



CONDITIONAL USE PERMIT APPLICATION

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: _____
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

Project Name: _____

1. Applicant(s): _____

Address: _____

City: _____ State: ____ Zip: _____

Daytime Phone: _____ FAX Number: _____

E-mail address: _____

Interest in subject property: _____

2. Agent(s): _____

Agency: _____

Address: _____

City: _____ State: ____ Zip: _____

Daytime Phone: _____ FAX Number: _____

E-mail address: _____

3. Owner(s) of property: (If different from applicant)

Name: _____

Address: _____

City: _____ State: ____ Zip: _____

Daytime Phone: _____ FAX Number: _____

E-mail address: _____

DECLARATION

APPLICATION NUMBER: _____

PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION / CITY COUNCIL INTEREST:

Does any member of the Planning Commission or City Council own or have any personal or financial interest in the land which is subject to this application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act? No Yes If yes, please explain:

DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

I, the undersigned, also certify that the list of adjacent property owners is complete and correct as of the date of this application submittal. I will update any changes in ownership of the property that is the subject of this application and adjacent property owners upon learning that any such property has been conveyed prior to final action on this application. I understand that if the list of adjacent property owners is determined to be inaccurate, out-of-date or incomplete at a later date, any action taken on this application may be deemed null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I, the undersigned, 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. *Party responsible for advertising:* Applicant Agent

DECLARATION OF CONSENT:

I, the undersigned, consent 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.

Applicant/Owner: _____ Applicant/Owner: _____

Applicant/Owner: _____ Applicant/Owner: _____

Agent: _____

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

DESCRIPTION OF PROPERTY

-----, -----, -----,
-----, -----, -----

2. Street Address (or common description if address is not available):

3. Borough _____

4. Legal Description of the Property: _____

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: _____

6. Zoning Information:

a. Zoning Sheet(s): _____

b. Current Zoning Classification(s) and present use of the property:

c. Proposed Zoning Classification(s): _____

DESCRIPTION OF PROPERTY

d. Zoning Overlay District Classification(s) where applicable: _____

e. Adjacent property zoning and uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	
South	
East	
West	

7. Check the Land Use Plan Overlay District in which the property is located:

Urban Suburban Rural

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

8. Standard Industrial Classification (SIC) Code for this proposed use (see the Zoning Administration in Neighborhood Services): _____

9. Planning Area: _____

10. Is the property subject to proffers approved with a conditional rezoning application?

No Yes Application # _____

11. Is the property is located within the Chesapeake Bay Preservation Area?

No Yes If yes, provide delineations for the RPA, RMA and IDA, as applicable that meet the requirements of Section 26, Article X, of the Chesapeake City Code.

12. Will the application involve land disturbance for residential, assembly, day care, group home, recreation, school, library, or similar land use?

No Yes If yes, submit an Environment Site Assessment meeting the requirements of the Chesapeake Public Facilities Manual.

DESCRIPTION OF PROPOSED USE

The applicant is required to provide the below requested information on 8 1/2" x 11" sheets of paper which are titled 'Description of Proposed Use' and numbered in accordance with the questions below. All questions must be completed.

NATURE OF PROPOSED USE

1. Describe the nature of the proposed use as listed in the Chesapeake Zoning Ordinance, including the SIC Code (see the Zoning Administration in Neighborhood Services).
2. Provide a detailed description of the proposed use including hours of operation, number of employees, projected number of daily customers, etc.
3. Describe any potentially adverse effects that may be associated with the proposed conditional use, and the means proposed by the applicant to avoid, minimize or mitigate such effects related 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 easements, 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.
4. Describe any and all special conditions for the use, construction, layout, landscaping and screening, or appearance of the site which are offered to be made conditions of the use permit for purposes of assuring its compatibility with the surrounding neighborhood.
5. Describe whether the proposed conditional use will be consistent with the adopted policies in the Comprehensive Plan of the City.

DESCRIPTION OF PROPOSED USE

TRAFFIC IMPACT

6. Include any supporting information for the following:
- a. What is the current average daily traffic (ADT) of the adjacent roadway(s)? State the date and source of the counts. Traffic Engineering may request electronic files of the raw count data. If a current traffic count for the adjacent roadway(s) is not available, the Department of Public Works may request a count after submittal of this application. If requested, the count must include a 24-hour count for a minimum of three consecutive weekdays. Additionally, the Department of Public Works may request turning movement counts (TMCs) at an intersection during morning and evening peak hours for a minimum of two consecutive weekdays.
 - b. Describe how traffic ingress and egress would be provided between the subject property and the existing abutting and intersecting roads (Are U-turns necessary? Is there a proposed median break? Is there shared access? Etc.) State whether traffic devices, such as signals and turn lanes, would be required to provide safe ingress and egress.
 - c. A Traffic Impact Analysis (TIA) may be required depending on acreage, zoning, proposed vehicle trips, level of service of existing facilities, and/or other factors. If the need for a TIA is uncertain, contact Traffic Engineering.

Is a Traffic Impact Analysis required?

No Yes If yes, contact Traffic Engineering regarding the scope of the analysis.

Yet to be determined by Traffic Engineering.

DRAINAGE IMPACT ANALYSIS (DIA)

7. The applicant shall address potential drainage impact issues, including how the proposed development will accommodate drainage impacts on the proposed site and surrounding upstream and downstream properties.
- a. How will this project address increase in stormwater runoff as a result of development? Please note although the post-development peak flow is less than pre-developed, the increase of volume must be addressed in areas with existing deficiencies.
 - b. What steps will be taken to ensure adequacy of the receiving facility (off-site dynamic drainage analysis of watershed, improvements, etc.)?
 - c. Address whether the project will be required to provide for water quantity and/or water quality of stormwater runoff.

DESCRIPTION OF PROPOSED USE

DRAINAGE IMPACT ANALYSIS (continued)

- d. What off-site easements and/or improvements are required? What steps have been taken to ensure that these easements can be obtained and that improvements can be constructed?
- e. Address the current adequacy of the existing drainage receiving facility.
- f. Is this development subject to tidal impacts? How will the tides associated with a hurricane or northeaster affect the drainage system?
- g. What steps have been taken to ensure no property damage will result from a 100-year tidal or rainfall event?

WATER AND SEWER IMPACT

- 8.
 - a. State the location of the nearest water and sewer lines which could accommodate flows generated by the proposed development.
 - b. State the estimated water and sewer demand to be generated by the development including the basis for the water and sewer demands estimated for the project (i.e. GPD per acre or dwelling). For office and institutional, commercial, and industrial rezonings, identify peak demands in addition to average demands.
 - c. Compare the water and sewer demands generated by the proposed development with the demands generated by development under existing zoning, and the demand generated by development at highest density allowed under the proposed zoning.
- 9. Describe the plan for meeting the anticipated water and sewer demands including methodologies used to determine that existing facilities will be able to provide or handle the additional flows (see Public Utilities for assistance).
- 10. Submit a conceptual plan identifying the proposed routing of off-site water lines and sewer force mains and the proposed location of pump station(s), if needed, to serve the project.
- 11. Are septic tanks and private wells proposed?
 No Yes If yes, provide a soil analysis for the subject property and documentation from the Chesapeake Health Department approving the site for septic tank use.

DESCRIPTION OF PROPOSED USE

OPEN SPACE AND RECREATION

12. Is the development is subject to Section 19-700 et seq. (Open Space and Recreational Area requirement)?

No Yes If yes, please provide the following:

- a. Number of lots: _____
- b. Amount of public park/open space offered (acres): _____
- c. Provide Parks and Recreation fee amount (\$500.00 per unit with park site or \$1000.00 per lot without park site): \$ _____
- d. If private park/open space is being offered, provide a description of the private park/open space including acreage and itemized listing of improvements including cost of the improvements.
- e. If private park/open space meets minimum acreage and improvement criteria as specified in Section 19-709 (B) of the Zoning Ordinance, Parks and Recreation fee amount is \$250.00 per unit. \$ _____

COMMON OWNERSHIP

13. Are any features of the development proposed to be held in common ownership by the persons residing in or owning lots in the development and not to be dedicated to and accepted by the City or other public entity?

No Yes If yes, submit as part of this application a detailed plan for the establishment and perpetual maintenance of all such common open space and common improvements. The absence of sufficient bonding, escrow account, or other financial measures to ensure the proper construction and perpetual maintenance of such common areas shall be grounds for the denial of this application. All documentation shall meet the requirements of the Chesapeake Zoning Ordinance.

CHESAPEAKE BAY PRESERVATION AREA

14. Is the property located within the Chesapeake Bay Preservation Area?

No Yes If yes, submit an RPA and RMA delineation meeting the requirements of Section 26, Article X, of the Chesapeake City Code.

ENVIRONMENTAL SITE ASSESSMENT

15. Will the application involve land disturbance for residential, assembly, day care, group home, recreation, school, library, or similar land use?

No Yes If yes, submit an Environment Site Assessment meeting the requirements of the Chesapeake Public Facilities Manual and a supplemental review fee of \$1,600.00.

Additional information may reasonably be required by the reviewing departments, Planning Commission, or by City Council in order for the application to be fully and appropriately reviewed.

SPECIAL POWER OF ATTORNEY

Application No: _____

Tax Map Number(s): _____

Property Description (Street Address, if assigned, or Common Description, Borough): _____

Nature of **conditional use permit** sought: _____

I/we _____, am/are

the applicant(s) for the above referenced application; the owner(s) of the property described above and I/we do hereby make, constitute, and appoint _____

_____, 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: 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 _____ day of _____, 20____, 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.

Applicant/Owner:

Applicant/Owner:

sign _____

sign _____

Name, Title _____

Name, Title _____

Company _____

Company _____

Commonwealth/State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

NOTARY PUBLIC

Notary Registration No. _____

My commission expires: _____

* If the owner or applicant is a corporation, partnership, limited liability company 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.

STATEMENT OF OWNERSHIP

Application No: _____

The owner(s) and applicant(s) listed on the attached Conditional Use Permit Application, does/do hereby affirm that the listing attached to, and hereby made a part of this statement of ownership, 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 and where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders. This requirement may be waived by the Planning Director where the owner or applicant, as applicable, is a publicly-held corporation.
3. Where any of those listed in (1) above is a partnership, or limited liability company, all such partners, both general and limited, in a partnership, and all members of a limited liability company.
4. Where any of those listed in (1) above is a church, provide a list of all such trustees and their position on the board or if no trustees, then identify the officers of the corporation or association of the church.

Attach the listing of names and addresses on business letterhead of either the applicant, owner or agent, as required above.

Applicant/Owner:

Applicant/Owner:

sign _____
Name, Title _____
Company _____

sign _____
Name, Title _____
Company _____

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

Tax Map #: _____	Tax Map #: _____
Name: _____	Name: _____
Street: _____	Street: _____
City: _____	City: _____
State/Zip: _____	State/Zip: _____

CONDITIONAL USE PERMIT APPLICATION CHECKLIST

The following items are required as part of the filing application for a Conditional Use Permit application:

- FILING FEE: \$420.00** Please make the check payable to: *City of Chesapeake*
- The original, with original signatures, and three (3) copies of the complete Conditional Use Permit application**, with ORIGINAL SIGNATURES ON ONE COPY, including all required development information. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed. *Please incorporate each of the following to complete an application:*
 - Description of Proposed Use**
 - Special Power of Attorney**, if applicable, see instructions
 - Statement of Ownership with required listing**, see instructions
 - Adjacent property owner's list of addresses** on the form provided with this application or Avery 5260 label format
 - Zoning map** reduced to 8½" x 11" paper
 - Vicinity map** on 8½" x 11" paper. *This may be included on the preliminary site plan*
- Four (4) copies of an **Environmental Site Assessment, Phase I and \$1,600.00 supplement review fee, when applicable.**
- Thirty (30) copies of a **preliminary site plan of the proposed development** drawn to scale and three (3) copies of this plan reduced to 11" x 17" paper.
- Three (3) copies of **Landscape plan** reduced to 11" x 17" paper. This information may be shown on the preliminary site plan.
- Three (3) copies of **architectural elevations, sign plans and lighting plans** that includes a description of building materials and colors, if the property is located within the Transportation Corridor Overlay District, a Planned Unit Development, or constitutes a large retail establishment, or is subject to architectural design proffers.
- Stamped #10 (4 1/8" x 9 1/2") envelopes** with the name and mailing address of each adjacent property owner printed legibly. (Please do not use pre-stamped, dated envelopes from a postage machine. Also, do not include your return address on the envelopes.)
- SIGN FEE.** The applicant is responsible for proper posting of sign(s) on the property. The sign fee is \$25.00 for the first sign, \$20.00 for each additional sign, as required. You will be phoned and advised of when the sign(s) must be posted.
- ADVERTISING COST.** In addition to the filing fee, the applicant is responsible for all newspaper advertising costs for public hearing notifications. **The applicant or agent will be billed separately for these costs.** The average advertising cost is \$100 for the Planning Commission Public Hearing and the average is between \$400 to \$1,000 for the City Council meeting. The project will require a minimum of four (4) advertisements. Any additional advertising costs incurred due to continuances will also be the responsibility of the applicant. Planning Commission advertisement fees will be billed by the City of Chesapeake. City Council advertisement fees will be billed by the Virginia Pilot.
- The completed Conditional Use Permit Application Checklist.