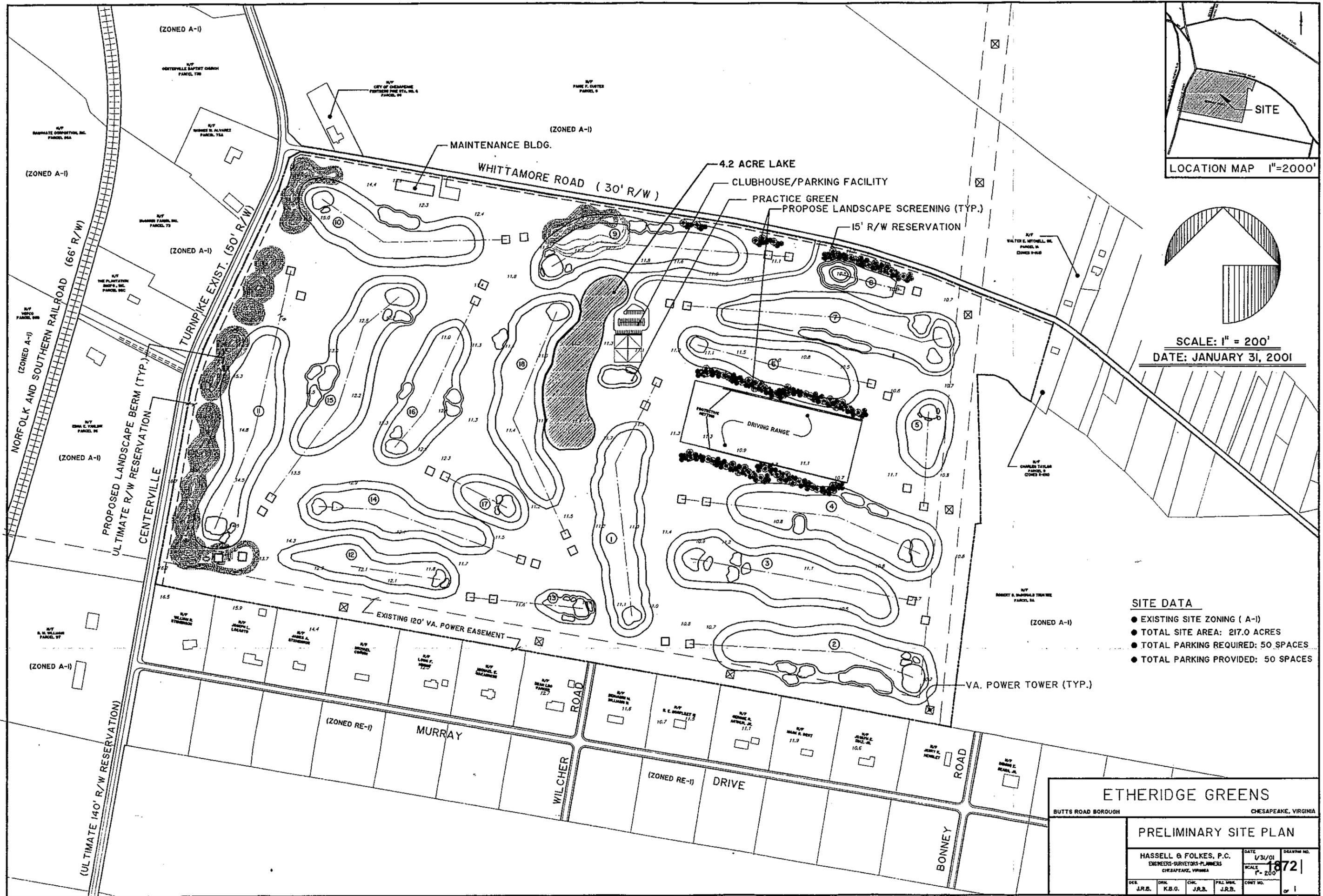
- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50 SPACES
 - TOTAL PARKING PROVIDED: 50 SPACES

ETHERIDGE GREENS
BUTTS ROAD BOROUGH CHESAPEAKE, VIRGINIA

PRELIMINARY SITE PLAN

HASSELL & FOLKES, P.C. ENGINEERS-SURVEYORS-PLANNERS CHESAPEAKE, VIRGINIA		DATE 1/31/01	DRAWING NO. 1871
DES. J.R.B.	DRAW. K.B.G.	CHEK. J.R.B.	PLT. MGR. J.R.B.
CONT. NO.		OF 1	

FEB 12 01 UP 01 03

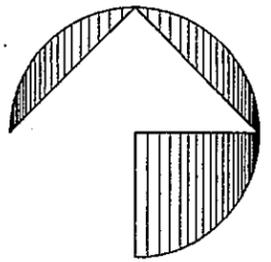
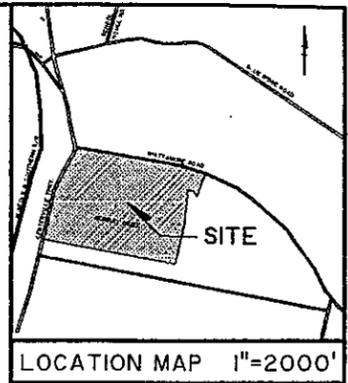
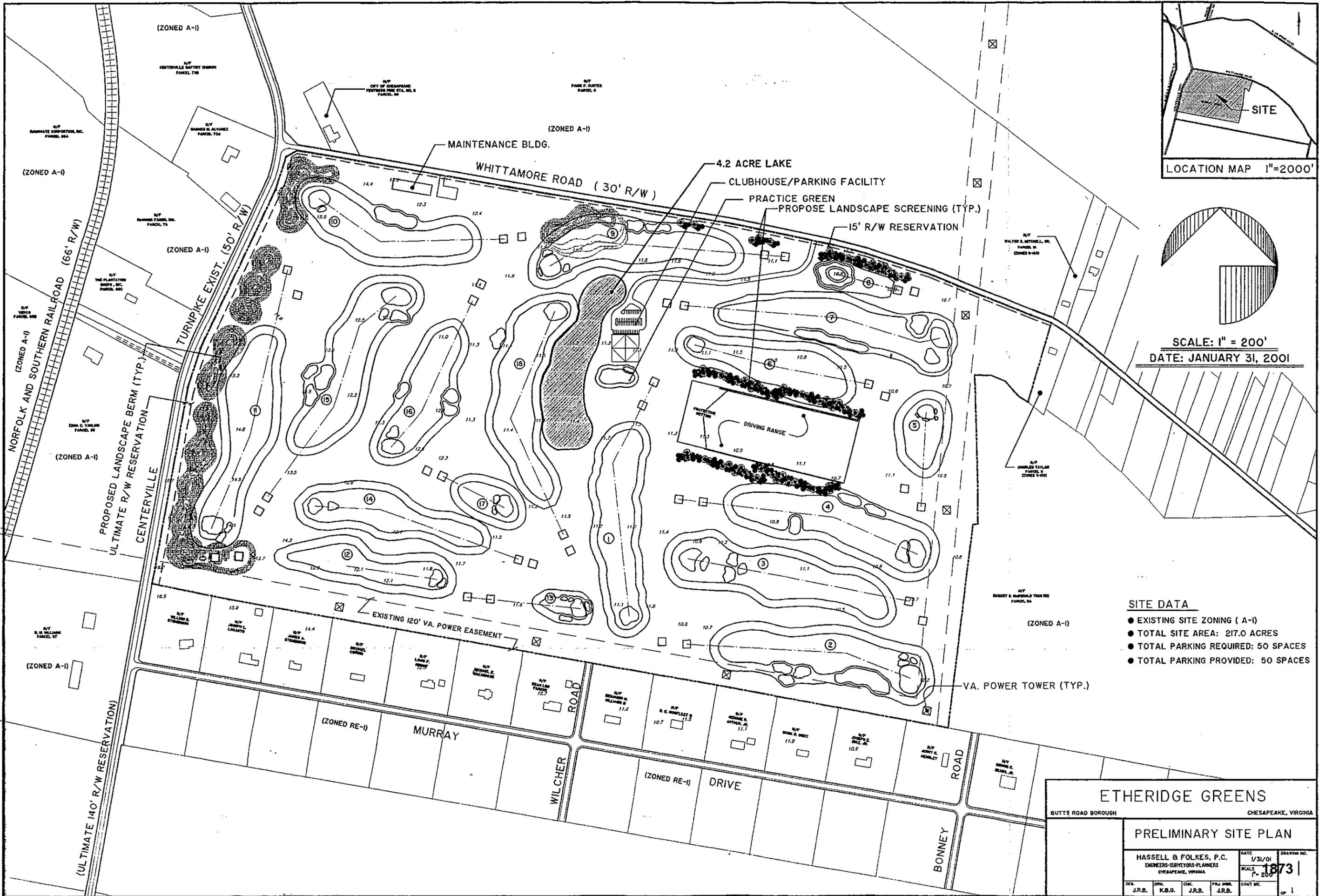


SCALE: 1" = 200'
DATE: JANUARY 31, 2001

- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50 SPACES
 - TOTAL PARKING PROVIDED: 50 SPACES

ETHERIDGE GREENS		CHESAPEAKE, VIRGINIA	
BUTTS ROAD BOROUGH			
PRELIMINARY SITE PLAN			
HASSELL & FOLKES, P.C. ENGINEERS-SURVEYORS-PLANNERS CHESAPEAKE, VIRGINIA		DATE: 1/31/01	DRAWING NO.: 1872
DES. J.R.B.	DRN. K.B.G.	CHK. J.R.B.	PRJ. MGR. J.R.B.
CONT. NO.	OF 1		

FEB 12 01 10:03 AM



SCALE: 1" = 200'
DATE: JANUARY 31, 2001

- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50 SPACES
 - TOTAL PARKING PROVIDED: 50 SPACES

ETHERIDGE GREENS
BUTTS ROAD BOROUGH CHESAPEAKE, VIRGINIA

PRELIMINARY SITE PLAN

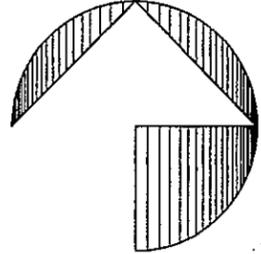
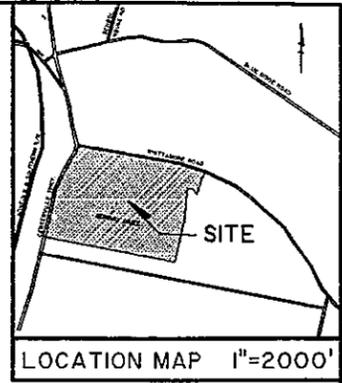
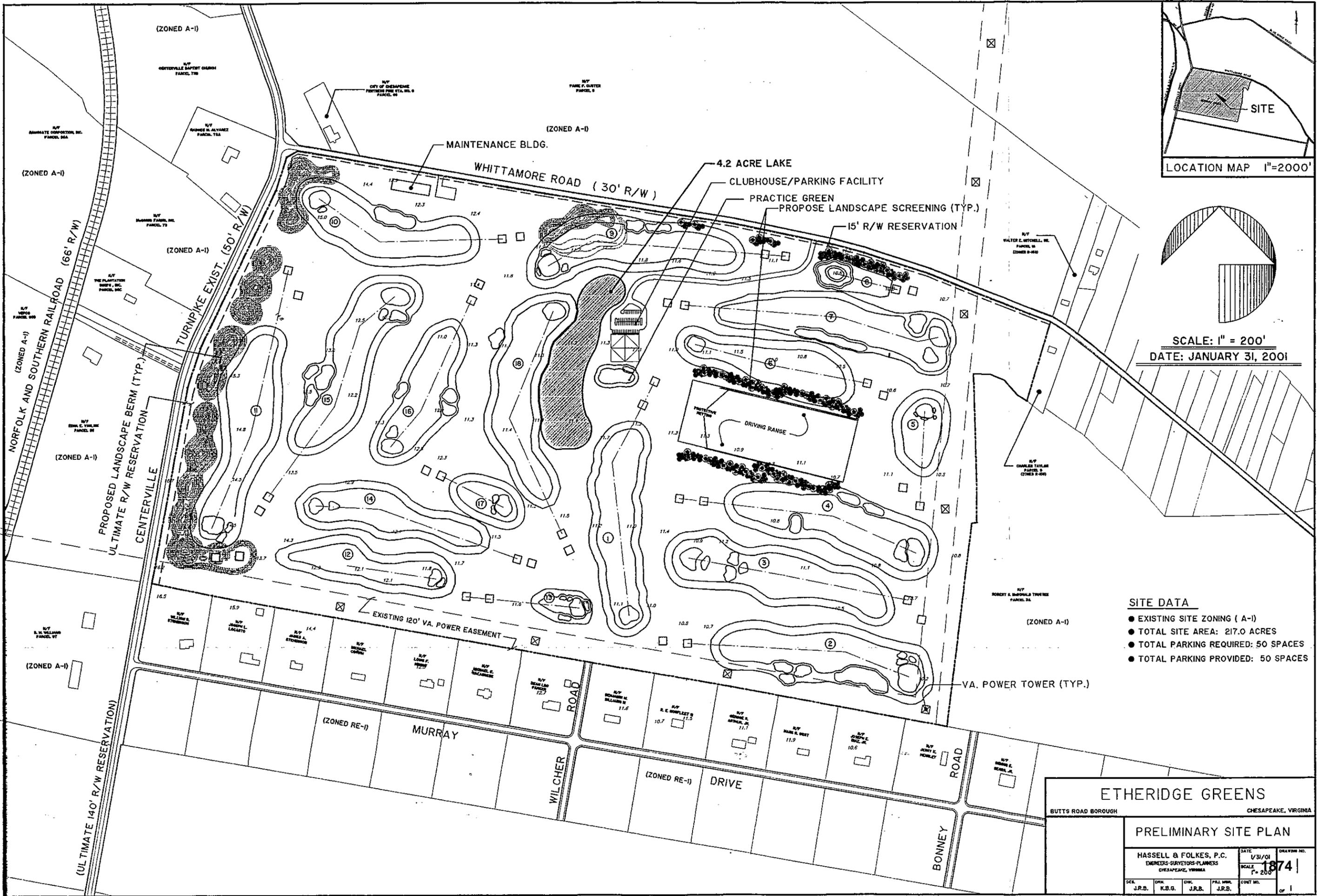
HASSELL & FOLKES, P.C.
ENGINEERS-SURVEYORS-PLANNERS
CHESAPEAKE, VIRGINIA

DATE: 1/31/01
SCALE: 1" = 200'

DRAWING NO. 1873

DES. J.R.B.	CHK. K.B.G.	CHK. J.R.B.	PRJ. MGR. J.R.B.	CONT. NO. 1
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FEB 12 01 1P 01 03

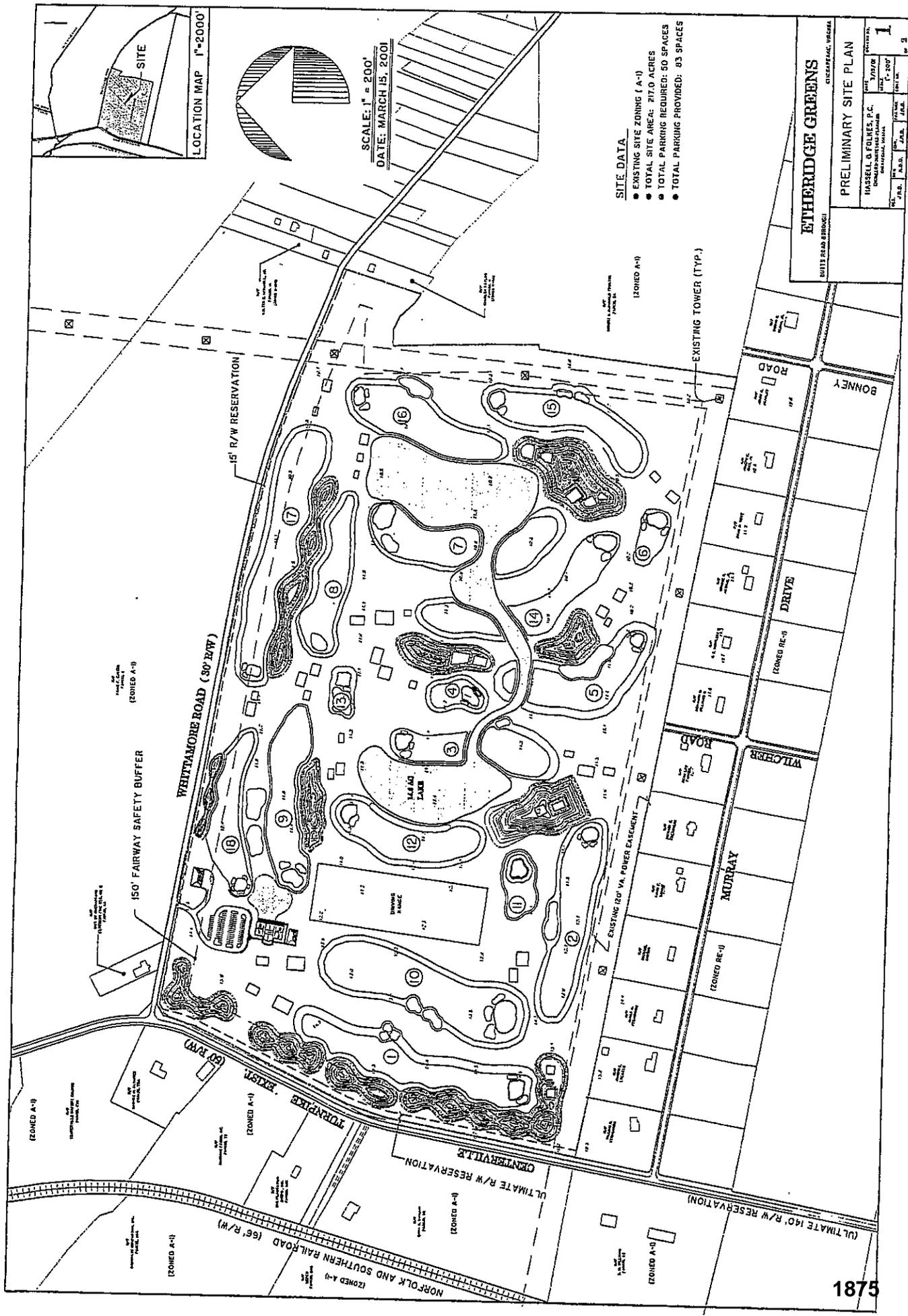


SCALE: 1" = 200'
DATE: JANUARY 31, 2001

- SITE DATA**
- EXISTING SITE ZONING (A-1)
 - TOTAL SITE AREA: 217.0 ACRES
 - TOTAL PARKING REQUIRED: 50 SPACES
 - TOTAL PARKING PROVIDED: 50 SPACES

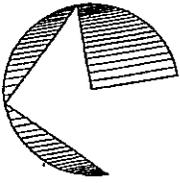
ETHERIDGE GREENS		CHESAPEAKE, VIRGINIA	
BUTTS ROAD BOROUGH			
PRELIMINARY SITE PLAN			
HASSELL & FOLKES, P.C. ENGINEERS-SURVEYORS-PLANNERS CHESAPEAKE, VIRGINIA		DATE: 1/31/01	DRAWING NO. 1874
SCALE: 1" = 200'			
DCR: J.R.B.	CHK: K.B.G.	PRJ. MGR: J.R.B.	CONT. NO. 1 OF 1

FEB 12 01 UP 01 03



REVISED MARCH 19, 2001 **UP-01-03**

REVISED MAR 19 01 67 01 03

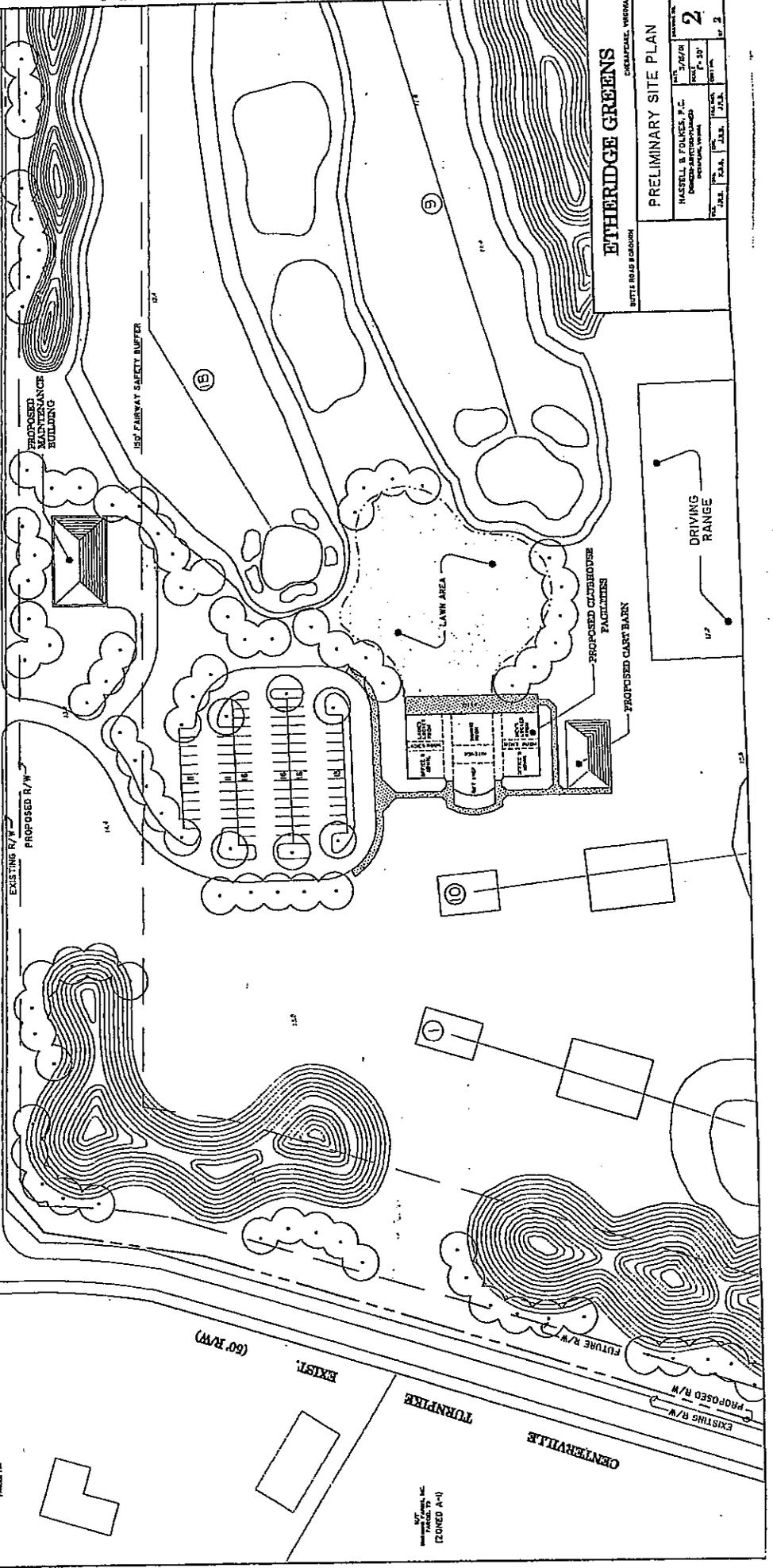


SCALE: 1" = 50'
DATE: MARCH 15, 2001

BY
JAMES S. POLLOCK
(ZONED A-1)

(30' R/W)

WESTMORE ROAD

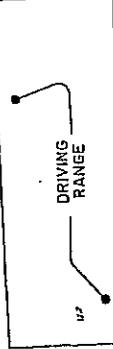


ETHERIDGE GREENS
COLUMBIAN, WISCONSIN

PRELIMINARY SITE PLAN

DATE: 3/15/01	SCALE: 1" = 50'	PROJECT NO. 2
DESIGNED BY: J.S.P.	CHECKED BY: J.S.P.	DATE: 3/15/01
DRAWN BY: J.S.P.	DATE: 3/15/01	BY: J.S.P.

BY
JAMES S. POLLOCK, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF WISCONSIN



CITY OF WESTMORE
FOR THE YEAR 2001, P. 10

BY
JAMES S. POLLOCK
(ZONED A-1)

BY
JAMES S. POLLOCK
PROJECT 174

BY
JAMES S. POLLOCK
(ZONED A-1)

UP-01-03

CHESAPEAKE PLANNING DEPARTMENT
P. O. BOX 15225
CHESAPEAKE, VIRGINIA 23328

City of Chesapeake
P. O. Box 15225
Chesapeake, VA 23328



March 30, 2001

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

UP-01-03

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: Conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road.

TAX MAP SECTION/PARCEL: 0620000000020

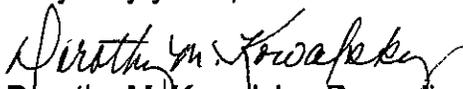
BOROUGH: Butts Road

Dear Citizen:

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 Planning Commission at its meeting to be held on **April 11, 2001** at 7:00 p.m. in the City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

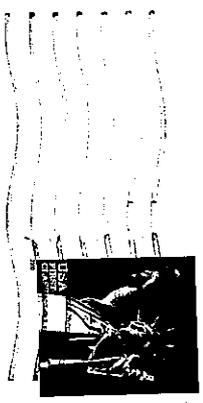
Copies of the application and supporting material may be viewed in the Chesapeake Planning Department at any time during normal business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. Recipients may contact the Planning Department at 382-6176 prior to the public hearing to inquire as to the status of the proposed application. Upon Planning Commission action of either approval or denial, this item shall be heard by the City Council the following month on the third Tuesday at 6:30 p.m. in the Council Chambers, unless otherwise announced at the Planning Commission meeting.

Very truly yours,



Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION
DMK:mye

CHESAPEAKE PLANNING DEPARTMENT
P. O. BOX 15225
CHESAPEAKE, VIRGINIA 23328

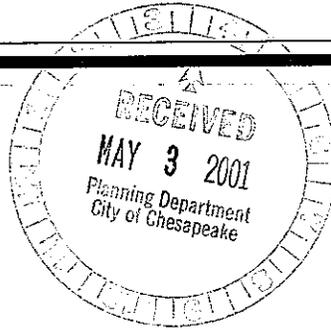


City of Chesapeake
P.O. Box 15225
Chesapeake, VA 23328

A handwritten signature in cursive script, appearing to read "J. Hamner".

23328-15225





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

April 30, 2001

RE: **UP-01-03**

PROJECT: Etheridge Greens

APPLICANT: Robert S. Diberardinis

AGENCY: Hassell & Folkes, P.C.

PROPOSAL: A conditional use permit to construct & operate a golf course, golf driving range & related facilities on a 217± acre site.

ZONE: A-1 Agricultural District

SIC CODE: 7992, 7999

LOCATION: Southeast corner of the intersection of Centerville Turnpike & Whittamore Road. -

TAX MAP SECTION/PARCEL: 0620000000020

BOROUGH: Butts Road

(Continued from April 11, 2001 Public Hearing)

Dear Citizen:

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 Planning Commission at its meeting to be held on **May 9, 2001** at 7:00 p.m. in the City Council Chambers, City Hall Building, 306 Cedar Road, Chesapeake, Virginia.

Copies of the application and supporting material may be viewed in the Chesapeake Planning Department at any time during normal business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. Recipients may contact the Planning Department at 382-6176 prior to the public hearing to inquire as to the status of the proposed application. Upon Planning Commission action of either approval or denial, this item shall be heard by the City Council the following month on the third Tuesday at 6:30 p.m. in the Council Chambers, unless otherwise announced at the Planning Commission meeting.

Very truly yours,

A handwritten signature in cursive script that reads "Dorothy M. Kowalsky".

Dorothy M. Kowalsky, Recording Secretary
CHESAPEAKE PLANNING COMMISSION

DMK:ncm

