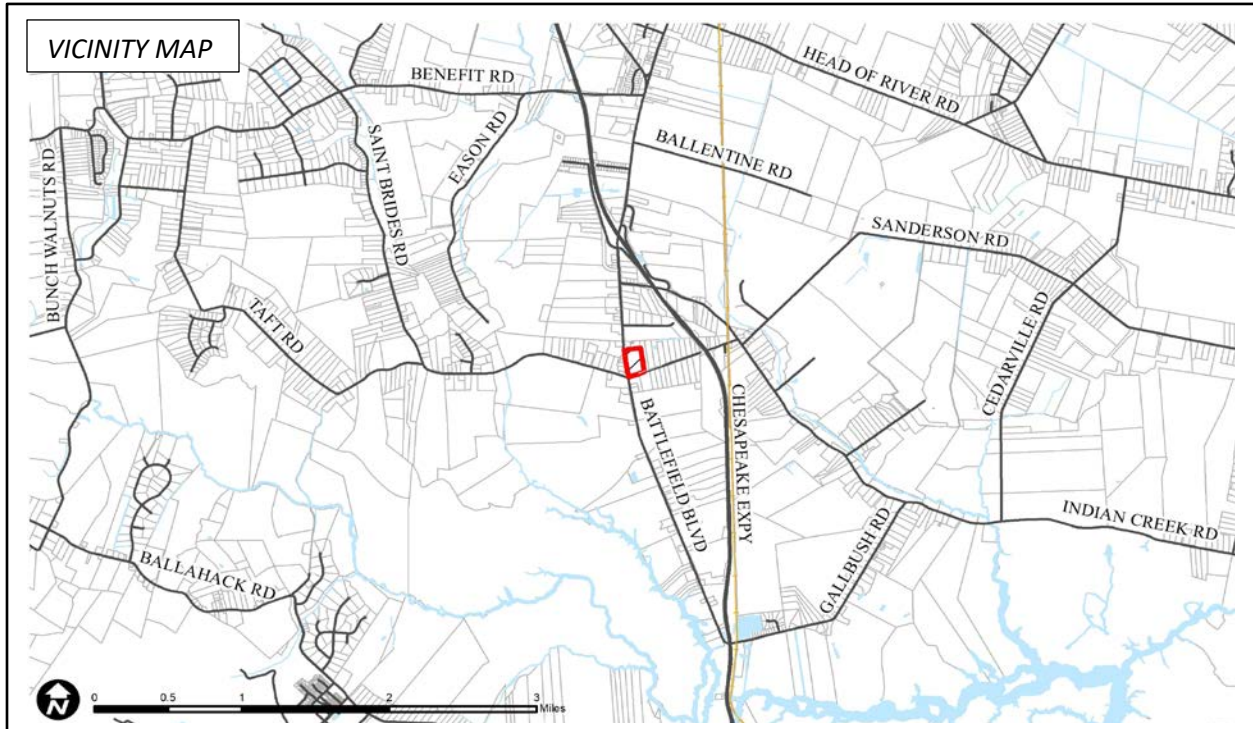


PLN-USE-2022-040

Osprey Aerial Adventures
Update



Project Proposal: A conditional use permit to operate an adventure park.	
Tax Map ID: 0970-000-001-130	Existing Zoning: A-1, Agricultural District
Property Address / Planning Area: The east side of Battlefield Boulevard S. between Saint Brides Road and Toll Plaza Road / Southern Chesapeake	Existing 2035 Land Use Plan Designation: Agricultural / Open Space
Applicant / Agency: Clover Downs, L.C. / Civil Engineering and Construction Services, LLC	Public Hearing Date: February 8, 2023 Staff Report Date: January 17, 2023
Property Owner: Clover Downs, L.C.	Project Planner: Aaron Bell, Senior Planner
STAFF RECOMMENDATION	
<input type="checkbox"/> APPROVED <input checked="" type="checkbox"/> APPROVED WITH STIPULATIONS <input type="checkbox"/> CONTINUED <input type="checkbox"/> DENIED	

FINDINGS:

1. The location of the proposed use is consistent with the 2035 Chesapeake Comprehensive Plan Land Use Map as it is located within an Agriculture and Open Space Land Use area and the proposed use is consistent with that designation.
2. The proposed use is consistent with action strategies of the 2035 Comprehensive Plan, to provide recreational facilities that promote exercise, recreation, and enjoyment of nature, and be located on a site that is appropriate in terms of size, access, environmental conditions, community facilities, and compatibility with adjacent and surrounding properties.
3. The proposed use increases the non-residential tax base and employment opportunities in the City, which accomplishes a Desired Outcome targeted by City Council for Economic Prosperity.
4. The proposed use is consistent with the intent of the Transportation Corridor Overlay District policy, as it will increase tax revenues and employment opportunities and the minimal footprint of the park will preserve the site for future opportunities if the land use designation should ever change.

STAFF RECOMMENDATION:

Based on the findings contained in this staff report, staff recommends that **PLN-USE-2022-040** be **APPROVED** with the following stipulations:

1. The applicant/owner shall receive approval for onsite sewage and a private well from the Chesapeake Health Department, if determined to be necessary by the Chesapeake Health Department, prior to issuance of a certificate of occupancy.
2. The applicant/owner shall submit a lighting plan prior to final site plan approval. The plan shall utilize full cut-off lighting and shall be subject to the review and approval of the Director of Development and Permits, or designee.
3. The applicant/owner shall submit a landscape plan prior to final site plan approval that illustrates the enhanced twenty (20) foot landscape buffers around the entire site, as illustrated on the Preliminary Site Plan prepared by Civil Engineering and Construction Services, dated September 23, 2022. This plan shall be subject to the review and approval of the Director of Development and Permits or designee, and all landscaping shall be installed prior to issuance of a certificate of occupancy.

UPDATE:

This application was heard at the December 14, 2022, Planning Commission Public Hearing. Planning Commission continued the application sixty (60) days and instructed staff to look into the possibility of utilizing the drive aisle for the City owned fueling station adjacent to the old Fire Station #7 located at 3329 Battlefield Boulevard S. to the north of the project site for the proposed adventure park.

Staff presented this idea to the Department of Public Works, who have stated in an email (attached to this report) that it is not a possibility, due to the use of this fueling station by emergency vehicles from the new Fire Station #7, City-owned heavy trucks, and light automotive vehicles. Utilizing this private driveway for commercial access would present safety concerns and could increase the likelihood of vandalism and illegal parking of vehicles on the fueling station site itself.

Traffic Engineering also provided comments that the current proposed entrance at Battlefield Boulevard and Saint Brides Road would be preferred due to the presence of a left turn lane, which the fueling station entrance does not have. The proposed use is not anticipated to generate high traffic volumes and the entrance location currently proposed does not pose any capacity or safety concerns. Staff continues to recommend approval of this request.

PREVIOUS STAFF REPORTS AND UPDATES:

[Version dated November 21, 2022](#)

ATTACHMENT:

Email from Public Works, dated January 12, 2023

From: [Sam Sawan](#)
To: [Aaron T. Bell](#); [George Hrichak](#); [Troy A. Eisenberger](#); [Jay Tate](#); [Jonathan G. Adams](#); [Mark Curry](#); [Earl Sorey](#)
Subject: Re: Osprey Aerial Adventures - PLN-USE-2022-040
Date: Thursday, January 12, 2023 2:25:37 PM
Attachments: [image001.png](#)
[image002.png](#)
[Outlook-w530zzhb.png](#)

Aaron ,

The City Fleet Management Department provided concerns that this fuel site is used primarily by fire apparatus, ambulances, and police vehicles assigned to the new fire station #7. Other city vehicles, both heavy trucks and light automotive, also use the site.

The City wants to keep this access drive clear for City-use rather than having to compete with commercial traffic which would present safety concerns . Also, this fuel site has low visibility off of Battlefield , exposing the fuel site to more traffic will increase the likelihood of vandalism, parking, etc.

Public Works traffic engineering reviewed the entrance location proposed by the applicant. The intersection of Battlefield Blvd and Saint Brides Road has an existing left turn lane. This site is not anticipated to generate high traffic volumes, so given the existing geometry, the entrance location does not as currently shown pose any capacity or safety concerns.

Let me know if you need anything on this subject



Sam Sawan, P.E., CSM

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