



FLUVANNA COUNTY PLANNING COMMISSION

WORK SESSION AND REGULAR MEETING AGENDA

Fluvanna County Circuit Court Room

March 12, 2019

6:00 PM (Circuit Court Room)

7:00 PM (Circuit Court Room)

TAB AGENDA ITEMS

WORK SESSION

A – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

B – PLANNING DIRECTOR COMMENTS

C – PUBLIC COMMENTS (Limited to 3 minutes per speaker)

D – WORK SESSION

Riparian Buffer Discussion – Holly Steele, Planner

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

2 – DIRECTOR'S REPORT

3 – PUBLIC COMMENTS #1 (3 minutes each)

4 – MINUTES

Minutes of January 8, 2019

Minutes of February 12, 2019

5 – PUBLIC HEARING

ZMP 18:01 – Steven & Codie Peters / Colonial Circle – Brad Robinson, Senior Planner*

SUP 18:05 – Steven & Codie Peters / Colonial Circle Density – Brad Robinson, Senior Planner*

SUP 19:01 – Jamie Adams/ National Communication Towers—Holly Steele, Planner

SUP 19:02 – Amy and Stephen Beyer/Medical Clinic – Holly Steele, Planner

**Applicant has requested deferral*

6 – PRESENTATIONS

None

7 – SITE DEVELOPMENT PLANS

None

8 – SUBDIVISIONS

None

9 – UNFINISHED BUSINESS

None

10 – NEW BUSINESS

None

11 – PUBLIC COMMENTS #2 (3 minutes each)

12 – ADJOURN

Fluvanna County...The heart of Virginia and your gateway to the future!

Jason Stewart
Planning/Zoning Administrator Review

Fluvanna County...The heart of Virginia and your gateway to the future!

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*

PLEDGE OF ALLEGIANCE

I pledge allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

PUBLIC HEARING RULES OF PROCEDURE

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Commission.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Commission.
 - All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Commission will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

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COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

To: Fluvanna County Planning Commission
From: Jason Stewart, AICP
Date: March 12, 2019
Re: Planning Director's Report

Board of Supervisors Actions:

February 20, 2019

None

March 6, 2019

None

Board of Zoning Appeals Actions:

None

Technical Review Committee for February 14, 2019:

- I. **SUP 19:01 National Communication Towers** – A request for a special use permit to construct a 199' Self-Support Tower, with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is located off of West River Rd. (State Route 6), approximately 0.6 miles northeast of the intersection with Rockfish Run Rd. (State Route 683). The parcel is zoned A-1 Agricultural, General and located within the Rural Preservation Planning Area and the Fork Union Election District.
- II. **SUP 19:02 Amy and Stephen Beyer** – A request for a special use permit to convert an existing building into a "low-volume medical clinic" with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89. The property is located off of Thomas Jefferson Pkwy. (State Route 53), approximately 500 feet west of the intersection with Stage Coach Hills Rd (State Route 1010). The parcel is zoned A-1 Agricultural, General and located within the Rural Residential Planning Area and the Fork Union Election District.
- III. **SUB 18:25 Rivanna Investments & Steger Investments** – A rural cluster major subdivision request with respect to 30.47 acres of Tax Map 9, Section A, Parcels 11, 11B,

11F & 11G. The applicant is proposing 10 building lots with 19.55 acres designated as open space. The property is located along Lake Monticello Road (Route 618), approximately 785 feet west of its intersection with River Run Drive. The parcels are zoned A-1, Agricultural, General and located within the Rivanna Community Planning Area and the Palmyra Election District.

CODE COMPLIANCE VIOLATION STATISTICS

February - 2019

Scott B. Miller, CZO, Code Inspector, Building Site Inspector

| Case No. | Tax Map Number | Property Owner | Address | Date of Complaint | Violation Type | Status* | Deadline | District |
|----------|-------------------------|--------------------------------|----------------------------|-------------------|---|------------------------------|---|------------|
| 1611-01 | 18-(A)-25B | Stevens, Roger | Thomas Farm La. (Vacant) | 11/3/2016 | Junk/Inoperable Vehicle | Court Agreement 4/05/2018 | Additional time to abate violation, Court 04/22/2019 | Palmyra |
| 1709-03 | 4-(A)-114 | Herrion, Vernon L. | 15 Blue Ridge Dr. | 09/20/2018 | Violation of SUP 04-10 | Permit Pend | 03/20/2019 | Palmyra |
| 1801-05 | 36-(A)-97 | Patterson, Hilton & Carolyn | 1404 West River Rd. | 01/26/2018 | Junk/Debris | Extended | 03/02/2019 | Cunningham |
| 1803-01 | 4-(12)-1 | Meredith, White Et Al | 251 Country La. | 03/02/2018 | Inoperable Vehicles | Extended | 03/02/2019 | Palmyra |
| 1804-03 | 4-(A)-109A | Bahr, Kenneth | 3180 Richmond Rd. | 04/10/2018 | Violation of SDP 06-009 | Court Trial | 03/19/2019 Motion to Dismiss | Palmyra |
| 1804-04 | 4-(A)-99 | Bahr, Kenneth | 2969 Richmond Rd. | 04/10/2018 | Violation of ZMP 08-004 | Cleared | Site Plan Approved 02/25/2019 | Palmyra |
| 1809-02 | 10-(A)-33 | Edwards, Catherine | 17934 James Madison Hwy. | 09/14/2018 | Site Plan required for SUP | Pending | 03/14/2019 Site Plan Submitted | Columbia |
| 1810-02 | 49-(A)-10A | Thomas, Willis L. Jr. & Bertha | 2438 & 2390 Shores Rd. | 10/17/2018 | Inoperable Vehicles | Pending | 03/17/2019 | Fork Union |
| 1811-01 | 54A-(1)-77,78B, 95, 95A | Harry, Richard T. & Donna M. | 436 Saint James St. | 11/09/2018 | Non-permitted use, "junkyards", salvage & scrapyards" | Pending | 03/09/2019 Substantial Improv. | Columbia |
| 1811-02 | 9-(A)-14B | Crofton Group, Inc. | 106 Crofton Plaza | 11/16/2018 | Amended Site Plan required | Pending | 03/16/2019 | Palmyra |
| 1901-01 | 30-(1)-A1 | Newton, Eleanor T. | 1116 Thomas Jefferson Pkwy | 01/07/2019 | Garbage, Debris, Junk | Pending | 03/07/2019 | Fork Union |
| 1901-02 | 54A-(A)-10 | Harry, Richard T., Jr. | 535 Saint James St. | 01/15/2019 | Garbage, Trash | Cleared | 02/15/2019 | Columbia |
| 1901-03 | 30-(A)-49 | Ross, Kyeasha & Scruggs | 2430 Shiloh Church Rd. | 01/29/2019 | Garbage, Trash | Pending | 03/28/2019 | Fork Union |

STATUS DEFINITIONS*

| | | |
|--|--|--|
| Board - Case is pending Board Approval | Court Pending - Summons to be issued | Permit Pending - Applied for Permit to Abate Violation |
| Cleared - Violation Abated | Extended - Extension Given/Making Progress to Abate Violations | Rezoning - Property is in Rezoning Process |
| Court - Case is before Judge | Pending - Violation Notice Sent | SUP Pending - SUP Application made to Abate Violation |

MISCELLANEOUS ACTIONS / TASKS

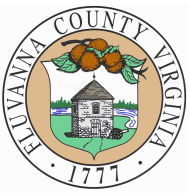
Biosolids Applied and Signs Displayed (Total – 37 Sites)

Compliance with Tenaska Virginia Sound Levels 02/15/2019

Signs Removed From Public Rights-Of-Way (Total – 24)

Placed and removed "Public Hearing Signs" as needed and Deliver packets to BOS, PC Members and Library

Commence Land Surveying project at Pleasant Grove to establish boundary locations for the "Historical Grant Location-5 Acres" and the "Haden or Smith Cemetery".



TRANSACTIONS BY USER REPORT (01/10/2019 TO 03/01/2019) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

Selected Users: Valencia Porter

| Invoice # | Fee Name | Transaction Date | Transaction Type | Payment Method | Paid Amount |
|------------------------|--|------------------|------------------|----------------|-------------|
| Valencia Porter | | | | | |
| BR19-0008 | | | | | |
| INV-00000832 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #1215 | \$14.62 |
| | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #1215 | \$125.00 |
| | Electrical: Per SqFt | 01/10/2019 | Fee Payment | Check #1215 | \$124.80 |
| | HVAC: Residential (Use Groups R5) - each system | 01/10/2019 | Fee Payment | Check #1215 | \$90.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #1215 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #1215 | \$374.40 |
| | Plumbing flat fee | 01/10/2019 | Fee Payment | Check #1215 | \$30.00 |
| | Plumbing, per fixture | 01/10/2019 | Fee Payment | Check #1215 | \$112.00 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #1215 | \$100.00 |
| BR19-0013 | | | | | |
| INV-00000828 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #2067 | \$15.80 |
| | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #2067 | \$125.00 |
| | Electrical: Per SqFt | 01/10/2019 | Fee Payment | Check #2067 | \$120.96 |
| | Gas | 01/10/2019 | Fee Payment | Check #2067 | \$45.00 |
| | HVAC: Residential (Use Groups R5) - each system | 01/10/2019 | Fee Payment | Check #2067 | \$180.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #2067 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #2067 | \$362.88 |
| | Plumbing flat fee | 01/10/2019 | Fee Payment | Check #2067 | \$30.00 |
| | Plumbing, per fixture | 01/10/2019 | Fee Payment | Check #2067 | \$96.00 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #2067 | \$100.00 |
| BR19-0014 | | | | | |
| INV-00000796 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #1962 | \$13.98 |
| | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #1962 | \$125.00 |
| | Electrical: Per SqFt | 01/10/2019 | Fee Payment | Check #1962 | \$116.76 |
| | Gas | 01/10/2019 | Fee Payment | Check #1962 | \$45.00 |
| | HVAC: Residential (Use Groups R5) - each system | 01/10/2019 | Fee Payment | Check #1962 | \$90.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #1962 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #1962 | \$350.28 |
| | Plumbing flat fee | 01/10/2019 | Fee Payment | Check #1962 | \$30.00 |
| | Plumbing, per fixture | 01/10/2019 | Fee Payment | Check #1962 | \$112.00 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #1962 | \$100.00 |
| BR19-0029 | | | | | |
| INV-00000842 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #2058 | \$14.62 |
| | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #2058 | \$125.00 |
| | Electrical: Per SqFt | 01/10/2019 | Fee Payment | Check #2058 | \$128.70 |
| | HVAC: Residential (Use Groups R5) - each system | 01/10/2019 | Fee Payment | Check #2058 | \$90.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #2058 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #2058 | \$386.10 |
| | Plumbing flat fee | 01/10/2019 | Fee Payment | Check #2058 | \$30.00 |
| | Plumbing, per fixture | 01/10/2019 | Fee Payment | Check #2058 | \$96.00 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #2058 | \$100.00 |
| BR19-0033 | | | | | |
| INV-00000852 | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #035888 | \$125.00 |
| | Gas | | | | |

TRANSACTIONS BY USER REPORT (01/10/2019 TO 03/01/2019)

| Invoice # | Fee Name | Transaction Date | Transaction Type | Payment Method | Paid Amount |
|-----------------------|--|------------------|------------------|----------------|-------------|
| | | 01/10/2019 | Fee Payment | Check #035888 | \$45.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #035888 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #035888 | \$435.24 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #035888 | \$100.00 |
| BR19-0041 | | | | | |
| INV-00000853 | E&S: Single Family, \$125 per lot | 01/10/2019 | Fee Payment | Check #035888 | \$125.00 |
| | Gas | 01/10/2019 | Fee Payment | Check #035888 | \$45.00 |
| | New 9-1-1 Address Fee | 01/10/2019 | Fee Payment | Check #035888 | \$90.00 |
| | One/two fam. dwelling, R5, finished living space | 01/10/2019 | Fee Payment | Check #035888 | \$435.24 |
| | Zoning Permit: \$100.00 Primary Structures | 01/10/2019 | Fee Payment | Check #035888 | \$100.00 |
| ER19-0033 | | | | | |
| INV-00000829 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #3036 | \$2.90 |
| | Electrical: Per SqFt | 01/10/2019 | Fee Payment | Check #3036 | \$144.90 |
| ER19-0038 | | | | | |
| INV-00000840 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #1299 | \$0.90 |
| | Electrical: Base fee | 01/10/2019 | Fee Payment | Check #1299 | \$45.00 |
| GP19-0012 | | | | | |
| INV-00000827 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #1119 | \$0.90 |
| | HVAC: All other mechanical permits | 01/10/2019 | Fee Payment | Check #1119 | \$45.00 |
| MR19-0009 | | | | | |
| INV-00000795 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #013843 | \$1.80 |
| | HVAC: Residential (Use Groups R5) - each system | 01/10/2019 | Fee Payment | Check #013843 | \$90.00 |
| PV-000003-2019 | | | | | |
| INV-00000847 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #030011 | \$0.90 |
| | Electrical: Base fee | 01/10/2019 | Fee Payment | Check #030011 | \$45.00 |
| PV19-0001 | | | | | |
| INV-00000851 | 2% State Surcharge | 01/10/2019 | Fee Payment | Check #6868 | \$0.90 |
| | Electrical: Base fee | 01/10/2019 | Fee Payment | Check #6868 | \$45.00 |
| PV19-0002 | | | | | |
| INV-00000872 | 2% State Surcharge | 02/27/2019 | Fee Payment | Check #24289 | \$0.90 |
| | Electrical: Base fee | 02/27/2019 | Fee Payment | Check #24289 | \$45.00 |
| SDP19:0001 | | | | | |
| INV-00000837 | Site Plan Review: Sketch Plan | 01/10/2019 | Fee Payment | Check #6189 | \$150.00 |
| SDP19:0002 | | | | | |
| INV-00000845 | Site Plan Review: Sketch Plan | 01/10/2019 | Fee Payment | Check #22585 | \$150.00 |
| SUB19:0001 | | | | | |
| INV-00000859 | Subdivision: GIS Fee (per lot) | 01/10/2019 | Fee Payment | Check #1208 | \$100.00 |
| | Subdivision: Minor | 01/10/2019 | Fee Payment | Check #1208 | \$500.00 |

TRANSACTIONS BY USER REPORT (01/10/2019 TO 03/01/2019)

| Invoice # | Fee Name | Transaction Date | Transaction Type | Payment Method | Paid Amount |
|------------------------|--|------------------|------------------|---------------------|--------------------|
| SUP19:0001 | | | | | |
| INV-00000813 | Sign Deposit for Public Hearing | 01/10/2019 | Fee Payment | Check #11522 | \$90.00 |
| | Special Use Permit | 01/10/2019 | Fee Payment | Check #11521 | \$800.00 |
| INV-00000864 | New Cell Tower Review Fee | 01/10/2019 | Fee Payment | Check #11582 | \$3,200.00 |
| SUP19:0002 | | | | | |
| INV-00000814 | Special Use Permit | 01/10/2019 | Fee Payment | Check #166 | \$800.00 |
| INV-00000815 | Sign Deposit for Public Hearing | 01/10/2019 | Fee Payment | Check #167 | \$90.00 |
| ZUP19:0001 | | | | | |
| INV-00000769 | Zoning Use Permit: Renewal | 01/10/2019 | Fee Payment | Cash | \$200.00 |
| ZUP19:0002 | | | | | |
| INV-00000792 | Zoning Use Permit: Telecom Tower Consult. Review | 01/10/2019 | Fee Payment | Check #397731 | \$900.00 |
| | Zoning Use Permit: Telecommunications Towers | 01/10/2019 | Fee Payment | Check #397731 | \$550.00 |
| ZUP19:0003 | | | | | |
| INV-00000809 | Zoning Use Permit: Renewal | 01/10/2019 | Fee Payment | Check #3950 | \$200.00 |
| VALENCIA PORTER | | | | TOTAL CASH: | \$200.00 |
| | | | | TOTAL CHECK: | \$13,949.48 |
| | | | | NET TOTAL: | \$14,149.48 |
| GRAND TOTALS | | | | | |
| | | | | TOTAL CASH: | \$200.00 |
| | | | | TOTAL CHECK: | \$13,949.48 |
| | | | | NET TOTAL: | \$14,149.48 |

FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING MINUTES
County Administration Building, Morris Room
January 8, 2019
Work Session 6:00pm
Regular Meeting 7:00pm

MEMBERS PRESENT: Barry Bibb, Chairman
 Ed Zimmer, Vice Chairman
 Lewis Johnson
 Gequetta "G." Murray-Key
 Howard Lagomarsino
 Patricia Eager, Board of Supervisors Representative

ABSENT: None

ALSO PRESENT: Jason Stewart, Director of Community Development
 Fred Payne, County Attorney
 Brad Robinson, Senior Planner
 Holly Steele, Planner
 Valencia Porter, Senior Program Support Assistant

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 6:00pm, Chairman Bibb called the work session to order.
 After the recitation of the Pledge of Allegiance, a moment of moment of silence was observed.

B. PLANNING DIRECTOR COMMENTS

None

C. PUBLIC COMMENTS (Limited to 3 minutes per speaker)

None

D. WORK SESSION:

- **ZMP 18:01 & SUP 18:05 – Steven & Codie Peters / Colonial Circle** - Brad Robinson, Senior Planner

This request for a rezoning and special use is permit is located at t the intersection of Route 53 (Thomas Jefferson Parkway) and State Route 618 (Lake Monticello Road). The subject parcel is Tax Map 8-A-A14A and is identified in the Comprehensive Plan as being within the Rivanna Community Planning Area. The current zoning of the property is B-1 (Business, General) & A-1 (Agricultural, General). The requested zoning is R-3 (Residential, Planned Community).

Proposed Uses:

- 81,000 sq. ft. commercial space
- 40 Single Family Detached Dwelling Units
- 128 Single Family Detached & Townhomes
- 250 Townhomes & Multi-Family Units

SUP 18:05 has also been submitted for proposed density increase above 2.9 units per acre.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 7:00pm Jason Stewart closed the work session and opened the regular meeting of the Planning Commission.

2. 2019 ORGANIZATIONAL MEETING OF THE PLANNING COMMISSION

- **Election of Chairman** Mr. Johnson moved to elect Mr. Barry Bibb as Chairman of the Fluvanna County Planning Commission for calendar year 2019. Seconded by Mr. Zimmer. The motion was approved with a vote of 5-0-0 AYE: Johnson, Bibb, Zimmer, Murray-Key, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

- **Election of Vice Chairman**
Mr. Lagomarsino moved to elect Mr. Ed Zimmer as Vice Chairman of the Fluvanna County Planning Commission for calendar year 2019. Seconded by Murray-Key. The motion was approved with a vote of 5-0-0 AYE: Johnson, Bibb, Zimmer, Murray-Key, Lagomarsino, NAY: None ABSTAIN: None ABSENT: None
- **Selection of Dates for the Commission Meetings**
Zimmer moved to accept the selected dates of the Fluvanna County Planning Commission for the calendar year of 2019, with May being on the first Tuesday of the month instead of the second Tuesday of the month. . Seconded by Murray-Key. Motion carried with a vote of 5-0.
- **Resolution entitled “Organizational Meeting of the Fluvanna County Planning Commission 2019.”**
On a motion by Mr. Zimmer, seconded by Mr. Johnson, and carried with a vote of 5-0 The “Organizational Meeting of the Fluvanna County Planning Commission 2019” resolution was adopted.
- **Adoption of the Planning Commission By-Laws and Rules of Procedure**
Johnson moved to adopt the Fluvanna County Planning Commission By-Laws and Rules of Procedure for 2019. Lagomarsino seconded the motion which carried with a vote of 5-0.

3. **DIRECTOR’S REPORT**

Board of Supervisors Actions:

December 19, 2018

None

Board of Zoning Appeals Actions:

None

Technical Review Committee for December 13, 2018:

- I. **SDP 18:11 Carbon Core** – A site development plan request to construct a warehouse facility including office space, with respect to 1.651 acres of Tax Map 5, Section 24, Parcel 3. The property is located within the Zion Station Subdivision between Zion Station Road (Route 1021) and Richmond Road (Route 250). The parcel is zoned I-1 Limited Industrial, and located within the Zion Crossroads Planning Area and the Columbia Election District.
- II. **SUB 18:48 Southern Development “Island Hill”** – A rural cluster major subdivision request with respect to 115.553 acres of Tax Map 18, Section A, Parcel 54. The applicant is proposing 50 building lots with 91.28 acres designated as open space. The property is located along Broken Island Road (Route 1040), approximately 0.1 miles south of its intersection with South Boston Road (Route 600). The parcel is zoned A-1, Agricultural General and located within the Rural Residential Planning Area and the Palmyra Election District.
- III. **ZMP 18:01 Steven L. & Codie C. Peters / Colonial Circle** – A request to rezone, from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community, 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.
- IV. **SUP 18:05 Steven L. & Codie C. Peters / Colonial Circle Density** – A request to increase density above 2.9 dwelling units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.

4. **PUBLIC COMMENTS #1 (3 minutes each)**

5. **APPROVAL OF MINUTES**

Mr. Bibb moved to approve the minutes of the December 11, 2018 Planning Commission meeting as presented. On a second by Lagomarsino, the motion passed with a vote of 5-0. AYE: Johnson Bibb, Zimmer, Murray-Key, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

6. PUBLIC HEARING

None

7. PRESENTATIONS

None

8. SITE DEVELOPMENT PLANS

SDP 18:11 Carbon Core – Holly Steele, Planner

A sketch plan request to construct a warehouse with office space, with respect to 1.651 acres of Tax Map 5, Section 24, Parcel 3.

Recommended Conditions:

1. Meet all final site plan requirements which include, but are not limited to, providing parking, landscaping, and outdoor lighting;
2. Meet all required Erosion and Sedimentation Control regulations;
3. Meet all VDOT requirements.

Motion

Murray-Key made motion to approve a sidewalk waiver for SDP 18:11, which was seconded by Johnson. The motion passed with a vote of 5-0. Murray-Key made a motion to approve SDP 18:11, a sketch plan to construct a warehouse with office space with respect to 1.651 acres of Tax Map 5, Section 24, Parcel 3, subject to the three (3) conditions listed in the staff report. Seconded by Zimmer. The motion was approved with a vote of 5-0. AYE: Johnson, Bibb, Zimmer, Murray-Key, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

9. SUBDIVISIONS

SUB 18:48 Island Hill Rural Cluster – Brad Robinson, Senior Planner

Request an approval for the sketch plan of a rural cluster major subdivision with respect to 115.554 acres of Tax Map 18, Section A, Parcel 54.

- Sketch plan is for a rural cluster major subdivision with 49 lots and 50 dwelling units
- Appears to meet the requirements of zoning and subdivision ordinances
- Preliminary and final plats must be submitted for final review and approval from all agencies
- Staff recommends approval of SUB 18:48, subject to the four (4) conditions listed in the staff report.

Motion

Motion to refer SUB 18:48 back to the Planning department for clarification and study and defer to the February 12, 2019 meeting. Lagomarsino, Second by Murray-Key. The motion was approved with a vote of 5-0. NAY: NONE, ABSTAIN: NONE, None Absent: None.

10. UNFINISHED BUSINESS

Authorization for Small Cell Telecommunications Amendment – Holly Steele, Planner

- 2017 HB 1282: Zoning for Wireless Communication Structures
 - 15.2-2316.4. Zoning; small cell facilities.
- Localities cannot require a SUP or variance for small cell facilities installed on existing structures as long as the provider:
 - Has permission from the structure owner to co-locate
 - Notifies the locality
 - However, the locality may require administrative review of the permit application.

Motion

Murray-Key moved to direct staff to initiate a Zoning Text Amendment to amend "Section 22-27, Regulation of Telecommunication Facilities" to amend the regulations and associated definitions in regards to Small Cell Telecommunications, and to schedule a future public hearing for formal Planning Commission consideration and recommendation to the Board of Supervisors. Seconded

by Zimmer. The motion was approved with a vote of 5-0. NAY: NONE, ABSTAIN: NONE, None
Absent: None

11. NEW BUSINESS

None.

12. PUBLIC COMMENTS #2

Chairman Bibb opened the second round of Public Comments.
With no one wishing to speak, Chairman Bibb closed Public Comments.

13. ADJOURN

At 8:03p.m., Chairman Bibb moved to adjourn the regular meeting of Tuesday, January 8, 2019.

Minutes recorded on January 8, 2019 by Valencia Porter, Senior Program Support Assistant.

Fluvanna County Planning Commission

Barry A. Bibb, Chair

DRAFT

FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Court Room
February 12, 2019
7:00 p.m.

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Gequetta "G" Murray-Key
Howard Lagomarsino
Patricia Eager, Board of Supervisors Representative

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Brad Robinson, Senior Planner
Fred Payne, County Attorney
Valencia Porter, Senior Program Support Assistant

ABSENT: Holly Steele

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 7:00p.m., Chairman Bibb called the meeting into session.

Chairman Bibb suggested the Commission change the agenda for tonight. VDOT needs to review the traffic plan for the ZMP 18:01, and SUP 18:05 of the Steven & Codie Peters/Colonial Circle. The commission can bring it back to the following meeting in March.

Fred Payne recommend that the plan be deferred before the public hearing.

Mr. Zimmer made a motion to defer ZMP 18:01, and SUP 18:05 to the next meeting on March 12, 2019. Mr. Johnson seconded. The motion carried a vote of 5-0-0 **AYE:** Bibb, Johnson, Zimmer, Murray-Key, and Lagomarsino. **NAY:** None **ABSTAIN:** None **ABSENT:** None

2. DIRECTOR'S REPORT:

None

3. PUBLIC COMMENTS:

- Erik Quackenbush, not in favor of the proposed rural cluster subdivision, "Island Hill".
- Lee Hinkle, Not in favor of the proposed rural cluster subdivision, "Island Hill".
- Ronda Beck, like the rural cluster, but wants the board to consider the traffic that will be coming through. Suggest at lease a left hand turn there, before the Chairman make a decision and consider one house on two acres

4. MINUTES

Mr. Johnson stated the motions for the election of the Chairman and the Vice Chairman in the January 8, 2019 minutes are incorrect.

Mr. Johnson stated that he made a motion only for the Chairman.

Murray-Key made a motion to hear the audio in January 8, 2019 minutes, Mr. Lagomarsino seconded. The motion carried a vote of 5-0-0 **AYE:** Bibb, Johnson, Zimmer, Murray-key, and Lagomarsino. **NAY:** None **ABSTAIN:** None **ABSENT:** None

5. PUBLIC HEARINGS:

ZMP18:01—Steven & Codie Peters/ Colonial Circle—Deferred to March 12, 2019

SUP18:05— Steven & Codie Peter/ Colonial Circle—Deferred to March 12, 2019

6. PRESENTATIONS:

None

7. SITE DEVELOPMENT PLANS:

None

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

SUB 18:48 Southern Development "Island Hill" – A rural cluster major subdivision request with respect to 115.553 acres of Tax Map 18, Section A, Parcel 54. The applicant is proposing 49 building lots with 91.28 acres designated as

open space. The property is located along Broken Island Road (Route 1040), approximately 0.1 miles south of its intersection with South Boston Road (Route 600). The parcel is zoned A-1, Agricultural General and located within the Rural Residential Planning Area and the Palmyra Election District.

Mr. Zimmer moved to approve the sketch plan request for a request for forty-nine (49) residential lots plus open space, with respect to 115.554 acres of Tax Map 18, Section A, Parcel 54, subject to the four (4) conditions listed in the staff report. Ms. Murray-Key seconded. The motion carried by a vote of 5-0-0 AYE: Bibb, Johnson, Zimmer, Murray-Key, and Lagomarsino. **NAY:** None **ABSTAIN:** None **ABSENT:** None

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS:

- John Hinkle, Stated it's his house that will be affected by this cluster. The home and the cabin is both 75 feet from the back. I asked that the board will take inconsideration that my house will be the one affected. Chairman Bibb stated that no matter what the board still have to go by all codes and laws.
- Rhonda Beck, asking on behalf of someone that love their property, and that more of the retirement homeowners moved here to enjoy their land that they brought. Please adjust the plan to 6 homes into 2-3 lots? Or a 6 acre lot.
- Erik Quakenbush, Just finish up from Public Comments statement 1.

12. ADJOURN:

Chairman Bibb adjourned the Planning Commission meeting of February 12, 2019 at 8:06p.m..

Minutes recorded by Valencia Porter, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: ZMP 18:01
Tax Map: Tax Map 8, Section A, Parcel A14A

From: Brad Robinson
District: Palmyra
Date: March 12, 2019

General Information: This request is to be heard by the Planning Commission on Tuesday, March 12, 2019 at 7:00 pm in the Circuit Court Room in the Courts Building.

Owner: Steven L. & Codie C. Peters

Applicant: Steven L. & Codie C. Peters

Representative: Shimp Engineering

Requested Action: To amend the Fluvanna County Zoning Map with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A, to rezone the same from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community. (Attachment A)

Location: The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District. (Attachment B)

Existing Zoning: A-1 Agricultural, General and B-1 Business, General (Attachment C)

Proposed Zoning: R-3, Residential Planned Community

Existing Land Use: Vacant/undeveloped

Planning Area: Rivanna Community Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1 and R-4, Residential Limited.

Zoning History: ZMP 15:02 was approved October 21, 2015 for approximately 21.5 acres of Tax Map 8-A-A14A. (Attachment D)

Neighborhood Meeting:

A neighborhood meeting was held January 16, 2019. There were nine (9) attendees including staff and the applicant. The attendees had the following questions or comments:

- How many units are proposed?
- Are there any amenities?
- How many stories are the apartments?
- Are there any turning lanes along Route 618?
- What is the lot size of the single-family dwellings?
- Will something be put up along the property line behind the single family homes?
- Is an exit proposed near the adjoining driveway?
- Has anyone considered congestion along Route 53?
- There are accidents at the intersection of Martin Kings Road and Route 53
- How many parking spaces total are proposed?
- Where is water going to come from for this development?
- Adding something like this adds an issue for residents of Lake Monticello
- Where is the entrance along Route 53 in relation to driveways across the road?
- What is the price point of proposed housing?
- How much square footage of retail is proposed?
- Is the retail portion under a height limit?
- Has VDOT commented on this proposal?
- Concerned about detention ponds
- Concerned about traffic and water tables
- Concerned about safety

(Attachment E)

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 13, 2018:

1. Planning staff asked about the price of the housing and what type of commercial uses are proposed. Some desirable uses are allowed by right while others may require approval of a special use permit in the future.
2. Building Inspections did not have any comments.
3. Chamber of Commerce did not have any comments.
4. Department of Forestry did not have any comments.
5. Erosion and Sediment Control noted the absence of adequate receiving natural channels on or adjacent to the site. The applicant stated an intent to use the VA DEQ "energy balance equation" to reduce post development discharges to a level that does not require proof of adequate receiving channels.

6. Fire Chief had the following questions or comments (applicant responses italicized):

- Would like for the distance between fire hydrants to be 800 feet or less.
- What will the width of the streets would be? (*Between 20 and 25 feet, and alleys would be less than 20 feet.*) Will there be parking on the alleys? (*Yes.*) At least 18 feet width is needed for a ladder truck.
- Will the roads within the development be public or private? (*There will be a mixture of both public and private roads.*)
- Fire Chief stated he would prefer not to have hammerheads as the terminus for streets, and that his comments also reflect the Virginia Department of Forestry and the Lake Monticello Volunteer Fire Department.

7. Health Dept. has not provided any comments at the date of this letter.

8. Sheriff's Office did not have any comments.

9. VDOT stated that the project will need to be coordinated with the roundabout construction. Official comments have not been provided at the date of this letter.

(Attachment F)

Statement of Intent:

The purpose of the A-1 District is *“to conserve water and other natural resources, reduce soil erosion, protect watersheds and reduce hazards from floods; to preserve the rural character of the county; to promote existing and future farming and forestry operations; and to promote the retention of undisturbed open space.”* Additionally, *“the provisions of this district are intended to significantly limit conventional and roadside strip development, especially on major arteries and commuter routes.”*

The B-1 District generally *“covers those areas of the county as defined by the Comprehensive Plan that are intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles.”*

The R-3 District *“is intended to permit compact village-style residential development and associated institutional uses, community serving mixed uses, open spaces, and creative design in accordance with a master plan.”*

Analysis:

The applicant is requesting to rezone 61.95 acres of Tax Map 8, Section A, Parcel A14A from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community. The subject property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618).

The applicant is proposing a mixed-use development to be known as Colonial Circle that will contain both commercial and residential uses. The commercial area will be located primarily along Lake Monticello Road with the remainder of the property containing various residential uses including single-family detached, single-family attached, two-family, multi-family and townhouse dwellings. The existing T-intersection of Thomas Jefferson Parkway and Lake Monticello Road is proposed by VDOT to be reconfigured into a roundabout as approved by a 2015 application for transportation funding. Construction on this project is scheduled to begin during the fall of 2019. The master plan shows the proposed development with this project completed.

In accordance with Sec. 22-7-2, requests for a residential planned community must be accompanied by a master plan which governs the site after R-3 zoning is established. The master plan may be amended with approval by the Planning Commission. Sec. 22-7-10.E states that uses in a residential planned community shall be permissible only in the general location shown on the approved Master Plan as previously set forth.

The development will consist of five (5) sections shown as blocks on the master plan as follows:

- Block A Open Space (15.6 acres)
- Block B Single-Family Detached and Two-Family Dwellings (5.6 acres)
- Block C Single-Family Detached, Two-Family, Single-Family Attached and Townhouse Dwellings (18.4 acres)
- Block D Single-Family Attached, Townhouse and Multi-Family Dwellings (9.5 acres)
- Block E Commercial (11.6 acres)

The maximum number of residential units proposed is 418 units which equates to approximately 6.9 units per acre. In accordance with Sec. 22-7-8, the maximum gross residential density permitted by right in the R-3 district is 2.9 units per acre, with a special use permit required for density between 3 and 10 units per acre. The by right density would allow the applicant approximately 179 units. Because the proposed number of units exceeds by right density, the applicant has also submitted a special use permit application (#SUP 18:05) which is being reviewed concurrently with this request. Approval of the special use permit would be subject to approval of this rezoning request.

The commercial retail area is proposed to have a maximum of 81,000 square feet allocated between several buildings of various sizes. The applicant has indicated potential uses in this area could include a gas station, car wash, laundromat, restaurant and a grocery store. All of these uses except a restaurant would require a separate special use permit approval at the time of their proposal in accordance with Sec. 22-7-9.2. All uses that are permitted by right are outlined in Sec. 22-7-9.1. Some commercial uses permitted by right include financial institutions, medical clinics, offices, pharmacies, small and general restaurants, and retail stores, among others.

Sec. 22-7-4 requires the development to contain a minimum of 25% for open space. The applicant has proposed 15.6 acres of open space which meets this requirement. In addition to providing open space, Sec. 22-7-12 requires a residential planned community with 101 or more residential units to have a minimum of eight acres of active recreation, and the applicant is required to provide three active recreation facilities from Group A and B below, and one facility from Group C below, as follows:

- Group A: Bicycling, walking, fitness, and equestrian trails, open play area (minimum ½ acre), sitting area, picnic table units, tot lot equipment, community gardens that may be located within the required open space
- Group B: Picnic shelter (3-4 picnic table units with grill), tennis court(s), multi-use court, active playground with equipment.
- Group C: Community Center/Clubhouse/ Fitness Center, Indoor Swimming Pool, Athletic fields for private unorganized activities (Baseball, football/soccer) – minimum 2 acres

The development will contain a combination of public and private roads. The residential sections will be served by public roads while the commercial section may contain a private road. Public roads will be required to be designed and constructed to VDOT standards. All private roads and shared parking areas will be governed and maintained by a homeowners association which will be required with the final master plan. With regard to traffic external to the development, VDOT has requested the applicant to provide an additional analysis of the entire proposed development to ensure that the roundabout and the entrances are adequate for the additional traffic generated by the proposed residential development, since a previous traffic study conducted in 2016 did not include Colonial Circle. Traffic data from 2017 indicates Route 53 from the Albemarle County line to Ruritan Lake Road (State Route 660) had an average daily traffic volume of 7000 vehicles, while Lake Monticello Road from Route 53 to South Boston Road (State Route 600) had an average daily traffic volume of 3100 vehicles.

Sec. 22-7-4 states that a preliminary master plan must contain information regarding the adequate provision for general sewer, storm drainage, and water supply. The property is located within Aqua Virginia's service area who has expressed an interest in providing water and wastewater utility service provided terms and conditions for such an agreement are negotiated and all governmental approvals and permits are obtained. The applicant has indicated sewage disposal is proposed on property the applicant owns directly across Route 53.

If the rezoning and special use permit requests are approved, this development will then be subject to County site plan and subdivision review processes prior to the commencement of any site improvements or construction.

(Attachment G)

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area. According to this chapter, *“the area is traditionally neighborhood residential, with primarily single-family detached dwellings. Surrounding growth should be a mixture of uses and residential dwelling types that serve a variety of incomes. Neighborhood mixed-use is needed to help offset the volume of single-family residential development in this community. Additional services and infrastructure are needed to accommodate more growth.”* Several priorities from previous studies for this area include:

- *To increase traffic safety and improve flow at key intersections.*
- *To enhance existing commercial centers in appearance, design, and available services, focusing on “village center” concepts.*
- *To provide housing choices for a variety of age groups and income levels, appropriate to the area.*
- *To preserve the rural character of the surrounding area and protect natural resources.*

The Rivanna Community Planning Area is the most developed planning area in the county and contains a mixture of residential and commercial uses to serve the population. A variety of retail, food service and professional service oriented businesses are located in and around the Rivanna CPA.

Economic Development Chapter:

According to this chapter, *“the primary infrastructure service areas will be the Zion Crossroads, Lake Monticello, and Fork Union community planning areas”*.

Conclusion:

When reviewing this rezoning application, the Planning Commission should take into consideration any potential adverse impacts that the development may have on the Lake Monticello area. Traffic will be an important consideration since the Rivanna CPA is the most populated planning area in the county. This project appears to meet the intent of the R-3 district’s design criteria and aspects by incorporating a variety of land uses and densities.

The subject property is located within a designated growth area but also *“it is not sufficient for an applicant to receive approval for a rezoning simply because a property is within a community planning area. Each application is considered by the county to see if the proposed development is well planned within the context of the surrounding community.”*

Suggested Motion:

I move that the Planning Commission recommend approval/denial/deferral of ZMP 18:01, a request to amend the Fluvanna County Zoning Map with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A, to rezone the same from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community.

Attachments:

- A – Application, narrative and APO letter
- B – Aerial vicinity map
- C – Existing zoning map
- D – ZMP 15:02 approval letter
- E – Neighborhood Meeting sign-in sheet and comments
- F – TRC letter
- G – Proposed master plan
- H – Proposed ordinance
- I – Citizen correspondence
- J – Applicant’s deferral request dated February 28, 2019

Copy: Steven L. and Codie C. Peters, Owner/Applicant – auburnhillfarm@earthlink.net
Shimp Engineering, Representative – justin@shimp-engineering.com and kelsey@shimp-engineering.com
File



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

Owner of Record: Steven L. & Codie C. Peters Applicant of Record: Steven Peters

Address: 2390 Auburn Hill Farm Charlottesville, Va 22902 Address: same as owner

Phone: Fax: Phone: Fax:

Email: auburnhillfarm@earthlink.net Email: same as owner

Representative: Shimp Engineering

Address: 912 E. High St. Charlottesville, Va 22902

Phone: (434)227-5140 Fax:

Email: justin@shimp-engineering.com, kelsey@shimp-engineering.com

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Tax Map and Parcel(s) 8-A-A14A

Acreege 61.95 Current Zoning A-1

Is parcel in Land Use Valuation Program? No Yes

Deed Book and Page:

Location of Parcel: intersection of Rt 53 and Rt 618

If any Deed Restrictions, please attach a copy

Requested Zoning R-3 Proposed Use of Property mixed use development with variety of housing types and various commercial uses

Affidavit to Accompany Petition for Rezoning

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the Board of Supervisors during the normal discharge of their duties in regard to this request.

I/We, being duly sworn, depose and say that we are Owner/Contract Owner of the property involved in this application and that we have familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of our knowledge.

Date: 12/5/2018 Signature of Owner/Applicant: [Signature]

Subscribed and sworn to before me this 5 day of December, 2018 Register # 7776374

My commission expires: 3/31/2022 Notary Public: [Signature] Nicole M. Scro

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

Office Use Only

Date Received: 12-6-18 Pre-Application Meeting: PH Sign Deposit Received: 12-6-18 Application #: ZMP 18:01

\$1,000 fee paid: V# 2776 Mailing Costs: \$20.00 per Adjacent Property Owner after first 15, Certified. Paid:

Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid:

Election District: Palmyra Planning Area: Rivanna CPA

Public Hearings

Planning Commission Board of Supervisors

Advertisement Dates: Advertisement Dates:

APO Notification: APO Notification:

Date of Hearing: Date of Hearing

Decision: Decision:





COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: Steven Peters

Address: 2390 Auburn Hill Farm

City: Charlottesville

State: VA Zip Code: 22902

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Signature] 30 Nov 2018
 Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

| Office Use Only | |
|--|----------------------------------|
| Application #: BZA _____ : CPA _____ : SUP _____ : ZMP <u>18</u> : 0 / ZTA _____ : | |
| \$90 deposit paid per sign*: <u>✓ #2776 \$90</u> | Approximate date to be returned: |



Commonwealth of Virginia
County of Fluvanna
Rezoning Application Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

| Applicant must supply | Staff Checklist |
|---|-----------------|
| Completed Rezoning Application signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application | |
| <ul style="list-style-type: none"> • Statement on proposed use of property and reason for rezoning • Ten (10) copies of plats showing existing and proposed improvements (if applicable) • Deed restrictions (if applicable) • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) | |
| Supporting photographs are not required, but suggested for evidence | |

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

| Staff Only | Staff Checklist |
|--|-----------------|
| Preliminary review by planning staff for completeness and content: | |
| <ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. | |
| Notification of the scheduled Public Hearing to the following: | |
| <ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement | |
| Staff Report to include, but not be limited to: | |
| <ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. | |

For Applicant

The Rezoning Application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Rezoning for the same use at the same site may be made within one year after the denial.

SHIMP

ENGINEERING^{PC}



PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

TMP: 8-A-A14A
Colonial Circle R-3 Zoning Request
and Special Use Permit for up to 10 DUA
Project Narrative
December 3, 2018

Project Proposal:

This proposal is to rezone 61.95 acres from A-1 (40.45 acres) and B-1 (21.5 acres) to R-3 with a special use permit for density of up to 10 Dwelling Units Per Acre. The site is located on the northeast corner of the intersection of S.R. 53 (Thomas Jefferson Parkway) and S.R. 618 (Lake Monticello Road). A roundabout is proposed by VDOT to replace the existing T-intersection adjacent to this site and this proposal assumes (as did the previous 21.5 acre commercial rezoning for this site) a completed roundabout by VDOT. Proposed phasing of the site includes the construction of the roundabout by VDOT.

Property Description/ Existing Conditions:

Tax Map 8-A-A14A
61.95 acres
Vacant
2-10% existing slopes
85-90% 1-2 year "scrub growth" (the site was recently logged)
A-1 (40.45 acres) and B-1 (21.5 acres) zoning
Existing wetlands have not been located on the site

Proposed Use:

R-3 Application Plan with a maximum development of:
81,000 square feet commercial
40 Single Family Detached Dwelling Units
128 Single Family Detached + Townhome
250 Townhomes + Multi-Family Units
Walkable neighborhood design components
Landscape Buffers along Lake Monticello Road and Th. Jefferson Pkwy
6.9 Dwelling Units Per Acre (density calculated using 60.7 acres as property total, assuming 1.25 acres is dedicated to VDOT for ROW dedication)

Received
DEC 03 2018
Wavanna County

Surrounding Uses / List of Adjoiners:

| TAX MAP | PARCEL | OWNER | ZONING | LAND USE |
|---------|--------|--------------------------------------|--------|-------------------------|
| 8-((A)) | 15 | Shifflett, Roy Lee & Crystal L. | A-1 | Residential |
| 8-((A)) | 4A | Harlow, Wayne H. | A-1 | Residential |
| 8-((A)) | 5A | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 23 | Marks, Edward | A-1 | Agricultural |
| 8-((A)) | 13 | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-(9) | 5 | Bland, George B. & Jo Ann | A-1 | Residential |
| 8-((A)) | 22B | Lake Monticello Owners Association | R-4 | Campground |
| 8-((A)) | 21 | Effort Baptist Church | A-1 | Church |
| 8-((A)) | A14 | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | A14A | Heinberg, Benjamin A. & Elizabeth B. | A-1 | Agricultural (Easement) |
| 8-((A)) | 11 | Spradlin, Lindsay L. & Wife | A-1 | Residential |

Consistency with Comprehensive Plan:

Figure LU-13 on page 50 of the comprehensive plan designates this site as Neighborhood Mixed-Use (8-10 dwelling units per acre) while Figure LU-14 on page 51 designates this site as Neighborhood Residential with a proposed density of 4-8 dwelling units per acre. This site contains an approved 21.5 acre regional use (shopping center) and the Rivanna Community Plan recommends "clustering development around existing centers to preserve rural areas".

This zoning will achieve all four priorities (page 52), identified by Lake Monticello residents, for improving quality of life for residents inside and outside of Lake Monticello:

- To increase traffic safety and improve flow at key intersections.
- To enhance existing commercial centers in appearance, design, and available services focusing on "village center" concepts.
- To provide housing choices for a variety of age groups and income levels, appropriate to the area.
- To preserve the rural character of the surrounding area and protect natural resources..

Received
DEC 03 2009
Fluvanna County



Shimp Engineering
912 E. High St.
Charlottesville, VA 22902

December 3, 2018

Mr. Brad Robinson
Fluvanna County Planning and Zoning
132 Main Street
P.O. Box 540
Palmyra, VA 22963

**RE: Rezoning 2018-_____ Transmittal Letter, and Special Use Permit for Density of up to 10 DUA
TMP 8-A-A14A**

Dear Mr. Robinson,

Please find ten (10) copies of the application plan and a project narrative included in this submittal for the Colonial Circle Rezoning and Special Use Permit Request for up to ten (10) Dwelling Units Per Acre. Sheet C8 "Consistency with the Comprehensive Plan" is included in the application plan and additionally is included as a separate 11x17 exhibit to show the planning maps in color. The Special Use Permit application requires a sketch plan on letter or tabloid size paper, however, due to the size of the property and the scale of the development, the project design is difficult to discern on smaller sized plots. Full-size plots have been provided to meet this requirement. Please let me know if you still would like smaller copies to conduct your review.

Please find hard copies of required application documents included in this submittal. Additionally, an "intent to serve" letter has been provided from Aqua Virginia. Aqua most recently reviewed the plan when it showed a maximum of 400 dwelling units; the plan has been updated to show a maximum of 418 dwelling units. We will work to get an updated letter from Aqua to address this change. It is our understanding a Special Use Permit will be required for major utilities. A special use permit will be submitted to accommodate a sewer to service the site and we will submit an application for this special use permit in the future. If you require any additional information to complete your review of the rezoning and special use permit request, please let me know at your earliest convenience. I look forward to working with you throughout this process.

Respectfully,

A handwritten signature in black ink, appearing to read "Kelsey Schlein", with a large, flowing flourish at the end.

Kelsey Schlein

Received

DEC 03 2018

Fluvanna County



October 27, 2018

By Electronic Delivery:

Kelsey Schlein, Shimp Engineering, P.C.
Colonial Circle R-3 Layout
201 E. Main Street, Ste M
Charlottesville, Virginia 22902
kelsey@shimp-engineering.com

Re: Proposal Colonial Circle R-3 Layout, Fluvanna County, Virginia

Dear Ms. Schlein;

Aqua Virginia (“Aqua”) has reviewed the Residential Planned Community (R-3) Master Plan for Colonial Circle dated November 25, 2018, with a proposed 400 residential units and 81,000 SF of commercial space, located adjacent to the Lake Monticello utility service area. The developer has contacted Aqua with a request to provide water and wastewater utility service. Aqua has interest in doing so provided that the terms and conditions for such an agreement, including capacity, flows, monetary terms and other key terms, are negotiated into a final agreement and all required governmental approvals and permits are obtained.

Aqua Virginia, Inc., is a regulated Virginia public service corporation that is a wholly-owned subsidiary of Aqua America, Inc., a publicly-traded company whose shares are listed on the New York Stock Exchange under the ticker symbol “WTR”. Aqua is one of the nation’s largest investor owned water and wastewater utilities, founded in 1886, now serving more than three million people in eight states. Aqua has a market capitalization over \$6 billion. In Virginia, Aqua serves 173 communities and delivers services to over 80,000 residents. Aqua has a distinguished record and leads the industry in operating efficiency. We continuously invest using scale and experience to provide the most cost-effective utility services possible. Aqua and our utility rates are regulated by the Virginia State Corporation Commission (the “SCC”), the Virginia Department of Health (the “VDH”), and the Virginia Department of Environmental Quality (the “DEQ”).

Should you have any questions or need to reach me, please call 804.310.0398 or email CLParkerIV@AquaAmerica.com.

Respectfully submitted,

A handwritten signature in blue ink that reads "Clifton L. Parker, IV".

Clifton L. Parker, IV, PE
Director, Business Development
Aqua Virginia, Inc.

Received
OCT 0 0 2018
Fluvanna County



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

December 7, 2018

Justin Shimp, P.E.
Shimp Engineering
201 E. Main Street
Charlottesville, VA 22902

Delivered via email to justin@shimp-engineering.com

Dear Mr. Shimp:

Pursuant to Sec. 22-7-3 (b) of Article 7 of the Fluvanna County Zoning Ordinance, the rezoning application (ZMP 18:01) and the Special Use Permit application (SUP 18:05) for Colonial Circle are hereby deemed to be complete applications.

Planning staff is reviewing these applications, and will provide comments at the Technical Review Committee meeting that is scheduled for Thursday, December 13, 2018 at 10 a.m. in the Fluvanna County Administration Building Morris Room.

If you have any questions, do not hesitate to contact me at (434) 591-1910 or jstewart@fluvannacounty.org.

Sincerely,

Jason M. Stewart, AICP
Director of Planning & Community Development

Copy: File

Kelsey Schlein, Shimp Engineering – kelsey@shimp-engineering.com



COUNTY OF FLUVANNA

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ATTACHMENT A

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: February 25, 2019
From: Valencia Porter
To: Jason Stewart
Subject: Planning Commission Meeting

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the March 12, 2019 Planning Commission Meeting.



COUNTY OF FLUVANNA

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ATTACHMENT A

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

NOTICE OF PUBLIC HEARING

February 25, 2019

«Name»
«Address»
«City_State» «ZIP»
TMP#«TMP»

Re: Public Hearing on ZMP 18:01 & SUP 18:05

Dear «Name»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced items as noted below:

| | |
|------------------|--|
| Purpose: | Planning Commission Public Hearing |
| Day/Date: | Tuesday, March 12, 2019 |
| Time: | 7:00 PM |
| Location: | Fluvanna County Circuit Court Room, Palmyra, VA |

The applicant or applicant's representative will be present at the Planning Commission meeting for the rezoning and special use permit requests that are described as follows:

ZMP 18:01 Steven L. & Codie C. Peters / Colonial Circle – A request to rezone, from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community, 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.

SUP 18:05 Steven L. & Codie C. Peters / Colonial Circle Density – A request to increase density above 2.9 dwelling units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.

You are welcome to attend the Public hearing and you will have an opportunity to comment, if desired. The tentative agenda and staff report for this action is available for public review on the County website at <http://fluvannacounty.org/meetings>. You can also view the report in the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

If you have any questions regarding this rezoning or special use permit application or the Public Hearing, please contact me at 434-591-1910.

Sincerely,

A handwritten signature in black ink that reads "Jason Stewart". The signature is written in a cursive style with a large initial 'J' and a distinct 'S'.

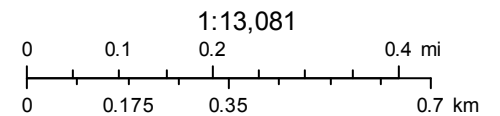
Jason Stewart
Planning and Zoning Administrator



February 7, 2019

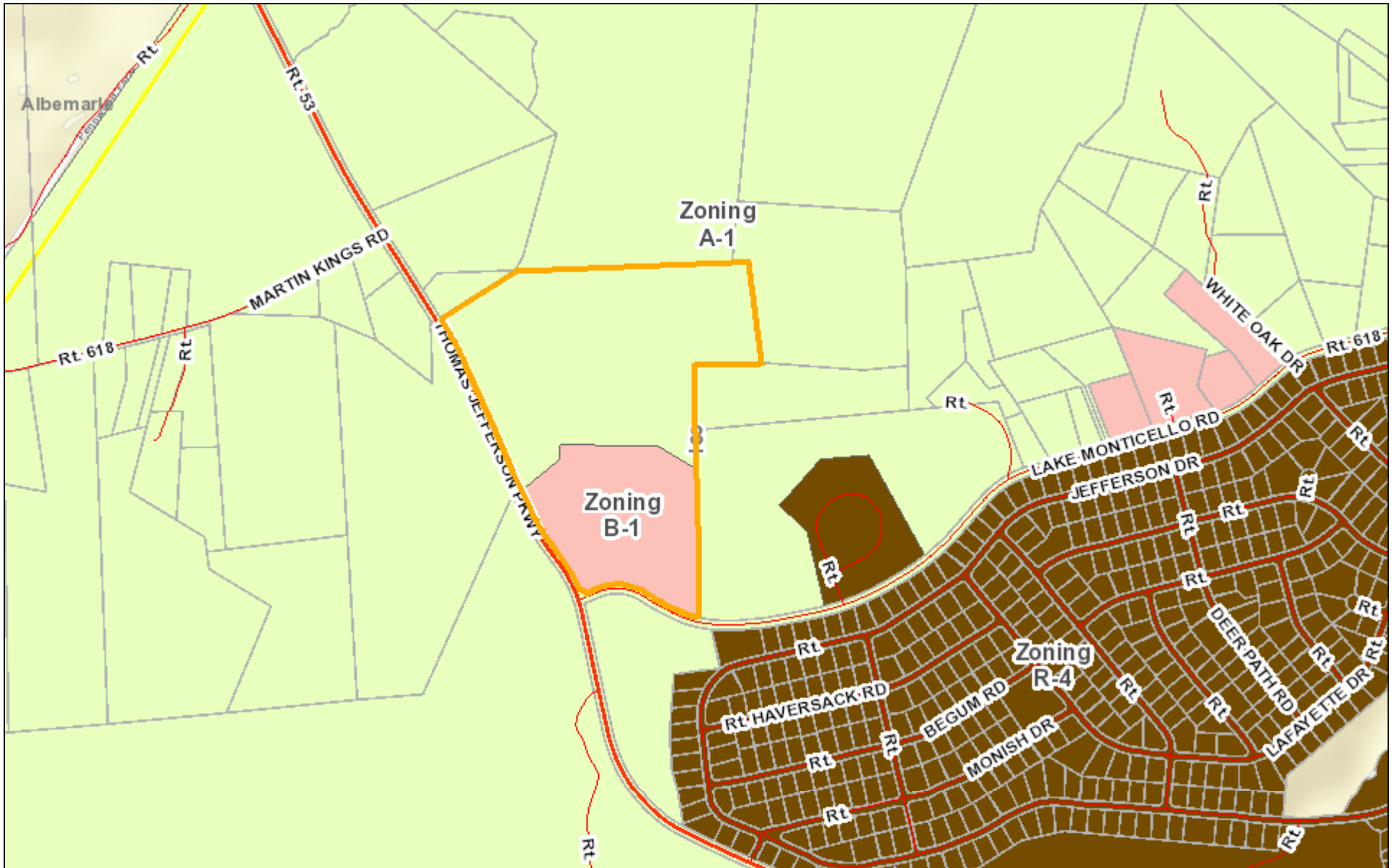
Roads

- | | | | | | | | |
|--|------------|--|-----------|--|---------------|--|----------------------|
| | Interstate | | Secondary | | Place Names | | Tax Map Grid |
| | Primary | | Other | | Town Boundary | | County Boundary |
| | | | Parcels | | Railroads | | Surrounding Counties |



Virginia Geographic Information Network (VGIN)
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

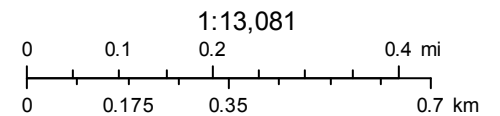
Fluvanna County, VA WebGIS Parcels - PIN: 8 A A14A



February 7, 2019

Roads

- | | | | | | |
|--|------------|--|----------------------|--|-----------------|
| | Secondary | | Place Names | | Tax Map Grid |
| | Interstate | | Town Boundary | | County Boundary |
| | Primary | | Parcels | | Railroads |
| | | | Surrounding Counties | | |



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),



COUNTY OF FLUVANNA

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P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

October 22, 2015

Steven L. Peters
2390 Auburn Hill Farm
Charlottesville, VA 22902

**Re: ZMP 15:02 – Rezoning from A-1 to B-1
a portion of Tax Map 8-A-A14A**

Dear Mr. Peters:

Please accept this letter as notification of the action taken on October 21, 2015 by the Board of Supervisors with regard to the request referenced above. Your request to amend the Fluvanna County Zoning Map with respect to approximately 21.5 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General, to B-1, Business, General (conditional) was **approved (5-0)** by the Board of Supervisors.

We will return the \$90.00 public notice sign deposit fee.

If I can be of any further assistance, please feel free to contact me.

Sincerely,

Steve Tugwell
Senior Planner

Copy: File



Neighborhood Meeting Sign-In Sheet

Meeting Date: January 16, 2019

| Name | Address | City/State/Zip | Reason for Attending |
|-------------------|-------------------------|-------------------|-----------------------|
| Angie Cooke | 41 Ashlawn Blvd. (LMDA) | Palmyra, VA 22963 | Information/Questions |
| Ben Heinberg | 8271 TJ Pkwy | Chville, VA 22902 | ~ |
| Tom Braithwaite | 48 Wildwood Dr | Palmyra VA 22963 | INFO |
| Crystal Shifflett | 8268 Thomas Jeff Pkwy | Chville VA 22902 | Info |
| Samantha Wilcox | 8294 Thomas Jeff Pkwy | Chville VA 22902 | Info |
| LINDSAY SPADLIN | 8281 THOMAS JEFF. PKWY | CHVILLE VA 22902 | INFO |
| | | | |
| | | | |
| | | | |

ZMP 18:01 Neighborhood Meeting Notes

January 16, 2019, 4:30 p.m.

Morris Room, County Administration Building

Attendees: 9 (including staff)

Questions/Comments

- How many units are proposed?
- Are there any amenities?
- How many stories are the apartments?
- Are there any turning lanes along Route 618?
- What is the lot size of the single-family dwellings?
- Will something be put up along the property line behind the single family homes?
- Is an exit proposed near the driveway?
- Has anyone considered congestion along Route 53?
- There are accidents at the intersection of Martin Kings Road and Route 53
- How many parking spaces total are proposed?
- Where is water going to come from for this development?
- Adding something like this adds an issue for residents of Lake Monticello
- Where is the entrance along Route 53 in relation to driveways across the road?
- What is the price point of proposed housing?
- How much square footage of retail is proposed?
- Is the retail portion under a height limit?
- Has VDOT commented on this proposal?
- Concerned about detention ponds
- Concerned about traffic and water tables
- Concerned about safety



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www.fluvannacounty.org

December 14, 2018

Justin Shimp, P.E.
 Shimp Engineering
 201 E. Main Street
 Charlottesville, VA 22902

Delivered via email to justin@shimp-engineering.com

Re: ZMP 18:01 and SUP 18:05 – Colonial Circle
Tax Map: 8, Section A, Parcel A14A

Dear Mr. Shimp:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 13, 2018:

1. Planning staff asked about the price of the housing and what type of commercial uses are proposed. Some desirable uses are allowed by right while others may require approval of a special use permit in the future.
2. Building Inspections did not have any comments.
3. Chamber of Commerce did not have any comments.
4. Department of Forestry did not have any comments.
5. Erosion and Sediment Control noted the absence of adequate receiving natural channels on or adjacent to the site. The applicant stated an intent to use the VA DEQ "energy balance equation" to reduce post development discharges to a level that does not require proof of adequate receiving channels.
6. Fire Chief had the following questions or comments (applicant responses italicized):
 - Would like for the distance between fire hydrants to be 800 feet or less.
 - What will the width of the streets would be? (*Between 20 and 25 feet, and alleys would be less than 20 feet.*) Will there be parking on the alleys? (*Yes.*) At least 18 feet width is needed for a ladder truck.
 - Will the roads within the development be public or private? (*There will be a mixture of both public and private roads.*)
 - Fire Chief stated he would prefer not to have hammerheads as the terminus for streets, and that his comments also reflect the Virginia Department of Forestry and the Lake Monticello Volunteer Fire Department.

7. Health Dept. has not provided any comments at the date of this letter.
8. Sheriff's Office did not have any comments.
9. VDOT stated that the project will need to be coordinated with the roundabout construction. Official comments have not been provided at the date of this letter.

The Planning Commission will discuss this item during their 6 p.m. work session on Tuesday, January 8, 2019. Your attendance is required at this meeting.

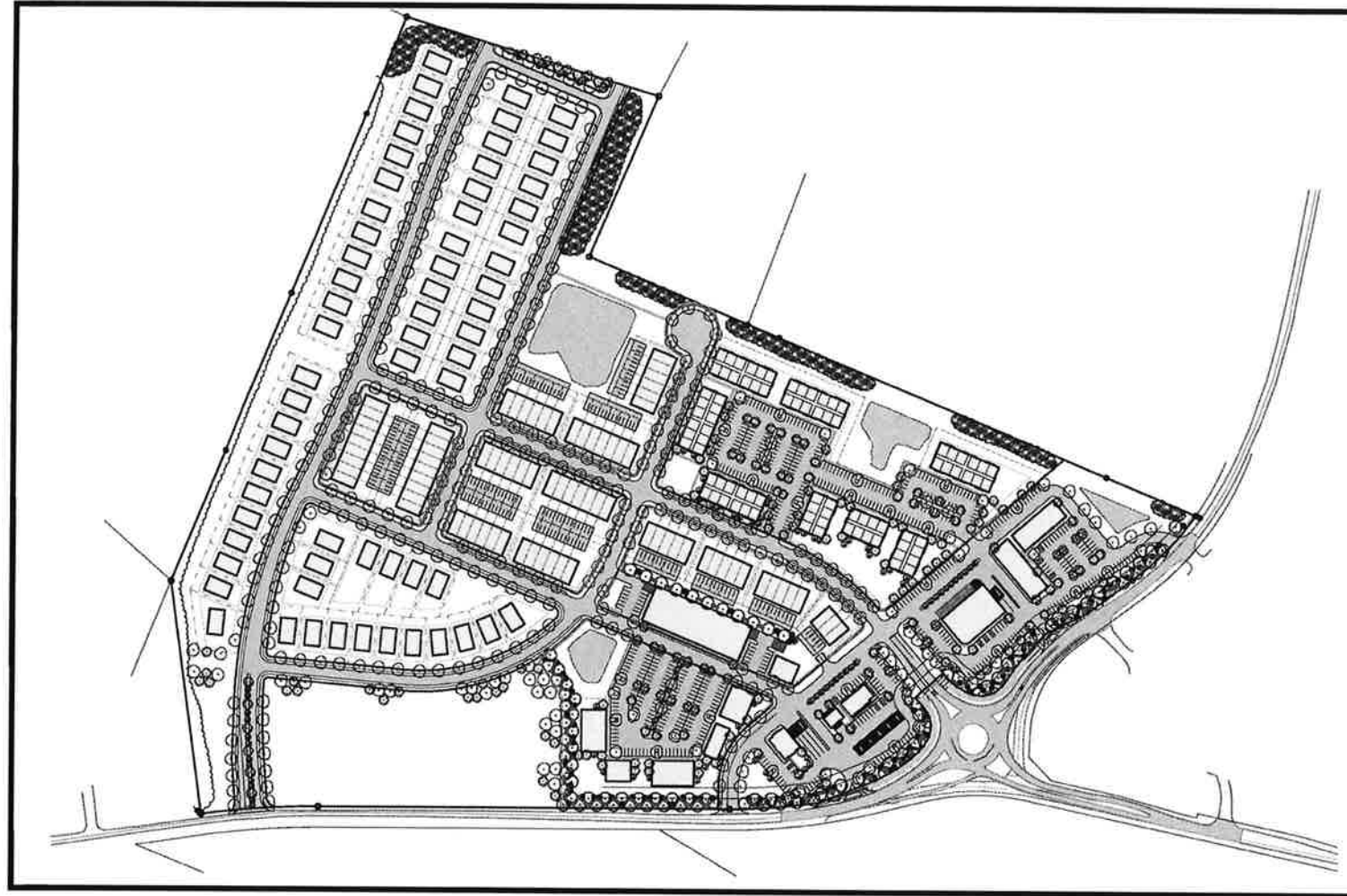
If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,

Brad Robinson
Senior Planner
Dept. of Planning & Zoning

cc: File

RESIDENTIAL PLANNED COMMUNITY (R-3) MASTER PLAN FOR COLONIAL CIRCLE



CONCEPTUAL DEVELOPMENT PLAN: THE SITE LAYOUT RENDERED ABOVE IS NOT PROFFERED WITH THIS ZMP APPLICATION

REZONING APPLICATION PLAN FOR:
TAX MAP 8-((A)) PARCEL A14(A)
CUNNINGHAM MAGISTERIAL DISTRICT
FLUVANNA COUNTY, VIRGINIA
APPLICATION DATE: December 3, 2018
CURRENT REVISION DATE: January 3, 2019



PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

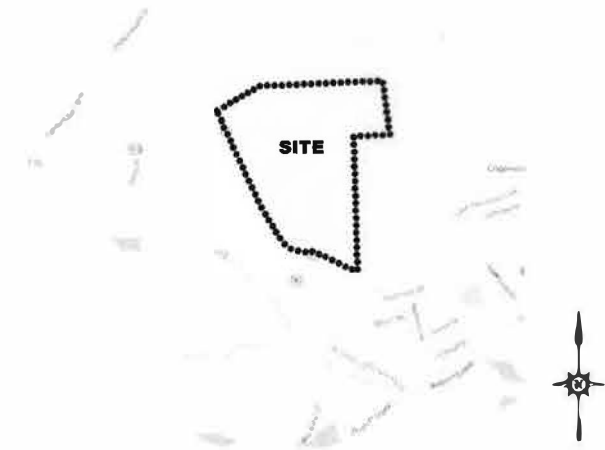
912 EAST HIGH STREET : CHARLOTTESVILLE, VA 22902 : (434) 227-5140

SHEET INDEX

- C1 - COVER SHEET
- C2 - EXISTING BOUNDARY / ZONING CONDITIONS
- C3 - EXISTING CONDITIONS / DEMOLITION
- C4 - CONCEPTUAL PLAN OF DEVELOPMENT
- C5 - BLOCK GUIDELINES
- C6 - ENGINEERING GUIDELINES
- C7 - DESIGN GUIDELINES / DETAILS / SECTIONS
- C8 - CONSISTENCY WITH COMPREHENSIVE PLAN

SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 912 EAST HIGH STREET
 CHARLOTTEVILLE, VA. 22902
 PHONE: (434) 227-5140
 FAX: (434) 227-5140

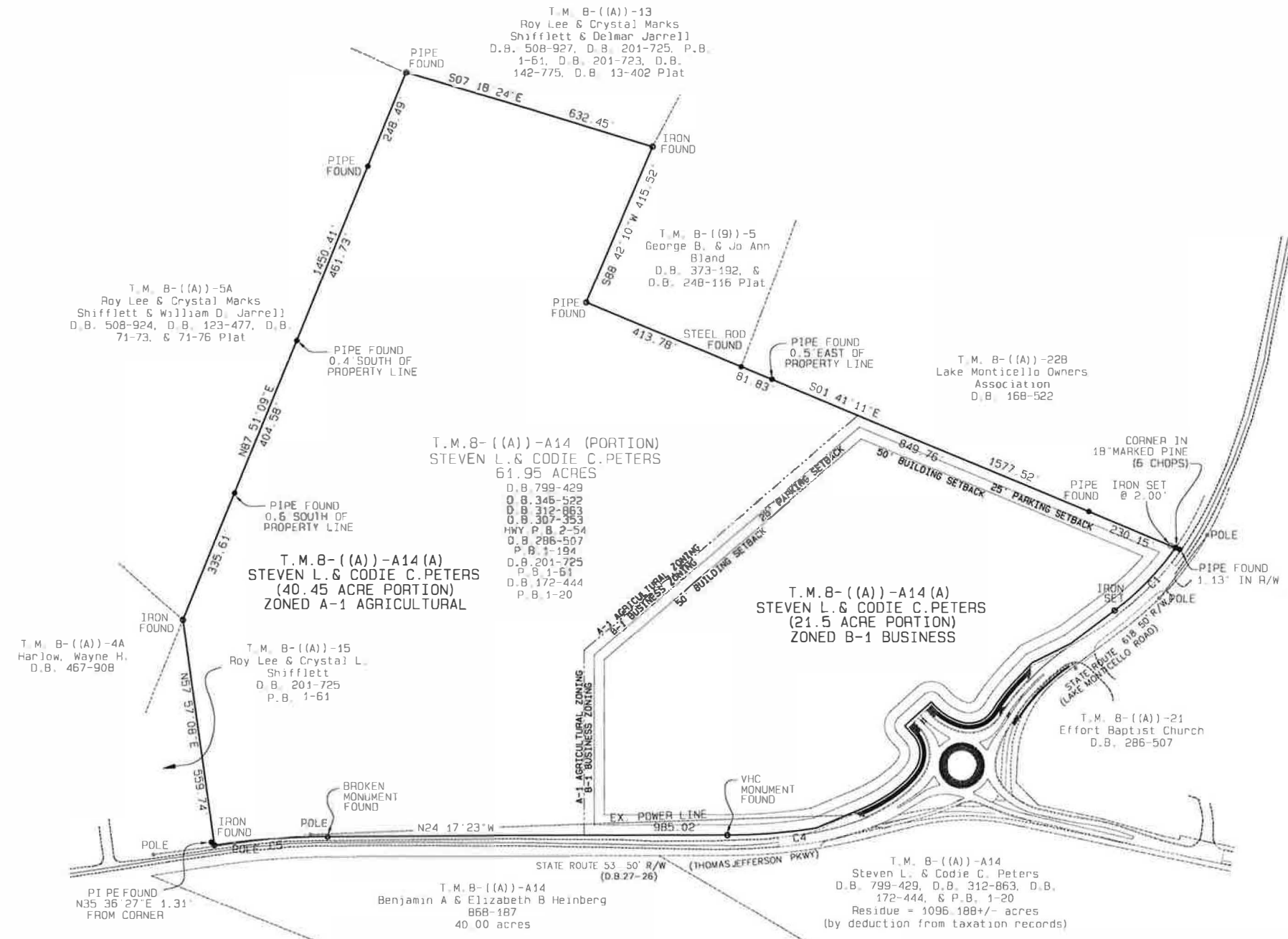
VICINITY MAP: (created from Google Earth)



SCALE: 1" = 1,000'

EXISTING CONDITIONS NOTES:

- BOUNDARY SURVEY INFORMATION PROVIDED BY ROGER W. RAY & ASSOCIATES, CHARLOTTEVILLE VA.
- TOPOGRAPHY (4 FT INTERVALS) PROVIDED BY FLUVANNA COUNTY GIS MAPPING.
- ZMP 15-02, CREATING A 21.5 ACRE B-1 COMMERCIAL DISTRICT ON THE SITE, WAS APPROVED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS ON OCTOBER 21, 2015.
- THE SITE LIES WITHIN THE RIVANNA COMMUNITY PLANNING AREA.
- THIS PROPERTY LIES WITHIN THE WATER AND SEWER JURISDICTIONAL AREA FOR AQUA VIRGINIA, INC.
- STEEP SLOPES, STREAMS, AND WETLANDS HAVE NOT BEEN IDENTIFIED ON THIS SITE.
- IMPROVEMENTS SHOWN AT THE INTERSECTION OF S.R. 53 AND S.R. 618, IN CONJUNCTION WITH THIS APPLICATION PLAN, REFLECT PRELIMINARY CONSTRUCTION DRAWINGS AS PROVIDED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION.



ADJOINING PARCEL INFORMATION

| TAX MAP | PARCEL | OWNER | ZONING | LAND USE |
|---------|--------|------------------------------------|--------|-------------------------|
| 8-((A)) | 15 | Shifflett, Roy Lee & Crystal L. | A-1 | Residential |
| 8-((A)) | 4A | Harlow, Wayne H. | A-1 | Residential |
| 8-((A)) | 5A | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 23 | Marks, Edward | A-1 | Agricultural |
| 8-((A)) | 13 | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 5 | Bland, George B. & Jo Ann | A-1 | Residential |
| 8-((A)) | 22B | Lake Monticello Owners Association | R-4 | Campground |
| 8-((A)) | 21 | Effort Baptist Church | A-1 | Church |
| 8-((A)) | A14 | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | A14A | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | 11 | Spradlin, Lindsay L. & Wife | A-1 | Residential |

| LINE | DELTA | RADIUS | ARC | TANGENT | CHORD | CHORD BEARING |
|------|------------|---------|--------|---------|--------|---------------|
| C1 | 18 04' 45" | 685.28 | 216.23 | 109.02 | 215.34 | N70 03' 04" W |
| C2 | 50 44' 24" | 319.65 | 283.07 | 151.57 | 273.91 | N86 22' 53" W |
| C3 | 15 44' 03" | 598.00 | 164.22 | 82.63 | 163.70 | N30 25' 21" W |
| C4 | 13 59' 59" | 1407.50 | 343.91 | 172.82 | 343.06 | N31 17' 23" W |
| C5 | 8 14' 28" | 1934.86 | 278.30 | 139.39 | 278.06 | N28 18' 45" W |



EXISTING BOUNDARY / ZONING CONDITIONS

| Rev. # | Date | Description |
|--------|------|-------------|
| | | |

R-3 PRELIMINARY MASTER PLAN FOR:

COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

Date: 12/03/2018
 Scale: 1"=150'
 Sheet No: 2 OF 8
 File No: 15.011

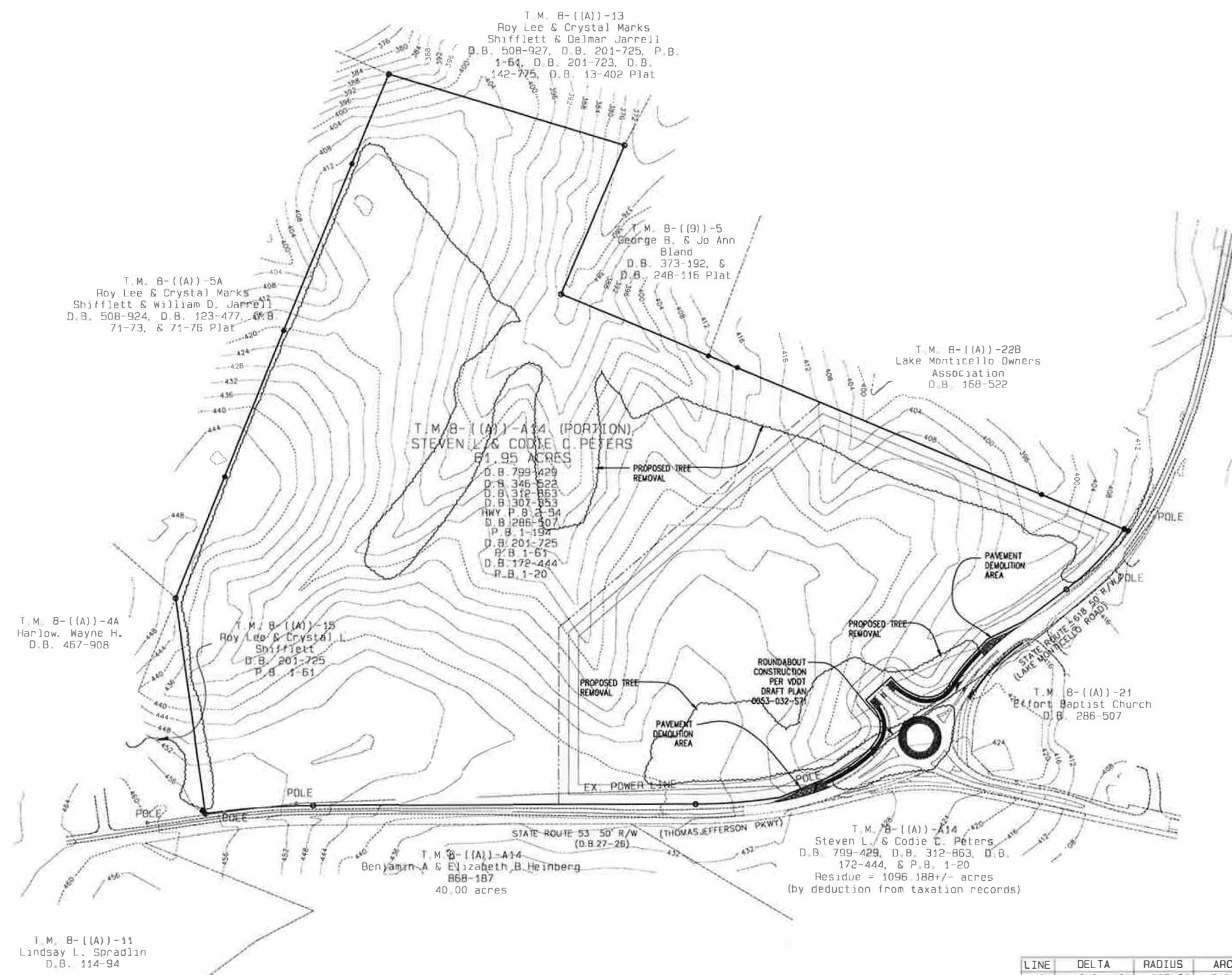
VICINITY MAP: (created from Google Earth)



SCALE: 1" = 1,000'

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EXISTING CONDITIONS / DEMOLITION

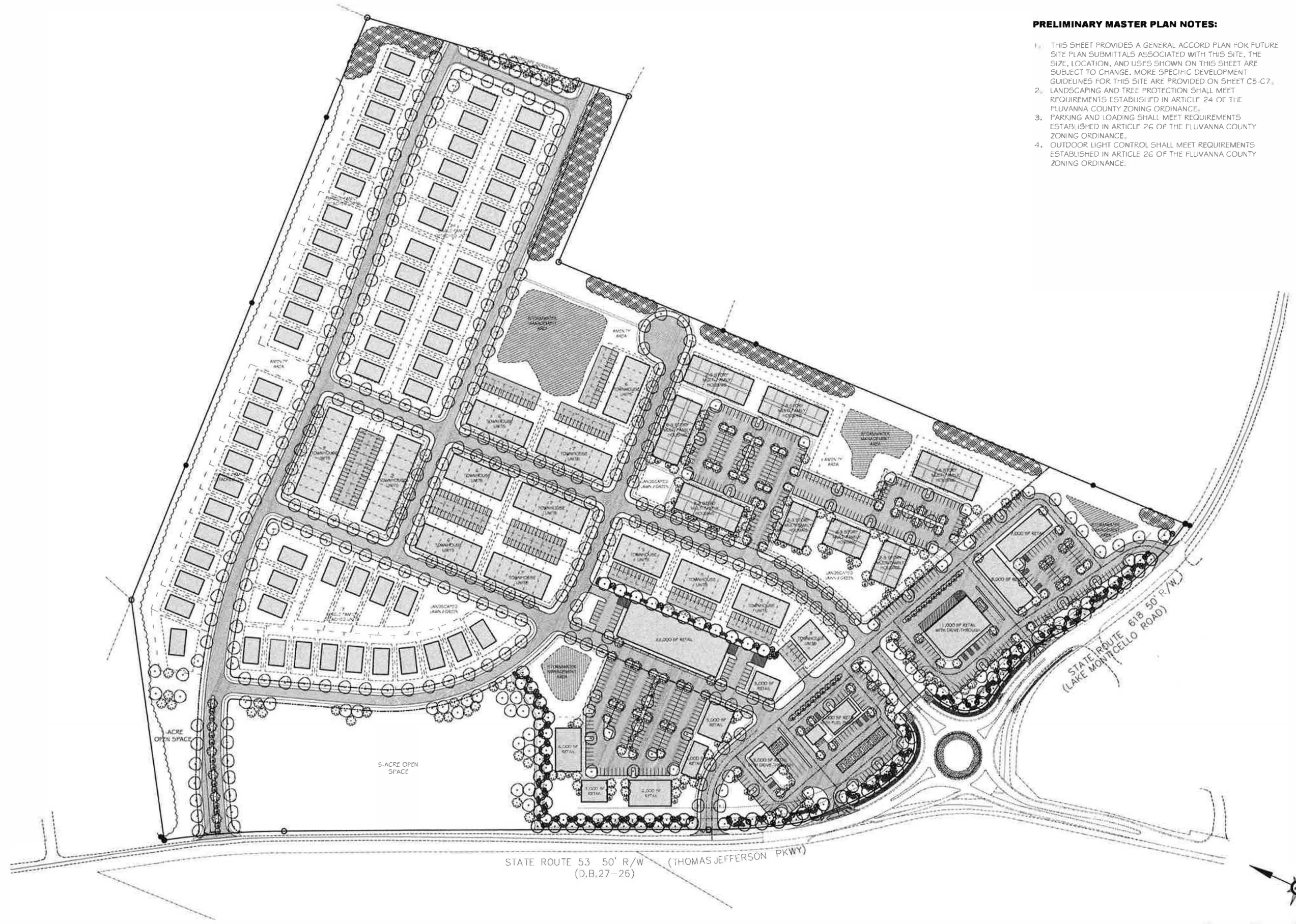
| Rev. | Date | Description |
|------|------|-------------|
| | | |
| | | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 PHONE: (531) 227-5140
 815 EAST HIGH STREET
 CHARLOTTEVILLE, VA 22902
 JUSTIN@SHIMP-ENGINEERING.COM

PRELIMINARY MASTER PLAN NOTES:

1. THIS SHEET PROVIDES A GENERAL ACCORD PLAN FOR FUTURE SITE PLAN SUBMITTALS ASSOCIATED WITH THIS SITE. THE SIZE, LOCATION, AND USES SHOWN ON THIS SHEET ARE SUBJECT TO CHANGE. MORE SPECIFIC DEVELOPMENT GUIDELINES FOR THIS SITE ARE PROVIDED ON SHEET C5-C7.
2. LANDSCAPING AND TREE PROTECTION SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
3. PARKING AND LOADING SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
4. OUTDOOR LIGHT CONTROL SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.



CONCEPTUAL PLAN
 OF DEVELOPMENT

| Rev # | Date | Description | Rev Comments |
|-------|------------|-------------|--------------|
| 1 | 01-02-2019 | | |

R-3 PRELIMINARY MASTER PLAN FOR:

COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

| | |
|-----------|------------|
| Date | 12/03/2018 |
| Scale | 1" = 100' |
| Sheet No. | 4 OF 8 |
| File No. | 15.011 |

| MINIMUM SETBACKS | | | |
|------------------|-------|------|------|
| BLOCK | FRONT | SIDE | REAR |
| A | N/A | N/A | N/A |
| B | 20' | 5' | 20' |
| C (SFD) | 20' | 5' | 15' |
| C (SFA) | 12' | 5' | 15' |
| D | 12' | 5' | 20' |
| E | 50' | 10' | 20' |

| PROPOSED DEVELOPMENT KEY | | | | | |
|--------------------------|-----------------------|--------------|--------------------------|---------------------------------------|----------------|
| BLOCK | LAND USE | AREA (acres) | MAX. RESIDENTIAL DENSITY | MAX. COMMERCIAL DENSITY (square feet) | AREA (% total) |
| A | OPEN SPACE | 15.6 | 0 UNITS | 0 | 25.7 |
| B | SFD and TFD | 5.6 | 40 UNITS | 0 | 9.2 |
| C | SFD, TFD, SFA and THD | 18.4 | 128 UNITS | 0 | 30.3 |
| D | SFA, THD, AND MFD | 9.5 | 250 UNITS | 0 | 15.7 |
| E | COMMERCIAL | 11.6 | 0 UNITS | 81,000 | 19.1 |
| TOTAL | MIXED-USE | 60.7 | 418 UNITS | 81,000 | 100.0 |

KEY: SINGLE-FAMILY DETACHED (SFD), TWO-FAMILY DWELLING (TFD), SINGLE-FAMILY ATTACHED (SFA), TOWNHOUSE DWELLING (THD), MULTI-FAMILY DWELLING (MFD)

PRELIMINARY MASTER PLAN NOTES:

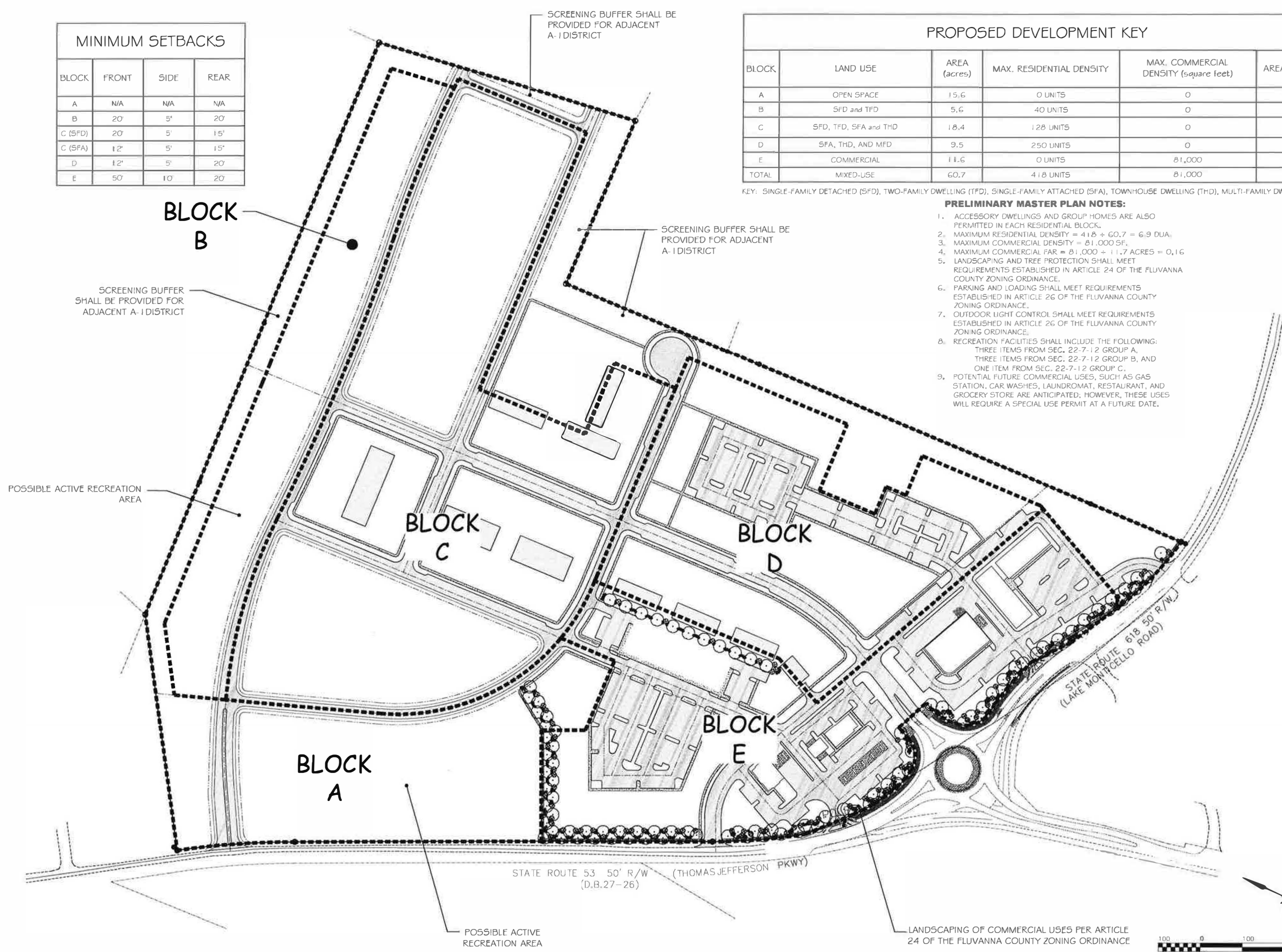
- ACCESSORY DWELLINGS AND GROUP HOMES ARE ALSO PERMITTED IN EACH RESIDENTIAL BLOCK.
- MAXIMUM RESIDENTIAL DENSITY = $418 \div 60.7 = 6.9$ DUA.
- MAXIMUM COMMERCIAL DENSITY = 81,000 SF.
- MAXIMUM COMMERCIAL FAR = $81,000 \div 11.7$ ACRES = 6.91 ACRES.
- LANDSCAPING AND TREE PROTECTION SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- PARKING AND LOADING SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- OUTDOOR LIGHT CONTROL SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- RECREATION FACILITIES SHALL INCLUDE THE FOLLOWING: THREE ITEMS FROM SEC. 22-7-12 GROUP A, THREE ITEMS FROM SEC. 22-7-12 GROUP B, AND ONE ITEM FROM SEC. 22-7-12 GROUP C.
- POTENTIAL FUTURE COMMERCIAL USES, SUCH AS GAS STATION, CAR WASHES, LAUNDROMAT, RESTAURANT, AND GROCERY STORE ARE ANTICIPATED; HOWEVER, THESE USES WILL REQUIRE A SPECIAL USE PERMIT AT A FUTURE DATE.

POSSIBLE ACTIVE RECREATION AREA

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT



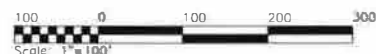
SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
913 EAST HIGH STREET
CHARLOTTE, VA 22982
PHONE: (434) 227-5190
FAX: (434) 227-5191

| BLOCK GUIDELINES | |
|------------------|------------------------|
| Rev. # | Description / Comments |
| 01-03-2019 | TRC Comments |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

Date: 12/03/2018
Scale: 1" = 100'
Sheet No: 5 OF 8
File No: 15.011

LANDSCAPING OF COMMERCIAL USES PER ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE



UTILITY, INFRASTRUCTURE, & SWM NARRATIVE:

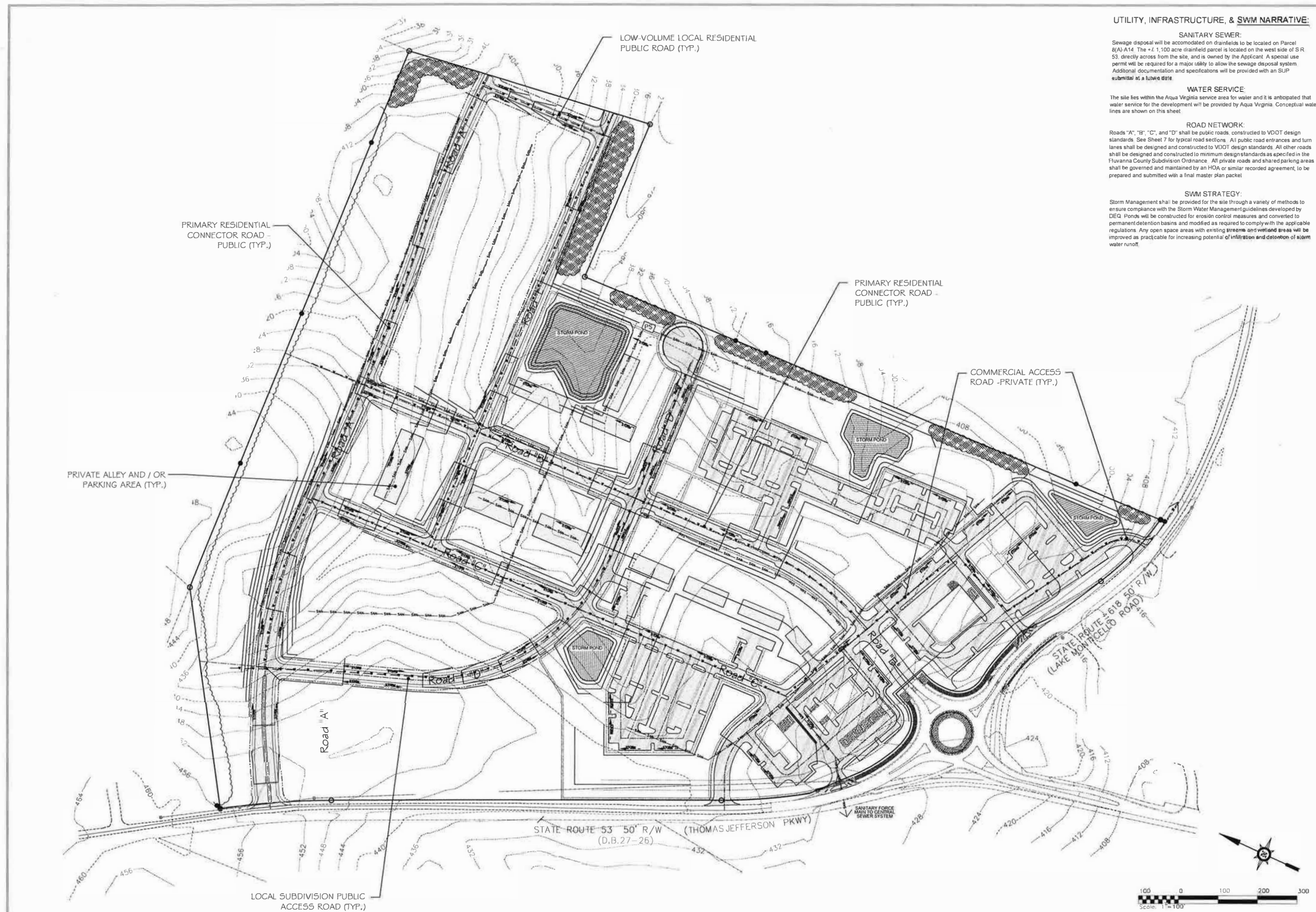
SANITARY SEWER:
 Sewage disposal will be accommodated on drainfields to be located on Parcel 8(A)-A14. The ±1,100 acre drainfield parcel is located on the west side of S.R. 53, directly across from the site, and is owned by the Applicant. A special use permit will be required for a major utility to allow the sewage disposal system. Additional documentation and specifications will be provided with an SUP submittal at a future date.

WATER SERVICE:
 The site lies within the Aqua Virginia service area for water and it is anticipated that water service for the development will be provided by Aqua Virginia. Conceptual water lines are shown on this sheet.

ROAD NETWORK:
 Roads "A", "B", "C", and "D" shall be public roads, constructed to VDOT design standards. See Sheet 7 for typical road sections. All public road entrances and turn lanes shall be designed and constructed to VDOT design standards. All other roads shall be designed and constructed to minimum design standards as specified in the Fluvanna County Subdivision Ordinance. All private roads and shared parking areas shall be governed and maintained by an HOA or similar recorded agreement, to be prepared and submitted with a final master plan packet.

SWM STRATEGY:
 Storm Management shall be provided for the site through a variety of methods to ensure compliance with the Storm Water Management guidelines developed by DEQ. Ponds will be constructed for erosion control measures and converted to permanent detention basins and modified as required to comply with the applicable regulations. Any open space areas with existing streams and wetland areas will be improved as practicable for increasing potential of infiltration and detention of storm water runoff.

SHIMP ENGINEERING, P.C.
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 817 EAST HIGH STREET
 CHARLOTTEVILLE, VA 22902
 PHONE: (434) 227-3140
 JUST@SHIMP-ENGINEERING.COM



ENGINEERING GUIDELINES

| Rev # | Date | Description | ISC Comments |
|-------|------------|-------------|--------------|
| 1 | 01-03-2018 | | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

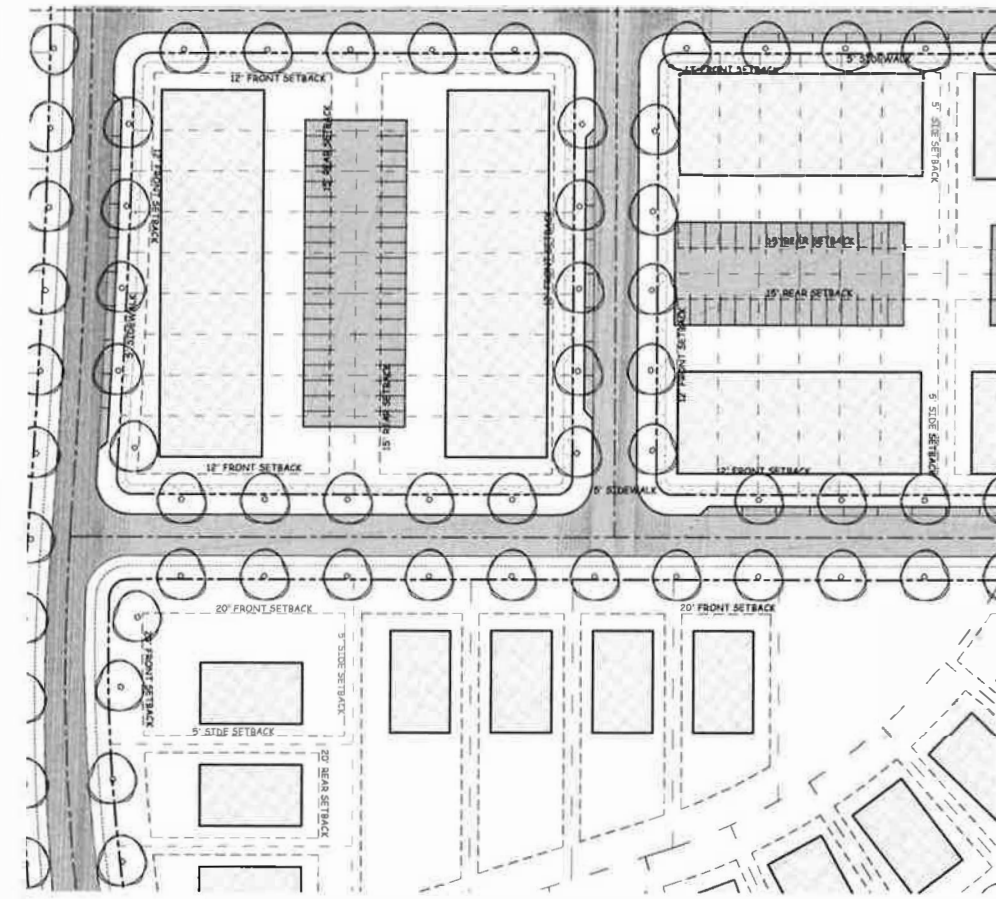
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| Scale | 1" = 100' |
| Sheet No | 6 OF 8 |
| File No | 15.011 |

DESIGN GUIDELINES

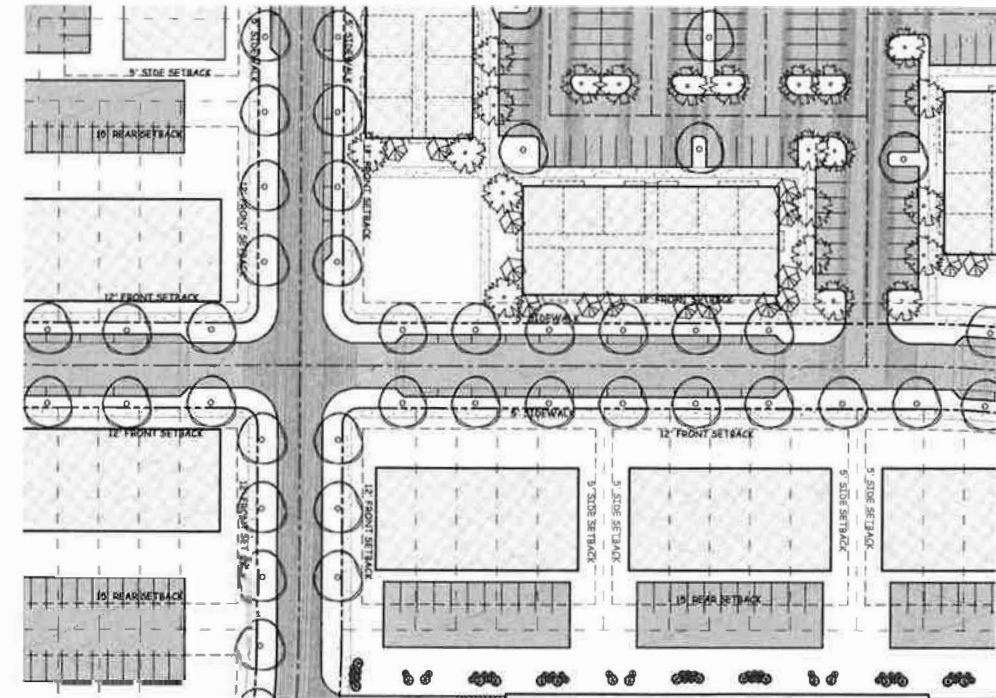
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| 1 | 01-03-2019 | IRC C6 FINISH |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

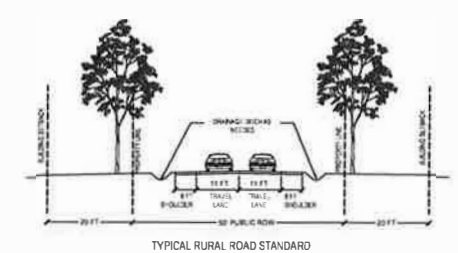
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| File No | 15.011 |



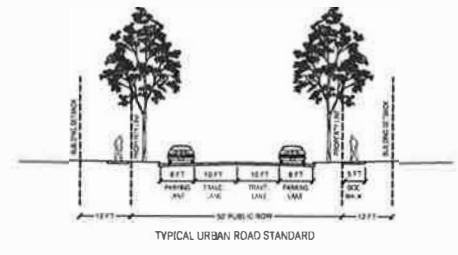
4 Typical Unit Plot Plan: Blocks B & C
 C6 SCALE: 1" = 50'



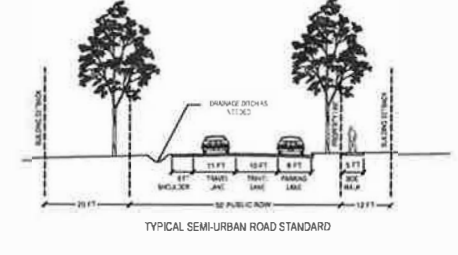
5 Typical Unit Plot Plan: Blocks C & D
 C6 SCALE: 1" = 50'



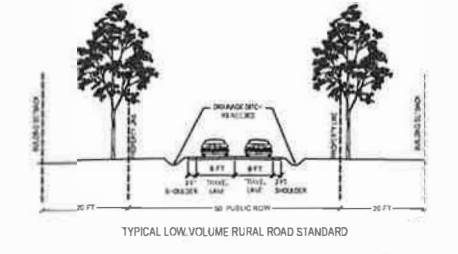
TYPICAL RURAL ROAD STANDARD



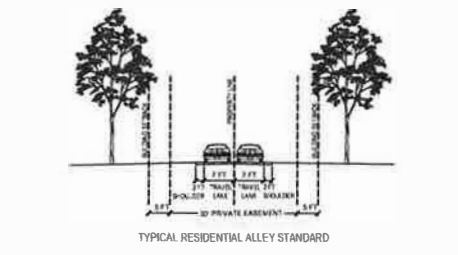
TYPICAL URBAN ROAD STANDARD



TYPICAL SEMI-URBAN ROAD STANDARD



TYPICAL LOW-VOLUME RURAL ROAD STANDARD

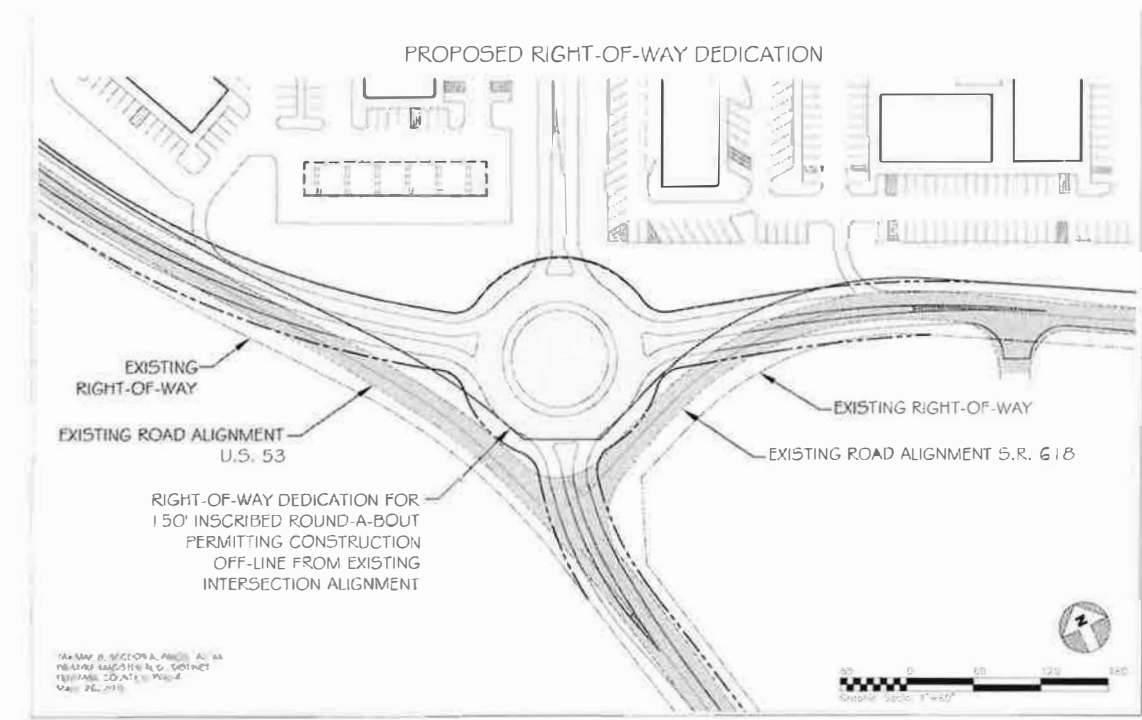


TYPICAL RESIDENTIAL ALLEY STANDARD

3 Development Road Standards
 C6 SCALE: 1" = 20'



1 Previously approved sketch plan for commercial
 C6 SCALE: NTS



2 Roundabout Dedication Exhibit
 C6 SCALE: NTS

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 LICENSED PROFESSIONAL ENGINEERING
 PROFESSIONAL ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT, VIRGINIA
 REGISTERED PROFESSIONAL PLANNING, VIRGINIA
 REGISTERED PROFESSIONAL SURVEYOR, VIRGINIA
 REGISTERED PROFESSIONAL CIVIL ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL ELECTRICAL ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL MECHANICAL ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL CHEMIST, VIRGINIA
 REGISTERED PROFESSIONAL ENVIRONMENTAL ENGINEER, VIRGINIA
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 REGISTERED PROFESSIONAL WOODWORKING ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL YACHT ENGINEER, VIRGINIA
 REGISTERED PROFESSIONAL ZONING ENGINEER, VIRGINIA

Consistency with the Comprehensive Plan

Colonial Circle is located within the Rivanna Community Area. The site is designated as Neighborhood Mixed Use in Figure LU-13 from the adopted 2015 Comprehensive Plan. Neighborhood Mixed Use areas are intended to provide a mixture of uses and residential dwelling types that serve a variety of incomes (Fluvanna County Comprehensive Plan 51). The development at Colonial Circle will serve as a necessary complement to the existing single-family dwelling developments in and around Lake Monticello. The commercial uses will serve existing residents and the proposed dwellings will serve new residents to the County as well as existing residents of the County looking to remain a County resident but live in a different housing type such as a townhome. The development as proposed allows for single-family dwellings, townhomes, and multi-family units. The mixture of housing types will allow for units within the development to be affordable to people of varying incomes, achieving the County's goal of creating mixed-income communities. The smaller units will appeal to young professionals commuting into Charlottesville, retirees looking to downsize, and one-parent families looking for affordable and low-maintenance housing options.

Colonial Circle addresses the major priorities outlined in the summary of the Rivanna Community Plan. The priorities are as follows:

- * to increase traffic safety and improve flow at key intersections
- * to enhance existing commercial centers in appearance, design, and available services, focusing on "village center" concepts
- * to provide housing choices for a variety of age groups and income levels, appropriate to the area
- * to preserve the rural character of the surrounding area and protect natural resources

The proposed Roundabout at the Intersection of Rt 53 and Lake Monticello will contribute to increased traffic safety and improved flow, additionally this traffic measure will help to mitigate traffic impacts from the proposed development. Colonial Circle is designed to feature a variety of housing choices, making the area appealing and accessible to multiple ages and income groups. A quarter of the development will be dedicated to open space, this space will directly service residents and visitors to Colonial Circle by making ample greenspace accessible. The project will be compliant with the surrounding rural character of the area outside of the Rivanna Community Planning Area. The property directly across Route 53 is under Conservation Easement ensuring the rural character around near the property will be preserved per the agreements recorded with the easement.

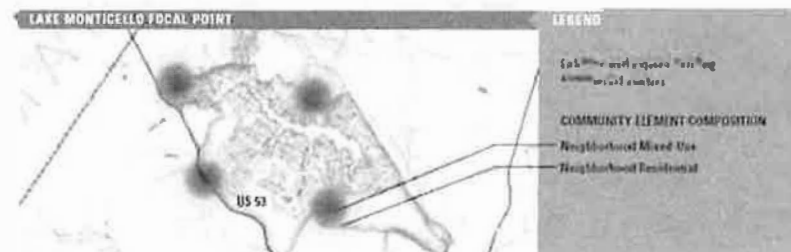


Figure LU-13. Neighborhood Mixed Use around Lake Monticello



Site within Rivanna Planning Area

CONSISTENCY WITH THE
COMPREHENSIVE PLAN

| REV # | DATE | DESCRIPTION |
|-------|------|-------------|
| | | |
| | | |
| | | |
| | | |

R3 PRELIMINARY MASTER PLAN FOR:

COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

Date: 12/03/2018

Scale:

Sheet No: 8 OF 8

File No: 15.011

SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT

912 EAST HIGH STREET
CHARLOTTESVILLE, VA 22902
PHONE: (434) 227-5140
WWW.SHIMPE-ENGINEERING.COM

An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 61.95 acres of Tax Map 8, Section A, Parcel A14A to rezone the same from A-1, Agricultural, General and B-1, Business, General to R-3, Residential Planned Community (ZMP 18:01)

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Zoning Map be, and it is hereby, amended, as follows:

That 61.95 acres of Tax Map 8, Section A, Parcel A14A, be and is hereby, rezoned from A-1, Agricultural, General and B-1, Business, General to R-3, Residential Planned Community.

Lake Monticello Owners' Association
41 Ashlawn Blvd., Palmyra VA 22963
Tel 434-589-8263 ext. 4108 Fax 434-589-5696
acooke@lmoa.org
www.lmoavoice.org



JANUARY 21, 2019

Brad Robinson, CZA, Senior Planner
Fluvanna County Planning & Zoning
P.O. Box 540
Palmyra, Virginia 22963

VIA: USPS & EMAIL: brobinson@fluvannacounty.org

Re: Proposed Colonial Circle Development

Dear Brad:

Thank you for including the Lake Monticello Owners' Association (LMOA) in the recent Neighborhood Meeting to discuss the plans for the proposed development of Colonial Circle located at the intersection of Rt.53 and Rt. 618. We have discussed the project and we would like to express the following concerns:

- 1.) There are currently (3) failed detention ponds affecting LMOA property and residents. They are located at Nahor Village, behind the Citgo, and behind the Goodwill. All three of these ponds have been in disrepair and damaging LMOA property for quite some time now. We would not want to see another development with ponds that have the potential for the same adverse effects to LMOA property.
- 2.) There is a concern that security could become an issue for owners who store their campers at the campground. We would ask that the County require that fencing or a wall is placed between our property and this development.
- 3.) Finally, we would ask that no advertisements of any sort that references Lake Monticello be allowed unless first approved by LMOA.

Please let me know if these concerns will be voiced at the Planning Commission meeting and/or the Board of Supervisors meeting or if we would be required to attend both. If you have any questions or would like to discuss any of our concerns please feel free to contact me directly at (434) 589-8263 or via email acooke@lmoa.org.

Respectfully,

Angie Cooke
Contracting Officer, LMOA

Received

JAN 29 2019

Planning Dept.

CC: STEVEN HURWITZ, GENERAL MANAGER LMOA; LMOA BOARD OF DIRECTORS

From: [Culbertson, Teresa C *HS](#)
To: [Brad Robinson](#)
Subject: concerns re: new development
Date: Monday, January 28, 2019 9:46:08 AM

I was given your email address as I won't be able to attend the planning meeting on 2/12. I would like to pass on the following concerns about the proposed development at the corner of 618 and 53.

- That area is very busy already with commuting traffic from Lake Monticello and other Fluvanna residents.
- I can't even imagine if there were 400 residences built there how badly that would impact the daily commute on 53. It is already very busy at certain times of the commute, and the last thing any of us need is more traffic on the road to add to the possibilities of commuting issues as well as traffic slowdowns. If this was a small community of 20 houses or something like that, that would be fine, but 400? In this rural area, with 53 being their primary commuting method? That is not a good thing.
- If more children are added to the area by not limiting this development to a certain age group, the schools will only be negatively impacted because the budget is already tight. There really is no room in the school budget for this.
- I do not have much confidence in the possibility of businesses coming into the development. It will depend on how the lease space is priced—we have plenty of available spaces for businesses now that are not fully used because of the costs to businesses in the area. If the development promises businesses, only to charge too much and have empty storefronts, we will just be left with more people clogging up the highways and coming into our already busy schools.

Thanks, Teresa



(delivered via e-mail)

Brad Robinson
Senior Planner Fluvanna County
132 Main St.
Palmyra, Va 22963

February 28, 2019

RE: ZMP 18:01 and SUP 18:05 – Colonial Circle

Dear Mr. Robinson,

We would like to defer public hearing for ZMP 18:01 and SUP 18:05, a project commonly known as “Colonial Circle,” from the March 12, 2019 Planning Commission Meeting to the April 9, 2019 Planning Commission Meeting because as of the date of this letter, VDOT comments have not yet been received.

If you need any additional information to process this request, please let me know.

Regards,

Kelsey Schlein
Kelsey@shimp-engineering.com

Cc: Justin Shimp | Justin@shimp-engineering.com



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SUP 18:05
Tax Map: Tax Map 8, Section A, Parcel A14A

From: Brad Robinson
District: Palmyra
Date: March 12, 2019

General Information: This request is to be heard by the Planning Commission on Tuesday, March 12, 2019 at 7:00 p.m. in the Circuit Court Room in the Courts Building.

Owner: Steven L. & Codie C. Peters

Applicant: Steven L. & Codie C. Peters

Representative: Shimp Engineering

Requested Action: Request for a special use permit to increase maximum gross residential density above 2.9 dwelling units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A. (Attachment A)

Approval of this request is subject to rezoning of the property to R-3, Residential Planned Community. Rezoning application ZMP 18:01 is being reviewed concurrently with this request.

Location: The affected property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The parcel is within the Rivanna Community Planning Area and the Palmyra Election District. (Attachment B)

Existing Zoning: A-1 Agricultural, General and B-1 Business, General

Existing Land Use: Vacant/undeveloped

Planning Area: Rivanna Community Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1 and R-4, Residential, Limited.

Zoning History:

None

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area. According to this chapter, *“the area is traditionally neighborhood residential, with primarily single-family detached dwellings. Surrounding growth should be a mixture of uses and residential dwelling types that serve a variety of incomes. Neighborhood mixed-use is needed to help offset the volume of single-family residential development in this community. Additional services and infrastructure are needed to accommodate more growth.”*

The Rivanna Community Planning Area is the most developed planning area in the county and contains a mixture of residential and commercial uses to serve the population. A variety of retail, food service and professional service oriented businesses are located in and around the Rivanna CPA.

Economic Development Chapter:

According to this chapter, *“the primary infrastructure service areas will be the Zion Crossroads, Lake Monticello, and Fork Union community planning areas”*.

Analysis:

This is a special use permit application to increase the maximum gross residential density for a proposed mixed-use development to be known as Colonial Circle. The residential sections of the development could include a variety of residential uses such as single-family detached, single-family attached, two-family, multi-family and townhouse dwellings. The maximum number of residential units is proposed to be 418 units, which equates to approximately 6.9 units per acre and exceeds the R-3 district’s by right density of 2.9 units per acre.

In accordance with Sec. 22-7-8, a special use permit is required for density between 3 and 10 units per acre in the R-3 district. This provision to increase density is the result of a 2018 amendment to the Zoning Ordinance (ZTA 18:05) and therefore this application is the first request to utilize this provision. ZTA 18:05 brought the Zoning Ordinance in line with the 2015 Comprehensive Plan which encourages a residential density of 10 dwelling units per acre in the Zion Crossroads Community Planning Area and 6 dwelling units per acre in the Rivanna Community Planning Area.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

First, the proposed use should not tend to change the character and established pattern of the area or community.

The subject property is located within the Rivanna Community Planning Area which is developed primarily with single-family detached dwellings. The proposed development would

provide a mixture of residential dwelling types for a variety of incomes which is needed for the county, however it would also introduce higher-density residential uses into the immediate area that are not traditionally found throughout the Rivanna CPA. The subject property is located on the periphery of the CPA where land use transitions from single-family dwellings on smaller lot sizes to rural residential uses on larger parcels.

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

All of the proposed residential uses are permitted by right in the R-3 district in accordance with Sec. 22-7-9.1. Properties in nearby Lake Monticello are zoned R-4 which also permits these residential uses by right [Sec. 22-8-2.1]. The nearest site zoned R-3 is approximately 1.5 miles south of the subject property at Nahor Village.

Sec. 22-1-2 of the zoning ordinance states its purpose is “*to facilitate the creation of a convenient, attractive and harmonious community*” as well as “*to protect against over-crowding of land*”.

(Attachment C)

Neighborhood Meeting:

A neighborhood meeting was held January 16, 2019. There were nine (9) attendees including staff and the applicant. The attendees had several questions or concerns primarily related to rezoning application ZMP 18:01 and the overall development as opposed to the specific request to increase density. A summary of the questions and concerns can be found in Attachment D.

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 13, 2018:

1. Planning staff asked about the price of the housing and what type of commercial uses are proposed. Some desirable uses are allowed by right while others may require approval of a special use permit in the future.
2. Building Inspections did not have any comments.
3. Chamber of Commerce did not have any comments.
4. Department of Forestry did not have any comments.
5. Erosion and Sediment Control noted the absence of adequate receiving natural channels on or adjacent to the site. The applicant stated an intent to use the VA DEQ "energy balance equation" to reduce post development discharges to a level that does not require proof of adequate receiving channels.
6. Fire Chief had the following questions or comments (applicant responses italicized):

- Would like for the distance between fire hydrants to be 800 feet or less.
 - What will the width of the streets would be? (*Between 20 and 25 feet, and alleys would be less than 20 feet.*) Will there be parking on the alleys? (*Yes.*) At least 18 feet width is needed for a ladder truck.
 - Will the roads within the development be public or private? (*There will be a mixture of both public and private roads.*)
 - Fire Chief stated he would prefer not to have hammerheads as the terminus for streets, and that his comments also reflect the Virginia Department of Forestry and the Lake Monticello Volunteer Fire Department.
7. Health Dept. has not provided any comments at the date of this letter.
 8. Sheriff's Office did not have any comments.
 9. VDOT stated that the project will need to be coordinated with the roundabout construction. Official comments have not been provided at the date of this letter.

(Attachment E)

Conclusion:

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, vibration, or visual clutter. The Planning Commission can recommend conditions to ensure the proposed use will not be detrimental to the character and development of the adjacent area.

Recommended Conditions:

If approved, Staff recommends the following conditions:

1. Prior to development of the site, site development plans and subdivision plats that meet the requirements of the Fluvanna County zoning and subdivision ordinances must be submitted for review and approval.
2. The maximum gross residential density for all dwelling units, including single-family detached, single-family attached, two-family, multi-family and townhouse dwellings, shall not exceed 418 units. Any increase in density shall require submittal of a special use permit application in accordance with the procedures of Sec. 22-17-4.
3. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
4. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
5. This Special Use Permit shall become void two years from the date of approval if the approved use has not been initiated.

Suggested Motion:

I move that the Planning Commission recommend approval/denial/deferral of SUP 18:05, a request to increase maximum gross residential density above 2.9 units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A, [if approved] subject to the five (5) conditions listed in the staff report.

Attachments:

- A – Application, narrative and APO letter
- B – Aerial Vicinity Map
- C – ZMP 18:01 proposed master plan
- D – Neighborhood meeting sign-in sheet and comments
- E – TRC letter
- F – Citizen correspondence
- G – Applicant’s deferral request dated February 28, 2019

Copy: Steven L. and Codie C. Peters, Owner/Applicant – auburnhillfarm@earthlink.net
Shimp Engineering, Representative – justin@shimp-engineering.com and kelsey@shimp-engineering.com
File

DEC 05 2018

Fluvanna County



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Steven L. & Codie C. Peters Applicant of Record: Steven Peters

Address: 2390 Auburn Hill Farm Charlottesville, VA 22902 Address: same as owner

Phone: _____ Fax: _____ Phone: _____ Fax: _____

Email: _____ Email: _____

Representative: Shimp Engineering

Address: 912 E. High St. Charlottesville, Va 22902

Phone: (434)227-5140 Fax: _____

Email: Justin@shimp-engineering, kelsey@shimp-engineering

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Tax Map and Parcel(s) 8-A-A14A

Acreeage 61.95 Zoning A-1 (portion B-1)

Deed Book and Page: _____

Location of Parcel: intersection of Route 53 and Route 618

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: density of up to ten (10) dwelling units per acre

*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 5 Dec 2018 Signature of Owner/Applicant: [Signature]

Subscribed and sworn to before me this 5 day of December, 2018

Notary Public: Nicole M. Scro, Mulloper Register # 7776374

My commission expires: 03/31/2022

Certification: Date: 04/19/2018



| Office Use Only | |
|---|---|
| Date Received: <u>12-6-18</u> | Pre-Application Meeting: _____ PH Sign Deposit Received: <u>12-6-18</u> Application #: <u>SUP 18 : 05</u> |
| \$800.00 fee plus mailing costs paid: <u>VH 2175</u> | Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail |
| Amendment of Condition: \$400.00 fee plus mailing costs paid: _____ | |
| Telecommunications Tower fee plus mailing costs paid: _____ | Telecom Consultant Review fee paid: _____ |
| Election District: <u>Palmyra</u> | Planning Area: <u>Rivanna CPA</u> |
| Public Hearings | |
| Planning Commission | Board of Supervisors |
| Advertisement Dates: _____ | Advertisement Dates: _____ |
| APO Notification: _____ | APO Notification: _____ |
| Date of Hearing: _____ | Date of Hearing: _____ |
| Decision: _____ | Decision: _____ |



**Commonwealth of Virginia
County of Fluvanna
Public Hearing Sign Deposit**


Name: _____

Address: _____

City: _____

State: _____ Zip Code: _____

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.


 Applicant Signature _____ Date 5 DEC 2018

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: **BZA** _____ : **CPA** _____ : **SUP 18** : **05** **ZMP** _____ : **ZTA** _____ :

\$90 deposit paid per sign*: ✓ #2775 #90

Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

see attached narrative and application plan

NECESSITY OF USE: Describe the reason for the requested change.

The Comprehensive Plan recommends for mixed-use, mixed-income development in the Rivanna Community Planning Area; a special use permit request for up to ten (10) dwelling units per acre is consistent with this vision.

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

There will be adequate screening between the development and adjacent properties. The anticipated roadway improvements at the intersection of Route 53 and Lake Monticello Road will mitigate traffic impacts and improve the safety and efficiency of the intersection.

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

The project is located within a designated growth area , just outside of Lake Monticello, Fluvanna's most populous and well-established residential community. The project will create the opportunity for more commercial uses and neighborhood services in the Rivanna Community Planning Area and will establish a variety of housing types, something that is much needed in the County overall.

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.

Remarks:

Please see application plan

Commonwealth of Virginia

County of Fluvanna

Special Use Permit Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

| Applicant must supply | Staff Checklist |
|--|-----------------|
| Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application | |
| Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> • Plot plan or survey plat at an appropriate scale • Location and dimension of existing conditions and proposed development • <i>Commercial and Industrial Development</i>: parking, loading, signs, lighting, buffers and screening • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) | |
| Supporting photographs are not required, but suggested for evidence | |

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

| Staff Only | Staff Checklist |
|--|-----------------|
| Preliminary review by planning staff for completeness and content: <ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. | |
| Notification of the scheduled Public Hearing to the following: <ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement | |
| Staff Report to include, but not be limited to: <ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. | |

Page 5 of 5
For Applicant

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.

SHIMP

ENGINEERING^{PC}



PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

TMP: 8-A-A14A
Colonial Circle R-3 Zoning Request
and Special Use Permit for up to 10 DUA
Project Narrative
December 3, 2018

Project Proposal:

This proposal is to rezone 61.95 acres from A-1 (40.45 acres) and B-1 (21.5 acres) to R-3 with a special use permit for density of up to 10 Dwelling Units Per Acre. The site is located on the northeast corner of the intersection of S.R. 53 (Thomas Jefferson Parkway) and S.R. 618 (Lake Monticello Road). A roundabout is proposed by VDOT to replace the existing T-intersection adjacent to this site and this proposal assumes (as did the previous 21.5 acre commercial rezoning for this site) a completed roundabout by VDOT. Proposed phasing of the site includes the construction of the roundabout by VDOT.

Property Description/ Existing Conditions:

Tax Map 8-A-A14A
61.95 acres
Vacant
2-10% existing slopes
85-90% 1-2 year "scrub growth" (the site was recently logged)
A-1 (40.45 acres) and B-1 (21.5 acres) zoning
Existing wetlands have not been located on the site

Proposed Use:

R-3 Application Plan with a maximum development of:
81,000 square feet commercial
40 Single Family Detached Dwelling Units
128 Single Family Detached + Townhome
250 Townhomes + Multi-Family Units
Walkable neighborhood design components
Landscape Buffers along Lake Monticello Road and Th. Jefferson Pkwy
6.9 Dwelling Units Per Acre (density calculated using 60.7 acres as property total, assuming 1.25 acres is dedicated to VDOT for ROW dedication)

Received
DEC 03 2018
Wavanna County

Surrounding Uses / List of Adjoiners:

| TAX MAP | PARCEL | OWNER | ZONING | LAND USE |
|---------|--------|--------------------------------------|--------|-------------------------|
| 8-((A)) | 15 | Shifflett, Roy Lee & Crystal L. | A-1 | Residential |
| 8-((A)) | 4A | Harlow, Wayne H. | A-1 | Residential |
| 8-((A)) | 5A | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 23 | Marks, Edward | A-1 | Agricultural |
| 8-((A)) | 13 | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-(9) | 5 | Bland, George B. & Jo Ann | A-1 | Residential |
| 8-((A)) | 22B | Lake Monticello Owners Association | R-4 | Campground |
| 8-((A)) | 21 | Effort Baptist Church | A-1 | Church |
| 8-((A)) | A14 | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | A14A | Heinberg, Benjamin A. & Elizabeth B. | A-1 | Agricultural (Easement) |
| 8-((A)) | 11 | Spradlin, Lindsay L. & Wife | A-1 | Residential |

Consistency with Comprehensive Plan:

Figure LU-13 on page 50 of the comprehensive plan designates this site as Neighborhood Mixed-Use (8-10 dwelling units per acre) while Figure LU-14 on page 51 designates this site as Neighborhood Residential with a proposed density of 4-8 dwelling units per acre. This site contains an approved 21.5 acre regional use (shopping center) and the Rivanna Community Plan recommends "clustering development around existing centers to preserve rural areas".

This zoning will achieve all four priorities (page 52), identified by Lake Monticello residents, for improving quality of life for residents inside and outside of Lake Monticello:

- To increase traffic safety and improve flow at key intersections.
- To enhance existing commercial centers in appearance, design, and available services focusing on "village center" concepts.
- To provide housing choices for a variety of age groups and income levels, appropriate to the area.
- To preserve the rural character of the surrounding area and protect natural resources..

Received
DEC 03 2023
Fluvanna County



Shimp Engineering
912 E. High St.
Charlottesville, VA 22902

December 3, 2018

Mr. Brad Robinson
Fluvanna County Planning and Zoning
132 Main Street
P.O. Box 540
Palmyra, VA 22963

**RE: Rezoning 2018-_____ Transmittal Letter, and Special Use Permit for Density of up to 10 DUA
TMP 8-A-A14A**

Dear Mr. Robinson,

Please find ten (10) copies of the application plan and a project narrative included in this submittal for the Colonial Circle Rezoning and Special Use Permit Request for up to ten (10) Dwelling Units Per Acre. Sheet C8 "Consistency with the Comprehensive Plan" is included in the application plan and additionally is included as a separate 11x17 exhibit to show the planning maps in color. The Special Use Permit application requires a sketch plan on letter or tabloid size paper, however, due to the size of the property and the scale of the development, the project design is difficult to discern on smaller sized plots. Full-size plots have been provided to meet this requirement. Please let me know if you still would like smaller copies to conduct your review.

Please find hard copies of required application documents included in this submittal. Additionally, an "intent to serve" letter has been provided from Aqua Virginia. Aqua most recently reviewed the plan when it showed a maximum of 400 dwelling units; the plan has been updated to show a maximum of 418 dwelling units. We will work to get an updated letter from Aqua to address this change. It is our understanding a Special Use Permit will be required for major utilities. A special use permit will be submitted to accommodate a sewer to service the site and we will submit an application for this special use permit in the future. If you require any additional information to complete your review of the rezoning and special use permit request, please let me know at your earliest convenience. I look forward to working with you throughout this process.

Respectfully,

Kelsey Schlein

Received

DEC 03 2018

Fluvanna County



October 27, 2018

By Electronic Delivery:

Kelsey Schlein, Shimp Engineering, P.C.
Colonial Circle R-3 Layout
201 E. Main Street, Ste M
Charlottesville, Virginia 22902
kelsey@shimp-engineering.com

Re: Proposal Colonial Circle R-3 Layout, Fluvanna County, Virginia

Dear Ms. Schlein;

Aqua Virginia (“Aqua”) has reviewed the Residential Planned Community (R-3) Master Plan for Colonial Circle dated November 25, 2018, with a proposed 400 residential units and 81,000 SF of commercial space, located adjacent to the Lake Monticello utility service area. The developer has contacted Aqua with a request to provide water and wastewater utility service. Aqua has interest in doing so provided that the terms and conditions for such an agreement, including capacity, flows, monetary terms and other key terms, are negotiated into a final agreement and all required governmental approvals and permits are obtained.

Aqua Virginia, Inc., is a regulated Virginia public service corporation that is a wholly-owned subsidiary of Aqua America, Inc., a publicly-traded company whose shares are listed on the New York Stock Exchange under the ticker symbol “WTR”. Aqua is one of the nation’s largest investor owned water and wastewater utilities, founded in 1886, now serving more than three million people in eight states. Aqua has a market capitalization over \$6 billion. In Virginia, Aqua serves 173 communities and delivers services to over 80,000 residents. Aqua has a distinguished record and leads the industry in operating efficiency. We continuously invest using scale and experience to provide the most cost-effective utility services possible. Aqua and our utility rates are regulated by the Virginia State Corporation Commission (the “SCC”), the Virginia Department of Health (the “VDH”), and the Virginia Department of Environmental Quality (the “DEQ”).

Should you have any questions or need to reach me, please call 804.310.0398 or email CLParkerIV@AquaAmerica.com.

Respectfully submitted,

A handwritten signature in blue ink that reads "Clifton L. Parker, IV".

Clifton L. Parker, IV, PE
Director, Business Development
Aqua Virginia, Inc.

Received
OCT 30 2018
Fluvanna County



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: February 25, 2019
From: Valencia Porter
To: Jason Stewart
Subject: Planning Commission Meeting

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the March 12, 2019 Planning Commission Meeting.



COUNTY OF FLUVANNA

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P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

NOTICE OF PUBLIC HEARING

February 25, 2019

«Name»
«Address»
«City_State» «ZIP»
TMP#«TMP»

Re: Public Hearing on ZMP 18:01 & SUP 18:05

Dear «Name»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced items as noted below:

Purpose: Planning Commission Public Hearing
Day/Date: Tuesday, March 12, 2019
Time: 7:00 PM
Location: Fluvanna County Circuit Court Room, Palmyra, VA

The applicant or applicant’s representative will be present at the Planning Commission meeting for the rezoning and special use permit requests that are described as follows:

ZMP 18:01 Steven L. & Codie C. Peters / Colonial Circle – A request to rezone, from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community, 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.

SUP 18:05 Steven L. & Codie C. Peters / Colonial Circle Density – A request to increase density above 2.9 dwelling units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District.

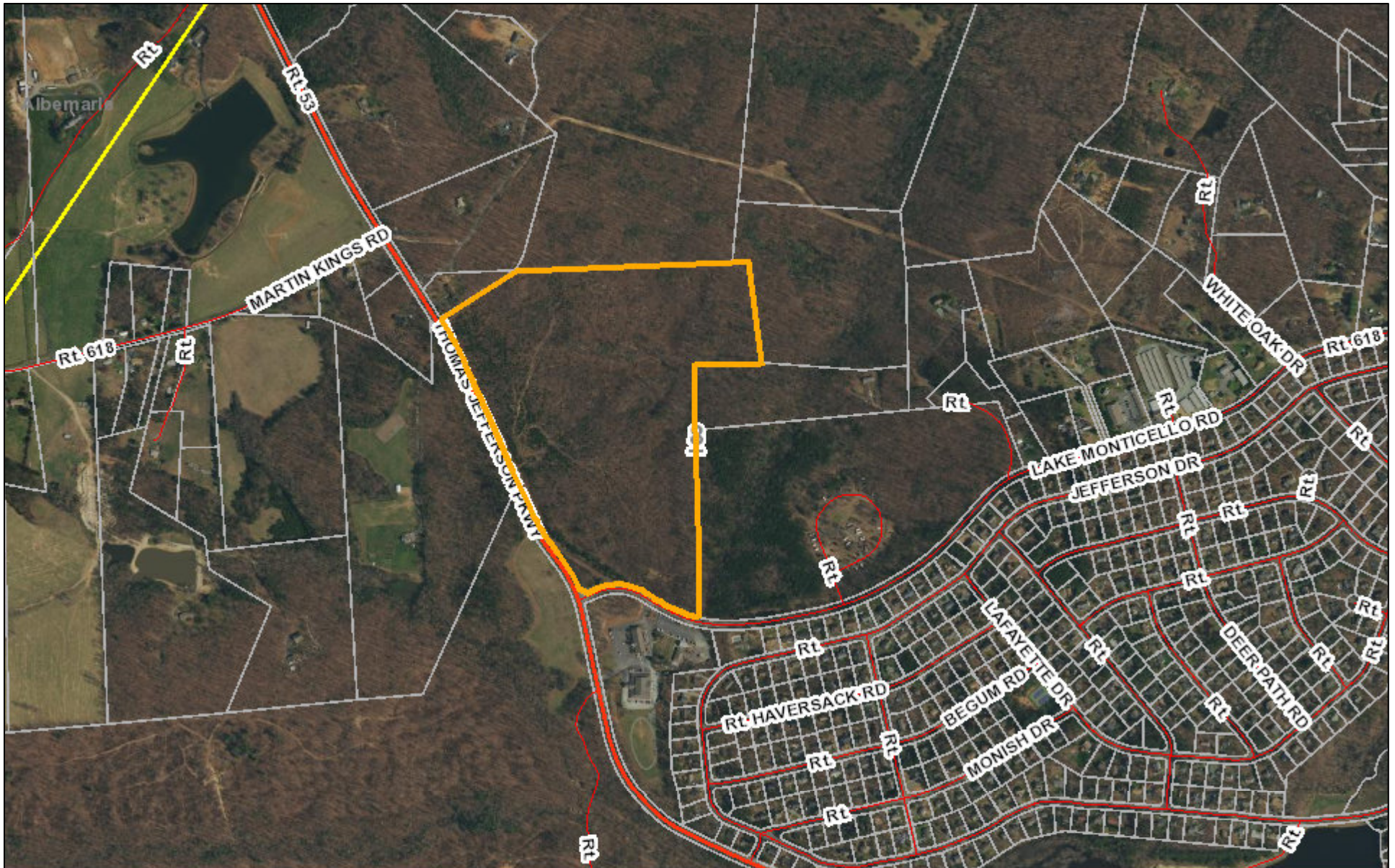
You are welcome to attend the Public hearing and you will have an opportunity to comment, if desired. The tentative agenda and staff report for this action is available for public review on the County website at <http://fluvannacounty.org/meetings>. You can also view the report in the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

If you have any questions regarding this rezoning or special use permit application or the Public Hearing, please contact me at 434-591-1910.

Sincerely,

A handwritten signature in black ink that reads "Jason Stewart". The signature is written in a cursive style with a large initial 'J' and a distinct 'S'.

Jason Stewart
Planning and Zoning Administrator

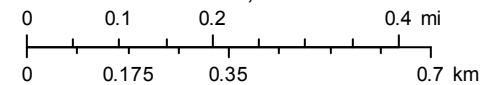


February 7, 2019

Roads

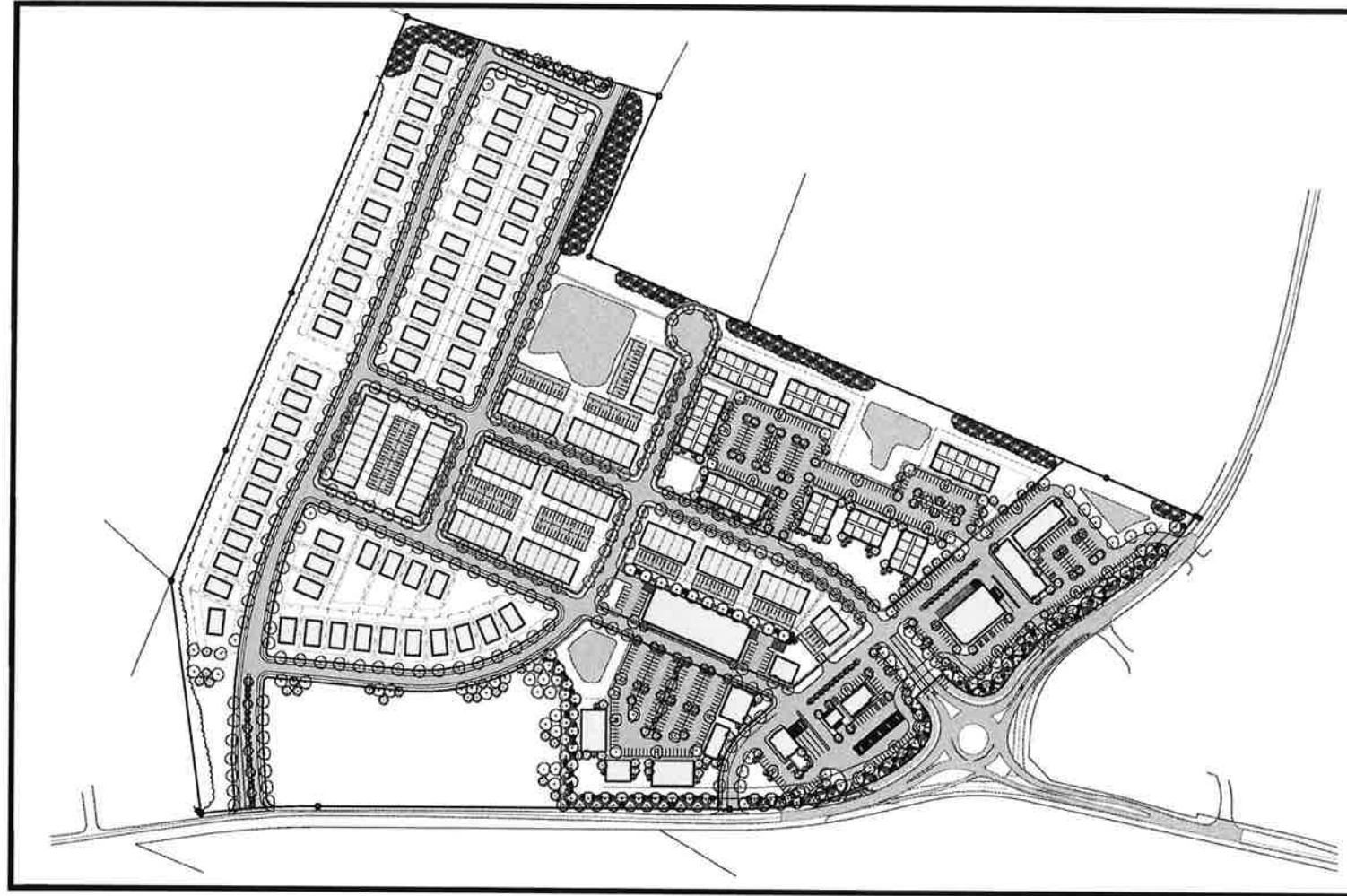
- | | | | | | |
|--|------------|--|---------------|--|----------------------|
| | Secondary | | Place Names | | Tax Map Grid |
| | Interstate | | Town Boundary | | County Boundary |
| | Primary | | Parcels | | Surrounding Counties |
| | | | Railroads | | |
| | | | Other | | |

1:13,081



Virginia Geographic Information Network (VGIN)
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

RESIDENTIAL PLANNED COMMUNITY (R-3) MASTER PLAN FOR COLONIAL CIRCLE



CONCEPTUAL DEVELOPMENT PLAN: THE SITE LAYOUT RENDERED ABOVE IS NOT PROFFERED WITH THIS ZMP APPLICATION

REZONING APPLICATION PLAN FOR:
TAX MAP 8-((A)) PARCEL A14(A)
CUNNINGHAM MAGISTERIAL DISTRICT
FLUVANNA COUNTY, VIRGINIA
APPLICATION DATE: December 3, 2018
CURRENT REVISION DATE: January 3, 2019



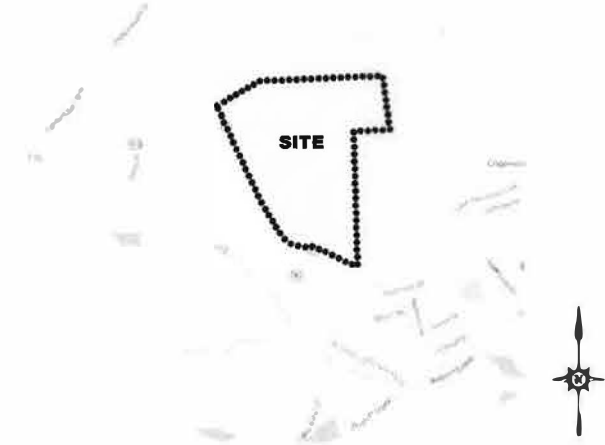
PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

912 EAST HIGH STREET : CHARLOTTESVILLE, VA 22902 : (434) 227-5140

SHEET INDEX

- C1 - COVER SHEET
- C2 - EXISTING BOUNDARY / ZONING CONDITIONS
- C3 - EXISTING CONDITIONS / DEMOLITION
- C4 - CONCEPTUAL PLAN OF DEVELOPMENT
- C5 - BLOCK GUIDELINES
- C6 - ENGINEERING GUIDELINES
- C7 - DESIGN GUIDELINES / DETAILS / SECTIONS
- C8 - CONSISTENCY WITH COMPREHENSIVE PLAN

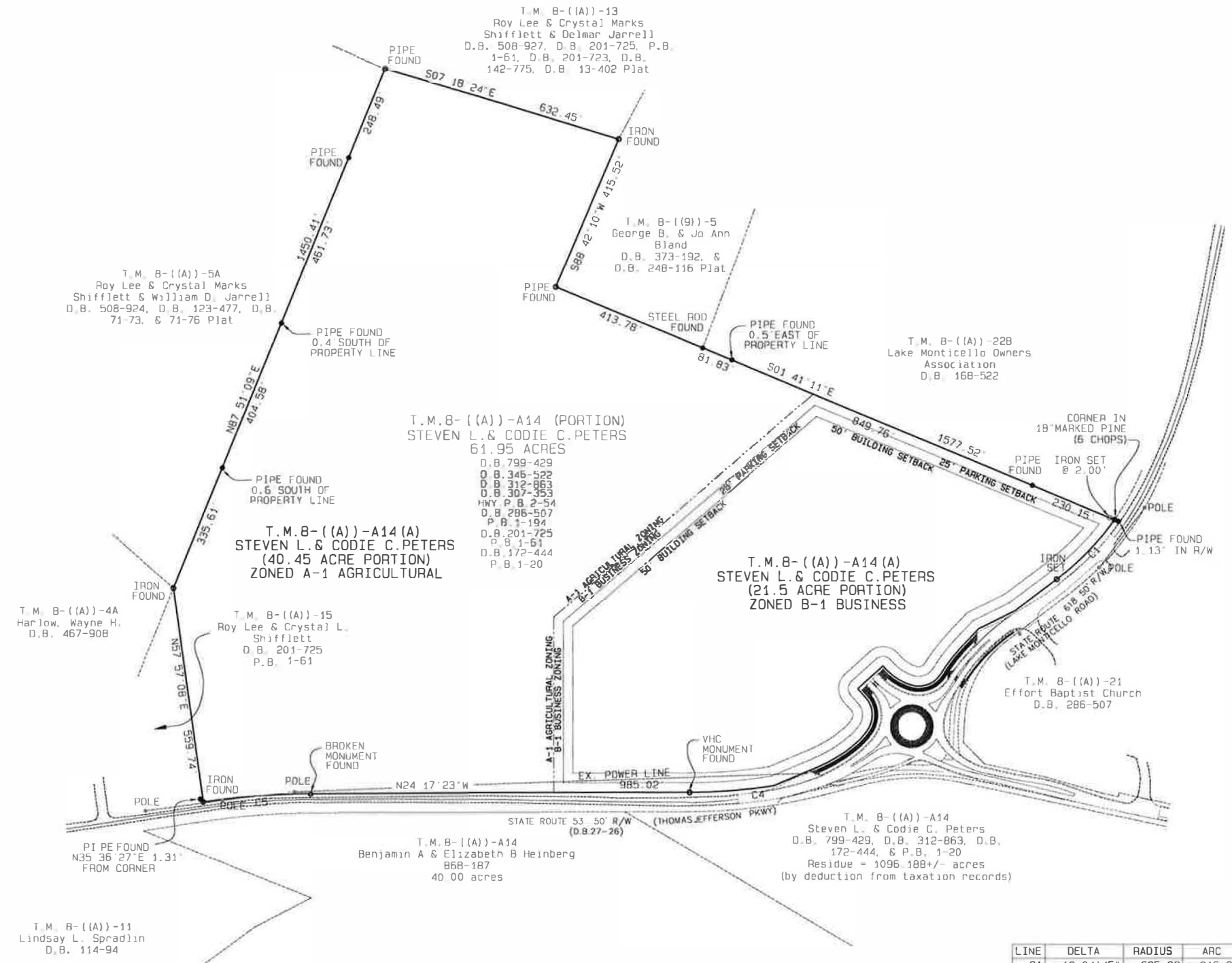
VICINITY MAP: (created from Google Earth)



SCALE: 1" = 1,000'

EXISTING CONDITIONS NOTES:

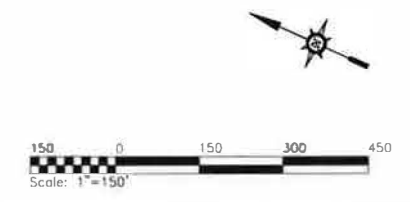
- BOUNDARY SURVEY INFORMATION PROVIDED BY ROGER W. RAY & ASSOCIATES, CHARLOTTEVILLE VA.
- TOPOGRAPHY (4 FT INTERVALS) PROVIDED BY FLUVANNA COUNTY GIS MAPPING.
- ZMP 15-02, CREATING A 21.5 ACRE B-1 COMMERCIAL DISTRICT ON THE SITE, WAS APPROVED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS ON OCTOBER 21, 2015.
- THE SITE LIES WITHIN THE RIVANNA COMMUNITY PLANNING AREA.
- THIS PROPERTY LIES WITHIN THE WATER AND SEWER JURISDICTIONAL AREA FOR AQUA VIRGINIA, INC.
- STEEP SLOPES, STREAMS, AND WETLANDS HAVE NOT BEEN IDENTIFIED ON THIS SITE.
- IMPROVEMENTS SHOWN AT THE INTERSECTION OF S.R. 53 AND S.R. 618, IN CONJUNCTION WITH THIS APPLICATION PLAN, REFLECT PRELIMINARY CONSTRUCTION DRAWINGS AS PROVIDED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION.



ADJOINING PARCEL INFORMATION

| TAX MAP | PARCEL | OWNER | ZONING | LAND USE |
|---------|--------|------------------------------------|--------|-------------------------|
| 8-((A)) | 15 | Shifflett, Roy Lee & Crystal L. | A-1 | Residential |
| 8-((A)) | 4A | Harlow, Wayne H. | A-1 | Residential |
| 8-((A)) | 5A | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 23 | Marks, Edward | A-1 | Agricultural |
| 8-((A)) | 13 | Shifflett, Roy & Crystal Et Al | A-1 | Agricultural |
| 8-((A)) | 5 | Bland, George B. & Jo Ann | A-1 | Residential |
| 8-((A)) | 22B | Lake Monticello Owners Association | R-4 | Campground |
| 8-((A)) | 21 | Effort Baptist Church | A-1 | Church |
| 8-((A)) | A14 | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | A14A | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| 8-((A)) | 11 | Spradlin, Lindsay L. & Wife | A-1 | Residential |

| LINE | DELTA | RADIUS | ARC | TANGENT | CHORD | CHORD BEARING |
|------|------------|---------|--------|---------|--------|---------------|
| C1 | 18 04' 45" | 685.28 | 216.23 | 109.02 | 215.34 | N70 03' 04" W |
| C2 | 50 44' 24" | 319.65 | 283.07 | 151.57 | 273.91 | N86 22' 53" W |
| C3 | 15 44' 03" | 598.00 | 164.22 | 82.63 | 163.70 | N30 25' 21" W |
| C4 | 13 59' 59" | 1407.50 | 343.91 | 172.82 | 343.06 | N31 17' 23" W |
| C5 | 8 14' 28" | 1934.86 | 278.30 | 139.39 | 278.06 | N28 18' 45" W |



EXISTING BOUNDARY / ZONING CONDITIONS

| Rev. | Date | Description |
|------|------|-------------|
| | | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

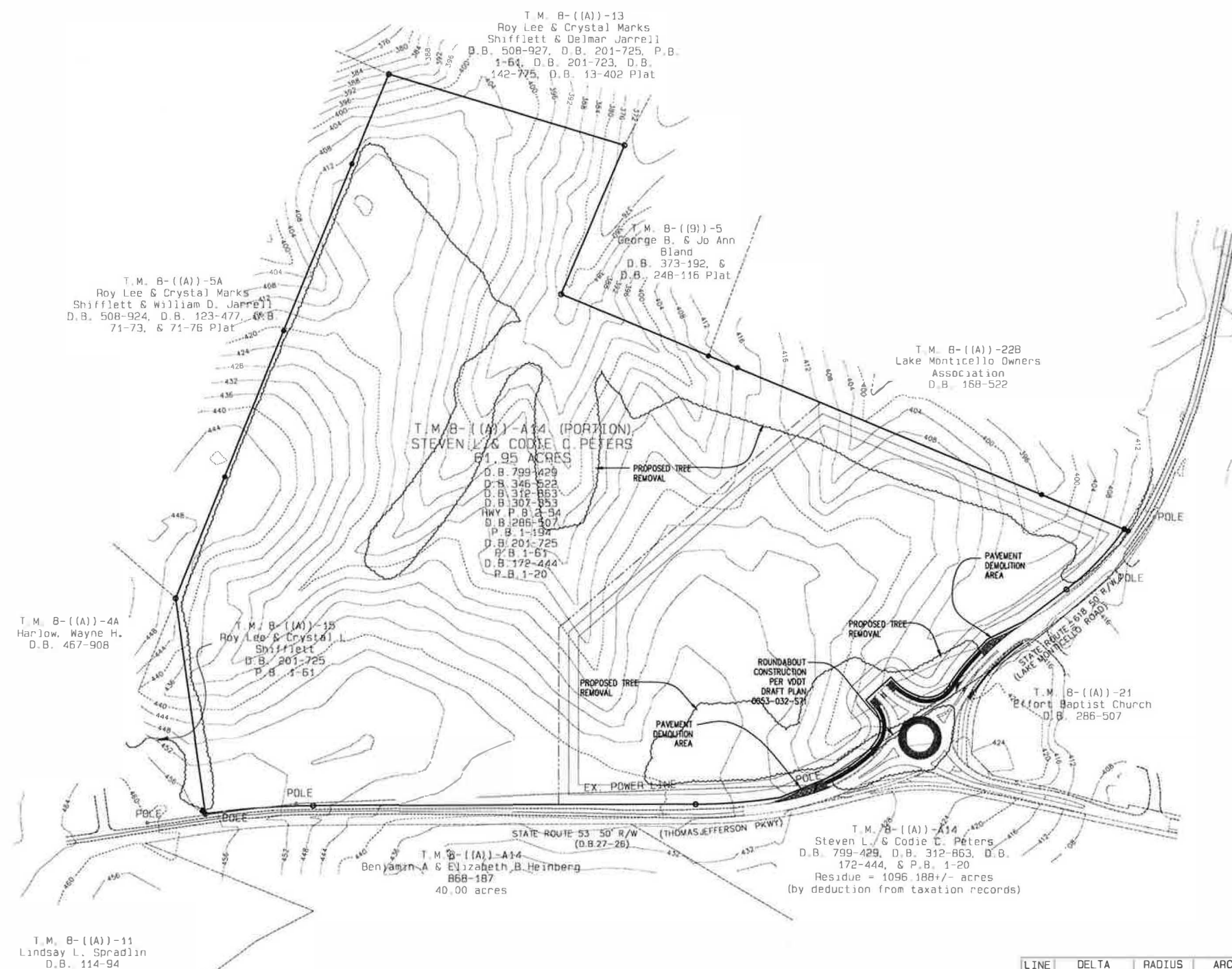
VICINITY MAP: (created from Google Earth)



SCALE: 1" = 1,000'

EXISTING CONDITIONS NOTES:

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ADJOINING PARCEL INFORMATION

| TAX MAP | PARCEL | OWNER | ZONING | LAND USE |
|---------|--------|------------------------------------|--------|-------------------------|
| B-((A)) | 15 | Shifflett, Roy Lee & Crystal L. | A-1 | Residential |
| B-((A)) | 4A | Harlow, Wayne H. | A-1 | Residential |
| B-((A)) | 5A | Shifflett, Roy & Crystal El Al | A-1 | Agricultural |
| B-((A)) | 23 | Marks, Edward | A-1 | Agricultural |
| B-((A)) | 13 | Shifflett, Roy & Crystal El Al | A-1 | Agricultural |
| B-((A)) | 5 | Bland, George B. & Jo Ann | A-1 | Residential |
| B-((A)) | 22B | Lake Monticello Owners Association | R-4 | Campground |
| B-((A)) | 21 | Effort Baptist Church | A-1 | Church |
| B-((A)) | A14 | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| B-((A)) | A14A | Peters, Steven L. & Codie C. | A-1 | Agricultural (Easement) |
| B-((A)) | 11 | Spradlin, Lindsay L. & Wife | A-1 | Residential |

| LINE | DELTA | RADIUS | ARC | TANGENT | CHORD | CHORD BEARING |
|------|------------|---------|--------|---------|--------|---------------|
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EXISTING CONDITIONS / DEMOLITION

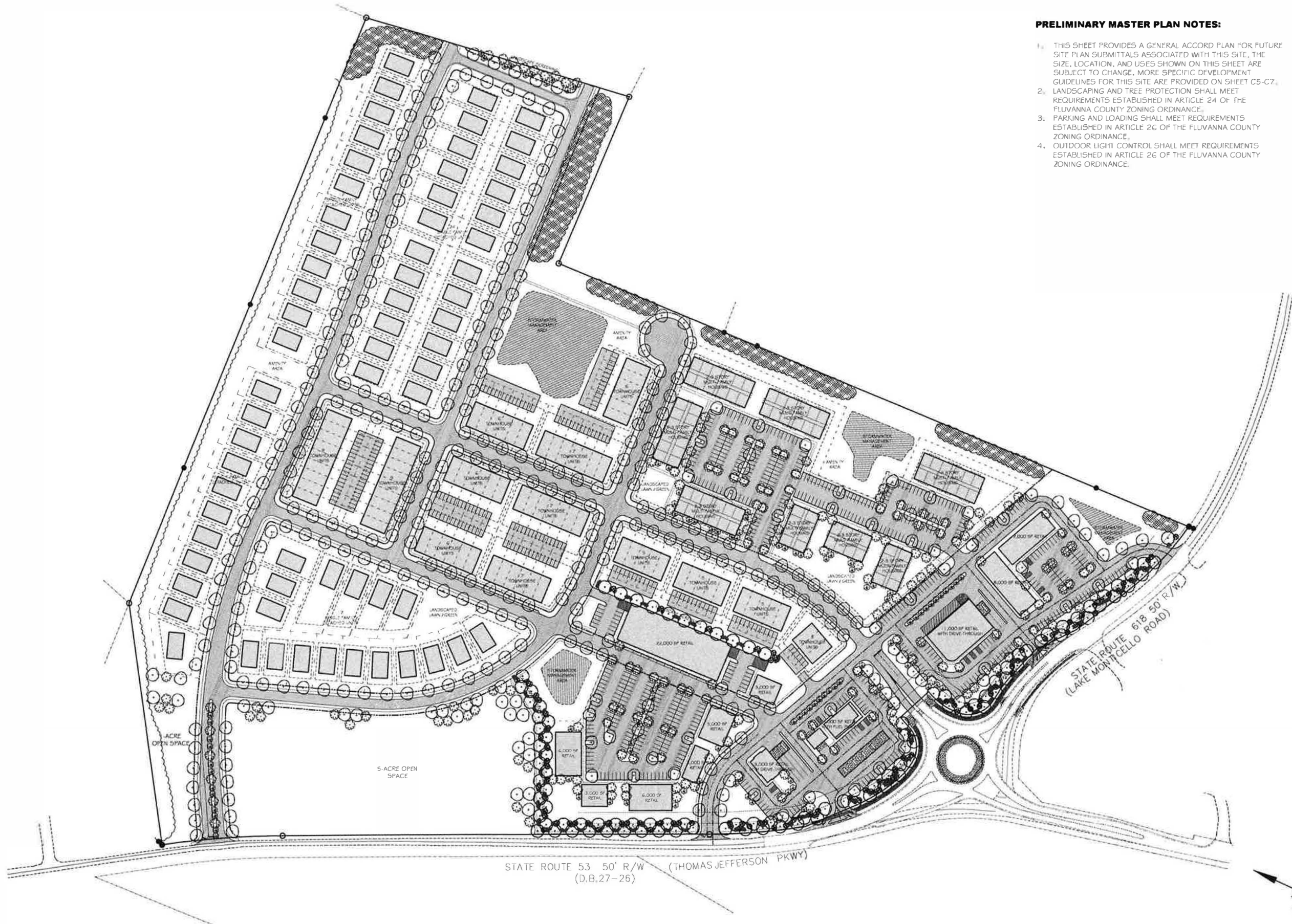
| Rev./ | Date | Description |
|-------|------|-------------|
| | | |
| | | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 PHONE: (530) 227-5140
 819 EAST HIGH STREET
 CHARLOTTEVILLE, VA 22902
 JUSTIN@SHIMP-ENGINEERING.COM

PRELIMINARY MASTER PLAN NOTES:

1. THIS SHEET PROVIDES A GENERAL ACCORD PLAN FOR FUTURE SITE PLAN SUBMITTALS ASSOCIATED WITH THIS SITE. THE SIZE, LOCATION, AND USES SHOWN ON THIS SHEET ARE SUBJECT TO CHANGE. MORE SPECIFIC DEVELOPMENT GUIDELINES FOR THIS SITE ARE PROVIDED ON SHEET C5-C7.
2. LANDSCAPING AND TREE PROTECTION SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
3. PARKING AND LOADING SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
4. OUTDOOR LIGHT CONTROL SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.



CONCEPTUAL PLAN
 OF DEVELOPMENT

| Rev # | Date | Description | Rev Comments |
|-------|------------|-------------|--------------|
| 1 | 01-02-2019 | | |

R-3 PRELIMINARY MASTER PLAN FOR:

COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

| | |
|-----------|------------|
| Date | 12/03/2018 |
| Scale | 1" = 100' |
| Sheet No. | 4 OF 8 |
| File No. | 15.011 |



| MINIMUM SETBACKS | | | |
|------------------|-------|------|------|
| BLOCK | FRONT | SIDE | REAR |
| A | N/A | N/A | N/A |
| B | 20' | 5' | 20' |
| C (SFD) | 20' | 5' | 15' |
| C (SFA) | 12' | 5' | 15' |
| D | 12' | 5' | 20' |
| E | 50' | 10' | 20' |

| PROPOSED DEVELOPMENT KEY | | | | | |
|--------------------------|-----------------------|--------------|--------------------------|---------------------------------------|----------------|
| BLOCK | LAND USE | AREA (acres) | MAX. RESIDENTIAL DENSITY | MAX. COMMERCIAL DENSITY (square feet) | AREA (% total) |
| A | OPEN SPACE | 15.6 | 0 UNITS | 0 | 25.7 |
| B | SFD and TFD | 5.6 | 40 UNITS | 0 | 9.2 |
| C | SFD, TFD, SFA and THD | 18.4 | 128 UNITS | 0 | 30.3 |
| D | SFA, THD, AND MFD | 9.5 | 250 UNITS | 0 | 15.7 |
| E | COMMERCIAL | 11.6 | 0 UNITS | 81,000 | 19.1 |
| TOTAL | MIXED-USE | 60.7 | 418 UNITS | 81,000 | 100.0 |

KEY: SINGLE-FAMILY DETACHED (SFD), TWO-FAMILY DWELLING (TFD), SINGLE-FAMILY ATTACHED (SFA), TOWNHOUSE DWELLING (THD), MULTI-FAMILY DWELLING (MFD)

PRELIMINARY MASTER PLAN NOTES:

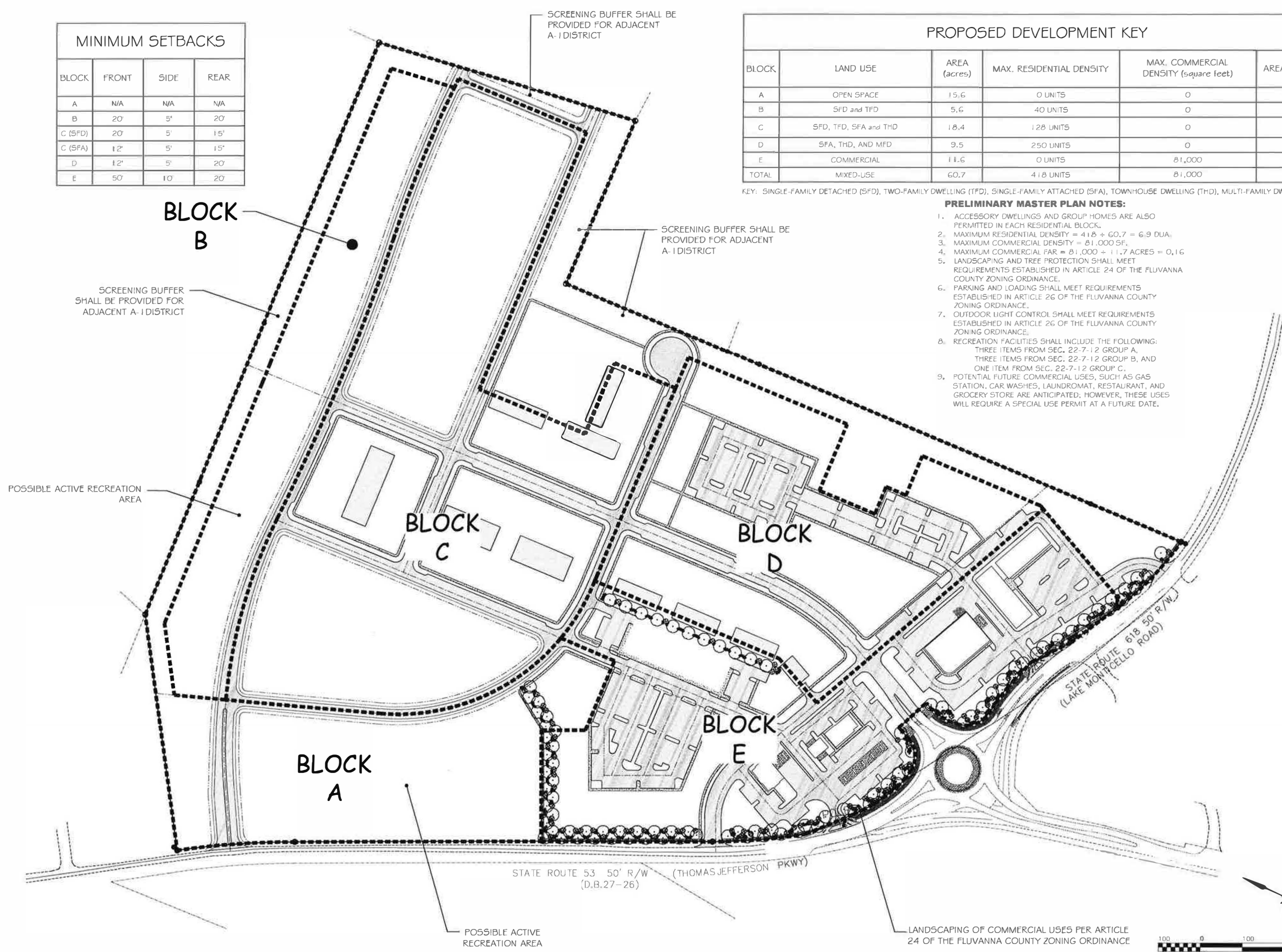
- ACCESSORY DWELLINGS AND GROUP HOMES ARE ALSO PERMITTED IN EACH RESIDENTIAL BLOCK.
- MAXIMUM RESIDENTIAL DENSITY = $418 \div 60.7 = 6.9$ DUA.
- MAXIMUM COMMERCIAL DENSITY = 81,000 SF.
- MAXIMUM COMMERCIAL FAR = $81,000 \div 11.7$ ACRES = 6.91 ACRES.
- LANDSCAPING AND TREE PROTECTION SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- PARKING AND LOADING SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- OUTDOOR LIGHT CONTROL SHALL MEET REQUIREMENTS ESTABLISHED IN ARTICLE 26 OF THE FLUVANNA COUNTY ZONING ORDINANCE.
- RECREATION FACILITIES SHALL INCLUDE THE FOLLOWING: THREE ITEMS FROM SEC. 22-7-12 GROUP A, THREE ITEMS FROM SEC. 22-7-12 GROUP B, AND ONE ITEM FROM SEC. 22-7-12 GROUP C.
- POTENTIAL FUTURE COMMERCIAL USES, SUCH AS GAS STATION, CAR WASHES, LAUNDROMAT, RESTAURANT, AND GROCERY STORE ARE ANTICIPATED; HOWEVER, THESE USES WILL REQUIRE A SPECIAL USE PERMIT AT A FUTURE DATE.

POSSIBLE ACTIVE RECREATION AREA

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT

SCREENING BUFFER SHALL BE PROVIDED FOR ADJACENT A-1 DISTRICT



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ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
913 EAST HIGH STREET
CHARLOTTE, VA 22982
PHONE: (434) 227-5190
WWW.SHIMPEngineering.COM

| BLOCK GUIDELINES | |
|------------------|----------------------------|
| Block | Description / R/C Comments |
| | |
| | |
| | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

Date: 12/03/2018
Scale: 1" = 100'
Sheet No: 5 OF 8
File No: 15.011

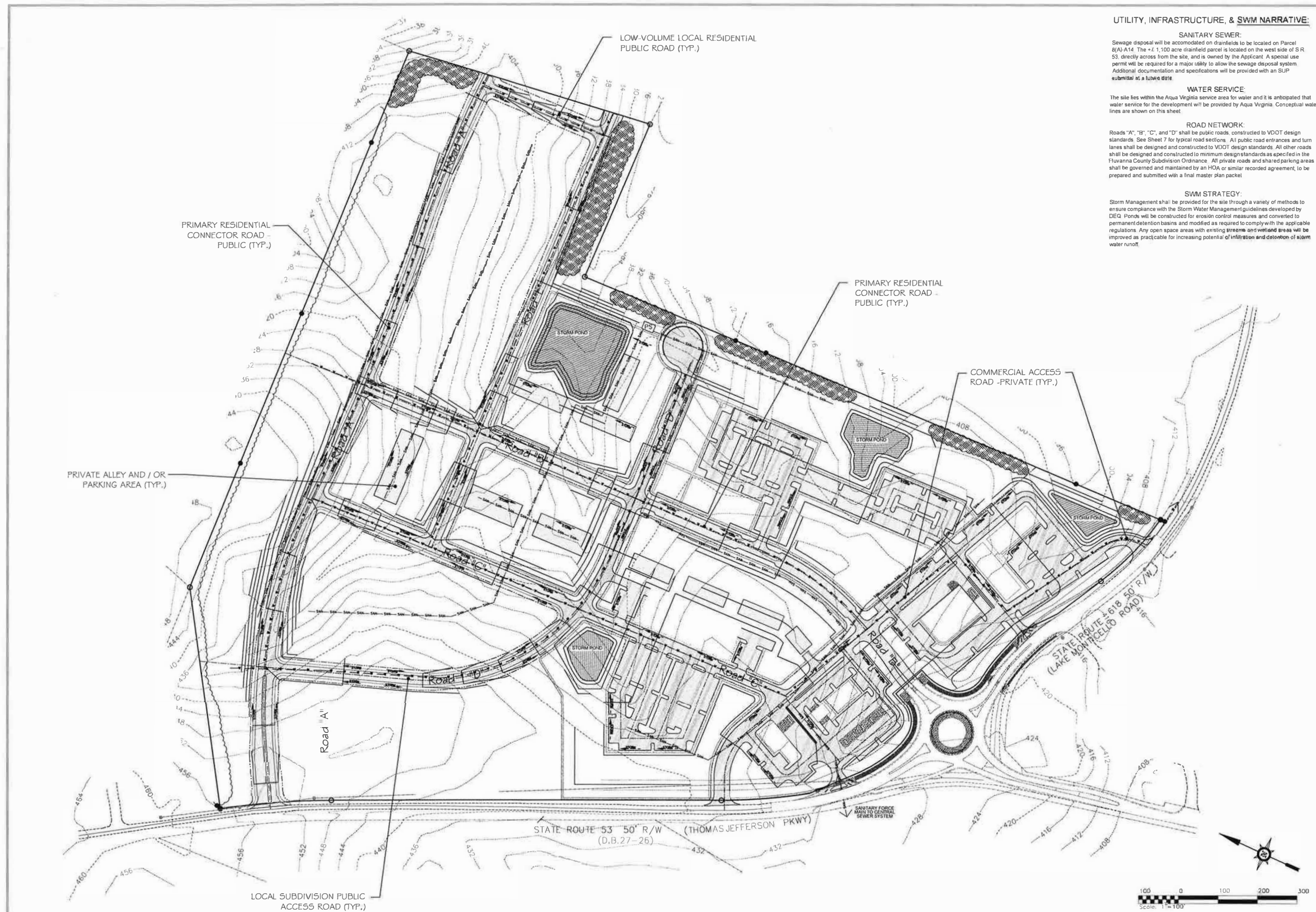


LANDSCAPING OF COMMERCIAL USES PER ARTICLE 24 OF THE FLUVANNA COUNTY ZONING ORDINANCE

POSSIBLE ACTIVE RECREATION AREA

STATE ROUTE 53 50' R/W (D.B.27-26) (THOMAS JEFFERSON PKWY)

STATE ROUTE 618 50' R/W (LAKE MONTICELLO ROAD)



UTILITY, INFRASTRUCTURE, & SWM NARRATIVE:

SANITARY SEWER:
 Sewage disposal will be accommodated on drainfields to be located on Parcel 8(A)-A14. The ±1,100 acre drainfield parcel is located on the west side of S R 53, directly across from the site, and is owned by the Applicant. A special use permit will be required for a major utility to allow the sewage disposal system. Additional documentation and specifications will be provided with an SUP submittal at a future date.

WATER SERVICE:
 The site lies within the Aqua Virginia service area for water and it is anticipated that water service for the development will be provided by Aqua Virginia. Conceptual water lines are shown on this sheet.

ROAD NETWORK:
 Roads "A", "B", "C", and "D" shall be public roads, constructed to VDOT design standards. See Sheet 7 for typical road sections. All public road entrances and turn lanes shall be designed and constructed to VDOT design standards. All other roads shall be designed and constructed to minimum design standards as specified in the Fluvanna County Subdivision Ordinance. All private roads and shared parking areas shall be governed and maintained by an HOA or similar recorded agreement, to be prepared and submitted with a final master plan packet.

SWM STRATEGY:
 Storm Management shall be provided for the site through a variety of methods to ensure compliance with the Storm Water Management guidelines developed by DEQ. Ponds will be constructed for erosion control measures and converted to permanent detention basins and modified as required to comply with the applicable regulations. Any open space areas with existing streams and wetland areas will be improved as practicable for increasing potential of infiltration and detention of storm water runoff.

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 CHARLOTTEVILLE, VA 22902
 PHONE: (434) 227-3140
 JUST@SHIMP-ENGINEERING.COM

ENGINEERING GUIDELINES

| Rev # | Date | Description | ISC Comment |
|-------|------------|-------------|-------------|
| 1 | 07-03-2018 | | |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

| | |
|----------|------------|
| Date | 12/03/2018 |
| Scale | 1" = 100' |
| Sheet No | 6 OF 8 |
| File No | 15.011 |

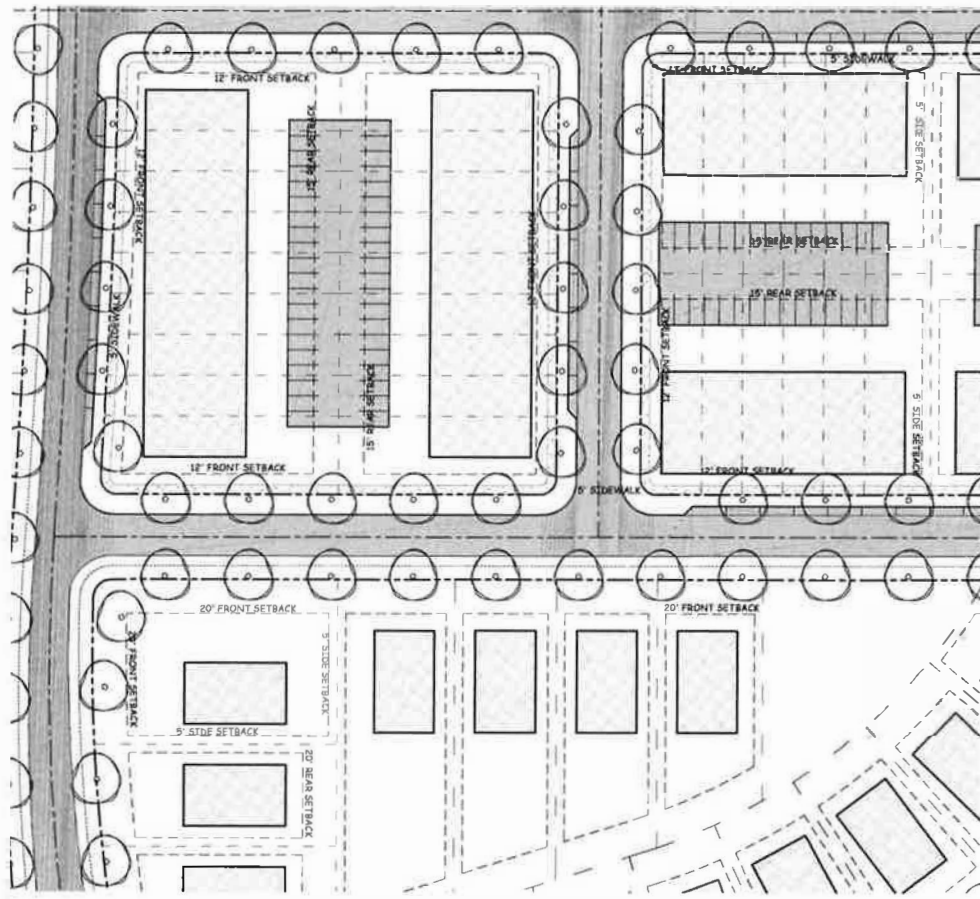
SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 917 E 85th HIGH STREET
 CHARLOTTEVILLE, VA 22802
 PHONE: (434) 227-9140
 JUSTIN@SHIMP-ENGINEERING.COM

DESIGN GUIDELINES

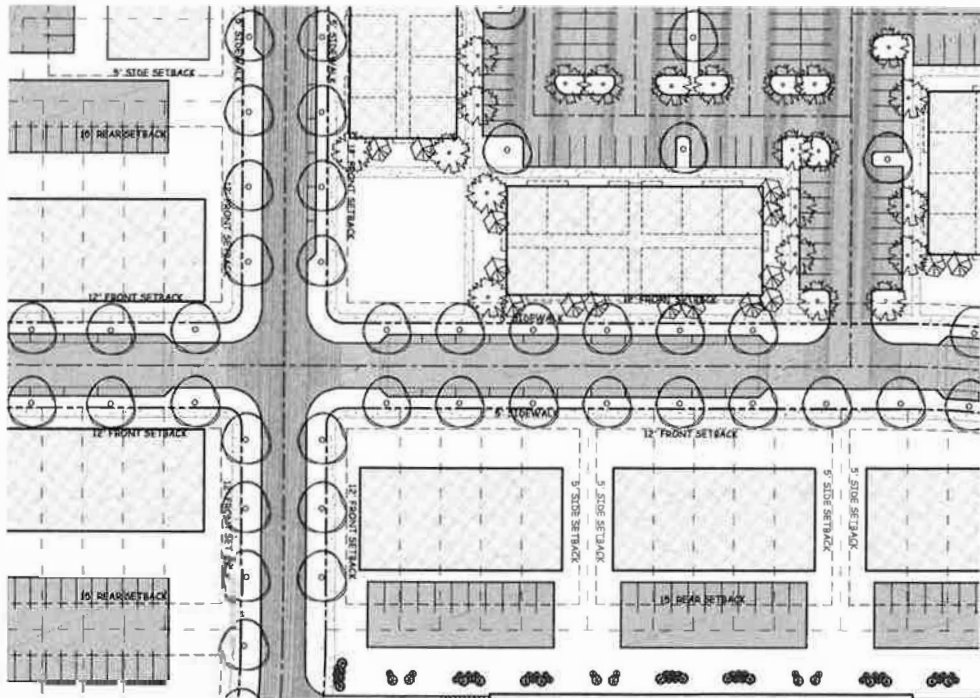
| Rev | Date | Description |
|-----|------------|---------------|
| 1 | 01-03-2019 | IRC C6 FINISH |

R-3 PRELIMINARY MASTER PLAN FOR:
COLONIAL CIRCLE
 FLUVANNA COUNTY, VIRGINIA

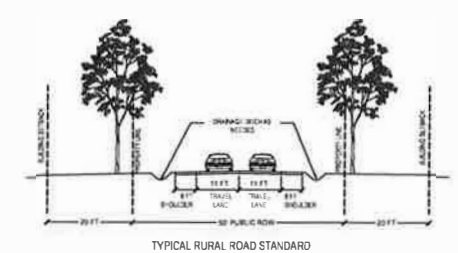
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| Date | 12/03/2018 |
| Scale | AS SHOWN |
| Sheet No | 7 OF 8 |
| File No | 15.011 |



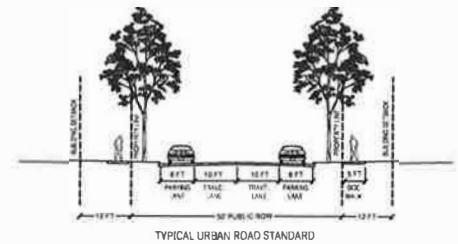
4 Typical Unit Plot Plan: Blocks B & C
 C6 SCALE: 1" = 50'



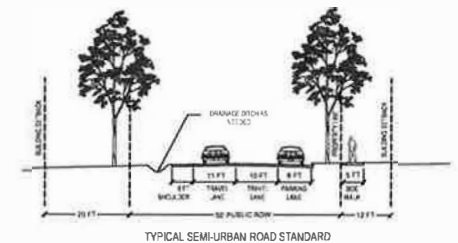
5 Typical Unit Plot Plan: Blocks C & D
 C6 SCALE: 1" = 50'



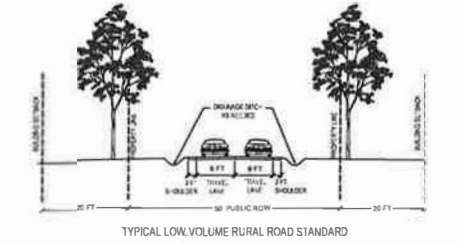
TYPICAL RURAL ROAD STANDARD



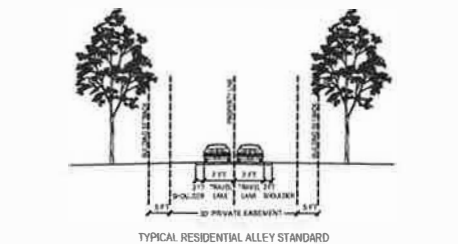
TYPICAL URBAN ROAD STANDARD



TYPICAL SEMI-URBAN ROAD STANDARD



TYPICAL LOW VOLUME RURAL ROAD STANDARD

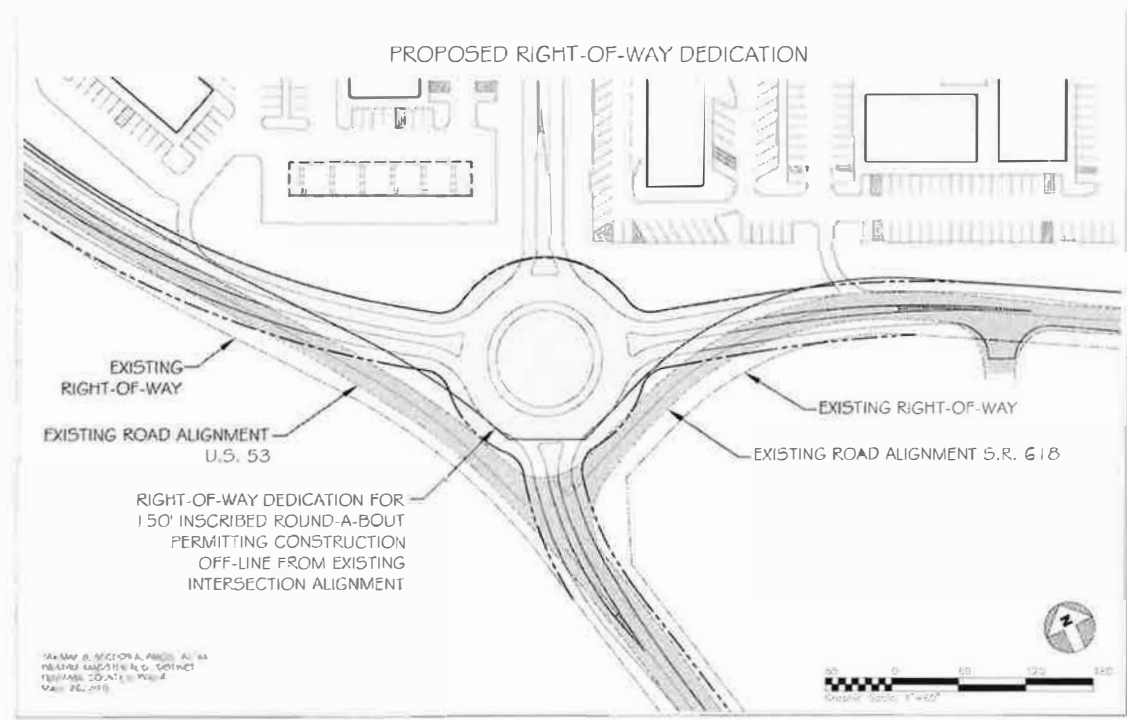


TYPICAL RESIDENTIAL ALLEY STANDARD

3 Development Road Standards
 C6 SCALE: 1" = 20'



1 Previously approved sketch plan for commercial
 C6 SCALE: NTS



2 Roundabout Dedication Exhibit
 C6 SCALE: NTS

Consistency with the Comprehensive Plan

Colonial Circle is located within the Rivanna Community Area. The site is designated as Neighborhood Mixed Use in Figure LU-13 from the adopted 2015 Comprehensive Plan. Neighborhood Mixed Use areas are intended to provide a mixture of uses and residential dwelling types that serve a variety of incomes (Fluvanna County Comprehensive Plan 5.1). The development at Colonial Circle will serve as a necessary complement to the existing single-family dwelling developments in and around Lake Monticello. The commercial uses will serve existing residents and the proposed dwellings will serve new residents to the County as well as existing residents of the County looking to remain a County resident but live in a different housing type such as a townhome. The development as proposed allows for single-family dwellings, townhomes, and multi-family units. The mixture of housing types will allow for units within the development to be affordable to people of varying incomes, achieving the County's goal of creating mixed-income communities. The smaller units will appeal to young professionals commuting into Charlottesville, retirees looking to downsize, and one-parent families looking for affordable and low-maintenance housing options.

Colonial Circle addresses the major priorities outlined in the summary of the Rivanna Community Plan. The priorities are as follows:

- to increase traffic safety and improve flow at key intersections
- to enhance existing commercial centers in appearance, design, and available services, focusing on "village center" concepts
- to provide housing choices for a variety of age groups and income levels, appropriate to the area
- to preserve the rural character of the surrounding area and protect natural resources

The proposed Roundabout at the Intersection of Rt 53 and Lake Monticello will contribute to increased traffic safety and improved flow, additionally this traffic measure will help to mitigate traffic impacts from the proposed development. Colonial Circle is designed to feature a variety of housing choices, making the area appealing and accessible to multiple ages and income groups. A quarter of the development will be dedicated to open space, this space will directly service residents and visitors to Colonial Circle by making ample greenspace accessible. The project will be consistent with the surrounding rural character of the area outside of the Rivanna Community Planning Area. The property directly across Route 53 is under Conservation Easement ensuring the rural character around near the property will be preserved per the agreements recorded with the easement.

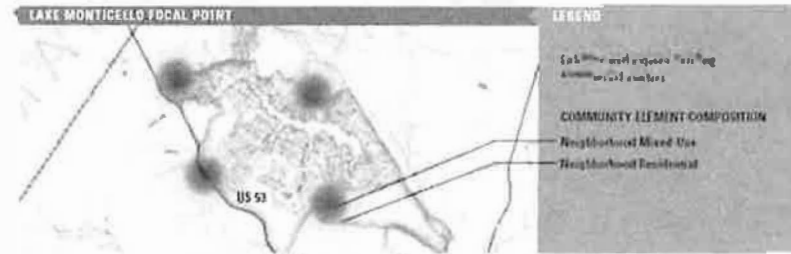
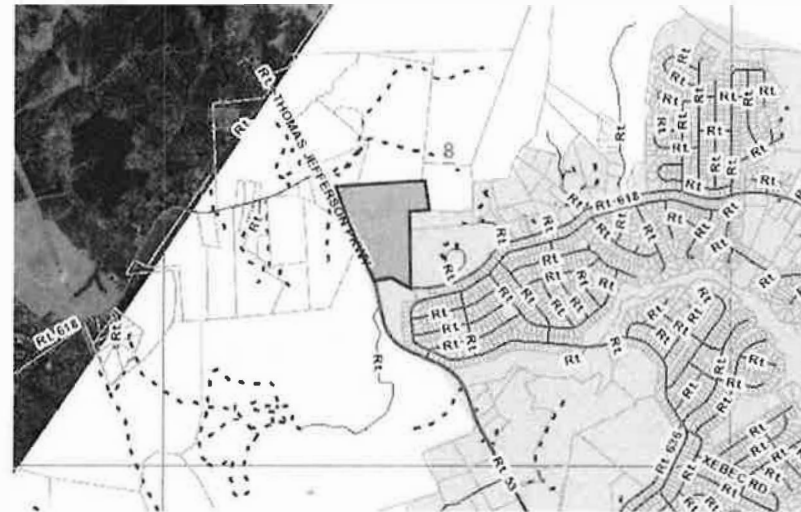


Figure LU-13. Neighborhood Mixed Use around Lake Monticello



Site within Rivanna Planning Area

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912 EAST HIGH STREET
CHARLOTTESVILLE, VA 22902
PHONE: (434) 227-5140
WWW.SHIMPEngineering.com

CONSISTENCY WITH THE
COMPREHENSIVE PLAN

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |

R3 PRELIMINARY MASTER PLAN FOR:

COLONIAL CIRCLE
FLUVANNA COUNTY, VIRGINIA

Date: 12/03/2018

Scale:

Sheet No:

8 OF 8

File No:

15.011



Neighborhood Meeting Sign-In Sheet

Meeting Date: January 16, 2019

| Name | Address | City/State/Zip | Reason for Attending |
|-------------------|-------------------------|-------------------|-----------------------|
| Angie Cooke | 41 Ashlawn Blvd. (LMDA) | Palmyra, VA 22963 | Information/Questions |
| Ben Heinberg | 8271 TJ Pkwy | Chville, VA 22902 | ~ |
| Tom Braithwaite | 48 Wildwood Dr | Palmyra VA 22963 | INFO |
| Crystal Shifflett | 8268 Thomas Jeff Pkwy | Chville VA 22902 | Info |
| Samantha Wilcox | 8294 Thomas Jeff Pkwy | Chville VA 22902 | Info |
| LINDSAY SPADLIN | 8281 THOMAS JEFF. PKWY | CHVILLE VA 22902 | INFO |
| | | | |
| | | | |
| | | | |

ZMP 18:01 Neighborhood Meeting Notes

January 16, 2019, 4:30 p.m.

Morris Room, County Administration Building

Attendees: 9 (including staff)

Questions/Comments

- How many units are proposed?
- Are there any amenities?
- How many stories are the apartments?
- Are there any turning lanes along Route 618?
- What is the lot size of the single-family dwellings?
- Will something be put up along the property line behind the single family homes?
- Is an exit proposed near the driveway?
- Has anyone considered congestion along Route 53?
- There are accidents at the intersection of Martin Kings Road and Route 53
- How many parking spaces total are proposed?
- Where is water going to come from for this development?
- Adding something like this adds an issue for residents of Lake Monticello
- Where is the entrance along Route 53 in relation to driveways across the road?
- What is the price point of proposed housing?
- How much square footage of retail is proposed?
- Is the retail portion under a height limit?
- Has VDOT commented on this proposal?
- Concerned about detention ponds
- Concerned about traffic and water tables
- Concerned about safety



COUNTY OF FLUVANNA

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132 Main Street
 P.O. Box 540
 Palmyra, VA 22963
 (434) 591-1910
 Fax (434) 591-1911
www.fluvannacounty.org

December 14, 2018

Justin Shimp, P.E.
 Shimp Engineering
 201 E. Main Street
 Charlottesville, VA 22902

Delivered via email to justin@shimp-engineering.com

Re: ZMP 18:01 and SUP 18:05 – Colonial Circle
Tax Map: 8, Section A, Parcel A14A

Dear Mr. Shimp:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 13, 2018:

1. Planning staff asked about the price of the housing and what type of commercial uses are proposed. Some desirable uses are allowed by right while others may require approval of a special use permit in the future.
2. Building Inspections did not have any comments.
3. Chamber of Commerce did not have any comments.
4. Department of Forestry did not have any comments.
5. Erosion and Sediment Control noted the absence of adequate receiving natural channels on or adjacent to the site. The applicant stated an intent to use the VA DEQ "energy balance equation" to reduce post development discharges to a level that does not require proof of adequate receiving channels.
6. Fire Chief had the following questions or comments (applicant responses italicized):
 - Would like for the distance between fire hydrants to be 800 feet or less.
 - What will the width of the streets would be? (*Between 20 and 25 feet, and alleys would be less than 20 feet.*) Will there be parking on the alleys? (*Yes.*) At least 18 feet width is needed for a ladder truck.
 - Will the roads within the development be public or private? (*There will be a mixture of both public and private roads.*)
 - Fire Chief stated he would prefer not to have hammerheads as the terminus for streets, and that his comments also reflect the Virginia Department of Forestry and the Lake Monticello Volunteer Fire Department.

7. Health Dept. has not provided any comments at the date of this letter.
8. Sheriff's Office did not have any comments.
9. VDOT stated that the project will need to be coordinated with the roundabout construction. Official comments have not been provided at the date of this letter.

The Planning Commission will discuss this item during their 6 p.m. work session on Tuesday, January 8, 2019. Your attendance is required at this meeting.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,

Brad Robinson
Senior Planner
Dept. of Planning & Zoning

cc: File

Lake Monticello Owners' Association
 41 Ashlawn Blvd., Palmyra VA 22963
 Tel 434-589-8263 ext. 4108 Fax 434-589-5696
 acooke@lmoa.org
 www.lmoavoice.org



JANUARY 21, 2019

Brad Robinson, CZA, Senior Planner
 Fluvanna County Planning & Zoning
 P.O. Box 540
 Palmyra, Virginia 22963

VIA: USPS & EMAIL: brobinson@fluvannacounty.org

Re: Proposed Colonial Circle Development

Dear Brad:

Thank you for including the Lake Monticello Owners' Association (LMOA) in the recent Neighborhood Meeting to discuss the plans for the proposed development of Colonial Circle located at the intersection of Rt.53 and Rt. 618. We have discussed the project and we would like to express the following concerns:

- 1.) There are currently (3) failed detention ponds affecting LMOA property and residents. They are located at Nahor Village, behind the Citgo, and behind the Goodwill. All three of these ponds have been in disrepair and damaging LMOA property for quite some time now. We would not want to see another development with ponds that have the potential for the same adverse effects to LMOA property.
- 2.) There is a concern that security could become an issue for owners who store their campers at the campground. We would ask that the County require that fencing or a wall is placed between our property and this development.
- 3.) Finally, we would ask that no advertisements of any sort that references Lake Monticello be allowed unless first approved by LMOA.

Please let me know if these concerns will be voiced at the Planning Commission meeting and/or the Board of Supervisors meeting or if we would be required to attend both. If you have any questions or would like to discuss any of our concerns please feel free to contact me directly at (434) 589-8263 or via email acooke@lmoa.org.

Respectfully,

Angie Cooke
 Contracting Officer, LMOA

Received

JAN 29 2019

Planning Dept.

CC: STEVEN HURWITZ, GENERAL MANAGER LMOA; LMOA BOARD OF DIRECTORS

From: [Culbertson, Teresa C *HS](#)
To: [Brad Robinson](#)
Subject: concerns re: new development
Date: Monday, January 28, 2019 9:46:08 AM

I was given your email address as I won't be able to attend the planning meeting on 2/12. I would like to pass on the following concerns about the proposed development at the corner of 618 and 53.

- That area is very busy already with commuting traffic from Lake Monticello and other Fluvanna residents.
- I can't even imagine if there were 400 residences built there how badly that would impact the daily commute on 53. It is already very busy at certain times of the commute, and the last thing any of us need is more traffic on the road to add to the possibilities of commuting issues as well as traffic slowdowns. If this was a small community of 20 houses or something like that, that would be fine, but 400? In this rural area, with 53 being their primary commuting method? That is not a good thing.
- If more children are added to the area by not limiting this development to a certain age group, the schools will only be negatively impacted because the budget is already tight. There really is no room in the school budget for this.
- I do not have much confidence in the possibility of businesses coming into the development. It will depend on how the lease space is priced—we have plenty of available spaces for businesses now that are not fully used because of the costs to businesses in the area. If the development promises businesses, only to charge too much and have empty storefronts, we will just be left with more people clogging up the highways and coming into our already busy schools.

Thanks, Teresa



(delivered via e-mail)

Brad Robinson
Senior Planner Fluvanna County
132 Main St.
Palmyra, Va 22963

February 28, 2019

RE: ZMP 18:01 and SUP 18:05 – Colonial Circle

Dear Mr. Robinson,

We would like to defer public hearing for ZMP 18:01 and SUP 18:05, a project commonly known as “Colonial Circle,” from the March 12, 2019 Planning Commission Meeting to the April 9, 2019 Planning Commission Meeting because as of the date of this letter, VDOT comments have not yet been received.

If you need any additional information to process this request, please let me know.

Regards,

Kelsey Schlein
Kelsey@shimp-engineering.com

Cc: Justin Shimp | Justin@shimp-engineering.com



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STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SUP 19:01
Tax Map: Tax Map 39, Section A, Parcel 29

From: Holly Steele
District: Fork Union
Date: March 12, 2019

General Information: This request is to be heard by the Planning Commission on Tuesday, March 12, 2019 at 7:00 p.m. in the Circuit Court Room of the Fluvanna County Courthouse.

Owner/Applicant: National Communication Towers

Representative: Jamie Adams of National Communication Towers

Requested Action: Request for a Special Use Permit to construct a 199' self-support tower with an enclosed 80' x 90' fence, with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. (Attachment A)

Location: The property is located off of West River Rd. (State Route 6), approximately 0.6 miles northeast of the intersection with Rockfish Run Rd. (State Route 683). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area. (Attachment B)

Existing Zoning: A-1, Agricultural General (Attachment C)

Existing Land Use: Vacant Land

Planning Area: Rural Preservation Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1. One property that is nearly adjacent is zoned I-2.

Zoning History: Previous SUP 12:07, approved 6-0-0 by Planning Commission on October 24, 2012 subject to 15 conditions. Same SUP approved 4-0-0 by Board of Supervisors November 20, 2012 subject to 15 conditions.

Previous SUP 12:07

This was a request for a special use permit to construct a 199 foot monopole telecommunications facility and associated ground equipment with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. SUP 12:07 was approved 6-0-0 by the Planning Commission October 24, 2012 subject to 15 conditions. SUP 12:07 was approved 4-0-0 by the Board of Supervisors on November 20, 2012 subject to 15 conditions. SUP 12:07 expired on May 20, 2014.

The previous SUP was for a 199' tall monopole telecommunications facility and associated ground equipment. This SUP application (19:01) is for a 198' self-support tower with a one foot lightning rod, therefore making the tower 199'. The only distinction between the two towers is that the previously submitted tower was a monopole and this tower is a lattice. This tower will be used for commercial purposes and will be designed to accommodate a minimum of 4 carriers. A letter of intent to serve has already been submitted by AT&T.

(Attachment D)

Previous SUP 12:07 Conditions

From the Board of Supervisors staff report dated November 21, 2012:

“Please accept this letter as notification of the action taken on November 20, 2012 by the Board of Supervisors in regards to the request referenced above. This request was **approved 4-0** with the following 15 conditions:

- 1) The tower, including antennae, will not be higher than 199 ft. and will not be lit;
- 2) The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia;
- 3) Prior to issuance of building permits the applicant shall submit satisfactory SHPO and NEPA documentation;
- 4) The applicant shall secure the necessary permits required by Fluvanna County and VDOT;
- 5) The applicant shall provide space on the TASF for the County’s Public Safety antennas and feed lines at the highest designed elevation. Space for ground level electronic equipment shall also be provided;
- 6) The facility when completed shall be accessible only to authorized personnel;
- 7) The tower shall be a monopole, and shall be engineered with breakpoint technology;
- 8) The facility shall install the necessary landscaping buffer;
- 9) The applicant shall install an emergency generator to ensure continuity of telecommunications operations in the event of a disaster or major power outage; and provisions for such generators shall include additional special treatments; for diesel, a fuel retaining area for propane, ignition separation requirements; and that generator testing shall occur only between 9 AM and 4 PM Monday through Friday; and the same shall be noted on the site development plan;
- 10) If the structures should no longer be needed, the applicant shall remove them, and restore the grounds to the prior condition;
- 11) The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers *in accordance with Sec. 22-27-5 of the County Code*;
- 12) The tower shall be constructed substantially as shown in the application;
- 13) Violation of any condition of this permit shall be grounds for revocation of this permit, and;

- 14) The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time.
- 15) The facility shall be constructed and receive final inspection from the Fluvanna County Department of Building Inspections within eighteen (18) months of the date of approval of the special use permit.”

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rural Preservation Planning Area. According to this chapter:

“Development in the rural preservation areas should consist of farmland, preservation zones, or otherwise environmentally sensitive land with scattered housing. Development in the rural preservation area should maximize open space. Open space should be clustered to maximize large areas of open space whenever possible. If possible, greenway trails may be integrated to link rural neighborhoods with surrounding neighborhoods and open spaces.”

At the proposed location, only the tower will be seen, as both proposed tree landscaping/screening and the natural landscape of the site will block any view of the support buildings from the road. Additionally, the tower will be located approximately 700 feet from the Route 6 Right-of-Way, making it largely hidden from passing traffic.

Infrastructure:

Goal 5: To facilitate the deployment of comprehensive communications networks that ensures the reliability of the public safety, wireless, and broadband services.

According to the applicant, National Communication Towers LLC, AT&T has already submitted a letter of intent to serve on this tower which will provide phone coverage, high-speed internet service, and data transmissions to the surrounding areas. Additionally, this tower will be able to work in conjunction with both the existing VFW Tower and County Landfill Tower, therefore creating connectivity in service.

Analysis:

This is a special use permit application to allow for the construction of a 199’ tall self-support telecommunications tower. This tower is in compliance with the Fluvanna County Comprehensive Plan and Zoning Ordinance. A tower of very similar dimensions was already approved on this same lot previously in 2012, but at that time there was no letter of intent from a carrier.

Staff conducted a site visit on Tuesday, February 26, 2019 in order to assess the potential visual impacts of the proposed tower and also to observe the balloon test. Weather conditions that day were sunny, dry, and cool with little wind. Staff concluded that the tower would be visible from portions of West River Road (Route 6), at the subject parcel, but only minimally visible when traveling east or west away from the subject parcel. The tower would also be visible from portions of the Rosewood Manor Rural Cluster subdivision located south of the site. However,

dense forest lines made it difficult to see the balloon from most areas of the subdivision. The balloon was clearly visible from Fluvanna Baptist Church and Parsonage that is located directly across Route 6 from the proposed site. (Attachment E)

First, the proposed use should not tend to change the character and established pattern of the area or community.

The proposed use of a tower on this site was approved in 2012 by the Board of Supervisors. This particular location, located back from the roads and placed in the woods, will block the view of the support facilities at the base of the tower through the combined concealment of landscaping and terrain. This is a low intensity use, and the surrounding area features a mix of residential and agricultural uses. This use was already approved for this site.

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

This use was already approved for this site; there are no changes to the location of this tower. The proposed tower location will be such that support facilities cannot be seen from the road due to natural terrain and made-made landscaping. As previously mentioned, this will be a lattice tower as opposed to a monopole, but will still have all of the proper screening.

Neighborhood Meeting:

There were zero (0) attendees at the February 13, 2019 neighborhood meeting.

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, February 19, 2019:

1. Chamber of Commerce: No comments.
2. Department of Forestry: No comments.
3. Erosion and Sediment Control: No comments.
4. Fire Chief: No comments.
5. Environmental Health Dept.: No comments.
6. Sheriff's Office responded via email on February 7, 2019 with the following comment: "I reviewed the properties and have no problem with any of them."
7. Public Works: No comments.
8. VDOT: Adjacent to the road is a ditch with an embankment. VDOT advised the applicants to be mindful when creating their entrance and be sure to check the left side sight distance. Additionally, this project needs to meet VDOT's low volume entrance standards. Last but not least, applicant needs to ensure that the shoulders are laid back.

9. Patricia Eager, Board of Supervisors: Commented that this project has already been approved previously, so she does not foresee any issues.
10. Emergency Services: No comments.
11. Building Official: Questioned who will be the owner of the tower because if it is the property owner, they will need a building permit.
12. Communications Officer: No comments.

Atlantic Technology Consultants' Review of Tower

Per the report submitted on March 7, 2019 by Fluvanna County's Tower Consultant, George Condyles, the following conditions are recommended before approval of SUP 19:01 (Attachment E):

1. Completion of the NEPA Report with review comments from the Virginia Department of Environmental Quality prior to the issuance of a Building Permit.
2. The Applicant should submit the Phase 1 Cultural Resource Survey to The Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit.

Conclusion:

The Planning Commission should consider that a very similar tower proposal has previously been approved by both the Planning Commission and Board of Supervisors for this parcel.

Recommended Conditions

If approved, Staff recommends the following conditions:

- 1) The tower structure shall not exceed 199 feet. This does not include antennae, lighting, lightning rods, and other ancillary equipment, subject to FAA regulations.
- 2) The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia;
- 3) Completion of the NEPA Report with review comments from the Virginia Department of Environmental Quality prior to the issuance of a Building Permit;
- 4) The Applicant should submit the Phase 1 Cultural Resource Survey to The Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit;
- 5) The applicant shall secure the necessary permits required by Fluvanna County and VDOT;
- 6) The applicant shall provide space on the TASF for the County's Public Safety antennas and feed lines at the designed elevations. Space for ground level electronic equipment shall also be provided;
- 7) The facility when completed shall be accessible only to authorized personnel;

- 8) The tower shall be a self-support lattice Class III tower;
- 9) The facility shall meet the landscaping and screening requirements of the Fluvanna County Zoning Ordinance;
- 10) If the structures should no longer be needed, the applicant shall remove them, and restore the grounds to the prior condition;
- 11) The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers per Section 22-27-9.8 (10) of the Fluvanna County Zoning Ordinance;
- 12) The tower shall be in the same location as shown in the application;
- 13) Violation of any condition of this permit shall be grounds for revocation of this permit, and;
- 14) The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time.
- 15) The facility shall be constructed and receive final inspection from the Fluvanna County Department of Building Inspections within eighteen (18) months of the date of approval of the special use permit

Suggested Motion:

I move that the Planning Commission recommend [approval/denial/deferral] of SUP 19:01 with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29; [if approved] subject to the fifteen (15) conditions listed in the staff report.

Attachments:

A – Application and Site Plan

B – Aerial Map

C – Zoning Map

D – SUP 12:07 Planning Commission Complete Staff Report

E—Technical Review from Atlantic Technology Consultants

Cc: File



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Ernest and Rose Butler **Applicant of Record:** National Communication Towers
 Address: 15 Lantre Lane Scottsville, VA 24590 Address: 5413 Patterson Avenue Suite 101
 Phone: 434-286-4277 Fax: Phone: 804-673-8800 Fax:
 Email: farmrswife@aol.com Email: jadams@nationaltowers.com

Representative: Jamie Adams, National Communication Towers
 Address: 5413 Patterson Ave. Suite 101 Richmond, VA 23226
 Phone: 804-652-7544 Fax: 804-673-4242
 Email: jadams@nationaltowers.com

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:
 No

Tax Map and Parcel(s) 39A-29
 Acreage 12.7 Zoning A-1

Deed Book and Page: WB 23-673

Location of Parcel: off of Rt. 6 **If any Deed Restrictions, please attach a copy**

Request for an SUP for the purpose of: to construct a 199' communication tower

*Ten copies of a sketchplan (8.5x11inches or 11x17inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 12/21/18 Signature of Owner/Applicant: Ernest & Rose Butler
 Subscribed and sworn to before me this 21st day of December, 2018
 Notary Public: Linda H. Lender Register # 137663
 My commission expires: 10/31/19
 Certification: Date:



| Office Use Only | | | |
|---|--------------------------|---|----------------------------|
| Date Received: 2/1/19 | Pre-Application Meeting: | PH Sign Deposit Received: 1/31/19 | Application #: SUP 19-0001 |
| \$800.00 fee plus mailing costs paid: Check # 11521 | | Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified Mail | |
| Amendment of Condition: \$400.00 fee plus mailing costs paid: | | | |
| Telecommunications Tower fee plus mailing costs paid: | | Telecom Consultant Review fee paid: | |
| Election District: Fork Union | | Planning Area: Rural Preservation | |
| Planning Commission | | Board of Supervisors | |
| Advertisement Dates: | Advertisement Dates: | APO Notification: | APO Notification: |
| Date of Hearing: | Date of Hearing: | Decision: | Decision: |



Commonwealth of Virginia
County of Fluvanna
Public Hearing Sign Deposit

Name: National Communication Towers

Address: 5413 Patterson Ave. Suite 101

City: Richmond

State: Virginia Zip Code: 23226

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

Jamie Adams Digital signed by Jamie Adams
Date: 2018.12.14 09:25:12 -0500 12/14/2018
Applicant Signature _____ Date _____

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: BZA _____ : CPA _____ : SUP 19 : 0001 ZMP _____ : ZTA _____ :

\$90 deposit paid per sign*: Check # 11522

Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Wireless communication facility to include a 199' self-support tower with an enclosed 80' x 90' fence.

NECESSITY OF USE: Describe the reason for the requested change.

To provide wireless service and broadband along the Rt 6 corridor and surrounding areas

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

The tower will be a self support and there is existing trees along the property line that we will maintain

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

The facility will provide wireless phone coverage, data transmissions and internet services to the area

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.
Remarks:

SEE SITE PLANS

Commonwealth of Virginia
County of Fluvanna
Special Use Permit Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

| Applicant must supply | Staff Checklist |
|--|-----------------|
| Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application | |
| <p>Ten (10) copies of a Site Plan for any expansion or new construction Include:</p> <ul style="list-style-type: none"> • Plot plan or survey plat at an appropriate scale • Location and dimension of existing conditions and proposed development • <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening <ul style="list-style-type: none"> • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) | |
| Supporting photographs are not required, but suggested for evidence | |

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

| Staff Only | Staff Checklist |
|--|-----------------|
| Preliminary review by planning staff for completeness and content: | |
| <ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. | |
| Notification of the scheduled Public Hearing to the following: | |
| <ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement | |
| Staff Report to include, but not be limited to: | |
| <ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. | |

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

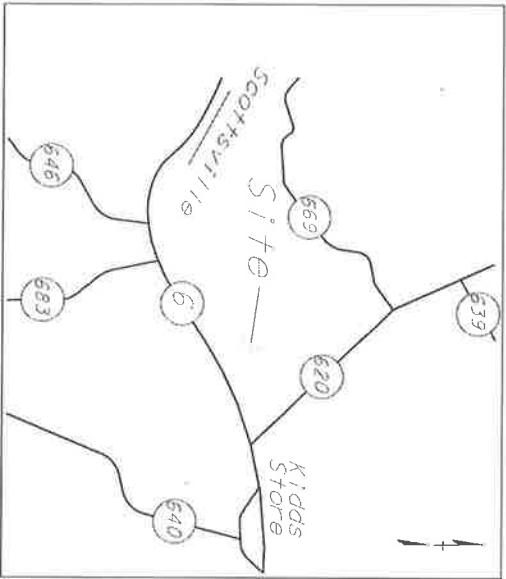
After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.



Vicinity Map Scale: 1" = 1000'

DIRECTIONS TO SITE

FROM SCOTTSVILLE, TAKE WA-6 WEST FOR APPROXIMATELY 4.9 MILES. SITE IS ON THE RIGHT 0.5 MILE EAST BEYOND THE INTERSECTION WITH ROUTE 620.

Construction Certification:
To the best of my knowledge this site is designed to comply with applicable Federal, State and Fluvanna Building Codes.

LANDOWNER
Ernest and Rose Butler
P.O. Box 52
Scottsville, Va 24596

ROCKFISH CREEK 199 TOWER SITE SITE PLAN

WEST RIVER ROAD (RTE 6)
FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DEVELOPED BY:
NATIONAL COMMUNICATION TOWERS, LLC

INDEX OF SHEETS

| SHEET NAME | SHEET NUMBER |
|---|--------------------|
| TITLE SHEET | T-1 |
| GENERAL NOTES | T-2 |
| GRADING SITE PLAN | A-1 THRU A-2 |
| COMPOUND LAYOUT & TOWER ELEVATION | A-3 |
| STORMWATER CALCULATIONS | A-4 |
| CIVIL NOTES & DETAILS | C-1 |
| EROSION AND SEDIMENT CONTROL NOTES | C-2 |
| EROSION AND SEDIMENT CONTROL MEASURES & DETAILS | C-3 |
| FENCE NOTES & DETAILS | C-4 |
| SOIL MAP | C-5 |
| APPROVAL AND CONDITIONS | SE-1 |
| SURVEY (SHOWS LEASE PARCEL, INGRESS/EGRESS, UTILITY EASEMENT AND TREE BUFFER) | 1 OF 1 THRU 2 OF 2 |

EROSION AND SEDIMENT CONTROL RESPONSIBLE LAND DISTURBER
NAME: JAIME ADAMS CERTIFICATE #: 00402 EXPIRATION DATE: 12/18/2020

JEFFREY CAIN
2018.01.11 135926-08307

NATIONAL COMMUNICATION TOWERS

National Communication Towers, LLC
5413 Palatkae Ave, Suite 101
Petersburg, VA 23202
804-366-1165

| NO. | DATE | ISSUE |
|-----|---------|---------------|
| 1 | 8/22/12 | |
| 2 | 1/21/19 | Revised Notes |

PROJECT NAME
ROCKFISH CREEK
SITE

WEST RIVER ROAD
FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

| | |
|-------------|-----------|
| DATE | 1/11/2019 |
| SCALE | AS SHOWN |
| DESIGNED BY | |
| DRAWN BY | |
| CHECKED BY | |
| DATE | 1/11/2019 |
| SHEET TITLE | |

TITLE SHEET
T-1

GENERAL NOTES:

1. PROJECT DEVELOPER: NATIONAL COMMUNICATION TOWERS, LLC
5413 PATTERSON AVE, SUITE 101
RICHMOND, VA 23228
- PROPOSED USE: 199 TELECOMMUNICATIONS TOWER AND SUPPORTING FACILITY CONTAINED WITHIN A FENCED COMPOUND.
2. TOWER OWNER: NATIONAL COMMUNICATION TOWERS, LLC
3. LAND OWNER: ERNEST AND ROSE BUTLER
4. ELECTRIC UTILITY: Central Virginia Electric Coop.
1-800-367-2832
5. TELEPHONE UTILITY: VERIZON
(877) 300-4499
6. ZONING APPROVAL:
PROPERTY ZONING: A-1
7. TAX PARCEL NUMBER: 39-4-29
8. LATITUDE: N 37°47'46.68"
LONGITUDE: W 76°22'32.82"
9. ANY PERMITS WHICH MUST BE OBTAINED SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND AT HIS EXPENSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ASKING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
10. THE CONTRACTOR SHALL NOTIFY THE COUNTY ENGINEER 24 HOURS PRIOR TO THE BEGINNING OF CONSTRUCTION.
11. LOCATION OF EXISTING SEWER, WATER OR GAS LINES, CONDUITS OR OTHER STRUCTURES ACROSS UNDERGROUND OR OTHERWISE SHOW THE LOCATION OF PROPOSED WORK ARE NOT NECESSARILY SHOWN ON THE PLANS AND IF SHOWN ARE ONLY APPROXIMATELY CORRECT. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES INCLUDING TEST PITS BY HAND IF NECESSARY. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OF UTILITIES OR OTHER FEATURES SHOWN ON PLANS IF THERE APPEARS TO BE A CONFLICT OR UPON THE DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS FOR ASSISTANCE CALL "WISS UTILITY" 1-800-552-7001.
12. EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY THE CONTRACTOR WHICH ARE NOT TO BE REMOVED SHALL BE REPAIRED TO LIKE NEW CONDITION.
13. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL DITCHES, PIPES, AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL WORK IS ACCEPTED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURES IN OPERABLE CONDITION.
14. THE CONTRACTOR SHALL COORDINATE WITH NOT THE REQUIREMENTS FOR AND LIMITS OF OVERHEAD AND/OR UNDERGROUND ELECTRICAL SERVICE.
15. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE (1) FULL YEAR FROM THE DATE OF ACCEPTANCE.
16. THE CONTRACTOR SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE IN A WEATHER PROOF CONTAINER AT ALL TIMES WHEN WORK IS BEING PERFORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY COUNTY INSPECTIONS.
17. ALL WORK PRESENTED ON THESE DRAWINGS MUST BE COMPLETED BY THE CONTRACTOR UNLESS NOTED OTHERWISE. THE CONTRACTOR MUST HAVE CONSIDERABLE EXPERIENCE IN PERFORMANCE OF WORK SIMILAR TO THAT DESCRIBED HEREIN. HE DOES HAVE SUFFICIENT EXPERIENCE. THE CONTRACTOR IS ATTESTING THAT HE HAS READ AND UNDERSTANDS ALL REQUIREMENTS AND CONDITIONS OF THE WORK TO BE PERFORMED AND THAT HE IS PROPERLY LICENSED AND PROPERLY REGISTERED TO DO THIS WORK IN THE STATE IN WHICH IT IS TO BE PERFORMED.
18. UNLESS SHOWN OR NOTED OTHERWISE ON THE CONTRACT DRAWINGS OR IN THE SPECIFICATIONS, THE FOLLOWING NOTES SHALL APPLY TO THE MATERIALS LISTED HEREIN, AND TO THE PROCEDURES TO BE USED ON THIS PROJECT.

20. ALL HARDWARE ASSEMBLY MANUFACTURERS INSTRUCTIONS SHALL BE FOLLOWED EXACTLY AND SHALL SUPERSEDE ANY CONFLICTING NOTES ENCLOSED HEREIN.
21. IF IS THE CONTRACTORS SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE AND TO INSURE THAT ALL SAFETY COMPONENT PARTS DURING ERECTION AND/OR FIELD MODIFICATIONS, THIS INCLUDING, GYRS OR THE DOWNS THAT MAY BE NECESSARY, SUCH MATERIAL SHALL BE REMOVED AND SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER THE COMPLETION OF THE PROJECT.
22. ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO THE BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK ON THIS PROJECT. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESOLVING ANY DISCREPANCIES. THE CONTRACTOR IS TO PROCEED WITH THE WORK. THE CONTRACT DOCUMENTS DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS TO THE SITE BY THE OWNER AND/OR THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE PROTECTIVE MEASURES ON THE CONSTRUCTION PROCEDURES.
23. ALL MATERIALS AND EQUIPMENT FURNISHED SHALL BE NEW AND OF GOOD WORKING QUALITY, FREE FROM FAULTS AND DEFECTS AND IN CONFORMANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS AND APPROVED BY THE ENGINEER PRIOR TO INSTALLATION. THE CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF THE MATERIALS AND EQUIPMENT BEING SUBSTITUTED.
24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR INSURING THAT THIS PROJECT AND RELATED WORK REGULATIONS GOVERNING THIS WORK.
25. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITION OF THE LOCAL BUILDING CODE.
26. ACCESS TO THE PROPOSED WORK SITE MAY BE RESTRICTED. THE CONTRACTOR SHALL MAINTAIN UNINTERRUPTED CONSTRUCTION ACTIVITY, INCLUDING WORK SCHEDULE AND MATERIALS ACCESS, WITH NOT FOR APPROVAL.
27. ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES OR ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.
28. ANY DAMAGE TO ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTORS EXPENSE.
29. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.
30. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED AND RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWINGS WHICH SHALL BE TURNED OVER TO THE NCT CONSTRUCTION MANAGER UPON COMPLETION OF PROJECT.
31. THE CONTRACTOR SHALL COORDINATE THE CONSTRUCTION STRONG AREA WITH THE PROPERTY OWNER AND NOT WELL IN ADVANCE OF THE CONSTRUCTION START DATE.
32. CONTRACTOR IS TO FIELD VERIFY ALL EXISTING CONDITIONS AND PLAN DIMENSIONS, AND NOTIFY THE ARCHITECT AND ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
33. THE CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE WORK SITE ON A DAILY BASIS.

Jeffrey Gerlin
20150 L1753946-0350

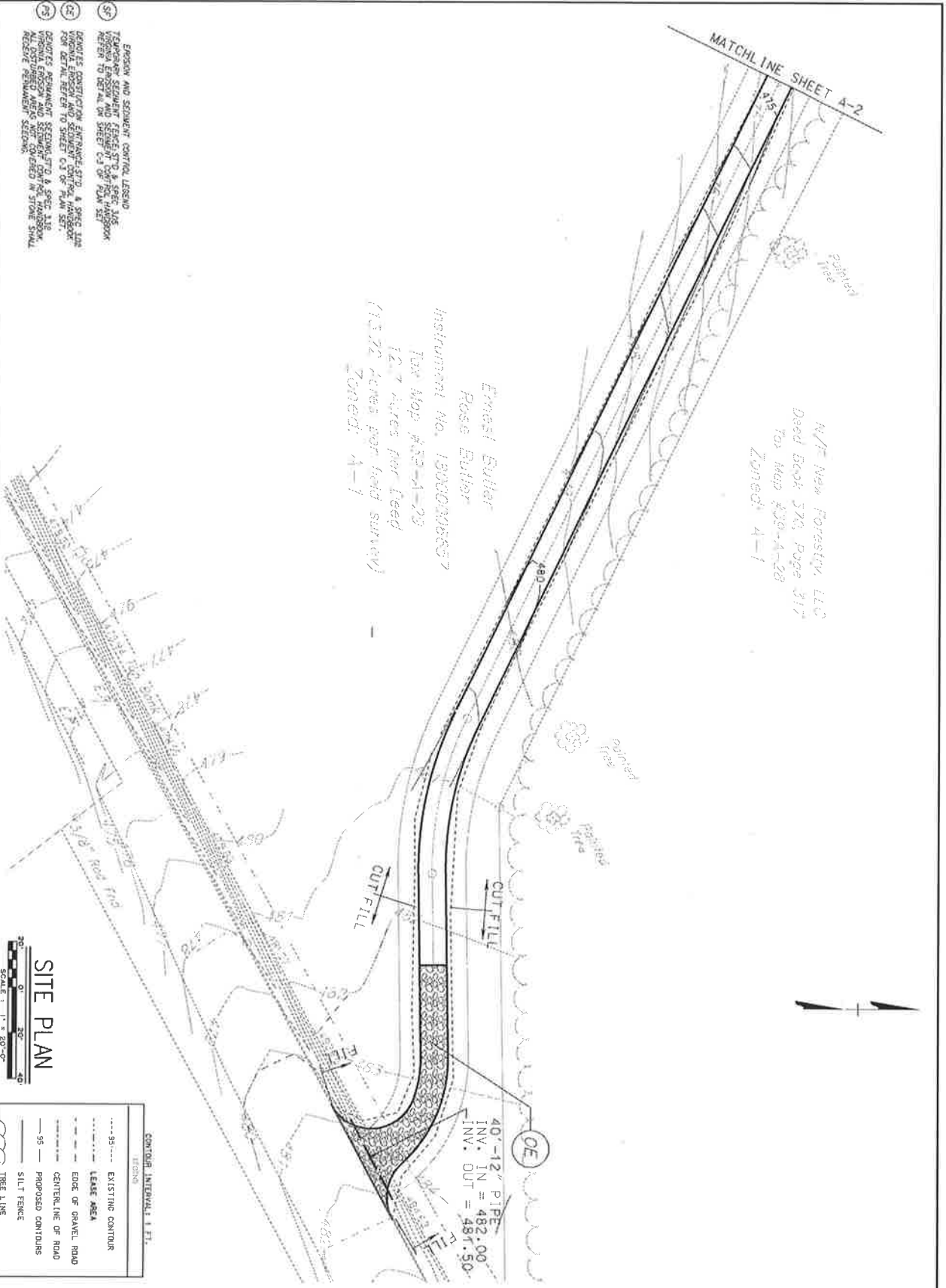
National Communication Towers, LLC
5413 Patterson Ave, Suite 101
Richmond, VA 23226
804-999-1182

| NO. | DATE | ISSUE |
|-----|---------|--------------|
| 1 | 8/23/26 | |
| 2 | 2/17/29 | Scale Update |

PROJECT NAME
ROCKFISH CREEK SITE

WEST RIVER ROAD
FLUVANNA COUNTY
CLYNINGHAM DISTRICT
VIRGINIA

| |
|-----------------|
| DATE: 1/17/2026 |
| SCALE: AS SHOWN |
| APPROVED BY: |
| DESIGNED BY: |
| DRAWN BY: |
| SHEET TITLE |



N/E New Forestry, LLC
 Deed Book 570, Page 317
 Tax Map #39-A-28
 Zoned: A-1

Ernest Butler
 Rose Butler
 Instrument No. 1900030857
 Tax Map #32-A-28
 12.7 Acres per deed
 (13.72 Acres per field survey)
 Zoned: A-1

- 86 EROSION AND SEDIMENT CONTROL LEGEND
- 87 TERRACE, SEDIMENT TRAP, STRIP & SPEC. JOE
- 88 VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 89 REFER TO DETAIL ON SHEET C-3 OF PLAN SET
- 90 REMOVE CONSTRUCTION ENTRANCE STRIP & SPEC. JOE
- 91 REMOVE TERRACE, SEDIMENT TRAP, STRIP & SPEC. JOE
- 92 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 93 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 94 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 95 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 96 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 97 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 98 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 99 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK
- 100 REMOVE VEGETATION STRIP, SEDIMENT CONTROL, HAYSTACK

SITE PLAN
 SCALE: 1" = 20'-0"

| CONTOUR INTERVAL: 1 FT. | |
|-------------------------|---------------------|
| TERMIN | |
| ---95--- | EXISTING CONTOUR |
| --- | LEAVE AREA |
| --- | EDGE OF GRAVEL ROAD |
| --- | CENTERLINE OF ROAD |
| --- | PROPOSED CONTOURS |
| --- | SILT FENCE |
| --- | TREE LINE |

| |
|--------------------------------|
| DATE: 1/11/2019 |
| SCALE: AS SHOWN |
| DRAWN BY: JMT |
| CHECKED BY: JMT |
| DATE: 1/11/2019 |
| SHEET TITLE: GRADING SITE PLAN |
| A-1 |

ROCKFISH CREEK SITE

WEST RIVER ROAD
 FLUVIANKA COUNTY
 CUMMINGSHAM DISTRICT
 VIRGINIA

| NO. | DATE | ISSUE |
|-----|-----------|---------|
| 1 | 1/11/2019 | ISSUE |
| 2 | 1/11/2019 | REVISED |

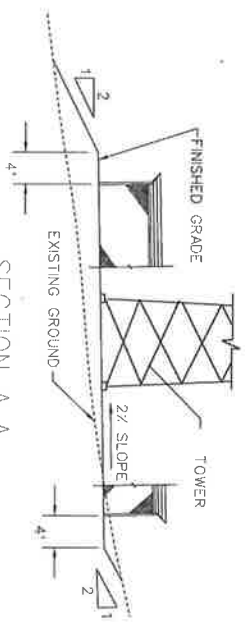
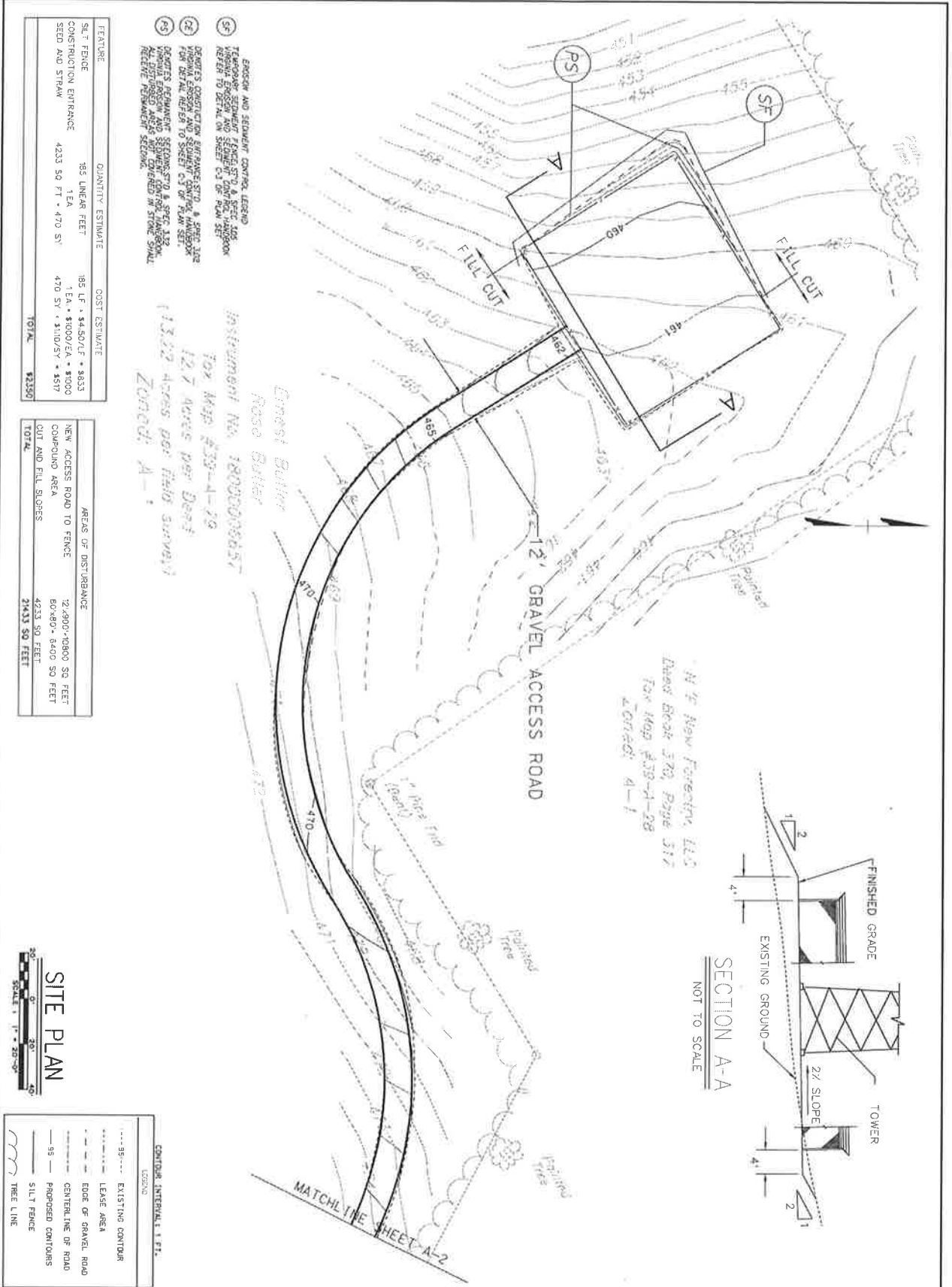
INCT
 NATIONAL COMMUNICATION TOWERS

National Communication Towers, LLC
 5415 Patterson Ave, Suite 101
 Richmond, VA 23229
 804-998-1180

CONFORMITY OF RECORDS
 REGISTERED GEOMETER
 LICENSE NO. 111355959-05300

Kenneth Cochran
 501.901.11355959-05300

JMT
 JOHNSON, MITCHELL & THORNTON
 ENGINEERS, ARCHITECTS & PLANNERS
 9007 Riverchase Parkway South
 Atlanta, GA 30327
 Phone: (404) 252-2000
 Fax: (404) 252-0886



N of New Forestry, LLC
 Deed Book 370, Page 317
 Tax Map #39-1-28
 Cont'd: 4-1

- (1) ENGINE AND SEDIMENT CONTROL LEGEND
- (2) TYPICAL SEDIMENT CONTROL PLAN SEE SHEET A-2 FOR DETAILS
- (3) TYPICAL SEDIMENT CONTROL PLAN SEE SHEET A-2 FOR DETAILS
- (4) TYPICAL SEDIMENT CONTROL PLAN SEE SHEET A-2 FOR DETAILS
- (5) TYPICAL SEDIMENT CONTROL PLAN SEE SHEET A-2 FOR DETAILS
- (6) TYPICAL SEDIMENT CONTROL PLAN SEE SHEET A-2 FOR DETAILS
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Ernest Butler
 Rosa Butler
 Instrument No. 1800008657
 Tax Map #39-1-28
 12.7 acres per Deed
 1332 acres per field survey
 Zoned: A-1

| FEATURE | QUANTITY ESTIMATE | COST ESTIMATE |
|-----------------------|---------------------|----------------------------|
| SILT FENCE | 185 LINEAR FEET | 185 LF * \$4.50/LF = \$833 |
| CONSTRUCTION ENTRANCE | 1 EA | 1 EA * \$1000/EA = \$1000 |
| SEED AND STRAW | 4233 SQ FT * 470 SF | 470 SF * \$1100/SF = \$517 |
| TOTAL | | \$2330 |

| AREAS OF DISTURBANCE | QUANTITY ESTIMATE | COST ESTIMATE |
|--------------------------|-----------------------|-----------------------|
| NEW ACCESS ROAD TO FENCE | 12,980'-10800 SQ FEET | 12,980'-10800 SQ FEET |
| COMPOUND AREA | 60,480'-6400 SQ FEET | 60,480'-6400 SQ FEET |
| CUT AND FILL SLOPES | 4233 SQ FEET | 4233 SQ FEET |
| TOTAL | | 2413 SQ FEET |



| CONTOUR INTERVAL: 1 FT. |
|--------------------------|
| --- EXISTING CONTOUR |
| --- LEASE AREA |
| --- EDGE OF GRAVEL ROAD |
| --- CENTERLINE OF ROAD |
| --- 95' PROPOSED CONTOUR |
| --- SILT FENCE |
| --- TREE LINE |

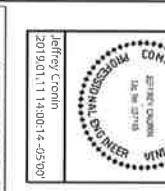
| REVISIONS | NO. | DATE | ISSUE |
|-----------|---------|--------------|-------|
| 1 | 6/20/08 | | |
| 2 | 1/17/09 | Some Updates | |

WEST RIVER ROAD
 FLUVANNA COUNTY
 CLINNINGHAM DISTRICT
 VIRGINIA

ROCKFISH CREEK
 SITE

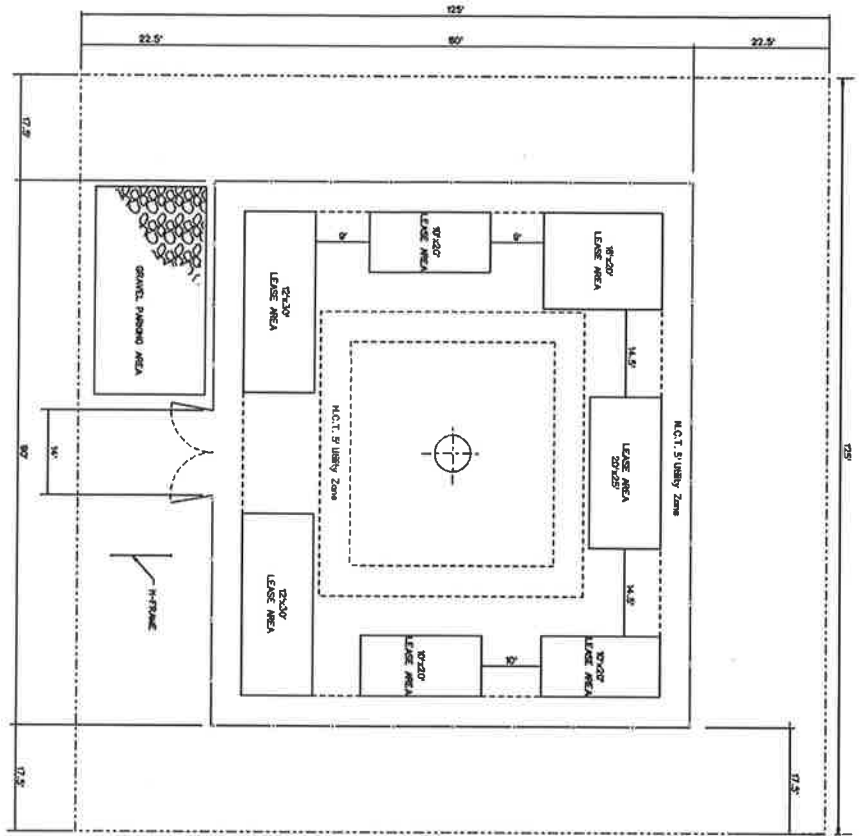
PROJECT NAME

National Communication Towers, LLC
 5415 Patterson Ave, Suite 101
 Memphis, TN 38125
 901-506-1150



JEFFREY CRONIN
 20191011140012-0500

JOHNSON, MERRITT & THURMOND
 9501 Newmarket Parkway, Suite 400
 Memphis, TN 38125
 Phone: 901-506-1150
 Fax: (901) 323-0556



- NOTES**
1. 100' SELF SUPPORT TOWER.
 2. MARK HEIGHT TO BE 90'.
 3. TOWER WILL NOT BE LOADED.
 4. TOWER CONSTRUCTION TO BE 100' TALL.
 5. TOWER CONSTRUCTION TO BE 100' TALL.
 6. NO LIGHTABLE STRUCTURES ALLOWED WITHIN LEASED PROPERTY.
 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
 8. NO CONSTRUCTION SHALL BE ALLOWED ON ADJACENT PROPERTY.

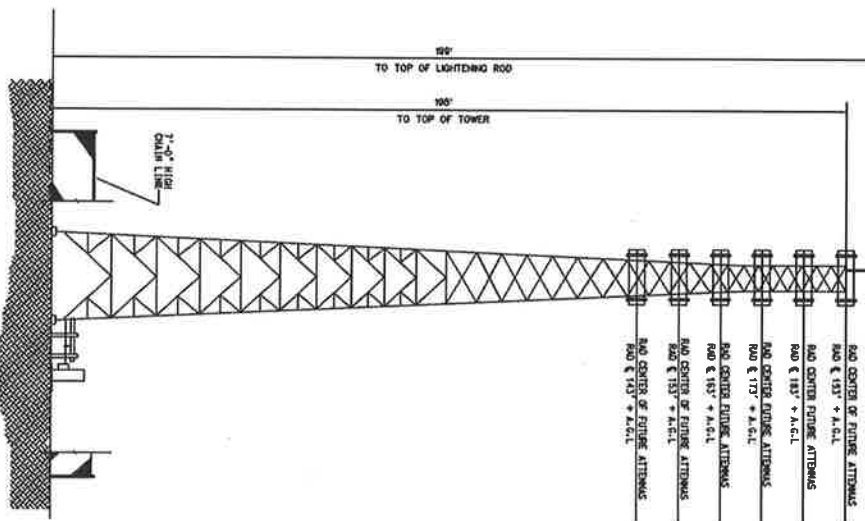
COMPOUND LAYOUT PLAN



| REF MAP | | RANGE OF | | RANGE OF | | RANGE OF | | RANGE OF | |
|------------|---------|----------|-------|------------|---------|----------|-------|------------|---------|
| TOWER USER | ADDRESS | LENGTH | WIDTH | TOWER USER | ADDRESS | LENGTH | WIDTH | TOWER USER | ADDRESS |
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TOWER ELEVATION

NOT TO SCALE

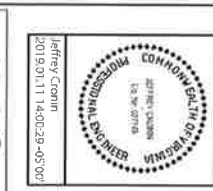


DATE: 1/11/2009
 SCALE: AS SHOWN
 DESIGNED BY: JMT
 CHECKED BY: JMT
 DRAWN BY: JMT
 SHEET TITLE: COMPOUND LAYOUT & TOWER ELEVATION A-3

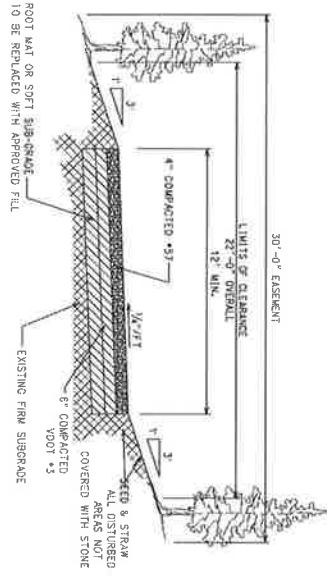
ROCKFISH CREEK SITE
 WEST RIVER ROAD
 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

PROJECT NAME: NATIONAL COMMUNICATION TOWERS
 REGIONS: 1, 2
 DATE: 1/11/2009
 ISSUE: 1
 DRAWING: Survey Update

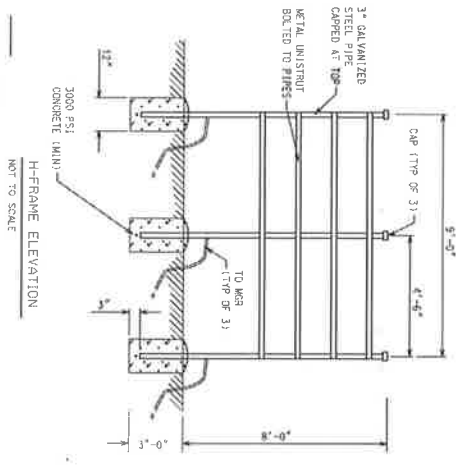
National Communication Towers, LLC
 2413 Eggleston Ave, Suite 101
 Richmond, VA 23226
 804-596-1182



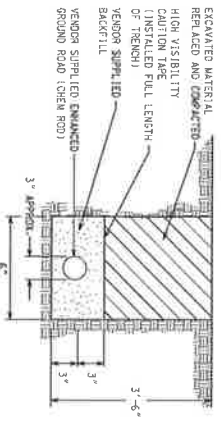
JOHNSTON, JAMES & THOMAS, INC.
 Registered Professional Surveyors
 9201 Algonquin Parkway, Suite 140
 Fairfax, VA 22031
 Phone (800) 353-2800
 Fax (800) 353-5588



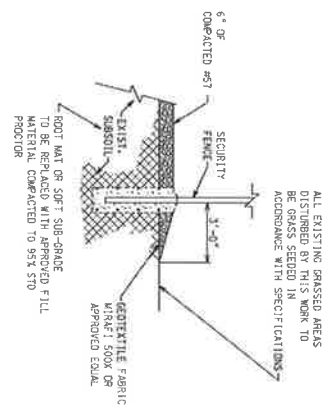
SECTION B-B THROUGH STONE AGGREGATE ACCESS ROAD
NOT TO SCALE



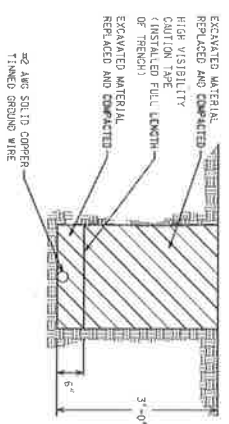
H-FRAME ELEVATION
NOT TO SCALE
NOT TO COORDINATE WITH TENDRIS AND UTILITY COMPANIES FOR SERVICE ATTACHMENTS



MGR TRENCHING DETAIL - CHEM ROD
NOT TO SCALE



STONE APRON DETAIL
NOT TO SCALE



MGR TRENCHING DETAIL - GROUND WIRE
NOT TO SCALE

JMT
 JOHNSON, MATHIAS & THORNTON
 ENGINEERS, ARCHITECTS & PLANNERS
 3001 S. DILLON AVE., SUITE 100
 DENVER, CO 80202
 PHONE: (303) 733-2800
 FAX: (303) 733-0888

SEAL

REGISTERED PROFESSIONAL ENGINEER
 STATE OF COLORADO
 No. 12542
 EXPIRES 12/31/2010

Working Copy
 3011 S. DILLON AVE. SUITE 100
 DENVER, CO 80202

ANCT
 NATIONAL COMMUNICATION TOWERS

National Communication Towers, LLC
 5415 Patterson Ave, Suite 101
 Denver, CO 80221
 Phone: 303-733-1650

| NO. | DATE | ISSUE |
|-----|----------|---------------|
| 1 | 10/21/08 | |
| 2 | 1/27/09 | Swamp Address |

PROJECT NAME
 WEST RIVER ROAD
 FLORIANNA COUNTY
 CUMBERLAND DISTRICT
 VIRGINIA

ROCKFISH CREEK
 SITE

DATE: 1/11/09
 SCALE: AS SHOWN
 DESIGNED BY: JMT
 CHECKED BY: JMT
 DRAWN BY: JMT

SHEET TITLE
 CIVIL NOTES
 &
 DETAILS
 C-1

EROSION AND SEDIMENT CONTROL NOTES

1. THE PURPOSE OF THE EROSION CONTROL MEASURES SHOWN ON THESE PLANS SHALL BE TO PRECLUDE THE TRANSPORT OF ALL WATERBORNE SEDIMENTS RESULTING FROM CONSTRUCTION ACTIVITIES FROM ENTERING INTO ADJACENT PROPERTIES OR STATE WATERS. IF FIELD INSPECTION REVEALS THE INADEQUACY OF THE PLAN TO CONFINE SEDIMENT TO THE PROJECT SITE, APPROPRIATE MODIFICATIONS WILL BE MADE TO CORRECT ANY PLAN DEFICIENCIES IN ADDITION TO THESE NOTES, ALL PROVISIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL REGULATIONS SHALL APPLY TO THIS PROJECT.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE "VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK." THE CONTRACTOR SHALL BE THOROUGHLY FAMILIAR WITH ALL APPLICABLE MEASURES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.
3. IF REQUIRED, CONSTRUCTION SHALL INSTALL A TEMPORARY CONSTRUCTION ENTRANCE TO PREVENT TRACKING OF MUD ONTO PUBLIC RIGHT-OF-WAYS. AN ENTRANCE FENCE FROM WHICH IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN THE RIGHT-OF-WAYS, WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE THOROUGHLY CLEANED AT THE END OF EACH DAY.
4. A PRECONSTRUCTION MEETING SHALL BE HELD ON SITE BETWEEN THE DEVELOPER, THE CONTRACTOR AND THE COUNTY EAS INSPECTOR TO DISCUSS THE EROSION CONTROL MEASURES TO BE INSTALLED AND MAINTAINED THROUGHOUT THE PROJECT. THE CONTRACTOR WILL SUPPLY THE COUNTY WITH THE NAME OF THE INDIVIDUAL WHO WILL BE RESPONSIBLE FOR ENSURING MAINTENANCE OF INSTALLED MEASURES ON A DAILY BASIS.
5. SEDIMENT BARRIERS AND TRAPS, PERMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT ON-SITE MUST BE CONSTRUCTED WITHIN A PERIOD OF 7 DAYS FOLLOWING COMPLETION OF ROUGH GRADING AT ANY POINT.
6. EARTHEN STRUCTURES SUCH AS DAMS, DIKES, AND DIVERSIONS MUST BE SEDED AND MAINTAINED IMMEDIATELY AFTER INSTALLATION. PERIODIC INSPECTIONS OF THE EROSION CONTROL MEASURES SHALL BE MADE TO ASSESS THEIR CONDITION. ANY NECESSARY MAINTENANCE OF THE MEASURES SHALL BE ACCOMPLISHED IMMEDIATELY UPON NOTIFICATION BY THE COUNTY AND SHALL INCLUDE THE REPAIR OF MEASURES DAMAGED BY ANY SUBCONTRACTOR INCLUDING THOSE OF THE PUBLIC UTILITY COMPANIES.
7. SURFACE FLOWS OVER CUT AND FILL SLOPES SHALL BE CONTROLLED BY EITHER REDIRECTING FLOWS FROM TRANSPORTING THE SLOPES OR BY INSTALLING MECHANICAL DEVICES TO SAFELY LOWER WATER DOWNSLOPE WITHOUT CAUSING EROSION. A TEMPORARY FILL DIVERSION (STD. & SPEC. 3.10) SHALL BE INSTALLED PRIOR TO THE END OF EACH WORKING DAY.
8. SEDIMENT CONTROL MEASURES MAY REQUIRE MINOR FIELD ADJUSTMENTS AT TIME OF CONSTRUCTION TO INSURE THEIR INTENDED PURPOSE IS ACCOMPLISHED. COUNTY APPROVAL WILL BE REQUIRED FOR OTHER DEVIATIONS FROM THE PROVIDED PLANS.
9. THE CONTRACTOR SHALL PLACE SOIL STOCKPILES AT THE LOCATIONS SHOWN ON THIS PLAN OR AS DIRECTED BY THE ENGINEER. SOIL STOCKPILES SHALL BE STABILIZED WITH SEED & STRAW OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. OFF-SITE WASTE OR PROJECT DEBRIS SHALL BE APPROVED BY NOT PRIOR TO THE IMPORT OF ANY BORROW OR EXPORT OF ANY WASTE TO OR FROM THE PROJECT SITE.
10. THE CONTRACTOR SHALL COMPLETE DRAINAGE FACILITIES WITHIN 7 DAYS FOLLOWING COMPLETION OF ROUGH GRADING AT ANY POINT WITHIN THE PROJECT. THE INSTALLATION OF DRAINAGE FACILITIES SHALL TAKE PRECEDENCE OVER ALL UNDERGROUND UTILITIES. OPTIONAL DITCHES FROM DRAINAGE STOCKPILES SHALL BE STABILIZED IMMEDIATELY AFTER CONSTRUCTION OF SAME. THIS INCLUDES THE INSTALLATION OF PERMETER DIKES, TRAPS, AND DRAINAGE CATCHMENTS. DRAINAGE CATCHMENTS REQUIRED FOR A STREET MUST BE COMPLETED BEFORE STREET GRADING OR UTILITY INSTALLATION BEGINS.
11. PERMANENT OR TEMPORARY SOIL STABILIZATION MUST BE APPLIED TO ALL DENuded AREAS WITHIN 7 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. SOIL STABILIZATION MUST ALSO BE APPLIED TO DENuded AREAS WHICH MAY NOT BE AT FINAL GRADE AND SOIL REMAINS DAMAGED (UNDISTURBED) FOR LONGER THAN 30 DAYS. SOIL STABILIZATION MEASURES INCLUDE VEGETATIVE ESTABLISHMENT, MULCHING AND THE EARLY APPLICATION OF GRAVEL BASE MATERIAL ON AREAS TO BE PAVED.
12. NO MORE THAN 300 FEET OF SANITARY SEWER, STORM SEWER, WATERLINES OR UNDERGROUND UTILITY LINES ARE TO BE OPEN AT ONE TIME. FOLLOWING INSTALLATION OF ANY PORTION OF THESE ITEMS, ALL DISTURBED AREAS ARE TO BE IMMEDIATELY STABILIZED (I.E., THE SAME DAY).
13. IF DISTURBED AREA STABILIZATION IS TO BE ACCOMPLISHED DURING THE MONTHS OF DECEMBER, JANUARY OR FEBRUARY, STABILIZATION SHALL CONSIST OF MULCHING IN ACCORDANCE WITH SPECIFICATION 3.33. SEEDING WILL THEN TAKE PLACE AS SOON AS THE SEASON PERMITS.
14. THE TERM "SEEDING FINAL VEGETATIVE COVER OR STABILIZATION" ON THIS PLAN MEANS THE SUCCESSFUL GERMINATION AND ESTABLISHMENT OF ACCEPTABLE GRASS COVER FROM A PROPERLY PREPARED SEEDBED CONTAINING THE SPECIFIED AMOUNTS OF SEED, LIME, AND FERTILIZER OF ANY TYPE. SEEDING SHALL BE ACCOMPLISHED WITHIN 30 DAYS OF THE DATE OF THE DISTURBANCE. MULCHING AND FERTILIZER ESTABLISHMENT OF GRASS COVERS.
15. ALL SLOPES STEEPER THAN 3:1 SHALL REQUIRE THE USE OF EROSION CONTROL BLANKETS SUCH AS EXCLUSION BLANKETS TO AID IN THE ESTABLISHMENT OF A VEGETATIVE COVER. INSTALLATION SHALL BE IN ACCORDANCE WITH SPECIFICATION 3.35. MULCHING AND MANUFACTURER'S INSTRUCTIONS. NO SLOPES SHALL BE CREATED STEEPER THAN 2:1.
16. TEMPORARY EROSION CONTROL MEASURES SUCH AS SILT FENCE ARE NOT TO BE REMOVED UNTIL ALL DISTURBED AREAS ARE STABILIZED. AFTER STABILIZATION IS COMPLETE, AND THE COUNTY HAS GIVEN APPROVAL, MEASURES SHALL BE REMOVED WITHIN 30 DAYS. TRAPPED SEDIMENT SHALL BE SPREAD AND SEDED.
17. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS FIELD CONDITIONS WARRANT.

EROSION AND SEDIMENT CONTROL NARRATIVE

THE ROCKFISH CREEK TELECOMMUNICATIONS FACILITY IS LOCATED OFF ROUTE 5 WEST RIVER ROAD IN FLYVANA COUNTY. THE PROPOSED FACILITY WILL BE LOCATED ON A 3.4-ACRE PARCEL. THE PROPOSED SITE IS TO LOCATE A TELECOMMUNICATIONS TOWER AND EQUIPMENT PAD. THE PROJECT WILL DISTURB 0.19 ACRES ON 2150 SOURCE 771. THE EXISTING PARCEL IS LOCATED WITHIN A FIELD. DRAINAGE FROM THE PROJECT SITE FLOWS TOWARDS AN UN-NAMED TRIBUTARY OF THE SHEPARD CREEK. THE ACCESS ROAD AND THE TOWER SITE HAVE BEEN PLACED TO AVOID CRITICAL AREAS AND PREVENT SERIOUS EROSION PROBLEMS. THE PROPOSED 80 FT X 30 FT COMPOUND IS ALSO SLOPED AT 2 PERCENT TOWARDS THE SOUTHWEST (LOW SIDE) TO FACILITATE DRAINAGE. THERE WILL BE NO OFF-SITE LAND DISTURBING ACTIVITIES NOR WILL ADJACENT PROPERTIES BE IMPACTED. NO SOIL WILL BE IMPORTED FROM OFF-SITE. NO SOIL WILL BE EXPORTED OFF-SITE. NO MAJOR GRADING WILL RESULT FROM THE CONSTRUCTION OF THE ACCESS ROAD. THE PROFILE OF THE ACCESS ROAD WILL FOLLOW THE EXISTING GRADE THROUGHOUT ITS LENGTH. SILT FENCE (STD. & SPEC. 3.05) IS PLACED ALONG THE FILL SLOPES OF THE ACCESS ROAD AND THE CELL SITE COMPOUND. ALL DISTURBED AREAS THAT WILL NOT BE PAVED WILL BE SEDED IMMEDIATELY.

1. SEQUENCE OF CONSTRUCTION
2. INSTALL STABILIZED CONSTRUCTION ENTRANCE AND SILT FENCE PRIOR TO COMMENCING ANY LAND DISTURBING ACTIVITY.
3. AREAS NECESSARY FOR PLACEMENT OF THE ACCESS ROAD AND TOWER SITE.
4. FINE GRADE SITE AND BEGIN GRAVEL PLACEMENT.
5. ONCE THE SITE WORK IS COMPLETED AND SITE IS STABILIZED REMOVE ALL TEMPORARY CONTROL MEASURES.

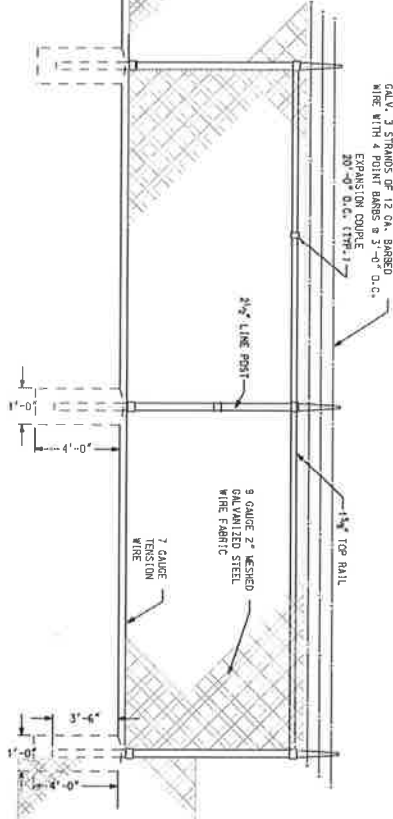
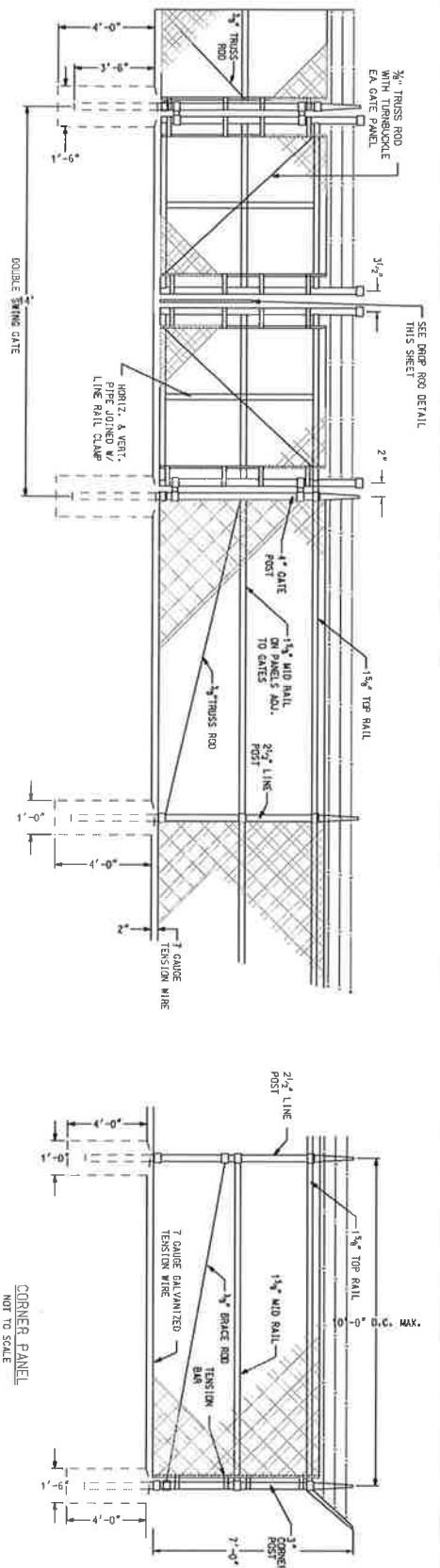
National Communication Towers, LLC
 6475 Ralston Ave, Suite 101
 Richmond, VA 23228
 804-958-1452

| NO. | DATE | ISSUE |
|-----|----------|----------------|
| 1 | 11/23/09 | |
| 2 | 11/29/09 | Survey Updates |

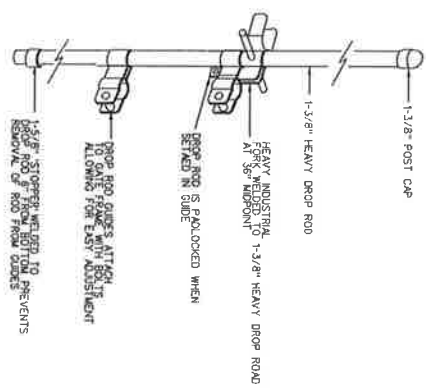
PROJECT NAME
ROCKFISH CREEK SITE

WEST RIVER ROAD
 FLYVANA COUNTY
 JIMMINGSFARM DISTRICT
 VIRGINIA

| | |
|-------------|----------------------------------|
| DATE | 11/23/09 |
| SCALE | AS SHOWN |
| DESIGNED BY | |
| CHECKED BY | |
| DATE | |
| SHEET TITLE | EROSION & SEDIMENT CONTROL NOTES |



LINE PANELS
NOT TO SCALE



GATE STOP/KEEPER DETAIL
NOT TO SCALE

| FENCE MATERIALS SCHEDULE | | | | |
|--------------------------|------|-----------------|---------------|-------------|
| ITEM | GATE | PANELS TO GATES | CORNER PANELS | LINE PANELS |
| 1/2\"/> | | | | |

- NOTES:
- CONTRACTOR TO PROVIDE PROGRAMMABLE COMBINATION LOCK (4 1985) COMBINATION TO BE SET BY TOWER OWNER
 - REFERENCES - FEDERAL SPECIFICATIONS/FSS RR-F-191U (17/22/87)
 - ASTM A-120 ZINC COATED STEEL PIPE
 - ASTM A-120 ZINC COATED STEEL CHAIN LINK FABRIC
 - ASTM A-360 REFLECTIVE COATED STEEL CHAIN LINK FABRIC
 - ASTM F-432 STANDARD DEFINITION OF TENS RELATINGS TO CHAIN LINK FENCES
 - QUALITY ASSURANCE
 - ALL STEEL MATERIALS UTILIZED IN CONSTRUCTION WITH THE SPECIFICATION SHALL BE HOT DIP GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FENCE MATERIAL COVERED.
 - CONTRACTOR TO SUPPLY CONCRETE FOR POST FOUNDATIONS
 - ALL RAIL PIPE AND POSTS TO BE SCHEDULE 40
 - GATE STOPS: 1 FOR EACH GATE PANEL, NO CONCRETE FOOTINGS REQUIRED.

JOHNSON, LUTHELMAN & THOMPSON
 3600 Woodburne Parkway, Suite 400
 Richmond, VA 23220
 Phone: (804) 353-2900
 Fax: (804) 353-0556

SEAL
 REGISTERED PROFESSIONAL ENGINEER
 LEIFREY COON
 LE 16 27208
 2013/11/11 14:01:51 -05'00'

ANCT
 LUTHELMAN, CONSTRUCTION TOWERS

National Construction Towers, LLC
 5413 Patterson Ave, Suite 101
 Richmond, VA 23226
 RR-5081-100

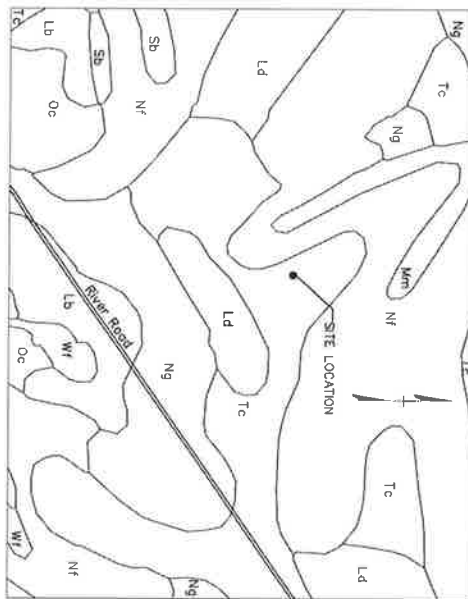
DATE: 11/15/11
 SCALE: AS SHOWN
 DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]
 SHEET TITLE: FENCE NOTES & DETAILS

PROJECT NAME: ROCKFISH CREEK SITE

WEST RIVER ROAD
 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

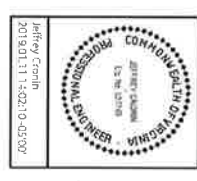
REVISIONS:

| NO. | DATE | ISSUE |
|-----|----------|--------------|
| 1 | 11/15/11 | ISSUE |
| 2 | 11/17/11 | Some updates |



FLUVANNA COUNTY VIRGINIA

SOIL TYPE:
 Tc Tolum Silt Loam, Undulating Phase
 Nf Nonsum Silt Loam, Rolling Phase
 Ng Nonsum Silt Loam, Undulating Phase



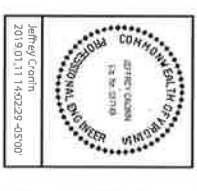
NCCT
 NATIONAL COMMUNICATION TOWERS
 National Communication Towers, LLC
 5413 Patterson Ave, Suite 101
 Richmond, VA 23226
 801-506-1182

| REVISONS | | |
|----------|---------|-----------------------|
| NO. | DATE | ISSUE |
| 1 | 1/23/21 | |
| 2 | 1/11/23 | Update Unconsolidated |
| | | |
| | | |
| | | |

PROJECT NAME
ROCKFISH CREEK SITE

WEST RIVER ROAD
 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

| | |
|--------------|-----------|
| DATE: | 1/11/2019 |
| SCALE: | AS SHOWN |
| DESIGNED BY: | |
| CHECKED BY: | |
| DATE: | |
| SHEET TITLE | SOIL MAP |



National Communication Towers, LLC
 5413 Palatka Ave, Suite 101
 Richmond, VA 23226
 804-326-1182

| REV/ISSUES | NO. | DATE | ISSUE |
|------------|-----|----------|------------------|
| | 1 | 10/21/10 | |
| | 2 | 11/17/10 | Submit Ordinance |
| | | | |
| | | | |
| | | | |

PROJECT NAME
ROCKFISH CREEK SITE
 WEST RIVER ROAD
 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

DATE: 11/17/2010
 SCALE: AS SHOWN
 DESIGNED BY
 CHECKED BY
 DRAWN BY
 SHEET TITLE
ZONING APPROVAL & CONDITIONS
 SE-1

ZONING APPROVAL AND CONDITIONS:
 SUP 11:03
 Approved December 22, 2011



February 4, 2019

Jason Stewart
Fluvanna County Zoning Administrator
132 Main St.
P.O. Box 540
Palmyra, VA 22963

Re: Proposed Wireless Telecommunications Tower
Balloon flight – West River Road, Scottsville, VA 24590
Tax Parcel 39-A-29

Dear Mr. Stewart,

On **Monday, February 25, 2019 from 9:30 a.m. to 1:30 p.m.**, National Communication Towers, LLC will conduct a balloon flight to simulate the height of a proposed 198' telecommunications tower to be located on West River Road, Scottsville, VA 24590 across from Fluvanna Baptist Church. The balloon flight is a requirement of the Fluvanna County Zoning Ordinance prior to an applicant seeking zoning approval. The balloon flight will take place approximately 690 feet north of West River Road (Route 6) on the property of **Ernest and Rose Butler**. Interested parties may stop by and ask questions at their convenience.

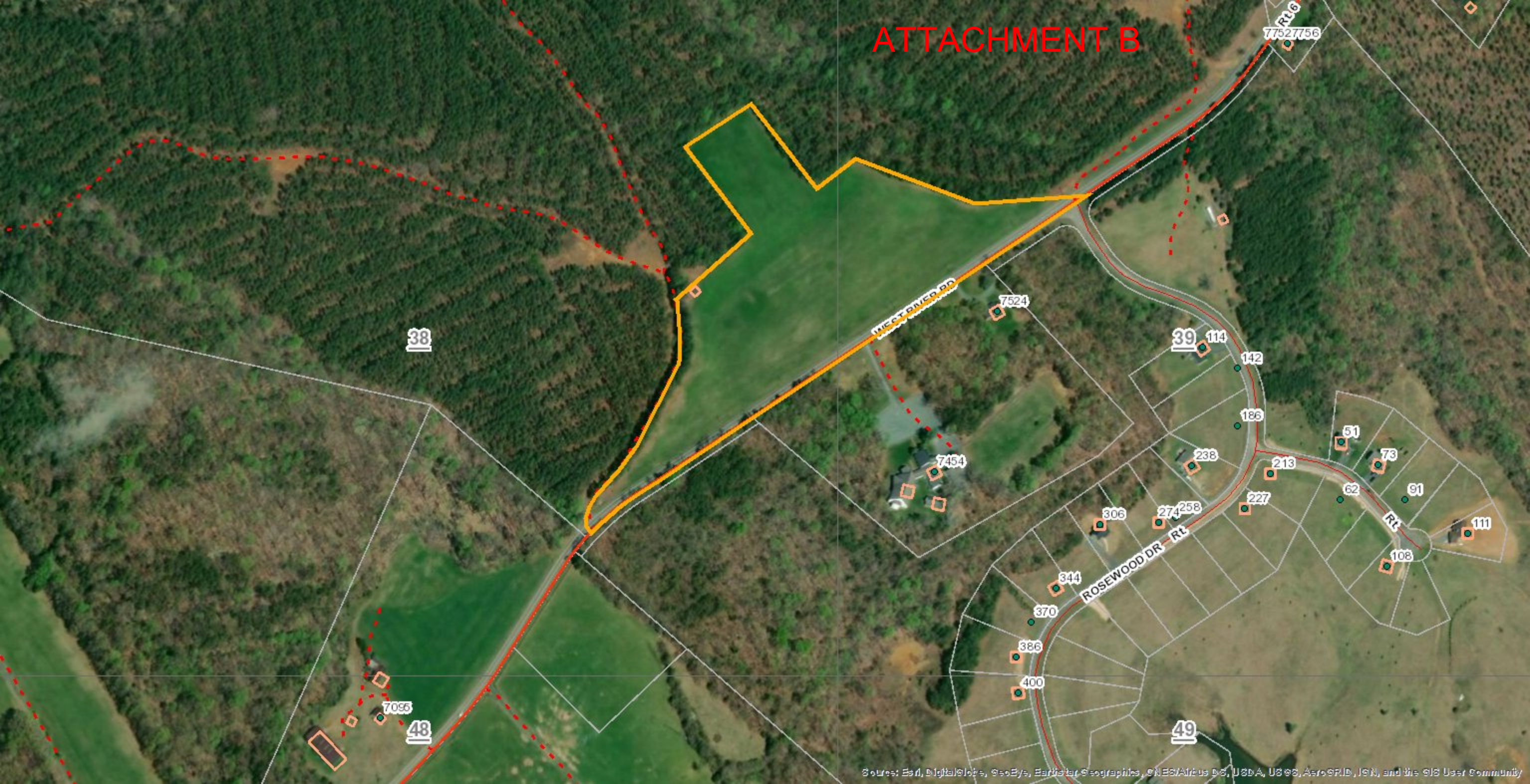
Should inclement weather occur, the alternative date for flying the balloon will be **Tuesday, February 26, 2019 from 9:30 a.m. to 1:30 p.m.** However, should inclement weather occur on this alternative date, the second alternative date for flying the balloon will be **Wednesday, February 27, 2019 from 9:30 a.m. to 1:30 p.m.**

If you have any questions, please do not hesitate to contact me at 804.673.8800 *306.

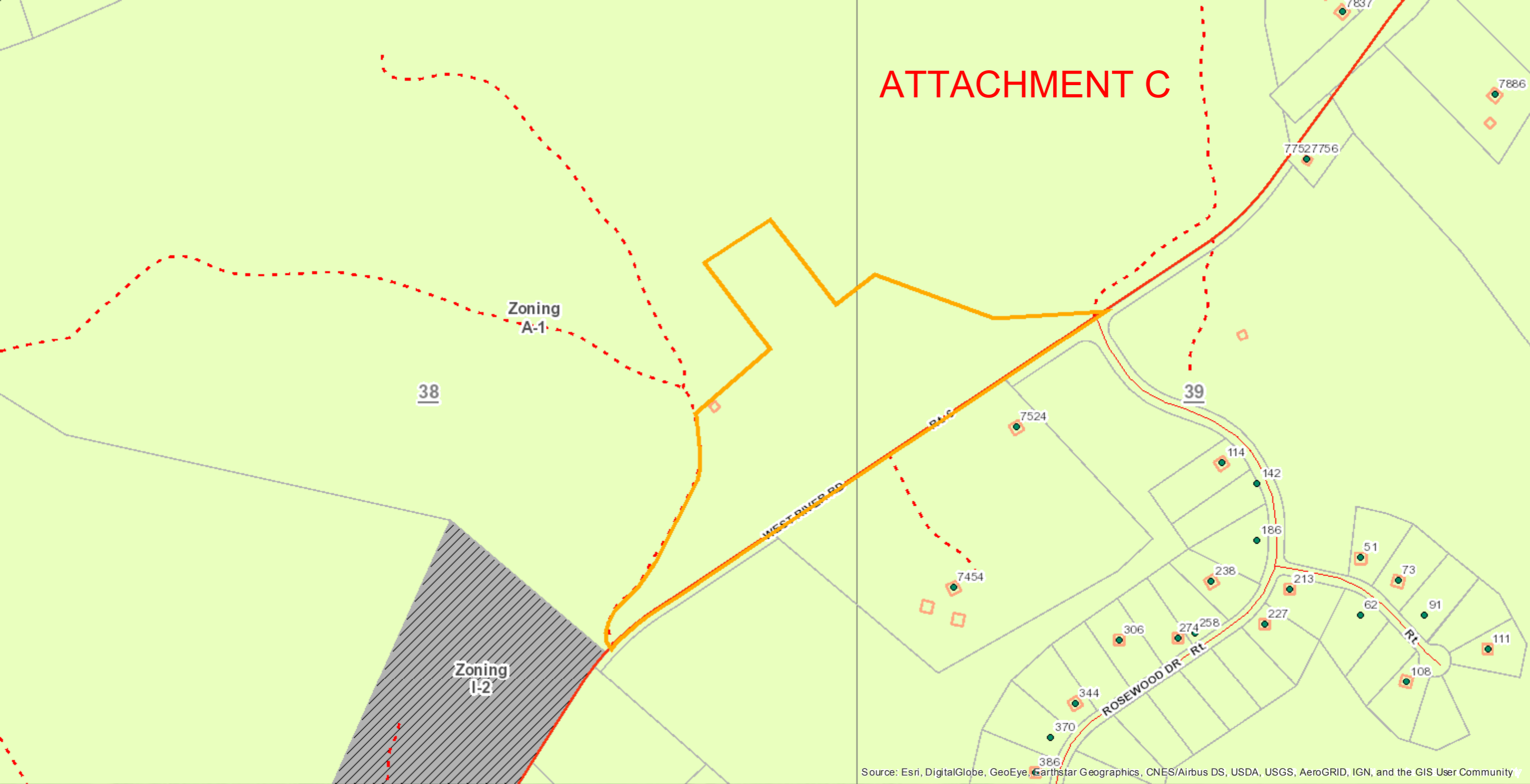
Sincerely,

Jamie Adams
Site Management

ATTACHMENT B



ATTACHMENT C





COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SUP 12:07
Tax Map: Tax Map 39, Section A, Parcel 29

From: Steve Tugwell
District: Fork Union
Date: October 24, 2012

General Information: This request is to be heard by the Planning Commission on Wednesday, October 24, 2012 at 7:00 pm in the Circuit Courtroom of the Courts Building.

Applicant: National Communication Towers, LLC

Requested Action: A request for a special use permit to construct a 195 foot monopole telecommunications facility and associated ground equipment with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. (Attachment A)

Existing Zoning: A-1, Agricultural, General

Planning Area: Rural Preservation Planning Area

Zoning Ordinance: Section 22-27-1

Location: The affected property is zoned A-1 and is located on the north side of West River Road (U.S. Route 6), one mile west of its intersection with Rolling Road (Route 620). (Attachment B)

Existing Land Use: Vacant land

Adjacent Land Use: The surrounding area is zoned A-1, Agricultural, General and is very low-density residential in nature.

Neighborhood Meeting:

With the exception of the applicant, there were no attendees at the neighborhood meeting.

Technical Review Committee:

At the August 9, 2012 Technical Review Committee meeting, VDOT stated that the entrance would require a permit, and would be treated like a low-volume commercial/private entrance, and that 21A stone, approximately 6 to 8 inches in depth would be required back to the VDOT right-of-way;

The Fire Dept. requested that space be available for Fluvanna County's 911 equipment;

The Health Department stated that the proposed wireless communication tower appears to have no environmental impact, and that there are no homes, septic systems or wells located on this property. (Attachment C).

Planning Commission:

At the September 26, 2012 Planning Commission meeting, staff requested deferral of this request to the October 24, 2012 meeting pending a recommendation and further evaluation from Cityscape Consultants.

Comprehensive Plan:

The Comprehensive Plan designates this area as within the Rural Residential Planning Area. The Infrastructure Chapter of the Comprehensive Plan has the following recommendations concerning the siting of cellular towers.

- Encourage the location and co-location of wireless communication equipment on existing structures;
- Accommodate the growing need and demand for wireless communication services;
- Encourage coordination between communication providers;
- Establish consistent and balanced legal language governing wireless communications facilities that take into consideration the Comprehensive Plan and communications master plan; and
- Maintain compliance with applicable laws, including but not limited to the 1996 Telecommunications Act.

The above recommendations are the primary reasons the county has procured a telecommunications consultant to assist with these applications.

Analysis:

When evaluating proposed uses for special use permits, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

First, the proposed use should not tend to change the character and established pattern of the area or community.

The character and established pattern of the area where the communications facility is proposed is rural, not highly populated, and has land involved in agricultural production. According to the Virginia Department of Transportation, the entire segment of Route 6 in Fluvanna County is designated as a Virginia Byway. "Per Virginia Code, a Virginia Byway means those highways designated by the Commonwealth Transportation Board (CTB) pursuant to articles §33.1-62 through §33.1-66. The Virginia Outdoors Plan, from the Department of Conservation and Recreation (DCR), identifies roads that have been considered as having intrinsic qualities of Virginia Byways for many years".

To be considered, a segment of road must substantially meet the following criteria:

- The route provides important scenic values and experiences;
- There is diversity of experiences, as in transition from one landscape scene to another;
- The route links together or provides opportunities to leave high-speed routes for variety and leisure in motoring. Landscape control or management along the route is feasible;
- The route allows for additional features that will enhance the motorist's experience and improve safety;
- Local government(s) has/have initiated zoning or other land-use controls, so as to reasonably protect the aesthetic and cultural value of the highway. (Attachment D)

Staff conducted a site visit on Monday, August 27, 2012, in order to assess the potential visual impacts of the proposed tower, and also to observe the balloon test. Weather conditions that day were sunny, dry, and cool with little wind. Staff concluded that the tower would be visible from portions of West River Road (Route 6), at the subject parcel, but minimally visible when traveling east or west away from the subject parcel. The tower would also be clearly visible from portions of the Rosewood Manor Rural Cluster subdivision located south of the site. The proposed tower would be situated in an open space, with little to no existing vegetation in which to screen the facility from Route 6. The balloon was also visible from neighboring properties and roadways, including the Fluvanna Baptist Church located adjacent to the south. In consideration of the proximity of the proposed tower's location to West River Road (Route 6), a Virginia Byway, the proposed facility could also be concealed as a firetower or other similar structure that would better blend with the rural character of the area. As proposed, it appears that a tower sited at this location could change the character and established pattern of the area, and/or create impacts that may be regarded as less than sensitive to its scenic beauty. (Attachment E)

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

This is a rural area, and all of the surrounding property is zoned A-1 (Agricultural General). Since the proposed tower will be less than 200 feet, it will not have to be lighted. The applicant is proposing to build a 195 foot non-concealed freestanding antenna support facility within a 125 foot x 125 foot lease area, which per Sec. 22-27-8, requires a special use permit, and is not permitted by-right. Some permitted by-right uses in the A-1 zoning district include single-family dwellings, minor utilities, hunting preserves, public parks, home occupations, private kennels, group homes, and temporary sawmills to name a few. The definition of a minor utility is: *“Facilities for the distribution and collection of public, private, and central utilities including poles, lines, transformers, pipes, meters, and communication and distribution lines”*.

When evaluating an application for a proposed new telecommunication antenna support facility (TASF), siting of new facilities shall be in accordance with Sec. 22-27-8, the siting preference table. The applicant is proposing to construct a new 195 foot non-concealed freestanding antenna support facility (monopole). The subject property is zoned A-1 (Agricultural, General), and in accordance with the siting preference table, this application requires a special use permit and public hearing process.

Pursuant to Sec. 22-27-9.8, all new telecommunication antenna support facilities shall meet the requirements of that section. Staff has evaluated the application, and it appears all of the requirements of this section have been met.

According to the Fluvanna County Wireless Master Plan, the area of the proposed tower is absent of sufficient telecommunications service, and could accommodate all of the service providers with a uniform and dependable signal 24/7. The applicant has stated in their application, that *“the tower will be designed to support a minimum of six collocations and the fenced compound will house a variety of support buildings and equipment pads”*. The ability to accommodate more collocations could result in a need for fewer new towers. The applicant has also stated that *“the facility will provide wireless services, telephone and broadband, along the Route 6 corridor and surrounding area”*. Also, *one radiation center on the tower and a 10’ x 20’ space in the compound will be made available for Fluvanna County’s 911 equipment on a rent free basis”*.

The applicant proposes to construct and maintain a leased telecommunication facility on the north side of West River Road (U.S. Route 6), one mile west of its intersection with Rolling Road (Route 620). The proposed facility would be comprised of a 195 foot monopole tower with the potential for multiple carriers, along with peripheral ground equipment. The proposed site will be within an 80 x 90 fenced area, surrounded by a (125 ft. x 125 ft.) lease area.

(Attachment F)

Conclusion:

It is the consensus of Cityscape Consultants and County Staff that our Telecommunications Facilities Master Plan is not currently up-to-date. It is not clear if this application is in conformance with the Master Plan, and/or consistent with the needs of telecommunications subscribers in the immediate subject area. Further, the subject property is not identified in the

current Master Plan as a proposed tower site, nor has a lease agreement been provided with this application.

Cityscape Consultants has stated that they are not prepared to render a recommendation at this time. Due to out-of-date information on the existing Master Plan, Cityscape Consultants will not be able to render a determination. Therefore, it is not clear if this request for a special use permit for a 195 ft. monopole telecommunication facility is in substantial conformance with the intent of the Telecommunications Master Plan. (Attachment G)

If the Planning Commission wishes to consider this request, then consideration should be given to the potential for visual impacts to the Route 6 Virginia Byway, and to nearby properties, and also to whether or not this application is in conformance with the Telecommunications Master Plan and the Telecommunications Facilities Ordinance. Given the proximity of the proposed facility to the Byway, the Commission may also wish to consider requiring a concealed facility instead of the proposed non-concealed facility. If approved, staff recommends the following conditions:

- 1) The tower, including antennae, will not be higher than 199 ft. and will not be lit;
- 2) The applicant secures all necessary permits required, and submits structural design and certification by a Virginia Registered Professional Engineer that the proposed facility, as built, will comply with EIA/TIA 222-G for the wind zone for Fluvanna County; Virginia;
- 3) Prior to issuance of building permits the applicant shall submit satisfactory SHPO and NEPA documentation;
- 4) The applicant shall secure the necessary permits required by Fluvanna County and VDOT;
- 5) The applicant shall provide space on the TASF for the County's Public Safety antennas and feed lines at the highest designed elevation. Space for ground level electronic equipment shall also be provided;
- 6) The facility when completed shall be accessible only to authorized personnel;
- 7) The tower shall be a monopole, and shall be engineered with breakpoint technology;
- 8) The facility shall install the necessary landscaping buffer;
- 9) The applicant shall install an emergency generator to ensure continuity of telecommunications operations in the event of a disaster or major power outage; and provisions for such generators shall include additional special treatments; for diesel, a fuel retaining area for propane, ignition separation requirements; and that generator testing shall occur only between 9 AM and 4 PM Monday through Friday; and the same shall be noted on the site development plan;
- 10) If the structures should no longer be needed, the applicant shall remove them, and restore the grounds to the prior condition;
- 11) The support structure is to be sufficient to support antennas of a like design for at least six (6) wireless service providers;
- 12) The tower shall be in the same location as shown in the application;
- 13) Violation of any condition of this permit shall be grounds for revocation of this permit, and;
- 14) The Board of Supervisors, or their representative, has the right to inspect the property for compliance with these conditions at any time.

Suggested Motion:

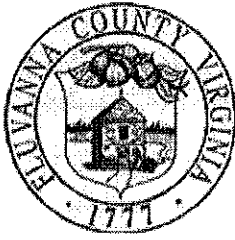
I move that the Planning Commission recommend **approval/denial** of SUP 12:07, a special use permit request to allow for a 195 foot monopole telecommunications tower pursuant to Fluvanna County Code Section 22-27-1 with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29, (if approved) subject to the conditions listed in the staff report.

Attachments:

- A – Application, statement of proposed use, and APO letter
- B – Aerial Vicinity Map
- C – Email from the Health Dept.
- D – Virginia Department of Transportation excerpt and byway map
- E - Applicant’s photos, photosimulations, and balloon flight statement
- F – Tower design certification, search ring map, and sketch site plan
- G – Projected new infrastructure infill sites map

Copy: Owner- Robert K. Spencer, P.O. Box 52, Scottsville, VA 24590
Applicant – National Communication Towers, LLC, 5413 Patterson Avenue, Suite 101, Richmond, VA 23226
CityScape Consultants, 7050 W. Palmetto Park Road # 15-652, Boca Raton, FL 33433

JUL 27 2012



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Fluvanna County

Application for Special Use Permit (SUP)

Owner of Record: Robert K. Spencer

Applicant of Record: National Comm. Towers, LLC

E911 Address: P.O. Box 52, Scottsville, VA 24590

E911 Address: 5413 Patterson Ave., Suite 101, Rich., VA 23226

Phone: 434-286-3400 Fax: _____

Phone: 804-673-8800 X303 Fax: 804-673-4242

Email: _____

Email: adoss@nationaltowers.com

Representative: Al Doss, National Comm. Towers, LLC

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

E911 Address: 5413 Patterson Ave., Suite 101, Rich., VA 23226

Phone: 804-673-8800 X303 Fax: 804-673-4242

Is property in Agricultural Forestal District? No Yes

Email: adoss@nationaltowers.com

If Yes, what district: _____

Tax Map and Parcel(s): 39-A-29

Deed Book Reference: WB 23-673

Acreage: 12.7 Zoning: A-1

Deed Restrictions? No Yes (Attach copy)

Request for a SUP in order to: construct a 199' communications tower

Proposed use of Property: Telecommunications Facility

*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building structure or proposed use, and the dimensions and location of the existing structures on the lot.

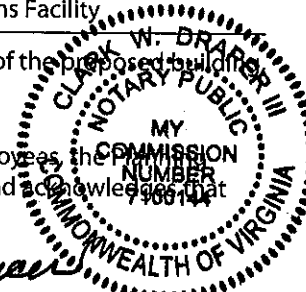
By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees as the Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledge that county employees will make regular inspections of the site.

Date: 28 December 2011 Signature of Owner/Applicant: _____

Subscribed and sworn to before me this 28 day of December 2011 Register # 7100144

My commission expires: 6/30/2015 Notary Public: _____

Certification: Date: _____ Zoning Administrator: _____



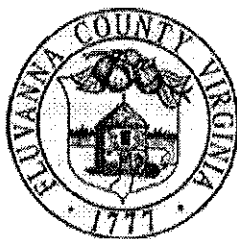
All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

| OFFICE USE ONLY | |
|--|--|
| Date Received: <u>7/27/12</u> | Pre-Application Meeting: _____ |
| PH Sign Deposit Received: <u>CK#9147</u> | Application #: <u>SUP 12-007</u> |
| \$800.00 fee plus mailing costs paid: _____ | Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail |
| Amendment of Condition: \$400.00 fee plus mailing costs paid: _____ | |
| Telecommunications Tower \$1,500.00 fee plus mailing costs paid: _____ | <u>(\$5,500 w/Consultant Review paid) CK# 9146</u> |
| Election District: <u>Fork Union</u> | Planning Area: <u>Rural Preservation</u> |
| Public Hearings | |
| Planning Commission | Board of Supervisors |
| Advertisement Dates: <u>9/13/12 + 9/20/12</u> | Advertisement Dates: <u>10/4/12 + 10/11/12</u> |
| APO Notification: <u>9/12/12</u> | APO Notification: <u>10/3/12</u> |
| Date of Hearing: <u>9/26/12</u> | Date of Hearing: <u>10/17/12</u> |
| Decision: _____ | Decision: _____ |

Received

JUL 27 2012

Fluvanna County



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: National Communication Towers, LLC

Address: 5413 Patterson Ave., Suite 101

City: Richmond

State: VA

Zip Code: 23226

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

A. S. Wilson
Applicant Signature

1/3/2012
Date

*Number of signs depends on number of roadways property adjoins.

| OFFICE USE ONLY | |
|--|--|
| Application #: BZA _____ : CPA _____ : SUP 12:007ZMP _____ : ZTA _____ : | |
| \$90 deposit paid per sign*: CK# 9147 | Approximate date to be returned: November 2012 |

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Wireless communication facility to include a 199' Monopole Tower and support facility enclosed within an 80' X 90' fenced compound. The tower will be designed to support a minimum of six collocations and the fenced compound will house a variety of support buildings and equipment pads.

NECESSITY OF USE: Describe the reason for the requested change.

To provide wireless services, telephone and broadband, along the RT 6 corridor and surrounding area.

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

The tower will be a Monopole design to help minimize the potential visual impact to the surrounding properties. Also the existing trees along the property line will remain and additional evergreen trees will be planted to screen the view of the facility from RT 6.

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

The Facility will provide wireless phone coverage, data transmissions and internet services to the area. Also, one Radiation Center on the tower and a 10' X 20' space in the compound will be made available for Fluvanna County's 911 equipment on a rent free bases.

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:

Please see the attached Site Plan.

**Statement of Proposed Use
Special Use Permit Application
National Communication Towers, LLC
Rockfish Creek, Tax Parcel 39-A-29**

National Communication Towers L.C. ("National") as lessee, hereby applies for a Special Use Permit to allow a telecommunications facility and accessory structures on leased land. The leased land is located on property known by Tax Map Parcel 39-A-29. The parcel is located on the north side of Rt. 6 approximately 5 miles west of Rt. 620, Kidds Store. According to the tax records of Fluvanna County it is owned by Colonel Robert K. Spencer, P.O. Box 52, Scottsville, VA 24590.

National is requesting a Special Use Permit to allow a self support Monopole Tower, measuring approximately 195' in height with a 4' lightning rod, to be located within a leased area, measuring 125' x 125'. The facility will be designed to allow multiple collocations on the tower and within a secure fenced compound area. The exact number and types of future users is difficult to predict, however the tower will be designed to accommodate a mix of carrier types. The design mix will include: 6 or more users of panel antennas (typically 15 panels, 12" wide X 72" high, per user). Likewise, the compound area is designed to accommodate a mix of shelter types and sizes as denoted on the drawings submitted with this application.

The 12.7 acre parcel is zoned A1. According to the Fluvanna County zoning ordinance, telecommunication facilities are permitted on A1 zoned properties, with Special Use Permits. Proper setback distances have been observed and are denoted on the enclosed plans.

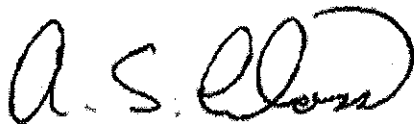
National develops telecommunication facilities for collocations by cellular, PCS, paging and other wireless services which rely upon a network of elevated platforms in areas where the carriers have gaps in signal coverage, or "holes." Such a hole exists along the Route 6 corridor. Supported by propagation studies, National believes a communications facility located on the subject parcel will enable carriers to fill this gap, while minimizing the effect on surrounding property owners.

The FCC has authorized several carriers to provide wireless services in this part of Cumberland County. Those carriers include: Sprint, AT&T, Verizon Wireless U.S. Cellular and Ntelos.

The facility will be in continuous operation but will produce no interference with other types of communications including: radio, television, cable TV, garage door openers or other consumer electronic equipment. No offices will be constructed on the site, so neither sewer nor water facilities will be required. The facility will produce no refuse, noise, vibration, dust, glare, odors or fumes. Neither National nor any of the tower users will introduce hazardous or toxic substances to the site. After completion of construction, the only traffic associated with the site will be short visits by technicians on a monthly basis to test or replace equipment components. In most instances towers below 200' are not required by the FAA to be lit.

The facility will provide a vital public safety service to this part of the County in two important ways. First, the County may co-locate antennas for law enforcement and fire and rescue at the 195' radiation Center along with a 10' X 20' space inside of the compound on rent free bases. Second, this new facility will enable wireless services to be extended to this part of the County, enabling the public at large to utilize those services for important medical or life-safety calls.

The proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and conditions. National is not seeking any wavier or variance for the proposed use at this time. National respectfully requests the approval of this Special Use Permit application.



Al Doss
Vice President of Development
National Communication Towers, L.L.C.

RECEIVED
NOV 15 2011
COUNTY CLERK

12/15/2011
Date

NATIONAL COMMUNICATION TOWERS, LLC

5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

Mailing Address:
P.O. Box 8502
Richmond, Virginia 23226

December 9, 2011

Darren Coffey
Planning Director, Fluvanna County
P.O Box 540
Palmyra, VA 22963

Re: Siting Hierarchy for an SUP application for a Wireless Telecommunications Tower
Applicant: National Communication Towers, LLC
Tax Parcel 39-A-29 ("Rockfish Creek Tower")
Owner: Colonel Robert K. Spencer
Latitude: 37-47-46.7N Longitude: 78-22-34.1W

Dear Mr. Coffey:

As per the Fluvanna County Zoning Ordinance Article 27, Section 22-27-7, I am submitting this statement to demonstrate compliance with the County's siting hierarchy for the construction of new wireless communication facilities.

Our research indicates there is no County-owned property or any suitable tall structures within approximately a 1.25 mile radius of our proposed tower site. Therefore, our proposed 195' Monopole tower complies with the "Siting Hierarchy" found in Article 27, Section 22-27-7 of the Fluvanna County Zoning Ordinance.

Should you have any questions, please do not hesitate to contact me at 804.366.1165

Sincerely,



Al Doss
Vice President of Operations

Received

NOV 15 2011

FLUVANNA COUNTY

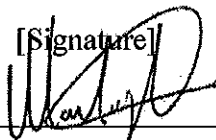
Affidavit of Mark Taylor, P.E.

(Review of Letter Entitled:
(Siting Hierarchy for an SUP application for a Wireless -
(Telecommunications Tower
(Dated: 12/9/2011
(Applicant: National Communication Towers, LLC.
(Site Name: Rockfish Creek Tower
(Tax Parcel 39-A-29

I, Mark Taylor, declare that I am a licensed Professional Engineer in the Commonwealth of Virginia with my primary experience and expertise in Wireless Communications and Safety.

I have reviewed the document attached herewith, and agree that the statements set forth in the letter are factual and accurate to my knowledge.

[Signature]



[Date]

12/19/2011

Mark A. Taylor, P.E.

Virginia License: 039282

Seal:



6019090

NOV 18 2011

COMMONWEALTH OF VIRGINIA



December 19, 2011

Mr. Al Doss
Vice President of Operations
National Communications Towers, LLC
5413 Patterson Ave, Suite 101
Richmond, VA 23226

RE: Proposed Telecommunications Structure at the Rockfish Creek Tower Site in Fluvanna County, VA, Latitude: 37-47-46.7N Longitude: 78-22-34.1W.

Dear Mr. Doss:

This letter is provided per the request of National Communications Towers, L.L.C., and addresses the assurances that National Communication Towers will meet "Fluvanna County Communications Application Checklist" items 4 and 5.

Item 4: National Communications Towers, LLC will ensure its member tenants adhere and comply with FCC rules regarding exposure to RF energy.

Item 5: National Communications Towers, LLC will ensure its member tenants adhere and comply with FCC rules regarding radio frequency interference.

If any questions arise regarding the Radio Frequency issues of proposed application please get in touch at the number or email address listed below.

Cordially,

Mark Taylor, P.E.
Edge Wireless, LLC
marktaylor03@comcast.net
M 443-271-3714



NATIONAL COMMUNICATION TOWERS, LLC

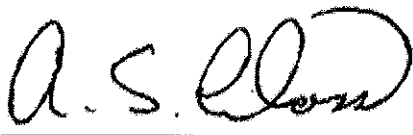
5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

January 12, 2012

Search Ring Certification Rockfish Creek

This is to certify the submitted NCT Search Ring depicted in the map titled "NCT SEARCH RING" is based on the best information received from the carrier as to the site location and is the same search ring as utilized in the selection of the site.

Signed: _____



Al Doss
Vice President of Development

Memorandum

DATE: October 10, 2012
RE: APO'S for **SUP 12:07** Public Hearing Letters
TO: Allyson Finchum
FROM: Lauren Ryalls

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the **October 24, 2012** Planning Commission meeting.



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

NOTICE OF PUBLIC HEARING

October 10, 2012

«Title» «First_Name» «Last_Name»
«Company_Name»
«Address_Line_1»
«City», «State» «ZIP_Code»
TMP# «TMP»

Re: Public Hearing on SUP 12:07

Dear «Title» «Last_Name»«Company_Name»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced item on **Wednesday, October 24, 2012** at **7:00 PM** in the Circuit Court Room at the Fluvanna County Courts Building in Palmyra, VA. The request is described as follows:

SUP 12:07 – National Communication Towers, LLC – *A request for a Special Use Permit (SUP) to allow for a 195-foot wireless communications tower with respect to 12.7 acres of Tax Map 39, Section A, Parcel 29. The property is zoned A-1 (Agricultural, General) and is located on the north side of West River Road (State Route 6) 1 mile west of its intersection with Rolling Road (Route 620). The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area.*

The applicant or applicant's representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me by phone at (434) 591-1910 or by email at stugwell@fluvannacounty.org.

Sincerely,

Steve Tugwell
Senior Planner

SUP 12-07 Adjacent Property Owners

| TMP# | Owner | Address | City, State | Zip Code |
|--------------------------|-------------------------------------|-------------------------------|---------------------|----------|
| 39 A 28 | NEW FORESTRY LLC | 3715 NORTHSIDE PKWY STE 2-500 | ATLANTA, GA | 30327 |
| 39 A 29 | SPENCER, ROBERT K. | PO BOX 52 | SCOTTSVILLE, VA | 24590 |
| 39 A 30 | FLUVANNA BAPTIST CHURCH & PARSONAGE | 7524 WEST RIVER RD | SCOTTSVILLE, VA | 24590 |
| 39 A 30 | FLUVANNA BAPTIST CHURCH & PARSONAGE | 7454 WEST RIVER RD | SCOTTSVILLE, VA | 24590 |
| 39 13 51 | RYDER, PHILLIP D | 2422 RICHMOND RD | CHARLOTTESVILLE, VA | 22911 |
| 48 A 16 | SWALES, SUSAN | PO BOX 566 | SCOTTSVILLE, VA | 24590 |
| 48 A 17 | SWALES, SUSAN | PO BOX 566 | SCOTTSVILLE, VA | 24590 |
| APPLICANT/REPRESENTATIVE | AL DOSS, NATIONAL COMM. TOWERS, LLC | 5413 PATTERSON AVE, STE 101 | RICHMOND, VA | 23226 |



Scale: 1:4513.988705

Date: 09/21/2012

Printed By:

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

Fluvanna County
Technical Review Committee Meeting
August 9, 2012

SDP 12:05 – 33 Hunter’s Branch, LLC – Proposed storage yard appears to have no impact on the existing well and septic system located on this lot (Tax Map # 5-20-1). The existing system was sized to accommodate 5 employees or a maximum of 100 GPD. No additional connections can be made to this system without receiving prior health department approval.

SUB 12-12 – National Communication Towers, LLC – Proposed wireless communications tower appears to have no environmental impact. There are no homes, septic systems or wells located on this property.



Programs

[Home](#) > [Programs](#) > [Virginia's Scenic Byways](#) > [Frequently Asked Questions](#)

[Contact Us](#) | [Search VirginiaDOT.org](#)

Sut

Virginia Byway - Frequently Asked Questions

[Home](#) | [Scenic Drives](#) | [Print Map](#) | [Order Map](#) | [Photos](#) | [FAQs](#)

Adventure beckons on the roads and highways designated as Virginia Byways. More than mere pavement between points A and B, a Virginia Byway offers travelers a side of the Commonwealth that is uncommon and enlightening. Each byway leads to scenes of natural beauty and places of historical and social significance.

Currently, there are nearly 3,000 miles of roads designated as Virginia Byways, yet several hundred more miles of Commonwealth roadway could qualify. To help attract visitors and support economic development through tourism, the Virginia Department of Transportation (VDOT), the Virginia Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB), encourage local governments to nominate roads for Virginia Byway designation.

What's the purpose of the Virginia Byway program?

The program identifies road corridors containing aesthetic or cultural value near areas of historical, natural or recreational significance. By designating certain roads as Virginia Byways, widely distributing "A Map of Scenic Roads in Virginia," and promoting the Virginia Scenic Roads Web site, the program encourages travel to interesting destinations and away from high-traffic corridors.

Byways also stimulate local economies by attracting visitors to lesser-known destinations. One study showed visitors spent \$1.8 billion in counties adjacent to the Blue Ridge Parkway in Virginia and North Carolina. This supported nearly 75,000 jobs and generated more than \$147 million in tax revenues in the region.

What makes a Virginia Byway different from other roads?

People like to explore. The 2000 Virginia Outdoors Survey, conducted by Virginia's Department of Conservation and Recreation (DCR), finds that driving for pleasure is the second most popular outdoor activity, with more than 62% of the population participating.

By following the highlighted byways on the state transportation map, the scenic roads map and the scenic roads Web site, visitors are directed to places where they can tour wineries, explore Civil War battle sites and historical attractions, view beautiful scenery and enjoy recreational resources.

Once designated, a byway becomes part of the coordinated promotional strategy for Virginia tourism.

What are other important considerations regarding Virginia Byway status?

- Virginia Byway designation gives localities the opportunity to participate in the National Scenic Byway Program.
- It might limit placement of outdoor advertising signs.
- It does not affect land use controls.
- It does not limit road improvements.

What is a Virginia Byway?

Per Virginia Code, "Virginia Byway" means those highways designated by the Commonwealth Transportation Board (CTB) pursuant to articles §33.1-62 through §33.1-66. The Virginia Outdoors Plan, from DCR, identifies roads that have been considered as having intrinsic qualities of Virginia Byways for many years. In addition, there are other roads that meet the criteria for designation.

What are the criteria?

To be considered, a segment of road must substantially meet the following criteria:

- The route provides important scenic values and experiences.
- There is a diversity of experiences, as in transition from one landscape scene to another.
- The route links together or provides access to scenic, historic, recreational, cultural, natural and archeological elements.
- The route bypasses major roads or provides opportunities to leave high-speed routes for variety and leisure in motoring. Landscape control or management along the route is feasible.
- The route allows for additional features that will enhance the motorist's experience and improve safety.
- Local government(s) has/have initiated zoning or other land-use controls, so as to reasonably protect the aesthetic and cultural value of the highway.

What are the steps to designation?

1. Anyone can request byway designation, but local government(s) must adopt a resolution of support.
2. Upon receipt of a request and historical documentation from an interested party/local government, the Virginia Department of Transportation (VDOT) and the Virginia Department of Conservation and Recreation (DCR) collect information on local zoning laws, traffic volumes and accident reports before evaluating the roads according to the criteria.
3. Based on a joint review according to the criteria, the DCR Director recommends qualifying roads for consideration by the CTB.
4. Before the CTB acts, VDOT offers the local government the opportunity to hold a public hearing. If a public hearing is requested, VDOT's Local Assistance Division and DCR will provide assistance.
5. After the public hearing, or if no hearing was requested, the CTB officially designates the byway(s) at their next scheduled meeting. Subsequently, signs are posted, and changes are made to the appropriate maps.

How can I get more information about the Virginia Byway program?

Call **1-800-FOR-ROAD (1-800-367-7623)** or contact Lynn Crump, Virginia Department of Conservation and Recreation, at Lynn.Crump@dcr.virginia.gov.

For additional copies of this brochure or others in the VDOT Answers Your Questions series, please contact:

Virginia Department of Transportation
Office of Public Affairs
1401 East Broad Street
Richmond, VA 23219
E-mail: vdotinfo@VDOT.Virginia.gov

Page last modified: Nov. 1, 2010

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NATIONAL COMMUNICATION TOWERS, LLC

5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

Rockfish Creek Tower Balloon Flight Certification Statement August 27, 2012

General weather conditions: fog in the early morning and lifted by 9 AM, average visibility after fog dissipated was 7-10 miles, light winds averaging 0 to 8 MPH from 7:40 AM to 12:02 PM and mostly calm throughout the morning.

7:40 AM: Balloon launched, winds calm at 0-3 MPH foggy

8:00 AM to 12:02 PM: Winds calm at 0-8MPH

12:02 PM: Ended balloon flight

Comments:

- 1) 9:20 AM Supervisor Weaver stopped by the site and examined the tower location as staked in the field. He enquired as to the location of the access road and the location of the compound on the site.
- 2) 10:30 AM Earnest Butler stopped by to view the balloon and enquired as to the location of the access road.
- 3) 11:30 AM Steven Tugwell, Fluvanna County Senior Planner, drove by the site.

Date: 8/27/2012



Stephen B. Gallagher

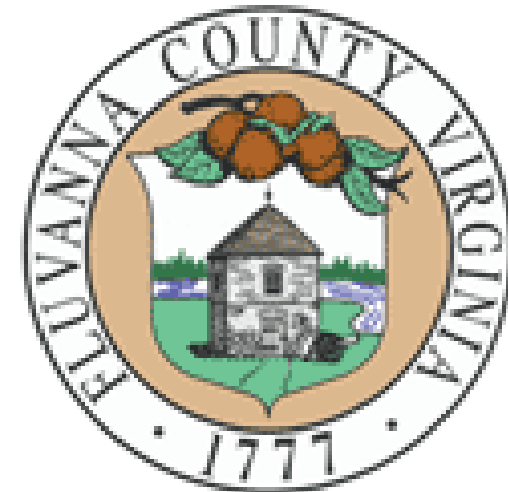
Vice President of Construction

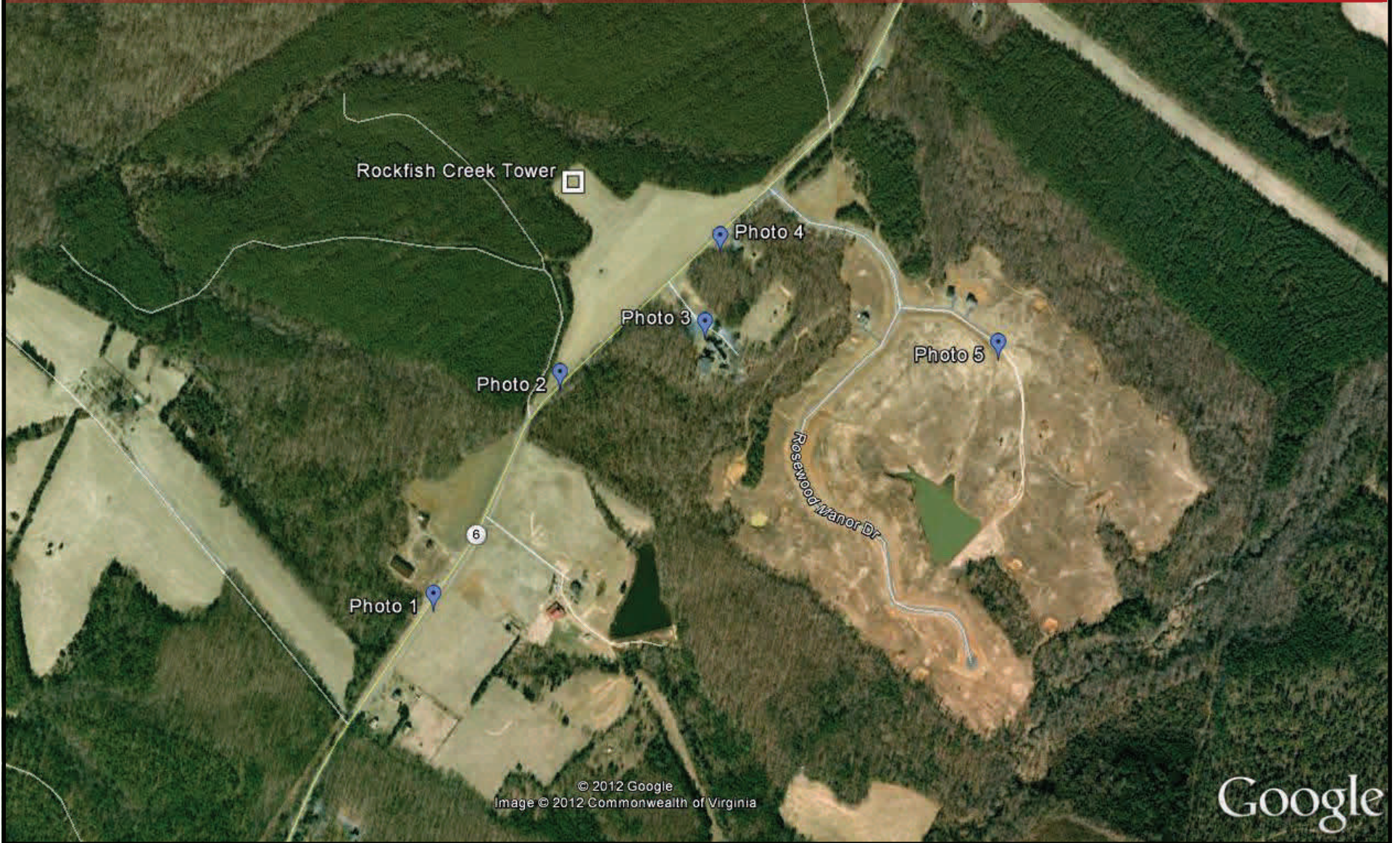
5413 Patterson Avenue
Suite 101
Richmond, VA 23226
804.673.8800

Monopole Tower Simulation

August 27, 2012

NCT





© 2012 Google
Image © 2012 Commonwealth of Virginia

Google

Tower Visibility Map

NCT

TOWER VISIBLE 

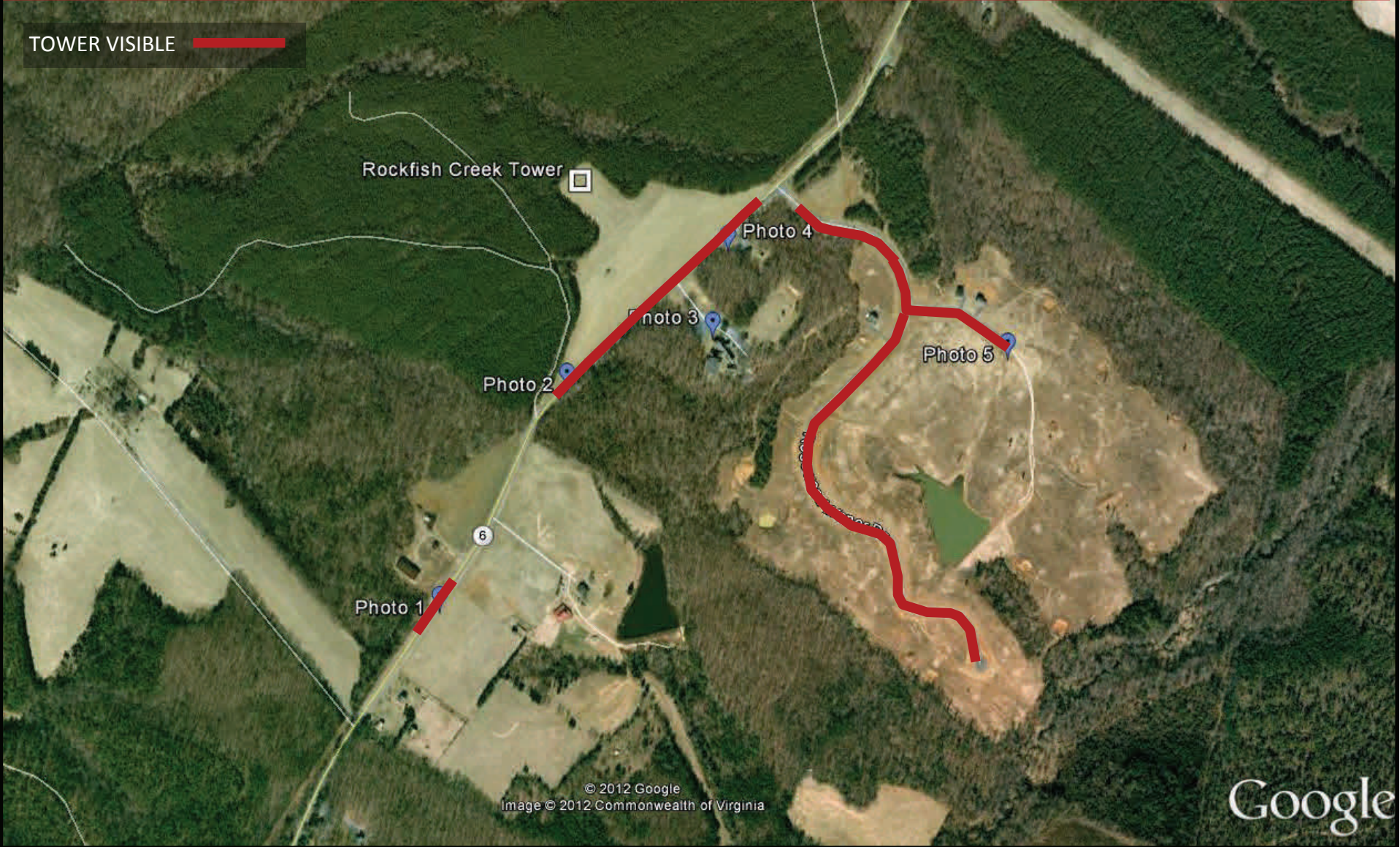


PHOTO 1: BALLOON FLIGHT



Enlarged View of Balloon

BALLOON



VIEW FROM THE WEST (LOOKING TO THE EAST ~2,365')
LOCATION: SWALE PROPERTY ALONG RT 6 (WEST RIVER ROAD)

NCT

PHOTO 1: TOWER SIMULATION



Enlarged View of Tower

TOWER



VIEW FROM THE WEST (LOOKING TO THE EAST ~2,365')
LOCATION: SWALE PROPERTY ALONG RT 6 (WEST RIVER ROAD)

NCT

PHOTO 2: BALLOON FLIGHT

BALLOON



VIEW FROM THE SW (LOOKING TO THE NE ~1,060')
LOCATION: RT 6 EDGE OF FIELD OPENING

NCT

PHOTO 2: TOWER SIMULATION

VIEW FROM THE SW (LOOKING TO THE NE ~1,060')
LOCATION: RT 6 EDGE OF FIELD OPENING

NCT

BALLOON



VIEW FROM THE SE (LOOKING TO THE NW ~1,080')

LOCATION: PARKING LOT AT FLUVANNA BAPTIST CURCH—SOUTH SIDE OF RT 6 (WEST RIVER ROAD)

NCT

PHOTO 3: TOWER SIMULATION



VIEW FROM THE SE (LOOKING TO THE NW ~1,080')

LOCATION: PARKING LOT AT FLUVANNA BAPTIST CURCH—SOUTH SIDE OF RT 6 (WEST RIVER ROAD)

NCT

PHOTO 4: BALLOON FLIGHT

BALLOON



VIEW FROM THE SOUTH (LOOKING TO THE NORTH ~860')
LOCATION: 524 WEST RIVER ROAD (RT 6) CHURCH PARSONAGE

NCT

PHOTO 4: TOWER SIMULATION



VIEW FROM THE SOUTH (LOOKING TO THE NORTH ~860')
LOCATION: 524 WEST RIVER ROAD (RT 6) CHURCH PARSONAGE

NCT

PHOTO 5: BALLOON FLIGHT

BALLOON



Enlarged View of Balloon

VIEW FROM THE SE (LOOKING TO THE NW ~2,465')
LOCATION: CUL DE SAC AT ROSEWOOD COURT

NCT

TOWER



VIEW FROM THE SE (LOOKING TO THE NW ~2,465')
LOCATION: CUL DE SAC AT ROSEWOOD COURT



NATIONAL COMMUNICATION TOWERS, LLC

5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

September 21, 2012

Rick Edwards
Consultant
CityScape Consultants, Inc.
10704 Elmbrook Ct.,
Raleigh, NC 27614

Subject: Rockfish Creek Communications Tower Design Certification

This letter is to certify National Communications Towers, LLC, as applicant and developer of the Rockfish Creek Communications Facility, will design and build the proposed monopole tower capable of bearing the equipment loading of six collocations (See the attached Tower Design RFQ). Also in the event of a catastrophic occurrence, the tower will be designed with breakpoint technology and will fail at the 105' elevation AGL.

Sincerely,



Stephen B. Gallagher
V.P. of Construction

NATIONAL COMMUNICATION TOWERS, LLC

5413 Patterson Avenue, Suite 101
Richmond, Virginia 23226
Telephone: 804-673-8800
Facsimile: 804-673-4242

January 9, 2012

Rockfish Creek
Fluvanna County, VA
37-47-46.7N
-78-22-34.1W

National Communication Towers (NCT) is requesting a quote for a monopole tower with the following specifications:

Height: 195' Monopole plus 4' lightning rod
Tower Break Point at the 105' Elevation AGL

Loading:

| Rad Ctr | Panel Antenna | Qty | Coax | Qty | Mounts |
|---------|---------------|-----|--------|-----|-------------|
| 195 | 72"x12"x8" | 15 | 1-5/8" | 18 | Low Profile |
| 185 | 72"x12"x8" | 15 | 1-5/8" | 18 | Low Profile |
| 175 | 72"x12"x8" | 12 | 1-5/8" | 15 | Low Profile |
| 165 | 72"x12"x8" | 12 | 1-5/8" | 15 | Low Profile |
| 155 | 72"x12"x8" | 12 | 1-5/8" | 12 | Low Profile |
| 145 | 72"x12"x8" | 12 | 1-5/8" | 12 | Low Profile |

Safety Climb

Step Bolts

Galvanized finish

Designed to collapse at the 105' tower elevation


Revision G for structural analysis, Fluvanna County, VA

Certified foundation design, tower drawings and engineer's letter to be provided

Delivery to: 7500 Block of West River Road, Scottsville, Virginia 24596

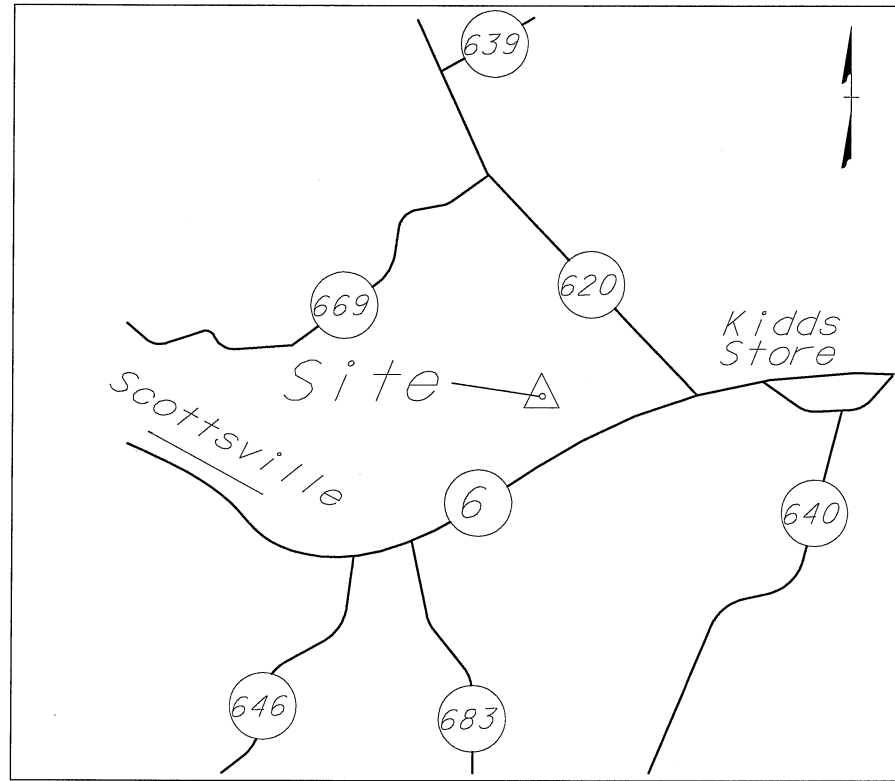
Should you have any questions please call feel free to contact me.

Regards,



Al Doss

Vice President of Development
National Communications Towers, LLC
Office: 804-673-8800 Ext. 303
Cell: 804-366-1165
Fax: 804-673-4242
adoss@nationaltowers.com



Vicinity Map Scale: 1" = 1000'

DIRECTIONS TO SITE

FROM RICHMOND, TAKE VA-6 WEST FOR APPROXIMATELY 42 MILES. SITE IS ON THE RIGHT 0.9 MILES BEYOND THE INTERSECTION WITH ROUTE 620.

Construction Certification

To the best of my knowledge this site is designed to comply with applicable Federal, State and Fluvanna Building Codes.

LANDOWNER

Col. Robert K. Spencer
P.O. Box 52
Scottsville, Va 24596

EROSION AND SEDIMENT CONTROL RESPONSIBLE LAND DISTURBER
NAME: ALBERT S. DOSS CERTIFICATE #: 22075 EXPIRATION DATE: MAY 25, 2014

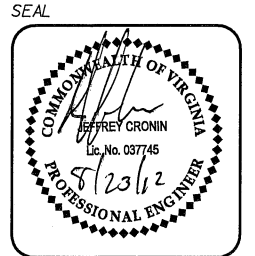
ROCKFISH CREEK 199 TOWER SITE SITE PLAN

WEST RIVER ROAD (RTE 6)
FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DEVELOPED BY:
NATIONAL COMMUNICATION TOWERS, LLC

INDEX OF SHEETS

| SHEET NAME | SHEET NUMBER |
|---|-----------------------|
| TITLE SHEET | T-1 |
| GENERAL NOTES | T-2 |
| GRADING SITE PLAN | A-1 THRU A-2 |
| COMPOUND LAYOUT & TOWER ELEVATION | A-3 |
| CIVIL NOTES & DETAILS | C-1 |
| FENCE NOTES & DETAILS | C-2 |
| ENTRANCE REQUIREMENTS | C-3 |
| SOIL MAP | C-4 |
| APPROVAL AND CONDITIONS | SE-1 |
| SURVEY (SHOWS LEASE PARCEL, INGRESS/EGRESS, UTILITY EASEMENT AND TREE BUFFER) | 1 OF 1 THRU 2 OF 2 |



NATIONAL COMMUNICATION
TOWERS, LLC
5413 PATTERSON AVE, SUITE 101
RICHMOND, VA 23226
804-366-1165

REVISIONS

| NO. | DATE | ISSUE |
|-----|---------|-------|
| 1 | 8/23/12 | |
| | | |
| | | |
| | | |
| | | |

PROJECT NAME

ROCKFISH CREEK SITE

WEST RIVER ROAD
(RTE 6)

FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DATE: 8/23/12

SCALE: AS SHOWN

DESIGNED: J.C.

CHECKED: J.C.

DRAWN: COT

SHEET TITLE

TITLE SHEET
T-1

GENERAL NOTES:

1. PROJECT DEVELOPER: NATIONAL COMMUNICATION TOWERS, LLC
5413 PATTERSON AVE, SUITE 101
RICHMOND, VA 23226

PROPOSED USE: 199' TELECOMMUNICATIONS TOWER AND SUPPORTING FACILITY CONTAINED WITHIN A FENCED COMPOUND.

2. TOWER OWNER: NATIONAL COMMUNICATION TOWERS, LLC

3. LAND OWNER: ROBERT K. SPENCER

4. ELECTRIC UTILITY: Central Virginia Electric Coop.
1-800-367-2832

TELEPHONE UTILITY: VERIZON
5. (877) 300-4498

ZONING APPROVAL:
6. PROPERTY ZONING: A-1

TAX PARCEL NUMBER: 39-A-29

7. LATITUDE: N 37° 47'46.68"
8. LONGITUDE: W 78° 22'32.82"

NCT WILL OBTAIN THE LAND DISTURBING PERMIT. THE CONTRACTOR SHALL SECURE ALL OTHER NECESSARY PERMITS FOR THIS PROJECT FROM ALL APPLICABLE GOVERNMENT AGENCIES.

10. ANY PERMITS WHICH MUST BE OBTAINED SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND AT HIS EXPENSE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.

11. THE CONTRACTOR SHALL NOTIFY THE COUNTY ENGINEER 24 HOURS PRIOR TO THE BEGINNING OF CONSTRUCTION.

12. LOCATION OF EXISTING SEWER, WATER OR GAS LINES, CONDUITS OR OTHER STRUCTURES ACROSS, UNDERNEATH, OR OTHERWISE ALONG THE LINE OF PROPOSED WORK ARE NOT NECESSARILY SHOWN ON THE PLANS, AND IF SHOWN ARE ONLY APPROXIMATELY CORRECT. CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES (INCLUDING TEST PITS BY HAND IF NECESSARY) IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON PLANS. IF THERE APPEARS TO BE A CONFLICT, OR UPON THE DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS. FOR ASSISTANCE CALL "MISS UTILITY" 1-800-552-7001.

13. EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY THE CONTRACTOR (WHICH ARE NOT TO BE REMOVED) SHALL BE REPAIRED TO LIKE-NEW CONDITION.

14. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL DITCHES, PIPES, AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL WORK IS ACCEPTED BY THE OWNER, THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURES IN OPERABLE CONDITION.

15. THE CONTRACTOR SHALL COORDINATE WITH NCT THE REQUIREMENTS FOR AND LIMITS OF OVERHEAD AND/OR UNDERGROUND ELECTRICAL SERVICE.

16. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE (1) FULL YEAR FROM THE DATE OF ACCEPTANCE.

17. THE CONTRACTOR SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE IN A WEATHER PROOF CONTAINER AT ALL TIMES WHEN WORK IS BEING PERFORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY COUNTY INSPECTORS.

18. ALL WORK PRESENTED ON THESE DRAWINGS MUST BE COMPLETED BY THE CONTRACTOR UNLESS NOTED OTHERWISE. THE CONTRACTOR MUST HAVE CONSIDERABLE EXPERIENCE IN PERFORMANCE OF WORK SIMILAR TO THAT DESCRIBED HEREIN. BY ACCEPTANCE OF THIS ASSIGNMENT, THE CONTRACTOR IS ATTESTING THAT HE DOES HAVE SUFFICIENT EXPERIENCE AND ABILITY, THAT HE IS KNOWLEDGEABLE OF THE WORK TO BE PERFORMED AND THAT HE IS PROPERLY LICENSED AND PROPERLY REGISTERED TO DO THIS WORK IN THE STATE IN WHICH IT IS TO BE PERFORMED.

19. UNLESS SHOWN OR NOTED OTHERWISE ON THE CONTRACT DRAWINGS, OR IN THE SPECIFICATIONS, THE FOLLOWING NOTES SHALL APPLY TO THE MATERIALS LISTED HEREIN, AND TO THE PROCEDURES TO BE USED ON THIS PROJECT.

20. ALL HARDWARE ASSEMBLY MANUFACTURER'S INSTRUCTIONS SHALL BE FOLLOWED EXACTLY AND SHALL SUPERCEDE ANY CONFLICTING NOTES ENCLOSED HEREIN.

21. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE STRUCTURE AND ITS COMPONENT PARTS DURING ERECTION AND/OR FIELD MODIFICATIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE ADDITION OF WHATEVER TEMPORARY BRACING, GUYS OR TIE DOWNS THAT MAY BE NECESSARY. SUCH MATERIAL SHALL BE REMOVED AND SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER THE COMPLETION OF THE PROJECT.

22. ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO THE BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK ON THIS PROJECT. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND THE OWNERS ENGINEER. THE DISCREPANCIES MUST BE RESOLVED BEFORE THE CONTRACTOR IS TO PROCEED WITH THE WORK. THE CONTRACT DOCUMENTS DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY THE OWNER AND/OR THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE PROTECTIVE MEASURES OR THE CONSTRUCTION PROCEDURES.

23. ALL MATERIALS AND EQUIPMENT FURNISHED SHALL BE NEW AND OF GOOD WORKING QUALITY, FREE FROM FAULTS AND DEFECTS AND IN CONFORMANCE WITH THE CONTRACT DOCUMENTS, ANY AND ALL SUBSTITUTIONS MUST BE PROPERLY APPROVED AND AUTHORIZED IN WRITING BY THE OWNER AND THE ENGINEER PRIOR TO INSTALLATION. THE CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF THE MATERIALS AND EQUIPMENT BEING SUBSTITUTED.

24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR INSURING THAT THIS PROJECT AND RELATED WORK COMPLIES WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL SAFETY CODES AND REGULATIONS GOVERNING THIS WORK.

25. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITION OF THE LOCAL BUILDING CODE.

26. ACCESS TO THE PROPOSED WORK SITE MAY BE RESTRICTED. THE CONTRACTOR SHALL COORDINATE INTENDED CONSTRUCTION ACTIVITY, INCLUDING WORK SCHEDULE AND MATERIALS ACCESS, WITH NCT FOR APPROVAL.

27. ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES OR ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.

28. ANY DAMAGE TO ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTORS EXPENSE.

29. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.

30. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED AND RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWINGS WHICH SHALL BE TURNED OVER TO THE NCT CONSTRUCTION MANAGER UPON COMPLETION OF PROJECT.

31. THE CONTRACTOR SHALL COORDINATE THE CONSTRUCTION STAGING AREA WITH THE PROPERTY OWNER AND NCT WELL IN ADVANCE OF THE CONSTRUCTION START DATE.

32. CONTRACTOR IS TO FIELD VERIFY ALL EXISTING CONDITIONS AND PLAN DIMENSIONS, AND NOTIFY THE ARCHITECT AND ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

33. THE CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE WORK SITE ON A DAILY BASIS.



SEAL



NATIONAL COMMUNICATION
TOWERS, LLC
5413 PATTERSON AVE, SUITE 101
RICHMOND, VA 23226
804-366-1165

REVISIONS

| NO. | DATE | ISSUE |
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| 1 | 8/23/12 | |
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PROJECT NAME

ROCKFISH CREEK SITE

WEST RIVER ROAD
(RTE 6)

FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DATE: 8/23/12

SCALE: AS SHOWN

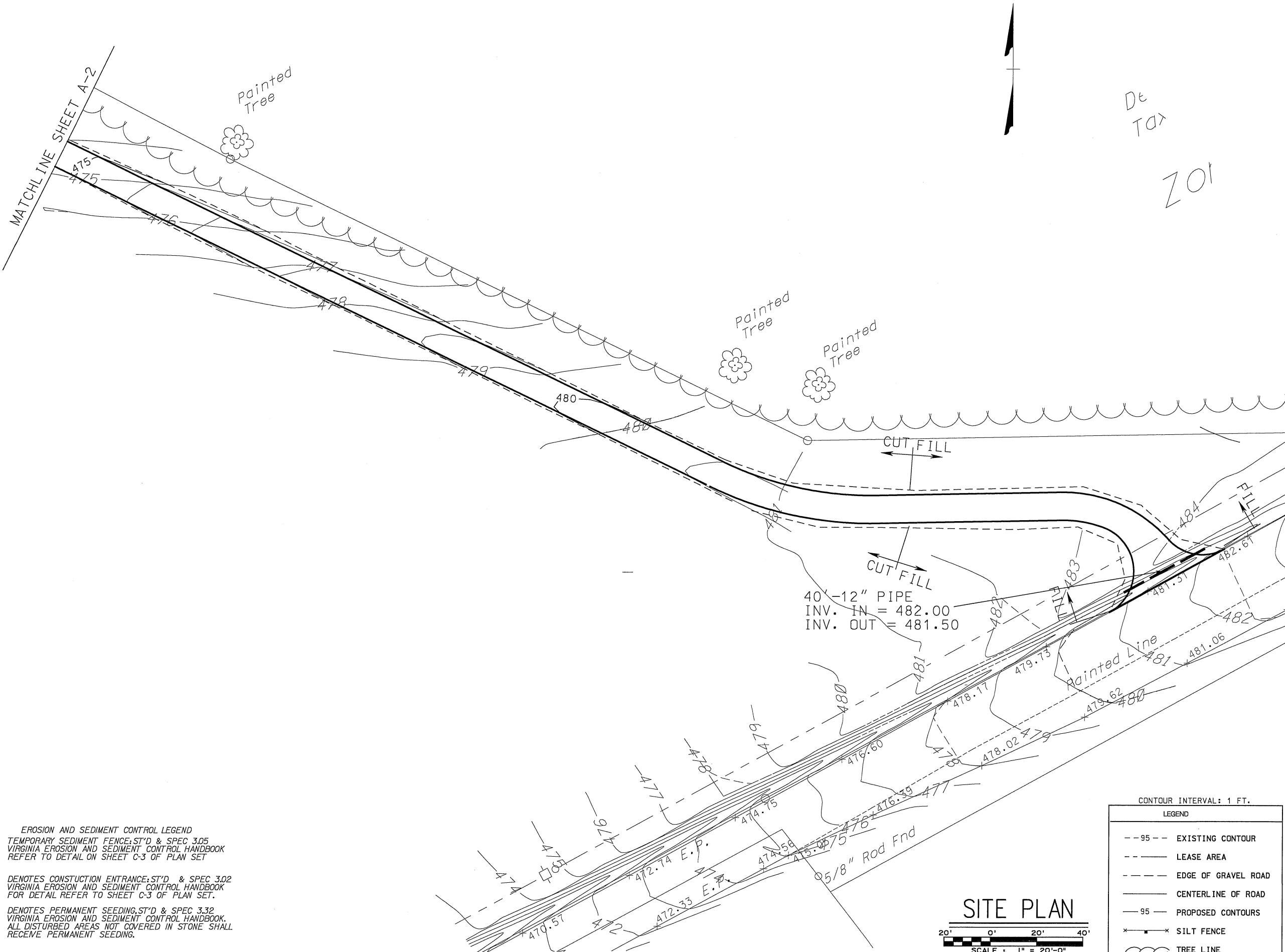
DESIGNED: J.C.

CHECKED: SBW.

DRAWN: COT

SHEET TITLE

GENERAL NOTES
T-2



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JMT
JOHNSON, MIRMIRAN & THOMPSON
 Engineering A Brighter Future
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 Richmond, Virginia 23236
 Phone (804) 323-9900
 Fax (804) 323-0596



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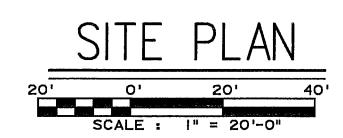
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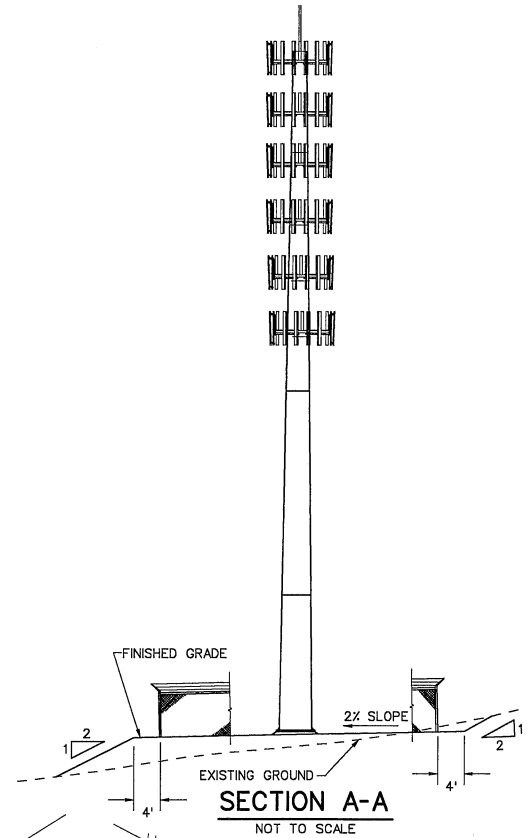
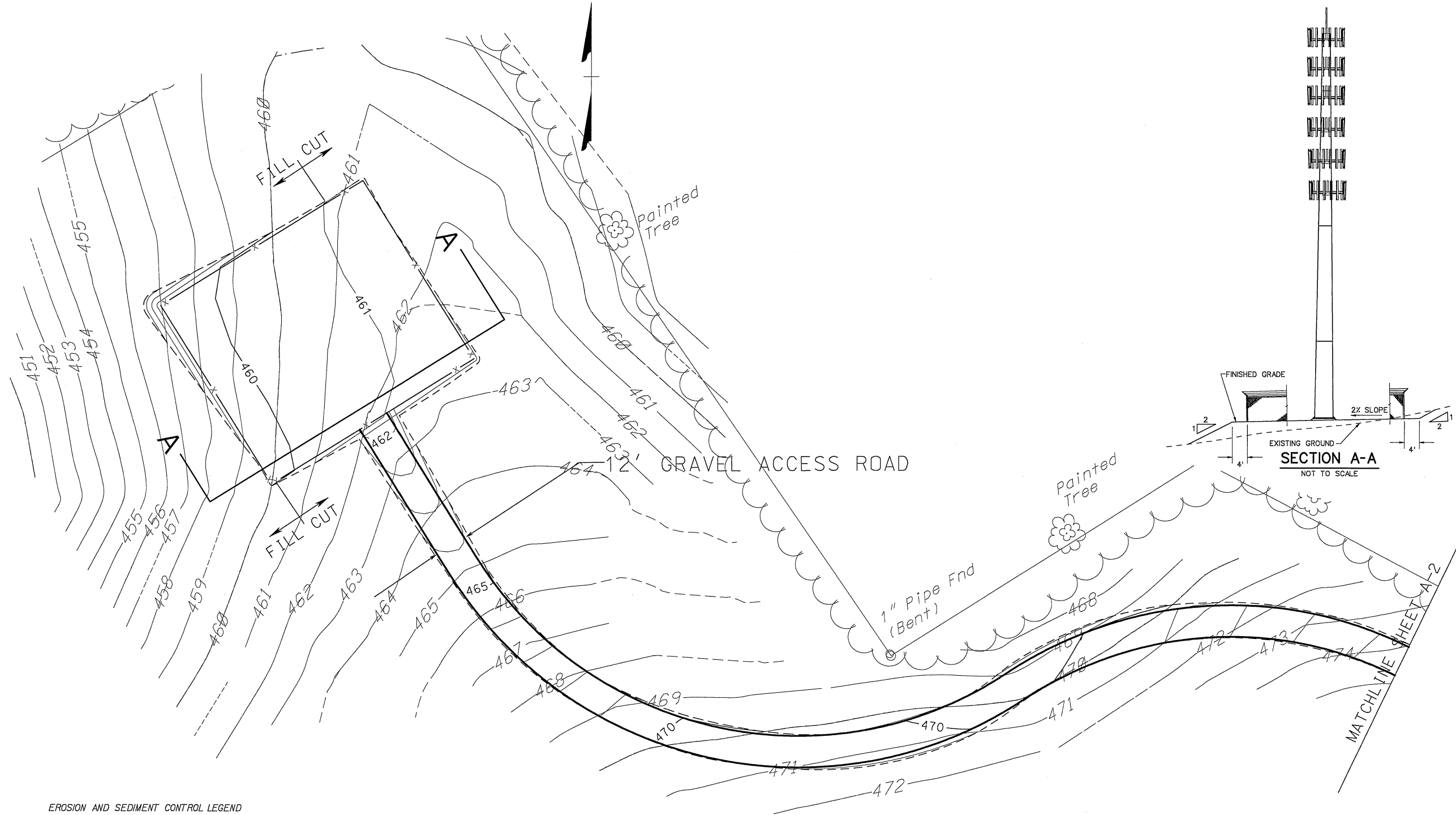
SHEET TITLE
 GRADING
 SITE PLAN
 A-1

EROSION AND SEDIMENT CONTROL LEGEND
 (SF) TEMPORARY SEDIMENT FENCE, ST'D & SPEC 3.05
 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK
 REFER TO DETAIL ON SHEET C-3 OF PLAN SET
 (CE) DENOTES CONSTRUCTION ENTRANCE, ST'D & SPEC 3.02
 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK
 FOR DETAIL REFER TO SHEET C-3 OF PLAN SET.
 (PS) DENOTES PERMANENT SEEDING, ST'D & SPEC 3.32
 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.
 ALL DISTURBED AREAS NOT COVERED IN STONE SHALL
 RECEIVE PERMANENT SEEDING.

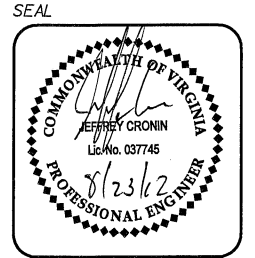
CONTOUR INTERVAL: 1 FT.

| LEGEND | |
|-----------|---------------------|
| -- 95 -- | EXISTING CONTOUR |
| ---- | LEASE AREA |
| - - - - | EDGE OF GRAVEL ROAD |
| — | CENTERLINE OF ROAD |
| - 95 - | PROPOSED CONTOURS |
| — x — x — | SILT FENCE |
| ~ ~ ~ | TREE LINE |





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PROJECT NAME
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 WEST RIVER ROAD
 (RTE 6)
 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

DATE: 8/23/12
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 DRAWN: COT

SHEET TITLE
 GRADING
 SITE PLAN
 A-2

- EROSION AND SEDIMENT CONTROL LEGEND**
- (SF) TEMPORARY SEDIMENT FENCE; ST'D & SPEC 3.05 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK REFER TO DETAIL ON SHEET C-3 OF PLAN SET
 - (CE) DENOTES CONSTRUCTION ENTRANCE; ST'D & SPEC 3.02 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK FOR DETAIL REFER TO SHEET C-3 OF PLAN SET.
 - (PS) DENOTES PERMANENT SEEDING; ST'D & SPEC 3.32 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. ALL DISTURBED AREAS NOT COVERED IN STONE SHALL RECEIVE PERMANENT SEEDING.

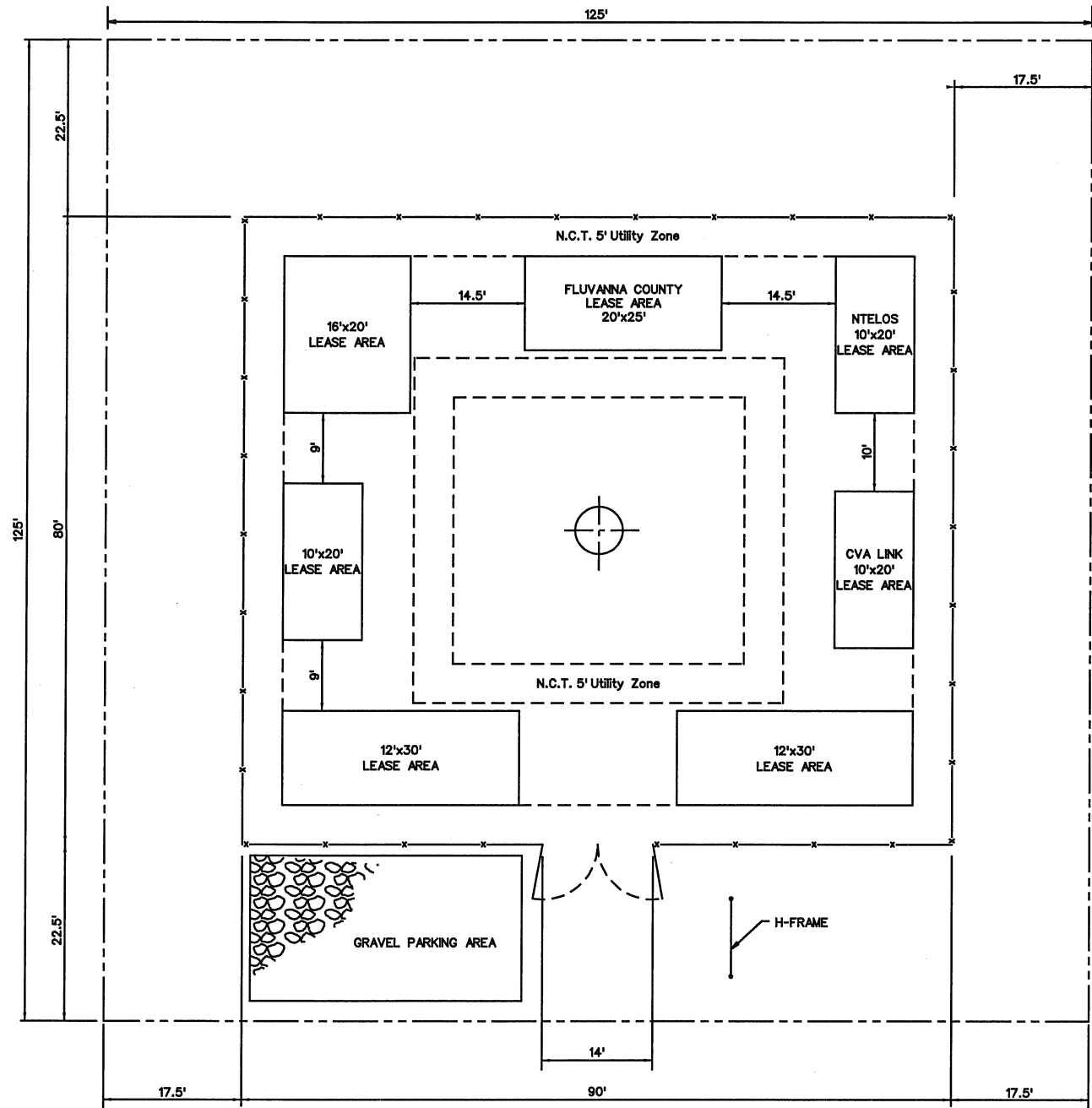
| FEATURE | QUANTITY ESTIMATE | COST ESTIMATE |
|-----------------------|---------------------|----------------------------|
| SILT FENCE | 185 LINEAR FEET | 185 LF x \$4.50/LF = \$833 |
| CONSTRUCTION ENTRANCE | 1 EA | 1 EA x \$1000/EA = \$1000 |
| SEED AND STRAW | 4233 SQ FT = 470 SY | 470 SY x \$1.10/SY = \$517 |
| | TOTAL | \$2350 |

| AREAS OF DISTURBANCE | |
|--------------------------|--------------------------|
| NEW ACCESS ROAD TO FENCE | 12'x900' = 10800 SQ FEET |
| COMPOUND AREA | 80'x80' = 6400 SQ FEET |
| CUT AND FILL SLOPES | 4233 SQ FEET |
| TOTAL | 21433 SQ FEET |



CONTOUR INTERVAL: 1 FT.

| LEGEND | |
|----------------|---------------------|
| - - - 95 - - - | EXISTING CONTOUR |
| - - - | LEASE AREA |
| - - - - - | EDGE OF GRAVEL ROAD |
| - - - - - | CENTERLINE OF ROAD |
| - 95 - | PROPOSED CONTOURS |
| x - x | SILT FENCE |
| ~ ~ ~ | TREE LINE |

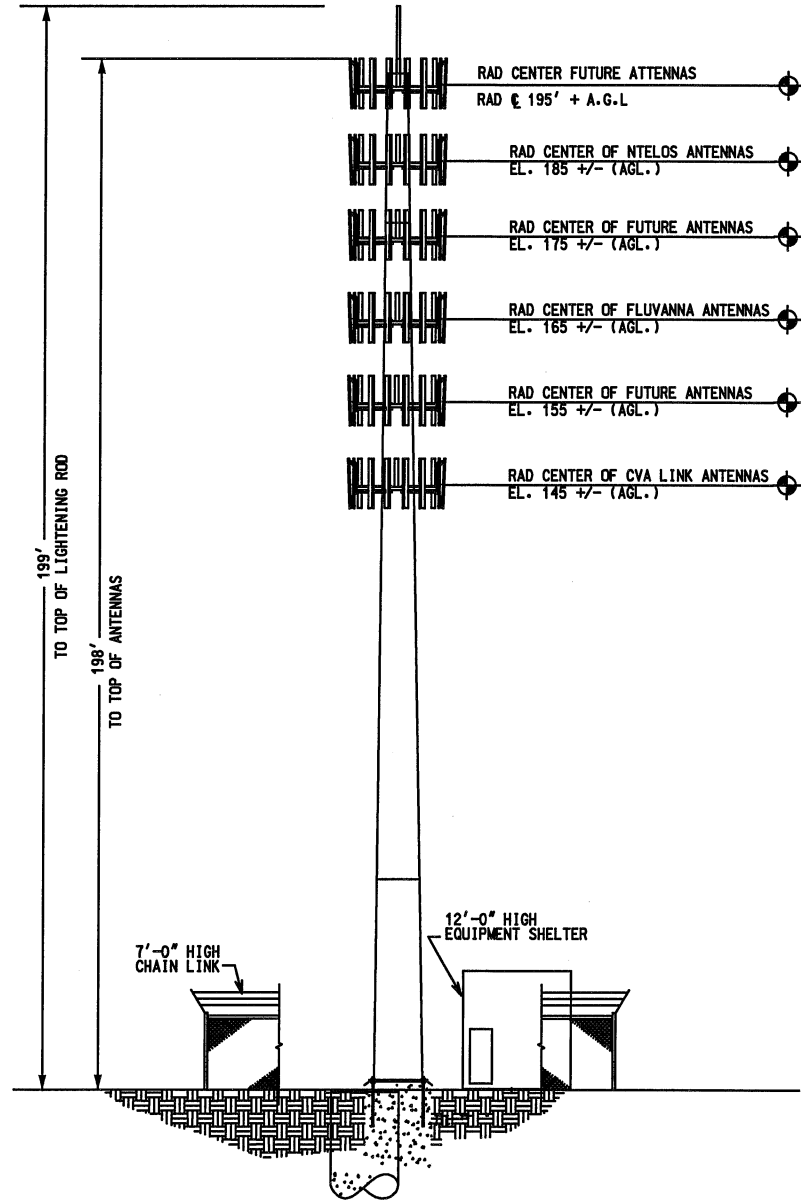
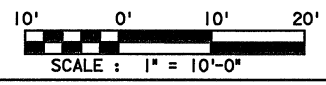


NOTES:

1. 195' MONOPOLE TOWER.
2. MAX. HEIGHT TO BE 199'.
3. TOWER WILL NOT BE LIGHTED.
4. TOWER COORDINATES
LATITUDE: N 37° 47' 46.68"
LONGITUDE: W 78° 22' 32.82"
5. TOWER DESIGN FOR A MINIMUM OF 6 CARRIERS.
6. NO HABITABLE STRUCTURES ALLOWED WITHIN LEASED PREMISES.
7. FACILITY CONSTRUCTION STANDARDS SHALL MEET OR EXCEED APPLICABLE U.S. AND ANSICHEALTH AND SAFETY STANDARDS.
8. NO ADVERTISING SHALL BE ALLOWED ON TOWER OR WITHIN LEASED PREMISES OR WITHIN ACCESS/UTILITY EASEMENT.

| RF MAP | | | | | | |
|------------|-------------------|-----------------|--------------------|----------------|-----------------|---------------------|
| TOWER USER | NUMBER OF ANTENNA | TYPE OF ANTENNA | BOTTOM ANTENNA HT. | ANTENNA LENGTH | TOP ANTENNA HT. | SEPARATION TO ABOVE |
| | | | | | | |
| | | | | | | |
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| | | | | | | |

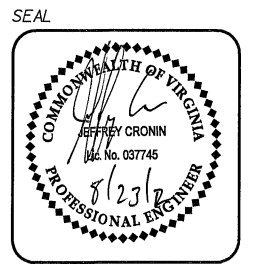
COMPOUND LAYOUT PLAN



TOWER ELEVATION

NOT TO SCALE

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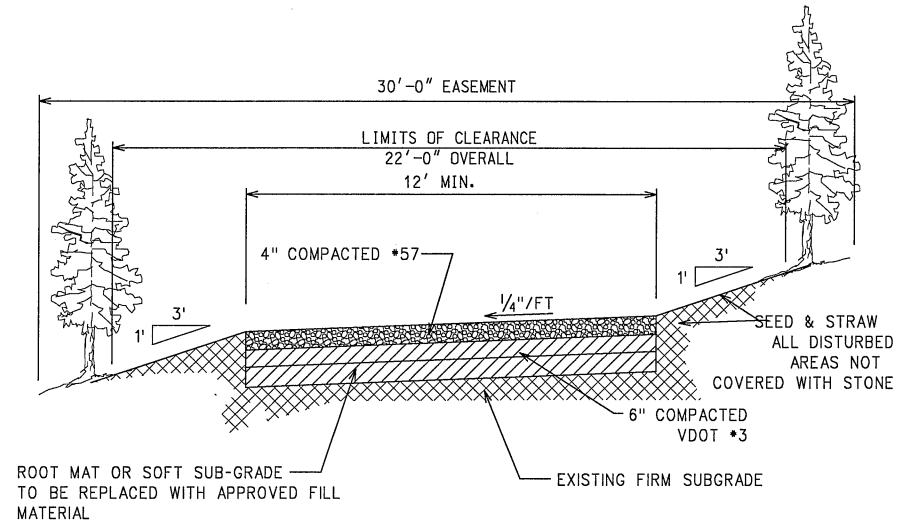
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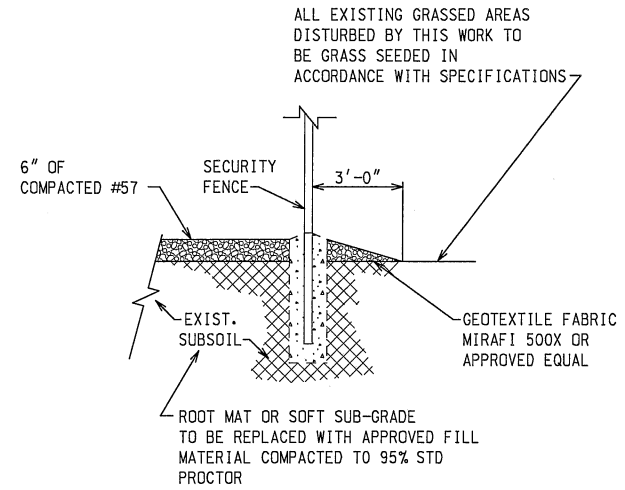
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WEST RIVER ROAD (RTE 6)
FLUVANNA COUNTY CUNNINGHAM DISTRICT VIRGINIA

DATE: 8/23/12
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DRAWN: COT

SHEET TITLE
COMPOUND LAYOUT & TOWER ELEVATION A-3

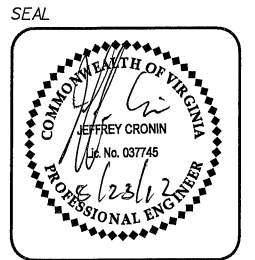


SECTION B-BTHROUGH STONE AGGREGATE ACCESS ROAD
NOT TO SCALE



STONE APRON DETAIL
NOT TO SCALE

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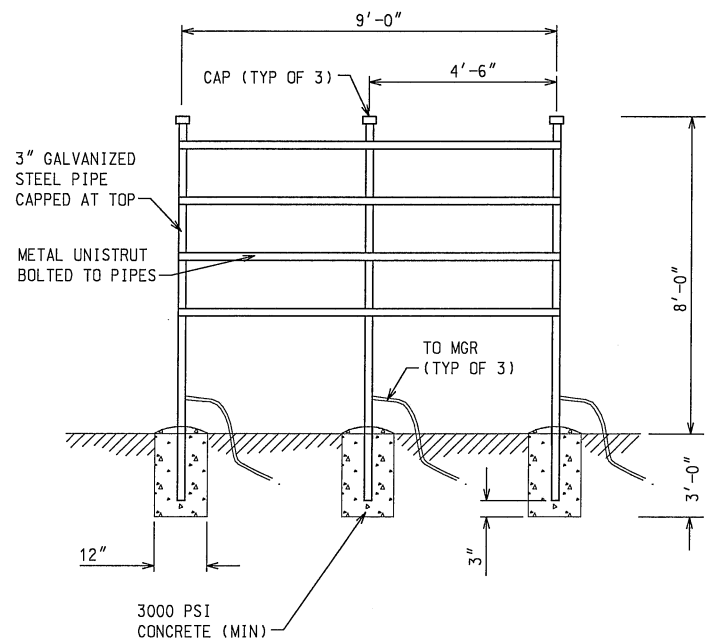
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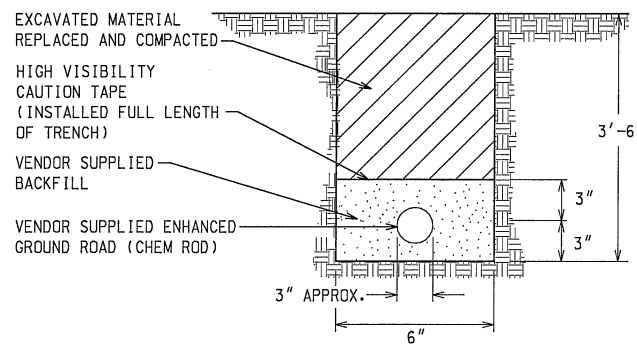
SHEET TITLE

CIVIL NOTES
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 DETAILS
 C-1

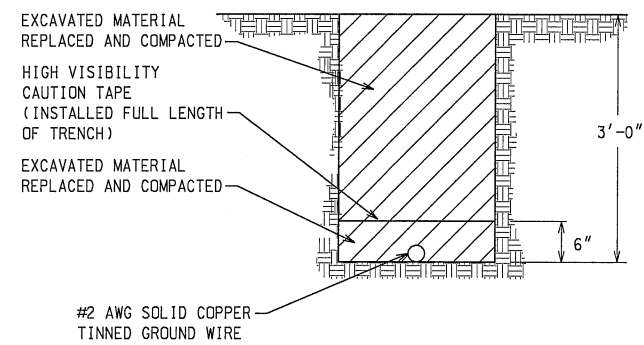


NOTES:
 1. NCT TO COORDINATE WITH TENANTS AND UTILITY COMPANIES FOR SERVICE ATTACHMENTS

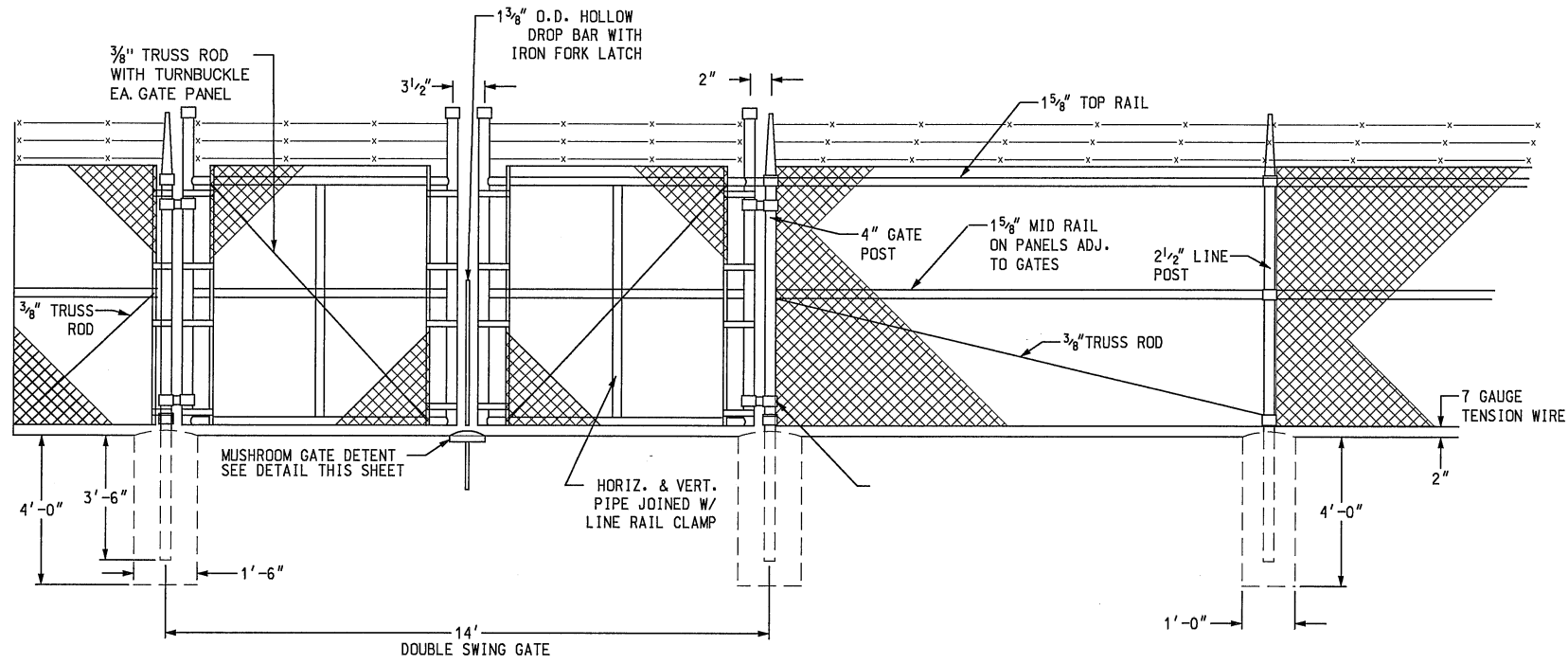
H-FRAME ELEVATION
 NOT TO SCALE



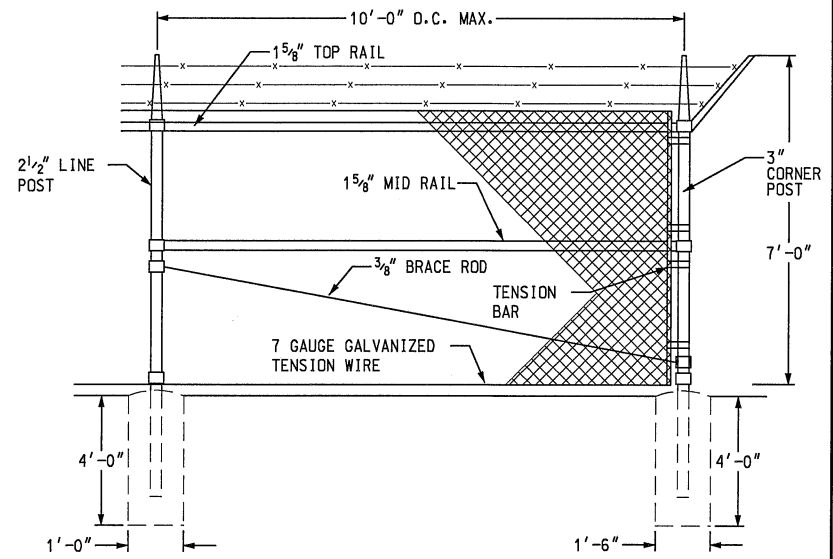
MGR TRENCHING DETAIL- CHEM ROD
 NOT TO SCALE



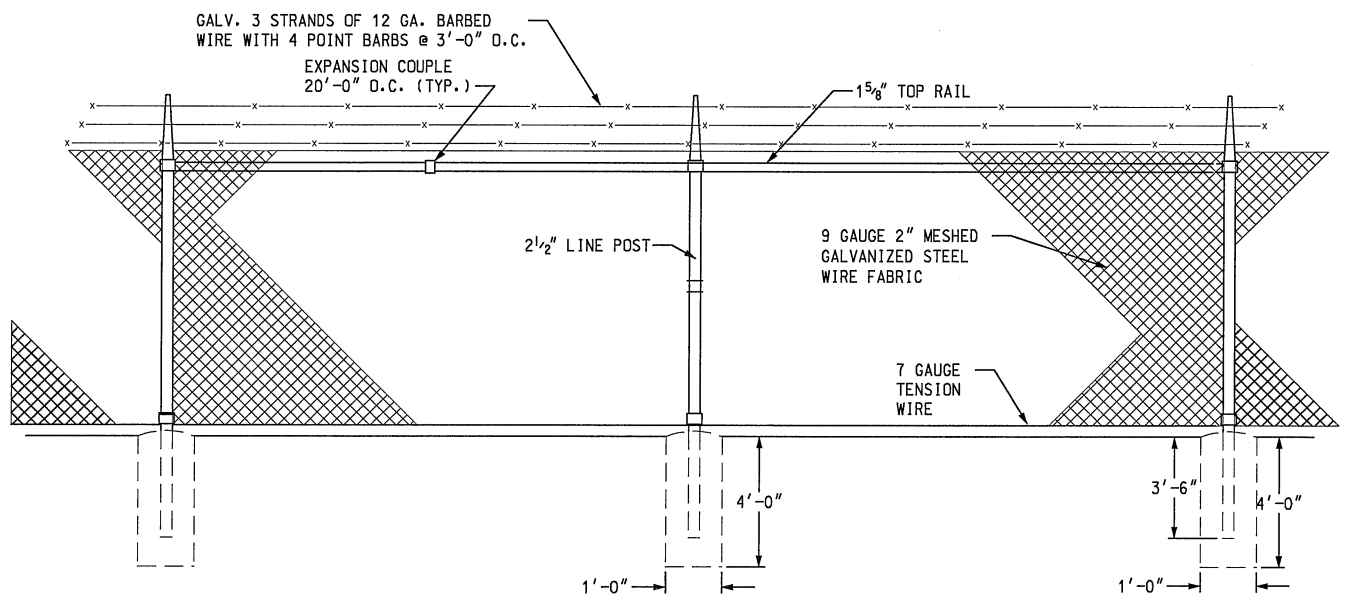
MGR TRENCHING DETAIL- GROUND WIRE
 NOT TO SCALE



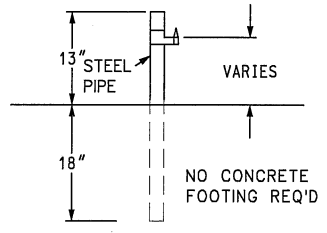
GATES AND ADJACENT PANELS
NOT TO SCALE



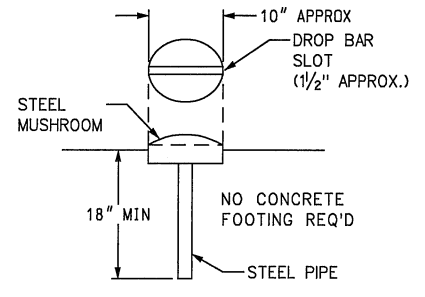
CORNER PANEL
NOT TO SCALE



LINE PANELS
NOT TO SCALE



GATE STOP/KEEPER DETAIL
NOT TO SCALE



MUSHROOM TYPE GATE DETENT DETAIL
NOT TO SCALE

| FENCE MATERIALS SCHEDULE | | | | |
|---------------------------------|-------------|--------------------------|---------------|-------------|
| ITEM | GATE PANELS | PANELS ADJACENT TO GATES | CORNER PANELS | LINE PANELS |
| 1 5/8" SCH. 40 TOP RAIL | X | X | X | X |
| 1 5/8" SCH. 40 MID RAIL | X | X | X | |
| 1 5/8" SCH. 40 BOTTOM RAIL | X | | | |
| 3/8" TRUSS ROD | | X | X | |
| 3/8" TRUSS ROD WITH TURN BUCKLE | X | | | |
| 7 GAUGE TENSION WIRE | | X | X | X |
| POSTS (OD, SCH 40) | | 4" | 3" | 2 1/2" |

- NOTES:
- CONTRACTOR TO PROVIDE PROGRAMABLE COMBINATION LOCK (4 TABS). COMBINATION TO BE SET BY TOWER OWNER
REFERENCES - FEDERAL SPECIFICATIONS/FSC RR-F-191J (7/22/81)
 - A. ASTM A-120 ZINC COATED STEEL PIPE
B. ASTM A-392 ZINC COATED STEEL CHAIN LINK FABRIC
C. ASTM A-780 REPAIR OF HOT DIP GALVANIZED COATINGS
D. ASTM F-552 STANDARD DEFINITION OF TERMS RELATING TO CHAIN LINK FENCES
 - QUALITY ASSURANCE
A. ALL STEEL MATERIALS UTILIZED IN CONJUNCTION WITH THE SPECIFICATION SHALL BE HOT DIP GALVANIZED OR STAINLESS STEEL. WEIGHT OF ZINC COATING ON THE FENCE FABRIC SHALL BE NOT LESS THAN 1.2 OUNCES PER SQ.FT. OF MATERIAL COVERED.
 - CONTRACTOR TO SUPPLY CONCRETE FOR POST FOUNDATIONS
 - ALL RAIL PIPE AND POSTS TO BE SCHEDULE 40
 - GATE STOPS: 1 FOR EACH GATE PANEL, NO CONCRETE FOOTINGS REQUIRED.

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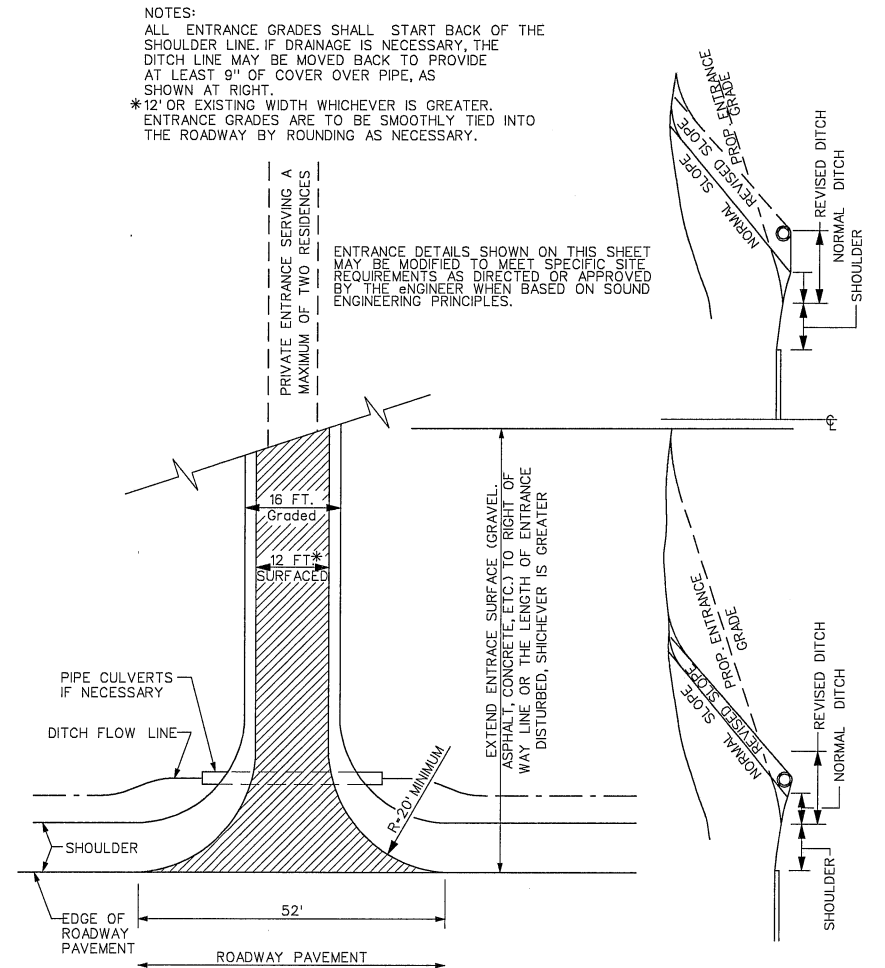
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SHEET TITLE
FENCE NOTES & DETAILS
C-2

VDOT STANDARD GENERAL NOTES
EFFECTIVE DATE January 1, 2007

1. All materials and construction within the public right of way shall be in accordance with current Virginia Department of Transportation's specifications, standards, current work area protection manual, and all applicable location and design instructional and informational memorandums.
2. Land Use Permit (CE-7) must be obtained from the Virginia Department of Transportation prior to beginning any construction within the existing state maintained right of way (including access).
3. VDOT is to receive written notification 48 hours prior to commencing with initial construction activities.
4. Prior to any construction, the contractor shall consult the engineer and verify the approval of the plans by all applicable federal, state and local agencies.
5. Preliminary design of the pavement structure for all subdivision streets shall be in accordance with the current edition of *The Pavement Design Guide for Subdivision and Secondary Roads in Virginia*. The completed design worksheet appendix IV shall be included with the initial plan submittal for each proposed pavement section utilizing the predicted soil support value shown in appendix I of *The Pavement Design Guide*.
6. The contractor shall verify the elevations of all points of connection or proposed work to existing curbs, sanitary lines, water lines, etc., prior to construction.
7. Upon discovery of soils that are unsuitable for foundations, sub-grades, or other roadway construction purposes, the contractor shall immediately contact a geotechnical engineer and VDOT. These areas shall be excavated below plan grade as directed by a geotechnical engineer, backfilled with suitable material and compacted in accordance with current VDOT specifications.
8. All storm sewer design and construction to be in accordance with VDOT I & ILD-94 (D) 121.13.
9. All drainage structures shall be in accordance with current versions of LD-97 (D) 121. Pipe within the right of way shall be a minimum CL-III or greater in accordance with current VDOT standards and specifications.
10. All pre-cast units shall be VDOT approved. Certification and VDOT stamp will be required on all units. Shop drawings, Geotechnical data and soil bearing capacity, and plan view shall be submitted as package for VDOT review and approval.
11. All concrete shall be minimum class A3-AE (air entrained 3,000 PSI).
12. All entrances are to be designed and constructed in accordance with current VDOT standards. Residential lot access shall be provided per the following criteria:
 * All driveway entrance culverts are to be a minimum of 15" diameter x 20' long pipe and shall conform to PE-1 private entrance standards unless otherwise directed by the Resident Engineer. No entrance culverts are to be installed within five (5) feet of a property corner.
 * VDOT standard CG-9D entrances shall be installed in curb and gutter neighborhoods. Inspections to be performed by VDOT shall be requested in writing, 48 hours prior to entrance installation.
13. The developer is responsible for furnishing and installing all signs deemed pertinent to the proposed development. The contractor shall contact VDOT inspection staff to establish locations for any signage requirements as deemed necessary by VDOT. Installation of said signs shall occur at no expense to the state and prior to state acceptance of roadway(s).
14. Design changes, specified materials changes and/or field changes from the approved plans need to be re-submitted to VDOT prior to proceeding with the work. A letter of explanation shall accompany the revised plans and/or drainage calculations, which must be submitted, to VDOT for review and approval by the Resident Engineer.
15. Contractor shall verify location and elevation of all underground utilities shown on plans in areas of construction prior to starting work. Contact engineer immediately if location or elevation is different from that shown on plan. If there appears to be a conflict, and/or upon discovery of any utility not shown on this plan, call Miss Utility at 1-800-552-7001. The developer shall be responsible for the relocation of any utility within existing and/or proposed right of way required by the development.
16. All streetlights shall be located a minimum of 9.5' from the edge of pavement on curb and gutter streets and/or located a minimum of 5.5' behind the ditch line on open ditch streets.
17. Generally, paved roadside ditches are to be specified when velocities exceed current VDOT design criteria or when ditch slopes are less than 0.75%. Where ditch slopes exceed 5.0%, the developer may choose to implement erosion and sediment control measures in an attempt to achieve channel stabilization while acknowledging that additional paved ditch linings may be required prior to acceptance of the roads into the secondary system of state highways. Paved roadside ditches shall conform to VDOT-PG-2A standards and specifications.
18. VDOT and County approval of construction plans does not preclude the right to require additional facilities as deemed necessary for acceptance of the roads into the VDOT Secondary Road System.
19. VDOT approval of site plans will expire five (5) years from the date of the initial approval. VDOT approval of subdivision plans will expire three (3) years from the date of the initial approval.
20. VDOT shall have performed the required field inspection (proof roll) prior to placement of the aggregate base course(s). Contact VDOT, in writing, for subgrade inspection 48 hours prior to scheduling placement of aggregate base course(s).
21. A prime coat seal between the aggregate base and bituminous concrete will be required at a rate of 0.30 gallons per square yard (REC-250 Prime Coat) per VDOT standards and specifications.
22. The scheduling of aggregate base installation and subsequent paving activities shall accommodate forecast weather conditions per Section 315 of *The Road and Bridge Specifications*.
23. VDOT shall have approved all base course(s) for depth, template and performed the required field inspection (visual, proof roll, or additional as determined by VDOT inspector) prior to placement of any surface course(s). Contact VDOT, in writing, for inspection of the base course(s) 48 hours prior to application of the surface course(s).
24. An actual copy of the complete CBR report is to be submitted to VDOT in conjunction with final pavement designs. All pavement design recommendations shall be performed in accordance with the current edition of *The Pavement Design Guide for Subdivision and Secondary Roads in Virginia*.
25. A licensed geotechnical engineer shall ascertain cause and certify recommended method of repair for all pavement structural failures prior to state acceptance.
26. All vegetation and organic materials to be removed from the right of way limits prior to conditioning of the subgrade.
27. Dry gutter is not allowed in VDOT right of way.
28. The developer will be responsible for the design costs of any traffic signal installation and/or modification under an account receivable with VDOT.
29. The necessity and locations for additional VDOT standard underdrains to be determined at time of subgrade inspection.
30. Approval of a detailed construction sequencing/maintenance of traffic narrative for the work zone is a prerequisite for issuance of a Land Use Permit allowing access to and construction within VDOT maintained right-of-way.
31. VDOT shall be provided documentation by a licensed geotechnical engineer, certifying that all in-place pavements meet or exceed the approved pavement design thickness prior to state acceptance. The certifying documentation shall conform to VDOT specifications and the approved plans.
32. The establishment of a temporary vegetative cover is required on all denuded areas that are not to be fine graded for periods longer than 30 days.
33. No structure shall be constructed on state maintained rights of way unless said structures are shown on road construction plans approved by VDOT or covered by a VDOT Land Use Permit (or by a letter of intent from the Resident Engineer to issue said permit at the time of state acceptance).
34. The developer is responsible for contacting the Fredericksburg District Traffic Engineering section at 540-899-4300 for guardrail location and placement requirements.
35. A preconstruction meeting is required prior to undertaking any roadway construction activities. Developer or designee will contact Fredericksburg Residency, in writing, five working days in advance of anticipated construction start to establish date, time and location for preconstruction meeting. The primary function of the construction meeting will be to identify geotechnical parameters of proposed construction activities.
36. Existing pavement markings within state Right of Way are to be eradicated (all eradication scars shall be overlaid with surface mix or slurry seal #4).
 All new striping requires the use of Thermoplastic pavement markings. Contact District Traffic Engineering office at 540-899-4300 ten days prior to proceeding for striping layout.

37. A geotech report shall verify/approve stone depths prior to asphalt placement.
38. All construction debris, materials, dumpsters, etc shall be located outside the roadway prism prior to acceptance of the roads and shall be maintained outside the roadway prism within existing state routes.
39. Any landscaping, identification signs, lighting, etc. that may be indicated within the construction plans shall be for information purposes only. Non-standard items must be approved by separate submittal through the permitting process.



NOTE:
LENGTHS OF CULVERTS SHOWN ON ROAD PLANS FOR ENTRANCES ARE APPROXIMATE AND SHALL BE ADJUSTED TO OBTAIN ABOVE ROADWAY WIDTHS.

STANDARD PRIVATE ENTRANCES

PE-1

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PROJECT NAME

ROCKFISH CREEK SITE

WEST RIVER ROAD
(RTE 6)

FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DATE: 8/23/12

SCALE: AS SHOWN

DESIGNED: J.C.

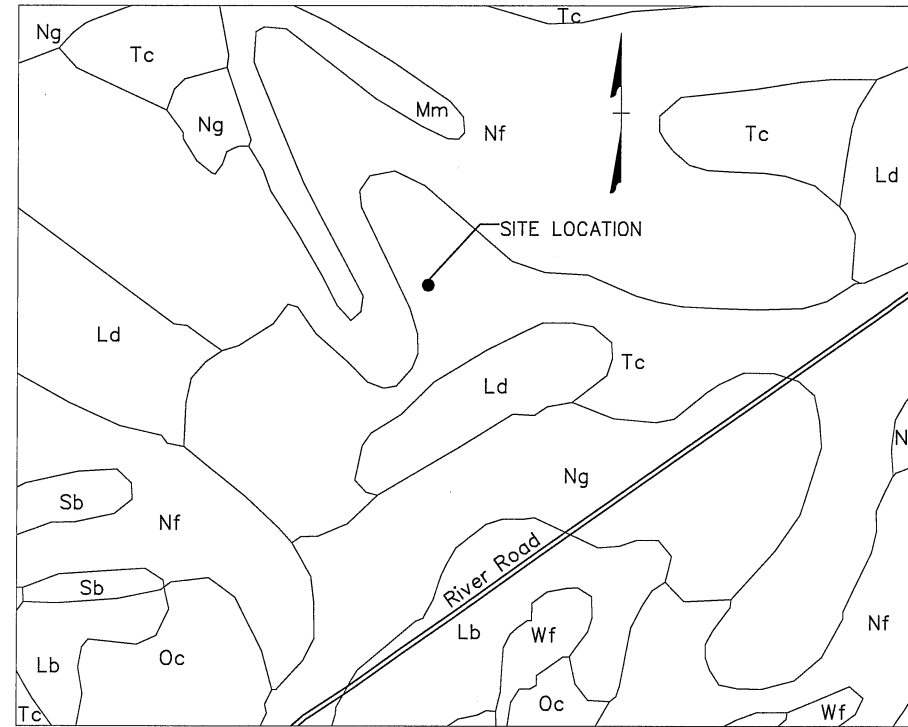
CHECKED: J.C.

DRAWN: COT

SHEET TITLE

ENTRANCE REQUIREMENTS

C-3



FLUVANNA COUNTY VIRGINIA

SOIL TYPE:

- Tc Tatum Silt Loam, Undulating Phase
- Nf Nansum Silt Loam, Rolling Phase
- Ng Nansum Silt Loam, Undulating Phase



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 FLUVANNA COUNTY
 CUNNINGHAM DISTRICT
 VIRGINIA

DATE: 8/23/12

SCALE: AS SHOWN

DESIGNED: J.C.

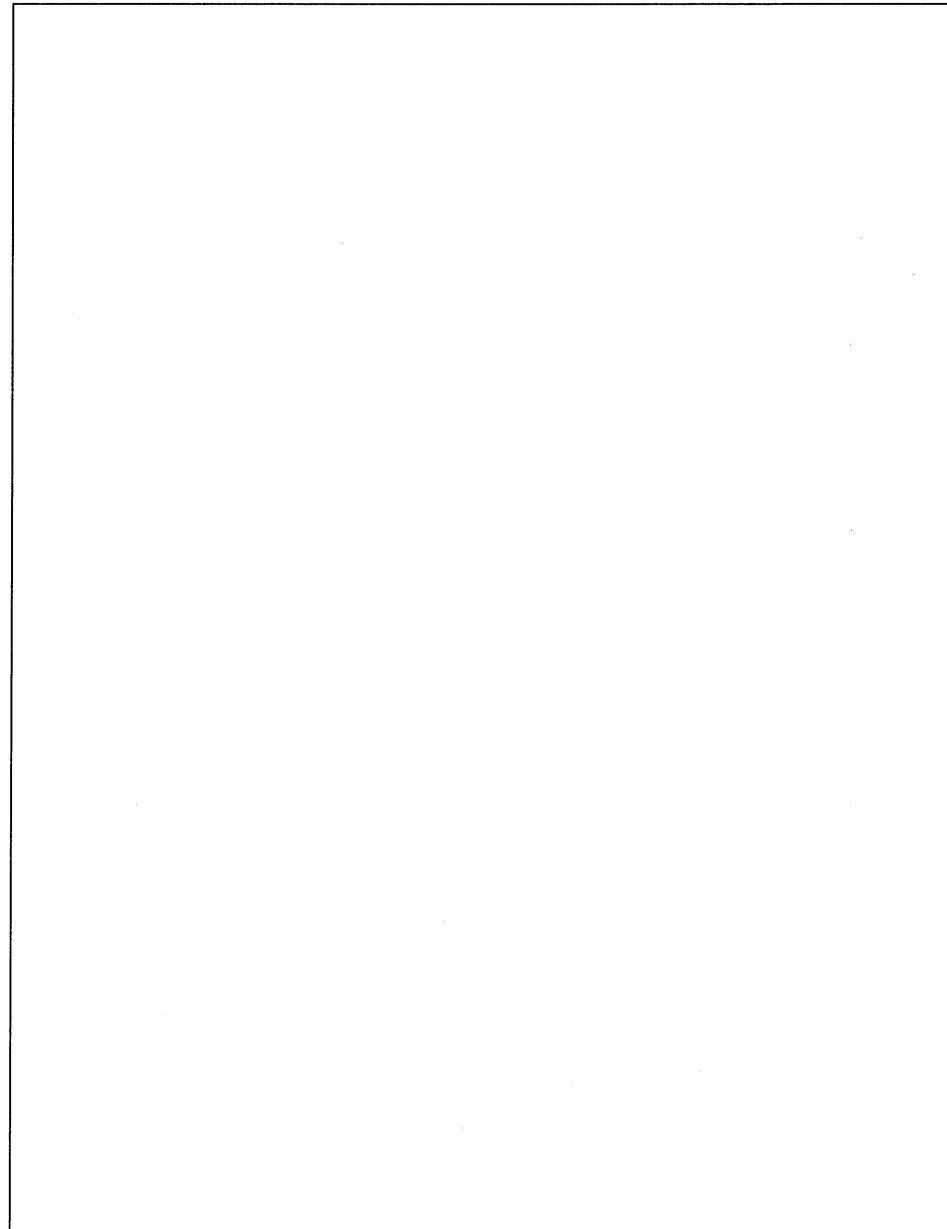
CHECKED: J.C.

DRAWN: COT

SHEET TITLE

SOIL MAP

C-4



JOHNSON, MIRMIRAN & THOMPSON
Engineering A Brighter Future
9201 Arboretum Parkway Suite 140
Richmond, Virginia 23236
Phone (804) 323-9900
Fax (804) 323-0596

SEAL



NATIONAL COMMUNICATION
TOWERS, LLC
5413 PATTERSON AVE, SUITE 101
RICHMOND, VA 23226
804-366-1165

REVISIONS

| NO. | DATE | ISSUE |
|-----|---------|-------|
| 1 | 8/23/12 | |
| | | |
| | | |
| | | |

PROJECT NAME

ROCKFISH CREEK SITE

WEST RIVER ROAD
(RTE 6)

FLUVANNA COUNTY
CUNNINGHAM DISTRICT
VIRGINIA

DATE: 8/23/12

SCALE: AS SHOWN

DESIGNED: J.C.

CHECKED: J.C.

DRAWN: COT

SHEET TITLE

ZONING APPROVAL
&
CONDITIONS

SE-1

APPROVAL AND CONDITIONS

LEGAL DESCRIPTION - 30' Ingress/Egress & Utility Easement

BEGINNING at a point on the northern boundary of the right of way line of State Route No. 6, said point being 121.69 feet West of the intersection of the centerline of Rosewood Drive extended and the northern boundary of the right of way line of State Route No. 6, thence leaving the northern boundary of the right of way line of State Route No. 6 in a northwesterly direction along the centerline of a 30' Ingress/Egress and Utility Easement the following seven (7) courses and distances:

- 1) Along a curve to the left having a radius of 55.85 feet, a delta angle of 62°26'49" and an arc length of 57.90 feet to a point;
- 2) Thence N 89°00'00" W 80.39 feet to a point;
- 3) Thence along a curve to the right having a radius of 150.00 feet, a delta angle of 27°00'00" and an arc length of 70.03 feet to a point;
- 4) Thence N 64°00'00" W 312.23 feet to a point;
- 5) Thence along a curve to the left having a radius of 150.00 feet, a delta angle of 59°29'43" and an arc length of 155.76 feet to a point;
- 6) Thence along a curve to the right having a radius of 150.00 feet, a delta angle of 91°29'43" and an arc length of 239.53 feet to a point;
- 7) Thence N 32°00'00" W 42.29 feet to a point, said point being the terminus of the centerline of the 30' Ingress/Egress and Utility Easement.

LEGAL DESCRIPTION - Lease Parcel

BEGINNING at a point on the northern boundary of the right of way line of State Route No. 6, said point being 121.69 feet West of the intersection of the centerline of Rosewood Drive extended and the northern boundary of the right of way line of State Route No. 6, thence leaving the northern boundary of the right of way line of State Route No. 6 in a northwesterly direction along the centerline of a 30' Ingress/Egress and Utility Easement the following seven (7) courses and distances:

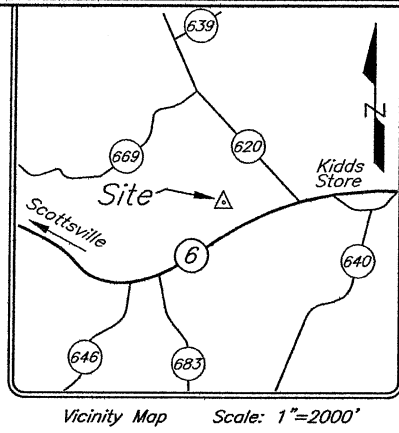
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- 1) S 58°00'00" W 62.50 feet to a point;
- 2) Thence N 32°00'00" W 125.00 feet to a point;
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- 4) Thence S 32°00'00" E 125.00 feet to a point;
- 5) Thence S 58°00'00" W 62.50 feet to a point, said point being the Point and Place of Beginning for the Lease Parcel, containing 0.3587 Acres, more or less.

N/F New Forestry, LLC
Deed Book 370, Page 317
Tax Map #39-A-28

Zoned: A-1

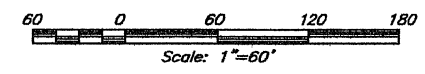


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Zoned: A-1

Legend

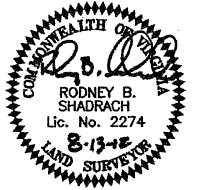
| | |
|----------------------------------|--------------------------------|
| ⊕ Fire Hydrant | ⊠ Vepco Pole |
| ♿ Handicap Parking Spaces | ⊠ Vepco Transformer |
| Ⓜ Painted Parking Spaces (Reg.) | △ Field Survey Traverse Point |
| ⊠ Water Meter | ⊠ Misc Frame Sign |
| ⊠ Water Valve | ⊠ Hand-cap Parking Sign |
| ⊠ Lamp Post (Metal Post w/light) | ⊠ Irrigation Valve |
| ⊠ Drainage Manhole | ⊠ Yard Inlet (Drainage) |
| ⊠ Sanitary Manhole | ⊠ Concrete Surface |
| ⊠ Cable T.V. Pedestal | ⊠ RCP Reinforced Concrete Pipe |
| ⊠ Verizon Telephone Pedestal | ⊠ CMP Corrugated Metal Pipe |
| ⊠ U/G Fiber Optic Marker | ⊠ D.I. Drainage Inlet |
| ⊠ Gas Valve | ⊠ P.O.B. Point of Beginning |

SURVEY PLAT SHOWING
A 30' INGRESS/EGRESS & UTILITY EASEMENT AND A 0.3587 ACRE LEASE PARCEL SITUATED ON THE NORTH LINE OF STATE ROUTE NO. 6 CUNNINGHAM DISTRICT, FLUVANNA COUNTY, VIRGINIA
August 13, 2012



Shadrach & Associates, LLC
LAND SURVEYING
430 Southlake Blvd., Suite 10-B • Richmond, Virginia 23236
Phone: (804)379-9300 • Fax: (804)379-9301

I hereby certify that this boundary survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.



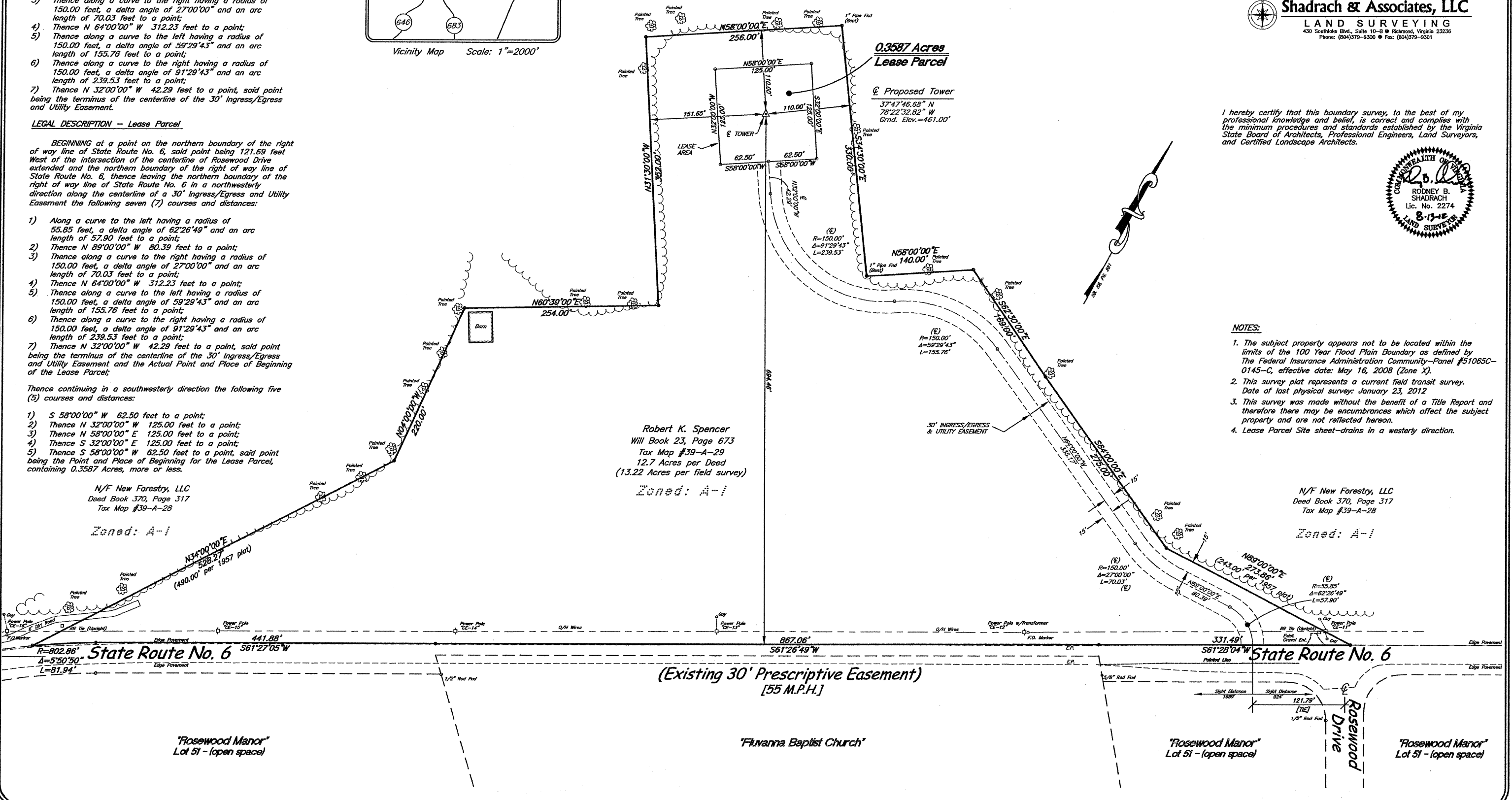
NOTES:

1. The subject property appears not to be located within the limits of the 100 Year Flood Plain Boundary as defined by The Federal Insurance Administration Community-Panel #51065C-0145-C, effective date: May 16, 2008 (Zone X).
2. This survey plat represents a current field transit survey. Date of last physical survey: January 23, 2012
3. This survey was made without the benefit of a Title Report and therefore there may be encumbrances which affect the subject property and are not reflected hereon.
4. Lease Parcel Site sheet-drains in a westerly direction.

Robert K. Spencer
Will Book 23, Page 673
Tax Map #39-A-29
12.7 Acres per Deed
(13.22 Acres per field survey)
Zoned: A-1

N/F New Forestry, LLC
Deed Book 370, Page 317
Tax Map #39-A-28

Zoned: A-1



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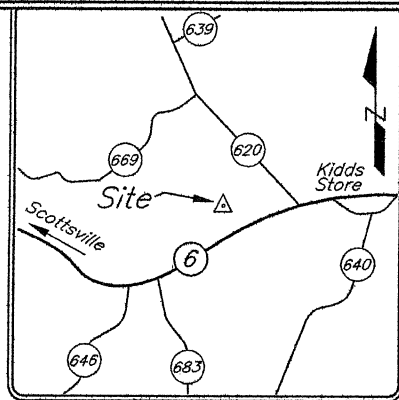
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N/F New Forestry, LLC
Deed Book 370, Page 317
Tax Map #39-A-28

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Vicinity Map Scale: 1"=2000'

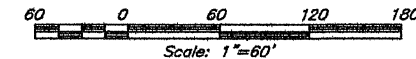
N/F New Forestry, LLC
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Tax Map #39-A-28

Zoned: A-1

Legend

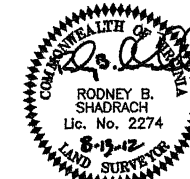
- ◆ Fire Hydrant
- Handicap Parking Spaces
- Ⓜ Painted Parking Spaces (Reg.)
- ⊕ Water Meter
- ⊕ Water Valve
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AUGUST 13, 2012



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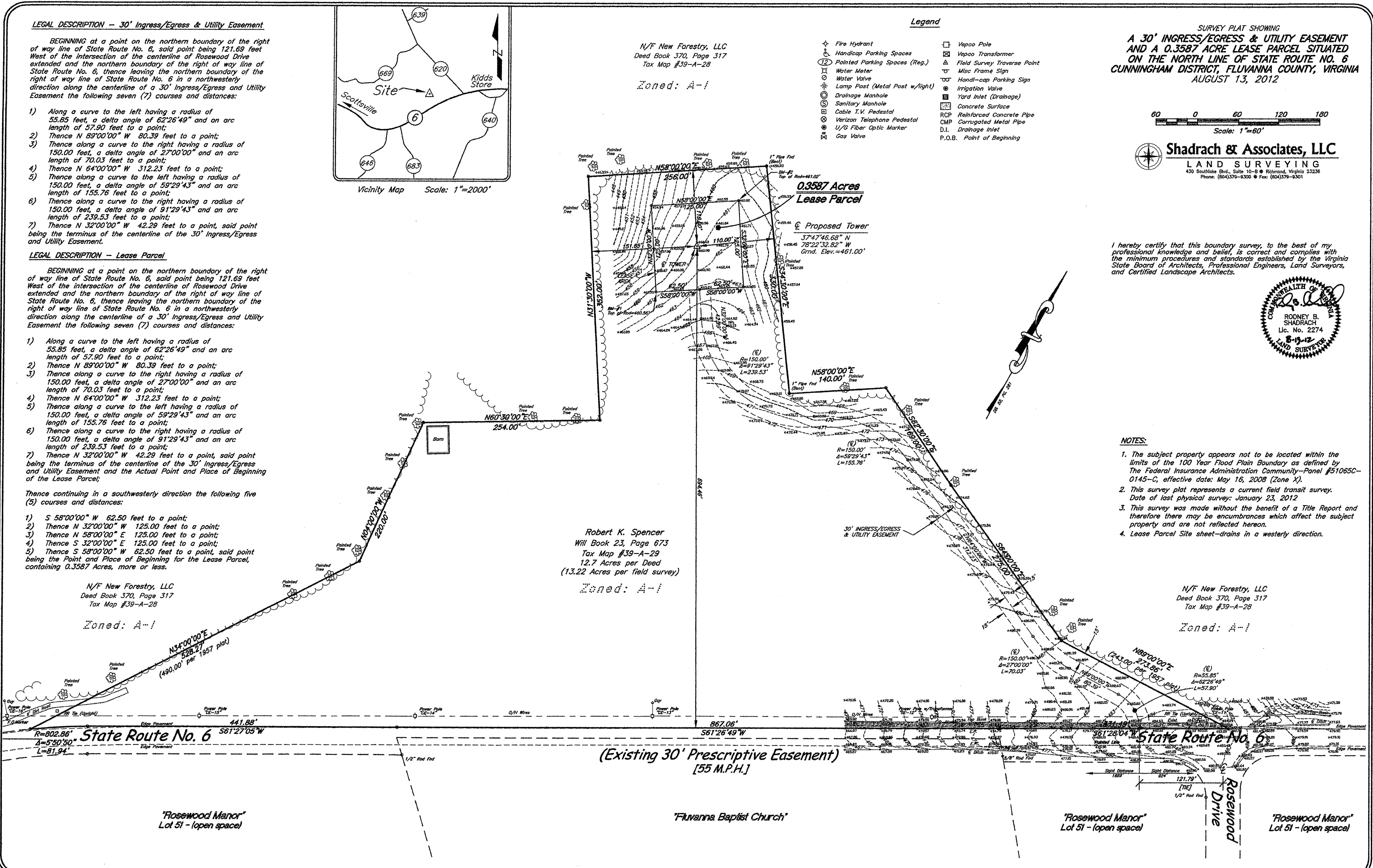
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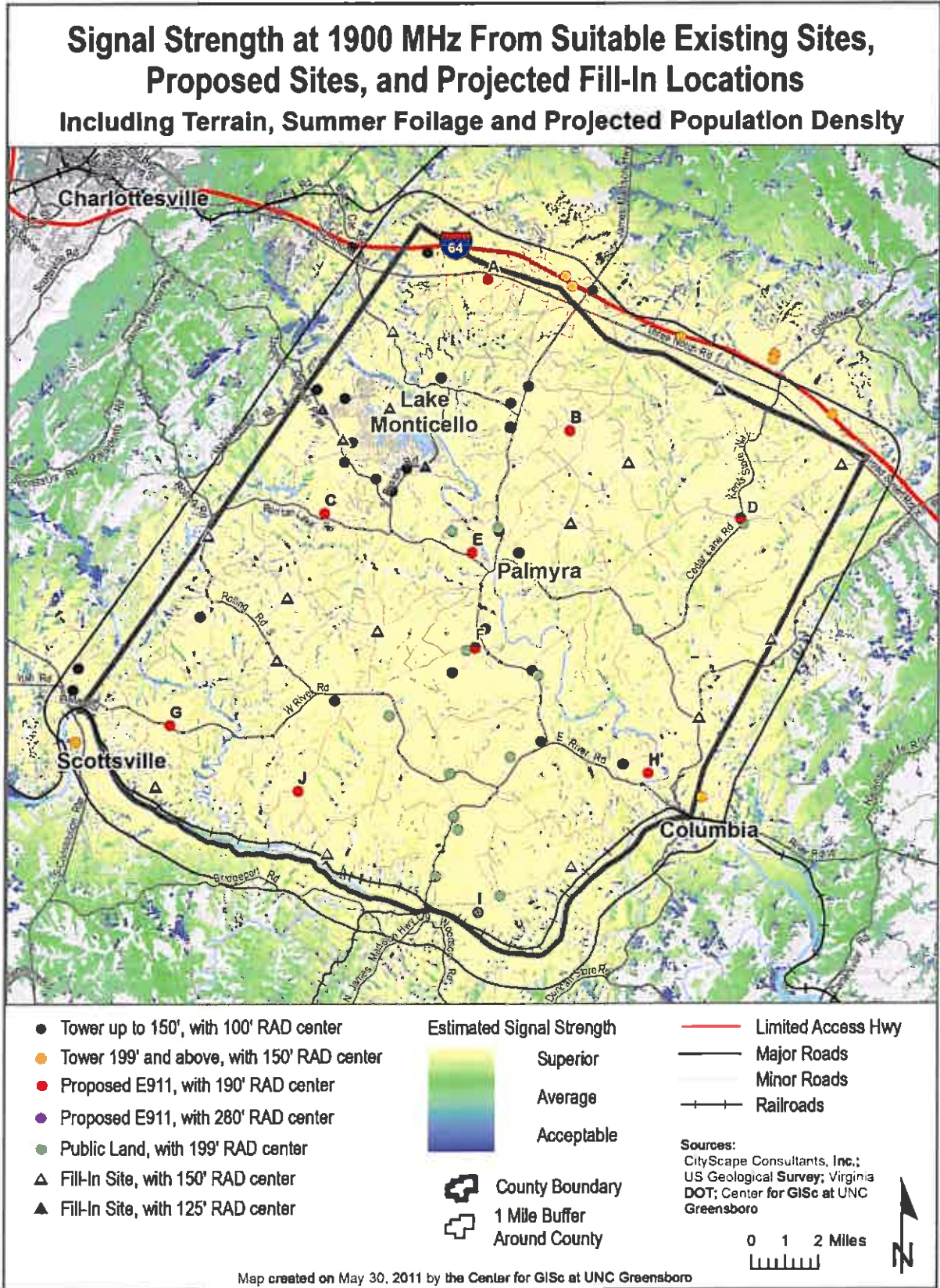


Figure 40: Projected new infrastructure infill sites



FLUVANNA COUNTY, VA

**TECHNICAL REVIEW
SPECIAL USE PERMIT
ZUP 19:01**

**PROPOSED
199-ft WIRELESS TELECOMMUNICATIONS FACILITY**

NATIONAL COMMUNICATION TOWERS, LLC

Site Name: Rockfish Creek

At

**West River Road (Route 6)
Scottsville, VA 24590**

Submitted by:

ATLANTIC TECHNOLOGY CONSULTANTS, INC.

A Member of The Atlantic Group of Companies, Inc.

ATC PROJECT #: 1151-21

March 7, 2019



THE ATLANTIC GROUP
OF COMPANIES INC.

EXECUTIVE SUMMARY

National Communication Towers LLC (NCT) has made application to the County for the issuance of a Special Use Permit to allow construction of a new 199-ft Lattice SSV telecommunications support tower on property located off of Route 6 owned by Ernest and Rose Butler of 15 Lantre Lane, Scottsville, VA 24590. The exact location is 37-47-48.7 N & 078-22-32.6 W

NCT has a commitment from AT&T Wireless. This tower will provide vertical space for both Licensed and Unlicensed Broadband Service providers and Licensed Land mobile Radio carriers such as AT&T.

RECOMMENDATIONS


This request for approval to construct a Lattice SSV tower with lightning rod for an overall height of 199' AGL as proposed represents an appreciable intent on the part of the Applicant to conform to all applicable federal, state, and local regulations, accepted industry practices, and specific County ordinances regarding construction of new telecommunications towers.

The consultant recommends:

1. Completion of the NEPA Report with review comments from the Virginia Department of Environmental Quality prior to the issuance of a Building Permit.
2. The Applicant should submit the Phase 1 Cultural Resource Survey to The Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit.

If these recommendations are agreed upon by the Applicant, the consultant will request the County approve the Application/Request for issuance of a Special Use Permit to allow construction of this site.

This report outlines the specific areas of evaluation with respect to this proposal, and details this consultant's analysis and recommendations regarding the site plans and proposal as presented.



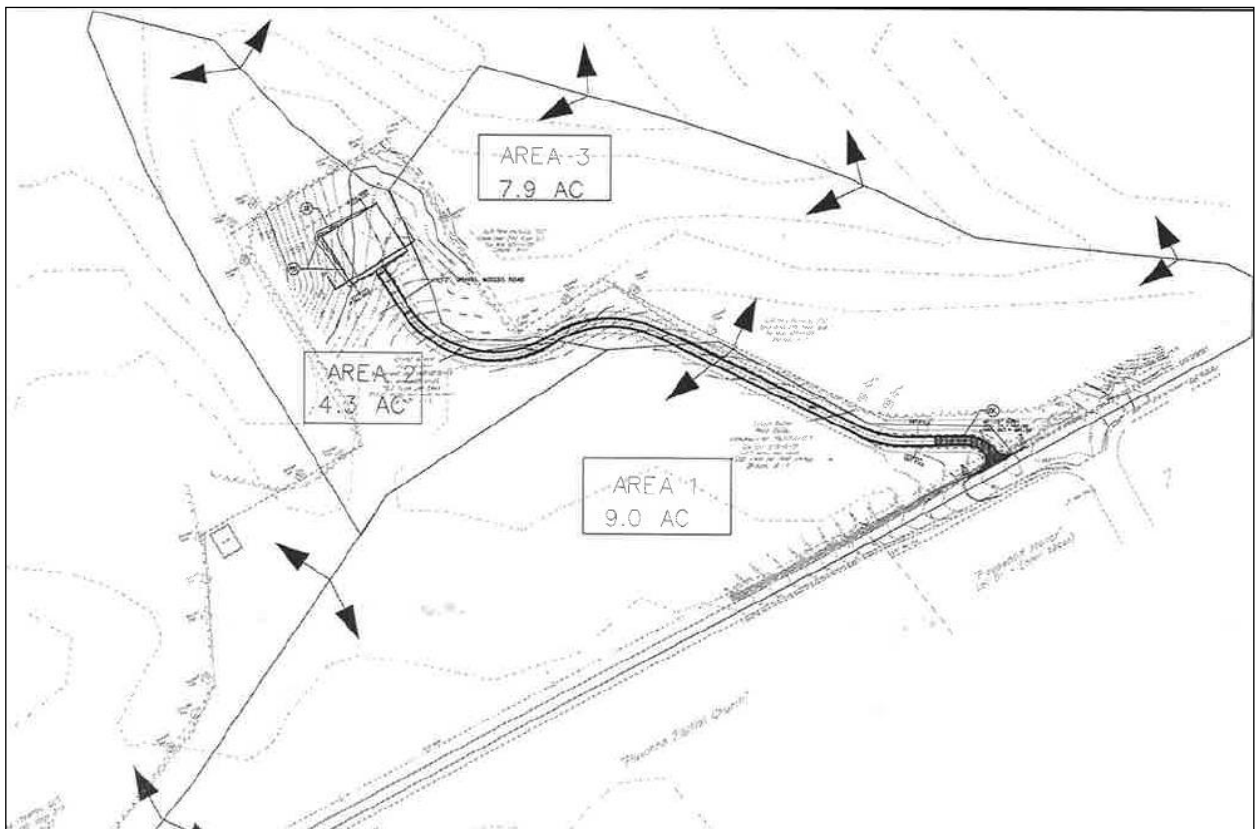
George N. Condyles, IV
President and COO
Atlantic Technology Consultants, Inc.

1.0 TECHNICAL

1.1 Siting

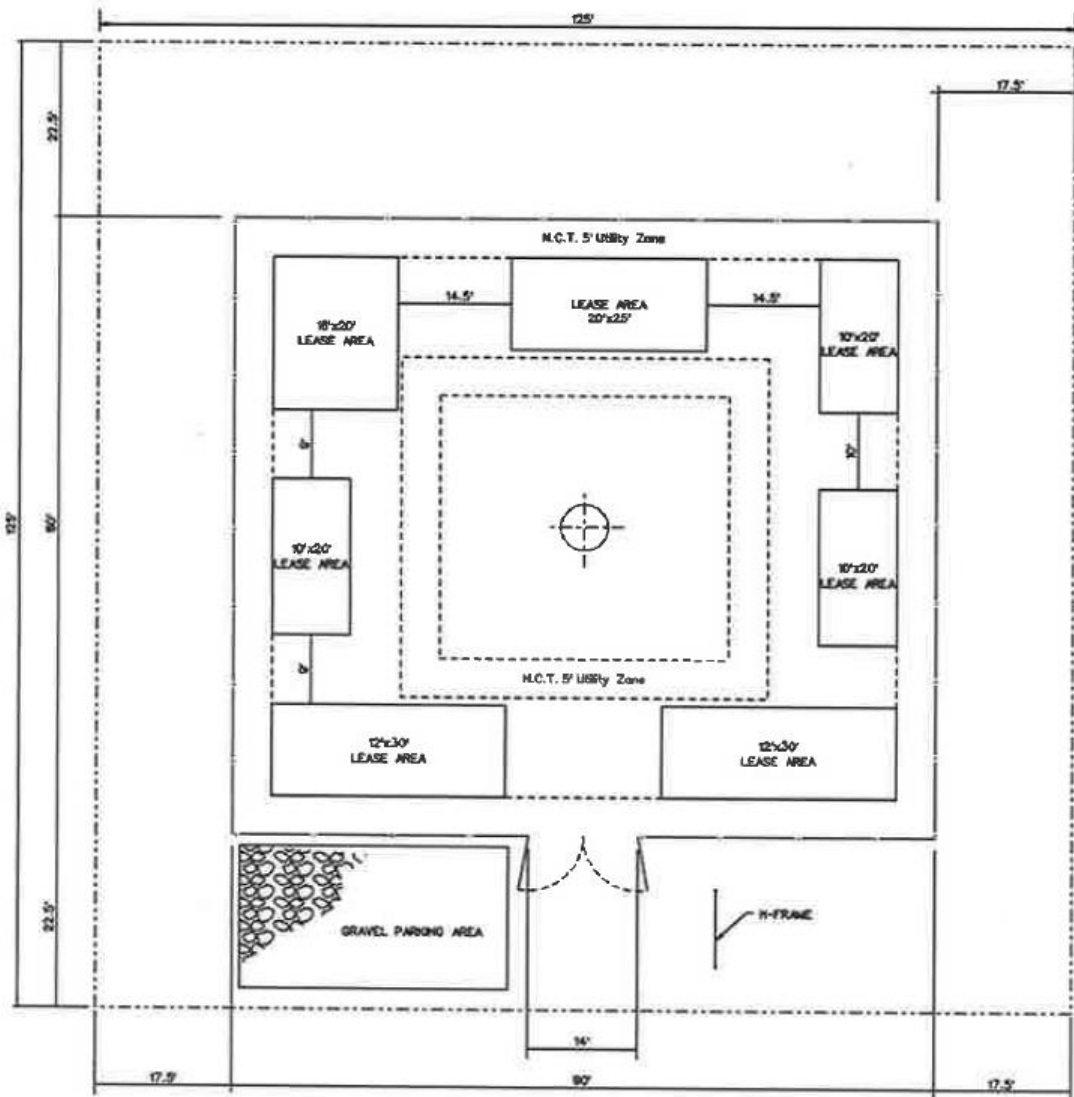
The proposed tower site is a 15,625 s.f. lease area of unimproved open and forested farm land situated within a 12.7 acre parent parcel owned by Ernest and Rose Butler of 15 Lantre Lane, Scottsville, VA.

The proposed project Site Plans were prepared by the firm of JMT Engineers of Richmond, VA, by Project Engineer Mr. Jeffrey Cronin, P.E. on January 11, 2019.



The proposed tower is a lattice SSV tower with a lightning rod at a total of 199-ft to be placed within a 90'x 80' fenced compound. (See Site Plan below)

The site will be accessed from Rt. 6, West River Road.



The center of the proposed tower is located at coordinates 37° 47' 48.7" N and 78° 22' 32.6" W (NAD 83). The parcel is zoned: A-1 (Agricultural) on Tax Map # 39-A-29.

1.2 Topography

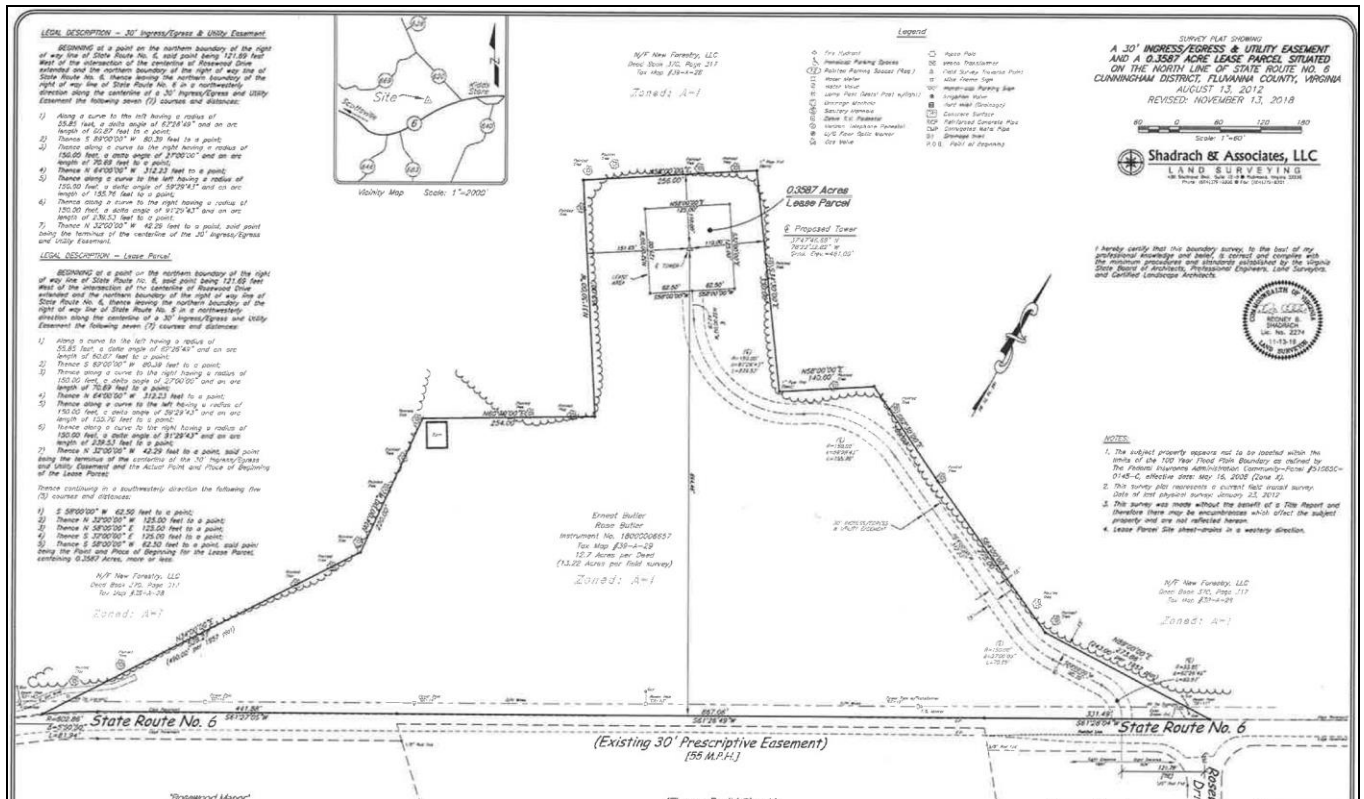
The topography of this site is relatively flat. The ground elevation for the proposed tower is 461' above sea level. The tower is proposed at an overall height of 199'. Combining the Ground elevation of 461' + 199' would give an Average Mean Above Sea Level of 660' AMSL.

The Consultant has reviewed the information supplied and concurs to the height of the tower as conditions relative to the topography.

Site placement is in an open field at the center of the property. The access to the site is through a proposed gravel road that is shielded by pine and hardwood trees. The existing tree canopy is between 40 and 70 feet to the north, east and west. The South side will be exposed to the open field.

1.3 Setbacks

The proposed site is over 545' from the nearest primary road, Rt.6 West River Road, to the south. All property line setbacks required for this area have been observed in the drawing (2 of 2) of the enclosed site survey performed by Shadrach and Associates, LLC, including those with respect to nearby residences and adjacent property lines.



As noted in the application package the proposed tower is approximately 112' feet from the nearest adjacent property line which is in compliance with the County's setback requirements.

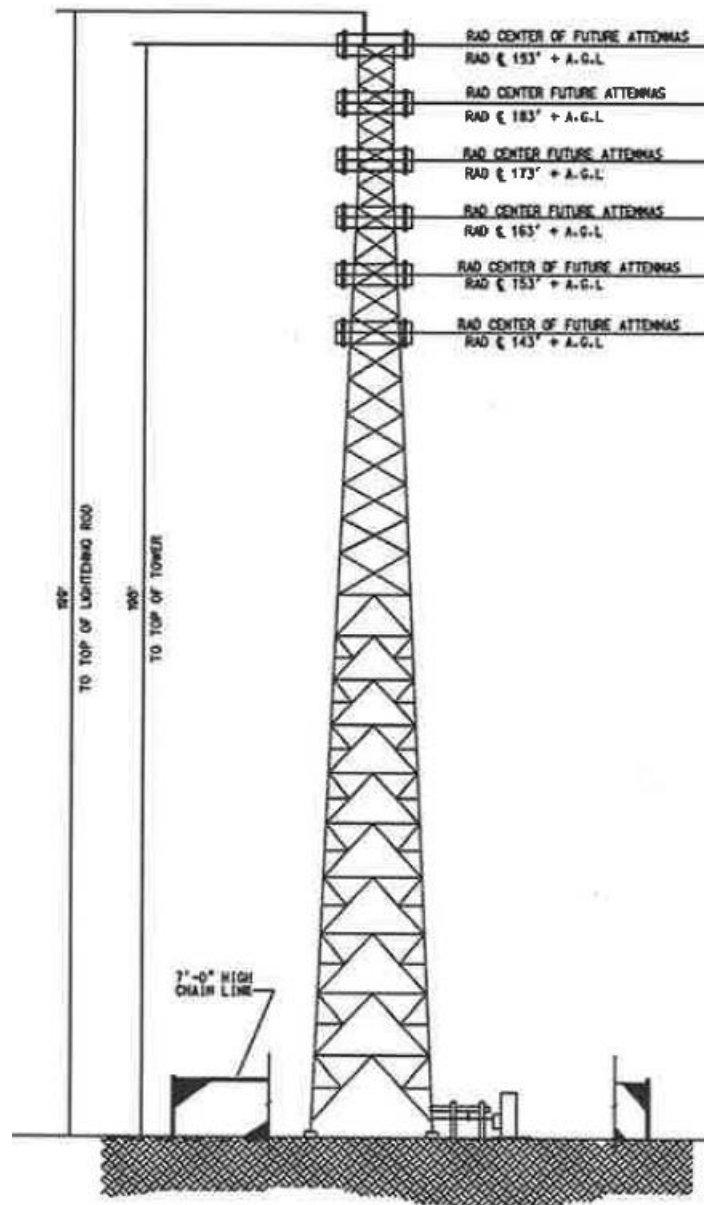


The Consultant believes with the height of the trees and the close proximity of the trees to Rt. 6, there will be an extremely limited view of the proposed tower.



1.4 Co-Location

While co-location is preferable to construction of a new site, with such co-location minimizing visual impact of telecommunications equipment on the surrounding area, no additional sites are available in the area which would meet the Applicant's coverage objectives.



The Applicant has submitted a map of existing tower sites within a 5-mile radius of the proposed tower site. (See Map below)

The Applicant, NCT, is placing a structure in an area where no other structure is suitable (by height or location) for co-location of wireless radio antennas.

The consultant concurs with this assessment.

Letter of Intent

In addition, a letter of intent has been submitted by AT&T. The report includes maps which demonstrate the lack of coverage along that portion of Rt. 6 Kidd's Store area, and the surrounding areas where the Applicant proposes to build the new 199' Lattice SSV tower.

The Applicant has considered the existing towers located within the 5-mile radius for co-location, but has determined none of the towers would satisfy their coverage needs or they are currently co-located on the tower.

ATC concurs that there is no potential of co-location on existing structures.

This site is a "fill in" site and a major site within the overall scheme of the new AT&T network.

The construction of the facility as proposed will verifiably meet the stated coverage objectives of the Applicant. The application makes detailed reference to all applicable points of consideration regarding County preference for co-location of equipment on existing structures versus new tower construction and clearly demonstrates how new construction of this site is the only viable way of achieving the desired system coverage goals.

1.5 Structural

The proposed 199' Lattice SSV tower design is of high strength steel, and represents a highly stable structural design not known by this consultant to have failed at any installation in this region. This structure, as proposed, is well within compliance of EIA/TIA-222-G guidelines for structures mandated ability to withstand the structural loading of all appurtenances, plus additional wind and ice loading.

This tower structure, as proposed, would allow room for future co-location of at least six (6) wireless Land Mobile Radio carriers as well as at least 4 more WiSPs at the same site, minimizing the number of towers needed for all wireless telecommunications carriers to eventually optimize service in this area.

Furthermore, in conformance with County, work at this site will remain in compliance with ALL federal, state, and local building codes and regulations if work proceeds as outlined in the application. The applicant's proposal includes site plans representing a soundly engineered design conforming to industry standards.

1.6 RF Exposure

FCC bulletin OET-65 provides guidance for a licensee proposing to construct a telecommunications support structure in calculation of RF exposure limitations, including analysis of the cumulative effect of all transmitters on the structure. Appropriate steps, including warning signage at the site, will be taken to protect both the general public and site workers from unsafe RF exposure in accordance with federal guidelines.

NCT has agreed to be in compliance with all FCC requirements.

The consultant sees no evidence of unsafe RF exposure levels being generated at this site if it were to proceed as proposed.

RF site exposure warning signage placement is appropriately planned for this site.

1.7 Grounding

Grounding of all structures and equipment at an RF site is critically important to the safety of both personnel and equipment at the site. Even a single component not meeting this standard places all other site components at risk for substantial damage. All structures and equipment at the site should maintain a ground potential difference of less than 5 ohms. If construction proceeds as proposed, all structures and equipment shall be appropriately grounded and any obvious grounding deficiencies rectified for safety purposes and minimizing the potential for a situation to occur requiring mitigation.

These concerns will be addressed when Construction Drawings are submitted for a Building Permit. The Consultant recommends that the NEC and Virginia Statewide Building Code will define the requirements

1.8 General Safety

This site compound will be surrounded by suitable 90'x 80' 8-ft high chain linked fence with barbed wire to prevent unauthorized access to the tower site, as clearly indicated in the proposed site plans. Additional safety measures to be placed at this site should include:

- RF exposure warning signage
- Site identification information
- Routine and Emergency contact information
- No Trespassing signs

Furthermore, OSHA-approved style of fall prevention cable and an anti-climbing device shall be installed.

1.9 Interference

An interference study, taking into account all proximally located transmitters and receivers known to be active in the area are advisable prior to any new tower construction.

The Applicant, NCT, has agreed to the requirements of monitoring and resolving any radio interference that may be attributed to this structure if any interference would occur.

Practically speaking this consultant sees no evidence of interference by or with this site after a general evaluation of the surrounding transmitter sites.

Should any interference issues be posed with respect to this site, mitigation would nevertheless remain the responsibility of the FCC License Owner and affected carrier(s), and would be regulated by the Federal Communication Commission and/or the Federal Aviation Administration, having no effect or burden on the County.

2.0 PROCEDURAL

2.1 FAA Study

A full FAA Study to determine potential Air Hazard requirements was not required for this tower because of the TOWAIR Report below stating there is no Air Hazard for this Application.

This site will not require lighting.

Page 1 of 1

TOWAIR Search Results

TOWAIR Determination Results

***** NOTICE *****

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates

| | |
|-----------|------------------|
| Latitude | 37-47-48.7 north |
| Longitude | 078-22-32.6 west |

Measurements (Meters)

| | |
|--------------------------------|-------|
| Overall Structure Height (AGL) | 60.7 |
| Support Structure Height (AGL) | 59.4 |
| Site Elevation (AMSL) | 140.5 |

Structure Type

LTOWER - Lattice Tower

[Tower Construction Notifications](#)
Notify Tribes and Historic Preservation Officers of your plans to build a tower.

[CLOSE WINDOW](#)

2.2 FCC Antenna Site Registration

This site will not require registration with the Federal Communications Commission (FCC).

ASR Registration Search

Registration Search Results

Displayed Results PA = Pending Application(s)

Specified Search
Latitude='37-47-48.7 N', Longitude='078-22-32.6 W', Radius=8 Kilometers

| Registration Number | Status | File Number | Owner Name | Latitude/Longitude | Structure City/State | Overall Height Above Ground (AGL) |
|---------------------|-------------|-------------|---|-----------------------------|----------------------|-----------------------------------|
| 1 1017471 | Terminated | A0624048 | Alltel Communications of Virginia, Inc. | 37-48-47.0N 078-17-14.6W | PALMYRA, VA | 38.1 |
| 2 1277628 | Constructed | A1091700 | NATIONAL COMMUNICATIONS TOWERS, LLC | 37-47-31.7N 078-26-44.9W | Scottsville, VA | 81.4 |
| 3 1282070 | Granted | A1091707 | NATIONAL COMMUNICATIONS TOWERS, LLC | 37-47-46.7N 078-22-34.1W | SCOTTSVILLE, VA | 60.7 |
| 4 1287710 | Constructed | A0980869 | SBA Towers IX, LLC | 37-46-41.6N 078-19-15.1W | Palmyra, VA | 60.7 |
| 5 1302023 | Constructed | A1102469 | Fluvanna County | 37-47-47.1N 078-19-12.4W | Palmyra, VA | 76.2 |

[CLOSE WINDOW](#)

2.3 Environmental Impacts

The National Environmental Policy Act of 1969 (NEPA), delineated in Title 47 of the Code of Federal Regulations, Part 1, Subpart I, sections 1.1301-1.1319, requires federal agencies to incorporate environmental considerations into their decision-making process when evaluating new construction proposals. As a licensing agency, the Federal Communication Commission (FCC) requires all licensees to consider the potential environmental effects from their construction of antenna support structures, and to disclose those effects in an Environmental Assessment (EA) that must be filed with the FCC for review.

The Applicant has not submitted a NEPA Review. This should be done by the Licensed FCC wireless provider prior to issuance of a Building Permit.

The Consultant has made a visit to the site and sees “no impact” with respect to this proposed tower site.

2.4 Historic Impacts

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires that State Historic Preservation Offices (SHPO) and the President's Advisory Council on Historic Preservation be given a reasonable opportunity to comment on all undertakings with the potential to affect historic properties. Prior to construction, the licensee is required to submit to the SHPO a detailed description of the project, a listing of local historic resources, and a discussion of any measures being undertaken to mitigate impacts (if any) on historic resources. Upon receipt, the SHPO has thirty (30) days to review and respond to those submissions. All agencies with authority to permit construction are required to consider the SHPO response in its decision making process with respect to new construction applications.

The Applicant has not submitted a Phase 1 Cultural Resource Survey.

The Applicant should submit the Phase 1 Cultural Resource Survey to the Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit.

3.0 RECOMMENDATIONS

This request for approval to construct a 199-ft Lattice SSV tower as proposed represents an appreciable intent on the part of the Applicant to conform to all applicable federal, state, and local regulations, accepted industry practices, and specific County ordinances regarding construction of new telecommunications towers.

The design presented represents sound engineering and an effort to select a site of minimal visual impact to the surrounding area.


The Consultant recommends:

1. Completion of the NEPA Report with review comments from the Virginia Department of Environmental Quality.
2. The Applicant should submit the Phase 1 Cultural Resource Survey to the Commonwealth of Virginia Department of Historic Resources and receive comments prior to issuance of the Building Permit.

If these recommendations are agreed upon by the Applicant, the consultant will request the County approve the Application/Request for issuance of a Special Use Permit to allow construction of this site.

In closing, this consultant remains available to address any comments or questions which may arise following review of this report. Any interested party with such comments or questions may feel free to contact this firm, which remains committed to delivering independent, objective, unbiased, and thorough consulting services.

Respectfully submitted,



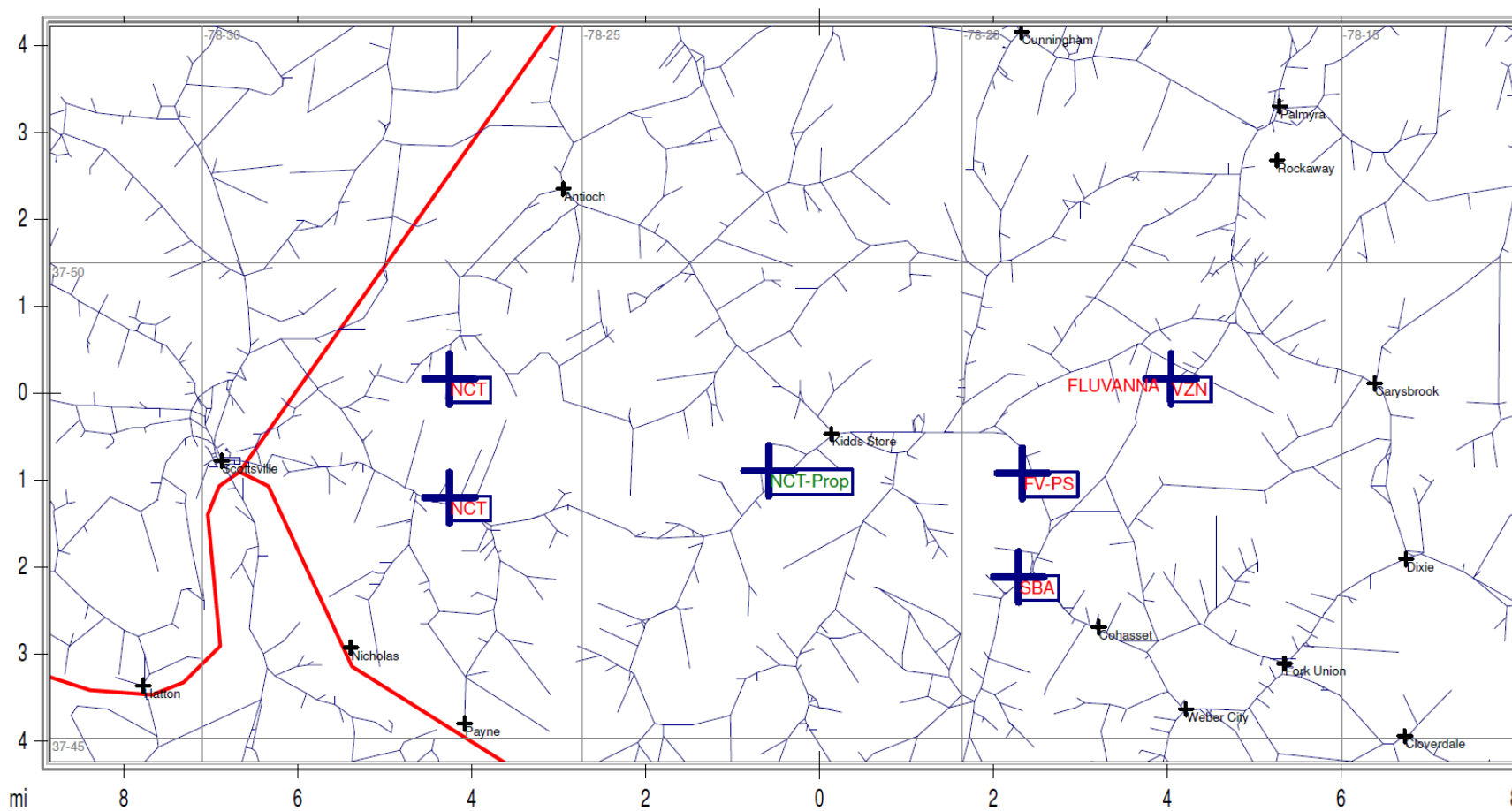
George N. Condyles, IV, CPM
President



Fiber Optic Cable –North side of Route 6



Fluvanna Baptist Church- Directly across the street



Communications Towers within 5 Miles



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SUP 19:02
Tax Map: Tax Map 29, Section A, Parcel 89

From: Holly Steele
District: Fork Union
Date: March 12, 2019

General Information: This request is to be heard by the Planning Commission on Tuesday, March 12, 2019 at 7:00 p.m. in the Circuit Court Room of the Fluvanna County Courthouse.

Owner/Applicant: Amy and Stephen Beyer

Representative: Amy and Stephen Beyer

Requested Action: Request for a Special Use Permit to convert an existing building on the property into a low-volume medical clinic, with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89. (Attachment A)

Location: The property is located off of Thomas Jefferson Pkwy. (State Route 53), approximately 500 feet west of the intersection with Stage Coach Hills Rd (State Route 1010). The parcel is zoned A-1 Agricultural, General and located within the Rural Residential Planning Area and the Fork Union Election District. (Attachment B)

Existing Zoning: A-1, Agricultural General (Attachment C)

Existing Land Use: Dwelling

Planning Area: Rural Residential Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1 and R-1

Zoning History: Previous SUP 13:05 was approved 5-0-0 by the Planning Commission on October 23, 2013, subject to 8 conditions. The same SUP was approved 5-0-0 by the Board of Supervisors on November 20, 2013 subject to the same 8 conditions.

Previous SUP 13:05

This was a request for a special use permit to operate a commercial greenhouse and florist with respect to 3.581 acres of Tax Map 29, Section A, Parcel 89. SUP 13:05 was approved 5-0-0 by the Planning Commission on October 23, 2013, subject to eight (8) conditions. SUP 13:05 was approved 5-0-0 by the Board of Supervisors on November 20, 2013 subject to the same eight (8) conditions.

The previous SUP was to convert an existing 36 x 36 barn on the property into a florist and then another smaller 10 x 10 building on the property into a greenhouse. The applicants of the current SUP 19:02 are proposing to operate the low-volume medical clinic in the building that was previously used for the floristry business.

(Attachment D)

Previous SUP 13:05 Conditions

From the Board of Supervisors Action Letter, dated November 22, 2013:

*“Please accept this letter as notification of the action taken on November 20, 2013 by the Board of Supervisors in regards to SUP 13:05. The request for a Special Use Permit to operate a commercial greenhouse and florist was **approved 5-0** with the following eight (8) conditions:*

- 1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.*
- 2. The site must meet all Virginia Department of Transportation requirements.*
- 3. The site must meet the requirements set forth by the Virginia Department of Health.*
- 4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.*
- 5. Hours of operation shall be between 8:00 am and 6:00 pm Monday through Saturday.*
- 6. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.*
- 7. All outdoor storage of materials shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the zoning ordinance.*
- 8. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.”*

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rural Residential Planning Area. According to this chapter:

“Rural residential areas are linked to the rural cluster community element and general surround the six community planning areas. Rural residential areas conserve open space by clustering development or developing on larger lots. Projects should achieve the goal of preserving as

much open space, and thus rural character, as possible. The open space should be strategically located to preserve viewsheds from roads and existing developments, and to be used by the residents of the planned community. Some mixed-use development may be possible at a very small, rural neighborhood scale, but most development is single-family or two-family residential projects with limited commercial uses.”

At the proposed location, the clinic will be housed in an existing accessory building on the property that is shielded from the road by the primary residence. Additionally, the building is screened from adjacent properties by dense tree lines and is largely shielded from the right-of-way by the Beyer’s home and a natural slope on the property. Due to the low-volume, conspicuous nature of the proposed project, it appears to meet the requirement of a small, rural neighborhood scale development.

Human Services:

Goal C: To provide appropriate and adequate medical, health, and safety service facilities that are available to all populations.

This medical clinic will offer healthcare services in an area of Fluvanna County that is currently underserved. According to the applicant, she is hoping to accept many forms of insurance including Medicaid and Medicare. This will help expand healthcare to older adults in the county and those living below the poverty line.

Analysis:

This Special Use Permit will allow an existing building to be converted into a low-volume medical clinic, with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89. There will be no new structures built on the property for this SUP and only minimal changes to the exterior of the structure. It does not appear that this use will significantly alter the appearance or rural feel of the property or the surrounding area.

First, the proposed use should not tend to change the character and established pattern of the area or community.

This building was previously approved for business use. The particular location of the building, located back from the roads and placed near the woods, will be concealed from the right-of-way and adjacent properties. Additionally, the proposed location of the clinic is largely shielded by the home and natural slope of the property. The roof of the structure is made of the same material as the home so it blends in with the rest of the property. This clinic is not likely to change the rural character of the surrounding community. However, increased traffic flow to the property could result in undesirable changes to the area.

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

As previously mentioned, the medical clinic will be properly screened from adjacent properties. Additionally, this use is compatible with uses that are permitted by right in the A-1 zone. This

clinic will not invite loud machinery noises or other disruptive behavior and the applicant only anticipates traffic of around 20 patients per day.

Neighborhood Meeting:

There were zero (0) attendees at the February 13, 2019 neighborhood meeting.

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, February 14, 2019:

1. Chamber of Commerce: No comments.
2. Department of Forestry: No comments.
3. Erosion and Sediment Control: No comments.
4. Fire Chief: Commented that he was familiar with this site and that there is adequate fire and rescue space.
5. Environmental Health Dept.: No comments.
6. Sheriff's Office responded via email on February 7, 2019 with the following comment: "I reviewed the properties and have no problem with any of them."
7. Public Works: No comments.
8. VDOT: Commented that this property needs to be upgraded to VDOT's low volume entrance standards, which will include widening the entrance. However, VDOT commented that these changes can be discussed a later date with the applicant.
9. Patricia Eager, Board of Supervisors: Questioned the location of the property and whether or not the practice would accept Medicare.
10. Emergency Services: Questioned whether insurance would be accepted at this practice and whether there was enough space for fire and rescue to get in and out. Chief Brent said that there was adequate access.
11. Building Official: Commented that converting this building into a medical clinic would lead to a change of use for the building. This building will need to meet ADA guidelines. Due to the size of the building, no sprinkler system will be required. If the practice plans to connect people to electricity, then they may need electrical upgrades. However, the building official commented that ADA access will be the most important factor.
12. Communications Officer: No comments.

Conclusion:

The Planning Commission should consider that a Special Use Permit has previously been approved by the Board of Supervisors for this location. This will be a low-intensity use and add a much needed service for the surrounding community.

Recommended Conditions

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The approval of SUP 19:02 will eliminate the use of the building as a florist and any future plans to revert the building back to a florist will require a new Special Use Permit.
3. The site must meet all Virginia Department of Transportation requirements.
4. The site must meet the requirements set forth by the Virginia Department of Health.
5. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
6. Hours of operation shall be between 8:00 am and 6:00 pm Monday through Saturday.
7. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
8. All outdoor storage of materials shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the zoning ordinance.
9. The facility shall be constructed and receive final inspection from the Fluvanna County Department of Building Inspections within two (2) years of the date of approval of the special use permit or the SUP approval will expire and require a new SUP;
10. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.”

Suggested Motion:

I move that the Planning Commission recommend [approval/denial/deferral] of SUP 19:02, a request to convert an existing building into a low-volume medical clinic, with respect to 3.81 acres of Tax Map 29, Section A, Parcel 89; [if approved] subject to the ten (10) conditions listed in the staff report.

Attachments:

A – Application and Site Plan

B – Aerial Map

C -- Zoning Map

D – SUP 13:05 Planning Commission Complete Staff Report

Cc: File



COMMONWEALTH OF VIRGINIA
 COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Amy and Stephen Beyer Applicant of Record: Amy and Stephen Beyer
 Address: 2611 Thomas Jefferson Parkway Palmyra, VA Address: 2611 Thomas Jefferson Parkway Palmyra, VA
 Phone: (434) 962-0560 Fax: VA, 22963 Phone: (434) 962-0560 Fax: 22963
 Email: abeyer LLC @outlook.com Email: abeyer LLC @outlook.com

Representative: _____
 Address: _____
 Phone: _____ Fax: _____
 Email: _____

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Tax Map and Parcel(s) 29 A 89
 Acreage 3.81 Zoning A-1

Deed Book and Page: _____
 If any Deed Restrictions, please attach a copy

Location of Parcel: 2611 Thomas Jefferson Parkway Palmyra, VA 22963

Request for an SUP for the purpose of: Medical Clinic

*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 1/31/19 Signature of Owner/Applicant: [Signature]
 Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public: _____ Register # _____

My commission expires: _____

Certification: Date: _____

| Office Use Only | | | |
|---|---|--|-----------------------------------|
| Date Received: <u>2/1/2019</u> | Pre-Application Meeting: <u>check #1166</u> | PH Sign Deposit Received: <u>1/31/2019</u> | Application #: SUP <u>19-0002</u> |
| \$800.00 fee plus mailing costs paid: <u>1/31/2019</u> | | Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail | |
| Amendment of Condition: \$400.00 fee plus mailing costs paid: | | | |
| Telecommunications Tower fee plus mailing costs paid: | | Telecom Consultant Review fee paid: | |
| Election District: <u>Fork Union</u> | | Planning Area: <u>Rural Residential</u> | |
| Planning Commission | | Board of Supervisors | |
| Advertisement Dates: | Advertisement Dates: | APO Notification: | APO Notification: |
| Date of Hearing: | Date of Hearing: | Decision: | Decision: |



**Commonwealth of Virginia
County of Fluvanna
Public Hearing Sign Deposit**

Name: Amy Beyer
Address: 2611 Thomas Jefferson Parkway
City: Palmyra
State: VA Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

[Signature] Applicant Signature 1/31/19 Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY

Application #: **BZA** _____ : **CPA** _____ : **SUP** 19 : 0002 **ZMP** _____ : **ZTA** _____ :

\$90 deposit paid per sign*: \$100

Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Existing building will be used to furnish a low volume medical clinic. The only additions to the exterior structure would be adding a handicap ramp to the entrance.

NECESSITY OF USE: Describe the reason for the requested change.

I would like to serve the rural population of Fluvanna Community by providing a cost efficient resource for healthcare. This clinic would be used to educate, diagnose, and support the local community in a low volume clinic setting.

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

Traffic will be low volume and low impact. My clinic will be an asset to the community by providing convenient health care to all ages. I will not be building further building, I will only be utilizing the square footage already in place. The building is off the road so it will not be making a visual impact to my adjoining neighbors.

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

Fluvanna County is comprised of over 25,000 residents. A large portion of the population is aging making getting to and from appointments difficult at a time when health needs are on the rise. The aging population often relies on family/neighbors for transportation, making traveling into Charlottesville difficult for primary and urgent care. Another portion of the community are in need of convenient care for sick visits such as treating their children for flu, strep, and conjunctivitis. My goal is to enhance the community by providing another option for convenient healthcare within the County of Fluvanna.

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.
Remarks:

Requesting use of existing building for the use of a low volume medical office. See provided supplemental information.

Commonwealth of Virginia
County of Fluvanna
Special Use Permit Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

| Applicant must supply | Staff Checklist |
|--|-----------------|
| Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application | |
| Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> • Plot plan or survey plat at an appropriate scale • Location and dimension of existing conditions and proposed development • <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred) | |
| Supporting photographs are not required, but suggested for evidence | |

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

| Staff Only | Staff Checklist |
|--|-----------------|
| Preliminary review by planning staff for completeness and content: <ul style="list-style-type: none"> • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission. | |
| Notification of the scheduled Public Hearing to the following: <ul style="list-style-type: none"> • Applicant • All adjacent property owners • Local Newspaper advertisement | |
| Staff Report to include, but not be limited to: <ul style="list-style-type: none"> • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community. | |

The Special Use Permit application fee is made payable to the **County of Fluvanna.**

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

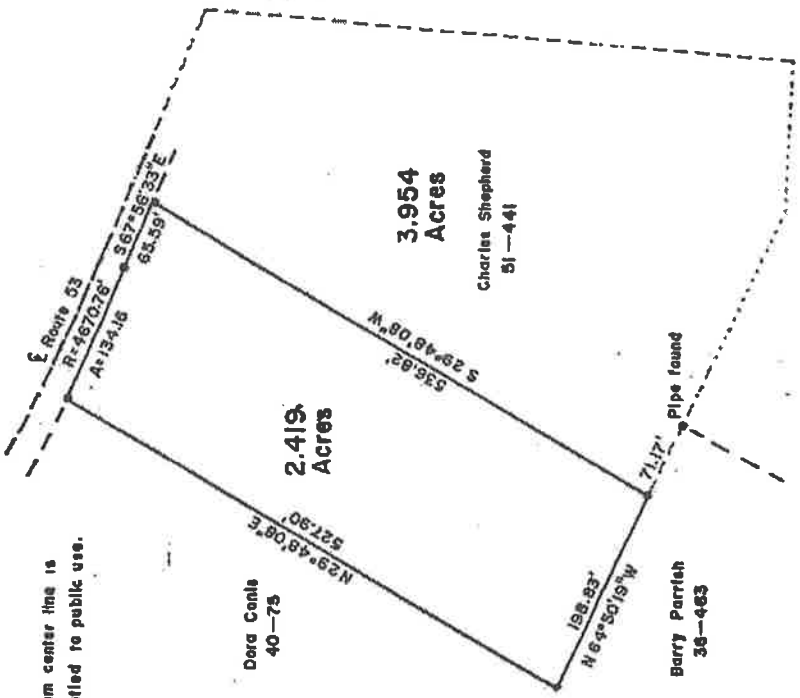
The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.

Witness, to the Clerk's Office of the Circuit Court of Henrico County
 The following land has been marked up and filed, and thereupon together with the certificate hereto annexed
 10.25
 October 16, 1975
 Robert L. Linn
 Clerk



NOTE: 25' from center line is
 dedicated to public use.



153 269

County Registrar 10-3-75
 BY AUTHORITY OF SECTION 3 OF THE
 FLORENCE COUNTY SUBDIVISION ORDINANCE.

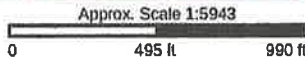
A PLAT SHOWING A PORTION OF TAX MAP 29 PARCEL 89
THE CHARLES H. SHEPHERD PROP.
 CUNNINGHAM DISTRICT, FLORENCE COUNTY, VIRGINIA



SCALE 1 INCH = 100 FEET
 SEPTEMBER 30, 1975
 ROBERT L. LINN
 LAND PLANNING - SURVEYING
 PALMYRA, VIRGINIA



Disclaimer: The Information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.



Layer: Parcels

PIN: 29 A 89
MLNAM: BEYER, STEPHEN & AMY
MADD1: 2611 THOMAS JEFFERSON PKWY
MLUSE: 2
MIMPRV: 334500
MTOTLD: 43200
MTOTPR: 377700
MDESC1: INST 180000883
MDESC2: AC 3.813
PINFormat: 29-A-89
ZONING: A-1
MACRE_: 3.813
FULLADDR: 2611 THOMAS JEFFERSON PKWY
MapBookID: 29
MRECNO: 8796
MMAP: 29 A 89
MCITY: PALMYRA
MSTATE: VA
MZIP5: 22963
MOCCUP: 10
MINNO_: 883
MSELLP: 413000
MYRBLT: 2006
MYRSLD: 2018
MPBOOK: 0000
MACRE1: 3.813
MHSE_: 2611
MSTRT: THOMAS JEFFERSON
MSTTYP: PKWY
MPCIT: PALMYRA
MPRSTA: VA
MPRZP1: 22963

| | |
|--|-----------------------------|
| Attributes at point: 11537636, 3839833 | |
| Layer: US Congressional Districts | District: 5 |
| Layer: VA Senate Districts | District: 22 |
| Layer: VA House Districts | District: 58 |
| Layer: Voting Districts | Precinct Name: FORK UNION |
| Layer: Magisterial Districts | District: Cunningham |
| Layer: Fire Districts | District Name: Palmyra Fire |
| Layer: Planning Areas | Identify: Rural Residential |
| Layer: Zoning | Zoning Classification: A-1 |



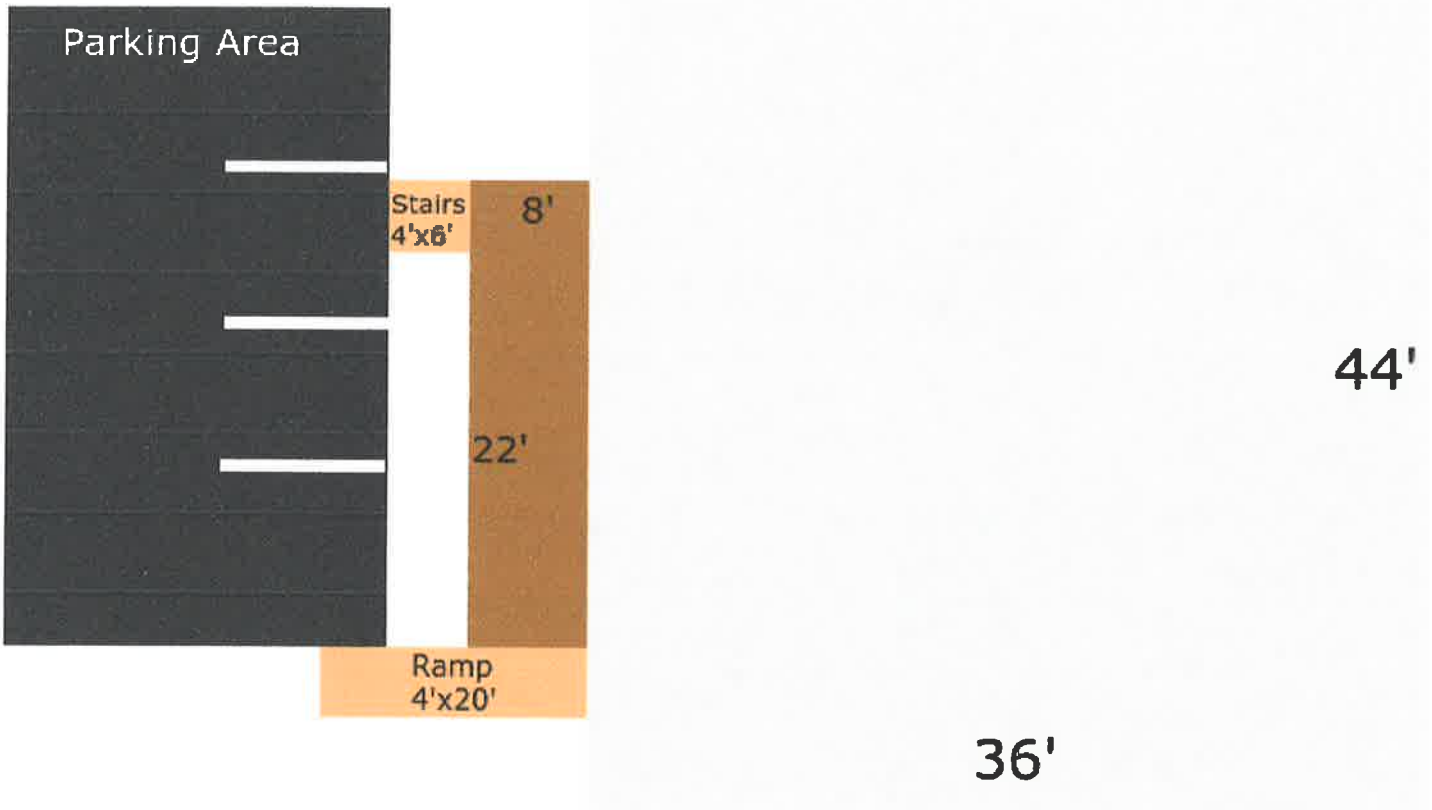


Current building





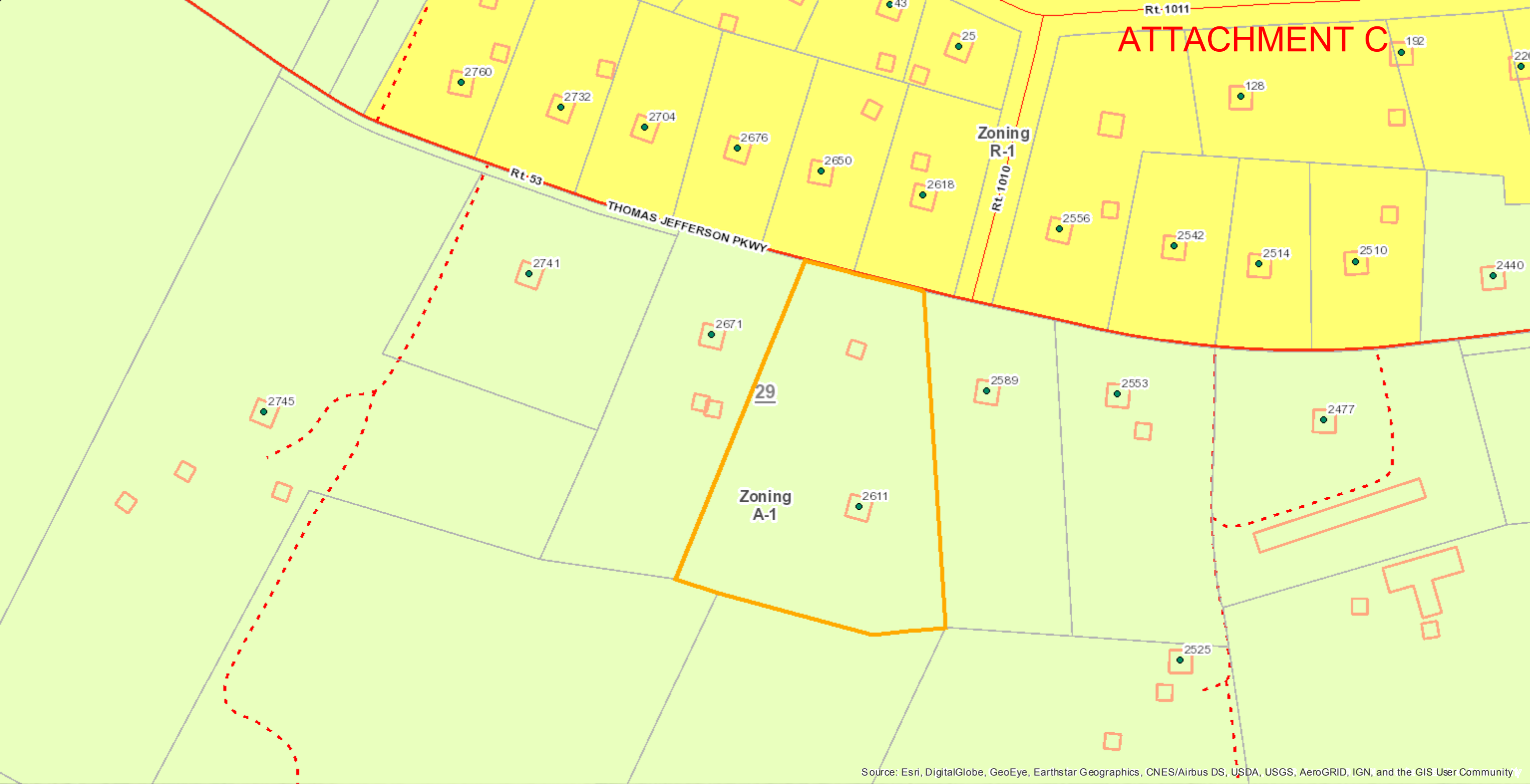
Clinic Building



ATTACHMENT B



ATTACHMENT C





COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SUP 13:05
Tax Map: Tax Map 29, Section A, Parcel 89

From: Steve Tugwell
District: Fork Union
Date: October 23, 2013

General Information: This request is to be heard by the Planning Commission on Wednesday, October 23, 2013 at 7:00 pm in the Circuit Courtroom in the Courts Building.

Owner/Applicant: Lori L. Roberts

Representative: Lori L. Roberts

Requested Action: Request for a special use permit to operate a commercial greenhouse and florist with respect to 3.581 acres of Tax Map 29, Section A, Parcel 89. The applicant is proposing to operate a commercial greenhouse and florist. (Attachment A)

Location: The affected property is located on the eastern side of State Route 15 (James Madison Highway) approximately 500 feet south of its intersection with State Route 250 (Richmond Road) (Attachment B)

Existing Zoning: A-1, Agricultural, General

Existing Land Use: Single-family dwelling and accessory buildings

Planning Area: Rural Residential

Adjacent Land Use: Adjacent properties are all zoned A-1, Agricultural (Attachment C)

Zoning History: No Previous Zoning Activities.

Analysis:

This is a Special Use Permit application to operate a commercial greenhouse and florist. The Zoning Ordinance defines commercial greenhouse as, *“a facility employing a glass, plastic, or similar enclosure for the cultivation of plants, in which plants are offered for sale to the public, either at wholesale or at retail. Supplemental items used in planting and landscaping, such as mulch, topsoil plant containers, yard ornaments, hand tools, and the like, may be sold on-site as secondary or incidental items. Such a use is not characterized by frequent heavy equipment operation, other than the occasional delivery or shipment of product”*.

Ms. Roberts currently operates the florist next to Papa John’s pizza off of Heritage Drive. Ms. Roberts has a residence on more than 3 acres, and she would like to relocate her florist business there. As there is not a separate distinction for “florist” identified in the A-1 zoning section of the ordinance, the zoning administrator determined that a florist is a use covered in the definition of “commercial greenhouse”. An existing 36 x 36 horse barn is planned to house the florist, and a separate 10 x 36 building will facilitate the greenhouse. The greenhouse will be used to raise flowers and indoor plants, and the flowers will be part of their existing florist delivery business. The application states that *“handmade gifts such as birdhouses, metal arts, etc.”* will also be on display for sale. (Attachment D)

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

First, the proposed use should not tend to change the character and established pattern of the area or community.

The subject property is located within the Rural Residential Planning Area. The nearest residence is approximately 300 feet away, and the site has a good amount of existing vegetation that may be retained as a buffer to screen from adjacent parcels. The commercial greenhouse and florist would operate on several acres, and make use of an existing building that was formerly used as a horse barn. It does not appear that the commercial greenhouse and florist as proposed would change the character and established pattern of the area.

Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.

Commercial greenhouses are allowed by SUP in the A-1 district. By-right uses that are similar, in operation or size of structures, to this application may include home occupations, equestrian facilities, farm sales, non-commercial greenhouses, and accessory dwellings. The zoning ordinance allows for one accessory dwelling unit per subject property, similar to locating the garage behind the primary dwelling. In general, small home industries differ from home occupations in that non-family employees can be hired and the business may take up more than 25% of the gross floor area of the dwelling.

Sec. 22-1-2 of the zoning ordinance states that the purpose of the zoning ordinance is “to protect against over-crowding of land”. Furthermore, the zoning ordinance states its purpose is to

“facilitate the creation of a convenient, attractive and harmonious community” requiring the upkeep of the property, free from debris. This site has already been improved tremendously since Ms. Roberts purchased it in 2012. Additionally, the zoning ordinance states its purpose as “encouraging economic development activities”. The applicants may provide a service to the community by employing several people, and by providing their clients with florist and greenhouse services they would have to travel a much further distance to acquire.

Neighborhood Meeting:

There was one (1) attendee with the exception of the applicant at the September 11, 2013 Neighborhood meeting.

Technical Review Committee:

At the September 12, 2013 Technical Review Committee meeting, The Fire Department stated via email that they have no issues with this application;

The Health Department stated that this proposal does not appear to have an impact on the existing septic system or well;

Mr. Wood with the Virginia Department of Transportation stated that a VDOT land-use permit for a low-volume commercial entrance is required, and that the existing entrance radii will have to be increased to meet the 20 foot minimum where the entrance ties into Route 53;

The E&S inspector asked how large the greenhouse would be. (Attachment E)

Conclusion:

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, vibration, or visual clutter.

Recommended Conditions:

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. Hours of operation shall be between 8:00 am and 6:00 pm Monday through Saturday.
6. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.

7. All outdoor storage of materials shall be screened from the view of public roads, rights-of-way, and adjacent properties as required by Sec. 22-24-7 3. iii of the Zoning Ordinance.
8. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

Suggested Motion:

I move that the Planning Commission recommend approval/denial of SUP 13:05, a request to allow for the operation of a commercial greenhouse and florist with respect to 3.581 acres of Tax Map 29, Section A, Parcel 89, [if approved] subject to the conditions listed in the staff report.

Attachments:

A – Application, sketch plan, and APO letter

B – Aerial Vicinity Map

C – Zoning map

D – Site with proposed additions

E - TRC comment letter, memo from the Health Dept., and email from VDOT

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