APPLICATION SUMMARY

UP-13-19 Greenbrier Farms Special Events

LOCATION: 225 Sign Pine Road

PROPOSAL: A conditional use permit to allow more than four special events in one year.

SUBMITTED: 8-29-13  ACCEPTED: 11-25-13

STAFF RECOMMENDATION

Approval with an alternative parking surface and stipulations

PLANNING COMMISSION

HEARING DATES: 6-11-14, 7-9-14, 8-13-14

RECOMMENDATION: APPROVAL with an alternative parking surface and with stipulations

VOTE: 6 - 2

ATTACHMENTS

Draft Minutes, Staff Reports, Site Plan, Aerial, GIS Parcel Exhibit
APPLICATION SUMMARY

UP-13-19 Greenbrier Farms Special Events

APPLICANT: Kent Basnight
225 Sign Pine Road
Chesapeake, VA  23322
430-9617
kent@basnightlandandlaw.com

OWNER: Greenbrier Farms, LTD
Attn: Henry Thrasher
1105 Madison Plaza, Suite 110
Chesapeake, VA  23320
547-5115
Email address not provided

Members:
Catherine C. Thrasher Revocable Trust
Ann T. Thiel
Fred L. Thrasher, Sr. Family Trust
Barbara P. Thrasher Revocable Living Trust
David Fredd Thrasher
The W. A. Thrasher Family Revocable Living Trust
Randolph Thrasher
William A. Thrasher, II
Lindalyn T. Dentel
Eugene C. Hogge Trust
Alma Lee Hogge Living Trust
Jesusa Hogge
Donna H. Olivenbaum
Linda Lee Wooland
Joseph L. Biagioni
Allen W. Thrasher
Patrick D. Thrasher, MC
Clarke P. Thrasher
Melissa M. Thrasher
John S. Talley
Beverly W. Crisp
Margaret Hines
Edward L. Bennett
Harold Thrasher Family Trust
Henry T. Thrasher
Lee-Hope Thrasher
William S. Thrasher
PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommends that UP-13-19 be APPROVED with an alternative parking surface and the following stipulations: (6-2; Williams/Johnson, Van Laethem, Hutchinson opposed, Small excused)

1. For purposes of these stipulations, an “Event” shall mean an activity on private property that requires a Special Event permit as required by Section 46-14(c) of the Chesapeake City Code, which requires a permit for events or activities that are organized on private property where the total number of people reasonably expected to attend exceeds five hundred (500) or carnivals, bazaars and similar events open to the general public which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions, or live entertainment with amplified sound.

2. The number of events shall be limited to no more than ten (10) per calendar year. This includes four (4) events which are permitted without a conditional use permit pursuant to Chesapeake Zoning Ordinance Section 13-1504 and six (6) additional events which shall be permitted under this conditional use permit, UP-13-19. The applicant/owner agrees that all ten (10) Events allowed per calendar year pursuant to the Zoning Ordinance and this conditional use permit (UP-13-19) shall be governed by these stipulations.

3. The hours of operation for an event shall be limited to the hours between sunrise and sunset for seven (7) events per calendar year. The hours of operation for the remaining three (3) events per calendar year shall be limited to the hours between sunrise and 10 p.m. The hours of operations for each event shall be specified on the Special Event application submitted to the City and shall be reviewed for compliance with this stipulation prior to the granting of the Special Event permit.
4. There shall be no parking, amplified sound or stage placement within three hundred (300) feet from any property used or zoned for residential use on Sign Pine Road.

5. No parking on any public street shall be permitted in connection with an event.

6. The unimproved road directly adjacent to the properties zoned or used for residential dwellings on Sign Pine Road and west of Dr. Eason Road shall not be used for parking or vehicular or motorized traffic during any Event unless such use is deemed necessary because of an emergency condition as determined in the sole discretion of the Fire and/or Police Department.

7. No amplified sound equipment shall be placed the west side of Dr. Eason Road and all amplified sound shall be directed away from properties along Sign Pine Road zoned or used for residential dwellings. All amplified sound shall comply with the City’s noise ordinance.

8. The applicant/owner agrees that organized running and athletics courses and routes shall occur only on the east side of Dr. Eason Road.

9. The applicant/owner shall provide written notification in the form of either email or letter of any upcoming Event to all adjacent property owners. Notification shall be provided in the form of a mailed letter unless the adjacent property owner elects to receive said notice by email which shall be evidenced by a writing confirming the election of that form of notice signed by the adjacent property owner. All notification, whether it is provided by letter or email, shall be mailed or emailed at least fourteen (14) days prior to the event and shall include the name of the event, a brief description of the event, and the date and hours of operation for the event. For purposes of this stipulation, adjacent properties shall include all residential properties that are either contiguous or separated only by a public right-of-way. A copy of the written notification shall be provided to the City of Chesapeake Zoning Administration.

10. The applicant/owner agrees to install and maintain an area of gravel extending from Sign Pine Road two hundred (200) feet onto the property to prevent mud and other debris from being tracked onto the public road.

11. The applicant/owner shall comply with all of the conditions necessary for the granting of a Special Event permit under the Chesapeake City Code and Zoning Ordinance, the Fire Code operational permit requirements codified in the Virginia Statewide Fire Prevention Code and all other required Federal, State and local approvals.
12. The applicant/owner shall notify all parties who rent, lease or otherwise enter into a contract to use the property for an event of the aforementioned stipulations. Furthermore, the applicant/owner agrees that each contract or lease shall contain an addendum incorporating these stipulations into the contract or lease.

13. A site plan depicting the event area and 300’ buffer shall be provided prior to any Special Event Permit Applications are submitted to the City of Chesapeake.

Mrs. Hanson read UP-13-19 into the record for Commission review and action.

Staff Presentation:

Mr. Howlett stated that based on sound planning practices, Planning staff recommended that UP-13-19 be APPROVED with an alternative parking surface and the stipulations as listed in the official agenda.

Proponent:

Grady Palmer, Poole Mahoney, PC, 760 Greenbrier Circle, Chesapeake, Virginia, appeared before the Commission on behalf of UP-13-19 representing Greenbrier Farms Special Events.

Kent Basnight, Manager of Greenbrier Farms, 225 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission on behalf of UP-13-19 representing Greenbrier Farms Special Events.

Don Coberay, 3116 Manatee Drive, Virginia Beach, Virginia, appeared before the Commission on behalf of UP-13-19 representing Ride to a Wish Foundation.

Opponent:

Don Whitlow, 325 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.

Cheryl Hamm, 401 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing herself.

Daniel Hamm, 401 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.

Jenny Hart, 218 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing herself.

Michael Hart, 218 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.
Kathleen Pregitzer, 632 Benefit Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing herself.

Anthony Orlando, 409 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.

Ken Simmons, 352 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.

John Peck, 300 Sign Pine Road, Chesapeake, Virginia, appeared before the Commission in opposition to UP-13-19 representing himself.

Those who spoke in opposition were concerned about the dirt road used to park vehicles (in excess of 1800) which was directly behind their homes. They were opposed to having more than four events per year. The potential glare from lighting night events needed to be addressed. The residential buffer should be increased from 300 to 600 feet. Notification needed to be extended to residents on Benefit Road when an event would take place, and stated that this was a significant impact on the surrounding neighborhood and that it took away their peace and tranquility.

**COMMISSION DISCUSSION:**

Commissioner Williams stated the City as a whole needed this application. He said the applicant was entitled to have four events from sunrise to 10 p.m., without any restrictions, as long as it was approved by the Parks & Recreation Tourism Department. He said this application was requesting six additional events with time restrictions. He stated there was not a lot of traffic control currently, as it was right now. He said the way it would be set up with this application would include traffic control and have a plan that would have to be approved before any event took place. This application could use more work but it was time to send this application to City Council with the provisions, stipulations, and safeguards that had been added.

**COMMISSION VOTE:**

Commissioner Williams moved that UP-13-19 be **APPROVED** with the stipulations as listed in the official agenda and as recommended by staff. Commissioner Johnson seconded the motion. The motion was carried by a vote of 6 - 2. Commissioners Van Laethem and Hutchinson voted against the motion. Commissioner Small was excused.
TO: CHESAPEAKE PLANNING COMMISSIONFRS
FROM: MILISSA L. STORY, SENIOR PLANNER
THROUGH: JALEH M. SHEA, AICP, PLANNING DIRECTOR
DATE: AUGUST 12, 2014
RE: UP-13-19
PROJECT: Greenbrier Farms Special Events
APPLICANT: Kent Basnight
AGENCY: Poole Mahoney PC
PROPOSAL: A Conditional Use Permit to allow more than four special events in one year.
ZONE: A-1, Agricultural District and RE-1, Residential Estate District
LOCATION: 225 Sign Pine Road
TAX MAP SECTION/PARCELS: 0850000000182, 0850000000213, 0850000000214, 0850000000215, 0850000000970
BOROUGH: Pleasant Grove
(Continued from the July 9, 2014 Public Hearing)

PROJECT DESCRIPTION:
The applicant seeks approval of a Conditional Use Permit to allow more than four special events to be held on the subject site over a one year period and approval of an alternative parking surface for the parking lot. If approved, the applicant would promote and conduct sporting events. Each event must first obtain a Special Events Permit from the Parks, Recreation and Tourism Department. During the review of the Special Events Application, the Parks, Recreation and Tourism, Fire, Police and Zoning Departments all review the application to ensure adequate facilities are in place to safely handle the anticipated crowds and to plan for the event. A Fire Code Operational Permit is required as part of this process for any event that will have more than five hundred persons and/or is open to the public, charges admission, or is outside the general scope of a presently issued Fire Code Operational Permit. Additionally, if the event involves the sale of food or alcoholic beverages, the Virginia Department of Health, Virginia Alcoholic Beverage Control Board and the City of Chesapeake's
Commission of the Revenue and Fire Department review the application and ensure the proper permits are issues, business licenses are current and safe handling practices are being followed.

**UPDATE:**

For clarification purposes, staff has revised stipulation #1 and removed the portion of the sentence that reads as follows: "carnivals, bazaars and similar events open to the general public which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions, or live entertainment with amplified sound." These uses will require a "Special Event Permit". In addition, staff added wording to stipulation #5 that allows the dirt road behind the homes along Sign Pine Road to be used in cases of emergency as determined by either the Chesapeake Police or Fire Departments. Otherwise, this dirt road will not be allow to be used for parking or vehicular or motorized traffic during any event. All other stipulations, as well as staff's recommendation for approval, remain unchanged.

**STAFF RECOMMENDATION:**

Based on the findings contained in the staff report dated June 5, 2014, staff recommends that **UP-13-19** be **APPROVED** with an alternative parking surface and the following stipulations:

1. For purposes of these stipulations, an “Event” shall mean an activity on private property that requires a Special Event permit as required by Section 46-14(c) of the Chesapeake City Code, which requires a permit for events or activities that are organized on private property where the total number of people reasonably expected to attend exceeds five hundred (500) or carnivals, bazaars and similar events open to the general public which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions, or live entertainment with amplified sound.

2. The number of events shall be limited to no more than ten (10) per calendar year. This includes four (4) events which are permitted without a conditional use permit pursuant to Chesapeake Zoning Ordinance Section 13-1504 and six (6) additional events which shall be permitted under this conditional use permit, UP-13-19. The applicant/owner agrees that all ten (10) Events allowed per calendar year pursuant to the Zoning Ordinance and this conditional use permit (UP-13-19) shall be governed by these stipulations.

3. The hours of operation for an event shall be limited to the hours between sunrise and sunset for seven (7) events per calendar year. The hours of operation for the remaining three (3) events per calendar year shall be limited to the hours between sunrise and 10 p.m. The hours of operations for each event shall be specified on the Special Event application submitted to the City and shall be reviewed for compliance with this stipulation prior to the granting of the Special Event permit.
4. There shall be no parking, amplified sound or stage placement within three hundred (300) feet from any property used or zoned for residential use on Sign Pine Road.

5. No parking on any public street shall be permitted in connection with an event.

6. The unimproved road directly adjacent to the properties zoned or used for residential dwellings on Sign Pine Road and west of Dr. Eason Road shall not be used for parking or vehicular or motorized traffic during any Event unless such use is deemed necessary because of an emergency condition as determined in the sole discretion of the Fire and/or Police Department.

7. No amplified sound equipment shall be placed the west side of Dr. Eason Road and all amplified sound shall be directed away from properties along Sign Pine Road zoned or used for residential dwellings. All amplified sound shall comply with the City’s noise ordinance.

8. The applicant/owner agrees that organized running and athletics courses and routes shall occur only on the east side of Dr. Eason Road.

9. The applicant/owner shall provide written notification in the form of either email or letter of any upcoming Event to all adjacent property owners. Notification shall be provided in the form of a mailed letter unless the adjacent property owner elects to receive said notice by email which shall be evidenced by a writing confirming the election of that form of notice signed by the adjacent property owner. All notification, whether it is provided by letter or email, shall be mailed or emailed at least fourteen (14) days prior to the event and shall include the name of the event, a brief description of the event, and the date and hours of operation for the event. For purposes of this stipulation, adjacent properties shall include all residential properties that are either contiguous or separated only by a public right-of-way. A copy of the written notification shall be provided to the City of Chesapeake Zoning Administration.

10. The applicant/owner agrees to install and maintain an area of gravel extending from Sign Pine Road two hundred (200) feet onto the property to prevent mud and other debris from being tracked onto the public road.

11. The applicant/owner shall comply with all of the conditions necessary for the granting of a Special Event permit under the Chesapeake City Code and Zoning Ordinance, the Fire Code operational permit requirements codified in the Virginia Statewide Fire Prevention Code and all other required Federal, State and local approvals.
12. The applicant/owner shall notify all parties who rent, lease or otherwise enter into a contract to use the property for an event of the aforementioned stipulations. Furthermore, the applicant/owner agrees that each contract or lease shall contain an addendum incorporating these stipulations into the contract or lease.

13. A site plan depicting the event area and 300' buffer shall be provided prior to any Special Event Permit Applications are submitted to the City of Chesapeake.

MS: bh
cc: Tim Howlett, Current Planning Administrator
TO: CHESAPEAKE PLANNING COMMISSIONERS
FROM: MILISSA L. STORY, SENIOR PLANNER
THROUGH: JALEH M. SHEA, AICP, PLANNING DIRECTOR
DATE: JULY 31, 2014
RE: UP-13-19
PROJECT: Greenbrier Farms Special Events
APPLICANT: Kent Basnight
AGENCY: Poole Mahoney PC
PROPOSAL: A Conditional Use Permit to allow more than four special events in one year.
ZONE: A-1, Agricultural District and RE-1, Residential Estate District
LOCATION: 225 Sign Pine Road
TAX MAP SECTION/PARCELS: 0850000000182, 0850000000213, 085000000214, 0850000000215, 0850000000970
BOROUGH: Pleasant Grove
(Continued from the July 9, 2014 Public Hearing)

PROJECT DESCRIPTION:
The applicant seeks approval of a Conditional Use Permit to allow more than four special events to be held on the subject site over a one year period and approval of an alternative parking surface for the parking lot. If approved, the applicant would promote and conduct sporting events. Each event must first obtain a Special Events Permit from the Parks, Recreation and Tourism Department. During the review of the Special Events Application, the Parks, Recreation and Tourism, Fire, Police and Zoning Departments all review the application to ensure adequate facilities are in place to safely handle the anticipated crowds and to plan for the event. A Fire Code Operational Permit is required as part of this process for any event that will have more than five hundred persons and/or is open to the public, charges admission, or is outside the general scope of a presently issued Fire Code Operational Permit. Additionally, if the event involves the sale of food or alcoholic beverages, the Virginia Department of Health, Virginia Alcoholic Beverage Control Board and the City of Chesapeake's
Commission of the Revenue and Fire Department review the application and ensure the proper permits are issues, business licenses are current and safe handling practices are being followed.

UPDATE:
Staff has conducted additional analysis to address concerns raised at the July 9, 2014, Planning Commission public hearing. Staff from the Planning, Fire, Police, Development and Permits, and Parks and Recreation met to discuss how these concerns could be met and to further discuss the Special Events Permit application process for each event to be held at the subject property.

Staff agreed that the term “event” for the purposes of this application will be defined as “any event that is open to the public, and/or has 500 or more participants, and/or has concessions or vendors.” Any event meeting the above criteria must also be operated in accordance with Section 13-1504 of the City of Chesapeake Zoning Ordinance, and such events shall comply with Section 46-14 of the City Code, governing outdoor meetings; and, with any other applicable provisions of the City Code. These Code references are attached to the report.

The following are stipulations staff will offer to address concerns was raised by residents in the area of the proposed activities:

Based on information obtained through additional research, staff recommends that the hours of operation be clearly stated on each event application and there shall be no more than 3 events per calendar year that extend past 10:00 p.m.

A buffer of three hundred (300) feet from any residential property line has been stipulated to help mitigate the proposed event parking and stage area that will have amplified sound for an event.

All amplified sound, whether it be announcements or music, shall be directed away from residential properties to reduce sound intrusion particularly from residential properties.

The number of events shall be limited to ten (10) per calendar year; this includes the four (4) events which are permitted with the Special Events Permit Application and six (6) additional. This stipulation is offered in lieu of a stipulation offered by the applicant to limit the number of participants at events. Limiting the number of participants at a particular event is difficult to enforce, due to the inability to distinguish between participants, support staff, vendors and spectators. Additionally, the final number of attendees would not be known until after the event at which time the impacts to the community could not be prevented.

In an effort to reduce the amount of dust and debris that is tracked from the subject property onto Sign Pine Road, a stipulation is recommended to require a gravel area extending two hundred (200) feet from Sign Pine into the property site.

A narrow unimproved road that runs parallel to the residential properties west of Dr. Eason Road shall not be used during events to prevent dust and noise from intruding on the adjacent residential properties.
To ensure the safety and well-being of the participants as well as adjacent properties, each event must obtain and comply with the Special Events Permit, which is required by several City and State agencies depending on the size and nature of the event. These reviews ensure that any food and beverage vendors are compliant with the Virginia Department of Health permits, temporary permits from the Virginia Alcohol Control Commission are obtained, the City of Chesapeake Fire Department is satisfied in regard to health and safety, and the applicant is compliant with the City of Chesapeake’s Commission of the Revenue requirements and holds appropriate business licenses. Also, this review provides an opportunity for the City of Chesapeake’s Police Department and Public Works to coordinate any traffic needs associated with a particular event.

All events shall be staged on the east side of Dr. Eason Road in an effort to alleviate noise and disruption to adjacent residential properties that front along Sign Pine Road.

In an effort to establish and maintain a positive relationship with the adjacent property owners, the applicant shall provide written notification fourteen (14) days prior to an event, notifying the residents of the date, time and nature of the up-coming event.

Finally, it is the applicant’s responsibility to make event sponsors aware of these stipulations so that all requirements can be met and that events can operate smoothly for the event sponsor, participants and adjacent property owners.

**STAFF RECOMMENDATION:**

Based on the findings contained in the staff report dated June 5, 2014, staff recommends that **UP-13-19** be **APPROVED** with an alternative parking surface and the following stipulations:

1. For purposes of these stipulations, an "Event" shall mean an activity that requires a Special Event permit as required by Section 46-14(c) of the Chesapeake City Code, which requires a permit for events or activities that are organized on private property where the total number of people reasonably expected to attend exceeds 500. The term “Event” shall not include activities that do not require a Special Event permit under Chesapeake City Code Section 46-14(c); such events may include carnivals, bazaars and similar events open to the general public which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions, or live entertainment with amplified sound.

2. The number of events shall be limited to no more than ten (10) per calendar year. This includes four (4) events which are permitted without a conditional use permit pursuant to Chesapeake Zoning Ordinance Section 13-1504 and six (6) additional events which shall be permitted under this conditional use permit, UP-13-19. The applicant/owner agrees that all ten (10) Events allowed per calendar year pursuant to the Zoning Ordinance and this conditional use permit (UP-13-19) shall be governed by these stipulations.
3. The hours of operation for an event shall be limited to the hours between sunrise and sunset for seven (7) events per calendar year. The hours of operation for the remaining three (3) events per calendar year shall be limited to the hours between sunrise and 10 p.m. The hours of operations for each event shall be specified on the Special Event application submitted to the City and shall be reviewed for compliance with this stipulation prior to the granting of the Special Event permit.

4. There shall be no parking, amplified sound or stage placement within three hundred (300) feet from any property used or zoned for residential use on Sign Pine Road.

5. No parking on any public street shall be permitted in connection with an event.

6. The unimproved road directly adjacent to the properties zoned or used for residential dwellings on Sign Pine Road and west of Dr. Eason Road shall not be used for parking or vehicular or motorized traffic during any event.

7. No amplified sound equipment shall be placed the west side of Dr. Eason Road and all amplified sound shall be directed away from properties along Sign Pine Road zoned or used for residential dwellings. All amplified sound shall comply with the City’s noise ordinance.

8. The applicant/owner agrees that organized running and athletics courses and routes shall occur only on the east side of Dr. Eason Road.

9. The applicant/owner shall provide written notification in the form of either email or letter of any upcoming Event to all adjacent property owners. Notification shall be provided in the form of a mailed letter unless the adjacent property owner elects to receive said notice by email which shall be evidenced by a writing confirming the election of that form of notice signed by the adjacent property owner. All notification, whether it is provided by letter or email, shall be mailed or emailed at least fourteen (14) days prior to the event and shall include the name of the event, a brief description of the event, and the date and hours of operation for the event. For purposes of this stipulation, adjacent properties shall include all residential properties that are either contiguous or separated only by a public right-of-way. A copy of the written notification shall be provided to the City of Chesapeake Zoning Administration.

10. The applicant/owner agrees to install and maintain an area of gravel extending from Sign Pine Road two hundred (200) feet onto the property to prevent mud and other debris from being tracked onto the public road.
11. The applicant/owner shall comply with all of the conditions necessary for the granting of a Special Event permit under the Chesapeake City Code and Zoning Ordinance, the Fire Code operational permit requirements codified in the Virginia Statewide Fire Prevention Code and all other required Federal, State and local approvals.

12. The applicant/owner shall notify all parties who rent, lease or otherwise enter into a contract to use the property for an event of the aforementioned stipulations. Furthermore, the applicant/owner agrees that each contract or lease shall contain an addendum incorporating these stipulations into the contract or lease.

13. A site plan depicting the event area and 300’ buffer shall be provided prior to any Special Event Permit Applications are submitted to the City of Chesapeake.

MS: bh

cc: Tim Howlett, Current Planning Administrator
Sec. 46-14. - Outdoor meetings and events.

(a) As used in this section, the terms "meeting" and "event" include any arranged gathering of people, including but not limited to meetings, revivals, carnivals, circuses, dances, demonstrations and shows. These terms shall not include or apply to the operation of an established business enterprise which is conducted wholly or in part outside of a building, at the site of the permanent business address of such business, or, regularly scheduled public school activities or functions organized by public schools and conducted on property owned by the school board of the city.

(b) Any private property owner desiring to use such property or to permit the use of such property for an open air, tent or other outdoor meeting or event attended by 50 or more people and not to be conducted in its entirety within a permanent building shall provide adequate sanitary facilities on the premises for the persons attending.

(c) No person or entity shall hold, organize or sponsor any event or activity on private or public property unless a permit therefore has been granted by the city manager in circumstances where:
   
   (1) The total number of people reasonably expected to attend such a meeting or event exceeds 500;
   
   (2) The total number of people reasonably expected to attend such a meeting or event exceeds 50 and the event is to take place on city property other than at a park or on the streets or sidewalks (permitting for events at a park or on the streets or sidewalks shall be pursuant to City Code sections 50-51 and 74-14, respectively); or
   
   (3) Carnivals, bazaars and similar events open to the general public which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions, or live entertainment with amplified sound.

(d) An outdoor event application shall be submitted to the city manager or designee on a form application provided by the city manager or designee inclusive of but not limited to the following information and assurances:
   
   (1) Adequate sanitary facilities will be provided on the premises for the persons attending or participating in such meeting or event.
   
   (2) Traffic control arrangements have been made to provide for the safe passage of motor vehicles and pedestrians to and from the property.
   
   (3) Any identified problems relating to actual or potential noise, safety hazards or other matters affecting the health, safety or welfare of participants or of those on neighboring properties have been addressed.

(e) The measures to be taken in regard to the requirements listed in subsection (d) of this section shall be included as conditions of the permit.

(f) The issuance of a permit under this section shall in no way be construed as a determination that the planned meeting or event complies with any other requirements or provisions of law. Each permit holder shall be responsible to determine whether the planned meeting or event complies with other applicable laws and regulations.
(g) Before the permit under this section is issued, the applicant shall pay a non-refundable application processing fee. The amount of the processing fee shall be established by the city manager or designee. Upon demonstration in writing that the individual or entity applying for a permit is financially unable to pay this fee and that the right to engage in expressive activity would be unreasonably curtailed by failure to waive such a requirement, the city manager or designee shall waive the fee. As used in this subsection (g) and subsection (h), expressive activity shall include any public gathering, procession or parade, the primary purpose of which is the exercise of the rights of assembly and free speech as guaranteed by the First Amendment of the Constitution of the United States.

(h) A completed outdoor event permit application shall be submitted no earlier than one year prior to an event but 30 days prior to an event with anticipated attendance of 499 individuals or less, 60 days prior to an event with anticipated attendance of 500—1,000, or 90 days prior to an event with anticipated attendance of over 1,000. If an application is submitted after the application deadlines set forth in this subpart (h), the city manager or his designee may modify the advance submission deadline if city resources necessary to process the application and support the proposed activity are reasonably available and upon a demonstration by the applicant in writing that circumstances giving rise to the proposed event did not reasonably allow the applicant to apply for a permit within the time prescribed. Upon demonstration that the enforcement of these application deadlines would unreasonably restrict the right of an exercise of free expression, the city manager or designee shall waive the time prescribed for advance notice of the event and impose only such provisions as will not unreasonably restrict the element of timeliness of the expressive activity. A decision regarding whether or not to issue the permit shall be made within 15 business days of submission of a complete application.

(i) The permit requirements of this section shall not prohibit the city from entering into agreements or understandings to reserve use of public property for events in future years. Such agreements or understandings, however, do not create a waiver of the above permit requirements.

(Ord. of 5-31-66; Code 1970, § 17-35; Ord. of 11-15-77; Ord. of 12-20-88; Ord. of 5-9-89; Ord. No. 12-O-021, 2-28-12)
§ 13-1504. - Special outdoor events.

A. *Events included.* Special events shall include outdoor meetings, auctions, bake sales, yard sales from other than residential properties, carnivals, special outdoor entertainment and similar activities which are not part of the property's normal use and which are not otherwise permitted on the site. This section shall not authorize outside sales as an accessory use to an established principal retail use of a site. Such outside sales are regulated by separate provisions in article 7 of this ordinance. However, to the extent that such provisions conflict with this section, the more stringent regulation will apply.

B. *Permitted; general requirements.*

1. Special events as described above shall be permitted in all zoning district classifications, subject to compliance with the requirements set out below.

2. Any special event must meet the following requirements:
   a. When any event is held on property zoned or used for residential purposes, the area where it is held must be at least three (3) acres in size.
   b. Such events shall comply with section 46-14 of the city Code, governing outdoor meetings, and with any other applicable provisions of the city Code.
   c. Such events shall not last for more than seven (7) days in succession, provided that the Planning Commission may grant a special exception allowing a special outdoor event to continue for up to thirty (30) days upon a showing that (i) the event will not have adverse impacts on, or interfere with, the use or enjoyment of adjacent and surrounding properties, and (ii) adequate provisions will be made for sanitation facilities, off-street parking, traffic circulation, crowd control, noise abatement, glare reduction from stationary and moving lights, public safety, and emergency services. Applications for special exceptions shall be made to the planning department and heard by the planning commission at a public hearing duly advertised in accordance with the requirements for rezonings as set out in section 16-105 of this ordinance, including newspaper publications, written notice to adjacent landowners and posting of signs. In issuing a special exception, the planning commission may impose such restrictions and stipulations as deemed necessary to protect and promote the public health, safety, welfare and convenience. Where the planning commission denies a special exception, the applicant may appeal the denial to the city council by filing a written request with the city clerk's office, stating the reasons for the appeal, within ten (10) days of the determination by the planning commission.
   d. Such events shall not be held more than four (4) times per calendar year on a particular property, subdivision or development.

C. *Special outdoor event limitations not applicable in certain instances.* The limitations on special outdoor events set out above shall not be applicable in the following instances:

1. When the zoning ordinance allows such events as a permitted use in the zoning district in which the property is located.
When the special event involves activities or displays, including but not limited to public festivals, concerts, exhibits, art and educational displays, provided at public parks, government or educational institutions or similar facilities, as they are considered an aspect of the function of such facilities.

(Ord. No. 97-0-143, 11-18-97; Ord. No. 00-O-007, 1-18-00)
City of Chesapeake
OUTDOOR SPECIAL EVENT APPLICATION

Return To: Chesapeake Parks, Recreation and Tourism
City Events Coordinator
1224 Progressive Drive Suite 200, Chesapeake, VA 23320
Phone: 757-382-6411
Fax: 757-277-8385
Email: events@cityofchesapeake.net

If an Outdoor Special Event is required in accordance to City of Chesapeake Code 46-14, 74-21, or 50-51 this application and any necessary attachments must be completed, signed and forwarded to the Department of Parks, Recreation and Tourism at least:

| 30 days prior if | anticipated attendance is 499 or less
|                 | (and/or) requires closing a minor neighborhood street (i.e., “Block Party” on a “dead-end” or “cul-de-sac” street) |
| 60 days prior if | anticipated attendance is 500 – 1,000
|                 | (and/or) requires closure of a minor street with simple traffic control or traffic detour |
| 90 days prior if | anticipated attendance is over 1,000
|                 | (and/or) requires closure of a major roadway, intersection or network of streets |

Before an Outdoor Special Event Permit is issued, the below non-refundable administrative fee may be required. If a fee is required you will be billed by the City of Chesapeake after your application has been submitted.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>ADMIN FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Event held on public (non-park) or private property</td>
<td>$28.20</td>
</tr>
<tr>
<td>Event held in a public (City of Chesapeake maintained) park</td>
<td>$0 (park rental fees apply)</td>
</tr>
<tr>
<td>Block Party or event held on public streets/sidewalks/right-of-ways not requiring road closures (Parades less than ¼ mile in length, less than 5 units and less than 50 people and does not use public streets)</td>
<td>$10</td>
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<tr>
<td>Event held on public streets/sidewalks/right-of-ways requiring road closures</td>
<td>$100</td>
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</tbody>
</table>

Last Updated: 3/7/2014
If any section of this application does not apply to your event, please select “N/A” and move to the next section.

1. APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Full Legal Name of Sponsoring/Producing Organization (Applicant):</th>
<th>Is the organization a 501 or non-profit organization? Yes / No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address:</td>
<td>If yes, what is the 501 designation? (Proof of certificate may be required)</td>
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<tr>
<td>City, State, Zip</td>
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<tr>
<td>Billing Address: (If different from above)</td>
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<tr>
<td>City, State, Zip</td>
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<tr>
<td>Applicant Contact:</td>
<td>Secondary Contact:</td>
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<tr>
<td>Name:</td>
<td>Name:</td>
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<tr>
<td>Title:</td>
<td>Title:</td>
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<tr>
<td>Phone:</td>
<td>On-site Cell:</td>
</tr>
<tr>
<td>Email:</td>
<td>Email:</td>
</tr>
<tr>
<td>Organization/Event Website: <a href="http://www">http://www</a>.</td>
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</tbody>
</table>

2. EVENT INFORMATION

Event Name: ________________________________

<table>
<thead>
<tr>
<th>Event Dates(s)</th>
<th>Setup Time</th>
<th>Start Time</th>
<th>End Time</th>
<th>Breakdown Time</th>
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Rain Date / Times: ________________________________

Event Location: please list specific parks and/or address: ________________________________

Events held on City of Chesapeake Parks property require a Park reservation and/or a Special Use Permit that may have additional fees. Please familiarize yourself with the Park Shelter Rental Information and Chesapeake City Park Rental Application / Policy to understand the conditions, limitations and fees for events on Parks property. Please contact the Parks, Recreation and Tourism Department at 757-382-6411.

Will your event be fully or partially held in a City of Chesapeake Park? Yes / No

If so, have you completed the necessary application(s) with the Parks, Recreation and Tourism Department? Yes / No

Last Updated: 3/7/2014
Type of Event: Check all that apply.

☐ Block Party
☐ Ceremony
☐ Charity Event
☐ Community Event
☐ Concert / Performing Art
☐ Festival/Fair
☐ Fireworks / Explosive material
☐ Parade/Procession
☐ Protest / Rally
☐ Other: ___________________________

Sporting Event:

☐ Triathlon/Marathon
☐ Boating/Rowing
☐ Bicycle
☐ Run / Walk
☐ Swim
☐ Other: ___________________________

Total Expected Daily Attendance: Please include participants and spectators in the total.

☐ 0 – 199
☐ 200 – 499
☐ 500 – 999
☐ 1,000 – 2,499
☐ 2,500 – 4,999

☐ 5,000 – 9,999
☐ 10,000 – 24,999
☐ 25,000 +

Event Reoccurrence:

☐ 1st Time
☐ 2 – 4 Times
☐ 5 – 10 Times
☐ 10 + Times
☐ Annual Event

If an annual event, please list your anticipated event date for next year: ___________________________
If held previously, please list past locations: __________________________________

Event Admission / Entry Fee: Please include entry fee for runs, walks & bike races.
This information is required by the Commissioner of the Revenue Office,

☐ Parking Fee $ ______
☐ Ticketed / Gated $ ______
☐ Participation Fee $ ______
☐ Free and Open to the Public
☐ Private Event

If you proposed, will proceeds be used exclusively for charitable purposes? ☐ Yes / ☐ No
If yes, what charitable organization(s)? ___________________________
If not, who will benefit from proceeds? ___________________________

Entertainment:

☐ Live Music / DJ / Band
☐ Speeches / Presentations
☐ Live Animals / Petting Zoo

3. EVENT SETUP

Site Map Required:
Attach a legible drawing outlining your event plan/route on an 8.5" x 11" piece of paper. Include all equipment set up and measurements. If a beer garden or alcohol service area is part of your layout, attach an additional map that depicts fencing, area dimensions, entrances, exits, and maximum intended capacities. Please contact the Fire Marshal’s Office at 757-382-6566, or visit the Chesapeake Fire Marshal’s web page if you need assistance.

Include: street names, fencing, barriers, barricades, 20’ fire lane, fire extinguishers, staging, bleachers, cooking tents, sponsor tents, general assembly tents, cooking areas, generators, vehicles, beer gardens, first aid facilities, portable restrooms, routes with directional arrows, start and finish lines, directional arrow pointing north, etc.

Last Updated: 3/7/2014
Tents: □ N/A
A permit is required from the Department of Development and Permits and the Fire Department for tents larger than 900 sq. ft. or occupancy over 50 people.

Commercial Tents: □ Yes / □ No
Sizes: ____________________________________________
Provider: ____________________________________
Number of Tents: _____
Contact & Phone Number: __________________________

Number of Cooking Tents: _____

Pop-Up / EZ Up Tents: □ Yes / □ No
Provider: ____________________________________
Number of Pop-Up Tents: _____

Bleachers: □ N/A
Sizes: ____________________________________________
Provider: ____________________________________
Number of Bleachers: _____
Contact & Phone Number: __________________________

Staging: □ N/A
Sizes: ____________________________________________
Provider: ____________________________________
Number of Stages: _____
Contact & Phone Number: __________________________

Inflatable & Mechanical Rides & Amusements: □ N/A
A permit is required by the Department of Development and Permits if admission is charged to event participants for use of these devices.

Inflatable: □ Yes / □ No
Provider: ____________________________________
Number of Inflatable Rides: _____
Contact & Phone Number: __________________________

Mechanical: □ Yes / □ No
Provider: ____________________________________
Number of Mechanical Rides: _____
Contact & Phone Number: __________________________

Will admission be charged to event participants for use of these devices? □ Yes / □ No

Power: □ N/A
Please describe your plan to provide power for the event. Access to power is not available at most City properties.

Portable Restrooms:
Event organizer is required to provide portable restrooms if sufficient public facilities are not available. It is recommended that a minimum of (1) portable restroom is provided per 150 people during peak event hours. 10% should be ADA accessible.

Do you plan to provide portable restrooms? □ Yes / □ No
If yes, how many? Standard: _____ ADA: _____

Rental Provider: ________________________________
Delivery Day / Time: ____________________________
Contact & Phone Number: ________________________
Pick-up Date / Time: ____________________________
4. VENDORS □ N/A

If you have merchandise, food, or beverage vendors selling goods at your event, please contact the City of Chesapeake Commissioner of the Revenue Office at 757-382-6738 or visit the Commissioner of the Revenue Webpage for Business License and/or Tax information and requirements.

FOOD VENDORS

Health Department Information:
If you’re planning to provide food to the general public, the Chesapeake Health Department Temporary Food Service Permit may be required for each food vendor or sales/serving location. The Temporary Food Service application and fee are due at least 10 business days prior to the event. Please contact the Chesapeake Health Department at 757-382-8872 for more information. Please print this checklist for each of your food vendors to ensure health compliance.

Note: Additional requirements are listed on the application available online.

Fire Department Information:
The Chesapeake Fire Marshal’s Office will conduct an on-site inspection of food vendors cooking on-site. Please print this checklist for each of your food vendors to ensure State Fire Code compliance at time of inspection. On-site inspections will be scheduled by the Fire Marshal’s Office.

EVENT VENDOR INFORMATION

Number of FOOD Vendors: _____
Number of BEVERAGE Vendors: _____
Number of MERCHANDISE Vendors: _____
Number of On-site SPONSOR Displays: _____

Please provide a list of your vendors below and indicate the following for EACH vendor: You may submit this information as a separate document.

1. Type of Vendor (food, beverage, merchandise)
2. Business / Organization Name
3. Mailing Address
4. Contact Person
5. Phone Number
6. Email Address
7. Goods Sold

5. ALCOHOL □ N/A

The sale, service and consumption of alcoholic beverages are subject to Virginia Alcohol and Beverage Control (ABC) regulations, licensing, and permit requirements. Special Event (Banquet) licenses are issued only to non-profit organizations holding or sponsoring a special event at which spirits, beer, or wine is sold by the drink. For more special event ABC information visit http://www.abc.virginia.gov/licensing/banquet.html#Banquet or call 757-424-8700.

Is a non-profit organization providing the alcohol services? □ Yes / □ No
If yes, indicate name of non-profit organization: _______________________________
If no, indicate alcohol service provider: ________________________________

Last Updated: 3/7/2014
Alcohol Service Area or Beer Garden Days, Dates & Hours:

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8. STREET, HIGHWAY, RIGHT-OF-WAY USE (Block Parties Included) □ N/A

Barricades, traffic cones, "No Parking" signs, message boards, etc. may be required by the Public Works (Traffic Engineering) Department as part of the Traffic Control Plan. Required materials are the expense of the permit holder and are not included in the Special Event Permit Administrative Fee. Special events may require the use of police officers for crowd and/or traffic control. These needs will be advised by the Chesapeake Police Department and Public Works – Traffic Engineering.

Do you plan to use street parking? □ Yes / □ No

HRT Bus Route Information can be found at www.coahrt.com/route

Does you event affect any HRT bus routes? □ Yes / □ No

Permit applicant must notify HRT of bus routes that may be affected by your event. (Include route locations on your site map)

Please describe your street use. List days, hours, street names, etc.: (If closures vary by date/time & location, describe in detail) - see section 3 above for site map requirements

7. AMPLIFIED SOUND □ N/A

Section 28-124 of the Chesapeake City Code prohibits musical performances between the hours of 10:00 p.m. and 6:30 a.m., if the sound is plainly audible at a distance of 50 feet or more. You may be entitled to an exemption from certain restrictions of the Chesapeake Noise Ordinance, provided this permit is issued and the use of amplified sound does not exceed the permitted hours of the outdoor special event. In no event shall any sound be amplified past 10:00 p.m.

What times are you requesting amplified sound?

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Last Updated: 3/7/2014
8. FIRE MARSHAL'S OFFICE  □ N/A

If your event is open to the general public or anticipated attendance exceeds 500 please answer the below questions.

Special Events may require Fire permits. The cost of these permits is not included in the Special Event Permit Administrative Fee. Fire permits may be required for tent/canopies, open flame cooking (with propane, charcoal or wood), fireworks, and other uses. This section is required to assist with complying with the requirements of the Virginia Statewide Fire Prevention Code (SFPC) for completing a Fire Evacuation, Fire Safety and Public Safety Plan. These plans are required in Sections 403 and 404 of the SFPC. Please contact the Fire Marshal's Office at 757-382-6566, or visit the Chesapeake Fire Marshal's web page if you need assistance with answering the below questions.

Please provide the below information:

1. In the case of an emergency, how will event attendees safely exit the event site? (Ex: open gates, openings in fence, or event has no perimeter barriers)

2. In the case of an emergency, how will emergency vehicles enter and exit the event site? (Ex: describe appropriate route into the event site)

3. In the case of an emergency, what employees must remain on-site to operate critical equipment before evacuating? (Ex: cooking staff, fireworks / explosive staff)

4. In the case of an emergency, what procedures will be done to assist with the rescue of persons unable to use the general means of egress? (Ex: event staff will assist, event security will assist, dedicated volunteers will assist)

5. In the case of an emergency, how will event attendees be notified to relocate or evacuate? (Ex: stage announcements, word of mouth, announcements utilizing amplified sound)

6. In the case of an emergency, how will the fire department or designated emergency response organization be alerted? (Ex: call 911 from cell phone, radios, public safety personnel is on-site)

7. Please provide a list of major fire hazards associated with the event. (Ex: cooking operations, fireworks, explosives)

Last Updated: 3/7/2014
INCLEMENT WEATHER EMERGENCIES

In the event of Inclement Weather Emergencies in the area of the event (Ex. Severe Thunderstorm Warning, Tornado Warning or other Hazardous Weather Warning) any outdoor event must activate an emergency plan. This plan must clearly identify person(s) and contact information for event staff that will be on-site and is authorized to make command decisions related to emergencies. The event must always have a person on-site who can make command decisions about the delay, postponement or cancelation of the event.

Please provide an alternate on-site point-of-contact.

On-site Contact Name: ____________________________________________
On-site Contact Cell Phone Number: ________________________________

Please provide a description of your Inclement Weather Emergency Plan: If you need assistance with developing the plan, please contact the Chesapeake Fire Marshal’s Office at 757-382-6506.

9. FIRE & EMERGENCY MEDICAL SERVICES 🔴 N/A

If your event requires on-site Fire Department apparatus, medical assistance or first response providers standing by, contact the Chesapeake Fire Department at 757-382-6297 or visit the Chesapeake Fire Department’s webpage. The point-of-contact is the Department’s Resource Management Officer. The Chesapeake Fire Department will assist with event assessment if needed.

☐ I am requesting Chesapeake FIRE Apparatus and Personnel
☐ I am requesting Chesapeake EMS Apparatus and Personnel
☐ I will be utilizing a private provider

If yes, services will be provided by:

☐ Other: ______________________________________________________

Name of the provider: __________________________________________

Please provide reason for requested Chesapeake Fire or EMS Apparatus and Personnel:

10. SECURITY 🔴 N/A

If your event includes serving / selling of alcohol, a security plan is required. Please describe your security plan: Events on City property require security guard locations indicated on site map for review and approval.

☐ Volunteers
☐ Private security (DCJS Certified)

Company Name: _______________________________________________
Contact Person: _______________________________________________
Phone Number: _______________________________________________

☐ Uniformed presence provided by:
☐ Off-Duty Police Officers
☐ Sheriff’s Deputies

Last Updated: 3/7/2014
11. PARKING & TRANSPORTATION

How will people get to / from your event? □ Personal Vehicles □ Shuttle / Satellite Parking □ Other: ______________________

Where will event attendees park?
□ On-site / Public Parking
□ Park Grounds
□ Reserved / VIP Parking
□ Private Property (must acquire written permission from property owner)
□ Satellite Parking Location
□ Other: ______________________

Is on-site parking coordination required? □ Yes / □ No

If so, who will be directing event attendees to park? (Ex. volunteers, Sheriff Deputies, event staff)

12. TRASH & RECYCLING

Permittee shall remove all litter caused by the event. The City of Chesapeake encourages vendors and organizers for festivals, special events, and official gatherings to provide recycling containers at events where beverages in cans and/or bottles are sold. Local waste companies offer recycling services. Please see the Special Event Guidebook for recycling information and resources.

Will you be managing your own waste and recycling? □ Yes / □ No
Will you be hiring an outside vendor? □ Yes / □ No
List outside vendor/company name: ______________________

13. AMERICANS WITH DISABILITY ACT □ N/A

Events on City property must comply with ADA requirements. Please indicate which of the following you will have at your event:

□ Designated wheelchair viewing areas
□ Handicapped – accessible restrooms
□ Designated handicapped parking area
□ Sign Language translator
□ Handicapped-accessible shuttles

14. If you anticipate OVER 1,000 in attendance please provide the following information □ N/A

Public Safety Plan: Events that anticipate over 1000 people, Fire/EMS and Security (Police, Sheriff or Private Security) may be required. Describe in detail, a plan that will address items including, emergency vehicle ingress and egress, fire protection, emergency medical services, public assembly areas, the directing of both attendees and vehicles (including the parking of vehicles), and the need for the presence of law enforcement, Fire and EMS personnel at the event. If you need assistance with developing the plan, please contact the Chesapeake Fire Marshal’s Office at 757-382-6566.
Communication Plan: The event applicant is responsible for coordinating all neighborhood communications efforts to include residents, civic associations, and businesses affected by the event. The Communication Plan must be completed 14 days prior to your event. Please describe your Plan. If you need assistance with developing this plan, please contact the City Events Coordinator at 757-382-1312.

- Mailer: Distribution Date: ________________
- Flyer: Distribution Date: ________________
- Email: Distribution Date: ________________
- Door Hanger: Distribution Date: ________________
- Signage: Location(s): ______________________
- Other: __________________________________

15. INSURANCE □ N/A

If your special event is held on public property, permittee shall at its own cost and expense pay all required premiums and fees required to furnish the City with an insurance policy or policies for property damage and bodily injury showing out of any one accident or other cause in a sum of not less than $1,000,000 combined single limit or in the amount specified by the City Risk Management Division. The City of Chesapeake must be listed as additional insured. Additionally, if alcohol is to be served, host liquor coverage will be required. Failure to provide a Certificate of Insurance to the City, may result in the cancelation of the Outdoor Special Event.

Please fax or email your proof of insurance to the Department of Parks, Recreation and Tourism Attn: City Events Coordinator, Contact information on page 1 of this form.

SIGNATURE, CERTIFICATION & RELEASE

I certify that I am an authorized representative of the applicant, and the information that I have provided on this application and any attachments is true and accurate to the best of my knowledge. If this application is submitted electronically, I will submit any necessary attachments electronically or by hardcopy to the Department of Parks, Recreation and Tourism Attn: City Events Coordinator, using the Contact information on page 1 of this form. If the event plans change, I will submit a revised application or additional information accordingly.

Permittee shall assume all risks incident to or in connection with the permitted activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permitted activity or the conduct of permittee’s operation. Permittee hereby expressly agrees to defend and save the City, its officers, agents, employees, and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly arising out of or in connection with the permitted activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of permittee or its officers, agents, and employees, including permittee’s invitees.

I acknowledge that all information contained in this application is subject to public disclosure and that the City has the right to cancel any event on public property when it is necessary to protect the health and safety of the general public.

Name and Title (if any) of Person Signing on Behalf of Applicant:

Date:

☐ By checking this box as an electronic signature, I agree on behalf of the applicant to all the terms and conditions that may apply to the Special Event permitting process and agree that all information contained in this application is true and correct to my knowledge.

All documents received by the Department of Parks, Recreation and Tourism are public documents and subject to public disclosure in accordance with the Commonwealth of Virginia Freedom of Information Act.

Last Updated: 3/7/2014
OUTDOOR SPECIAL EVENT POINTS - OF - CONTACT

City Events Coordinator ............................................. 757-362-1312
Commissioner of Revenue ........................................ 757-382-6738
Development and Permits ........................................... 757-382-6018
Emergency Medical Services .................................... 757-382-6297
Fire Marshal's Office .................................................. 757-382-6566
Parks, Recreation and Tourism Department .................... 757-382-6411
Police Department – Special Operations (traffic division) .... 757-382-8468
Public Works-Traffic Engineering ............................... 757-382-6101
Sheriff's Office ......................................................... 757-382-6159
Virginia Alcoholic Beverage Control ............................ 757-424-6700
Virginia Department of Health .................................... 757-382-8672

Once completed, please save this application to your computer and email to events@cityofchesapeake.net for review.

CITY WEB CALENDAR SUBMISSION

Is your event on the City of Chesapeake website calendar? We welcome submission of events that meet the following guidelines:

The City Web Calendar is a media outlet hosted by the City of Chesapeake and made available to non-profit organizations and community groups to post their Chesapeake events and programs.

This calendar is viewed by the general public and only features events that are open to the general public and of general community interest. Only events held in Chesapeake will be included.

Any event which includes or promotes the following will not be permitted on the Web Calendar:

- Promoting illegal activity
- Promotion of hostility or violence
- Promotion of political organization, products, or personal information
- Promotion of religious views and activities
- Solely designed to promote private business / industry
- Attack on ethnic, racial or religious groups
- Personal attacks
- Promotion of sexual, obscene or pornographic activities
- Promotion of violent, profane, hateful, or racist content or ideas

The City reserves the right to deny any event submission.

http://www.cityofchesapeake.net/submit-an-event

Last Updated: 3/7/2014
TO:         CHESAPEAKE PLANNING COMMISSIONERS
FROM:       MILISSA L. STORY, SENIOR PLANNER
THROUGH:    JALEH M. SHEA, AICP, PLANNING DIRECTOR
DATE:       JUNE 30, 2014
RE:         UP-13-19
PROJECT:    Greenbrier Farms Special Events
APPLICANT:  Kent Basnigh
PROPOSAL:   A Conditional Use Permit to allow more than four special events in one year.
ZONE:       A-1, Agricultural District and RE-1, Residential Estate District
LOCATION:   225 Sign Pine Road
TAX MAP SECTION/PARCELS:  0850000000182, 0850000000213, 0850000000214, 0850000000215, 0850000000970
BOROUGH:    Pleasant Grove
(Continued from the June 11, 2014 Public Hearing)

PROJECT DESCRIPTION:
The applicant seeks approval of a Conditional Use Permit to allow more than four special events to be held on the subject site over a one year period and, approval of an alternative parking surface for the parking lot. If approved, the applicant would hold running events, weddings, special fundraisers, etc. Each event must first obtain a Special Events Permit from the Parks, Recreation and Tourism Department. During the review of the Special Events Application, the Parks, Recreation and Tourism, Fire, Police and Zoning Departments all review the application to ensure adequate facilities are in place to safely handle the anticipated crowds and to plan for the event. A Fire Code Operational Permit is required as part of this process for any event that will have more than five hundred persons and is open to the public, or charges admission, or is outside the general scope of a presently issued Fire Code Operational Permit.

UPDATE:
The applicant will be holding an open house to address any concerns of adjacent property owners. The meeting will be held at the Dr. Eason house from 6:30 – 8:00 pm on July 1, 2014. The applicant indicated that he will also attempt to contact residents door to door or by phone to discuss any concerns they may have regarding the events.
held on the subject property. Staff will attempt to contact the applicant prior to the Planning Commission pre-meeting so that a report can be provided.

**STAFF RECOMMENDATION:**

Based on the findings contained in the staff report dated June 5, 2014, staff recommends that **UP-13-19** be **APPROVED** with an alternative parking surface and the following stipulation:

- The stage for musical events and/or events that require a loudspeaker of any kind, shall be located on the east side of Dr. Eason Road away from adjacent residential properties to reduce noise impacting those properties.

MS: bh  
cc: Tim Howlett, Current Planning Administrator
TO: CHESAPEAKE PLANNING COMMISSIONERS
FROM: MILISSA L. STORY, SENIOR PLANNER
THROUGH: JALEH M. SHEA, AICP, PLANNING DIRECTOR
DATE: JUNE 4, 2014
RE: UP-13-19
PROJECT: Greenbrier Farms Special Events
APPLICANT: Greenbrier Farms LTD
PROPOSAL: A Conditional Use Permit to allow more than four special events in one year.
ZONE: A-1, Agricultural District and RE-1, Residential Estate District
LOCATION: 225 Sign Pine Road
TAX MAP SECTION/PARCELS: 0850000000182, 0850000000213, 0850000000214, 0850000000215, 0850000000970
BOROUGH: Pleasant Grove

PROJECT DESCRIPTION:

The applicant seeks approval a Conditional Use Permit to allow more than four special events to be held on the subject site over a one year period; and, approval of an alternative parking surface for the parking lot. If approved, the applicant would hold running events, weddings, special fundraisers, etc. Each event must first obtain a Special Events Permit from the Parks, Recreation and Tourism Department. During the review of the Special Events Application, the Parks, Recreation & Tourism, Fire, Police and Zoning Departments all review the application to ensure adequate facilities are in place to safely handle the anticipated crowds and to plan for the event. A Fire Code Operational Permit is required as part of this process for any event that will have more than five hundred persons and is open to the public, or charges admission, or is outside the general scope of a presently issued Fire Code Operational Permit.

BACKGROUND:

The applicant has held different special events on the subject over the past several years. The City's Zoning Ordinance allows up to 4 events in a calendar year, but any additional events require a Conditional Use Permit to be obtained from City Council. The applicant held more than four events in 2013, and was cited by the City for the
additional events. Upon receiving the citation, the applicant submitted this Conditional Use Permit application on August 29, 2013. The applicant indicated that there was no rush at the time because no events were planned during the winter months. The use permit review was reactivated this spring.

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

<table>
<thead>
<tr>
<th>DIRECTION</th>
<th>ADJACENT ZONING DESIGNATIONS</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>A-1, Agricultural District</td>
</tr>
<tr>
<td></td>
<td>RE-1, Rural Estate District</td>
</tr>
<tr>
<td>South</td>
<td>A-1, Agricultural District</td>
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<tr>
<td>East</td>
<td>A-1, Agricultural District</td>
</tr>
<tr>
<td>West</td>
<td>A-1, Agricultural District</td>
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DEPARTMENTAL COMMENTS:

Development and Permits:

Development Engineering:

The following comments pertain to the application/plan stamp-dated August 29, 2013, and revisions May 8, 2014:

- The current review procedure requirements for a Special Event Permit are adequate for the Departments of Development and Permits Engineering Division and Public Works to provide input and limitations concerning events on a case-by-case basis. The site access and site circulation can be controlled through the existing permit process; therefore, there are no recommended stipulations for this Use Permit at this time.

Zoning Administrator:

- No comments.

Code Enforcement:

- No physical improvements are planned for this project.

Environmental Site Assessment:

- An ESA is not required for this project.

Public Utilities:

- See attached memo dated May 21, 2014 for comments.

Fire Prevention:

- See attached memo dated May 5, 2014 and May 20, 2014 for comments.

Police:

- This department will not require a final construction plan.
Historic Preservation:
- No impact.

Chesapeake Bicycle/Trails Advisory Committee:
- No impact.

STAFF ANALYSIS:

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 2035 Comprehensive Plan calls for “maintaining a well-defined and protected belt of rural landscape that should allow a thriving, working landscape, with programs that encourage new farming, economy enterprises and rural industries that are compatible with the preserved rural character of the area.” The proposed use permit allows for an alternative enterprise that is well suited for the rural area of the City and provides a service and entertainment for area residents. The activities which are held on the subject site are temporary in nature and once they are over, the area appears as it did before the event, thus preserving the rural character of the area. Because the proposed use permit will allow for alternative uses for agricultural properties while preserving the rural nature of the area, the proposed use permit conforms to the City's Comprehensive Plan.

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:** As previously stated, each event will be temporary in nature and no permanent facilities will be constructed to support this use permit. Each event will be required to obtain a Special Events Permit to ensure adequate services and facilities are in place to safely and efficiently operate the event. All aspects of the events will be contained on the subject site (activities, parking, rest room facilities, trash collection etc.). Based on the factors stated above, 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.
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:** See Finding #1 above.

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:** As previously stated, a traffic control plan will be implemented for each event. Parking will be contained on-site and there will be two permanent points of access. These access points have been tested and determined safe for emergency vehicles to pass over in the event of an emergency situation. The Development and Permits and the Fire Department have reviewed the Conditional Use Permit and found the traffic can be adequately be addressed through the special events permitting process.

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:** The Special Event Permit is the mechanism used to ensure adequate facilities are available to safely and efficiently operate each event. The site is not served by public water and sewer and neither is required. No land disturbing is proposed so there should be minimal impacts to drainage or run-off. The site has been inspected by the Fire Department for accessibility for emergency apparatus and deemed acceptable. A compaction test was also performed to ensure that the gravel roads would be able to support the weight of the emergency equipment. None of the other impacted City departments offered objections to the conditional use permit. Based on these factors, the proposed conditional use will be adequately served by the essential public facilities.

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: The subject site is located in a largely rural area. The noise is not anticipated to adversely affect the surrounding area. However, in the case of musical entertainment, the stage has typically located on the property close adjacent residential properties and staff will offer a stipulation that any amplified sounds on the site shall be directed away from adjacent residents and towards the Chesapeake Expressway. In accordance with Section 26-124 of the Chesapeake City Code, any amplified sound is prohibited between the hours of 10:00 pm. and 6:00 am. While events typically take place during the daylight hours and there is no anticipated glare of stationary light, each event will be reviewed individually to include the hours of operation and location of any required lighting. There are no anticipated impacts on natural, scenic or historic features. The proposed use will not interfere with an existing roadways or right-of-ways, railways, or utilities. Traffic flow for each event should be reviewed carefully through the permitting process, as each event is different and has a varied level of attendance. There are existing trees providing a buffer from the subject parcel and the residential lots.

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 extend of landscaping and screening on the site.

FINDING: There is no proposed development on the subject parcel to dominate or interfere with the immediate vicinity or interfere with any development or use of neighboring properties.
STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that UP-13-19 be APPROVED with an alternative parking surface and the following stipulations:

1. Each event shall be reviewed and approved through the Special Events permitting process through the Department of Parks, Recreation and Tourism.

2. The stage for musical events and/or events that require a loudspeaker of any kind, shall be located as far from adjacent residential properties as possible and oriented in a manner to reduce noise impacting those properties.

MS:bh

cc: Tim Howlett, Current Planning Administrator
MEMORANDUM

TO:        Milissa Story
           Planning

FROM:      T. Ed West, P.E.
           Public Utilities

DATE:      May 21, 2014

RE:        UP-13-19 Greenbrier Farms Special Events

City water and sewer are not proposed and are not available.

This development is outside the City’s franchise service area; therefore, City water and sewer are not available or required. The Chesapeake Health Department and the Department of Environmental Quality needs to be contacted regarding the use of a private well or private sewage disposal system.

This project is located within the Northwest River Watershed Protection District. Prior to issuance of any land disturbing or building permit, the applicant must apply for and receive a valid Run-off Control Permit from the Department of Public Utilities.

TEW/kas

cc:        Theodore F. Garty, P.E., Water & Wastewater Administrator
           Karen Harrell, Engineering Technical Supervisor
To: M. X. Hoag, Fire Marshal/Fire Prevention Division Chief
From: D. W. Wooten, Battalion Chief/Resource Manager
Date: May 5, 2014
Subject: Greenbrier Farms / 225 Sign Pine Road

On May 3, 2014, Captain Robert Lawrence (BC-2) and Engine Company #7 met with Kent Basnight at 225 Sign Pine Road to check the roadways on this property. Engine #7 found the roadway system around his business to be hard, compacted, with no issues for our apparatus to safely navigate. Engine #7 has an estimated weight of 52,700 pounds.

Please contact me if you have any questions.

"The City of Chesapeake adheres to the principles of equal employment opportunity. This policy extends to all programs and services supported by the City."
FIRE PREVENTION DIVISION – PLAN REVIEW

To:           Milissa Story, Planner

Cc:           Sherry Carawan, Nancy McPherson, Planning Department

From:         Harold W. Creason, Fire Protection Plans Examiner

Date:         May 20, 2014

RE:           Greenbrier Farms Special Events – UP-13-19 (revised)

The Fire Department has reviewed the above referenced conditional use permit revised application and associated preliminary plan and supports approval to allow more than 4 special events per year based on the following stipulations.

1. Special Event - A fire code operational permit is required to conduct a pre-planned activity with an anticipated attendance number of five hundred (500) or more persons that is open to the public, or, charges admission, or, is outside of the general scope of a presently issued Fire Code Operational Permit. The permit fee is $50 and is charged for each separate event of which each event is reviewed for compliance and approval on a stand-alone basis.

   a. Each event meets life safety code and ordinances, and emergency operational objectives necessary to obtain approval of the special event permit to ensure the health, safety and welfare of participants, attendees, and staff, as well as fire, rescue and law enforcement personnel.

   b. Maintain a secondary means of ingress/egress for emergency access and traffic control that consists of an all-weather surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 lbs., and which accommodates adequate spacing from the primary access in accordance with the Fire Code and PFPM. The Fire Dept. has conducted inspection of the site on May 3, 2014 and finds this requirement to be currently met which also supports the weight of anticipated fire apparatus.

   c. Pre-designated, organized, orderly and properly managed parking facilities sufficient to support the anticipated turnout to include ongoing traffic control prior to, during and after disbursement of the event both on and off-site.

   d. Pre-planning meetings for significant or potentially challenging events with event staff and Fire, Police and other departments to coordinate and address problematic issues in order to facilitate a successful event.

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Greenbrier Farms Special Events  UP-13-19
APPLICANT: Kent Basnight  PROPOSAL: A conditional use permit to allow more than four special events in one year.  ZONE: A-1, Agricultural District and RE-1, Residential Estate District  LOCATION: 225 Sign Pine Road  TAX MAP SECTION/PARCELS: 0850000000182, 0850000000213, 0850000000214, 0850000000215, 0850000000970  BOROUGH: Pleasant Grove